



FRUITLAND PARK LOCAL PLANNING AGENCY MEETING
AGENDA (revised 06/28/18 – 3:00 p.m.)

June 28, 2018

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

6:15 p.m.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF MINUTES** (city clerk)
May 24, 2018

QUASI-JUDICIAL PUBLIC HEARING

4. **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 Lane - Urban Low to Commercial – Petitioner: James Phillips, Owner** (city attorney/city manager/community development)
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.
5. **Quasi-Judicial Public Hearing – Ordinance 2018-007 to Correct Ordinance 2016-025 – Rezoning - Petitioner: James Phillips, Owner** (city attorney/city manager/community development)
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.

END OF QUASI-JUDICIAL PUBLIC HEARING

6. **Resolution 2018-026 Granting a Variance LDRs Rule of Rear Setback – Petitioner: K Crispin** (city attorney/city manager/community development) (revised)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING A VARIANCE TO THE LAND DEVELOPMENT REGULATIONS (LDR) RULE OF REAR SETBACK FROM 10' TO 5' ON THE DESCRIBED PROPERTY LOCATED AT 102 W BERCKMAN STREET IN THE CITY OF FRUITLAND PARK, FLORIDA, OWNED BY KAREN CRISPIN, PROVIDING FOR AN EXPIRATION DATE AND PROVIDING FOR AN EFFECTIVE DATE.

7. **Resolution 2018-039 Site Plan Approval Multi-Purpose Building Construction – Petitioner: Village Park Campus of First Baptist Church Leesburg** (city attorney/city manager/community development) (revised)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING SITE PLAN APPROVAL FOR CONSTRUCTION OF A MULTI-PURPOSE BUILDING, A SANCTUARY, AN EDUCATION BUILDING, AND AN ADMINISTRATIVE BUILDING LOCATED ON CR466A IN FRUITLAND PARK, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

8. **First Reading - Resolution 2018-040 The Glen - Developer's Agreement Modification** (city attorney/city manager/community development) (revised)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE MODIFICATION OF DEVELOPER'S AGREEMENT FOR THE GLEN; PROVIDING FOR RECORDING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

9. **Resolution 2018-041 The Glen - Phase 10 Final Plat Approval - Petitioner: M. Moukhtara** (city attorney/city manager/community development)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING FINAL PLAT APPROVAL FOR PHASE 10 OF THE GLEN GENERALLY LOCATED; AND PROVIDING FOR AN EFFECTIVE DATE. Request to continue at the city attorney's request.

10. 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 Local Planning Agency 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 Local Planning Agency. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the Local Planning Agency addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

11. OTHER BUSINESS

12. 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. 1

FRUITLAND PARK LOCAL PLANNING AGENCY MEETING MINUTES
May 24, 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, May 24, 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; Captain Eric Luce, Executive Secretary Karen McKillips, Police Department; Interim Fire Chief Don Gilpin, Deputy Chief Tim Yoder, Lieutenant Michael Howard, and Firefighter Pablo Echevarria, Fire Department; Community Development Director Tracy Kelley, Administrative Assistant Kelly Turner; Human Resources Director Diane Kolcun; and City Clerk Esther B. Coulson.

1. CALL TO ORDER

Mayor Cheshire called the meeting to order at 6:04 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 March 22 and April 26, 2018 LPA minutes as submitted.

4. Resolution 2018-015 Title to Real Property – Lake County School Board

Ms. Geraci-Carver read into the record the title of proposed Resolution 2018-015, the substance of which is as follows:

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.

Mr. La Venia gave a background of the subject item and recalled the matter appearing before the city commission at its September 11, 2014 regular meeting.

On motion Commissioner Ranize, seconded by Commissioner Lewis and unanimously carried, the LPA approved recommending the approval of Resolution 2018-015 as previously cited to the city commission.

PUBLIC HEARING

5. Resolution 2018-018 Closing and Vacating 50' Platted ROW – Hurst Street

It now being the time advertised to hold a public hearing to consider the adoption of proposed Resolution 2018-018, Ms. Geraci-Carver read the following title and Mayor Cheshire called for interested parties to be heard:

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.

On motion of Commissioner Ranize, seconded by Commissioner Bell and unanimously carried, the LPA recommended the approval of Resolution 2018-018 as previously cited.

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

6. NEW BUSINESS

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

7. PUBLIC COMMENTS

There was no one from the public to appear before the LPA at this time.

8. ADJOURNMENT

The meeting adjourned at 6:08 p.m.

The LPA minutes were approved at the June 28, 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

Board Members: Connie Bame, Chairwoman Colin Crews Daniel Dicus Philip Purlee Tom Bradley	Others: Greg Beliveau, LPG Tracy Kelley, CDD Kelly Turner, Administrative Assistant
-----------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------

**REVISED AGENDA
PLANNING & ZONING BOARD
JUNE 21, 2018
6:00PM**

- I. INVOCATION:**
- II. ROLL CALL:**
- III. MINUTES FROM PREVIOUS MEETING: Approve meeting minutes from May 17, 2018.**
- IV. OLD BUSINESS: None**
- V. NEW BUSINESS:**
- A. 2018-006 An Ordinance Correcting A Scrivener's Error** (James Phillips ALT Key #2515490)
 - a. Correcting the legal description of Ordinance 2016-023
 - B. 2018-007 An Ordinance Correcting A Scrivener's Error**
 - a. Correcting the legal description of Ordinance 2016-025
 - C. Resolution 2018-026 Granting a Variance to the LDR's Rule of Rear Setback**
 - a. Applicant Karen Crispin seeking rear setback variance for accessory storage building from 10' to 5'
 - D. Village Park Campus of First Baptist Church of Leesburg Major Site Plan**
 - a. Application for Phases 1 & 2 with associated parking and storm management system to include a variance from Section 162.060 – a.3.C.ii – the 2 foot grass overhang requirement for the 163 vehicle parking spaces that adjoin the sidewalk
 - E. The Glen – Modification of Developer's Agreement for The Glen with PH 10 Final Plat**
 - a. Applicant Michel Moukhtara – A.A. Moukhtara Company is requesting approval of Modification of Developer's Agreement for The Glen with final plat approval for Phase 10 of The Glen Subdivision currently under construction

BOARD MEMBERS' COMMENTS:

ADJOURNMENT:



506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731

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

Board Members: Connie Bame, Chairwoman Colin Crews Daniel Dicus Philip Purlee Tom Bradley	Others: Tracy Kelley, CDD Kelly Turner, Administrative Assistant
-----------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------

MINUTES
PLANNING & ZONING BOARD
May 17, 2018
6:00PM

- I. **INVOCATION:** Chairwoman Bame called the meeting to order at 6:00 P.M. and led the pledge of allegiance. Board member Tom Bradley gave the invocation.
- II. **ROLL CALL:** All board members present. Present Director Kelley and Assistant Turner.
- III. **MINUTES FROM PREVIOUS MEETING:** Motion to approve April 19, 2018 meeting minutes by Philip Purlee. Second by Board member Bradley. Approved 5-0.
- 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.
- Chairwoman Bame introduced Resolution 2018-015 Accepting Title of Real Property. Board member Bradley previously disclosed a conflict of interest and abstained from voting; will file Form 8B with City Clerk. A motion to accept the Title by Board member Purlee. Second by Board member Crews. Approved 4-0.
- 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.
- Chairwoman Bame introduced Resolution 2018-018 Closing and Vacating a 50’ Platted Right of Way. Again, Board member Bradley previously disclosed a conflict of interest and abstained from voting. A motion to approve by Board member Dicus. Second by Board member Crews. Approved 4-0.
- V. **NEW BUSINESS:**
- None

PUBLIC COMMENTS: None

BOARD MEMBERS' COMMENTS: Board member Dicus addressed the Board and apologized for being absent from last month's meeting.

ADJOURNMENT: 6:04 PM

DRAFT

ORDINANCE 2018 – 006

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.

WHEREAS, the City of Fruitland Park desires to correct a scrivener's error in the legal description contained in Ordinance 2016-023 which assigned a City future land use designation to the property; and

WHEREAS, a petition has been received from Charles Johnson as applicant on behalf of James Phillips as Owner, requesting that real property within the city limits of the City of Fruitland Park be assigned a land use designation of "Commercial" 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 the City of Fruitland Park, Florida, as follows:

Section 1: The scrivener's error in the legal description in Ordinance 2016-023 is corrected. The following described property consisting of approximately 1.0 ± acres generally located north of CR 466A and west of Timbertop Lane and more particularly described as follows:

LEGAL DESCRIPTION: From the Northwest corner of the Northeast ¼ of the Southeast ¼ of Section 6, Township 19 South, Range 24 East, in Lake County, Florida, run South 00°45'20" West along the West line of the Northeast ¼ of the Southeast ¼ a distance of 399.55 feet; thence South 89°07'10" East 90.26 feet to the Point of Beginning; thence continue South 89°07'10" East 202.0 feet; thence South 00°45'20" West 215.65 feet to the Point of Beginning.

Parcel Alternate Key No. 2515490

shall be assigned a land use designation of Commercial under the City of Fruitland Park Comprehensive Plan as depicted on the map attached hereto as Exhibit "A" 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: The City Manager or his designee, after passage of this Ordinance, is hereby directed to indicate the changes adopted in this Ordinance and to reflect the same on the Comprehensive Land Use Plan Map of the City of Fruitland Park.

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: 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.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2018.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Esther Coulson, CMC, City Clerk

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

First Reading _____
Second Reading _____

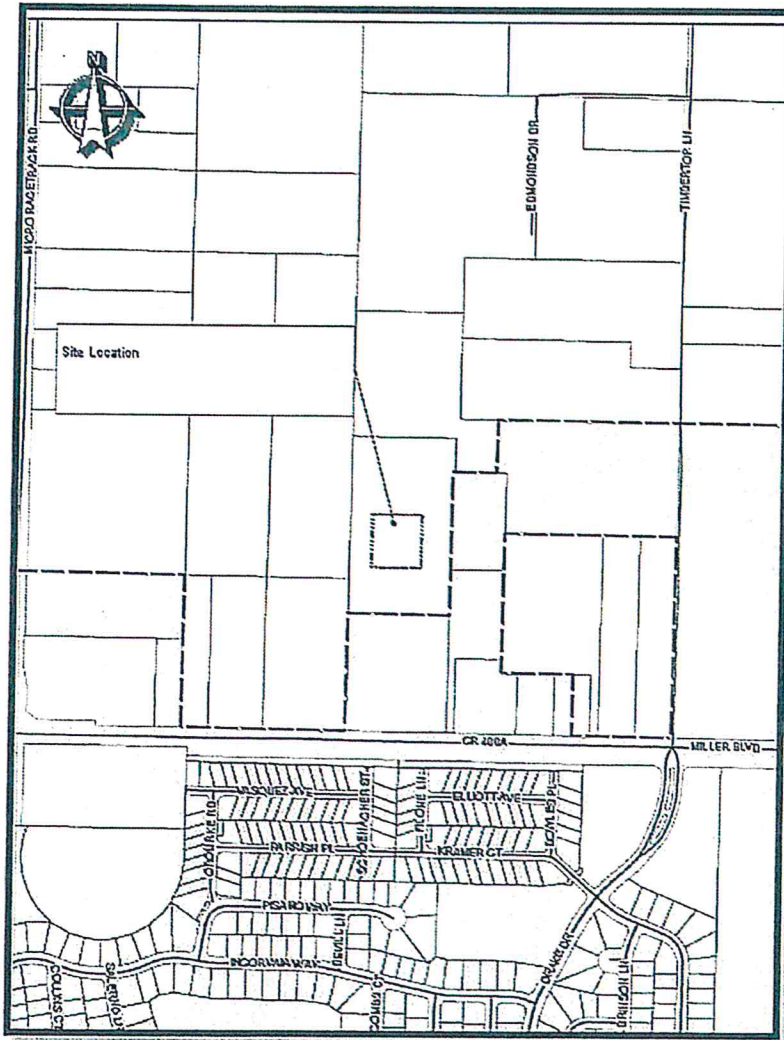
Approved as to Form:

Anita Geraci-Carver, City Attorney

EXHIBIT A
MAP DEPICTING PROPERTY AND FLU DESIGNATION

Legal Description: From the Northwest corner of the Northeast ¼ of the Southeast ¼ of Section 6, Township 19 South, Range 24 East, in Lake County, Florida, run South 00°45'20" West along the West line of the Northeast ¼ of the Southeast ¼ a distance of 399.55 feet; thence South 89°07'10" East 90.26 feet to the Point of Beginning; thence continue South 89°07'10" East 202.0 feet; thence South 00°45'20" West 215.65 feet to the Point of Beginning.

Parcel Alternate Key No. 2515490



ORDINANCE 2018 – 007

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.

WHEREAS, the City of Fruitland Park desires to correct a scrivener’s error in the legal description contained in Ordinance 2016-025 which rezoned the property from a County zoning designation to a City zoning designation; and

WHEREAS, a petition has been submitted by Charles Johnson as applicant, on behalf of James Phillips Owner, requesting that approximately 1.0 acres of real property generally located north of CR 466A and west of Timbertop Lane (the “Property”) be rezoned from Lake County Agriculture (AG) to General Commercial (C-2) within the city limits of Fruitland Park; and

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

WHEREAS, the required notice of the proposed rezoning has been properly published; and

WHEREAS, the City Commission reviewed said petition, 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 scrivener’s error in the legal description in Ordinance 2016-025 is corrected. The following described property consisting of approximately 1.0 ± acres of land generally located north of CR 466A and west of Timbertop Lane shall hereafter be designated as C-2, General Commercial, as defined in the Fruitland Park Land Development Regulations. The property is more particularly described as:

LEGAL DESCRIPTION: From the Northwest corner of the Northeast ¼ of the Southeast ¼ of Section 6, Township 19 South, Range 24 East, in Lake County, Florida, run South 00°45’20” West along the West line of the Northeast ¼ of the Southeast ¼ a distance of 399.55 feet; thence South 89°07’10” East 90.26 feet to the Point of Beginning; thence continue South 89°07’10” East 202.0 feet; thence South 00°45’20” West 215.65 feet to the Point of Beginning.

