



**CITY OF FRUITLAND PARK  
LOCAL PLANNING AGENCY MEETING AGENDA**

**May 24, 2018 (Revised 1:30 p.m.)**

City Hall Commission Chambers  
506 W. Berckman Street  
Fruitland Park, FL 34731

**As soon as practical at 6:15 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. APPROVAL OF MINUTES** (city clerk) (revised)  
March 22, 2018 and April 26, 2018 LPA Minutes

**4. Resolution 2018-015 Title to Real Property – Lake County School Board** (city manager/city attorney/parks and recreation director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ACCEPTING TITLE TO REAL PROPERTY BEING CONVEYED FROM THE SCHOOL BOARD OF LAKE COUNTY; PROVIDING FOR AN EFFECTIVE DATE.

**PUBLIC HEARING**

**5. Resolution 2018-018 Closing and Vacating 50' Platted ROW – Hurst Street** (city manager/building and zoning director)

~~A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ACCEPTING TITLE TO REAL PROPERTY BEING CONVEYED FROM THE SCHOOL BOARD OF LAKE COUNTY; PROVIDING FOR AN EFFECTIVE DATE.~~

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; CLOSING AND VACATING A 50' PLATTED RIGHT OF WAY KNOWN AS HURST STREET, THE NORTH RIGHT OF WAY LINE ABUTTING THE SOUTH LINE OF LOTS 2, 3 AND 4, BLOCK 43, AND THE SOUTH RIGHT OF WAY LINE ABUTTING THE NORTH LINE OF LOTS 5, 6, AND 7, BLOCK 43, AS RECORDED IN PLAT BOOK 3, PAGE 8, OF THE PUBLIC RECORDS OF LAKE COUNTY; PROVIDING FOR DIRECTION TO THE CITY CLERK TO INCLUDE RECORDATION; PROVIDING FOR AN EFFECTIVE DATE.

**6. NEW BUSINESS**

**7. 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.

## **8. ADJOURNMENT**

Any person requiring a 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.**

AN ORDINANCE OF THE (CITY ~~OR COUNTY~~) OF Fruitland Park,  
FLORIDA, DESIGNATING AND ESTABLISHING THE City Commission  
AS ITS LOCAL PLANNING AGENCY PURSUANT TO THE LOCAL GOVERNMENT  
COMPREHENSIVE PLANNING ACT OF 1975 (Chapters 163.3161 - 163.3211,  
Florida Statutes); SETTING FORTH SAID AGENCY'S DUTIES AND RESPON-  
SIBILITIES; ESTABLISHING SAID AGENCY'S ORGANIZATION, RULES AND  
PROCEDURES; REQUIRING THAT ALL MEETINGS BE PUBLIC AND PROVIDING  
FOR THE KEEPING OF PUBLIC RECORDS; PROVIDING FOR FINANCIAL  
SUPPORT; PROVIDING FOR SEVERABILITY OF ANY PORTION DECLARED  
INVALID; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND  
PROVIDING FOR THE EFFECTIVE DATE HEREOF. *THIS IS AN EMERGENCY  
ORDINANCE EFFECTING THE WELFARE OF THE CITIZENS.*  
BE IT ORDAINED BY THE City Commission OF  
THE (CITY ~~OR COUNTY~~) OF Fruitland Park, FLORIDA:

Section 1. AUTHORITY. This ordinance is enacted pursuant to  
and in accordance with, provisions of Chapter 163, Florida  
Statutes (Local Government Comprehensive Planning Act of 1975).

Section 2. DESIGNATION AND ESTABLISHMENT OF LOCAL LAND  
PLANNING AGENCY. Pursuant to, and in accordance with, Section  
163.3174, of Florida Statutes (the Local Government Comprehen-  
sive Planning Act of 1975) the City Commission  
is hereby designated and established as the local planning  
agency for the ~~(City)~~ incorporated territory of Fruitland Park,  
Florida.

Section 3. DUTIES AND RESPONSIBILITIES OF THE LOCAL PLANNING  
AGENCY. The local planning agency, in accordance with the  
Local Government Comprehensive Planning Act of 1975, Section  
163.3161-3211, Florida Statutes, shall:

- (a) Conduct the comprehensive planning program and prepare  
the comprehensive plan or elements or portions thereof  
for the (City ~~OR COUNTY~~) of Fruitland Park;
- (b) Coordinate said comprehensive plan or elements or portions  
thereof with the comprehensive plans of other appropriate  
local governments and the State of Florida;

- (c) Recommend said comprehensive plan or elements or portions thereof to the City Commission for adoption; and
- (d) Monitor and oversee the effectiveness and status of the comprehensive plan and recommend to the City Commission such changes in the comprehensive plan as may be required from time to time.

Section 4. ORGANIZATION, RULES AND PROCEDURES OF THE AGENCY.

Members of the local planning agency shall continue to be appointed and follow such rules of procedure, methods of choosing officers, setting of public meetings, providing of financial support, and accomplishing its duties as provided in The City Charter.

Section 5. PUBLIC MEETINGS AND RECORDS. All meetings of the local planning agency shall be public meetings and all agency records shall be public records. The local planning agency shall encourage public participation.

Section 6. The City Commission shall appropriate funds at its discretion to the local planning agency for expenses necessary in the conduct of its work. The local planning agency may, in order to accomplish the purposes and activities required by the Local Government Comprehensive Planning Act of 1975, expend all sums so appropriated and other sums made available for use from fees, gifts, state or federal grants, state or federal loans, and other sources; provided acceptance of loans or grants must be approved by the City Commission.

Section 6. SEVERABILITY. If any word, sentence, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by an court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not effect the validity of the remaining portions thereof.

Section 7. REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS.

All ordinances and resolutions of the governing body in conflict herewith are hereby repealed.

Section 8. EFFECTIVE DATE. This ordinance shall become effective immediately upon its final passage and adoption, as an emergency ordinance.

PASSED AND ADOPTED BY THE City Commission OF THE (CITY ~~OF~~) OF Fruitland Park, FLORIDA, THIS 24 DAY OF June, A.D., 1976

Jack Deulh  
Mayor or Chairman

ATTEST:

Lois A. Lowery, City Clerk

FIRST READING: June 24, 1976

SECOND READING: Waived

THIRD READING: Waived

**FRUITLAND PARK LOCAL PLANNING AGENCY  
MEETING MINUTES  
March 22, 2018**

A meeting of the City of Fruitland Park Local Planning Agency was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, March 22, 2018 at 6:15 p.m.

**Members Present:** Mayor Chris Cheshire, Vice Mayor John L. Gunter, Jr.; Commissioners Chris Bell and Ray Lewis.

**Members Absent:** Commissioner Rick Ranize.

**Also Present:** City Manager Gary La Venia; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Interim Fire Chief Don Gilpin, Deputy Fire Chief Tim Yoder, Fire Department, Community Development Director Tracy Kelley, Parks and Recreation Director Michelle Yoder, Public Works Director Dale Bogle, Police Chief Mike Fewless, and City Clerk Esther B. Coulson.

