

**FRUITLAND PARK CITY COMMISSION
REGULAR MEETING **AMENDED** AGENDA**

May 8, 2025

City Hall Commission Chambers
506 W. Berckman Street
Fruitland Park, Florida 34731
6:00 p.m.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation – **Larry Miller**, American Legion

Pledge of Allegiance – Interim Police Chief **Henry Rains**

2. ROLL CALL

3. RECESS TO THE LOCAL PLANNING AGENCY (city manager/city clerk)
At 6:15 p.m., or as soon as possible

4. PRESENTATIONS

5. CONSENT AGENDA

Routine items and items not anticipated to be controversial are placed on the Consent Agenda to expedite the meeting. If a commissioner, staff member or member of the public wish to discuss any item, the procedure is as follows: (1) Pull the items from the Consent Agenda; (2) Vote on remaining items; and (3) Discuss each pulled item separately and vote.

(a) Approval of Minutes (city manager/city clerk)

April 24, 2025, Regular Meeting

6. REGULAR AGENDA

7. PUBLIC HEARING

(a) Final Reading and Adoption of Ordinance 2024-010, Comprehensive Plan Building Height Restriction (city attorney, city manager, community development)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35'

WITHIN ALL CITY OF FRUITLAND PARK FUTURE LAND USE DESIGNATIONS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE.

(b) Final Reading and Adoption of Ordinance 2024-011, Land Development Code Amendment, Building Height Restriction

(city attorney, city manager, community development)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 154 OF THE CITY OF FRUITLAND PARK'S LAND DEVELOPMENT CODE TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35' WITHIN ALL CITY OF FRUITLAND PARK ZONING DISTRICTS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF FRUITLAND PARK LAND DEVELOPMENT CODE; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE.

(c) First Reading of Ordinance 2025-011, Annexation, CR 468 Subdivision for approximately 32.03± Acres Generally located West of CR 468 and South of Myrtle Lake Ave., Petitioner: Burgland Capital, LLC on behalf of the owner, William Kent Stokes Trust (city attorney, city manager, community development)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 32.03± ACRES OF LAND GENERALLY LOCATED WEST OF CR 468 AND SOUTH OF MYRTLE LAKE AVE.; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SCRIVENER'S ERRORS AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

- (d) **First Reading and Public Hearing of Ordinance 2025-012, Small Scale Comprehensive Plan Amendment – CR 468 Subdivision for Approximately 32.03 ± Acres generally located West of CR 468 and South of Myrtle Lake Ave., Petitioner: Burgland Capital, LLC on behalf of the owner, William Kent Stokes Trust** (city attorney, city manager, community development)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY URBAN MEDIUM DENSITY TO CITY MULTI-FAMILY HIGH DENSITY OF 32.03 ± ACRES OF PROPERTY GENERALLY LOCATED WEST OF CR 468 AND SOUTH OF LAKE MYRTLE AVE.; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

END OF PUBLIC HEARING

8. QUASI-JUDICIAL PUBLIC HEARING

- (a) **First Reading and Public Hearing of Ordinance 2025-013, Rezoning to PUD – CR 468 Subdivision for Approximately 32.03 ± acres generally located west of CR 468 and South of Myrtle Lake Ave., Petitioner: Burgland Capital, LLC on behalf of the owner, William Kent Stokes Trust** (city attorney, city manager, community development)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REZONING APPROXIMATELY 32.03± ACRES OF PROPERTY LOCATED ON CR 468 SOUTH OF MYRTLE LAKE AVENUE, FRUITLAND PARK, FLORIDA FROM LAKE COUNTY AGRICULTURE AND RESIDENTIAL PROFESSIONAL ZONING TO THE CITY OF FRUITLAND PARK DESIGNATION OF PUD, PLANNED UNIT DEVELOPMENT, WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR DESIGN STANDARDS; PROVIDING FOR SEVERABILITY;

REPEALING ALL ORDINANCES IN CONFLICT HEREWITH;
PROVIDING FOR SCRIVENER'S ERRORS AND PROVIDING FOR AN
EFFECTIVE DATE.

END OF QUASI-JUDICIAL PUBLIC HEARING

9. (a) City Manager

(b) City Attorney

**i. Wayne Goodridge and Tammy Goodridge v. City of
Fruitland Park, Lake County Case No. 2022-CA-1628**

**ii. Linda Herald v. City of Fruitland Park, Lake County Case
No. 2025-CA-000116**

10. UNFINISHED BUSINESS

11. PUBLIC COMMENTS

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Action may not be taken by the City Commission at this meeting; however, questions may be answered by staff or issues may be referred for appropriate staff action.

Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the City Commission. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the City Commission addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

12. COMMISSIONER COMMENTS

(a) Commissioner Cosenza III

(d) Vice Mayor DeGrave

13. MAYOR'S COMMENTS

14. ADJOURNMENT

DATES TO REMEMBER

May 1st – 30th

Food for Fines at Fruitland Park
Library

May 5th – 9th

Teacher Appreciation Week

Thursday, May 22nd

City Commission Meeting

For additional events, please visit [Calendar | City of Fruitland Park Florida](#).

Please note that in addition to the city commission meetings, more than one city commissioner may be present at the above-mentioned events.

Any person requiring special accommodation at this meeting because of disability or physical impairment should contact the City Clerk's Office at City Hall (352) 360-6727 at least forty-eight (48) hours prior to the meeting. (§286.26 F.S.)

If a person decides to appeal any decision made by the City of Fruitland Park with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings and ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide verbatim records. (§286.0105, F.S.)

PLEASE TURN OFF ELECTRONIC DEVICES OR PLACE IN VIBRATE MODE.

CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: **5a**

ITEM TITLE: **Draft Meeting Minutes**

MEETING DATE: Thursday, May 8, 2025

DATE SUBMITTED: Wednesday, April 30, 2025

SUBMITTED BY: (See below)

BRIEF NARRATIVE: Routine items and items not anticipated to be controversial are placed on the Consent Agenda to expedite the meeting. If a commissioner, staff member or member of the public wish to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on remaining item(s), and (3) Discuss each pulled item separately and vote.

(a) Regular Minutes dated April 24, 2025 (city clerk)

FUNDS BUDGETED: None

ATTACHMENTS: April 24, 2025, Regular City Commission Meeting Minutes

RECOMMENDATION: Approve the Consent Agenda

ACTION: Approve

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
April 24, 2025**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Beckman Street, Fruitland Park, Florida 34731, on Thursday, April 24, 2025, at 6:00 p.m.

Members Present: Mayor Chris Cheshire, Commissioner Joseph “Joey” Cosenza

Members Attending Remotely: Vice Mayor Patrick DeGrave

Members Absent: Seats for Districts 2 and 5 are currently vacant.

Also Present: City Manager Karen Manila, City Attorney Anita Geraci-Carver, City Treasurer Gary Bachmann; Interim Police Chief Henry Rains; Administrative Manager Sharon Williams and City Clerk Gwen Johns

Total Attendance: 17

1. CALL TO ORDER, INVOCATION, AND PLEDGE OF ALLEGIANCE

After Mayor Cheshire called the meeting to order, Pastor Jamie Weathers, Village Park Baptist Church, gave the Invocation and Interim Police Chief Rains led in the Pledge of Allegiance to the flag.

ACTION: No action was taken.

2. ROLL CALL

After the Invocation and Pledge of Allegiance, Mayor Cheshire called the meeting to order and announced the decorum for this evening’s meeting. He then requested that Ms. Johns call the roll where a quorum was declared present.

ACTION: No action was taken.

3. CONSENT AGENDA

(a) Approval of Minutes – April 10, 2025, Regular Meeting.

(b) Resolution 2025-026, Approval of Agreement between the School Board of Lake County, Florida, and the City of Fruitland Park for School Resource Officer Program (2025-2026)

ACTION: A motion was made by Commissioner Cosenza and seconded by Vice Mayor DeGrave that the City Commission approve the consent agenda, as presented. The motion carried by a unanimous vote.

4. REGULAR AGENDA

- (a) Resolution 2025-025 Approval of Staff Recommendation and Authority to Negotiate a Legal Services Contract between Allen, Norton & Blue, Winter Park, Florida, and the City of Fruitland Park**

Ms. Geraci-Carver read into the proposed Resolution 2025-025, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING SELECTION FOR ALLEN NORTON & BLUE TO SERVE AS THE LABOR COUNSEL FOR THE CITY OF FRUITLAND PARK AND AUTHORIZING CITY STAFF TO NEGOTIATE A CONTRACT WITH ALLEN NORTON & BLUE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: A motion was made by Commissioner Cosenza and seconded by Vice Mayor DeGrave that the City Commission adopt Resolution 2025-025 as previously cited.

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

5. PUBLIC HEARING – There were none.

6. QUASI-JUDICIAL PUBLIC HEARING – There were none.

- 7. (a) City Manager**
- i. Development Update**
 - ii. Commission Vacancies**
 - iii. Public Safety Building Update**

Ms. Manila, City Manager, provided an update regarding development projects in the city. She noted there are three residential subdivisions, a carwash and Advent Health that are under review. She also reported that Arbor Park had been sold, and the new owner was interested in smaller lot sizes. The CR468 Subdivision was approved by Planning and Zoning Board, conditioned upon larger lot sizes.

Ms. Manila advised that one application had been received for a City Commission seat. However, that applicant did not reside within the district that they wished to serve.

The crane has been delivered for the Public Safety Building and the walls will be erected beginning on Monday, April 28, 2025.

(b) City Attorney

- i. Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628 – Ms. Geraci-Carver stated that the plaintiffs in the**

Goodridge case filed a joint motion with the attorney representing the City to extend the deadline for disclosing their experts. No order has been entered.

- ii. **Linda Harold v. City of Fruitland Park, Lake County Case No. 2025-CA-000116** – Ms. Geraci-Carver stated that on March 26th the City served interrogatories to Plaintiff to be answered in writing and served a Request to Produce to Plaintiff requiring production of documents.

9. UNFINISHED BUSINESS

There was no unfinished business to come before the City Commission at this time.

ACTION: No action was taken.

10. PUBLIC COMMENTS

There were no public comments.

11. COMMISSIONERS' COMMENTS

(a) Commissioner Cosenza

ACTION: Nothing to report.

(b) Vice Mayor DeGrave

ACTION: Nothing to report.

12. MAYOR'S COMMENTS

a. Dates to Remember

Mayor Cheshire announced the following events:

Saturday, May 3 rd	Fruitland Park Cleanup Day 9:00 a.m. to 12:00 noon – Northwest Lake Complex Cales Memorial Soccer Fields 300 Shiloh Street - <i>Bulk Drop-Off</i> - <i>Household Hazardous Waste Drop-Off</i> - <i>Tire Drop-Off</i>
May 5 th – 9 th	Teacher Appreciation Week
Thursday, May 8 th	City Commission Meeting

13. ADJOURNMENT

The meeting adjourned at 6:07 p.m.

Gwen Keough-Johns, City Clerk

Chris Cheshire, Mayor

CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 7a

ITEM TITLE: Final Reading and Adoption of Ordinance
2024-010 Comprehensive Plan Amendment -
Building Heights Restriction

MEETING DATE: Thursday, May 8, 2025

DATE SUBMITTED: Friday, April 25, 2025

SUBMITTED BY: city attorney/city manager/community development

BRIEF NARRATIVE: Ordinance 2024-010 amends the city's comprehensive plan regulations to restrict building heights within the city to a maximum of 35' (three stories).

Ordinance 2024-010 was approved at first reading on September 26, 2024. Subsequently, the ordinance and supporting documentation was transmitted to the Florida Department of Commerce for review. The review has been completed with no comments on the proposed amendment. The Ordinance is ready for its final reading and if adopted by City Commission must be transmitted to Florida Department of Commerce within ten working days of adoption and will become effective 31 days after Florida Department of Commerce notifies the City that the amendment package is complete.

FUNDS BUDGETED: None

ATTACHMENTS: Ordinance 2024-010, DEO Letter, Advertising Affidavit

RECOMMENDATION: Adoption of Ordinance 2024-010 Amending the Comprehensive Plan for Building Height Restrictions

ACTION: Adopt Ordinance 2024-010.

ORDINANCE 2024-010

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35' WITHIN ALL CITY OF FRUITLAND PARK FUTURE LAND USE DESIGNATIONS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fruitland Park desires to amend its comprehensive plan to amend the maximum number of stories allowed and maximum height of buildings within the City of Fruitland Park.

WHEREAS, the Planning and Zoning Board and the local planning agency of the City of Fruitland Park each held a public hearing on this ordinance which was advertised in accordance with law, and the Planning and Zoning Board and the LPA made a recommendation to City Commission.

WHEREAS, the City Commission of the City of Fruitland Park public hearing for transmittal has been advertised as required by law with the public hearing occurring at least 7 days after the day that the first advertisement was published.

WHEREAS, the City Commission of the City of Fruitland Park second public hearing for adoption of this ordinance is being held at least 5 days after the date of the second advertisement.

WHEREAS, the City of Fruitland Park desires to amend the Comprehensive Plan for the City of Fruitland Park as set forth below.

NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA AS FOLLOWS:

Section 1. Table 1.1, Chapter 1. Table 1.1, Chapter 1 in the Future Land Use Element, Goals, Objectives and Policies of the City of Fruitland Park's comprehensive plan is hereby amended to read as stated herein and which shall be applicable to property located within the City of Fruitland Park municipal boundaries:

Table 1.1

Land Use Designation	Permitted Residential Density	Special Requirements	Non-Residential Allowable Uses and Intensities
Single-Family Low Density	2 units/acre	Min. 25% open space.	Public facilities/services as set out in Policy 1-5.1
Single-Family Medium Density	4 units/acre	Min. 25% open space	Small scale commercial uses may be permitted with PUD zoning, max. size 15,000 sq. ft. & max. FAR 0.20 Public facilities/services as set out in Policy 1-5.1
Multiple-Family Low Density	4-8 units/acre	Max 4/ac without sewer Min. 25% open space	Small scale commercial uses may be permitted with PUD zoning, max. size 15,000 sq. ft. & max. FAR 0.20 Public facilities/services as set out in Policy 1-5.1
Multiple -Family Medium Density	10 units/acre	Min. 25% open space. Building heights above 35 feet may be allowable if approved by the City Commission. <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u> Max 4/ac without sewer	Small scale commercial uses may be permitted with PUD zoning, max. size 15,000 sq. ft. & max. FAR 0.20 Public facilities/services as set out in Policy 1-5.1
Multiple-Family High Density	15 units/acre	Min. 25% open space. Building heights above 35 feet may be allowable if approved by the City Commission. <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u> Max 4/ac without sewer	Small scale commercial uses may be permitted with PUD zoning, max. size 20,000 sq. ft. & max. FAR 0.20

Central Business District Mixed Use	10 units/acre	Residential at 2 nd or 3 rd floor. Maximum building height 3 story's <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u>	Max. FAR 1.0. Max. ISR 80%
Transitional Mixed Community	4 units/acre 6 units/acre	Min. 25% open space Min. 20% open space. Building heights above 35 feet may be allowable if approved by the City Commission. <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u> Min. & Max. uses apply. Max 4/ac without sewer	Maximum FAR 0.20 Neighborhood commercial and professional services. Max ISR 80%, Max FAR 0.70
General Mixed Use	12 units/acre	Min. 20% open space. Building heights above 35 feet may be allowable if approved by the City Commission. <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u> Min. & Max. uses apply. Max 4/ac without sewer	Commercial sales/office, educational & civic uses. Max ISR 80%. Max FAR 0.70
Neighborhood Commercial	Residential uses may be permitted 2 nd floor or above 3rd floor with up to 4/ac with PUD zoning per Policy 1-1.10	See Policy 1-1.10 for locational criteria. Building heights above 35 feet may be allowable if approved by the City Commission. <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u>	Convenience retail, office and services, civic & institutional. Max ISR 70%, Max FAR 0.50.

Commercial – High Intensity		Building heights above 35 feet may be allowable if approved by the City Commission. <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u>	Higher intensity commercial uses and wholesale commercial uses. Max. ISR 70%, Max FAR 0.2-0.5
Industrial		Building heights above 35 feet may be allowable if approved by the City Commission. <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u>	Wholesale commercial and light industrial uses. Max ISR 75%, Max FAR 0.2-0.5
Institutional		Building heights above 35 feet may be allowable if approved by the City Commission. <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u>	Educational, religious, public and private utilities, and governmental land uses. Max ISR 70%, Max FAR 0.30
Recreation			Private and public recreation facilities. Max. ISR 30% Max. FAR 0.30
Open Space			Max. ISR 35%

See also Policy 1-1.19, Chapter 1.

Section 2. Policy 1-1.8, Chapter 1. Policy 1-1.8, Chapter 1 in the Future Land Use Element, Goals, Objectives and Policies of the City of Fruitland Park’s comprehensive plan is hereby amended to read as stated herein and which shall be applicable to property located within the City of Fruitland Park municipal boundaries:

Policy 1-1.8: Central Business District Mixed Use. The Central Business District Mixed Use land use category is established to encourage economic activity, living quarters and local employment opportunities within the central area of Fruitland Park. This category permits the highest commercial floor area ratios in the city and is intended to provide flexibility and to enable uses that meet the retail and service needs of a traditional city center and its vicinity. Permitted land uses include retail, office, business and other professional services at first floor, with office and residential uses at second or third floor. The maximum impervious surface coverage is 80% and the maximum floor area ratio is 1.0. The maximum residential density is up to 10.0 dwelling units per acre.

Maximum building height is 35-feet and buildings are limited to a maximum of three (3) stories.

Section 3. Policy 1-1.11, Chapter 1. Policy 1-1.11 Chapter 1 in the Future Land Use Element, Goals, Objectives and Policies of the City of Fruitland Park's comprehensive plan is hereby amended to read as stated herein and which shall be applicable to property located within the City of Fruitland Park municipal boundaries:

Policy 1-1.11: Neighborhood Commercial. Neighborhood Commercial is intended to provide for the day-to-day needs of the immediate neighborhood and should be within walking distance of the supporting neighborhood. Located adjacent to primary highways, commercial development in this land use district is intended to accommodate businesses up to 30,000 sq. ft. in size. Residential uses may be permitted in this category if the site has Planned Unit Development (PUD) zoning, and it is compatible with the adjacent properties. No industrial development shall be allowed. ~~Building heights above 35 feet may be allowable if approved by the City Commission. Any building above 35 feet will require assurance of adequate fire protection approved by the City.~~ Maximum building height is 35-feet and buildings are limited to a maximum of three (3) stories.

The following uses and criteria are applicable to this land use category:

- 1) Convenience retail sales and services
- 2) Offices
- 3) Civic and institutional uses.
- 4) Residential at 2nd floor and 3rd floor above
- 5) Maximum FAR: 0.5.
- 6) Maximum ISR: 70%
- 7) Maximum residential density 4 units/acre.

Section 4. Policy 1-1.19, Chapter 1. Policy 1-1.19 Chapter 1 in the Future Land Use Element, Goals, Objectives and Policies of the City of Fruitland Park's comprehensive plan is hereby added to read as stated herein and which shall be applicable to property located within the City of Fruitland Park municipal boundaries:

Policy 1-1.19 Affordable Housing Development. It is the City's intention to comply with s.166.04151, Florida Statutes relating to development of affordable housing, as defined in s. 420.0004, Florida Statutes. Therefore, notwithstanding any other policy, ordinance, regulation, or land development code provision, multifamily and mixed-use residential are allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004, F.S. Such proposed multifamily development is not required to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under s.166.04151(7), F.S. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.

Section 5. Severability. If any section or phrase of this ordinance is held to be unconstitutional, void or otherwise invalid, the validity of the remaining portions of this ordinance shall not be affected thereby.

Section 6. Conflicts. In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance shall control and supersede.

Section 7. Inclusion. It is the intention of the City Commission of the City of Fruitland Park that this comprehensive plan amendment shall become and be made a part of the comprehensive plan for the City. Goals, objectives, and policies of the Comprehensive Plan may be renumbered or reorganized for editorial and codification purposes and such renumbering or reorganization shall not constitute nor be considered a substantive change to the comprehensive plan amendment as adopted.

Section 8. Effective Date. The effective date of this plan amendment shall be pursuant to the state land planning agency's notice of intent. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If timely challenged, this amendment does not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this 8th day of May 2025.

Chris Cheshire, Mayor

Attest:

Gwen Johns, MMC, City Clerk

Mayor Cheshire	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Vice Mayor DeGrave	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Bell	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
VACANT	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
VACANT	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)

First Reading September 26, 2024

Second Reading May 8, 2025

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

April 4, 2025

The Honorable Chris Cheshire
Mayor, City of Fruitland Park
506 W Berckman Street
Fruitland Park, Florida 34731

Dear Mayor Cheshire,

FloridaCommerce has reviewed the proposed comprehensive plan amendment for the City of Fruitland Park (Amendment No. 25-01ESR) received on March 20, 2025. The review was completed under the expedited state review process. FloridaCommerce has no comment on the proposed amendment.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, FloridaCommerce has enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

- Section 163.3184(3)(b), Florida Statutes (F.S.), authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to FloridaCommerce and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be transmitted to FloridaCommerce within ten working days after the final adoption hearing or the amendment shall be deemed withdrawn pursuant to 163.3184(3)(c)2., F.S.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after FloridaCommerce notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by FloridaCommerce or the Administration Commission.

If you have any questions concerning this review, please contact Avian Williams, Planning Analyst, by telephone at (850)-717-8504 or by email at avian.williams@commerce.fl.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with the first name "James" being the most prominent.

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS /aw

Enclosure(s): Procedures for Adoption

cc: Gwen Johns, City Clerk, City of Fruitland Park
Sharon Williams, Administrative Manager, City of Fruitland Park
John Patterson, AICP, East Central Florida Regional Planning Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using FloridaCommerce's electronic amendment submittal portal "[Comprehensive Plan and Amendment Upload](https://fldco.my.salesforce-sites.com/cp/)" (<https://fldco.my.salesforce-sites.com/cp/>) or submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council, Water Management District, Department of Transportation, Department of Environmental Protection, Department of State, the appropriate county (municipal amendments only), the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only), and the Department of Education (amendments relating to public schools), and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package.

_____ Summary description of the adoption package, including any amendments proposed but not adopted.

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date.

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government.

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact.

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required.

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s).

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review.

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment.

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

The Villages® DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared **Amber Sevison**, who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal # **01246593** in the matter of

NOTICE OF PUBLIC HEARINGS

was published in said newspaper in the issues of

APRIL 25, 2025

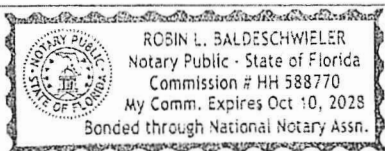
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second-class mail matter at the post office in Lady Lake,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

(Signature Of Affiant)

Sworn to and subscribed before me this 28
day of April 2025.