Parcel Alternate Key No. 2515490

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

Section 6. This Ordinance shall become effective immediately upon the effective date of the comprehensive plan amendment for the subject property. 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 _____, 2018.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

Attest:

Approved as to form and legality:

Esther B. Coulson, City Clerk

Anita Geraci-Carver, City Attorney

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

First Reading April 26, 2018f

Second Reading _____



MICRO RACETRACK RD

EDMONDSON DR

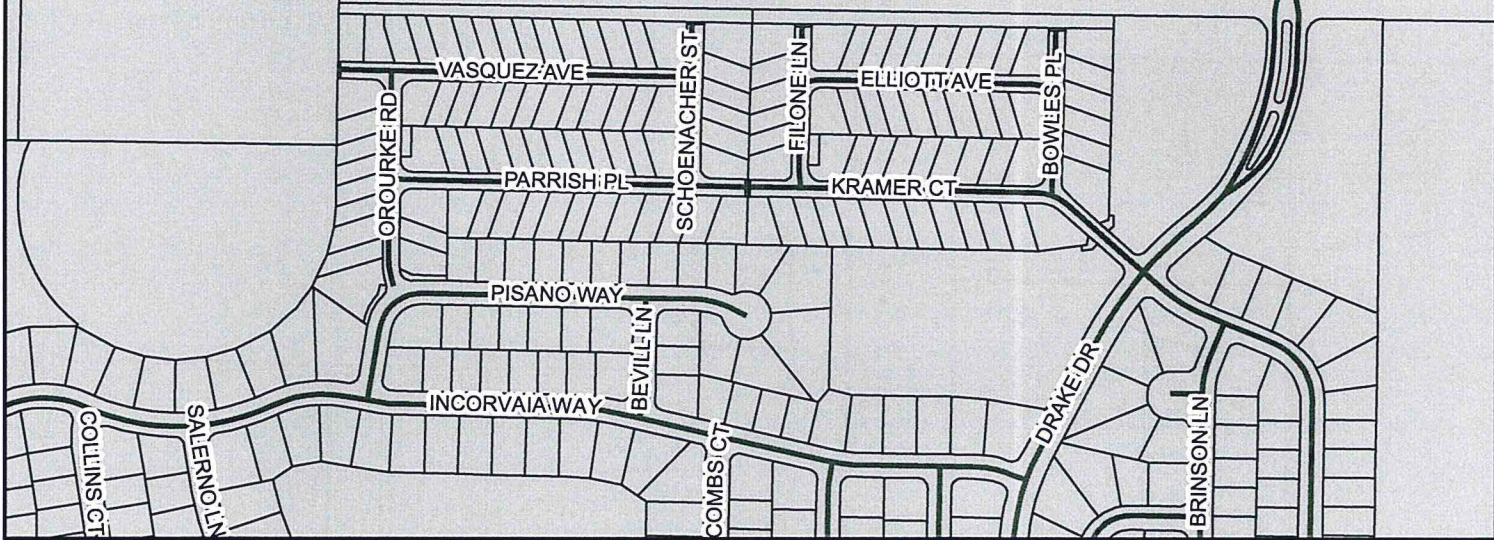
TIMBERTOP LN

Site Location
Existing Zoning: Lake County - Agriculture
Proposed Zoning: Fruitland Park - C-2



CR 466A

MILLER BLVD



RESOLUTION 2018-026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING A VARIANCE TO THE LAND DEVELOPMENT REGULATIONS (LDR) RULE OF REAR SETBACK FROM 10' TO 5' ON THE DESCRIBED PROPERTY LOCATED AT 102 W BERCKMAN STREET IN THE CITY OF FRUITLAND PARK, FLORIDA, OWNED BY KAREN CRISPIN, PROVIDING FOR AN EXPIRATION DATE, PROVIDING FOR SCRIVENER'S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Karen Crispin, has petitioned for a variance for the property located on Berckman Street, in the City of Fruitland Park, Florida; and

WHEREAS, the owner desires to request a variance from the City of Fruitland Park requirement pertaining to the minimum rear setback for non-residential storage buildings;

WHEREAS, to accommodate the existing lot of record a variance from the rear setback requirements contained in the City of Fruitland Park's Land Development Regulations is required; and

WHEREAS, the owner requests a variance to the following LDR requirements:

- Chapter 156, Section 156.040(a) setback requirements for non-residential storage buildings

WHEREAS, the City Commission has considered the petition in accordance with standards for the granting of variances contained in Chapter 168, City of Fruitland Park Land Development Regulations,

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

1. The petition for variance filed by Karen Crispin for property located on Berckman Street, in the City of Fruitland Park, Florida, more particularly described as:

LEGAL DESCRIPTION:

Lot 27, Block 16, according to a map supplementary to the Map of F.H., Whitney's Subdivision of BLKs 3, 13, 16 and 23 in Fruitland Park Florida, according to the plat thereof recorded in Plat Book 4, Page 13, Public Records of Lake County, Florida.

is granted as follows:

1. A variance to Chapter 156, Section 156.040(a) setback requirements for non-residential storage buildings from 10' rear setback to 5' rear setback.
2. If the variance has not been utilized within two (2) years of being granted it shall expire.
3. Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original resolution or a certified copy of the resolution and attaching the correct legal description.
4. This variance shall become effective immediately on its approval and adoption by the City Commission of the City of Fruitland Park, Florida.

PASSED AND ADOPTED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2018.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

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

Passed First Reading _____

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

VARIANCE

Owner: Karen Crispin

General Location: Northside of Berckman and west of Dixie Ave.

Number of Acres: 0.18 ± acres

Existing Zoning: Neighborhood Commercial (C-1)

Existing Land Use: Central Business District Mixed Use

Date: May 7, 2018

Description of Project

Seeking variance from setback for accessory storage building from 10' to 5'. The land use allows up to an 80% maximum ISR. The existing ISR of the site is 4,567 (56%).

Assessment

The subject site is a lot of record which was platted in 1921 and is considered a non-conforming lot with a non-conforming structure which was constructed in 1990 according to the Lake County property record card. Pursuant to the LDRs the minimum lot size in C-1 is 15,000 square foot with 125' of frontage. The subject site is 8,100 square feet with 80.5' of frontage on Berkman and 100' of frontage on N. Iona Ave. C-1 requires a front setback of 30' and the subject site has a front setback of 25'.

There is an existing secure fenced in area (24' x 24.9') in the rear of the site, adjacent to the building where the proposed 8' x 16' storage unit will be placed. In order to maintain a 10' setback it would leave approximately 6.9' between the building and the shed. Within this 6.9' area is an a/c unit of approximately 3.4' and a 3' step thus leaving very little room between the storage building and rear steps and a/c. In order to comply with fire separation standards, a minimum of 10' between the building and storage unit is required. Although the applicant could extend the fenced area to the west to comply with the setback requirements and meet fire code, it would impede into the parking lot thus reducing the number of parking spaces.

Chapter 168, Section 168.010 (f) identifies the review criteria in regards to variances as follows:

- 1) Special conditions and circumstances exist which are peculiar to the land, structure or buildings involved, and which are not applicable to other lands, structures or buildings in the same zoning district;**

The existing lot is non-conforming within the C-1 district and a typical lot would be 125' x 120' thus providing sufficient area to maintain a 10' setback for storage sheds and meet fire codes. The subject lot is 80.5' x 100' and placement of the storage shed within the existing secured area would not allow sufficient room to meet fire standards, maneuver furniture in and out of the shed due to the existing steps and a/c unit.

- 2) Special conditions and circumstances are not the result of actions of the applicant;**

The current property owner/applicant did not create the lot or non-conformity.

- 3) Literal interpretation and enforcement of the Development Code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Development Code, and would work unnecessary and undue hardship on the applicant;**

The Land Development Codes allows for commercially zoned properties to have accessory structures such as storage buildings. Enforcing the 10' setback would create other safety issues such as fire separation and maneuvering furniture in and out of the storage unit. In addition, should the fenced in area be expanded to the west it would impede into the parking lot thus adversely affecting the number of parking spaces required.

- 4) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;**

The 5' setback variance is the minimum variance necessary to make the possible the reasonable use of the land.

- 5) Granting of the variance request will not confer on the applicant any special privilege that is denied by the Development Code to other lands, buildings or structures in the same zoning district; and**

No special privilege would be conferred upon the applicant by the granting of the variance.

- 6) The granting of the variance will be in harmony with the general intent and purpose of the Land Development Code, and will not be injurious to the surrounding properties or detrimental to the public welfare.**

Granting of the variance would still achieve the overall purpose of the setbacks which are generally intended to promote light, air, ventilation, allow for road widening, and prevent overcrowding. Allowing the placement of the storage shed at 5' from the rear property line would not impede the overall purpose of setbacks. No diminution of property values would result in granting of the variance to surrounding properties.

Recommendation

Staff recommends that the variance be issued to allow placement of the storage shed with a rear setback of 5'.

DRAFT

RESOLUTION 2018-039

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING SITE PLAN APPROVAL FOR CONSTRUCTION OF A MULTI-PURPOSE BUILDING, A SANCTUARY, AN EDUCATION BUILDING, AND AN ADMINISTRATIVE BUILDING LOCATED ON CR466A IN FRUITLAND PARK, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property owned by First Baptist Church of Leesburg, Inc. (Parcel No. 05-19-00030000) consists of 205 +/- acres and is zoned PUD – Mixed Use (the “Property”); and

WHEREAS, the applicant has petitioned for site plan approval of Phase I to construct on 7.40 +/- acres of the Property a multi-purpose building, a sanctuary, an education building, an administrative building and associated required parking; and

WHEREAS, the Planning and Zoning Board and the City Commission of the City of Fruitland Park have considered the application in accordance with the procedures for granting Site Plan Approval set forth in Chapter 160 of the City of Fruitland Park Land Development Code;

WHEREAS, the Planning and Zoning Board on June 21, 2018 recommended approval of the Site Plan;

WHEREAS, the City Commission finds that the Site Plan is in compliance with the City’s land development regulations.

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

Section 1. Granting of Site Plan Approval.

Approval of the Phase I Site Plan, a copy of which is attached hereto, for the real property described herein is **GRANTED**.

LEGAL DESCRIPTION:

Section 2. 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 28th day of June 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)

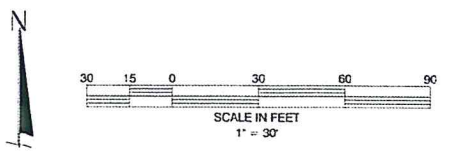
Approved as to form and legality:

Anita Geraci-Carver, City Attorney

- LIGHT KEY**
- SHOEBOX LIGHT: MCGRAW-EDISON DOUBLE/SINGLE GALLEON LED, GLEON-AF-08-LED-E1-T3-BK, 8-BAR LED, 1,000-HA DRIVER, 3000K, T3 DISTRIBUTION: 27 MOUNTING HT, ROUND, BLACK, TAPERED MEDIUM DUTY, STRESSCRETE POLE
 - ADD HOUSE SIDE SHIELD TO SPECIFIC FIXTURES INDICATED ON THE PLAN (GLEON-AF-08-LED-E1-T3-DH-1529)
 - SHOEBOX LIGHT: MCGRAW-EDISON SINGLE AND QUAD GALLEON LED, GLEON-AF-01-LED-E1-T3-BK, 1-BAR LED, 600-HA DRIVER, 3000K, T2 DISTRIBUTION: 12 MOUNTING HT, ROUND, BLACK, TAPERED LIGHT DUTY, STRESSCRETE POLE

- BUILDING SETBACKS**
- 20 FT FRONT
 - 5 FT SIDES
 - 20 FT REAR
- NOTICE TO CONTRACTOR**
1. BEFORE DIGGING IT IS THE CONTRACTOR'S RESPONSIBILITY TO HAVE UNDERGROUND UTILITIES LOCATED FOR PROTECTION, SO AS NOT TO DISTURB ANY UTILITIES REMAINING ON AND OFF SITE

- NOTES:**
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ANY EXISTING UTILITIES IN CONFLICT WITH THIS PROPOSED SITE PLAN, AND TO COORDINATE RELOCATION WITH RESPECTIVE UTILITY PROVIDERS
 - ALL RADIUS ARE 5' UNLESS INDICATED OTHERWISE
 - ALL DIMENSION SHOWN ARE TO EOP UNLESS INDICATED OTHERWISE
 - ALL TRAFFIC CONTROL SIGNS SHALL BE IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES
 - ALL TRAFFIC FLOW ARROWS, STOP BARS AND TRAFFIC SEPARATION CENTERLINES SHALL BE LEAD FREE PAINT
 - REFUSE DISPOSAL PROVIDED BY ON-SITE DUMPSTER
 - ALL HANDICAP ACCESSIBLE SIDEWALK ROUTES AND ALL SITE SIDEWALKS ARE NOT TO EXCEED A 2.0% MAXIMUM CROSS SLOPE WITH A MAXIMUM RUN SLOPE OF 5/8" NOT TO EXCEED 12' WITHOUT THE ADDITION OF HANDICAP HANDRAIL SYSTEM ALONG THE WALK PATH IN AREA OF MAX. SLOPE (GREATER THAN 5% BUT LESS THAN 12% IF DURING FINAL BUILDING CERTIFICATION ANY OF THESE AREAS ARE FOUND EXCEEDING ACCESSIBILITY LIMITS (MAXIMUM 2.0% CROSS SLOPE) FOR CERTIFICATE OF OCCUPANCY IT SHALL BE THE RESPONSIBILITY OF THE SITE CONTRACTOR TO REMOVE AND REPLACE ALL AREAS FOUND TO BE UNACCEPTABLE BY INSPECTOR THIS WORK SHALL BE COMPLETED WITH NO ADDITIONAL COST TO OWNER AND/OR DESIGNER
 - CONSTRUCT SIDEWALK WIDTHS AS NOTED, 4" THICK, 3,000 PSI CONCRETE WITH BROOM FINISH (TYP.)



