

MINUTES
LAKE COUNTY PLANNING AND ZONING BOARD
March 4, 2020

The Lake County Planning and Zoning Board met on Wednesday, March 4, 2020, 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, March 24, 2020 at 9:00 a.m. in the County Commission Chambers on the second floor of the County Administration Building, Tavares, Florida.

Members Present:

Sandy Gamble, Chairman	School Board Representative
Kathryn McKeeby, Secretary	District 1
Laura Jones Smith	District 2
Tim Morris, Vice-Chairman	District 3
Rick Gonzalez	District 4
Cori Todd	District 5
Jim Hamilton	At-Large Representative

Members Not Present:

Donald Heaton	Ex-Officio Non-Voting Military
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Staff Present:

Tim McClendon, AICP, Director, Office of Planning & Zoning
Steve Greene, AICP, Chief Planner, Office of Planning & Zoning
Emily Johnson, Planner, Office of Planning and Zoning
Donna Bohrer, Office Associate, Office of Planning & Zoning
Josh Pearson, Deputy Clerk, Board Support

Chairman Sandy Gamble called the meeting to order at 9:00 a.m., noted that a quorum was present, and led the Pledge of Allegiance. He remarked that the Lake County Planning and Zoning Board was an advisory board to the Board of County Commissioners (BCC) and that this Board was responsible for reviewing proposed changes to the Lake County Comprehensive Plan (Comp Plan), zoning, conditional uses, mining site plans, and making recommendations on these applications to the BCC. He stated that the Board's recommendations would be sent to the BCC for their consideration at a scheduled public hearing and that the cases presented today were scheduled for the March 24, 2020 BCC meeting at 9:00 a.m.

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Tab 2	RZ-19-30-4	Sutherlin Property Rezoning
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Tab 4	RZ-19-20-3	Molokai Co-Op MHP Rezoning
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REGULAR AGENDA

<u>TAB NO:</u>	<u>CASE NO:</u>	<u>OWNER/APPLICANT/PROJECT</u>
Tab 6	RZ-19-29-5	Create Conservatory/Sawyer Rezoning

Other Business

Adjournment

AGENDA UPDATES

Mr. Steve Greene, Chief Planner, Office of Planning and Zoning said that there were no changes to the agenda at this time.

Mr. Sandy Gamble indicated that he had received comment cards for Tabs 4 and 5; therefore, they would be pulled to the regular agenda.

Ms. Laura Jones Smith asked to pull Tab 3 to the regular agenda.

MINUTES

MOTION by Tim Morris, **SECONDED** by Jim Hamilton to **APPROVE** the Minutes of February 5, 2020 of the Lake County Planning and Zoning Board meeting, as submitted.

FOR: Gamble, McKeeby, Jones Smith, Morris, Gonzalez, Todd and Hamilton

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	CUP-19-14-1	Gulfstream Towers FL-187 SR 33, CR 561 CUP
Tab 2	RZ-19-30-4	Sutherlin Property Rezoning

MOTION by Tim Morris, **SECONDED** by Rick Gonzalez to **APPROVE** the Consent Agenda, Tabs 1 and 2, as presented, pulling Tabs 3, 4 and 5 to the Regular Agenda.

FOR: Gamble, McKeeby, Jones Smith, Morris, Gonzalez, Todd and Hamilton

AGAINST: None

MOTION CARRIED: 7-0

REGULAR AGENDA

Tab 3 – BEEBE PROPERTY REZONING

Mr. Greene stated that the cases had been advertised in accordance with the law.

Ms. Emily Johnson, Planner, Office of Planning and Zoning, presented Tab 3. She explained that the property was located north of Hunt Trace Boulevard and south of Jacks Lake in the City of Clermont area. She said that the property was about seven net acres in size, or 7.75

acres with wetlands, and the applicant was requesting to rezone approximately 7.75 acres from Agriculture to Planned Unit Development (PUD) for an age-restricted multifamily housing development to include a waiver request for the PUD acreage requirement. She displayed the zoning and future land use (FLU) maps for the property, along with the concept plan. She then relayed these staff analysis findings: the application included a request to the BCC to consider a waiver to the Land Development Regulations (LDRs), Section 4.03.03 which stated that a PUD must contain a minimum of 10 acres; the rezoning application was consistent with the purpose and intent of the PUD zoning district allowed by LDRs Section 4.03.00, with the exception of the aforementioned 10 acre minimum requirement; the request was consistent with Comp Plan Policy I-1.3.3, Urban Medium Density Future Land Use Category, which allowed a maximum density of seven dwelling units per one net buildable acre; and the request was consistent with Comp Plan Policy I-7.8.1, Requirements for Planned Unit Developments, which stated that density shall not exceed the underlying FLU category and that a PUD shall be accompanied by a conceptual plan. She concluded that staff had found the application to be consistent with the LDRs and the Comp Plan.

Ms. Jones Smith pointed out that this request was in the City of Clermont joint planning area (JPA) and she relayed her understanding that the City had not provided any information indicating that they would provide central water and sewer.

Ms. Johnson clarified that the City was contacted but that they had no comments. She added that the area's central water and sewer was served by the City of Clermont and that the surrounding properties were annexed by the City.

Ms. Jones Smith asked why the Planning and Zoning Board would be providing them a waiver to build a PUD on a property that had less acreage than required when the property would be receiving services from the City of Clermont and ultimately would annex for sewer and water service. She wondered why the applicant was not approaching the City of Clermont to build this project.

Mr. Steve Smith, representing the applicant, explained that the City currently had a moratorium and was not approving any permits to build multifamily housing.

Ms. Jones Smith asked why this had occurred.

Mr. Smith said that the City was trying to rewrite their statutes to ensure that the luxury apartments being built in the community included affordable housing units. He noted that the proposed development would be for low income seniors.

Ms. Jones Smith asked if the moratorium was exclusive to development permits.

Mr. Smith stated that it was for development and construction permits.

Ms. Jones Smith inquired to confirm that the City would not consider their annexation, and Mr. Smith indicated that this was correct at this time but that the City agreed to provide water

and sewer. Ms. Jones Smith then asked when this moratorium took effect.

Mr. Smith replied that it took effect in October 2019. He felt that there was a significant need for workforce housing and senior housing, and said that the State was providing money for communities that recognized the need to build apartments for people in a lower income bracket.

Ms. Kathryn McKeeby asked to confirm that this was affordable housing.

Mr. Smith confirmed this and stated that it was for 60 percent of the equated monthly income (EMI), and the EMI in Lake County was currently about \$53,000. He elaborated that individuals making less than \$30,000 would be qualified to live in this development. He also said that the age limit was 60 and higher.

Ms. Jones Smith observed that the concept plan was referred to as phase two.

Mr. Smith explained that they were also developing the adjacent property for seniors and that it was currently under construction; furthermore, he felt that the subject development would blend in with the community next door.

Ms. Jones Smith asked to confirm that the City would still not consider this application even though they were also developing on the adjacent site.

Mr. Smith confirmed this and commented that the Clermont City Attorney had indicated that they could not waive the moratorium. He relayed his understanding that the project met all of the zoning requirements and opined that there was nothing unusual about it.

Ms. McKeeby expressed a concern for the waiver request. She also questioned how many units and acres they had on the adjacent property.

Mr. Smith opined that the property fit in with the community and noted that there would be seniors next door. He said that for the adjacent development, there were six acres with 72 units due to the city's zoning allowing 12 units per acre.

Mr. Tim Morris asked if the residents had access to a nearby lake.

Mr. Smith confirmed this. He thought that the greater good had to be considered with regards to the waiver, and he felt that there was a significant need for housing for low income families. He reiterated that the State had funding for communities that recognized this need and were willing to approve developments to address it. He asked the Board to recognize this need and reiterated that the development would fit in the community. He mentioned that there were over 500 seniors in the City of Clermont at poverty level wages, and he remarked that the conversation about building housing for seniors was brought about by the community need.

Mr. Rick Gonzalez commented that he was the Board's representative on the Lake County

Affordable Housing Advisory Committee (AHAC), and he said that this request fit with what that committee was trying to promote.

Mr. Gamble clarified with Mr. Smith that the age limit for the development would be 55 and higher, rather than the previously stated age of 60 and higher.

The Chairman opened the floor for public comment.

There being no one who wished to address the Board, the Chairman brought it back to the Board for discussion.

Ms. Jones Smith expressed a concern that the County zoning was being used as a workaround to avoid the City of Clermont's moratorium; additionally, the Board would also have to grant a waiver for it to comply. She said that she understood the need for affordable housing but commented that the City was having issues with multifamily housing and how they wanted to accommodate affordable housing. She expressed reluctance to waive a standard that was in place for county projects while everything around the subject development was being built to the city standard.

MOTION by Rick Gonzalez, SECONDED by Jim Hamilton to APPROVE Tab 3, Beebe Property Rezoning.