**1. CALL TO ORDER**

Mayor Cheshire called the meeting to order at 6:10 p.m.

**By unanimous consent, the LPA approved the excused absence of Commissioner Ranize as he is away ill from this evening's meeting.**

**2. ROLL CALL**

At Mayor Cheshire's request, Ms. Coulson called the roll and a quorum was present.

**3. APPROVAL OF MINUTES**

**On motion of Commissioner Lewis, seconded by Commissioner Bell and unanimously carried, the LPA approved the January 18, 2018 LPA workshop minutes as submitted.**

**QUASI-JUDICIAL PUBLIC HEARING**

**4. First Reading and Quasi-Judicial Public Hearing – Ordinance 2018-004 to Correct Ordinance 2016-024 – Boundary Amendment North of CR 466A and West of Timbertop Lane – Petitioner: James Phillips**

Ms. Geraci-Carver read into the record proposed Ordinance 2018-004, the substance of which is as follows:

AN ORDINANCE CORRECTING A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION OF ORDINANCE 2016-024 WHICH AMENDED 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 1.0 ± ACRE OF LAND GENERALLY LOCATED NORTH OF CR 466A AND WEST OF

TIMBERTOP LANE; 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 SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

At Mayor Cheshire's request, Ms. Geraci-Carver reported on the city's notification of an error by the Lake County Property Appraiser's Office -- upon receiving the city's enacted Ordinance 2016-024 -- to update the Geographical Information System map -- which was revised to correct the legal description. She addressed the plan, henceforth, to include a paragraph in future annexation ordinances to allow staff to administratively correct the error to avoid the quasi-judicial public hearing process.

**A motion was made by Commissioner Bell and seconded by Vice Mayor Gunter that the LPA recommend the approval of proposed Ordinance 2018-004 as previously cited.**

After discussion and there being no one from the public, and **by unanimous consent, Mayor Cheshire closed the public hearing.**

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

**5. First Reading and Quasi-Judicial Public Hearing – Resolution 2018-005 Laurel Street Vacation**

Ms. Geraci-Carver read into the record proposed Resolution 2018-005, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; CLOSING AND VACATING A 30' PLATTED RIGHT OF WAY KNOWN AS LAUREL STREET CONSISTING OF A PORTION OF THE WEST 335' OF BLOCK 20, AS RECORDED IN PLAT BOOK 3, PAGE 9, OF THE PUBLIC RECORDS OF LAKE COUNTY; PROVIDING FOR DIRECTION TO THE CITY CLERK TO INCLUDE RECORDATION; PROVIDING FOR AN EFFECTIVE DATE.

**A motion was made by Commissioner Lewis and seconded by Commissioner Bell that the LPA recommend the approval of proposed Resolution 2018-005 as previously cited.**

There being no one from the public and **by unanimous consent, Mayor Cheshire closed the public hearing.**

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

**END OF QUASI-JUDICIAL PUBLIC HEARING**

**6. PUBLIC COMMENTS**

No one from the public came before the LPA at this time.

**7. OTHER BUSINESS**

There were no further business to come before the LPA.

**8. ADJOURNMENT**

The meeting adjourned at 6:17 p.m.

The minutes were approved at the May 24, 2018 meeting.

Signed \_\_\_\_\_  
Esther B. Coulson, City Clerk

Signed \_\_\_\_\_  
Chris Cheshire, Mayor



**FRUITLAND PARK LOCAL PLANNING AGENCY  
MEETING MINUTES  
April 26, 2018**

A meeting of the City of Fruitland Park Local Planning Agency was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, April 26, 2018 at 6:15 p.m.

**Members Present:** Mayor Chris Cheshire, Vice Mayor John L. Gunter, Jr., Commissioners Christopher Bell, Ray Lewis, and Rick Ranize.

**Also Present:** City Manager Gary La Venia, City Attorney Anita Geraci-Carver; City Treasurer; Jeannine Racine; Police Chief Michael A. Fewless; Interim Fire Chief Don Gilpin; Deputy Fire Chief, Tim Yoder, Fire Department; Public Works Director Dale Bogle; Community Development Administrative Assistant Tracy Kelley; and City Clerk Esther B. Coulson.

**1. CALL TO ORDER**

Mayor Cheshire called the meeting to order at 6:13 p.m.

**2. ROLL CALL**

At Mayor Cheshire's request, Ms. Coulson called the roll and a quorum was present.

**3. APPROVAL OF MINUTES**

**On motion of Commissioner Lewis, seconded by Commissioner Bell and unanimously carried, the LPA approved the January 25 and February 22, 2018 minutes as submitted.**

**QUASI-JUDICIAL PUBLIC HEARING**

**5. First Reading and Quasi-Judicial Public Hearing – Ordinance 2018-006 to Correct Scrivener's Error on Ordinance 2016-023 SSCPA – 1.0± Acres - N CR 466A and W Timbertop Ln - Urban Low to Commercial – Petitioner: James Phillips, Owner**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2018-006, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CORRECTING A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION OF ORDINANCE 2016-023 WHICH PROVIDED FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM COUNTY URBAN LOW TO CITY COMMERCIAL ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 1.0± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND WEST OF TIMBERTOP LANE; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN;

**PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES  
IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Greg Beliveau, LPG Urban Planning Inc., after being sworn by Ms. Geraci-Carver to give testimony at this evening's quasi-judicial proceedings, confirmed, in response to Mayor Cheshire's inquiry that the city commission enacted at its April 12, 2018 second public hearing Ordinance 2018-004 correcting a scrivener's error in the legal description of Ordinance 2016-024. He recognized the follow-up subject proposed Ordinance 2018-006 correcting Ordinance 2016-023's legal description and Item 5., on this evening's agenda Ordinance 2018-007 to correct Ordinance 2016-025.

**A motion was made by Commissioner Bell and seconded by Commissioner Lewis that the LPA recommend to the city commission the approval of proposed Ordinance 2018-006 as previously cited.**

**There being no comments from the public and by unanimous consent, the public hearing was closed.**

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

**6. First Reading and Quasi-Judicial Public Hearing – Ordinance 2018-007 to Correct Ordinance 2016-025 – Rezoning - Petitioner: James Phillips, Owner**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2018-007, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CORRECTING A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION OF ORDINANCE 2016-025 WHICH REZONED 1.0 ± ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (AG) TO GENERAL COMMERCIAL (C-2) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

**A motion was made by Commissioner Bell and seconded by Commissioner Lewis that the LPA recommend to the city commission the approval of proposed Ordinance 2018-007 as previously cited.**

**There being no comments from the public and by unanimous consent, the public hearing was closed.**

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

**7. First Reading and Quasi-Judicial Public Hearing - Ordinance 2018-009 Gardenia East Subdivision Annexation - Gardenia East Subdivision – Petitioner: MRSF1 LLC, Owner**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2018-009, the substance of which is as follows:

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 13.44 ± ACRES OF LAND GENERALLY LOCATED EAST OF US HIGHWAY 27/441 AND NORTH OF REGISTER ROAD; 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 SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

**By unanimous consent, the LPA accepted LPG Urban Planning Inc.’s Executive Director’s recommendations and corrected the LPA agenda to be considered in the following order:**

- **Item 9, Ordinance 2018-011, Large Scale Comprehensive Plan Amendment,**
- **Item 8, Ordinance 2018-010, Rezoning, and**
- **Item 7, Ordinance 2018-009, Annexation**

Mr. Beliveau, who was previously sworn, described at length the background of the proposed annexation and comprehensive plan; its surrounding uses, and the current designation. He recognized the one density difference between the county and the city and noted the county’s option on the ability to have residential and commercial use.