SITE DATA

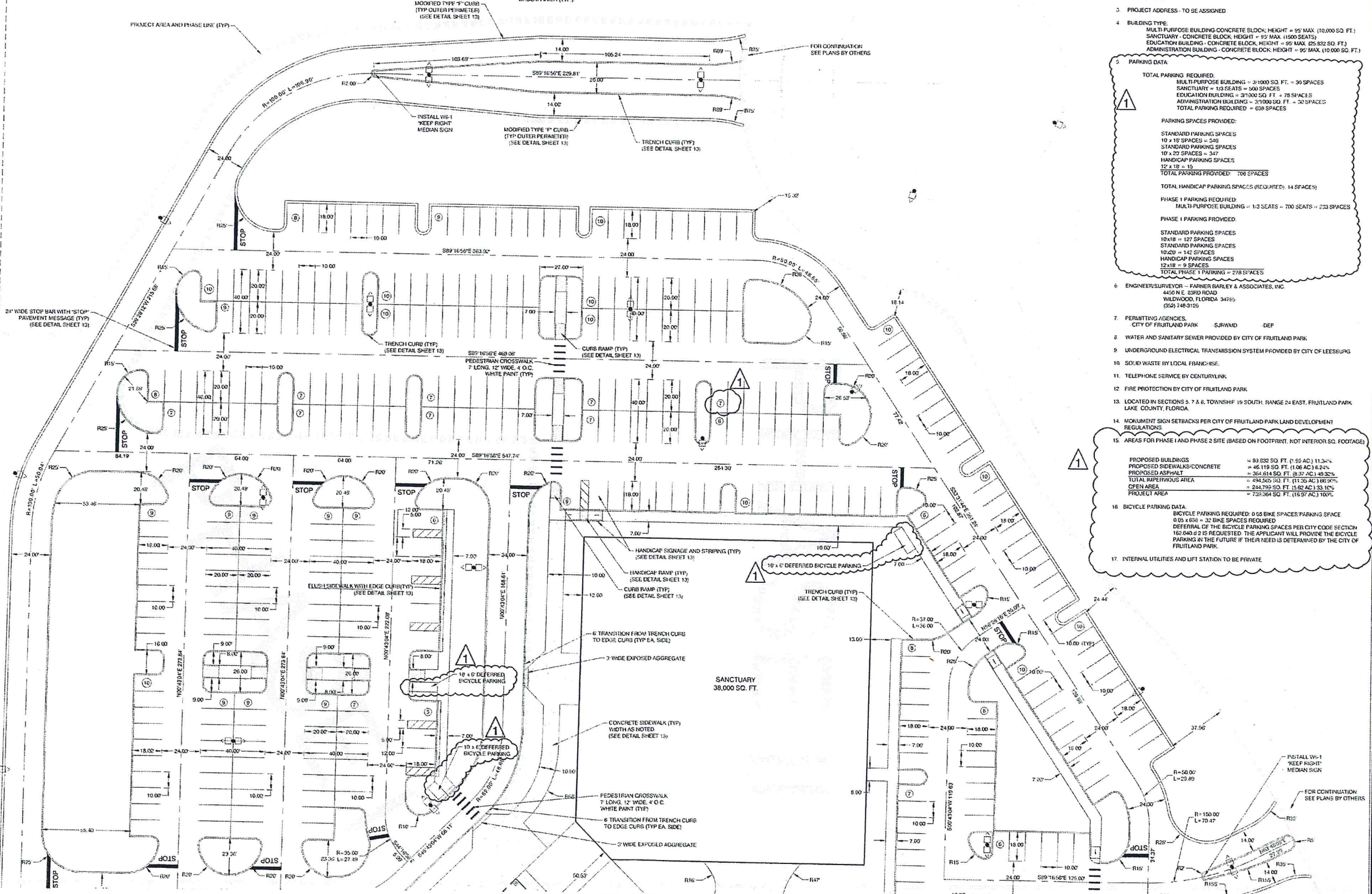
- TOTAL AREA = 295.76 AC (19,922,956 SQ. FT.)
PROJECT AREA = PHASE 1 = 7.40 AC (322,246 SQ. FT.)
PHASE 2 = 9.57 AC (417,118 SQ. FT.)
- ZONING = PUD
- PROJECT ADDRESS - TO BE ASSIGNED
- BUILDING TYPE:
MULTI-PURPOSE BUILDING - CONCRETE BLOCK, HEIGHT = 95' MAX, (10,000 SQ. FT.)
SANCTUARY - CONCRETE BLOCK, HEIGHT = 95' MAX, (500 SEATS)
EDUCATION BUILDING - CONCRETE BLOCK, HEIGHT = 95' MAX, (25,832 SQ. FT.)
ADMINISTRATION BUILDING - CONCRETE BLOCK, HEIGHT = 95' MAX, (10,000 SQ. FT.)

- PARKING DATA**
- TOTAL PARKING REQUIRED:
MULTI-PURPOSE BUILDING = 31,000 SQ. FT. = 30 SPACES
SANCTUARY = 10 SEATS = 500 SPACES
EDUCATION BUILDING = 25,832 SQ. FT. = 78 SPACES
ADMINISTRATION BUILDING = 31,000 SQ. FT. = 30 SPACES
TOTAL PARKING REQUIRED = 638 SPACES
- PARKING SPACES PROVIDED:
STANDARD PARKING SPACES
10 x 18 SPACES = 248
STANDARD PARKING SPACES
10 x 20 SPACES = 347
HANDICAP PARKING SPACES
12 x 18 = 15
TOTAL PARKING PROVIDED = 708 SPACES
- TOTAL HANDICAP PARKING SPACES (REQUIRED) = 14 SPACES
- PHASE 1 PARKING REQUIRED:
MULTI-PURPOSE BUILDING = 1/3 SEATS = 700 SEATS = 233 SPACES
- PHASE 1 PARKING PROVIDED:
STANDARD PARKING SPACES
10 x 18 = 127 SPACES
STANDARD PARKING SPACES
10 x 20 = 145 SPACES
HANDICAP PARKING SPACES
12 x 18 = 9 SPACES
TOTAL PHASE 1 PARKING = 278 SPACES

- ENGINEER/SURVEYOR - FARNER BARLEY & ASSOCIATES, INC.
4450 N.E. 83RD ROAD
WILDLAND, FLORIDA 34765
(352) 748-3150
- PERMITTING AGENCIES:
CITY OF FRUITLAND PARK - SJRWMD - DEP
- WATER AND SANITARY SEWER PROVIDED BY CITY OF FRUITLAND PARK
- UNDERGROUND ELECTRICAL TRANSMISSION SYSTEM PROVIDED BY CITY OF LEESBURG
- SOLID WASTE BY LOCAL FRANCHISE
- TELEPHONE SERVICE BY CENTURYLINK
- FIRE PROTECTION BY CITY OF FRUITLAND PARK
- LOCATED IN SECTIONS 5, 7 & 8, TOWNSHIP 19 SOUTH, RANGE 24 EAST, FRUITLAND PARK, LAKE COUNTY, FLORIDA
- MONUMENT SIGN SETBACKS PER CITY OF FRUITLAND PARK LAND DEVELOPMENT REGULATIONS
- AREAS FOR PHASE 1 AND PHASE 2 SITE (BASED ON FOOTPRINT, NOT INTERIOR SQ. FOOTAGE)

16. BICYCLE PARKING DATA:
BICYCLE PARKING REQUIRED: 0.65 BIKE SPACES/PARKING SPACE
0.65 x 638 = 32 BIKE SPACES REQUIRED
DEFERRAL OF THE BICYCLE PARKING SPACES PER CITY CODE SECTION 16-040 B.2 IS REQUESTED. THE APPLICANT WILL PROVIDE THE BICYCLE PARKING IN THE FUTURE IF THEIR NEED IS DETERMINED BY THE CITY OF FRUITLAND PARK.

- INTERNAL UTILITIES AND LIFT STATION TO BE PRIVATE



MATCHLINE SEE SHEET 07 FOR CONTINUATION

DATE: 4/27/18
DRAWN BY: BRP
CHKD BY: JAH
FILE NAME: 005_vp_ibc.sbe
JOB NO.: 160644-0000

Jeffrey A. Head, State of Florida, Professional Engineer, License No. 28026. This item has been electronically signed and sealed by Jeffrey A. Head, P.E., on May 1, 2018 using a SHA-1 authentication code. Printed copies of this document are not considered signed and sealed, and the SHA-1 authentication code must be verified on any electronic copies.

SHT. 06 OF 18

NOTICE OF SITE PLAN APPROVAL

TO: First Baptist Church of Leesburg Inc., Owner
220 North 13 Street
Leesburg FL 32748

You are hereby notified that site plan approval has been given for the following described property lying wholly within the city limits of the City of Fruitland Park:

FROM NW COR OF SEC 8-19-24 RUN S 89-39-50 E 200 FT FOR POB, RUN S 0-47-54 W 1184.03 FT TO N LINE OF S 160 FT OF NW 1/4 OF NW 1/4 OF SAID SEC 8, S 89-40-49 E 611.54 FT, S 0-46-30 W 425.68 FT, S 31-15-56 W 733.08 FT, S 0-47-54 W 35.45 FT, S 43-54-50 E 75.41 FT, S 49-19-38 E 80.87 FT, S 45-31-17 E 45.42 FT, S 57-57-35 E 31.06 FT, S 27-16-42 E 46.23 FT, S 36-0-06 E 62.89 FT, S 26-28-20 E 49.91 FT, S 32-28-21 E 80.27 FT, S 29-57-55 E 60.93 FT, S 75-47-10 E 99.18 FT, S 07-22-59 E 55.03 FT, S 04-58-53 E 28.31 FT, S 03-51-23 E 57.52 FT, S 03-23-32 W 15.26 FT, S 75-48-45 W 38.64 FT, S 12-05-0 W 92.40 FT, S 24-08-42 W 41.93 FT, S 11-20-47 W 21.80 FT, S 0-21-45 W 90.73 FT, S 40-46-06 W 53.01 FT, S 53-05-55 W 104.34 FT, S 49-53-36 W 70.59 FT, S 48-18-47 W 37.84 FT, S 61-43-23 W 48.54 FT, S 62-49-12 W 50.56 FT, S 59-14-26 W 52.64 FT, S 70-58-32 W 38.87 FT, S 35-38-27 W 2364.05 FT TO S LINE OF SE 1/4 OF SEC 7-19-24, S 89-06-25 E 914.79 FT TO SW COR OF SW 1/4 OF SEC 8, CONT S 89-14-24 E 1330.47 FT TO E LINE OF W 1/4 OF SEC 8, N 0-42-44 E 2636.42 FT, N 0-46-31 E 1343.41 FT TO SW COR OF NE 1/4 OF NW 1/4 OF SEC 8, S 89-40-49 E 1331.19 FT TO SE COR OF NE 1/4 OF NW 1/4, N 0-44-42 E 1343.27 FT TO NE COR OF NE 1/4 OF NW 1/4, N 89-39-42 W 1330.49 FT TO SE COR OF SW 1/4 OF SW 1/4 OF SEC 5-19-24, N 0-34-38 E 1263.10 FT TO S'LY R/W LINE OF CR 466-A, N 89-14-18 W ALONG SAID S'LY R/W LINE 1122.82 FT TO E LINE OF W 200 FT OF SW 1/4 OF SW 1/4 OF SEC 5, S 0-56-55 W 1271.51 FT TO POB--LESS E 10 FT OF W 210 FT OF SW 1/4 OF SW 1/4 LYING S OF CR 466-A OF SEC 4 & LESS N 595 FT OF E 10 FT OF W 210 FT OF NW 1/4 OF NW 1/4 OF SEC 8, ALL BEING IN SECS 5, 7, & 8-19-24

Under penalty of law, the above-referenced property may not be subdivided or split without the express written approval of the City Commission of the City of Fruitland Park.

Chris Cheshire, Mayor
City of Fruitland Park

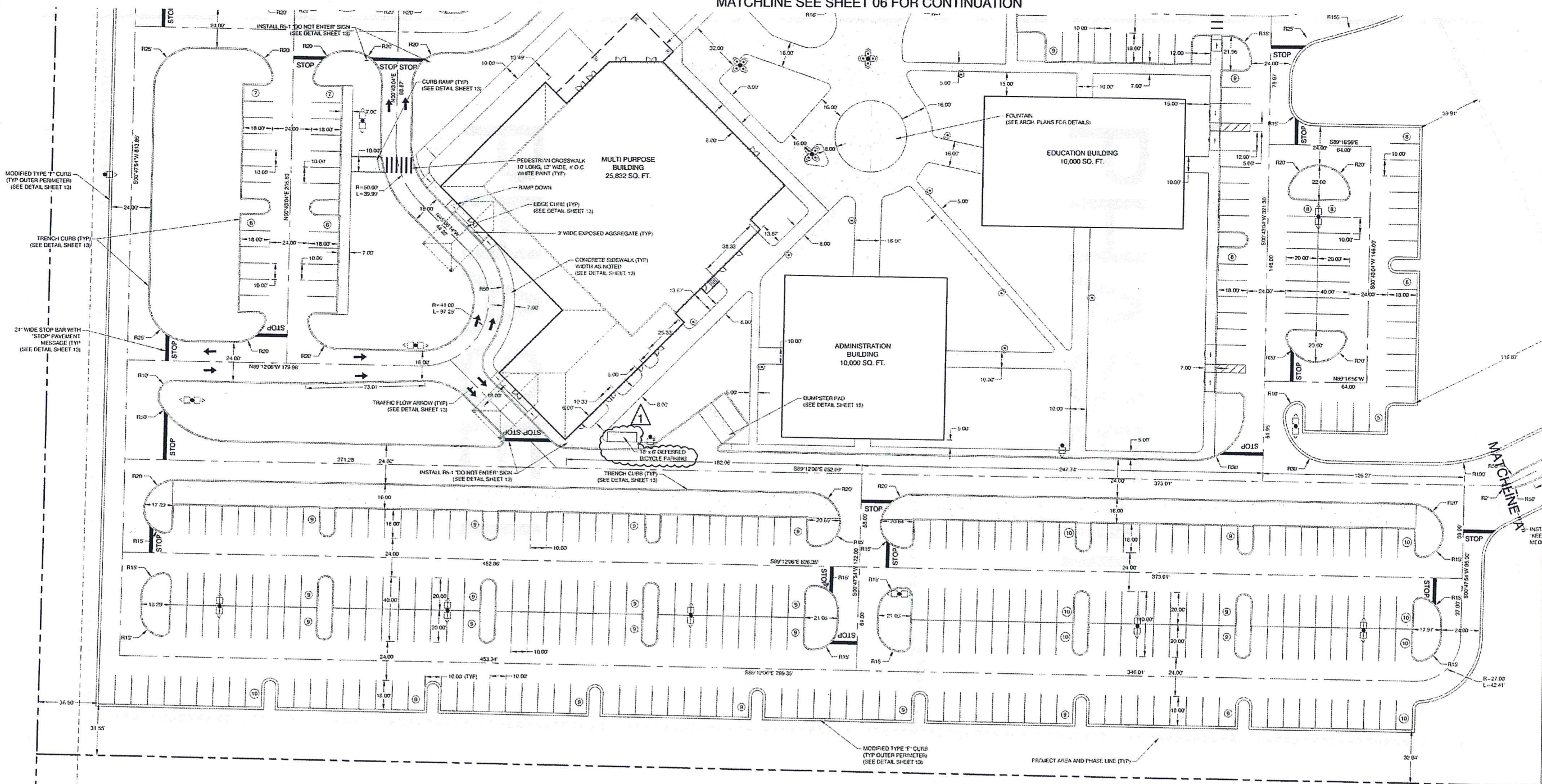
Attest:

Esther B. Coulson, City Clerk
City of Fruitland Park

Approved as to form:

Anita Geraci-Carver, City Attorney
City of Fruitland Park

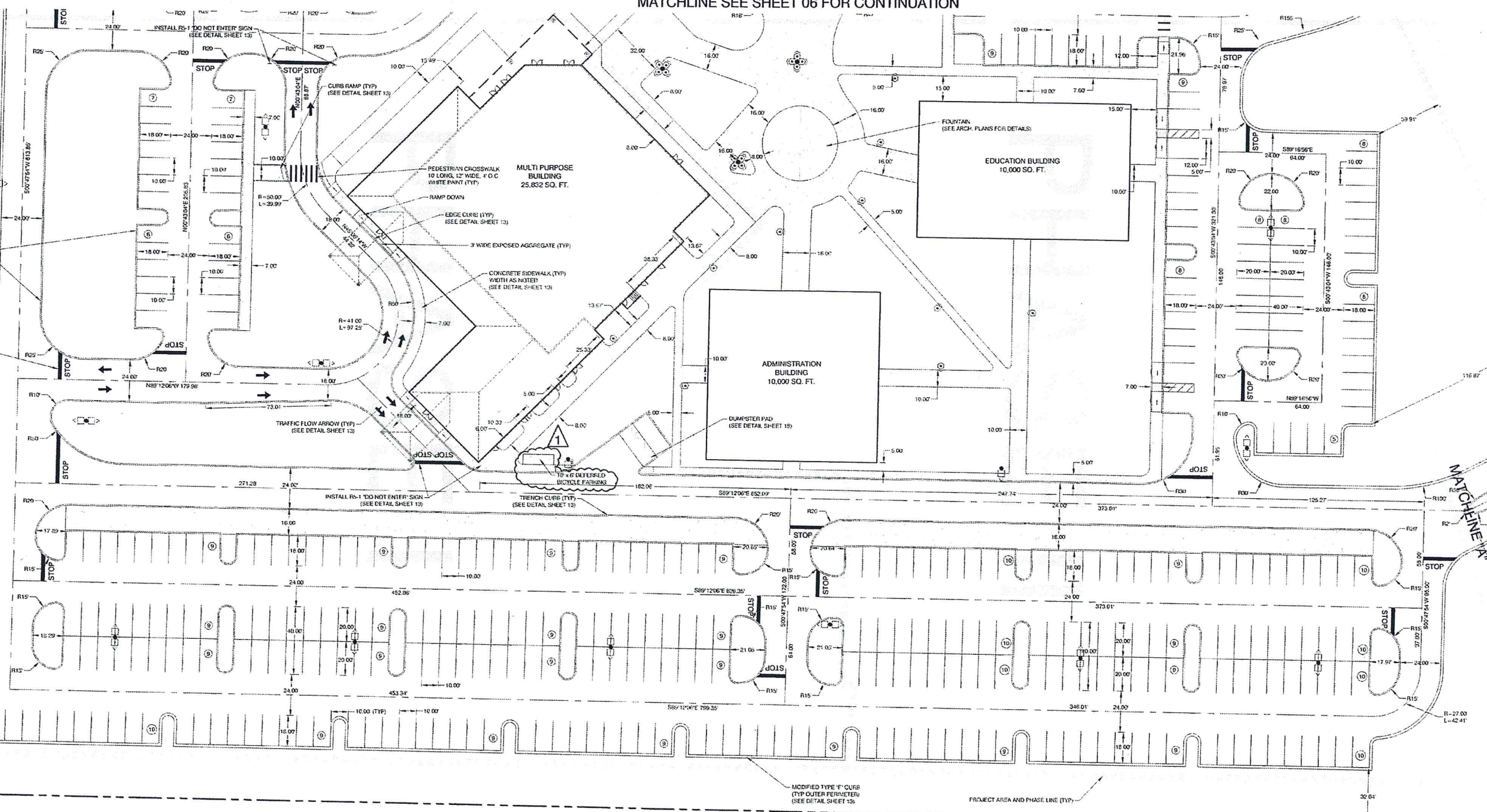
MATCHLINE SEE SHEET 06 FOR CONTINUATION



MODIFIED TYPE 'T' CURB (TYP. OUTER PERIMETER) (SEE DETAIL SHEET 13)

TRENCH CURB (TYP.) (SEE DETAIL SHEET 13)

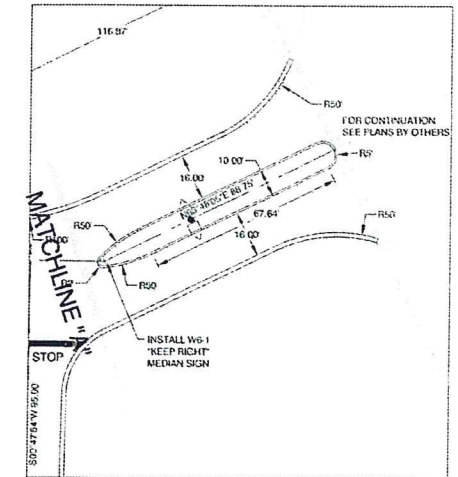
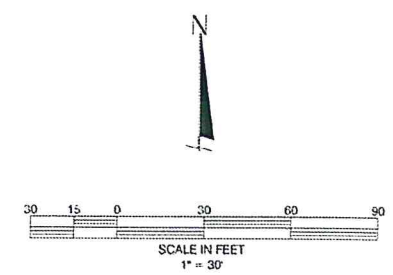
24" WIDE STOP BAR WITH "STOP" PAVEMENT MESSAGE (TYP.) (SEE DETAIL SHEET 13)



MODIFIED TYPE 'T' CURB (TYP. OUTER PERIMETER) (SEE DETAIL SHEET 13)

PROJECT AREA AND PHASE LINE (TYP.)

Jeffrey A. Head, State of Florida, Professional Engineer, License No. 88055. This drawing has been electronically signed and sealed by Jeffrey A. Head, P.E. on May 1, 2018 using a SHA-1 authentication code. Printed copies of this document are not considered signed and sealed, and the SHA-1 authentication code must be verified on any electronic copies.



DATE	4/27/18
DRAWN BY	BRP
CHKD BY	JAH
FILE NAME	006 vp_the site
JOB NO.	180644-0000

REVISIONS

DATE 4/27/18 REVIEWED PER CITY OF FRUITLAND PARK COMMENTS

BY BRP

ENGINEERS SURVEYORS PLANNERS

FARBER BARLEY AND ASSOCIATES, INC.

Certificate of Authorization Number: 4709

4450 N.E. 83rd Road in Mideast, Florida 32765, P. (321) 464-2126

VILLAGE PARK CAMPUS OF FIRST BAPTIST LEESBURG

SITE PLAN (2)

DATE	4/27/18
DRAWN BY	BRP
CHKD BY	JAH
FILE NAME	006 vp_the site
JOB NO.	180644-0000

June 28, 2018

TO WHOM IT MAY CONCERN:

**RE: CITY OF FRUITLAND PARK – DEVELOPMENT ORDER – SITE PLAN APPROVAL – FIRST BAPTIST
CHURCH LEESBURG**

The City of Fruitland Park Commission, at its June 28, 2018 regular meeting adopted Resolution 2018-039 granting a site plan approval for the construction of a multipurpose building with the accompanying site plan, copies of which are attached.

This letter serves as a development order. Also attached is the notice of site plan approval to be filed in Lake County Public Records that the site encompassed by the approval may not be split or subdivided without city commission approval.

Thank you.

Yours sincerely

Gary La Venia, City Manager
Enclosures

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

SITE PLAN

Owner: First Baptist Church of Leesburg, Inc.

Applicant: Jeff Head, P.E., Farner, Barley & Associates, Inc.

Project Name: Village Park Campus of First Baptist Church Leesburg

General Location: South of CR 466A and west of Pine Ridge Dairy Road

Number of Acres: 205.76 ± acres

Existing Zoning: Mixed Use Planned Unit Development (PUD)

Existing Land Use: Mixed Community

Date: June 7, 2018

Description of Project

The owners are seeking site plan approval for the 1500 seat house of worship, administrative building, multi-purpose building and educational building with associated drives, parking, and stormwater facilities. The project will be developed in 2 phases.

	Surrounding Zoning	Surrounding Land Use
North	PUD	Mixed Community
South	County Agriculture and RP	County Rural
East	C-2, R-1 and County Ag	Commercial, SFLD, SFMD
West	PUD (The Villages)	Villages DRI

Assessment

Review of the architectural plan views, materials and colors indicate compliance with the non-residential design standards. The applicant is proposing a neutral (earth tones) color pallet consisting of gray and white. The proposed building is a combination of sand blasted texture, stone texture, stone veneer and stucco. The roof consist of shingles in the gray tones. A stone wall with a bronze cross will adorn the front façade along with columns.

Recommendation

Planning staff recommends approval of the site plan subject to the entry road and utilities being constructed.

RESOLUTION 2018-040

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE MODIFICATION OF DEVELOPER'S AGREEMENT FOR THE GLEN; PROVIDING FOR RECORDING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a PUD zoning ordinance and Master Development Agreement - The Glen Planned Unit Development was approved by the City Commission on August 12, 1999 and recorded October 27, 1999 in Official Records Book 1763, pages 1174 – 1179, public records of Lake County, Florida; and

WHEREAS, on or about April 10, 2003, the City approved a preliminary plat for the Property expressly conditioned on the execution of a developer's agreement to clarify certain issues regarding the future development of the Property; and

WHEREAS, a Developer's Agreement for The Glen dated November 13, 2003 was approved by the City Commission and recorded December 2, 2008 in Official Records Book 2460, Page 1195, public records of Lake County, Florida; and

WHEREAS, a Modification of Developer's Agreement for The Glen dated October 2, 2017 was recorded in the public records of Lake County in Official Records Book 5009, Page 2020 on October 6, 2017; however, there is no record of the document coming before the City Commission; and

WHEREAS, the City Commission desires to ratify the Modification of Developer's Agreement for The Glen dated October 2, 2017 as recorded in the public records.

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

Section 1. Ratifying Modification of Developer's Agreement for The Glen.

Approval of the Modification of Developer's Agreement for The Glen, a copy of which is attached hereto, for the real property described in **Exhibit A** attached hereto is RATIFIED AND APPROVED.

Section 2. This resolution, with the attached Modification of Developer's Agreement for The Glen shall be recorded in the public records of Lake County, Florida, immediately upon adoption.

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 28th day of June 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

**MASTER DEVELOPMENT AGREEMENT
THE GLEN PLANNED UNIT DEVELOPMENT**

WHEREAS, Section 154.030(d)(7)(M), City of Fruitland Park Land Development Regulations, requires that a master development agreement be established for any Planned Unit Development ("PUD") in the City of Fruitland Park ("City"); and

WHEREAS, the Owner/Developer herein has requested that the City rezoning a certain parcel as a PUD;

NOW, THEREFORE, the parties agree as follows:

Section 1: Development of The Glen PUD.

The parcel to be zoned as PUD is described on the attached Exhibit "A" ("Parcel"). Shall be developed to the following standards:

A. Application of R-2 Standards

Any development of the Parcel Exhibit "A" less Exhibit "B" shall be in accordance with the standards applicable to the R-2 district as those standards exist at the time of development, except as otherwise provided herein.

B. Setbacks

1. Side setbacks for all lots shall be a minimum of five (5) feet.
2. Rear setback for lots which abut adjacent property shall be a minimum of 20 feet.
3. Rear setback for lots which do not abut adjacent property shall be a minimum of 10 feet.

C. Lot Size

Minimum lot size shall be 8,400 square feet. Provided, however, the

Return to:

CITY CLERK
CITY OF FRUITLAND PARK
603 W. BERKMAN ST.
FRUITLAND PARK, FL 34701

Doc# 99087433
Book: 1763
Pages: 1174 - 1179
Filed & Recorded
10/27/99 01:47:54 PM
JAMES C. WATKINS
CLERK OF CIRCUIT COURT
LAKE COUNTY
RECORDING \$ 25.00
TRUST FUND \$ 3.50

average of all lots shall be at least 10,675 square feet per lot.

D. Sewer

The Owner/Developer shall comply with all rules and regulations of the State of Florida regarding individual septic tank wastewater treatment and lot size at the time of development.

E. Impervious Surface

Impervious Surface Ratio not exceed forty-five percent (45%).

F. Lot Width

Minimum lot width shall be sixty (60) feet.

G. Sidewalks

The Owner/Developer shall provide sidewalks, or pedestrian walkways in lieu thereof, of one side of all streets.

H. Other Regulations

Any development on the parcel zoned PUD shall comply with all other applicable development regulations of the City, including but not limited to those for stormwater, fire protection, recreation, conservation, open space and transportation, except as otherwise provided herein.

Section 2: Development Exhibit "B" portion of PUD

Development of Wingspread North portion of The Glen PUD shall be the following standards:

A. Other Regulations

Any development of the Exhibit "B" parcel zoned PUD shall comply

with all other applicable development regulations of the city, including but not limited to those for stormwater, fire protection, recreation, conservation, minimum lot size, minimum house size of the R-1 zoning classification, open space and transportation, except as otherwise provided herein.

B. Sidewalks

Due to the large lots to be developed in the Parcel, Exhibit "B", sidewalks will not be required within the Parcel.

Section 3. Covenant to Run with the Land.

The conditions and restrictions set forth herein shall run with the land, and any subsequent purchaser, lessee, or occupant thereof shall be subject thereto. The City may record a copy of this agreement in the Public Records of Lake County.

Section 4. Cross Access.

At platting documents approved by the City Attorney shall establish the emergency and government access between this parcel and Wingspread PUD.

Section 5. Term.

The conditions and restrictions set forth herein shall run with the land in perpetuity, or until such time as the City rezones the Parcel.

Section 6. Amendment.

This agreement may only be amended by written agreement of both parties, executed with the same formalities as the original agreement.


IN WITNESS WHEREOF, the parties hereto have caused these presents to be signed on the date specified.

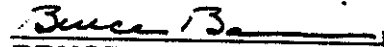
Executed this 12th day of August, 1999.