FOR: Gonzalez, Todd and Hamilton

AGAINST: Gamble, McKeeby, Jones Smith and Morris

MOTION DENIED: 4-3

Tab 4 – MOLOKAI CO-OP MHP REZONING

Mr. Tim McClendon, Director, Office of Planning & Zoning, presented Tab 4. He said that the property was located on the west side of County Road (CR) 437, about a mile north of U.S. Highway 441, within Commission District 3. He added that the tract size was about 3.6 acres, and the request was to replace an existing ordinance with a new ordinance to rezone the property from Mixed Home Residential (RM) to PUD; additionally, there was a request for a waiver from the PUD acreage. He commented that staff had handed out a revised ordinance with additional conditions as requested by the applicant. He displayed the zoning and FLU maps for the subject property, noting that the FLU was identified as Urban Medium. He relayed the following staff analysis findings: this request was a result of code enforcement action around 2008 for several unapproved uses on the property including the use of solid waste collection dumpsters, recreational vehicle (RV)/boat storage and overflow parking, which were ancillary to the existing Molokai mobile home park; the original rezoning request was heard by this Board in October 2019 and that at that time, the request was to rezone the property from RM to Mobile Home Rental Park (RMRP); prior to the October 2019 BCC

meeting and following a unanimous approval from this Board, the applicant met with an adjacent property owner to discuss issues that were occurring on the site; the applicant then crafted some conditions to satisfy some of the issues identified by the adjacent property owner, though those conditions could not be codified within the RMRP zoning district; the only way to insert those conditions in this rezoning ordinance would be through the PUD process due to the State of Florida disallowing municipalities and counties from conditioning conventional zoning districts; and there was a waiver with this request. He said that staff had looked at where the 10 acre requirement for PUDs originated from and found that it was unclear why this requirement was chosen when the original PUD ordinance was adopted. He indicated that the Board may see a revised LDR to address the 10 acre minimum in the next few months and that staff was looking to abandon it due to a lack of justification for the requirement. He remarked that the revised ordinance included the modification for up to 60 boats, RVs or "toys," defined as jet skis, four wheelers, and similar types of incidental uses. He added that there could be up to 12 dumpsters, a utilization of an existing mobile home for storage, and the applicant would be paving Paradise Lane to be a minimum of 15 feet wide to a maximum of 20 feet wide. He remarked that this request was identical to the request approved in October 2019, with the only difference being the addition of certain conditions to help offset some issues that were discussed between the applicant and the adjacent property owner. He said that staff requested that the Board recommend approval of this request to rezone about 3.6 acres from RM to PUD to accommodate the accessory uses occurring on the site.

Mr. Gamble asked about the normal requirement for a PUD buffer.

Mr. McClendon responded that it would be a type B buffer which would include a buffer of up to 15 or 20 feet wide with two or three canopy trees within that landscape buffer per 100 feet.

Mr. Gamble relayed his understanding that there were some trees there currently.

Mr. McClendon commented that if this was approved, the applicant would be required to file a site plan where the County could identify the buffers; furthermore, the applicant could obtain credit for some of those trees within the existing buffer. He added that they would be required to plant extra material if they did not meet the minimum requirement.

Mr. Gamble indicated a concern for visibility for the residents northwest of the subject property, though he noted that the mobile home would be used for storage only. He also noted that a residence used the road there, and he asked if anything would be done that would prevent the resident from getting to their home.

Mr. McClendon confirmed that the mobile home would not be allowed to be occupied. He also clarified that the resident would not be prevented from getting to their home; furthermore, the applicant proposed a condition to prohibit blocking or parking within that easement.

Mr. Gamble noted that the boat storage was increased from 36 to 60 boats, and Mr.

McClendon deferred this to the applicant. Mr. Gamble also noticed that there could be a 15 foot wide paved road, and Mr. McClendon said that it would be 20 feet where available. Mr. Gamble thought that the width should be 20 feet.

Mr. Morris asked why there were dumpsters there, and Mr. McClendon deferred this to the applicant.

Ms. Jones Smith indicated an understanding that the property was owned by the Molokai Co-Op, which she thought was comprised of the owners of the lots who individually made up that co-op. She said that an RV, trailer or recreational toy could be parked on a property within the RM zoning district as long as it was on the property that the individual owned; therefore, she asked that if the co-op represented all owners within, would the property being zoned RM not already accommodate them parking there since they individually all owned a percent interest in that property.

Ms. Melanie Marsh, County Attorney, thought that the documents creating this could have been in place before the zoning code due to it being an older subdivision. She did not believe that the subject property was zoned RMRP.

Ms. Jones Smith questioned that if the subject property was owned by the co-op, which was comprised of the owners in that community, would they all own a percent interest in the property that they were trying to rezone to PUD. She indicated a concern that if this was accurate, then they would have ownership over the property and could park their equipment there because the RM zoning indicated that they could park these items in an RM zoned lot as long as it was owned by the person who was parking their item there. She wondered why this was being rezoned to PUD aside from the dumpsters.

Ms. Marsh deferred this to the applicant. She explained that the request to rezone it to PUD was because the property owners behind it who were not part of the co-op had conditions that they wanted imposed, which could not be done in the RMRP district because it was a straight zoning. She elaborated that they switched to a PUD to accommodate the requests of those property owners outside of the mobile home park.

Ms. Jones Smith indicated an understanding that the co-op was subject to a code violation because they were using the property for outdoor storage, and she asked if this was accurate.

Mr. McClendon believed that this was the code enforcement action in 2008.

Ms. Jones Smith asked how a resident who was part of the co-op could be in violation for parking their vehicle there.

Ms. Marsh said that it still had to meet the zoning code, and that property was not zoned to have the use for storing vehicles there regardless of who owned it.

Mr. McClendon clarified that RM zoning would allow up to a single RV, vessel, or boat, and

that any subsequent vehicle would need to be screened from the right of way of any easements or roads. He stated that the way to alleviate any grey areas was going through this process.

Ms. Marsh recalled that when the co-op was cited in 2008, they were not the only mobile home park that was cited for this. She said that the reason that the code case was never pursued at the time was because the Lake County Office of Planning and Zoning was going to correct the LDRs to address this issue for these types of parks; however, this did not occur and the County began receiving complaints again about this property.

Ms. Jones Smith asked when this subdivision was platted.

Ms. Marsh did not know if co-ops were necessarily platted and thought that the applicant could answer this.

Mr. McClendon reiterated that from the staff's standpoint, this request was identical to the request that was before the BCC in October 2019 and the only difference was that conditions were inserted to alleviate issues with adjacent property owners.

Mr. Jimmy Crawford, an attorney representing the applicant, said that if the issue went to code enforcement, then they would argue that RM zoning allowed the storage and that by everyone in the mobile home park having an interest in that property, they would be able to store that many units. He felt that arguing legal issues before code enforcement could be challenging and he expressed an interest in addressing the item through rezoning. He said that staff had indicated that the property needed to be rezoned to RMRP and that this had been applied for; however, the adjacent property owners had concerns. He noted that he had met with them to address conditions and that they wanted to offer conditions to attempt to protect the neighbors; furthermore, the only way to do this was with a PUD. He thought that the mobile home park began in 1971 or 1972 and that it operated as a developer owned park until the mid-1990s when the developers sold it to the owners, after which it was cooperatively owned.

Mr. Gamble asked if each resident there had a share in the co-op.

Mr. Crawford confirmed this for any common area and said that they each had a share in the co-op corporation. He elaborated that all of the land was owned by the co-op and that the individual lot owners had a 99 year use right that was recorded in the public records; furthermore, when they bought and sold, this included their share and use right. He said that a condition which they had agreed to include in the PUD was a restriction to toy storage and dumpsters. He also noted that the adjacent property owners have had access issues.

Mr. Gonzalez asked if this was the only access to the neighbor's property, and Mr. Crawford confirmed this. Mr. Gonzalez then asked who was there first.

Mr. Crawford stated that the park was there first and that the subject property was purchased in the late 1990s, which began to be used for storage in 2005. He clarified that the maximum

number of allowed units there had always been 60 and that spaces had been marked. He commented that there would be "no blocking" signage for Paradise Lane, and he displayed an image similar to a concept plan which could be attached to the PUD. He noted that it showed Paradise Lane, the 20 foot easement, and the nine to ten foot wide roadway there currently. He recalled that the property did not have any paved access when it was bought but that it was paved after 2005 to the nine or ten feet. He pointed out an existing home and driveway which encroached into the easement, with the road being built around them. He remarked that they were trying to work around this and that the part of the road that could only be paved to 15 feet wide was in that area, with the rest of the road being able to be paved to about 20 feet wide. He commented that paving it exactly 20 feet wide would create drainage issues and said that about 18 feet was the maximum width in most places where a one foot swale could be placed on both sides.

Mr. Gonzalez inquired if the residents on Paradise Lane were part of the co-op, and Mr. Crawford confirmed this. Mr. Gonzalez then asked if the co-op purchased this property to park items on.

Mr. Crawford relayed his understanding that it was bought for protection purposes and that the co-op was worried that it would get sold for a residence. He commented that the co-op started storing trailers there about five or six years after they bought it. He was unsure if the neighbor's home was built before the co-op was there, and he noted that the mobile home park was there but that the property was not being used for storage when the house was built. He suggested a new condition indicating that trailers or vehicles parked on the property must be operable and have a valid current tag due to a concern was that it could become a junkyard. He showed an image of the property, noting the location of parking spaces and that most of the property was open. He did not think that the neighbors could see the trailers from their driveway but that they may be able to see them from another angle. He showed an aerial picture of the site from 2006 and said that the storage was there but was not spread out as far. He then showed a picture from 2009 with the trailer and storage. He commented that it had been used in this way for about 11 years, and he remarked that the concept drawing would limit the parking area to the labeled areas; furthermore, it would be disallowed in the middle of the property or around the edge toward the neighbor's property. He displayed images of the property from 2014 and 2017, pointing out that there could be up to 60 units stored there in the winter but that it could be less than 30 in the summer. He commented that they would go through the site plan process for the landscape buffer and thought that there would have to be additional plantings there.

Mr. Gamble asked who maintained the trees along the driveway to the adjacent property owner's home.

Mr. Crawford believed that the co-op maintained them. He then showed an image of the dumpsters and said that they were smaller rolling dumpsters. He explained that the trash had always been picked up there by being gathered by an employee, taken to the subject property, and then picked up by a commercial dumpster pickup service. He said that this was done because the roads had substandard paving and width within the park which did not

accommodate a garbage truck. He remarked that the dumpsters used to be kept elsewhere within the park but thought that the County had asked for them to be moved for security purposes or another reason. He commented that they could provide screening for the dumpsters if necessary.