Mr. Beliveau referred to the Comprehensive Plan Concurrency Analysis conducted by staff on the worse-case scenario and the reduction of potential trips generated based on the proposed commercial impacts as well as the variables providing less impacts to water and wastewater which he intends to address later in this evening’s meeting.

With regards to the annexation and comprehensive plan components, Mr. Beliveau conveyed staff’s recommendations of approval and indicated that the Planning and Zoning (P&Z) Board, at its April 19, 2018 meeting, had no issues; however, as it relates to the project’s specificity, the P&Z approved same with a caveat.

After discussion, Mr. Beliveau recognized the county’s options to be more than the city’s with traffic generating less trips at peak hour and pm and highlighted the commercial component (under the existing land use program) in the comprehensive plan of 20,000 square feet allowing for another 854 daily pm trips which the city does not allow totaling

1,749 existing daily trips with the city proposed at 1,019. He expressed his preference to defer discussions on the comprehensive plan and annexation and noted that the PUD and zoning yielded the most discussions by the P&Z.

Mr. Beliveau explained, in response to Vice Mayor Gunter's inquiry, that the potential use is neighborhood commercial. He indicated that the existing maximum units allowed by the county are 94 single family residential units; the city's comprehensive plan proposes 107, and recognized the applicant's request for 49 lots or PUDs, half of what both comprehensive plans allow.

Ms. Geraci-Carver swore-in Ms. Kelley to give testimony at this time who responded to Commissioner Bell's inquiry that out of the 83 surrounding property owners who were notified by certified mail of the proposed use, four mailings were returned and three residents opposed.

**By unanimous consent, the LPA agreed with LPG Urban Planning Inc's request to consider Item 9., Ordinance 2018-009 Gardenia East Subdivision Annexation.**

**A motion was made by Commissioner Ranize and seconded by Commissioner Lewis that the LPA recommend to the city commission the approval of the following proposed Ordinance 2018-009 to the city commission:**

**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 13.44 ± ACRES OF LAND GENERALLY LOCATED EAST OF US HIGHWAY 27/441 AND NORTH OF REGISTER ROAD; 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 SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Cheshire called for the public to be heard.

There being no comments from the public and **by unanimous consent, Mayor Cheshire closed the public hearing.**

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

**9. First Reading and Quasi-Judicial Public Hearing – Ordinance 2018-011 Large-Scale Comprehensive Plan Amendment – Gardenia East Subdivision – North of Register Road Petitioner: MRSF1 LLC, Owner**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2018-011, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM LAKE COUNTY URBAN MEDIUM DENSITY TO MULTI-FAMILY LOW DENSITY ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 13.44 ± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF REGISTER ROAD AND EAST OF US HIGHWAY 27/441; DIRECTING THE CITY CLERK 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; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

After Commissioner Lewis questioned the zoning designation following the completion of the comprehensive plan, Mr. Beliveau, who was previously sworn, outlined the city's choices to select from the maximum development analysis table, the applicant's request for PUD; mentioned the review on whether it complies with the requirements within the comprehensive plan category, or if PUD is not selected, noted the inquiry about the zoning the applicant desires up to the maximum density.

After discussion, **a motion was made by Commissioner Ranize and seconded by Vice Mayor Gunter that the LPA recommend to the city commission the approval of proposed Ordinance 2018-011 as previously cited.**

Ms. Julie A. McKinnon, Lake County Unincorporated Area resident, questioned whether Register Road is part of the affected surrounding area as she did not receive notification on same.

Following some discussion, Ms. McKinnon expressed concerns on governmental services not provided in the area due to the lack of annexation with the city; however, she stated that she is in favor of Register Road being annexed into the city, She expressed preference for water, caution lights to make properties safer, and an ordinance requiring property owners to maintain their property due to vegetation overgrowth.

Mr. La Venia explained that Register Road is not part of the annexation; noted that contiguous properties can be part a of the annexation process, and explained that said roadway would remain with the county until such time as the individual property owners choose to apply for annexation.

Mr. Wayne Curtis, Unincorporated Lake County Area resident, expressed concerns on the water usage, crime and traffic and voiced his opposition to the subject proposed use.

In response, Mayor Cheshire confirmed that water services would be provided by the city from its water treatment plant, the city's law enforcement officers will monitor the area as it would be part of the city, and the roadway would continue to be owned by the county to which Mr. La Venia addressed the intent for staff to work with the county ensuring that traffic is controlled in the area.

Mr. Curtis questioned the possibility of erecting a wall to separate existing residents from the proposed project to which Mayor responded that landscaping barriers would be addressed later in this evening's meeting under proposed Gardenia East Subdivision Rezoning Ordinance 2018-010.

**By unanimous consent, Mayor Cheshire closed the public hearing.**

**Mayor Cheshire called for a vote on the motion to recommend to the city commission the approval of proposed Ordinance 2018-011, as previously cited, and declared it carried unanimously.**

**8. First Reading and Quasi-Judicial Public Hearing - Ordinance 2018-010 Gardenia East Subdivision Rezoning - R-1 to PUD – Petitioner: MRSF1 LLC, Owner**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2018-010, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 13.44 ± ACRES OF THE PROPERTY FROM LAKE COUNTY RURAL RESIDENTIAL (R-1) TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Beliveau, who was previously sworn, conveyed the P&Z Board's consideration of the subject request for a building coverage area of 40 percent, the city's land development regulations (LDR's) which requires 30 percent and the P&Z Board's recommendations of approval for a compromise of 35 percent. He recognized the conceptual site plan

referenced his earlier statements on the request for a PUD (49 residential units) and described the proposed rezoning and surrounding uses on the revised conceptual site plan, a copy of which is filed with the supplemental papers to the minutes of this evening's meeting.

With the exception of the building area, Mr. Beliveau explained that the open space meets the city's requirements. He gave a report on staff's review of the typical lots requested by the applicant of 40 percent of lot maximum building coverage, the site data reflecting the setback requirements and building total, and the tables under the LDRs requiring 30 percent for single family residential dwelling units. With respect to the greenspace, Mr. Beliveau pointed out the buffer and indicated that any enhancements and additions between same ought to be addressed with the applicant.

After discussion and in response to Commissioner Ranize' question, Mr. Beliveau recognized the 4,000 square feet minimum lot size for detached single-family homes that can be built on the lot where the 30 percent requirement at 1,200 feet, which is the minimum, would be met and that he would allow justification of same; thus, the reason for their presence at this evening's meeting.