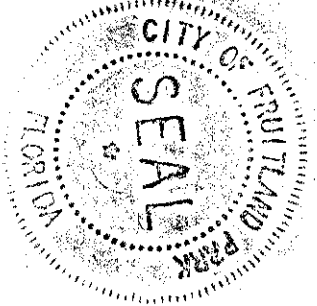
ATTEST:

CITY OF FRUITLAND PARK, FLORIDA

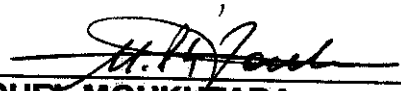

LINDA S. RODRICK, CITY CLERK


WILLIAM R. WHITE, MAYOR


BRUCE BANNING, CITY
MANAGER



Executed this 29 day of August, 1999.


MICHEL MOUKHTARA
as President of
A. A. MOUKHTARA, INC.,
OWNER/DEVELOPER

C:\CRAWFORD\OLDFILES\WINGSPRE\WING.AG3

LEGAL DESCRIPTION

PARCEL "C" (A FUTURE HIGH DENSITY DEVELOPMENT):

THE EAST 1/2 OF THE S.W. 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, LESS THE SOUTH 275 FEET OF THE WEST 825 FEET OF THE NORTH 500 FEET OF THE SOUTH 775 FEET THEREOF; AND THE WEST 3/4 OF THE N.W. 1/4 OF THE S.E. 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA; AND THE WEST 3/4 OF THE S.W. 1/4 OF THE S.E. 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, LESS THE FOLLOWING DESCRIBED PARCEL OF LAND: COMMENCE AT THE N.E. CORNER OF THE WEST 3/4 OF THE S.W. 1/4 OF THE S.E. 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, AND RUN S.01°10'19"W., ALONG THE EAST LINE OF THE WEST 3/4 OF THE S.W. 1/4 OF THE S.E. 1/4 A DISTANCE OF 950.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN THENCE S.32°49'41"E., 385.72 FEET TO A POINT ON THE SOUTH LINE OF THE S.W. 1/4 OF THE S.E. 1/4 OF SAID SECTION 8; THENCE S.88°51'31"E., ALONG THE SOUTH LINE OF THE S.W. 1/4 OF THE S.E. 1/4 A DISTANCE OF 483.16 FEET TO THE SOUTHEAST CORNER OF THE WEST 3/4 OF THE S.W. 1/4 OF THE S.E. 1/4 OF SAID SECTION 8; THENCE N.01°10'19"E ALONG THE EAST LINE OF THE WEST 3/4 OF THE S.W. 1/4 OF THE S.E. 1/4 A DISTANCE OF 377.74 FEET TO THE POINT OF BEGINNING.

SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS OF RECORD, IF ANY.

MEMO: Legibility of writing
typing or printing unsatisfactory
in this document.

DESCRIPTION:

A PORTION OF THE EAST 1/2 OF THE S.W. 1/4 AND THE WEST 1/2 OF THE S.E. 1/4 ALL IN SECTION 8, TOWNSHIP 19 SOUTH RANGE 24 EAST AND TRACT "C", AS SHOWN ON THE PLAT OF WINGSPREAD, RECORDED IN PLAT BOOK 38, PAGES 64 THROUGH 67, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE MOST WESTERLY CORNER OF TRACT "C", AS SHOWN ON THE PLAT OF WINGSPREAD, RECORDED IN PLAT BOOK 38, PAGES 64 THROUGH 67, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT ALSO BEING ON THE NORTH BOUNDARY OF SAID PLAT OF WINGSPREAD AND ON THE EASTERLY RIGHT OF WAY LINE OF WINGS ROAD; THENCE N. $88^{\circ}55'13''$ W., ALONG THE NORTH BOUNDARY LINE OF SAID PLAT OF WINGSPREAD A DISTANCE OF 271.62 FEET TO THE EAST LINE OF THE WEST 825 FEET OF THE EAST 1/2 OF THE S.W. 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH RANGE 24 EAST; THENCE N. $01^{\circ}00'47''$ E., ALONG THE EAST LINE OF THE WEST 825 FEET OF THE EAST 1/2 OF THE S.W. 1/4 OF SAID SECTION 8, A DISTANCE OF 457.74 FEET; THENCE N. $19^{\circ}38'26''$ E., A DISTANCE OF 265.06 FEET; THENCE S. $69^{\circ}31'49''$ E., A DISTANCE OF 648.93 FEET; THENCE S. $32^{\circ}51'53''$ E., A DISTANCE OF 471.6 FEET, MORE OR LESS, TO THE WESTERLY WATERS EDGE OF MYRTLE LAKE; THENCE SOUTHWESTERLY ALONG AND WITH SAID WATERS OF SAID MYRTLE LAKE TO A POINT THAT IS 12.50 FEET NORTH OF WHEN MEASURED AT RIGHT ANGLES THERETO THE SOUTH LINE OF THE S.E. 1/4 OF THE AFOREMENTIONED SECTION 8; THENCE N. $88^{\circ}51'31''$ W., PARALLEL WITH THE SOUTH LINE OF THE S.E. 1/4 OF SAID SECTION 8, A DISTANCE OF 276.3 FEET, MORE OR LESS, TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF MYRTLE LAKE AVENUE; THENCE S. $60^{\circ}21'51''$ W., ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE A DISTANCE OF 24.43 FEET TO A POINT ON THE SOUTH LINE OF THE S.E. 1/4 OF SAID SECTION 8, SAID POINT ALSO BEING ON THE NORTH BOUNDARY OF THE AFOREMENTIONED TRACT "C" OF SAID PLAT OF WINGSPREAD; THENCE S. $88^{\circ}51'31''$ E., ALONG THE NORTH BOUNDARY OF SAID TRACT "C" AND SAID SOUTH LINE OF THE S.E. 1/4 OF SECTION 8, A DISTANCE OF 222.08 FEET TO THE NORTHEAST CORNER OF SAID TRACT "C"; THENCE S. $09^{\circ}01'19''$ W., ALONG THE EASTERLY BOUNDARY OF SAID TRACT "C" A DISTANCE OF 117.73 FEET TO THE SOUTHEAST CORNER OF SAID TRACT "C"; THENCE N. $75^{\circ}29'04''$ W., ALONG THE SOUTHERLY BOUNDARY OF SAID TRACT "C" A DISTANCE OF 502.48 FEET TO THE POINT OF BEGINNING. SAID LANDS CONTAIN 11.84 ACRES MORE OR LESS.

MEMO: Legibility of writing
typing or printing unsatisfactory
in this document.

CFN 2003154997
Bk 02460 Pgs 1195 - 1202; (8pgs)
DATE: 12/02/2003 07:44:22 AM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 33.00
TRUST FUND 4.50

Marge Strausbaugh, CMC
City Clerk
City of Fruitland Park
506. W. Berckman St.
Fruitland Park FL 34731

DEVELOPER'S AGREEMENT FOR THE GLEN

This Developer's Agreement ("this Agreement") is made this 13th day of November ^(mo) ~~October~~, 2003, between the **City of Fruitland Park, Florida, a Florida municipal corporation**, whose address is 506 W. Berckman, Fruitland Park, Florida 34731 ("City") and **A. A. Moukhtara Company, a Florida corporation**, and/or its successors and assigns, whose address is Route 2, Box 6004, Lake City, Florida 32024 ("Developer").

WHEREAS, Developer is the owner and developer of an approximately 114.31 acre parcel of real property described in Exhibit "A" attached hereto and incorporated herein by reference ("the Property"); and

WHEREAS, Developer intends to develop the Property into a single-family residential subdivision known as "The Glen" ("the Subdivision") which will contain approximately 238 residences upon completion; and

WHEREAS, on or about August 12, 1999, City passed Ordinance 99-005, which rezoned the Property to Planned Unit Development ("PUD"); and

WHEREAS, on or about August 12, 1999, City approved the Master Development Agreement for the Property, which Master Development Agreement was subsequently recorded at O.R. Book 1763, Pages 1174-1179 of the Public Records of Lake County, Florida; and

WHEREAS, on or about April 10, 2003, City approved the preliminary plat for the Property expressly conditioned on the execution of a developer's agreement between City and Developer to clarify certain issues regarding the future development of the Property.

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual covenants and benefits herein contained, and for other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, City and Developer agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and incorporated herein by reference. This Agreement shall be supplemental to the Master Development Agreement and Ordinance 99-005 previously approved by the City for the Property.
2. **Development Conditions and Improvements.** Developer agrees to abide by and comply in all respects to the requirements of the City's land development rules, codes and ordinances, including, without limitation, those pertaining to the subdivision and development of real property.
3. **Developer's Assumptions of Risk and Indemnification of City.** At its own request, Developer assumes all risks of proceeding with improvements prior to final plat of the Subdivision. Developer agrees to indemnify, defend, save and hold harmless City for any and all claims and demands, including, but not limited to, attorneys fees and costs, arising from, out of, or occurring because of Developer's so proceeding.
4. **Homeowner Association Responsibility.** The homeowner association for the Subdivision shall be responsible for the maintenance and operation of all stormwater retention areas, common area landscaping, and recreational areas. Developer shall delineate this responsibility in the Subdivision's covenants and restrictions satisfactory to City. Such covenants and restrictions shall be recorded at the time of the final plat and prior to the sale of any lots within the Subdivision. The final plat shall contain

language satisfactory to City that dedicates park and recreation areas to public use.

5. **Phasing**. The Subdivision may be developed in phases, in the order and manner as set forth on the preliminary plat, subject to Section 157.060(d)(5) and (7) of City's Land Development Regulations. Phasing shall be arranged and designed in such a manner that at any point in the Property's development, all phases shall be able to "stand alone", meeting all applicable standards set forth and referenced in the land development code of the City. Notwithstanding such phasing, construction must commence on the initial phase within eighteen (18) months of preliminary plat approval and on all phases of the Subdivision within ~~five (5)~~ ten (10) years from the date of this Agreement unless an extension is granted by the City Commission for good cause shown. "Good cause" for an extension shall include causes outside the reasonable control of Developer provided Developer continues to actively market and develop the Subdivision.

6. **Sidewalks**. All sidewalks shall be installed per City code and the approved construction plans for the Subdivision. No home within the Subdivision shall be granted a certificate of occupancy until any sidewalk located on the home's lot, adjacent to, or in front of the home has been constructed. Additionally, all sidewalks for each phase of the Subdivision shall be constructed when building permits for ~~fifty~~ eighty percent ~~(50%)~~ (80%) or more of the homes in that phase of the Subdivision have been issued, ~~or when building permits are issued for any other phase of the Subdivision,~~ within two (2) years of the date of the final plat for that phase of the

Developer's Agreement for The Glen
Page 4

Subdivision, whichever first occurs. City may postpone issuance of building permits until such sidewalks are constructed.

7. **Maintenance**. As required by Section 157.060 of the City's Land Development Regulations, Developer shall maintain all improvements, including, but not limited to, roads, sidewalks, and street lights, for a period of two (2) years from the date of final plat approval or one (1) year from the date that a certificate of completion is issued by the City Manager, whichever is later. Additionally, because the Subdivision is being developed in phases, Developer recognizes the possibility that development and construction activities of subsequent phases could damage improvements in preceding phases. Therefore, in addition to the above referenced maintenance responsibilities, Developer shall be responsible for any damage to any phase of the Subdivision caused by Developer or related to any construction or development activity within the Subdivision whether or not such damage occurs within such time period as set forth above. Developer shall pay for any damages, including the costs of repair, to City upon demand by City. Additionally, City may pursue any maintenance bond or security given by Developer to City.

8. **Access to Wingspread**. Road access between the Subdivision and Wingspread Subdivision located immediately south of the Subdivision shall be for emergency access, postal, and public works and maintenance purposes only. Developer shall construct an automatic gate across such access to City's requirements and specifications. Developer shall coordinate the logistics of the gate with City's Public Safety Director and the Post Office.

Developer's Agreement for The Glen
Page 5

9. **Inspection by City.** Any and all inspections and plan reviews of the improvements contemplated by this Agreement or related to the Subdivision shall be performed at the cost and expense of Developer. Developer agrees to reimburse City for the cost of such inspections and plan reviews, including engineer's time, within thirty (30) days from receipt of an invoice from the City for such cost. Notwithstanding the foregoing, Developer shall submit to City from Developer's project engineer copies of all contractors affidavits, certificates from the project engineer and a set of "as-built" drawings upon completion of the improvements contemplated hereby.

10. **Notices.** Any notices or payments required under this Agreement shall be made at the following addresses:

To the City: City Manager
 506 W. Berckman Street
 Fruitland Park, FL 34731

To Developer: A.A. Moukhtara Company
 Route 2
 Box 6004
 Lake City, FL 32024

11. **Successors and Assigns.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

12. **Waiver; Modification.** The failure by any party to insist upon or enforce any of their rights shall not constitute a waiver thereof and nothing shall constitute a waiver of any party's right to insist upon strict compliance with the terms of this Agreement. Any party may waive the benefit of any provision or condition for its benefit which is contained herein. No oral modification of this Agreement shall be binding upon the parties any modification must be in writing and signed.

Developer's Agreement for The Glen
Page 6

13. **Governing Law.** This Agreement shall be governed by and constructed under the laws of the State of Florida. Venue of any proceedings shall be in the appropriate court in Lake County, Florida.

14. **Application; Affect.** If any provision of this Agreement or the application thereof to any party, person or circumstance shall be held or deemed to be invalid or unenforceable to any extent, the remainder of this Agreement and the application of such provisions to other parties, persons or circumstances shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

15. **Attorneys' Fees.** In the event of any dispute hereunder or of any action to interpret or enforce this Agreement, any provision hereof or any matter arising herefrom, the prevailing party shall be entitled to recover its reasonable costs, fees and expenses, including, but not limited to, witness fees, expert fees, consultant fees, attorney, paralegal and legal assistant fees, costs and expenses and other professional fees, costs, and expenses whether suit be brought or not, and whether in settlement, in any declaratory action, at trial or on appeal.

16. **Recording.** This Agreement shall be recorded by City in the Public Records of Lake County, Florida and shall constitute a covenant running with the land.

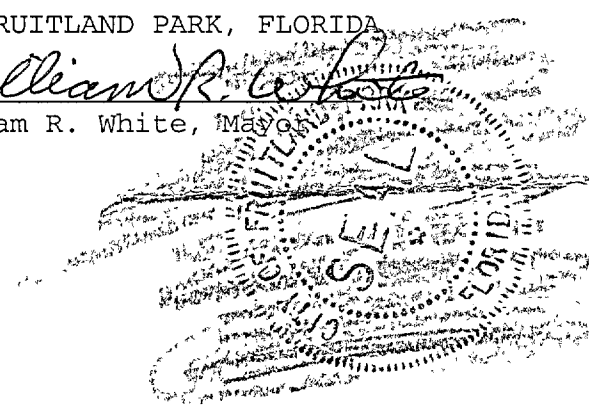
IN WITNESS WHEREOF, the parties have set their hands and seals
this ____ day of May October, 2003.

