A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS

APRIL 7, 2026

The Lake County Board of County Commissioners met in regular session on Tuesday, April 7, 2026 at 9:00 a.m., in the County Commission Chambers, Lake County Administration Building, Tavares, Florida. Commissioners present at the meeting were: Leslie Campione, Chairman; Sean Parks, Vice Chairman; Anthony Sabatini; Kirby Smith; and Timothy Morris. Others present were: Jennifer Barker, County Manager; Melanie Marsh, County Attorney; Misty Spahn, Executive Office Manager, County Manager's Office; Kristy Mullane, Chief Financial Officer; and Josh Pearson, Deputy Clerk.

INVOCATION AND PLEDGE

Commr. Campione welcomed everyone to the meeting.

Pastor Sandy Gamble, with Church of God of Prophecy in the City of Tavares, gave the Invocation and led the Pledge of Allegiance.

AGENDA UPDATE

Ms. Jennifer Barker, County Manager, said that there were no changes to the agenda.

CITIZEN QUESTION AND COMMENT PERIOD

Mr. Patrick Chapin, the new President and Chief Executive Officer (CEO) for Camp Boggy Creek, introduced himself and thanked everyone, noting that they were celebrating their 30th anniversary; furthermore, in the following summer they would reach 100,000 children and families served. He explained that they were founded in part by General H. Norman Schwarzkopf and Mr. Paul Newman, and that they served critically ill and medically serious children in 15 illness groups; additionally, they raised all of the funding, and it was free to families and children. He remarked that they would start in June 2026 and have eight sessions, and that they had family retreat weekends in spring and fall. He encouraged everyone to celebrate 30 years with them.

Commr. Campione pointed out that this camp was located in Lake County between Cassia and Pine Lakes, and opined that it was a phenomenal place.

Mr. Chapin said that it was the premier medical camp and that they had a full-time nurse and doctor, noting that they served kids who could not go to other camps.

PUBLIC HEARINGS: REZONING

REZONING CONSENT AGENDA

Commr. Campione reminded the Board that they were required to disclose any communications they may have had with the applicant or members of the public about any zoning case on the agenda as they reached each of the cases.

Mr. Mike Fitzgerald, Director for the Office of Planning and Zoning, displayed the advertisements for that day's rezoning cases on the overhead monitor in accordance with the Florida Statutes. He mentioned that Tab 6, Rezoning Case # PZ2025-179, Serenoa PUD Amendment (RZ), had been withdrawn by the applicant.

Commr. Campione said that they could address the annexation report after the public hearings.

The Chairman opened the public hearing.

There being no one who wished to address the Board regarding any cases on the Rezoning Consent Agenda, the Chairman closed the public hearing.

Commr. Smith asked to pull Tab 3 to the regular agenda.

On a motion by Commr. Smith, seconded by Commr. Morris and carried unanimously by a vote of 5-0, the Board approved the Rezoning Consent Agenda, Tabs 1 and 2, pulling Tab 3 to the regular agenda, as follows:

Tab 1. Ordinance No. 2026-13
Rezoning Case # PZ2025-206
Capurso Property (RZ)
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.

Tab 2. Ordinance No. 2026-14
Rezoning Case # PZ2026-16
Orange Mountain Public Safety Tower (RZ)
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.

<u>REZONING REGULAR AGENDA</u>

Tab 3. Ordinance No. 2026-15
Rezoning Case # PZ2025-132
Greater Groves PUD Amendment (RZ)
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.

Tab 4.
Rezoning Case # PZ2025-130
Cedar Creek Rural Conservation Subdivision
Consideration of approval of Rural Conservation Subdivision Optional Density Bonus pursuant to Land Development Regulations (LDR) Chapter XVII, Section 17.05.00.

Tab 5.
Rezoning Case # PZ2025-138
Crescent Pines (RZ)
Rezone approximately 40 +/- acres from Urban Residential (R-6) to Planned Unit Development (PUD) to facilitate a residential subdivision of 79 units.

GREATER GROVES PUD AMENDMENT (RZ)

Commr. Smith relayed his understanding that the homeowner's association (HOA) was asking the County to do some code violations for parking on the streets within the HOA.

Mr. Fitzgerald confirmed this and added that the HOA was requesting to incorporate Section 3.06.00 of the Land Development Regulations (LDR), regarding the enforcement of parking, storing or keeping of vehicles, vessels, buses, trailers, trucks and commercial vehicles, into the planned unit development (PUD) ordinance. He stated that they already had in their HOA a statement which said that cars or other authorized vehicles shall be parked in the garage or driveway, and in any event may not be parked in any easement areas or the street area in front of the lot.

Commr. Smith asked that if it was part of the HOA and if the citizens paid HOA dues, then why could the HOA not address this. He also inquired if they wanted the government to come in and do their job. He indicated his understanding that it would take staff and time on something that the HOA was already supposed to be responsible for.

Commr. Campione opined that it could be a public safety issue.

Commr. Sabatini relayed that he saw the HOA as the floor and not the ceiling, and that if the issues were larger than the threshold of quality control that the HOA was doing or capable of, then the County still played a role in ensuring that this was a safe and high quality of life area; therefore, he saw no issue with having a parking regulation which benefited the majority of the constituents in that area.

Commr. Campione agreed.

Commr. Smith asked how many people wanted this, along with how many people were in the HOA and subdivision.

Mr. Fitzgerald responded that the subdivision was approved for 483 single family residential units.

Commr. Parks said that this area had been a concern regarding vehicles which were dumped there, and that there were many public safety issues which were beyond the HOA. He added that it was not just for the people in that subdivision, and that it was more for the whole part of Four Corners.

Ms. Melanie Marsh, County Attorney, related that she had received an email from the HOA attorney which indicated that the Greater Groves HOA was mandatory and that there were approximately 483 homes in the community; however, only 55 had paid their annual dues. She elaborated that the HOA had suspended the voting rights of the 428 owners who did not pay their annual assessments, noting that she had requested a resolution or something from the HOA to support the petition; however, it sounded like the resolution would have only been provided by the 55 owners or the portion of them who approved moving forward with this.

Commr. Campione recalled that they had some issues in various subdivisions with parking on the streets, along with difficulty getting a firetruck there.

Commr. Smith asked if the HOA could make one pay dues.

The Chairman opened the public hearing.

Mr. Jeffery Dubey, President for the Greater Groves HOA, explained that State law said that 60 percent of their people had to approve any change to the covenant agreement, which included parking. He opined that getting 60 percent of anyone to approve anything was almost impossible, and that back when the subdivision was started, they wrote a set of bylaws that for another $10, people could sign up and get to vote. He mentioned large vehicles trying to park in a driveway, and said that when the subdivision was built, one could not park on a county street between 2:00 a.m. and 6:00 a.m. He elaborated that over time, that law changed to where one could park almost anywhere, and that they had several narrow streets. He said that the County had addressed this until two years prior, and that this was why they had asked to have the PUD changed.

There being no one else who wished to address the Board regarding this matter, the Chairman closed the public hearing.

On a motion by Commr. Smith, seconded by Commr. Sabatini and carried unanimously by a vote of 5-0, the Board approved Tab 3, Rezoning Case # PZ2025-132, Greater Groves PUD Amendment (RZ).