Ms. Jones Smith relayed her understanding that the County could not provide curbside trash pickup for individual owners because the roads were substandard, but asked if the trucks could go down a narrow dirt road to empty the dumpsters. She also asked if the road was paved now.

Mr. Crawford clarified that this road was paved now, and that it was straight and between nine and ten feet wide.

Ms. Jones Smith questioned why the dumpsters needed to be there.

Mr. Oscar Noel, President of the Molokai mobile home park, said that there were a few dead end roads and that a garbage truck would have to back in. He recalled that it was decided to obtain the small dumpsters and use them for pickup. He relayed a brief history of garbage pickup at the site, and he that noted that tops had been installed on the dumpsters due to bears, along with them being kept in good repair.

The Chairman opened the floor for public comment.

Ms. Christi LaFond, a neighbor of the subject property, said that she had been there for 21 years. She opined that the usage of the property in this manner had been a nuisance and a code violation, and said that the road was only nine feet wide. She expressed concerns for having to share this road with numerous residents, and claimed that the residents came there to park their property and that they blocked the road. She relayed her understanding that the Lake County Sheriff's Office (LCSO) had been there multiple times and had indicated that they would fine the person blocking the road and the park for having the road blocked. She did not think that the road was large enough for this many people, and she mentioned that Cook Lake was a nationally registered wetland where class A RVs and untagged vehicles were being stored. She questioned if the vehicles would be abandoned there and expressed concerns for seeing dumpsters when driving to her home; furthermore, she was worried about how this could affect her property value. She recounted a brief history of her property and opined that the applicant's solution was to move her utilities in order to make the road 20 feet wide to avoid disturbing a resident who was encroaching on the right of way. She also indicated concerns for leaching and contamination regarding the wetlands there.

Mr. Mark LaFond, a neighbor of the subject property, noted that if there was a 50 foot setback around the subject property, there would be about 0.63 acres in the middle and felt that not enough vehicles and dumpsters could be stored there. He was amicable with having one RV stored there but did not want to see possibly 300 class A RVs on the lot. He felt that more items had been stored there over time and indicated a concern for wind blowing debris.

There being no one else who wished to address the Board, the Chairman brought it back to the Board for discussion.

Mr. Crawford recalled that the property was cited by the County and that a rezoning was applied for at that point, though the County had placed the rezoning on hold to address it. He said that there had been no code enforcement or zoning for the next 10 years, and they applied for a rezoning to address the violation which came up again. He felt that many of the LaFonds' issues were addressed by adopting a PUD with the included rules and restrictions. He explained that there could not be any abandoned trailers there, that there could be trash pickup, that the property was already being used for storage in 2006 or 2007, that the site would be capped at the current use, and that the dumpsters now had tops to prevent windblown debris.

Mr. Gonzalez asked if the dumpsters were there in 1999, and Mr. Crawford indicated that they were placed there after 2001.

Mr. Noel noted that the concept plan showed a setback of 50 feet from the bank of the wetlands, and he said that if the ability to park there was lost, there would be more vehicles closer to the LaFonds. He said that the roadway was paved at nine to ten feet but that there was also dirt on the sides so that there was more width. He mentioned that the majority of the trailers on the site were small utility or enclosed trailers rather than RVs; furthermore, he thought that there were less than 10 RVs. He commented that some people may go back there to empty trash into a dumpster and that most of the vehicles parked there did not move often. He noted that the dumpsters were visible but felt that they had to be placed somewhere.

Mr. Gonzalez inquired if there was an abandoned class A vehicle there.

Mr. Noel denied this and relayed that they had someone who enforced this; furthermore, each vehicle parked on the site had to have a sticker from the park. He said that a class A vehicle may have been there but that he thought it was registered.

Mr. Gonzalez asked if this vehicle would be moved if this request was approved, and Mr. Noel said that it would be moved if it was not registered and operational.

Mr. Jim Hamilton asked to clarify if there would be fencing around the dumpsters to block them from sight.

Mr. Crawford indicated that staff had told them that under the RMRP zoning, they would have to fence or enclose the dumpster area on three sides. He said that this was a site plan issue but that the Board could require this in the PUD. He stated that they would be willing to enclose and landscape the dumpster area.

Ms. Jones Smith recalled that this request required a waiver for the code requirement stating that a PUD must be at least 10 acres.

Mr. Gonzalez indicated that staff had explained that there was no basis for this requirement.

Ms. Jones Smith stated that staff had not presented a final finding to the Board nor had they submitted a recommended ordinance.

Mr. McClendon said that when staff researched the issue, they pulled the first ordinance for the PUD zoning district that was placed in the LDRs; furthermore, they were unable to identify where the 10 acre requirement originated from. He said that for the flexibility of Lake County citizens, the Board would possibly see a revised LDR ordinance where staff would recommend to remove the 10 acre requirement.

Mr. Gonzalez asked to confirm that there were numerous trailer parks in the county that were under 10 acres in size, and Mr. McClendon said that this was correct.

Ms. Jones Smith clarified that the applicant was not requesting to rezone the mobile home park; rather they were rezoning the empty lot.

Ms. McKeeby noted that the dumpster had to be placed somewhere and that the garbage trucks could not travel down the roads in the park.

Ms. Jones Smith relayed her understanding that this was not the only public space in that community.

Mr. Gamble noted that another comment card had been received for this item, so he allowed that citizen to speak.

Ms. Linda Stowell, a resident of Lake County, indicated her understanding that the dumpsters were moved to the subject property because bears were getting into them. She said that there were 272 shares in the co-op and that 272 residents owned a portion of that property; furthermore, she thought that they could each park one extra vehicle on that property. She noted that the applicant was agreeing to a buffer and fencing in the dumpsters, and she expressed a concern for limiting it to 60 spaces due to there being 272 shares in the co-op. She did not think that one property should outweigh 272 other properties.

MOTION by Rick Gonzalez, SECONDED by Kathryn McKeeby to APPROVE Tab 4, Molokai Co-Op MHP Rezoning, with the modification to require stored vehicles to be operable and tagged.

FOR: McKeeby, Gonzalez, Todd and Hamilton

AGAINST: Gamble, Jones Smith, Morris

MOTION CARRIED: 4-3

Tab 5 – SAVE A FOX SANCTUARY CUP

Ms. Johnson presented Tab 5. She explained that the property was located at 19231 CR 33, in the City of Groveland area, and was identified by alternate key number 3438094. She said that the property was approximately 9.65 acres, and the applicant was requesting a conditional use permit (CUP) to allow an exotic animal sanctuary on Agriculture zoned property. She displayed the zoning and FLU maps for the property, noting that the current FLU was Rural. She displayed the concept plan, and she relayed these staff analysis findings: the subject 9.65 acre property was zoned Agriculture; the conditional use request was consistent with LDRs Table 3.01.03, Schedule of Permitted and Conditional Uses, which allowed exotic animals within the Agriculture zoning district with an appropriate land use regulatory instrument, with a CUP satisfying this requirement; and the conditional use request was consistent with Comp Plan Policy I-1.4.4, Rural Future Land Use Category, which stated that animal specialty services were allowed within the FLU category with an appropriate land use regulatory instrument.

Mr. Gamble asked if public comments could be considered now.

Ms. Johnson confirmed this and noted that the applicant was unable to attend today but that there were some members from the Save a Fox corporation in attendance.

The Chairman opened the floor for public comment.

Ms. Alda Bradnick, a neighbor of the subject property, said that she walked in the area and that she disapproved of having animals next door.

Ms. Christina Shrout, a neighbor of the subject property, said that she did not want the animals there and thought that the scent could draw wild animals to the area. She claimed that the neighborhood had a petition indicating that the facility was not wanted there. She also suggested that it would create traffic and noise.

Ms. Kellie Kruse, a resident of Ramsey County in the State of Minnesota and representing Save a Fox, relayed her understanding that the scent of these animals was more likely to keep away other predatory animals. She clarified that they were not looking to intrude on the neighbors' properties and said that they wanted to rescue these animals. She opined that the animals did not make a significant amount of noise, and stated that they kept the property clean and cared for the animals. She clarified that tours were on a scheduled basis, and she thought that the rescue could work with the neighbors to update them on what was occurring. She did not feel that there had been issues in the State of Minnesota and that they had been successful there.

Mr. Stephen Brauer, a neighbor of the subject property, expressed concerns for the facility being nonprofit and for delivery services damaging his driveway that he maintained. He alleged that the applicant's facility in the State of Minnesota had been shut down because their capacity of foxes was exceeded. He questioned where an RV could be parked when there

would only be six parking spaces. He expressed concerns for numerous people visiting the site and also for other animal sanctuaries in the area. He submitted a petition against the request, and he thought that there was land for sale elsewhere that could be utilized.

Ms. Meghan Hines, from Stearns County in the State of Minnesota and representing Save a Fox, displayed images from activities at the Save a Fox rescue in the State of Minnesota. She clarified that the traffic would not be comparable to a zoo nor would they have tours on most days; additionally, their tour capacity was three or less people three or four times a week. She added that tours required an appointment and that they intended to have a similar operation to that which was in the State of Minnesota. She said that they intended to operate quietly and that they did not receive packages at their location in the State of Minnesota.

Mr. Gonzalez asked Ms. Hines to explain her position in this organization, if it was a nationwide organization, and if they owned the property.

Ms. Hines stated that she was the development director for Save a Fox and that she sat on the board of directors; furthermore, she commented that the organization was only in the State of Minnesota. She said they did not own the property and relayed that the individual who was supposed to present the case today had experienced a medical issue on the previous day.

