



506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731

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

Board Members: Al Goldberg, Chairman Daniel Dicus, Vice Chair Carlisle Burch Fred Collins Walter Birriel	Others: Tracy Kelley, CDD Sharon Williams, Administrative Assistant
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AGENDA
PLANNING & ZONING BOARD
October 21, 2021
6:00PM

- I. **INVOCATION AND PLEDGE OF ALLEGIANCE:**
- II. **ROLL CALL:**
- III. **MINUTES FROM PREVIOUS MEETING:** Approve regular Planning and Zoning Board meeting minutes from August 19, 2021.
- IV. **OLD BUSINESS:** None
- V. **NEW BUSINESS:**

A. School Board of Lake County Rezoning (Alternate Keys: 1639743)

Application submitted by the School Board of Lake County (Diane S. Kornegay, Lake County Schools Superintendent) to re-zone approximately 19 acres from R-1, Single Family Low Density Residential to PFD, Public Facilities District. The School Board is seeking to construct and replace an elementary school and accessory uses on areas located on the northeast corner of the intersection of Urick Street and Olive Avenue. The rezoning to PFD is required in order to allow

Kelly Randall, Supervisor of Growth Planning for the School Board was present to discuss the new elementary school construction project. To date, an architect has not been selected (anticipated in the Spring); thereafter, civil, structural and utility engineers will be hired for the design process. Questions regarding utilities, school entrance, transportation, traffic cannot be addressed until the aforementioned along with the construction manager are hired.

Construction is anticipated to commence early 2023 with school opening in the Fall (August) of 2024. Maximum ISR of 70%, 15' landscape buffers and parking spaces to meet LDR requirements added to plan.

Various design aspects/accessibility were discussed for consideration. School Board anticipating presenting detailed site plan for courtesy review in 2022.

B. 7-Eleven Major Site Plan (Alternate Key: 2748770):

A Major Site Plan application submitted by William "Bill" Lloyd (441 Lake Ella, LLC) on behalf of Fruitland Lake Ella, LLC. Parcel currently zoned General Commercial (C-2). Applicant proposing development of a 4,650 sf 7-Eleven gas station and convenience store at the intersection of Eagle's Nest Road and US HWY 27. Applicant also proposing a 996 sf car wash on property.

Conditions/Considerations for approval:

- Engineering recommends conditional approval provided the applicant coordinate with Lake County Fire to provide needed fire protection prior to beginning construction.
- Lake County Fire - water supply approval conditions and suggestions:
 - Since the current hydrants do not provide enough water, a sprinkler system for the building would allow for a 75% reduction in the needed fire flow.
 - It would also be in the applicant's interest not to connect the canopy to the store. If they do connect it, they would have to sprinkle the canopy as well.
- Prior to the issuance of a building permit, the Applicant shall resolve, to the satisfaction of the City Manager or designee, the following matters:
 - Applicant must obtain a driveway permit from FDOT for connection of the Property to US Hwy 27/441.
 - Applicant must dedicate and convey by right-of-way deed to Lake County right-of-way for Lake Ella Road. Applicant must prepare and provide to Lake County the legal description and sketch of description of the right-of-way as determined by Lake County, along with a copy of the Property boundary survey and title report.
 - Applicant must cooperate with FDOT and Lake County for the traffic signal modification at the intersection of US Hwy 27/441 and Lake Ella Road, and execute any required agreements relating to same.

- Site plan approval shall terminate and become null and void automatically without notice if construction has not commenced within twelve (12) months from the date of this conditioned approval.

Staff recommends approval in consideration of the aforementioned.

BOARD MEMBERS' COMMENTS:

PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. 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 Planning and Zoning Board. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

ADJOURNMENT:



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Board Members: Al Goldberg, Chairman Daniel Dicus, Vice Chair Carlisle Burch Fred Collins Walter Birriel	Others: Dwayne Williams, CDD Sharon Williams, Administrative Assistant
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AUGUST MINUTES
PLANNING & ZONING BOARD
August 19, 2021
6:00PM

- I. **INVOCATION AND PLEDGE OF ALLEGIANCE:** Invocation and Pledge of Allegiance lead by Sharon Williams, Assistant to the Director.

- II. **ROLL CALL:** All Board Members present (except Board Member Carlisle Burch with excused absence); LPG Michael Rankin; City Attorney Anita Geraci-Carver; Staff: CDD Dwayne Williams and Assistant to the Director Sharon Williams. Present on behalf of the applicant, Mirror Lake Phase II proposed development, were: Adilia Richemond, Isaiah Cottle and David Gritton of GSL Holdings I LLC and Dustin Brinkman of KPM Franklin. Also present was Danny Bass, City Building Official.