CEDAR CREEK RURAL CONSERVATION SUBDIVISION

Mr. Fitzgerald presented Tab 4, Rezoning Case # PZ2025-130, Cedar Creek Rural Conservation Subdivision. He explained that the requested action was consideration of approval of a rural conservation subdivision optional density bonus pursuant to the LDR, and that the property was 119.4 acres located north of Number 2 Road and west of Mission Resort + Club. He remarked that the existing zoning was Agriculture, and that the future land use (FLU) was Rural Transition. He said that the request was consistent with rural conservation subdivision design standards, and that the proposal was for a subdivision consisting of 97 lots for single family residential homes; additionally, they were providing 40.93 acres of primary conservation area and 49.26 acres of secondary conservation area, which would total a 63 percent open space allowance where the minimum required was 50 percent. He commented that the applicant was proposing 10 additional acres of open space, and that the allowed density bonus was for 20 units which may be considered; however, the applicant was only requesting 11 units above the base density. He said that the proposal had been forwarded to the Town of Howey-in-the-Hills, though they did not provide any objections. He stated that the applicant had provided an executed developer's agreement between the Town and the owner regarding providing potable water service, contingent wastewater service, and voluntary annexation. He relayed that the applicant had submitted their management plan which contained practices for minimal disturbance methods, maintenance of vegetative buffers, annual ongoing assessments, and tree preservation, noting that the HOA would be responsible for the common areas. He added that the management plan also included a provision for the County to conduct inspections of the property, and that there was an onsite visit conducted with the Office of Planning and Zoning and the Public Works Department; additionally, public information was provided by the applicant, and they provided proof of that meeting to staff. He stated that this proposal was consistent with the Comprehensive Plan (Comp Plan) Rural Transition FLU, as well as the Comp Plan density bonus for rural conservation subdivisions which would allow two additional building units. He pointed out that the concept plan showed 91 units

that would be 65 feet by 140 feet, and approximately six lots which would be 75 feet by 140 feet with a minimum lot size of 9,100 square feet. He reiterated that the Town of Howey-in-the-Hills would be providing water and potentially sewer, and pointed out that Lake County Fire Station 76 was 1.47 miles from the subject property. He said that the Lake County School Board had reviewed this project and that it was subject to school concurrency, though an adequate public facilities determination had been provided to the growth management office of Lake County. He commented that a traffic study had been submitted to staff, and that the conclusions were based on the overall potential growth in the Town of Howey-in-the-Hills. He specified that the roads currently operated at an acceptable level of service, and that this study projected the buildout of everything planned in the Town of Howey-in-the-Hills. He also indicated that it was stating that there could be a potential failure at State Road (SR) 19 from County Road (CR) 48 to Central Avenue, and at the intersection of Palm Avenue and Central Avenue. He said that it was to be decided how the Florida Department of Transportation (FDOT) would address the SR 19 expansion, and that the intersection of Palm Avenue and Central Avenue would potentially be a traffic signal, noting that this was being studied and would be installed once it was warranted. He commented that the entrance to the project was at Number 2 Road, and that the applicant was proposing a three-way stop at that intersection entrance.

Commr. Parks disclosed that he had spoken with the applicant several months prior.

Commr. Sabatini indicated that he did not have ex parte communication.

Commr. Campione relayed that she met with the applicant and their representative a couple months prior, and that she had also spoken with Ms. Tara Tedrow about the road connection and concerns she had about the three way stop versus the possibility of a roundabout, as well as some discussions about Number 2 Road and trying to find a solution.

Commr. Smith disclosed that he had conversations with the representative of the property, as well as some citizens around the property.

Commr. Morris said that he did not have ex parte communication.

Commr. Parks relayed his understanding that the current item was the density bonus request, and that a site plan would come forward after this for approval regardless if the density bonus was granted. He also inquired what the applicant would currently be entitled to in terms of density.

Mr. Fitzgerald replied that currently before the Board was a request for approval of the density bonus, and that the conceptual sketch plan was one property and less than 199 units; therefore, per the County's regulations, this could be approved at a staff level. He clarified that it was not the conceptual sketch plan before the Board for approval, but merely the request for the density bonus of 11 additional units. He then stated that the applicant currently had rights to 86 units based on their acreage, and that they were requesting an additional 11 units. He reiterated that they were entitled to request an additional 20 units.

Commr. Parks indicated his understanding that 86 units would be if they came in at a staff level through the current code.

Mr. Fitzgerald confirmed that this would be without an optional density bonus. He said that if the density bonus was approved and staff moved forward with an approval letter for this conceptual sketch plan, the next step for the applicant would be submitting a preliminary plat.

Commr. Morris asked if the applicant was going to do anything to Number 2 Road other than what was in front of them.

Mr. Fitzgerald reiterated that they were proposing a three way stop.

Commr. Morris opined that this could increase Number 2 Road by 200 trips per day.

Commr. Campione pointed out that this item was only before the Board because of the density bonus, and that they would not really be able to ask this question other than from a staff level, opining that it was a good question to be asking because she had questioned if they would be able to get a better intersection improvement which would go toward the overall concerns people had. She said that she preferred Number 2 Road to not function as a collector road, and to provide as much protection as they could for the character of the area; therefore, she was interested in anything that might help with this. She indicated that she wanted to find out from Mr. John Blodgett's perspective if a roundabout could go toward his overall concept plan for Number 2 Road.

Mr. Fitzgerald relayed his understanding that there was some discussion about a roundabout, though there were right of way challenges.

Mr. Alex Stringfellow, representing the applicant, said that for FDOT's timeline on Palm Avenue, which was SR 19 as it ran through the Town of Howey-in-the-Hills, 2027 would be the start of resurfacing which would run roughly 1.5 miles south of the Town of Howey-in-the-Hills through the downtown. He added that they had a community meeting in March 2026, and that the light and the signal at the intersection of Palm Avenue and Number 2 Road was slated for 2028; furthermore, he relayed his understanding that funding was in place. He then displayed an image of the site, noting that they were in Rural Transition which looked to transition from Urban Low, abutting their east property line, and the Rural FLU which was west down Number 2 Road. He commented that they were about two miles down Number 2 Road to the west, and that some of the other developments in the area which were contributing to some of the traffic issues included Lake Hills PUD, Hillside Groves, etc., noting that there was an additional development on the south side of Number 2 Road. He relayed his understanding that there were discussions regarding expansion of Number 2 Road due to those incoming developments, and that there were three ways that the applicant could request an optional density bonus, noting that they elected for option A. He specified that they could request two additional units for each additional acre, and that the baseline required open space would be 39.24 acres. He explained that credited open space was outside wetlands, and that wetlands were protected in primary conservation. He added that there were additional criteria for how stormwater ponds could be built, noting that they had to be shallower, smaller and distributed throughout the site, noting that the applicant had done this. He said that they also provided a 100 foot perimeter buffer around the entire property, and that in some instances they were almost 900 feet from the property's edge, or around 300 to 350 feet from the edge of Number 2 Road. He stated that they designed the site to avoid two major areas

with value in terms of being preserved, noting that the development envelope stayed to the west of the property where it had been grazed and operated as agriculture. He commented that they were trying to protect areas with specimen trees and not planted pines, and that the intent of the rural conservation subdivision was to cluster development in the areas with the least impact. He opined that they met the rural conservation subdivision requirements, and pointed out that it was 90 acres of conservation land. He opined that the value he saw from a planning perspective for this type of approach was that Rural Transition land uses could have a massive impact on the ability of the County to get more conservation land, hold it by legal instrument, and protect it in perpetuity. He imagined that the cost of purchasing and managing 10 acres would be difficult for the County to fund, and he opined that the risk in a conservation approach was that property owners within a single family lot had some of the strongest property rights of any property owner in the State of Florida. He opined that the benefit of putting it into a tract and a legal instrument was that the County could inspect it and assure that trees were kept and that it was managed. He then said that the applicant was working with the Public Works Department to come up with some creative solutions, and that it would have to be more compact than a full roundabout due to the right of way. He opined that they would need to move forward from the current stage to develop their engineering plans and preliminary plat, as well as receive more comfort to determine those types of details.