Robin L. Baldeschwieler
Robin L. Baldeschwieler, Notary

Personally Known X or
Production Identification _____
Type of Identification Produced _____



NOTICE OF PUBLIC HEARINGS

ORDINANCE 2024-010

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35' WITHIN ALL CITY OF FRUITLAND PARK FUTURE LAND USE DESIGNATIONS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE.

ORDINANCE 2024-011

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 154 OF THE CITY OF FRUITLAND PARK'S LAND DEVELOPMENT CODE TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35' WITHIN ALL CITY OF FRUITLAND PARK ZONING DISTRICTS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF FRUITLAND PARK'S LAND DEVELOPMENT CODE; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE.

The proposed Ordinances will be considered at the following public meetings:

Fruitland Park City Commission Meeting on May 8, 2025, at 6:00 p.m.

All meetings will be held at the Commission Chambers, 506 W. Berckman Street, Fruitland Park, Florida. The proposed Ordinances may be inspected by the public between the hours of 8:00 a.m. to 5:00 p.m. Monday to Friday at the City Clerk's office at City Hall. For further information call (352) 360-6727.

Interested parties may appear at the meetings and be heard with respect to the proposed Ordinances. A person who decides to appeal any decision made by any board, agency or commission with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence which the appeal is based (Florida Statutes 286.0105).

CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 7b

ITEM TITLE: Final Reading and Adoption of Ordinance
2024-011 Land Development Code Amendment -
Building Heights Restriction

MEETING DATE: Thursday, May 8, 2025

DATE SUBMITTED: Friday, April 25, 2025

SUBMITTED BY: city attorney/city manager/community development

BRIEF NARRATIVE: Ordinance 2024-011 amends the city's Land Development Code regulations to restrict building heights within the city to a maximum of 35' (three stories).

Ordinance 2024-011 was approved at first reading on September 26, 2024. Subsequently, the ordinance and supporting documentation was transmitted to the Florida Department of Commerce for review. The review has been completed with no comments on the proposed amendment. The Ordinance is ready for its final reading and if adopted by City Commission must be transmitted to Florida Department of Commerce within ten working days of adoption and will become effective 31 days after Florida Department of Commerce notifies the City that the amendment package is complete.

FUNDS BUDGETED: None

ATTACHMENTS: Draft Ordinance 2024-011, Exhibit A, and advertising affidavit.

RECOMMENDATION: Adoption of Ordinance 2024-011 Amending the Land Development Code Regulations for Building Height Restrictions

ACTION: Recommend the Adoption of Ordinance 2024-011.

ORDINANCE 2024-011

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 154 OF THE CITY OF FRUITLAND PARK'S LAND DEVELOPMENT CODE TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35' WITHIN ALL CITY OF FRUITLAND PARK ZONING DISTRICTS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF FRUITLAND PARK LAND DEVELOPMENT CODE; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fruitland Park desires to amend its land development code to amend the maximum number of stories allowed and maximum height of buildings within the City of Fruitland Park.

WHEREAS, the Planning and Zoning Board of the City of Fruitland Park held a public hearing on this ordinance which was advertised in accordance with law, and the Planning and Zoning Board made a recommendation to City Commission.

WHEREAS, the City Commission of the City of Fruitland Park at second reading held a public hearing for adoption of this ordinance at least 10 days after the date of advertisement.

WHEREAS, the City of Fruitland Park desires to amend the Land Development Code for the City of Fruitland Park as set forth below.

NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA AS FOLLOWS:

Section 1. The above recitals are true and correct and made an integral part of this ordinance.

Section 2. Section 154.030 d), Chapter 154 of the Land Development Regulations of the City of Fruitland Park, Florida, is hereby amended to read as set forth on **Exhibit A** attached hereto and incorporated herein

Section 3. Applicability. This ordinance shall be applicable to property located within the City of Fruitland Park municipal boundaries.

Section 4. Severability. If any section or phrase of this ordinance is held to be unconstitutional, void or otherwise invalid, the validity of the remaining portions of this ordinance shall not be affected thereby.

Section 5. Conflicts. In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance shall control and supersede.

Section 6. Inclusion. It is the intention of the City Commission of the City of Fruitland Park that this ordinance shall become and be made a part of the Land Development Code for the City. Sections may be renumbered or reorganized for editorial and codification purposes and such renumbering or reorganization shall not constitute nor be considered a substantive change to the Land Development Code as adopted.

Section 7. Effective Date. The effective date of this ordinance is upon adoption.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this 8th day of May 2025.

Chris Cheshire, Mayor

Attest:

Gwen Johns, MMC, City Clerk

Mayor Cheshire	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Vice Mayor DeGrave	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Bell	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
VACANT	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
VACANT	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)

First Reading	<u>September 26, 2024</u>
Second Reading	<u>May 8, 2025</u>

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

CHAPTER 154

ZONING DISTRICT REGULATIONS

SECTION 154.030: ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP

d) Purpose and Intent of Zoning Districts

This section presents the basic purpose and intent of each zoning district.

1) **R-2 "Single Family Low Density Residential"**

This district is established to implement comprehensive plan policies for managing low-density, single-family residential development at a density not to exceed two (2) single-family dwelling units per acre. The R-2 district is established to preserve the stability of existing and future conventional single-family residential neighborhoods, preserve open space, and manage future densities in order to assure that future densities are compatible with existing developments, natural features of the land, as well as existing and projected public services and facilities within the area.

A) *The following uses shall be permitted:*

- i) Single-family detached dwelling units.
- ii) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development Code. Accessory dwelling unit may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage and maximum square footage pursuant to the zoning district.
- iii) Customary accessory structures incidental to the principal structure pursuant to Section 156.010 of the Land Development Code.
- iv) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with 1-6 residents.
- v) Home Occupations pursuant to Section 156.020 of the Land Development Code.

B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*

- i) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents pursuant to Section 155.030(b)(5) of the Land Development Code.

C) *Uses Expressly Prohibited*

- i) Single-family attached dwelling units.
- ii) Multi-family residential dwelling units.
- iii) Two family (duplex) dwelling units.
- iv) Commercial land uses.
- v) Industrial land uses.
- vi) Any use prohibited by City, State, or Federal law.
- vii) Adult Entertainment.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as a conditional use pursuant to Chapter 155 of this Code.

E) *Design Standards*

- i) Minimum lot size shall be twenty thousand (20,000) square feet.
- ii) Minimum lot width shall be one hundred feet (100') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. ~~Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- iv) Minimum setbacks requirements:
 - a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')
Another lot - Fifteen feet (15')
Garage setback from roadway: Twenty-five feet (25')
 - c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty-five feet (25')
Garage setback from roadway: Twenty-five feet (25')
- v) Maximum building coverage: Thirty percent (30%).
- vi) Minimum living area shall be one thousand two hundred (1,200) square feet exclusive of porches, garages or utility rooms.

- vii) The minimum open space shall be twenty-five percent (25%).

2) **R-4 "Single-Family Medium Density Residential"**

This district is established to implement comprehensive plan policies for managing traditional single-family residential development at a density not to exceed four (4) dwelling units per acre. This district is established to preserve the stability of existing and future residential neighborhoods, preserve open space, and manage future densities to assure a smooth transition between low-density residential and areas designed for more intense uses, natural features of the land, as well as existing and projected public services and facilities within the area.

A) *The following uses shall be permitted:*

- i) Single-family detached residential dwelling units.
- ii) Customary accessory structures incidental to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
- iii) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development Code. Accessory dwelling unit may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
- iv) Home Occupations pursuant to Section 156.020 of the Land Development Code.
- v) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with 1-6 residents.

B) *Uses Permitted as Special Exception Use Upon Approval by the City Commission*

- i) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents pursuant to Section 155.030(b)(5) of the Land Development Code.
- ii) Small Homestay Bed and Breakfast Inn.

C) *Uses Expressly Prohibited*

- i) General Commercial land uses.
- ii) Industrial land uses.
- iii) Any use prohibited by City, State, or Federal law.

- iv) Multi-family dwelling unit.
- v) Two-family (duplex) dwelling units.
- vi) Single family attached dwelling units.
- vii) Adult Entertainment.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Design Standards*

- i) Minimum lot size shall be ten thousand (10,000) square feet provided central sewer is utilized. Minimum lot size shall be twelve thousand five hundred (12,500) square feet when septic tanks are utilized.
- ii) Minimum lot width shall be eighty feet (80') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) ~~Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- iv) Minimum setbacks requirements:
 - a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')
Another lot - Ten feet (10')
Garage setback from roadway: Twenty-five feet (25').
 - c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty feet (20')
Garage setback from roadway: Twenty-five feet (25').
- v) Maximum building coverage: Thirty percent (30%).
- vi) Minimum living area shall be one thousand two hundred (1,200) square feet exclusive of porches, garages or utility rooms.
- vii) The minimum open space shall be twenty-five percent (25%).

3) **R-8 "Multi-Family Low Density Residential"**

This district is established to provide for medium density residential development not restricted to single-family dwelling units. Density shall not exceed four (4) units per acre unless central sewer facilities are available at which time density is not allowed to exceed eight (8) dwelling units per acre. This zoning district will facilitate the transition between lower intensity and higher intensity residential uses.

A) *The following uses shall be permitted:*

- i) Single-family detached residential dwelling units.
- ii) Single-family attached residential dwelling units.
- iii) Customary accessory structures to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
- iv) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development code. Accessory dwelling unit may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
- v) Home Occupations pursuant to Section 156.020 of the Land Development Code.
- vi) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with 1-6 residents.
- vii) Two family (duplex) dwelling units.
- viii) Multi-family dwelling units.
- ix) Mobile Home Subdivision Development Requirements. The developer shall prepare and submit plans in accordance with the Subdivision Regulations of Chapter 157 of the Land Development Code.
- x) Small and Medium Home Stay Bed and Breakfast Inn

B) *Uses Permitted as Special Exception Use Upon Approval by the City Commission*

- i) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents pursuant to Section 155.030(b)(5) of Land Development Code.

C) *Uses Expressly Prohibited*

- i) General Commercial land uses.
- ii) Industrial land uses.
- iii) Adult Entertainment.
- iv) Any use prohibited by City, State, or Federal law.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Design Standards*

- i) Minimum lot size for single family dwellings shall be eight thousand (8,000) square feet provided central sewer is utilized. Minimum lot size for single family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- ii) Minimum lot size for multi-family dwellings shall be six thousand (6,000) square feet provided central sewer is utilized. Minimum lot size for multi-family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- iii) Minimum lot size for triplex units shall be nine thousand (9,000) square feet provided central sewer is utilized. Minimum lot size shall be fifteen thousand (15,000) square feet when septic tanks are utilized.
- iv) Minimum lot width for single family shall be sixty-five feet (65') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- v) Minimum lot width for multi-family shall be sixty feet (60') provided central sewer is utilized. Minimum lot size for multi-family shall be ten thousand (10,000) square feet when septic tanks are utilized. All lot widths are measured at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- vi) Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. ~~Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- vii) Minimum setbacks requirements for single family, duplex and triplex units:

- a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')
Another lot - Ten feet (10')
Garage setback from roadway: Twenty-five feet (25')
 - c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty feet (20'). Each additional story of triplex units will add five feet (5') to the rear setback.
Garage setback from roadway: Twenty-five feet (25')
- viii) Minimum setbacks requirements for multi-family units:
- a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')
Another lot - Fifteen feet (15')

Garage setback from roadway: Twenty-five feet (25')
 - c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty feet (20').
Garage setback from roadway:
Twenty-five feet (25')
- ix) Maximum building coverage: Thirty percent (30%).
- x) Minimum living area for single family shall be one thousand (1,000) square feet exclusive of porches, garages or utility rooms. Minimum living area for multi-family, duplex and triplex shall be six hundred (600) square feet exclusive of porches, garages or utility rooms.
- xi) The minimum open space shall be twenty-five percent (25%).

4) **R-3A “High Density Residential/Neighborhood Commercial”**

This district is established to provide for a mix of high density residential and neighborhood commercial uses not to exceed four (4) dwelling units per acre unless central sewer facilities are available at which time density is not allowed to exceed ten (10) dwelling units per acre. Buildings are limited to 3-story maximum and maximum height of 35-ft. It is intended to provide essential services to residential areas without detrimental effects to residential neighborhoods. Any

future request for commercial development in this category will require rezoning to Planned Unit Development consistent with Section 154.030(d)(10).

A) *The following uses shall be permitted:*

- i) Single-family attached dwelling units.
- ii) Single-family detached dwelling units.
- iii) Two-family (duplex) residential dwelling units.
- iv) Multi-family residential dwelling units.
- v) Customary accessory structures incidental to the principal use not to exceed 30% of living area of the principal dwelling unit, or 450 square feet, whichever is greater.
- vi) Home occupations pursuant to Section 156.020 of the Land Development Code.
- vii) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents.
- viii) Day Care Centers.
- ix) Offices for professional services.
- x) Personal services.
- xi) Commercial uses less than 25,000 square feet, when approved through the Planned Unit Development process in Section 154.030(d)(10).

B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*

- i) Mobile home subdivisions/parks.
- ii) Adult congregate living facilities.
- iii) Nursing homes.
- iv) Small, medium, and large Homestay Bed and Breakfast Inn.

C) *Uses Expressly Prohibited*

- i) Commercial land uses greater than 25,000 square feet.
- ii) Industrial land uses.

iii) Adult Entertainment.

iv) Uses prohibited by City, State or Federal law.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

5) **R-10 "Multi-Family Medium Density"**

This district is established to provide for a mix of high density residential and neighborhood commercial uses not to exceed four (4) dwelling units per acre, unless central sewer facilities are available at which time density is not allowed to exceed ten (10) dwelling units per acre. It is intended to provide essential services to residential areas without detrimental effects to residential neighborhoods.

A) *The following uses shall be permitted:*

- i) Single-family attached dwelling units.
- ii) Single-family detached dwelling units.
- iii) Two-family (duplex) residential dwelling units.
- iv) Multi-family residential dwelling units.
- v) Customary accessory structures to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
- vi) Accessory dwelling units for non-paying family members pursuant to Section 156.010 of the Land Development Code. Accessory dwelling unit may not be rented or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
- vii) Home occupations pursuant to Section 156.020 of the Land Development Code.
- viii) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents.
- ix) Small, medium, and large Homestay Bed and Breakfast Inn.

B) *Uses Permitted as Special Exception Use Upon Approval of the*

City Commission

- i) Mobile home subdivisions/parks.
- ii) Adult congregate living facilities.
- iii) Nursing homes.

C) *Uses Expressly Prohibited*

- i) General Commercial land uses
- ii) Industrial land uses.
- iii) Adult Entertainment.
- iv) Uses prohibited by City, State or Federal law.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Design Standards*

- i) Minimum lot size for single family dwellings shall be eight thousand (8,000) square feet provided central sewer is utilized. Minimum lot size for single family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- ii) Minimum lot size for multi-family dwellings shall be six thousand (6,000) square feet provided central sewer is utilized. Minimum lot size for multi-family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- iii) Minimum lot size for triplex units shall be nine thousand (9,000) square feet provided central sewer is utilized. Minimum lot size shall be fifteen thousand (15,000) square feet when septic tanks are utilized.
- iv) Minimum lot width for single family shall be sixty-five feet (65') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- v) Minimum lot width for multi-family shall be sixty feet (60') provided central sewer is utilized. The lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.

- vi) Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.
- vii) Minimum setbacks requirements for single family, duplex and triplex units:
 - a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway - Twenty feet (20')
Another lot - Ten feet (10')
Garage setback from roadway: Twenty-five feet (25')
 - c. Rear: Local roadways - Twenty feet (20')
Another lot - Twenty feet (20'). Each additional story of triplex units will add five feet (5') to the rear setback.
Garage setback from roadway: Twenty-five feet (25')
- viii) Minimum setbacks requirements for multi-family units:
 - a. Front yard: Thirty feet (30')
 - b. Front yard garage: Twenty-five feet (25')
 - c. Side yard: Fifteen feet (15')
 - d. Rear yard: Thirty feet (30')
- ix) Maximum building coverage: Thirty percent (30%).
- x) Minimum living area for single family shall be one thousand (1,000) square feet exclusive of porches, garages or utility rooms. Minimum living area for multi-family, duplex and triplex shall be six hundred (600) square feet each exclusive of porches, garages or utility rooms.
- xi) The minimum open space shall be twenty-five percent (25%).

6) **R-15 "Multi-Family High Density Residential"**

This district is established to implement comprehensive plan policies for managing high density residential development at a density not to exceed four (4) dwelling units per acre unless central sewer facilities are available at which time density is not allowed to exceed (15) dwelling units per acres. This district is established to ensure that sufficient land is available for high density residential development.

A) *The following uses shall be permitted:*

- i) Single-family attached residential dwelling units.
- ii) Single-family detached residential dwelling units.
- iii) Two-family (duplex) residential dwelling units.
- iv) Multi-family residential dwelling units.
- v) Customary accessory structures to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
- vi) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development Code. Accessory dwelling units may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
- vii) Home Occupations pursuant to Section 156.020 of the Land Development Code.
- viii) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents.
- ix) Small, Medium, and Large Homestay Bed and Breakfast Inn.

B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*

- i) Mobile home subdivisions/parks.
- ii) Adult Congregate Living Facilities.
- iii) Nursing Homes.

C) *Uses Expressly Prohibited*

- i) General Commercial land uses.
- ii) Industrial land uses.
- iii) Uses prohibited by City, State, or Federal law.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Design Standards*

- i) Minimum lot size for single family dwellings shall be eight thousand (8,000) square feet provided central sewer is utilized. Minimum lot size for single family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- ii) Minimum lot size for multi-family dwellings shall be six thousand (6,000) square feet provided central sewer is utilized. Minimum lot size for multi-family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- iii) Minimum lot size for triplex units shall be nine thousand (9,000) square feet provided central sewer is utilized. Minimum lot size shall be fifteen thousand (15,000) square feet when septic tanks are utilized.
- iv) Minimum lot width for single family shall be sixty-five feet (65') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- v) Minimum lot width for multi-family shall be sixty feet (60') provided central sewer is utilized. The lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- vi) Maximum building height shall be thirty-five feet (35') ~~and buildings are limited to 3-story maximum. Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- vii) Minimum setbacks requirements for single family, duplex and triplex units:
 - a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')
Another lot - Ten feet (10')
Garage setback from roadway: Twenty-five feet (25')
 - c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty feet (20'). Each additional story of triplex units will add five feet (5') to the rear setback.
Garage setback from roadway: Twenty-five feet (25')
- viii) Minimum setbacks requirements for multi-family units:
 - a. Front: Local roadways - Twenty feet (20')
Garage setback from roadway - Twenty-five feet (25').
 - b. Side: Local roadway – Twenty feet (20')
Another lot - Fifteen feet (15')

Garage setback from roadway: Twenty-five feet (25')

- c. Rear: Local roadways – Twenty feet (20')
Another lot - Twenty feet (20').
Garage setback from roadway: Twenty-five feet (25')

- ix) Maximum building coverage: Thirty percent (30%).
- x) Minimum living area for single family shall be one thousand (1,000) square feet exclusive of porches, garages or utility rooms. Minimum living area for multi-family, duplex and triplex shall be six hundred (600) square feet each exclusive of porches, garages or utility rooms.
- xi) The minimum open space shall be twenty-five percent (25%).

7) **RP "Residential Professional"**

This district is established to implement comprehensive plan policies for managing transitional areas where existing residential structures can be utilized for personal and professional services and not adversely affect adjacent property. The density cannot exceed four (4) dwelling units per acre.

A) *The following uses shall be permitted:*

- i) Single Family Detached dwelling units
- ii) Customary accessory structures to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
- iii) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development code. Accessory dwelling unit may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
- iv) Business Services.
- v) Financial Services.
- vi) Personal Services.
- vii) Multi-family dwelling units.
- viii) Medical office/Clinic
- ix) Home occupations pursuant to Section 156.020 of the land Development Code.
- x) Small, Medium, and Large Homestay Bed and Breakfast Inn

B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*

- i) Banks.
- ii) Day Care Centers.
- iii) Health/Exercise Clubs.
- iv) Office/Warehouse Facilities.
- v) Veterinary Offices.
- vi) Game Recreation Facility.

C) *Uses Expressly Prohibited*

- i) Commercial parking.
- ii) Industrial land uses.
- iii) Uses prohibited by City, State, or Federal law.
- iv) Adult Entertainment.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Design Standards*

- i) Minimum lot size shall be ten thousand (10,000) square feet provided central sewer is utilized. Minimum lot size shall be twelve thousand five hundred (12,500) square feet when septic tanks are utilized.
- ii) Minimum lot width shall be one hundred feet (100') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) ~~Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire and Building Official.~~
- iv) Minimum setbacks requirements:
 - a. Front yard: Thirty feet (30')

- b. Front yard garage: Twenty-five feet (25')
- c. Side yard: Ten feet (10')
- d. Rear yard: Twenty feet (20').
- v) Maximum Impervious Surface Ratio: seventy percent (70%).
- vi) The minimum open space shall be twenty-five percent (25%).

8) **C-1 "Neighborhood Commercial"**

This district is established to implement comprehensive plan policies for managing transitional areas between residential land uses and more intense commercial and industrial uses. This district is established to provide sufficient land for both medium density residential at a density not to exceed six (6) units per acre and professional/light commercial uses.

A) *The following uses shall be permitted:*

- i) Offices for professional services.
- ii) Personal services.
- iii) Convenience stores without fuel operations.
- iv) Laundry and dry-cleaning retail stores.
- v) Day care centers.
- vi) Adult Congregate Living Facilities.
- vii) Licensed Community Residential Homes, Group Homes, Foster Care Facilities with more than six (6) residents.
- viii) Clubs, Lodges, and Fraternal Organizations.
- ix) Financial Services.
- x) Office Supply.
- xi) Retail Sales & Services.
- xii) Business Services.
- xiii) Small, Medium, and Large Homestay Bed & Breakfast Inn.
- xiv) Office Complex.
- xv) Maintenance General Contractor.
- xvi) Medical Office/Clinic.

- xvii) Family Amusement Arcade
- xviii) Adult Arcade Amusement Center/Internet Café as define in Chapter 116 of City Code of Ordinances
- xix) Licensed Medical Marijuana Treatment Centers as proved in s. 381.986, Florida Statutes.

B) *Uses Permitted as a Special Exception Use Upon Approval of the City Commission*

- i) Convenience stores with fuel operations.
- ii) Restaurants.
- iii) Banks.
- iv) Athletic/Sports Facility.
- v) Game/Recreation Facility.
- vi) Health/Exercise Club.
- vii) Mini-warehouses.
- viii) Veterinary Office.
- ix) Xerographic and Offset Printing.
- x) Office/Warehouse Facility.