Following further discussion, Mr. Beliveau referred to Ms. McKinnon's concerns addressed earlier in the meeting on the lack of notification of the subject issue and confirmed that Register Road, where she lived, was not included as part of the surrounding area residents' notification process.

Mr. Beliveau recognized the problems of existing background traffic with excessive speeding on Register Road which is not the result of the proposed project but can be alleviated by the city or county utilizing the pre-existing conditions from the traffic tables and annexed in with the proposed development.

Commissioner Lewis recognized the lack of traffic tables on existing county roads in the city where speed is routinely controlled by the Fruitland Park Police Department and acknowledged the speeding problem citywide.

After further discussion and following Ms. Geraci-Carver's reference to state statute addressing local governmental entities' authority to regulate traffic when annexation occurs on both sides of the roadway, Commissioner Ranize requested that she research the matter further to determine how same can be implemented.

Subsequent to ensued discussion, Ms. Geraci-Carver swore in Mr. Rick Hartenstein, Wicks Engineering Services Inc., to give testimony.

Mr. Hartenstein explained the purpose of incorporating a portion of land for the proposed fenced recreational vehicle (RV) and boat storage for the subdivision's homeowners' association residents and guests which he stated was previously suggested by the former community development director during the pre-application meeting and indicated that the storage would not be a high impact area.

Following ensued discussions and in response to concerns on the stormwater pond coverage, Mr. Hartenstein delineated the support of the proposed building coverage -- the reason for the applicant's previous request of 1,600 where he described the dimensions in providing the residential unit with 1,200 square feet -- and the additional 10 percent for building coverage. He explained that the applicant has conducted a preliminary impervious surface ratio (ISR), almost less than 50 percent for the whole project, which is capable to obtain the design to cover the stormwater pond for the ISR.

Subsequent to further discussions, Mr. Beliveau outlined, in the conceptual site plan, the applicant's request to meet the 15-foot buffer requirement along the perimeter of the property's boundary which meets the city's 10-foot minimum requirements in the LDRs which is the PUD.

Mr. Beliveau indicated, in response to an inquiry posed by Commissioner Bell that the request by the applicant to include age restrictions (age 55 years and older) in the master development agreement or the PUD can be voluntary and they would have to reappear before the elected body for an amendment to change same.

After discussion, Mayor Cheshire reiterated the only issue he has is the privacy fence around the RV and boat storage area.

In response to a question posed by Commissioner Bell regarding the playground area, Mr. Hartenstein addressed the plans to install playground equipment during the development.

**By unanimous consent the city commission accepted the applicant's commitment to install playground equipment during the development and the additional landscaping and natural buffer along the proposed project's perimeter boundary. Additionally, the city commission agreed, subject to the applicant's commitment, that a privacy fence would be installed around the recreational vehicle and boat storage area in the planned unit development.**

Mayor Cheshire called for interested participants to be heard.

Ms. Alison Thomas, Lake County Unincorporated Area resident, voiced her disagreement with Mr. Beliveau's depiction of the proposed development on the concept map showing that there are no existing homes within the landscape buffer and identified the location of her property. She cited reasons why she objects to the RV and boat storage privacy fencing and her preference for a wall; referred to the April 19, 2018 P&Z Board's discussions on the homes not exceeding 35 percent believing that the applicant agreed with the decrease, and voiced concerns with the current traffic problems recognizing that that the proposed project is not yet developed.



In response to Mayor Cheshire's inquiry, Mr. Hartenstein explained that it would be up to the lot owner to fence the lot; however, the applicant plans to develop a landscape buffer which separates the property.

After much discussion and **by unanimous consent, the city commission agreed with the applicant's request of a building coverage area of 40 percent.**

At this time, Mr. Ted Wicks, Wicks Engineering Services Inc. representing the applicant, was sworn in by Ms. Geraci-Carver to give testimony.

Mr. Wicks addressed the need to provide a marketable property; offer affordable housing representing starter-type homes -- not age-restricted -- to individuals coming to Lake County for employment, and attract additional commercial developments which will not be contrary to the applicant's business plan. He addressed the advantages to the applicant, the city, and the community of the proposed project; explained that the applicant has met the city's open space requirements of 25 percent to allow stormwater to work, and anticipated that the LPA would recommend approval to proceed.

With respect to the RV and boat storage area and the problem of overcoming parking in the driveway, Mr. Wicks pointed out the plan for smaller lots and to introduce it as part of the project.

After discussion, **a motion was made by Commissioner Bell and seconded by Commissioner Lewis that the LPA recommend to the city commission the approval of the following proposed Ordinance 2018-010 and accepted the voluntary commitments made by the applicant:**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 13.44 ± ACRES OF THE PROPERTY FROM LAKE COUNTY RURAL RESIDENTIAL (R-1) TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

Following further discussion, **Mayor Cheshire called for a roll call vote on the motion with the LPA members voting as follows:**

<b>Commissioner Bell</b>	<b>Yes</b>
<b>Commissioner Lewis</b>	<b>Yes</b>
<b>Commissioner Ranize</b>	<b>No</b>
<b>Vice Mayor Gunter</b>	<b>Yes</b>
<b>Mayor Cheshire</b>	<b>Yes</b>

**Mayor Cheshire declared the motion carried on a four-to-one (4-1) vote.**

**END OF QUASI-JUDICIAL PUBLIC HEARING**

**10. NEW BUSINESS**

There was no new business to come before the LPA at this time.

**4. PUBLIC COMMENTS**

There were no comments from the public.

**11. ADJOURNMENT**

On motion made, seconded and unanimously carried, the LPA meeting adjourned its meeting at 7:22 p.m.

The minutes were approved at the May 24, 2018 meeting.

Signed \_\_\_\_\_  
Esther B. Coulson, City Clerk

Signed \_\_\_\_\_  
Chris Cheshire, Mayor



506 WEST BERCKMAN STREET  
FRUITLAND PARK, FL 34731

PHONE: 352-360-6727  
FAX: 352-360-6652

<b>Board Members:</b> Connie Bame, Chairwoman Colin Crews Daniel Dicus Philip Purlee Tom Bradley	<b>Others:</b> Greg Beliveau, LPG Tracy Kelley, CDD
---	--

---

**AGENDA  
PLANNING & ZONING BOARD  
MAY 17, 2018  
6:00PM**

---

- I. INVOCATION:**
- II. ROLL CALL:**
- III. MINUTES FROM PREVIOUS MEETING: Approve meeting minutes from April 19, 2018.**
- IV. OLD BUSINESS:**
- A. Tabled Resolution 2018 – 015 Accepting Title of Real Property**
    - a. A Resolution accepting title to real property being conveyed from the School Board of Lake County
  - B. Tabled Resolution 2018 – 018 Closing and Vacating a 50' Platted Right of Way**
    - a. A Resolution closing and vacating a 50' platted right of way known as Hurst Street in accordance with Resolution 2018-015
- V. NEW BUSINESS: None**