Commr. Morris asked if they would have Town of Howey-in-the-Hills water and sewer.

Mr. Stringfellow confirmed that this was an opportunity, and added that the other option would be a sitewide potable water system and individual septic tanks on each lot.

Commr. Morris relayed his understanding that receiving Town of Howey-in-the-Hills water and sewer would require them to annex in.

Mr. Stringfellow indicated his understanding that this would be a requirement.

Commr. Morris inquired if they had talked with the Town about this project.

Mr. Stringfellow confirmed this, and stated that they had been discussing a much denser project with the Town previously; however, they currently opined that going forward with a conservation subdivision was proper and in line with the code and Comp Plan.

Commr. Parks asked how usable the open space was and if he could identify the open spaces on the map.

Mr. Stringfellow clarified that 63 percent was usable upland open space, and he showed an image in the upland area looking toward the wetlands. He pointed out these areas on a map, and said that they could do things like public trails, noting that they could not restrict public access to these areas; furthermore, they were required to do a four-rail fence along the back of the lots to properly delineate private property versus conservation land. He added that they intended to do some trails, and that it would mostly be passive recreation which would be maintained. He specified that there was representation of an oak hammock, along with some pine flatwoods, prairie, and wetlands.

Commr. Parks expressed concerns regarding how it would be managed because someone could hire an individual who knew nothing about managing beautiful areas, noting that he did not see any HOA documents regarding how this would be enforced.

Mr. Stringfellow clarified that they did not have HOA documents included, and that qualification requirements were within the code for the company that managed the site; additionally, they would have to refer to the management plan which had specifics on what was required for each ecosystem. He also related that they would be required to provide this to staff prior to any permit issuances, including dedication, financing, and ways to hire a qualified land management company with experience.

Commr. Campione asked where the Town of Howey-in-the-Hills limits were in relation to this property.

Mr. Stringfellow replied that it would be to the east at the end of the Urban Low area and that it was one property owner over.

Commr. Campione inquired how large that property was.

Mr. Stringfellow relayed his understanding that there were around 300 acres between the subject property and the outer town limits.

Commr. Campione commented that if the subject property became contiguous and received water and sewer from the Town, then the County's interlocal service boundary agreement (ISBA) with the Town would not prevent the annexation of the property. She then asked if it was possible to have an agreement that there would not be an annexation.

Mr. Stringfellow opined that those types of items were possible, and that if the applicant had a predictable path forward, they would be willing to restrict annexation, zoning, or land use with the Town for the future.

Commr. Campione opined that while people who lived there would prefer no development, something was going to happen, and that the question was whether the County would go down the road of the density bonus for a rural conservation subdivision design as opposed to a high density urban design.

The Chairman opened the public hearing.

Mr. John Blodgett, a resident of Lake County, played a video which described rural conservation subdivisions. Mr. Blodgett indicated in the video that the County had sent three letters in the previous month to the City of Leesburg stating that the County was opposed to the annexation of properties into municipal limits for the purpose of increasing residential density in the area; therefore, the video questioned if this became hypocritical with unincorporated properties. The video opined that when one developer was granted special treatment outside the established rules, it created a precedent and the video expressed concerns for this. The video expressed concerns for strained infrastructure, unbalanced growth and a public that started to lose trust in the process. The video opined that rural landscapes were identity and what people came there to experience and escape to from urban areas, and questioned if they were protecting a uniquely Florida landscape or allowing it to become another stretch of asphalt.

Commr. Campione opined that they were trying to come up with something that protected the area, and said that the developer had indicated that they might be willing to sign an agreement to not annex and go for a higher density in return for having their rural conservation design.

Mr. Blodgett opined that the issue was that they had a maximum of a 300 foot easement where their location was, and that everything outside of this was a 15 foot road on one side and a 17 foot road on the other side. He opined that a circle there would address the area, but that once one left that area, the road was still substandard. He relayed his understanding that the applicant had a section in the rural protection area (RPA) with no plans, and asked if this was part of the agreement. He expressed support for staying in the rules of Rural Transition and the amount of development that the FLU discussed. He opined that if they kept adding density, then it became more of an issue on Number 2 Road which could not handle the traffic anyway.

Commr. Campione stated that her goal would be to preserve the area and protect the concerns of residents on Number 2 Road, though Mr. Blodgett was telling them to not make a deal which could do this. She opined that if the County did not make a deal, then there was a good chance that this property could be annexed into the Town of Howey-in-the-Hills.

Mr. Blodgett questioned why they were stepping outside of Rural Transition and doing more than they needed to, opining that the idea of a rural conservation subdivision was that it was supposed to visually mesh with the rural standards of the area. He opined that the 11 houses would be seen when driving down Number 2 Road.

Commr. Campione relayed that if it went into the Town of Howey-in-the-Hills and was double the density, then they would see rooftops everywhere on the property; therefore, she opined that there were tradeoffs in situations like this, and that the deal could possibly save residents from having an urbanized project on this property.

Commr. Parks recalled that the Board had been emphatic about the rural conservation subdivision four or five years prior when it was put in place, noting that it was within the system to be able to do this. He specified that there was an exception process for a rural conservation subdivision because they were getting 63 percent open space in this case. He opined that they could get a better outcome, and that if they went the normal route, they could get 87 lots and the uplands would be platted; additionally, he expressed concerns for the code.

Mr. Blodgett related that he owned the property to the south, and opined that if this was given to the applicant, it would make him feel entitled and question if the County would also give him more lots. He also inquired if the property owned by Mr. Bud Beucher would ever be annexed into the Town of Howey-in-the-Hills.

Commr. Campione asked how he felt about a roundabout versus a three way stop.

Mr. Blodgett opined that unless they improved the road more, it would reduce the truck traffic but not the quantity of traffic, noting that it would only slow it at that one spot. He opined that a roundabout would be better than a three way stop.

Ms. Brittany Lerch, a resident of Lake County, asked that if the applicant wanted the 11 additional units, why did they not include the 40 acre parcel attached to it which was being marketed along with the subject property for sale. She mentioned that residents had several

meetings with the applicant regarding the danger of the road, opining that this had fallen on deaf ears. She did not agree that the applicant should receive the density bonus, noting that one had to have a 25 foot road for emergency vehicle access; furthermore, there were 0.9 miles to the Town of Howey-in-the-Hills and over two miles in the other direction that were 15 to 16 feet wide. She inquired if the units could be spaced out if the 40 acre parcel was added, and indicated that the road patches installed less than six months prior were already crumbling; therefore, she opined that the traffic was too much for the road to handle, and that more traffic would be added with this development with an additional bonus.

There being no one else who wished to address the Board regarding this matter, the Chairman closed the public hearing.

Mr. Stringfellow clarified that the western 40 acres had a Rural FLU with Agriculture zoning, and that it was not eligible for a density bonus or rural conservation subdivision, noting that it had to be removed from the application; furthermore, there was no plan to develop it, and if they tried to do anything above one unit per 10 acres, it would require a land use change and a rezoning before the Board. He asked that because of the provision of utilities being on the table, would it be acceptable if they would not increase density or reduce open space as part of an annexation.