Mr. Gonzalez inquired if they would want to suspend this case until another time, and Ms. Hines thought they could address any concerns.

Ms. Jones Smith asked how many Save a Fox rescue locations they had in the country, and Ms. Hines indicated that they had one location in the State of Minnesota. Ms. Jones Smith then asked to confirm whether they were looking to purchase the subject property to open a second location or to move their current location.

Ms. Hines clarified that they were looking to open a second location due to a need to expand. She relayed that their current city and county in the State of Minnesota had refused to let them take more animals. She also explained that the majority of their rescue animals were captive born, captive bred foxes.

Mr. Gonzalez inquired why they chose the subject property.

Ms. Jones Smith inquired who would be running this operation and if individuals would be living on the site.

Ms. Hines responded that it was one of the only sites with sufficient land capacity and the Agriculture zoning. She also said that there would be at least two live-in staff and that one of them would be relocating there from the State of Minnesota.

Mr. Gonzalez asked about the qualifications of the people who ran this organization.

Ms. Hines explained that their founder had been working with foxes for 10 years and that she

was the main handler of the animals. She elaborated that other individuals had trained under her.

Mr. Gonzalez then asked if this individual had any formal training.

Ms. Hines said that they had some schooling but that they did not complete their veterinarian studies degree.

Ms. McKeeby inquired if they were involved in rehabilitation, and Ms. Hines denied this.

Mr. Gonzalez asked if there was a veterinarian associated with the organization, and Ms. Hines confirmed that they had a veterinarian who saw all of their animals in the State of Minnesota; additionally, a veterinarian had also been found in the State of Florida.

Ms. McKeeby asked how many foxes they had at their facility in the City of Minnesota, and Ms. Hines said that they had 20 adult foxes there and wanted 40 foxes in Lake County.

Mr. Gonzalez questioned how they were funded, and Ms. Hines explained that they were funded through donations primarily from their social media following of over 500,000 people. She opined that they were well funded and had a steady flow of monthly income. Mr. Gonzalez then asked if they took in captive bred foxes to live there.

Ms. Hines commented that they obtained them from fur farms when they were sick and that they would typically be euthanized; however, her organization was able to obtain them and move them to their property. She clarified that these were not foxes that were found outdoors.

Ms. McKeeby asked to clarify that the foxes were raised in fur farms to be killed for their fur.

Ms. Hines said this was correct. She related that if the pups were sick or if the mother was unable to care for them, this could be a liability for the farm.

Mr. Gonzalez inquired if foxes came there from throughout the country and if they would bringing foxes from the State of Minnesota to the State of Florida.

Ms. Hines noted that there were farms all over the country but that the farms they worked with were mostly local to the State of Minnesota. She denied that they would be bringing foxes to the State of Florida from the State of Minnesota. She stated that some individuals had expressed interest in surrendering their captive born foxes to her organization and that this was another reason why they needed a new location. She commented that when the animals could not be taken in, their owners could hide them or free them into the community.

Mr. Gamble did not think that the driveway was maintained by the County, and he asked what they would do to maintain it.

Ms. Hines indicated that they had plans and funding to build their own driveway and that they

did not anticipate a high volume of traffic.

Ms. Jones Smith mentioned that based on an aerial picture, there was a curb cut on CR 33 and an apron coming in, then the driveway went a short distance before it split into two driveways; furthermore, it would curve into the subject property. She wondered how the easement worked for these driveways.

Ms. Johnson said that for the current driveway access which connected to CR 33, staff's understanding was that it was an easement that had an apron through another resident's property. She indicated that in a meeting with the applicant, staff explained that it was likely that they would have to obtain their own access; furthermore, access improvements would be addressed during the site plan phase.

Ms. Jones Smith inquired if they would have to make their own curb cut onto CR 33 and if they would be unable to use the neighbor's driveway.

Mr. Seth Lynch, with the Lake County Public Works Department, said that he was unaware of a meeting or a discussion about access that would be different from what was currently there.

Ms. Jones Smith asked if it would be reasonable to assume that he would not want more curb cuts on CR 33, and Mr. Lynch responded that they would have to evaluate it and that it was County maintained.

There being no one else who wished to address the Board, the Chairman brought it back to the Board for discussion.

Mr. Morris thought that the Board needed to postpone the case to let staff meet and learn the facts. He asked if the case could be postponed for 60 days.

Mr. Gamble indicated that this time could also be used to address issues with nearby residents.

Ms. Marsh indicated that the Board could postpone it however long they wanted; however, she suggested specifying the Board's April or May 2020 meeting because it may not fall within exactly 60 days.

Mr. Morris asked if the applicant would be amicable with this.

Ms. Hines said that she was personally amicable to this but felt that it was a timely situation with building.

Mr. Gonzalez suggested postponing the case to the May 2020 meeting. He said that the Save a Fox owner could come back to represent their operation and that they could also consider alternative sites.

Ms. Jones Smith wondered if one month would be enough time for the applicant to meet with the neighbors and the County.

Mr. Greene was unsure if 30 days would be sufficient to meet with the neighbors and staff with regard to the driveway access issue. He recommended to postpone the case either 60 or 90 days due to uncertainty about the wellbeing of the primary applicant. He also thought that 90 days would be enough time to meet with the adjacent property owners.

MOTION by Tim Morris, SECONDED by Kathryn McKeeby to POSTPONE Tab 5, SaveaFox Sanctuary CUP, to the June 2020 Planning and Zoning Board meeting.

FOR: Gamble, McKeeby, Jones Smith, Morris, Gonzalez, Todd and Hamilton

AGAINST: None

MOTION CARRIED: 7-0

Tab 6 – CREATE CONSERVATORY/SAWYER REZONING

Mr. Greene presented Tab 6. He said that this rezoning was for a 3.1 acre property from Rural Residential (R-1) to Community Facility District (CFD) to accommodate an educational facility and also to request a setback waiver to the front setback requirement. He explained that the property was surrounded on all four sides by the Rural FLU and R-1 zoning, and that the Rural FLU allowed institutional facilities such as schools; however, R-1 zoning did not allow this and this was why the request was for CFD zoning. He indicated that the property was intended to have a K-5 school specializing in science, technology, engineering and mathematics (STEM) education with a maximum of 80 students and seven staffers. He stated that the property was within the Emerald Marsh area along Bertsville Road. He displayed a concept plan, and relayed that staff had indicated that the Rural FLU allowed educational facilities; however, the proposed use with regards to land use compatibility with the surrounding rural nature of the property was inconsistent and incompatible. He mentioned that the property would be required to have central water and sewer, though the Town of Lake Lady had indicated that those services were unavailable. He said that currently, the property functioned as a residential property and they would have to accommodate their own well and septic tank onsite. He related that currently, the well serving this property was across the street and served three different properties; furthermore, if the project was approved, it would have a level of impact and intensive uses that would be incompatible with the surrounding rural community. He commented that the LDRs required a noise study and that staff opined that the school would have noise levels that exceed the existing noise in the area. He concluded that staff found the request to be incompatible with adjacent land uses and the existing rural nature of the adjacent R-1 zoning districts.

Mr. Hamilton asked if the applicant would be using Crown Place to access the site and if the site already had a home on it.

Mr. Greene displayed a map of the area and clarified that the access would come from Bertsville Road and then to Crown Place. He also confirmed that there was already a home there which would be converted into a school.

Ms. Jones Smith inquired if there were pump houses across the road from the site.

Mr. Greene thought that they were residences but said that they could be pump houses.

Mr. Gamble said that the Board had received a letter indicating that there were now four homes in that area.

Ms. Nikki Duslak, Founder and Head of School for CREATE Conservatory and representing the applicant, opined that the public school system in the area was inadequate for gifted students. She said that the options for gifted learners in North Lake currently was to attend Beverly Shores Elementary School one day per week. She relayed her understanding that Beverly Shores Elementary School was an "F" rated school and felt that the county would not attract top talent in certain fields because there were no top schools for their children. She relayed that 25 letters of support had been submitted to the Board and that there were an additional 30 names currently on her school's enrollment list. She commented that the other locations they investigated were not ideal and that they chose this house in the Town of Lady Lake because it was a tranquil environment. She felt that the property provided ideal safety and access, and she clarified that CREATE Conservatory was a nonprofit K-5 school that taught STEM education through arts integration. She commented that they would consider community concerns as they developed their plans, and she relayed these items to address traffic concerns: incentives for carpooling; staggered start and end times; and beforecare and aftercare options. She concluded that they did not intend to have 80 vehicles coming and going each day.

Mr. Gonzalez asked if she owned this property, and Ms. Duslak replied that they were currently in a due diligence period.

Mr. Gamble asked to confirm how many students they were considering, and Ms. Duslak said that they would have a maximum capacity of 80 students. Mr. Gamble also felt that there had been a significant turnaround at Beverly Shores Elementary School. He indicated that his concern was for the road, and he asked if it was concrete.

Ms. Duslak relayed her understanding that this was correct.

Mr. Gamble thought that there could still be at least 40 to 50 cars per day, and he questioned how wide the road was and if it was a county road.

Mr. Lynch explained that the road was concrete, 20 feet wide, and not maintained by the County; however, Bertsville Road was maintained by Lake County and was recently repaved, and Griffin View Drive was also maintained by the County. He said that these roads were used to get to the road at the subject property and that the road there was drivable.

Ms. Jones Smith inquired how that road was maintained.

Ms. Duslak thought that three other homes on that road currently shared in its maintenance. She suggested having it in writing that the school would be responsible for the significant majority of maintaining that road.

Mr. Gamble asked how the children would be fed.

Ms. Duslak commented that students would have to bring their lunch and that there would be no deliveries; however, a garbage truck would travel there.