**BOARD MEMBERS' COMMENTS:**

**ADJOURNMENT:**



506 WEST BERCKMAN STREET  
FRUITLAND PARK, FL 34731

PHONE: 352-360-6727  
FAX: 352-360-6652

<b>Board Members:</b> Connie Bame, Chairwoman Colin Crews Daniel Dicus Philip Purlee Tom Bradley	<b>Others:</b> Greg Beliveau, LPG Tracy Kelley, CDD
---	--

---

**MINUTES  
PLANNING & ZONING BOARD  
APRIL 19, 2018  
6:00PM**

---

- I. INVOCATION:** Chairwoman Bame called the meeting to order at 6:00P.M. and led the pledge of allegiance. Board member Tom Bradley gave the invocation.
- II. ROLL CALL:** All board members present except Board member Dicus and Board member Purlee. Present LPG Beliveau and CDD Kelley.
- III. MINUTES FROM PREVIOUS MEETING:** Approve meeting minutes from March 15, 2018. Motion to approve March 15, 2018 by Colin Crews. Second by Board member Bradley. Approved 3-0.
- IV. OLD BUSINESS: None**
- V. NEW BUSINESS:**
- A. Ordinance Correcting A Scrivener’s Error**
- a. Correcting the legal description of Ordinance 2016-023 (James Phillips ALT Key #2515490)
- b. Correcting the legal description of Ordinance 2016-025 (James Phillips ALT Key #2515490)
- LPG Beliveau gave introduction to Ordinance 2018-006 the scrivener’s error in the legal description in Ordinance 2016-023 and Ordinance 2018-007 the scrivener’s error in the legal description in Ordinance 2016-025 to recommend approval for City Commission to carry thru.
- Motion to correct the scrivener’s error(s) on the legal description(s) by Board member Crews. Second by Board member Bradley. Approved 3-0
- B. Resolution 2018 – 015 Accepting Title of Real Property**
- a. A Resolution accepting title to real property being conveyed from the School Board of Lake County
- C. Resolution 2018 – 018 Closing and Vacating a 50’ Platted Right of Way**

a. A Resolution closing and vacating a 50' platted right of way known as Hurst Street in accordance with Resolution 2018-015

LPG Beliveau gave introduction to Resolution(s) closing and vacating a 50' platted right of way; due to not having a full board and one board member having disclosed a conflict of interest where he will abstain from voting by unanimous consent the Board will be table for a period of 30 days and hear during the next regularly scheduled Planning & Zoning meeting.

**D. Gardenia East Subdivision (Alt Key 2872098)**

Mr. Rick Hartenstein, AICP, CPM, Wick's Engineering Services present on behalf of property owner

a. Annexation application to annex approximately 13.447 ± acres from Lake County into the City limits of Fruitland Park

LPG Beliveau gave introduction to Gardenia East Subdivision and the application for Annexation, Rezoning, and Large Scale Comp Plan Amendment; the property is 13.447 ± acres and is being proposed for multi-family low density; all required studies have been submitted by applicant, annexation is voluntary and meets F.S. Statutes; application is recommended for approval by City Land Planner and Staff.

Chairwoman Bame called for any further comments; Chairwoman Bame called for motion

Motion by Board member Crews to approve Annexation. Second by Board member Bradley. Approved 3-0

b. Large Scale Comp Plan Amendment (LSCPA) amending the future land use designation from Lake County Urban Medium Density to Multi-Family Low Density on the Future Land Use Map of the City of Fruitland Park's Comprehensive Plan for approximately 13.447 ± acres of property generally located north of Register Road and East of US Hwy 27/441.

LPG Beliveau gave introduction to application for LSCPA amending the future land use designation from Lake County Urban Medium Density to Multi Family Low Density on the FLU Map of the City; worst case scenario was utilized for the maximum density whereas the proposed land use is expected to generate less PM peak hour traffic verses what is allowed under County zoning; application is recommended for approval by City Land Planner and Staff.

Chairwoman Bame called for any further comments; Chairwoman Bame called for motion

Motion by Board member Bradley to approve LSCPA. Second by Board member Crews. Approved 3-0

c. Rezoning application to rezone approximately 13.447 ± acres from Lake County Rural Residential (R-1) to Residential Planned Unit Development (PUD) within the City limits of Fruitland Park

LPG Beliveau gave introduction to application for Rezoning; the applicant is requesting for development of 49 units and support use for a storage area for boats and RV's for the residents of the subdivision; the site plan shows for common green space, 49 lots, and the support space which is a standard plan for a starter subdivision; environmental studies have been submitted; LPG Beliveau reviewed initial traffic analysis has been conducted and reviewed by MPO and the evaluated roadways show support for project traffic; application is recommended for approval by City Land Planner and Staff.

Board member Crews has concern of improvements to Register Road and how it will be improved as County does not have the funds to improve; Board member Crews also would like the impervious ratio to be reduced to 30% due to size of proposed housing vs. size of lots; Board member Crews suggested moving to a motion to approve the proposed subdivision with an impermeable ratio of 30% per lot.

Board member Bradley commented to compromise at a 35% impervious ratio for the proposed subdivision.

Board member Crews recommended to approve a 35% impervious ratio as suggested by Board member Bradley.

LPG Beliveau commented on Board member Crews' comment the applicant meets open space requirements, the reduction would be per lot instead of the proposed being 40% be reduced to 30%.

Mr. Rick Hartenstein commented a 1500 sq ft maximum home could be built at a 37% impervious ratio, falling under the 40% proposal; if the ratio was reduced to 30% it limits the proposed housing to 900 sq ft resulting in a tiny home.

Chairwoman Bame addressed the audience if there were any public comments

The following City of Fruitland Park residents gave reasons of opposition:

Guy A. Mitchell, Unincorporated Lake County – concerned with impact to area and traffic congestion; Allison La'Chea Smith, Unincorporated Lake County – objects to traffic increase on Register Road; Freda C. Russell, Unincorporated Lake County - concerned with impact to area, traffic congestion and environmental issues

Chairwoman Bame called for any further comments; Chairwoman Bame called for motion

Motion by Board member Crews to approve Rezoning with a 35% impervious ratio. Second by Board member Bradley. Approved 3-0

**AUDIENCE COMMENTS:**

Clarification of the proposed Closing and Vacating a 50' Platted Right of Way

LPG Beliveau explained application and reason for requested vacating; tabled until next scheduled Planning & Zoning Board meeting due to absence of Board member Dicus and Board member Purlee and Board member Bradley disclosure of a conflict of interest.

**BOARD MEMBERS' COMMENTS:** No further comments

**ADJOURNMENT:** 7:12PM

DRAFT

**RESOLUTION 2018-015**

**A. RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ACCEPTING TITLE TO REAL PROPERTY BEING CONVEYED FROM THE SCHOOL BOARD OF LAKE COUNTY; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Fruitland Park has been utilizing a small piece of land owned by the School Board of Lake County as a community park; and

WHEREAS, the City desires to own in fee simple title to the real property; and

WHEREAS, the City Commission of the City of Fruitland Park, Florida finds that accepting title to the real property is beneficial to the City of Fruitland Park and its residents.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

Section 1. Title to the real property described in the Quit Claim Deed from the School Board of Lake County, a copy of which is attached hereto, is accepted.