Commr. Campione opined that it would have to be no annexation because otherwise it could create a domino effect, noting that the County was trying to protect the area.

Commr. Parks inquired if they could legally require annexation.

Ms. Marsh relayed that the applicant already signed an agreement for voluntary annexation to receive potable water service and contingent wastewater service, noting that this had been approved by the Town of Howey-in-the-Hills. She indicated her understanding that their option would be to not do central water and sewer, and to do either a well, their own water system, a distributed wastewater treatment system (DWTS), or another option to not be subject to what they already agreed to.

Commr. Parks asked if they would need to rescind this first if the County moved forward with it.

Mr. Stringfellow commented that they would agree not to annex, relaying his understanding that they should be able to rescind that agreement or plan to provide central well and the required State septic systems.

Commr. Campione expressed a preference for DWTS.

Mr. Stringfellow confirmed that this would be the requirement for them to provide.

Ms. Marsh said that when looking at the termination provisions of that voluntary agreement, there were options for the Town of Howey-in-the-Hills to terminate, though she did not see an option for the developer to terminate; however, this did not mean that the Town would not let them terminate it.

Mr. Stringfellow relayed that due to the condition of the right of way, there was no way that they could currently make that water line extension, opining that an annexation requirement

to provide utilities was a moot point. He relayed that they felt confident that they could agree to not annex and to provide services in that manner in line with the Board's request.

Commr. Campione relayed her understanding that residents were asking the County not to grant the density bonuses, though the developer agreed to not annex and potentially work out an agreement to have a roundabout which could reduce truck traffic. She asked if they could wait 30 days to ideally have the agreement with the Town of Howey-in-the-Hills rescinded, or to include in the PUD that the service would include DWTS and a well.

Mr. Stringfellow said that the applicant was fine with a continuance to address these details.

Commr. Parks indicated that he would reach out regarding the management of the open space.

Commr. Smith related that he did not like this, noting that it had been Rural Transition since the 1990s. He added that he did not see 11 homes being worth the additional acres of conservation land, and opined that the County needed to stick to their rules, noting that Rural Transition was one unit per acre with 50 percent open space.

Commr. Campione asked if he did not like the idea of having a roundabout to help with issues.

Commr. Smith said that they were exceeding the Rural Transition criteria and that he did not like this. He added that if they went to straight zoning, it would be one unit per acre and they would have to set up a subdivision with 50 percent open space and infrastructure. He expressed support for keeping it one unit per acre.

Commr. Morris relayed that he was agreeable with a 30 day extension.

Commr. Sabatini opined that the County should not have density bonuses.

On a motion by Commr. Sabatini, seconded by Commr. Smith which failed by a vote of 2-3, the Board did not deny Tab 4, Rezoning Case # PZ2025-130, Cedar Creek Rural Conservation Subdivision.

Commr. Campione, Commr. Parks and Commr. Morris voted no.

Commr. Campione mentioned the idea that the County could get a roundabout in return for negotiating, which would slow truck traffic and prevent trucks from using Number 2 Road. She opined that this could be a significant win if they could work this out, get the neighbors and developer to the table, and get the management plan in place, opining that it would be a significantly better design which would protect open space.

Mr. Stringfellow stated that they would commit to addressing the annexation agreement and working on improvements along their intersection, and that they would return with details regarding the management plan.

Commr. Parks expressed interest in playing out some scenarios of straight zoning versus the subject item.

On a motion by Commr. Parks, seconded by Commr. Morris and carried by a vote of 3-2, the Board tabled Tab 4, Rezoning Case # PZ2025-130, Cedar Creek Rural Conservation Subdivision, to the May 5, 2026 BCC meeting.

Commr. Sabatini and Commr. Smith voted no.

CRESCENT PINES (RZ)

Mr. Fitzgerald presented Tab 5, Rezoning Case # PZ2025-138, Crescent Pines (RZ). He explained that the requested action was to rezone approximately 40 acres from Urban Residential (R-6) to PUD to facilitate a residential subdivision of 79 units. He said that the Planning and Zoning Board had unanimously recommended approval, and that the location was the northwest corner of Priebe Road and Log House Road in the City of Clermont area. He relayed that this item had come before the Board on November 4, 2025 and had been denied. He indicated that KB Home Orlando LLC had submitted for a challenge, and that there was a proposed settlement agreement negotiated between the parties which provided for the following: pond sizes increased by 25 percent to retain the 100 year/24 hour storm event; number of lots reduced from 85 to 79; buffers provided adjacent to existing residential homes; the sidewalk along Log House Road would be extended westward to Cedar Forest Circle and eastward to Lakeshore Drive; the sidewalk must be completed and accepted before any certificate of occupancy (CO) could be issued; the development would retain as much of the planted pine as possible on the site; and the result would be the dismissal of the case. He related that the applicant was requesting a rezoning to PUD with a density of 2.06 units per acre and a maximum impervious surface area of 60 percent. He added that there was required right of way dedication of 1.65 acres along Log House Road and Priebe Road, and that the plan emphasized open space, which would include stormwater ponds. He relayed that there would be pervious walking trails around the ponds tied into sidewalks or street connectivity, and that the HOA would own and maintain all common areas. He commented that lots would have a minimum area of 7,500 square feet and a minimum width of 75 feet, and that landscape buffers would be along all perimeters of the subject property. He stated that the property would be serviced by Sunshine Water Services for water, and that the applicant planned to construct a DWTS for sewer. He said that the subject parcel was located within the City of Clermont joint planning area (JPA), and that the City had provided support for the project. He stated that the proposal was consistent with the existing Urban Low FLU, and that Lake County Schools had reviewed the application and determined that there was capacity available for students. He relayed that Lake County Fire Station 109 was 1.4 miles from the subject property, and that the transportation concurrency was determined to be a de minimis impact on surrounding roadways.

Mr. Jonathan Huels, an attorney representing the applicant, reiterated that this project had come before the Board in November 2025, and said that shortly thereafter, there were proceedings initiated under Chapter 70 of the Florida Statutes, the Florida Dispute Resolution Act, to result in the current request. He noted that the property currently had an Urban Low FLU which allowed up to four dwelling units per acre, and that the zoning was R-6 which had a paper maximum density of up to six dwelling units per acre; however, the Urban Low FLU would control density of up to four dwelling units per acre. He commented that the project was currently entitled for residential and that based on the County code, it could proceed directly to site plan for a residential project of theoretically up to 160 units and not come before any public hearings, though the County code required any residential subdivision above 49 units to be rezoned to PUD. He opined that the

resulting request was a downzoning from what it was entitled to currently under Urban Low and R-6, reducing the residential maximum from 160 units to 79 units. He mentioned that the property currently had a bona fide agricultural exemption, and that the planted pine currently on the site was temporary in nature, noting that at some time in the future it would be harvested and processed into wood and paper products. He recalled that after the proceedings were initiated in November 2025, there were settlement discussions undertaken before the formal proceedings that would come under the Florida Dispute Resolution Act which included addressing the comments made at the November 2025 public hearing with respect to stormwater, density and general design. He elaborated that some changes were borne out of this, and that it met the City of Clermont JPA standards, reiterating that the City did not have any objection to the project. He said that along the entire perimeter of the project was a 25 foot landscape buffer, and that a condition added to the PUD would require that the existing planted pine would be retained in that area and other open space areas within the project, where feasible. He stated that in spaces where the planted pine possibly was not as dense or would not meet the County's landscape buffer requirements, those areas would be supplemented with new plantings which would meet the requirements of the PUD for Florida friendly and native species to be planted. He said that the PUD also included several conditions regarding design, such as a requirement for dark sky lighting; additionally, a significant change was the size of the stormwater ponds, noting that they would need to meet a higher standard than current requirements of the St. Johns River Water Management District or the County. He specified that this standard was the 100 year/24 hour storm event, and that there was an additional caveat included in the proposed condition of the PUD indicating that it would either be this higher standard, or if there was a more stringent standard at the time that this project would come through for engineering and site plan approval by staff, it would be the most stringent of the two. He opined that the changes resulted in additional buffers to the surrounding community, and that another benefit was an added condition to the PUD to construct offsite sidewalk improvements along Log House Road's entire length, noting that it would have to be delivered before the first resident moved into the community.