Mr. Gonzalez inquired if they would have a commercial kitchen, and Ms. Duslak said that there was no food service. Mr. Gonzalez then asked why this site was chosen when it did not have the proper zoning or adequate access. He felt that it was the incorrect site.

Ms. Duslak did not believe that the access was inadequate and said that the majority of commercial zonings in this area were in areas with high traffic, noise and density. She expressed that they did not necessary want children in those places and that they had looked at over 50 properties, with the subject property being voted on by their board. She felt that the house could support what they were trying to do, that the site was safe, and that it had space for the children to play. She believed that the property was accessible and that most other schools functioned in higher density locations in this area with more children.

Ms. Jones Smith asked if this was the last house on the road.

Ms. Duslak confirmed this and said that the driveway was a cul-de-sac which could support drop offs and pickups.

The Chairman opened the floor for public comment.

Ms. Kim Levine, a business owner in Lake County, felt that the benefits of arts integration and the reduction in arts funding in the state supported the proposed school. She said that there was potential for her company to become involved and that they supported the creative process in learning. She added that her organization had committed to supporting the development and the funding of the schools' marketing efforts, along with contributing two scholarships.

Mr. Gonzalez asked about her position with the school, and Ms. Levine replied that she was a board member. Mr. Gonzalez then inquired if this site was focused on due to budget restrictions, and Ms. Duslak denied this.

Mr. Mark Duslak, a resident of Lake County, spoke about Ms. Duslak's education background and felt that she built outstanding teams. He said that the school's board represented members who were the top talent in their fields and noted that the school was nonprofit. He opined that there were not enough opportunities to meet the diverse educational needs of students in the

area, and that CREATE Conservatory addressed this issue. He relayed that the neighbors and the community would be considered, and he urged the Board to support the request.

Ms. Amber Karlins, Chair of the Board for CREATE Conservatory and a professor at Lake-Sumter State College, said that she believed in public education but felt that the current system was unable to adequately meet the needs of gifted, talented and creative learners. She also opined that one day per week at Beverly Shores Elementary School was insufficient to serve this population. She indicated that their intention was not to be in a residential area, but thought that the subject property was correct. She stated that they would work with the neighbors and the community to address challenges.

Mr. Dean Barber, a neighbor of the subject property, expressed concerns for the following items: decreased property values; the type A buffer consisting of vegetation rather than a fence; a neighbor who was worried about children coming onto their property; livestock harming children; the roadway not constituting a school due to the traffic; having to repair the road; and water and septic service. He said that they shared a pump house that serviced the three homes, and he was concerned that the pipes would not withstand increasing the pump pressure. He was also worried that the road could not accommodate the weight of a firetruck, that there was only one way in and out, and that there would be increased lighting and noise. He asked the Board to deny the request.

Ms. Jones Smith asked how the pump house worked.

Mr. Barber responded that one line left the pump house and went up the road to go to each individual home. He also described it as being one main with three individual junctions and noted that it serviced each property.

There being no one else who wished to address the Board, the Chairman brought it back to the Board for discussion.

Ms. Duslak explained that the type A landscape buffer was included because it was what they were advised to write by the Lake County Office of Planning and Zoning; however, they intended to fence in the school for safety. She opined that the water consumption would be similar to a single family residence due to the use of the water. She said that they were investigating potentially installing a private well, and that they were working with the United States Department of Agriculture (USDA) on a grant that would help them bring the property up to code and ensure that it was adequately lit. She relayed that there was an empty field behind them that they could use for children to leave the property in case of an emergency; furthermore, they would work with local law enforcement and the community to ensure a safe exit plan for the students there. She opined that the community benefit of the school outweighed the concerns of an individual neighbor, and she relayed her understanding that the majority of other schools functioned with more students in higher density areas than the subject location.

Mr. Gonzalez asked about evacuating the students on private property, and Ms. Jones Smith clarified that it would be on the subject property. Mr. Gonzalez opined that this was not the correct location.

Ms. McKeeby recalled that the property was inconsistent with the area's land development.

Ms. Jones Smith agreed but hoped that they could find a good location in the area to serve this population.

Mr. Gamble indicated that there were five letters of objection. He applauded what the applicant was doing but thought that a different location would be preferable.

MOTION by Rick Gonzalez, SECONDED by Cori Todd to DENY Tab 6, Create Conservatory/Sawyer Rezoning.

FOR: Gamble, McKeeby, Jones Smith, Morris, Gonzalez, Todd and Hamilton

AGAINST: None

MOTION CARRIED: 7-0

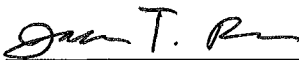
OTHER BUSINESS

Mr. Greene indicated that the next meeting would be on April 1, 2020 and would include an election of officers.

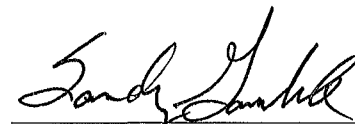
ADJOURNMENT

There being no further business, the meeting was adjourned at 11:18 a.m.

Respectfully submitted,



Josh Pearson
Deputy Clerk, Board Support



Sandy Gamble
Chairman

LAKE COUNTY SPEAKER REQUEST FORM

Please fill out the information below. All speakers will be limited to three minutes; however, the Chair retains the discretion to adjust speaking time limits as he or she deems necessary.

First and Last Name: Mark & Christi LaFond Date: 3/4/2020

County of Residence: Lake

Topic: Molokai Rezoning

Tab No. (if applicable) 4



Residents wishing to participate in the public comment portion of Lake County Board of County Commissioners' meetings must fill out a comment card and submit it to the Deputy Clerk at the left of the dais. Those bringing handouts or displays must also submit copies to the Deputy Clerk. The Chair will call each speaker's name. Generally, comment cards will not be accepted after the presentation of an agenda item has begun; however, the Chair has the discretion to accept additional comment cards. *Comment cards are considered public record and will be submitted as part of the meeting minutes.*

LAKE COUNTY SPEAKER REQUEST FORM

Please fill out the information below. All speakers will be limited to three minutes; however, the Chair retains the discretion to adjust speaking time limits as he or she deems necessary.

First and Last Name: Linda Stowell Date: 3/4/20

County of Residence: Lake

Topic: Molokai MHP ReZoning

Tab No. (if applicable) 5



Residents wishing to participate in the public comment portion of Lake County Board of County Commissioners' meetings must fill out a comment card and submit it to the Deputy Clerk at the left of the dais. Those bringing handouts or displays must also submit copies to the Deputy Clerk. The Chair will call each speaker's name. Generally, comment cards will not be accepted after the presentation of an agenda item has begun; however, the Chair has the discretion to accept additional comment cards. *Comment cards are considered public record and will be submitted as part of the meeting minutes.*

LAKE COUNTY SPEAKER REQUEST FORM

Please fill out the information below. All speakers will be limited to three minutes; however, the Chair retains the discretion to adjust speaking time limits as he or she deems necessary.

First and Last Name:

Alda Bradnick

Date:

3/4/2020

County of Residence:

Topic:

Tab No. (if applicable)

5



Residents wishing to participate in the public comment portion of Lake County Board of County Commissioners' meetings must fill out a comment card and submit it to the Deputy Clerk at the left of the dais. Those bringing handouts or displays must also submit copies to the Deputy Clerk. The Chair will call each speaker's name. Generally, comment cards will not be accepted after the presentation of an agenda item has begun; however, the Chair has the discretion to accept additional comment cards. *Comment cards are considered public record and will be submitted as part of the meeting minutes.*

LAKE COUNTY SPEAKER REQUEST FORM

Please fill out the information below. All speakers will be limited to three minutes; however, the Chair retains the discretion to adjust speaking time limits as he or she deems necessary.

First and Last Name:

Christina Shroat

Date:

03-04-2020

County of Residence:

Topic:

Tab No. (if applicable)

5



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LAKE COUNTY SPEAKER REQUEST FORM

Please fill out the information below. All speakers will be limited to three minutes; however, the Chair retains the discretion to adjust speaking time limits as he or she deems necessary.

First and Last Name: STEPHEN BRAUER Date: 3/4/20

County of Residence: 19317 COUNTY RD. 33

Topic: SAVE A FOX

Tab No. (if applicable) 5



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LAKE COUNTY SPEAKER REQUEST FORM

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First and Last Name: Kellie Knise Date: 04/03/2020

County of Residence: Rainey County

Topic: Save A Fox Rescue

Tab No. (if applicable) 5



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LAKE COUNTY SPEAKER REQUEST FORM

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First and Last Name: Meghan Hines Date: 8/4/20

County of Residence: Stearns Co. MN

Topic: Saveatoy Rescue CUP

Tab No. (if applicable) 5



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LAKE COUNTY SPEAKER REQUEST FORM

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First and Last Name: Kim Levine Date: 3/4/20

County of Residence: Lake

Topic: Zoning Change Crown Place

Tab No. (if applicable) 6



Residents wishing to participate in the public comment portion of Lake County Board of County Commissioners' meetings must fill out a comment card and submit it to the Deputy Clerk at the left of the dais. Those bringing handouts or displays must also submit copies to the Deputy Clerk. The Chair will call each speaker's name. Generally, comment cards will not be accepted after the presentation of an agenda item has begun; however, the Chair has the discretion to accept additional comment cards. *Comment cards are considered public record and will be submitted as part of the meeting minutes.*

LAKE COUNTY SPEAKER REQUEST FORM

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First and Last Name: Amber Karlins Date: 3/4/2020

County of Residence: Lake

Topic: CREATE Conservatory

Tab No. (if applicable) 6



Residents wishing to participate in the public comment portion of Lake County Board of County Commissioners' meetings must fill out a comment card and submit it to the Deputy Clerk at the left of the dais. Those bringing handouts or displays must also submit copies to the Deputy Clerk. The Chair will call each speaker's name. Generally, comment cards will not be accepted after the presentation of an agenda item has begun; however, the Chair has the discretion to accept additional comment cards. Comment cards are considered public record and will be submitted as part of the meeting minutes.

LAKE COUNTY SPEAKER REQUEST FORM

Please fill out the information below. All speakers will be limited to three minutes; however, the Chair retains the discretion to adjust speaking time limits as he or she deems necessary.

First and Last Name: Maec Dushak Date: 3/4/20

County of Residence: Lake

Topic: Zoning Change request

Tab No. (if applicable) 6



Residents wishing to participate in the public comment portion of Lake County Board of County Commissioners' meetings must fill out a comment card and submit it to the Deputy Clerk at the left of the dais. Those bringing handouts or displays must also submit copies to the Deputy Clerk. The Chair will call each speaker's name. Generally, comment cards will not be accepted after the presentation of an agenda item has begun; however, the Chair has the discretion to accept additional comment cards. Comment cards are considered public record and will be submitted as part of the meeting minutes.

LAKE COUNTY SPEAKER REQUEST FORM

Please fill out the information below. All speakers will be limited to three minutes; however, the Chair retains the discretion to adjust speaking time limits as he or she deems necessary.

First and Last Name: GUADALUPE S. ROBLES Date: 03-04-2020

County of Residence: LAKE

Topic: _____

Tab No. (if applicable) 6



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LAKE COUNTY SPEAKER REQUEST FORM

Please fill out the information below. All speakers will be limited to three minutes; however, the Chair retains the discretion to adjust speaking time limits as he or she deems necessary.

First and Last Name: DEAN BARBER Date: 3/4/2020

County of Residence: LAKE

Topic: Rezoning Application

Tab No. (if applicable) 6



Residents wishing to participate in the public comment portion of Lake County Board of County Commissioners' meetings must fill out a comment card and submit it to the Deputy Clerk at the left of the dais. Those bringing handouts or displays must also submit copies to the Deputy Clerk. The Chair will call each speaker's name. Generally, comment cards will not be accepted after the presentation of an agenda item has begun; however, the Chair has the discretion to accept additional comment cards. *Comment cards are considered public record and will be submitted as part of the meeting minutes.*

Tab 5



March 1, 2020

RE:19231 County Road 33 Groveland, FL 34736

Case NO. & Project Name: CUP-19-16-1 SaveaFox Sanctuary

To whom it may concern,

This letter is notice that the Sanctuary is not wanted at the above address. Not just due to the neighbors privacy and wanting to continue our quiet lives, but the fact that the driveway is shared with ours, there will be a lot of traffic, signs etc.. We just put over \$10k into our driveway and not needing that ruined only a couple months after we did this. **We do not give permission to have Public and Business use across or accessed by our property.**

Even if they were to make their own entrance, there would still be attention drawn to our now quiet area due to the fact that in the papers it stated educational tours and events of over 500 people. From what I was told by Ms. Raines mother, there is only going to be 6 parking spots. Where do you think those 500 people will try to park??? Even if they were to open the gate and let them park back more on the property, there is not enough room with the home that is there, shed, and all the homes for the animals which showed about 16 on the plans I saw. Even if it were only 50, that is still too much! They get deliveries of donations also from Amazon, UPS, Fedex, we dont need this business next door and yes it is a business. This is a residential area with homes on each side of this property and we wish to keep our privacy and quiet neighborhood.

It is not wanted by any of the neighbors, they have chickens, cows, horses and goats and do not want them bothered by the animals and we certainly do not want to be bothered by the noises. I moved out of Orlando for a reason, peace and quiet. I pointed out to Sandy (Mikaylahs mom) that there were 3 other properties with homes on them and their own driveways in Groveland for sale, plus there are other properties that they can go to without disturbing our peace.

Please take in to consideration the property owners in the area (petition attached) that do not want them here. A few of them told me they have already had to shoot coyotes roaming their properties and will not hesitate to shoot the foxes also. They don't want the coyotes on their properties as they come after their chickens and a few of them mentioned that this being close to us would attract more of the wild animals as they smell the animals. We certainly do not want that either. **If the permit is allowed and Zoning approves their own driveway, Saveafox must record in a deed benefitting the property owner to the burdened property release of the easement.** Thank you for your time.

Signed,



Lisa Brauer

PETITION

We, the neighbors and property owners surrounding 19231 County Road 33 Groveland, FL 34736, hereby petition against the Saveafix Corporation moving on to and opening the business/rescue. This will bring unwanted attention to our now quiet and secluded neighborhood, especially with 2 residential homes touching the property and currently sharing access from off driveway.

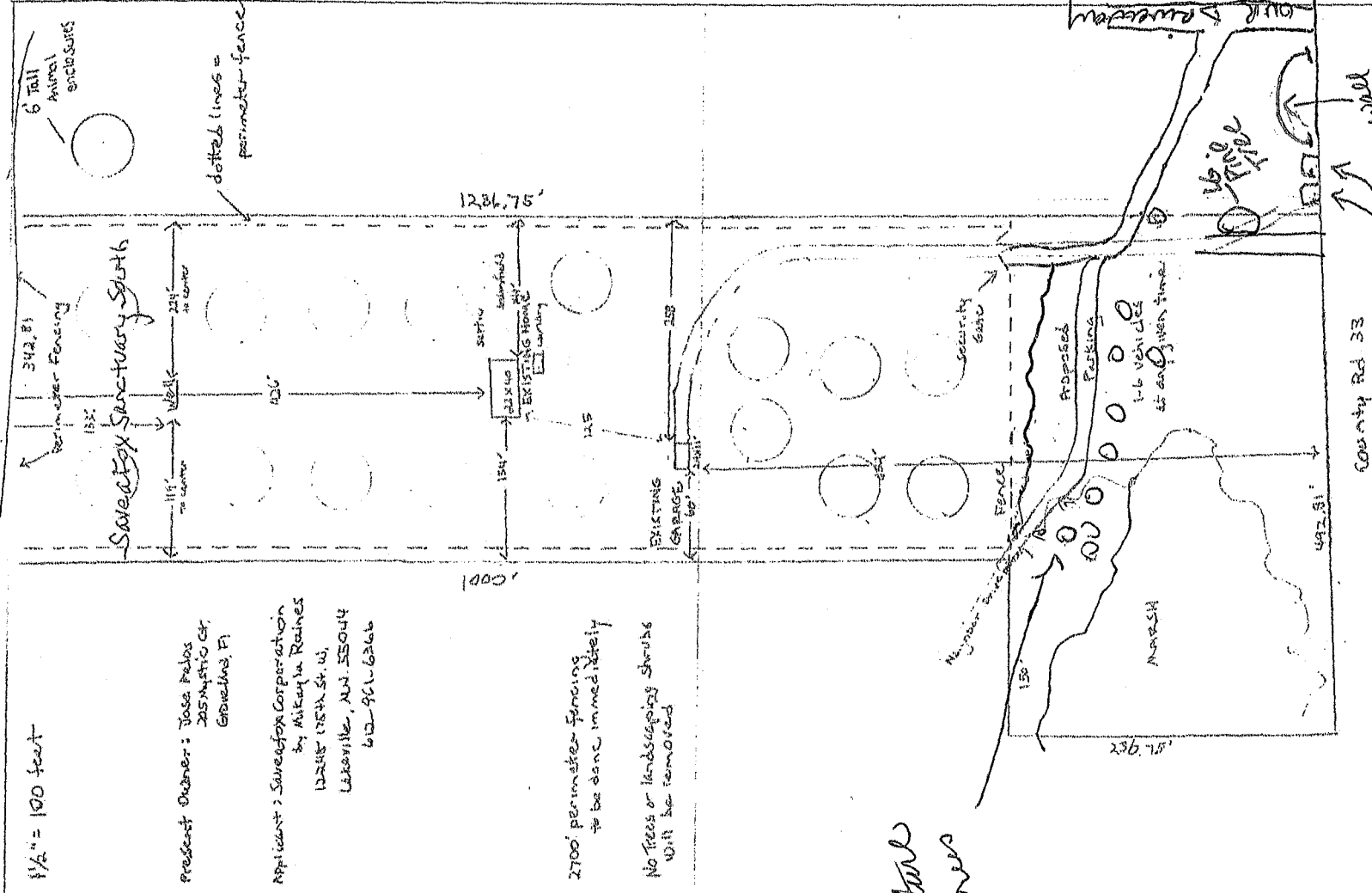
Even if there were a separate driveway, there is still one property that shares the drive. Signs will be put up, deliveries made for the donations of food, bedding, etc.... We demand this permit not be allowed.