- III. **MINUTES FROM PREVIOUS MEETING:** Planning and Zoning Board meeting minutes from May 20, 2021 were approved.

- IV. **OLD BUSINESS:** None

- V. **NEW BUSINESS:**

A. Mirror Lake Phase II – Preliminary Subdivision Plan (Alternate Key: 3897102)

Preliminary Subdivision Plan submitted by GSL Holdings on behalf of Fruitland Park LLC. Property is currently zoned PUD. The preliminary plan is for development of Phase II of Mirror Lake. Phase II consists of 76 units with an average lot size of 43' x 145' (6,235 SF). The total number of units after construction of Phase II will be 166 units which is consistent with the PUD Ordinance (2014-024).

LPG Rankin introduced application, providing a general overview of the submittal.

Discussion ensued regarding potential remedies to address the issue of the stormwater pond overflow. Consistent overflow is causing further erosion conditions/concerns.

Dustin Brinkman of KPMG Franklin stated the goal is to fill the spreader swale and investigate solutions which could potentially help with the diversion of water; to include recommendation of erosion control measures. He suggested continued monitoring of storm events after construction onset.

Board Member Dicus stated that he would like to have guarantee of no future overflow issues; with the desired outcome to see the problem resolved 'now' vice later. Board Member Dicus further stated that continued monitoring (vice taking action for viable resolution) is undesirable. He emphasized that inherent with the Phase II proposed development is the responsibility to resolve the stormwater overflow issue caused by the initial development.

P&Z Board requested that applicant schedule workshop to address viable remedy to address the stormwater issue. Outstanding issues pertaining to the stormwater pond will need to be rectified before actual construction of homes in Phase II proposed development.

Staff recommends approval of the preliminary subdivision plan for Mirror Lake Phase II. P&Z board voted 4-0 to approve the aforementioned plan with conditions to resolve the stormwater issue prior to construction.

B. Property Rights Element

Effective July 1, 2021, the Florida state legislature enacted into law, House Bill 59, to protect personal property rights of homeowners. Each municipality is required to adopt a Property Rights Element and incorporate into its comprehensive plan. The Property Rights Element presented has been approved by City Attorney and is presented for P&Z approval for recommended adoption by City Commission.

CDD Williams introduced policies presented to address the Property Rights element of the aforementioned to be included in the city's Comprehensive Plan.

City Attorney further clarified that the state's intent is to ensure that local government takes the rights of property owners into consideration when reviewing land use applications.

Staff recommends approval of the Property Rights Element for adoption by Commission into the City of Fruitland Park's 2035 Comprehensive Plan. P&Z Board Approved 4-0.

BOARD MEMBERS' COMMENTS:

PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. 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 Planning and Zoning Board. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

ADJOURNMENT: Meeting Adjourned at 6:32PM



City of Fruitland Park, Florida
Community Development Department
 506 W. Berckman St., Fruitland Park, Florida 34731
 Tel: (352) 360-6727 Fax: (352) 360-6652
 www.fruitlandpark.org

<i>Sta Use Only</i>	
Case No.:	_____
Fee Paid:	_____
Receipt No.:	_____

Development Application

Contact Information:

Owner Name: School Board of Lake County
 Address: 201 West Burleigh Boulevard, Tavares, FL 32778
 Phone: 352-253-6698 Email: _____

Applicant Name: School Board of Lake County
 Address: 201 West Burleigh Boulevard, Tavares, FL 32778
 Phone: 352-253-6694 Email: _____

Engineer Name: TBD
 Address: _____
 Phone: _____ Email: _____

Property and Project Information:

PROJECT NAME*: Fruitland Park Elementary Replacement
 *A project name is required for all submissions. Please choose a name representative of the project for ease of reference.

Property Address: TBD - vacant property

Parcel Number(s): 09-19-24-0400-043-00102 Section: 09 Township: 19 Range 24

Area of Property: Approx. 19 acres Nearest Intersection: NEC Olive Avenue and Urick Street

Existing Zoning: R1 - residential single family low Existing Future Land Use Designation: SFLD-single family low density

Proposed Zoning: Public Facilities District (PFD) Proposed Future Land Use Designation: N/A

The property is presently used for: vacant

The property is proposed to be used for: Educational Institution use - Public Elementary School

Do you currently have City Utilities? no

Application Type:

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Comp Plan Amendment | <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Planned Development |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Special Exception Use | <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Final Plat |
| <input type="checkbox"/> Minor Lot Split | <input type="checkbox"/> Preliminary Plan | <input type="checkbox"/> Construction Plan | <input type="checkbox"/> ROW/Plat Vacate |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Minor Site Plan | <input type="checkbox"/> Replat of Subdivision | |

Please describe your request in detail: rezone the property from R1 to Public Facilities District (PFD) for the purpose of constructing a public elementary school

Required Data, Documents, Forms & Fees

Attached to this application is a list of **REQUIRED** data, documents and forms for each application type as well as the adopted fee schedule. These items must be included when submitting the application package. Failure to include the supporting data will deem your application package **INCOMPLETE** and will not be processed for review.