WITNESS:

Linda S. Radrick
Printed Name: Linda S. Radrick
not
Printed Name: _____

CITY OF FRUITLAND PARK, FLORIDA

By: William R. White
William R. White, Mayor



ATTEST:

Marge Strausbaugh
Marge Strausbaugh
City Clerk

A. A. Moukhtara Company, a Florida corporation

By: Michel Moukhtara
President, Michel Moukhtara
Developer

Patricia A. Maynard
Printed Name: Patricia A. Maynard
Richard P. Newman
Printed Name: Richard P. Newman

STATE OF FLORIDA
COUNTY OF LAKE

I hereby certify that on this 13th day of November, 2003,
before me, an officer duly authorized in the state and county aforesaid to
take acknowledgments, personally appeared **WILLIAM R. WHITE**, as **Mayor of The
City of Fruitland Park**, who:

[] has provided _____ as identification
[] is personally known to me

and who executed the within freely and voluntarily for the purpose therein
recited.

Marge E. Strausbaugh
Notary Public

My Commission Expires:



Marge E. Strausbaugh
Commission # CC 995745
Expires March 10, 2005
Bonded Thru
Atlantic Bonding Co., Inc.

Developer's Agreement for The Glen
Page 8

STATE OF FLORIDA
COUNTY OF LAKE

I hereby certify that on this 23rd day of October, 2003,
before me, an officer duly authorized in the state and county aforesaid to
take acknowledgments, personally appeared Michel Moukhtara, as
President of A. A. Moukhtara Company, a Florida corporation who:

[] has provided _____ as identification
[] is personally known to me

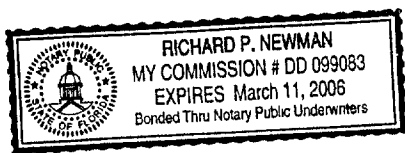
and who executed the within freely and voluntarily for the purpose therein
recited.



Notary Public

My Commission Expires:

Richard P. Newman



MODIFICATION OF DEVELOPER'S AGREEMENT FOR THE GLEN



THIS MODIFICATION of the Developer's Agreement ("modification Agreement") is made this 2 th day of OCTOBER, 2017, between the CITY OF FRUITLAND PARK, FLORIDA, a Florida municipal corporation, (hereinafter referred to as the "City"), whose address is 506 W Berckman Street, Fruitland Park, FL 34731 and A.A. Moukhtara Company, a Florida Corporation, and/or its successors and assigns, whose address is 7717 NW 20th Lane, Gainesville, FL 32605 (hereinafter referred to as the "Developer").

This Modification Agreement will attach to the original Developer's Agreement dated November 13, 2003. Filed in Lake County, FL, BK 02460 PGS 1195-1202.

This Modification Agreement will also reference attached construction plans by H. Bennett Walling, P.E., dated May 2002 and REVISED November 19, 2003.

The Master Development Agreement, O.B. 1763, PGS 1174-1179 of Public Records of Lake County, Florida will be attached.

Any plans or correspondence from Springstead Engineering will also be included in final agreement.

WHEREAS, the Developer intends on completing the original development as was approved by the City Commission and called "The Glen". The Glen will contain approximately 238 single family residences at full completion.

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual covenants and benefits herein contained, and for other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, City and Developer agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and incorporated herein by reference. This Agreement shall be supplemental to the Master Development Agreement and Ordinance 99-005 previously approved by the City for the Property.
2. **Development Conditions and Improvements.** Developer agrees to abide by and comply in all respects to the requirements of the City's land development rules, codes and ordinances, including, without limitation, those pertaining to the subdivision and development of real property.
3. **Developer's Assumptions of Risk and Indemnification of City.** At its own request, Developer assumes all risks of proceeding with improvements prior to final plat of subdivision. Developer agrees to indemnify, defend, save and hold harmless City for any and all claims and demands, including, but not limited to, attorney's fees and costs, arising from, out of, or occurring because of Developer's so proceeding.

4. **Homeowner Association Responsibility.** The homeowner association for the Subdivision shall be responsible for the maintenance and operation of all stormwater retention areas, common area landscaping, and recreational areas. The City will accept the recreation area next to the Wingspread/Glen gate as meeting all requirements provided the park area is completed with playground equipment.

The playground equipment will be commercial/recreational park grade consisting of a swing sets, slides, jungle gym climbs, benches, wood mulch, and surrounded by a 48" black vinyl coated chain-link fence with gate. The playground equipment will be commercial/recreational park grade and is required to be a minimum of \$30,000.00 hard investment cost, not including fence, gate, mulch and install cost which will be paid by HOA or Developer. The plans and equipment must be approved and verified by CDD before install.

Developer shall delineate this responsibility in the Subdivision's covenants and restrictions satisfactory to City. Such covenants and restrictions shall be recorded at the time of the final plat and prior to the sale of any lots within the Subdivision. The final plat shall contain language satisfactory to City that dedicates park and recreation area to public use.

5. **Phasing.** Final Phases of construction of the roads, stormwater and final utilities must begin within twelve (12) months of City approval of this modification agreement:

All Phases and all construction must be completed within five (5) years of date of this agreement unless an extension is granted by the City Manager for good cause shown.

6. **Sidewalks.** All sidewalks shall be installed per City code and the approved construction plans for the Subdivision. No home within the Subdivision shall be granted a certificate of occupancy until any sidewalk located on the home's lot, adjacent to, or in front of the home has been constructed. Additionally, all sidewalks for each phase of the Subdivision shall be constructed when building permits for eighty percent (80%) or more of the homes in that phase of the Subdivision have been issued, within two (2) years of the date of the final plat for that phase of Subdivision, whichever first occurs. The City may postpone issuance of building permits until such sidewalks are constructed.

7. **Maintenance.** As required by Section 157.060 of the City's Land Development Regulations, Developer shall maintain all improvements, including, but not limited to, roads, sidewalks, and street lights, for a period of two (2) years from the date of final plat approval or one (1) year from the date that a certificate of completion is issued by the City Manager, whichever is later. Additionally, because the Subdivision is being developed in phases, Developer recognizes the possibility that development and construction activities of subsequent phases could damage improvements in preceding phases. Therefore, in addition to the above reference maintenance responsibilities, Developer shall be responsible for any damage to any phase of the Subdivision caused by Developer or related to any construction or development activity within the Subdivision whether or not such damage occurs within such time period as set forth above. Developer shall

pay for any damages, including the costs of repair, to City upon demand by City. Additionally, City may pursue any maintenance bond or security given by Developer to City.

8. **Access to Wingspread.** Road access between the Subdivision and Wingspread Subdivision located immediately south of the Subdivision shall be for emergency access, postal, and public works and maintenance purposes only. Developer shall construct a gate across such access to City’s requirements and specifications. Developer shall coordinate the logistics of the gate with City’s Public Safety Director and the Post Office.

9. **Inspection by City.** Any and all inspections and plan review of the improvements contemplated by this Agreement or related to the Subdivision shall be performed at the cost and expense of Developer. Developer agrees to reimburse City for the cost and expense of Developer. Developer agrees to reimburse City for the cost of such inspections and plan reviews, including engineer’s time, within thirty (30) days from receipt of an invoice from the City for such cost. Notwithstanding the foregoing, Developer shall submit to City from Developer’s project engineer copies of all contractors affidavits, certificates from the project engineer and a set of “as-built” drawings upon completion of the improvements contemplated hereby.

10. **Notices.** Any notices or payment required under this Agreement shall be made at the following addresses:

To the City: City Manager
506 W Berckman Street
Fruitland Park, FL 34731

To Developer: A.A. Moukhtara Company
7717 NW 20th Lane
Gainesville, FL 32605

11. **Successors and Assigns.** This agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

12. **Waiver, Modification.** The failure by any party to insist upon or enforce any of their rights shall not constitute a waiver thereof and nothing shall constitute a waiver of any party’s right to insist upon strict compliance with the terms of this Agreement. Any party may waive the benefit of any provision or conditions for its benefit which is contained herein. No oral modification of this Agreement shall be binding upon the parties any modification must be in writing and signed.

13. **Governing Law.** This Agreement shall be governed by and constructed under the laws of the State of Florida. Venue of any proceedings shall be in the appropriate court in Lake County, Florida.

14. **Application; Affect.** If any provision of this Agreement or the application thereof to any party, person or circumstance shall be held or deemed to be invalid or unenforceable to any extent, the remainder of the Agreement and the application of such provisions to other parties, person or circumstances shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

15. **Attorney's Fees.** In the event of any dispute hereunder or of any action to interpret or enforce this Agreement, any provisions hereof or any matter arising herefrom, the prevailing party shall be entitled to recover its reasonable costs, fees and expenses, including, but not limited to, witness fees, expert fees, consultant fees, attorney, paralegal and legal assistant fees, costs and expenses whether suit be brought or not, and whether in settlement, in any declaratory action, at trial or on appeal.

16. **Recording.** This Agreement shall be recorded by City in the Public Records of Lake County, Florida and shall constitute a covenant running with the land.

IN WITNESS WHEREOF, the parties have set their hands and seals this 2 th day of OCTOBER, 2017.

WITNESS:

Dana M Coleman

Printed Name: DANA M COLEMAN

Marie A. Azzolino

Printed Name: MARIE A. AZZOLINO

ATTEST:

[Signature]

Esther Coulson
City Clerk

Printed Name: Jeanine Racine

Jeanine Racine

Printed Name: Kelly Turner

Kelly Turner

CITY OF FRUITLAND PARK, FLORIDA

By: [Signature]
Gary La Venia, City Manager



A.A. Moukhtara Company, a Florida Corporation

By: [Signature]
President Michel Moukhtara (Developer)

STATE OF FLORIDA
COUNTY OF Lake

The foregoing instrument was acknowledged before me this 2nd day of October 2017 by Michael P. Moulton and n/a who are personally known to me or who have produced FL Driver License as identification and who did (did not) take an oath.



[Signature]
Notary Public
Notary Public - State of Florida
Commission No GG 069771
My Commission Expires 2/5/2021

ACCEPTED BY THE CITY OF FRUITLAND PARK

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

By: [Signature]
Gary La Veria, City Manager

Date: October 2, 2017

ATTEST: [Signature]
Esther P. Coulson
City Clerk

[Signature]
Notary Public
Notary Public - State of Florida
Commission No 292424
My Commission Expires June 21, 2019



I certify that the foregoing is an accurate copy of the document
as reflected in the Official Records. Portions may be redacted.
NEIL KELLY, CLERK OF CIRCUIT COURT LAKE COUNTY

By Beverly Thomas, Deputy Clerk 10/6/2017 3:53:19 PM

THE GLEN PHASE 1,2,3.
LEGAL DESCRIPTION:

COMMENCE AT THE SOUTHWEST CORNER OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND RUN S 88°55'13" E ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 AND ALONG THE NORTH LINE OF LOT 31 OF WINGSPREAD, A SUBDIVISION RECORDED IN PLAT BOOK 38, PAGES 64 THROUGH 67 INCLUSIVE, IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, A DISTANCE OF 825.00 FEET; THENCE N01°02'58" E ALONG THE EAST LINE OF THE WEST 825.00 FEET OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 24 EAST A DISTANCE OF 275.00 FEET; THENCE S 88°55'13" W PARALLEL WITH THE SOUTH LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 A DISTANCE OF 292.50 FEET; THENCE N 01°02'58" E, PARALLEL WITH THE WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 8, A DISTANCE OF 500.00 FEET TO A POINT; THENCE S 88°54'45" E 10.25 FEET TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING RUN N42°30'55"E 58.16 FEET; THENCE N03°59'34"W 51.94 FEET; THENCE N24°27'34"W 73.72 FEET; THENCE N31°56'26"W 125.13 FEET; THENCE N11°55'03"W 50.16 FEET; THENCE N07°31'48"E 43.70 FEET; THENCE N23°42'30"E 92.64 FEET; THENCE N38°26'09"E 99.69 FEET; THENCE 52°56'23"E 106.90 FEET; THENCE N62°39'19"E 93.81 FEET; THENCE N78°24'57"E 37.17 FEET; THENCE N08°37'13"W 106.75 FEET TO A POINT ON A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 430.51 FEET, A CHORD BEARING OF S70°07'21"E AND A CHORD LENGTH OF 428.28 FEET; THENCE RUN SOUTHERLY ALONG THE ARC THEREOF, THROUGH A CENTRAL ANGLE OF 59°39'27" FOR 448.26 FEET; THENCE S28°06'42"E 62.53 FEET; THENCE S18°27'10"E 72.34 FEET; THENCE S01°10'08"E 81.08 FEET; THENCE N79°06'32"E 76.56 FEET; THENCE N 53°52'10" E 147.10 FEET; THENCE N 53°42'16" E 50.00 FEET; THENCE N 54°39'30" E 150.02 FEET; THENCE N 58°04'03" E 195.37 FEET; THENCE N 88°01'43" E 249.42 FEET; TO A POINT ON A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 400.00 FEET, A CHORD BEARING OF S08°06'00"W, AND A CHORD LENGTH OF 100.51 FEET; THENCE RUN SOUTHERLY ALONG THE ARC THEREOF, THROUGH A CENTRAL ANGLE OF 14°26'11" FOR 100.53 FEET; THENCE S00°52'55" W 33.00 FEET TO A POINT; THENCE S 89°07'05" E 352.68 FEET TO A POINT; THENCE S 01°05'10" W 42.17 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF MYRTLE LAKE ROAD; THENCE ALONG THE SAID NORTH RIGHT OF WAY LINE OF MYRTLE LAKE ROAD N 89°07'05" W 32.40 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF MYRTLE LAKE ROAD; THENCE ALONG SAID WEST RIGHT OF WAY OF MYRTLE LAKE ROAD S 00°56'52"W 743.40 FEET TO A POINT ON THE SAID WEST RIGHT OF WAY LINE OF MYRTLE LAKE ROAD; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE S 67°10'00" W 687.39 FEET TO A POINT; THENCE N 32°50'20" W 222.19 FEET TO A POINT; THENCE IN A NORTHERLY DIRECTION AND ALONG THE NORTH LINE OF WINGSPREAD PHASE 3, RECORDED IN PLAT BOOK 52, PAGES 93-96, N69°31'49" W 785.26 FEET TO A POINT ON SAID NORTH LINE OF WINGSPREAD PHASE 3; THENCE CONTINUE ALONG SAID NORTH LINE OF WINGSPREAD PHASE 3 N 88°54'45" W 254.27 FEET TO THE POINT OF BEGINNING.