Signature	Full Name	Email address	Mailing address	Telephone
	LISA BRAUER	nynerve@yahoo.com	19317 C.R. 33 Groveland	407-721-5905
	Stephen Brauer	" "	" " "	407-770-4150
	Shirley Booth	shirleybooth5@yahoo.com	3627 Leary Lane Groveland, FL	352-5116-9647
	Scott Schutte	schutte131@gmail.com	3535 Lazy Lane Groveland FL	952-913-3610
	Mitchell Stiehl	mitcheilstiehl@gmail.com	3501 Lutz Ln Groveland FL	352-316-8664
	Christina Shroat	shroatchristina@gmail.com	19207 CR 33 Groveland FL	352-988-4949
	Pam Schutte	pschutte1008@gmail.com	3539 Lutz Ln	352-516-2527
	Jackson W. Newland	jacksonw1723@gmail.com	9740 Lutz Ln	470-374-4702
	Charles V. Newland	cnewland@nsi.com	19507 CR 33	407-468-2313
	Cheryl Rodgers		19539 CR 33	352-260-8789
	David L. Rodgers		19535 CR 33	352-406-4787
	Alta A. Bradnick	Albra243@aol.com	19317 County Rd 33 N	863-604-2123
	Charlotte Freitas		19317 County Rd 33 N	716-467-1782
	Mei Yip	meiyip@aol.com	19624 County Rd 33	914-393-6991
	Rebecca Johnson	dec319@aol.com	19507 CR 33 Groveland	352-267-1797
	Danielle Johnson	dec319@aol.com	19507 CR 33 Groveland	(352) 267-1797
	Aaron Lietzan		3934 Baptist Islands Rd.	
	MARK S. DALE	MSDALE@FO@YAHOO.COM	4000 BAPTIST	(352) 223-7758
	TIM WATSON	WatsonT@kcl.com	4602 Baptist Islands Rd	321-986-9292
	ZAREENE ULLA		4603 Baptist Islands Rd	
	Daniel T. Hislop Jr	dannyhislop@yahoo.com	19201 CR 33 Groveland FL	352-429-1193
	Mahalleh Lamons-Martin	Mahalleh6@yahoo.com	19036 CR 33 Groveland FL	352-772-2914
	Angela Bogart	AngelWingsNFI4U@gmail.com	19036 CR 33 Groveland FL	352-557-5248
	Amanda Valquez	AValquez@SME.com	19044 CR 33 Groveland FL	



EXHIBIT "B" - Concept Plan

1



2

Cons having Save a Fox Sanctuary Next to Residential Properties:

- The sounds the foxes make are high pitched screaming – one may not be disturbing, but multiple can be quite a disturbance for nearby homeowners.
- Foxes are known to have a unique smell and within their urine and feces, this would diminish the air quality to homeowners in the surrounding area. Nearby residents have asthma and allergies and the air quality could cause possible increased complications.
- There are raccoons, coyotes, bobcats and other foxes and alligators have been seen in this area throughout the years. Rabies could easily be transferred if rescues are not caged and monitored.
- The property value of surrounding homeowners would depreciate having such a sanctuary to nearby residents.
- There are young children and small domestic animals that would be adjacent to the location of the fox's cages.
- The 6ft enclosed cages to house the rescued foxes are approximately only 130 ft from a residential home. There is a lot of property on Safe a Fox Sanctuary's parcel to house the cages somewhere other than that close to the door of a residential home with young children and small animals.
- As a 40-year resident of this property – it is a known fact that it can become very wet with standing water. This would increase the smell of urine and feces in the proximity of residential homes and flies would become an increased problem as well.
- The land may be zoned as agriculture land, but it is also susceptible to flooding as most of the land is zoned wetlands.

Stipulations if Save a Fox Sanctuary is Approved:

- There needs to be a well/pump installed on Save a Fox Sanctuary property and **ALL** water sources from the well/pump on adjacent property of **Angela D Bogart** should be disconnected to **ALL** buildings and faucets on the property of Save a Fox Sanctuary.
- If this Sanctuary is approved to house rescue foxes, there needs to be a fence and vegetation barrier on the property line to the nearby residential homes to eliminate some (would not eliminate all) noise and view. Keep in mind, this would still not eliminate the smell or flies.

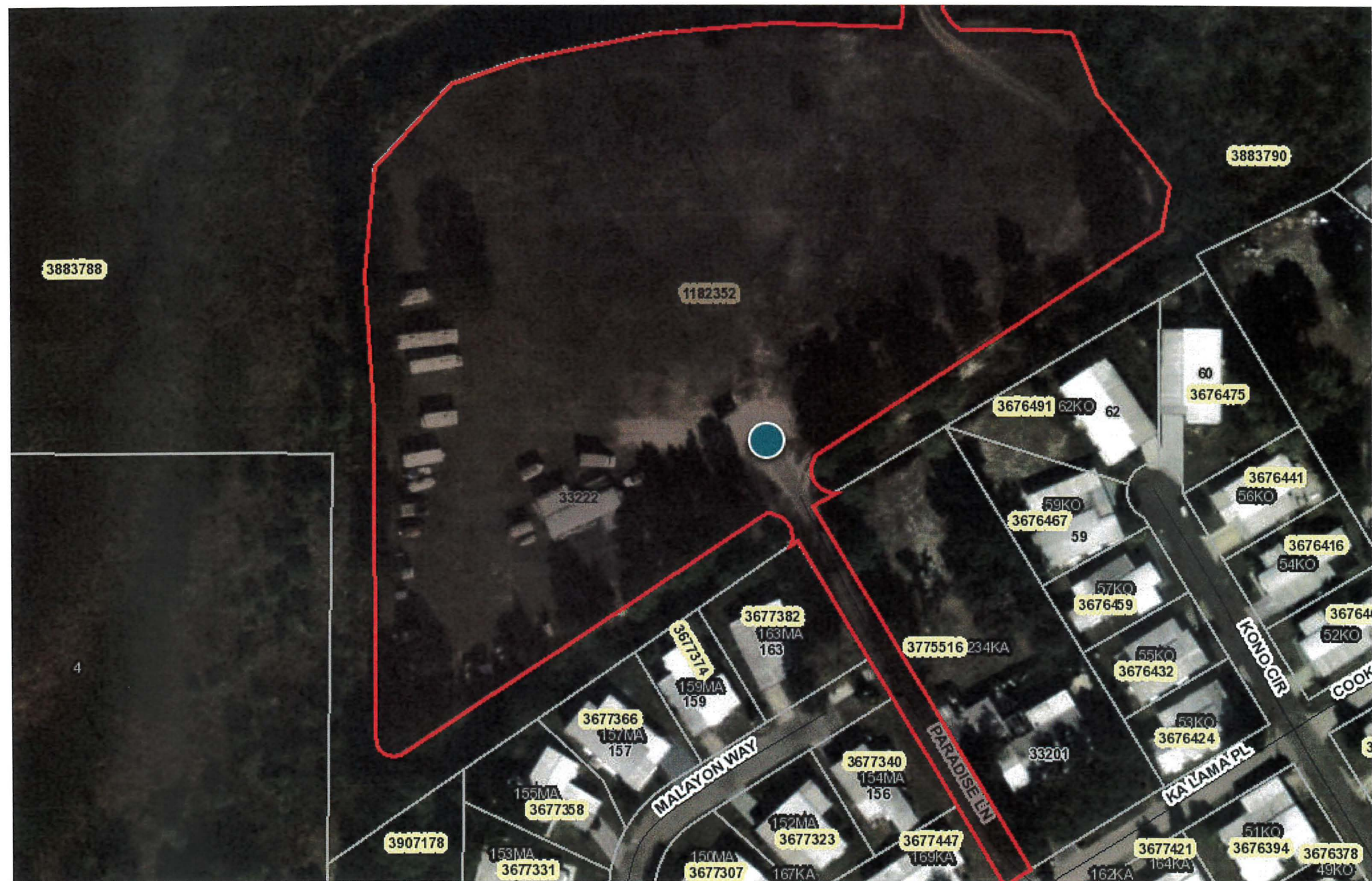
Questions and/or Concerns if Save a Fox Sanctuary is Approved:

- What other animals will be permitted to be housed on property?
- How often will property inspections be made to assure Save a Fox Sanctuary is operating within County guidelines? Owner has been known to house more animals than permitted (see articles)

- What actions will be taken if any of the animals escape from Save a Fox Sanctuary?
Owner has had animals escape in the past. (see articles)
- Will someone reside on Save a Fox Sanctuary's property at all times to assure the safety of all animals and the safety of the adjacent properties with small children and animals?
- Why has there been loud music late at night and multiple gunshots fired late at night coming from Save a Fox Sanctuary's property in the past few months?