Printed Name: Kelly C. Randall

Signature: Kelly C. Randall Date: 8/31/21

If application is being submitted by any person other than the legal owner(s) of the property, the applicant must have written authorization from the owner to submit application.

Development Application Checklist

The Following are Required for ALL Development Applications:

- Legal Description (Word file req'd) Current Deed Aerial Photo
 Property Appraiser Information Electronic Copy of Application Location Map

Pre-application conferences are strongly encouraged. Submit TWO CDs with ALL documents in pdf; those that are generated as CAD files should be submitted in pdf and dwg formats. . Legal Descriptions should also come with a MS Word file of the legal description. Most maps are accessible through www.lakecountyfl.gov/maps/. Note: All maps are required to depict adjacent properties at a minimum.

Failure to provide adequate maps may delay the application process.

Other Required Analyses and Maps:

Small Scale Comprehensive Plan Amendment Applications:

- Justification for Amendment Environmental Constraints Map Requested FLU Map

Large Scale Comprehensive Plan Amendment Applications:

Maps: Environmental Constraints Soils Requested FLUM Designation Requested Zoning Map Designation

Analyses: Environmental Assessment Utility Availability Analysis Urban Sprawl Analysis School Impact Analysis
 Traffic Impact Analysis Consistency with the Comp Plan Florida Master Site File sign-off or Archaeological Survey

Rezoning Applications: Requested Zoning Map Justification for Rezoning

Planned Development Applications:

Maps/Plans: Conceptual Plan as Described in LDRs Chapter 154, Section 154.030,10,G Environmental Constraints

Analyses: Environmental Assessment Traffic Impact Analysis Preliminary Concurrency Analysis

Variance Applications: Justification for Variance

Special Exception Use Applications:

- Justification for Special Exception Use
 Site Sketch List of Special Requirements as Described in LDRs, Chapter 155

Conditional Use Permit Applications:

- Proposed List of Conditions and Safeguards
 Site Plan as Described in LDRs, Chapter 155 Written Statement as Described in LDRs, Chapter 155

Subdivision Applications:

(Preliminary Plan, Improvement Plan and Final Plat)

- As Described in LDRs, Chapter 157

Minor Subdivision Applications:

- As Described in LDRs, Chapter 157

Site Plan Applications:

- As Described in LDRs, Chapter 160

APPLICANT AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LAKE

Before me the undersigned authority, personally appeared Kelly Randall, Lake County

Supervisor of Growth
Schools Superintendent Planning, who being by me first duly sworn on oath deposes and says:

- 1) That he/she affirms and certifies that he/she understands and will comply with all ordinances, regulations, and provisions of the City of Fruitland Park, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further that this application and attachments shall become part of the Official Records of the City of Fruitland Park, Florida, and are not returnable.
- 2) That the submittal requirements for the application have been completed and attached hereto as part of that application.
- 3) That he/she desires a rezoning to allow the construction of a public elementary school (Fruitland Park Elementary)

Kelly C. Randall
Affiant (Applicant's Signature)

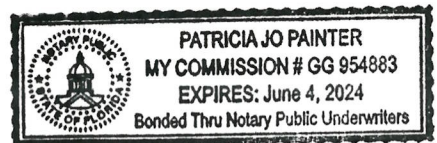
State of Florida
County of Lake

The Foregoing instrument was acknowledged before me this 3rd day of August, 2021,
by Kelly Randall who is personally known to me or has produced
_____ as identification and who did or did not take an oath

(Notary Seal)

Notary Public - State of Florida
Commission No GG954883
My Commission Expires 6/4/2024

Patricia Jo Painter
Signature
PATRICIA JO PAINTER
Printed Name



OWNER'S AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LAKE

Before me the undersigned authority, personally appeared Diane S. Kornegay, Lake County

Schools Superintendent, who being by me first duly sworn on oath deposes and says:

- 1) That he/she is the fee-simple owner of the property legally described on attached page of this application.
- 2) That he/she desires a rezoning to allow the construction of a
a public elementary school. (Fruitland Park Elementary)

- 3) That he/she has appointed Kelly Randall, Growth Planning Supervisor to act as agent on his/her behalf to accomplish the above. The owner is required to complete the Applicant's Affidavit of this application if no agent is appointed to act on his/her behalf.