C) *Uses Expressly Prohibited*

- i) Commercial Parking.
- ii) Wholesale commercial uses.
- iii) Industrial uses.
- iv) Uses prohibited by City, State, and Federal law.
- v) Adult Entertainment.
- vi) RV Parks.
- vii) Outside storage.

D) *Other Possible Uses*

Any use not listed as permitted, permitted as a special exception use or prohibited may be allowed as a conditional use pursuant to Chapter 155 of this Code.

E) *Maximum Intensity Standard*

The maximum intensity standard shall be limited to seventy (70) percent impervious surface ratio (which includes building coverage), and maximum floor area ratio of 0.5~~7~~, ~~and a~~ The maximum building height is of thirty-five (35) feet and buildings are limited to 3-story maximum. ~~unless adequate fire protection is provided and approved by the City Fire Inspector and Building Official.~~

F) *Design Standards*

- i) Minimum lot size shall be fifteen thousand (15,000) square feet.
- ii) Minimum lot width shall be one hundred twenty-five feet (125') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Minimum setbacks requirements:
 - a. Front yard: Thirty feet (30')
 - b. Side yard: Ten feet (10'). A zero-lot line is allowed on one side setback only with a minimum of ten feet (10') on the opposite side.
 - c. Rear yard: Fifteen feet (15').
- iv) The minimum open space shall be twenty-five percent (25%).

9) **C-2 "General Commercial"**

This district is established to implement comprehensive plan policies for managing commercial development. This district is designed to accommodate general retail sales and services.

A) *The following uses shall be permitted:*

- i) Adult/Vocational Education.
- ii) Appliance/Electronic Repair Shops.
- iii) Athletic/Sports Facility.
- iv) Auction Houses.
- v) Banks.
- vi) Bars, Lounges, and Night Clubs.
- vii) Boat Sales and Services.

- viii) Business Services.
- ix) Commercial/Industrial Equipment and Supplies.
- x) Convenience Stores with or without Fuel Operations.
- xi) Day Care Centers.
- xii) Equipment Rental.
- xiii) Financial Services.
- xiv) Furniture and Appliance Stores.
- xv) Game/Recreational Facilities.
- xvi) Health/Exercise Clubs.
- xvii) Hotels/Motels.
- xviii) Kennels.
- xix) Maintenance Contractors.
- xx) Medical Office/Clinic.
- xxi) Motor Vehicle Service Centers.
- xxii) Motor Vehicle Service Stations.
- xxiii) Offices.
- xxiv) Office Complex.
- xxv) Office Supplies.
- xxvi) Pawn Shops.
- xxvii) Personal Services.
- xxviii) Restaurants.
- xxvii) Retail Home Building Materials.
- xxviii) Retail Sales and Services.
- xxix) Shopping Center.
- xxx) Theaters.
- xxxi) Transportation Services.
- xxxii) Wholesalers and Distributors.

- xxxiii) Veterinary Clinic.
- xxxiv) Licensed Community residential homes, group homes and foster care facilities with more than six (6) residents.
- xxxv) One single family dwelling unit for owners/caretaker's residence.
- xxxvi) Motor Vehicle Repair Facility.
- xxxvii) Xerographic and Offset Printing.
- xxxviii) Commercial Parking.
- xxxix) Family Amusement Arcade.
- xl) Adult Arcade Amusement Center/Internet Cafes as defined in Chapter 116 of the City Code of Ordinances.
- xli) Licensed Medical Marijuana Treatment Centers as Provided in s, 381.986, Florida Statutes.

B) *Uses Permitted as a Special Exception Use Upon Approval of the City Commission*

- i) Gun & Archery Range.
- ii) Trucking Terminal.
- iii) Farmers/Flea Markets
- iv) Natural Gas/Propane Distribution Centers.
- v) Mobile Homes Sales.
- vi) Motor Vehicle and Boat Storage Facilities.
- vii) Motor Vehicle Dealer Sales.
- viii) Motor Vehicle Sales.

C) *Uses permitted as a Conditional Use Approval of the City Commission*

- i) Mini warehouses.

D) *Uses Expressly Prohibited*

- i) Residential uses, except as stated above in Section 154.030 (8)(A)(xxxvii) and (8)(A)(xxxviii).

- ii) Industrial uses.
- iii) Uses prohibited by City, State, and Federal law.
- iv) Adult Entertainment.
- v) Outside storage.

E) *Other Possible Uses*

Any use not listed as permitted, permitted as a special exception use or prohibited may be allowed as a conditional use pursuant to Chapter 155 of the Code.

F) *Maximum Intensity Standard*

- i) The maximum intensity standard shall be limited to seventy (70) percent impervious surface ratio (which includes building coverage), ~~and a maximum floor area ratio of .50, and a~~ The maximum building height of is thirty-five (35) feet and buildings are limited to 3-story maximum. unless adequate fire protection is provided and approved by the City Fire Inspector and Building Official.

G) *Design Standards*

- i) Minimum lot size shall be twenty thousand (20,000) square feet.
- ii) Minimum lot width shall be one hundred fifty feet (150') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Minimum setback requirements:
 - a. Front yard: Fifty feet (50')
 - b. Side yard: Ten feet (10'). A zero-lot line is allowed on one side setback only with a minimum of ten feet (10') on the opposite side.
 - c. Rear yard: Fifteen feet (15').
- iv) The minimum open space shall be twenty-five percent (25%).

10) **I "Industrial"**

This district is established to implement comprehensive plan policies for managing industrial development and to provide development for limited industrial operations engaged in fabricating, repair or storage of

manufactured goods, where no objectionable by-products of the activity (such as odors, smoke, dust, refuse, electro-magnetic interference, noise in excess of that customary to loading, unloading and handling of goods and materials) are noticeable beyond the lot on which the facility is located. No hazardous materials may be utilized by the industrial operations permitted in this district. The location of such districts shall take into consideration access to rail and terminal facilities, major arterial roadways, labor markets and necessary urban services. Such districts shall be accessible to major thoroughfares and buffered from residential neighborhoods.

A) *The following uses shall be permitted:*

- i) Airport and related activities.
- ii) Agriculturally related industry.
- iii) Boat repair.
- iv) Commercial/Industrial Service.
- v) Construction Contractor's Yard and Storage.
- vi) Distribution Centers.
- vii) Laboratory/Research and Development.
- viii) Laundry/Dry Cleaning Plants.
- ix) Manufacturing: Craftsman Shops.
- x) Manufacturing: Fabrication.
- xi) Manufacturing: Processing.
- xii) Motor Vehicle Repair Facility.
- xiii) Motor Vehicle Towing and Impoundment.
- xiv) Trucking Terminal.
- xv) Warehousing.
- xvi) Wholesale Commercial Uses.
- xvii) Xerographic and Offset Printing.
- xviii) Appliance/Electronic Repair Shops.
- xix) Commercial Parking.
- xx) Maintenance Contractor.

- xxi) Motor Vehicle Service Center.
- xxii) Motor Vehicle Service Station.
- xxiii) Transportation Service.
- xxiv) Family Amusement Arcade.
- xxv) Adult Arcade Amusement Center/Internet Cafes.
- xxvi) Adult Entertainment.

a) Adult entertainment uses shall be permitted as long as they are not located nearer than five hundred (500) feet to any other adult entertainment establishment, or nearer than five hundred (500) feet to any place of worship, child care center, or educational center, except vocational and technical schools, colleges, and universities.

B) *Uses Permitted as a Special Exception Use Upon Approval of the City Commission*

- i) One single-family residential dwelling unit on the site of a permitted use to be used exclusively by an owner/caretaker.
- ii) Used motor vehicle parts yard.
- iii) Natural Gas/Propane Distribution Centers.

C) *Uses Expressly Prohibited*

- i) Residential dwelling units except for Section 154.030(d)(7)(b)(I).
- ii) Uses prohibited by City, State, and Federal law.

D) *Other Possible Uses*

Any use not listed as permitted, permitted as a special exception use or prohibited may be allowed pursuant to Chapter 155 of this Code.

E) *Maximum Intensity Standard*

The maximum intensity standard shall be limited to seventy-five (75) percent impervious surface ratio (which included building coverage), a maximum floor area ratio of .50, ~~and a maximum building height of thirty-five (35) feet and buildings are limited to 3-story maximum. unless adequate fire protection is-~~

~~provided and approved by the City Fire Inspector and Building Official.~~

F) *Design Standards*

- i) Minimum lot size shall be thirty thousand (30,000) square feet.
- ii) Minimum lot width shall be two hundred fifty feet (200') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Minimum setbacks requirements:
 - a. Front yard: Fifty feet (50')
 - b. Side yard: Twenty-five feet (25').
 - c. Rear yard: Twenty-five feet (25').
- iv) The minimum open space shall be twenty-five percent (25%).

11) **PUD "Planned Unit Development"**

The PUD district is established to implement comprehensive plan policies for encouraging affordable housing by allowing a variety of housing types with a broad range of housing costs. This district is designed to encourage innovative development concepts to provide design amenities and to manage natural features of the land. The location of such PUDs will be dictated by the type of development that will be provided. (Residential PUDs will be located in residentially designated areas of the Future Land Use Map of the comprehensive plan, commercial PUDs will be located in commercially designated areas of the Future Land Use Map, etc.) Densities and intensities cannot exceed those which are permitted in that area on the Future Land Use Map. Preliminary and/or Conceptual Development plans are required to be submitted along with the rezoning application. Buildings are limited to maximum of 3-story and building height of 35-ft.

A) *The following uses shall be permitted:*

- i) ***Residential PUD*** – Single- and Multi-family residential dwelling units provided, however, that the housing stock of PUDs located within the Single-family overlay district of the Future Land Use Map which utilize multi-family units must consist of a minimum of 51% single-family dwelling units. On-site recreational facilities and on-site day care facilities, convenience store and personal services intended to service the principal use shall also be permitted.

- ii) **Mixed Use PUD** – All uses as permitted under the R-2, R-4, R-15, RP, PFD, and C-1 zoning districts and other uses deemed appropriate and incidental to the primary use by the City Commission.

The Mixed-Use PUD located within the Mixed Community land use category shall accommodate a use mix consistent with at least two of the three of the following table and shall not exceed a density of 6 units per acre:

Use	Minimum	Maximum
Residential	15%	65%
Commercial	5%	30%
Institutional	5%	35%
Parks & Open Space	20%	
FAR		.70
ISR		.80

The Mixed-Use PUD located within the General Mixed Use land use category shall accommodate a use mix consistent with at least two of the three of the following table and shall not exceed a density of 12 units per acre:

Use	Minimum	Maximum
Residential	15%	65%
Commercial	5%	30%
Institutional	5%	25%
Parks & Open Space	20%	
FAR		.70
ISR		.80

The Mixed- Use PUD shall incorporate the following principles:

- (1) The creation of an attractive and high-quality environment that is compatible with the scale and character of the surrounding community.
- (2) The development of commercial, residential, and mixed-use areas that is safe, comfortable and attractive to pedestrians.
- (3) The location of the commercial center so that it is easily accessible by pedestrians from as many of the residential areas as possible.
- (4) The maximization of shared parking.

- (5) To develop a network of parks, walkways, public art, and cultural facilities that encourage a sense of place and the overall health and well-being of the community.
- (6) To encourage a mix of housing types and styles that provides people with affordable housing choices that can accommodate changes in lifestyle.
- (7) Encourage alternative forms of transportation.

iii) **Commercial PUD** – Commercial uses as permitted under the C-1 zoning district and other uses deemed appropriate and incidental to the primary use by the City Commission.

iv) **Industrial PUD** – Industrial uses as permitted under the Industrial zoning district, commercial uses intended to service the primary uses and other uses deemed appropriate and incidental to the primary use by the City Commission.

a) **Maximum Density/Intensity**

The maximum density/intensity allowed within the PUD shall be as delineated by the land use districts on the Future Land Use Map. A density bonus may be permitted as outlined in Section 154.030(d)(8)(I), below.

b) **PUD Land Uses**

Land uses proposed within a PUD must conform to uses allowed within the land use designations of the Future Land Use Map of the Comprehensive Plan.

B) *Minimum Parcel Size*

The minimum size of any parcel shall be ten (10) acres. A lesser minimum area may be approved if the City Commission determines that the intent and purpose of the PUD district and expressed municipal development policy would be served in such case.

C) *Unified Ownership*

All land within the PUD shall be under the ownership or control of the applicant at the time of execution of the development agreement whether the applicant be an individual, partnership or corporation or groups of individuals, partnerships or corporations.

D) *Setbacks and Buffering*

Setback requirements within the PUD shall be flexible however, in no case shall the setback be less than ten (10) feet between structures. Buffering requirements shall be established at the time of rezoning of

the property to a PUD.

E) *Pre-application Conference (Optional)*

It is recommended that a pre-application conference be held between the City Manager or designee and the developer or the developer's representatives, in order to verify the steps necessary for application and review, and discuss potential issues regarding the PUD proposal. Comments made during the pre-application conference are totally non-binding on the formal review of the preliminary development plan.

F) *Application for Rezoning*

Application for preliminary development plan and rezoning approval shall be made to the City utilizing the form provided by the City. The application shall be accompanied by one (1) hardcopy along with one (1) electronic copy of the preliminary plan prepared in accordance with the requirements of the Land Development Code.

G) *Preliminary Development Plan*

In order to implement the goals and policies of the Comprehensive Plan and to streamline the development review process, the applicant shall have the option of preparing the following types of submittals:

- i) **Conceptual Plan** – If the applicant so chooses, a conceptual plan may be submitted prior to the first rezoning hearing for review by the TRC. The conceptual plan shall include the following, which shall not be a bubble plan:
 - a) Boundary of subject property.
 - b) Major natural features such as lakes, streams, wetlands and natural communities.
 - c) Existing or proposed streets abutting the project.
 - d) Generalized location map and legal descriptions, including acreage.
 - e) Proposed land use types and their location including perimeter buffers and setbacks from perimeter boundary.
 - f) Gross densities.
 - g) Typical lot sizes showing setbacks and dimensions.
 - h) Number of units and type.
 - i) Floor area for commercial or industrial.
 - j) Adjacent zoning.

EXHIBIT A

- k) Maximum building heights.
- l) Anticipated phasing plan.
- m) Proposed method of providing water service, including fire protection, sewage disposal, and stormwater management.
- n) Percentage of Open Space and location.
- o) Acreage of Parks/Recreation and location.
- p) Typical road section.
- q) Soils and 100-year flood prone areas.
- r) Project name.

- s) Existing topography at one-foot contours based on Lake County or St. Johns River Water Management District datum.
- t) Net living area for each type of dwelling unit.
- u) Preliminary Environmental Assessment per Chapter of the Land Development Code.
- v) Parking & Loading facilities.
- w) Any other information deemed pertinent by the TRC, Planning and Zoning Board or City Commission.

Upon approval of the Conceptual Plan and rezoning application by the TRC, the Planning and Zoning board and the City Commission, a preliminary development plan must be submitted for review and approval by the TRC prior to construction.

- ii) ***Preliminary Development Plan*** – In order to streamline the process, the applicant may elect to file a preliminary development plan for rezoning approval that meets the following requirements as outlined below. This plan can be submitted in lieu of the conceptual plan.
 - a) All items required for submittal of a Conceptual Plan outlined in 154.030 (d)(12)(g)(i).
 - b) Name and address of owner, surveyor, engineer, and any other professional consultants involved with the generation of the plan information. If the property is owned by a corporation or company, the name and address of its president and secretary, and state of incorporation shall be given.
 - c) Acreage of lots, drainage areas, common areas, and other uses; and the minimum lot size, average lot size and total number of lots, lot typical details including interior and corner lots, setbacks, phase lines, future land use, zoning, density and open space. Future land use and zoning information for adjacent properties.
 - d) Existing topography using one (1) foot contours based upon National Geodetic Vertical datum, and delineation of Flood Insurance Rate Map flood zones. All development located partially within or wholly within the Special Flood Hazard Area must be completed in accordance with Section 161.090.
 - e) Environmental assessment showing all wetlands, delineation of wooded areas and vegetative communities, if required threatened and endangered species information and a separate tree survey showing all specimen trees. See Chapter 165.

- f) All existing buildings, utilities, roads, easements or other improvements on the property, and all roads and lot lines within one hundred fifty (150) feet of the property boundary.
- g) Acreage and square feet open space, preservation areas and common areas.
- h) Required landscaping, required buffers and any fences or walls as outlined in Chapter 164.
- i) A soils report delineating the soils existing on the site to be developed.
- j) Proposed stormwater management plan and drainage control facilities.
- k) Utility sources, distribution and collection lines, if available, (including but not limited to water, sewer, electricity, cable television and telephone).
- l) Traffic Study/Traffic Statement. The traffic study shall follow the requirements of the Lake-Sumter Metropolitan Planning Organization (MPO) Transportation Concurrency Management System Traffic Impact Study Methodology Guidelines Document for Lake County.
- m) Any other information deemed pertinent by the Technical Review Committee, Planning and Zoning Board or City Commission.

Should the developer elect to submit the preliminary plan with the rezoning application, and upon approval of the rezoning application, the applicant can proceed with final development plan approval as outlined below.

iii) Final Development Plan

- a) All items required for submittal of Preliminary Development Plan outlined in 154.030 (d)(12)(g)(ii).
- b) Acreage and square feet open space, preservation areas, and common areas.
- c) Required landscaping, required buffers and any fences or walls as outlined in Chapter 164.
- d) Any other information deemed pertinent by the Technical Review Committee, Planning and Zoning Board or City Commission.

A minimum of twenty-five percent (25%) of the total project area shall be established and maintained as common open space or common facilities. No area shall be accepted as common open space unless it satisfies the following standards.

- i) Common open space shall be dedicated to and useable by all residents of the Planned Unit Development or specific phase thereof.
- ii) Common open space set aside for recreational use shall be suitably improved for its intended use. Such improvements may include aesthetic, amenities, buffering or recreational facilities.
- iii) Common open space set aside for the preservation of natural features or listed species habitats or for buffering purposes shall remain undisturbed and be protected by conservation easements dedicated to the property owner's/homeowner's association or State agency pursuant to Chapter 165 of the Land Development Code.
- iv) Common open space shall not be used for the construction of any structures other than recreational facilities and incidental maintenance buildings.
- v) Common open space shall be maintained by the Home Owner's Association or other legal entity of the Planned Unit Development or the specific phase thereof.

I) *Density Bonuses*

i) Affordable Housing

Residential developments may receive a density bonus not to exceed 20% of the density permitted by the applicable land use designation for the provision of affordable housing units.

An affordable dwelling unit shall be a dwelling unit which:

- a) has a market value less than two (2) times 80% of the median annual household income of Lake County or
- b) has a monthly rent less than or equal to $\frac{1}{12} \times 25\%$ of 80% of the median annual household income of Lake County.
- c) the affordable housing density bonus shall be determined as follows:

% of total units affordable	Bonus
20 – 30%	10%
31 – 50%	15%

51% +	20%
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ii) **Environmental Protection**

Residential developments may receive a density bonus of up to 100% of the number of units allowed by the underlying comprehensive land use designation for the transfer of units from onsite non-altered wetlands and upland habitat.

- a) The total number of units transferred shall not exceed the gross density as allowed on the Future Land Use Map.
- b) A conservation easement pursuant to Chapter 165 of the Land Development Code shall be recorded for the property from which the units are to be transferred. Such easement shall specify that no uses other than passive recreation uses shall be allowed on the property and shall state that the easement shall restrict such land in perpetuity. The easement shall be approved by the City Attorney and recorded in the public records of Lake County.

J) *Application Review Process*

- i) **Technical Review Committee (TRC).** All applications shall be reviewed by the TRC staff and members' comments shall be delivered and discussed at a regularly scheduled meeting. Formal comments of the TRC shall be transmitted in writing to the applicant no later than five (5) working days after the meeting. A formal staff report will be forwarded to the Planning and Zoning Board with staff recommendations.
- ii) **Resubmittal of the Revised Preliminary Development Plan.** Resubmittal of the preliminary development plan reflecting revisions required by TRC comments shall be made within five (5) days of the regularly scheduled TRC meeting.

K) *Approval of Application for Rezoning*

- i) **Planning and Zoning Board Action.** The Planning and Zoning Board shall consider the submitted plan and rezoning application at a regularly scheduled meeting to determine if the application meets the requirements of this code. Upon consideration of comments and recommendations of the TRC and public, the Board shall take one of the following actions:
 - a) Postpone the consideration of the application until the next regularly scheduled meeting to allow for the resolution of outstanding issues.
 - b) Recommend that the application be approved.

c) Recommend that the application be approved with conditions.

d) Recommend that the application be denied.

ii) **City Commission Approval.** The City Commission shall consider the submitted plan and rezoning application at a regularly scheduled meeting and determine if the application meets the requirements of the Land Development Code. Upon consideration of the comments of the TRC, the public, and the recommendation of the Planning and Zoning Board, the City Commission shall take one of the following actions:

a) Postpone the consideration of the application until the next regularly scheduled meeting to allow for the resolution of outstanding issues.

b) Approve the application.

c) Approve the application with conditions.

d) Deny the application.

L) Alterations to Preliminary Development Plan

Alterations to the approved Preliminary Development Plan shall be classified as either substantial or non-substantial amendments. The following criteria shall constitute a substantial amendment.

i) A change which would include a land use not previously permitted under the approved PUD zoning.

ii) A change that would increase the land use intensity by ten percent (10%) within any development phase without a corresponding decrease in some other portion of the overall PUD.

iii) A change that would require an amendment to the conditions approved by the City Commission.

i) A change that would reduce the required open space by more than ten percent (10%).

ii) Any change that would eliminate pedestrian facilities or multi-use trails.

A determination of a substantial or non-substantial alteration shall be made by the City Manager or designee.

Alterations to the preliminary development plan which are determined to be substantial must be submitted with plans and support data for review by the TRC, the Planning and Zoning Board and the City Commission.

All proposed alterations to an approved plan must be submitted to the City Manager or designee for a determination of whether the alteration is substantial or non-substantial.

M) *Execution of Master Development Agreement*

The second reading of the ordinance for rezoning any land to a PUD district shall not take place until the developer has provided an executed copy of the master development agreement to the City Manager or designee. The document shall be a fully corrected copy which addresses all issues discussed prior to the scheduled second reading. The document shall also include reduced copies of the revised conceptual plan exhibits. If there are no additional requirements, corrections, or conditions attached by the City Commission at the second reading, the executed document shall be signed by the City Manager and Mayor and forwarded to the County Clerk for recording. If there are additional requirements, corrections or conditions attached by the City Commission at the second reading, the applicant shall revise the agreement and conceptual plan and return the documents to the City Manager or designee within thirty (30) days for execution and recording. The requirement to return the document within thirty (30) days shall be specified by the City Commission as a condition for approval of the rezoning.