The Chairman opened the public hearing.

Mr. Mike Hodes, a neighbor of the subject property, asked that the Board deny this request He expressed concerns for stormwater and drainage, noting that the property dropped approximately 40 feet in elevation. He opined that several ponds were located uphill from the natural flow of the water, and he indicated concerns for whether the system would function properly during heavy storms. He also expressed concerns for compatibility with the existing neighborhood, noting that some residents lived on large properties. He opined that the proposed density did not align with the character of the neighborhood or the intent of the current zoning, and that approving it would be inconsistent with the Comp Plan. He then expressed concerns for traffic and infrastructure, noting that the developer had requested an exemption from a full traffic study and was relying on 2023 studies even though conditions had changed. He recalled that the County's original denial had cited potential negative impacts to property values under Section 14.03.03 of the LDR, opining that this concern had not really been addressed. He asked the Board

to follow the existing standards and ensure that development was consistent and fair to the existing residents.

Ms. Gail Cisneros, a resident on Priebe Road, said that water had entered her yard and some neighbors' homes during Hurricane Milton, and she showed an image of the slope that residents were concerned about, noting that it was 25 feet from the proposed development. She pointed out her home on a map, as well as the location of retention ponds. She opined that this would directly impact homes in Martin's Landing, and she expressed concerns for runoff. She showed images of what happened to her home during Hurricane Milton, noting that this included water damage. She also displayed images of their water retention pond and dock affected by the waters that came in.

Mr. Danny Cisneros, a resident on Priebe Road, said that there was an easement behind his property with a water pipe which went through there, relaying his understanding that there was not much that could be done in that area as far as changing the slope. He recalled that this item had been denied on November 4, 2025, and opined that this decision reflected a commitment to protect existing homeowners and ensure responsible development in the community. He opined that the subsequent appeal and agreement had not meaningfully addressed these concerns, and he expressed concerns for the retention pond design running downhill. He opined that removing some natural protections while increasing development raised the risk to his home and others nearby, and that it was important to have a plan to protect the community. He asked the Board to remain consistent in their commitment to protecting existing homeowners, and for the Board to vote no and retain a more reasonable density such as 49 homes; furthermore, he also asked them to require any future proposal to include an independent engineering study to ensure that stormwater systems truly protected neighboring properties.

Ms. Gayle Dowlman, a resident on Priebe Road, mentioned the negative impact that this PUD would have on her family and her home. She said that she lived at the bottom of a 41 foot incline, and she relayed information about her home. She indicated that she had palm trees which rotted due to drainage runoff, and that her basement had flooding. She expressed concerns for what this new construction would do with no promise of sufficient retention ponds, and for flooding and destruction that could come to her property. She asked the Board to protect her home and to consider denying this rezoning.

Mr. Richard Fisher, a landscape designer who lived in the Crescent Ridge subdivision, opined that drawings which were displayed and given to the Board showed how building 85 or 79 homes would not work at any level. He opined that drawings one, three, four, six, eight, 10 and 11 demonstrated the ratio of hardscape to landscape vegetation, bad water flow, and inadequate water absorption. He opined that out of all the retention ponds on this site, possibly 25 percent or less would be of any use, and that typically in his experience, retention ponds were around nine feet deep on average; furthermore, he opined that the size of these retention ponds was inadequate. He opined that the elevation drop on this property was funneling down to Martin's Landing's entrance from Log House Road down Priebe Road, Log House Road and the transfer station, across to Martin's Landing's entrance, and the back of the transfer station to Martin's Landing's entrance.

He opined that the dump side retention pond on the west side of the property would have no effect to this site, and that these retention ponds were inadequate; additionally, he opined that retention pond water did not fill on a level basis running uphill. He asked the Board to reject this request from the applicant, opining that it would devastate residents' quiet living area.

Commr. Morris asked what would happen to the waterflow if the property owner was to cut all the pines and sell them.

Mr. Fisher opined that if the applicant was to clear that land, it would be devastating on a rainstorm.

Commr. Morris pointed out that the applicant currently had the ability to harvest those pines and make money, and that there was nothing that residents could do about it, noting that it was the applicant's property. He relayed his understanding that the applicant would not leave it as it was.

Mr. Fisher opined that when pines were cut, the root structure would hold the ground in place; however, when they came in to bulldoze the property, they would remove the roots and leave bare open land on a slope.

Commr. Morris reiterated that something would happen to this land, and said that the Board was trying to minimize what was going to happen, noting that the applicant could request much more than what they would be receiving.

Mr. Fisher opined that when doing landscaping, one would put much root structure on a hill to hold the ground, and that it would be left wide open if it was cut bare. He expressed concerns for it being bulldozed on a hill and a slope, and for there possibly being a disaster in the lightest rain. He also opined that there was a difference between harvesting the trees and leaving all of the undergrowth, mulch, etc.

Commr. Campione said that she was visualizing the following three scenarios: cutting the trees but leaving the vegetation, noting that there would be some sheet flow, but it would percolate some amount; the applicant getting ready for development and bulldozing everything, with there being a period of time where they had total sheet flow; and the applicant developing it, noting that according to Mr. Fisher's analysis, even with retention ponds, runoff would still leave the property because the ponds were in the wrong location and would not be deep enough.

Mr. Fisher opined that the hardscape would cover 90 to 95 percent of the area, and he questioned where it would percolate there. He opined that there could be a significant issue with all the hardscape, elevation and the drops.

Mr. Scott Boyatt, a resident on Priebe Road, indicated that he was a general contractor, engineer and an elected board member for SECO Energy and Seminole Power Generation. He opined that the ponds were not designed correctly, and that they should be in the northeast corner of the project. He showed an image of other subdivisions, and he asked to reconfigure the pond retention so that it was managed where the water was going to go. He also expressed concerns for the developer's presentation not telling the Board where the lift station and water processing system would be. He opined that the developer did not represent where they were going to put a sewage treatment facility, and he expressed concerns for smells and for sewage being trucked out

of it. He asked the Board to deny this design, opining that it was not vetted properly, and he expressed concerns for runoff.