Section 2. The Commission directs the City Manager to reflect ownership of the property in the City's records by adding the property to the City's list of assets and providing for said property to be included on the City's insurance policies, and any other such records.

Section 3. This resolution shall take effect immediately upon its final adoption by the City Commission of the City of Fruitland Park, Florida.

PASSED AND RESOLVED this \_\_\_\_ day of \_\_\_\_\_, 2018, by the City Commission of the City of Fruitland Park, Florida.

City of Fruitland Park

\_\_\_\_\_  
Chris Cheshire, Mayor

Attest:

\_\_\_\_\_  
Esther B. Coulson, City Clerk



Mayor Cheshire \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Vice Mayor Gunter \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Commissioner Lewis \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Commissioner Ranize \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Commissioner Bell \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)

Approved as to form and legality:

---

Anita Geraci-Carver, City Attorney

Rec 2.00  
St  
Sur  
ind

78 7505

This Quit-Claim Deed, Executed this 8 day of March A. D. 1978 by

THE SCHOOL BOARD OF LAKE COUNTY  
first party, to  
CITY OF FRUITLAND PARK, A Municipal Corporation

whose postoffice address is P.O. BOX 158  
FRUITLAND PARK, FLA. 32731

second party:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth, That the said first party, for and in consideration of the sum of **TEN AND NO/100 DOLLARS,** and other good and valuable in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of LAKE State of FLORIDA, to-wit:

DESCRIPTION NO. 1:

For a point of Reference begin at the SW corner of the SE 1/4 of Section 9, T.19 S, R. 24 E; thence N. 00° 35' 00" E, 1029.53 Feet along the West line of said SE 1/4; Thence Departing from said West Line Proceed S, 89° 28' 30" E, 26.51 Feet to the SW corner of Lot 5, Block 43, Town of Fruitland Park Thence N, 00° 18' 20" E, 875.44 Feet to P.O.B. No. 1.

From P.O.B. No. 1 proceed S 89° 51' 30" E, 250.03 Feet to the terminus. Described Line Being the centerline of a 20' perpetual easement for ingress, egress and Utilities.

DESCRIPTION NO. 2 - Fee Simple

For a Point of Reference Begin at the above described P.O.B. No. 1 proceed Thence N. 00° 18' 20" E, 10.00 Feet; Thence S, 89° 51' 30" E, 250.00 Feet along the South Line of Mirror Lake Manor as recorded P.B. 23, PG. 51 of the Public records of Lake County, Fla.

From P.O.B. No. 2, Continue along said South line S 89° 51' 30" E, 100.00 Feet; Thence S. 90° 08' 30" W, 125.00 Feet, Thence N 89° 51' 30" W, 100.00 Feet; Thence N, 00° 08' 30" E, 125.00 Feet to the P.O.B., Containing 0.287 Acres.

DESCRIPTION NO. 3:

For a point of Reference begin at the above described P.O.B. No. 2, proceed thence S, 89° 51' 30" E, 100.00 Feet along the South line of said Mirror Lake Manor; Thence S, 90° 08' 30" W, 10.00 Feet to P.O.B. No. 3.

From P.O.B. No. 3 proceed S, 89° 51' 30" E, 585.29 Feet; thence S, 30° 16' 00" E, 286.96 Feet to the terminus described line being the centerline of a 20' wide perpetual Utility Easement. If any of the above property ceases to be used by the Grantee over-

To Have and to Hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of: THE SCHOOL BOARD OF LAKE COUNTY

Juan L. McClelland  
Diana J. Misk

James R. Dunaway  
CHAIRMAN, James R. Dunaway  
Sam B. Commander  
SECRETARY, Sam B. Commander

STATE OF FLORIDA, FLORIDA  
COUNTY OF Lake

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared

JAMES R. DUNAWAY AND SAM B. COMMANDER to me known to be the person described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 8th day of March A. D. 1978.

Notary Public, State of Florida at Large  
My Commission Expires Nov. 7, 1981  
Bonded by American Fire & Casualty Company



This instrument prepared by: RICHARD O. SPRINGER

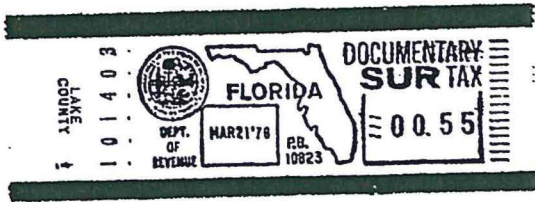
Address ATTY  
27 S. DEWEY ST.  
EUSTIS, FLA. 32726

MAR 21 11 01 AM '78

for Public Utility purposes and the Grantee so declares his intention, said property to revert to the Grantor.



10	7505	7.00	RC
1		.60	RC
002 <sup>2</sup>	1008	3/21/78	.55 RC
			8.15 TL



(CA)

To

Quit Claim Deed

RAMCO FORM B



WARRANTY DEED

Rec 6.00  
St 1.50  
Sur 1.00  
Cont 1.00

This Indenture, Made this 26<sup>th</sup> day of February, 1975,  
Between CLYDE ROGERS, joined by his wife, ESTHER ROGERS, GLENN  
ROGERS, joined by his wife, LOIS J. ROGERS, and REGENT R. WEBER,  
a woman, of the county of Lake, State of Florida, grantors,  
and THE SCHOOL BOARD OF LAKE COUNTY,  
whose post office address is 201 West Burleigh Boulevard, Tavares, Florida,  
grantee,

WITNESSETH, That said grantors, for and in consideration  
of the sum of TEN AND NO/100 DOLLARS, and other good and  
valuable considerations to said grantors in hand paid by  
said grantee, the receipt whereof is hereby acknowledged, have  
granted, bargained and sold to the said grantee, and grantee's  
heirs and assigns forever, the following described land,  
situate, lying and being in the County of Lake, State of Florida,  
to-wit:

From the SW corner of the SE 1/4 of Section 9, Township  
19 South, Range 24 East, Lake County, Florida, run  
North 0°35'00" E. along the West line of the SE 1/4 a  
distance of 1029.53 ft., thence South 89°28'30" E. 26.51  
ft. to the SW corner of Lot 5, Block 43, Town of Fruitland  
Park, Florida, and the Point of Beginning of this description;  
run thence North 0°18'20" E. 885.44 ft., thence South  
89°51'30" E. 941.02 ft., thence South 30°16'00" E.  
298.55 ft., thence North 89°51'30" W. 125.60 ft., thence  
South 0°30'10" W. 634.41 ft., thence N. 89°28'30" West  
965.10 ft., to the P.O.B., containing 20.00 acres.

and said grantors do hereby fully warrant the title to said  
land and will defend the same against the lawful claims of  
all persons whomsoever.

IN WITNESS WHEREOF, grantors have hereunto set grantors'  
hands and seals the day and year first above written.

Signed, sealed and delivered  
in our presence:

*Arthur E. Roberts*  
ARTHUR E. ROBERTS

*Imogene K. Merrill*  
As to Clyde Rogers and wife,  
Esther Rogers

*Clyde Rogers* (SEAL)  
CLYDE ROGERS

*Esther Rogers* (SEAL)  
ESTHER ROGERS

MAR 14 2 10 PM '75  
RECORDED AND INDEXED  
CLERK CIRCUIT COURT  
LAKE COUNTY, FLA.

Esther E. Roberts

Imogene K. Merrill  
As to Glenn Rogers and wife,  
Lois J. Rogers

Imogene K. Merrill  
Esther E. Roberts  
As to Regent R. Weber

Glenn Rogers (SEAL)  
GLENN ROGERS

Lois J. Rogers (SEAL)  
LOIS J. ROGERS

Regent R. Weber (SEAL)  
REGENT R. WEBER

STATE OF FLORIDA  
COUNTY OF LAKE

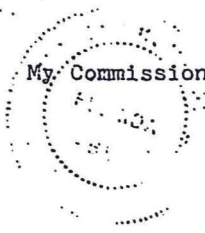
I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared CLYDE ROGERS and wife, ESTHER ROGERS; GLENN ROGERS and wife, LOIS J. ROGERS; and REGENT R. WEBER, to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 26<sup>th</sup> day of February, 1975.

Imogene K. Merrill  
Notary Public

Notary Public, State of Florida at Large  
My Commission Expires March 26, 1976  
Bonded by American Fire & Casualty Co.,

My Commission Expires:



LAKE COUNTY  
0 7 7 8 6 9



DOCUMENTARY SUR TAX  
68.00

37  
1 2 3 4 5 6 2

STATE OF FLORIDA  
DOCUMENTARY STAMP TAX  
DEPT. OF REVENUE  
180.00  
MARI 475  
10511



1  
2  
3 **RESOLUTION 2018-018**

4 **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY,**  
5 **FLORIDA; CLOSING AND VACATING A 50' PLATTED RIGHT OF WAY KNOWN AS HURST STREET,**  
6 **THE NORTH RIGHT OF WAY LINE ABUTTING THE SOUTH LINE OF LOTS 2, 3 AND 4, BLOCK 43,**  
7 **AND THE SOUTH RIGHT OF WAY LINE ABUTTING THE NORTH LINE OF LOTS 5, 6, AND 7, BLOCK**  
8 **43, AS RECORDED IN PLAT BOOK 3, PAGE 8, OF THE PUBLIC RECORDS OF LAKE COUNTY;**  
9 **PROVIDING FOR DIRECTION TO THE CITY CLERK TO INCLUDE RECORDATION; PROVIDING FOR**  
10 **AN EFFECTIVE DATE.**

11 **WHEREAS, the City Commission is empowered pursuant to §166.042, *Florida Statutes*, to vacate**  
12 **public rights of ways within its municipal boundaries; and**

13  
14 **WHEREAS, the Planning and Zoning Board has recommended approval of this resolution; and**

15  
16 **WHEREAS, the City of Fruitland Park finds and determines that there is no public necessity for**  
17 **retaining, now or in the future, the right of way lying within Block 43, known as Hurst Street as**  
18 **shown on Block 43, as recorded in Plat Book 3 , Page 8; and**

19  
20 **WHEREAS, the City of Fruitland Park, Florida, has determined that it is in the public interest to**  
21 **abandon the same as a right-of-way; and**

22  
23 **WHEREAS, this Resolution has been properly advertised in a newspaper of general circulation not**  
24 **less than two weeks prior to the City Commission public hearing on this Resolution and property**  
25 **owners within a 150 foot radius of the property were provided written notice delivered by U.S.**  
26 **Mail, Return Receipt Requested.**

27  
28 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF**  
29 **FRUITLAND PARK, FLORIDA, as follows:**

30  
31 **Section 1.** The petition for right of way vacation filed by The City of Fruitland Park for property,  
32 in the City of Fruitland Park, Florida more particularly described as follows:

33  
34 That 50 foot wide Right of Way as shown on the Plan of Fruitland Park as Recorded  
35 in Plat Book 3, Page 8, Public Records of Lake County, Florida; The said north Right of Way  
36 line abutting the South line of Lots 2, 3, and 4, Block 43, and the said South Right of Way  
37 line abutting the North line of Lots 5, 6, and 7, Block 43; Being bounded on the West by the  
38 Easterly Right of Way line for Olive Avenue as shown on said Plan of Fruitland Park and being  
39 bounded on the East by the Easterly line of that certain parcel of land in favor of the School  
40 Board of Lake County, Florida, as recorded in Official Records Book 584, Page 477, of the  
41 Public Records of Lake County, Florida as shown on **Exhibit A.**

42  
43 Is hereby granted and such right of way is accordingly closed and vacated.  
44

45 **Section 2:** Title to said vacated right-of-way shall vest in accordance with law.

46  
47 **Section 3:** Upon passage of this Resolution, the City Clerk is hereby directed to publish notice of  
48 adoption of this resolution one time, within 30 days following its adoption, in one issue of a  
49 newspaper of general circulation published in the county. The City Clerk is further directed to  
50 record in the public records of Lake County, Florida, the proof of publication of notice of public  
51 hearing, the resolution as adopted, and the proof of publication of the notice of the adoption of  
52 such resolution.

53  
54 **Section 4.** This Resolution shall become effective immediately upon passage by the City  
55 Commission of the City of Fruitland Park.

56  
57 **PASSED AND RESOLVED** in regular session of the City Commission of the City of Fruitland Park,  
58 Lake County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

59  
60 \_\_\_\_\_  
61 Chris Cheshire, Mayor  
62 City of Fruitland Park, Florida

63  
64  
65 ATTEST: Approved as to Form:  
66  
67  
68 \_\_\_\_\_  
69 Esther Coulson, CMC, City Clerk Anita Geraci-Carver, City Attorney

70  
71  
72  
73 Vice-Mayor Gunter \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
74 Commissioner Ranize \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
75 Commissioner Lewis \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
76 Commissioner Bell \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
77 Mayor Cheshire \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)

78  
79  
80  
81  
82  
83 Passed First Reading \_\_\_\_\_  
84 (SEAL)



# SKETCH OF DESCRIPTION

(NOT A FIELD SURVEY)

## DESCRIPTION:

THAT 50 FOOT WIDE ROAD RIGHT OF WAY AS SHOWN ON THE PLAN OF FRUITLAND PARK AS RECORDED IN PLAT BOOK 3, PAGE 8, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THE SAID NORTH RIGHT OF WAY LINE ABUTTING THE SOUTH LINE OF LOTS 2, 3 AND 4, BLOCK 43, AND THE SAID SOUTH RIGHT OF WAY LINE ABUTTING THE NORTH LINE OF LOTS 5, 6 AND 7, BLOCK 43; BEING BOUNDED ON THE WEST BY THE EASTERLY RIGHT OF WAY LINE FOR OLIVE AVENUE AS SHOWN ON SAID PLAN OF FRUITLAND PARK AND BEING BOUNDED ON THE EAST BY THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND IN FAVOR OF THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA, AS RECORDED IN OFFICIAL RECORDS BOOK 584, PAGE 477, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

## NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS THEY BEAR THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 24 EAST, AS BEING NORTH 00°35'00" EAST, PER DEED (ASSUMED MERIDIAN).
3. THE DESCRIPTION WAS PREPARED BY THIS FIRM AT THE CLIENT'S REQUEST AND IS BASED UPON INFORMATION PROVIDED.
4. THIS SKETCH MEETS ALL APPLICABLE REQUIREMENTS OF THE FLORIDA STANDARDS OF PRACTICE AS CONTAINED IN CHAPTER 5J-17.051 FAC.
5. THIS SKETCH WAS PREPARED FOR DESCRIPTION PURPOSES ONLY AND DOES NOT REPRESENT A FIELD SURVEY.
6. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/200 OR SMALLER.
7. HORIZONTAL DATUM SHOWN HEREON IS IN U.S. FEET.