N) *Failure to Provide Timely Resubmission*

Failure to meet any of the resubmission deadlines cited above shall require the filing of a new application, including the appropriate review fees. However, the City Manager may extend the deadlines cited above, when warranted by unforeseeable events. A request for extension shall be filed in writing with the City explaining the circumstances justifying the extension.

O) *Final Development Plan Approval*

Unless otherwise noted within the development agreement, final development approval for subdivisions or site plans within the PUD shall be required in accordance with the general procedures established by this code. Conceptual plan exhibits of the master development agreement which fully satisfy the requirements for - preliminary subdivision plan submittal shall be considered as such.

P) *Expiration of Master Development Agreement*

Any master development executed and recorded after the adoption of this development code shall be required to include an expiration date or series of expiration dates tied to specific improvements or phases. Such date(s) shall be determined based upon the size of the project, installation of physical improvements, and any other factors pertinent to the specific proposal. If the City should determine that the developer has failed to satisfy the requirements necessary to avert expiration, the development agreement shall become null and void, and approval of any additional final development plans for the PUD shall not be permitted without resubmission and approval of a

new development agreement in accordance with the procedures established in the land development code.

12) **PFD "Public Facilities District"**

The PFD district is established to manage policies of the comprehensive plan for development of public facilities. This district is established to provide for the special or substantial public interest facilities that are so desired. Conceptual site plans are required to be submitted along with rezoning applications.

A) *Permitted Uses*

- i) Airports.
- ii) Auditoriums, stadiums, arenas, and expositions.
- iii) Broadcasting facilities.
- iv) Municipal/governmental buildings, structures, and uses.
- v) Cemeteries.
- vi) Houses of worship.
- vii) Educational institutions.
- viii) Day care centers.
- ix) Electric power substations and operation centers.
- x) Gas and water metering stations.
- xi) Hospitals, clinics, and medical facilities.
- xii) Public parks and recreational facilities.
- xiii) Post offices.
- xiv) Libraries.
- xv) Police and fire facilities.
- xvi) Sewage treatment facilities.
- xvii) Water supply operations.
- xviii) Adult care facility.
- xix) Clubs, lodges, and fraternal organizations.
- xx) Funeral homes.
- xxi) Crematorium.

- xxii) Any other use of a similar nature when approved by the City Commission.

B) *Locational Criteria for PFD Districts*

- i) The approved use shall front on an arterial or collector roadway. Sewage treatment facilities, water supply operations, electric power substations and operation centers and cemeteries are exempt from this requirement.
- ii) Approved uses shall comply with appropriate landscaping and buffering requirements and access management requirements.
- iii) The site must be located in close proximity to the main user group.
- iv) The approved use must serve the majority of the population.

C) *Maximum Intensity Standard*

The maximum intensity standard shall be seventy (70) percent impervious surface ratio (which includes building coverage) ~~and~~ a maximum building height of thirty-five (35) feet and buildings are limited to 3-story maximum.

D) *Design Standards*

- i) Minimum setbacks requirements:
 - a. Front yard: Thirty feet (30')
 - b. Side yard: Fifteen feet (15').
 - c. Rear yard: Fifteen-five feet (15').
- ii) The minimum open space shall be twenty-five percent (25%).

E) *Site Plan Requirements*

- i) In order to establish "PFD" Public Facility District, the applicant must provide a Conceptual site plan as outlined in Section 154.030(d)(7)(G)(i) of the Land Development Code, with a zoning application.
- ii) After approval of the zoning, a final site plan meeting the requirements of Section 160.080 of the Land Development Code must be submitted and approved by the Technical Review Committee (TRC) before any building permits are issued or the start of operation of activity on the site.

13) **GB "Greenbelt District"**

This district is established to provide green, undeveloped areas and to protect floodplains, wetlands, other natural resources and agricultural uses. Areas of the city in which this category is most appropriate are designated as "conservation" on the future land use map of the comprehensive plan; however, this district is also permitted within all other land use designations.

A) *Permitted Uses*

- i) Groves and farms.
- ii) Single-family homes and customary accessory uses.
- iii) Swamps, wetlands, and forests.
- iv) Private and public gardens.
- v) Pastures.
- vi) Nature preserves.
- vii) Private and public parks.
- viii) Riding stables.

B) *Uses Permitted as Special Exception use Upon Approval by the City Commission*

- i) Golf courses.
- ii) Retail or wholesale plant production, nurseries, and greenhouses.
- iii) Fishing clubs and marinas.

C) *Uses Expressly Prohibited*

All uses not listed above are expressly prohibited.

D) *Site Development Standards*

- i) Minimum lot size (for buildings): One acre.
- ii) Minimum lot width at building line: 200 feet.
- iii) Minimum dwelling size: 1000 sq. feet.
- iv) Minimum street frontage: 50 feet.

- v) Minimum building setbacks:
 - Front yard: 50 feet.
 - Side yard: 25 feet.
 - Rear yard: 25 feet.
 - From any street: 50 feet.
- vi) Maximum building height: 35 feet and 3-story maximum.
- vii) Parking: See Section 162.040.
- viii) Landscaping and buffers: See Section 164.030.
- ix) Signs: See Chapter 163.
- x) Access: See Section 162.030.

14) **CBD "Central Business District Mixed Use"**

This district is established to encourage economic activity, living quarters and local employment opportunities within the central area of the City. Residential density shall not exceed four (4) dwelling units per acre, unless central sewer facilities are available at which time density is not allowed to exceed ten (10) dwelling units per acre.

A) *The following uses shall be permitted*

- i) Residential dwelling units on the 2nd or 3rd floor.
- ii) Bed and Breakfast Inn.
- iii) Convenience stores without fuel operations.
- iv) Business Services.
- v) Financial Services.
- vi) Retail sales and services.
- vii) Medical Office/Clinic.
- viii) Professional Services Office.
- ix) Office Supply.

x) Personal Services.

xi) Restaurants.

B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*

i) Banks.

ii) Daycare Centers.

iii) Health/Exercise Clubs.

iv) Tattoo parlor.

v) Veterinary Offices.

vi) Game Recreation Facility.

C) *Uses Expressly Prohibited*

i) Commercial parking.

ii) Industrial land uses.

iii) Uses prohibited by City, State, or Federal law.

iv) Adult Entertainment.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Maximum Intensity Standard*

Coverage shall be limited to eighty (80) percent impervious surface ratio (which includes building coverage), a maximum floor area ratio of 1.0, ~~and~~ a maximum building height of three stories and 35-ft.

F) *Design Standards*

i) Minimum lot size shall be six thousand (6,000) square feet with central sewer. Minimum lot size shall be ten thousand (10,000) square feet with septic tanks.

- ii) Minimum lot width shall be sixty feet (60') with central sewer at the front property line and eighty feet (80') with septic tank unless the lot is located on a cul-de- sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Minimum setbacks requirements:
 - a. Front yard: Thirty feet (30')
 - b. Side yard: Ten feet (10'). A zero-lot line is allowed on one side setback only with a minimum of ten feet (10') on the opposite side.
 - c. Rear yard: Fifteen feet (15').
- iv) The minimum open space shall be twenty percent (20%).

April 4, 2025

The Honorable Chris Cheshire
Mayor, City of Fruitland Park
506 W Berckman Street
Fruitland Park, Florida 34731

Dear Mayor Cheshire,

FloridaCommerce has reviewed the proposed comprehensive plan amendment for the City of Fruitland Park (Amendment No. 25-01ESR) received on March 20, 2025. The review was completed under the expedited state review process. FloridaCommerce has no comment on the proposed amendment.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, FloridaCommerce has enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

- Section 163.3184(3)(b), Florida Statutes (F.S.), authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to FloridaCommerce and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be transmitted to FloridaCommerce within ten working days after the final adoption hearing or the amendment shall be deemed withdrawn pursuant to 163.3184(3)(c)2., F.S.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after FloridaCommerce notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by FloridaCommerce or the Administration Commission.

If you have any questions concerning this review, please contact Avian Williams, Planning Analyst, by telephone at (850)-717-8504 or by email at avian.williams@commerce.fl.gov.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS /aw

Enclosure(s): Procedures for Adoption

cc: Gwen Johns, City Clerk, City of Fruitland Park
Sharon Williams, Administrative Manager, City of Fruitland Park
John Patterson, AICP, East Central Florida Regional Planning Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using FloridaCommerce's electronic amendment submittal portal "[Comprehensive Plan and Amendment Upload](https://fldco.my.salesforce-sites.com/cp/)" (<https://fldco.my.salesforce-sites.com/cp/>) or submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council, Water Management District, Department of Transportation, Department of Environmental Protection, Department of State, the appropriate county (municipal amendments only), the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only), and the Department of Education (amendments relating to public schools), and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package.

_____ Summary description of the adoption package, including any amendments proposed but not adopted.

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date.

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government.

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact.

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required.

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s).

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review.

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment.

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

The Villages® DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared **Amber Sevison**, who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal # 01246593 in the matter of

NOTICE OF PUBLIC HEARINGS

was published in said newspaper in the issues of

APRIL 25, 2025

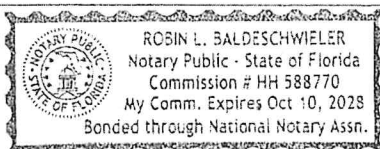
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second-class mail matter at the post office in Lady Lake,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

(Signature Of Affiant)

Sworn to and subscribed before me this 28
day of April 2025.

Robin L. Baldeschwieler
Robin L. Baldeschwieler, Notary

Personally Known X or
Production Identification _____
Type of Identification Produced _____



NOTICE OF PUBLIC HEARINGS

ORDINANCE 2024-010

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35' WITHIN ALL CITY OF FRUITLAND PARK FUTURE LAND USE DESIGNATIONS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE.

ORDINANCE 2024-011

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 154 OF THE CITY OF FRUITLAND PARK'S LAND DEVELOPMENT CODE TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35' WITHIN ALL CITY OF FRUITLAND PARK ZONING DISTRICTS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF FRUITLAND PARK'S LAND DEVELOPMENT CODE; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE.

The proposed Ordinances will be considered at the following public meetings:

Fruitland Park City Commission Meeting on May 8, 2025, at 6:00.p.m.

All meetings will be held at the Commission Chambers, 506 W. Berckman Street, Fruitland Park, Florida. The proposed Ordinances may be inspected by the public between the hours of 8:00 a.m. to 5:00 p.m. Monday to Friday at the City Clerk's office at City Hall. For further information call (352) 360-6727.

Interested parties may appear at the meetings and be heard with respect to the proposed Ordinances. A person who decides to appeal any decision made by any board, agency or commission with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence which the appeal is based (Florida Statutes 286.0105).

CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 7c

ITEM TITLE: First Reading and Public Hearing Ordinance 2025-011 Annexation – CR 468 Subdivision for approximately 32.03 ± acres generally located west of 468 and South of Myrtle Lake Ave. Petitioner: Burgland Capital, LLC on behalf of the owner, William Kent Stokes Trust.

MEETING DATE: May 8, 2025

DATE SUBMITTED: April 25, 2025

SUBMITTED BY: City Attorney/City Manager/Community Development Director

BRIEF NARRATIVE: Applicant is seeking voluntary annexation into the city and receive city services to develop a proposed 135 lot subdivision ranging from 38 – 60ft lots (60' x 120') with a net living area of 1,500 sf and 90 - 40ft lots (40' x 120') with a net living area of 1,200 sf. The proposed open space is 7.95 acres or 25.1%. The site is located within the city's utility service area. An HOA is proposed to provide management of all common areas and facilities. A 1.0 acre amenity/open space tract with a tot lot/playground

FUNDS REQUIRED: None

ATTACHMENTS: Ordinance 2025-011, location map, staff comments, advertising affidavit

RECOMMENDATION: During its April 17th meeting, the P&Z Board, recommended approval with condition to change proposed plan from 40' lots to 50' lot sizes.

ACTION: Consider Ordinance 2025-011 on First Reading



State of Florida, Maxar, Microsoft



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2221 LEE ROAD, SUITE 27, WINTER PARK, FLORIDA 32789

Aerial Map

Lake County, Florida

BIN-004

1" = 300 ft

Date: 6/3/2024

ORDINANCE 2025-011

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 32.03 ± ACRES OF LAND GENERALLY LOCATED WEST OF CR 468 AND SOUTH OF MYRTLE LAKE AVE.; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SCRIVENER'S ERRORS AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Jason Monroe Lee on behalf of Burgland Capital, LLC, as Applicant, on behalf of William Kent Stokes Trust, Owner, requesting that approximately 32.03 ± acres of real property generally located west of CR 468 and south of Myrtle Lake Ave. (the "Property") be annexed to and made a part of the City of Fruitland Park; and

WHEREAS, the petition bears the signature of all applicable parties; and

WHEREAS, this Ordinance has been advertised as required by law with a copy of said notice sent via certified mail to the Board of County Commissioners of Lake County as provided for by statute; and

WHEREAS, the Property is contiguous to the City limits and is reasonably compact; and

WHEREAS, the City Commission has determined that the area proposed for annexation meets the requirements of §171.044, Florida Statutes; and

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Fruitland Park, Florida, as follows:

Section 1.

The following described property consisting of approximately 32.03 acres of land generally located west of CR 468 and south of Myrtle Lake Ave., contiguous to the City limits, is hereby incorporated into and made part of the City of Fruitland Park Florida. The property is more particularly described as follows:

LEGAL DESCRIPTION: See Exhibit "A"

Parcel Alternate Key No. 1288843 and 1289912

Section 2. The City Clerk shall forward a certified copy of this Ordinance to the Clerk of the Circuit Court, the County Manager of Lake County, Florida, and the Department of State of Florida within seven (7) days after its passage on second and final reading. It shall further be submitted to the Office of Economic and Demographic Research within 30 days of approval along with a statement specifying the population census effect and the affected land area. F.S. 171.091, Florida Statutes.

Section 3. Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 4. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 5. The property annexed in this Ordinance is subject to the Land Use Plan of the Lake County Comprehensive Plan and county zoning regulations until the City adopts the Comprehensive Plan Amendments to include the property annexed in the City Comprehensive Plan.

Section 6. This Ordinance shall become effective immediately upon passage by the City Commission of the City of Fruitland Park.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2025.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Gwen Johns, MMC, City Clerk

Anita Geraci-Carver, City Attorney

Vice-Mayor DeGrave	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Cosenza	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
VACANT	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
VACANT	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____
Passed Second Reading _____

(SEAL)

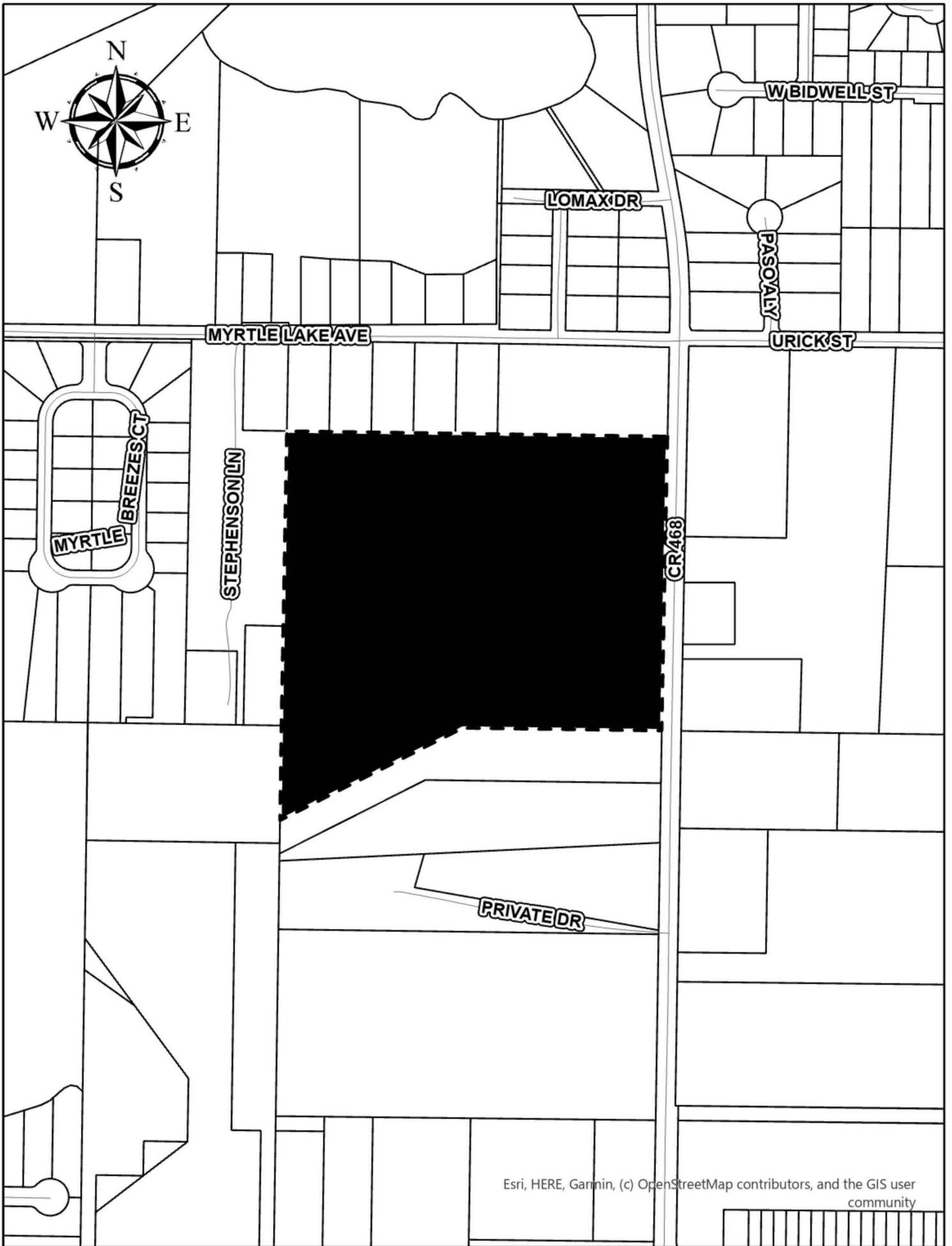
EXHIBIT 'A'

Parcel 1:

The South 3/4 of the Southwest 1/4 of the Southwest 1/4 less right of way of Highway #468, in Section 9, Township 19 South, Range 24 East.

Parcel 2:

Begin at the Northwest corner of Section 16, Township 19 South, Range 24 East, run East 617.2 Feet, thence south 62°26' West to the Section line, thence North to the point of beginning.



CITY OF FRUITLAND PARK
STAFF REPORT BY LPG URBAN & REGIONAL PLANNERS, INC.

ANNEXATION, SSCPA, AND REZONING

Owner: William Kent Stokes Trust

Applicant: Burgland Capital, LLC , Jason Monroe Lee

General Location: West of CR 468 and South of Myrtle Lake Ave.

Number of Acres: 32.03 ± acres

Existing Zoning: Agriculture (A) and Residential Professional (RP)

Proposed Zoning: PUD

Existing Land Use: Urban Medium Density (7 units/acre)

Proposed Land Use: Multi-Family Low Density (8 units/acre)

Date: February 24, 2025

Description of Project

The applicant is requesting annexation, a small-scale comp plan amendment, and a rezoning to receive city services and develop a proposed 135-unit single family subdivision with lots ranging in widths from 40' to 60' at a proposed density of 4.34 units/acre. Minimum lot sizes range from 4,800 SF (97 lots) and 7,200 SF (38 lots). A 1.0-acre amenity/open space tract with tot lot/playground is proposed. Total open space proposed is 7.95 acres (25.1%) which includes amenity (1.0 acres), landscape buffer (0.92 acres), conservation area (0.09 acres) and stormwater pond (5.94 acres).

	Surrounding Zoning	Surrounding Land Use
North	R-1 and Ag	Urban Medium Density (7 units/acre)
South	Residential Professional (RP)	Urban Medium Density (7 units/acre)
East	PFD, Ag and R-2	Institutional, SF Low Density (3 units/acre), Urban High Density (12 units/acre)
West	R-1	Urban Medium Density (7 units/acre)

Assessment

Application

Chapter 152, Section 152.040(e) list criteria for review of comprehensive plan and rezoning amendments as follows:

1) Consistency with the Comprehensive Plan, or in the case of a Plan amendment, consistency with the remainder of the Plan and its goal, objectives and policies.

The applicant indicated that “Per the City’s Comprehensive Plan 2035, under the Proposed Land Use Strategy, this development will help meet the City’s goal of providing a mix of housing types and styles that provides people with affordable housing choices that can accommodate changes in lifestyle.” “In addition, per the City’s Proposed Land Use Strategy, this development will also provide access to housing for residents of various ages and needs as well as conserving wetland and other environmentally sensitive areas.”

2) Consistency with applicable sections of the Land Development Code.

Chapter 154, Section 154.030(11) indicates that a conceptual plan is required for the rezoning which the applicant has submitted. Please see additional comments regarding the concept plan outlined below in the staff report.

3) Additionally, as to rezoning amendments:

A) Whether justified by changed or changing conditions.

Annexation into the city requires a city designated zoning.

B) Whether adequate sites already exist for the proposed district uses.

A PUD zoning allows for specific development criteria allowing for a mix of lot or housing types which cannot be achieved by a straight zoning category. The proposed development requires a PUD zoning which the applicant has applied for.

C) Whether specific requirements of the Land Development Code are adequate to ensure compatibility with adjoining properties as required by the Comprehensive Plan.

Any proposed development must comply with the land development regulations including landscape buffers which assist in buffering adjacent uses. The applicant submitted a statement indicating that the current land use is County Urban Medium (7 units/net acre) and the proposed amendment to City MFLD (8 units/acre).

Annexation

The subject site is adjacent to the City limits along the eastern property boundary and is eligible for voluntary annexation. The subject site is also within the City’s Utility Service Area.

Small Scale Comp Plan Amendment

The proposed small scale comprehensive plan amendment consists of 32.03 ± acres and is located south of Lake Myrtle Ave. and west of CR 468. For comprehensive plan purposes a maximum development scenario was utilized.

The site is designated as Urban Medium Density (32.03) on the Lake County Future Land Use Map and it is proposed to designate the site as City of Fruitland Park Multi-Family Low Density. Under the Lake County Urban Medium Density future land use could have developed at a maximum development scenario of 7 units/net acre pursuant to Lake County FLU Policy 1-1.3.3 which results in 224 units.

Under the proposed Multi-Family Low Density land use (8 units/acre) the property could be developed at a maximum development scenario of 256 units pursuant to FLU Policies 1-1.2 and 1-1.5; however, the proposed Planned Unit Development (PUD) zoning limits development to 135 units which results in a proposed gross density of 4.21 units/acre.

The proposed comprehensive plan amendment results in an increase of 32 units.