Mr. David Aiken, a resident on Priebe Road, opined that the density and design of the development would produce a parcel-wide concentration of impervious surfaces and exacerbate the effects of the summer-long rain season, even in typical rainfall episodes, along with any intense periodic rains. He opined that it also virtually eliminated any bioremediation beyond that which presently existed on the property, and that this made it questionable whether the proposed downhill sloping retention areas would effectively contain such runoff. He opined that this presented an unacceptable risk to existing residential properties and public infrastructure, and that the displayed diagram demonstrated a disparity between the density and character of the proposed development and that of the surrounding residential areas. He recalled that in the conclusions of law, Item 23 supporting the previous denial, the Board's denial was based on the inconsistency of the proposed use with Section 14.03.03(C), LDR, as the requested rezoning was not consistent with existing residential neighborhoods. He opined that this condition remained with this rezoning request, and that Item 25 stated that the Board's denial was based on the inconsistency of the proposed use with Section 14.03.03(G), LDR, as the requested rezoning for a subdivision with smaller lot sizes could negatively impact the property values of surrounding communities, and no competent substantial evidence was presented to show no impact or a positive impact. He recalled that the following item noted that the Board additionally found that the property's current entitlements, which would allow for the development of 49 residential units under the existing Urban Low FLU, was an appropriate use for the property and was compatible with the existing surrounding neighborhoods, and that the applicant did not provide any evidence or justification to indicate that there had been changed conditions to support the rezoning application, thereby making the request inconsistent with that section. He opined that the proposed development did not correct the negative issues that the design and density presented, and that this plan fell outside of responsible growth and contradicted the previous measured and considered decisions of the Board. He asked that the Board deny the application and retain the Urban Low FLU designation in the 2030 Comp Plan.

Mr. Jay Paul, a resident on Log House Road, opined that Log House Road was small, and relayed concerns for speeding there. He also opined that the road was falling apart and that water could possibly wipe the road away. He remarked that people rode bikes on the road, and he asked the Board to deny this item.

Ms. Allison Sickman, a resident on Log House Road, asked the Board to stand by their original decision to deny the rezoning request. She opined that the settlement reached between KB Home and Lake County was presented as a reasonable compromise, though it failed to address many of the findings of fact in the original development order. She recalled that the original application included a traffic waiver which relied on traffic data from 2023, and opined that this reliance on outdated information misrepresented the traffic conditions on Log House Road and understated the true impact of the proposed development. She showed pictures from her residence, and said that the settlement included a provision for the developer to construct and fund a sidewalk

to be added along Log House Road to improve traffic and/or mobility. She opined that while this was an improvement for pedestrians, it did not address the primary issues of increased traffic, roadway capacity or emergency access. She opined that the addition of nearly 900 more daily trips would increase the risk of blockages which interfered with emergency access for all surrounding communities. She relayed her understanding that the sidewalk was already planned by the County, and opined that this did not really show a meaningful effort to mitigate the issues brought up in the original denial. She opined that the reduction in density from 85 to 79 lots was minimal and did not significantly change the overall density of the project, nor did it support the Board's previous conclusion stating that the cumulative effects of traffic would provide substantial competent evidence that a lower density was warranted. She opined that the revisions outlined in the settlement failed to align with the County's findings and did not adequately address the documented impacts of the proposed development.

Mr. Alex Cisneros, a resident of Martin's Landing, asked the Board to deny this item due to a lack of clarity around wastewater. He opined that adding a lift station or collected central system was not consistent with the neighborhoods, and he indicated concerns for potential odor, maintenance issues and visual impact. He also requested answers with real solutions.

Mr. Bill Decker, a resident of Martin's Landing, opined that residents had challenged the staff report as being general, misleading and inaccurate. He opined that the most serious concern was stormwater runoff and the potential for dangerous flooding in the community, and that the density was inconsistent with surrounding communities. He also opined that it was in conflict with County regulations that prohibited excessive density that harmed the rural character of the area, and that it would have a detrimental impact on their property values in excess of 20 percent. He questioned the matter of wastewater treatment as residents did not clearly understand the location, noting that they did not see this as feasible since water and sewer systems would flow downhill. He opined that residents were not convinced that a qualified maintenance technician would staff this facility as required by law, and that traffic would be an issue and required an updated study. He also opined that exemption from a traffic study was not an acceptable decision since it was estimated that there would be over 800 to 1,000 new trips per day on Log House Road. He opined that any agreement or rezoning by Lake County should protect citizens and include clearly defined conditions, and that nothing had really changed since the November 2025 decision. He also opined that residents would be willing to participate in a workshop to explore better options for this parcel.

Mr. Charlie Wycoff, a resident of Crescent Ridge, said that no one had mentioned anything about gopher tortoises, and that he did not want Lake County to be liable for anything because they approved this project, opining that a 100 year flood could happen. He also agreed with everything else.

Ms. Anna Parshev, a resident on Paradise Bay Court, agreed with the points made by the previous speakers, and she expressed concerns that if this development moved forward, issues such as flooding, traffic, noise and sewage smells would make their neighborhood a less desirable place to live. She also indicated concerns for property values decreasing.

Mr. Sheldrick Thomas, a resident of Lake County, opined that Pine Ridge Elementary School was almost at capacity, and he asked if KB Home had considered this. He also expressed concerns for traffic and safety for cyclists.

There being no one else who wished to address the Board regarding this matter, the Chairman closed the public hearing.

Mr. Huels clarified that there was a process for dealing with gopher tortoises called a relocation permit, which was run through the Florida Fish and Wildlife Conservation Commission (FWC); furthermore, the relocation permit would be pulled whether this project was developed as proposed or when the owner went to harvest the pines, noting that the gopher tortoises would be relocated before any of this work was done and that they would be sent to a receptive site with a conserved natural habitat. He remarked that the proposed DWTS were advanced treatment systems that each individual lot would have constructed in conjunction with the homes, and that they were above traditional septic in terms of their ability to treat the effluent and remove nutrients, noting that it was the preferred replacement for an older septic system. He explained that there was not going to be a central collector, onsite treatment system or lift station which would result in odors emanating from the development, and that these systems were underground. He indicated that school capacity was analyzed as part of this process, and that it was shown that there was available capacity at all of the three districted schools. He added that transportation was also evaluated following the Lake-Sumter Metropolitan Planning Organization (MPO) guidelines using the latest available data, which was from 2023, noting that staff made the determination that it was de minimis regarding transportation generation from the project daily and at a p.m. peak. He relayed his understanding that many of the graphics which had been presented were based on the existing topography of the property, though this was not how the property would be developed. He said that there would be engineered plans reviewed by the County and the St. Johns River Water Management District (SJRWMD) to prove that the entire design, including stormwater, was functional. He reiterated that this would also be at the higher standard of a 100 year/24 hour event, and stated that there would be topographic changes involving the buildout of this project. He specified that it would not remain at its existing topography with grade changes of concern by the community, and that it would be leveled off significantly.

Mr. Chuck Hiatt, a civil engineer representing the applicant, confirmed that there was an existing 40 feet of fall in the middle of the site to the east, west and northeast. He commented that currently, the criteria for the County and the SJRWMD would be a pre/post volume, which meant that by drainage law the applicant was allowed to release as much volume in the post condition as in the existing condition; however, they committed to hold the entire 100 year/24 hour storm with no discharge, noting that this was above what the County and the SJRWMD currently required. He added that they included that if anything changed or was adopted by the County or the SJRWMD prior to development, then they would meet those rules. He said that there would be some retaining walls involved, and that there would be stem walls on the houses. He then commented that the County's current criteria was a 60 foot lot, and that they would meeting the

City of Clermont JPA requirement of 75 foot lots; therefore, they were trying to meet both the County and City requirements in this zoning.

Commr. Campione asked that with the 75 foot lots, could they have that number of lots and do the design they would need to in order to capture the 100 year storm.

Mr. Hiatt confirmed this. He indicated that they had elevation change from south to north and from east to west, and that there would be some cascading effect as they moved toward the northeast corner, though nothing would be leaving the site for the 100 year/24 hour storm.