## CERTIFIED TO:

CITY OF FRUITLAND PARK

*Jennings E. Griffin*      DATE: 05/26/18  
 JENNINGS E. GRIFFIN, PROFESSIONAL LAND SURVEYOR  
 FLORIDA REGISTRATION NO. 4486

<b>SHEET 1 OF 2</b>	
CLIENT	CITY OF FRUITLAND PARK
JOB NO.	081040.0049
ACAD FILE	Hurst Street Vacation
DATE	03-28-18      CHECKED BY: JEG
DRAWN BY:	JEG      FLD. BOOK:
REVISIONS	DATE

**SKETCH OF DESCRIPTION**

SECTION 9, TOWNSHIP 19 SOUTH, RANGE 24 EAST  
LAKE COUNTY, FLORIDA

**PLAN OF FRUITLAND PARK**  
**HURST STREET RIGHT OF WAY VACATION**

**B&B**

BEACH & BROS. SURVEYING & PLANNING, INC.

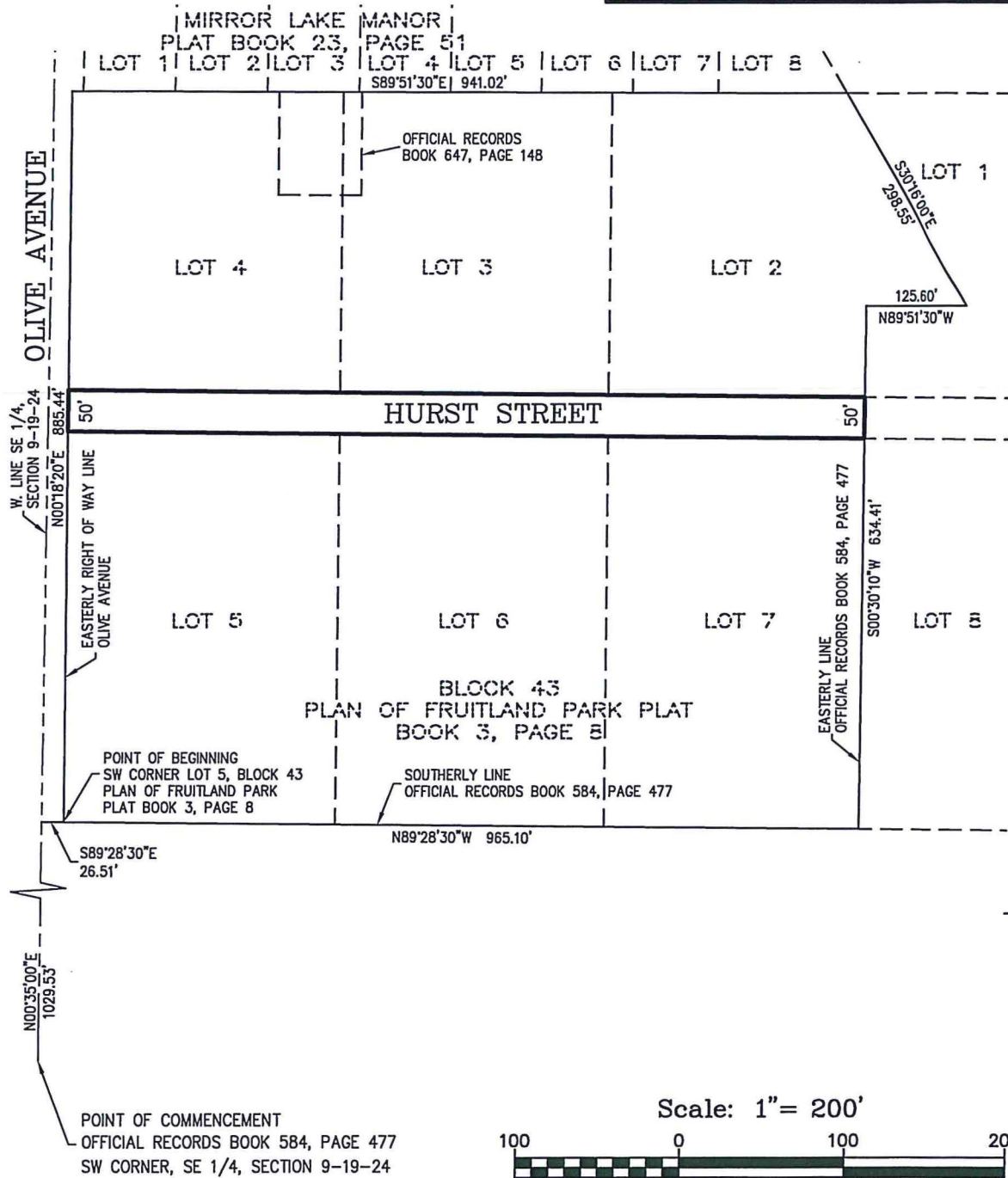
802 North Stockard Ave. Office 352-5418481  
Tallahassee, Florida 32378 Fax 352-5418400  
www.beachb.com

ENGINEERS SURVEYORS PLANNERS  
LICENSED BUSINESS 7914



# SKETCH OF DESCRIPTION

(NOT A FIELD SURVEY)



## LEGEND

LB LICENSED BUSINESS  
ID IDENTIFICATION

<b>SHEET 2 OF 2</b>	
CLIENT	CITY OF FRUITLAND PARK
JOB NO.	061040.0049
ACAD FILE	Hurst Street Vacation
DATE	03-25-18 CHECKED BY: JEG
DRAWN BY:	JEG FLD. BOOK:
REVISIONS	DATE

**SKETCH OF DESCRIPTION**

SECTION 9, TOWNSHIP 19 SOUTH, RANGE 24 EAST  
LAKE COUNTY, FLORIDA

**PLAN OF FRUITLAND PARK  
HURST STREET RIGHT OF WAY VACATION**

**SOUTH POINT SURVEYING & PLANNING, INC.**  
822 North Bridge Ave. Office 321.343.8841  
Tallahassee, Florida 32378 Fax 321.343.8840  
www.bsosch.com  
LICENSED SURVEYORS PLANNERS  
LICENSED BUSINESS 7514