The property to the northern, southern and western is designated as Urban Medium Density (7 units/acre), property to the east within the city limits is designated as Institutional and SF Low Density and Lake County Urban High Density (12 units/acre). Further south along CR 468, property within the city is designated as Multi-Family High Density (15 units/acre).

Residential Needs Analysis – The housing element data and analysis indicates the City requires a minimum of 5,460 additional dwelling units to meet the projected need through 2035.

School Impact Analysis – Please submit school concurrency application.

Traffic Impact Analysis – The traffic impact analysis submitted was based on 139 single family units. The anticipated buildout is the end of 2027. The results indicate the proposed development would generate 1,366 daily trips, of which 101 AM peak hour trips and 135 PM peak hour trips. The proposed development will not adversely impact area roadways and will not adversely impact the Level of Service. The development will require the construction of a 425-foot northbound left turn lane and 400-foot southbound right lanes at both access driveways.

Solid Waste Impact Analysis – The LOS for solid waste is 2 collections per week pursuant to Public Facilities Policy 4-6.1. The City utilizes a private waste hauler through a franchise agreement. The amendment will not cause a deficiency in the LOS.

Utility Impact Analysis – The subject site is within the City of Fruitland Park Utility Service Area and central water is available. The LOS for water is 172 gallons per resident per day pursuant to Public Facilities Policy 4-10.1. The estimated population based on US Census data (estimated 2023) of 2.41 person per household is 335. The estimated water usage is 0.057.

The City owns, operates and maintains a central potable water treatment and distribution system. The permitted plant capacity is 2.879 MGD and the permitted consumptive use permit capacity is 1.22 MGD. The City has a current available capacity of 0.196 mgpd and an analysis was conducted of the proposed

amendment based on land use and the City's Level of Service (LOS) standards. The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining available capacity of 0.139 mgpd.

The City of Fruitland Park provides sanitary sewer. The City of Fruitland Park has an agreement with the Town of Lady Lake to treat sewage and the maximum capacity is 500,000 gallons per day (0.5 mgd). The City currently has an available capacity of 289,000 gallons per day (0.289 mgd). The LOS for sanitary sewer is 122 gallons per resident per day pursuant to Public Facilities Policy 4-2.1. The estimated population based on US Census data (estimated 2023) of 2.41 person per household is 335. The estimated sanitary sewer usage is 0.040 mgd. The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining capacity of 0.249 mgd.

Environmental Analysis – An environmental assessment was conducted by Paradise Environmental, LLC. The assessment indicates that there are 0.04 acres of water bodies and no protected species were observed on the subject site. A small portion of the site is within the 100-year flood; however, no impacts to the flood zone are proposed. Should protected species occur, the appropriate regulatory permits will be secured.

Rezoning

The subject property is currently zoned Agriculture and Residential Professional in Lake County and the proposed City zoning is Planned Unit Development (PUD) for the development of a 135-unit subdivision. Surrounding zoning consists of Residential Professional (RP), R-1, Agriculture, Public Facilities District (PFD), and R-2.

Concept Plan

The revised concept plan identifies 135 single family units consisting of the following:

97 units of 40' x 120' (4,800 SF) lots

38 units of 60' x 120' (7,200 SF) lots

Residential development to the north is developed on 1 acre lots. Subdivisions in the general area consist of Lake Myrtle Breezes (1/2 acre lots) and Arbor Park of 50' (6,250 SF), 60' (7,500 SF), and 70' (8,750 SF) lots for single family detached homes.

The applicant indicates that there is sufficient evidence that the proposed 40' and 60' lot sizes are compatible with adjacent developments. To the northeast of the site, the adjacent property is not a subdivision but a borrow pit that was used for fill material. The borrow pit will not be negatively impacted by the proposed site development. The properties to the northwest were developed as 1 acre lots, however, that is not the development trend in the area. To lessen impact to the 1 acre lots, we are proposing a 10' landscape buffer tract with a 15' landscape easement in the rear of the 60' lots adjacent to those properties.

Regarding Arbor Park (Phases 1, 2, and 3) we are proposing larger lot areas along the boundary of the subdivision at 60' in width in comparison to the majority of Arbor Park's 50' perimeter lots. Therefore, the interior 40' lots will not negatively impact the adjacent developments.

Finally, with regards to Lake Myrtle Breezes the market conditions are currently preferential to properties that are in the 40' wide, 50' wide and 60' wide range. Buyers are attracted to the lower costs (smaller roadway and infrastructure) and lower maintenance requirements of lots in this range. This is reflected in the neighboring Arbor Park development being overwhelming comprised of 50' lots. Our subject parcels have a current Future Land Use of Urban Medium through the County and we are trying to match the development trans in the CR 468 corridor.

The proposed setbacks are as follows:

Front – 20'
Front Garage – 25'
Side – 5'
Rear – 20'

The proposed minimum floor area for the homes on the 40' lots is 1,200 SF and 60' lots is 1,500 SF.

The proposed perimeter buffers are 10' with a 15' landscape easement for lots/areas abutting the property boundary. Historically, planned unit developments provide for 25' perimeter buffers. The 10' landscape buffer and 15' landscape easement provides a 25' perimeter buffer on north, portions of the south and western boundary. A 10' landscape buffer is proposed along the eastern boundary adjacent to CR 468.

Chapter 154 requires a minimum of 25% of common open space of which portions should be suitably improved to meet the recreational needs of the community. The plan indicates that the applicant is offering 25.1% open space and includes the proposed stormwater ponds. The applicant proposes a trail with benches around the stormwater pond. The concept plan indicates that the proposed amenity tract (1.0 acre) would include a tot lot/playground and a covered mailbox kiosk at a minimum.

Chapter 165, Section 165.130(A) requires a minimum 25' upland buffer adjacent to the lake. Further, Section 165.080 requires a 35' setback from the ordinary high water line. The revised master plan now indicates both the upland buffer and setback.

The applicant is requesting a maximum building coverage from 30% to 75% for 40' lots and a maximum of 65% for 60' lots. The applicant is also requesting that the minimum lot width be based on the front setback line rather than the front property line along the roadway.

Comprehensive Plan Compliance

The proposed amendment complies with the following policies:

FLU Policy 1-1.2: Density and Intensity Standards.
FLU Policy 1-1.5: Multiple-Family Low Density
FLU Policy 1-2.1: Promote Orderly, Compact Growth
FLU Policy 1-3.1: Planned Unit Development

Recommendation

Please submit school concurrency letter upon receipt from Lake County Schools.



VIA EMAIL echurch@fruitlandpark.org

February 5, 2025

Emily Church
Office Assistant
City of Fruitland Park
506 W. Berckman St.
Fruitland Park, FL 34731

RE: CR 468 SUBDIVISION (AVO 043866.148)

Dear Ms. Church:

Per your email request dated February 4, 2025, I have reviewed the documents which were included in the drop box for the above referenced project. Based on my review, I have no further comments.

Should you have any questions, please feel free to contact our office at 352-343-8481.

Sincerely,

HALFF

A handwritten signature in blue ink, appearing to read "B. Tobias", with a stylized flourish at the end.

Brett J. Tobias, P.E.
Team Leader
btobias@halff.com

BJT:ab

The Villages® DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared **Amber Sevison**, who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal # 01244885 in the matter of

NOTICE OF NOTICE OF PUBLIC HEARING

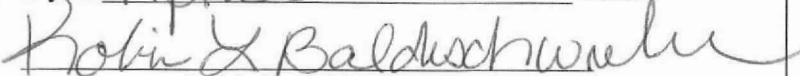
was published in said newspaper in the issues of

APRIL 1, 2025
APRIL 8, 2025

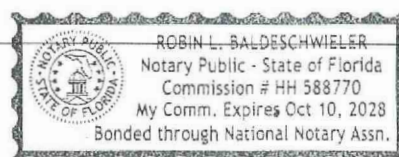
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second-class mail matter at the post office in Lady Lake,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


(Signature Of Affiant)

Sworn to and subscribed before me this 9
day of April 2025.


Robin L. Baldeschwieler, Notary

Personally Known X or
Production Identification _____
Type of Identification Produced _____



NOTICE OF PUBLIC HEARING

ORDINANCE 2025-011

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 32.03 ± ACRES OF LAND GENERALLY LOCATED WEST OF CR 468 AND SOUTH OF MYRTLE LAKE AVE.; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SCRIVENER'S ERRORS AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2025-0012

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY URBAN MEDIUM DENSITY TO CITY MULTI-FAMILY HIGH DENSITY OF 32.03 +/- ACRES OF PROPERTY GENERALLY LOCATED WEST OF CR 468 AND SOUTH OF LAKE MYRTLE AVE.; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2025-0013

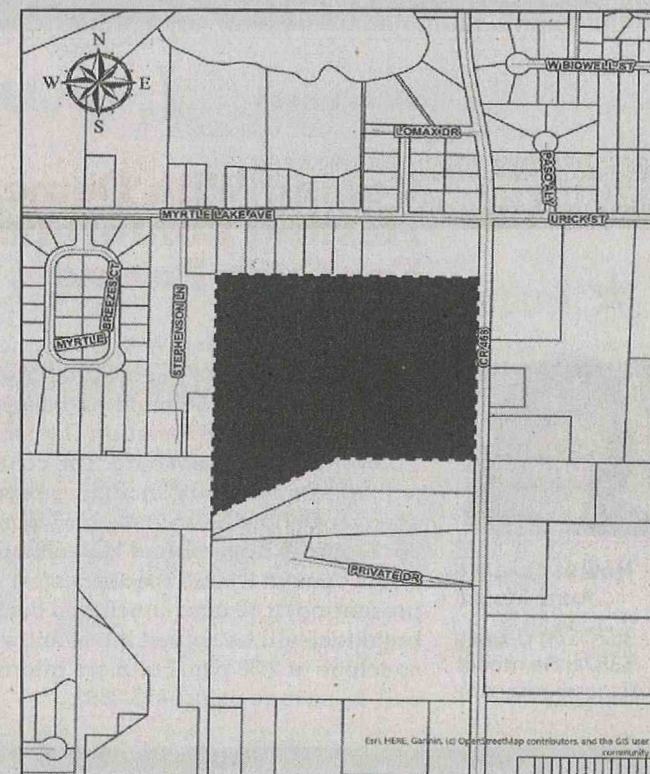
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 32.03 +/- ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (A) AND RESIDENTIAL PROFESSIONAL (RP) TO CITY OF FRUITLAND PARK PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED WEST OF CR 468 AND SOUTH OF LAKE MYRTLE AVE.; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER OR DESIGNEE TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

The proposed Ordinances will be considered at the following public meetings:

Planning & Zoning Board Thursday, April 17, 2025 @ 6:00 p.m.
City Commission 1st Reading Thursday, May 8, 2025 @ 6:00 p.m.
Land Planning Agency Thursday, May 8, 2025 @ 6:15 p.m.
City Commission 2nd Reading Thursday, May 22, 2025 @ 6:00 p.m.

The public meetings will be held in the Commission Chambers located at City Hall, 506 West Berckman Street, Fruitland Park FL 34731. These meetings are open to the public and hearings may be continued as determined by the commission from time to time to a time/date certain. The proposed Ordinances and metes and bounds legal description of property may be inspected by the public during normal working hours at City Hall. For further information call 352-360-6727. Interested parties may appear at the meetings and will be heard with respect to the proposed Ordinances.

A person who decides to appeal any decision made by any board, agency or council with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in any of these proceedings should contact Gwen Johns, City Clerk at (352) 360-6790 at least 48 hours before the date of the scheduled hearing.



CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 7d

ITEM TITLE: First Reading and Public Hearing Ordinance 2025-012 Small Scale Comp Plan Amendment – CR 468 Subdivision for approximately 32.03 ± acres generally located west of 468 and South of Myrtle Lake Ave. Petitioner: Burgland Capital, LLC on behalf of the owner, William Kent Stokes Trust.

MEETING DATE: May 8, 2025

DATE SUBMITTED: April 25, 2025

SUBMITTED BY: City Attorney/City Manager/Community Development Director

BRIEF NARRATIVE: Property owner seeking annexation, a small-scale comp plan amendment and rezoning (PUD/MDA) to receive city services and develop a 135-lot proposed subdivision to include 38 - 60' lots and 97 - 40' lots.

FUNDS REQUIRED: None

ATTACHMENTS: Draft Ordinance 2025-012 with legal description, Location Map, Existing and Proposed Future Land Use Map; See Annexation Agenda bill for Advertising Affidavit and Staff Report.

RECOMMENDATION: Provide copy of an adequate school determination or school concurrency reservation.

ACTION: Consider Ordinance 2025-012 on First Reading

ORDINANCE 2025-012

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY URBAN MEDIUM DENSITY TO CITY MULTI-FAMILY HIGH DENSITY OF 32.03 +/- ACRES OF PROPERTY GENERALLY LOCATED WEST OF CR 468 AND SOUTH OF LAKE MYRTLE AVE.; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Jason Monroe Lee on behalf of Burgland Capital, LLC, as Applicant, on behalf of William Kent Stokes Trust, Owner, requesting that real property within the city limits of the City of Fruitland Park be assigned a land use designation of "Multi-Family High Density" under the Comprehensive Plan for the City of Fruitland Park; and

WHEREAS, the required notice of the proposed small scale comprehensive plan amendment has been properly published as required by Chapter 163, Florida Statutes; and

WHEREAS, the Planning and Zoning Commission of the City of Fruitland Park and the Local Planning Agency for the City of Fruitland Park have reviewed the proposed amendment to the Comprehensive Plan and have made recommendations to the City Commission of the City of Fruitland Park.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF FRUITLAND PARK, FLORIDA, AS FOLLOWS:

Section 1: The following described property consisting of approximately 32.03 ± acres generally located west of CR 468 and south of Lake Myrtle Ave. as described and depicted as set forth on Exhibit "A" shall be assigned a land use designation of Multi-Family High Density under the City of Fruitland Park Comprehensive Plan as depicted on the map attached hereto as Exhibit "B" and incorporated herein by reference.

Section 2: A copy of said Land Use Plan Amendment is filed in the office of the City Manager of the City of Fruitland Park as a matter of permanent record of the City, matters and contents therein are made a part of this ordinance by reference as fully and completely as if set forth herein, and such copy shall remain on file in said office available for public inspection.

Section 3. Direction to the City Manager.

Upon the Effective Date of this ordinance, the City Manager is hereby authorized to amend the comprehensive plan and future land-use map as identified herein after compliance with F.S. 163.3187 and F.S. 163.3184(11).

Section 4: Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6: Scrivener's Errors.

Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 7. Adoption

After adoption, a copy hereof shall be forwarded to the Department of Economic Opportunity.

Section 8: This Ordinance shall become effective 31 days after its adoption by the City Commission. If this Ordinance is challenged within 30 days after its adoption, it may not become effective until the state land planning agency or Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2025.

(SEAL)

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Gwen Johns, MMC, City Clerk

Anita Geraci-Carver, City Attorney

Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice-Mayor DeGrave	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Cosenza	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
VACANT	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
VACANT	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____
Passed Second Reading _____

“EXHIBIT A”

Parcel 1:

The South 3/4 of the Southwest 1/4 of the Southwest 1/4 less right of way of Highway #468, in Section 9, Township 19 South, Range 24 East.

Parcel 2:

Begin at the Northwest corner of Section 16, Township 19 South, Range 24 East, run East 617.2 Feet, thence south $62^{\circ}26'$ West to the Section line, thence North to the point of beginning.

EXHIBIT B

“EXHIBIT A”

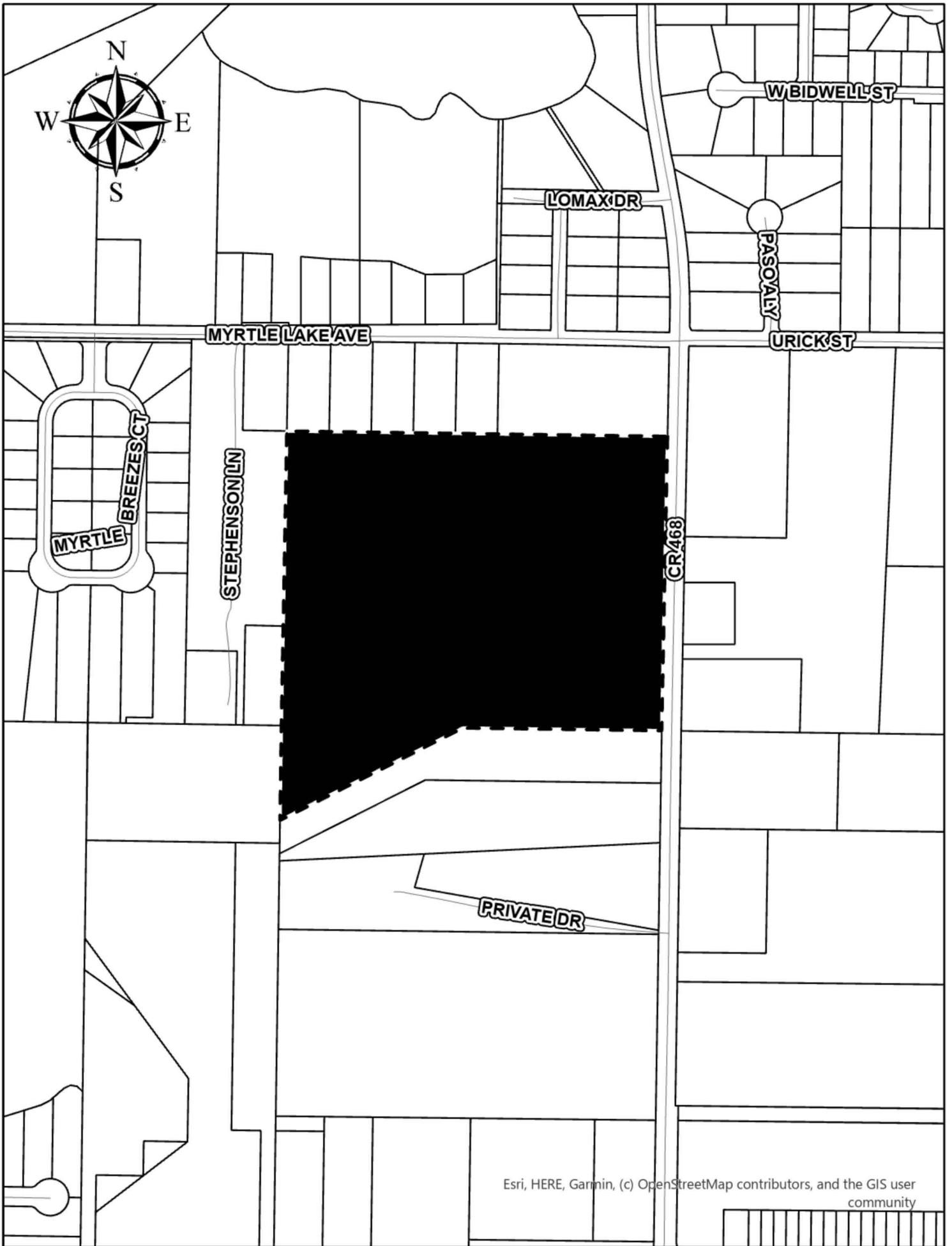
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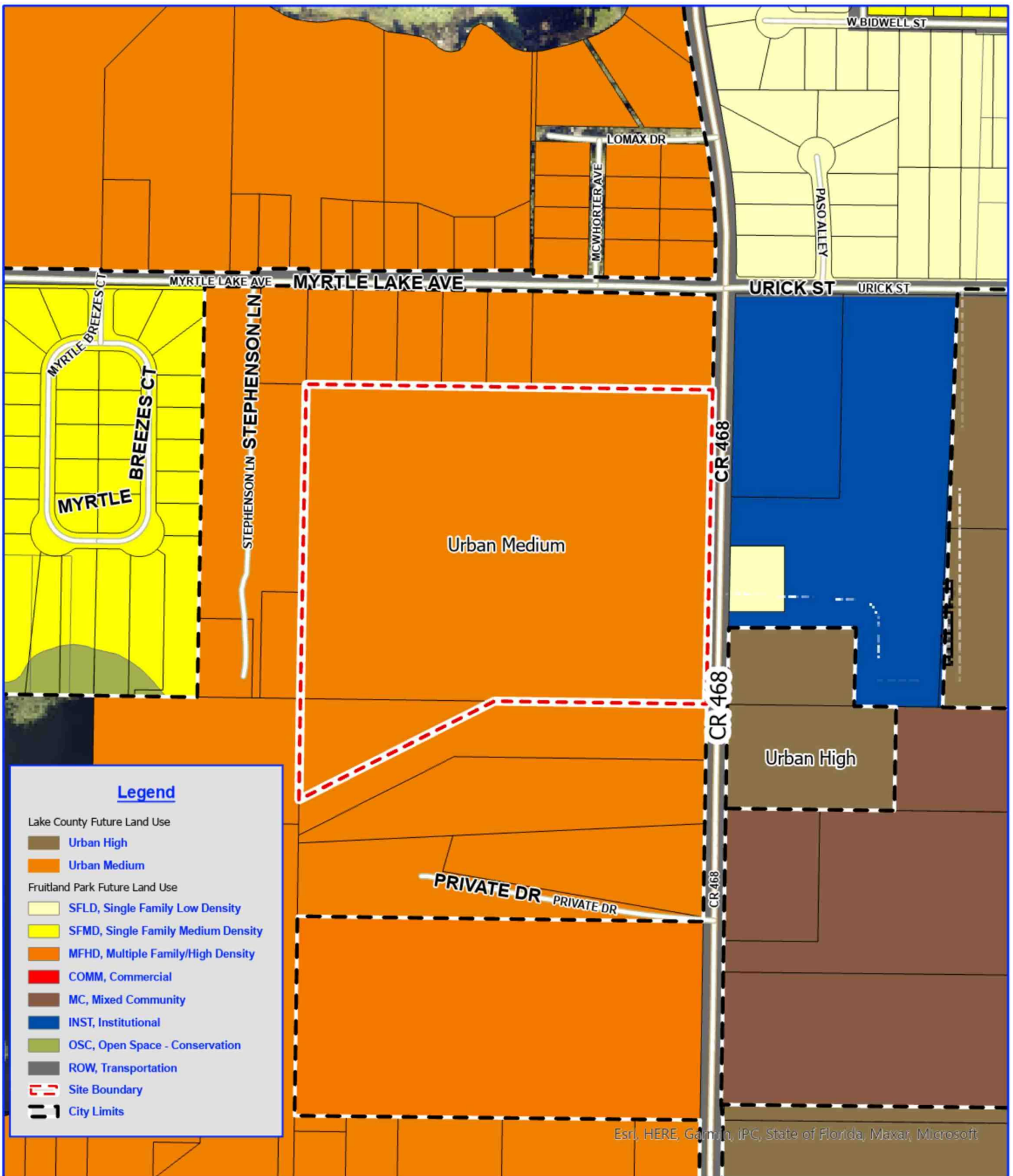
The South 3/4 of the Southwest 1/4 of the Southwest 1/4 less right of way of Highway #468, in Section 9, Township 19 South, Range 24 East.

Parcel 2:

Begin at the Northwest corner of Section 16, Township 19 South, Range 24 East, run East 617.2 Feet, thence south $62^{\circ}26'$ West to the Section line, thence North to the point of beginning.

EXHIBIT B





Burgland Capital, LLC

Lake County, Florida
Existing Future Land Use Map

Project: 398/24/11
File: Burgland
Name: FLU
PM: S. Lindh
Date: November 8, 2024
Created By: T. Kalebaugh



The Villages® DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared
Amber Sevison, who on oath says that she is Legal Ad
Coordinator of the DAILY SUN, a daily newspaper
published at Lady Lake in Lake County, Florida with
circulation in Lake, Sumter and Marion Counties; that the
attached copy of advertisement, being a Legal # **01244885**
in the matter of

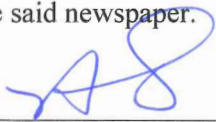
NOTICE OF NOTICE OF PUBLIC HEARING

was published in said newspaper in the issues of

APRIL 1, 2025
APRIL 8, 2025

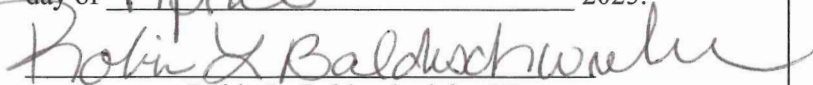
Affiant further says that the said Daily Sun is a newspaper
published at Lady Lake in said Lake County, Florida, and
that the said newspaper has heretofore been continuously

published in said Lake County, Florida each week and has
been entered as second-class mail matter at the post office in
Lady Lake, in said Lake County, Florida, for a period of one
year next preceding the first publication of the attached copy
of advertisements; and affiant further says that he has
neither paid nor promised any person, firm, or
Corporation any discount, rebate, commission or refund
for the purpose of securing this advertisement for
Publication in the said newspaper.


(Signature Of Affiant)

Sworn to and subscribed before me this 9

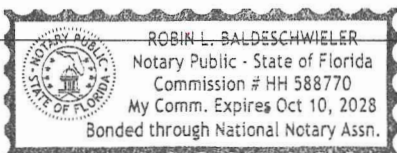
day of April 2025.


Robin L. Baldeschwieler, Notary

Personally Known X or

Production Identification _____

Type of Identification Produced _____



NOTICE OF PUBLIC HEARING

ORDINANCE 2025-011

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 32.03 ± ACRES OF LAND GENERALLY LOCATED WEST OF CR 468 AND SOUTH OF MYRTLE LAKE AVE.; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SCRIVENER'S ERRORS AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2025-0012

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY URBAN MEDIUM DENSITY TO CITY MULTI-FAMILY HIGH DENSITY OF 32.03 +/- ACRES OF PROPERTY GENERALLY LOCATED WEST OF CR 468 AND SOUTH OF LAKE MYRTLE AVE.; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2025-0013

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The proposed Ordinances will be considered at the following public meetings:

Planning & Zoning Board Thursday, April 17, 2025 @ 6:00 p.m.

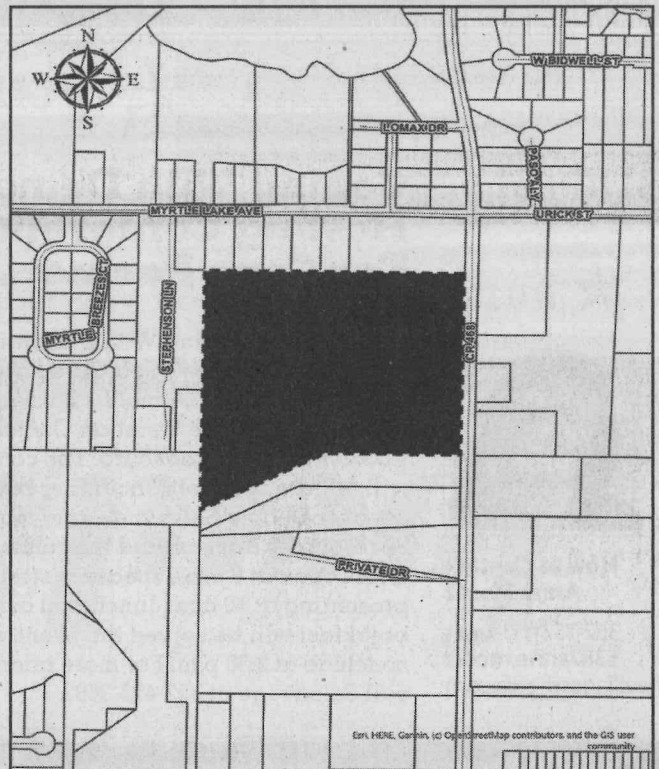
City Commission 1st Reading Thursday, May 8, 2025 @ 6:00 p.m.

Land Planning Agency Thursday, May 8, 2025 @ 6:15 p.m.

City Commission 2nd Reading Thursday, May 22, 2025 @ 6:00 p.m.

The public meetings will be held in the Commission Chambers located at City Hall, 506 West Berckman Street, Fruitland Park FL 34731. These meetings are open to the public and hearings may be continued as determined by the commission from time to time to a time/date certain. The proposed Ordinances and metes and bounds legal description of property may be inspected by the public during normal working hours at City Hall. For further information call 352-360-6727. Interested parties may appear at the meetings and will be heard with respect to the proposed Ordinances.

A person who decides to appeal any decision made by any board, agency or council with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in any of these proceedings should contact Gwen Johns, City Clerk at (352) 360-6790 at least 48 hours before the date of the scheduled hearing.



CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 8a

ITEM TITLE: First Reading and Quasi-Judicial Public Hearing
Ordinance 2025-013 Rezoning to PUD – CR 468
Subdivision for approximately 32.03 ± acres generally
located west of 468 and South of Myrtle Lake Ave.
Petitioner: Burgland Capital, LLC on behalf of the
owner, William Kent Stokes Trust.

MEETING DATE: May 8, 2025

DATE SUBMITTED: April 24, 2025

SUBMITTED BY: City Attorney/City Manager/Community Development
Director

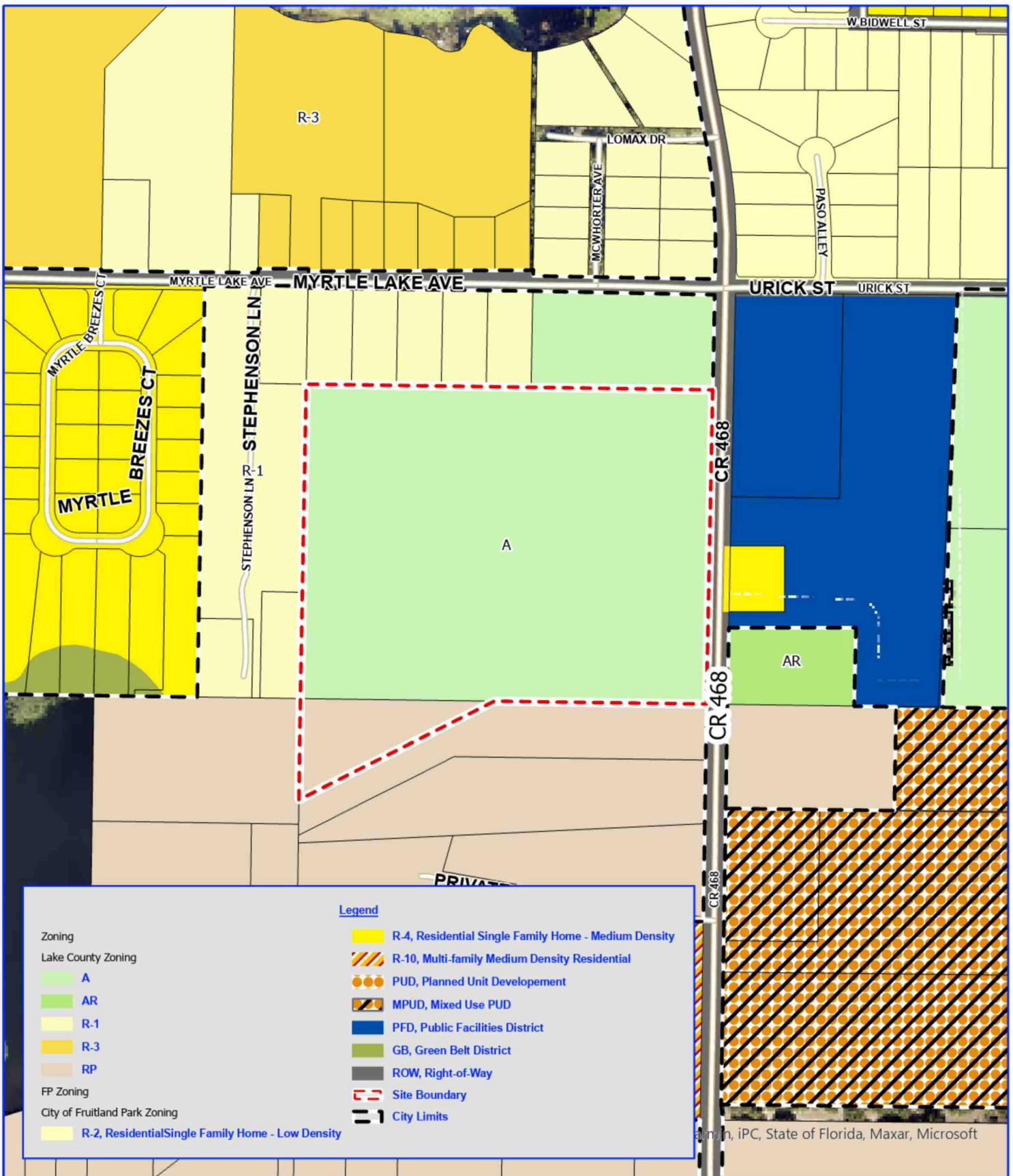
BRIEF NARRATIVE: Annexation, a small-scale comp plan amendment and
rezoning to PUD/MDA for approximately 32.03 ± acres to receive city services and
develop a proposed subdivision of 135 single family homes with a proposed density of
4.34 units/acre.

FUNDS REQUIRED: None

ATTACHMENTS: Draft Ordinance 2025-013, Proposed Zoning
Map, Existing Zoning Map and Site Plan. See
Annexation Agenda Bill for Advertising Affidavit and
Staff Report.

RECOMMENDATION: Provide copy of an adequate school determination or
school concurrency reservation.

ACTION: Consider Ordinance 2025-013 on First Reading



Amn, iPC, State of Florida, Maxar, Microsoft



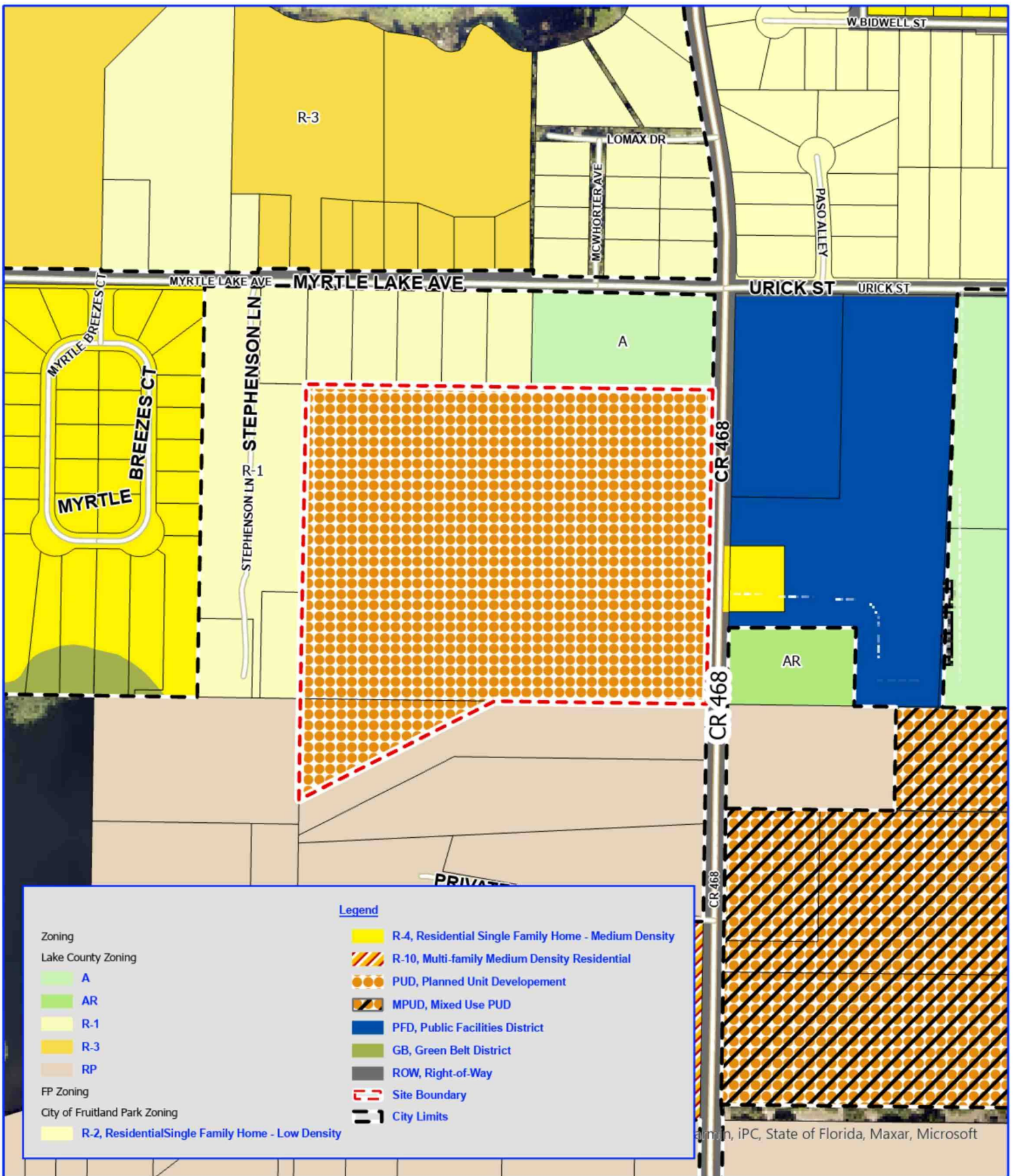
Scale: 1:5,000

Burgland Capital, LLC

**Lake County, Florida
Existing Zoning Map**

Project: 398/24/11
File: Burgland
Name: FLU
PM: S. Lindh
Date: November 8, 2024
Created By: T. Kalebaugh





ORDINANCE 2025-013

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REZONING APPROXIMATELY 32.03 ± ACRES OF PROPERTY LOCATED ON CR 468 SOUTH OF MYRTLE LAKE AVENUE, FRUITLAND PARK, FLORIDA FROM LAKE COUNTY AGRICULTURE AND RESIDENTIAL PROFESSIONAL ZONING TO THE CITY OF FRUITLAND PARK DESIGNATION OF PUD, PLANNED UNIT DEVELOPMENT WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR DESIGN STANDARDS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application has been submitted by Burgland Capital, LLC and Jason Monroe Lee, on behalf of the owner, William Kent Stokes Trustee of The 2019 Revocable Trust of William Kent Stokes, requesting that approximately 32.03 +/- acres of real property located on CR 468 (the "Property") be rezoned from Lake County Agriculture and Residential Professional to City of Fruitland Park PUD; and

WHEREAS, the property has a future land use designation of Multiple Family Low Density Residential as shown on the City of Fruitland Park Comprehensive Plan Future Land Use Map; and

WHEREAS, the adopted zoning of Planned Unit Development is consistent with the future land use designation; and

WHEREAS, the application bears the signature of all applicable parties; and

WHEREAS, the required notice has been properly published and provided as required by the City's Land Development Code and Florida Statutes; and

WHEREAS, the City Commission reviewed said application, the recommendations of the Planning and Zoning Board, staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Fruitland Park, Florida, as follows:

Section 1. The following described property consisting of approximately 32.03 ± acres of land located south of Myrtle Lake Avenue on CR 468, Fruitland Park, zoned Planned Unit Development shall hereafter be designated as PUD, Planned Unit Development, as defined in the Fruitland Park Land Development Regulations. The property is more particularly described as:

LEGAL DESCRIPTION: See Exhibit A

Parcel Alternate Key Nos. 1288843 and 1289912 and depicted in **Exhibit B**.

Section 2. That the City Manager, or designee, is hereby directed to amend, alter, and implement the official zoning maps of the City of Fruitland Park, Florida to include said designation consistent with this Ordinance.

Section 3. That the zoning classification is consistent with the Comprehensive Plan of the City of Fruitland Park, Florida.

Section 4. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 5. Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 6. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. This Ordinance shall become effective in accordance with the law.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this ____ day of ____ 2025.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Gwen Johns, MMC, City Clerk

Anita Geraci-Carver, City Attorney

(SEAL)

Vice-Mayor DeGrave	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Cosenza	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Mayor Cheshire	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
VACANT	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
VACANT	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)

Passed First Reading: _____

Passed Second Reading: _____

EXHIBIT A TO ORDINANCE
Legal Description

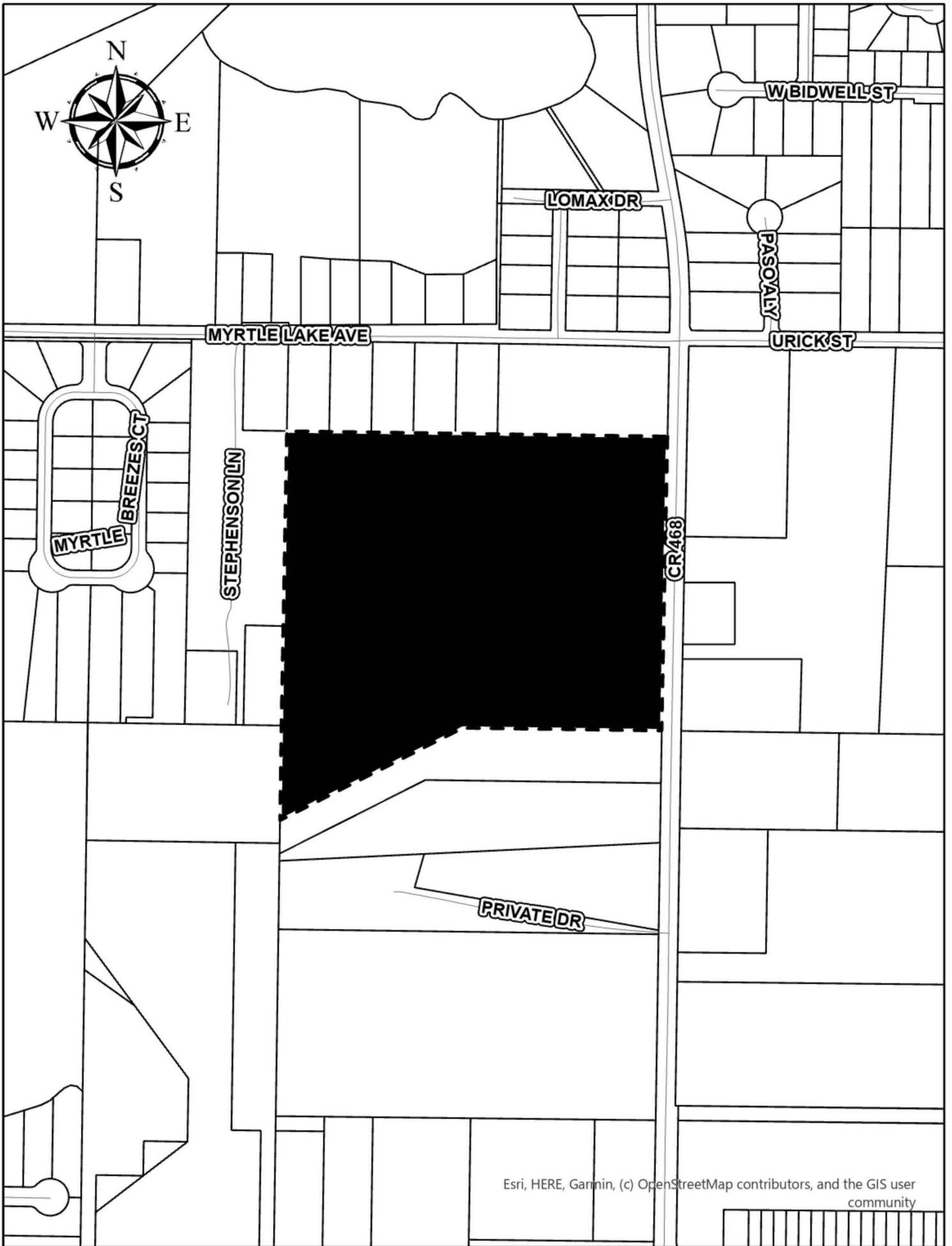
Parcel 1:

The South 3/4 of the Southwest 1/4 of the Southwest 1/4 less right of way of Highway #468, in Section 9, Township 19 South, Range 24 East.

Parcel 2:

Begin at the Northwest corner of Section 16, Township 19 South, Range 24 East, run East 617.2 Feet, thence south 62°26' West to the Section line, thence North to the point of beginning.

EXHIBIT B TO ORDINANCE
Map



W BIDWELL ST

LOMAX DR

PASO ALY

MYRTLE LAKE AVE

URICK ST

BREEZES CT

MYRTLE

STEPHENSON LN

CR 468

PRIVATE DR

Master Development Agreement

THIS MASTER DEVELOPMENT AGREEMENT ("Agreement") entered and made as of the ____ day of _____ 2025, between the CITY OF FRUITLAND PARK, FLORIDA, a Florida municipal corporation, (hereinafter referred to as the "City"), and **WILLIAM KENT STOKES TRUSTEE OF THE 2019 REVOCABLE TRUST OF WILLIAM KENT STOKES**, (hereinafter referred to as the "Owner") and **BURGLAND CAPITAL, LLC**, a Florida **limited liability company** ("Developer").

RECITALS

1. Owner owns approximately 32.03 +/- acres of real property currently located in the City of Fruitland Park, Florida, described in **Exhibit A** attached hereto and incorporated herein (hereafter referred to as the "Property").
2. Applicants Burgland Capital, LLC and Jason Monroe Lee ("Developer") filed an application to rezone the Property to City of Fruitland Park Planned Unit Development and seeks to construct 135 single-family homes.
3. The Property has a future land use designation of "Multi-Family High Density" on the City of Fruitland Park Land Use Map and is zoned Lake County Agriculture and Residential Professional.
4. Owner represents that it is the sole legal owner of the Property and that it has the full power and authority to make, deliver, enter into, and perform pursuant to the terms and conditions of this Agreement and has taken all necessary action to authorize the execution, delivery, and performance of the terms and conditions of this Agreement.
5. The City of Fruitland Park has determined that the proposal for the development of the Property presents, among other things, an opportunity for the City to secure quality planning and growth, protection of the environment, and a strengthened and revitalized tax base.
6. Owner/Developer will fund certain public improvements and infrastructure to facilitate the development of the Property as provided herein.
7. The Property is within the City limits and the City's Chapter 180, Florida Statutes, utility district, and Developer has requested and City desires to provide water and sewer as well as other municipal services to the Property.

ACCORDINGLY, in consideration of the mutual benefits and the public interest and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

Section 1. **Recitals.** The above recitals are true and correct, are hereby incorporated herein by reference, and form a material part of this Agreement. All exhibits to the ordinance and this Agreement are hereby deemed a part of thereof.

Section 2. Land Use/Development. Development of the Property shall be substantially consistent with the “Master Plan CR 468 Subdivision” conceptual development plan dated January 27, 2025 and attached as **Exhibit B** (the “Plan”). The project shall be developed as a residential subdivision. All development shall be consistent with City’s “PUD” (Planned Unit Development) zoning district. Unless set forth otherwise in this Agreement, all development shall also be consistent with “R-4” zoning district. Overall gross density shall not exceed 4.27 unit per acre and the maximum density shall not exceed 135 units.

Section 3. Permitted Uses shall include:

- A. Single family detached residential dwelling units.
- B. Passive and Active Recreation Facilities.
- C. Temporary modular office uses shall be allowed during construction.

Section 4. **Density.** Overall gross density shall not exceed 4.27 unit per acre and the maximum density shall not exceed 135 units.

Section 5. **Development Standards.** The unit mix for the development of the Property shall be as follows:

- A. Single Family Detached Dwelling Units: 135.
 - i. 40’ x 120’ Lots – may not be located along northern, western or southern boundaries of the Property
 - ii. 60’ x 120’ Lots
- B. Total Minimum Open Space: 25% (7.91 acres)
- C. Maximum Building Height: 35 feet.
- D. Setbacks:
 - i. 40’ lots (Single-Family):
 - Front: 20 feet
 - Garage: 25 feet
 - Side: 5 feet
 - Corner Side: 20 feet
 - Rear: 20 feet

ii. 60' lots (Single-Family):

Front: 20 feet

Garage: 25 feet

Side: 5 feet

Corner Side: 20 feet

Rear: 20 feet

iii. Perimeter Setback: 10 feet

iv. Accessories Setback: All accessory structures shall be located no closer to the Property line than five (5) feet.

- E. **Minimum Living Area.** 40-ft. single family detached shall have a minimum living area of 1200 square feet and 60-ft. single family detached shall have a minimum living area of 1500 square feet, all under heat and air, and fully enclosed.
- F. **Minimum Lot Width.** A maximum of 97 single family detached lots within the development shall have a minimum lot width of forty feet (40'). A minimum of 38 lots single family detached lots within the development shall have a minimum lot width of sixty feet (60').
- G. **Minimum Lot Depth.** The minimum lot depth for detached single family shall be one hundred twenty feet (120').
- H. **Minimum Lot Area.** The minimum lot area for 40' wide lots shall be 4800 square feet. The minimum lot area for 60' wide lots shall be 7200 square feet.
- I. **Maximum Building Coverage.** The maximum building coverage shall be 30%.
- J. **Maximum Impervious Surface Ratio.** 70%
- K. **Open Space.** For clarity and avoidance of doubt, the open space requirement associated with the development of the Property shall be 25% of the total developable acreage of the Property.
- L. **Model Homes.** Up to six (6) model homes may be constructed prior to platting but after approval of the preliminary plan, provided that the model homes are ineligible to receive certificates of occupancy for residential use until final plat approval. All off-street parking for model homes shall comply with the requirements in the City's Land Development Code.
- M. **Stormwater Ponds.** In order to utilize the stormwater ponds as common open space they shall provide a recreational component such as walking trails, dog park, or open play fields.

- N. **Phasing.** On less otherwise agreed to in writing by the city manager at the time of construction, Owner/Developer must develop the Property in two (2) separate phases and shall not proceed to sell lots or homes in a subsequent phase until the infrastructure of the previous phase is 50% completed. However, the second phase may be graded, and infrastructure constructed simultaneously if Owner/Developer so chooses, provided all City code provisions are followed.

Section 6. **Changes to the Development Plan.** Changes to the Development Plan, other than those conditions described in this agreement, shall be revised in accordance with the Planned Unit Development rezoning process.

Section 7. **Site Access and Transportation Improvements.** Vehicular access to the project site shall be provided by one primary access off of CR 468, unless otherwise approved by Lake County. Actual location and design of the boulevard shall be determined during the Preliminary Subdivision Plan review. Other potential vehicular and pedestrian accesses will be reviewed during the development review process.

- A. The Owner/Developer shall provide all necessary improvements within and adjacent to the development as required by Lake County and City of Fruitland Park, including off-site road improvements on CR 468, and conveyance of additional right-of-way for CR 468. Turn lanes on CR 468 at the entrance to the project are required. Additional right-of-way must be dedicated for CR 468 to meet minimum requirements for a collector roadway consisting of four lanes with center median and to accommodate off-site road and right-of-way improvements. The Owner/Developer will need to provide onsite drainage for the widening of CR 468.
- B. All roads within the development shall be designed and constructed by the Owner/Developer to meet the City of Fruitland Park requirements including curb and gutter.
- C. Sidewalks shall be provided on both sides of the local internal roads and shall provide cross connections to all recreation and residential areas. Internal road rights-of-ways shall be of sufficient width to contain the sidewalks as more particularly described below in Pedestrian Facilities. All sidewalks shall be constructed in accordance with City of Fruitland Park Codes. A sidewalk meeting Lake County and Fruitland Park requirements must be constructed along CR 468 road frontage extending to the Urick St./Myrtle Lake Ave. intersection to provide walkability to the elementary school. Owner/Developer must install painted crosswalk and signage to cross CR 468 safely.-
- D. Should the Owner/Developer desire to dedicate the proposed project's internal road system to the City of Fruitland Park; the City, at its discretion, may accept or not accept the road system. Prior to acceptance, the Owner/Developer shall demonstrate to the City the road system is in suitable condition and meets City of Fruitland Park requirements. As a condition of accepting the roadway system the City may create a special taxing district or make other lawful provisions to assess the cost of maintenance of the system to the residents of the project, and may require bonds or other financial assurance of maintenance for some period of time
- E. A traffic/transportation study shall be submitted prior to preliminary subdivision plan approval for review and determination of any necessary access improvements if required by Lake County. The TIA must follow the Lake-Sumter MPO Traffic Impact Analysis Methodology and Guideline. Methodology must be coordinated with Lake

County prior to TIA submittal. Said improvements will be the responsibility of the Developer.

- F. Owner/Developer shall be responsible for subsequently designing and constructing all transportation improvements based on such study and consistent with transportation concurrency requirements as determined by City and Lake County. The City shall, under no circumstances, be financially responsible for the study and/or improvements.

Section 8. Pedestrian Facilities. Owner/Developer agrees to construct sidewalks to City standards on both sides of the right of way within the Property. The sidewalks shall be separated from any and all roadway in a manner sufficient to ensure the maximum level of safety for those using such sidewalks. Further, the sidewalks shall be constructed by Owner/Developer, at Owner/Developer's expense, shall be located within the area so as not to interfere or obstruct the installation and maintenance of utilities, and shall be in addition to any other City of Fruitland Park Land Development Regulations requirements. Additionally, a pedestrian trail with benches shall be constructed around the stormwater pond.

Section 9. Lighting. Owner/Developer shall submit a site lighting plan which provides "Dark Skies" street lighting in conjunction with the site plan/construction plan submittal for the Property for City approval. All exterior lighting shall be arranged to reflect light away from adjacent properties to the greatest extent possible while providing lighting adequate to ensure safety on road right of way. Otherwise, lighting shall comply with the residential design requirements of the Fruitland Park Land Development Regulations. The poles and streetlights within the Property shall be installed by Owner/Developer, at Owner/Developer's expense, and thereafter maintained by the HOA.

Section 10. Water, Wastewater, and Reuse Water. Owner/Developer and their successors and assigns agree to obtain water, reuse water, irrigation water, and wastewater services (hereafter, "Utilities") exclusively through purchase from City when available. City has limited wastewater collection and treatment capacity therefore depending on development within the City and development of this Property in relation thereto, the City may not have sufficient capacity to serve the Property at the time requested. At the time of execution of this Agreement the City is engaged in dual efforts to expand the City's wastewater collection and treatment capacity. Should Owner/Developer require capacity prior to the City having sufficient capacity, the City and Owner/Developer will meet and enter into an agreement to provide for an interim solution. Except as may be provided in such interim solution agreement, the Owner/Developer covenants and warrants to City that it will not engage in the business of providing such Utilities to the property or within City's F.S. Chapter 180 utility district. No private well will be allowed within the Property. Owner/Developer shall construct, at Owner/Developer's expense, all on-site utility facilities (e.g. lift stations and lines) as well as pay for the extension of facilities from City's current point of connection. Owner /Developer shall install a complete reclaim system including meters to each property (Public Works Director to approve meters before installation) that shall be temporarily fed by the domestic water system with a backflow device between the two systems. If reclaim water becomes available from the City before the installation of the Owner/Developer lines they shall tie reclaimed water system directly into the City's reclaim line.

All such improvements must be constructed to City requirements and transferred to City as a contribution in aid of construction. If any such improvements are oversized at the

City's request, the City shall provide impact fee credits to reimburse Owner/Developer for the materials directly related to such oversizing. If any utility improvements serve to provide any other property with connection ability which would not exist otherwise, the City and Owner/Developer will enter into a Pioneer Agreement with the Owner/Developer to provide for a pro-rata share reimbursement payment by such other property owner upon connection to the utility facilities, to the City or Owner/Developer.

Section 11. Impact Fees. Owner/Developer shall be required to pay impact fees as established by City from time to time, subject to any applicable credits, including any impact fees adopted after the execution of this Agreement for all units as building permits are issued for such units at the then existing rate.

No capacity is reserved until or unless such fees have been paid pursuant to an agreement with City. Owner/Developer agrees to and understands that no capacity has been reserved and that Owner/Developer assumes the risk that capacity will be available. Accordingly, if capacity is available at the time of preliminary plat/construction plan consideration and City is willing to allocate such capacity to Owner/Developer, Owner/Developer shall enter into a reservation agreement and any other utility agreements, or easements related to the Property as requested by City from time to time.

Section 12. Homeowners Association. Owner/Developer shall establish a homeowners' association or similar entity acceptable to City (HOA), which shall be responsible for maintenance of common areas and infrastructure within the Property, including, but not limited to, parks and recreation areas, stormwater retention, open space areas, and common areas. Owner/Developer shall install all such improvements at their expense. Owner/Developer agrees to, at Owner/Developer expense, provide landscaping and improvements to the recreation areas located within the Property as agreed to by City at site plan approval. Owner/Developer shall record declarations satisfactory to City setting forth these requirements and detailing assessments in conjunction with the platting of the Property.

Unless otherwise approved by the City Commission, Owner/Developer shall also include in the covenants and restrictions requirements for all single-family homes to have a garage with a prohibition against converting such garage areas to living area. Owner/Developer shall include such other covenants and restrictions that are reasonably deemed necessary by the City Commission.

Section 13. Easements. Owner shall provide the City with such easements or right of way in form acceptable to the City Attorney, as the City deems necessary for the installation and maintenance of roads, sidewalks, bikeways, street lighting or utility services, including but not limited to sewer, water, drainage and reclaimed water services. Without limiting the above, Owner agrees to dedicate easements and right of way so as to achieve a "walkable" community that is connected to the surrounding community.

Section 14. Recreation/Amenities. An amenity center tract of no less than 1 acre in size shall be provided. The amenity center must include, at a minimum, a covered mailbox kiosk and a tot lot/playground. The amenity center tract and improvements must be maintained by the HOA.

Section 15. Construction. Owner/Developer shall ensure that all areas of the Property on which construction activities occur are kept sufficiently damp in order to minimize the occurrence of materials being carried, blown, or otherwise displaced beyond the confines of the Property by forces of nature. Additionally, Owner/Developer agrees that any and all damage caused by Owner/Developer to right of way surrounding the Property during construction of the improvements contemplated in this Agreement shall be repaired in a timely manner at Owner/Developer's sole expense.

Section 16. Other Municipal Facilities/Services The City hereby agrees to provide, either directly or through its franchisees or third party providers, police and fire protection, emergency medical services, and solid waste collection, disposal, and recycling services to the Property under the same terms and conditions and in the same manner as are afforded to all other residential property owners within the City.

Section 17. Landscaping/Buffers. Owner/Developer has reviewed City's Land Development Regulations relating to landscaping and agrees to comply with such regulations. Owner/Developer shall install and maintain a twenty-five foot wide (25-ft) landscape buffer type "B" along the PUD perimeter property boundary. A landscaping site plan shall be submitted to the City for review and approval prior to such installation.

Owner/Developer shall, at its sole expense, install underground irrigation systems on all common areas of the Property, except for stormwater retention areas, as well as exercise any other measures reasonably necessary to ensure the long-term maintenance of the landscaping.

Owner/Developer shall design, construct, and maintain, at its sole expense, the landscaped areas, common areas, and buffers on the Property in accordance with all applicable City of Fruitland Park Land Development Regulations to be maintained by the HOA.

Owner/Developer acknowledges City's goal of achieving a greater level of tree preservation within the City. In aid of such goal, Owner agrees to comply with all applicable City of Fruitland Park Land Development Regulations pertaining to tree removal and replacement.

Section 18. Stormwater Management. Owner/Developer agrees to provide at Owner/Developer's expense a comprehensive stormwater management system consistent with all regulatory requirements of the City and the St. John's River Water Management District. As provided in Section 12, the stormwater management system shall be owned and maintained by the homeowners association.

Section 19. Concurrency. A complete concurrency study conforming to the City of Fruitland Park Land Development Regulations and/or F.S. Ch. 163 will be required prior to any preliminary plat approvals or construction plan approvals. The Owner/Developer shall ensure that all traffic concurrency areas conducted reflect all approved development in the area. Further, Owner/Developer acknowledges that City has adopted an ordinance

relating to Proportionate Share Mitigation and shall comply with all provisions of such ordinance, if applicable.

Section 20. Final Site Plan Approval. Prior to issuance of any permits for construction, including clearing and landfill, a preliminary plat, and construction plans for the Property shall be prepared and submitted for review and approval in the manner required by the City's Land Development Code, as amended.

Section 21. Environmental Considerations. The Owner/Developer agrees to comply with all federal, state, county, and city laws, rules and regulations regarding any environmental issues affecting the Property.

Section 22. Solid Waste Disposal Facilities. The Property shall utilize the City's waste disposal services and be subject to all City regulations regarding such services. Owner/Developer agrees that collection and transportation of solid waste within the Property shall not require any vehicles to back into any street or alley.

Section 23. Signage. Owner/Developer shall submit a master sign plan as a component of the preliminary plan application for the Property. Such plan shall be in compliance with all applicable regulations contained within the City of Fruitland Park Land Development Regulations unless City grants a waiver or variance pursuant to the City's Land Development Regulations. Alternatively, the Owner/Developer, in the Owner/Developer's discretion, may apply to amend the PUD to incorporate a Master Signage Plan at the time that the Owner/Developer desires to install signage at the development.

Section 24. Title Opinion. Owner/Developer shall provide to City, in advance of the City's execution of this Agreement, a title opinion of an attorney licensed in the State of Florida, or a certification by an abstractor or title company authorized to do business in the State of Florida, showing marketable title to the Property to be in the name of the Owner/Developer and showing all liens, mortgages, and other encumbrances not satisfied or released of record.

Section 25. Compliance with City Laws and Regulations. Except as expressly modified herein, all development of the Property shall be subject to compliance with the City Land Development Regulations and City Code provisions, as amended, as well as regulations of county, state, local, and federal agencies. All improvements and infrastructure shall be constructed to City standards.

Section 26. Due Diligence. The City and Owner/Developer further agree that they shall commence all reasonable actions necessary to fulfill their obligations hereunder and shall diligently pursue the same throughout the existence of this Agreement. The City shall further provide all other municipal services to the Property as are needed by Owner/Developer from time to time in accordance with the City's applicable policies for the provision of said services.

Section 27. Enforcement/Effectiveness. A default by either party under this Agreement shall entitle the other party to all remedies available at law or as set forth in Section 163.3243, Florida Statutes. Further, the terms of this Agreement may be enforced

by practical measures, including, but not limited to, municipal code enforcement procedures pursuant to F.S. Ch. 162 and City's withholding of building permits.

Both parties acknowledge that any land use or development provisions of this Agreement shall not be effective or implemented unless and until the amendment to the City's comprehensive plan is found in compliance by the Florida's Department of Commerce or any subsequent state agency serving as the state land planning agency, as set forth in Chapter 163, Florida Statutes. No development orders will be issued by City and no construction can occur until the necessary comprehensive plan amendment is adopted by City.

Section 28. Governing Law. This Agreement shall be construed in accordance with the laws of the State of Florida and venue for any action hereunder shall be in the Circuit Court of Lake County, Florida.

Section 29. Binding Effect; Assignability. This Agreement, once effective, shall be binding upon and enforceable by and against the parties hereto and their assigns. This Agreement shall be assignable by the Owner to successive owners. Owner shall, however, provide written notice to the City of any and all such assignees. The rights and obligations set forth in this Agreement shall run with the land and be binding on all successors and/or assignees. Owner consents to the placement of a claim of lien on the Property upon default in payment of any obligation herein without precluding any other remedies of City. The parties hereby covenant that they will enforce this Agreement and that it is a legal, valid, and binding agreement.

Section 30. Waiver; Remedies. No failure or delay on the part of either party in exercising any right, power, or privilege hereunder will operate as a waiver thereof, nor will any waiver on the part of either party or any right, power, or privilege hereunder operate as a waiver of any other right, power, privilege hereunder, nor will any single or partial exercise of any right, power, or privilege hereunder preclude any other further exercise thereof or the exercise of any other right, power, or privilege hereunder.

Section 31. Exhibits. All exhibits attached hereto are hereby incorporated in and made a part of this Agreement as if set forth in full herein.

Section 32. Notice. Any notice to be given shall be in writing and shall be sent by certified mail, return receipt requested, to the party being noticed at the following addresses or such other address as the parties shall provide from time to time.

As to City:	Karen Manila, City Manager City of Fruitland Park 506 W. Berckman Street Fruitland Park, Florida 34731 – Telephone: 352-360-6727
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Copy to:	Chris Cheshire, City Mayor City of Fruitland Park 506 W. Berckman Street Fruitland Park, Florida 34731 Telephone: 352-360-6727 - Anita Geraci-Carver, Esq, City Attorney Law Office of Anita Geraci-Carver 1560 Bloxam Ave Clermont, FL 34711 Telephone: 352-243-2801
As to Owner:	William Kent Stokes Trust 856 Lakemont Drive, Apt. B Louisville, Tennessee 37777
As to Developer:	Jason Monroe Lee, Manager Burgland Capital, LLC 1810 West Kennedy Blvd. Suite 232 Tampa, FL 32789 407-960-5868

Section 33. Entire Agreement. This Agreement sets forth all of the promises, covenants, agreements, conditions, and understandings between the parties hereto, and supersedes all prior and contemporaneous agreements, understandings, inducements, or conditions, express or implied, oral or written, except as herein contained. However, the failure of this Agreement to address a particular permit, condition, term, or restriction shall not relieve Owner/Developer from complying with the law governing said permitting requirements, conditions, terms, or restrictions.

Section 34. Term of Agreement. The term of this Agreement shall commence on the date this agreement is executed by both the City and Owner/Developer. Construction of the Project shall substantially commence on or before August 23, 2026. In the event the conditions of the Master Development Agreement have not been substantially constructed during the required time period, the term of agreement may be extended by mutual agreement of the City and the Owner provided the extension request is filed 90 days prior to the expiration date. Failure to file a timely extension request, the PUD shall be null and void.

Section 35. Amendments. Amendments to the provisions of this Agreement shall be made by the parties only in writing and by formal amendment.

Section 36. Severability. If any part of this Agreement is found invalid or unenforceable in any court, such invalidity or unenforceability shall not affect the other parts of this Developer's Agreement if the rights and obligations of the parties contained herein are not materially prejudiced and if the intentions of the parties can be affected. To that end, this Developer's Agreement is declared severable.

Signature Pages to Follow

IN WITNESS WHEREOF, the Owner/Developer and the City have executed this Agreement as of the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

**WILLIAM KENT STOKES TRUSTEE OF
THE 2019 REVOCABLE TRUST OF
WILLIAM KENT STOKES,**

Witness Signature

Print Name
Address: _____

Witness Signature

Print Name
Address" _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization this _____ day of _____ 2025 by William Kent Stokes, Trustee of The 2019 Revocable Trust of William Kent Stokes. He/she/they are personally known to me or who have produced _____ as identification.

Notary Public, State of Florida
Printed Name: _____
Commission No.: _____
My Commission Expires: _____

**BURGLAND CAPITAL, LLC, a Florida
limited liability company,**

Witness Signature

Print Name

Address: _____

Signature

Jason Monroe Lee, Manager

Witness Signature

Print Name

Address" _____

Signature

Franciscus Bombeeck, Manager

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization this _____ day of _____ 2025 by Jason Monroe Lee and Franciscus Bombeeck, Managers of Burgland Capital, LLC, a Florida limited liability company on behalf of the company. He/she/they are personally known to me or who have produced _____ as identification.

Notary Public, State of Florida

Printed Name: _____

Commission No.: _____

My Commission Expires: _____

ACCEPTED BY THE CITY OF FRUITLAND PARK, FLORIDA

Approved as to form and Legality for
use and reliance by the City of
Fruitland Park

Anita Geraci-Carver, City Attorney

By:
Chris Cheshire, Mayor

Date:

Attest:_____

Gwen Johns, City Clerk

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing was acknowledged before me by means of ☒ physical presence or ☐ online notarization this _____ day of _____ 2025 by Chris Cheshire as Mayor of the City of Fruitland Park, Florida, a Florida municipal corporation on behalf of the corporation, ☒ who is personally known to me or who has produced _____ as identification.

Notary Public, State of Florida
Printed Name:_____
Commission No.:_____
My Commission Expires:_____

Exhibit "A" to MDA

LEGAL DESCRIPTION

Parcel 1:

The South 3/4 of the Southwest 1/4 of the Southwest 1/4 less right of way of Highway #468, in Section 9, Township 19 South, Range 24 East.

Parcel 2:

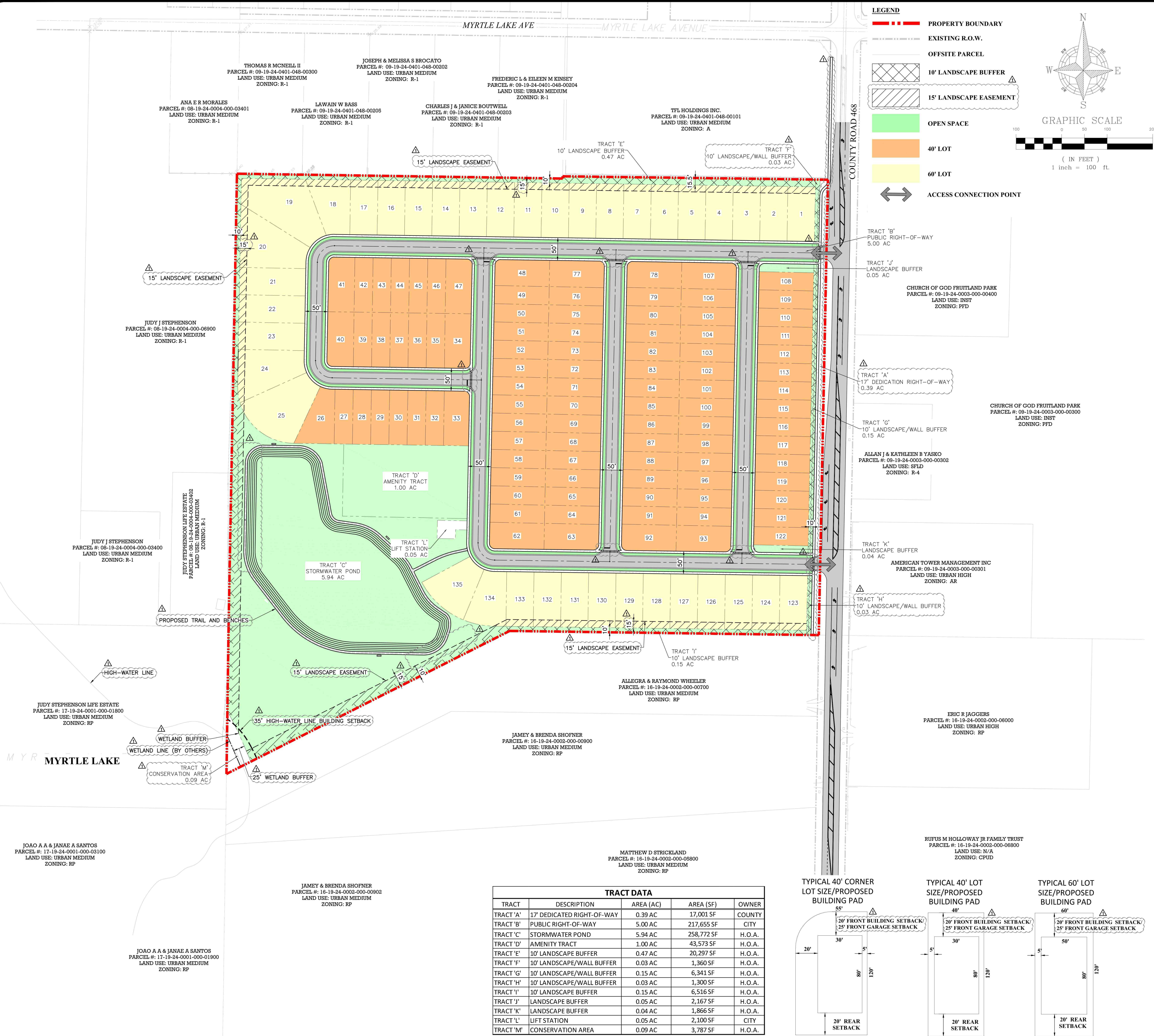
Begin at the Northwest corner of Section 16, Township 19 South, Range 24 East, run East 617.2 Feet, thence south 62°26' West to the Section line, thence North to the point of beginning.

EXHIBIT "B" TO MDA

Master Plan CR 468 Subdivision

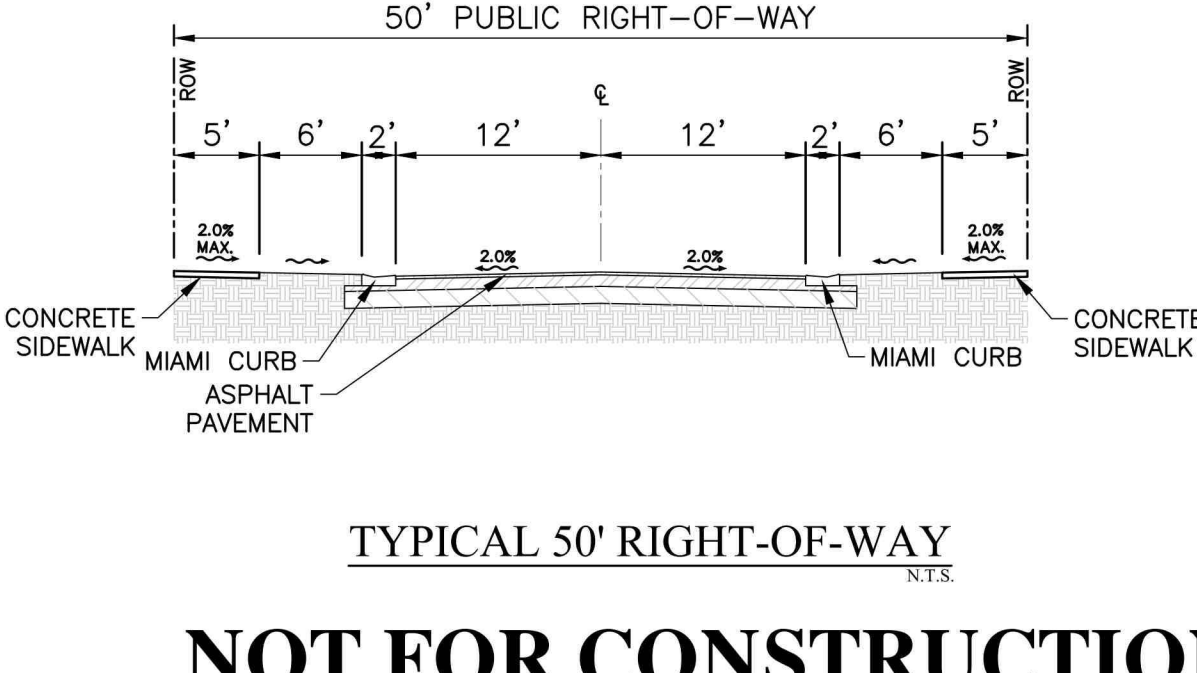
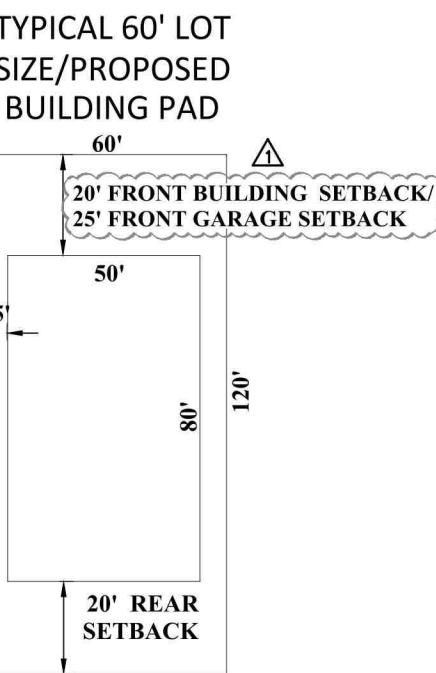
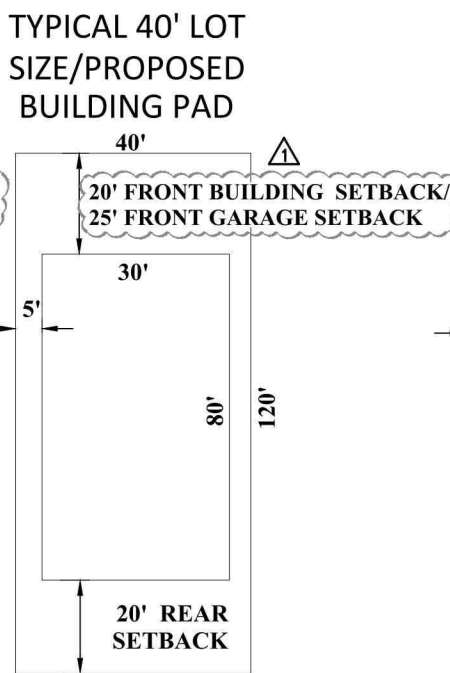
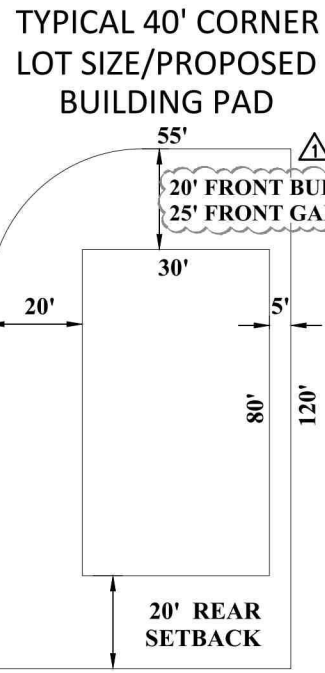
prepared by Appian Engineering LLC dated January 27, 2025

P:\PROJECT DRAWINGS\BIN-004 CR 468 Subdivision\Drawings\CAD Civil3D\Layouts\Q3 Master Plan\Master Plan.dwg Modified: 1/30/2025 By: som lancaster



SITE DATA:	
1. LCPA - PARCEL ID #:	09-19-24-0003-000-00200 16-19-24-0002-000-00800
2. LCPA - ALTERNATE KEY:	1288843 1289912
3. PROPERTY ADDRESS:	COUNTY ROAD 468 FRUITLAND PARK, FL 34531
4. PROPERTY AREA:	32.03 AC
5. R.O.W. DEDICATION:	0.39 AC
6. NET PROPERTY AREA:	31.64 AC
7. EXISTING FUTURE LAND USE:	URBAN MEDIUM (COUNTY)
8. PROPOSED FUTURE LAND USE:	MFLD (CITY) Δ
9. ADJACENT FUTURE LAND USE:	
NORTH	URBAN MEDIUM (COUNTY)
SOUTH	URBAN MEDIUM (COUNTY)
EAST	URBAN HIGH (COUNTY)
WEST	INST. SFLD (CITY) URBAN MEDIUM (COUNTY)
10. EXISTING ZONING:	AR, RP (COUNTY)
11. PROPOSED ZONING:	PUD (CITY)
12. ADJACENT ZONING:	
NORTH	R-1, A (COUNTY)
SOUTH	RP (COUNTY)
EAST	R-4, PFD (CITY)
WEST	AR (COUNTY) R-1, RP (COUNTY)
13. ALLOWED DENSITY:	8.00 DU/AC Δ
14. PROPOSED DENSITY:	4.27 DU/AC
15. RESIDENTIAL SETBACKS:	
FRONT - BUILDING	20 ft. Δ
FRONT - GARAGE	25 ft. Δ
REAR	20 ft.
SIDE	5 ft.
CORNER	20 ft.
16. PERIMETER SETBACK:	10 ft.
17. NET LIVING AREA:	
40'x120' LOTS	1,200 SF
60'x120' LOTS	1,500 SF
18. MAXIMUM BUILDING HEIGHT:	35 ft.
19. DEVELOPMENT PROGRAM:	
60'x120' LOTS	38 LOTS
40'x120' LOTS	97 LOTS
TOTAL	135 LOTS
20. OPEN SPACE REQUIRED:	7.91 AC (25.0%)
21. PROPOSED OPEN SPACE:	
AMENITY	1.00 AC
LANDSCAPE BUFFER	0.92 AC
CONSERVATION AREA	0.09 AC
STORMWATER POND	5.94 AC
TOTAL	7.95 AC (±25.1%)
22. ALLOWED ISR:	0.80 ISR (MAX)
23. PROPOSED ISR:	0.70 ISR
24. FIRE PROTECTION WILL BE PROVIDED AND DESIGNED TO MEET CITY OF FRUITLAND PARK AND NFPA REQUIREMENTS.	
25. WATER SERVICE PROVIDED BY CITY OF FRUITLAND PARK.	
26. RECLAIMED WATER SERVICE PROVIDED BY CITY OF FRUITLAND PARK.	
27. SANITARY SEWER SERVICE PROVIDED BY CITY OF FRUITLAND PARK.	
28. STORMWATER SYSTEM WILL BE PROVIDED AND DESIGNED TO MEET CITY OF FRUITLAND PARK AND SURWMD DRAINAGE REQUIREMENTS.	
29. ALL UTILITY LINES SHALL BE DESIGNED TO MEET FDEP AND CITY OF FRUITLAND PARK LAND DEVELOPMENT CODE.	
30. UTILITY EASEMENTS DEDICATED TO CITY OF FRUITLAND PARK SHALL BE PROVIDED OVER ALL WATER AND SEWER MAINS LOCATED OUTSIDE THE PUBLIC RIGHT-OF-WAY.	
31. AN HOA SHALL BE CREATED TO PROVIDE THE MANAGEMENT OF ALL COMMON AREAS AND FACILITIES.	
32. PROJECT LANDSCAPING AND IRRIGATION SHALL COMPLY WITH CITY OF FRUITLAND PARK LAND DEVELOPMENT CODE.	
33. OPEN SPACE SHALL COMPLY WITH CITY OF FRUITLAND PARK LAND DEVELOPMENT CODE.	
34. A TOT LOT/PLAYGROUND SHALL BE PROVIDED WITHIN THE AMENITY TRACT.	
35. A COVERED MAILBOX KIOSK SHALL BE PROVIDED WITHIN THE AMENITY TRACT.	

TRACT DATA				
TRACT	DESCRIPTION	AREA (AC)	AREA (SF)	OWNER
TRACT 'A'	17' DEDICATED RIGHT-OF-WAY	0.39 AC	17,001 SF	COUNTY
TRACT 'B'	PUBLIC RIGHT-OF-WAY	5.00 AC	217,655 SF	CITY
TRACT 'C'	STORMWATER POND	5.94 AC	258,772 SF	H.O.A.
TRACT 'D'	AMENITY TRACT	1.00 AC	43,573 SF	H.O.A.
TRACT 'E'	10' LANDSCAPE BUFFER	0.47 AC	20,297 SF	H.O.A.
TRACT 'F'	10' LANDSCAPE/WALL BUFFER	0.03 AC	1,360 SF	H.O.A.
TRACT 'G'	10' LANDSCAPE/WALL BUFFER	0.15 AC	6,341 SF	H.O.A.
TRACT 'H'	10' LANDSCAPE/WALL BUFFER	0.03 AC	1,300 SF	H.O.A.
TRACT 'I'	10' LANDSCAPE BUFFER	0.15 AC	6,516 SF	H.O.A.
TRACT 'J'	LANDSCAPE BUFFER	0.05 AC	2,167 SF	H.O.A.
TRACT 'K'	LANDSCAPE BUFFER	0.04 AC	1,866 SF	H.O.A.
TRACT 'L'	LIFT STATION	0.05 AC	2,100 SF	CITY
TRACT 'M'	CONSERVATION AREA	0.09 AC	3,787 SF	H.O.A.



CIVIL ENGINEERING I LAND PLANNING

APPIAN ENGINEERING LLC.

APPIANFL.COM • 407.960.5868

11/21/2024 CITY OF FRUITLAND PARK COMMENTS DATED 11/21/2024

REV. DATE DESCRIPTION

MASTER PLAN

CR 468 SUBDIVISION

CITY OF FRUITLAND PARK, FLORIDA

DRAWN: S. LANCASTER

DESIGNED: O. SANCHEZ

CHECKED: L. CLASON

DATE: 1/29/2025

SCALE: 1" = 100'

PROJECT: BIN-004

SHEET: C1.0

APPIAN ENGINEERING

1/30/25

The Villages® DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared **Amber Sevison**, who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal # **01244885** in the matter of

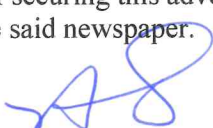
NOTICE OF NOTICE OF PUBLIC HEARING

was published in said newspaper in the issues of

APRIL 1, 2025
APRIL 8, 2025

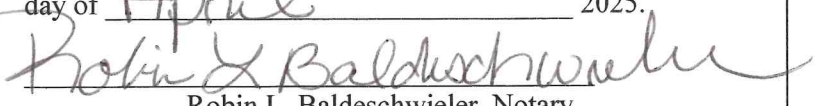
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously

published in said Lake County, Florida each week and has been entered as second-class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for Publication in the said newspaper.


(Signature Of Affiant)

Sworn to and subscribed before me this 9

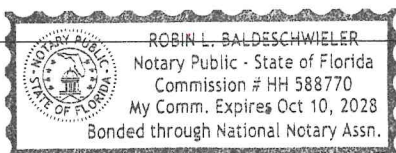
day of April 2025.


Robin L. Baldeschwieler, Notary

Personally Known X or

Production Identification _____

Type of Identification Produced _____



NOTICE OF PUBLIC HEARING

ORDINANCE 2025-011

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 32.03 ± ACRES OF LAND GENERALLY LOCATED WEST OF CR 468 AND SOUTH OF MYRTLE LAKE AVE.; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SCRIVENER'S ERRORS AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2025-0012

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY URBAN MEDIUM DENSITY TO CITY MULTI-FAMILY HIGH DENSITY OF 32.03 +/- ACRES OF PROPERTY GENERALLY LOCATED WEST OF CR 468 AND SOUTH OF LAKE MYRTLE AVE.; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2025-0013

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 32.03 +/- ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (A) AND RESIDENTIAL PROFESSIONAL (RP) TO CITY OF FRUITLAND PARK PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED WEST OF CR 468 AND SOUTH OF LAKE MYRTLE AVE.; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER OR DESIGNEE TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

The proposed Ordinances will be considered at the following public meetings:

Planning & Zoning Board Thursday, April 17, 2025 @ 6:00 p.m.

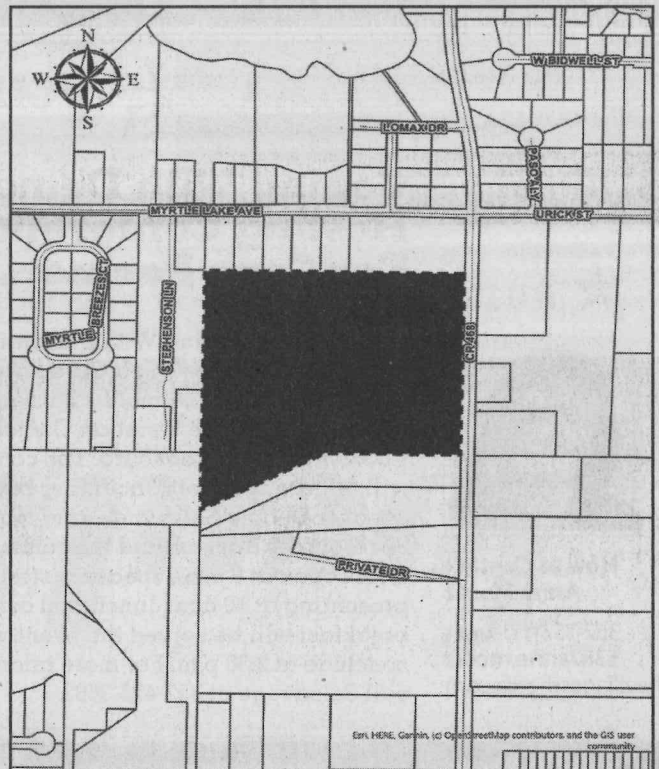
City Commission 1st Reading Thursday, May 8, 2025 @ 6:00 p.m.

Land Planning Agency Thursday, May 8, 2025 @ 6:15 p.m.

City Commission 2nd Reading Thursday, May 22, 2025 @ 6:00 p.m.

The public meetings will be held in the Commission Chambers located at City Hall, 506 West Berckman Street, Fruitland Park FL 34731. These meetings are open to the public and hearings may be continued as determined by the commission from time to time to a time/date certain. The proposed Ordinances and metes and bounds legal description of property may be inspected by the public during normal working hours at City Hall. For further information call 352-360-6727. Interested parties may appear at the meetings and will be heard with respect to the proposed Ordinances.

A person who decides to appeal any decision made by any board, agency or council with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in any of these proceedings should contact Gwen Johns, City Clerk at (352) 360-6790 at least 48 hours before the date of the scheduled hearing.



CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: **9b**

ITEM TITLE: CITY ATTORNEY REPORT

MEETING DATE: May 8, 2025

DATE SUBMITTED: April 28, 2025

SUBMITTED BY: City Attorney

Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628: On May 1, 2024 the Stipulated Civil Case Management Order Requiring Disclosures was entered by Judge Takac. On June 18, 2024 the Court approved the substitution of counsel. Plaintiffs' attorney is Zachary J. McCormick. The depositions of the Plaintiffs have been scheduled for April 23, 2025 at City Hall; however, on February 19th the City filed a Notice of Cancellation of Deposition of Tammy Goodridge. On February 20th the City served Expert Interrogatories on Plaintiff Wayne Goodridge. On March 27th the attorney for Plaintiffs and the attorney representing the City stipulated in a joint motion requesting the Court grant an extension to the deadlines for each of the parties to disclose their expert witnesses. An order has not yet been entered.

On April 28, 2025, an Amended Notice of Appearance was filed designating the following attorneys of the firm of Roper and Roper as representing the City: Ian Depagnier and Dustyn Ring.

Linda Herald v. City of Fruitland Park, Lake County Case No. 2025-CA-000116: On January 21, 2025, Ms. Herald filed a two-count complaint against the City for negligent hiring and negligent supervision of former City employee Jabari Hopkins. Ms. Herald seeks damages in excess of \$50,000 for emotional distress associated with Mr. Hopkins' criminal activities of reselling an occupied crematory vault and disturbing the remains of her late husband. On September 21, 2023 Mr. Hopkins entered a plea to the charges and was adjudicated guilty and sentenced to 5 years probation. Attorney Joshua Walker of Walker, Revels, Greninger, PLLC has been appointed to defend the City. On March 14, 2025 an Answer and Affirmative Defenses were filed on behalf of the City. On March 26th the City served interrogatories to Plaintiff to be answered in writing and served a Request to Produce to Plaintiff requiring production of documents.

FUNDS BUDGETED: N/A

ATTACHMENT: N/A

RECOMMENDATION: N/A
ACTION: N/A