Commr. Campione inquired about where a 1,000 year storm would leave.

Mr. Hiatt replied that it would come downhill to the northeast and end up in the lake.

Commr. Smith relayed his understanding that the 100 year flood plan exceeded what was currently required.

Mr. Hiatt clarified that it was more stringent than what was required by the County and the SJRWMD.

Commr. Smith inquired if he would agree that there was currently watershed, and Mr. Hiatt said that this was correct.

Mr. Huels opined that the after condition of this project was resulting in a net density of two dwelling units per acre with greater stormwater and a thoughtful design that created a greater space between homes onsite and in the existing community. He added that there had been some thoughtfulness on where the stormwater would be located in terms of avoiding there being one rear yard to another, and that it provided certainty to what was coming. He opined that if this item was not supported by the BCC, the developer and property owner would go back and analyze what was next and whether it was possibly a continuation of the existing proceedings or a complete abandonment with someone else coming forward with a plan for this project which avoided public hearings. He opined that this was a better plan that what was originally proposed, and that they had addressed the comments received at the initial meeting to a reasonable degree. He also opined that there was greater public benefit in terms of the sidewalk project, noting that it would be done by the developer and would be in place before the first resident moved in.

Commr. Campione inquired if KB Home had closed on the property.

Mr. Huels denied this and said that there was still a contract. He added that if this item was not the concept, then they were likely not going to move forward with it. He clarified that the Florida Dispute Resolution Act allowed for collaboration opportunities and that there had been collaboration, opining that the process had worked. He opined that there was a better plan which had been presented to the Board, and that there could be other processes that the property owners or KB Home would look to undertake.

Commr. Morris relayed his understanding that at East Crooked Lake there were some property owners who started a nonprofit and purchased a piece of property.

Commr. Campione indicated her understanding that a nearby landowner had purchased the property after the neighborhood had not wanted it to be developed at a high density.

Commr. Morris opined that this was possibly an avenue that residents could consider, noting that people had property rights and could do something with it.

Commr. Campione recalled that the Board had denied the zoning request, and that if the landowner wanted to challenge their decision, they could file for the Florida Dispute Resolution Act process; furthermore, should they not reach a settlement agreement, the landowner would have the option to pursue litigation, noting that the County would have to live with the result of what a judge decided. She added that another possibility was that the landowner could consider to modify their plan further, noting that the County's current code would allow them to move forward with 49 lots without any public hearing. She then mentioned that there was a possibility that the developer or buyer went completely away, and then the landowner restarted, noting that they could possibly start all over again.

Commr. Sabatini opined that the discussion, feedback and application were good, though he was not satisfied with the product.

Commr. Sabatini made a motion to deny the proposed settlement agreement.

Commr. Parks seconded the motion.

Commr. Parks expressed appreciation for the collaboration process and going through this, as well as the residents expressing good viewpoints. He relayed that he lived near the subject property, and that he understood that Log House Road and Lakeshore Drive were large issues. He stated that he was not going to support the settlement, opining that it was not consistent with the Comp Plan and the LDR. He explained that the County considered this under LDR Section 14.03.03, and that they had to consider compatibility with surrounding uses, adequacy of public facilities, transportation safety and public interest; furthermore, he did not think that it met that basis of review. He said that the site directly abutted the County land designated public services facility and infrastructure associated with the County solid waste drop-off operations, and that he thought that they would have heard more about this on the current day, recalling that he had brought this up as a large issue in November 2025. He mentioned that the Comp Plan recognized that solid waste facilities required peripheral buffering and nuisance minimization to protect surrounding areas, yet the proposal did not provide a site specific compatibility analysis or buffering standard which meaningfully addressed this adjacency. He elaborated that because the LDR currently did not appear to resolve the specific adjacency with a clear standard, the Board was forced to rely more heavily on the Comp Plan's compatibility, nuisance safety and public interest requirements, noting that he did not see this through the process, nor did he hear it on the current day. He also did not believe that the transportation record was sufficient, and commented that while staff had said that this was de minimis for transportation, the ordinance required a future traffic impact analysis and mitigation, noting that he would have liked to see more of this at the current time. He opined that the Lakeshore Drive corridor was a significant issue and included Log House Road, and that he did not see how it was demonstrated that the proposal would fully mitigate the impacts of traffic to the entire corridor, nor did it address the concern about Lakeshore Drive and Log House Road.

Commr. Campione relayed her understanding that the reasons why the Board had denied this initially were the same reasons she was hearing others be concerned about, noting that they continued to be her same concerns. She expressed concern about the adjacent solid waste facility,

opining that there would need to be more buffering and something to address that conflict. She also indicated concerns about drainage, relaying her understanding that engineering could address these kind of issues to a large degree, though she had seen firsthand how engineering failed in certain instances. She opined that at times, they had to use common sense and see a situation as what it was, expressing concerns for what could happen in a major storm event. She indicated concerns for traffic, opining that any additional density other than the base amount which was currently allowed exacerbated that issue. She said that sometimes when the Board was faced with these situations, they were trying to come up with a compromise to receive something in return to possibly improve the situation; however, in this case she did not see a pathway to improve an existing situation. She stated that she liked the 75 foot wide lots, though if they went to the 49 lots allowed by a matter of right, there would be larger lots with less runoff, impervious surface and impacts to the community. She expressed support for the motion to deny this item.

Commr. Smith relayed his understanding that the 49 lots did not have anything to do with the FLU or the zoning, and that a development only had to be a PUD if it exceeded 49 lots. He pointed out that the zoning was R-6 and the FLU was Urban Low, which would allow six units per acre, noting that the applicant was only requesting two units per acre.

Ms. Marsh recalled that when they had this hearing previously, one of the items discussed was that their maximum density was four units per acre under the land use. She added that in 2010 this area had been envisioned for Urban Low density, and that this was their entitlement. She remarked that a couple years prior, the Board had added a requirement to the LDR that if one was going to develop 50 or more lots in a subdivision, they would come through for a PUD for the purposes of ensuring that it was compatible, putting conditions on it, etc. She did not believe that the 50 unit requirement was necessarily to restrict the density allowed under the Comp Plan; however, it was the Board's discretion as to what they wanted to do with the PUD zoning.

Commr. Campione opined that the reason why the Board had included the 49 lot requirement was to look at site specific conditions, surrounding property, and what would happen. She opined that they had added it to allow this level of site specific review and discretion so that they did not have a scenario where they were not addressing specific concerns. She also opined that the County had deficiencies with its code, and that this was a way for them to review things and formulate solutions.

Commr. Smith said that he would stick with what was entitled to the landowner, noting that they had rights of Urban Low and R-6 and that the developer was going well below this; therefore; he would be against this motion.

Commr. Morris reiterated that the applicant had more property rights than what they were requesting, and he expressed concern that if they marketed the pines, it would be significantly worse than what they would get with some kind of runoff; therefore, he would vote against the motion.

Commr. Parks stated that the applicant would still be held to National Pollutant Discharge Elimination System (NPDES) standards.

Commr. Smith expressed concerns that it could be a Bert J. Harris, Jr., Private Property Rights Protection Act claim, or the applicant would go to a judge and the judge would allow something more than what the applicant was currently requesting.

Commr. Campione opined that this was always a possibility, and she expressed appreciation for everyone's letters and thoughtful comments. She added that the judge could possibly take into consideration the concerns and comments, along with the 49 lots allowed by right without a PUD change, and see it as a reasonable use of property rights.

Commr. Morris asked Ms. Marsh to explain the Bert J. Harris, Jr., Private Property Rights Protection Act.

Ms. Marsh explained that it was a provision of Florida Statutes that created a cause of action against a governmental entity which imposed an ordinance or regulation, or denied a development plan, that was slightly less than a constitutional taking. She specified that the key phrase was if the County had impacted their reasonable investment-backed expectations of their property, and that it was a lesser standard. She relayed that Lake County had two Bert J. Harris, Jr., Private Property Rights Protection Act claims in the past and had lost both, relaying they had totaled $8 million of impact to the county residents in settlements for those items. She specified that one claim was mining and that the other was a piece of property in Sorrento, and that the applicant would have the right to pursue that claim. She said that they could also appeal to the circuit court, or KB Home could decide that it was not worth pursuing and back out of their contract. She mentioned that they also had the option of continuing the current process which would go back to the administrative law judge, noting that it would become an evidentiary hearing at which the administrative law judge would issue a recommended order based on the testimony and evidence presented at that hearing.

Commr. Campione asked if the County would be bound by the administrative law judge's decision.

Ms. Marsh replied that the administrative law judge would make a recommended order which would come back to the Board, and that they would have the option to approve, approve with conditions, or deny. She commented that if the Board denied it, then the property owner would still have the options of going to court, filing a Bert J. Harris, Jr., Private Property Rights Protection Act claim, or other options.

Commr. Smith said that the Board had received individuals' emails, though the Board could not respond back because this was a quasi-judicial issue.

Ms. Marsh noted that because it was administrative litigation, they typically did not comment on active litigation cases.

Commr. Parks relayed his understanding that it was as long as one was not responding back that they were prejudicial to it, though acknowledging an email should be fine.

On a motion by Commr. Sabatini, seconded by Commr. Parks and carried by a vote of 3-2, the Board denied the following items: Tab 5, Rezoning Case # PZ2025-138, Crescent Pines (RZ); and 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).

Commr. Smith and Commr. Morris voted no.

RECESS AND REASSEMBLY

The Chairman called a recess at 11:40 a.m. for five minutes.

ANNEXATION REPORT

Mr. Fitzgerald stated that this report regarded a 15.9 acre parcel located in the City of Clermont area, west of United States (U.S.) Highway 27 and east of Roper Boulevard. He indicated that the current Lake County zoning was PUD, and that the proposed City zoning was General Commercial. He added that the current Lake County FLU was Urban Low, and that the proposed City FLU was Commercial. He said that the site was already developed with a Kohl's department store and the associated retention pond, noting that it was abutting the city.

Commr. Campine asked if it was already on City water and sewer.

Commr. Parks confirmed this, and he asked to display a map of the entire PUD.

Mr. Fitzgerald relayed that this parcel was the commercial portion of a larger PUD.

Commr. Parks relayed his understanding that this had been approved in 2002 or 2003, and he inquired why they were not annexing the entire PUD, noting that the County would still be maintaining the roads.

Mr. Fitzgerald opined that this was most likely a voluntary annexation, and that for the City of Clermont to annex the entire PUD, it would need to be a voluntary annexation or done through a referendum.

Commr. Smith asked if the property outside of this was part of a single HOA, and he wondered if an HOA could request to be annexed.

Mr. Fitzgerald was unsure what the HOA controlled.

Commr. Smith stated that this was a voluntary annexation which met all the requirements; therefore, the County could not stop this.

Commr. Parks pointed out that they were breaking up a PUD.

Commr. Campione inquired if the County could object based upon this.

Commr. Parks opined that it was fair to ask about this.

Commr. Campione opined that the County did not want the residents to be concerned that the County was saying to annex it all, though if it was voluntary, it would be up to the residents. She stated that they possibly tried but that the residents denied this and only the commercial said yes. She then asked if the County could review the annexation packet in the City's documents to find a contact person.

Mr. Fitzgerald responded that they could do a public records request for their file and review what was being proposed. He added that this item was scheduled for the Clermont City Council meeting on April 28, 2026.

Commr. Campione requested for this information to be provided to the Board.

COMMISSIONERS REPORTS

COMMISSIONER SABATINI – DISTRICT 1

LEGISLATIVE SESSION

Commr. Sabatini asked the Board to be observant of the upcoming legislative session, noting that nothing happened regarding Senate Bill (SB) 180; however, he relayed his understanding that it could be part of the budget negotiations.

COMMISSIONER SMITH – DISTRICT 3

THE SPRING GAMES

Commr. Smith stated that THE Spring Games event a few weeks prior was a significant success, and that he would come back and report the numbers. He added that it was a very large event for Lake County and was great for economic development.

SAND VOLLEYBALL AT HICKORY POINT

Commr. Smith commented that in the following weekend, they would have a Sand Ballerz Candy Land Showdown sand volleyball tournament at Hickory Point, noting that there were 110 teams registered and that it would be the largest sand volleyball event occurring. He commented that Mission Resort + Club and some hotels around the area had been sold out on the number of rooms reserved for them, and that he would be in attendance on the following Saturday to welcome the teams.

Commr. Morris asked if the sand courts at Lake-Sumter State College (LSSC) were also being used, and Commr. Smith clarified that it was all at Hickory Point.

FISHING CLINIC AT HICKORY POINT

Commr. Smith said that in the following weekend, there would be a fishing clinic hosted by the Lake County Sheriff's Office (LCSO) in conjunction with the Lake County Water Authority (LCWA) at Hickory Point. He elaborated that it would be a free clinic for kids from 9:00 a.m. to noon, and he encouraged everyone to visit Hickory Point to support everything occurring there.

HAPPY BIRTHDAY

Commr. Smith wished Ms. Jennifer Barker, County Manager, Happy Birthday, noting that this would be on the following Friday.

COMMISSIONER CAMPIONE – CHAIRMAN AND DISTRICT 4

ELDER AFFAIRS COORDINATING COUNCIL

Commr. Campione remarked that there was an Elder Affairs Coordinating Council meeting in the previous week, and that she had been able to see the new space for the veterans affairs office. She recommended that the Board set up a time to see what was happening there, noting that there were three new veterans services officers (VSOs). She asked if Commissioner Sabatini could meet them, opining that it was helpful for those in the military or veterans to help local veterans connect with other veterans.

CITY OF EUSTIS CLEANUP

Commr. Campione said that she had visited the City of Eustis waterfront on the previous Saturday and participated in their monthly cleanup along the shoreline. She also indicated that this was the time to be careful regarding alligators, and to not take pets along the waterfronts.

VISIT TO MOUNT DORA HIGH SCHOOL

Commr. Campione related that she had the chance to visit Mount Dora High School and throw the first pitch at a baseball game.

PIRATES INVASION IN ASTOR

Commr. Campione relayed her understanding that Commissioner Smith had checked out the Pirates Invasion event which would be in Astor on the following Saturday.

Commr. Smith said that it was put on by the BadAstors and that it would be at Drifters Riverfront Bar and Grill for charity.

COMMISSIONER SMITH – DISTRICT 3

NATIONAL COFFEE CAKE DAY

Commr. Smith commented that it was National Coffee Cake Day.

ADJOURNMENT

There being no further business to be brought to the attention of the Board, the meeting was adjourned at 12:04 p.m.

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LESLIE CAMPIONE, CHAIRMAN

ATTEST:

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GARY J COONEY, CLERK