CONTAINING 31.633 ACRES MORE OR LESS.

EXHIBIT "A"

RESOLUTION 2018-041

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING FINAL PLAT APPROVAL FOR PHASE 10 OF THE GLEN GENERALLY LOCATED; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant has petitioned for final plat approval of Phase 10 of The Glen;
and

WHEREAS, The Glen consists of 114.31 +/- acres that will consist of approximately 238 single family residences, has a future land use designation of Single Family Medium Density and has a zoning of PUD as provided for in Ordinance 99-005;

WHEREAS, the Planning and Zoning Board and the City Commission of the City of Fruitland Park have considered the application in accordance with the procedures for granting Final Plat Approval set forth in Section 157-060(d)(20) of the City of Fruitland Park Land Development Code;

WHEREAS, the Planning and Zoning Board recommended approval of the Final Plat;

WHEREAS, the City Commission finds that the Final Plat of Phase 10 of The Glen is in compliance with the City's land development regulations.

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

Section 1. Granting of Final Plat Approval.

Approval of the Final Plat of Phase 10 of The Glen consisting of 19 single family homes, **a copy of which is attached hereto**, is GRANTED.

Section 2. Effective Date.

This resolution shall become effective immediately upon its passage.

PASSED AND RESOLVED this 28th day of June 2018, by the City Commission of the City of Fruitland Park, Florida.

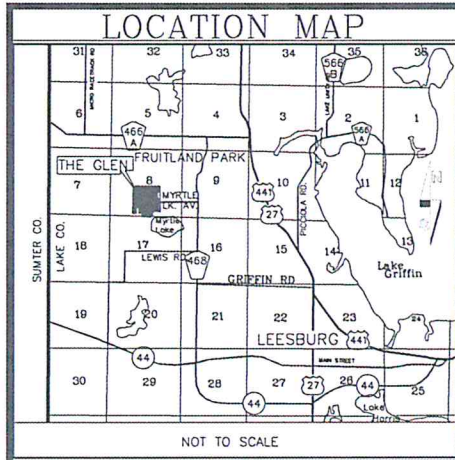
City of Fruitland Park

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



NOTICE:

This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county.

NOTES:

- 1) Bearings are based on the recorded plat of THE GLEN PHASE'S 7 & 8, as recorded in Plat Book 59, Pages 25 and 26, Public Records of Lake County, Florida, and the centerline of Daybreak Drive as being N89°14'27"W.
- 2) Distances are shown in U.S. survey feet and decimals thereof.
- 3) Lot corners have been set in accordance with Chapter 177.091 (9), Florida Statutes.
- 4) All platted utility easements shall provide that such easements shall also be easements for the construction, installation, maintenance and operation of cable television services; provided, however, no such construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. This section shall not apply to those private easements granted to or obtained by a particular electric, telephone, gas, or other public utility. Such construction, installation, maintenance, and operation shall comply with the National Electric Safety Code as adopted by the Florida Public Service Commission.
- 5) PCP's to be set prior to expiration of bond or other surety.
- 6) The Title Opinion is to be filed as a separate document.
- 7) No construction, trees, or shrubs will be placed in easements or rights-of-way without the City of Fruitland Park approval.
- 8) It is the responsibility of the property owner to operate and maintain any storm water management system not located within the right of way of the road unless such responsibility is voluntarily assumed by the City of Fruitland Park.

Prepared by:
 Billy Earl Owens, PSM
 Professional Surveyor and Mapper
 Address: 39 CR 494
 Lake Panasofkee, FL 33538
 PH: 352-793-2854

THE GLEN PHASE 10

A Subdivision in the City of Fruitland Park
 Being a Portion of:
 Section 8, Township 19 South, Range 24 East
 Lake County, Florida

DESCRIPTION THE GLEN PHASE 10:

That part of the East 1/2 of the Southwest 1/4 of Section 8, Township 19 South, Range 24 East, Lake County, Florida, described as follows; from the Northeast corner of said East 1/2 of the Southwest 1/4 of Section 8, Township 19 South, Range 24 East, run N 89°22'17" W, along the north boundary of the East 1/2 of the Southwest 1/4 of said Section 8, a distance of 308.46 feet, to the Point of Beginning of the following described parcel; from said Point of Beginning, continue N 89°22'17" W, along said north boundary, a distance of 268.98 feet; thence S 01°05'32" W, a distance of 143.41 feet; thence S 88°54'28" E, a distance of 53.12 feet; thence S 37°15'30" W, a distance of 61.93 feet; thence N 88°54'28" W, a distance of 50.00 feet; thence S 03°55'27" W, a distance of 588.53 feet; thence S 88°54'28" E, a distance of 43.04 feet; thence S 06°24'05" E, a distance of 131.80 feet, to a point on a curve concave southerly and having a radius of 635.00 feet; thence Easterly along the arc of said curve, through a central angle of 6°16'53", a distance of 69.62 feet (Chord Bearing N 86°44'22" E and Chord Length 69.58 feet), to a Point of Reverse Curve concave northwesterly and having a radius of 25.00 feet; thence run Northeasterly and Northerly, along the arc of said curve, through a central angle of 88°47'16", a distance of 38.74 feet (Chord Bearing N 45°29'10" E and Chord Length 34.98 feet), to the end of said curve; thence S 82°38'54" E, a distance of 50.30 feet; thence N 01°05'32" E, a distance of 102.09 feet; thence S 88°54'28" E, a distance of 133.34 feet, to the Southwest corner of THE GLEN PHASE'S 7 & 8, recorded in Plat Book 59, Pages 25-26, Public Records of Lake County, Florida; thence along the west boundary of THE GLEN PHASE'S 7 & 8, the following courses; N 01°05'32" E, a distance of 175.57 feet; thence S 89°14'27" E, a distance of 42.00 feet; thence N 01°05'32" E, a distance of 120.00 feet; thence S 89°14'27" E, a distance of 67.20 feet; thence N 00°45'33" E, a distance of 50.00 feet; thence N 89°14'27" W, a distance of 28.56 feet; thence N 00°45'33" E, a distance of 125.00 feet; thence N 89°14'27" W, a distance of 81.05 feet; thence N 00°16'27" E, a distance of 316.66 feet; to the Point of Beginning, and end of this description; area described contains 6.41 acres.

PLAT BOOK _____
 AND PAGE _____

DEDICATION FOR THE GLEN PHASE 10

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being the owner in fee simple of the lands described in the foregoing caption to this plat, does hereby dedicate said lands and plot for the uses and purposes thereon expressed, all streets and right of ways shown on this plat are hereby dedicated in perpetuity to the City of Fruitland Park for the use and benefit of the public for proper purposes; all utility easements shown are dedicated in perpetuity to the City of Fruitland Park for construction, installation, maintenance and operation of utilities by any utility provider, including cable television services, in compliance with such ordinances and regulations as may be adopted from time to time by the City Commission of Fruitland Park; all drainage easements and storm water management tracts or easements as shown are dedicated in perpetuity for construction and maintenance of drainage facilities and shall be perpetual maintenance obligation of The Glen Homeowners' Association, Inc.; park and recreation areas as shown are dedicated in perpetuity for the use and enjoyment of the owners of lots in this subdivision and shall be the perpetual maintenance obligation of The Glen Homeowners' Association Inc.

IN WITNESS WHEREOF,
 The undersigned owner has executed this Dedication in the manner provided by law, on _____
 Signed, Sealed and delivered in our presence as witnesses:

WITNESS:	GRANTEE:
Signature _____	A. A. Moukhtara, Inc. a Florida Corporation
Print Name _____	by: Michel Moukhtara, President
Signature _____	
Print Name _____	

STATE OF FLORIDA
 COUNTY OF LAKE
 The foregoing Dedication was acknowledged before me, an officer duly authorized to take acknowledgements in the State of Florida and County of Lake, this _____ day of _____, 20____, by Michel Moukhtara, President, on behalf of A. A. Moukhtara, Inc., a Florida Corporation.

He [] is personally known to me, or [] has produced _____ as identification.

NOTARY PUBLIC - STATE OF FLORIDA

Signature: _____
 Print Name: _____
 My commission expires _____



CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENCE, That the undersigned, being a Florida licensed and registered Surveyor and Mapper, does hereby certify that on May 23, 2018, he completed the survey of the lands described on this plat; that this plat is a correct representation of the lands herein described and platted or subdivided, and that Permanent Reference Monuments and Permanent Control Points have been placed and that this plat meets the requirements of Chapter 177, Florida Statutes, and is located in Fruitland Park, Florida.

Billy Earl Owens
 Professional Surveyor and Mapper
 39 County Road 494
 Lake Panasofkee, Florida 33538



Billy Earl Owens, PSM
 Florida Registration No. 3522 Date _____

RECORD PLAT REVIEW STATEMENT

"Pursuant to Section 177.081, Florida Statutes, I have reviewed this Plat for conformity to Chapter 177, Florida Statutes, and find that said Plat complies with the technical requirements of that chapter; provided however, that my review does not include field verification of any of the coordinates, points or measurements shown on this Plat."

Date: _____
 Name: _____
 Florida Registered Surveyor and Mapper,
 Registration No. _____



CERTIFICATE OF APPROVAL OF MUNICIPALITY

THIS IS TO CERTIFY, That this plat was presented to the City Council of Fruitland Park, Lake County, Florida and approved by said City Council of Fruitland Park for record, and the dedication of the streets and easements are accepted for municipal purposes of said city on the _____ day of _____, provided it is recorded in the Office of the Clerk of the Circuit Court of LAKE COUNTY, FLORIDA, within _____ 90 days from the date of approval by said City Council _____ CITY OF Fruitland Park, FLORIDA.

Attest: Clerk _____
 Approved as to Form and Legal Sufficiency _____ Date: _____
 City Attorney _____

APPROVAL OF MUNICIPAL PLANNING AND ZONING BOARD

THIS IS TO CERTIFY, that on _____ day of _____, the foregoing plat was officially approved by the PLANNING AND ZONING BOARD of the city of Fruitland Park, Florida.

Examined and Approved: _____

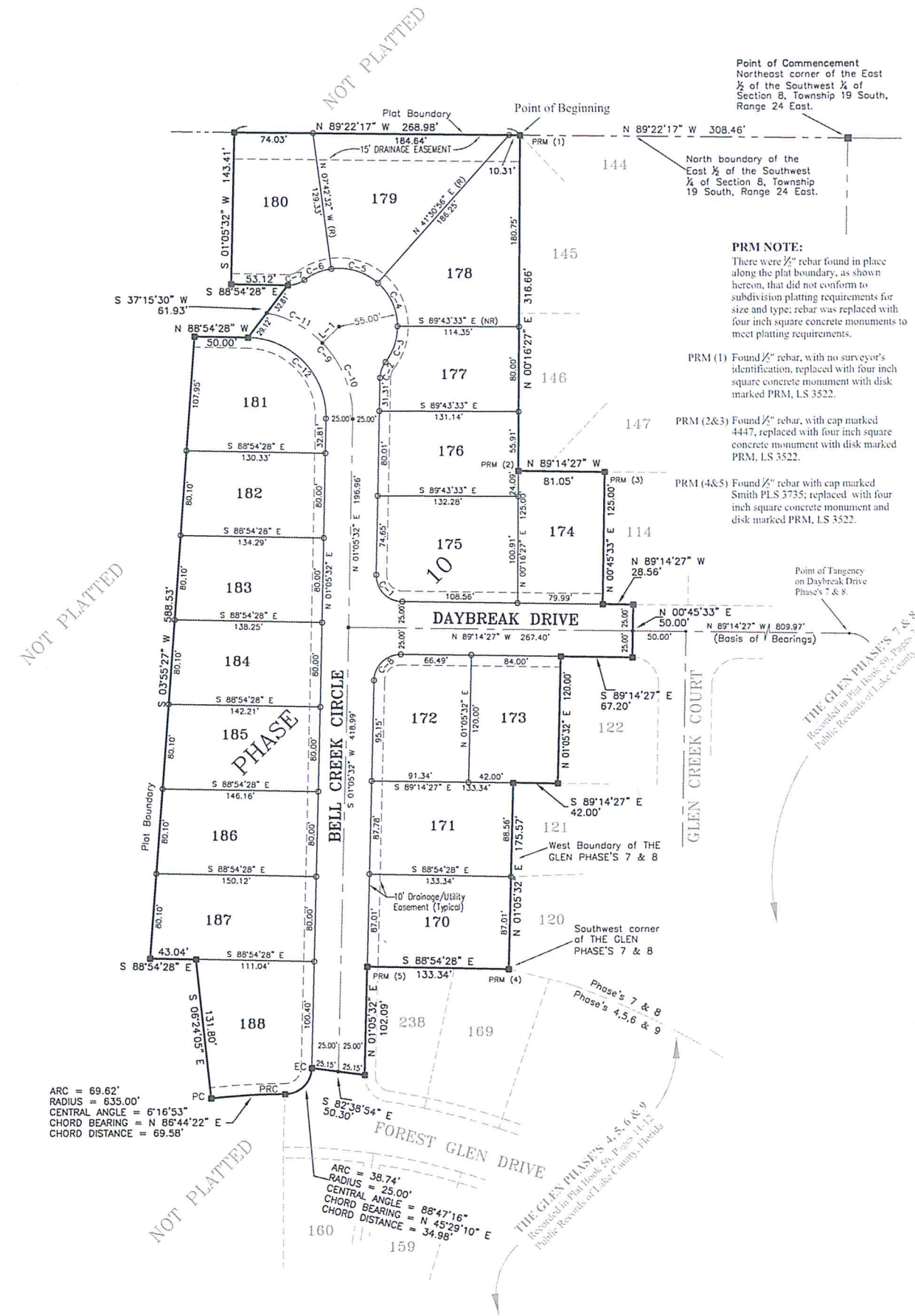
CERTIFICATE OF CLERK

THIS IS TO CERTIFY, That I have examined the forgoing plat and find that it complies in form with all the requirements of chapter 177, Florida statutes, and was filed for record on _____ 20____, at _____ File No. _____

Clerk of the Circuit Court
 in and for Lake County, Florida

THE GLEN PHASE 10

A Subdivision in the City of Fruitland Park
 Being a Portion of:
 Section 8, Township 19 South, Range 24 East
 Lake County, Florida



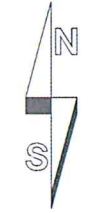
Point of Commencement
 Northeast corner of the East
 1/2 of the Southwest 1/4 of
 Section 8, Township 19 South,
 Range 24 East.