Molokai

Tab 4



2009



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PZB-7AB4

3676491 62KO 62

3676475

33217

1182

3676441
56KO

3676416
54KO

3676408
52KO

COOK AVE

51KO

3676386

36763

48

367

KONO CIR

3676378

3676394

51KO

367421

164KA

367412

162KA

36740

KA'LAMA PL

3775516 234KA

3676467

59KO

59

57KO

3676459

55KO

3676432

53KO

3676424

33201

3677340

154MA

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157MA

157

155MA

3677358

153MA

3677331

3907178

167KA

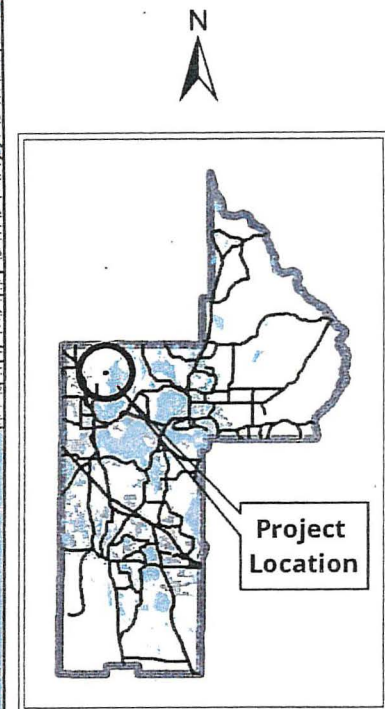
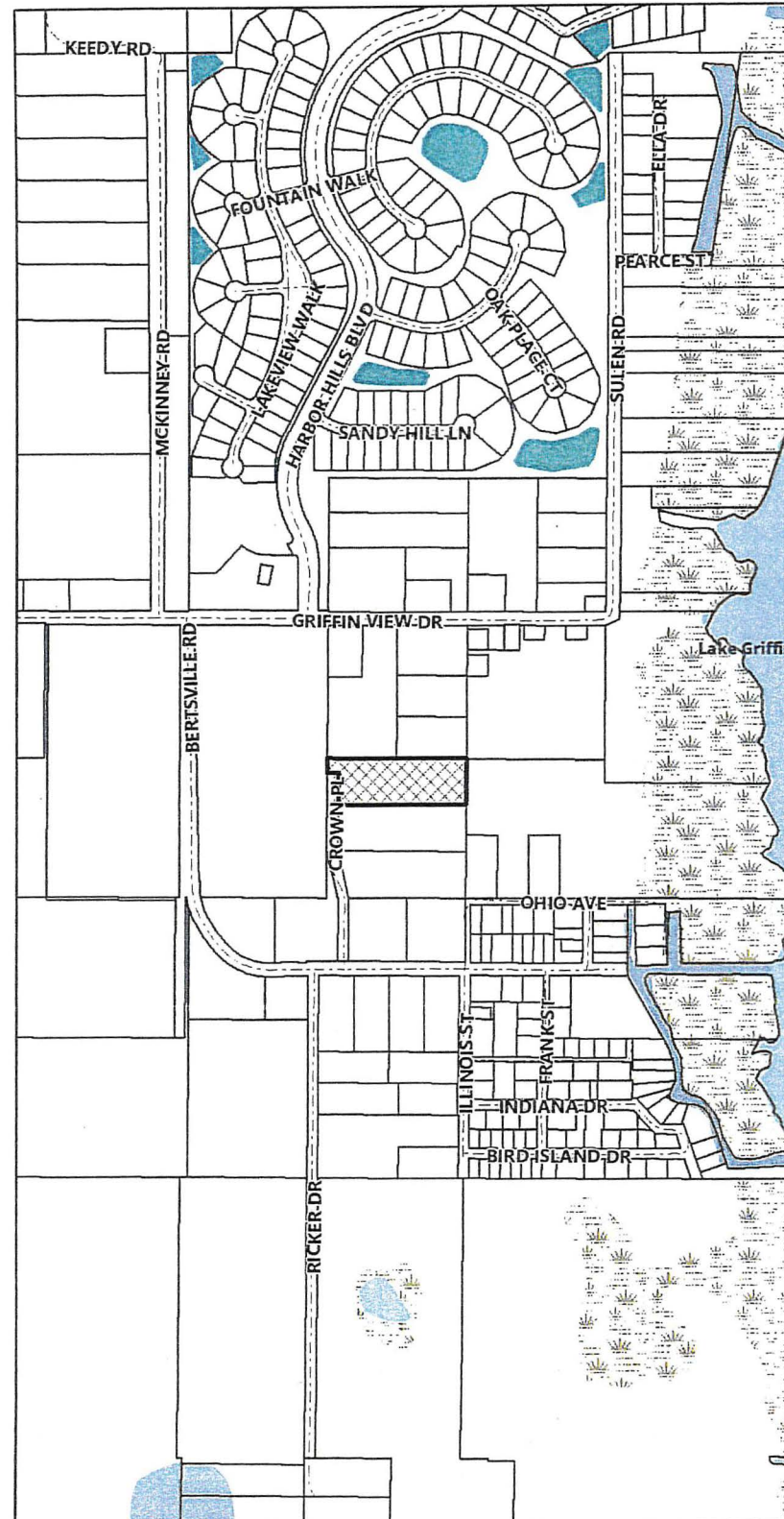
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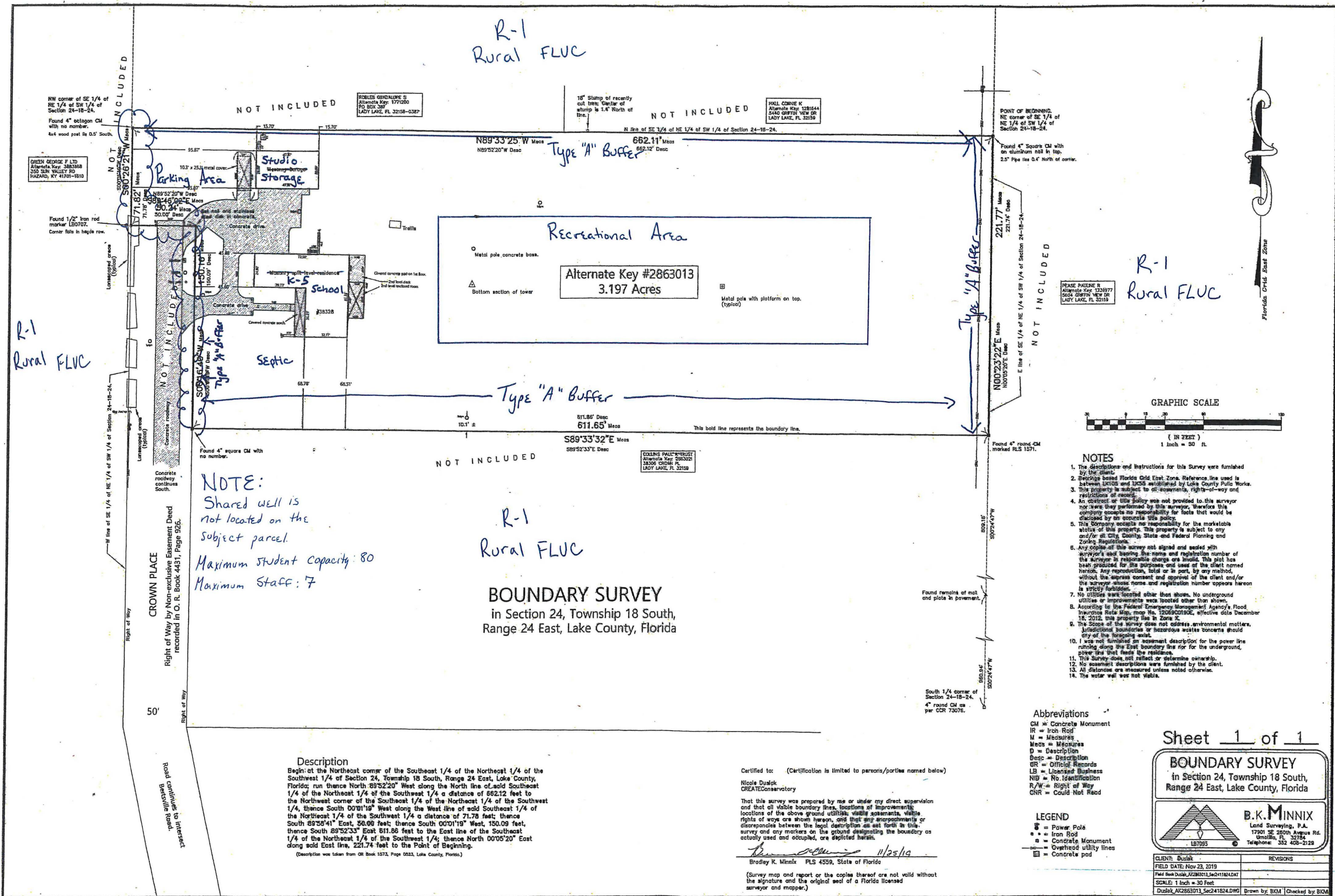
2017



Map of Subject Property







NOTE:
Shared well is
not located on the
subject parcel.
Maximum student capacity: 80
Maximum staff: 7

R-1
Rural FLUC

BOUNDARY SURVEY
in Section 24, Township 18 South,
Range 24 East, Lake County, Florida

Description
Begin at the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 24, Township 18 South, Range 24 East, Lake County, Florida; run thence North 89°52'20" West along the North line of said Southeast 1/4 of the Northeast 1/4 of the Southwest 1/4 a distance of 662.12 feet to the Northwest corner of the Southeast 1/4 of the Northeast 1/4 of the Southwest 1/4, thence South 00°01'19" West along the West line of said Southeast 1/4 of the Northeast 1/4 of the Southwest 1/4 a distance of 71.78 feet; thence South 89°58'41" East, 50.00 feet; thence South 00°01'19" West, 150.09 feet; thence South 89°52'33" East 611.86 feet to the East line of the Southeast 1/4 of the Northeast 1/4 of the Southwest 1/4; thence North 00°05'20" East along said East line, 221.74 feet to the Point of Beginning.
(Description was taken from OR Book 1573, Page 0523, Lake County, Florida.)

Certified to: (Certification is limited to persons/parties named below)
Nicole Dushak
CREATE Conservatory
That this survey was prepared by me or under my direct supervision and that all visible boundary lines, locations of improvements, locations of the above ground utilities, visible easements, visible rights of way are shown hereon, and that any encroachments or discrepancies between the legal description as set forth in this survey and any markers on the ground designating the boundary as actually used and occupied, are depicted hereon.
Bradley K. Minnix PLS 4559, State of Florida
(Survey map and report or the copies thereof are not valid without the signature and the original seal of a Florida licensed surveyor and mapper.)

Abbreviations
CM = Concrete Monument
IR = Iron Rod
M = Measures
Meas = Measures
D = Description
Desc = Description
OR = Official Records
LB = Licensed Business
NID = No Identification
R/W = Right of Way
CNR = Could Not Read

LEGEND
= Power Pole
= Iron Rod
= Concrete Monument
= Overhead utility lines
= Concrete pad

Sheet 1 of 1
BOUNDARY SURVEY
in Section 24, Township 18 South,
Range 24 East, Lake County, Florida

B.K. MINNIX
Land Surveying, P.A.
17901 SE 260th Avenue Rd.
Umatilla, FL 32784
Telephone: 352 408-2129
CLIENT: Dushak
FIELD DATE: Nov 23, 2019
Field Book Dushak_AZ2863013_Sec241824.DAT
SCALE: 1 inch = 30 Feet
Dushak_AZ2863013_Sec241824.DWG
Drawn by: BKM | Checked by: BKM