

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

REGULAR MEETING

April 7, 2026

COUNTY COMMISSIONERS

Anthony Sabatini, District #1

Sean Parks, District #2

Kirby Smith, District #3

Leslie Campione, District #4

Timothy Morris, District #5

Jennifer Barker, County Manager

Gary J. Cooney, Clerk to the Board

Melanie Marsh, County Attorney

DISCLAIMER

***Meetings are held in person with limited occupancy for social distancing.
Members of the public are invited to attend in person or join the meeting
virtually via Zoom with a computer or smart device. Attendees may also call
into the meeting using the information provided on our website.***

***To view upcoming meeting dates and locations, or for more information
on upcoming meetings, visit <https://lakecountyfl.gov/boardmeeting>.***

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting; however, Commissioners may add items to the agenda up to 4 days prior to the meeting. They also may remove items from consideration at any time. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

In addition to regular Board meetings, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which any member of the public may comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

ITEMIZED AGENDA

April 7, 2026

9:00 A.M. Invocation

Pledge of Allegiance

I. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

II. ANNEXATION REPORT

III. PUBLIC HEARINGS: REZONINGS (SEE SEPARATE AGENDA)

Tab 1 Public Hearings on Rezonings, Conditional Use Permits, and Comprehensive Plan Amendments.

IV. REGULAR AGENDA

A. COUNTY ATTORNEY

Tab 2 Recommend approval and authorization for the County Attorney or designee to execute a Settlement Agreement for Voluntary Dismissal with Prejudice in KB Home Orlando, LLC (a/k/a Crescent Pines PUD) vs. Lake County, Florida (DOAH Case No. 25-006093).

V. REPORTS

A. County Attorney

B. County Manager

VI. COMMISSIONER REPORTS

A. Commissioner Sabatini - District #1

B. Commissioner Parks - District #2

C. Commissioner Smith - District #3

D. Commissioner Morris - District #5

E. Commissioner Campione - Chairman and District #4

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she 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.

Persons with disabilities needing assistance to participate in any of these proceedings should contact (352) 343-9760 at least 48 hours before the scheduled meeting; if you are hearing or voice impaired, call 711 or (352) 253-1840.

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA
OFFICE OF THE COUNTY MANAGER
AGENDA ITEM COVER SHEET**

DATE: 03/24/2026

TO: Jennifer Barker, County Manager

THRU:

Michael Fitzgerald, Office of Planning & Zoning Director

BY: Eva Lora, Public Hearing Coordinator

SUBJECT: Public Hearings on Rezonings, Conditional Use Permits, and Comprehensive Plan Amendments.

MEETING DATE: 4/7/2026

ITEM TYPE: Public Hearing

ITEM ID: 42799

RECOMMENDATION/REQUIRED ACTION:

Public Hearings on Rezonings, Conditional Use Permits, and Comprehensive Plan Amendments.

BACKGROUND SUMMARY:

Fiscal Impact: None

Account No.:

Advertised Date: February 20, 2026 & March 27, 2026 Paper: Daily Commercial
Attachments:

1.	DidYouKnow PUD_4.2.24
2.	DidYouKnow_4.2.24
3.	BCC Agenda
4.	Tab 1 - Ordinance 2026-XX - Capurso Property (RZ) pdf
5.	Tab 2 - Ordinance 2026-XX - Orange Mountain Public Safety Tower (RZ)
6.	Tab 3 - Ordinance 2026-XX-Greater Groves PUD Amendment (RZ)
7.	Tab 4 - Ordinance 2026-XX-Cedar Creek RCS
8.	Tab 5 - Ordinance 2026-XX-Crescent Pines (RZ)
9.	Tab 6 - Ordinance 2026-XX-Serenoa PUD Amendment (RZ)
10.	PZB Minutes

STAFF APPROVALS AND DATES:

Eva Lora	Created/Initiated - 03/24/2026
Michael Fitzgerald	Approved - 03/25/2026
Kathleen Dial	Approved - 03/25/2026
Sheri Hutchinson	Approved - 03/25/2026
David Eichinger	Approved - 03/25/2026
Ron Falanga	Approved - 03/25/2026
Kandace Pourbaix	Approved - 03/25/2026
Miranda Lanoue	Approved - 03/25/2026
Melanie Marsh	Approved - 03/26/2026

Jennifer Barker
Marisol Saldana

Approved - 03/27/2026
Final Approval - 03/27/2026

ACTION TAKEN BY BOARD:

Action: New

Continued/Deferred Until:

Other:



What is a Large-Scale Comprehensive Plan Amendment?

- Each local government is required to have a Comprehensive Plan. A Comprehensive Plan provides principles, guidelines, standards, and strategies for future development. A Comprehensive Plan is organized into goals, objectives, and policies.
- A Comprehensive Plan must include the following elements: Capital Improvements, Intergovernmental Coordination, Future Land Use/Future Land Use Map, Transportation, Public Facilities, Conservation, Recreation/Open Space, Housing, Property Rights, and Economic.
- The Large-Scale Amendment process applies when a project is more than 50 acres in size.
- Local Government must hold a Transmittal Hearing also known as the First Public Hearing. If the Amendment is approved for Transmittal, it is sent to the State for review. The following State Agencies are included: Commerce, Transportation, Environmental Protection, State, Fish and Wildlife Conservation Commission, Agriculture and Consumer Services, Education and the applicable Water Management District.
- State Agencies have 30 days to return comments to the County. Once comments are received the County has 180 days to hold the Adoption Hearing also known as the Second Public Hearing.
- The Board of County Commissioners may take one of the following actions after the Second Public Hearing: Adopt the Amendment as it was Transmitted, Adopt the Amendment with changes based on State comments or public comments received at the hearing, or deny the Amendment.
- See Section 163.3184, Florida Statutes, for more information.



DID YOU KNOW?

Planning & Zoning Facts

Limits on Local Government Authority

- The Florida Legislature passed a “Property Owner Bill of Rights” in 2019 that states each property owner has (1) the right to use, enjoy and dispose of their property and (2) the right to just compensation for property taken for a public purpose. Sec. 70.002, F.S.
- The Florida Law allows a property owner to sue the local government if the property owner believes a condition on the use of real property is more than what is necessary to address the impacts of the proposed use. If a property owner wins its lawsuit, the local government must pay damages, court costs and attorney fees. Sec. 70.45, F.S.
- The Florida Legislature created a law that allows a property owner to sue the local government if the government passes a law, regulation or ordinance that burdens, restricts or limits private property rights. This is known as the “Bert J. Harris, Jr. Private Property Rights Protection Act.” If a property owner wins its lawsuit, the local government must pay damages, court costs and attorney fees. Sec. 70.001, F.S.
- Local governments cannot hold a developer responsible to correct transportation problems that existed before the developer files an application. Sec.163.3180(5)(h)2.,F.S.
- Local governments must allow a developer to move forward if they pay for or build transportation improvements that mitigate that their own impacts. Sec. 163.3180(5)(h)1.c.,F.S.
- Local governments can deny a development for reasons other than transportation problems. Sec. 163.3180(5)3., F.S.
- The County cannot impose architectural standards on any single family or duplex home, or within any zoning ordinance for development of a subdivision. Sec. 163.3202(5)(a), F.S.



BOARD OF COUNTY COMMISSIONERS (BCC) REZONING AGENDA

APRIL 7, 2026

Location & Time

Commission Chambers
County Admin. Building
315 West Main Street
Tavares, FL 32778-7800

BCC: 9:00 a.m. 04/07/2026

The Lake County Planning & Zoning Board (PZB) is an advisory board to the Board of County Commissioners (BCC). It is responsible for reviewing changes to the Comprehensive Plan, zoning, conditional uses, mining site plans, and making recommendations on these applications to the Board of County Commissioners.

The recommendations of the PZB are transmitted to the BCC for their consideration at a scheduled public hearing; these cases will be heard at the BCC hearing time, or soon thereafter.

Board of County Commissioners

Anthony Sabatini	District 1
Sean M. Parks	District 2
Kirby Smith	District 3
Leslie Campione	District 4
Timothy Morris	District 5

Lake County Staff

Melanie Marsh, County Attorney
Jennifer Barker, County Manager
Kathleen Dial, Executive Director, Development Services
Michael Fitzgerald, AICP, Director, Office of Planning & Zoning
Janie Barrón, FRA-RP, Planning Manager, Office of Planning & Zoning
Leslie Regan, Senior Planner, Office of Planning and Zoning
Meagan Bracciale, Planner II, Office of Planning and Zoning
Seth Lynch, Engineering & Operations Director, Public Works
Sharon Lewis, Development Engineer, Public Works

For any questions, comments, or concerns, please contact the Planning & Zoning Division at (352) 343-9641 or email pzinfo@lakecountyfl.gov.

Planning & Zoning Board Members

Laura Jones Smith,
Chairman (District 2)

Carroll Jaskulski,
Vice Chairman (District 4)

Judith Fike (District 1)

Addie Owens (District 3)

Dan Tatro (District 5)

Sean Lahey
(At-Large Representative)

Mollie Cunningham
(School Board
Representative)

Bill Mathias
(Alternative School Board
Representative)

Mark W. McManus, Ex-
Officio, Non-Voting
Military Representative



BOARD OF COUNTY COMMISSIONERS (BCC) REZONING AGENDA

APRIL 7, 2026

I. Consent Agenda

The Consent Agenda contains items that are recommended for approval and that are not controversial. The 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.

Tab 1	Ordinance #2026-XX	Capurso Property (RZ)
Tab 2	Ordinance #2026-XX	Orange Mountain Public Safety Tower (RZ)
Tab 3	Ordinance #2026-XX	Greater Groves PUD Amendment (RZ)

II. Regular Agenda

Tab 4	Ordinance #2026-XX	Cedar Creek Rural Conservation Subdivision
Tab 5	Ordinance #2026-XX	Crescent Pines (RZ)
Tab 6	Ordinance #2026-XX	Serenoa PUD Amendment (RZ) **Withdrawn**

III. Annexation Report

Persons with disabilities needing assistance to participate in these proceedings should contact 352-343-0760 at least 48 hours before the scheduled meeting; if you are hearing or voice impaired, call 711 or 352-253-1840.



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 1

Public Hearings: Planning & Zoning Board (PZB): March 4, 2026
Board of County Commissioners (BCC): April 7, 2026

Case No. and Project Name: PZ2025-206, Capurso Property

Commission District: District 5 – Timothy Morris

Applicant(s): Michael Rankin, LPG Urban and Regional Planners, LLC

Owner(s): Frank A. Capurso

Requested Action: Rezone approximately 1.75 +/- acres from Agriculture (A) District to Planned Commercial (CP) District to allow automotive repair and vehicular sales uses to facilitate the existing golf cart and motor vehicle repair and sales.

Staff Determination: Staff finds the rezoning request is generally consistent with the Land Development Regulations (LDR) and inconsistent with Comprehensive Plan Policy I-1.3.10.3

Case Manager: Meagan Bracciale, Planner II

PZB Recommendation: Approved on the Consent Agenda, unanimously.

Subject Property Information

Size: 1.75 +/- acres

Location: 3045 Eagles Nest Road, in the unincorporated Fruitland Park area.

Alternate Key Nos.: 1282471

Future Land Use Category: Urban Medium Density (Attachment “A”)

Current Zoning District: Agriculture (A) District (Attachment “B”)

Proposed Zoning District: Planned Commercial (CP) District (Attachment “C”)

Flood Zone: “X”

JPA/ISBA: The Town of Lady Lake Interlocal Service Boundary Agreement Area (ISBA)

Overlay/Rural Protection Area: N/A

Basin Management Action Plan (BMAP) Location: Upper Ocklawaha and Silver Springs

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Medium Density	Community Facility District (CFD)	Church	Northside Christian Church at Fruitland Park Parsonage
South	Urban Medium Density	Mobile Home Rental Park (RMRP)	Residential	Single-Family Residence
East	Urban Medium Density	Community Facility District (CFD)	Church	Northside Christian Church at Fruitland Park
West	Urban Medium Density	Agriculture (A) District	Vacant	Vacant Residential

- Summary of Analysis -

The subject parcel is identified by Alternate Key Number 1282471 and contains approximately 1.75 +/- acres. The subject parcel is located at 3045 Eagles Nest Road, in the unincorporated Lady Lake area. The subject parcel is zoned Agriculture (A) district and designated with an Urban Medium Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. The subject parcel is located partially within the US 27 Major Commercial Corridor.

The Applicant seeks approval to rezone the subject parcel from Agriculture (A) District to Planned Commercial (CP) District to allow automotive repair and vehicular sales uses to facilitate the existing golf cart and motor vehicle repair and sales. For the purposes of this rezoning, a Motor Vehicle is defined as passenger cars weighing between 2,500 lbs. to 4,400 lbs., and SUVs and trucks weighing 5,000+ lbs., or less.

The Concept Plan (Attachment “D”) depicts two (2) existing garages with associated parking, a carport, and landscape buffering.

The subject parcel is located within the Town of Lady Lake Interlocal Service Boundary Agreement (ISBA), and the application was provided to the Town of Lady Lake to review for a determination of consistency with their regulations. The Town of Lady Lake provided the following comments:

“As you are probably aware, the site has been operating under the uses as proposed for some time now. The Town is not opposed to the rezoning or the proposed uses. Our utilities are several hundred feet away, with the closest location east of Highway 27/441 being at Hartsock Sawmill Road; therefore, we will not be in a position to offer any connections to the subject parcel.

From traveling the road (Eagles Nest Rd.) over the years, I have noted that some of the display vehicles are set very near or within the ROW (as evidenced below). I would hope that for purposes of public safety that setbacks will be established through the site plan process to address this concern.”

The Town of Lady Lake’s setback concern has been addressed in the proposed Ordinance under Section 1(B)(3):

Setbacks: Setback shall be in accordance with the applicable provisions of the LDR, as amended. No vehicles, supplies, or equipment shall be permitted to be parked within the right-of-way or required landscape buffers at any time.

For background purposes, historical aerial photographs, dating back to 2004 (Attachment “E”) show the subject parcel developed with a single-family residence and a detached garage structure. Between 2017 and 2019, the primary residence was destroyed by fire. Demolition permit number 2019040833 was issued in 2019 for the demolition of a burned house / unsafe structure. The residence was not replaced.

On March 13, 2025, the subject property received a code violation for conversion of the single-family residence to commercial use, and the operation of golf cart sales and storage on residential property (Attachment “F”). Additional photographs of the business structure are included in Attachment “G”.

Needs Assessment: Currently, there is an existing golf cart retailer, that also offers repair, maintenance and customization services, just over a half mile (0.56 miles) away from the subject property, located at the corner of US Highway 27 and Grays Airport Road. The nearest existing automotive repair shop is located just over a quarter of a mile (0.29 miles) away from the subject property. Staff finds that the subject parcel’s surrounding area is already served by the above-mentioned businesses offering these services and adding another would not provide significant value or differentiation.

If approved, this rezoning will assist in bringing the property into compliance and to resolve Code Case #2025030109. The Owner will then be required to submit for an obtain an approved site plan . Should the Board approve this request, the Applicant will be required to obtain zoning and building permits to comply with Lake County Land Development Regulations.

If denied, the subject property Owner must cease using the property for automotive repairs and sales and will be required to take one of two (2) actions:

- a. A new single-family residence must be permitted and constructed on the subject parcel pursuant to LDR 10.01.01(A), entitled *General Requirements for Accessory Structures*, which states that accessory structures used in conjunction with a residential dwelling unit may be allowed on a lot, provided that there shall be a lawful dwelling unit on the lot. The property Owner may also apply for a variance to LDR 10.01.01(F, entitled *Residential Accessory and Temporary Structures and Uses*, to allow an accessory structure (the current front facing garage building) to be located in front of the required new residence and less than one hundred (100) feet from the property line. The subject garage building appears to measure approximately ninety-seven (97) feet from the front property line.
- b. All accessory structures must be removed/demolished to bring the subject parcel in compliance with LDR 10.01.01(A), entitled *General Requirements for Accessory Structures*, which states that accessory structures used in conjunction with a residential dwelling unit may be allowed on a lot, provided that there shall be a lawful dwelling unit on the lot.

The Applicant provided a Project Narrative for the rezoning request as shown on Attachment “H”.

Table 1. Existing and Property Development Standards.

	Zoning District	Allowable Development Program	Proposed Development Program	Maximum Impervious Surface Ratio	Minimum Open Space	Building Height
Existing	Agriculture (A) District	1DU/5AC	N/A	0.10	N/A	40-FT
Proposed	Planned Commercial (CP) District	2.0 FAR	Golf Cart and Motor Vehicle Repair and Sales	0.70	0.20	50-FT

– Staff Analysis –

LDR Section 14.05.03 (Standards for Review)

A. Whether the rezoning is in conflict with any applicable provisions of the Code (Land Development Regulations).

The rezoning request is consistent with LDR Section 3.00.02(U) entitled *Purpose and Intent of Districts*, which states that the purpose of the planned commercial district is to provide for any commercial land currently available in any other commercial district and to provide for any commercial land use for which no provision is made elsewhere in these regulations. The intent of this zoning district is to establish "CP" districts individually under approved site plans, submitted either at the initial rezoning stage or prior to the actual development of the property, and conditions necessary to promote the general welfare and to secure economic and coordinated land use.

The rezoning request is consistent with LDR Table 3.00.03 entitled *Land Use – Zoning District Matrix*, which states that the Planned Commercial (CP) district is compatible with the Urban Medium FLUC.

The rezoning request is consistent with LDR Section 3.01.03 entitled, *Schedule of Permitted and Conditional Uses*, which states that automotive repair and vehicular sales are permitted within the Planned Commercial (CP) zoning district.

The concept plan depicts consistency with LDR Section 3.02.06, which states that the maximum Floor Area Ratio (FAR) for the Planned Commercial (CP) District is 2.0, and the maximum Impervious Surface Ratio (ISR) is 0.70. Pursuant to the Concept Plan (Attachment “D”), the proposed FAR of 0.06 and the proposed ISR of 0.18 are consistent with the maximum FAR and maximum ISR of the Planned Commercial (CP) zoning district. Pursuant to the Concept Plan (Attachment “D”), the proposed landscape buffers and setbacks will also comply with LDR Section 9.01.06, entitled *Landscape Buffer Requirements*, and LDR Table 3.02.05, entitled *Setback Requirements*.

New development will be required to meet all criteria specified in the LDR, as amended.

B. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.

The rezoning request is consistent with Comprehensive Plan Policy I-1.3.10, entitled *Commercial Activities within the Urban Future Land Use Series*, which states this policy applies to commercial development within the Urban Future Land Use Series. The subject parcel is located within the Urban Future Land Use Series in accordance with Comprehensive Plan Objective I-1.3, which states that FLUCs within the Urban FLU Series include the Urban Medium Density FLUC.

The rezoning request is consistent with Comprehensive Plan Policy I-1.3.3, entitled *Urban Medium Density Future Land Use Category*, which states that the maximum Floor Area Ratio (FAR) for the Urban Medium FLUC is 0.35, and the maximum Impervious Surface Ratio (ISR) is 0.70. Pursuant to the Concept Plan (Attachment “D”), the proposed FAR is 0.06 and the proposed ISR is 0.18.

The rezoning request is consistent with Comprehensive Plan Policy I-1.3.10, entitled *Commercial Activities within the Urban Future Land Use Series*, which states that within the Urban Future Land Use Series, Lake County shall allocate sufficient land area to accommodate commercial activities that provide goods and services. Commercial uses shall include commercial, retail, office, and limited light industrial uses and other uses commonly associated with these activities.

The rezoning request is consistent with Comprehensive Plan Policy I-1.3.10.6, entitled *Criteria for Commercial Corridors*, which states that certain roadway corridors within the County have become established over time as significant corridors for commercial development. Infill development shall be encouraged within Commercial Corridors. Approximately half of the subject parcel lies within the designated US 27 Major Commercial Corridor (Attachment “I”).

Comprehensive Plan Policy IX-3.1.2, entitled *Mandatory Sewer Connection*, states that at a minimum, Lake County shall require new development within the Urban Future Land Use Series to connect to public sanitary sewer, when available. Where a public sanitary sewer system is not available, a new development exceeding a density of one unit per net acre shall provide a regional/sub-regional sanitary sewer system, unless exempted by the Board of County Commissioners. Central utility service is currently unavailable to the property. The proposed continuation of the current development on the subject parcel does not exceed one (1) unit per net acre. Therefore, the subject property is in compliance with Policy IX-3.1.2 and will continue to be serviced by the existing septic, until such time as (1) the septic system reaches end of life and requires replacement and (2) central or public sewer service becomes available, in accordance with the Comprehensive Plan and LDR, as amended.

Comprehensive Plan Policy IX-2.2.2, entitled *Mandatory Central Water Connection*, states that at a minimum, Lake County shall require new development within the Urban Future Land Use Series to connect to public water system, when available. Where central systems are not available, a new development exceeding a density of one unit per net acre shall provide a central water system, unless exempted by the Board of County Commissioners. Central utility service is currently unavailable to the property. The proposed continuation of the current development on the subject parcel does not exceed one (1) unit per net acre. Therefore, the subject property is in compliance with Policy IX-2.2.2 and will continue to be serviced by the existing well, until such time as (1) the potable water system reaches fails and requires replacement and (2) central or public water service becomes available, in accordance with the Comprehensive Plan and LDR, as amended.

Comprehensive Plan Policy IX-3.1.1, entitled *Regional Wastewater Service Criteria*, states that developments within the Urban Future Land Use Series, with an expected flow of at least 100,000 gallons per day (GPD) or a density greater than one (1) unit per net acre must be connected to a regional sewer system. Central utility service is currently unavailable to the property. The proposed continuation of the current development on the subject parcel does not exceed one (1) unit per net acre and is not expected to render a flow of at least 100,000 GPD. Therefore, the subject property is in compliance with Policy IX-3.1.1 and will continue to be serviced by the existing well and septic, until such time as (1) the septic system reaches end of life and requires replacement and (2) central or public sewer service becomes available, in accordance with the Comprehensive Plan and LDR, as amended.

New development will be required to meet all criteria specified in the Comprehensive Plan.

Inconsistencies:

The rezoning request is partially inconsistent with Comprehensive Plan Policy I-1.3.10.3. The proposed use is inconsistent with the neighboring agriculture and residential uses that were established prior to the 2030 Comprehensive Plan, which was enacted on September 11, 2011. While the proposed use is partially inconsistent with the Comprehensive Plan Policy I-1.3.10.3, entitled *Commercial Site Design and Compatibility with Adjacent Land Uses*, due to the historical agriculture and residential uses, the proposed use is consistent with the Commercial Activities within the Urban Future Land Use Series and Commercial Corridors. The adjacent Community Facility District (F.K.A.: Public Facilities District) parcel was established on September 8, 1987, prior to the current Comprehensive Plan implementation. The CFD use established Site Plan 88 and a rezoning request to amend the previous 1987-60 ordinance was approved by the Board of County Commissioners on August 1, 2012, after the 2030 Comprehensive Plan was enacted.

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

The request is consistent with LDR Section 3.00.03 entitled *Consistency of Zoning Districts With Land Use Classifications*, which indicates that the Planned Commercial (CP) zoning district is allowable within the Urban Medium Density FLU (F.K.A.: Urban Maximum Density).

The rezoning request is consistent with intent of Comprehensive Plan Policy I-1.3.10, entitled *Commercial Activities within the Urban Future Land Use Series*, which encourages that sufficient land area shall be allocated to accommodate commercial activities that provide goods and services, with consideration to economic benefits and environmental impacts to the County.

The rezoning request is generally consistent with Comprehensive Plan Policy I-1.3.10.03, entitled *Commercial Site Design and Compatibility with Adjacent Land Uses*, which states that The County shall require landscaped buffers, use of open space, and architectural/artistic elements as appropriate to ensure compatibility between commercial and residential uses. Commercial features and signage shall be designed to enhance community aesthetics, maintain neighborhood viability, reduce incompatibility with adjacent uses, and limit glare and noise. This is demonstrated on the Concept Plan (Attachment “D”) where the proposed site plan incorporates landscape buffers between the development on the subject property and the adjacent, historically designated/developed residential and agricultural parcels, as well as landscape buffering intended to screen the proposed development from the adjacent CFD parcel.

Pursuant to Comprehensive Plan Policy I-1.3.10.03, entitled *Commercial Site Design and Compatibility with Adjacent Land Uses*, the design of commercial development shall not compromise the integrity of adjacent uses or encroach upon conservation or environmentally sensitive areas. Through the site planning process, the proposed use will be designed in accordance with the Land Development Regulations and Comprehensive Plan, as amended, to preserve the integrity of the adjacent, historically developed, residential uses. Additionally, the proposed development does not encroach upon conservation or environmentally sensitive areas and does not lie within any established environmentally protected overlay areas,

The proposed use is inconsistent with the neighboring agriculture and residential uses that were established prior to the 2030 Comprehensive Plan, which was enacted on September 11, 2011. While the proposed use is partially inconsistent with the Comprehensive Plan Policy I-1.3.10.3, entitled *Commercial Site Design and Compatibility with Adjacent Land Uses*, due to the historical agriculture and residential uses, the proposed use is consistent with the Commercial Activities within the Urban Future Land Use Series and Commercial Corridors. The adjacent Community Facility District (F.K.A.: Public Facilities District) parcel was established on September 8, 1987, prior to the current Comprehensive Plan implementation. The CFD use established Site Plan 88 and a rezoning request to amend the previous 1987-60 ordinance was approved by the Board of County Commissioners on August 1, 2012, after the 2030 Comprehensive Plan was enacted.

Furthermore, the subject parcel is located within the US 27 major commercial corridor, and the proposed use encourages and provides a transition between the intention of the Urban Future Land Use Series, and adjacent historical uses and Commercial Corridors permitted within the Urban Medium Density FLUC.

D. Whether there have been changed conditions that justify a rezoning.

The Applicant is proposing to rezone the subject parcel to facilitate golf cart and motor vehicle repair and sales. A Notice of Code Violation was issued by the Office of Building Services on March 13, 2025, for conversion of the single-family residence to commercial use, and the operation of golf cart sales and storage on residential property (Attachment “F”).

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.

Any future development of this property will require an analysis via submittal of a development application to demonstrate that the proposed development does not adversely impact the County’s adopted levels of service to public facilities and services.

Water and Sewage

The proposed development will be served by a well and septic system and shall comply with the Florida Department of Health (DOH – Lake County) / Florida Department of Environmental Protection (FLDEP) Regulations, as amended.

Schools

The proposed rezoning is not anticipated to adversely impact school concurrency or levels of service.

Parks

The proposed rezoning is not anticipated to adversely impact park capacity or levels of service.

Solid Waste

The proposed request is not anticipated to adversely impact solid waste capacities or levels of service.

Public Safety

Lake County Fire Station #53, 2505 Spring Lake Road, Fruitland Park, is located less than one (1) mile from the subject property. Fire protection water supply and emergency access will be addressed during the site plan review process, should the rezoning request be approved by the Board.

Transportation Concurrency

The standard Level of Service (LOS) for the impacted roadway of Eagles Nest Road is “D” with capacity of 752 trips in the peak direction. Currently the impacted segment from US 27 to CR 466B is operating at thirty-four percent volume to capacity ratio (v/c) (34%) in the PM Peak Direction (LOS “C”). This project will be generating approximately fourteen (14) PM peak hour trips, in which seven (7) trips will impact the peak hour direction, increasing the v/c to thirty-five percent (35%). LOS “C”

A Request for Exemption from doing a Tier 1 Traffic Impact Analysis is required prior to site plan approval.

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

Per the Applicant’s Project Narrative, *“The proposed CP will not significantly impact the natural environment. The subject site is not within the 100-year flood plain and contains no waterbodies or wetlands. Buffers, provision of central water and sewer, and stormwater management facilities will provide additional protection to the area.”*

An environmental assessment will be required with the site plan application to indicate the presence of vegetation, soils, wetlands, and threatened and endangered species on the site. Any required State permitting or mitigation will be obtained before development can commence. All sensitive resources will be addressed through the development review process. New development will be required to meet all criteria specified by the Comprehensive Plan and Land Development Regulations (LDR).

G. Whether, and the extent to which, the proposed rezoning would affect the property values in the area.

Per the Applicant’s Project Narrative, *“The rezoning should not have a negative impact on property values.”*

H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern.

The area surrounding the subject parcel was developed historically with residential uses prior to the 2030 Comprehensive Plan, enacted on September 11, 2011, which established the US 27 major commercial corridor. While the proposed use is inconsistent with the historically developed neighboring agriculture and residential uses, non-residential uses have been slowly developing since the mid-1980’s.

Furthermore, as subject parcel is located within the US 27 major commercial corridor, and the proposed use encourages and provides a transition between the Commercial Corridor permitted within the Urban Medium Density FLUC, and adjacent historical uses.

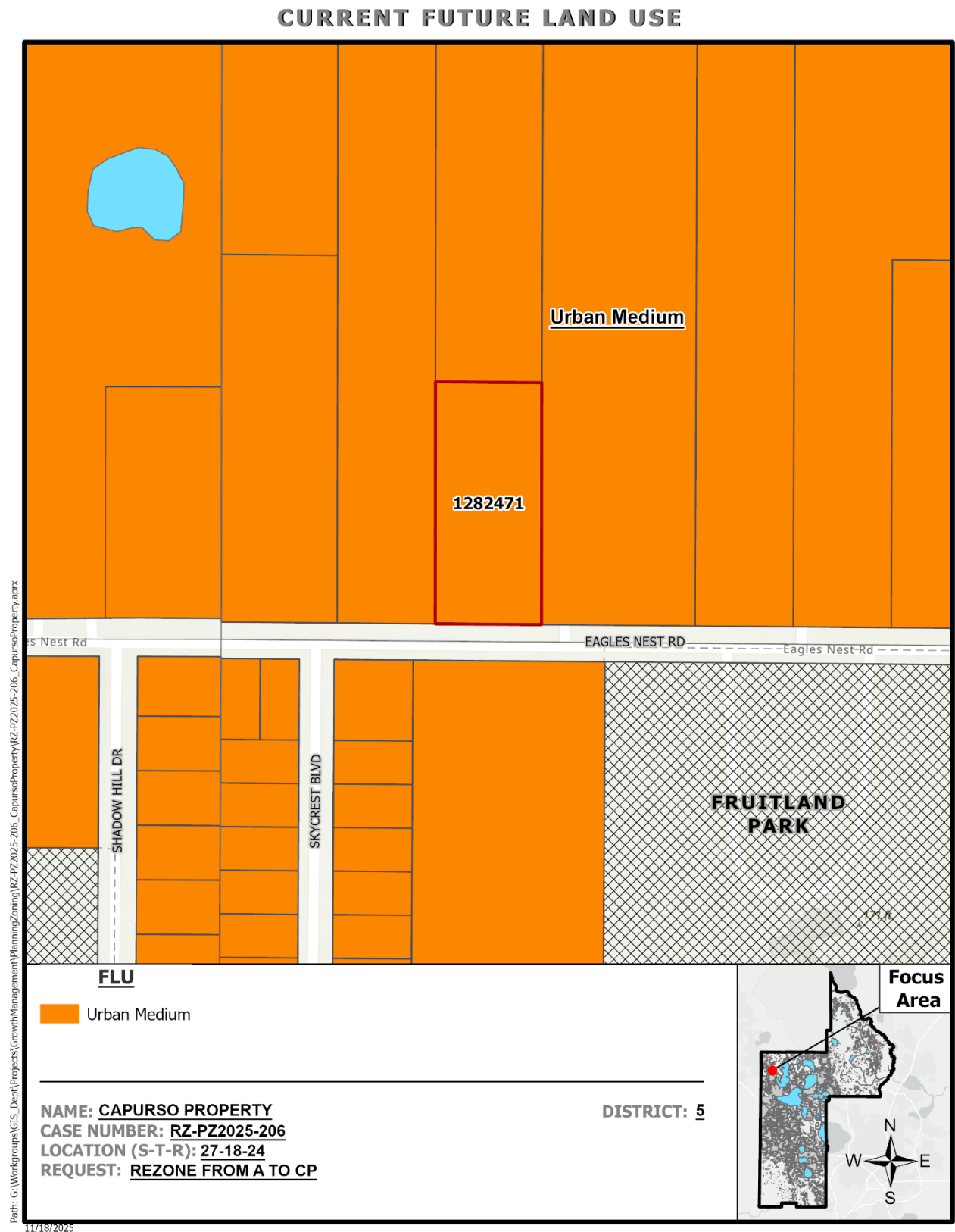
I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations.

The proposed rezoning application is generally in harmony with the intent of the Comprehensive Plan and LDR as stated in Sections A through H above.

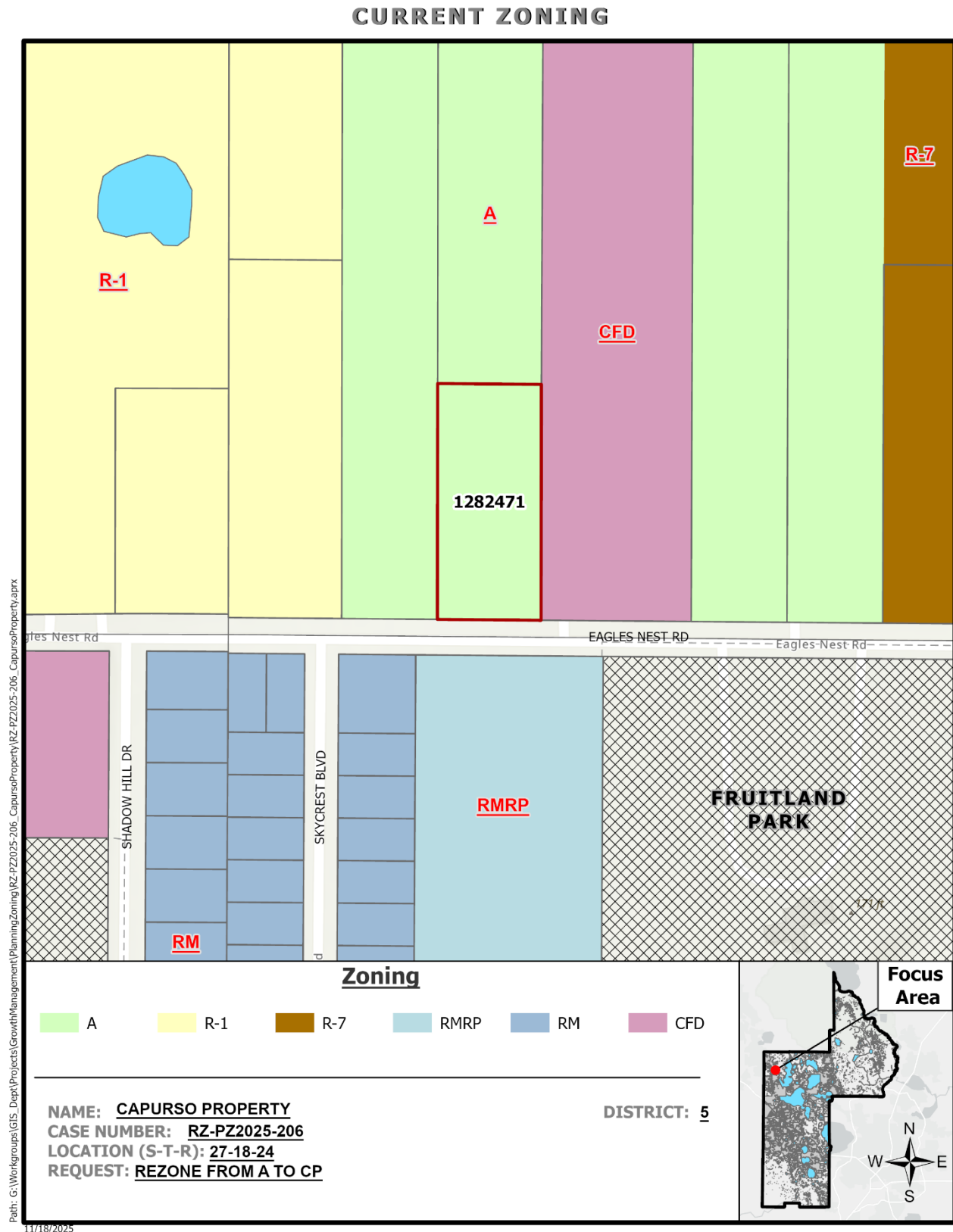
J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.

N/A

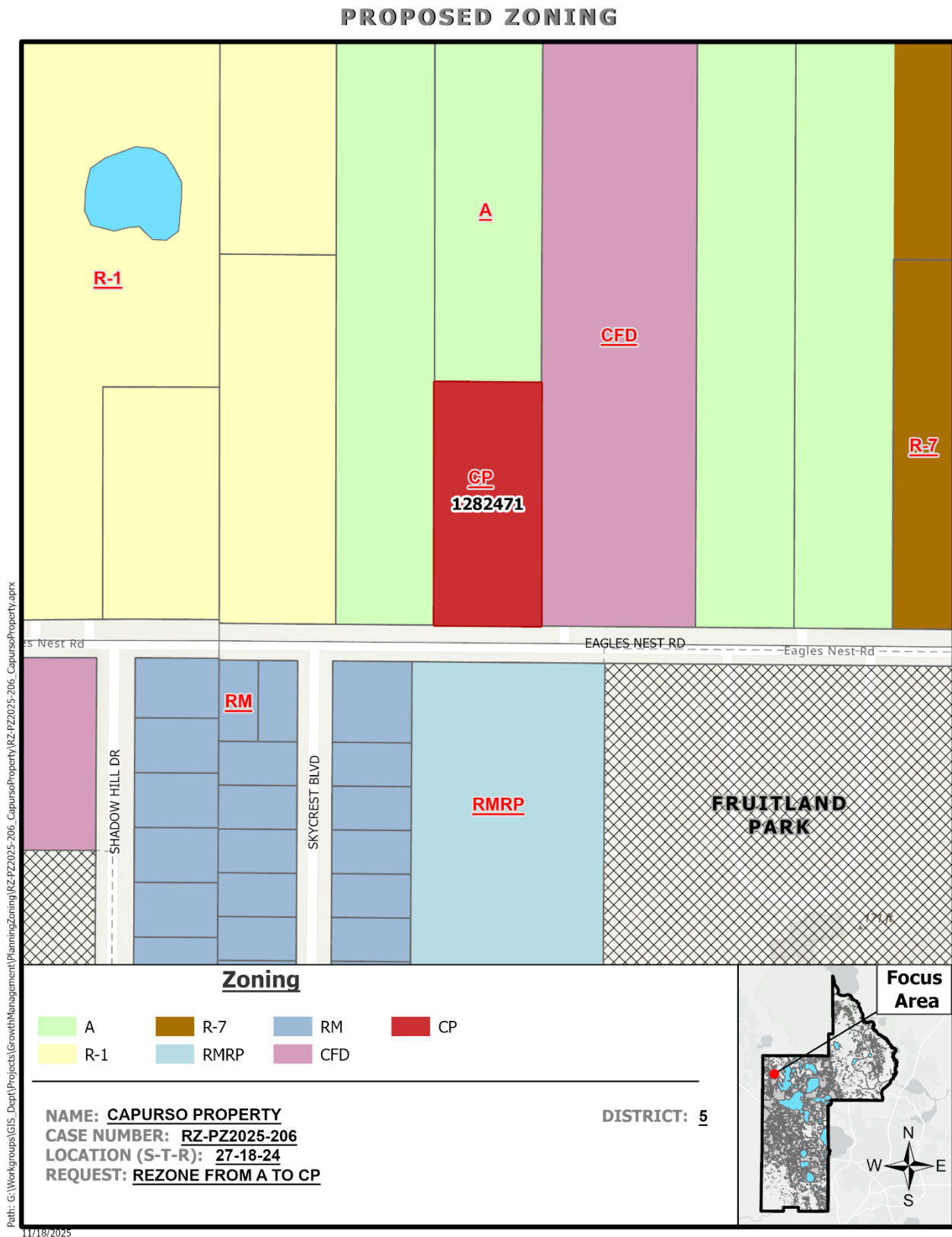
Attachment “A” – Current Future Land Use Map



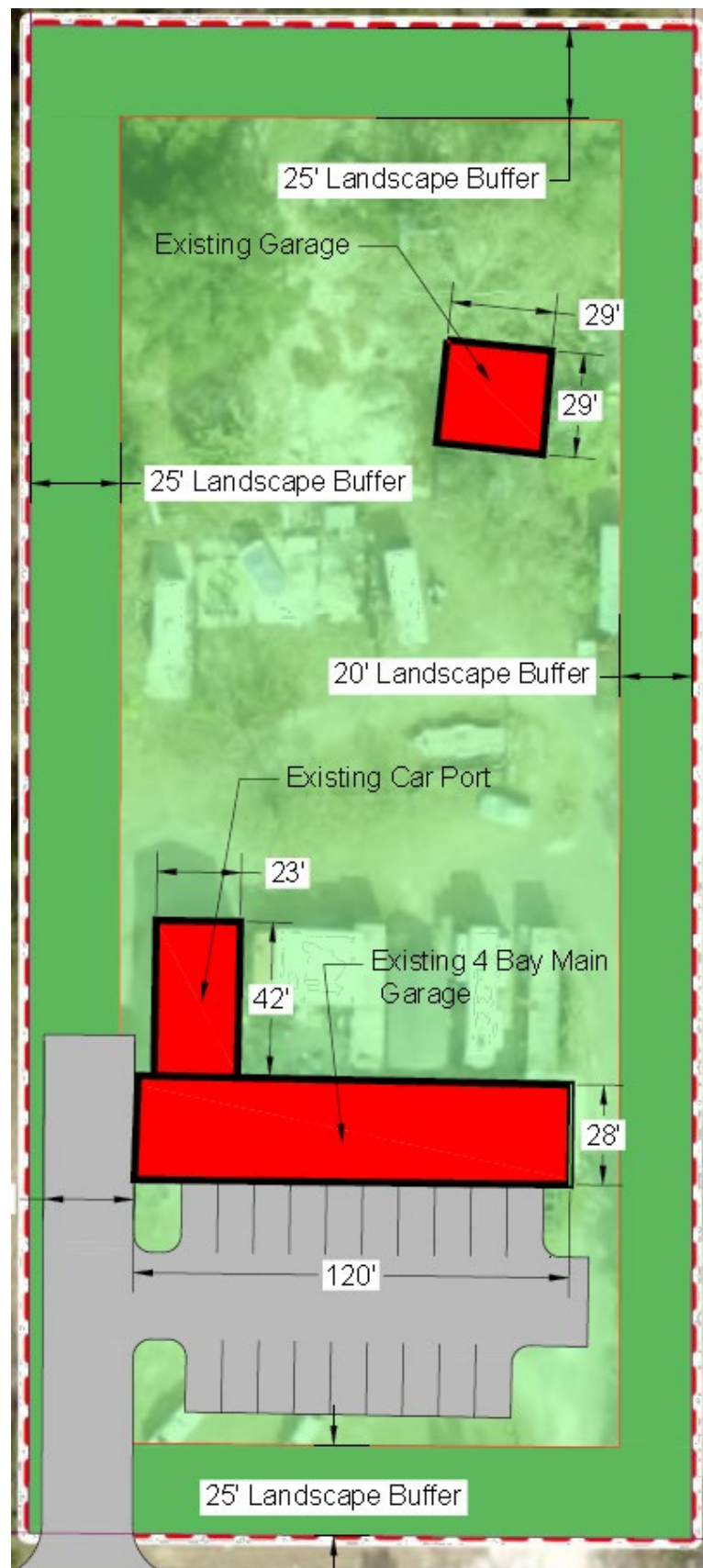
Attachment “B” – Current Zoning District Map



Attachment “C” – Proposed Zoning District Map



Attachment “D” – Concept Plan (1 of 2)



Attachment “D” – Concept Plan (2 of 2)

Notes:

Site: **1.75** acres (76,230 sf)

Existing FLU: **Urban Medium**

Existing Zoning: **Agriculture**

Proposed Zoning: **Planned Commercial**

Adjacent Land Use and Zoning

North: Urban Medium/ A

South: Urban Medium/ RMRP

East: Urban Medium/ CFD

West: Urban Medium/ A

Proposed Uses:

Sales and Repair of Golf Carts

Motor Vehicle Repair/Restoration and Sales

Existing Buildings:

4 Bay Main Garage

Rear Garage

Car Port

Total Square footage of Existing Buildings: 4,630

Buffers:

North, South, and East: Type “C” of 25' with 3 canopy trees, 2 ornamental and 2 rows of shrubs.

West: Type “B” of 20' with 2 canopy, 3 ornamental and 1 row of shrubs

Density: N/A

Proposed FAR: **0.06**

Max FAR: 2.0

Proposed ISR: 18.28%

Max ISR: 70%

Open Space

Proposed: 81.72%

Proposed Parking:

Two (2) spaces plus four (4) spaces per service bay or repair stall.

One (1) space per two hundred (200) square feet of gross leasable area.

Parking Required: 18

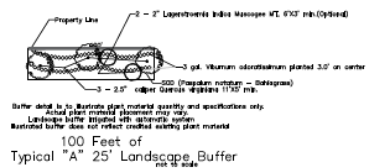
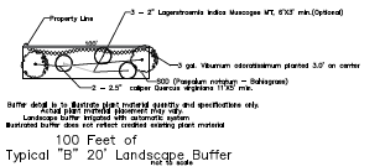
Proposed Parking: 19

Max Building Height: 50'

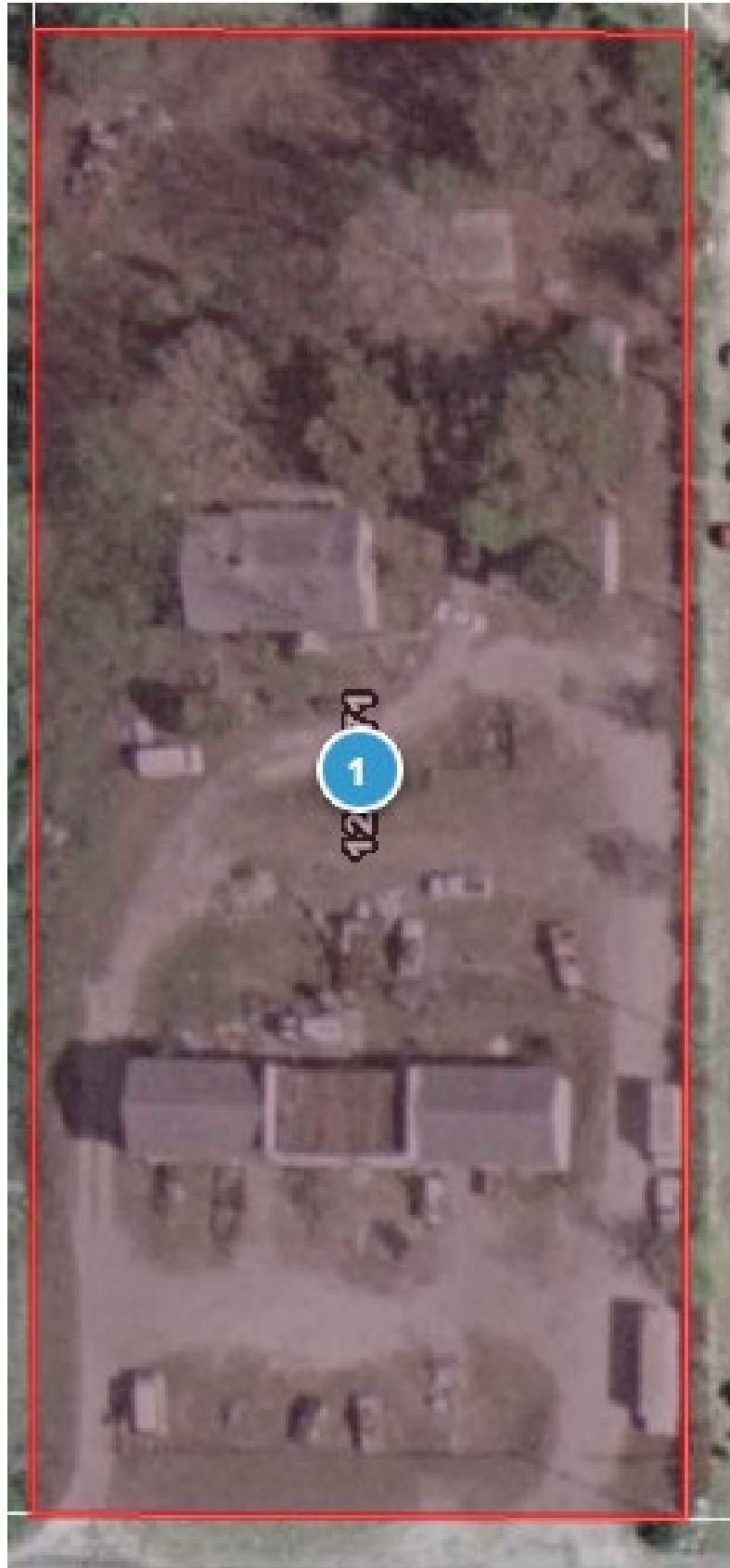
Setbacks

Front - 50' from the right of way.

Side and Rear - Buffer width



Attachment “E” – 2004 Historical Aerial of Subject Parcel



Attachment “F” – Notice of Code Violation



OFFICE OF BUILDING SERVICES NOTICE OF CODE VIOLATION

DATE: 3/13/2025

LOCATION OF VIOLATION: 3045 EAGLES NEST ROAD

**FRANK A CAPURSO
3045 EAGLES NEST ROAD
FRUITLAND PARK, FL 34731**

IN ACCORDANCE WITH LAKE COUNTY CODE AND/OR LAND DEVELOPMENT REGULATIONS YOU ARE HEREBY NOTIFIED THAT THE ABOVE DESCRIBED PROPERTY IS IN VIOLATION OF SECTION(S):

**Lake County Code Chapter 6, Section 6-3(a) PERMITS
No Building Permit**

IN ORDER TO PREVENT ANY FURTHER ACTION, THE FOLLOWING CORRECTIVE MEASURES MUST BE TAKEN:

A change of use permit will need to be obtained for conversion of the single family residence to commercial use. A final inspection will need to be obtained within the required time frame of the building permit

DAYS TO COMPLY 10

**MICHAEL W RODEN
LICENSING INVESTIGATOR**

**2025030109
CASE NUMBER**

Please feel free to contact me at (352) 396-3379 to discuss your case.

**All Lake County Codes can be viewed online at www.municode.com
If a permit is required, please provide copy of this letter to the building department.**

OFFICE OF BUILDING SERVICES
P.O. BOX 7800 • 315 WEST MAIN STREET, TAVARES, FL 32778 • P 352.343.9653 • F 352.343.9771
Board of County Commissioners • www.lakecountyfl.gov

Attachment “G” – Exterior of Building



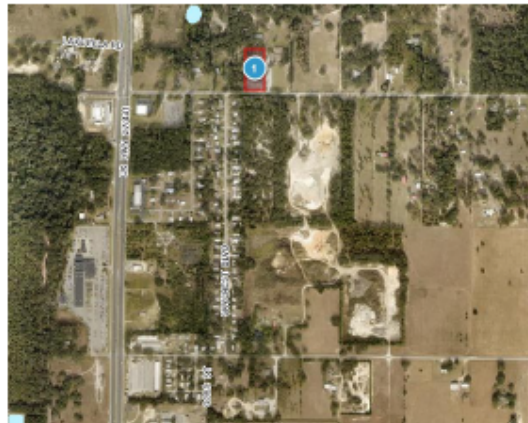
Attachment “H” – Project Narrative (1 of 3)



Frank Capurso Rezoning Request Project Narrative

The subject property is located at 3045 Eagles Nest Road referenced by alternate key 128471 and consisting of approximately 1.75 ± acres. The existing future land use is Urban Medium. Existing development includes two (2) garages with an attached office area, and associated accessory structures. The surrounding area is a mix of residential, commercial and institutional uses.

Figure 1. Project Location



Project Request

The request is to amend the zoning from Agriculture (A) to Planned Commercial (CP) to allow the sales and repair of golf carts, and motor vehicle repair/restoration and sales. The surrounding area is a mixture of residential, institutional and commercial. Commercial uses in the area consist of Leisure Living, 7-Eleven, and vacant land. Institutional uses consist of Northside Christian Church and Duke Energy sub-station. The surrounding properties are zoned Community Facilities District (CFD), Agriculture (A), Residential Mobile (RM), Rental Mobile Home Park (RMRP), Rural Residential (R-1), General Commercial (C-2) and City of Fruitland Park Planned Unit Development (PUD).

Attachment “H” – Project Narrative (2 of 3)

Standards of Review

A. Whether the rezoning is in conflict with any applicable provisions of the Code.

The proposed rezoning is consistent with all applicable provisions of the code. The proposed Planned Commercial District (CP) is compatible in intensity to the surrounding land uses. The proposed commercial zoning is consistent with the future land use and complies with the commercial criteria of FLU Policy I-1.3.10.6. The site is within 1320' of the established US 27/441 commercial corridor pursuant to FLU Policy I-1.3.10.6.

B. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.

The proposed rezoning is consistent with all the elements of the comprehensive plan. The existing Urban Medium Density future land use allows for commercial uses per FLU Policy I-1.3.3, I-7.6.1 (Encouragement of Trip-Capturing Development). The request is consistent with Policies I-1.1.3 (directs growth to urban areas), IX-2.2.2 and IX-2.2.6 (Requires connection to central water when services are available, water – 300'), IX-3.1.5 and IX 3.2.4 (Requires connection to sewer when services are available, sewer – 1,000').

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

The proposed CP is consistent with the established land use pattern in the area. The proposed use is commercial and the intensity is consistent with the surrounding area.

D. Whether there have been changed conditions that justify a rezoning.

The surrounding area is a mixture of residential, institutional and commercial. Commercial uses in the area consist of Leisure Living, 7-Eleven, and vacant land. Institutional uses consist of Northside Christian Church and Duke Energy sub-station. Residential uses in the area consist of single family and manufactured homes (Sunset Village). Roadway improvements in the area consist of 4-laning of US Hwy. 27/441, and signalization of the intersection of Eagles Nest Road and US Hwy. 27/441. Additional residential and commercial development is approved within the City of Fruitland Park to the south of the site known as Logan PUD (alt key #'s 1285291, 1285178, 1284902, 1285020, 1285330, and 1699240). The interim use is sand and fill excavation.

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



Attachment “H” – Project Narrative (3 of 3)

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.

The development will not negatively impact public facilities. Eagles Nest Road is classified as a minor collector roadway with an adopted Level of Service (LOS) of D. The proposed rezoning will not impact schools, parks and recreation as it is commercial and not residential. Emergency medical facilities are within 6.5 miles from the site and is known as The Villages Regional Hospital. The closest Fire Station is Station 56 located at 506 W Berkman St. and provides Advanced Life Support services. Proposed development will secure the appropriate stormwater permits as required by St. Johns River Water Management District and Lake County. The CP is an infill project and sufficient capacity is available to serve the project.

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

The proposed CP will not significantly impact the natural environment. The subject site is not within the 100-year flood plain and contains no waterbodies or wetlands. Buffers, provision of central water and sewer, and stormwater management facilities will provide additional protection to the area.

- G. Whether, and the extent to which, the proposed rezoning would affect the property values in the area.*

The rezoning should not have a negative impact on property values.

- H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern.*

As described above. The proposed CP is an infill project and is a logical extension of the existing development pattern.

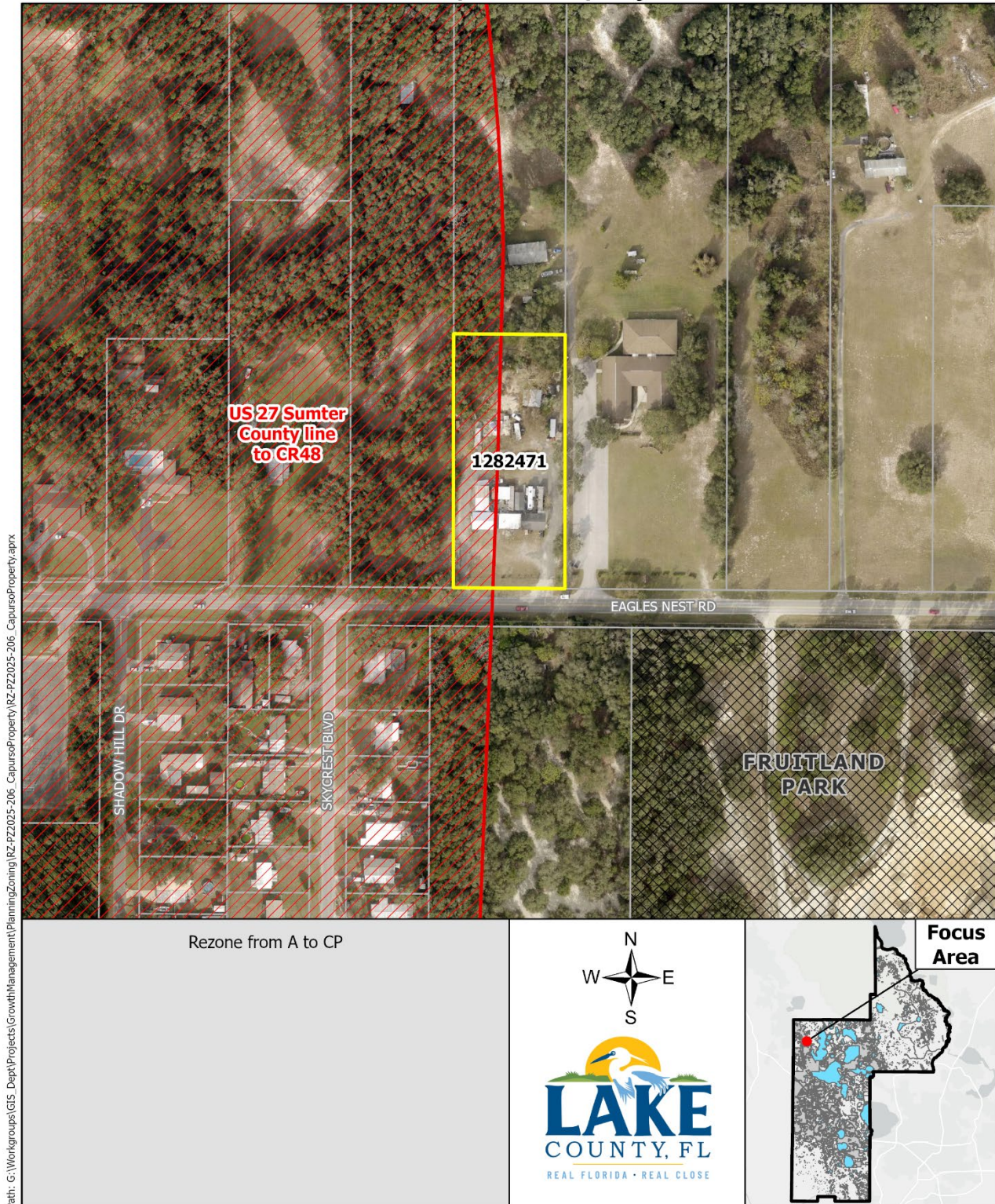
- I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.*

This request is in the public interest. It provides neighborhood type commercial uses and provides for an opportunity for a reduction in vehicle miles traveled. The use is compatible with surrounding uses.



Attachment “I” – Major Commercial Corridor Map

RZ-PZ2025-206 Capurso Property



11/18/2025

Map of Subject Property



Path: C:\Workgroups\GIS_Dept\Projects\GrowthManagement\Planning\Zoning\NZ-PZ2025-206_CapursoProperty.aprx

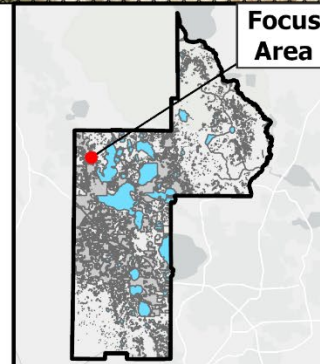
11/18/2025

Aerial Map of Subject Property

RZ-PZ2025-206
Capurso Property



Rezone from A to CP



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11/18/2025

ORDINANCE #2026-__

AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; REZONING APPROXIMATELY 1.75 +/- ACRES FROM AGRICULTURE (A) DISTRICT TO PLANNED COMMERCIAL (CP) DISTRICT TO FACILITATE THE DEVELOPMENT OF A GOLF CART AND MOTOR VEHICLE REPAIR AND SALES SHOP FOR THE PARCEL IDENTIFIED AS ALTERNATE KEY NUMBER 1282471, LOCATED IN SECTION 27, TOWNSHIP 18 SOUTH, RANGE 24 EAST; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Michael Rankin, (the "Applicant") submitted a rezoning application on behalf of Frank A. Capurso (the "Owner"), to rezone approximately 1.75 +/- acres from Agriculture (A) District to Planned Commercial (CP) District to facilitate a golf cart and motor vehicle repair and sales shop; and

WHEREAS, the subject property consists of approximately 1.75 +/- acres located at 3045 Eagles Nest Road, in the unincorporated Lady Lake area in Section 27, Township 18 South, Range 24 East, known as Alternate Key Number 1282471, and more particularly described in Exhibit "A"; and

WHEREAS, the property is located within the Urban Medium Density Future Land Use Category; and

WHEREAS, the Lake County Planning and Zoning Board did on the 4th day of March, 2026, review Petition PZ2025-206; after giving Notice of Hearing on petition for a change in the use of land, including notice that the Ordinance would be presented to the Board of County Commissioners of Lake County, Florida, on the 7th day of April, 2026; and

WHEREAS, the Board of County Commissioners reviewed the petition, the recommendations of the Lake County Planning and 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.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that:

Section 1. Terms: The County Manager or designee shall amend the Lake County Zoning Map from Agriculture (A) District to Planned Commercial (CP) District for the property described in Exhibit "A". The adoption of this Ordinance shall supersede and replace any previous ordinance on the property. The uses of the property shall be limited to the uses specified in this Ordinance and generally consistent with the "Conceptual Plan" attached hereto as Exhibit "B".

A. Land Uses.

1. Automotive Repair, specifically Golf Cart and Motor Vehicle Repair/Restoration and Maintenance.
2. Vehicular Sales, specifically Golf Cart Retail and Motor Vehicle Retail.
3. For the purposes of this Ordinance, a Motor Vehicle is defined passenger cars weighing between 2,500 lbs. to 4,400 lbs., and SUVs and trucks weighing 5,000+ lbs., or less.
4. Accessory Uses directly associated with the above uses may be approved by the County Manager or designee.
5. Any other use of the site not specified above shall require approval of an amendment to this Ordinance by the Board of County Commissioners.

B. Development Standards:

1. Commercial Design Standards: Commercial design standards shall be adhered to consistent with the Land Development Regulations (LDR), as amended.
2. Open Space, Impervious Surface Ratio and Building Height: Open space, impervious surface ratio, and building height shall be in accordance with the Comprehensive Plan and LDR, as amended.
3. Setbacks: Setback shall be in accordance with the applicable provisions of the LDR, as amended. No vehicles, supplies, or equipment shall be permitted to be parked or stored within the right-of-way or required landscape buffers at any time.
4. Landscaping, Buffering and Screening: Landscaping, buffering, and screening shall be in accordance with the Comprehensive Plan and LDR, as amended.
5. Parking: Parking shall be in accordance with the applicable provisions of the LDR, as amended.
6. Transportation/Access Management: All access management shall be in accordance with the Comprehensive Plan and LDR, as amended.
7. Lighting: All development will adhere to the dark-sky principles set forth in Section 3.09.00, Land Development Regulations, as amended.
8. Solid Waste, and Waste Oil/Chemical Disposal: The facility shall comply with the solid waste and hazardous waste disposal requirements of State Land Agencies, such as Environmental Protection Agency (EPA) and Department of Environmental Protection (DEP), as amended.

C. Fire: Compliance with Florida Fire Prevention Code and LDR's regarding adequate water supply and emergency access is required. The Florida Fire Prevention Code mandates specific fire protection features based on occupancy; these items will be addressed during the building permitting phase. (i.e., automatic sprinkler system and fire alarm).

D. Utilities: The subject property may continue to be serviced by the existing well and septic, until such time as the development renders a flow of at least 100,000 gallons

per day (GPD) or (1) the septic system reaches end of life and requires replacement and (2) central or public sewer service becomes available, in accordance with the Comprehensive Plan and LDR, as amended. If the existing septic system reaches end of life and requires replacement prior to central or public sewer service becoming available, the system shall be replaced with a DWTS or an enhanced system.

E. Signage: All signage must be in accordance with the LDR, as amended.

F. Noise: Compliance shall be in accordance with the LDR, as amended.

G. Concurrency Management Requirements: All development must comply with the Lake County Concurrency Management System, as amended.

H. Development Review and Approval: Prior to the issuance of any permits, the Owner shall be required to submit a site plan application generally consistent with **Exhibit “B” (Conceptual Plan)**, attached, for review and approval in accordance with the Comprehensive Plan and LDR, as amended.

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

J. Environmental Requirements. Environmental resources shall be protected in accordance with the Comprehensive Plan and LDR, as amended.

K. Stormwater and Floodplain Management. The stormwater management system shall be designed in accordance with all applicable Lake County and St. Johns River Water Management District (SJRWMD) requirements, as amended.

The Owner shall be responsible for any flood studies required for developing the site and comply with FEMA, Comprehensive Plan and Land Development Regulations, as amended. Any development within the floodplain as identified on the FEMA maps will require compensating storage.

L. Mass Grading for Site Development. All grading for site development shall be in accordance with the Comprehensive Plan and LDR, as amended.

Section 2. Conditions.

A. After establishment of the facilities as provided herein, the property shall only be used for the purposes named in this ordinance. Any other proposed use must be specifically authorized by the Board of County Commissioners.

B. No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner within the boundaries of the above-described land without first obtaining the necessary approvals, including site plan approval, in accordance with the Lake County Code, as amended, and obtaining the permits required from the other appropriate governmental agencies.

C. This Ordinance will inure to the benefit of and will constitute a covenant running with the land and the terms, conditions, and provisions of this Ordinance, and will be binding upon the present Owner and any successor and will be subject to each condition in this Ordinance.

D. Construction and operation of the proposed use shall always comply with the regulations of this and other governmental permitting agencies.

E. The transfer of ownership or lease of any or all the property described in this Ordinance must include in the transfer or lease agreement, a provision that the purchaser or lessee is made 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 LDR, as amended.

F. The Lake County Code Enforcement Special Master will have authority to enforce the terms and conditions set forth in this ordinance and to recommend that the ordinance be revoked.

Section 3. No Estoppel: Approval of this ordinance cannot be relied upon to assert a claim of estoppel against the County if the property identified herein cannot be developed due to the inability to meet other requirements under the applicable Land Development Regulations. The Owner is solely responsible for performing any necessary due diligence to ensure the property will appropriately support future development.

Section 4. Severability: If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, the holding will in no way affect the validity of the remaining portions of this Ordinance.

Section 5. Filing with the Department of State. The Clerk is hereby directed forthwith to send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

REMAINDER OF THE PAGE INTENTIONALLY LEFT BLANK

Section 6. Effective Date. This Ordinance shall become effective upon recordation in the public records of Lake County, Florida. The Applicant shall be responsible for all recording fees.

ENACTED this _____ day of _____, 2026.

FILED with the Secretary of State _____, 2026.

EFFECTIVE _____, 2026.

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

LESLIE CAMPIONE, CHAIRMAN

ATTEST:

**GARY J. COONEY, CLERK OF THE
BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

APPROVED AS TO FORM AND LEGALITY:

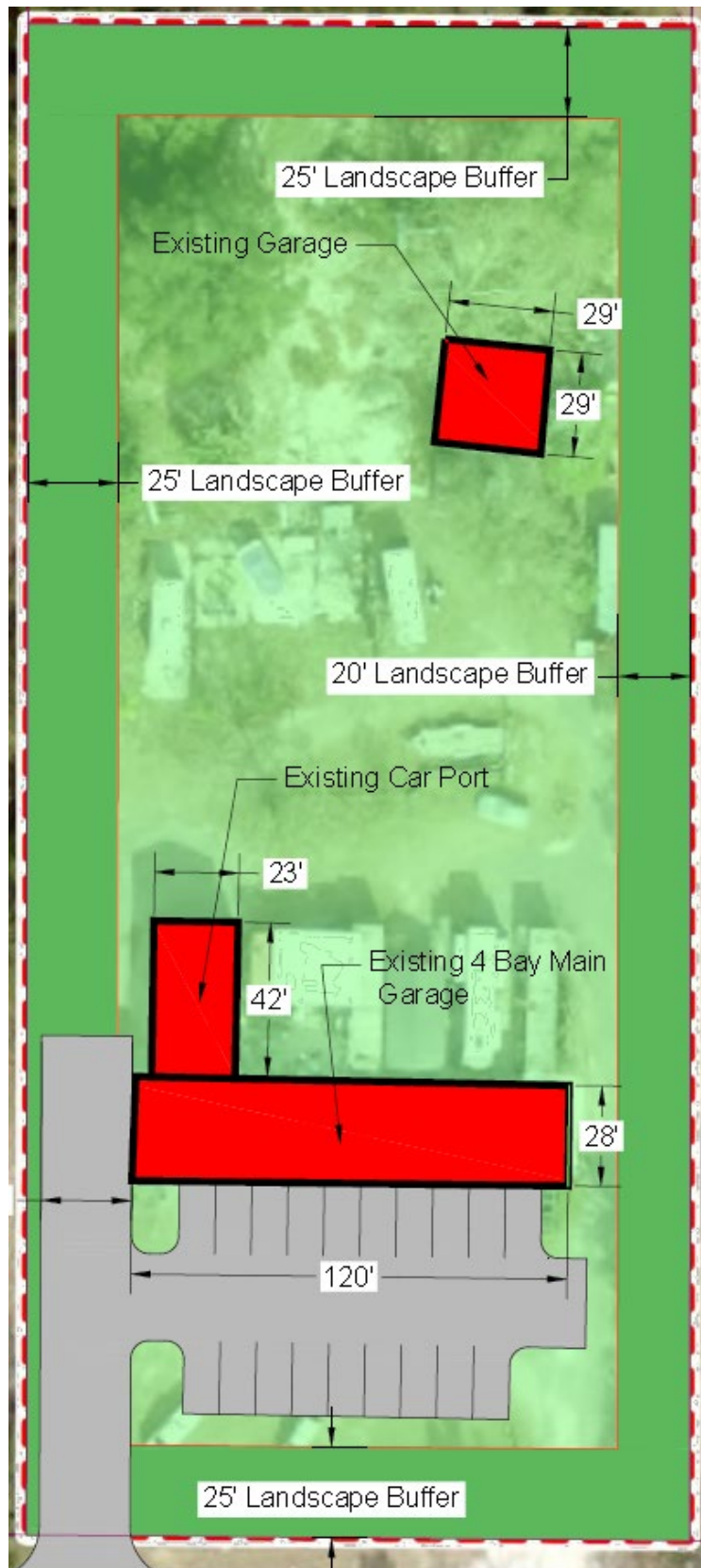
MELANIE MARSH, COUNTY ATTORNEY

EXHIBIT “A” – LEGAL DESCRIPTION.

The Southwest 1/4 of the Southwest 1/4 of Section 27, Township 18 South, Range 24 East, Lake County, Florida; LESS the West 369 feet, Also LESS the East 772 feet and LESS the North 880 feet; also LESS Right of Way for Eagles Nest road.



EXHIBIT “B” – CONCEPTUAL PLAN.





REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 2

Public Hearing Date: Planning and Zoning Board (PZB): March 4, 2026
Board of County Commissioners (BCC): April 7, 2026

Case No. and Project Name: PZ2026-16, Orange Mountain Public Safety Tower

Commissioner District: District 1 – Anthony Sabatini

Applicant(s): Michelle Wilkinson and Greg Holcomb

Owner(s): Lake County BCC

Requested Action: 1. Rezone approximately 7.33 +/- acres from Agriculture (A) District to Community Facility District (CFD) to allow a three hundred and twenty (320) foot communications tower.
2. Remove parcel identified by Alternate Key Number 3960771 from Mining Conditional Use Permit (MCUP) Ordinance #2017-61.
3. Waivers to LDR Sections 3.13.09(B)(1), 3.13.09(B)(2), 3.13.09(B)(4), and 3.13.13(A), to 1) allow the proposed tower to be off-centered on the parcel, in lieu of being centered within the boundaries of the property, to 2) allow the proposed tower to be less than one hundred (100) feet from the property lines, in lieu of the required one hundred (100) foot minimum setback, to 3) allow a lattice design communications tower to be located closer than one thousand three hundred and twenty (1,320) feet from residential units located on adjacent parcels, and to 4) allow the proposed telecommunications tower to be developed without landscaping the site, in lieu of the required Type A Buffer installation around the outside of the fenced compound.

Staff Determination: If all requested waivers are approved, the rezoning request would be consistent with the Land Development Regulations (LDR) and Comprehensive Plan.

Case Manager: Meagan Bracciale, Planner II

PZB Recommendation: Approved on the Consent Agenda, unanimously.

Subject Property Information

Size: 7.33 +/- gross acres

Location: East of US Highway 27 on Schofield Road, in the unincorporated Clermont area

Alternate Key No.: 3960771
 Future Land Use: Neighborhood (Attachment “A”)
 Current Zoning District: Agriculture (A) subject to Mining Conditional Use Permit (MCUP) #17-03-2 by Ordinance #2017-61 (Attachment “B”)
 Proposed Zoning District: Community Facility District (CFD) (Attachment “C”)
 JPA/ISBA: Clermont Interlocal Service Boundary Agreement (ISBA) Area
 Overlay/Rural Protection Area: Wellness Way Overlay Area
 Flood Zone(s): “X” and “AE”
 BMAP Location: Lake Okeechobee

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Neighborhood	Agriculture (A) District	Sand Mine	Cemex Sand Mine; MCUP 2017-61
South	Neighborhood	Planned Unit Development (PUD) District	Vacant Residential	Future Site of Lake Haven Estates Subdivision
East	Neighborhood	Agriculture (A) District	Sand Mine	Cemex Sand Mine; MCUP 2017-61
West	US 27	Planned Unit Development (PUD) District	Lake	Trout Lake

– Summary of Request –

The subject parcel is identified by Alternate Key Number 3960771 and contains approximately 7.33 +/- acres. The subject parcel is zoned Agriculture (A) District, subject to Mining Conditional Use Permit (MCUP) #17-03-2 by Ordinance #2017-61 and is designated with a Neighborhood Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. The subject parcel is currently vacant.

The Applicant seeks rezoning approval to facilitate construction of a 320-foot telecommunications tower. The tower is designed to significantly enhance wireless service coverage and network capacity for public safety communications in the surrounding region, directly responding to the growing demand for public safety and emergency services. The structure has been engineered to allow for future co-location to reduce infrastructure redundancy and minimize the need for additional towers in the area. A Concept Plan was provided by the Applicant (Attachment “D”).

The Applicant is requesting the following waivers:

- 1) LDR Section 3.13.09(B)(1), to allow the proposed telecommunications tower to be constructed off-center on the parcel, in lieu of being centered within the boundaries of the property; and

- 2) LDR Section 3.13.09(B)(2), to allow the proposed telecommunications tower to be less than one hundred (100) feet from the property lines, in lieu of the required one hundred (100) foot minimum setback; and
- 3) LDR Section 3.13.09(B)(4), to allow the telecommunications tower to be located closer than one thousand three hundred and twenty (1,320) feet from residential units located on adjacent parcels; and
- 4) LDR Section 3.13.13(A), to allow the proposed telecommunications tower to be developed without landscaping the site, in lieu of the required Type A Buffer installation around the outside of the fenced compound.

The Concept Plan (Attachment “D”) depicts a proposed 100’X100’ fenced tower compound, including multiple future equipment areas, generator, equipment shelter and waveguide bridge, propane tank, and a 320’ self-supported tower. The proposed compound is located forty-nine (49) feet from the right-of-way of Schofield Road and twenty-five (25) feet from the southern property line, adjacent to an unnamed clay road.

Table 1. Existing and Proposed Development Standards.

	Zoning District	Allowable Development Program	Proposed Development Program	Maximum Impervious Surface Ratio	Maximum Floor Area Ratio	Minimum Open Space	Building Height
Existing	Agriculture (A) District	1 DU/5AC and Sand Mine	N/A	0.10		N/A	40-FT
Proposed	Community Facility District (CFD)	N/A	Communications Tower	0.80	1.0 FAR	0.30	50-FT

The subject parcel is located within the Wellness Way Overlay Area as defined in Comprehensive Plan Goal I-8, entitled Wellness Way Area Plan. The intent of the Wellness Way Area Plan, which is an Urban Service Area as defined under Section 163.3164(53), Florida Statutes, is to create a long-term master plan for the South Lake region which promotes significant economic development while encouraging fiscally efficient and well-balanced development patterns that minimize environmental impacts and leverage existing resources.

The subject parcel is located within the City of Clermont Interlocal Service Boundary Agreement (ISBA) area, and the application was provided to the City of Clermont to review for a determination of consistency with their regulations. The City of Clermont had no comments regarding the proposed rezoning.

For background purposes, Lake County has received an American Rescue Plan Act (ARPA) Grant for the Orange Mountain/Wellness Way Public Safety Communication Tower; however, all work must be completed and all funds expended by December 31, 2026.

The Applicant provided a Project Narrative shown on Attachment “E”.

– Staff Analysis –

LDR Section 14.03.03 (Standards for Review)

A. Whether the rezoning is in conflict with any applicable provisions of the Code (Land Development Regulations).

The application seeks rezoning approval for a 320-foot telecommunications tower in a Community Facility District (CFD) zoning. The proposed use is consistent with LDR Table 3.01.03, *Schedule of Permitted and Conditional Uses*, which permits telecommunication towers within the Community Facility District (CFD).

Consistencies:

The request is consistent with LDR Section 3.13.03(A), *Structural Design*, which requires all Communications Towers to be designed to collapse only within the property lines of the Lot on which the Communications Tower is located if there is a structural failure or catastrophic event. The Applicant has provided a Fall Radius Determination letter signed and sealed by a licensed professional engineer for the proposed telecommunications tower (Attachment “F”) attesting that the design meets this requirement.

The request is consistent with LDR Section 3.13.09(A), *Setbacks*, which states that equipment facilities and guyed support structures shall meet a setback of twenty-five (25) feet from property lines or the Zoning District setback, whichever is greater.

The request is consistent with LDR Section 3.13.10, Tower Table 2, *Separation between Towers*, which establishes setbacks for communication towers as shown in the Separation Tower Map (Attachment “G”).

The proposed development will be consistent with LDR Section 3.13.02(B), *Compliance with County, State and Federal Regulations*, which states that new development will be required to meet all applicable fire safety codes, building codes, and technical codes adopted by Lake County, as amended.

The proposed development will be consistent with LDR Section 3.13.02(C), *Compliance with County, State and Federal Regulations*, which states that new development will be required to meet all applicable Federal and State Regulations.

Inconsistencies:

The request is inconsistent with LDR Section 3.13.09(B)(1), *Setbacks*, which requires telecommunications towers to be centered on the parcel. The Applicant is seeking a waiver to the requirement that the tower be centered on the property due to the topography. In lieu of the center, the Applicant is requested to locate the tower as show in the Concept Plan (Attachment “D”).

Due to the size and shape of the subject parcel, the request is also inconsistent with LDR Section 3.13.09(B)(2), *Setbacks*, which requires telecommunications towers to be a minimum of one hundred (100) feet from the property lines. The Applicant is seeking a waiver, to allow the proposed tower to be less than one hundred (100) feet from the property lines, in lieu of the required one hundred (100) foot minimum setback.

The proposed request is inconsistent with LDR Section 3.13.09, Tower Table 1, *Additional Tower Setbacks*, which requires the proposed telecommunication tower design to be located 1,320 feet from residentially or PUD zoned lands. The Applicant is seeking a waiver to allow the telecommunications tower to be located closer than one-thousand three hundred and twenty (1,320) feet from platted, residential lots located on adjacent parcels.

The request is inconsistent with LDR Section 3.13.13(A), *Landscaping*, which requires the visual impact of a communications tower to be mitigated for nearby viewers through landscaping at the base of the Communications Tower and ancillary structures. A Type 'A' landscape buffer is required to be installed on the outside of fences or walls. However, LDR Section 3.13.13(B), *Landscaping*, states that at the public hearing at which the CFD zoning or Conditional Use Permit is approved, the Board of County Commissioners may waive all or part of the landscaping requirements if the Board finds it is not necessary to mitigate the visual impact for nearby viewers. The Applicant is seeking a waiver to all landscape requirements on the grounds that there is no source of water by which landscaping may be effectively maintained.

New development will be required to meet all other criteria specified in the LDR, as amended.

B. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.

Consistencies:

The application seeks rezoning approval for a 320-foot telecommunications tower in the Wellness Way Neighborhood FLUC. The proposed use is consistent with Comprehensive Plan Policy I-8.2.1(C), *Future Land Use Categories*, which states that the Neighborhood FLUC is intended to support lower density neighborhood development outside the boundaries of Wellness Way's community and employment centers in the US 27 and Multi-Use Districts. This is the largest district and requires flexibility in design to accommodate neighborhood and housing types for many market segments. The proposed telecommunications tower will aid in facilitating the infrastructure enhancement of wireless service coverage and network capacity in the developing area surrounding the subject parcel, directly responding to the growing demand for high-speed, reliable connectivity that supports public safety communications. The flexibility in design of the area surrounding the subject parcel is showcased by the contingent land uses including a large-scale sand mine, nearby working blueberry farm, and the adjacent Planned Unit Development (PUD) for up to 1,566 new dwelling units, currently in development.

The request is consistent with Comprehensive Plan Policy I-8.1.3, *Technology Infrastructure*, which states that the key to the success of the Wellness Way Urban Service Area (WWUSA) will be the application of an advanced technology infrastructure network. PUDs within the WWUSA shall include an analysis of technology infrastructure to determine if the most current and innovative technologies are being utilized. PUDs shall identify technology infrastructure corridors and shall develop a strategy for ensuring the long-term viability of the technology infrastructure network.

Inconsistencies:

The proposed request is inconsistent with Comprehensive Plan Policy I-7.2.6, *Communication Towers within Residential Areas*, which requires the County to adopt siting and design criteria land development regulations to protect existing and future residential neighborhoods from potential adverse impacts resulting from these facilities. The proposed Concept Plan is generally inconsistent with the adopted LDR, however Applicant is seeking waivers to the required centering, setbacks, and distancing from residential development.

New development will be required to meet all criteria specified in the Comprehensive Plan.

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

The proposed use is consistent with the varying existing land uses in the area surrounding the subject parcel. Comprehensive Plan Policy I-8.2.1(C), *Future Land Use Categories*, states that the Wellness Way Neighborhood FLUC is intended to support lower density neighborhood development outside the boundaries of Wellness Way's community and employment centers in the US 27 and Multi-Use Districts. This is the largest district and requires flexibility in design to accommodate neighborhood and housing types for many market segments. The flexibility in design of the area surrounding the subject parcel is showcased by the surrounding land uses including a large-scale sand mine to the North, nearby working blueberry farm to the East, and the adjacent Planned Unit Development (PUD) for up to 1,566 new dwelling units, currently in development, to the South.

D. Whether there have been changed conditions that justify a rezoning.

The Applicant is proposing to rezone the subject parcel after purchasing the property last year for the purpose of developing a carefully considered relocation and infrastructure improvement effort that balances the need for enhanced public safety telecommunications services with the County's land use policies, environmental considerations, and commitment to serving both the public and private sectors efficiently.

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.

Any future development of this property will require an analysis via submittal of a development application to demonstrate that the proposed development does not adversely impact the County's adopted levels of service to public facilities and services.

Water and Sewage

The proposed rezoning is not anticipated to adversely impact public water and sewage capacities or levels of service.

Schools

The proposed rezoning is not anticipated to adversely impact Lake County Schools capacities or levels of service.

Parks

The proposed rezoning is not anticipated to adversely impact park capacity or levels of service.

Solid Waste

The proposed rezoning is not anticipated to adversely impact solid waste capacities or levels of service.

Public Safety

Lake County Fire Station #90 is located approximately (10.8) miles from the subject property at 2150 Ray Goodgame Parkway and will provide advanced life support should an emergency on the property demand this service. Fire protection water supply and emergency access will be addressed during the site plan review process, should the rezoning be approved by the Board.

Transportation Concurrency

The proposed rezoning is not anticipated to adversely impact transportation capacity or levels of service.

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

An environmental assessment will be submitted with site plan application to indicate the presence of vegetation, soils, wetlands, threatened and endangered species on the site. Any required State permitting or mitigation will be obtained before development can commence. All sensitive resources will be addressed through the development review process. New development will be required to meet all criteria specified by the Comprehensive Plan and Land Development Regulations (LDR), as amended.

G. Whether, and the extent to which, the proposed rezoning would affect the property values in the area.

There is no indication that the rezoning application will affect property values in the area.

H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern.

The proposed use, designated for critical infrastructure, is generally consistent with the current surrounding planned development including a large-scale commercial sand mine (MCUP 2017-61) to the North/East and the adjacent residential Planned Unit Development (PUD 2026-6) to the South.

I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations.

The proposed rezoning application is in harmony with the general intent of the Comprehensive Plan and LDR as stated in Sections A through H above.

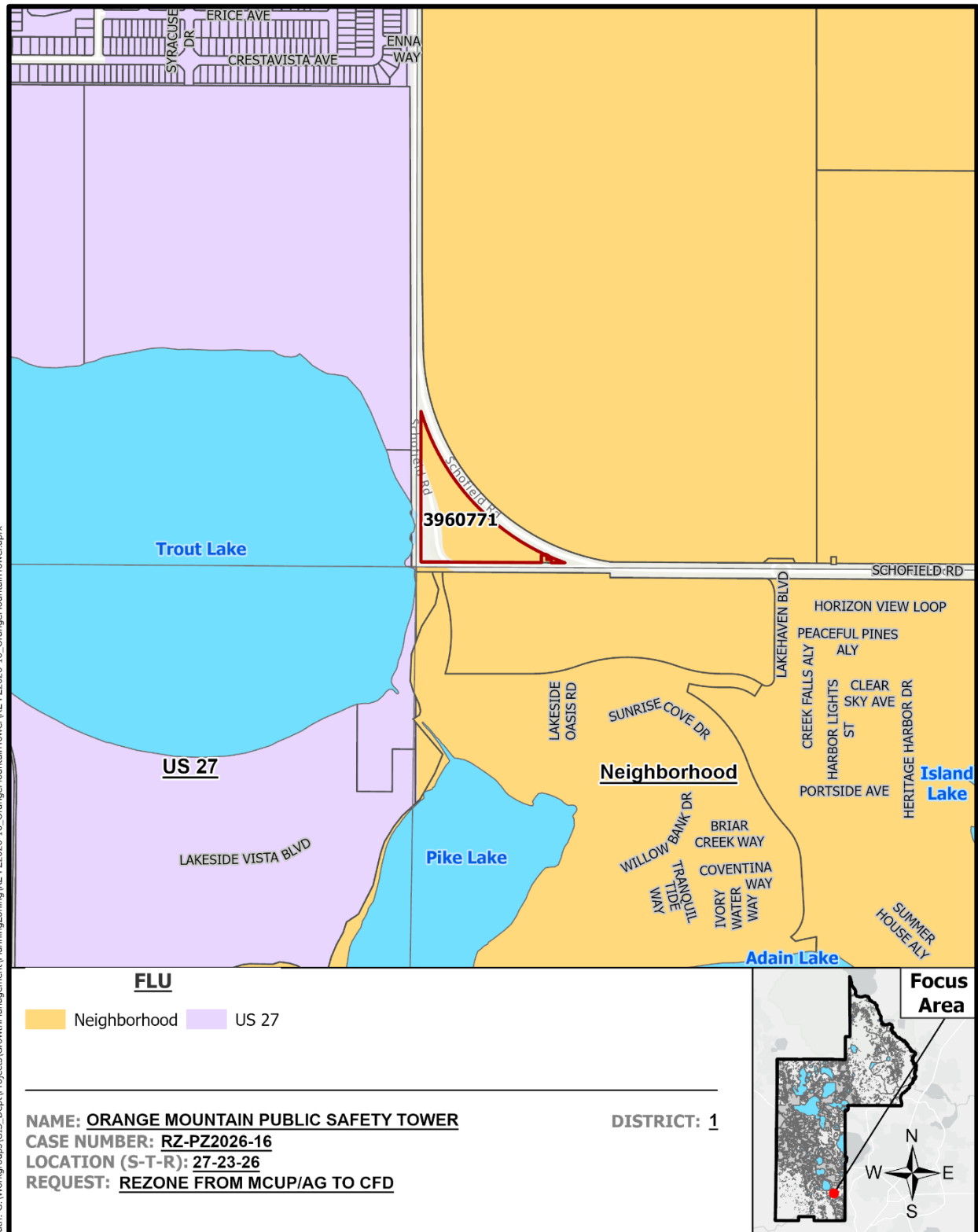
J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.

The Applicant is requesting approval of the following waivers:

- 1) LDR Section 3.13.09(B)(1), to allow the proposed tower to be uncentered on the parcel, in lieu of being centered within the boundaries of the property; and
- 2) LDR Section 3.13.09(B)(2), to allow the proposed tower to be less than one hundred (100) feet from the property lines, in lieu of the required one hundred (100) foot minimum setback; and
- 3) LDR Section 3.13.09(B)(4), to allow the communications tower to be located closer than one-thousand three hundred and twenty (1,320) feet from residential units located on adjacent parcels; and
- 4) LDR Section 3.13.13(A), to allow the proposed telecommunications tower to be developed without landscaping the site, in lieu of the required Type A Buffer installation around the outside of the fenced compound.

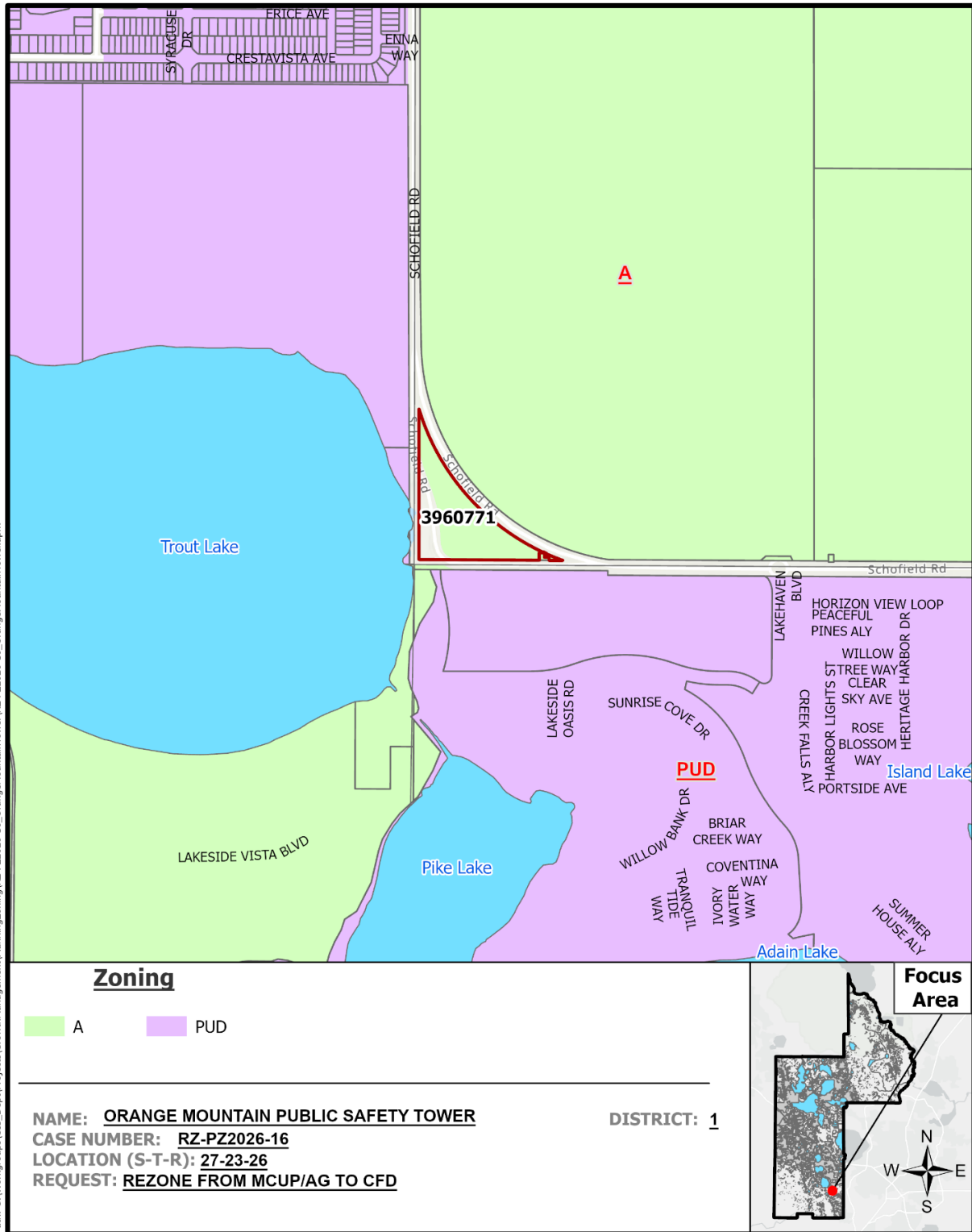
Attachment “A” – Future Land Use Map

CURRENT FUTURE LAND USE

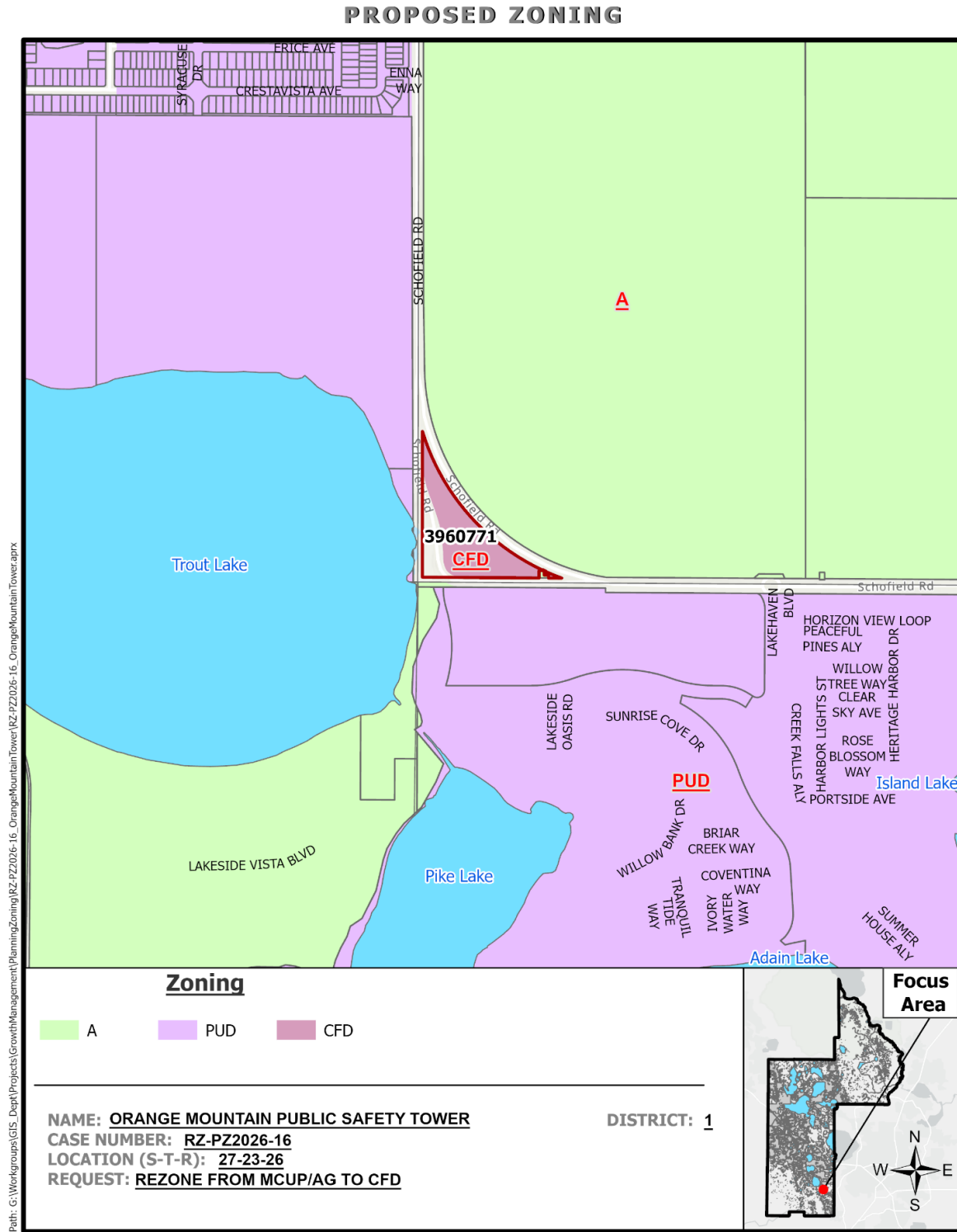


Attachment “B” – Zoning District Map

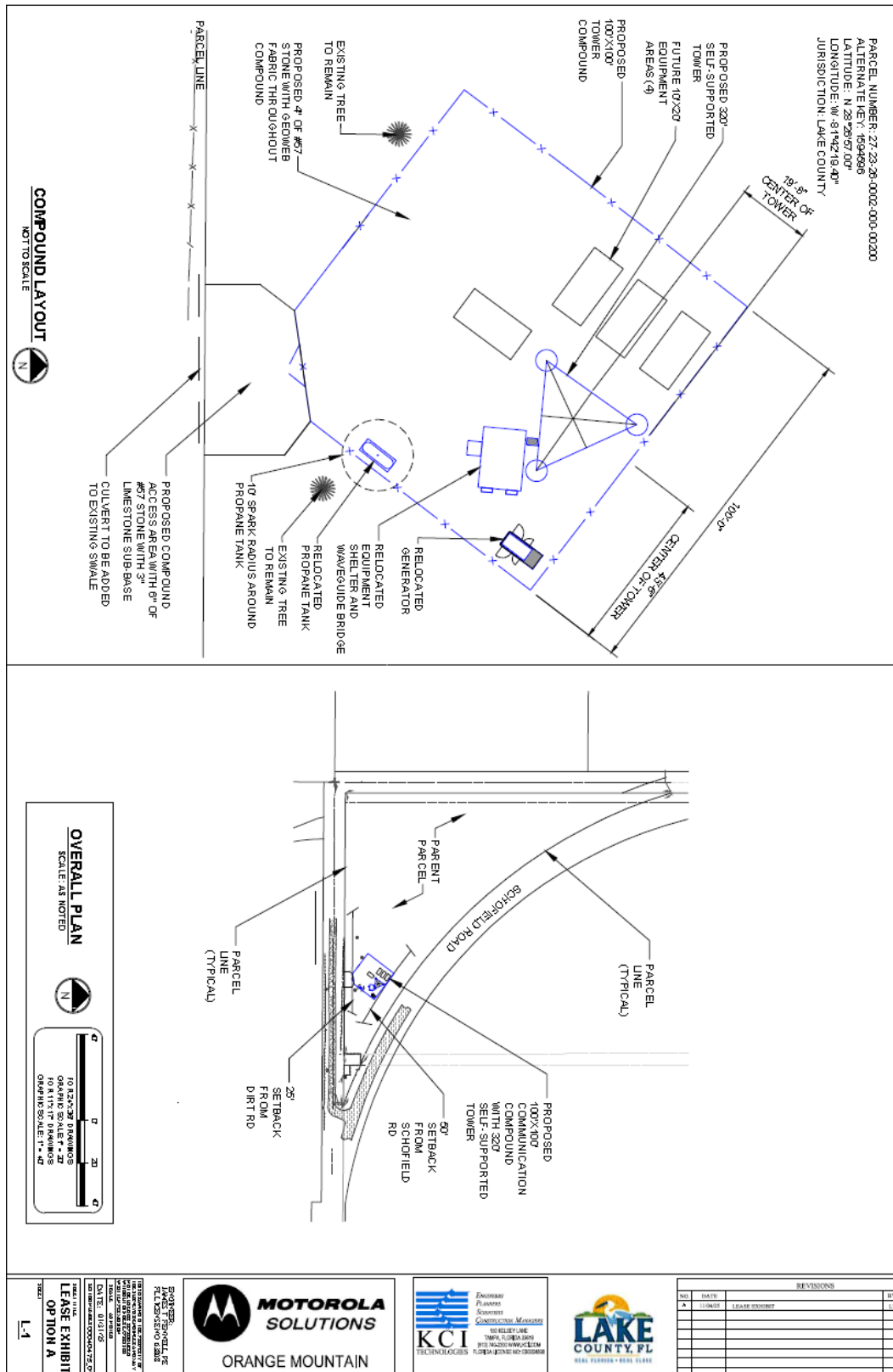
CURRENT ZONING



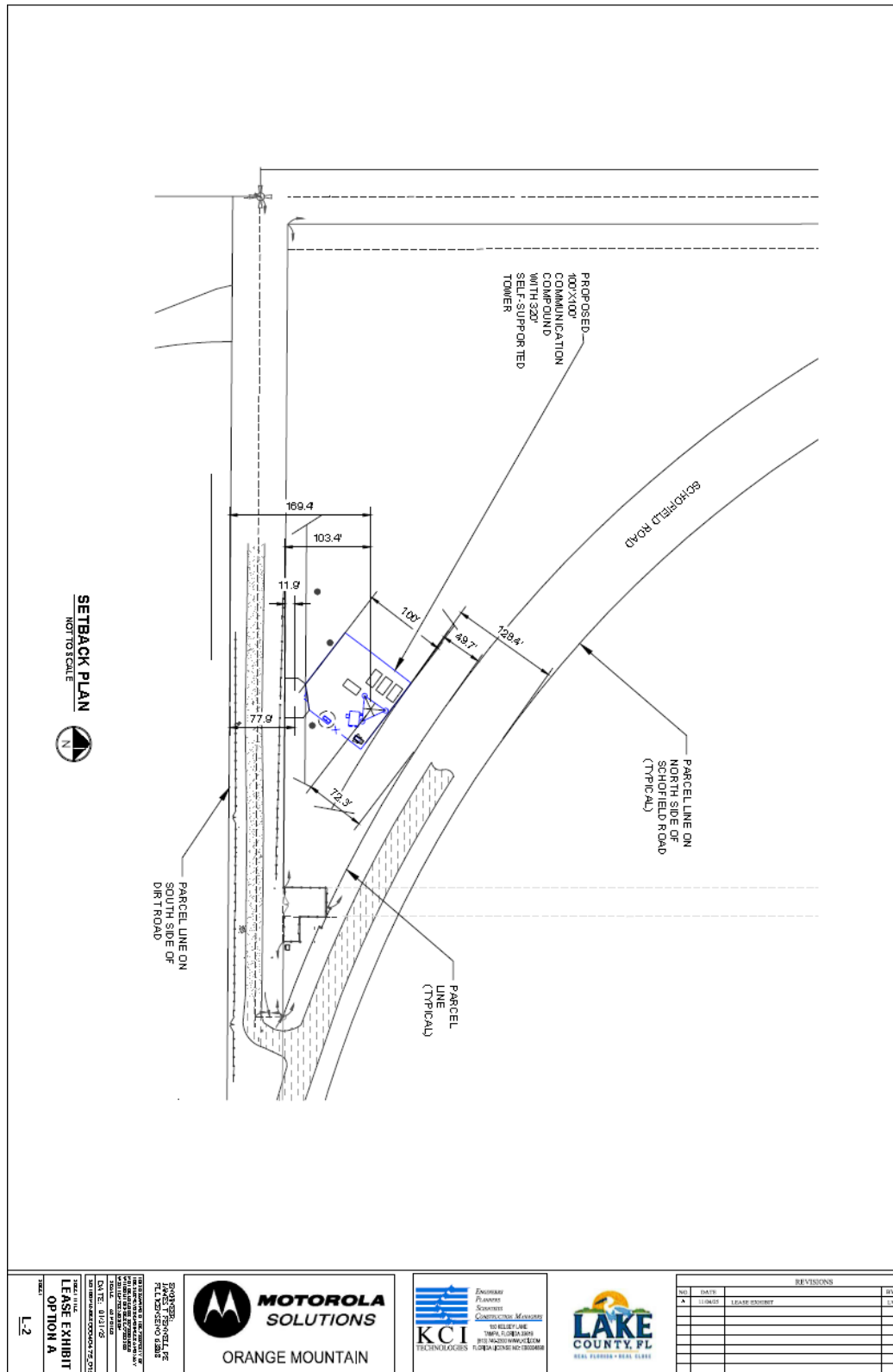
Attachment “C” – Proposed Zoning District Map

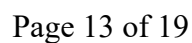


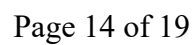
Attachment "D" – Concept Plan (Page 1 of 4)



Attachment “D” – Concept Plan (Page 2 of 4)







Attachment “E” – Project Narrative



ISO 9001:2015 CERTIFIED

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

150 Kelsey Lane • Tampa, FL 33619 • Phone 813-740-2300

Lake County

Office of Planning and Zoning

P. O Box 7800

Tavares, FL 32778

This project proposes the construction of a 320-foot self-supporting telecommunications tower at 15155 Schofield Road in Clermont, Florida (Lake County). The scope of work includes the installation of a new 320-foot self-supported tower, the development of an approximately 100-foot by 100-foot communication compound, and the relocation of existing telecommunications infrastructure, including a propane tank, generator, and shelter equipment, from a nearby site. The proposed tower is designed to significantly enhance wireless service coverage and network capacity in the surrounding region, directly responding to the growing demand for high-speed, reliable connectivity that supports public safety communications, commercial operations, and personal use. The structure will be capable of accommodating antennas and related equipment from multiple wireless service providers and has been engineered for future co-location to reduce infrastructure redundancy and minimize the need for additional towers in the area. This tower is owned and operated by Lake County and represents the relocation and upgrade of an existing County-owned telecommunications site, which further demonstrates the County’s commitment to improving essential communication services while managing land use responsibly.

The project site is located within a zoning designation of Pasture (AG) and is situated in a largely undeveloped area with limited nearby residential or commercial development. As such, the proposed use of the property for a self-supporting tower is compatible with the surrounding land use and is not expected to have any adverse impacts on nearby properties or neighborhood character. The rural setting, along with planned vegetative screening and landscaping buffers, will help minimize visual impacts, especially at the base of the tower where equipment will be enclosed within a secured compound. These design elements are intended to preserve the existing vegetation while supporting critical infrastructure improvements. The parent parcel on which the tower is to be constructed is owned by Lake County (previously Lake Louisa, LLC), and the County has ownership rights to develop the property. Overall, this project reflects a carefully considered relocation and infrastructure improvement effort that balances the need for enhanced Public Safety telecommunications services with the County’s land use policies, environmental considerations, and commitment to serving both the public and private sectors efficiently.

The proposed conditional use is served by adequate public facilities for the unmanned communications structure. Water supply and emergency access are satisfactory to provide adequate fire protection.

Employee-Owned Since 1988

RISE TO THE CHALLENGE

WWW.KCI.COM

Attachment “F” – Fall Radius Determination Letter



Date: 10/10/2025

Motorola

SUBJECT: Project Number: 629270
Site Name: Lake County Orange Mountain, FL
Structure: 320-ft Self-Supporting Tower
Designed within a Theoretical Zero Fall Zone Radius

Communication structures designed by Valmont are sized in accordance with the latest governing revision of the ANSI/TIA 222 standard unless otherwise requested by our customer or the governing jurisdiction. This standard has been approved by ANSI/ASCE, which has dealt with the design of antenna support structures since the late 1950s. The TIA standard, based on provisions of this nationally known specification, has a long history of reliability. Its core philosophy is first and foremost to safeguard and maintain the health and welfare of the public.

Valmont's communication structures have proven to be very reliable products. We use the latest standards, wind speed information, and sophisticated analytical tools to ensure that we continue providing high quality structures.

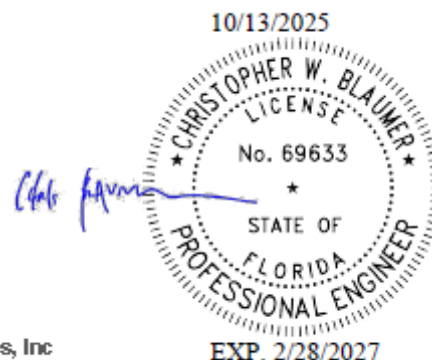
This structure is designed to the following criteria:

- Exposure Category C
- Topographical Category 1
- Risk Category III
- Site Elevation 132 feet
- 144 MPH Ultimate Wind Speed (no ice) per ASCE 7-22
- TIA-222-H

The theoretical failure point is at the structure midpoint or above by purposely over designing the structural components below this point. The predicted mode of wind induced failure would be local buckling of the tower legs at or above the midpoint with the upper tower legs folding over onto the intact lower tower legs.

I hope these comments address any questions or concerns relative to the anticipated performance of this structure; please reach out directly should you have any questions or comments.

Sincerely,
Ilza Nelly Salinas | Project Engineer
Valmont Industries, Inc |
Ilza.Salinas@valmont.com



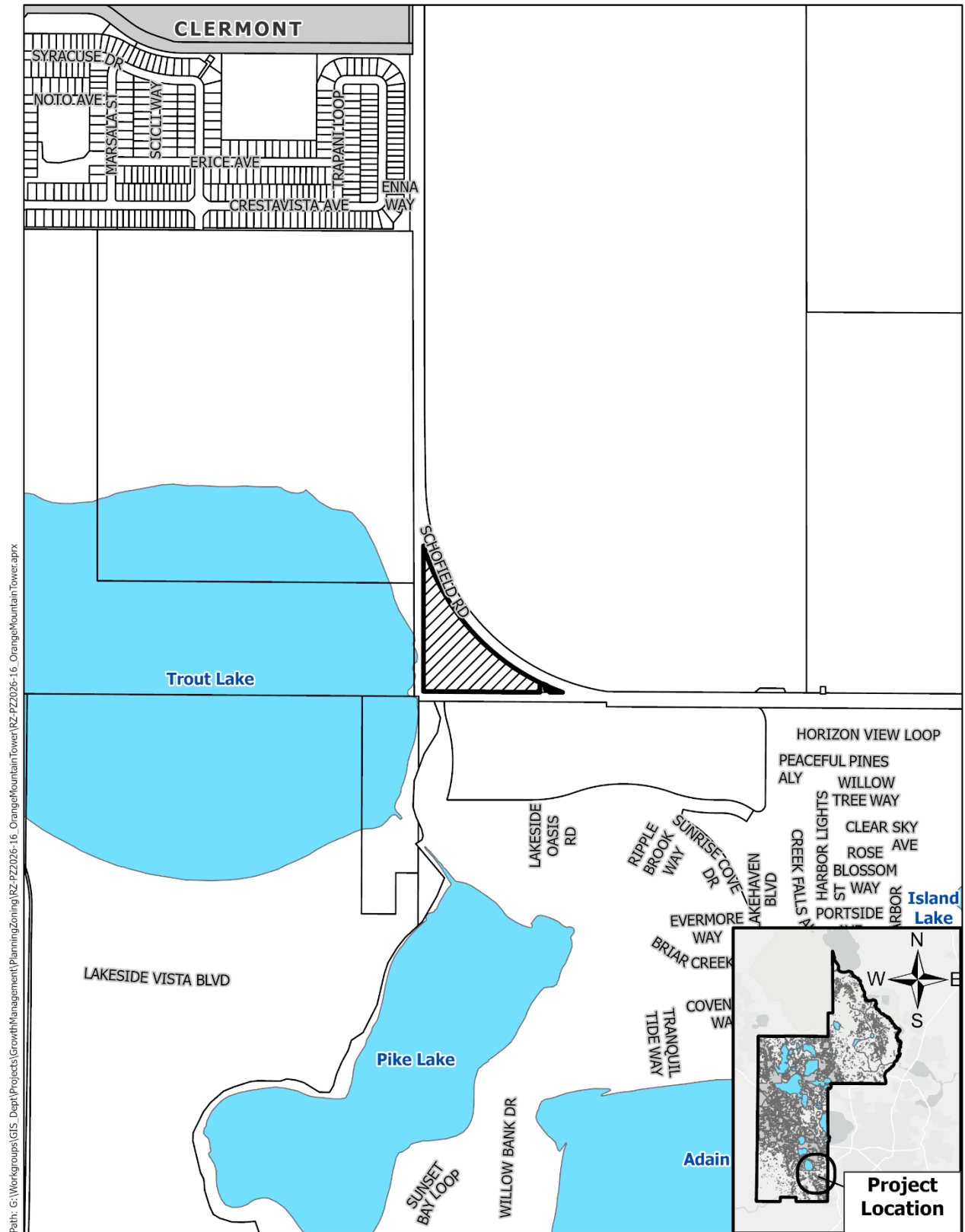
Valmont Telecommunications, Inc
Plymouth, IN; Salem, OR; Valley, NE
www.valmonttelecom.com

Attachment “G” – Separation Towers Map

ADJACENT TOWERS

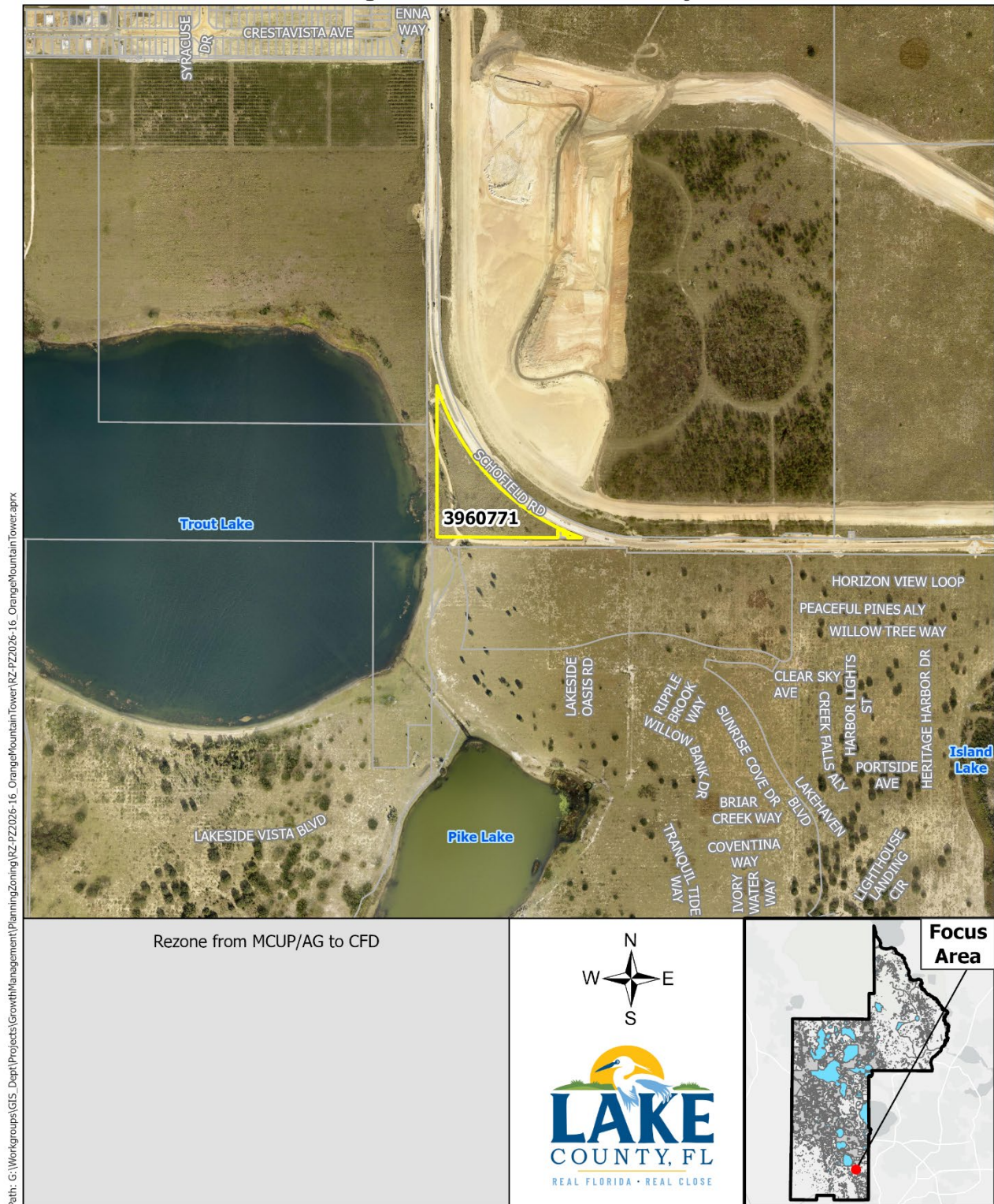


Map of Subject Property



Aerial Map of Subject Property

RZ-PZ2026-16 Orange Mountain Public Safety Tower



Path: G:\Workgroups\GIS_Dept\Projects\GrowthManagement\Planning\Zoning\RZ-PZ2026-16_OrangeMountainTower.aprx

1/30/2026

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WHEREAS, Michelle Wilkinson (the “Applicant”) submitted a rezoning application on behalf of Lake County (the “Owner”), to rezone 7.33 +/- acres from Agriculture (A) zoning to Community Facility District (CFD), remove parcel identified by Alternate Key Number 3960771 from Mining Conditional Use Permit Ordinance #2017-61 and request the following waivers:

- WHEREAS**, the subject property consists of approximately 7.33 +/- acres located on general location in the unincorporated Clermont area in Section 27, Township 23 South, Range 26 East, known as Alternate Key Number 3960771, and more particularly described in Exhibit "A"; and

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

WHEREAS, all remaining conditions of MCUP Ordinance #2017-61, approved by the Board of County Commissioners on November 21, 2017, to allow a sand mind for the processing of construction aggregate material shall remain in full force and effect for properties not removed; and

WHEREAS, the Lake County Planning and Zoning Board did on the 4th day of March 2026, review Petition PZ2026-16; after giving Notice of Hearing on petition for a change in the use of land, including notice that the Ordinance would be presented to the Board of County Commissioners of Lake County, Florida, on the 7th day of April 2026; and

WHEREAS, the Board of County Commissioners reviewed the petition, the recommendations of the Lake County Planning and 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.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that:

Section 1. Waivers. The following waivers are hereby granted:

1. Waiver to LDR Section 3.13.09(B)(1) to allow the proposed monopole communications tower to be constructed off-center.
2. Waiver to LDR Section 3.13.09(B)(2) to allow the proposed tower to be constructed less than 100-feet from the property lines, in lieu of the required 100-feet.
3. Waiver to LDR Section 3.13.09(B)(4), to allow the telecommunications tower to be located closer than 1,320-feet from residential units located on adjacent parcels.
4. Waiver to LDR Section 3.13.13(A), to allow the proposed telecommunications tower to be developed without landscaping the site, in lieu of the required Type A Buffer installation around the outside of the fenced compound.

Section 2. Removal from Mining Conditional Use Permit Ordinance #2017-61: The property identified in Exhibit “A” shall be removed from the Mining Conditional Use Permit Ordinance #2017-61, recorded in Official Record Book 5032, Pages 568-702, in the public records of Lake County, Florida. The Mining Conditional Use Permit Ordinance #2017-61 shall remain in full force and effect for all other property identified therein.

Section 3. Terms: The County Manager or designee shall amend the Zoning District for the property described in Exhibit “A”. The uses of the property will be limited to those uses specified in this Ordinance and generally consistent with the Conceptual Plan attached as Exhibit “B”. To the extent there are conflicts between Exhibit “B” and this Ordinance, this Ordinance will take precedence.

A. Permitted Land Uses.

1. Telecommunications tower, 320-feet maximum height.

2. General governmental uses.
3. Accessory uses directly associated with the above uses may be approved by the County Manager or designee.
4. Any other use of the site not specified above will require approval of an amendment to this Ordinance by the Board of County Commissioners.

B. Specific Conditions.

1. Site Plan Required: A development application for a Site Plan for the telecommunication tower facility and associated uses shall be submitted and approvals obtained prior to construction.
2. Illumination: The telecommunications tower facility shall not be illuminated except to ensure human safety or as required by the Federal Aviation Administration (FAA) and the LDR, as amended.
3. Parking: Parking surfaces may be grass or other pervious material.
4. Structural Design: The structural design of the tower shall be in accordance with the LDR, as amended.

C. Tower, and Equipment Safety Facility Setbacks.

1. The telecommunications tower facility and associated uses shall meet all applicable setbacks as set forth in the LDR, as amended unless otherwise waived as stated within Section (1) entitled *Waivers*.
2. The telecommunications tower facility must be constructed as a self-collapsing tower. An engineer licensed in the State of Florida must provide a certification and documentation that this requirement has been met. See LDR Section 3.13.03(A), as amended.

D. Environmental Requirements.

1. An environmental assessment no more than six (6) months old will be required at the time of the Site Plan submittal. The environmental assessment will need to indicate the presence of vegetation, soils, threatened and endangered species that may exist on the site. Any State permitting or mitigation will be required before development can commence.
2. Environmental resources shall be protected in accordance with the Comprehensive Plan and LDR, as amended.

E. Fencing and Screening. A chain-link fence or wall not less than six (6) feet from finished grade shall be provided around each communications tower and support facilities in accordance with the LDR, as amended.

F. Open Space, Impervious Surface Ratio, Floor Area Ratio and Building Height. Open space, impervious surface ratio, floor area ratio, and building height shall be in accordance with the Comprehensive Plan, and LDR, as amended.

G. Landscaping, Buffering, and Screening. Landscaping, buffering, and screening shall be in accordance with the LDR, as amended, unless otherwise waived as set

1 forth within Section (1) entitled *Waivers*.

2 **H. Noise.** Compliance must be in accordance with the LDR, as amended.

3 **I. Transportation.** All access management shall be in accordance with the
4 Comprehensive Plan and LDR, as amended.

5 **J. Floodplain and Stormwater Management.**

6 1. The stormwater management system shall be designed in accordance with all
7 applicable Lake County and St. Johns River Water Management District
8 (SJRWMD) requirements, as amended.

9 2. The Owner shall be responsible for any flood studies required for developing
10 the site and comply with FEMA, Comprehensive Plan and LDR, as amended.
11 Any development within the floodplain as identified on the FEMA maps will
12 require compensating storage.

13 **K. Lighting.** Exterior lighting must be in accordance with the Lake County LDR, as
14 amended, and consistent with Dark-Sky Principles.

15 **L. Signage.** All signage must be in accordance with the LDR, as amended.

16 **M. Concurrency Management Requirements.** Any development must comply with
17 the Lake County Concurrency Management System, as amended.

18 **N. Development Review and Approval.** Prior to the issuance of any permits, the
19 Owner shall submit a site plan development application generally consistent with
20 EXHIBIT “B” – Conceptual Plan for review and approval in accordance with the
21 Comprehensive Plan and LDR, as amended.

22 **O. Future Amendments to Statutes, Code, Plans, and/or Regulations.** The specific
23 references in this Ordinance to the Florida Statutes, Florida Administrative Code,
24 Lake County Comprehensive Plan, and Lake County LDR shall include any future
25 amendments to the Statutes, Code, Plans, and/or Regulations.

26 **Section 4. Conditions.**

27 **A.** After establishment of the facilities as provided in this Ordinance, the property
28 identified in this Ordinance may only be used for the purposes identified in this
29 Ordinance. Any other proposed use must be specifically authorized by the Board
30 of County Commissioners.

31 **B.** No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove,
32 improve, move, convert, or demolish any building structure, add other uses, or alter
33 the land in any manner within the boundaries of the above-described land without
34 first obtaining the necessary approvals in accordance with the Lake County Code,
35 as amended, and obtaining the permits required from the other appropriate
36 governmental agencies.

37 **C.** This Ordinance will ensure the benefit of and will constitute a covenant running
38 with the land and the terms, conditions, and provisions of this Ordinance, and will

be binding upon the present Owner and any successor and will be subject to each condition in this Ordinance.

D. The transfer of ownership or lease of any or all the property described in this Ordinance must 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 LDR, as amended.

E. The Lake County Code Enforcement Special Master will have authority to enforce the terms and conditions set forth in this ordinance and to recommend that the ordinance be revoked.

Section 5. Severability. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, the holding will in no way affect the validity of the remaining portions of this Ordinance.

Section 6. No Estoppel. Approval of this ordinance cannot be relied upon to assert a claim of estoppel against the County if the property identified herein cannot be developed due to the inability to meet other requirements under the applicable Land Development Regulations. The Owner is solely responsible for performing any necessary due diligence to ensure the property will appropriately support future development.

Section 7. Filing with the Department of State. The clerk is hereby directed to send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

REMAINDER OF THE PAGE INTENTIONALLY LEFT BLANK

Section 8. Effective Date. This Ordinance shall become effective upon recordation in the public records of Lake County, Florida. The Applicant shall be responsible for all recording fees.

ENACTED this _____ day of _____, 2026.

FILED with the Secretary of State _____, 2026.

EFFECTIVE _____, 2026.

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

LESLIE CAMPIONE, CHAIRMAN

ATTEST:

**GARY J. COONEY, CLERK OF THE
BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

APPROVED AS TO FORM AND LEGALITY:

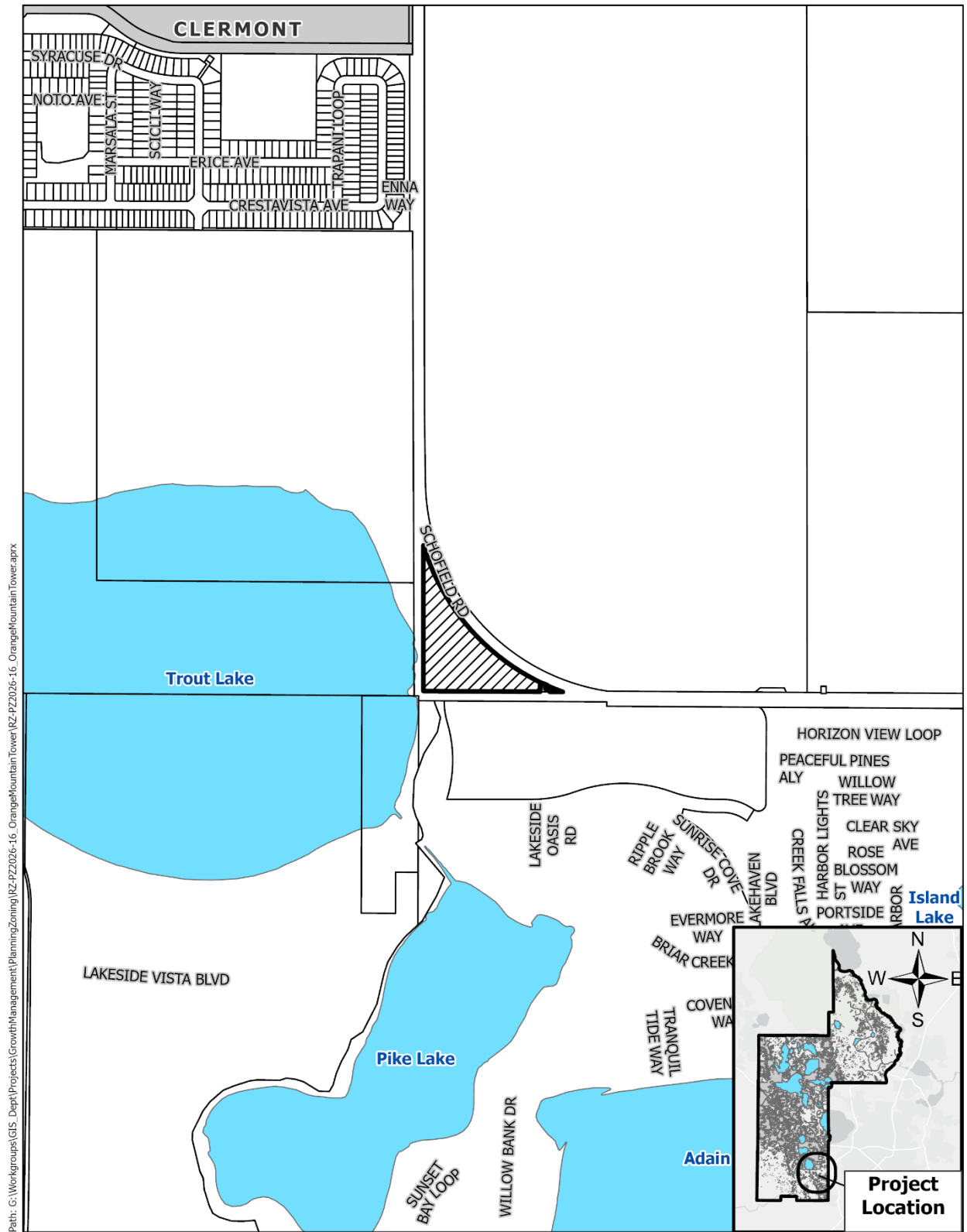
MELANIE MARSH, COUNTY ATTORNEY

1 **EXHIBIT "A", LEGAL DESCRIPTION.**

A PARCEL OF LAND LYING WITHIN SECTION 27, TOWNSHIP 23 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

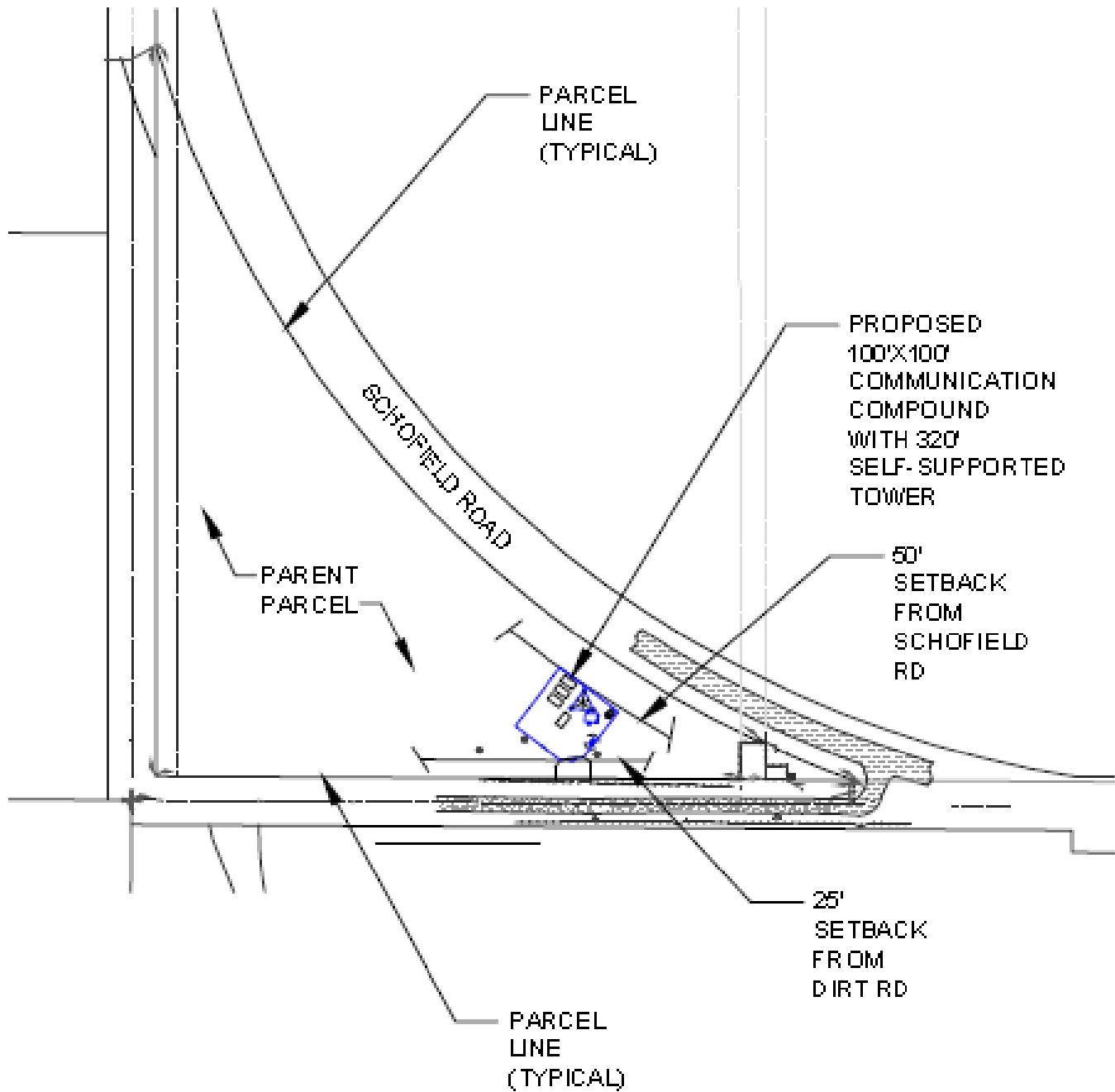
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 27; THENCE S89°38'51"E, ALONG THE SOUTH BOUNDARY OF THE SOUTHWEST 1/4 OF SAID SECTION 27, 983.98 FEET; THENCE N00°21'09"E, 33.00 FEET, TO THE NORTH RIGHT-OF-WAY BOUNDARY OF THOSE LANDS DESCRIBED IN DEED BOOK 225, PAGE 520, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE N89°38'51"W, ALONG SAID RIGHT-OF-WAY BOUNDARY, 90.08 FEET, TO THE SOUTHEAST CORNER OF PARCEL 117 AS DESCRIBED IN OFFICIAL RECORDS BOOK 845, PAGE 567, OF SAID PUBLIC RECORDS; THENCE N00°02'00"W, ALONG THE EAST BOUNDARY OF SAID PARCEL 117, 20.00 FEET, TO THE NORTHEAST CORNER THEREOF; THENCE N89°38'51"W, ALONG THE NORTH BOUNDARY OF SAID PARCEL 117, 30.00 FEET, TO THE NORTHWEST CORNER THEREOF, SAID POINT ALSO LYING ON THE EAST BOUNDARY OF PARCEL 116 AS DESCRIBED IN OFFICIAL RECORDS BOOK 845, PAGE 567, OF SAID PUBLIC RECORDS; THENCE N00°02'00"W, ALONG SAID EAST BOUNDARY, 30.00 FEET, TO THE NORTHEAST CORNER THEREOF; THENCE N89°38'51"W, ALONG THE NORTH BOUNDARY OF SAID PARCEL 116, 35.00 FEET, TO THE NORTHWEST CORNER THEREOF; THENCE S00°02'00"E, ALONG THE WEST BOUNDARY OF SAID PARCEL 116, 50.00 FEET, TO THE SOUTHWEST CORNER THEREOF ON THE AFOREMENTIONED NORTH RIGHT-OF-WAY BOUNDARY OF THOSE LANDS DESCRIBED IN DEED BOOK 225, PAGE 520; THENCE N89°38'51"W, ALONG SAID NORTH RIGHT-OF-WAY BOUNDARY, 796.10 FEET, TO THE POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY BOUNDARY OF SAID DEED BOOK 225, PAGE 520; THENCE N00°00'39"W, ALONG SAID EAST RIGHT-OF-WAY BOUNDARY, 995.22 FEET, TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SCHOFIELD ROAD AS DESCRIBED AS PARCEL 1001 IN OFFICIAL RECORDS BOOK 5803, PAGE 2329, OF SAID PUBLIC RECORDS, SAID POINT BEING A NON-TANGENT INTERSECTION WITH A CIRCULAR CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1540.00 FEET; THENCE SOUTHEASTERLY, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY AND CURVE, 1289.76 FEET, THROUGH A CENTRAL ANGLE OF 47°59'08", AND HAVING A CHORD BEARING AND DISTANCE OF S40°53'39"E, 1252.39, TO A POINT OF NON-TANGENCY; THENCE N25°06'47"E, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY, 3.00 FEET, TO A NON-TANGENT INTERSECTION WITH A CIRCULAR CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1537.00 FEET; THENCE SOUTHEASTERLY, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY AND CURVE, 25.62 FEET, THROUGH A CENTRAL ANGLE OF 00°57'18", AND HAVING A CHORD BEARING AND DISTANCE OF S65°21'52"E, 25.62, TO A POINT OF NON-TANGENCY; THENCE S24°09'30"W, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY, 3.00 FEET, TO A NON-TANGENT INTERSECTION WITH A CIRCULAR CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 1540.00 FEET; THENCE EASTERLY, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY AND CURVE, 116.65 FEET, THROUGH A CENTRAL ANGLE OF 04°20'23", AND HAVING A CHORD BEARING AND DISTANCE OF S68°00'42"E, 116.62, TO THE POINT OF BEGINNING.

2 **CONTAINING 7.31970 ACRES (318,846 SQUARE FEET), MORE OR LESS.**



1

EXHIBIT "B" – CONCEPTUAL PLAN.





REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 3

Public Hearings: Planning & Zoning Board (PZB): March 4, 2026
Board of County Commissioners (BCC): April 7, 2026

Case No. and Project Name: PZ2025-132, Greater Groves PUD Amendment

Commissioner District: District 1-Commissioner Anthony Sabatini

Applicant(s): Erik Whynot, Whynot Law

Owner(s): Greater Groves Homeowner's Association, Inc.

Requested Action: Amend and restate Planned Unit Development (PUD) Ordinance #1994-195, for property within the Greater Groves Planned Unit Development to add language to facilitate for the enforcement of regulations for parking of certain specified vehicles.

Staff Determination: Staff finds the Planned Unit Development amendment consistent with the Land Development Regulations (LDR) and Comprehensive Plan.

Case Manager: Leslie Regan, Senior Planner

PZB Recommendation: Approved on Regular Agenda 7-0

Property Information

Size: 223.33 +/- acres

Location: West of US 27, East of Boggy Marsh and North of CR 474

Alternate Key No.: All parcels within the Greater Groves Planned Unit Development

Future Land Use: Green Swamp Ridge (Attachment "A")

Current Zoning District: Planned Unit Development (PUD) (Attachment "B")

JPA/ISBA: NA

Flood Zone(s): NA

(BMAP) Location: Lake Okeechobee

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Green Swamp Ridge	Community Facility District (CFD) and Agriculture (A)	Utility and Vacant Land	Sumpter Electric Co-op Inc.
South	Green Swamp Ridge	Planned Unit Development (PUD)	Vacant-future development	Camden Park North
East	Urban Low Density	Community Commercial (C-2) and Planned Unit Development (PUD)	Vacant Land and Residential Subdivision	Eagle Ridge Residential Subdivision
West	Green Swamp Rural Conservation	Agriculture (A) and Planned Unit Development (PUD)	Vacant	Undeveloped land and wetlands

- Summary of Analysis -

The subject parcels within the Greater Groves Planned Unit Development District (PUD) contain approximately 223.33+/- acres. The Planned Development residential subdivision is located West of US 27, East of Boggy Marsh and North of CR 474 in unincorporated Lake County. The subject parcels are zoned as Planned Unit Development (PUD) District and designated with the Green Swamp Ridge Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. The subject parcels have been developed with a residential single family unit subdivision. The Applicant seeks approval of an amendment to Planned Unit Development (PUD) Ordinance #1994-195 by adding language to restrict street parking within the Planned Unit Development.

The Applicant is requesting to add the language below to facilitate enforcement of street parking regulations.

“The parking, storing, or keeping of vehicles, vessels, buses, trailers, trucks and commercial vehicles shall be regulated by the provisions of Section 3.06.00 of the Land Development Regulations. Section 3.06.00 shall be incorporated into this ordinance by reference and become a material part thereof. Any amendments to Section 3.06.00 shall additionally be incorporated into this Ordinance upon their effective date.”

The Lake County Municipal code, specifically Section 3.06.00 of the Land Development Regulations entitled *Regulations for the parking, storing, or keeping of vehicles, vessels, buses, trailers, trucks and commercial vehicles*, provides parking restrictions related to the parking and storage of several different types of transportation vehicles. The specific language above would need to be added to the Planned Unit Development Ordinance to be specifically enforced in the Greater Groves community. This is the only requested change in the Planned Unit Development district amendment proposal.

The Greater Groves Homeowner’s Association (HOA) is a mandatory HOA. The Applicant has provided assurances that the affirmative vote of the membership to proceed with the requested amendment was proper.

- March 4, 2026 Planning & Zoning Board (PZB) Meeting Summary -

Staff presented the case under the regular agenda. The letter of opposition was erroneously entered for the wrong tab. The Planning and Zoning Commission voted to recommend approval of the agenda item 7-0.

Table 1. Existing and Proposed Development Standards.

	Zoning District	Allowable Development Program	Proposed Development Program	Maximum Impervious Surface Ratio	Minimum Open Space	Building Height
Existing	Planned Unit Development (PUD)	483	No Change	NS	25%-Residential and 20% Non-residential	40-Feet
Proposed	No change	No Change	No Change	No Change	No Change	No Change

For background purposes, the subject property was rezoned to a Planned Unit Development (PUD) District to facilitate the construction of the 483 single-family residential subdivision on February 20, 1990. In July 1992, a Planned Development amendment was approved to allow for short-term rental use within the development. In September of 1994, an additional amendment was approved to allow construction of 28 additional single-family homes (Phase 6) of the Greater Groves project bringing the total approved units to 483.

The Applicant provided a Project Narrative as shown on Attachment “C”.

– Staff Analysis –

LDR Section 14.05.03 (Standards for Review)

A. Whether the rezoning is in conflict with any applicable provisions of the Code (Land Development Regulations).

The Applicant seeks an amendment to the language within the Planned Unit Development Ordinance #1994-195 to allow enforcement of regulations in reference to Recreational Vehicles and Street Parking Regulations within the Planned Unit Development. Section 3.06.00 of the Lake County Land Use Regulations provides specific regulations that the Applicant is requesting to be enforced within the Planned Unit Development.

B. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.

The **Future Land Use Element** seeks to ensure compatibility between densities and intensities of development, providing for land use transitions as appropriate to protect the long-term integrity of both urban and rural areas; promote the conservation and preservation of Lake County’s natural and cultural resources; and direct compact development to established urban areas to prevent sprawl. The proposed Planned Unit Development amendment is consistent with the Future Land Use Element in that the proposal does not modify the approved land use designation, density, intensity or permitted uses of the development. Instead, it is clarifying enforcement authority for existing parking regulations, supporting the Comprehensive Plan’s objectives for orderly development, compatibility and public safety. The requested application is consistent with this element.

The **Capital Improvements Element** seeks to maintain adopted level of service standards and ensure public facilities and services are available concurrently with development. The amended language request does not create additional demand for capital facilities or services. The amendment supports the efficient operation of existing public safety services without requiring new or expanded improvements. The requested application is consistent with this element.

The **Conservation Element** is intended to provide a framework for the ongoing monitoring, management, and use of the County’s natural resources. The proposed additional language is administrative in nature and does not impact natural resources, environmentally sensitive areas, or approved development standards or patterns. The requested application is consistent with this element.

The **Economic Element** seeks to strengthen the County's position as a business center for Central Florida by aggressively pursuing opportunities and building collaborative relations with regional allies. The proposal is consistent

with the Economic Element as it supports the long-term viability of safety in the neighborhood without altering land use or development intensity.

The **Housing Element** is intended to guide Lake County in developing appropriate goals, objectives and policies that demonstrate the County's commitment to meet the identified needs of all its residents. Amending the language in reference to street parking has no impact on housing supply, type or affordability. The proposal supports safe and functional residential environment for the Planned Unit Development. The requested application is consistent with this element.

The **Intergovernmental Coordination Element** strives to promote coordination between Lake County and other local, state, regional, and federal government entities. The subject property is not located within a Joint Planning area or Interlocal Service Boundary Area, therefore has no effect on the Intergovernmental Coordination Element.

The **Parks and Recreation Element** is intended to facilitate the development and management of parks and facilities for a recreation system that includes environmental lands, trails, and other recreational opportunities that meets the diverse needs of a growing community. The request shall have no effect on the Parks and Recreation Element.

The **Transportation Element** is intended to emphasize the more efficient use of the existing transportation system and contributes to the wider national objectives of energy conservation, improved air quality, and increased social and environmental amenities. The request will not affect the Transportation Element of the Comprehensive Plan as it does not increase traffic impacts or affect roadway level of services and supports safe and efficient circulation through the enforcement of existing parking regulations. The proposal will also assist with safe and efficient passage for emergency vehicles when necessary.

The **Public Facilities Element** is intended to ensure that public facilities are available to meet the needs of Lake County residents; public facilities in this element refer to aquifer recharge, potable water, sanitary sewer, solid waste, stormwater, and public-school facilities. The request will not affect the Public Facilities Element.

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

The proposed request is consistent and proposes no new land uses.

D. Whether there have been changed conditions that justify a rezoning.

The changed condition that justifies the Planned Unit Development amendment is that the current ordinance does not allow for enforcement of regulations for street parking, the additional language will allow the enforcement and create a safe circulation for traffic within the Planned Unit 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.

Any future development of this property will require an analysis via submittal of a development application to demonstrate that the proposed development does not adversely impact the County's adopted levels of service to public facilities and services.

Water and Sewage

The approved development has central water and sewer.

Schools

Lake County Schools reviewed the application and had no comments.

Parks

The proposed rezoning is not anticipated to adversely impact park capacity or levels of service.

Solid Waste

The proposed request is not anticipated to adversely impact solid waste capacities or levels of service.

Public Safety

Lake County Fire Station #112 is located .76 miles from the subject property at 16240 Sweet Iris in Clemont. Fire protection, water supply and emergency access were addressed during the site plan review process.

Transportation Concurrency

The Planned Unit Development has already had transportation comments reviewed and approved. No requested change will affect transportation levels of service as mentioned above.

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

The proposal shall have no effect on the natural environment.

G. Whether, and the extent to which, the proposed rezoning would affect the property values in the area.

The Applicant provided a statement stating there would be no effect of property values in their Project Narrative (Attachment "C").

H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern.

Due to the request already being an approved regulation for Lake County, the request to add the language to the Planned Unit Development follows an orderly and logical pattern.

I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations.

The proposed rezoning application is in harmony with the general intent of the Comprehensive Plan and LDR as stated in Sections A through H 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.

NA

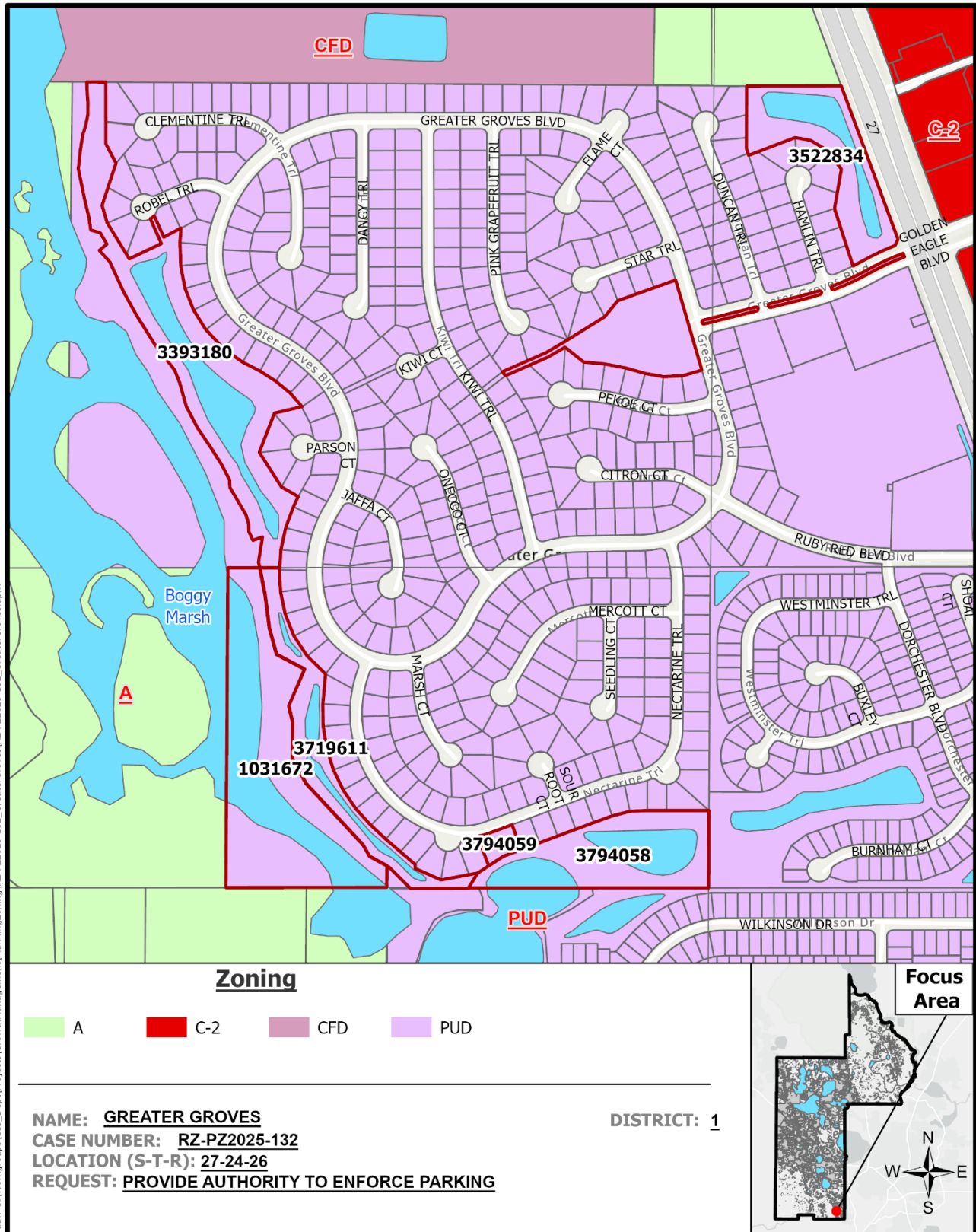
Attachment "A" – Future Land Use Map

CURRENT FUTURE LAND USE



Attachment "B" – Zoning District Map

CURRENT ZONING



Attachment “C” – Project Narrative



Office of Planning and Zoning

Project Narrative Rezoning

In compliance with LDR Section 14.03.03, please answer the following questions:

1. Whether the rezoning is in conflict with any applicable provisions of the Code.
No Conflicts

2. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.
Amendment is consistent with all elements of the Comprehensive Plan

3. Whether, and the extent to which, the proposed rezoning is inconsistent with existing and proposed land uses.
This is not inconsistent with the existing and proposed land uses

4. Whether there have been changed conditions that justify a rezoning
No changed conditions

5. 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.
This does not have any additional demands on public facilities.

Attachment “C” – Project Narrative

6. Whether, and the extent to which, the rezoning would result in significant impacts on the natural environment.

No impacts to natural environment

7. Whether, and the extent to which, the proposed rezoning would affect the property values in the area.

This has no impact on property values in the area

8. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern.

No changes in the development pattern

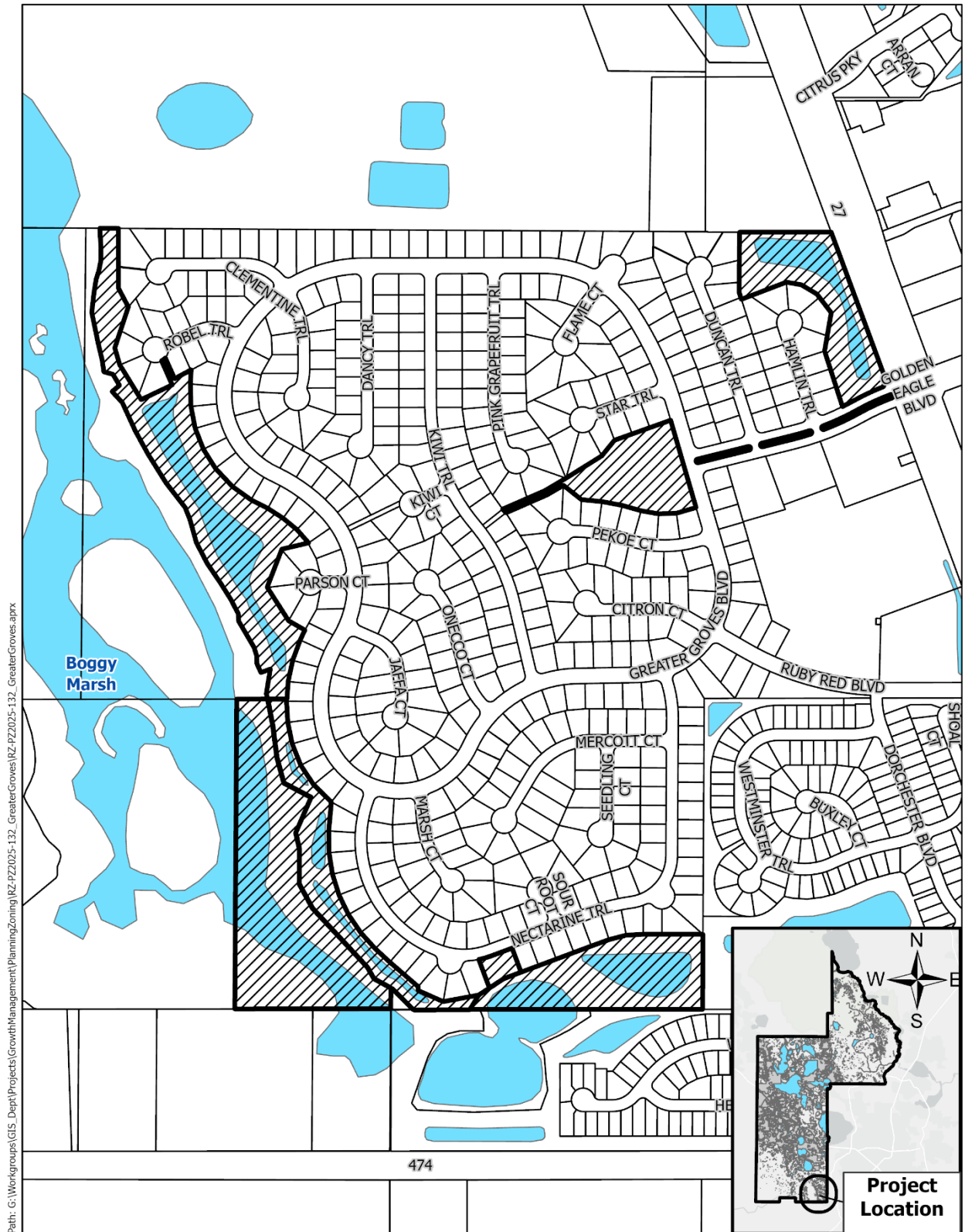
9. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

There is no conflict with public interest

10. Any other matters that may be deemed appropriate by the Lake County Planning and Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.

N/A

Map of Subject Property

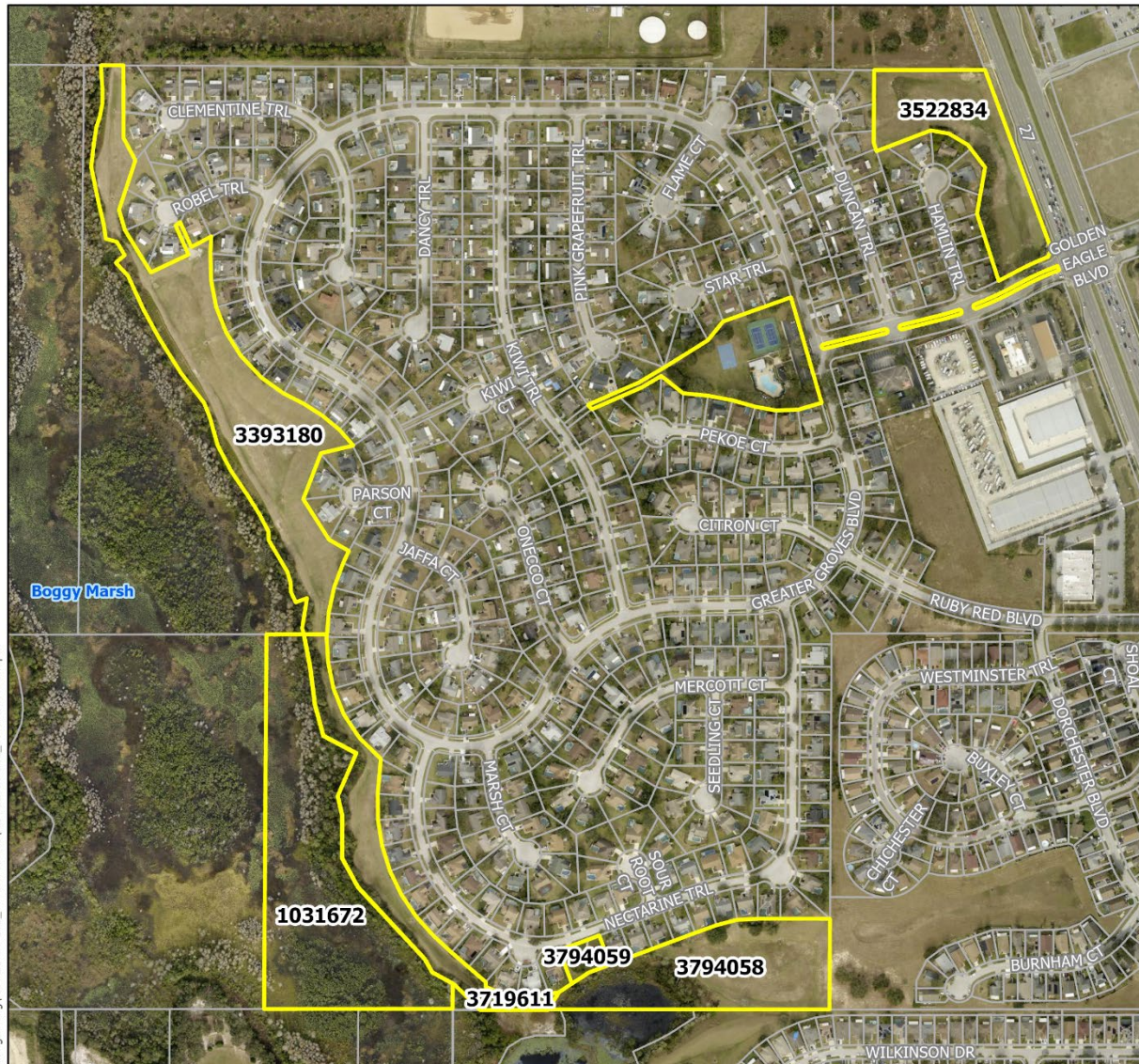


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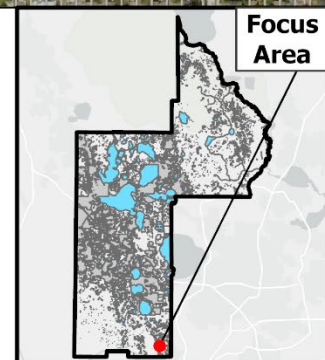
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Aerial Map of Subject Property

RZ-PZ2025-132
Greater Groves



Provide authority to enforce parking



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WHEREAS, Erik Whynot, (the “Applicant”) submitted a rezoning application to amend and restate the Planned Unit Development zoning on behalf of the Greater Groves Homeowner’s Association, Inc. (the “Owner”), to amend the language to facilitate enforcement of regulations the parking of certain specified vehicles for all parcels within the Greater Groves Planned Unit Development District; and

WHEREAS, the property is located within the Green Swamp Ridge Future Land Use Category; and

WHEREAS, the Lake County Planning and Zoning Board did on the 4th day of March 2026, review Petition PZ2025-230; after giving Notice of Hearing on petition for a change in the Planned Unit Development, including notice that the Ordinance would be presented to the Board of County Commissioners of Lake County, Florida, on the 7th day of April 2026; and

WHEREAS, upon review, certain terms pertaining to the development of the above-described property have been duly approved.

Section 1. Terms: The County Manager or designee shall amend the Planned Unit Development District for the property described in Exhibit “A”. The adoption of this Ordinance shall amend PUD Ordinance #1994-195 to incorporate the provisions of Section 3.06.00, Lake County Code, Appendix E, Land Development Regulations, as amended from time to time, regarding the parking, storing, or keeping of vehicles, vessels, buses, trailers, trucks and commercial vehicles. Section 3.06.00 shall be incorporated into

this ordinance by reference and become a material part thereof. Any amendments to Section 3.06.00 shall additionally be incorporated into this Ordinance upon their effective date. All other terms and conditions of PUD Ordinance #1994-195 shall remain in full force and effect.

Section 2. 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 LDR shall include any future amendments to the Statutes, Code, Plans, and/or Regulations.

Section 3. Conditions.

A. After establishment of the facilities as provided in this Ordinance, the property identified in this Ordinance may only be used for the purposes identified in this Ordinance. Any other proposed use must be specifically authorized by the Board of County Commissioners.

B. No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, add other uses, or alter the land in any manner within the boundaries of the above-described land without first obtaining the necessary approvals in accordance with the Lake County Code, as amended, and obtaining the permits required from the other appropriate governmental agencies.

C. This Ordinance will ensure the benefit of and will constitute a covenant running with the land and the terms, conditions, and provisions of this Ordinance, and will be binding upon the present Owner and any successor and will be subject to each condition in this Ordinance.

D. The transfer of ownership or lease of any or all the property described in this Ordinance must 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 LDR, as amended.

E. The Lake County Code Enforcement Special Master will have authority to enforce the terms and conditions set forth in this ordinance and to recommend that the ordinance be revoked.

Section 4. Severability. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, the holding will in no way affect the validity of the remaining portions of this Ordinance.

Section 5. No Estoppel. Approval of this ordinance cannot be relied upon to assert a claim of estoppel against the County if the property identified herein cannot be developed due to the inability to meet other requirements under the applicable Land Development Regulations. The Owner is solely responsible for performing any necessary due diligence to ensure the property will appropriately support future development.

Section 6. Filing with the Department of State. The clerk is hereby directed to send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

Section 7. Effective Date. This Ordinance shall become effective upon recordation in the public records of Lake County, Florida. The Applicant shall be responsible for all recording fees.

ENACTED this _____ day of _____, 2026.

FILED with the Secretary of State _____, 2026.

EFFECTIVE _____, 2026.

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

LESLIE CAMPIONE, CHAIRMAN

ATTEST:

**GARY COONEY, CLERK OF THE
BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

APPROVED AS TO FORM AND LEGALITY

MELANIE MARSH, COUNTY ATTORNEY



RURAL CONSERVATION SUBDIVISION STAFF REPORT OFFICE OF PLANNING & ZONING

Tab Number: 4
Public Hearings: Board of County Commissioners (BCC): April 7, 2026
Case No. and Project Name: PZ2025-130, Cedar Creek Rural Conservation Subdivision
Owner: Blue Sky Capital Group, LLC
Applicant: Alex Stringfellow
Requested Action: Consideration of approval of Rural Conservation Subdivision Optional Density Bonus pursuant to Land Development Regulations (LDR) Chapter XVII, Section 17.05.00.
Staff Determination: Staff finds the request consistent with the Land Development Regulations (LDR) and consistent with the Comprehensive Plan.
Case Manager: Leslie Regan, Senior Planner

Subject Property Information

Size: 119.40 +/- gross acres
Location: North of Number Two Road and West of Mission Inn Resort
Alternate Key No.: 1101051 and 3852069
Existing Zoning District: Agriculture (A) District (Attachment "A")
Future Land Use Category: Rural Transition (Attachment "B")
JPA / ISBA: South Lake ISBA
Overlay Districts: Economic Development
BMAP Location: Ocklawaha

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural Transition and Urban Low Density	Planned Unit Development and Agriculture	Vacant	Spray field and Wetland and Golf Course
South	Rural Transition	Agriculture and Rural Residential (R-1) District	Single Family Residential, Agriculture	Agriculture Timber/Wetlands
East	Urban Low Density	Planned Unit Development	Agriculture Timber	Wetlands
West	Rural	Agriculture	Single Family, Pasture	Wetlands

- Summary of Analysis -

The subject property consisting of 119.40 +/- gross acres, identified by Alternate Key Numbers 1101051 and 3852069, is located north of Number Two Road and west of Mission Inn Resort in the Howey-in-the-Hills area of Lake County. The subject property is zoned Agriculture (A) and designated with a Rural Transition Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. The subject parcels are located within the South Lake Interlocal Service Boundary Area (ISBA). The property is currently vacant. The subject property is a single lot of record per Unity of Title recorded on OR Book 6702

Page 185 in the Public Records of Lake County, Florida. The surrounding area is a mix of platted single family residential subdivisions, vacant land, and agricultural uses.

The proposed request is consistent with LDR Chapter XVII entitled *Rural Conservation Subdivision Design Standards* which provides for alternative subdivision design to provide housing in a manner that also preserves agricultural and forestry lands, natural and cultural features, scenic viewsheds, and rural community character.

The Applicant is requesting consideration of approval of a Rural Conservation Subdivision Density Bonus pursuant to LDR Chapter XVII, Section 17.05.00 entitled *Optional Density Bonuses*. The proposed Rural Conservation Subdivision is allowable under the existing land use and zoning categories and subject to approval of the proposed density bonus by the Board of County Commissioners. The proposed subdivision consists of 97 lots for single family residential homes. Pursuant to LDR Section 17.01.02 entitled *Protected Space and Open Space*, the proposed Conceptual Sketch Plan (Attachment "D") depicts 34.28% (40.93 acres) of Primary Conservation Area consisting of identified undisturbed wetlands and 41.25% (49.26 acres) of Secondary Conservation Area. The proposed subdivision will contain 63% (49.26 acres) of Open Space.

The Conceptual Sketch Plan (Attachment "D") illustrates primary access for the development from Number Two Road, with secondary emergency access along a 20' stabilized path connected to Number Two Road.

Pursuant to Comprehensive Plan Policy I-1.4.6.1 entitled *Density Bonus in Rural Conservation Subdivisions*, a density increase is permitted where more than the minimum required Open Space is provided. For each additional acre of protected, unconstrained (buildable), Open Space land provided in the subdivision, two (2) additional building lots or dwelling units are permitted. The Applicant is proposing 10.02 additional acres of Open Space and pursuant to LDR Section 17.05.00 a density bonus of 20 units may be considered; however, the Applicant is only requesting an additional 11 units above base density.

The subject parcel is located within South Lake ISBA and utility service area, and the proposal was forwarded to Howey-in-the-Hills for review. The Town of Howey-in-the-Hills did not provide any objections. The Applicant has provided an executed and recorded Developer's Agreement (Attachment "E") between Howey-in-the-Hills and the Owner regarding providing potable-water service, contingent wastewater service, and voluntary annexation.

Pursuant to LDR Chapter 17.08.00 entitled *Management Plan*, Rural Conservation Subdivision proposals shall submit a Management Plan simultaneously with the Conceptual Sketch Plan that provides for the management and maintenance of all protected space, Open Space and common facilities. Staff has reviewed the Management Plan (Attachment "F"). The attached plan contains management practices of minimal disturbance methods, maintained vegetated buffers and ongoing annual assessments. Significant tree preservation and protection areas are proposed. The Homeowners Association (HOA) will be responsible for funding all the maintenance of the common areas and conservation areas. The Management Plan includes a provision that allows County staff to conduct periodic inspections to verify compliance with approved management practices.

Pursuant to LDR Chapter 17.06.00 entitled *Procedures for Application and Approval*, an on-site visit was conducted on the subject property on February 3, 2025. Planning Manager, Janie Barron, Senior Planner, Leslie Regan and Public Works Engineer, Seth Lynch were present along with the Applicant. Furthermore, per these requirements a public information meeting hosted by the Applicant with residents and stakeholders of surrounding areas was held on September 23, 2025, between 5 p.m. to 7 p.m. at the Howey-in-the-Hills Library. Questions and concerns were answered by the Applicant. A sign-in-sheet and notes were provided by the Applicant (Attachment "G").

The Rural Conservation Subdivision shall comply with the provisions of LDR Chapter XVII *Rural Conservation Subdivision Design Standards* and the Comprehensive Plan.

Table 1. Existing and Property Development Standards.

	Zoning District	Allowable Development Program	Proposed Development Program	Maximum Impervious Surface Ratio	Minimum Open Space
Existing	Rural Transition	Policy I-1.4.5	1 d.u. / 5 net acres 1 d.u. / 3 net acres* 1 d.u. / 1 net acre*	30% - 50%	35% - 50%
Proposed	Rural Transition	Policy I-1.4.5	1.24 du / 1 net acre**	30%	63%

* Pursuant to Comprehensive Plan Policy I-1.4.5 entitled *Rural Transition Future Land Use Category*, the base density is one (1) dwelling unit per five (5) net acres. Alternatively, residential development not to exceed one (1) dwelling unit per three (3) net acres may be permitted provided that 35% open space is preserved, and the subdivision is developed as either (i) a Rural Conservation Subdivision or (ii) rezoned to a Planned Unit Development. As a third alternative, residential development not to exceed a maximum density of one (1) dwelling unit per one (1) net acre may be permitted provided that 50% open space is preserved, and the subdivision is developed as either (i) a Rural Conservation Subdivision or (ii) rezoned to a Planned Unit Development.

**Pursuant to Comprehensive Plan Policy I-1.4.6.1 entitled *Density Bonus in Rural Conservation Subdivisions*, a density increase is permitted where more than the minimum required open space is provided. For each additional acre of protected, unconstrained (buildable), Open Space land provided in the subdivision, two (2) additional building lots or dwelling units are permitted.

- Summary of Bonus Density-

The Applicant is requesting a density bonus. Pursuant to LDR Section 17.05.00 entitled *Optional Density Bonuses* the Board of County Commissioners may consider an increase to the base density allowed per the future land use category if the proposed project meets certain criteria and may not exceed a 25% increase in density. The table below illustrates that the Applicant is proposing a 13% increase in density for the additional open/protected space.

Table 2. Bonus Density Breakdown.

	Additional acres of buildable open space land	Additional dwelling units	Type of Open Space Land	Total additional dwelling units allowed / requested	% of increase in density
Cedar Creek	10.02 acres	2 du / net acre	Secondary Conservation	20 units allowed / 11 units requested	20% allowed / 13% requested

- Staff Analysis -

LDR Section 17.06.00 (Procedures for Application and Approval)

Pursuant to LDR Section 17.06.01 entitled *Conceptual Sketch Plan* - Subdivisions shall be submitted with the following requirements:

1. **Pre-submittal:** Applicant has applied for a pre-submittal for the Rural Conservation Subdivision of Cedar Creek.
2. **On Site Visit:** On-site visits took place on February 3, 2025, with the Applicant's representative and staff. Staff were able to view the entire property while discussing protected viewsheds, open space areas, buffers to adjacent properties and the proposed design of the property. Applicants further discussed tree preservation and protected areas.
3. **Application for Conceptual Sketch Plan for subdivisions less than 199 lots and on single lot of record:** The Applicant has submitted a Sketch Plan with the required information for consideration.

4. Public Information Meeting: Thirty (30) days after application deemed complete. A public information meeting or community meeting was held on September 23, 2025, at the Howey-in-the-Hills Library. It was an open forum between the hours of 5 p.m. and 7 p.m.

5. Conceptual Sketch Plan Bonus Density presented to BCC for approval: The requested bonus density is to be presented to and considered by the Board of County Commissioners.

6. Preliminary Plat: Within 12 months of approval of the Rural Conservation Subdivision Conceptual Sketch Plan, a Preliminary Plat must be approved with one possible extension of six (6) months.

A. Additional Requirements for a Rural Conservation Subdivision.

1. Protected Space and Open Space Per LDR Section 17.01.02.

The Applicant is proposing a 63% Open Space plan while the requirement for the Rural Transition Future Land Use Category is 50%. The Open Space is configured to maintain interconnected network of conserved land. Primary Conservation Areas include preserved wetlands on the subject property. Secondary Conservation Area of Open Space that has been preserved is buildable land. The plan includes large buffers in between the adjacent properties and the lots being built in the subdivision. The perimeter buffer is no less than 100 feet surrounding the subject property.

2. Ownership and Maintenance of open space and protected space per Section 17.01.04, Section 17.01.05, and 17.08.00 of the Land Development Regulations.

All open and protected space will be owned and maintained by the Homeowner's Association (HOA) at HOA sole cost and expense to complete all tasks assigned to maintain the areas. The protected areas will be preserved in the natural state, although some may be modified to improve their appearance or functionality. Following the approval of the Conceptual Sketch Plan the managing entity shall submit to the County a report demonstrating compliance with this ownership and maintenance requirements. Additionally, the managing entity agrees and acknowledges that the County Manager or designee may inspect at any time with or without notice to ensure compliance. In the event the party responsible for maintenance of the space fails to maintain all or any portion in reasonable order and condition, the County may avail itself of all legal remedies to enforce compliance. Further details are included within the Management Plan (Attachment "F")

3. The dimensional standards contained in LDR Section 17.02.05.

The Rural Conservation Subdivision proposal meets each of the following standards:

- The minimum lot size shall be 6,000 square feet. As depicted in the Conceptual Sketch Plan, approximately 91 units will be 65' x 140' and approximately 6 lots will be 75' x 140'. The minimum lot size in the proposed subdivision will be 9,100 square feet.
- Minimum front setback requirements for residences shall be no less than twelve (12) feet (or eight (8) feet for unenclosed front porches), and no less than twenty-five (25) feet for front-facing garages.
- Minimum rear and side setback requirements shall be no less than seven and one-half (7.5) feet. Side setbacks may be combined to be greater than seven and one-half (7.5) feet on one side, provided that at least five (5) feet of setback remains on the other. Such combinations are permitted in lot layouts where this pattern is repeated with homes located off-center on their lots but evenly spaced (by no less than fifteen (15) feet) between buildings on adjoining lots.
- Minimum lot frontage requirements shall generally be thirty-four (34) feet but may be reduced to twenty (20) feet to allow for a driveway extension.
- Street frontage shall not be required when the garage access is provided via a back lane or alley, and when the lot directly abuts permanent open or protected space such as a neighborhood green (sometimes called an "attached green") or a "greenway street" (sometimes called a "mews"), as depicted in Section 17.10.00. Sidewalks shall be required on each side of the long green space (not be built down the middle), which shall be planted with shade trees like any other residential street.

- To prevent garage doors from dominating streetscapes, the following two standards shall apply: (1) Garages shall be accessed via a back lane or alley for any lot that is less than fifty-five (55) feet wide, and (2) on lots that are fifty-five (55) feet or wider (and not served by an alley), front-facing garage doors shall be set back at least eight (8) feet beyond the front edge of the dwelling (excluding porches), as depicted in Section 17.10.00.
- Street frontage shall not be required for lots accessed via private common driveways (or "country lanes"), serving up to four (4) dwellings, which shall have a minimum gravel surface of sixteen (16) feet wide within a minimum right-of-way of twenty-five (25) feet.

– Standards for Review –

A. Whether, and the extent to which, the proposed subdivision would result in demands on public facilities, and whether, or to the extent to which, the proposed subdivision 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;

Water and Sewer

The subject property is within the Town of Howey-in-the-Hills Utility Notification area. The Town of Howey-in-the-Hills has provided no comments for the proposal; however, the Applicant has provided documentation indicating that central sewer capacity and potable water capacity is available to the subject property per an unrecorded Developer's Agreement (Attachment "E") between the Owner and the Town of Howey-in-the-Hills.

Public Safety

Lake County Fire Rescue Station #76 is located at 8819 SR 48, Yalaha, FL 34797 and is approximately 1.47 miles from the site. Fire protection water supply and emergency access will be addressed during the development review process, at such time that any future improvements are proposed.

Schools

The project is subject to school concurrency prior to final development order approval, but adequate public facilities determination was provided by the Growth Planning Department of Lake County Schools (Attachment "H").

Parks

The request is not anticipated to adversely impact park capacity or levels of service.

Solid Waste

The request is not anticipated to adversely impact solid waste capacities or levels of service.

Transportation Concurrency

A traffic study was conducted and reviewed by the Public Works Department. Traffic study methodology was approved.

The traffic study conclusions indicate negative impacts to level of service on the following roadways:

- SR-19 from CR-48 to Central Avenue
- Intersection of Palm Avenue (SR-19) and Central Avenue

The development is expected to generate 1,048 new net daily trips, of which 71 will occur in the A.M. peak hour and 94 will occur during the P.M. peak hour. The study roadway segments currently operate at satisfactory Levels of Service in the existing conditions and will continue to do so upon completion of the project in 2028, except for the segment of SR 19 from CR 48 to Central Avenue. This segment will fail with the addition of approved project trips which are more than double the existing traffic on the segment.

The study intersections currently operate at overall satisfactory Level of Service. In the projected conditions, the intersections will continue to operate at a satisfactory Level of Service with project trips added, except for the intersection of Palm Avenue and Central Avenue. This intersection will have failing eastbound/westbound approaches due to high background traffic. This condition will continue to prevail until a signal becomes warranted and installed.

The proposed development will be served by a full-access driveway on Number Two Road which is projected to operate satisfactorily. This driveway is located on a curve with sight distance concerns. Therefore, the Developer will construct a 3-way stop at this location.

B. Whether, and the extent to which, the proposed subdivision would result in significant adverse impacts on the natural environment:

The intent of the Rural Conservation Subdivision is to protect the natural environment. Should the Conceptual Sketch Plan be approved, all sensitive resources will be addressed through the development application review and approval process. New development will be required to meet all criteria specified by the Comprehensive Plan and LDR, as amended, for natural resource protection and mitigation. An intensive Management Plan has been provided by the Applicant. (Attachment "F")

C. 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.

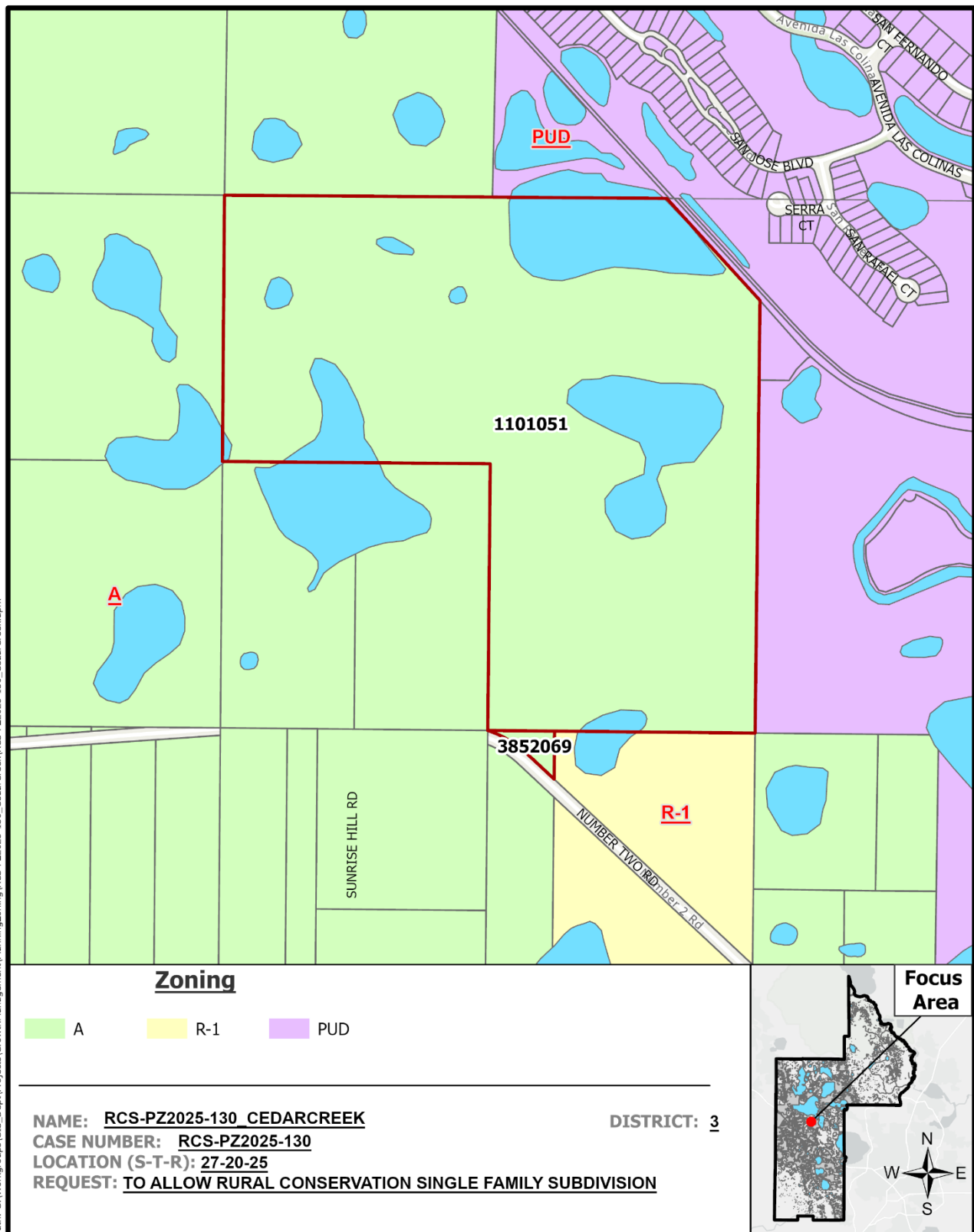
N/A.

FINDINGS OF FACT: Staff has reviewed the proposed Conceptual Sketch Plan and found:

1. The request is consistent with the Comprehensive Plan Policy I-1.4.6 *Preservation of Open Space within Rural Conservation Subdivisions* and Policy I-1.4.6.1 *Density Bonus in Rural Conservation Subdivisions*.
2. The Conceptual Sketch Plan application is consistent with LDR Chapter XVII *Rural Conservation Subdivision Design Standards* purpose in that the lots are clustered with large contiguous tracts of Open Space, minimizes site disturbance to the extent possible and by protecting Open Space with Primary and Secondary Conservation Areas.
3. The use is consistent with Comprehensive Plan Policy I-7.4.2 *Rural Conservation Subdivision* as the proposal intends to protect habitat, wildlife, and wildlife corridors, maximize buffering, protect aquifer recharge and karst features, and to create opportunities for passive recreation.
4. The Conceptual Sketch Plan application is consistent with LDR Chapter XVII *Open Space and Protected Space Requirements* as the plan shows Primary and Secondary Conservation Areas and exceeds the minimum percentage of Open Space required.
5. The request meets the density allowed per Section 17.02.00 *Densities and Design Standards*, and Section 17.05.00 *Optional Density Bonuses*, with the bonus density allowance for the additional Open Space provided in the proposal and is proposing lots with a minimum square footage of 9,100 square feet.

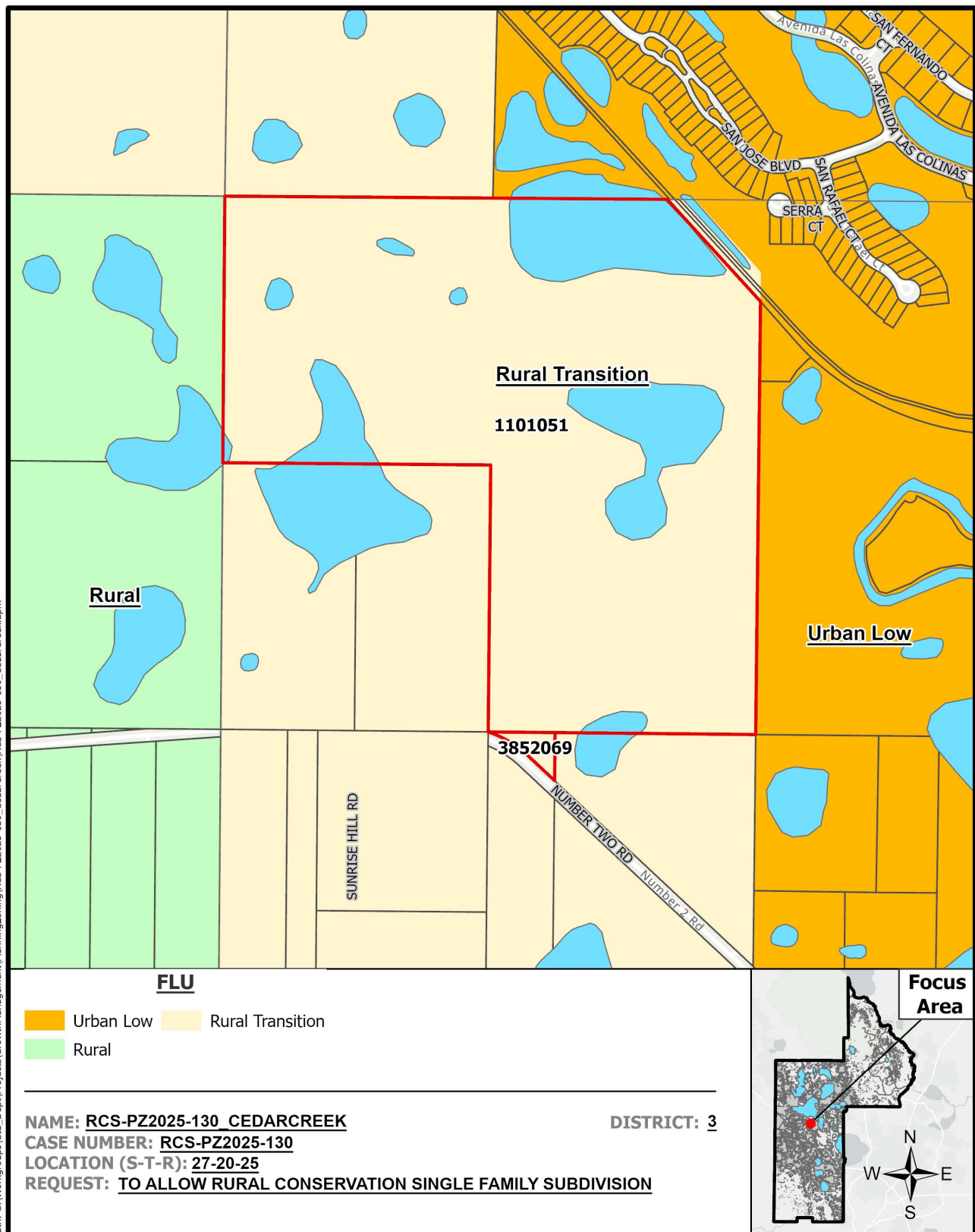
Attachment "A" – Zoning District Map

CURRENT ZONING



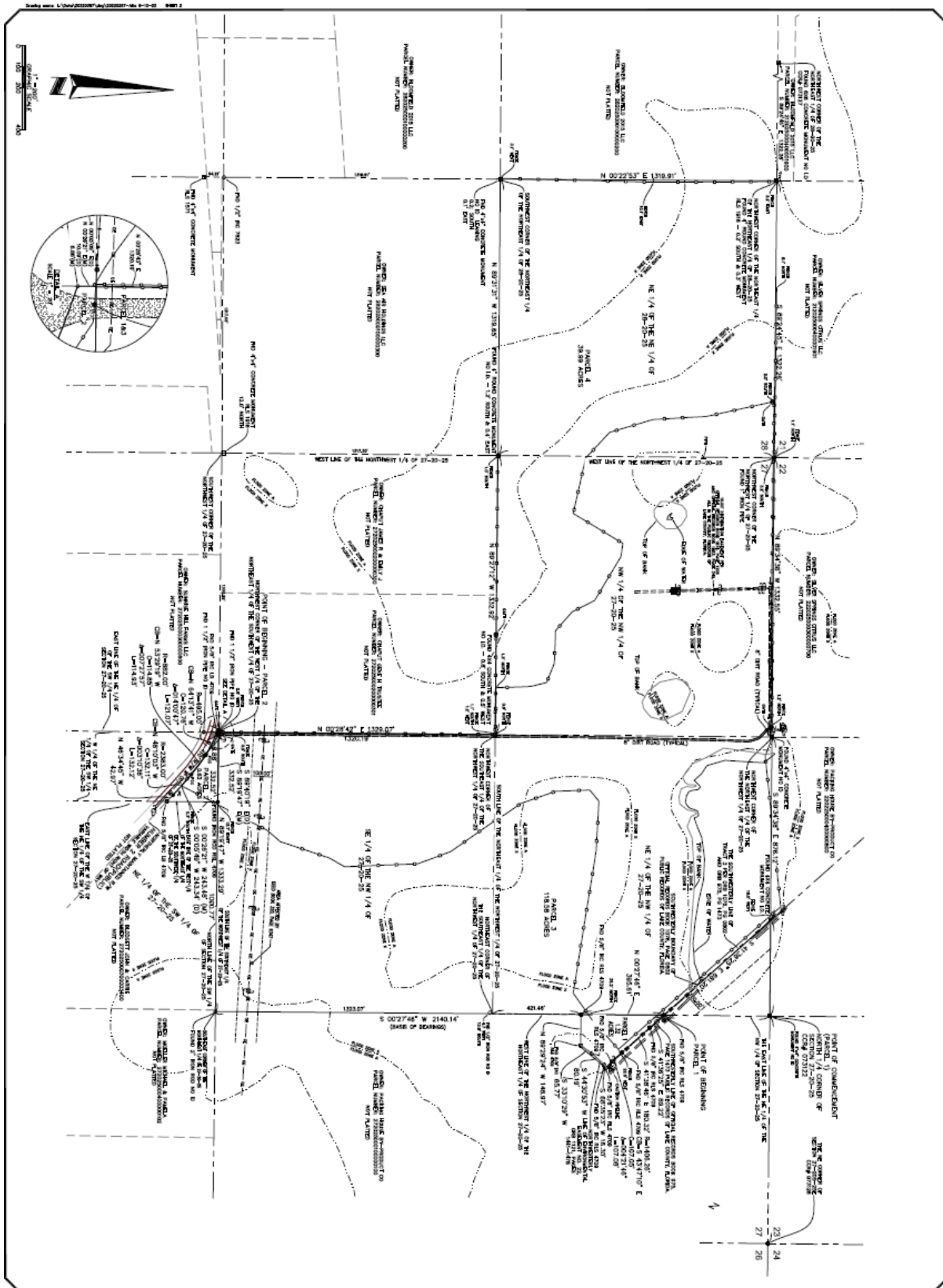
Attachment "B" – Future Land Use Map

CURRENT FUTURE LAND USE

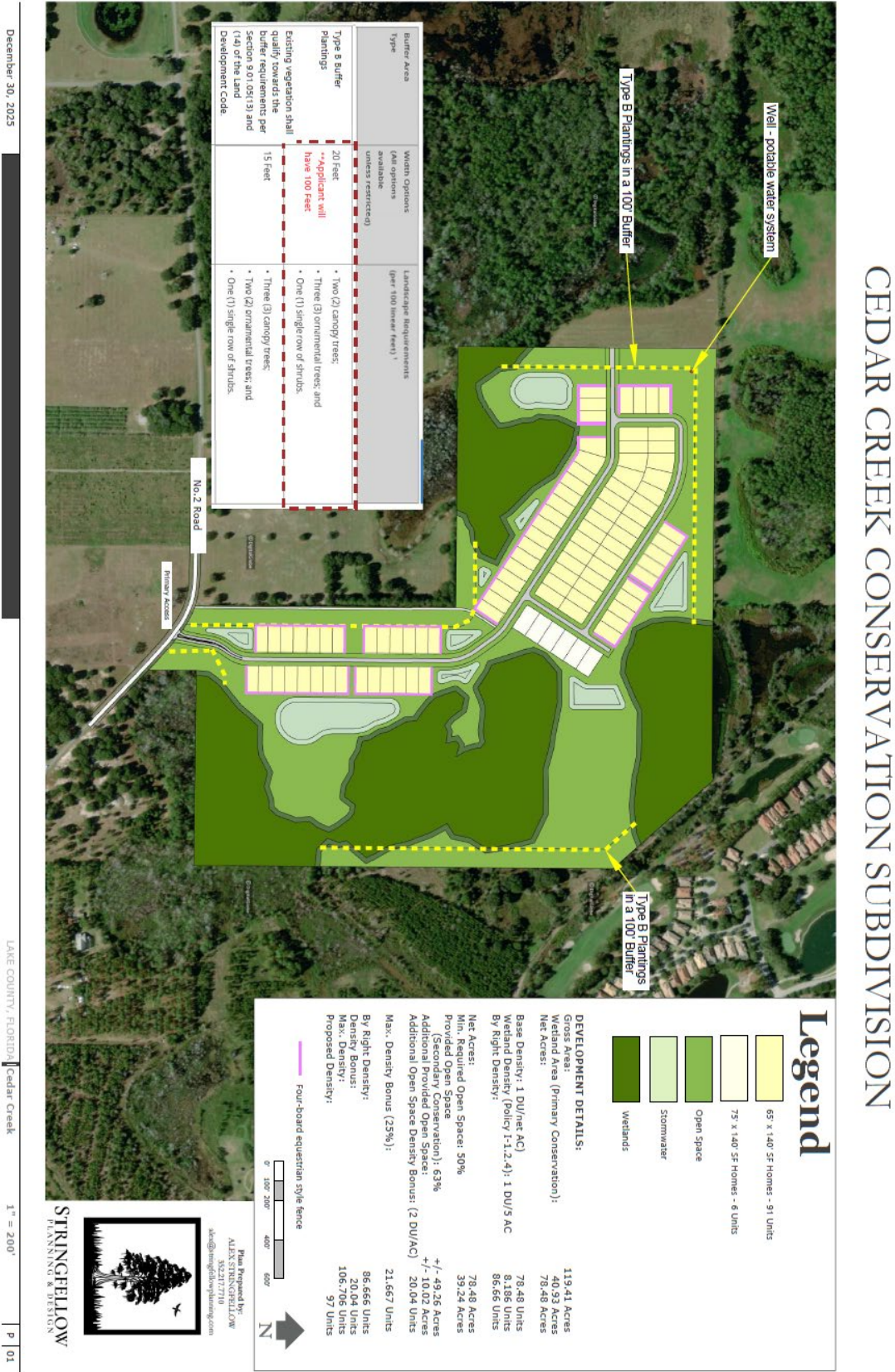


Path: G:\Workgroups\GIS_Dept\Projects\GrowthManagement\Planning\Zoning\RCS-PZ2025-130_CedarCreek\RCS-PZ2025-130_CedarCreek.aprx
 3/24/2026

Attachment "C" – Existing Features/Site Analysis Map Per LDR Section 17.07.01(A)



Attachment “D” – Conceptual Sketch Plan per LDR 17.07.00(B)



Attachment “E” – Developer’s Agreement

*As appr’d by TC
(with TC edits)
10-14-2024*

PREPARED BY AND RETURN TO:

Thomas J. Wilkes
Gray Robinson
301 East Pine Street, Suite 1400
Orlando, FL 32801
(407) 843-8880

**AGREEMENT
for
VOLUNTARY ANNEXATION,
POTABLE-WATER SERVICE,
and
CONTINGENT WASTEWATER SERVICE**

**Town of Howey-in-the-Hills, Florida
and
Blue Sky Capital Group, LLC**

Cedar Creek Project

THIS AGREEMENT (“Agreement”) is entered into as of _____, 2024, by the **TOWN OF HOWEY-IN-THE-HILLS, FLORIDA**, a municipal corporation organized and operating under the constitution and laws of the State of Florida and its Charter (“**Town**”), and **BLUE SKY CAPITAL GROUP, LLC**, a Florida limited liability company, the address for which is 103 Commerce Street, Suite 103, Lake Mary, Florida 32746 (“**Owner**”).

PREMISES

1. The Owner holds fee simple title to the land described in **Exhibit "A"** (“**Property**”).
2. The Property is located currently in unincorporated Lake County and is being zoned by Lake County for single-family residential uses.
3. Pursuant to law the Town has enacted an ordinance establishing a water- and wastewater-service area (“**Utility Service Area**”) and authorizing

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(with TC edits)
10-14-2024*

extension of potable-water and wastewater service beyond the corporate limits of the Town.

4. The Town is willing to allow the extension of its water and wastewater utilities and to supply water and wastewater service to property owners and users outside the Town's current boundaries and within the Utility Service Area, but only if the owners of properties benefitting from the utility services first petition the Town Council for annexation of the benefitting properties to the Town.

5. The Town is ready and willing to extend its boundaries to include the Property, subject to the Owner, on behalf of itself and all its successors in interest, petitioning the Town Council to annex the Property to the Town at such time the Property becomes contiguous to the Town's boundaries and is eligible otherwise under Florida law for annexation.

6. On behalf of itself and all its successors in interest in the Property, the Owner herewith petitions the Town to annex the Property to the Town in return for the Town allowing the extension of its water and wastewater utilities to the Property.

ACCORDINGLY, the parties agree as follows:

SECTION 1. PREMISES.

The above premises are true and correct and form a material part of this Agreement.

SECTION 2. REPRESENTATION OF OWNERSHIP.

The Owner represents and warrants to the Town that the Owner holds fee simple title to the Property and has the right legally to enter into this Agreement.

SECTION 3. AUTHORITY.

a. This Agreement is entered into under the authority of the Florida Constitution, including specifically its Article VIII, Section 2(b), the powers conferred upon municipalities by Chapters 163, 166, 171, and 180 of Florida Statutes, and the Town's Charter and Code of Ordinances.

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b. The parties expressly stipulate that this Agreement does not constitute a “development agreement” under the Florida Local Government Development Agreement Act, Section 163.3220, *et. seq.*, Florida Statutes, and the provisions of that act do not govern this Agreement.

ANNEXATION

SECTION 4. PETITION AND CONSENT TO ANNEXATION.

a. As consideration for the Town providing and agreeing to provide water and wastewater service to the Property, the Owner herewith petitions the Town Council for the Town under section 171.041 of Florida Statutes (2024) (or its successor legislation), on behalf of both the Owner itself and all the Owner’s successors in interest in the Property, that the Property be annexed to the Town immediately upon the Property becoming contiguous to the Town’s boundary, all in accordance with Florida law and all without further action, petition, consent, or approval of the Owner or its successors in interest.

b. This petition for and consent to annexation of the Property to the Town is irrevocable as long as the Town provides or is willing to provide water or wastewater service, or both, to the Property.

c. The parties expressly agree that (i) under section 171.041 of Florida Statutes (2024) (or a successor statute), this section 3 of this Agreement constitutes the legally complete and sufficient petition by the Owner and its successors for voluntary annexation of the Property to the Town and that (ii) no further consent or petition or approval of any type is or will be needed as a condition to the Town undertaking the annexation. At such time as the Town undertakes the annexation, however, the Owner and all its successors in interest in the Property must execute any and all such certificates, consents, approvals, and other instruments as the Town may reasonably request and as may be necessary or reasonably useful to completion of the annexation.

d. This petition for annexation of the Property is material consideration in return for the Town’s obligations under this Agreement. But for this petition

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and consent for annexation of the Property the Town would not be willing to enter into this Agreement.

SECTION 5. UTILITY SERVICE AREA OF TOWN.

On behalf of itself and all its successors in interest in the Property the Owner acknowledges, agrees, and states its preference that the Town is to be the exclusive provider of water- and wastewater-utility service to the Property. The Owner may not engage in the business of providing water- or wastewater-utility service to the Property and may not contract with any other entity or person to provide water or wastewater service to the Property so long as the Town (or its successor in interest) provides or is willing to provide water- and wastewater-utility service, or either, to the Property.

POTABLE-WATER UTILITY SERVICE

SECTION 6. TOWN TO PROVIDE POTABLE-WATER SERVICE

a. Upon the terms and conditions in this Agreement, and in accordance with the Town's codes, ordinances, rules, regulations, and technical standards and requirements, the Town shall provide and shall have the exclusive right to provide to the Property potable-water utility service as set forth herein.

b. As between the Town and the Owner, the Owner is entitled to reserve potable-water utility service for up to 105 single-family dwelling units or "Equivalent Residential Units" ("ERU's"). The Owner's right to ERU's of utility capacity will vest only upon the Owner's payment in full of the Town's one-time initial capital and connection charges for its potable-water utility system. Upon such payment in full, the Town must set aside and deem reserved for the Owner the water-utility capacities for which payment is made. At its option, the Owner may pay the capital and connection charges for some, not all, of its projected dwelling units, in which case its right to service will then vest for those units for which full payment is made.

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c. Vesting of the Owner's right to capacity will occur upon payment in full of the capital and connection charges in effect at the time of the payment. If between the time of such payment and the application by the Owner for a building permit for a dwelling unit the Town increases the amount of its one-time capital and/or connection charges, the building permit will be issued only upon payment of the amount of the increase(s).

SECTION 7. DESIGN, CONSTRUCTION, ACCEPTANCE, AND CONVEYANCE OF WATER-UTILITY IMPROVEMENTS

The Owner's right to connect the Property to the Town's water utility is conditioned on the Owner:

1. Preparing at no cost to the Town the plans and specifications for all lines, pumps, valves, and other equipment, facilities, and improvements required for the Town's water utility to serve the Property,
2. Installing and constructing the utility improvements in accordance with plans and specifications approved by the Town,
3. Installing and constructing all such improvements at no cost to the Town, and
4. Conveying all such improvements to the Town, at no cost to the Town, by written instrument(s) in form and substance acceptable to the Town Manager.

Upon completion of the improvements the Owner shall apply in writing to the Town Manager for acceptance of the improvements. Upon the Town's acceptance of the improvements:

- a) all warranties and guarantees from contractors and suppliers shall be assigned and delivered by the Owner to the Town, and
- b) All construction guarantees from the Owner to the Town, such as bonds, letters of credit, and other sureties issued in favor of the Town, shall then be released by the Town.

SECTION 8. INSTALLATION OF UTILITY IMPROVEMENTS

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(with TC edits)
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The Owner must design, permit, construct, and install, all at no cost to the Town, all potable-water lines, pipes, valves, pumps, and other fittings, equipment, and improvements required both on and off the Property to provide the Property and the future improvements thereon with water service, connecting the Property to the existing Town water-utilities system.

The Town has the right to review, approve and permit, as appropriate, the water-utility improvements necessary for the Owner to connect the Property to the Town's water utility in a manner consistent with the Town's land-development and utility regulations. Upon completion of the water-utility improvements, both on and off the Property, all water-utility improvements on the Property and within Town rights-of-way and utility easements must be conveyed to the Town in form and substance acceptable to the Town Attorney.

All onsite water-utility improvements are to be conveyed or otherwise dedicated to the Town in form and substance approved by the Town Attorney. All connections to existing Town water utilities shall be made at no cost to the Town.

SECTION 9. APPROVAL OF DESIGN, PLANS, AND SPECIFICATIONS.

The engineering design, plans and specifications of all water-utility improvements to be transferred to and owned and operated by the Town are subject to prior approval by the Town Manager. The Owner's registered engineer of record shall incorporate all applicable standards and specifications of the Town into the engineering design, plans, and specifications for the water-utility improvements. The Town shall provide reasonable assistance to the Owner's engineers as would be customary for a utility provider in a comparable design and construction of utility improvements. All construction plans and specifications must be approved by the Town before construction is commenced. The Owner must obtain all federal, state, county, town and other permits required for construction, acceptance and operation of the improvements.

SECTION 10. ACCESS TO CONSTRUCTION; APPROVAL OF WORK AND MATERIALS.

From time to time the Town may inspect the construction and installation of the water-utility improvements to ensure compliance with the approved plans and specifications and shall retain the power of final approval of all work and materials. In connection with its inspections the Town does not accept and shall not be assigned liability of any type or nature.

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(with TC edits)
10-14-2024*

SECTION 11. TESTING DURING AND AFTER CONSTRUCTION.

The Owner must require its registered engineer to supervise construction and to certify, under seal, to the Town Manager that the systems are installed in accordance with the approved design plans and specifications. The Owner shall conduct at no expense to the Town all tests required by the Town to verify the improvements are constructed in accordance with the approved engineering plans and specifications and all other Town requirements.

SECTION 12. CONVEYANCE OF EASEMENTS AND IMPROVEMENTS.

The Owner shall grant to the Town, at no expense to the Town, adequate transferable easements for all water-utility improvements and related appurtenances as may be deemed necessary by the Town Manager and all in form and substance acceptable to the Town Attorney.

SECTION 13. INSTRUMENTS OF CONVEYANCE OF UTILITY IMPROVEMENTS.

Upon completion of construction and installation and acceptance by the Town of the water-utility improvements, the Owner must transfer to the Town title to all the improvements in form and substance approved by the Town Attorney. The Owner shall provide to the Town a copy of the recorded plat, a bill of sale or bills of sale for the improvements as approved by the Town Attorney, easement grants as approved by the Town Attorney, and other evidences of conveyance required by the Town Manager and as approved by the Town Attorney. Mortgagees, if any, holding prior liens on any part of the Property shall be required to release such liens, subordinate their positions, join in a conveyance, grant, or dedication, or give to the Town assurance by way of a "non-disturbance agreement" in form and substance acceptable to the Town Attorney that, in the event of foreclosure, the mortgagee will recognize the utility ownership and easement rights of the Town.

SECTION 14. ADDITIONAL DOCUMENTS TO BE PROVIDED BY OWNER.

In addition to the documents of title to the utility improvements, the Owner must provide to the Town Manager the following documents prior to the Town's acceptance of the improvements, all as approved by the Town Attorney:

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(with TC edits)
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- i. as-built drawings of utility improvements (one hard copy signed and sealed, and one PDF), furnished one week prior to final inspection;
- ii. certification by the Owner's engineer's of costs (schedule of values) for on-site and off-site construction and installation;
- iii. letters of acceptance from the appropriate regulatory agency or agencies for the systems;
- iv. certification by the design engineer that the system was constructed as designed; and
- v. related right-of-way use permits and other permits and licenses obtained from applicable government agencies.

All such documents must be under the seal of an engineer registered in Florida, as required by the Town Manager.

SECTION 15. CONNECTIONS SUBJECT TO RATES AND FEES.

All connections to the Town's water utility are be subject to the continuing operating rules and regulations of the Town, including without limitation the periodic payment of water charges and fees, as provided in the Town's rate schedules, and payment of all deposits, meter charges and other fees, rates and charges, including development fees. The rates charged by the Town for potable-water service shall be in accordance with its rate schedules, which are subject to change from time-to-time, and which may include a higher charge for those properties located outside the Town's boundaries

SECTION 16. OWNER TO OBTAIN PERMITS.

The Owner shall obtain, at no cost to the Town, all governmental approvals, inspections, certificates, licenses and permits necessary for the design, routing, construction, connection and use of the water-utility improvements to be installed under this Agreement. The Town shall render assistance to the Owner in obtaining these approvals, licenses and permits if and as requested and as would be customary practice for a utility provider.

SECTION 17. SERVICING OTHER PROPERTIES.

The Town reserves the right to service other properties through the water-utility improvements constructed, installed and conveyed by the Owner. Nothing in this Agreement prohibits the Town from extending its water utility to any other area, properties, or customers. If the Town requests that the Owner increase the size or

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capacity of water-utility improvements to be installed by Owner under this Agreement so that the Town may serve other properties, the Town shall reimburse Owner the increased cost incurred from the increase in capacity of such improvements.

WASTEWATER UTILITY SERVICE

SECTION 18. WASTEWATER CONTINGENCY. The Owner shall obtain wastewater-utility service from the Town if either of these two contingencies occur:

- i. the Lake County Board of County Commissioners requires, as a condition of a zoning or other land-use approval, that the Property be served by a central wastewater utility, or
- ii. the Board of County Commissioners allows the Property to be served by a wastewater-treatment and disposal system other than a central wastewater utility, but on the date the Property is annexed to the Town the Owner (or its successor in interest) has not commenced construction of a material portion of the other type of system.

If either contingency occurs, the Owner (or its successor in interest) shall construct and install the onsite and offsite lines, pumps, lift stations, and other equipment and facilities necessary or useful to connect to the Town's wastewater-utility system, all as set forth in Sections 19 through 30, inclusive, in this Agreement.

SECTION 19. TOWN TO PROVIDE WASTEWATER SERVICE.

- a. Upon the terms and conditions in this Agreement, and in accordance with the Town's codes, ordinances, rules, regulations, and technical standards and requirements, the Town shall provide and shall have the exclusive right to provide to the Property wastewater-utility service as set forth herein.

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(with TC edits)
10-14-2024*

b. As between the Town and the Owner, the Owner is entitled to reserve wastewater-utility service for up to 105 single-family dwelling units or "Equivalent Residential Units" ("ERU's"). The Owner's right to ERU's of utility capacity will vest only upon:

- i. the Owner's payment in full of the one-time initial capital and connection charges imposed by the Town for its wastewater-utility system, and
- ii. The Owner obtaining from the Central Lake Community Development District the contract right to treatment and disposal of all wastewater generated by the Owner's 105 ERU's.

Upon the Owner's payment in full of the Town's one-time charges and the Owner securing the contract right to treatment and disposal of wastewater for its ERU's, the Town must set aside and deem reserved for the Owner the water-utility capacity for which payment has been made. At its option, the Owner may pay the Town's one-time capital and connection charges for some, not all, of the Owner's projected dwelling units, in which case its right to service will then vest for those units for which full payment is made.

c. Vesting of the Owner's right to wastewater-utility capacity will occur upon payment in full of the capital and connection charges in effect at the time of the payment. If between the time of such payment and the application by the Owner for a building permit for a dwelling unit the Town increases the amount of its one-time capital and/or connection charges, the building permit will be issued only upon payment of the amount of the increase(s).

SECTION 20. DESIGN, CONSTRUCTION, ACCEPTANCE, AND CONVEYANCE OF WASTEWATER-UTILITY IMPROVEMENTS

The Owner's right to connect the Property to the Town's wastewater utility is conditioned on the Owner:

5. Preparing at no cost to the Town the plans and specifications for all lines, pumps, valves, lift stations, and other equipment, facilities, and improvements required for the Town's wastewater utility to serve the Property,

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6. Installing and constructing the utility improvements in accordance with plans and specifications approved by the Town,
7. Installing and constructing all such improvements at no cost to the Town, and
8. Conveying all such improvements to the Town, at no cost to the Town, by written instrument(s) in form and substance acceptable to the Town Manager.

Upon completion of the improvements the Owner shall apply in writing to the Town Manager for acceptance of the improvements. Upon the Town's acceptance of the improvements:

- c) all warranties and guarantees from contractors and suppliers shall be assigned and delivered by the Owner to the Town, and
- d) All construction guarantees from the Owner to the Town, such as bonds, letters of credit, and other sureties issued in favor of the Town, shall then be released by the Town.

SECTION 21. INSTALLATION OF UTILITY IMPROVEMENTS

The Owner must design, permit, construct, and install, all at no cost to the Town, all wastewater lines, pipes, valves, pumps, lift stations, and other fittings, equipment, and improvements required both on and off the Property to provide the Property and the future improvements thereon with wastewater-utility service, connecting the Property to the existing Town wastewater-utility system.

The Town has the right to review, approve and permit, as appropriate, the wastewater-utility improvements necessary for the Owner to connect the Property to the Town's wastewater utility in a manner consistent with the Town's land-development and utility regulations, customs, and practices. Upon completion of the wastewater-utility improvements, both on and off the Property, all wastewater-utility improvements on the Property and within Town rights-of-way and utility easements must be conveyed to the Town in form and substance acceptable to the Town Attorney.

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(with TC edits)
10-14-2024*

All onsite wastewater-utility improvements are to be conveyed or otherwise dedicated to the Town in form and substance approved by the Town Attorney. All connections to the Town wastewater utility shall be made at no cost to the Town.

SECTION 22. APPROVAL OF DESIGN, PLANS, AND SPECIFICATIONS.

The engineering design, plans and specifications of all wastewater-utility improvements to be transferred to and owned and operated by the Town are subject to prior approval by the Town Manager. The Owner's registered engineer of record shall incorporate all applicable standards and specifications of the Town into the engineering design, plans, and specifications for the wastewater-utility improvements. The Town shall provide reasonable assistance to the Owner's engineers as would be customary for a utility provider in a comparable design and construction of utility improvements. All construction plans and specifications must be approved by the Town before construction is commenced. The Owner must obtain all federal, state, county, town and other permits required for construction, acceptance and operation of the improvements.

SECTION 23. ACCESS TO CONSTRUCTION; APPROVAL OF WORK AND MATERIALS.

From time to time the Town may inspect the construction and installation of the wastewater-utility improvements to ensure compliance with the approved plans and specifications and shall retain the power of final approval of all work and materials. In connection with its inspections the Town does not accept and shall not be assigned liability of any type or nature.

SECTION 24. TESTING DURING AND AFTER CONSTRUCTION.

The Owner must require its registered engineer to supervise construction and to certify, under seal, to the Town Manager that the systems are installed in accordance with the approved design plans and specifications. The Owner shall conduct at no expense to the Town all tests required by the Town to verify the improvements are constructed in accordance with the approved engineering plans and specifications and all other Town requirements.

SECTION 25. CONVEYANCE OF EASEMENTS AND IMPROVEMENTS.

The Owner shall grant to the Town, at no expense to the Town, adequate transferable easements for all wastewater-utility improvements and related

*As appr'd by TC
(with TC edits)
10-14-2024*

appurtenances as may be deemed necessary by the Town Manager and all in form and substance acceptable to the Town Attorney.

SECTION 26. INSTRUMENTS OF CONVEYANCE OF UTILITY IMPROVEMENTS.

Upon completion of construction and installation and acceptance by the Town of the wastewater-utility improvements, the Owner must transfer to the Town title to all the improvements in form and substance approved by the Town Attorney. The Owner shall provide to the Town a copy of the recorded plat, a bill of sale or bills of sale for the improvements as approved by the Town Attorney, easement grants as approved by the Town Attorney, and other evidences of conveyance as required by the Town Manager and approved by the Town Attorney. Mortgagees, if any, holding prior liens on any part of the Property shall be required to release such liens, subordinate their positions, join in a conveyance, grant, or dedication, or give to the Town assurance by way of a “non-disturbance agreement” in form and substance acceptable to the Town Attorney that, in the event of foreclosure, the mortgagee will recognize the utility ownership and easement rights of the Town.

SECTION 27. ADDITIONAL DOCUMENTS TO BE PROVIDED BY OWNER.

In addition to the documents of title to the utility improvements, the Owner must provide to the Town Manager the following documents prior to the Town’s acceptance of the improvements, all as approved by the Town Attorney:

- i. as-built drawings of utility improvements, (one hard copy signed and sealed, and one PDF) furnished one week prior to final inspection;
- ii. certification by the Owner’s engineer’s of costs (schedule of values) for on-site and off-site construction and installation;
- iii. letters of acceptance from the appropriate regulatory agency or agencies for the systems;
- iv. certification by the design engineer that the system was constructed as designed; and
- v. related right-of-way use permits and other permits and licenses obtained from applicable government agencies.

All such documents must be under the seal of an engineer registered in Florida, as required by the Town Manager.

*As appr'd by TC
(with TC edits)
10-14-2024*

SECTION 28. CONNECTIONS SUBJECT TO RATES AND FEES.

All connections to the Town's wastewater utility shall be subject to the continuing operating rules and regulations of the Town, including without limitation the periodic payment of wastewater charges and fees, as provided in the Town's rate schedules, and payment of all deposits, meter charges and other fees, rates and charges, including development fees. The rates charged by the Town for wastewater service shall be in accordance with its rate schedules, which are subject to change from time-to-time, and which may include a higher charge for those properties located outside the Town's boundaries.

SECTION 29. OWNER TO OBTAIN PERMITS.

The Owner shall obtain, at no cost to the Town, all governmental approvals, inspections, certificates, licenses and permits necessary for the design, routing, construction, connection and use of the wastewater-utility improvements to be installed under this Agreement. The Town shall render assistance to the Owner in obtaining these approvals, licenses and permits if and as requested and as would be customary practice for a utility provider.

SECTION 30. SERVICING OTHER PROPERTIES.

The Town reserves the right to service other properties through the wastewater-utility improvements constructed, installed and conveyed by the Owner. Nothing in this Agreement prohibits the Town from extending its wastewater utility to any other area, properties, or customers. If the Town requests that the Owner increase the size or capacity of a wastewater-utility improvement to be installed by Owner under this Agreement so that the Town may serve other properties, the Town shall reimburse Owner the increased cost incurred from the increase in capacity of such improvements.

MISCELLANEOUS PROVISIONS

SECTION 31. DEFAULT BY OWNER. The Owner's failure or refusal to carry out a provision of this Agreement relieves the Town of its obligation to provide water or wastewater service, or both, to the Property.

*As appr'd by TC
(with TC edits)
10-14-2024*

SECTION 32. APPLICATION FOR SERVICE. Neither the Owner nor any successor owner or occupant (consumer) of the Property may connect a dwelling unit or other improvement to the Town's utilities until application has been made to the Town by an appropriate party and approval for such connection has been granted. Connections shall occur only in a manner approved by the Town.

SECTION 33. RELOCATION OF UTILITY IMPROVEMENTS. Relocation of utility improvements required for the Owner's convenience or necessity shall be undertaken only at the Owner's expense, provided such relocation can be accomplished without adverse impact on any other part of the utility improvements or other consumers.

SECTION 34. DISPUTES.

a. In the event that the Town or the Owner bring an action to enforce this Agreement by court proceedings or otherwise, the parties shall bear their own attorney fees at all levels. Venue for litigation of all disputes must be in the Circuit Court for the Fifth Judicial Circuit of Florida, in Lake County, Florida.

b. In disputes involving compliance with this Agreement, each party shall have all equitable remedies allowed under Florida law, including (but not limited to) declaratory judgment, injunctive relief without necessity of showing irreparable harm, and specific performance. Neither party shall be liable to the other for, and each party releases the other from, liability resulting in direct, indirect, incidental, special, consequential, and punitive damages arising out to the performance of or default under this Agreement, whether based on contract, warranty, or any other legal theory.

c. The Owner shall defend, indemnify, and hold harmless the Town and its officers and employees from all liens, claims, demands, costs (including attorneys' fees and costs), expenses, damages, losses, and causes of action for damages ("Losses") because of injury to persons or damage to or loss of property arising from or related to the design, construction, or installation of the utility improvements under this Agreement or otherwise caused by the acts or omissions of the Owner or its officers, managers, employees, agents, contractors or subcontractors, vendors, suppliers or other person acting under its request, control, or direction, and from defect in the design or installation of the utility improvements under this Agreement, except to the extent such Losses are caused

*As appr'd by TC
(with TC edits)
10-14-2024*

by the gross negligence or willful misconduct of the Town or its officers or employees.

d. No failure or delay on the part of either party in exercising any right, power or privilege hereunder will operate as a waiver thereof, nor will any waiver on the part of either party of any right, power, or privilege hereunder operate as a waiver of any other right, power, or privilege hereunder, nor will any single or partial exercise of any right, power, or privilege hereunder preclude any other or further exercise thereof or the exercise of any other right, power, or privilege hereunder.

e. This section will survive the expiration or earlier termination of this Agreement.

SECTION 35. ASSIGNMENT.

This Agreement may not be assigned by the Owner without the prior written consent of the Town, which shall not be unreasonably withheld.

SECTION 36. NOTICE; PROPER FORM.

A notice to be given shall be in writing and shall be sent by certified mail, return receipt requested, to the party being noticed at the following addresses:

AS TO TOWN : Town of Howey-in-the-Hills, Florida
101 N. Palm Avenue
Howey-in-the-Hills, FL 34737
Attn: Town Manager

COPY TO: Thomas J. Wilkes, Town Attorney
301 East Pine Street, Suite 1400
Orlando, FL 32801

AS TO OWNER: Blue Sky Capital Group LLC
103 Commerce Street
Lake Mary Florida, 32746
Attn. Sadique Jaffer

SECTION 37. TIME AND TERMINATION.

*As appr'd by TC
(with TC edits)
10-14-2024*

- a. Time is hereby made of the essence of this Agreement in all respects.
- b. The Town may terminate this Agreement on or after the tenth anniversary of the date of this Agreement, but only if:
 - i. The Property has not been annexed, and
 - ii. One or more platted or to-be-platted residential lots have not been connected either to the Town's water-utility service or, if the Town is then providing wastewater service to the Property, to the Town's wastewater-utility service (or to both).
- c. The Town may exercise its right under this section to terminate the Agreement only by vote of its Town Council. The vote by Town Council to terminate this Agreement may occur no sooner than the tenth anniversary of the date of this Agreement and must occur no later than the eleventh anniversary of the date of this Agreement.
- d. If and when this Agreement is terminated:
 - i. The Town (or its successor in interest) must continue to provide water and wastewater service in perpetuity to all residential units on the Property receiving such services as of the date of termination; and
 - ii. All capital and connection charges and other one-time amounts paid to reserve, for the Property and any lots thereon, capacity in the Town's water system or wastewater system, or both, are forfeited.
- e. The petition and consent to annexation survive termination of the Agreement under this section and continue in effect in perpetuity.
- f. If the Property is annexed after this Agreement is terminated under this section, connection of residential units to the Town's water- and wastewater-utility systems will be governed by Town ordinances and policies then in effect.
- g. The Town's option to terminate this Agreement under this section expires upon annexation of the Property.

SECTION 38. COMPLETE AGREEMENT.

*As appr'd by TC
(with TC edits)
10-14-2024*

This Agreement constitutes the entire agreement of the parties and expressly supersedes all negotiations, previous agreements or representations, whether verbal or written. This Agreement may not be amended except by a writing executed by both parties hereto in a manner equal in dignity to the execution of this Agreement and with such writing approved by vote of the Town Council. Documents for the implementation of this Agreement, including all permits, engineering design and construction contracts, and plans and specifications for the utility facilities as and when approved and filed with the Town are hereby incorporated herein by reference.

SECTION 39. BINDING EFFECT.

This Agreement may be recorded by the Town at the Town's expense, in the Public Records of Lake County, Florida. This Agreement shall inure to the benefit of and be binding upon the successors to the parties in interest in the Property and shall constitute a covenant running with the Property. By acceptance of a conveyance, grant, devise, lease, mortgage, or other interest in the Property each grantee, devisee, lessee, mortgagee, and other successor in interest to the Owner, and all parties claiming by, through, or under each such person or entity, agree to be bound by all provisions of this Agreement. For the avoidance of doubt, the provisions binding successors of the Owner expressly include (but are not limited to) the Owner's reimbursement obligations under Section 41.

SECTION 40. DISCLAIMER OF THIRD PARTY BENEFICIARIES.

This Agreement is for the sole benefit of the parties hereto, and no right of action shall accrue upon or by reason hereof, to or for the benefit of any third party. Nothing in this Agreement either express or implied is intended or shall be construed to confer upon or give any person, corporation or governmental entity other than the parties hereto any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof, and all of the provisions, representations, covenants and conditions herein contained shall inure to the sole benefit of and shall be binding upon the parties hereto and their respective representatives, successors and assigns.

SECTION 41. REIMBURSEMENT OF TOWN EXPENDITURES.

The parties expressly agree that this Agreement is entered into by the parties at the request and for the benefit of the Owner in the pursuit of its development business. In the course of drafting, negotiating, approving, and administering this Agreement

*As appr'd by TC
(with TC edits)
10-14-2024*

the Town has incurred and will incur both (i) substantial out-of-pocket expenses and (ii) substantial expense in the form of time spent by town staff. But for its accommodation of the Owner's business interests and the Owner's pursuit of the development of its Property, the Town would not incur either of those expenses. To avoid those expenses in effect being paid by the general body of Town taxpayers, the Owner must reimburse the Town for all such expenses incurred by the Town directly in the drafting, negotiation, approval, and administration of this Agreement, including (but not limited to) such expenses as legal fees, review of engineering plans and specifications, inspection of construction and installation of utility improvements hereunder, and enforcement expenses. The reimbursement shall be paid by the Owner no later than 30 days after its receipt of an invoice from the Town, showing reasonable itemization of the expenses incurred by the Town and receipts verifying the expenses.

[SIGNATURE PAGES FOLLOW]

As appr'd by TC
(with TC edits)
10-14-2024

WHEREFORE, the parties set their hand and seal as of the dates shown below:

BLUE SKY CAPITAL GROUP, LLC

by: [Signature]
Print: SADIQUE JAFFER
Title: MANAGING MEMBER

ATTEST:

[Signature]
Print: Amal Farah
Witness: _____

[Signature]
Print: Amyl Robinson
Witness: _____

ACKNOWLEDGMENT

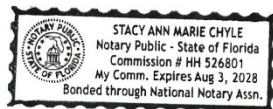
STATE OF FLORIDA)
COUNTY OF Seminole)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Sadique Jaffer, as Managing member of Blue Sky Capital Group, LLC, and they acknowledged executing the same freely and voluntarily and they are personally known to me or provided the following for identification _____. Sworn and subscribed before me, by said persons by means of ☒ physical presence or { } online notarization on the 20 day of November, 2024, the said persons did take an oath and were first duly sworn by me, on oath, said persons, further, deposing and saying that they have read the foregoing and that the statements and allegations contained herein are true and correct.

WITNESS my hand and official seal in the County and State last aforesaid this 20 day of November, 2024.

(Affix Notary Seal)

[Signature]
Notary Public, State of Florida
Print Name: Stacy Ann Marie Chyle



As appr'd by TC
(with TC edits)
10-14-2024

**TOWN OF HOWEY-IN-THE-HILLS,
FLORIDA**

by: its Town Council

by: [Signature]
~~Hon. Martha MacFarlane, Mayor~~
Hon. Graham Wells, Mayor

ATTEST:

[Signature]
John Brock, Town Clerk

APPROVED AS TO FORM AND LEGALITY:

(for the use and reliance of the Town only)

[Signature]
Thomas J. Wilkes, Town Attorney

ACKNOWLEDGMENT

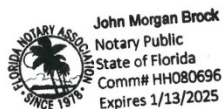
STATE OF FLORIDA)
COUNTY OF LAKE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to Graham Wells
administer oaths and take acknowledgments, personally appeared ~~Martha MacFarlane~~, as Mayor
of the Town of Howey-in-the-Hills, Florida, and ~~she~~ acknowledged executing the same freely
and voluntarily. ~~She~~ he is personally known to me. he

Sworn and subscribed before me, by said persons by means of ☒ physical presence or { } online
notarization on the 10th day of December, 2024, the said persons did take an oath and were first
duly sworn by me, on oath, said persons, further, deposing and saying that they have read the
foregoing and that the statements and allegations contained herein are true and correct.

WITNESS my hand and official seal in the County and State last aforesaid this 10th day of
December, 2024.

(Affix Notary Seal)



[Signature]
Notary Public, State of Florida
Print Name: John Morgan Brock

*As appr'd by TC
(with TC edits)
10-14-2024*

EXHIBIT A
THE PROPERTY

[insert legal description]

5 4

*As appr'd by TC
(with TC edits)
10-14-2024*

#61174534 v6

INSTRUMENT#: 2022143195 OR BK 6047 PG 370 PAGES: 5 11/1/2022 10:54:42 AM
GARY J. COONEY, CLERK OF THE CIRCUIT COURT & COMPTROLLER, LAKE COUNTY, FLORIDA
REC FEES: \$44.00 DEED DOC:\$11340.00

Return to:
Berry J. Walker, Jr., Esquire
Walker & Tudhope, P.A.
225 S. Westmonte Dr., Suite 2040
Altamonte Springs, FL 32714

Prepared by and after
Recording return to:
James G. Willard, Esquire
Shutts & Bowen LLP
300 South Orange Avenue, Suite 1600
Orlando, Florida 32801

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made and effective as of the 31st day of October, 2022, by M.L. CARTER SERVICES, INC., a Florida corporation, as Trustee of the CARTER-LAKE 160 NUMBER 2 ROAD LAND TRUST, pursuant to Section 689.073, Florida Statutes, whose address is 3333 South Orange Avenue, Suite 200, Orlando, Florida 32806-8500 (the "Grantor"), to BLUE SKY CAPITAL GROUP, LLC, a Florida limited liability company, whose address is 103 Commerce Street, Suite 160, Lake Mary, Florida 32746 (the "Grantee").

(Wherever used herein, the terms "Grantor" and "Grantee" shall be deemed to include all of the parties to this Special Warranty Deed and the successors and assigns of each party. The singular shall be deemed to include the plural, and vice versa, where the context so permits.)

WITNESSETH

THAT, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable considerations, the receipt and sufficiency of which is acknowledged, Grantor hereby grants, bargains, sells, conveys and confirms unto Grantee all that certain land situated in Lake County, Florida, more particularly described on Exhibit "A" attached hereto and made a part hereof;

TOGETHER WITH all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the Grantor hereby covenants with Grantee that Grantor is lawfully seized of the land in fee simple; that Grantor has good right and lawful authority to sell and convey said land; that Grantor hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other; and the land is free of all encumbrances except ad valorem real property taxes accruing subsequent to December 31, 2022, and those matters set forth on Exhibit "B" attached hereto; provided, however, reference thereto shall not serve to reimpose same.

[SIGNATURE AND NOTARY BLOCK CONTAINED ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF the Grantor has caused this Special Warranty Deed to be executed as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

Emily Brown
Print Name: Emily Brown

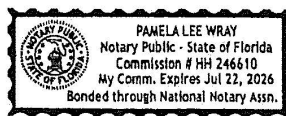
Jessica Sathfield
Print Name: Jessica Sathfield

M.L. CARTER SERVICES, INC.,
as Trustee of the Carter-Lake 160 Number 2
Road Land Trust, under the provisions of an
unrecorded land trust dated October 30, 2015
pursuant to Section 689.073, Florida Statutes

By: [Signature]
Daryl M. Carter, President

STATE OF FLORIDA)
)
COUNTY OF ORANGE)

The foregoing instrument was sworn to, subscribed and acknowledged before me this 27th day of October, 2022, by Daryl M. Carter, as President of M.L. CARTER SERVICES, INC., a Florida corporation, the Successor Trustee of the CARTER-LAKE 160 NUMBER 2 ROAD LAND TRUST, under the provisions of an unrecorded land trust dated October 30, 2015, pursuant to Section 689.073, Florida Statutes. He appeared before me by means of physical presence and is personally known to me.



Pamela Lee Wray
(Signature of Notary Public)
Print Name: Pamela Lee Wray
Notary Public, State of Florida
Commission No.: HH 246610
My Commission Expires: 07/22/2026

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL 1: 27-20-25-0001-000-03300:

THAT PORTION OF THE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2737, PAGES 1678 THROUGH 1680, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, AND LYING IN SECTION 27, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 SECTION CORNER OF SECTION 27, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; THENCE ON A BEARING RELATED TO FLORIDA STATE PLANE COORDINATES, EAST ZONE, AND ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 27, RUN S00°27'46"W A DISTANCE OF 506.08 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 975, PAGE 1473, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, AS FIELD MONUMENTED, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID SOUTHWESTERLY LINE RUN THE FOLLOWING THREE (3) COURSES; S 41°36'25"E A DISTANCE OF 89.22 FEET, S41°38'46"E A DISTANCE OF 180.32 FEET, TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 1406.26 FEET TO WHICH A RADIAL LINE BEARS S48°23'43"W; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°21'46" AN ARC DISTANCE OF 107.08 FEET, TO A POINT ON THE NORTHWESTERLY LINE OF THE LANDS DESCRIBED AS ENVIRONMENTAL EASEMENT NO. 22, AS FOUND ON PAGE 1463 OF OFFICIAL RECORDS BOOK 1121, PAGES 1441 THROUGH 1478, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID NORTHWESTERLY LINE RUN THE FOLLOWING THREE (3) COURSES; S68°35'23"W A DISTANCE OF 16.30 FEET, S44°30'53"W A DISTANCE OF 80.19 FEET, S33°10'29"W A DISTANCE OF 65.77 FEET; THENCE DEPARTING SAID NORTHWESTERLY LINE RUN N89°29'24"W A DISTANCE OF 148.97 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF AFORESAID SECTION 27; THENCE ALONG SAID WEST LINE RUN N00°27'46"E A DISTANCE OF 395.61 FEET TO THE POINT OF BEGINNING.

PARCEL 2: 27-20-25-0003-000-03100:

A PARCEL OF LAND SITUATE IN SECTION 27, TOWNSHIP 20 SOUTH, RANGE 25 EAST, IN LAKE COUNTY, FLORIDA, BEING THAT PART OF THE WEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 27 LYING NORTHERLY OF NUMBER TWO ROAD (PUBLIC ROAD), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID WEST 1/4; THENCE SOUTH 89°40'19" EAST ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 332.52 FEET; THENCE SOUTH 00°05'49" WEST ALONG THE EAST LINE OF SAID WEST 1/4 243.34 FEET; THENCE NORTHWESTERLY ALONG THE NORTHERLY MAINTAINED RIGHT OF WAY LINE OF NUMBER TWO ROAD (PUBLIC ROADWAY) 410 FEET MORE OR LESS; THENCE NORTH

A-1

ORLDOCS 20012997 | 37371.0019

00°05'49" EAST ALONG THE WEST LINE OF SAID NORTHEAST 1/4 10.09 FEET TO THE POINT OF BEGINNING.

PARCEL 3: 27-20-25-0002-000-00200:

THE NORTH 1/2 OF THE NORTHWEST 1/4; LESS AND EXCEPT ANY PORTION THEREOF LYING NORTHEASTERLY OF THE SOUTHWESTERLY BOUNDARY OF THOSE LANDS DESCRIBED AS TRACT 3, AS RECORDED IN OFFICIAL RECORDS BOOK 1076, PAGE 0802, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; SAID SOUTHWESTERLY BOUNDARY ALSO BEING THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE ABANDONED SEABOARD COASTLINE RAILROAD; TOGETHER WITH THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, ALL IN SECTION 27, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

PARCEL 4: 28-20-25-0001-000-00100:

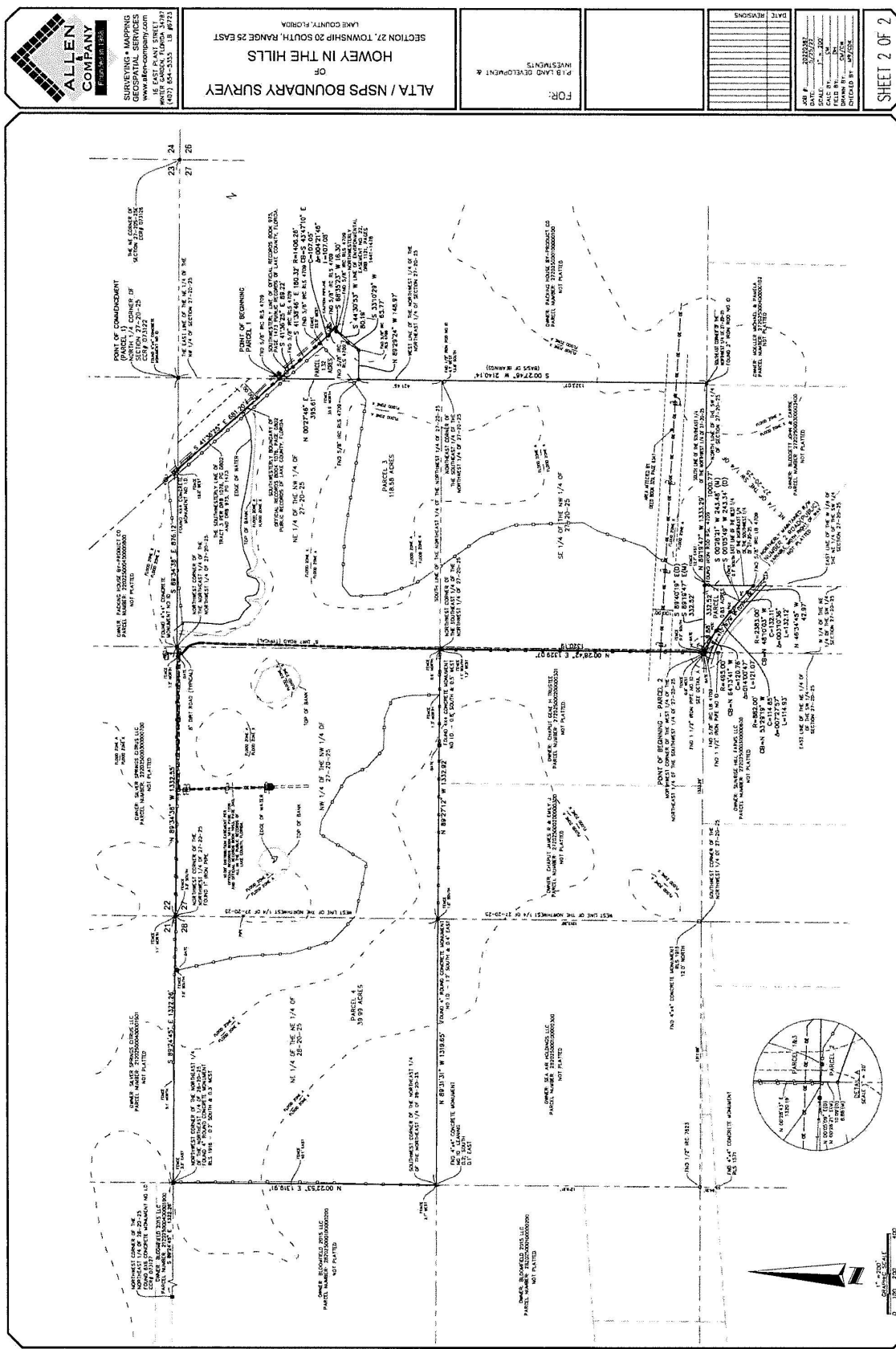
THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

EXHIBIT "B"

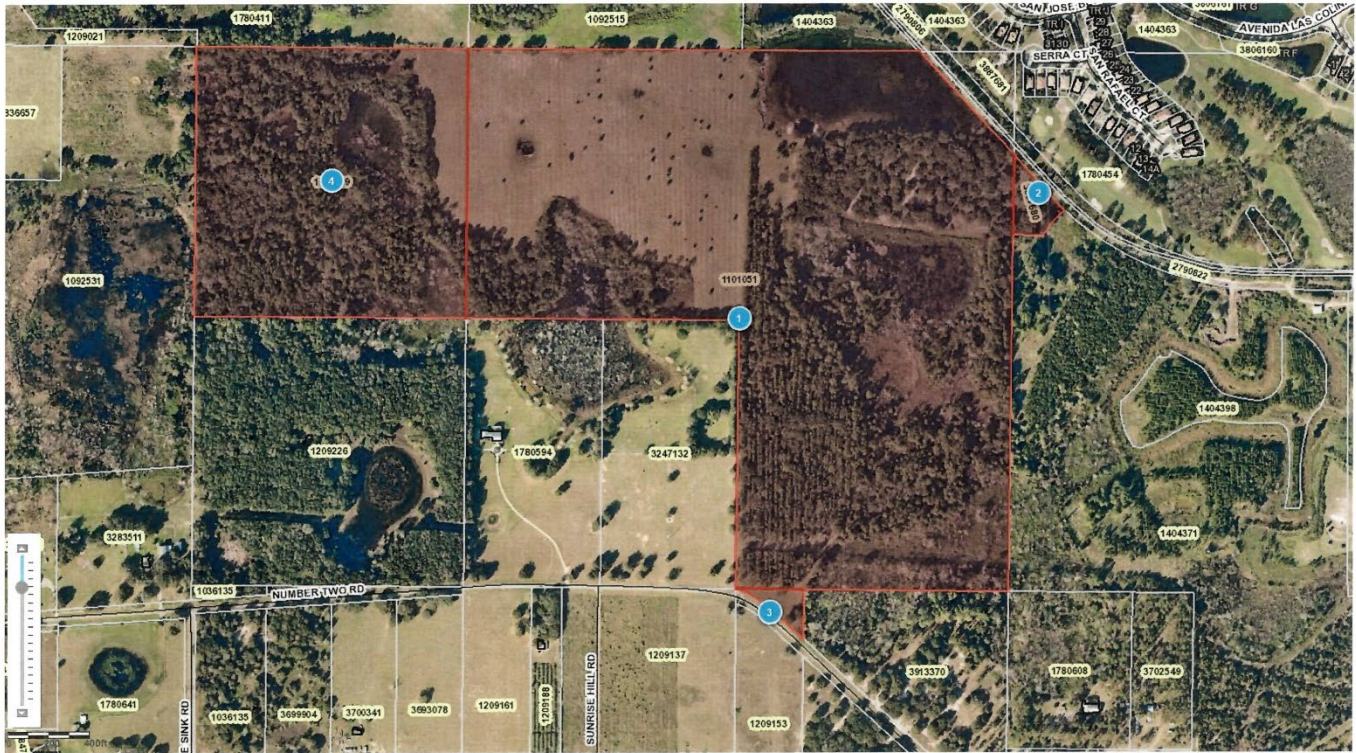
PERMITTED EXCEPTIONS

1. Taxes for the year 2022 and subsequent years, which are not yet due and payable.
2. Easement in favor of Florida Power Corporation, recorded January 23, 1952 in Deed Book 320, Page 637, in the Public Records of Lake County, Florida. (As to Parcel 3)
3. Distribution Easement in favor of Florida Power Corporation, a Florida corporation, recorded October 27, 2000 in Official Records Book 1874, Page 1206, in the Public records of Lake County, Florida. (As to Parcel 3)
4. Distribution Easement in favor of Florida Power Corporation, a Florida corporation, recorded May 30, 2001 in Official Records Book 1953, Page 340, in the Public Records of Lake County, Florida. (As to Parcel 3)

[illegible]



Number 2 Road Howey in the Hills



Attachment “F” – Mitigation/Management Plan



STRINGFELLOW
PLANNING & DESIGN

CONSERVATION LAND MANAGEMENT PLAN

Cedar Creek: Featuring Oak Hammocks, Pine Flatwoods, Open Prairie, and Wetlands

1. Habitat-Specific Management Practices

1.1 Oak Hammocks

- Understory Management: Use minimal disturbance methods, preserve leaf litter, avoid heavy machinery near roots.
- Invasive Species Control: Conduct periodic site inspections and remove invasives (e.g., Brazilian pepper) via targeted methods.
- Resident Education: Discourage exotic ornamentals or invasive species.

1.2 Pine Flatwoods

- Fire Management: Use mulching, grazing, hand-felling or roller chopping in coordination with local authorities if Pine Flatwoods mature to need such treatments.
- Vegetation Enhancement: Allow native grasses and forbs to seed (e.g., wiregrass, bluestem).
- Invasive Species Control: Monitor and remove promptly with herbicides as needed.

1.3 Open Prairie

- Maintaining Prairie Structure: Conduct mechanical brush removal to limit woody encroachment.
- Enhancing Native Diversity: Introduce or retain native wildflowers and grasses to support pollinators.

1.4 Wetlands

- Buffer and Hydrology: Maintain vegetated buffers, restrict fertilizer/pesticide use, preserve drainage patterns.
 - Vegetation and Wildlife Management: Remove invasive aquatic plants and promote native emergent vegetation (e.g., pickerelweed).
 - Erosion Control: Use silt fencing, riparian plantings, and stable drainage designs during and post-construction.
-

Attachment “F” – Mitigation/Management Plan



STRINGFELLOW
PLANNING & DESIGN

CONSERVATION LAND MANAGEMENT PLAN

Cedar Creek: Featuring Oak Hammocks, Pine Flatwoods, Open Prairie, and Wetlands

2. Implementation Timeline

- Before Site Development
 - Finalize conservation easements, buffers, and development footprints.
 - Conduct baseline ecological surveys in accordance with SJRWMD permitting.
- During Site Development
 - Conduct appropriate clearings to maintain native species to the maximum extent possible.
 - Initiate targeted invasive species removal.
- Post Development Years 1–5
 - Conduct follow-up maintenance.
 - Monitor habitat conditions in accordance with SJRWMD permitting; adjust invasive control as needed.
- Ongoing
 - Annual assessments, adaptive management revisions, continued community outreach.

3. Allocation of Responsibilities and Maintenance Guidelines

To ensure the effective upkeep of the protected and open spaces (including associated facilities), the following Maintenance Responsibility Matrix outlines required tasks, recommended timing, location, personnel, and cost estimates. These guidelines will be implemented and maintained by the Homeowner’s Association.

Task	Timing/Season	Location	Responsible Party*
Mechanical Thinning	Late Winter / Early Spring (frequency as recommended by environmental consultant).	Pine Flatwoods, Open Prairie	- Approved Contractors

Attachment “F” – Mitigation/Management Plan



STRINGFELLOW
PLANNING & DESIGN

CONSERVATION LAND MANAGEMENT PLAN

Cedar Creek: Featuring Oak Hammocks, Pine Flatwoods, Open Prairie, and Wetlands

Invasive Species Removal	Annually at a minimum or as indicated by site walks.	All habitats (oak hammocks, pine flatwoods, prairies, wetlands)	- Certified Applicators - Homeowners Association Maintenance Crew - Volunteer Groups
Native Species Planting	Fall or Early Spring	Degraded areas of hammocks, flatwoods, prairie edges, wetland buffers	- Landscaping Contractors - Homeowners Association Maintenance Crew - Community Volunteers
Understory Management	As needed (often late fall or winter to minimize disturbance)	Oak Hammocks, Pine Flatwoods	- Licensed Arborist - Homeowners Association Maintenance Crew - Volunteer Teams (for debris removal)
Mowing / Brush Management	Seasonal (2-3 times/year)	Open Prairie edges, select pathways	- Landscape Contractor - Maintenance Staff - Homeowners Association Maintenance Crew

Attachment “F” – Mitigation/Management Plan



STRINGFELLOW
PLANNING & DESIGN

CONSERVATION LAND MANAGEMENT PLAN

Cedar Creek: Featuring Oak Hammocks, Pine Flatwoods, Open Prairie, and Wetlands

Erosion Control & Drainage Maintenance	Ongoing inspections	Wetlands, ditches, drainage swales	- Homeowners Association Maintenance Crew
Annual Habitat & Wildlife Site Walks	Annually (Spring)	All designated conservation areas	- Environmental Consultant - Homeowners Association Maintenance Crew - Trained Volunteers
Mechanical thinning and Understory Management: \$25/ac annually = \$1,250/year Invasive Species Removal: \$1,500/year Native Species Planting: As needed by special assessment. Mowing / Brush Management: \$1,500 per mow (@ 3x / year) = \$4,500/year Erosion Control & Drainage Maintenance: Inspections included with mowing. Annual Habitat Site Walks: \$1,000/year Estimate Total Annual Cost: \$8,250 annually			
* The homeowners association is responsible for funding of all the common and conservation areas.			

4. Funding, Staffing, and Insurance

1. Maintenance Cost Estimates and Funding Mechanisms

- Homeowners' Association (HOA) Dues: A portion of HOA fees is earmarked for habitat management, insurance, and capital improvements.
- Special Assessments: These may be established for major one-time expenses (as needed).

Attachment “F” – Mitigation/Management Plan



STRINGFELLOW
PLANNING & DESIGN

CONSERVATION LAND MANAGEMENT PLAN

Cedar Creek: Featuring Oak Hammocks, Pine Flatwoods, Open Prairie, and Wetlands

- Grants and Partnerships: The community may seek state/federal grants or partner with conservation NGOs for specialized projects, such as wetland restoration or prescribed burning.
- 2. Staffing Requirements
 - Contractors and Certified Professionals: Hired as needed for mulching/grubbing, invasive species control, arborist work, and engineering services.
 - Community Association Maintenance Crew: Handles routine tasks such as mowing, minor erosion control measures, and assisting with volunteer events.
 - Volunteers: Residents can assist under professional guidance, helping reduce labor costs and bolstering community engagement.
- 3. Insurance Coverage
 - General Liability Insurance: Covers volunteers, contractors, and the HOA during maintenance and management tasks.
- 4. Future Adjustments
 - Annual budget reviews by the HOA (or designated management entity) will ensure funds remain adequate for ongoing conservation tasks.

5. Plan Revisions and Approval Process

Any changes, amendments, or additions to this Plan shall be submitted to the County Manager or their designee for review and approval. This ensures that modifications remain consistent with county regulations, environmental best practices, and the long-term conservation goals of the community.

6. Enforcement of the Plan

- 1. HOA and Covenants
 - The Homeowners’ Association (HOA) has the authority to enforce compliance through community bylaws and covenants.
 - Violations (e.g., unauthorized clearing, planting invasive ornamentals) can trigger fines or mandatory remediation.
- 2. County Oversight
 - The County may conduct periodic inspections to verify compliance with approved management practices.

Attachment “F” – Mitigation/Management Plan



STRINGFELLOW
PLANNING & DESIGN

CONSERVATION LAND MANAGEMENT PLAN

Cedar Creek: *Featuring Oak Hammocks, Pine Flatwoods, Open Prairie, and Wetlands*

- Non-compliance may result in penalties under county ordinances or requirements for corrective action.
 - 3. Reporting and Transparency
 - Annual reports summarizing maintenance activities, costs, and ecological outcomes will be submitted to the HOA Board and made available to the County upon request.
 - The report will detail all tasks completed (including timings, personnel, and associated costs) and address any changes to management strategies.
-

Attachment “G”-Community Meeting Information



Cedar Creek
Community Meeting Notes

September 23, 2025 5:00 pm to 7:00 pm
Howie-in-the-Hills Library

Public Comments & Questions: The following comments and questions were received in the community meeting. Responses are in blue.

1. Property Location

- Clarification requested on the exact location of the property. A map was shown at the meeting.

2. Management Plan

- Copy of the management plan requested. A copy will be provided.
- Question: Who is the management company overseeing conservation efforts? This will be handled as required by the LDC and will be funded by the to be formed Property Owners Association for the community.

3. Utilities

- Questions regarding septic and well systems. Individual high efficiency septic systems, specifically, Aerobic Treatment Units (ATU) are proposed for each lot with a package water plant providing potable water and fire protection capacity.
- Concern about local wells: ability to supply 1,000 gallons per minute for fire hydrants. Consumptive Use permits will be required and fire protection will be provided with an above ground storage tank and pumps.

4. Annexation

- Question raised: Could the property be annexed into Howey-in-the-Hills? The property is not eligible at this time as it is not contiguous to the town.

5. Development Plans

- What is the proposed development plan for the 40 acres? Nothing is currently proposed but per requirements, an access easement will be provided to the property.
- Can the 40 acres be donated or placed into permanent conservation? Not in consideration at this time.
- Request to consider making some lots 1 acre in size. The applicant noted this request, however this causes challenges with the intent of the conservation subdivision standards.

Attachment “G”-Community Meeting Information



Cedar Creek

Community Meeting Notes

September 23, 2025 5:00 pm to 7:00 pm

Howie-in-the-Hills Library

the 100' buffer? Stabilization will be subject to Fire Marshall requirements.

- Request for wider turn lanes. A 3-way stop condition at the entrance with Number 2 Road is recommended for safety and traffic calming.
- Concern: No. 2 Road is too small to handle additional traffic. Noted.
- Request for a traffic safety analysis on the blind curve, with an updated TIA to address safety standards. Applicant to address during in the design and review process.

8. Environmental Concerns

- Request to maintain wildlife corridors and connectivity between properties.
Connectivity is provided.
- Questions about drainage impacts:
 - How will new ponds be created and interconnected? These will be new ponds.
Interconnecting the ponds is unknown at this time.
 - Will existing wetlands be affected? No.
- Concerns regarding floodplain impacts: Are portions of the site within a floodplain?
All floodplain requirements will be met throughout the design phase of the project and will be permitted through the County and Water Management District.
- How many acres of wetlands will be preserved? Approximately 40 acres.

9. Trails & Public Access

- What trails and sidewalks will be provided? The internal rural roads are not proposed to have sidewalks.
- Will there be public access to the trail system? The conservation area is required to allow public access per code. Any walking paths will be unpaved.

10. Process & Timeline

- What is the submittal process? Conceptual Sketch Plan > Preliminary Plat > Construction Plans > Construction
- When will preliminary plats be submitted? After the completion of the Conceptual Sketch Plan process and public hearing.

Attachment “G”-Community Meeting Information



Cedar Creek
Community Meeting Notes

September 23, 2025 5:00 pm to 7:00 pm
Howie-in-the-Hills Library

- Questions about the lot layouts and setbacks. A typical lot plan will be provided.
- Request for details on building footprints and lot specifications. A typical lot plan will be provided.
- What is the pricing of the homes? Unknown at this time but could range from \$300K to \$600k.

6. Design & Character

- Suggestion to include green strips behind houses that are back-to-back. The applicant will consider including this change.
- Concerns about maintaining rural character along roadways per County Code:
 - Development should improve or protect rural character along corridors. Scenic views and vistas should remain unblocked. No perimeter fence is proposed in line with rural character and the perimeter buffers will be maintained in their natural state where possible.
 - Consider “no-build, no-plant” or “no-cut” buffers along roadways and wooded areas. Significant tree save and tree protection areas are proposed.
- Preservation of tall board trees requested. Applicant confirmed this area is designated as preservation.
- Entrance signage and features should reflect a rural character. Recommended no signage. Applicant plans to address this comment.
- What type of fencing will be used on the property? No perimeter fence is proposed. A rural (farm or picket fence) is required along the rear of the lots to designate the separation between the public and private realms.
- Request for more landscape and buffer details, including southwest buffer design. Noted and to be provided during in the design and review process.

7. Access & Circulation

- Location and design of emergency access: Is it paved or stabilized? Will it conflict with

Attachment "G"-Community Meeting Information



Cedar Creek
Community Meeting Notes

September 23, 2025 5:00 pm to 7:00 pm
Howie-in-the-Hills Library

Meeting Sign in Sheet Attendance: 24

SEPTEMBER 23, 2025 5:00 PM CEDAR CREEK NEIGHBORHOOD MEETING		
Name	Address	Email
MARK CALATHAN	9200 SAN JOSE BLVD	markcal1229@gmail.com
Deb Lambert	9416 San Jose Blvd	
Theresa Barone	9322 San Jose Blvd	
Richard C. Barone	9322 San Jose Blvd	
Roger Burgoyne	9210 San Jose Rd	Roger + Ginny whappford.com
John + Gina Brasell	9508 Serra Ct. Howie in the Hills	igbrasell@icloud.com
Catherine + Tito Cruz	9437 San Miguel Howie in the Hills	Develop@titoandcatherine.com
Derek Kramer	26233 Hike Las Colinas	derekkramer@gmail.com
Greg Stoll	9445 San Miguel Howie in the Hills	mstoll@bellsouth.net
Vin K Chan	9318 San Jose Howie	jimchan116@gmail.com
Elizabeth Dean	" "	" "
Jo Harvey	25937 San Rafael Ct	DANCE TIME 53@yahoo.com
Brittany Lech	25926 Blossfield Ave	brittanybottig@gmail.com
John Blissett	9350 NUMBER TWO ROAD	JB@GLOBALUITE.COM
Gerry + Linda Kohnstall	9314 San Jose Blvd, Howie	
Jim + Emily Chaput	9025 Number Two Rd. Howie	chaput65@gmail.com
Matt + Gina Biegler	25246 Sunrise Dr. 11 Dr. mkgb14@yahoo	
Anthony + Laura Katz	712 Calabrian Way Howie	Anthonykatz1980@gmail.com

Attachment "H"-School Letter



201 West Burleigh Boulevard • Tavares • FL 32778-2496
(352) 253-6500 • Fax: (352) 253-6503 • www.lake.k12.fl.us

Superintendent:
Diane S. Kornegay, M.Ed.

School Board Members:
District 1
Bill Mathias, MAOM
District 2
Tyler Brandeburg
District 3
Marc Dodd
District 4
Mollie Cunningham
District 5
Stephanie Luke

August 12, 2025

Mr. Alex Stringfellow
Stringfellow Planning
PO Box 564
Winter Park, Florida 32790

RE: Cedar Creek – Lake County
Adequate Public Facilities Determination (APF10-2025)
Alt Keys: 1101051, 3852069

Dear Mr. Stringfellow:

The School District has reviewed the above-referenced development project information proposing 97 single-family dwelling units on approximately 119 acres. The subject property is located north of Number Two Road, between Blue Skink Road and the Mission Inn in the Howey and the Hills area. This property is located in Lake County Schools Concurrency Service Area (CSA) #10.

The proposed development has the potential to generate approximately 31 new students for the Lake County School system. Based on current school attendance zones, the schools impacted by the proposed residential project and their projected capacities are as follows:

- | | |
|------------------------------|--------------|
| • Astatula Elementary School | 91% Capacity |
| • Tavares Middle School | 81% Capacity |
| • Tavares High School | 97% Capacity |

Currently, the district's Five-Year Capital Plan does not include any projects that would provide relief to the assigned schools. However, the District is aware of the residential growth in this area and will continue to monitor the development to determine the need and timing of capacity relief projects in the future.

Please be advised that the information contained in this letter **does not** constitute a school concurrency review. The capacities referenced above do not include current valid capacity reservations. Proportionate share mitigation may be required at the time of school concurrency review. Should you have any questions or need additional information don't hesitate to get in touch with me at (352) 253-6694 or by email at lavalleyh@lake.k12.fl.us.

Sincerely,

Helen LaValley
Growth Planning Department

Encl: Adequate Public Facilities Analysis

"Equal Opportunity in Education and Employment"

Attachment “H”-School Letter

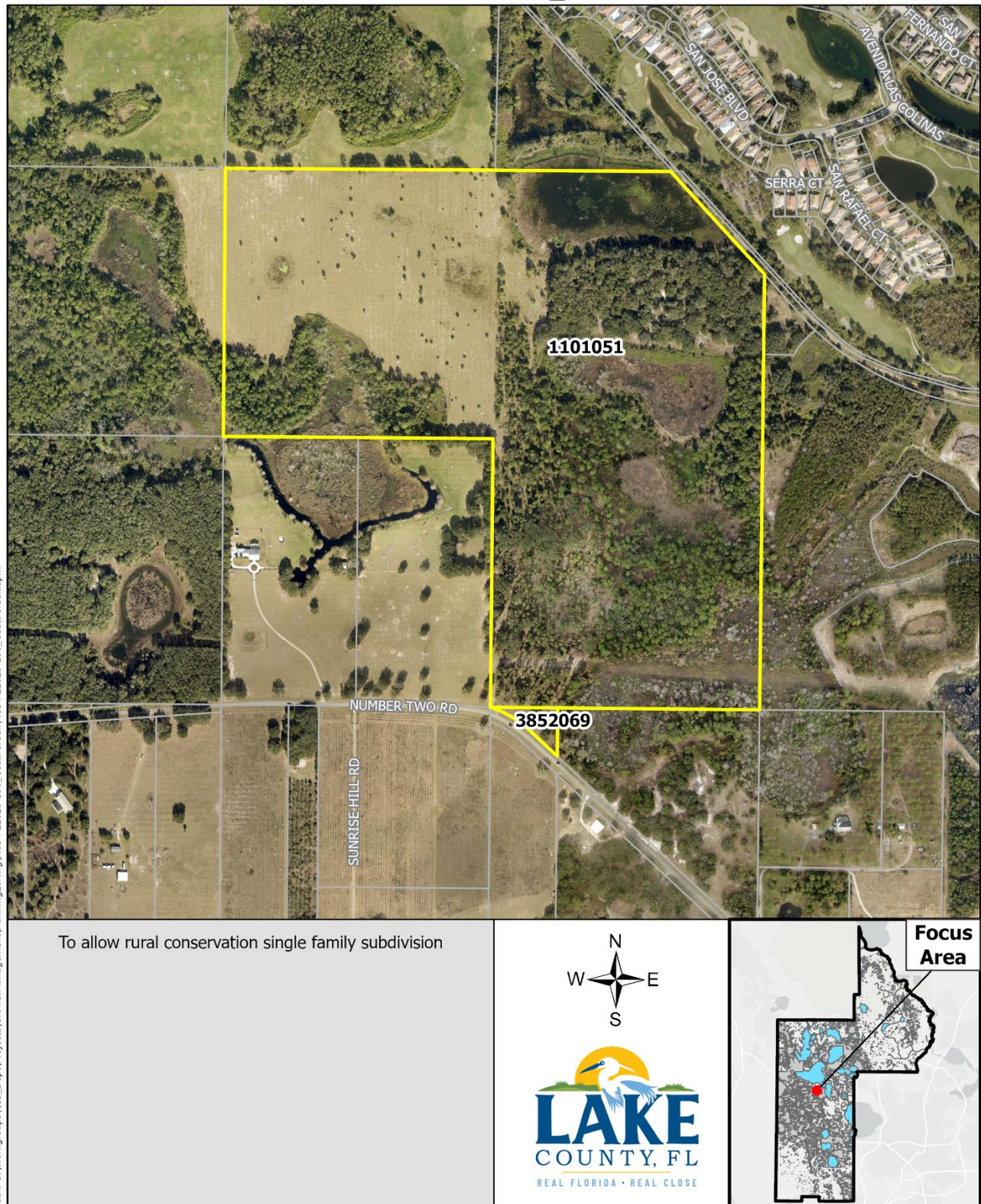


Lake County Schools Adequate Public Facilities Determination

REVIEWING AUTHORITY	Lake County Schools					
PROJECT NAME/CASE#	Cedar Creek (Unincorp. Lake County) / APF10-2025					
ITEM DESCRIPTION	97 Single-family units on +/- 119 acres					
LOCATION	North of Number Two Road, between Blue Skink Road and Mission Inn.					
Alt Key Numbers	3852069, 1101051					
	SF-DU	MF-DU	MH-DU	SF Impacts	MF Impacts	MH Impacts
NEW DU IMPACT (units)				97	0	0
STUDENT GENERATION						
Elementary School	0.312	0.268	0.170	30	0	0
Middle School	0.140	0.145	0.087	14	0	0
High School	0.072	0.059	0.041	7	0	0
	0.100	0.064	0.042	10	0	0
*Students generated may differ from distribution percentages due to rounding						
CSA # 10						
	Enrollment 2024-2025	Permanent Capacity	Projected Capacity %	Student Enrollment w/ Impact	% of Perm. Capacity w/ Impact	Planned Capacity Project
Assigned Schools:						
Astatula Elementary	633	709	89%	647	91%	No
Tavares Middle	933	1,157	81%	940	81%	No
Tavares High	1,460	1,520	96%	1,470	97%	No
Lake County School District Five-Year Plan, Fiscal Year 2024/2029						
Comments:	Sidewalks and pedestrian access were not reviewed. Already reserved capacity is not included in the % of permanent capacities.					
Please note that this is NOT a School Concurrency capacity reservation.						
*Permanent capacity does not include relocatables/portables.						
This review does not include already reserved capacities.						
Prepared by: Helen LaValley, Lake County Schools Growth Planning Dept.				Issue Date:		8/12/2025

Aerial Map

RCS-PZ2025-130 RCS-PZ2025-130_CedarCreek



Path: G:\Workgroups\GIS_Dept\Projects\GrowthManagement\Planning\Zoning\RCS-PZ2025-130_CedarCreek\RCS-PZ2025-130_CedarCreek.aprx

6/10/2025

RESOLUTION NO. 2026-__

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, CONSIDERING A RURAL CONSERVATION SUBDIVISION DENSITY BONUS FOR THE PROJECT KNOWN AS CEDAR CREEK (PZ2025-130) PURSUANT TO SECTION 17.05.00, LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS, LOCATED IN THE UNINCORPORATED AREA OF HOWEY-IN-THE-HILLS, IDENTIFIED AS ALTERNATE KEY NUMBERS 1101051 AND 3852069, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on January 24, 2023, the Board of County Commissioners adopted Ordinance No. 2023-09, which created Chapter XVII, Lake County Code, Appendix E, Land Development Regulations (LDR), entitled *Rural Conservation Subdivision Design Standards*; and

WHEREAS, LDR Section 17.05.00, the Board of County Commissioners (Board) may approve, approve with conditions, or deny an application for optional density bonus after holding a public hearing and it is determined that the applicant has met one of the bonus criteria set forth in Section 17.05.02 or Section 17.05.03; and

WHEREAS, Blue Sky Capital, LLC (Owner) and Alex Stringfellow from Stringfellow Planning (Application), did submit a Conceptual Sketch Plan proposing a residential development to be known as Cedar Creek consisting of approximately ninety-seven (97) residential units. Of the ninety-seven (97) residential units, eleven (11) residential units are requested as a density bonus because the Owner has designed the project to include an additional 10.02 acres of open space; and

WHEREAS, pursuant to LDR Section 17.05.02, entitled *To Encourage Additional Open Space*, for each additional acre of open space provided over the minimum requirements, a developer can request up to two (2) additional building lots or dwelling units. Based upon the additional 10.02 acres of open space being provided, if approved by the Board, up to twenty (20) additional units may be permissible, but the Owner is only requesting eleven (11) additional units; and

WHEREAS, on April 7, 2026, the Board of County Commissioners reviewed the request for a Rural Conservation Subdivision Density Bonus, reviewed the staff report, and considered any comments, favorable or unfavorable from the public and surrounding property owners at a public hearing duly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lake County, Florida:

Section 1. Legal Findings of Fact. The foregoing recitals are hereby adopted as legislative findings of the Board of County Commissioners and are ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

Section 2. Density Bonus. The request for an additional eleven (11) additional building lots or dwelling units is hereby granted with the following conditions:

- A. The Cedar Creek Project must provide sixty-three percent (63%) of qualifying open space in accordance with LDR Section 17.05.02, and Comprehensive Plan Policy I-1.4.6.1.
- B. The Cedar Creek Project must comply with all other provisions of Chapter XVI, entitled *Rural Conservation Subdivision Design Standards*, and all other applicable provisions of the Land Development Regulations and Comprehensive Plan.

Section 3. No Estoppel:

A. Approval of a Density Bonus cannot be relied upon to assert a claim of estoppel against the County if the property identified herein cannot be developed due to the inability to meet other requirements under the applicable Land Development Regulations. The Owner is solely responsible for performing any necessary due diligence to ensure the property will appropriately support future development.

B. Approval of a Density Bonus shall not constitute an approval of the Conceptual Sketch Plan. The Conceptual Sketch Plan must still meet all other requirements of the applicable Land Development Regulations and Comprehensive Plan.

Section 4. Effective Date. This Resolution shall take effect on the day it is Passed and Adopted by the Board of County Commissioners.

PASSED AND ADOPTED this ____ day of _____, 2026.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

Gary J. Cooney, Clerk
Board of County Commissioners
of Lake County, Florida

Leslie Campione, Chairman

This ____ day of _____, 2026.

Approved as to form and legality:

Melanie Marsh,
County Attorney



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 5

Public Hearings: Planning & Zoning Board (PZB): October 1, 2025
Board of County Commissioners (BCC): November 4, 2025
Board of County Commissioners (BCC): April 7, 2026

Case No. and Project Name: PZ2025-138, Crescent Pines Rezoning

Commissioner District: District 1-Anthony Sabatini

Applicant(s): Stephen McConn, KB Homes Orlando LLC

Owner(s): Siegel Florence B Trustee

Requested Action: Rezone approximately 40 +/- acres from Urban Residential (R-6) to Planned Unit Development (PUD) to facilitate a residential subdivision of 79 units.

Staff Determination: Staff finds the rezoning request consistent with the Land Development Regulations (LDR) and Comprehensive Plan.

Case Manager: Leslie Regan, Senior Planner

PZB Recommendation: Approved unanimously on regular agenda

Subject Property Information

Size: 40 +/- acres

Location: Northwest corner of Priebe Road and Log House Road in the unincorporated Clermont area.

Alternate Key No.: 1507731

Future Land Use: Urban Low Density (Attachment "A")

Current Zoning District: Urban Residential (R-6) District (Attachment "B")

JPA/ISBA: Clermont JPA

Overlay/Rural Protection Area: None

Flood Zone(s): None

BMAP Location: Upper Ocklawaha BMAP

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Low Density	Estate Residential (R-2) District and Medium Residential (R-3) District	Residential	Single Family Residential
South	Urban Low Density	Urban Residential (R-6) District	Residential	Single Family Residential
East	Urban Low Density	Urban Residential (R-6) District	Residential	Single Family Residential
West	Public Service Facility and Infrastructure	Community Facility District (CFD)	Vacant County Property	Parking lot and Infrastructure

- Summary of Analysis -

The subject parcel is identified by Alternate Key Number 1507731 and contains approximately +/- 40 acres. The rezoning (RZ) application seeks approval of a residential subdivision of 79 units, open space and stormwater ponds. The property is located at the northwest corner of Priebe Road and Log House Road. The subject parcel is zoned as Urban Residential (R-6) District and is designated with an Urban Low Density Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. The subject parcel is a vacant parcel of land.

The Applicant is requesting a rezoning to PUD with a density of 2.06 units per acre and a maximum impervious surface area of 60%. The total site acreage is +/-40 acres. There is a required Right-of-Way dedication of +/-1.65 acres on Log House and Priebe Road, resulting in a buildable acreage of 38.34. Density is based on the buildable acreage of 38.34 acres. The plan emphasizes that 25% (25% minimum required) of the overall developable area will be dedicated as open space. The open space will include storm pond(s) that have pervious walking trails around the pond(s) tied into the sidewalks along the street for connectivity. A homeowner's association (HOA) will own and maintain all common areas.

The Concept Plan (Attachment "C") depicts the proposed subdivision with a total of 79 lots. Lots have a minimum lot area of 7,500 square feet with a minimum width of seventy-five feet (75'). There are landscape buffers along all perimeters of the subject property, as required under LDR Chapter 9 (Landscaping) regulations. The property will be serviced by Sunshine Water Services for water and the Applicant plans to construct a distributed wastewater treatment system for sewer.

Table 1. Existing and Property Development Standards.

	Zoning District	Allowable Development Program	Proposed Development Program	Maximum Impervious Surface Ratio	Minimum Open Space	Building Height
Existing	Urban Residential (R-6)	6 du / net acre	N/A	55%	25%	40-Feet
Proposed	Planned Unit Development (PUD)	NA	2.06 du / net acre	60%	25%	40-Feet

The subject property is located within the Clermont Joint Planning Area (JPA) and the application was provided to the City of Clermont to review for a determination of consistency with the City of Clermont regulations. After subsequent submittals all comments were addressed and the City of Clermont provided support for the project.

The Applicant provided a Project Narrative as justification for the rezoning request as shown on Attachment “D”.

– Settlement Agreement –

On November 4, 2025, after hearing and due process, the application was denied by the Board of County Commissioners, after which the Applicant filed a Section 70.51, Florida Statutes, Land Use Dispute Resolution action which resulted in the Applicant voluntarily reducing the number of lots proposed to 79 lots and including several other additional improvements upon the previously proposed Concept Plan. The accompanying improved Concept Plan is depicted as Attachment “C”.

– Staff Analysis –

LDR Section 14.03.03 (Standards for Review)

A. Whether the rezoning is in conflict with any applicable provisions of the Code (Land Development Regulations).

The Applicant seeks a rezoning from R-6 to a PUD for a residential subdivision. The application is consistent with LDR Section 4.03.04(C) that states a minimum of twenty-five (25) percent of the Base Site Area of Land of the PUD shall be used for Open Space. The application meets this requirement with the listed Open Space as 25%.

The proposed development is consistent with the LDR Section 4.03.04(E) that states a Planned Unit Development shall be required for any developer seeking to apply to plat a residential subdivision consisting of fifty (50) or more dwelling units unless the Applicant proposes to use a Rural Conservation Subdivision. This Applicant desires to develop 79 residential lots.

The application is consistent with LDR Section 4.03.01 that states the purpose and intent of a PUD is to ensure that the development will occur according to limitation of use, design, density and phasing stipulated on an approved development plan. The Applicant has provided a Concept Plan meeting the PUD requirements as to Open Space, Density, and Impervious Surface Ratio. Furthermore, this section states that PUDs shall be allowed in all Future Land Use Categories.

The subject property is within the City of Clermont JPA and the ordinance reflects JPA requirements.

New development will be required to meet all criteria specified in the LDR, as amended.

B. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.

The application seeks to rezone the subject property to a PUD with an underlying Future Land Use Category of Urban Low Density. The proposed use is consistent with Comprehensive Plan Policy I-1.2.2, *Consistency between Future Land Use and Zoning*, which shows an allowed density of 4 dwelling units per net acre, an Impervious Surface Ratio of .60 and Open Space requirement of 25%. The attached Concept Plan (Attachment “C”) exceeds the above listed requirements by proposing a lower density and meets the percentage of Open Space.

The proposal is also consistent with Policy I-1.3., *Urban Low Density Future Land Use Category*, which states residential is a typical use within this Future Land Use Category.

New development will be required to meet all criteria specified in the Comprehensive Plan.

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

The application is consistent with the densities of the surrounding neighborhoods. Most surrounding parcels are residential in use. The parcel to the west of the subject property is mostly undeveloped except for a parking lot and some minor infrastructure associated with the County's Solid Waste Drop Off Center. The Crescent West subdivision to the North is zoned Estate Residential (R-2), and Medium Residential (R-3) which allows a range of densities from 2-3 dwelling units per acre. To the south and east of the proposed property, the parcels are zoned Urban Residential (R-6) which allows a density of 6 dwelling units per acre.

The proposed density of 2.06 dwelling units per acre is less than or equal to most surrounding neighborhoods.

D. Whether there have been changed conditions that justify a rezoning.

The subject property is a vacant piece of land surrounded by other residential uses. The current zoning on the property is Urban Residential (R-6) which allows single family residential uses.

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.

Any future development of this property will require an analysis via submittal of a development application to demonstrate that the proposed development does not adversely impact the County's adopted levels of service for public facilities and services.

Water and Sewage

Sunshine Water Services has provided a letter as verification that they can serve the water utility needs for this project and are willing to do so subject to the execution of a mutually acceptable agreement.

The Applicant has also stated that they will construct a Distributed Wastewater System for Wastewater (DWTS).

According to Comprehensive Plan Policy IX-3.1.1, *Regional Wastewater Service Criteria*, any new development in the Urban Land Use Series where density occurs at one unit per net acre or greater or wastewater discharge of the development is equal to or greater than 100,000 GPD, shall be required to connect to a regional system. A central system may be used on a temporary basis until a regional system becomes available. The temporary system must be staffed by a Florida licensed wastewater treatment plant operator in accordance with state regulation and code and must be planned, designed and constructed to serve as a nucleus of a future regional system, or can act as lift station with minimal modification. A Distributed Wastewater Treatment System (DWTS) qualifies as a central system. The Applicant must contract directly with a qualified provider and make provisions within their restrictive covenants for the HOA to have easements over the system, and to assess fees for this system until connected to a regional wastewater system.

Schools

Lake County Schools reviewed the application and determined that capacity is available.

Parks

The proposed rezoning is not anticipated to adversely impact park capacity or levels of service.

Solid Waste

The proposed request is not anticipated to adversely impact solid waste capacities, and the Office of Solid Waste has no objections to the rezone request.

Public Safety

Lake County Fire Station #109 is located approximately 1.4 miles from the subject property. Fire protection water supply and emergency access will be addressed during the site plan review process, should the rezoning application be approved by the Board.

Transportation Concurrency

The traffic exemption was approved. The proposal is less than 100 lots and considered de minimis. That determination is due to the fact that the net average weekday peak hour two-way volume generated by the development is less than 100 trip ends or driveway volume on the adjacent roadways. Please see the table below for calculation used to determine exemption approval.

ITE LUC	Land Use	Development		Daily		PM Peak Hour			
		Size	Units	Equation	Trips	Equation	Total	Enter	Exit
210	Single-Family Detached	85 DUs		$\text{Ln}(T) = 0.92\text{Ln}(X) + 2.68$	869	$\text{Ln}(T) = 0.94\text{Ln}(X) + 0.27$	85	54	31

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

An environmental assessment will be submitted with subsequent development applications to indicate the presence of vegetation, soils, wetlands, threatened and endangered species on the site. Any required State permitting or mitigation will be obtained or completed before development can commence. All sensitive resources will be addressed through the development review process. New development will be required to meet all criteria specified by the Comprehensive Plan and Land Development Regulations (LDR).

G. Whether, and the extent to which, the proposed rezoning would affect the property values in the area.

There is no indication that the rezoning application will affect property values in the area.

H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern.

Due to the consistency with the Land Use Regulations, Comprehensive Plan and surrounding development the proposed rezoning would result in an orderly and logical development pattern.

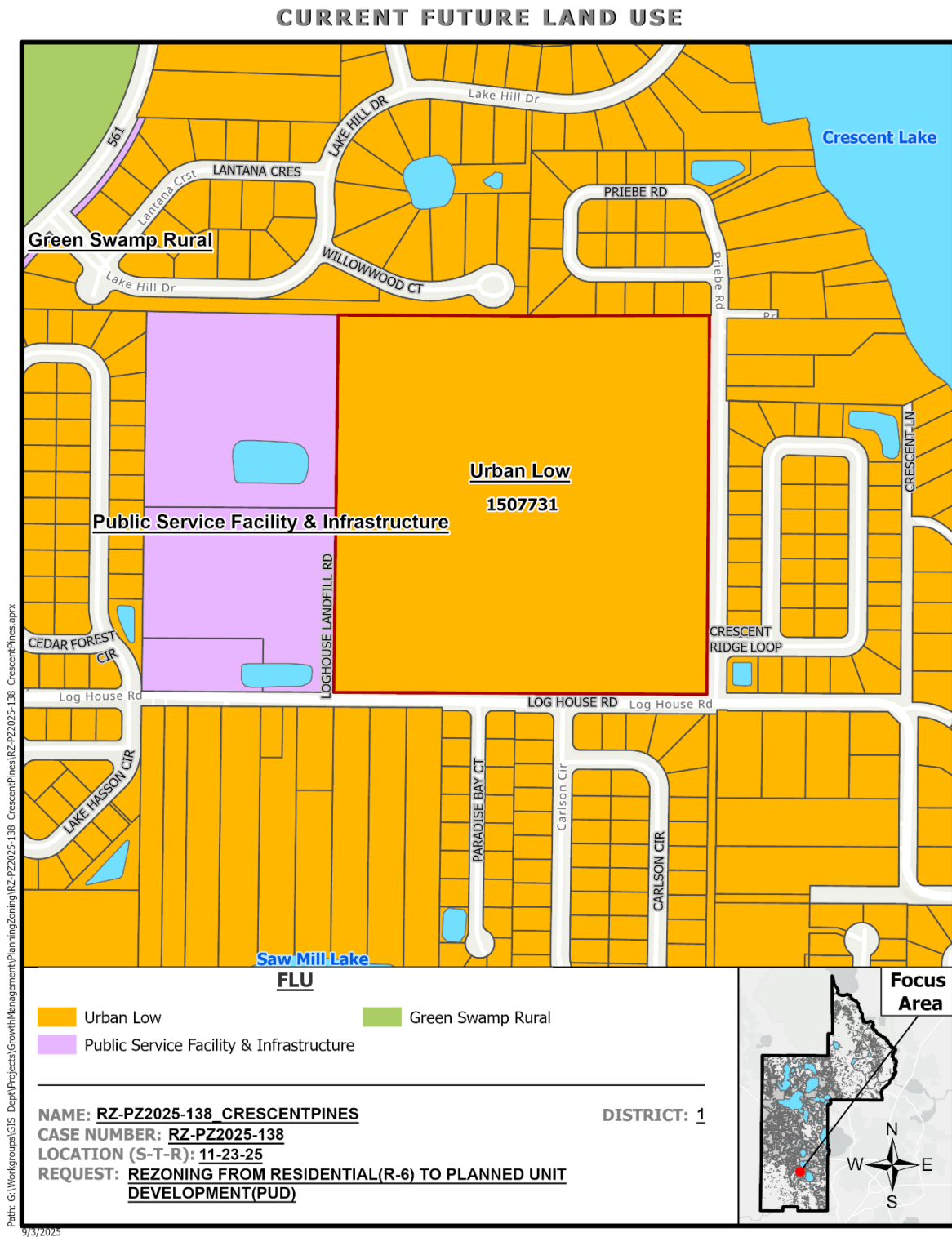
I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations.

The proposed rezoning application is in harmony with the general intent of the Comprehensive Plan and LDR as stated in Sections A through H 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.

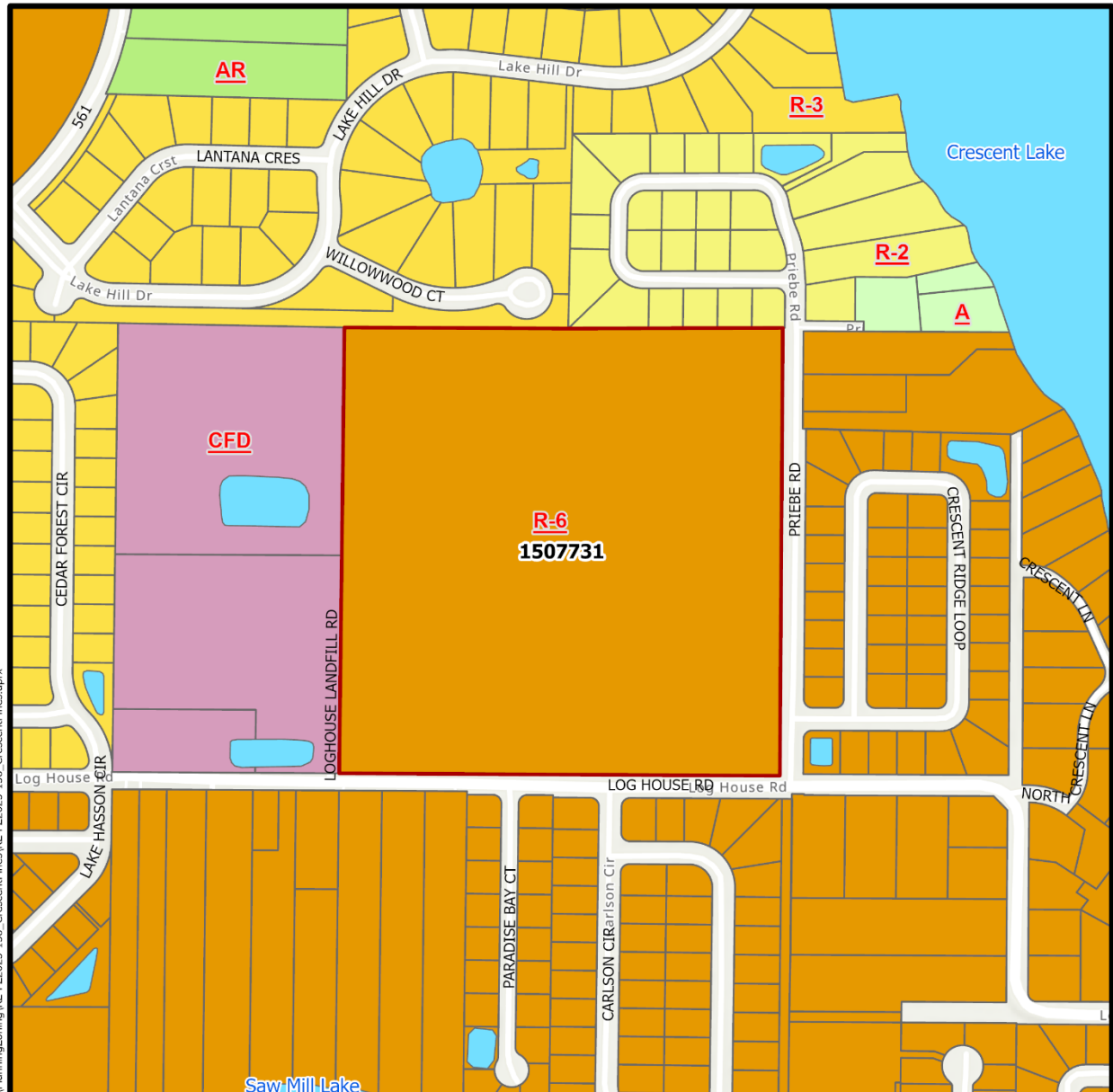
There are no other matters to be considered at this time.

Attachment “A” – Future Land Use Map



Attachment “B” – Zoning District Map

CURRENT ZONING

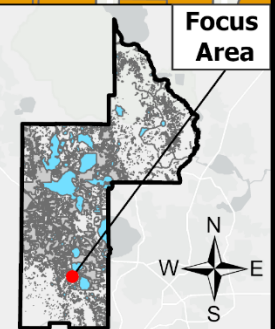


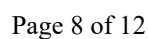
Zoning

A
 AR
 R-2
 R-3
 R-6
 CFD

NAME: RZ-PZ2025-138 CRESCENTPINES
CASE NUMBER: RZ-PZ2025-138
LOCATION (S-T-R): 11-23-25
REQUEST: REZONING FROM RESIDENTIAL(R-6) TO PLANNED UNIT DEVELOPMENT(PUD)

DISTRICT: 1





Attachment “D” – Project Narrative



Office of Planning and Zoning

Project Narrative Rezoning

In compliance with LDR Section 14.03.03, please answer the following questions:

1. Whether the rezoning is in conflict with any applicable provisions of the Code.

There are no conflicts as the proposed Rezoning is a specific requirement of the Lake County Comprehensive Plan for any proposed development in the Urban Land Use category of more than 50 lots.

2. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.

The proposed Rezoning is consistent as it is a specific requirement of the Lake County Comprehensive Plan for any proposed development in the Urban Land Use category of more than 50 lots.

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

The proposed use and density is allowed and envisioned in the adopted Urban Low FLU Category in the Comprehensive Plan for Lake County. Allowed uses identified within the Urban Low FLU are compatible with other identified and allowed uses within the same Land use Category. The proposed use is Residential and adjacent developed lands are in Residential or undeveloped use. Pursuant to Lake County requirements Buffers are provided to mitigate impacts resulting from adjacent uses.

4. Whether there have been changed conditions that justify a rezoning

The proposed development is consistent with the surrounding community as established by the Lake County Comprehensive Plan FLU Category Urban Low. The rezoning is a requirement to demonstrate consistency with the Comprehensive Plan.

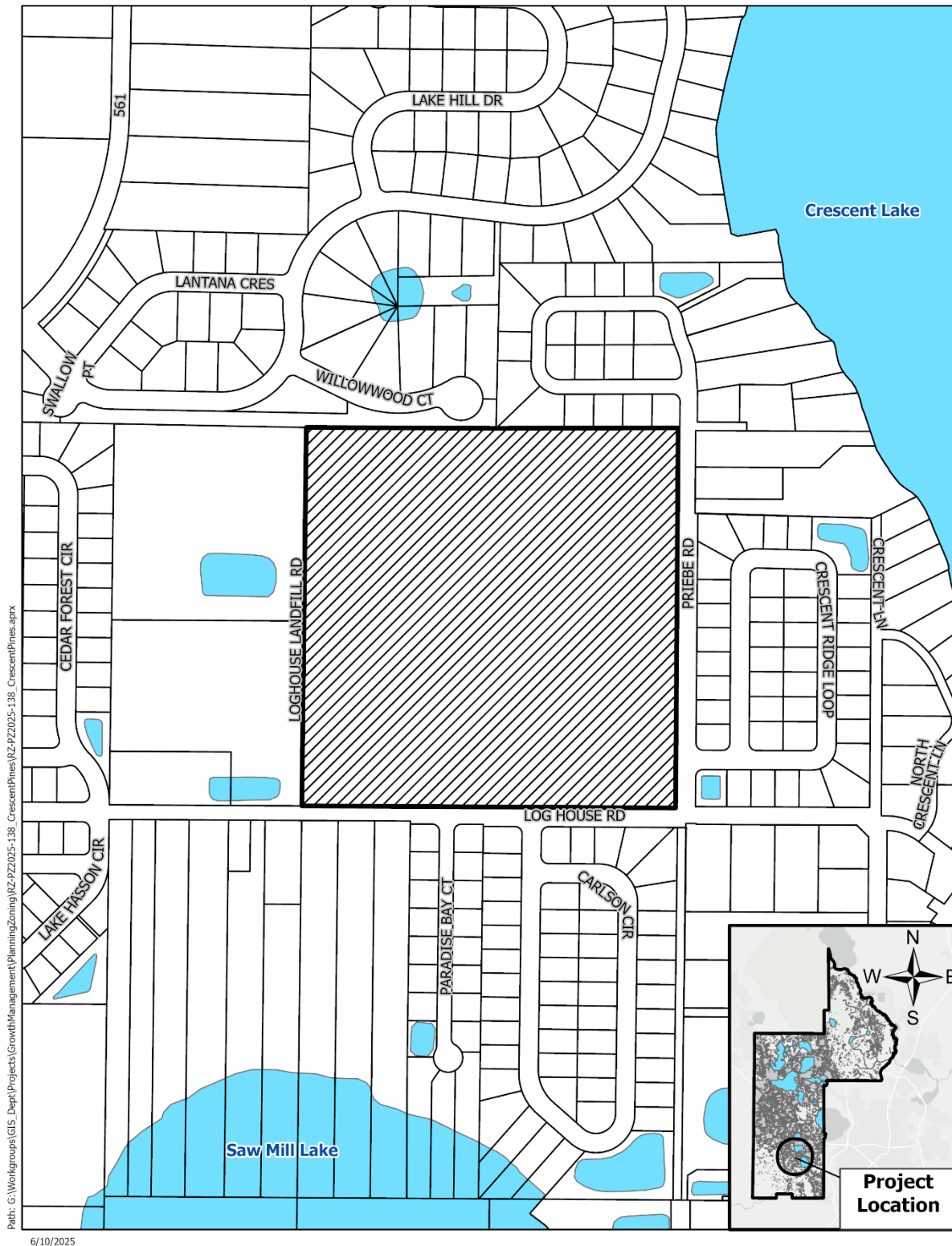
5. Whether, and the extent to which, the proposed rezoning would result in demands on public facilities, and whether, or to the extent to which, the proposed rezoning would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

The development of the subject project will not exceed any established LOS by Lake County

Attachment “D” – Project Narrative

6. Whether, and the extent to which, the rezoning would result in significant impacts on the natural environment.
No impacts to onsite environmental resources are proposed. Any onsite wetlands are protected in accordance with Lake County and State regulations. Impacts to any species listed for protection will be mitigated in accordance with Federal, State and Local Regulations No impacts to Floodplains are proposed
7. Whether, and the extent to which, the proposed rezoning would affect the property values in the area.
The development of the subject project will not have a negative impact on property values in the area.
The proposed Rezoning is a specific requirement of the Lake County Comprehensive Plan.
8. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern.
The proposed Rezoning is a specific requirement of the Lake County Comprehensive Plan, so it would result in an orderly and logical development pattern
9. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.
The proposed Rezoning is a specific requirement of the Lake County Comprehensive Plan, so it would not be in conflict with the public interest and would be in harmony with the purpose and intent of these regulations
10. Any other matters that may be deemed appropriate by the Lake County Planning and Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.
The proposed Rezoning is a specific requirement of the Lake County Comprehensive Plan for any proposed development in the Urban Land Use category of more than 50 lots.

Map of Subject Property

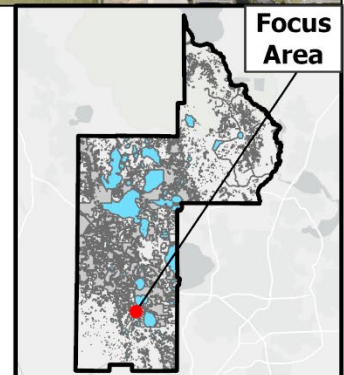


Aerial Map of Subject Property

RZ-PZ2025-138
RZ-PZ2025-138_CrescentPines



Rezoning from Residential(R-6) to Planned Unit
Development(PUD)



ORDINANCE 2026-_____

AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; REZONING +/-40 ACRES FROM URBAN RESIDENTIAL (R-6) DISTRICT TO PLANNED UNIT DEVELOPMENT DISTRICT TO FACILITATE THE DEVELOPMENT OF A 79-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION FOR PROPERTY IDENTIFIED AS ALTERNATE KEY NUMBER 1507731, LOCATED IN SECTION 11, TOWNSHIP 23 SOUTH, RANGE 25 EAST; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Stephen McConn of KB Home Orlando, LLC (the “Applicant”) submitted an application on behalf of Siegel Florence B Trustee ET AL (the “Owners”) to rezone approximately 40 +/- acres from Urban Residential District (R-6) to Planned Unit Development (PUD) District to facilitate the development of a 79-lot single-family residential subdivision; and

WHEREAS, Lake County Planning and Zoning Board did on the 1st day of October 2025, review petition PZ2025-138; after giving Notice of a Hearing for a change in the use of land, including a notice that the petition will be presented to the Board of County Commissioners of Lake County, Florida, on the 4th day of November 2025, and

WHEREAS, after hearing and due process, the application was denied by the Board of County Commissioners as PZ2025-138, after which the Applicant filed a Section 70.51, Florida Statutes, Land Use Dispute Resolution action which resulted in the Applicant voluntarily reducing the number of lots proposed to 79 lots and including several other additional improvements upon the previously proposed concept plan as set forth herein; and

WHEREAS, the subject property consists of approximately 40 +/-acres located in the northwest quadrant of Log House Road and Priebe Road in the Clermont Area, in Section 11, Township 23 South, Range 25 East, identified by Alternate Key Number 1507731, and more particularly in Exhibit “A” – Legal Description; and

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

WHEREAS, after giving Notice of a Hearing for a change in the use of land, including a notice that the petition PZ2025-138 will be presented to the Board of County Commissioners of Lake County, Florida, on the 7th day of April 2026, for consideration of the amended petition including the improvements to the previous plan, and

WHEREAS, the Board of County Commissioners reviewed the petition, the recommendations of the Lake County Planning & Zoning Board, staff report, 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.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that:

Section 1. Terms: The County Manager or designee shall amend the Zoning District from Urban Residential (R-6) District to Planned Unit Development (PUD) for the property described in Exhibit “A”. The uses of the property will be limited to those uses specified in this Ordinance and generally consistent with the Conceptual Plan attached hereto as Exhibit “B”. To the extent there are conflicts between Exhibit “B” and this Ordinance, this Ordinance will take precedence.

A. Permitted Land Uses.

1. A maximum of 79 Single-Family Dwelling Units, not to exceed 2.06 dwelling units per net acre. A mandatory homeowner’s association must be established.
2. Accessory uses directly associated with the above use may be approved by the County Manager or designee.
3. Any other use of the site not specified above will require approval of an amendment to this Ordinance by the Board of County Commissioners.

B. Open Space, Impervious Surface Ratio, and Building Height.

1. A minimum of twenty-five percent (25%) of the subject property acreage must be dedicated in perpetuity for preservation as common open space using a conservation or open space easement, or plat restrictions. The homeowner’s association shall be responsible for maintaining the open space.
2. The maximum Impervious Surface Ratio (ISR) for the entire subdivision is sixty percent (60%) consistent with the Comprehensive Plan, as amended. Individual lots may be developed at a higher ISR if the Developer demonstrates that the overall ISR of the development will not exceed 60%.
3. The maximum building height will be forty (40) feet.
4. Minimum lot size of 7,500 square feet with each lot having a minimum road frontage of seventy-five (75) feet.
5. All other development standards must be in accordance with the Comprehensive Plan and Land Development Regulations, as amended.

C. Setbacks. The minimum setback for residential development will be as follows:

Development Type	Front	Side for Corner Lots	Side	Rear
Single-Family Residence	25-feet	12.5-feet	7.5-feet	25-feet
Accessory Structures	25-feet	12.5-feet	7.5-feet	5-feet
Note: Pools, pool enclosures, screen rooms, and associated pool enclosures shall have side and rear setbacks of seven and a half (7.5) -feet from the property line’ provided, however, accessory structures shall not be permitted within any easement for drainage or stormwater purposes with no variances allowed.				

1. All setbacks must be measured from the property line.
2. The minimum wetland setback is fifty (50) feet from any jurisdictional wetland line.
3. Any setback not specified must be in accordance with the Land Development Regulations (LDR), as amended.
4. A ten (10) foot wide front yard utility easement shall be along all lots and common areas/tracts fronting the internal roads. A minimum five (5) foot side and rear drainage easement shall be on each lot within the development. Accessory structures shall not encroach into any drainage or stormwater easements and variances to this requirement are not allowed.

D. Design Standards.

1. All amenities such as pocket parks, or open space will be owned and maintained by the Homeowner's Association.
2. Driveway Access. All single-family units shall have the minimum of a paved 2-car wide driveway access from garage to street. Only one (1) driveway access per lot. Double road frontage driveway access is prohibited. Driveway widths within the right-of-way shall not exceed twenty (24) feet, measured at the throat of the driveway. See subsection H below for additional regulations regarding street parking.
3. The regulations for parking, storing, or keeping vehicles, vessels, buses, trailers, trucks and commercial vehicles set forth in LDR 3.06.00 shall apply to this development.
4. These standards shall be incorporated into the Homeowners Association declarations.
5. All areas of the Planned Unit Development shall maintain a grass height of 12 inches or less.

E. Landscaping, Buffering, and Screening. Landscaping, buffering and screening shall be in accordance with the Comprehensive Plan and LDR, as amended.

1. Drought tolerant, native trees and vegetation shall be utilized for all street trees, landscape buffers, and stormwater retention/detention areas.
2. Perimeter buffers shall consist of canopy and understory trees and plants utilizing 100% Florida native plant materials from the University of Florida Institute of Food and Agricultural Sciences (IFAS) list. Exotic/invasive species shall be removed. Existing vegetation located along the perimeter of the PUD may be counted towards the minimum perimeter landscaping requirement. Perimeter buffers shall be adjacent to all existing residential homes.
3. Best Management Practices for native landscaping and "right plant-right place" landscaping techniques shall be utilized in the design. Installation of invasive exotic plant species is prohibited.

4. The Developer will retain as much of the planted pine as possible on the site, including but not limited to, in buffer, pond, and open space areas, as permitted by the grading required to develop the Crescent Pines development.
5. The HOA shall manage buffer areas in accordance with a management plan that protects native habitats and limits the proliferation of nuisance/exotic vegetative species. A copy of the management plan will be provided to the County.
6. Smart Irrigation Best Management Practices shall be utilized for all landscape irrigation and shall incorporate soil moisture and rain sensors into the irrigation design.
7. All homes constructed shall be Florida Water Star SM Program certified.
8. All other LDR provisions regarding landscaping and screening not addressed herein shall apply.

F. Environmental Requirements.

1. An environmental assessment dated within six (6) months of the date the preliminary plat is submitted will be required to demonstrate the presence of vegetation, soils, threatened and endangered species that may exist on the site.
2. Environmental resources shall be protected in accordance with the Comprehensive Plan and LDR, as amended.

G. Noise. Compliance must be in accordance with the LDR, as amended.

H. Transportation.

1. All access management shall be in accordance with the Comprehensive Plan and Land Development Regulations, as amended.
2. The subdivision design shall be in accordance with the Transportation Systems for subdivision road design and layout from the Land Development Regulations, as amended, including any appendices.
3. Sidewalks will be required within the subdivision per Land Development Regulations, as amended.
4. The sidewalk along Log House Road will be extended by the Developer in accordance with the plans prepared and/or approved by the County westward to Cedar Forest Circle, and also eastward to Lakeshore Drive where sufficient public right-of-way exists currently and/or is acquired by the County prior to commencement of the construction of the eastward sidewalk improvement project. The sidewalk improvements must be completed and accepted prior to the issuance of any certificate of occupancy for any development within the Crescent Pines Subdivision.
5. An additional right-of-way for Priebe Road will be required to meet the minimum 33-ft from the centerline of the existing road.
6. Traffic Calming will need to be included in the subdivision design utilizing Florida Greenbook Traffic Calming Treatments and acceptable measures by Lake County.

7. Internal roads within the development shall be designed to meet Clermont JPA, Florida Greenbook and Lake County Road standards.
8. The Developer shall submit a required traffic impact analysis and provide appropriate mitigation as required pursuant to the LDR, as amended.
9. If the internal subdivision roads are dedicated to the public, street parking shall be prohibited unless internal roads are constructed at 34 feet in width to accommodate both sides of the street parking while maintaining the appropriate width for emergency vehicles to pass unobstructed. If internal subdivision roads are not constructed to accommodate street parking, one or more of the following shall be provided:
 - a. Individual driveways shall be constructed to accommodate a minimum of four (4) vehicles without impeding the sidewalk. This may be accomplished through longer driveways or wider driveways at Developer's option.
 - b. Overflow parking lots shall be constructed throughout the community to accommodate vehicles that cannot be parked within residential driveways without blocking sidewalks.

Additionally, if the internal subdivision roads are not constructed to accommodate street parking, Developer shall be required to install the appropriate "no parking" signs that read "No Parking Fire Lane by Order of the Fire Department" every 60 feet along the internal roads to allow the prohibition to be enforced by law enforcement. The HOA shall be responsible for replacing signage as needed. The signs shall be 12 inches by 18 inches with a white background and red letters and shall be a maximum of seven (7) feet in height from roadway to the bottom part of the sign. The signs shall be maintained by the HOA of the community.

J. Future Road Maintenance. Unless a Community Development District (CDD) is formed to fund and maintain the same, future road maintenance for publicly dedicated roads, sidewalks and stormwater will be funded using a municipal service taxing unit (MSTU), or municipal service benefit unit (MSBU) as authorized under Section 125.01(1)(q), Florida Statutes. Before or concurrent with any final plat, the Owner shall provide any documentation required by the County to impose an MSTU or MSBU, at the County discretion, on the platted lots. Additionally, the Owner acknowledges and agrees that the MSTU or MSBU shall be collected as a non-ad valorem assessment using the uniform method of collection set forth under Section 197.3632, Florida Statutes. If a CDD is utilized, the CDD shall own and maintain all infrastructure and shall be solely responsible for collecting assessments for such improvements. The County will not impose an MSTU or MSBU if a CDD is created.

K. Stormwater Management.

1. The stormwater management system shall be designed in accordance with all applicable Lake County and St. Johns River Water Management District (SJRWMD) requirements, as amended. All detention pond sizes shall be increased by 25% from the previously proposed design as depicted on Exhibit

1 “B” – Conceptual Plan. Ponds and associated stormwater systems shall be
2 designed and constructed to retain the 100-year/24-hour storm event, and to
3 fully comply with the most current water management district design standards,
4 whichever is more stringent.

- 5 2. The Developer shall be responsible for any flood studies required for
6 developing the site and shall comply with FEMA regulations and guidelines, as
7 well as the Lake County Comprehensive Plan and LDR, as amended. Any
8 development within the floodplain as identified on the FEMA maps will require
9 compensating storage.

10 **L. Utilities.**

- 11 1. Water shall be provided for development by Sunshine Water Services.
12 2. Wastewater services shall be provided by a Distributed Wastewater Treatment
13 System (DWTS). According to Comprehensive Plan Policy IX-3.1.1,
14 *Regional Wastewater Service Criteria*, any new development in the Urban
15 Land Use Series where density occurs at one unit per net acre or greater or
16 wastewater discharge of the development is equal to or greater than 100,000
17 GPD, shall be required to connect to a regional system. A central system may be
18 used on a temporary basis until a regional system becomes available. The
19 temporary system must be staffed by a Florida licensed wastewater treatment
20 plant operator in accordance with state regulation and code and must be planned,
21 designed and constructed to serve as a nucleus of a future regional system, or
22 can act as lift station with minimal modification. A DWTS qualifies as a central
23 system. The Developer must contract directly with a qualified provider and
24 make provisions within their restrictive covenants for the HOA to have
25 easements over the system, and to assess fees for this system until connected to
26 a regional wastewater system.
27 3. All shall be in accordance with the Comprehensive Plan and Land Development
28 Regulations, as amended.

29 **M. Annexation.** Owner agrees not to enter into any covenant with a municipality to annex
30 which alters the prerequisites of a voluntary annexation under Section 171.044, Florida
31 Statutes.

32 **N. Lighting.** All development will adhere to the dark-sky principles set forth in
33 Section 3.09.00, LDR, as amended. These same provisions apply to individual lot
34 owners as well as the common areas.

35 **O. Signage.** All signage must be in accordance with the LDR, as amended.

36 **P. Schools.** School Concurrency shall be met before final plat approval in accordance
37 with the Comprehensive Plan and LDR, as amended.

38 **Q. Concurrency Management Requirements.** All development must comply with
39 the Lake County Concurrency Management System, as amended.

40 **R. Development Review and Approval.** Prior to the issuance of any permits, the
41 Developer shall submit a preliminary plat, construction plans, and final plat
42 generally consistent with the Conceptual Plan attached as Exhibit “B” for review

and approval in accordance with the Comprehensive Plan and LDR, as amended.

S. PUD Expiration. Physical development shall commence within three (3) years from the date of this Ordinance approval. Failure to commence construction within three (3) years of approval shall cause the revocation of this Ordinance, in accordance with the Comprehensive Plan or superseding documents, as amended. Prior to the expiration of the three-year time frame, the Board of County Commissioners may grant, via a Public Hearing, one (1) extension of the time frame for a maximum of two (2) years upon a showing that reasonable efforts have been made towards securing the required approvals and commencement of work. Notwithstanding the foregoing, if at any time the Developer is granted an extension of time pursuant to Section 252.363, Florida Statutes, or Section 7-5, Lake County Code, to the preliminary plat, construction plans, or final plat, commencement of physical development shall be equally extended so long as the development is proceeding in good faith and does not allow the originally extended development order to expire.

T. 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 LDR shall include any future amendments to the Statutes, Code, Plans, and/or Regulations.

Section 2. Conditions.

A. After establishment of the facilities as provided in this Ordinance, the property identified in this Ordinance may only be used for the purposes identified in this Ordinance. Any other proposed use must be specifically authorized by the Board of County Commissioners.

B. No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, add other uses, or alter the land in any manner within the boundaries of the above-described land without first obtaining the necessary approvals in accordance with the Lake County Code, as amended, and obtaining the permits required from the other appropriate governmental agencies.

C. This Ordinance will inure to the benefit of and will constitute a covenant running with the land and the terms, conditions, and provisions of this Ordinance will be binding upon the present Owner and any successor will be subject to each condition in this Ordinance.

D. The transfer of ownership or lease of any or all the property described in this Ordinance must include in the transfer or lease agreement a provision that the purchaser or lessee is made 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 LDR, as amended.

E. The Lake County Code Enforcement Special Master will have authority to enforce the terms and conditions set forth in this Ordinance and to recommend that the Ordinance be revoked.

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, the holding will in no way affect the validity of the remaining portions of this Ordinance.

Section 4. Filing with the Department of State. The clerk is hereby directed forthwith to send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

Section 5. Effective Date. This Ordinance shall become effective upon recordation in the public records of Lake County, Florida. The Applicant shall be responsible for all recording fees.

ENACTED this _____ day of _____, 2026.

FILED with the Secretary of State _____, 2026.

EFFECTIVE _____, 2026.

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

LESLIE CAMPIONE, CHAIRMAN

ATTEST:

**GARY COONEY, CLERK OF THE
BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

APPROVED AS TO FORM AND LEGALITY:

MELANIE MARSH, COUNTY ATTORNEY

EXHIBIT “A” – LEGAL DESCRIPTION

ALTERNATE KEY 1

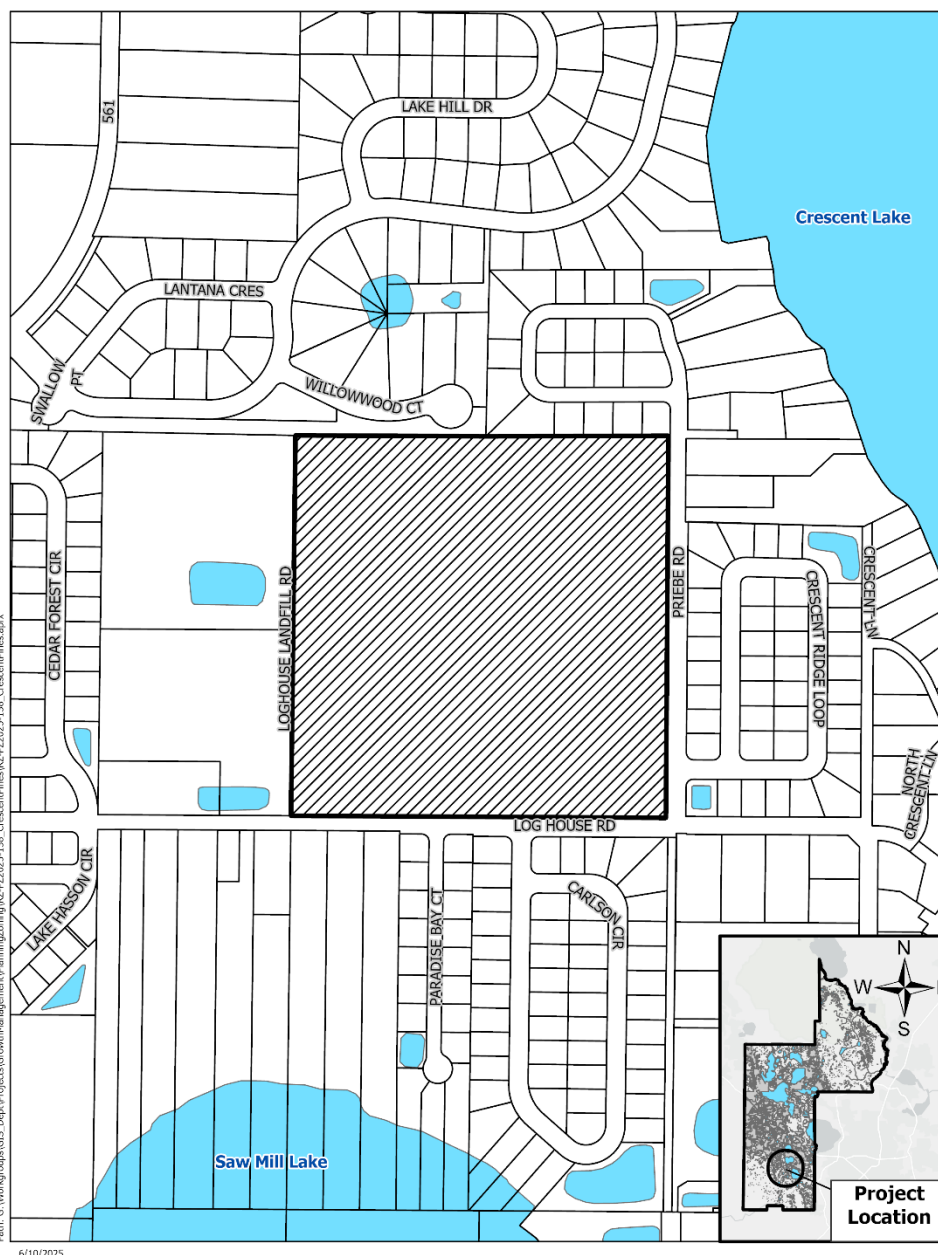
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LAKE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (N 1/2 OF SW 1/4 OF NE 1/4) OF SECTION 11, TOWNSHIP 23 SOUTH, RANGE 25 EAST;

AND

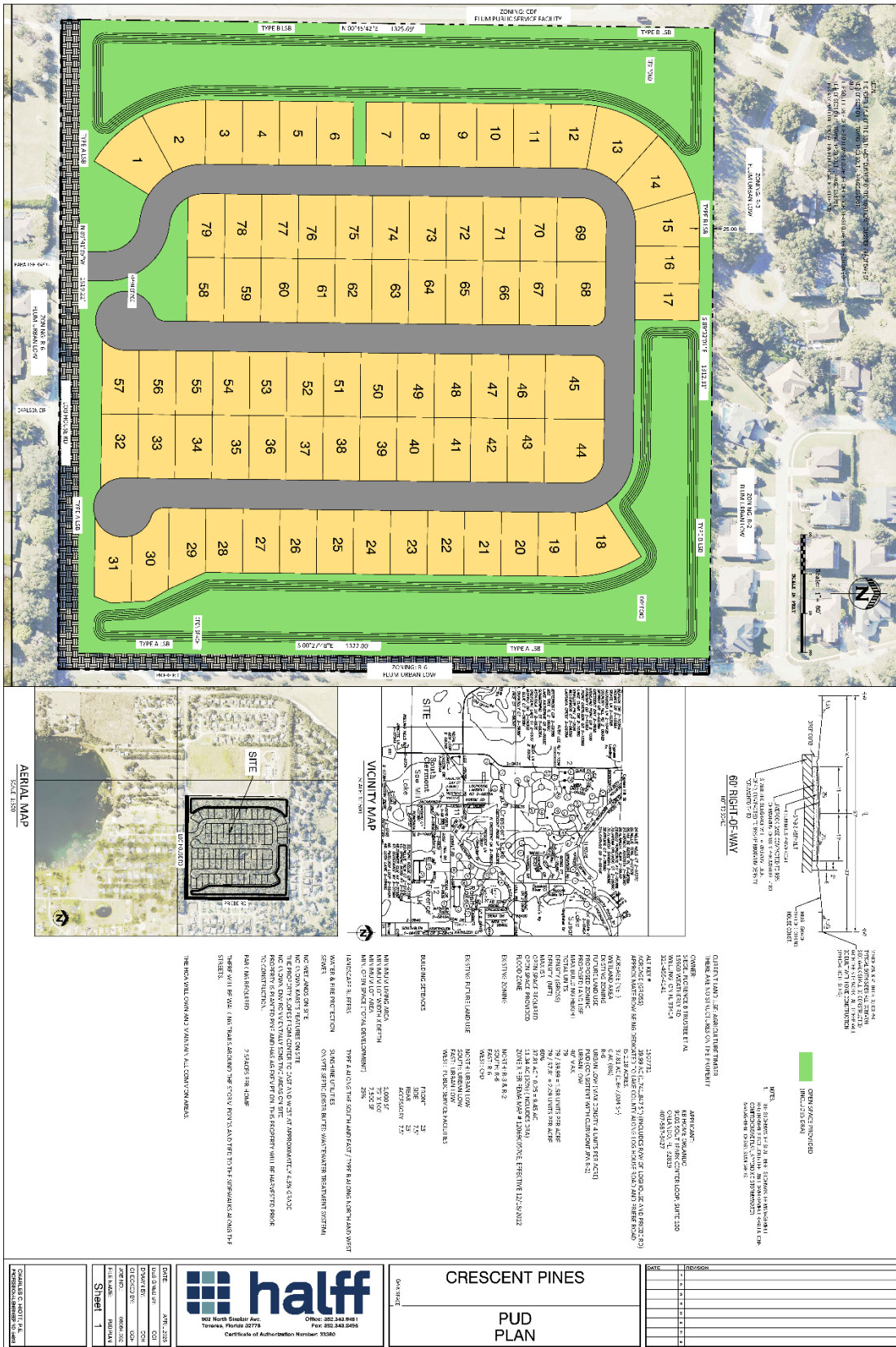
THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (S 1/2 OF SW 1/4 OF NE 1/4) OF SECTION 11, TOWNSHIP 23 SOUTH, RANGE 25 EAST;

LESS ANY PORTION LYING WITHIN A PUBLIC ROAD RIGHT OF WAY.



1

EXHIBIT "B" – CONCEPTUAL PLAN



2



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 6

Public Hearings: Planning & Zoning Board (PZB): March 4, 2026
Board of County Commissioners (BCC): April 7, 2026

Case No. and Project Name: PZ2025-179, Serenoa PUD Amendment

Commissioner District: District 1 – Commissioner Anthony Sabatini

Applicant(s): Professional Resource Development, Inc.

Owner(s): Professional Resource Development, Inc.

Requested Action: Amend and Restate Planned Unit Development (PUD) Ordinance #2019-60, for property identified with alternative key number 3914076, to allow the use of a Self-Storage Facility.

Staff Determination: Staff finds the rezoning amendment inconsistent with the Land Development Regulations (LDR) and with the Comprehensive Plan.

Case Manager: Leslie Regan, Senior Planner

PZB Recommendation: Denied on regular agenda 6-1

Subject Property Information

Size: 16.64 +/- acres

Location: East of Sawgrass Bay Boulevard, north of Pacific Ace Way in the unincorporated Lake County area

Alternate Key No. 3914076 (specific Alternative Key for Self-Storage Facility)

Future Land Use: Conservation Subdivision (Attachment “A”)

Current Zoning District: Planned Unit Development by Ordinance #2019-60 (Attachment “B”)

JPA/ISBA: N/A

Overlay/Rural Protection Area: Wellness Way Area Plan

Flood Zone(s): N/A

Located within BMAP: Lake Okeechobee

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Conservation Subdivision	Serenoa PUD	Palms at Serenoa	Residential Common Area
South	Conservation Subdivision	Serenoa PUD	Village Phase 1A	Residential Common Area
East	Conservation Subdivision	Serenoa PUD	Vacant	Wetland
West	Urban Low Density/Conservation Subdivision	Pacific Ace PUD	Vacant	Residential Common Area

- Summary of Analysis -

The subject parcel is identified by Alternate Key Number 3914076 and contains approximately +/-16.64 acres. The total acreage for the Serenoa Planned Unit Development is +/-985 acres. The Applicant seeks approval of a 120,000 square foot Self-Storage Facility, located within the Serenoa Planned Unit Development, east of Sawgrass Bay Boulevard. The subject parcel is zoned Planned Unit Development (PUD) and is designated with a Conservation Subdivision Future Land Use Category (FLUC) by the 2030 Comprehensive Plan; and is located within the Wellness Way Area Plan Boundary. There are portions of the property adjacent to the road that are currently under site plan review for commercial uses consistent with Ordinance #2019-60.

The Applicant is requesting to amend and restate Ordinance #2019-60 to add the Self-Storage Facility use. The requested use is inconsistent with the FLUC as commercial uses are not permitted in the Conservation Subdivision classification. Staff must emphasize that the Serenoa Planned Unit Development (PUD) (f/k/a Avalon Groves PUD) was approved on January 24, 2012, prior to the Wellness Way Area Plan and therefore vested for the uses identified in the original ordinance. Ordinance #2012-10 approved 1.) Up to 350,000 square feet, comprising retail, commercial and office uses excluding institutional uses and 2.) uses consistent with those permitted in the Land Development Regulations (LDR) for the Neighborhood Commercial (C-1) District. As a vested PUD predating the implementation of the Wellness Way Area Plan, changes to the PUD that are inconsistent with the underlying FLUC could negatively impact the vested status of the development.

The Concept Plan (Attachment "C") depicts a 4-story (maximum of 75 ft.) Self-Storage Facility that contains 120,000 square feet in area. The facility will not be located directly adjacent to Sawgrass Bay Boulevard. but will access the road for entrance to the facility. The facility will be behind several other parcels currently in the development process for Commercial/Office uses.

- March 4, 2026 Planning & Zoning Board (PZB) Meeting Summary -

Staff presented the case under the regular agenda. The Applicant presented the case. The County Attorney clarified that the building height currently allowed in the Planned Unit Development is four (4) stories or 75 feet, whichever is more restrictive. The Planning and Zoning Board voted 6-1 to recommend denial of the agenda item.

Table 1. Existing and Proposed Development Standards.

	Zoning District	Allowable Development Program	Proposed Development Program	Maximum Impervious Surface Ratio	Minimum Open Space	Building Height
Existing	PUD	350,000 SF of Retail, Commercial and Office Uses	NA	Entire PUD .60 but not to exceed .90 on any given lot	25% for PUD-FLU requires 50%	75'
Proposed	PUD	NA	120,000 SF of Self-Storage Use	.57	43%	75'

For background purposes, the subject property was zoned to PUD in 2012 known then as the Avalon Groves PUD by Ordinance #2012-10 (Attachment “D”). At the time the Avalon Groves PUD was approved, the property was assigned to the Urban Low Density Future Land Use Category. In 2016, the Lake County Board of County Commissioners approved the Wellness Way Area Plan Map and Text Amendment. The subject property was included within that boundary and was assigned to the Conservation Subdivision Future Land Use Category. In August of 2016, Special Master 05-16 became effective which allowed the property to be developed consistently with Ordinance #2016-20 (Avalon Groves PUD). In 2019, Ordinance #2019-60 (Attachment “E”) was approved which, in addition to renaming the development as the Serenoa PUD, sought amendments related to the phasing program for the residential and nonresidential uses along with a reconfiguration of the associated parking.

The Applicant provided a Project Narrative as shown on Attachment “F”.

– Staff Analysis –

LDR Section 14.05.03 (Standards for Review)

A. Whether the rezoning is in conflict with any applicable provisions of the Code (Land Development Regulations).

The application seeks to amend the current Planned Unit Development (PUD) to allow the construction of a Self-Storage Facility. The LDR’s allow self-storage uses in Planned Commercial (CP) zoning only while the current PUD permits commercial uses to the extent they are allowed under the Neighborhood Commercial (C-1) zoning district. Additionally, as a vested PUD, changes may only be made to the extent the changes are consistent with the underlying future land use category.

The proposed Concept Plan shows that the project will meet the regulations for Open Space providing 43%. The Impervious Surface Area Ratio (ISR) allowed per the PUD is 60% and the Applicant is proposing 57%. The Self-Storage Facility is proposed at a maximum height of 75’, which is the maximum height allowed per PUD.

New development will be required to meet all criteria specified in the LDR, as amended.

B. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.

The property is currently designated as the Conservation Subdivision Future Land Use Category (FLUC) in the Wellness Way Area Plan Boundary. The proposed use is inconsistent with Comprehensive Plan Policy I-8.1.1, entitled *Jobs-to-Housing Ratio, Minimum Non-Residential Square Feet & Land Area Set-Asides*, and Policy I-8.1.2, entitled *Target Industries*, as Self-Storage Facilities is not a specific targeted industry for the non-residential portion of Wellness Way.

The Conservation Subdivision FLU is intended to promote a balance between carefully designed residential development while supporting the ecological value of the wetlands and uplands that characterize the area. The

requested use is inconsistent with the FLUC as commercial uses are not permitted in the Conservation Subdivision classification. As a vested PUD predating the implementation of the Wellness Way Area Plan, changes to the PUD that are inconsistent with the underlying FLUC could negatively impact the vested status of the development.

New development will be required to meet all criteria specified in the Comprehensive Plan.

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

The proposed Self-Storage Facility is inconsistent with the surrounding area. This area is being developed as the commercial portion of the Planned Unit Development of the Serenoa PUD. Although not specifically allowed under the PUD, Self-Storage Facilities would be an appropriate support use for the adjacent residential uses.

D. Whether there have been changed conditions that justify rezoning.

The requested use is inconsistent with the FLUC as commercial uses are not permitted in the Conservation Subdivision classification. As a vested PUD predating the implementation of the Wellness Way Area Plan, changes to the PUD that are inconsistent with the underlying FLUC could negatively impact the vested status of the 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.

Any future development of this property will require an analysis via submittal of a development application to demonstrate that the proposed development does not adversely impact the County's adopted levels of service on public facilities and services.

Water and Sewage

Sunshine Water has provided documentation (Attachment "G") indicating they can provide water and wastewater to the site. The Applicant must comply with Policy IX-3.1.1 entitled *Regional Wastewater Service Criteria*.

Solid Waste

The proposed request is not anticipated to adversely impact solid waste capacities or levels of service. The Applicant provided the following comment: *"If approved, the Owner(s) will be responsible for arranging waste collection services through a County-authorized commercial hauler."*

Public Safety

Lake County Fire Station #112 is located two (2) miles from the subject property. Fire protection water supply and emergency access will be addressed during the site plan review process, should the requested use be approved by the Board.

Transportation Concurrency

The standard Level of Service (LOS) for the impacted roadway of US 27 is "D" with capacity of 2,867 trips in the peak direction. Currently the impacted segment from Boggy Marsh Road to CR 474 is operating at fifty percent (50%) in the PM peak Direction (LOS "C"). This project will be generating approximately eighteen (18) PM peak hour trips, in which ten (10) trips will impact the peak hour direction with no change in the LOS.

A Request for Exemption From doing a full Tier 1 Traffic Impact Analysis was completed and approved.

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

An environmental assessment will be submitted with site plan application to indicate the presence of vegetation, soils, wetlands, threatened and endangered species on the site. All sensitive resources will be addressed through the development review process. New development will be required to meet all criteria specified by the Comprehensive Plan and Land Development Regulations (LDR).

G. Whether, and the extent to which, the proposed rezoning would affect the property values in the area.

The Applicant provided a statement regarding the effect of property values in their Project Narrative (Attachment “D”).

H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern.

The subject parcel is being developed as the commercial portion of the Serenoa PUD. The Planned Unit Development currently allows for 350,000 square feet of commercial development; the proposed use would not affect this requirement of the Planned Unit 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.

The proposed rezoning amendment inconsistent with the Land Development Regulations (LDR) and with the Comprehensive Plan.

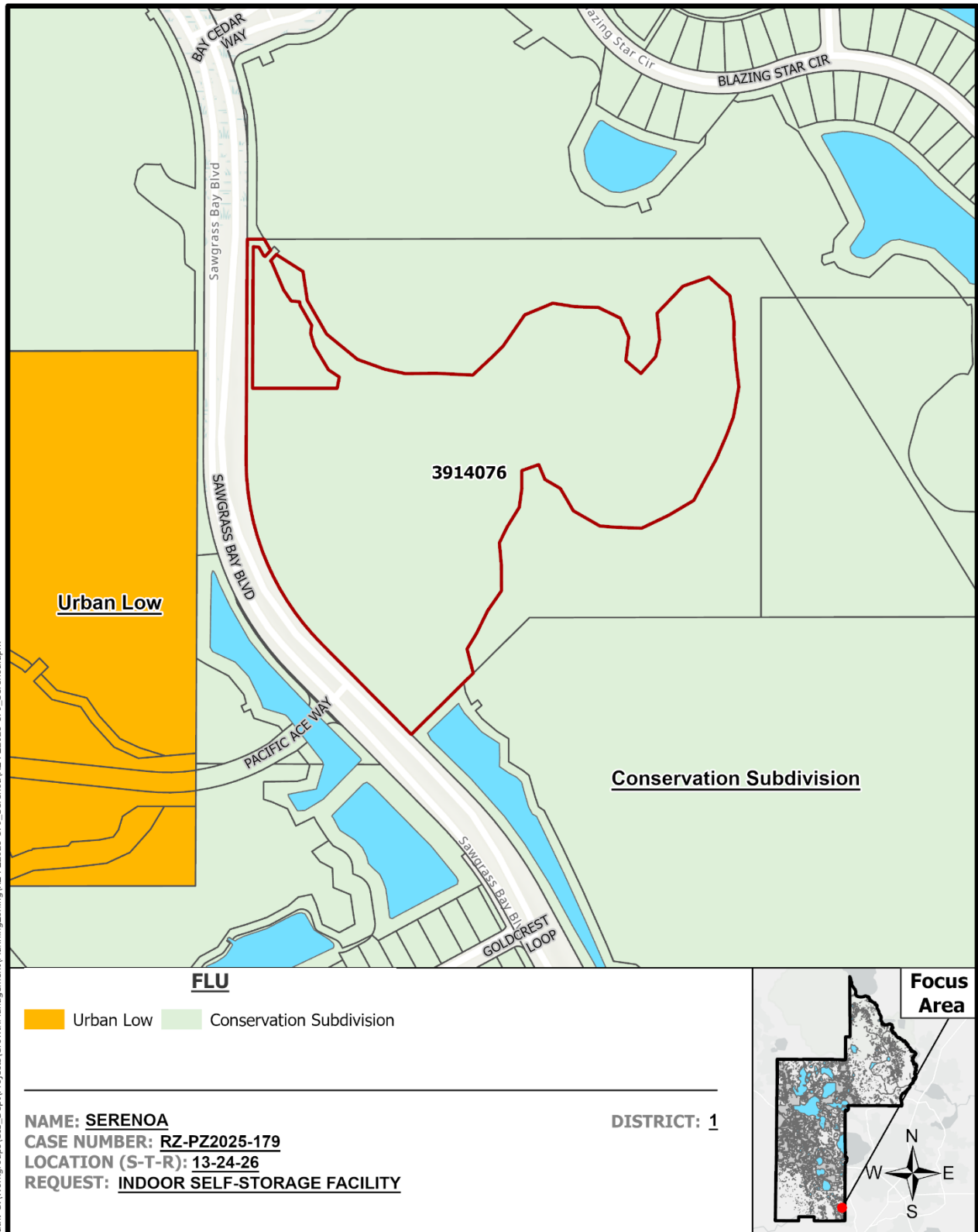
As stated in Sections B and D, the requested use is inconsistent with the FLUC as commercial uses are not permitted in the Conservation Subdivision classification. As a vested PUD predating the implementation of the Wellness Way Area Plan, changes to the PUD that are inconsistent with the underlying FLUC could negatively impact the vested status of the development.

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

Attachment “A” – Future Land Use Map

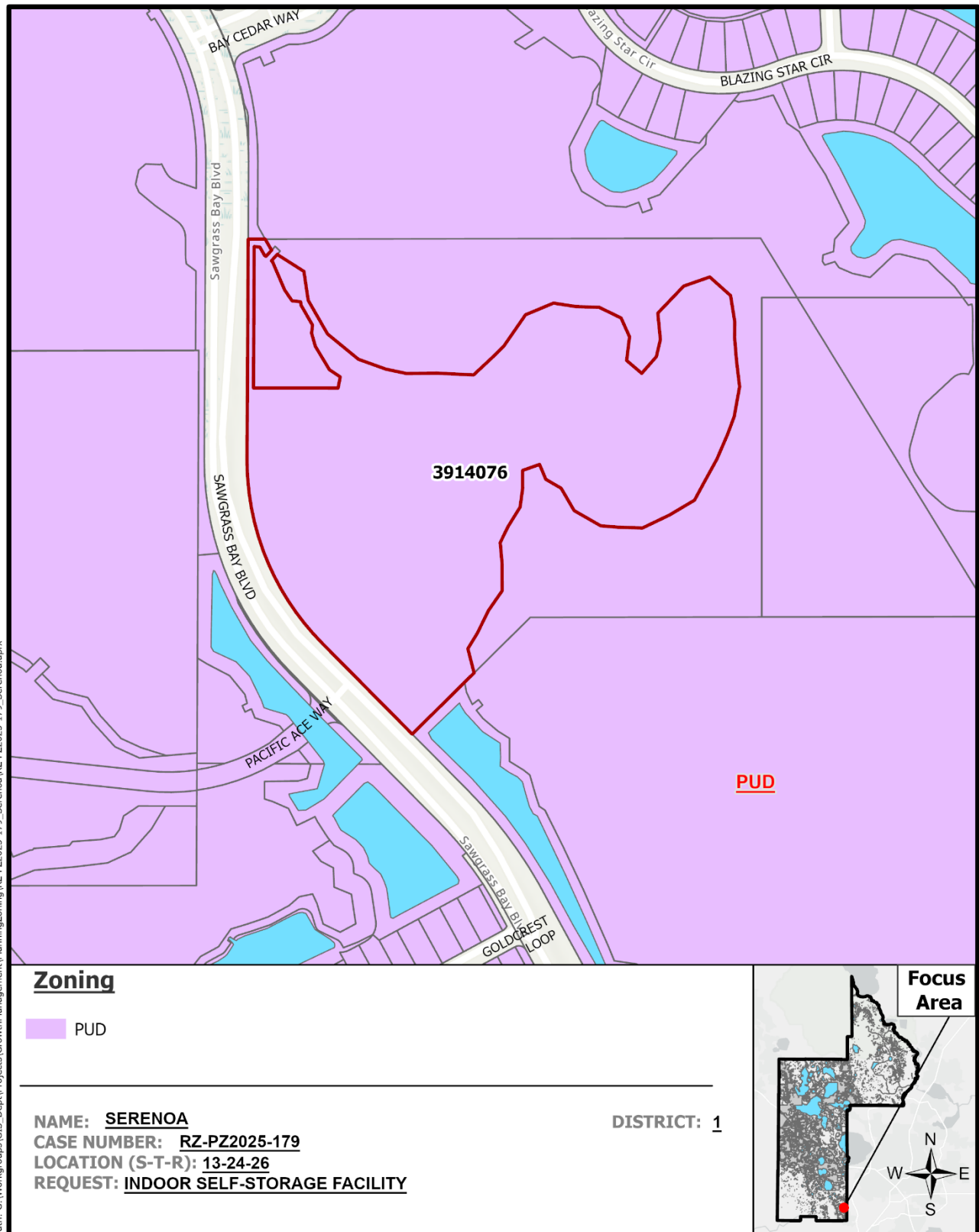
CURRENT FUTURE LAND USE



Path: G:\Workgroups\GIS_Dept\Projects\GrowthManagement\Planning\Zoning\RZ-PZ2025-179_Serenoa\RZ-PZ2025-179_Serenoa.aprx
5/17/2025

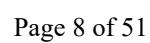
Attachment “B” – Zoning District Map

CURRENT ZONING



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9/10/2025



Attachment "D" – Ordinance #2012-10

INSTRUMENT #2012031662
OR BK 4141 PG 961 - 980 (20 PGS)
DATE: 3/27/2012 2:34:00 PM
NEIL KELLY, CLERK OF THE CIRCUIT COURT
LAKE COUNTY
RECORDING FEES \$171.50

ORDINANCE NO. #2012-10
(PH#21-11-1 Avalon Groves PUD)

ORDINANCE NO. #2012-10
Avalon Groves Planned Unit Development (PUD)
PH #21-11-1

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

WHEREAS, Chuck Piper (the "Applicant") has submitted a rezoning application on behalf of
Hearthstone Lake County, LLC (the "Property Owner") to rezone property within the Agriculture (A) Zoning
District to Planned Unit Development (PUD) zoning to facilitate the development of mixed-use community
of residential and non-residential uses and to revoke existing Conditional Use Permit (CUP) #933-3; and,

WHEREAS, the Subject Property consists of approximately 985 +/- acres, located in the South
Lake County area east of the Sawgrass PUD and west of Orange County in Sections 13-14, 23-24,
Township 24 South, Range 26 East, currently having Alternate Key Number(s) 1101701, 1031486,
1031605, 1594839, 1031648, 1101816, 1031621, 1031613, 3636112, 1101824 more particularly described
as follows:

LEGAL DESCRIPTION:
(EXHIBIT "A" – ATTACHED)

WHEREAS, the subject property is located within the Rural Transition and Urban Low Density
Future Land Use Categories as shown on the Lake County Comprehensive Plan Future Land Use Map;
and

WHEREAS, the Lake County Zoning Board reviewed Petition PH #21-11-1 on the 4th day of
January, 2012, after giving Notice on petition for a change in the use of land, including a notice that said
petition would be presented to the Board of County Commissioners of Lake County, Florida, on the 24th day
of January, 2012, and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of
the Lake County Zoning Board, Staff Report 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 and conditions 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 Zoning Rules and Regulations of Lake County, Florida, be altered and amended as they
pertain to the above subject property subject to the following terms:

Section 1. Terms: The County Manager or designee shall amend the Lake County Zoning Map in
accordance with this Ordinance. Where there is a conflict between this PUD Ordinance and Lake County
Land Development Regulations (LDR), the terms of this Ordinance shall take precedence. This Ordinance
shall rescind and replace Conditional Use Permit (CUP) #933-3.

Avalon Groves PUD
Proj. #2011100005/ AR#1938
1-25-12

Attachment “D” – Ordinance #2012-10 (Continued)

ORDINANCE NO. #2012-10
(PH#21-11-1 Avalon Groves PUD)

The uses of the property shall be limited to the uses specified in this Ordinance and generally consistent with the Conceptual Master Plan attached hereto as Exhibit B. To the extent there are conflicts between Exhibit B and this Ordinance, this Ordinance shall take precedence.

A. Land Uses:

1. Residential Development:

- a. Density. 1,659 dwelling units including up to 800 multi-family units (including Paired Homes/Duplexes).
- b. Common Facilities: All amenities such as clubhouses, common areas, community pools and recreational facilities for each residential phase shall be completed prior to issuance of a Certificate of Occupancy on 25% of the residential dwelling units in each residential phase.
- c. Accessory dwelling units.
 - i. Shall be limited to one unit per legally created lot.
 - ii. Accessory dwelling size - 1,200 maximum square feet or no greater than 40% of the air conditioned living area of the principal dwelling unit.
 - iii. For each lot for which an accessory dwelling unit is approved, a covenant, or similar legally binding instrument, shall be recorded prior to certificate of occupancy stipulating that the parcel shall not be further subdivided.
- d. Model Homes and Sales Centers. Construction of model units, sales centers and temporary parking lots associated with model units or sales centers and located on an adjoining lot shall be allowed. Up to seven (7) Model homes can be started prior to each final plat via metes and bounds.

2. Commercial/Office/Retail Development:

- a. Up to 350,000 square feet, comprising retail, commercial and office uses excluding institutional uses.
- b. Uses shall be consistent with those permitted in the Land Development Regulations for the Neighborhood Commercial (C-1) Zoning District

3. Institutional Uses. Up to 175,000 square feet of civic uses and schools are permitted within the development, subject to the maximum floor area and impervious surface ratios of the underlying future land use category.

4. Short-term rentals:

- a. There shall be no restriction on the duration of the rental term of any units in this planned unit development.

5. Phasing:

- a. Commercial/Office/Retail Phasing Program – The nonresidential phasing program shall ensure that the rate of nonresidential development approval coincides with the rate of residential development approval as specified in the table below.

Avalon Groves PUD
Proj. #2011100005/ AR#1938
1-25-12

Attachment “D” – Ordinance #2012-10 (Continued)

ORDINANCE NO. #2012-10
(PH#21-11-1 Avalon Groves PUD)

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Table 1
Minimum Commercial/Office/Retail Phasing in Urban Low Future Land Use area

Residential development (units)	Minimum commercial/office/retail floor area	Cumulative required commercial/office/retail floor area
500 units	20,000 SF	20,000 SF
1,000 units	20,000 SF	40,000 SF
1,659 units	20,000 SF	60,000 SF

4
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Note: Upon the completion of each residential plat, the Developer shall submit a Monitoring Report for review that documents approved nonresidential floor area and number of residential units at the time of application. Mixed use phases shall demonstrate compliance with this requirement upon each application. For the purposes of this report nonresidential shall mean commercial, retail or office.

Attachment “D” – Ordinance #2012-10 (Continued)

ORDINANCE NO. #2012-10
(PH#21-11-1 Avalon Groves PUD)

Table 2
Proposed Residential Units

North Tract	Land Use	AC	DU/AC	Units
Rural Transition* FLU Designation	Residential**	188.98	1du/5 acre	38
			1/3 du/net acre	63
			1 du/net acre	189
	Wetlands	92.23	0.20	18
	Total:	281.21		207 max

* Residential development of equal to or greater than 1 unit per 3 acres shall be clustered and developed as a Rural Residential Subdivision

** This calculation is based on 50% open space (O/S) provided per Rural Transition Future Land Use for rural conservation subdivision as specified herein and the Comprehensive Plan, as amended, for development of 1 unit per acre. Thirty-five percent open space shall be provided for densities of 1 unit per 3 acres or less.

South Tract	Land Use	AC	DU/Net AC	Units
Urban Low FLU Designation	Residential	231.59		
	Village Center	10.00		
	Subtotal:	345.07	4.0	1,380
	Wetlands	359.31	0.20	72
	Total:	704.38	2.1	1,452

* 25% open space (O/S) per Urban Low Future Land Use is required.

B. Dimensional Standards

1. Commercial/Office/Retail/Institutional requirements:

- a. Landscape buffers, fences or walls, shall not be required between commercial or mixed (residential/commercial) uses within this planned unit development except to visually screen parking, loading or storage areas.
- b. No setback shall be required between commercial buildings such as retail or office and the sidewalk. For retail or office uses on internal streets other than the extension of Sawgrass Bay Boulevard, setbacks may include paved surfaces of concrete or individual pavers that function as an extension of the sidewalk.

Avalon Groves PUD
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Attachment “D” – Ordinance #2012-10 (Continued)

ORDINANCE NO. #2012-10

(PH#21-11-1 Avalon Groves PUD)

- 1 c. Parking shall not be located between the front of a commercial building and that fronts
- 2 the extension of Sawgrass Bay Boulevard. A maximum of one row of parking may be
- 3 permitted where a tree buffer of at least ten feet is provided between the parking and
- 4 the edge of right of way.
- 5 d. All dimensional standards shall comply with Florida Fire Prevention Codes, applicable
- 6 National Fire Protection Codes and Lake County Fire Protection Standards.

Attachment “D” – Ordinance #2012-10 (Continued)

ORDINANCE NO. #2012-10
(PH#21-11-1 Avalon Groves PUD)

2. Residential requirements:
a. Single Family Residential Dimensional Standards

Minimum Dimensions	Single Family Attached (Townhomes)	Single Family Attached (Paired Homes)	Single Family Detached	Live / Work Unit
Front Setback:	10 feet from dwelling to adjacent road rights of way; 5 feet from dwelling to adjacent common space.			
Secondary Front Setback:	10 feet			
Side Setback:	5 feet for detached side or 0 feet for attached units (along the shared property line of common wall). Lot drainage easement shall be a minimum of 8-feet wide between structures.	0 feet. Minimum separation of 8 feet between structures for lot drainage easement.	0 feet. Minimum separation of 8 feet between structures for lot drainage easement.	5 feet for detached side or 0 feet for attached units (along the shared property line of common wall). Lot drainage easement shall be a minimum of 8-feet wide between structures.
Rear setback:	5-feet or 4 feet from an alley			
Front garage setback	Garages shall be setback at least 20 feet from the front property line.			
Lot Width (in feet)	15	20	23	20
Lot Depth (in feet)	50	50	60	50
Unit Width (in feet)	15	18	18	18
Living Area (in feet)	600	500	650	500

Attachment “D” – Ordinance #2012-10 (Continued)

ORDINANCE NO. #2012-10
(PH#21-11-1 Avalon Groves PUD)

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b. Multi-Family Residential Dimensional Standards

Minimum Dimensions	Multi-family
Front:	10 feet from face of curb
Secondary Front	15 feet
Side:	15 between adjacent buildings
Rear setback:	10 feet

2

3

Notes on Residential Standards:

4

(1) Minimum as measured from the property line.

5

(2) Front-loaded, rear-loaded, or shared parking lots are permitted.

6

(3) Balconies, porches, stoops, bay windows and roof overhangs may encroach upon front setback and corner lot side setback up to 3 feet. Balconies and roof overhangs may encroach upon rear setback.

7

8

(4) On-street parking may be used to satisfy parking requirements.

9

10

(5) Minimum of one off-street parking space per unit is required.

11

(6) Pools or screen rooms shall be subject to the 5 foot rear setback.

12

(7) Driveways shall be setback 2 feet from the side property line or 0 feet if shared driveway.

13

(8) Lighting and Signage shall comply with the LDR, as amended.

14

(9) Residential Driveway connections to Sawgrass Bay Boulevard extension are prohibited, except for connections for live/work units developed as part of a mixed use phase.

15

16

Attachment “D” – Ordinance #2012-10 (Continued)

ORDINANCE NO. #2012-10
(PH#21-11-1 Avalon Groves PUD)

C. Definition of Housing Types

For the purpose of this Planned Unit Development the following terms shall be defined as:

- i. Single Family Detached: A single residential unit on a single platted lot that is a single building not physically connected to any other unit.*
- ii. Paired Homes (Duplex): A single residential unit that is separately owned and platted but may be attached on one side along a lot line to an additional single family unit.
- iii. Single Family Attached (Townhome): A single residential unit that is separately owned and platted but may be attached on one or both sides along a lot line to additional single family units.
- iv. Multi-family: A building containing multiple residential units on a single lot that are intended to be collectively managed by an apartment manager or condo association.
- v. Live/Work: An attached single-family dwelling that contains a flexible space that may be used for commercial purposes. Up to 50% of the square footage may be used for commercial purposes.*

* The addition of an accessory dwelling unit does not change the definition of a single family unit.

C. Impervious Surface Ratio

1. Urban Low future land use – shall not exceed .60 within the total developable area.
2. Rural Transitional future land use – shall not exceed .30 within the developable area.
3. Impervious surface area shall not exceed 0.90 on any given individual residential, mixed use, or commercial lot providing the development phase as a whole does not exceed the maximum impervious surface ratio of the underlying future land use category.

D. Building height:

1. 50-feet (maximum) for residential structures
2. 75-feet (maximum) for non-residential and civic structures

E. Site Design and Development Guidelines:

1. All development shall be in accordance with the design standards specified in the Comprehensive Plan and Land Development Regulation, as amended.
2. All development shall consist of functional areas in accordance with Traditional Neighborhood Design principles including neighborhoods which include a Neighborhood Core, Neighborhood Proper, and Neighborhood Edge.
 - a. Each Neighborhood Core shall contain higher density housing types, as well as:
 - i. Civic uses/spaces or Recreation uses; and
 - ii. Commercial uses;

A minimum of one (1) Neighborhood Core consistent with Table 1 of this ordinance.

Attachment “D” – Ordinance #2012-10 (Continued)

ORDINANCE NO. #2012-10
(PH#21-11-1 Avalon Groves PUD)

- 1 b. Neighborhood Proper areas shall include a range of housing densities and may
2 also include some civic or recreational uses and park space.
- 3 c. Neighborhood Edge areas will include lower density housing and provide edges to
4 transition to natural areas, wetlands and low intensity uses on adjacent properties.
5 These may also include civic and recreational uses or park space used to
6 transition to natural resource areas.
- 7 3. Pedestrian orientation - The maximum block length for all development shall not exceed
8 750-feet.
- 9 4. Rural Conservation Subdivision development, within the Rural Transitional future land use
10 a. One (1) dwelling unit per one (1) net buildable acre (maximum) may be permitted.
11 b. A minimum of 50% of the net buildable area of the Rural Conservation Subdivision
12 shall be dedicated as common open space. A conservation easement or similar
13 recorded and legally binding instrument, as allowed by law shall be recorded to
14 preserve the open space areas at plat or final development of each phase.
15 c. Half of the required open space shall be configured in a single contiguous tract for
16 the purposes of creating contiguous expanses of open space to include the most
17 sensitive habitat on each site. The open space shall include environmentally
18 sensitive areas adjacent to public conservation lands or adjacent rural lands, if
19 present. An open space management plan shall be incorporated into site plan or
20 plats applications.
21 d. Open spaces shall be configured in a manner to create “edges” of distinction
22 between rural land uses and urban land uses.
23 e. Proposed subdivisions shall include a minimum of fifteen (15) net buildable acres
24 for development of rural conservation subdivisions in order to receive the one (1)
25 dwelling per acre density.
26 f. Compatibility with existing adjacent residential developments. In order to promote
27 compatibility with existing residential developments that are immediately adjacent
28 to the proposed development site, the applicant shall use one of the following
29 measures:
30 i. A forested, or re-forested, or wetland buffer designed to screen the proposed
31 new development from the existing development, and is a minimum of 100 feet
32 in depth, shall be provided between the existing adjacent residential
33 development and the proposed new lots; or
34 ii. A vegetative buffer, which may be forested, or wetlands to create a minimum of
35 200 feet in depth shall be provided between the existing adjacent residential
36 development and the proposed new lots.
37 iii. Streets shall not cross wetlands unless other access is not practically feasible.
38 iv. Streets shall not traverse slopes greater than a 20 percent grade to facilitate
39 low impact design. If the Developer can demonstrate a hardship created by this
40 requirement, then a variance may grant such crossings.
41 g. Construction envelope and Low Impact Development principles and techniques
42 shall be used. Clearing and grading of treed areas, natural vegetation, and
43 existing topography should be limited to the minimum amount required to create
44 buildable lots, construct roadways, install required infrastructure including on-site
45 septic systems, and allow reasonable access for construction equipment. For this

Avalon Groves PUD
Proj. #2011100005/ AR#1938
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Attachment “D” – Ordinance #2012-10 (Continued)

ORDINANCE NO. #2012-10

(PH#21-11-1 Avalon Groves PUD)

reason, a construction envelope shall be established and denoted on all preliminary and final site designs and construction documents. The construction envelope shall not exceed 30 feet beyond the building footprint.

5. Interconnection: Interconnection of the proposed subdivisions with adjoining properties is encouraged where there are no environmental constraints, as depicted on the conceptual plan. If interconnection of a proposed subdivision with adjoining properties cannot be completed due to the lack of roadway facilities or dedicated right-of-way on an adjacent property at the time that the application is submitted, the future right-of-way required to develop this interconnection shall be dedicated and shown on the final plat in lieu of construction of the interconnecting roadway to the property line.

6. Parks:

- a. A minimum of a 3.3 acre park shall be dedicated prior to approval of the 500th dwelling unit.

F. Public School Concurrency:

The developer or Property Owner shall be solely responsible for mitigating public schools impacts in accordance with concurrency management provisions specified in the Land Development Regulations, as amended.

1. All development within two (2) miles of any school site shall provide 5-foot wide sidewalks that connect to Sawgrass Bay Boulevard extension for the purpose of creating a walkable-network to the schools.
2. The Property Owner or Applicant shall provide a conceptual master sidewalk/trail plan demonstrating a viable connection network with parks and schools prior to the commencement of the first phase of construction.

G. Utilities:

1. Solid Waste – The Developer or Property Owner shall demonstrate that all accessways are designed to accommodate solid waste collection vehicles to Lake County standards, as amended. Private solid waste collection may be provided with approval by the County Manager or designee.
2. Water/Wastewater Facilities - Central potable water and wastewater service system shall be provided by Utilities Incorporated (Inc.), its successor or by the developer. Septic systems or individual potable water wells shall not be permitted.
3. Utilities shall be underground unless a variance is received.
4. Drainage/Stormwater Management/Floodplain/Surface Water Protection:

Attachment “D” – Ordinance #2012-10 (Continued)

ORDINANCE NO. #2012-10
(PH#21-11-1 Avalon Groves PUD)

- 1 a. Stormwater management plan shall be required with the submittal of a final development
- 2 order. Any facilities associated with the Sawgrass Bay Boulevard extension road within
- 3 or impacting Orange County shall be approved by Orange County, prior to approval of
- 4 the Construction Plan.
- 5 b. Development within the 100-year floodplain shall be solely for the storage of floodwaters
- 6 and for passive recreation and conservation facilities in accordance with the Land
- 7 Development Regulations, as amended.
- 8 c. The stormwater management system shall be constructed in accordance with St. Johns
- 9 River Management District (SJRWMD) permit requirements, and LDR, as amended.
- 10 d. Stormwater management facilities will be designed to minimize impacts to existing
- 11 surface waters.
- 12 e. Stormwater facilities for the Sawgrass Bay Boulevard extension may be used as a
- 13 shared facility to be maintained by the H.O.A. or similar private entity.
- 14 f. All stormwater ponds developed by the project shall be owned and maintained by the
- 15 H.O.A. or similar private entity.
- 16

17 **H. Fire Protection and Rescue Services:** All Development shall comply with the State Fire Code,
18 Florida Fire Prevention Code, National Fire Protection Standards, the Orange County/Lake County
19 Mutual Aid Agreement, and the Land Development Regulations, as amended.

20
21 **I. Transportation Improvements:**

- 22
- 23 1. Prior to Phase 1 construction, the Property Owner shall execute a Development
- 24 Agreement with the County for the dedication of a 106 foot wide right of way and non-
- 25 exclusive easement for future road and utilities necessary to facilitate the future Sawgrass
- 26 Bay Boulevard extension. Any road or transportation impact fee credits will be addressed
- 27 in the Development Agreement. As project phasing is not proposed, the traffic impact
- 28 study will need to be updated and resubmitted prior to construction plan approval of the
- 29 501st lot and 50,000 square feet of non-residential for the project or as provided for in a
- 30 Development Agreement executed with the Board of County Commissioners. The
- 31 Developer will be required to update and address any necessary transportation impact
- 32 mitigation that may result due to the Sawgrass Bay Boulevard connection to Orange
- 33 County not being completed.
- 34
- 35 2. When warranted, the Property Owner shall coordinate with Orange County regarding any
- 36 necessary road improvements to Fleming Road in Orange County. The Property Owner
- 37 shall provide Lake County Public Works with copies of any agreements required by
- 38 Orange County for any Fleming Road improvements.
- 39
- 40 3. The Developer or Property Owner shall upgrade the current flashing beacon to a full traffic
- 41 signal when warranted at the intersection of US Highway 27 and Sawgrass Bay Boulevard
- 42 in accordance with Lake County standards, as amended.
- 43
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Avalon Groves PUD
Proj. #2011100005/ AR#1938
1-25-12

11

Attachment “D” – Ordinance #2012-10 (Continued)

ORDINANCE NO. #2012-10
(PH#21-11-1 Avalon Groves PUD)

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4. Sidewalks and Bicycle Facilities. All sidewalks shall be 5-feet wide minimum and constructed in accordance with the LDR, as amended. Bicycle lanes shall be situated within the Sawgrass Bay Boulevard extension right-of-way, in accordance with County standards, as amended. Sidewalks and bicycle lanes within the Sawgrass Bay Boulevard extension right-of-way shall be installed by the Developer concurrent with road construction.
 5. Pedestrian accessways shall be provided at intervals along roadways and common areas not to exceed 600-feet along all roadways.
 6. On-Street Parking – Parking shall not be allowed along the Sawgrass Bay Boulevard extension to Fleming Road in Orange County.
 7. Multiple points of access shall be designed into the road network to facilitate access by fire/safety and public and private service vehicles. A minimum of two access points shall be provided in each subdivision except where environmental constraints exist.

J. Signage:

1. All signage shall be in accordance with the Land Development Regulations as amended.
2. Signage and entry features may be allowed within County dedicated right-of-way subject to a Lake County right of way utilization permit.

K. Open Space and Environmental Considerations:

1. An environmental assessment shall be provided to address all flora and fauna species and associated habitat. The assessment shall be submitted for review at the time construction plans are submitted.
2. Tree and soil protection areas. Areas designated for tree and soil protection that are located outside of the dedicated open space shall be identified. These areas shall include the critical root zone and greatest extent of the drip line for the trees included in the area to be protected. The method of protection shall be indicated on the plan, including fencing or other protection methods. The method of protection shall be installed prior to the issuance of a development permit.
3. Open Space -
 - a. Urban Low (UL) Future Land Use Category shall require a minimum of 25%, open space, over the entire UL land area.
 - b. Rural Transitional (RT) Future Land Use Category shall require a minimum of 50% Open Space, over the entire RT land area if a maximum density of 1 unit per net acre is used. If a density of 1 unit per 3 net acres is used 35% Open Space shall be provided.

Attachment “D” – Ordinance #2012-10 (Continued)

ORDINANCE NO. #2012-10
(PH#21-11-1 Avalon Groves PUD)

- 1 c. Open space areas shall be provided in accordance with Comprehensive Plan, as
2 amended.
- 3
- 4 4. Wetlands:
- 5
- 6 a. Development shall adhere to the wetland setbacks specified in the Comprehensive Plan
7 and Land Development Regulations.
- 8
- 9 b. All wetlands within the property shall be placed into a conservation easement that shall
10 run in favor of, and be enforceable by, a homeowners' association, a public agency
11 acceptable to Lake County, or Lake County, at its option. The conservation easement
12 shall require that all wetlands and wetland buffers be maintained in their natural and
13 unaltered state. Any such easement shall allow access to water dependent structures
14 such as docks and walkways.
- 15
- 16 c. Wetlands shall not be included as part of any platted lot, other than a lot platted as
17 common area, which shall be dedicated to a homeowners' association, qualified agency
18 or Lake County for ownership and maintenance.
- 19
- 20 d. Upland buffers adjacent to wetlands shall be included within the conservation easement.
21 Such easement will specifically allow water dependant structures serving the adjacent
22 upland uses.
- 23
- 24 L. Landscaping and Buffering:
- 25
- 26 1. A minimum of one (1) canopy tree shall be required for all single-family detached lots
27 greater than 4,000 square feet in size.
- 28 2. A minimum of (1) ornamental tree shall be required for each lot comprising an attached
29 dwelling unit.
- 30 3. A minimum of six (6) trees per acre shall be required.
- 31 4. A fifty (50) foot wide buffer shall be along the perimeter property line, adjacent to
32 agricultural land areas and agriculture zoned properties. The buffer will be assessed
33 during the review of the required preliminary plat or site plan and may consist of existing
34 non-invasive-vegetation or Florida Friendly vegetation.
- 35 5. Entrance Features: The Owner may construct entrance features, which may consist of
36 walls, landscaping, contoured berms and signage concurrent with construction of the
37 adjacent roadway. Entrance features shall not be constructed within rights-of-way without
38 appropriate right of way permits.
- 39 6. All other landscaping shall be in accordance with the Land Development Regulations, as
40 amended.
- 41 7. A landscape plan shall be submitted for review and approval prior to installation of any
42 trees along any publicly dedicated right-of-way.
- 43
- 44

Attachment “D” – Ordinance #2012-10 (Continued)

ORDINANCE NO. #2012-10

(PH#21-11-1 Avalon Groves PUD)

- 1 8. Installation of trees within 8' of the sidewalk, shall require the developer to commit the
- 2 H.O.A. or other private entity to be responsible for the ownership and maintenance of the
- 3 tree and sidewalk. Those commitments shall be made in a development agreement at the
- 4 time of final plat.
- 5 9. Parking lot landscaping shall be in accordance with Land Development Regulations, as
- 6 amended.

M. Maintenance

- 9 1. Common Areas
- 10 The Owner shall form and incorporate a private non-profit entity such as a Homeowners'
- 11 Association or Community Development District for the purpose of operating,
- 12 maintaining and controlling the common areas, utility easements and common facilities.
- 13 The incorporation of the private entity shall be in conjunction with final development
- 14 approval.
- 15
- 16 2. Streets, Stormwater Facilities and Rights-of -Way
- 17 a. All streets and stormwater facilities that have not been dedicated to the County will be
- 18 maintained by a private entity, such as an HOA or CDD.
- 19 b. Maintenance of landscaping and common space that has not been accepted by the
- 20 county in street rights of way shall be maintained by a private entity, such as an HOA
- 21 or CDD.
- 22

N. Development Review and Approval:

- 24 Prior to the issuance of any permits, the Applicant shall be required to submit a preliminary plat
- 25 or site plan application generally consistent with EXHIBIT "B" – CONCEPTUAL PLAN, for
- 26 review and approval in accordance with the Comprehensive Plan and the Land Development
- 27 Regulations, as amended.
- 28

O. Concurrency Management Requirements:

- 30 1. A capacity reservation certificate shall be required before any final development order is
- 31 authorized for construction. The Applicant or Developer shall comply with the Land
- 32 Development Regulations as amended. In the future event that concurrency requirements
- 33 are changed from the date of this Ordinance approval, Lake County shall implement
- 34 concurrency for this development consistent with the adopted concurrency management
- 35 system in effect at that time.
- 36 2. Granting of this PUD Ordinance does not grant or approve concurrency. No development
- 37 shall proceed unless a full concurrency review has been completed prior to each stage of
- 38 development.
- 39

Attachment “D” – Ordinance #2012-10 (Continued)

ORDINANCE NO. #2012-10
(PH#21-11-1 Avalon Groves PUD)

1
2 **P. Term.** Physical development shall commence within three (3) years from the date of this Ordinance
3 approval.

4 1. Failure to commence construction of either infrastructure for 100 dwelling units, or
5 infrastructure for 10,000 square feet of commercial use, and the necessary extension of
6 Sawgrass Bay Boulevard to Phase I of the project, within three (3) years of approval shall
7 cause the revocation of this ordinance, in accordance with the Comprehensive Plan or
8 superseding documents amended.

9
10 2. Prior to expiration of the three-year time frame, the Board of County Commissioners may
11 grant, via a Public Hearing, one (1) extension of the time frame for a maximum of two (2)
12 years upon a showing that reasonable efforts have been made towards securing the required
13 approvals and commencement of work.

14
15 **Q. Monitoring Report for Non-Residential Ratio.** Upon submittal of each development phase, the
16 Applicant shall submit a monitoring report on the development progress for the entire PUD.

17
18 **R. Continuation of Agriculture Uses**

- 19
20 1. Agriculture uses shall be allowed on any portion of the property until such time as that portion of
21 the property receives a final development order consistent with this Ordinance, the
22 Comprehensive Plan, and Land Development Regulations, as amended.
23 2. Open grazing, stables, tree harvesting, silviculture and pisciculture are specifically permitted.
24 Feed lots, hog farms and other site intensive, potentially noxious agricultural activities are
25 specifically prohibited. The Developer expressly agrees that no clearing of non-invasive trees or
26 wetland alteration will take place within the area used for bona fide agricultural operation.

27
28 **S. Future Amendments to Statutes, Code, Plans, and/or Regulations:** the specific references in
29 this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County Comprehensive
30 Plan, and Lake County Land Development Regulation shall include any future amendments to the
31 Statutes, Code, Plan, and/or Regulations.

32
33 **Section 2.** Conditions as altered and amended which pertain to the above tract of land shall mean:

34
35 **A.** No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove,
36 improve, move, convert, or demolish any building structure, or alter the land in any manner
37 within the boundaries of the above described land without first submitting the necessary
38 plans in accordance with requirements of Lake County, and obtaining the permits required
39 from the other appropriate governmental agencies.

40
41 **B.** This ordinance shall inure to the benefit of, and shall constitute a covenant running with the
42 land and the terms, conditions, and provisions hereof, and shall be binding upon the
43 present owner and any successor, and shall be subject to each and every condition herein
44 set out.
45

Attachment "D" – Ordinance #2012-10 (Continued)

ORDINANCE NO. #2012-10
(PH#21-11-1 Avalon Groves PUD)

- 1 C. Construction and operation of the proposed use shall at all times comply with the
2 regulations of Lake County and any other permitting agencies.
3
4 D. The transfer of ownership or lease of any or all of the property described in this ordinance
5 shall include in the transfer or lease agreement, a provision that the purchaser or lessee
6 receives written or record notice of the conditions pertaining to the PUD and that such
7 notices shall run with title to the land. The purchaser or lessee may be required a change
8 from the existing plans and conditions by following procedures contained in the Lake
9 County Land Development Regulations, as amended.
10
11 E. Action by the Lake County Code Enforcement Special Master. The Lake County Code
12 Enforcement Special Master shall have authority to enforce the terms and conditions set
13 forth in this ordinance.
14

15 **Section 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be
16 invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in
17 no way affect the validity of the remaining portions of this Ordinance.
18

19 **Section 4. Effective Date.** This Ordinance shall become effective as provided by law.
20

21 ENACTED this 24th day of January, 2012.
22

23 FILED with the Secretary of State February 2, 2012.
24

25 EFFECTIVE February 2, 2012.
26

27 BOARD OF COUNTY COMMISSIONERS
28 LAKE COUNTY, FLORIDA

29 Leslie Campione
30
31 LESLIE CAMPIONE, CHAIRMAN
32

33 This _____ day of _____, 2012.
34

35 ATTEST:
36

37 Neil Kelly
38 NEIL KELLY, Clerk of the
39 Board of County Commissioners
40 Lake County, Florida

41 APPROVED AS TO FORM AND LEGALITY
42

43 Sanford A. Minkoff
44 SANFORD A. MINKOFF, County Attorney
45
46

Avalon Groves PUD
Proj. #2011100005/ AR#1938
1-25-12

Attachment "D" – Ordinance #2012-10 (Continued)

ORDINANCE NO. #2012-10
(PH#21-11-1 Avalon Groves PUD)

EXHIBIT - A LEGAL DESCRIPTION

MARINA LANDING, INC. (PARCEL 1)

The Northwest 1/4; and the Northwest 1/4 of the Northeast 1/4; and the South 1/2 of the Northeast 1/4; and the North 1/4 of the Southeast 1/4; all in Section 13, Township 24 South of Range 26 East of the Tallahassee Meridian, in Lake County, Florida; Less the Northwest 1/4 of the Northwest 1/4, Section 13, Township 24 South, Range 26 East, Lake County, Florida.

TOGETHER WITH all right, title and interest in and to Easements more particularly described in the following instruments of record.

Roadway Easement Agreement filed in Official Records Book 986, Page 934; as modified by Modification of Roadway Easement Agreement filed in Official Records Book 1486, Page 923, Public Records of Lake County, Florida; and Stipulation filed in Official Records Book 921, Page 246, Public Records of Lake County, Florida; and Easement for Ingress and Egress filed in Official Records Book 1483, Page 2313, Public Records of Lake County, Florida.

Being subject to any rights-of-way, restrictions and easements of record.

ORANGE BLOSSOM HILLS, INC. (PARCEL 2)

PARCEL 1:

The South 1/4 of the Southeast 1/4, The South 1/2 of the Southwest 1/4, The East 3/4 of the North 1/2 of the Southwest 1/4 of Section 13, Township 24 South, Range 26 East, Lake County, Florida.

PARCEL 2:

The South 3/4 of the East 1/2 of the Southeast 1/4 of the Southeast 1/4; BEGIN at the Northeast corner of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of the Southeast 1/4, run Southwesterly to the Northwest corner of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of the Southeast 1/4, South to South line of Section, East to Southwest corner of the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4, North to POINT OF BEGINNING; all being in Section 14, Township 24 South, Range 26 East, located in Lake County, Florida.

PARCEL 3:

BEGIN at the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4, run Southeasterly to Southeast corner of Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4, North to Section line, thence West to POINT OF BEGINNING; North 1/4 of the Northeast 1/4 of the Northeast 1/4; all being in Section 23, Township 24 South, Range 26 East, located in Lake County, Florida.

PARCEL 4:

The North 1/2 of the Northeast 1/4, Section 24, Township 24 South, Range 26 East, located in Lake County, Florida.

Attachment “D” – Ordinance #2012-10 (Continued)

ORDINANCE NO. #2012-10
(PH#21-11-1 Avalon Groves PUD)

1
2 PARCEL 5:
3 BEGIN at the Southwest corner of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of
4 the Northwest 1/4, run Northeasterly to Northeast corner of Northwest 1/4 of the Northwest 1/4 of
5 the Northwest 1/4 of the Northwest 1/4, thence West to the Northwest corner of Section, thence
6 South to POINT OF BEGINNING; being in Section 24, Township 24 South, Range 26 East, located
7 in Lake County, Florida.

8
9 Together with easement granted in Warranty Deeds recorded in Deed Book 361, Page 371, and in
10 Deed Book 372, Page 442 of the Public Records of Lake County, Florida.

11
12 Being subject to any rights-of-way, restrictions and easements of record.

13
14 BLR - AVALON LAKES LLC (PARCEL 3)
15 The Northwest 1/4 of the Southwest 1/4, The Southeast 1/4 of the Northeast 1/4, The Northeast
16 1/4 of the Southeast 1/4, The Southwest 1/4 of the Northeast 1/4, The Northwest 1/4 of the
17 Southeast 1/4, The Northeast 1/4 of the Southwest 1/4, The Southeast 1/4 of the Southeast 1/4 of
18 the Southeast 1/4 of the Northwest 1/4 all in Section 24, Township 24 South, Range 26 East, Lake
19 County, Florida.

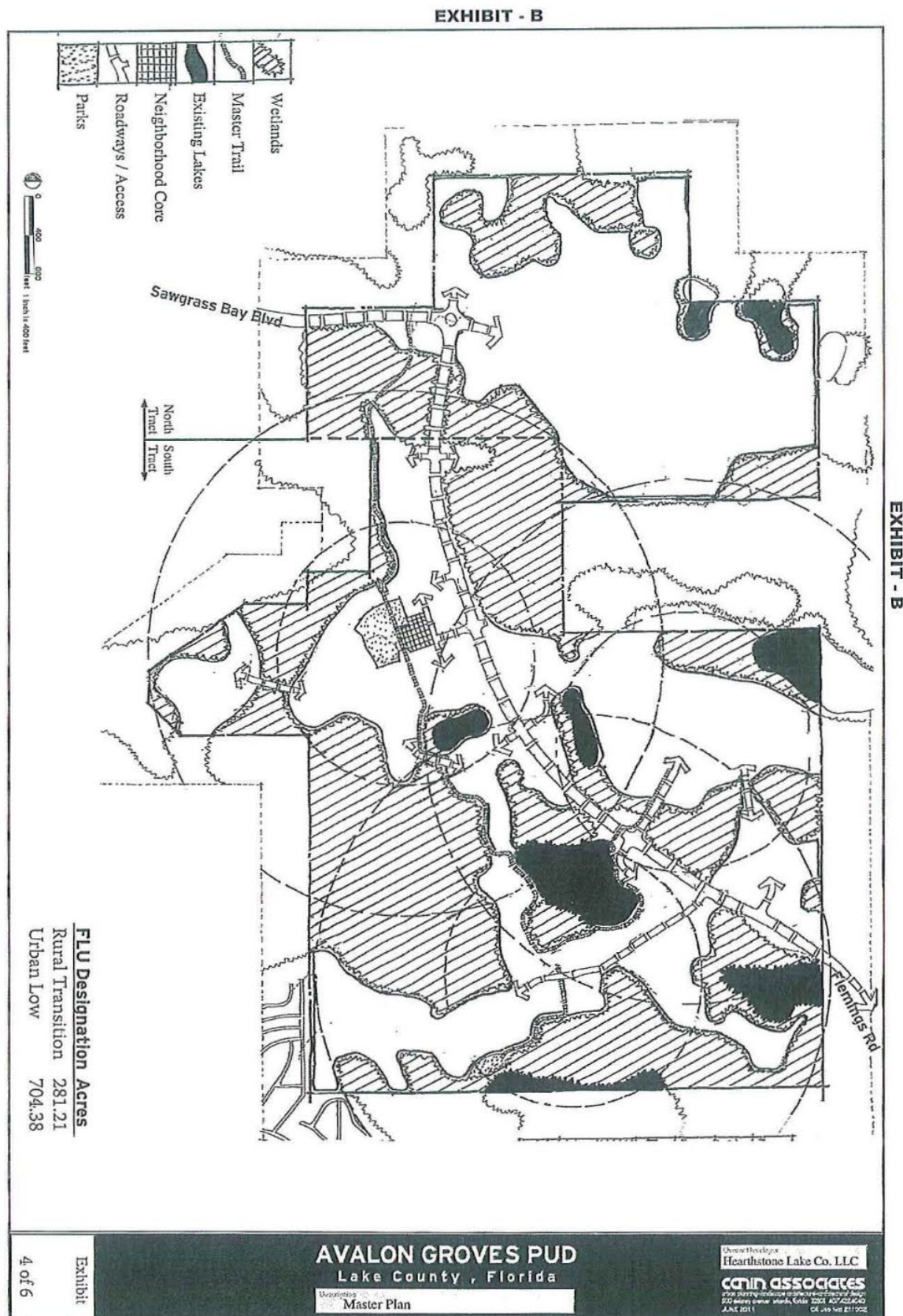
20
21 AND:

22
23 The Northwest 1/4 of Section 24, Township 24 South, Range 26 East, Lake County, Florida, LESS
24 AND EXCEPT the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of the Northwest 1/4,
25 AND LESS AND EXCEPT: Begin at the Southwest corner of the Northwest 1/4 of the Northwest
26 1/4 of the Northwest 1/4 of the Northwest 1/4 of said Section 24; run thence Northeasterly to the
27 Northeast corner of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of the Northwest
28 1/4; thence run West to the Northwest corner of said Section 24, thence South to the POINT OF
29 BEGINNING.

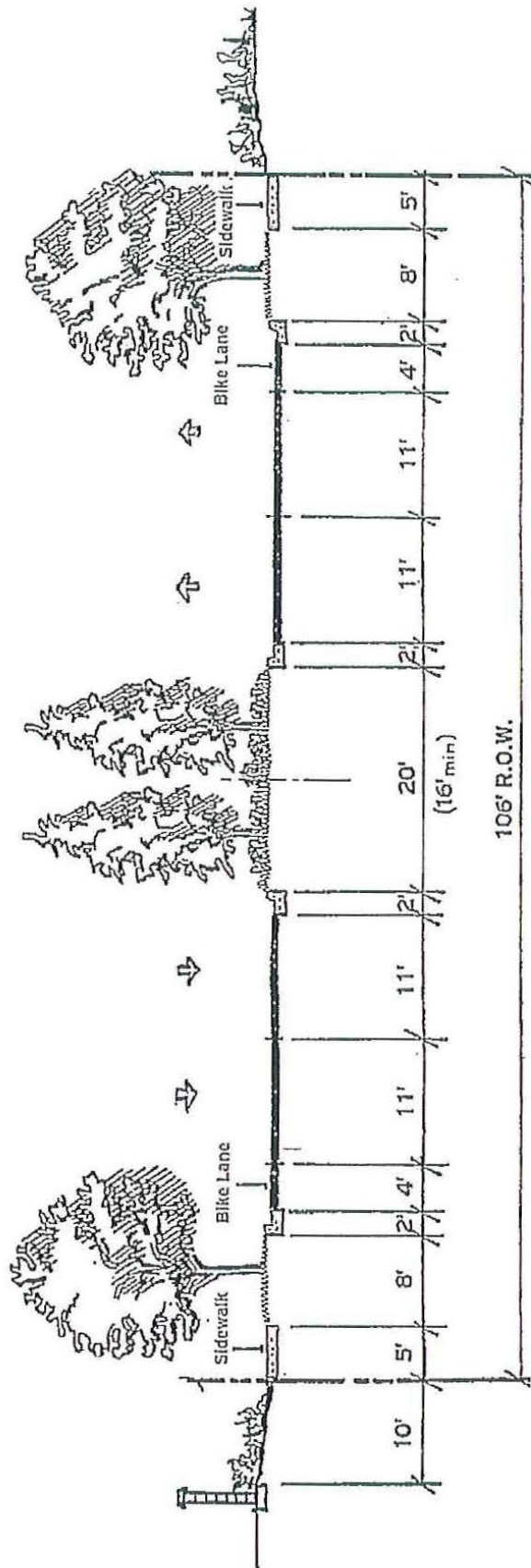
30
31 Being subject to any rights-of-way, restrictions and easements of record.

32
33

Attachment "D" – Ordinance #2012-10 (Continued)



Attachment "D" – Ordinance #2012-10 (Continued)



Attachment “E” – Ordinance #2019-60

Ordinance #2019-60
Serenoa Planned Unit Development (PUD) Amendment
(f/k/a Avalon Groves PUD)
RZ-19-18-1

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

WHEREAS, Dianne Fenech, AICP (the "Applicant") has submitted a rezoning application on behalf of VK Avalon Groves, LLC (the "Property Owner") to amend PUD Ordinance #2016-20 by establishing a new ordinance with new development conditions regarding the phasing program for the residential and non-residential uses and configuration of the associated parking; and

WHEREAS, the subject property consists of approximately 985 +/- acres, located in the South Lake County area east of the Sawgrass PUD, and west of Orange County, in Sections 13-14, 23-24, Township 24 South, Range 26 East, currently including Alternate Key Number(s) 3914076, 1101701, 1031486, 1031605, 1594839, 1031648, 1101816, 1031621, 1031613, 3636112, 1101824, and 3884039, etc., and more particularly described in Exhibit "A":

LEGAL DESCRIPTION:
(EXHIBIT "A" – ATTACHED)

WHEREAS, on the 22nd day of September, 2011, the Lake County 2030 Comprehensive Plan became effective; and

WHEREAS, on the 24th day of January, 2012, the Board of County Commissioners approved PUD Ordinance #2012-10 regarding the Avalon Groves Planned Unit Development; and

WHEREAS, Section 1(P) of PUD Ordinance #2012-10 requires physical development to commence within three (3) years from the Ordinance approval date and provides the Board of County Commissioners with the ability to grant, via public hearing, a one (1) extension for a maximum of two (2) years upon a showing that reasonable efforts have been made towards securing the required approvals and commencement of work; and

WHEREAS, the subject property was located within the Rural Transition and Urban Low Density Future Land Use Categories and is located within the Wellness Way Urban Service Area (WWUSA) as shown on the Lake County Comprehensive Plan Future Land Use Map; and

WHEREAS, on the 5th day of January, 2016, the Lake County Board of County Commissioners approved Ordinance #2016-1, LPA #14/10/1-2 Wellness Way Area Plan Map and Text Amendment; and

WHEREAS, on the 17th day of May, 2016, the Lake County Board of County Commissioners approved PUD Ordinance #2016-20 regarding the Avalon Groves Planned Unit Development; and

WHEREAS, on the 23rd day of August, 2016, Special Master 05-16 became effective and allowed the subject property to be developed consistent with PUD Ordinance #2016-20; and

and **WHEREAS**, the subject property is located within the Wellness Way 3 Future Land Use Category;

WHEREAS, the Lake County Planning and Zoning Board reviewed petition RZ-19-18-1 on the 2nd day of October, 2019, after giving notice on petition for a change in the use of land, including a notice that said petition would be presented to the Board of County Commissioners of Lake County, Florida, on the 22nd day of October, 2019; and

INSTRUMENT #2019132280
OR BK 5377 PG 2244 - 2261 (18 PGS)
DATE: 11/21/2019 8:04:25 AM
GARY J. COONEY, CLERK OF THE CIRCUIT COURT
AND COMPTROLLER, LAKE COUNTY, FLORIDA
RECORDING FEES \$154.50

Attachment “E” – Ordinance #2019-60 (Continued)

Ordinance #2019-60
Serenoa Planned Unit Development (PUD) Amendment
(f/k/a Avalon Groves PUD)

1 **WHEREAS**, the Board of County Commissioners reviewed said petition, the recommendations of
2 the Lake County Zoning Board, Staff Report and any comments, favorable or unfavorable from the Public
3 and surrounding property owners at a Public Hearing duly advertised; and

4 **WHEREAS**, upon review, certain terms and conditions pertaining to the development of the above
5 described property have been duly approved, and

6 **NOW THEREFORE, BE IT ORDAINED**, by the Board of County Commissioners of Lake County,
7 Florida, that the Zoning Rules and Regulations of Lake County, Florida, be altered and amended as they
8 pertain to the above subject property subject to the following terms:

9 **Section 1.** Terms: The County Manager or designee shall amend the Lake County Zoning Map in
10 accordance with this Ordinance. Where there is a conflict between this PUD Ordinance
11 and Lake County Land Development Regulations (LDR), the terms of this Ordinance shall
12 take precedence. This ordinance shall supersede and replace any and all previous
13 ordinances for this property, specifically Ordinance #2012-10 and ordinance #2016-20.

14 The uses of the property shall be limited to the uses specified in this Ordinance and
15 generally consistent with the Conceptual Master Plan attached hereto as Exhibit “B”. To
16 the extent there are conflicts between Exhibit “B” and this Ordinance, this Ordinance shall
17 take precedence.

18 **A. Land Uses:**

19 1. Residential Development:

20 a. Density: 1,659 dwelling units including up to 800 multi-family units (including Paired
21 Homes/Duplexes).

22 b. Common Facilities: All amenities such as clubhouses, common areas, community pools
23 and recreational facilities for each residential phase shall be completed prior to issuance of
24 a Certificate of Occupancy on 25% of the residential dwelling units in each residential
25 phase.

26 c. Accessory dwelling units:

27 i. Shall be limited to one unit per legally created lot.

28 ii. Accessory dwelling size - 1,200 maximum square feet or no greater than 40% of the
29 air conditioned living area of the principal dwelling unit.

30 iii. For each lot for which an accessory dwelling unit is approved, a covenant, or similar
31 legally binding instrument, shall be recorded prior to certificate of occupancy
32 stipulating that the parcel shall not be further subdivided.

33 d. Model Homes and Sales Centers: Construction of model units, sales centers and
34 temporary parking lots associated with model units or sales centers and located on an
35 adjoining lot shall be allowed. Up to seven (7) model homes can be started prior to each
36 final plat via metes and bounds.

37 2. Commercial/Office/Retail Development:

38 a. Up to 350,000 square feet, comprising retail, commercial and office uses excluding
39 institutional uses.

Attachment “E” – Ordinance #2019-60 (Continued)

Ordinance #2019-60
Serenoa Planned Unit Development (PUD) Amendment
(f/k/a Avalon Groves PUD)

- b. Uses shall be consistent with those permitted in the Land Development Regulations (LDR) for the Neighborhood Commercial (C-1) Zoning District.
3. Institutional Uses. Up to 175,000 square feet of civic uses and schools are permitted within the development, subject to the maximum floor area and impervious surface ratios of the underlying future land use category.
4. Short-term rentals:
 - a. There shall be no restriction on the duration of the rental term of any units in this planned unit development.
5. Phasing:
 - a. Commercial/Office/Retail Phasing Program – The nonresidential phasing program shall ensure that the rate of nonresidential development approval coincides with the rate of residential development approval as specified in the table below.

Table 1
Minimum Commercial/Office/Retail Phasing in Urban Low Future Land Use area

Residential development (Certificate of Occupancy)	Minimum commercial/office/retail floor area	Cumulative required commercial/office/ retail floor area
1,000 units	30,000 SF	30,000 SF
1,659 units	30,000 SF	60,000 SF

Note: Upon the completion of each residential plat, the Developer shall submit a Monitoring Report for review that documents approved nonresidential floor area and number of residential units at the time of application. The Applicant will be required to provide residential certificate of occupancy data with the development application for the non-residential development. No additional certificate of occupancies will be issued after the 1000th certificate of occupancy without the submittal of development application for nonresidential development consistent with the square footage specified above. Mixed use phases shall demonstrate compliance with this requirement upon each application. For the purposes of this report nonresidential shall mean commercial, retail or office.

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Attachment “E” – Ordinance #2019-60 (Continued)

Ordinance #2019-60
Serenoa Planned Unit Development (PUD) Amendment
(f/k/a Avalon Groves PUD)

Table 2
Proposed Residential Units

North Tract	Land Use	AC	DU/AC	Units
Rural Transition* FLU Designation	Residential**	188.98	1du/5 acre	38
			1/3 du/net acre	63
			1 du/net acre	189
	Wetlands	92.23	0.20	18
	Total:	281.21		207 max

* Residential development of equal to or greater than 1 unit per 3 acres shall be clustered and developed as a Rural Residential Subdivision

** This calculation is based on 50% open space (O/S) provided per Rural Transition Future Land Use for rural conservation subdivision as specified herein and the Comprehensive Plan, as amended, for development of 1 unit per acre. Thirty-five percent open space shall be provided for densities of 1 unit per 3 acres or less.

South Tract	Land Use	AC	DU/Net AC	Units
Urban Low FLU Designation	Residential	231.59		
	Village Center	10.00		
	Subtotal:	345.07	4.0	1,380
	Wetlands	359.31	0.20	72
	Total:	704.38	2.1	1,452

* 25% open space (O/S) per Urban Low Future Land Use is required.

B. Dimensional Standards

1. Commercial/Office/Retail/Institutional requirements:

- Landscape buffers, fences or walls, shall not be required between commercial or mixed (residential/commercial) uses within this planned unit development except to visually screen parking, loading or storage areas.
- No setback shall be required between commercial buildings such as retail or office and the sidewalk. For retail or office uses on internal streets other than the extension of Sawgrass Bay Boulevard, setbacks may include paved surfaces of concrete or individual pavers that function as an extension of the sidewalk.
- All dimensional standards shall comply with Florida Fire Prevention Codes, applicable National Fire Protection Codes and Lake County Fire Protection Standards.

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Attachment “E” – Ordinance #2019-60 (Continued)

Ordinance #2019-60
 Serenoa Planned Unit Development (PUD) Amendment
 (f/k/a Avalon Groves PUD)

- 1 2. Residential requirements:
- 2 a. Single Family Residential Dimensional Standards

Minimum Dimensions	Single Family Attached (Townhomes)	Single Family Attached (Paired Homes)	Single Family Detached	Live / Work Unit
Front Setback:	10-feet from dwelling to adjacent road rights of way; 5-feet from dwelling to adjacent common space.			
Secondary Front Setback:	10-feet			
Side Setback:	5-feet for detached side or 0-feet for attached units (along the shared property line of common wall). Lot drainage easement shall be a minimum of 8-feet wide between structures.	0-feet. Minimum separation of 8-feet between structures for lot drainage easement.	0-feet. Minimum separation of 8-feet between structures for lot drainage easement.	5-feet for detached side or 0-feet for attached units (along the shared property line of common wall). Lot drainage easement shall be a minimum of 8-feet wide between structures.
Rear setback:	5-feet or 4-feet from an alley			
Front garage setback	Garages shall be setback at least 20-feet from the front property line.			
Lot Width (in feet)	15	20	23	20
Lot Depth (in feet)	50	50	60	50
Unit Width (in feet)	15	18	18	18
Living Area (in feet)	600	500	650	500

- 3 b. Multi-Family Residential Dimensional Standards:

Minimum Dimensions	Multi-family
Front:	10-feet from face of curb
Secondary Front	15-feet
Side:	15-between adjacent buildings
Rear setback:	10-feet

Attachment “E” – Ordinance #2019-60 (Continued)

Ordinance #2019-60
Serenoa Planned Unit Development (PUD) Amendment
(f/k/a Avalon Groves PUD)

Notes on Residential Standards:

- (1) Minimum as measured from the property line.
- (2) Front-loaded, rear-loaded, or shared parking lots are permitted.
- (3) Balconies, porches, stoops, bay windows and roof overhangs may encroach upon front setback and corner lot side setback up to 3-feet. Balconies and roof overhangs may encroach upon rear setback.
- (4) On-street parking may be used to satisfy parking requirements.
- (5) Minimum of one off-street parking space per unit is required.
- (6) Pools or screen rooms shall be subject to the 5-foot rear setback.
- (7) Driveways shall be setback 2-feet from the side property line or 0-feet if shared driveway.
- (8) Lighting and Signage shall comply with the Land Development Regulations (LDR), as amended.
- (9) Residential Driveway connections to Sawgrass Bay Boulevard extension are prohibited, except for connections for live/work units developed as part of a mixed use phase.

c. Definition of Housing Types:

For the purpose of this Planned Unit Development the following terms shall be defined as:

- i. Single Family Detached: A single residential unit on a single platted lot that is a single building not physically connected to any other unit.*
- ii. Paired Homes (Duplex): A single residential unit that is separately owned and platted but may be attached on one side along a lot line to an additional single family unit.
- iii. Single Family Attached (Townhome): A single residential unit that is separately owned and platted but may be attached on one or both sides along a lot line to additional single family units.
- iv. Multi-family: A building containing multiple residential units on a single lot that are intended to be collectively managed by an apartment manager or condo association.
- v. Live/Work: An attached single-family dwelling that contains a flexible space that may be used for commercial purposes. Up to 50% of the square footage may be used for commercial purposes.*

* The addition of an accessory dwelling unit does not change the definition of a single family unit.

C. Impervious Surface Ratio:

1. Urban Low future land use – shall not exceed 0.60 within the total developable area.
2. Rural Transitional future land use – shall not exceed 0.30 within the developable area.
3. Impervious surface area shall not exceed 0.90 on any given individual residential, mixed use, or commercial lot providing the development phase as a whole does not exceed the maximum impervious surface ratio of the underlying future land use category.

Attachment “E” – Ordinance #2019-60 (Continued)

Ordinance #2019-60
Serenoa Planned Unit Development (PUD) Amendment
(f/k/a Avalon Groves PUD)

- 1 **D. Building height:**
- 2 1. 50-feet (maximum) for residential structures
- 3 2. 75-feet (maximum) for non-residential and civic structures
- 4 **E. Site Design and Development Guidelines:**
- 5 1. All development shall be in accordance with the design standards specified in the
- 6 Comprehensive Plan and Land Development Regulations (LDR), as amended.
- 7 2. All development shall consist of functional areas in accordance with Traditional Neighborhood
- 8 Design principles including neighborhoods which include a Neighborhood Core, Neighborhood
- 9 Proper, and Neighborhood Edge.
- 10 a. Each Neighborhood Core shall contain higher density housing types, as well as:
- 11 i. Civic uses/spaces or Recreation uses; and
- 12 ii. Commercial uses;
- 13 b. A minimum of one (1) Neighborhood Core consistent with Table 1 of this ordinance.
- 14 c. Neighborhood Proper areas shall include a range of housing densities and may also
- 15 include some civic or recreational uses and park space.
- 16 d. Neighborhood Edge areas will include lower density housing and provide edges to
- 17 transition to natural areas, wetlands and low intensity uses on adjacent properties. These
- 18 may also include civic and recreational uses or park space used to transition to natural
- 19 resource areas.
- 20 3. Pedestrian orientation: The maximum block length for all development shall not exceed 750-
- 21 feet.
- 22 4. Rural Conservation Subdivision development, within the Rural Transitional future land use:
- 23 a. One (1) dwelling unit per one (1) net buildable acre (maximum) may be permitted.
- 24 b. A minimum of 50% of the net buildable area of the Rural Conservation Subdivision shall be
- 25 dedicated as common open space. A conservation easement or similar recorded and
- 26 legally binding instrument, as allowed by law shall be recorded to preserve the open space
- 27 areas at plat or final development of each phase.
- 28 c. Half of the required open space shall be configured in a single contiguous tract for the
- 29 purposes of creating contiguous expanses of open space to include the most sensitive
- 30 habitat on each site. The open space shall include environmentally sensitive areas
- 31 adjacent to public conservation lands or adjacent rural lands, if present. An open space
- 32 management plan shall be incorporated into site plan or plats applications.
- 33 d. Open spaces shall be configured in a manner to create “edges” of distinction between rural
- 34 land uses and urban land uses.
- 35 e. Proposed subdivisions shall include a minimum of fifteen (15) net buildable acres for
- 36 development of rural conservation subdivisions in order to receive the one (1) dwelling per
- 37 acre density.

Attachment “E” – Ordinance #2019-60 (Continued)

Ordinance #2019-60
Serenoa Planned Unit Development (PUD) Amendment
(f/k/a Avalon Groves PUD)

- 1 f. Compatibility with existing adjacent residential developments. In order to promote
2 compatibility with existing residential developments that are immediately adjacent to the
3 proposed development site, the applicant shall use one of the following measures:
 - 4 i. A forested, or re-forested, or wetland buffer designed to screen the proposed new
5 development from the existing development, and is a minimum of 100-feet in depth,
6 shall be provided between the existing adjacent residential development and the
7 proposed new lots; or
 - 8 ii. A vegetative buffer, which may be forested, or wetlands to create a minimum of 200-
9 feet in depth shall be provided between the existing adjacent residential development
10 and the proposed new lots.
 - 11 iii. Streets shall not cross wetlands unless other access is not practically feasible.
 - 12 iv. Streets shall not traverse slopes greater than a 20 percent grade to facilitate low
13 impact design. If the Developer can demonstrate a hardship created by this
14 requirement, then a variance may grant such crossings.
- 15 g. Construction envelope and Low Impact Development principles and techniques shall be
16 used. Clearing and grading of treed areas, natural vegetation, and existing topography
17 should be limited to the minimum amount required to create buildable lots, construct
18 roadways, install required infrastructure including on-site septic systems, and allow
19 reasonable access for construction equipment. For this reason, a construction envelope
20 shall be established and denoted on all preliminary and final site designs and construction
21 documents. The construction envelope shall not exceed 30-feet beyond the building
22 footprint.
- 23 5. Interconnection: Interconnection of the proposed subdivisions with adjoining properties is
24 encouraged where there are no environmental constraints, as depicted on the conceptual plan.
25 If interconnection of a proposed subdivision with adjoining properties cannot be completed due
26 to the lack of roadway facilities or dedicated right-of-way on an adjacent property at the time
27 that the application is submitted, the future right-of-way required to develop this interconnection
28 shall be dedicated and shown on the final plat in lieu of construction of the interconnecting
29 roadway to the property line.
- 30 6. Parks:
 - 31 a. A minimum of a 3.3 acre park shall be dedicated prior to approval of the 500th dwelling
32 unit.
- 33 **F. Public School Concurrency:**
 - 34 The developer or Property Owner shall be solely responsible for mitigating public schools impacts
35 in accordance with concurrency management provisions specified in the Land Development
36 Regulations, as amended.
 - 37 1. All development within two (2) miles of any school site shall provide 5-foot wide sidewalks that
38 connect to Sawgrass Bay Boulevard extension for the purpose of creating a walkable-network
39 to the schools.

Attachment “E” – Ordinance #2019-60 (Continued)

Ordinance #2019-60
Serenoa Planned Unit Development (PUD) Amendment
(f/k/a Avalon Groves PUD)

- 1 2. The Property Owner or Applicant shall provide a conceptual master sidewalk/trail plan
- 2 demonstrating a viable connection network with parks and schools prior to the commencement
- 3 of the first phase of construction.

4 **G. Utilities:**

- 5 1. Solid Waste – The Developer or Property Owner shall demonstrate that all access ways are
- 6 designed to accommodate solid waste collection vehicles to Lake County standards, as
- 7 amended. Private solid waste collection may be provided with approval by the County Manager
- 8 or designee.
- 9 2. Water/Wastewater Facilities - Central potable water and wastewater service system shall be
- 10 provided by Utilities Incorporated (Inc.), its successor or by the developer. Septic systems or
- 11 individual potable water wells shall not be permitted.
- 12 3. Utilities shall be underground unless a variance is received.
- 13 4. Drainage/Stormwater Management/Floodplain/Surface Water Protection:
- 14 a. Stormwater management plan shall be required with the submittal of a final development
- 15 order. Any facilities associated with the Sawgrass Bay Boulevard extension road within or
- 16 impacting Orange County shall be approved by Orange County, prior to approval of the
- 17 Construction Plan.
- 18 b. Development within the 100-year floodplain shall be solely for the storage of floodwaters
- 19 and for passive recreation and conservation facilities in accordance with the Land
- 20 Development Regulations, as amended.
- 21 c. The stormwater management system shall be constructed in accordance with St. Johns
- 22 River Management District (SJRWMD) permit requirements, and Land Development
- 23 Regulations (LDR), as amended.
- 24 d. Stormwater management facilities will be designed to minimize impacts to existing surface
- 25 waters.
- 26 e. Stormwater facilities for the Sawgrass Bay Boulevard extension may be used as a shared
- 27 facility to be maintained by the H.O.A. or similar private entity.
- 28 f. All stormwater ponds developed by the project shall be owned and maintained by the
- 29 H.O.A. or similar private entity.

- 30 **H. Fire Protection and Rescue Services:** All Development shall comply with the State Fire Code,
- 31 Florida Fire Prevention Code, National Fire Protection Standards, the Orange County/Lake County
- 32 Mutual Aid Agreement, and the Land Development Regulations, as amended.

33 **I. Transportation Improvements:**

- 34 1. Prior to Phase 1 construction, the Property Owner shall execute a Development Agreement
- 35 with the County for the dedication of a 106 foot wide right of way and non-exclusive easement
- 36 for future road and utilities necessary to facilitate the future Sawgrass Bay Boulevard
- 37 extension. Any road or transportation impact fee credits will be addressed in the Development
- 38 Agreement. As project phasing is not proposed, the traffic impact study will need to be updated
- 39 and resubmitted prior to construction plan approval of the 501st lot and 50,000 square feet of
- 40 non-residential for the project or as provided for in a Development Agreement executed with

Attachment “E” – Ordinance #2019-60 (Continued)

Ordinance #2019-60
Serenoa Planned Unit Development (PUD) Amendment
(f/k/a Avalon Groves PUD)

- 1 the Board of County Commissioners. The Developer will be required to update and address
2 any necessary transportation impact mitigation that may result due to the Sawgrass Bay
3 Boulevard connection to Orange County not being completed.
- 4 2. When warranted, the Property Owner shall coordinate with Orange County regarding any
5 necessary road improvements to Fleming Road in Orange County. The Property Owner shall
6 provide Lake County Public Works with copies of any agreements required by Orange County
7 for any Fleming Road improvements.
- 8 3. The Developer or Property Owner shall upgrade the current flashing beacon to a full traffic
9 signal when warranted at the intersection of US Highway 27 and Sawgrass Bay Boulevard in
10 accordance with Lake County standards, as amended.
- 11 4. Sidewalks and Bicycle Facilities. All sidewalks shall be 5-feet wide minimum and constructed in
12 accordance with the Land Development Regulations (LDR), as amended. Bicycle lanes shall
13 be situated within the Sawgrass Bay Boulevard extension right-of-way, in accordance with
14 County standards, as amended. Sidewalks and bicycle lanes within the Sawgrass Bay
15 Boulevard extension right-of-way shall be installed by the Developer concurrent with road
16 construction.
- 17 5. Pedestrian access ways shall be provided at intervals along roadways and common areas not
18 to exceed 600-feet along all roadways.
- 19 6. On-Street Parking – Parking shall not be allowed along the Sawgrass Bay Boulevard extension
20 to Fleming Road in Orange County.
- 21 7. Multiple points of access shall be designed into the road network to facilitate access by
22 fire/safety and public and private service vehicles. A minimum of two access points shall be
23 provided in each subdivision except where environmental constraints exist.
- 24 **J. Signage:**
- 25 1. All signage shall be in accordance with the Land Development Regulations (LDR), as
26 amended.
- 27 2. Signage and entry features may be allowed within County dedicated right-of-way subject to a
28 Lake County right of way utilization permit.
- 29 **K. Open Space and Environmental Considerations:**
- 30 1. An environmental assessment shall be provided to address all flora and fauna species and
31 associated habitat. The assessment shall be submitted for review at the time construction
32 plans are submitted.
- 33 2. Tree and soil protection areas. Areas designated for tree and soil protection that are located
34 outside of the dedicated open space shall be identified. These areas shall include the critical
35 root zone and greatest extent of the drip line for the trees included in the area to be protected.
36 The method of protection shall be indicated on the plan, including fencing or other protection
37 methods. The method of protection shall be installed prior to the issuance of a development
38 permit.
- 39
- 40

Attachment “E” – Ordinance #2019-60 (Continued)

Ordinance #2019-60
Serenoa Planned Unit Development (PUD) Amendment
(f/k/a Avalon Groves PUD)

- 1 3. Open Space:
- 2 a. Urban Low (UL) Future Land Use Category shall require a minimum of 25%, open space,
- 3 over the entire UL land area.
- 4 b. Rural Transitional (RT) Future Land Use Category shall require a minimum of 50% Open
- 5 Space, over the entire RT land area if a maximum density of 1 unit per net acre is used. If
- 6 a density of 1 unit per 3 net acres is used 35% Open Space shall be provided.
- 7 c. Open space areas shall be provided in accordance with Comprehensive Plan, as
- 8 amended.
- 9 4. Wetlands:
- 10 a. Development shall adhere to the wetland setbacks specified in the Comprehensive Plan
- 11 and Land Development Regulations (LDR), as amended.
- 12 b. All wetlands within the property shall be placed into a conservation easement that shall run
- 13 in favor of, and be enforceable by, a homeowners' association, a public agency acceptable
- 14 to Lake County, or Lake County, at its option. The conservation easement shall require
- 15 that all wetlands and wetland buffers be maintained in their natural and unaltered state.
- 16 Any such easement shall allow access to water dependent structures such as docks and
- 17 walkways.
- 18 c. Wetlands shall not be included as part of any platted lot, other than a lot platted as
- 19 common area, which shall be dedicated to a homeowners' association, qualified agency or
- 20 Lake County for ownership and maintenance.
- 21 d. Upland buffers adjacent to wetlands shall be included within the conservation easement.
- 22 Such easement will specifically allow water dependent structures serving the adjacent
- 23 upland uses.
- 24 **L. Landscaping and Buffering:**
- 25 1. A minimum of one (1) canopy tree shall be required for all single-family detached lots greater
- 26 than 4,000 square feet in size.
- 27 2. A minimum of (1) ornamental tree shall be required for each lot comprising an attached
- 28 dwelling unit.
- 29 3. A minimum of six (6) trees per acre shall be required.
- 30 4. A fifty (50) foot wide buffer shall be along the perimeter property line, adjacent to agricultural
- 31 land areas and agriculture zoned properties. The buffer will be assessed during the review of
- 32 the required preliminary plat or site plan and may consist of existing non-invasive-vegetation or
- 33 Florida Friendly vegetation.
- 34 5. Entrance Features: The Owner may construct entrance features, which may consist of walls,
- 35 landscaping, contoured berms and signage concurrent with construction of the adjacent
- 36 roadway. Entrance features shall not be constructed within rights-of-way without appropriate
- 37 right of way permits.
- 38 6. All other landscaping shall be in accordance with the Land Development Regulations (LDR), as
- 39 amended.

Attachment “E” – Ordinance #2019-60 (Continued)

Ordinance #2019-60
Serenoa Planned Unit Development (PUD) Amendment
(t/k/a Avalon Groves PUD)

- 1 7. A landscape plan shall be submitted for review and approval prior to installation of any trees
2 along any publicly dedicated right-of-way.
- 3 8. Installation of trees within 8' of the sidewalk, shall require the developer to commit the H.O.A.
4 or other private entity to be responsible for the ownership and maintenance of the tree and
5 sidewalk. Those commitments shall be made in a development agreement at the time of final
6 plat.
- 7 9. Parking lot landscaping shall be in accordance with Land Development Regulations (LDR), as
8 amended.

9 **M. Maintenance:**

- 10 1. Common Areas:
11 The Owner shall form and incorporate a private non-profit entity such as a Homeowners'
12 Association or Community Development District for the purpose of operating, maintaining and
13 controlling the common areas, utility easements and common facilities. The incorporation of
14 the private entity shall be in conjunction with final development approval.
- 15 2. Streets, Stormwater Facilities, and Rights-of-Way:
16 a. All streets and stormwater facilities that have not been dedicated to the County will be
17 maintained by a private entity, such as an HOA or CDD.
18 b. Maintenance of landscaping and common space that has not been accepted by the county
19 in street rights of way shall be maintained by a private entity, such as an HOA or CDD.

20 **N. Development Review and Approval:**

- 21 Prior to the issuance of any permits, the Applicant shall be required to submit a preliminary plat or
22 site plan application generally consistent with EXHIBIT "B" – CONCEPTUAL PLAN, for review and
23 approval in accordance with the Comprehensive Plan and the Land Development Regulations
24 (LDR), as amended.

25 **O. Concurrency Management Requirements:**

- 26 1. A capacity reservation certificate shall be required before any final development order is
27 authorized for construction. The Applicant or Developer shall comply with the Land
28 Development Regulations (LDR) as amended. In the future event that concurrency
29 requirements are changed from the date of this Ordinance approval, Lake County shall
30 implement concurrency for this development consistent with the adopted concurrency
31 management system in effect at that time.
- 32 2. Granting of this PUD Ordinance does not grant or approve concurrency. No development shall
33 proceed unless a full concurrency review has been completed prior to each stage of
34 development.

35 **P. Terms:** Physical development shall commence on or before May 24, 2018.

- 36 1. Failure to commence construction of either infrastructure for 100 dwelling units, or infrastructure for
37 10,000 square feet of commercial use, and the necessary extension of Sawgrass Bay Boulevard to
38 Phase 1 of the project, on or before May 24, 2018, shall cause the revocation of this ordinance, in
39 accordance with the Comprehensive Plan or superseding documents, as amended.

Attachment “E” – Ordinance #2019-60 (Continued)

Ordinance #2019-60
Serenoa Planned Unit Development (PUD) Amendment
(f/k/a Avalon Groves PUD)

- 1 **Q. Monitoring Report for Non-Residential Ratio:** Upon submittal of each development
2 phase, the Applicant shall submit a monitoring report on the development progress for
3 the entire PUD.
- 4 **R. Continuation of Agriculture Uses:**
5 1. Agriculture uses shall be allowed on any portion of the property until such time as
6 that portion of the property receives a final development order consistent with this
7 Ordinance, the Comprehensive Plan, and Land Development Regulations (LDR),
8 as amended.
9 2. Open grazing, stables, tree harvesting, silviculture and pisciculture are specifically
10 permitted. Feed lots, hog farms and other site intensive, potentially noxious
11 agricultural activities are specifically prohibited. The Developer expressly agrees
12 that no clearing of non-invasive trees or wetland alteration will take place within
13 the area used for bona fide agricultural operation.
- 14 **S. Future Amendments to Statutes, Code, Plans, and/or Regulations:** the specific
15 references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake
16 County Comprehensive Plan, and Lake County Land Development Regulations (LDR)
17 shall include any future amendments to the Statutes, Code, Plan, and/or Regulations.
- 18 **Section 2.** Conditions as altered and amended which pertain to the above tract of land shall mean:
19 A. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove,
20 improve, move, convert, or demolish any building structure, or alter the land in any
21 manner within the boundaries of the above described land without first submitting the
22 necessary plans in accordance with requirements of Lake County, and obtaining the
23 permits required from the other appropriate governmental agencies.
24 B. This ordinance shall inure to the benefit of, and shall constitute a covenant running
25 with the land and the terms, conditions, and provisions hereof, and shall be binding
26 upon the present owner and any successor, and shall be subject to each and every
27 condition herein set out.
28 C. Construction and operation of the proposed use shall at all times comply with the
29 regulations of Lake County and any other permitting agencies.
30 D. The transfer of ownership or lease of any or all of the property described in this
31 ordinance shall include in the transfer or lease agreement, a provision that the
32 purchaser or lessee receives written or record notice of the conditions pertaining to the
33 PUD and that such notices shall run with title to the land. The purchaser or lessee
34 may be required a change from the existing plans and conditions by following
35 procedures contained in the Lake County Land Development Regulations (LDR), as
36 amended.
37 E. Action by the Lake County Code Enforcement Special Master. The Lake County Code
38 Enforcement Special Master shall have authority to enforce the terms and conditions
39 set forth in this ordinance.
- 40 **Section 3.** **Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be
41 invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in
42 no way affect the validity of the remaining portions of this Ordinance.

Attachment "E" – Ordinance #2019-60 (Continued)

Ordinance #2019-60
Serenoa Planned Unit Development (PUD) Amendment
(f/k/a Avalon Groves PUD)

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

ENACTED this 22nd day of October, 2019.

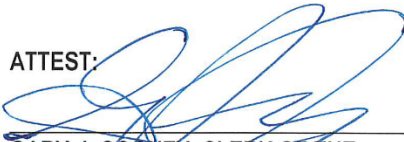
FILED with the Secretary of State November 5th, 2019.

EFFECTIVE October 22, 2019.

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA


LESLIE CAMPIONE, CHAIRMAN

ATTEST:


GARY J. COONEY, CLERK OF THE
BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA



APPROVED AS TO FORM AND LEGALITY


MELANIE MARSH, COUNTY ATTORNEY

Attachment “E” – Ordinance #2019-60 (Continued)

Ordinance #2019-60
Serenoa Planned Unit Development (PUD) Amendment
(f/k/a Avalon Groves PUD)

Exhibit “A” – Legal Description

MARINA LANDING, INC. (PARCEL 1)

The Northwest 1/4; and the Northwest 1/4 of the Northeast 1/4; and the South 1/2 of the Northeast 1/4; and the North 1/4 of the Southeast 1/4; all in Section 13, Township 24 South of Range 26 East of the Tallahassee Meridian, in Lake County, Florida; Less the Northwest 1/4 of the Northwest 1/4, Section 13, Township 24 South, Range 26 East, Lake County, Florida.

TOGETHER WITH all right, title and interest in and to Easements more particularly described in the following instruments of record.

Roadway Easement Agreement filed in Official Records Book 986, Page 934; as modified by Modification of Roadway Easement Agreement filed in Official Records Book 1486, Page 923, Public Records of Lake County, Florida; and Stipulation filed in Official Records Book 921, Page 246, Public Records of Lake County, Florida; and Easement for Ingress and Egress filed in Official Records Book 1483, Page 2313, Public Records of Lake County, Florida.

Being subject to any rights-of-way, restrictions and easements of record.

ORANGE BLOSSOM HILLS, INC. (PARCEL 2)

PARCEL 1:

The South 1/4 of the Southeast 1/4, The South 1/2 of the Southwest 1/4, The East 3/4 of the North 1/2 of the Southwest 1/4 of Section 13, Township 24 South, Range 26 East, Lake County, Florida.

PARCEL 2:

The South 3/4 of the East 1/2 of the Southeast 1/4 of the Southeast 1/4; BEGIN at the Northeast corner of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of the Southeast 1/4, run Southwesterly to the Northwest corner of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of the Southeast 1/4, South to South line of Section, East to Southwest corner of the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4, North to POINT OF BEGINNING; all being in Section 14, Township 24 South, Range 26 East, located in Lake County, Florida.

PARCEL 3:

BEGIN at the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4, run Southeasterly to Southeast corner of Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4, North to Section line, thence West to POINT OF BEGINNING; North 1/4 of the Northeast 1/4 of the Northeast 1/4; all being in Section 23, Township 24 South, Range 26 East, located in Lake County, Florida.

PARCEL 4:

The North 1/2 of the Northeast 1/4, Section 24, Township 24 South, Range 26 East, located in Lake County, Florida.

Attachment “E” – Ordinance #2019-60 (Continued)

Ordinance #2019-60
Serenoa Planned Unit Development (PUD) Amendment
(f/k/a Avalon Groves PUD)

Exhibit “A” – Legal Description, Cont.

PARCEL 5:

BEGIN at the Southwest corner of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4, run Northeasterly to Northeast corner of Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4, thence West to the Northwest corner of Section, thence South to POINT OF BEGINNING; being in Section 24, Township 24 South, Range 26 East, located in Lake County, Florida.

Together with easement granted in Warranty Deeds recorded in Deed Book 361, Page 371, and in Deed Book 372, Page 442 of the Public Records of Lake County, Florida.

Being subject to any rights-of-way, restrictions and easements of record.

BLR - AVALON LAKES LLC (PARCEL 3)

The Northwest 1/4 of the Southwest 1/4, The Southeast 1/4 of the Northeast 1/4, The Northeast 1/4 of the Southeast 1/4, The Southwest 1/4 of the Northeast 1/4, The Northwest 1/4 of the Southeast 1/4, The Northeast 1/4 of the Southwest 1/4, The Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of the Northwest 1/4 all in Section 24, Township 24 South, Range 26 East, Lake County, Florida.

AND:

The Northwest 1/4 of Section 24, Township 24 South, Range 26 East, Lake County, Florida, LESS AND EXCEPT the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of the Northwest 1/4, AND LESS AND EXCEPT: Begin at the Southwest corner of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of said Section 24; run thence Northeasterly to the Northeast corner of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4; thence run West to the Northwest corner of said Section 24, thence South to the POINT OF BEGINNING.

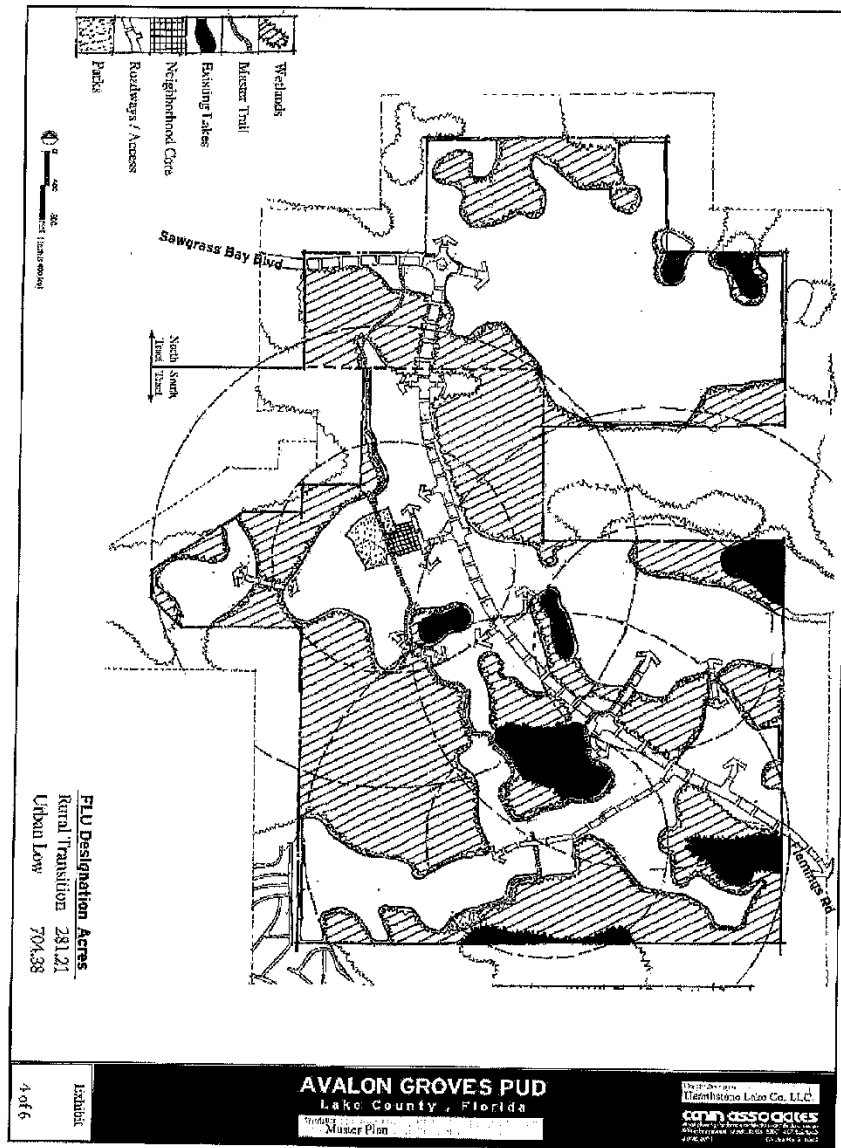
Being subject to any rights-of-way, restrictions and easements of record.

Attachment "E" – Ordinance #2019-60 (Continued)

Ordinance #2019-60
Serenoa Planned Unit Development (PUD) Amendment
(f/k/a Avalon Groves PUD)

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Exhibit "B" – Conceptual Master Plan



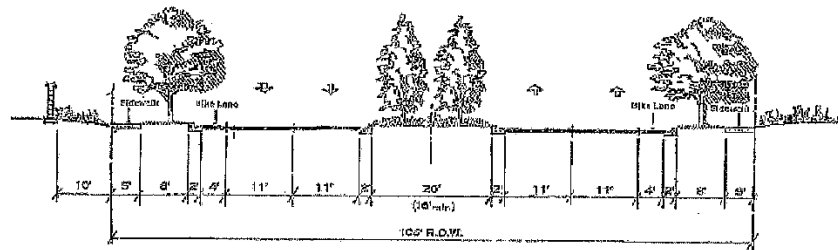
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Attachment "E" – Ordinance #2019-60 (Continued)

Ordinance #2019-60
Serenoa Planned Unit Development (PUD) Amendment
(f/k/a Avalon Groves PUD)

1

Exhibit "B" – Conceptual Master Plan, Cont.



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Attachment “F” – Project Narrative

II. Proposed PUD Amendment Request

This request is to amend the Serenoa PUD Ordinance 2019-60 to create an additional permitted use within the Serenoa PUD for an indoor self-service storage facility (the “Proposed Amendment”).

III. Compliance with LDR Section 14.03.03

1. Whether the rezoning is in conflict with any applicable provisions of the Code.

The Proposed Amendment is not in conflict with any applicable provisions of the Code.

2. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.

The Proposed Amendment is consistent with all elements of the Comprehensive Plan. Pursuant to Comprehensive Plan Policy I-8.2.1, the Conservation Subdivision FLUC is intended to promote a balance between carefully designed residential development while supporting the ecological value of the ‘mosaic’ of wetlands and

Attachment “F” – Project Narrative (Continued)

uplands that characterize the area. The Proposed Amendment is consistent with the purpose of the Conservation Subdivision FLUC designation because it supports the approved development in the PUD and surrounding area and has little impact on the environment and public facilities. The addition of indoor self-storage will compliment the other permitted commercial uses on the Property and is consistent with the types of uses permitted in commercial centers allowed by the Comprehensive Plan.

- 3. Whether the proposed rezoning is inconsistent with existing and proposed land uses.**

The PUD is entitled for up to 350,000 square feet of retail, commercial and office uses. The addition of indoor self-service storage (without any increase in the amount of commercial square footage) will complement the other permitted uses in the PUD and surrounding area.

- 4. Whether there have been changed conditions that justify a rezoning.**

The configuration of the Property results in only a portion having frontage along Sawgrass Bay Boulevard. The only access to the Property is from Sawgrass Bay Boulevard along this frontage with no opportunities for cross-connections to other rights of ways or adjacent properties. This configuration presents difficulties in master planning and developing a vibrant commercial center. Due to its market demands and characteristics of use, the development of the interior portion of the Property with indoor self-service storage would result in a beneficial and viable use of the Property.

- 5. Whether the proposed rezoning would result in demands on public facilities, and whether 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.**

No additional area of commercial entitlements is being sought beyond what has already been approved in the existing PUD. A self-service indoor storage facility will not add facilities that create additional demands on water and sewer demands, roads, solid waste, parks and recreation, schools, police or fire and emergency medical facilities. Stormwater drainage will be provided in accordance with Lake County site design standards.

- 6. Whether the rezoning would result in significant impacts on the natural environment.**

The Property is approved for 350,000 square feet of commercial, retail and office uses. This Proposed Amendment will not impact the natural environment.

- 7. Whether the proposed rezoning would affect the property values in the area.**

Attachment “F” – Project Narrative

The Property is currently undeveloped. Proposed development will provide a service valued by surrounding residential and commercial property owners thereby appreciating property values in the area.

8. **Whether the proposed rezoning would result in an orderly and logical development pattern.**

The PUD was approved with residential and commercial, retail and office uses together with design standards to create an attractive community. This proposed development would result in an orderly and logical development pattern. The need for self-storage is a logical outgrowth of the other approved uses in the PUD and surrounding area.

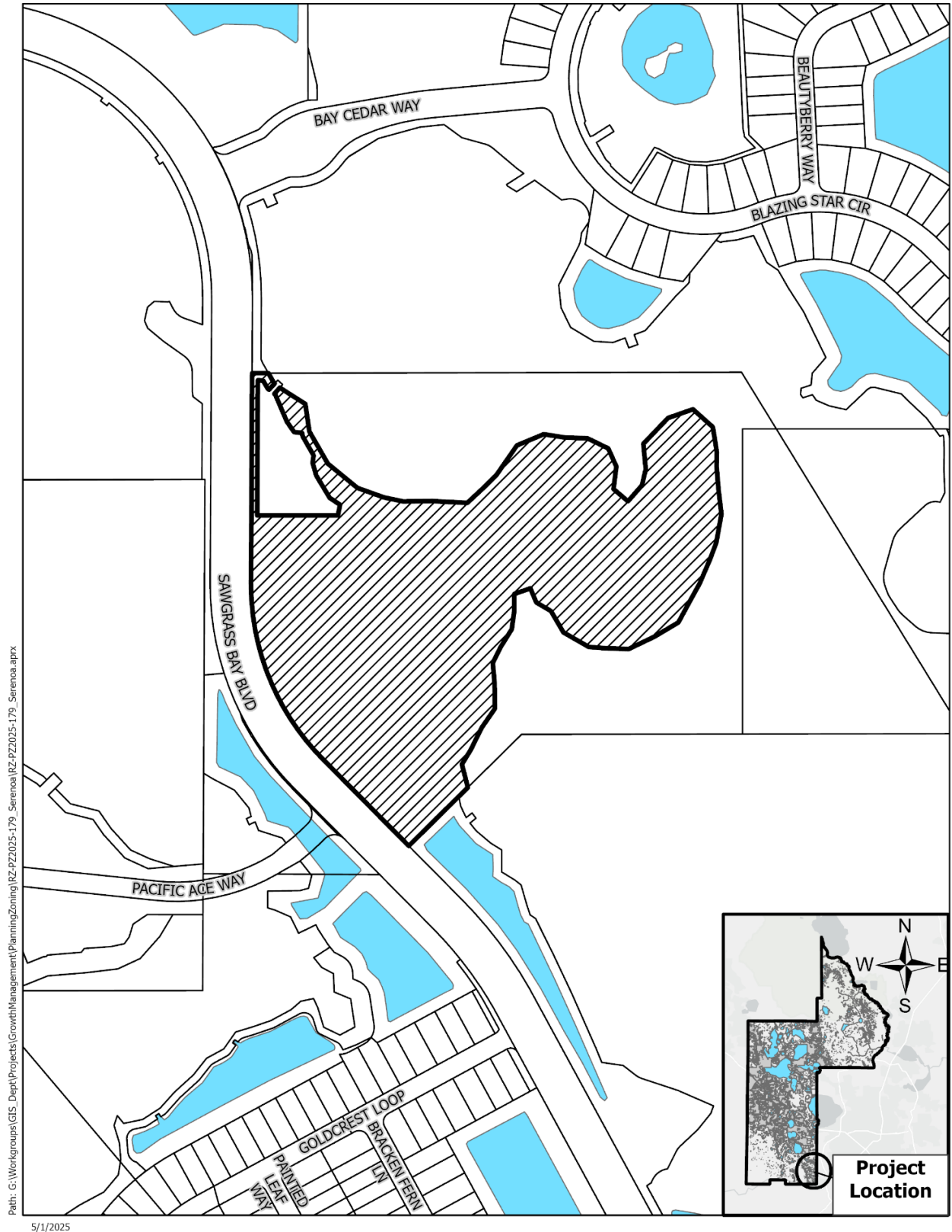
9. **Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.**

The Proposed Amendment would not be in conflict with the public interest. It would be in harmony and compatible with the intent of the land development regulations for commercial development in accordance with LDC 3.01.02.C.

IV. Conclusion

The applicant requests an amendment to the Serenoa PUD to allow an indoor self-service storage facility for the surrounding residents and commercial property owners within the community. This type of development has little impact on the environment and public facilities and will be built in accordance with design standards provided by the County and approved PUD.

Map of Subject Property

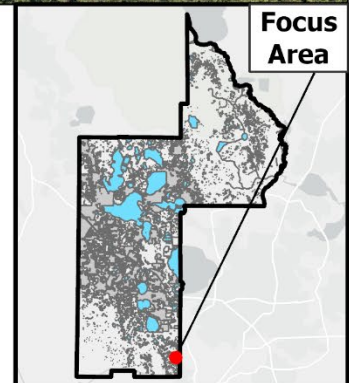


Aerial Map of Subject Property

RZ-PZ2025-179
SERENOA



INDOOR SELF-STORAGE FACILITY



Path: G:\Workgroups\GIS_Dept\Projects\GrowthManagement\Planning\Zoning\RZ-PZ2025-179_Serenoa\RZ-PZ2025-179_Serenoa.aprx

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WHEREAS, Jonathan P. Huels (the "Applicant") has submitted a rezoning application on behalf of Professional Resource Development, Inc. (the "Property Owner") to amend PUD Ordinance #2019-60 to establish indoor self-storage as a permitted use; and

WHEREAS, the subject property is located east of Sawgrass Bay Boulevard, and north of Pacific Ace Way, in Section 13, Township 24 South, Range 26 East, including Alternate Key Number 3914076, and more particularly described in Exhibit "A" – Legal Description:

WHEREAS, on the 24th day of January 2012, the Board of County Commissioners approved PUD Ordinance #2012-10 regarding the Avalon Groves Planned Unit Development; and

WHEREAS, on the 17th day of May 2016, the Lake County Board of County Commissioners approved PUD Ordinance #2016-20 regarding the Avalon Groves Planned Unit Development; and

WHEREAS, on the 22nd day of October 2019, the Lake County Board of County Commissioners approved PUD Ordinance #2019-60 regarding the Serenoa Planned Unit Development (PUD) Amendment (f/k/a Avalon Groves PUD); and

WHEREAS, the Lake County Planning and Zoning Board reviewed petition PZ2025-179 on the 3rd day of March 2026, after giving notice on petition for a change in the use of land, including a notice that said petition would be presented to the Board of County Commissioners of Lake County, Florida, on the 7th day of April 2026; and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Zoning Board, Staff Report and any comments, favorable or unfavorable from the public and surrounding property owners at a public hearing advertised; and

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that:

Section 1. Terms: The County Manager or designee shall amend the Official Zoning District to reflect this Ordinance. Section 1.A.2 of Ordinance #2019-60 is hereby amended to read as follows:

A. Permitted Land Uses.

2. Commercial/Office/Retail Development:

- a. Up to 350,000 square feet, comprising retail, commercial, office and indoor self-storage use excluding institutional uses.
- b. Uses, other than indoor self-storage, shall be consistent with those permitted in the Land Development Regulations (LDR) for Neighborhood Commercial (C-1) Zoning District.
- c. Indoor self-storage, defined as an establishment renting or leasing small storage units for the purpose of storing personal property, where no other commercial uses are allowed within the establishment, shall be permitted as a principal use of any of the future subdivided lots of the Property that do not have direct frontage on Sawgrass Bay Boulevard, as depicted conceptually as Parcel E-1 in the Conceptual Plan attached hereto as Exhibit "B" and incorporated herein, subject to the following conditions:
 - i. Maximum square footage: 120,000 sq. ft.
 - ii. Maximum Building Height: Four (4) Stories or 75 feet, whichever is less; and
 - iii. Maximum Impervious Surface Ratio: 60%

Section 2. Severability. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, the holding will in no way affect the validity of the remaining portions of this Ordinance.

Section 3. No Estoppel. Approval of this ordinance cannot be relied upon to assert a claim of estoppel against the County if the property identified herein cannot be developed due to the inability to meet other requirements under the applicable Land Development Regulations. The Owner is solely responsible for performing any necessary due diligence to ensure the property will appropriately support future development.

Section 4. Filing with the Department of State. The clerk is hereby directed to send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

Section 5. Effective Date. This Ordinance shall become effective upon recordation in the public records of Lake County, Florida. The Applicant shall be responsible for all recording fees.

ENACTED this _____ day of _____, 2026.

FILED with the Secretary of State _____, 2026.

EFFECTIVE _____, 2026.

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

LESLIE CAMPIONE, CHAIRMAN

ATTEST:

**GARY J. COONEY, CLERK OF THE
BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

APPROVED AS TO FORM AND LEGALITY

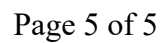
MELANIE MARSH, COUNTY ATTORNEY

EXHIBIT “A” - LEGAL DESCRIPTION.

Tract X-1, PALMS AT SERENOA, according to the plat thereof, as recorded in Plat Book 70,
Pages 80-91, inclusive, in the Public Records of Lake County, Florida.



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Planning and Zoning Board Minutes

October 1, 2025

- Crescent Pines (RZ)

March 4, 2026

- Capurso Property (RZ)
- Orange Mountain Public Safety Tower (RZ)
- Greater Groves PUD Amendment (RZ)
- Serenoa PUD Amendment (RZ)

MINUTES
LAKE COUNTY PLANNING AND ZONING BOARD
October 1, 2025

The Lake County Planning and Zoning Board met on Wednesday, October 1, 2025, 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, November 4, 2025 at 9:00 a.m. in the County Commission Chambers on the second floor of the County Administration Building, Tavares, Florida.

Members Present:

Laura Jones Smith, Chairman	District 2
Carroll Jaskulski, Vice Chairman	District 4
Dan Tatro	District 5
Mollie Cunningham	School Board Representative
Sean Lahey	At-Large Representative

Members Not Present:

Don Bailey	District 1
Addie Owens	District 3
Mark McManus	Ex-Officio Non-Voting Military

Staff Present:

Janie Barrón, Planning Manager, Office of Planning and Zoning
Leslie Regan, Senior Planner, Office of Planning and Zoning
Eddie Montanez, Planner I, Office of Planning and Zoning
Eva Lora, Public Hearing Coordinator, Office of Planning and Zoning
Seth Lynch, Development Engineer/Project Manager, Public Works
Melanie Marsh, County Attorney
Stephanie Cash, Deputy Clerk, Board Support

Chairman Laura Jones Smith called the meeting to order at 9:00 a.m. She then led the Pledge of Allegiance and called for a moment of silence. She remarked that the Lake County Planning and Zoning Board was an advisory board to the BCC and that the Board was responsible for reviewing proposed changes to the Comprehensive Plan (Comp Plan), zoning, conditional use permits (CUPs), mining site plans, and making recommendations on these applications to the BCC. She added that the Board's recommendations would be transmitted to the BCC for their consideration on November 4, 2025.

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CONSENT AGENDA

<u>TAB NO:</u>	<u>CASE NO:</u>	<u>OWNER/APPLICANT/PROJECT</u>
Tab 1	Ordinance #2025-XX	LDR Amendment: Schedule of Uses
Tab 2	Ordinance #2025-XX	FL-1878 Leesburg Tower (CUP)
Tab 3	Ordinance #2025-XX	Crescent Pines (RZ)

AGENDA UPDATES

Ms. Janie Barrón, Planning Manager, Office of Planning and Zoning, said that the public hearing cases had been advertised and noticed in accordance with the law; additionally, she displayed proof of publication. She mentioned that staff received opposition correspondence that current morning for Tab 3 and it was provided to the Board.

Ms. Jones Smith stated that there were speaker cards for all three of the Tabs, and that they would all be moved to the regular agenda.

MINUTES

MOTION by Sean Lahey, SECONDED by Carroll Jaskulski to APPROVE the Minutes of September 3, 2025 of the Lake County Planning and Zoning Board meeting, as submitted.

FOR: Jones Smith, Jaskulski, Tatro, Cunningham and Lahey

AGAINST: None

MOTION CARRIED: 5-0

PUBLIC COMMENT

No one wished to address the Board at this time.

REGULAR AGENDA

LDR AMENDMENT: SCHEDULE OF USES

Ms. Barrón presented Tab 1, and stated that the purpose of this ordinance was to amend Section 3.01.02, entitled Zoning District Use Regulations; Section 3.01.03, entitled Schedule of Permitted and Conditional Uses; and Section 3.01.04, entitled Key to Conditions in Table of Permitted and Conditional Uses, Lake County Code, Appendix E, Land Development Regulations, to comply with Senate Bill 700 and Senate Bill 211, which were enacted July 1, 2025. She indicated that this amendment would allow the following uses as a permitted use instead of a conditional use: chicken farms, processing facilities, hog farms, mills, riding stables, slaughter houses, and farm worker housing. She mentioned that Senate Bill 700 prohibited local governments from restricting the construction or installation of housing for legally verified agricultural workers on land classified under Section 193.461 of the Florida Statutes, and that Senate Bill 211 preempted local governments of activities conducted as part of a bona fide farm operation if regulated by State or Federal agencies. She relayed that this amendment aligned with Section 163.3162 of the Florida Statutes, and that the Board's determination was that allowing these uses permitted by rights promoted agricultural activities within the unincorporated area of Lake County and complied with the State law.

The Chairman opened the floor for public comment.

Ms. Kathy Boyce, a resident of Lake County, indicated that she owned an Agriculture (A) zoned property in an area of A zoned parcels of five acres or less, which were primarily residential use properties. She commented that the proposed ordinance did not specify whether or not it applied to A zoned or agriculture exempt properties, opining that it appeared that the intent was to be applicable to agriculture exempt. She opined that the draft ordinance as written did not conform to the intentions of Senate Bill 211 and if passed, would result in overly permissive agricultural property use approvals within the county. She opined that the changes to the ordinance were an overcorrection that proposed the removal of common sense provisions and could permit disorderly development of agriculture facilities within the county and negatively affect adjacent property owners. She relayed that in seeking to conform with Senate Bill 211, the proposed ordinance updated the schedule of permitted and conditional uses for a select group of agricultural activities to be automatically permitted without further consideration, opining that the effect of such reckless and selective restatement of the schedule could cause loss of enjoyment and property values to those living adjacent to agricultural operations within the county. She asked the Board to reconsider this change and to continue the conditional use permit (CUP) process for these activities. She opined that the Senate Bill did not preempt county processes except for those which duplicated regulations, and that the statute stated that the duplication of regulations subsection only restricted local governments

from activities already regulated by the listed State or Federal regulations or as specified within the statute itself, such as manure management, animal health, and water shed issues; additionally, Florida Statute 163.3161(3) stated that local powers related to those operations remained intact. She opined that this did not preempt local authority over unrelated aspects, such as zoning, building permits, or land use designations, and that permitting should continue to be made based on a facts and circumstances under the conditional use permitting schedule. She opined that it was not in the best interest of county residents to strip away the protections that the conditional use permitting allowed to neighboring properties, and that the CUP process allowed for neighboring concerns to be mitigated with setbacks and buffers appropriate to the allowable operation without negatively restricting the operation. She urged the Board to carefully consider the ordinance language for purposes of alignment with the true intentions of the Senate Bill before sending to the BCC, opining that preserving local authority for orderly zoning and planning development could be achieved.

There being no one else who wished to address the Board regarding this matter, the Chairman closed the floor for public comment.

MOTION by Dan Tatro, SECONDED by Carroll Jaskulski to APPROVE Tab 1, LDR Amendment: Schedule of Uses, as presented.

FOR: Jones Smith, Jaskulski, Tatro, Cunningham and Lahey

AGAINST: None

MOTION CARRIED: 5-0

FL-1878 LEESBURG TOWER (CUP)

Mr. Eddie Montanez, Planner I, Office of Planning and Zoning, presented Tab 2, and indicated that the applicant was requesting CUP approval on approximately 12.62 acres for a 154-foot monopine communication tower with a waiver to Land Development Regulation (LDR) Section 3.13.09(B)(1) to allow the proposed tower to be constructed off-center within the boundaries of the parent parcel. He related that the property was located southwest of the Forrest Lake Road and Eagle Point Court intersection in the unincorporated Leesburg area, and that it was currently designated with an Urban Low Future Land Use Category (FLUC) and zoned Urban Residential District (R-6). He stated that there were some concerns with access, but those would most likely be addressed during the site plan. He commented that staff found the CUP consistent with the LDR and Comp Plan.

Ms. Mattaniah Jahn, the applicant's representative, stated that a communication tower was an unstaffed facility that only required one trip per carrier per month, and that this tower would be designed to be shared by up to four carriers with the trips usually by a pickup truck sized vehicle. She related that staff would most likely request that they make improvements to provide National Fire Protection Association (NFPA) compliant access because they were

currently requesting that of her for another site plan application; additionally, there was a condition of approval that a portion of the roadway remained unimproved because the property developer to the north had an obligation to improve part of the roadway right of way, which would also have to be brought up to NFPA standards. She explained that they met all of the LDR requirements with the exception of the waiver they were requesting, which was to allow the monopine to be located 556 feet further to the west and 50 feet further to the north so it was farther away from the nearby homes. She displayed a map of the area and pointed out the location of the tower, and said that single-family homes were located about 1,400 feet to the east. She mentioned that there was a single-family development being proposed to the north that would have intervening water storage and mature pines to the east and south between the existing development, and that this would meet the separation requirements and provide visual context cues for the monopine camouflaging; additionally, to the west was County-owned conservation land, which would not be developed. She showed a picture depicting the monopine communications tower, and said that it had a single support pole with cabling located inside the monopine itself and external antennas at the top that would be painted green and covered with a canopy of branches, noting that this would be designed to meet the Florida Building Code. She related that there was a cabinet-sized equipment compound to the right of the tower that was fenced and held the computers that ran the tower, and she displayed pictures of the tower from various locations in the vicinity, showing that it was camouflaged well within the existing trees. She stated that this was being proposed at the request of T-Mobile, as they were trying to provide reliable coverage to buildings and vehicles, and that in order to do that, they had to distribute a network of cellular towers. She expressed the importance of having these towers and reported that the 2021 9-1-1 call statistics for Orange County showed that 89 percent of all 9-1-1 calls received came from wireless numbers. She remarked that they met the LDR requirements and that her client, APC Towers, had taken care to provide as much context as possible, and she requested their recommendation of approval to the BCC.

The Chairman opened the floor for public comment.

Ms. Lizzeth Jensen, a resident of Golden Tree Drive, spoke in opposition to the tower, opining that it would detrimentally affect her family as well as the entire neighborhood. She indicated that according to the World Health Organization, any 5G cell phone tower that was built within 500 meters of neighboring homes and schools could have risks of cancer, cell degeneration, and cytogenetic storms that could cause dementia and Alzheimer's. She relayed that in 2023, T-Mobile put out a report to their investors stating that negative public perception and regulation regarding the perceived health risks relating to 5G networks could undermine market acceptance of their 5G services, and that they, along with equipment manufacturers and other carriers, were subject to current and potential future lawsuits alleging adverse health affects arising from the use of wireless handsets or from wireless transmission equipment such as cell towers. She also stated that their business could be adversely affected by the finding of product liability for health or safety risks from wireless devices and transmission equipment, and that 5G and cell towers were an uninsurable risk as most insurance companies would not even touch them. She opined that she had T-Mobile and had perfect service in her home and in the surrounding area, noting that the T-Mobile website showed that this area had

ultra 5G and 5G coverage. She related that most homes had high speed internet, which allowed them to access 9-1-1 if needed and that more voice over internet protocol (VoIP) phones were being installed, opining that this cell tower would be redundant. She expressed that she extremely opposed this.

Mr. Gary Wiepking, a resident of Formosa Island Road, opined that the signage announcing this hearing was poor, that the two signs were very obscure, that they were mixed in with signs from the previous month's hearing from this same area, and that the information was difficult to read. He questioned whether or not a wildlife study had been done or was planning to be done, and said that he was concerned about the number of animals in this area, especially with the new additions of so many planned communities nearby.

There being no one else who wished to address the Board regarding this matter, the Chairman closed the floor for public comment.

Mr. Jason Pauley, Radio Frequency (RF) Engineer with T-Mobile, indicated that he was the design engineer for this project, and that they had determined that there was a gap for in-building coverage for this area through modeling tools to predict the coverage and phone reported coverage mapping, noting that this macro tower would also reach to the south, west, and northeast area as well. He mentioned that this type of tower was what they typically used to service these areas and that T-Mobile maintained its RF network in compliance with the Federal Communications Commission (FCC) safety requirements.

Mr. Carroll Jaskulski questioned if T-Mobile had any information to counter the claim from the World Health Organization (WHO) that these towers had to be 500 meters from residential structures.

Mr. Pauley replied that he was not personally familiar with that statement from WHO; however, they followed the OET-65 directives put out by the FCC.

Mr. Jaskulski asked if the FCC addressed health issues.

Mr. Pauley relayed that the known health issues from cell towers was with the heating of body tissue from the electromagnetic radiation; however, it was non-ionizing and non-nuclear. He mentioned that this was only an issue the closer someone was to the tower as the power significantly decreased with distance, adding that a safe distance from the tower was the compound fence.

Ms. Marsh clarified that the Board could not consider health effects of cell towers as part of their decision as long as the applicant complied with federal regulations under the Federal Telecommunications Act.

Ms. Jahn agreed, and commented that they complied with that standard.

Ms. Mollie Cunningham asked if a wildlife study had been done yet.

Ms. Jahn stated that she would have to look into that as she was unsure at the moment; however, they were required to comply with gopher tortoise surveying requirements when they did the site plan and were also required to comply with the National Environmental Policy Act standards which included the consideration of endangered species since communication towers were considered Federal infrastructure.

Ms. Jones Smith relayed her understanding that they would still have to do a local survey of the land for any endangered or threatened species.

Ms. Jahn said that this was correct, adding that staff would identify that as part of the site plan process. She mentioned that County staff was zealous in their protection of its citizens.

MOTION by Sean Lahey, SECONDED by Dan Tatro to APPROVE Tab 2, FL-1878 Leesburg Tower (CUP), as presented.

FOR: Jones Smith, Jaskulski, Tatro, Cunningham and Lahey

AGAINST: None

MOTION CARRIED: 5-0

CRESCENT PINES (RZ)

Ms. Leslie Regan, Senior Planner, Office of Planning and Zoning, presented Tab 3, and mentioned that the request was to rezone approximately 40 acres from R-6 to Planned Unit Development (PUD) to facilitate a residential subdivision of 85 units. She indicated that the property was located at the northwest corner of Priebe Road and Log House Road in the unincorporated Clermont area, and that it was currently designated with an Urban Low FLUC. She showed the concept plan, which depicted the residential lots, open space, and amenitized stormwater ponds. She stated that the proposed density was 2.2 dwelling units per net acre, and that they would be meeting the open space and building height requirements. She remarked that staff found the rezoning consistent with the LDR and Comp Plan, noting that the applicant was asking for this because the County's land use regulations required any subdivision over 50 lots to come forward for a PUD.

Mr. Chuck Hiott, the applicant's representative, stated that he concurred with staff, reiterating that they were only there because this development was over 50 lots. He relayed that the property already had the land use and zoning, and that they were not asking for anything different.

The Chairman opened the floor for public comment.

Mr. William Decker, a resident of Priebe Road and President of Martin's Landing Homeowner's Association (HOA), stated that he strongly opposed this rezoning, and that he had a petition signed by all of the residents in the community opposing it as well. He expressed concern about how this development would impact the environment, endangered species, public facilities, and traffic congestion. He opined that this development would add noise to the area and would remove 40 acres of trees, which would reduce the tranquil atmosphere, noting that he moved to this area because it was rural. He indicated that this acreage was home to multiple gopher tortoises, owls, and hawks, which were protected by State law. He opined that this would significantly impact the schools, and that even though the Lake County Schools stated that they could handle these additions, the district was operating at a deficit. He questioned how many more trailers and buses could be added to nearby schools and still offer a quality education, and wondered how they would be able to attract qualified teachers and bus drivers. He opined that adding these units would only increase the burden of Lake County Schools and would add safety concerns for the kids walking and biking to school. He opined that one of the largest issues was the matter of traffic congestion, and that traffic around their community during the mornings and evening rush hour was already terrible. He opined that adding another development with at least 100 more vehicles would only make this worse, and noted that the County had indicated that there were no plans to improve County Road (CR) 561, which was the only other artery out of the area, opining that it was in terrible condition. He stated that a recent news report from WESH 2 News discussed Lake County's growing pains related to traffic, and that it cited a deficit of more than \$700 million in road construction funding; additionally, Commissioner Sean Parks stated that the list of road priorities kept growing but was not feasible due to funding gaps. He mentioned that they could only surmise from this report that no plan existed to improve Log House Road, Lakeshore Drive, or CR 561, except for a possible roundabout on Lakeshore Drive. He commented that he had been told that the County's appetite for growth would surpass the request to stop this rezoning, and opined that their property values and existing way of life should not be impacted because of the desire for growth. He hoped that they would do the right thing and deny this rezoning request.

Ms. Gail Cisneros, a resident of Priebe Road, commented that she lived directly behind this proposed development and woke up every day seeing the trees and the quiet preserve. She indicated that just 3.8 miles away a development called Ivy Ridge was going to be built with 145 homes, and that 1.4 miles away a development called Lake Nellie Crossing was going to be built with 102 homes, opining that there was no reason for another development. She stated that she was not opposed to growth; however, she opined that this proposal was not responsible or sustainable, and that Florida law already provided a better path through transfer of development rights and moving density to areas that already had the proper infrastructure while keeping the critical buffers intact. She mentioned that she was concerned about the wildlife, and hoped that they would not be ignored if this was approved. She related that this preserve helped to protect residents from stormwater and strong hurricane winds, and opined that if it was replaced by homes and pavements, they could have a flooding risk, which could affect the narrow, one-way roads and cause further safety issues. She relayed that the staff report stated that the subject property was surrounded by residential uses, and that there have been changed conditions which justified the rezoning; however, this land had always been

bordered by residential homes and had always served as a natural buffer. She stated that the current R-6 zoning allowed six single-family homes, but what was being requested would sacrifice this area, and she asked that they deny this request.

Mr. Danny Cisneros, a resident of Priebe Road, explained that he had suffered a stroke the previous year, but he was now fully healed and he felt like the preserve had a lot to do with that. He stated that zoning decisions were meant to protect public health, safety, and welfare, opining that the preserve was a daily source of stress relief, community connection, and mental balance for the people who lived there. He opined that many of them walked, jogged, and simply sat in this green space to manage anxiety, lower stress, and enjoy quiet time with their families. He reported that research from the American Public Health Association and numerous peer reviewed studies showed that access to natural areas significantly reduced the rates of depression, stress, and even physical health conditions linked to mental strain, opining that losing this preserve would mean increased traffic, noise, and crowding, which were stressors that undermined mental wellbeing, and would take away one of the very few affordable nearby outlets their community had to stay healthy and connected. He asked the Board to consider whether rezoning the land truly aligned with the County's Comp Plan goal of protecting the environment and public welfare, opining that once green space was gone, it would not come back; however, he opined that the stress, anxiety, and diminished quality of life would stay with the residents who lived there. He urged the Board to deny this rezoning request.

Ms. Casey Coppage, a resident of Priebe Road, stated that Martin's Landing was a small 24-unit gated community next to this property, and opined that this rezoning would negatively impact their neighborhood as well as others around it by increasing the traffic on Lakeshore Drive and Log House Road, which were already busy and sometimes dangerous, especially during school drop-off and pick-up. She said that it would also greatly change the quiet residential character that made their community feel special, noting that she and many of her neighbors moved to this community because it was lined by trees and a lake giving them some seclusion and privacy in a bustling town. She also said that the peacefulness of this community and the greenery behind them made them feel like they were living in the country. She opined that building homes next to the Log House transfer station would generally have a lower resale value as buyers would find them less desirable, and that lower property values in surrounding neighborhoods would then lower their property values; furthermore, the buyers of these proposed homes would also have to deal with increased noise from truck traffic, machinery, and compactors. She mentioned that each home in their neighborhood was a minimum of 3,000 square feet while this proposal had lots as little as 7,500 square feet and living spaces as low as 1,000 square feet; additionally, only two homes had been listed and sold in their neighborhood since July 2021, which she opined showed how desirable it was to live there. She stated that if their homes looked out onto another community, it would not hold the same serenity many of them valued, commenting that the proposed homes would be substantially higher based on current elevation, thus looking immediately down onto the homes of Martin's Landing. She asked the Board to consider these concerns and protect the integrity of their neighborhood by denying this rezoning request; however, if approved, they

were requesting a several hundred foot tree line between the development and their community instead of the proposed 25-foot setback in the rear.

Mr. John Kimes, a resident of Priebe Road, indicated that he moved to Martin's Landing in 2017 for all the reasons previously stated by other residents, and that he agreed with Mr. Decker's assessment of the area. He opined that the growth in this area had exploded, and that it seemed as though any green space that was left was under development. He mentioned that the traffic would greatly increase, opining that it was already horrendous and was dangerous for children to walk to school on these roads. He relayed that there were only two ways in and out of their neighborhood because of the lakes, and that it took 20 minutes just to get from United States (U.S.) Highway 27 to their home in rush hour. He said that he understood that the property owner had a right to develop this property; however, he was concerned about how this would impact their neighborhood, as it was nestled in the middle of this. He opined that this was a beautiful piece of land, and that it protected them during the hurricanes because it blocked the winds. He requested that this rezoning be denied.

Ms. Joy Kimes, a resident of Priebe Road, expressed that she truly enjoyed walking around the neighborhood as it was very beautiful and loved seeing the wildlife, such as tortoises and bobcats.

There being no one else who wished to address the Board regarding this matter, the Chairman closed the floor for public comment.

Ms. Marsh mentioned that regarding environmental permits, Section 125.022(7) of the Florida Statutes stated that a County may not require as a condition of processing a development order that an applicant obtain a permit or approval from any State or Federal agency; therefore, this was not something that could be conditioned or part of their deliberation.

Ms. Jones Smith asked if they could require those once the rezoning was approved and they got to site plan.

Ms. Marsh said they could not, reiterating that they could not require the applicant to get a permit from another State or Federal agency, adding that the County would process their site plans under the County's code; however, if they could not obtain those permits, then they would not be able to build regardless of whether they granted approvals.

Mr. Hiott stated that when they came in for a site plan, they would do an environmental report to see what kind of wildlife was on that property; however, they could not get an environmental permit to remove gopher tortoises or any other wildlife until they had an approval by the County. He reiterated that they were only asking for this because this development was over 50 lots, and that they already had the land use and zoning.

Mr. Jaskulski relayed his understanding that this acreage could accommodate over 200 residential units because the existing zoning allowed up to six dwelling units per net acre.

Ms. Regan agreed that they could have a lot more units than what they were requesting as long as they met all of the other regulations and the 25 percent open space requirement.

Mr. Jaskulski indicated his understanding that this could be apartments instead of residential homes, and that since they were only requesting 2.2 dwelling units per acre, their request was 37 percent of what was currently available, and Ms. Regan said that was correct.

Ms. Jones Smith commented that she heard a lot of members of the public referring to this area as a preserve; however, it was her understanding that this was private property and not open to the public. She added that it was zoned for residential development purposes, that it was not zoned as conservation, a preserve, or any type of protected land, and that there was not an overlay that stated this.

Ms. Regan confirmed this, adding that it was not within a rural protection area or the Wekiva Study Area.

Ms. Marsh clarified that the applicant could sue the County for an unconstitutional taking of private property if the BCC were to deny a rezoning on that ground since private property could not be used for a public benefit without the County paying the price for that, and that this property could not be treated as a preserve in their deliberations.

Mr. Sean Lahey encouraged everyone to vote for the gas tax the following year, opining that those funds were desperately needed for road improvements to help with the traffic issues in this area and throughout the county.

Ms. Jones Smith commented that the traffic studies would happen during the next step.

Ms. Regan relayed that the applicant presented an exemption that was approved by the County's Transportation Department.

Ms. Jones Smith asked if this was considered de-minimus, and Ms. Regan said it was.

Ms. Cunningham stated that the Lake County School Board had a policy that if it became a hazard for children to walk to their school, even though they may live within a two-mile radius, the School Board would provide transportation. She related that they never let students walk in an area that was considered unsafe, and that if this happened as a result of this, they would have to redo the transportation for the students at Pine Ridge Elementary School.

Ms. Jones Smith indicated her understanding that this was under the Safe Routes for School standards, which stated that students could only be required to walk if there was a legitimate safe route for them, and Ms. Cunningham said that was correct.

Mr. Seth Lynch, Development Engineer/Project Manager, Public Works, mentioned that they were already working with the School Board on installing a sidewalk on Log House Road with funding from the Florida Department of Transportation (FDOT) that would go on the

north side from CR 561 down to Lakeshore Drive, noting that they were currently at the right of way stage and had three properties to acquire first. He indicated that they also had other sidewalk projects slated for this area with one going in on Lakeshore Drive as well; however, they had to get the sidewalk in on Log House Road first.

MOTION by Dan Tatro, SECONDED by Carroll Jaskulski to APPROVE Tab 3, Crescent Pines (RZ), as presented.

FOR: Jones Smith, Jaskulski, Tatro, Cunningham and Lahey

AGAINST: None

MOTION CARRIED: 5-0

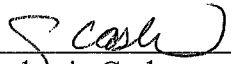
OTHER BUSINESS

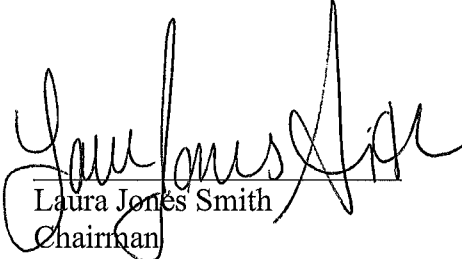
Ms. Barrón mentioned that the next meeting was on November 5, 2025.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:02 a.m.

Respectfully submitted,


Stephanie Cash
Deputy Clerk, Board Support


Laura Jones Smith
Chairman

MINUTES
LAKE COUNTY PLANNING AND ZONING BOARD
March 4, 2026

The Lake County Planning and Zoning Board met on Wednesday, March 4, 2026, 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, April 7, 2026 at 9:00 a.m. in the County Commission Chambers on the second floor of the County Administration Building, Tavares, Florida.

Members Present:

Judith Fike	District 1
Laura Jones Smith, Chairman	District 2
Addie Owens	District 3
Carroll Jaskulski, Vice Chairman	District 4
Dan Tatro	District 5
Sean Lahey	At-Large Representative
Mollie Cunningham	School Board Representative

Members Not Present:

Mark McManus	Ex-Officio Non-Voting Military
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Staff Present:

Janie Barrón, Planning Manager, Office of Planning and Zoning
Leslie Regan, Senior Planner, Office of Planning and Zoning
Eva Lora, Public Hearing Coordinator, Office of Planning and Zoning
Melanie Marsh, County Attorney
Stephanie Cash, Deputy Clerk, Board Support

Chairman Laura Jones Smith called the meeting to order at 9:00 a.m. She then led the Pledge of Allegiance and called for a moment of silence. She remarked that the Lake County Planning and Zoning Board was an advisory board to the BCC, and that the Board was responsible for reviewing proposed changes to the Comprehensive Plan (Comp Plan), zoning, conditional use permits (CUPs), mining site plans, and making recommendations on these applications to the BCC. She added that the Board's recommendations would be transmitted to the BCC for their consideration on April 7, 2026.

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REGULAR AGENDA

Tab 8	Ordinance #2026-XX	Serenoa PUD Amendment (RZ)
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AGENDA UPDATES

Ms. Janie Barrón, Planning Manager, Office of Planning and Zoning, indicated that the cases had been duly noticed in accordance with the law. She stated that the applicant for Tab 3 had withdrawn their request from the public hearing process. She mentioned that a memo containing opposition correspondence for Tab 6 was provided to the Board and that the case would be moved to the regular agenda; however, the applicant was present and would be

requesting a formal postponement.

Ms. Jones Smith relayed her understanding that Tab 3 was withdrawing.

Ms. Barrón clarified that they were withdrawing from the public hearing process but would still be proceeding with the Rural Conservation Subdivision Design in accordance with the Land Development Regulations (LDR), which did not require the public hearing process, noting that if any changes were made, the applicant would have to request to reschedule the public hearing.

Ms. Jones Smith commented that there was a speaker card for Tab 4.

MINUTES

MOTION by Judith Fike, SECONDED by Sean Lahey to APPROVE the Minutes of February 4, 2026 of the Lake County Planning and Zoning Board meeting, as submitted.

FOR: Fike, Jones Smith, Owens, Jaskulski, Tatro, Lahey and Cunningham

AGAINST: None

MOTION CARRIED: 7-0

PUBLIC COMMENT

No one wished to address the Board at this time.

CONSENT AGENDA

<u>TAB NO:</u>	<u>CASE NO:</u>	<u>OWNER/APPLICANT/PROJECT</u>
Tab 1	Ordinance #2026-XX	LDR Amendment: Establishing Certified Recovery Residences
Tab 2	Ordinance #2026-XX	LDR Creation: Relief from Declared Emerg. Restrictions per SB180
Tab 5	Ordinance #2026-XX	Capurso Property (RZ)
Tab 7	Ordinance #2026-XX	Orange Mountain Public Safety Tower (RZ)

MOTION by Sean Lahey, SECONDED by Mollie Cunningham to APPROVE the Consent Agenda, Tabs 1, 2, 5 and 7, as submitted, withdrawing Tab 3 and pulling Tabs 4 and 6 to the regular agenda.

FOR: Fike, Jones Smith, Owens, Jaskulski, Tatro, Lahey and Cunningham

AGAINST: None

MOTION CARRIED: 7-0

REGULAR AGENDA

GREATER GROVES PUD AMENDMENT (RZ)

Ms. Leslie Regan, Senior Planner, Office of Planning and Zoning, presented Tab 4 and stated that the applicant was requesting to amend and restate Planned Unit Development (PUD) Ordinance 1994-195 for property within the Greater Groves PUD to add language to facilitate for the enforcement of regulations for parking of certain specified vehicles. She indicated that the property was located west of United States (U.S.) Highway 27, east of Boggy Marsh, and north of County Road (CR) 474, contained approximately 233 acres, was currently designated with a Green Swamp Ridge Future Land Use Category (FLUC), and zoned PUD. She explained that the purpose of the added language was to enforce already existing regulations regarding street parking of recreational vehicles (RV), boats, and other specified vehicles within the PUD boundary. She said that staff found the rezoning consistent with the LDR and Comp Plan.

Mr. Carroll Jaskulski mentioned that this was a mandatory homeowner's association (HOA) and asked why they were amending the PUD instead of amending the bylaws of the HOA.

Ms. Regan replied that this language must be put in the PUD in order for the Office of Code Enforcement to enforce these regulations that were within the LDR.

Ms. Melanie Marsh, County Attorney, clarified that they could amend their restricted covenants but then they would have to enforce this through whatever mechanism their restricted covenants allowed, and said that they were choosing to incorporate this into the PUD because they wanted to use Code Enforcement instead.

Ms. Addie Owens questioned if this subdivision was gated.

Ms. Marsh answered that it was not.

Ms. Owens relayed her understanding that these were public roads, and Ms. Marsh confirmed they were.

Ms. Jones Smith asked if the roads were not designed for on-street parking.

Ms. Regan mentioned that this amendment was for specific vehicles, such as RVs, boats, and trailers, noting that it was her understanding that there was some impediment of traffic on the roads with this kind of parking.

Ms. Marsh relayed that Section 3.06.00 of the LDR also restricted parking in yards as vehicles were required to be behind building setbacks, commenting that this was not just limited to the roads.

Ms. Jones Smith indicated understanding that the standard PUD ordinance language stated that the other regulations still applied unless specifically excluded.

Ms. Marsh commented that this was the case with newer ordinances; however, this one was from 1994.

Ms. Jones Smith relayed her understanding that this situation did not defer to the LDR unless otherwise stated.

Ms. Marsh said that this was correct; additionally, Section 3.06.00 specifically identified certain zoning districts and a PUD was not an identified zoning district in that code section.

The Chairman opened the floor for public comment.

There being no one who wished to address the Board regarding this matter, the Chairman closed the floor for public comment.

MOTION by Dan Tatro, SECONDED by Carroll Jaskulski to APPROVE Tab 4, Greater Groves PUD Amendment (RZ), as presented.

FOR: Fike, Jones Smith, Owens, Jaskulski, Tatro, Lahey and Cunningham

AGAINST: None

MOTION CARRIED: 7-0

HAINES CREEK ESTATES PUD AMENDMENT (RZ)

Ms. Regan indicated that the applicant for Tab 6 was requesting a postponement.

Mr. Chuck Hiatt, the applicant's representative, commented that they were requesting to postpone this to a date certain. He explained that a builder was under contract when this application was initiated; however, the builder had backed out of the contract since then. He commented that a new builder was now involved, and that they wanted to get with the new

builder to make sure they did not want to add or remove anything before coming back to the Board.

Ms. Marsh asked what date he was looking for.

Mr. Hiatt said that they were asking for 60 days from this current day.

Ms. Marsh commented that would be the May 6, 2026 meeting.

The Chairman opened the floor for public comment.

There being no one who wished to address the Board regarding this matter, the Chairman closed the floor for public comment.

MOTION by Dan Tatro, SECONDED by Mollie Cunningham to POSTPONE Tab 6, Haines Creek Estates PUD Amendment (RZ), to May 6, 2026.

FOR: Fike, Jones Smith, Owens, Jaskulski, Tatro, Lahey and Cunningham

AGAINST: None

MOTION CARRIED: 7-0

SERENOA PUD AMENDMENT (RZ)

Ms. Regan presented Tab 8 and indicated that the applicant was requesting to amend and restate PUD Ordinance 2019-60, for property identified with alternative key number 3914076, to allow the use of a self-storage facility. She mentioned that the property was located east of Sawgrass Bay Boulevard and north of Pacific Ace Way, contained approximately 16.64 acres, was currently designated with a Conservation Subdivision FLUC within the Wellness Way boundary, and was zoned PUD. She stated that the concept plan depicted a four-story self-storage facility that contained 120,000 square feet in area; additionally, the facility would not be located directly adjacent to Sawgrass Bay Boulevard but would access this road for entrance into the facility. She relayed that staff found the rezoning inconsistent with the LDR and Comp Plan as self-storage was not a permitted use within the Conservation Subdivision FLUC; furthermore, Comp Plan Policy I-8.1.1 listed specific target industries for the non-residential portion of Wellness Way and self-storage was not a listed use. She commented that the proposed use was also inconsistent with the surrounding area, noting that this area was being developed as the commercial portion of the Serenoa PUD. She remarked that the only uses allowed in this area were the uses listed under the Neighborhood Commercial (C-1) zoning district, and that self-storage was not a permitted use within this zoning.

Ms. Owens questioned why self-storage was eliminated as a use from C-1 zoning and why it was not included in the PUD.

Ms. Regan indicated her understanding that self-storage was not included and was not an allowed use within C-1 zoning.

Mr. Jaskulski relayed his understanding that the four parcels between this area and Sawgrass Bay Boulevard were zoned C-1.

Ms. Regan confirmed that these were the commercial zoned parcels of the Serenoa PUD, and noted that some of these were part of the Avalon Groves PUD. She mentioned that Comp Plan Policy I-8.7.8 stated that the existing Avalon Groves PUD may develop and continue to develop until adoption of a PUD, which happened in 2019, and that at such time, the PUD shall address phasing out of any Avalon Groves PUD use or other entitlement that was not approved or recognized by the Wellness Way area.

Mr. McGregor Love, the applicant's representative, explained that this development was vested and was approved for up to 350,000 square feet of retail commercial C-1 uses in 2012 prior to the adoption of the Wellness Way Plan and the Conservation Subdivision FLUC designation. He said that even though a self-storage facility was not consistent with the Conservation Subdivision FLUC or any of the C-1 uses that could be developed on this property, the concept plan showed that it met the restrictions that were in place for commercial development, such as open space, impervious surface area, and floor area ratio, opining that a development of this intensity could be permitted by right at this time without a public hearing. He mentioned that self-storage had one of the lowest offsite impacts as compared to other commercial uses because of its low traffic generation, which he opined could be a concern among this Board or the residents who lived in the area; furthermore, the use would be set back behind the developing outparcels directly on the right of way. He commented that the owner has had interest from anchor tenants that could be developed by right and would place a much greater strain on the surrounding roadway network because of traffic generation; therefore, they were asking that this self-storage use be allowed within the PUD.

Ms. Owens mentioned that the concept plan showed a proposed maximum height of 75 feet and asked how many stories that was.

Mr. Love replied that it was six stories.

The Chairman opened the floor for public comment.

Mr. Michael Williams, a resident of the Serenoa subdivision, commented that 75 feet was much higher than anything else in this area, and opined that they would be faced with a monstrosity in their neighborhood. He expressed concern about what else would be allowed on the other parcels that the builder owned if this was rezoned for a self-storage facility.

Mr. John Torre, a resident of the Serenoa subdivision, stated that he strongly encouraged the Board to deny this rezoning application, as no one in this community wanted a self-storage facility. He commented that there was already a self-storage facility just 2.5 miles down the road and many more within this area, opining that they were better suited for the commercial

areas along U.S. Highway 27. He mentioned that the staff report raised several valid points against the rezoning, including how the requested use was inconsistent with the FLUC and the surrounding area. He opined that the aesthetic of this self-storage facility should be considered, and that there was no such thing as an attractive self-storage facility. He opined that not all self-storage facilities were successful, and that if this one failed, they would have a six-story white elephant sitting in the middle of several residential neighborhoods. He opined that this did not match the concept of retail development that was promised to Serenoa homebuyers; furthermore, for two years there had been a sign along Sawgrass Bay Boulevard stating that retail development was coming soon. He opined that the Serenoa residents were excited about compatible commercial properties that would be developed on this PUD but did not want a six story self-storage facility.

Ms. Linda McLaurin, a resident of the Serenoa subdivision, expressed opposition to the self-storage facility, and opined that these types of facilities were well established magnets for criminal activity including theft, loitering, vandalism, assaults, drug related incidents and even more serious crimes. She said that there was often multi-person access to a single unit, and that since many facilities offered 24-hour access. She opined that this gave criminals more opportunities during off hours, and that people had rented out units to live in or to case the property and identify security weaknesses before striking. She mentioned that this type of activity had been increasing at self-storage facilities over the last five years, and opined that it did not belong in their neighborhood or in any neighborhood. She commented that she did not want an oversaturation of storage facilities, opining that there was not a need for them.

Mr. Tom Vero, a resident of the Serenoa subdivision, stated that he was not in favor of the self-storage facility, and opined that it was inconsistent with the residential character of the area and could have the potential for increased crime. He opined that it could possibly impact property values negatively, and that the 75-foot height of this facility could set a precedent for any other parcels within that area to allow other buildings with even larger heights.

Ms. Deborah Running, a resident of Sawgrass Bay, indicated that Sawgrass Bay was one of the three communities affected by this request, and that even though there were three separate communities, they were all neighbors separated by many wildlife habitats, noting that they had all worked together on past issues that affected all of them. She opined that most of the neighbors were not in favor of this plan, as the idea of putting a self-storage facility in the middle of their neighborhood was unthinkable, and that they were concerned about the potential for increased crime. She relayed that new storage units were being built nearby, and opined that putting something more beneficial to the neighborhood in this commercially zoned parcel would be better. She questioned who this benefitted and what mattered more to the Board, and urged them to recommend denial to the BCC.

Ms. Rachel Williams, a resident of Serenoa Lakes Village, commented that she was a homeowner of one of the 3,300 homes that surrounded Sawgrass Bay Boulevard, and that this proposed self-storage facility would be almost directly center to all of these residential neighborhoods. She remarked that their children rode their bikes to the clubhouse, which was very close to the proposed facility, and that the bus drop-off was almost directly across from

the proposed facility. She opined that they were a very tightknit community and took pride in their homes, and that many of them were willing to pay up to \$245 a month in community development district (CDD) fees and up to \$320 a month in HOA fees because they wanted to invest in the property values of their homes. She opined that placing a self-storage facility in the center of this community did not align with their vision, and that even though they were not opposed to growth, it should make sense and should work with their community and not against it. She opined that this was not what the community wanted nor was it in their best interest, and pointed out that there were roughly 28 storage facilities within a 15-mile radius. She said that even though the owner had a financial interest with this, she hoped that they would take the residents' opposition into consideration, and asked that the Board would vote against this.

Mr. James White, a resident of the Serenoa subdivision, mentioned that he had been a Special Agent Supervisor with the Federal Drug Enforcement Administration (DEA) for 29 years, and that they had found many methamphetamine labs in units of self-storage facilities across the U.S. He stated that most of the chemicals involved in the synthesis of methamphetamine were highly flammable and toxic, and that the fumes would go into the air if there was a fire. He said that this had happened despite the best efforts of the owners of these facilities, and that this was his main concern for this rezoning.

Mr. Keith Bracknell, a resident of the Palms of Serenoa, expressed opposition to this, and pointed out that it would be 1,000 feet away from his house, opining that he would be able to see it through the woods. He opined that it was not consistent with the aesthetic of the neighborhood, and that it would be disruptive to the wildlife habitat in the area. He said that there were two storage facilities nearby, and opined that this one was not necessary. He wanted to know how he could stop this.

Ms. Jones Smith commented that he was doing exactly what the process gave him the ability to do.

Mr. Mark O'Halloran, a resident of the Palms of Serenoa, stated that he was against this self-storage facility, as he lived pretty close to it, opining that while the proposed height of this was a big concern, the facility itself was inconsistent with the lifestyle of the area. He remarked that they were getting ready to be connected to Orange County, and opined that there was a strong incentive to buy property and build on the Lake County side because the costs were much lower. He opined that there were huge tracts of property that were better designed for this on the Horizon West side that were just as close, and indicated concern that this could set a bad precedent. He commented that most of the residents were middle income or retirees, and that 577 homes were right next to this proposed facility, opining that this was not the dream that most of the residents had.

Mr. Gary Lakemper, a resident of the Palms of Serenoa, mentioned that this was a residential area with wetlands, and expressed concern that the wetlands could be affected by this. He said that even though he used to have a storage unit, the unit and all the contents in it was destroyed because some batteries that were being stored in another unit caught fire. He opined

that storage facilities were hazards and were not for a residential neighborhood, and pointed out that there were two other storage facilities less than two miles away. He indicated concern about the safety of the residents, noting that he rode his bike everyday along Sawgrass Bay Boulevard while many others walked with their children and dogs going right past this property. He remarked that Sawgrass Elementary School was one block away from Sawgrass Avenue, and that many of the children walked to school. He opined that this was not the right fit for their neighborhood, and asked the Board to deny this.

Mr. Matt Sciba, a resident of the Serenoa subdivision, stated that he agreed with many of the comments already brought up, and expressed concerns about the light pollution that would happen 24 hours a day and seven days per week in this conservation area, opining that the Board should not recommend approval of this.

Ms. Laura Gardner, a resident of the Serenoa subdivision, mentioned that a storage facility was being built on Hartzog Road in Horizon West on the Orange County side, and that once the connection was made, they would be less than five minutes away from it; additionally, there were others nearby, and she did not see the need for this one. She opined that there was plenty of space for people to access the storage facilities on U.S. Highway 27; however, she opined that since Sawgrass Bay Boulevard was only a two-lane road, it did not have the appropriate amount of space. She opined that this six-story facility did not fit their neighborhood, as none of the houses were more than two stories high, and that this could open their neighborhood up to crime and transient people. She indicated concern about the children and vulnerable people in this area, and said that since everyone paid HOA dues in these neighborhoods, they had paid thousands of dollars for the beautification of the area, opining that they were financially and emotionally vested in this area. She related that this was conservation land with lots of wildlife, and that she had moved to this area with the belief that space would be created to foster and create community spaces, opining that a storage facility would not do that. She hoped that the Board would deny this.

Ms. Jenny Suplita, a resident of Serenoa Lakes, said that she was vehemently opposed to this, noting that she and her husband specifically bought a home in this area because it was on conservation land, and that they did not want high rise buildings going up around them. She mentioned that there were many small children who rode their bikes to Sawgrass Elementary School, and that this was a busy area. She pointed out that none of the speakers who had spoken that day were in favor of this rezoning, and that they did not want this in their neighborhood.

Ms. Cynthia Lepore, a resident of the Serenoa Lakes subdivision, stated that she was a commercial design director for a global architectural firm and worked professionally with commercial building design, site planning, and how developments integrated into surrounding areas, noting that she had experience knowing what fit into residential neighborhoods. She remarked that she was strongly opposed to the proposed rezoning because her family specifically chose this neighborhood because of its proximity to conservation land, which would keep noise, light pollution, and overall disruption low unlike the heavier more commercial development coming along Wellness Way and other nearby corridor. She stated

that there were many self-storage facilities already available within an extremely close proximity, and opined that there was not a need for another one within this neighborhood. She indicated that she understood why a commercial developer would have the desire to purchase land to develop on in their interest, and opined that since self-storage facilities were inexpensive to build and maintain, they could have quite a few clients that would bring in enough income for their investment in the property. She opined that this developer probably decided that it was in their best interest to put in a self-storage facility and make a quick buck; however, she opined that it was not in the best interest of the local residents. She said that most of the local residents would rather see commercial businesses such as coffee shops, wine bars, and small retail shops because this was a family-oriented neighborhood; furthermore, she did not believe this fit in with the conservation land type of neighborhoods nor did it serve the interest of its residents.

Mr. Thomas Wright, a resident of the Serenoa subdivision, commented that he echoed everything that had been said already, and opined that a large footprint, such as this, would limit the opportunity for economic growth, employment opportunities, and providing a service that they could use in their community. He mentioned that this structure would take up a large piece of their community, and it only served one purpose, which was storage. He opined that there would be no job opportunities for the residents, and that it did not comply with the current standards. He relayed that even though more people wanted to speak against this on the current day, they could not attend, noting that there were 700 signatures on an electronic petition opposing this. He encouraged the Board to take their concerns into consideration.

Ms. Viridiana Glanton, a resident of the Serenoa subdivision, indicated opposition to this, stating that she had invested in this community for the foresight and the conservation aspect of it. She opined that as a real estate agent, she knew this would affect property values over time, and that this would not be in the best interest of the current or future residents. She also said that many more residents would have been there if they had not had prior obligations.

There being no one else who wished to address the Board regarding this matter, the Chairman closed the floor for public comment.

Mr. Love commented that he appreciated what everyone had said that day and that they had traveled there to voice their concerns. He opined that there were some aspects of the use that he could not address due to an opposition on principle, and that this was something he could not change nor did he intend to. He mentioned that the PUD already allowed buildings with a 75-foot height; therefore, a building that looked exactly like this storage unit could be put on the property without any rezoning or public hearing, noting that the amendment they were requesting was only for the use itself and not for any of the performance standards, such as the maximum height or the intensity of the use. He indicated that there was a concern that this rezoning would set a precedent; however, if this PUD was amended, it would be very limited in scope. He commented that if one of the outparcels wanted another use that was not allowed under C-1 zoning, then that request would have to be reviewed as another PUD amendment and go through this process, noting that the precedent set by this would be limited to this particular use. He stated that there was a distinction between a traditional storage unit,

which was a drive-up unit, and that it was a very wide one-story facility that was open with a gate in front. He explained that this one would be entirely enclosed, secured with a passcode for entry, and would meet County requirements, including dark sky and light pollution standards; additionally, self-storage generated the least amount of traffic as compared to other C-1 uses that could go there.

Ms. Marsh commented that the proposed ordinance stated that the maximum building height was four stories or 75 feet, whichever was less.

Ms. Jones Smith relayed her understanding that the current ordinance stated that 75 feet was the maximum but did not specify a certain number of stories, and Ms. Marsh said that this was correct.

Mr. Dan Tatro indicated his understanding that it would only be a four-story building and not a six-story building.

Ms. Marsh said that this was correct, as that would be the maximum.

Mr. Sean Lahey asked if economic underutilization was something that this Board would consider or if that would be for the BCC to consider.

Ms. Marsh replied that all of the criteria they could consider was listed in their packets, and that they had to fit whatever evidence they were looking at into one of the following categories: whether it was consistent with the Comp Plan and LDR; whether there were changed conditions that justified the rezoning; the extent to which it would result in demands on public facilities; the extent to which it would result in significant adverse impacts on the natural environment; the extent to which it would affect property values; the extent to which it would result in orderly and logical development patterns; and whether it would conflict with the public interest.

Mr. Jaskulski questioned if their image represented a six-story footprint, and asked if this would drive a larger building footprint to render the same number of square feet if they were limited to four stories.

Mr. Love apologized for misspeaking about this facility being six stories and noted that his understanding was that they would be limited to four stories, and that the footprint would be the same.

Mr. Jaskulski relayed his understanding that the footprint would remain at 120,000 square feet, and Mr. Love confirmed this.

MOTION by Addie Owens, SECONDED by Carroll Jaskulski to DENY Tab 8, Serenoa PUD Amendment (RZ), as submitted.

FOR: Fike, Jones Smith, Owens, Jaskulski, Lahey and Cunningham

AGAINST: Tatro

MOTION CARRIED: 6-1

OTHER BUSINESS

Ms. Barrón stated that the next meeting would be on April 1, 2026.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:05 a.m.

Respectfully submitted,

Stephanie Cash
Deputy Clerk, Board Support

Laura Jones Smith
Chairman

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA
OFFICE OF THE COUNTY MANAGER
AGENDA ITEM COVER SHEET**

DATE: 03/26/2026

TO: Jennifer Barker, County Manager

THRU:

Melanie Marsh, County Attorney

BY: Nova Atkinson, Senior Paralegal

SUBJECT: Settlement Agreement in KB Home Orlando, LLC vs. Lake County, Florida (DOAH Case No. 25-006093)

MEETING DATE: 4/7/2026

ITEM TYPE: Departmental Item

ITEM ID: 42844

RECOMMENDATION/REQUIRED ACTION: Approve

Recommend approval and authorization for the County Attorney or designee to execute a Settlement Agreement for Voluntary Dismissal with Prejudice in KB Home Orlando, LLC (a/k/a Crescent Pines PUD) vs. Lake County, Florida (DOAH Case No. 25-006093).

BACKGROUND SUMMARY: This matter stems from a Section 70.51, Florida Statutes, Land Use Dispute Resolution action filed by KB Home Orlando, LLC ("Developer") against Lake County upon the Board of County Commissioners ("Board") November 4, 2025, denial of the Developer's rezoning application (PZ2025-138) to rezone approximately 40 acres from Urban Residential (R-6) to Planned Unit Development ("PUD") in order to facilitate a residential subdivision of 85 units referred to as the Crescent Pines Subdivision. Per the terms of the Settlement Agreement, the Developer will revise its PUD in accordance with the plan attached to the Settlement Agreement, which includes increasing the pond sizes, designing stormwater ponds for a 100-year 24-hour storm event, reducing the number of lots to 79, and providing buffers adjacent to all existing residential lots. In addition, the sidewalk along Log House Road will be extended westward and eastward prior to any Certificates of Occupancy being issued. If this Settlement Agreement and the associated rezoning is approved, this case will be resolved.

Fiscal Impact:

Account No.:

Advertised Date:

Paper:

Attachments:

1.	Partial Exe Settlement Agreement 2.19.2026
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STAFF APPROVALS AND DATES:

Nova Atkinson

Created/Initiated - 03/26/2026

Melanie Marsh

Approved - 03/26/2026

Michael Fitzgerald

Approved - 03/27/2026

Melanie Marsh
Jennifer Barker
Marisol Saldana

Approved - 03/27/2026
New -
-

ACTION TAKEN BY BOARD:

Action: New

Continued/Deferred Until:

Other:

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

KB HOME ORLANDO LLC

Case No. 25-006093

Petitioner,

v.

LAKE COUNTY, FLORIDA, a political
subdivision of the State of Florida,

Respondent.

**SETTLEMENT AGREEMENT FOR
VOLUNTARY DISMISSAL WITH PREJUDICE**

COME NOW, Petitioner, KB HOME ORLANDO LLC, (hereinafter, “KB Home” or “Developer”), jointly with LAKE COUNTY, FLORIDA, a political subdivision of the State of Florida, (hereinafter the “County”), by and through their respective authorized representatives and undersigned counsel, enter into this Settlement Agreement resolving all pending issues in the above-captioned matter, with the condition that this Agreement is contingent on approval by the Lake County Board of County Commissioners, pursuant to Lake County Code, Land Development Regulations, Section 14.17.00.

WITNESSETH

WHEREAS, this settlement stems from the above-captioned Section 70.51, Florida Statutes, Land Use Dispute Resolution action filed by Petitioner, KB Home Orlando, LLC, Developer, against Respondent, Lake County, Florida, upon the denial by its Board of County Commissioners (“BCC”) of the Developer’s rezoning application (PZ2025-138) to rezone approximately 40 acres from Urban Residential (R-6) to Planned Unit Development (“PUD”) to

facilitate a residential subdivision of 85 units (hereinafter, “Crescent Pines” or the “Crescent Pines Subdivision”); and

WHEREAS, the matter has been referred to the State of Florida Division of Administrative Hearings, and the parties have been diligently pursuing resolutions to address the valid concerns raised by Lake County with regard to the development proposed by KB Home; and

WHEREAS, this Settlement Agreement has been negotiated and entered into by the parties to resolve the above-captioned cause in its entirety once and for all, to preclude the need for any further contested litigation in this matter.

1. Revised Crescent Pines PUD

In order to account for the design issues identified by the County, Developer shall revise its PUD in accordance with the plan attached hereto as **Exhibit A**. The parties agree the PUD shall include specific improvements as follows:

- Ponds sizes increased by 25% to retain the 100-year/24-hour storm event and the project is subject to the latest water management district rules.
- Number of lots have been reduced from 85 to 79.
- Buffers have been provided adjacent to all existing residential homes.

2. Additional Mobility Improvements

In order to account for the infrastructure issues identified by the County, Developer shall construct, at its cost, the following additional improvements:

- The sidewalk along Log House Road will be extended by Developer in accordance with the plans prepared and/or approved by the County westward to Cedar Forest Circle, and also eastward to Lakeshore Drive where sufficient public right-of-way

exists currently and/or is acquired by the County prior to commencement of the construction of the eastward sidewalk improvement project. The sidewalk improvements must be completed and accepted in order for any certificates of occupancy to be issued within the Crescent Pines Subdivision.

3. Retention of Natural Pine

Developer will retain as much of the planted pine as possible on the site, including but not limited to, in buffer, pond, and open space areas, as permitted by the grading required to develop the revised Crescent Pines PUD.

4. Dismissal of Case

Upon execution of this Settlement Agreement, the signed Settlement Agreement will be filed with the Division of Administrative Hearings. The parties will jointly request a final order closing this case, reflecting that all claims of the Petitioner are voluntarily dismissed with prejudice.

5. Attorney's Fees and Costs

Each party shall bear its own respective attorney's fees and costs in connection with this action. The Developer shall be solely and exclusively responsible for all costs, fees, charges, and expenses associated with the recording and publishing of any documents, notices, judgments, or other materials arising out of or relating to this Land Use Dispute Resolution action.

6. Contingent on Approval/No Admission

The County will present this Agreement to the Lake County Board of County Commissioners for approval at the Board's next practicable public meeting. If the Board approves this Agreement, it will constitute a final resolution of the special master proceeding commenced

by the Petitioner. If the Board does not approve this Agreement, the proceeding will continue pursuant to Section 70.51, Florida Statutes, and Section 14.17.00 of the County's LDRs.

It is understood and agreed that at no time has any representative of the County admitted liability or wrongdoing related to any act or omission giving rise to the claim filed by Petitioner as detailed above. Similarly, it is understood and agreed that at no time has any representative of the Developer admitted liability or wrongdoing related to any act or omission giving rise to the voluntary dismissal as detailed above. Each party expressly denies any such liability or wrongdoing of any kind giving rise to this action, the voluntary dismissal, and/or the revisions to the PUD and additional improvements. The parties jointly desire to resolve this matter without the need for further contested litigation.

The hearing set in this matter for March 11, 2026, before the Division of Administrative Hearings, is hereby postponed. If this Settlement Agreement is approved by the Board, such hearing will be cancelled. If this Settlement Agreement is not approved by the Board, the parties will coordinate on rescheduling a hearing.

Signature pages to follow.

Settlement Agreement
KB Home Orlando, LLC v Lake County
Case No. 25-006093

Rebecca Rhoden

KB HOME ORLANDO LLC
REBECCA RHODEN, ESQUIRE
Florida Bar No. 19148
Lowndes Drosdick Doster Kantor & Reed
P.O. Box 2809
Orlando, Florida 32802
Telephone: (407) 418-6690
Facsimile: (407) 843-4444
rebecca.rhoden@lowndes-law.com
Counsel for Petitioner
KB Home Orlando LLC

This 19th day of February, 2026.

LAKE COUNTY, FLORIDA
RACHEL BARTOLOWITS, ESQUIRE
Senior Assistant County Attorney
Florida Bar No. 1002229
Lake County Attorney's Office
Post Office Box 7800
Tavares, Florida 32778
Telephone: (352) 343-9787
Facsimile: (352) 978 -9646
rachel.bartolowits@lakecountyfl.gov
sandra.lara@lakecountyfl.gov
Counsel for Respondent
This ____ day of _____, 2026.

Stephen McConn

Corporate Representative for
KB HOME ORLANDO LLC

This 19th day of February, 2026.

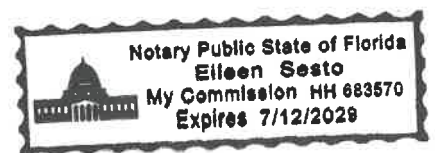
STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ()
online notarization, this 19th day of February, 2026, by Stephen McConn,
as VP, Land Development for KB HOME ORLANDO LLC.

Personally Known OR Produced Identification
Type of Identification Produced _____

Eileen Sesto
(Notary Signature)

(SEAL)



Settlement Agreement
KB Home Orlando, LLC v Lake County
Case No. 25-006093

**LAKE COUNTY, FLORIDA by and
through its BOARD OF COUNTY
COMMISSIONERS**

ATTEST:

Leslie Campione, Chairman

This ____ day of _____, 2026.

Gary J. Cooney, Clerk
Board of County Commissioners
of Lake County, Florida

Approved as to form and legality:

Melanie Marsh
County Attorney

Exhibit A
Revised Crescent Pines PUD Plan