PRM NOTE:
 There were 1/2" rebar found in place
 along the plat boundary, as shown
 hereon, that did not conform to
 subdivision platting requirements for
 size and type; rebar was replaced with
 four inch square concrete monuments to
 meet platting requirements.

PRM (1) Found 1/2" rebar, with no surveyor's
 identification, replaced with four inch
 square concrete monument with disk
 marked PRM, LS 3522.

PRM (2&3) Found 1/2" rebar, with cap marked
 4447, replaced with four inch square
 concrete monument with disk marked
 PRM, LS 3522.

PRM (4&5) Found 1/2" rebar with cap marked
 Smith PLS 3735; replaced with four
 inch square concrete monument and
 disk marked PRM, LS 3522.



LEGEND

- = Permanent Reference Monument-Four inch square concrete
 Permanent Reference Monument, with Disk Marked PRM, LS
 3522, on the boundary of THE GLEN, PHASE 10
- = Permanent Control Point - PK nail and disk marked PCP, LS
 3522, set on road centerline at Points on Boundary, Points of
 Intersection, Points of Curvature and Points of Tangency
- = Five-eighths inch rebar with cap marked Owens, PSM 3522, on
 all lot corners
- PC = Point of Curvature
- EC = End of Curve
- PRC = Point of Reverse Curve
- (R) = Radial Line
- (NR) = Not Radial Line

Lot Numbering (170-188) is a continuation
 of previously recorded phases.

Line and Curve Table

LINE	BEARING	DISTANCE
L-1	N 45°41'51" E	21.99'

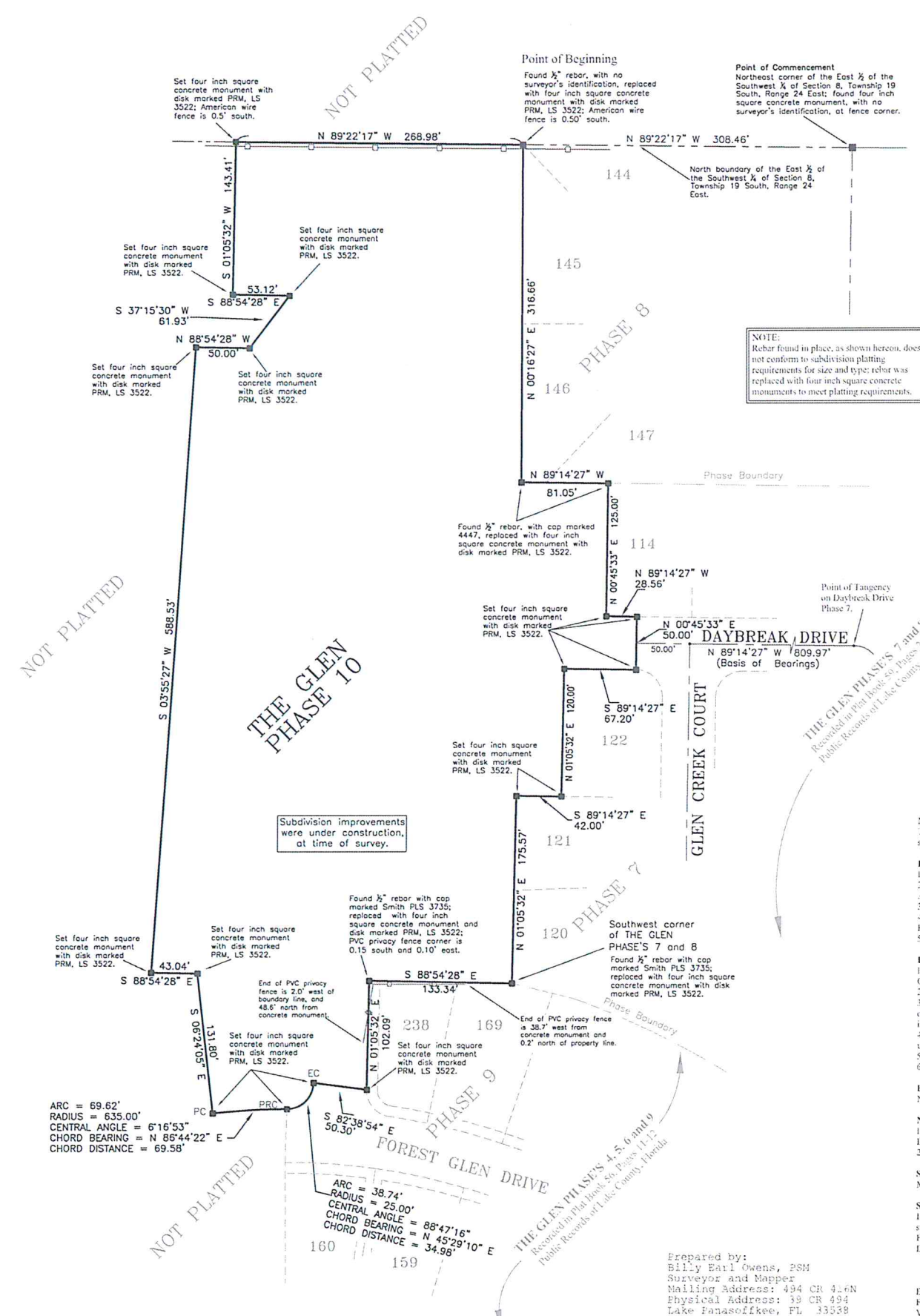
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C-1	39.42'	25.00'	90°19'59"	N 44°04'28" W	35.46'
C-2	15.91'	25.00'	36°27'46"	N 19°19'25" E	15.64'
C-3	36.38'	55.00'	37°53'56"	N 18°36'20" E	35.72'
C-4	46.21'	55.00'	48°08'26"	N 24°24'51" W	44.86'
C-5	47.25'	55.00'	49°13'28"	N 73°05'48" W	45.81'
C-6	27.91'	55.00'	29°04'14"	S 67°45'22" W	27.61'
C-7	16.52'	25.00'	37°52'17"	S 72°09'23" W	16.23'
C-8	39.12'	25.00'	89°40'01"	S 45°55'32" W	35.25'
C-9	139.81'	100.00'	80°06'13"	N 38°57'34" W	128.70'
C-10	79.23'	100.00'	45°23'41"	N 21°36'18" W	77.17'
C-11	60.58'	100.00'	34°42'32"	N 61°39'25" W	59.66'
C-12	117.81'	75.00'	90°00'00"	N 43°54'28" W	106.07'

ARC = 69.62'
 RADIUS = 635.00'
 CENTRAL ANGLE = 6°16'53"
 CHORD BEARING = N 86°44'22" E
 CHORD DISTANCE = 69.58'

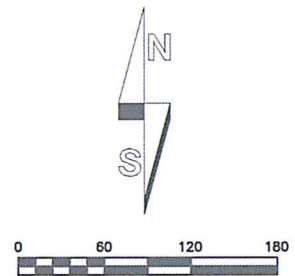
ARC = 38.74'
 RADIUS = 25.00'
 CENTRAL ANGLE = 88°47'16"
 CHORD BEARING = N 45°29'10" E
 CHORD DISTANCE = 34.96'

Prepared by:
 Billy Earl Owens, PSM
 Professional Surveyor and Mapper
 Address: 39 CR 494
 Lake Panasoffkee, FL 33538
 PH: 352-793-2854

Boundary Survey of THE GLEN PHASE 10 A Proposed Subdivision in the City of Fruitland Park Being a Portion of: Section 8, Township 19 South, Range 24 East Lake County, Florida



NOTE:
Rebar found in place, as shown hereon, does not conform to subdivision platting requirements for size and type; rebar was replaced with four inch square concrete monuments to meet platting requirements.



LEGEND
PRM = Permanent Reference Monument
PC = Point of Curvature
EC = End of Curve
PRC = Point of Reverse Curve

Subdivision improvements were under construction, at time of survey.

Map of Boundary Surveys:
This survey map and report is not valid without the signature and original seal of the Florida licensed surveyor and mapper which can be found at the end of this report.

Data Sources:
1) Request from client to prepare a boundary survey of the subject parcel.
2) Title policy furnished by Alliant National Title Insurance Company, prepared by American Land Title Association Commitment Number 18000142.
3) Preliminary Plat of THE GLEN PHASES 1-13, furnished by Springfield Engineering.
4) Maps and Descriptions contained on the plats of THE GLEN PHASES 1-9, as recorded in the Public Records of Lake County, Florida.
5) Corner monuments as found in place.

Limitations:
1) No research was made in the Public Records of Lake County, Florida by the office of Billy Earl Owens, PSM, for easements, restrictions, rights-of-way, or reservations.
2) Subsurface and environmental conditions were not examined or considered as a part of this survey.
3) The word "certify" or "certificate" as shown and used hereon means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.
4) Future subdivision of THE GLEN PHASE 10, was under construction, at the time of this survey; utilities and other improvements being installed were not located.
5) Underground foundations, if any, were not located.
6) Survey and description are subject to easements, restrictions, rights-of-way and reservations, if any.

Easements:
No easements were furnished.

Notes:
1) Bearings are based on the map of THE GLEN PHASES 7 and 8, and the monumented centerline of DAYBREAK DR., as shown hereon.
2) All boundary bearings and distances were field measured.

Survey is for the benefit of:
Michel Moukhtara, President, on behalf of A. A. Moukhtara, Inc., a Florida Corporation.

Surveyor's certification:
I hereby certify this Map and Report Boundary Survey meets the STANDARDS OF PRACTICE for surveying as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 51-17, Florida Administrative Code pursuant to Section 472.027, Florida Statutes.
Date of Survey: May 23, 2018

Billy Earl Owens, PSM
Florida Certificate No. 3522
VOID UNLESS SIGNED AND EMBOSSED WITH SURVEYOR'S SEAL
doc: The Glen Boundary Survey
bk Field Drawing and dc

Prepared by:
Billy Earl Owens, PSM
Surveyor and Mapper
Mailing Address: 494 CR 4-6N
Physical Address: 39 CR 494
Lake Panasoffkee, FL 33538
PH: 352-793-2854
e-mail: beopsm3522@gmail.com

DESCRIPTION OF THE GLEN PHASE 10:
That part of the East 1/2 of the Southwest 1/4 of Section 8, Township 19 South, Range 24 East, Lake County, Florida, described as follows: from the Northeast corner of said East 1/2 of the Southwest 1/4 of Section 8, Township 19 South, Range 24 East, run N 89°22'17" W, along the north boundary of the East 1/2 of the Southwest 1/4 of said Section 8, a distance of 308.46 feet, to the Point of Beginning of the following described parcel; from said Point of Beginning, continue N 89°22'17" W, along said north boundary, a distance of 268.98 feet; then S 01°05'32" W, a distance of 143.41 feet; then S 88°54'28" E, a distance of 53.12 feet; then S 37°15'30" W, a distance of 61.93 feet; then N 88°54'28" W, a distance of 50.00 feet; then S 88°54'28" E, a distance of 43.04 feet; then S 06°24'05" E, a distance of 131.80 feet, to a point on a curve concave southerly and having a radius of 635.00 feet; then Easterly along the arc of said curve, through a central angle of 6°16'53", a distance of 69.62 feet (Chord Bearing N 86°44'22" E and Chord Length 69.58 feet), to a Point of Reverse Curve concave northwesterly and having a radius of 25.00 feet; then run Northeasterly and Northerly, along the arc of said curve, through a central angle of 88°47'16", a distance of 38.74 feet (Chord Bearing N 45°29'10" E and Chord Length 34.98 feet), to the end of said curve; then S 82°38'54" E, a distance of 50.30 feet; then N 01°05'32" E, a distance of 102.09 feet; then S 88°54'28" E, a distance of 133.34 feet, to the Southwest corner of THE GLEN PHASES 7 and 8, recorded in Plat Book 59, Pages 25-26, Public Records of Lake County, Florida; then along the west boundary of THE GLEN PHASES 7 and 8, the following courses: N 01°05'32" E, a distance of 175.57 feet; then S 89°14'27" E, a distance of 42.00 feet; then N 01°05'32" E, a distance of 120.00 feet; then S 89°14'27" E, a distance of 67.20 feet; then N 00°45'33" E, a distance of 50.00 feet; then S 89°14'27" W, a distance of 28.56 feet; then N 00°45'33" E, a distance of 125.00 feet; then S 89°14'27" W, a distance of 81.05 feet; then N 00°16'27" E, a distance of 316.66 feet, to the Point of Beginning, and end of this description; area described contains 6.41 acres.



506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731

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

Board Members: Connie Bame, Chairwoman Colin Crews Daniel Dicus Philip Purlee Tom Bradley	Others: Greg Beliveau, LPG Tracy Kelley, CDD Kelly Turner, Administrative Assistant
-----------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------

**REVISED AGENDA
PLANNING & ZONING BOARD
JUNE 21, 2018
6:00PM**

- I. INVOCATION:**
- II. ROLL CALL:**
- III. MINUTES FROM PREVIOUS MEETING: Approve meeting minutes from May 17, 2018.**
- IV. OLD BUSINESS: None**
- V. NEW BUSINESS:**
- A. 2018-006 An Ordinance Correcting A Scrivener's Error** (James Phillips ALT Key #2515490)
 - a. Correcting the legal description of Ordinance 2016-023
 - B. 2018-007 An Ordinance Correcting A Scrivener's Error**
 - a. Correcting the legal description of Ordinance 2016-025
 - C. Resolution 2018-026 Granting a Variance to the LDR's Rule of Rear Setback**
 - a. Applicant Karen Crispin seeking rear setback variance for accessory storage building from 10' to 5'
 - D. Village Park Campus of First Baptist Church of Leesburg Major Site Plan**
 - a. Application for Phases 1 & 2 with associated parking and storm management system to include a variance from Section 162.060 – a.3.C.ii – the 2 foot grass overhang requirement for the 163 vehicle parking spaces that adjoin the sidewalk
 - E. The Glen – Modification of Developer's Agreement for The Glen with PH 10 Final Plat**
 - a. Applicant Michel Moukhtara – A.A. Moukhtara Company is requesting approval of Modification of Developer's Agreement for The Glen with final plat approval for Phase 10 of The Glen Subdivision currently under construction

BOARD MEMBERS' COMMENTS:

ADJOURNMENT: