

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

ITEM TITLE: Second Reading Quasi-Judicial Public Hearing – Ordinance 2022-009 SSCPA (Annexation) – N of Myrtle Avenue and W of CR468 - Petitioner: Crystal Lake Land Holdings, LLC.

MEETING DATE: Thursday, May 12, 2022

DATE SUBMITTED: April 14, 2022

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

BRIEF NARRATIVE: Ordinance 2022-009 to change the Future Land Use Designation from Lake County Urban Medium Residential to Fruitland Park Single Family Medium Density (Residential PUD) of 24.83± acres which is consistent with the City of Fruitland Park’s Comprehensive Plan. The “proposed” infill development and future land use is a decrease in density from its current Urban Medium Density at seven units per acre to Single Family Medium Density at four units per acre). The Planning and Zoning Board approved the subject proposed ordinance at its April 21, 2022 meeting. (The first reading was heard on April 28, 2022.)

FUNDS REQUIRED: No

ATTACHMENTS: Proposed Ordinance 2022-009, legal description (Exhibit A) and zoning map designation (Exhibit B). (See Agenda Item Summary Sheet 5d for advertising affidavit and staff report.)

ACTION: Enact Ordinance 2022-009 to become effective as provided by law.

RECOMMENDATION: Approval.

ORDINANCE 2022-009

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 RESIDENTIAL TO CITY SINGLE FAMILY MEDIUM DENSITY OF 24.83 +/- ACRES OF PROPERTY GENERALLY LOCATED NORTH OF MYRTLE LAKE AVENUE AND EAST OF MYRTLE LAKE VIEW DRIVE; 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 received from A & B Engineering Consultants, PA as applicant, on behalf of Crystal Lake Land Holdings, LLC as Owner, requesting that real property within the city limits of the City of Fruitland Park be assigned a land use designation of "Single Family Medium 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 24.83 ± acres generally located north of Myrtle Lake Avenue and east of Myrtle Lake View Drive as described and depicted as set forth on Exhibit "A" shall be assigned a land use designation of Single Family Medium 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 _____, 2022.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, MMC, City Clerk

Anita Geraci-Carver, City Attorney

Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice-Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Commissioner DeGrave _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Mobilian _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading April 28, 2022
Passed Second Reading _____
(SEAL)

“EXHIBIT A”

That part of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 8, Township 19 South, Range 24 East, in Lake County, Florida, bounded and described as follows:

Commence at the Southeast corner of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 8, Township 19 South, Range 24 East, and run North $89^{\circ}0'05''$ West along the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of said Section 8, a distance of 988.35 feet; thence North $00^{\circ}59'55''$ East 25.00 feet to a point on the North right-of-way line of Myrtle Lake Avenue and the Point of Beginning of this description; from said Point of Beginning run North $89^{\circ}0'00''$ West along the North right-of-way line of Myrtle Lake Avenue 658.92 feet to a point on the West line of the East $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 8; thence North $00^{\circ}57'00''$ East along the West line of the East $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, a distance of 1,219.46 feet to a point that is South $00^{\circ}57'00''$ West 82.20 feet from the Northwest corner of the East $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 8; thence South $89^{\circ}34'30''$ East parallel with the North line of the Southeast $\frac{1}{4}$ of said Section 8 a distance of 529.99 feet; thence North $00^{\circ}53'13''$ East 82.20 feet to a point on the North line of the Southeast $\frac{1}{4}$ of Said Section 8; thence South $89^{\circ}34'30''$ East along the North line of the Southeast $\frac{1}{4}$ a distance of 1,120.29 feet to the Northeast corner of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 8; thence South $65^{\circ}13'49''$ West 1,099.42 feet; thence South $00^{\circ}59'55''$ West 836.39 feet to the Point of Beginning.

EXHIBIT B