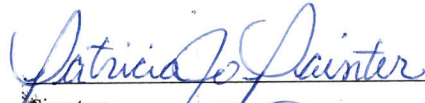


 Affiant (Owner's Signature)

State of Florida
 County of Lake

The Foregoing instrument was acknowledged before me this 3rd day of August, 2021
 by Diane Kornegay who is personally known to me or has produced
 _____ as identification and who did or did not take an oath
 (Notary Seal)

Notary Public - State of Florida
 Commission No GG 954883
 My Commission Expires 6/4/2024



 Signature
PATRICIA JO PAINTER

 Printed Name



PROPERTY RECORD CARD

General Information

Name:	SCHOOL BOARD OF LAKE COUNTY	Alternate Key:	1639743
Mailing Address:	201 W BURLEIGH BLVD TAVARES, FL 32778 Update Mailing Address	Parcel Number: ⓘ	09-19-24-0400-043-00102
		Millage Group and City:	000F (FRUITLAND PARK)
		2020 Total Certified Millage Rate:	18.1489
		Trash/Recycling/Water/Info:	My Public Services Map ⓘ
Property Location:	OLIVE AVE FRUITLAND PARK FL 34731 Update Property Location ⓘ	Property Name:	-- Submit Property Name ⓘ
		School Information:	School Locator & Bus Stop Map ⓘ School Boundary Maps ⓘ
Property Description:	FRUITLAND PARK BEG AT SW COR LOT 5 BLK 43, RUN N 885.44 FT, E 941.02 FT, S 30-16-0 E 298.55 FT, W 125.6 FT, S 634.41 FT, W 965.1 FT TO POB, BEING PART OF LOTS 1 THRU 4 INCL, LOTS 5, 6, 7--LESS FROM SW COR LOT 5 BLK 43 RUN N 0-18-20 E 760.44 FT FOR POB, CONT N 0-18-20 E 125 FT, S 89-51-30 E 350 FT, S 0-08-30 W 125 FT, N 89-51-30 W 350 FT TO POB--PB 3 PG 8 ORB 584 PG 477		
<small>NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.</small>			

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class	Value	Land Value
1	PUBLIC SCHOOL (8300)	0	0		18.99	AC	\$0.00		\$142,425.00

[Click here for Zoning Info](#) ⓘ [FEMA Flood Map](#)

Miscellaneous Improvements

There is no improvement information to display.

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description above and/or recorded and indexed with the Clerk of Court. [Follow this link to search all documents by owner's name.](#)

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
584 / 477	1/1/1975	Misc Deed/Document	Qualified	Vacant	\$60,000.00

[Click here to search for mortgages, liens, and other legal documents.](#) ⓘ

Values and Estimated Ad Valorem Taxes ⓘ

Values shown below are 2021 CERTIFIED VALUES (July 1 Preliminary Tax Roll Certification).
The Market Value listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC GENERAL	\$142,425	\$142,425	\$0	5.05290	\$0.00

FUND

LAKE COUNTY MSTU AMBULANCE	\$142,425	\$142,425	\$0	0.46290	\$0.00
LAKE COUNTY MSTU FIRE	\$142,425	\$142,425	\$0	0.51380	\$0.00
SCHOOL BOARD STATE	\$142,425	\$142,425	\$0	3.59400	\$0.00
SCHOOL BOARD LOCAL	\$142,425	\$142,425	\$0	2.99800	\$0.00
CITY OF FRUITLAND PARK	\$142,425	\$142,425	\$0	3.91340	\$0.00
ST JOHNS RIVER FL WATER MGMT DIST	\$142,425	\$142,425	\$0	0.22870	\$0.00
LAKE COUNTY VOTED DEBT SERVICE	\$142,425	\$142,425	\$0	0.09180	\$0.00
LAKE COUNTY WATER AUTHORITY	\$142,425	\$142,425	\$0	0.32290	\$0.00
NORTH LAKE HOSPITAL DIST	\$142,425	\$142,425	\$0	1.00000	\$0.00
				Total: 18.1784	Total: \$0.00

Exemptions Information

This property is benefitting from the following exemptions with a checkmark ✓

Homestead Exemption (first exemption up to \$25,000)	Learn More View the Law
Additional Homestead Exemption (up to an additional \$25,000)	Learn More View the Law
Limited Income Senior Exemption (applied to county millage - up to \$50,000)	Learn More View the Law
Limited Income Senior Exemption (applied to city millage - up to \$25,000) 	Learn More View the Law
Limited Income Senior 25 Year Residency (county millage only-exemption amount varies)	Learn More View the Law
Widow / Widower Exemption (up to \$500)	Learn More View the Law
Blind Exemption (up to \$500)	Learn More View the Law
Disability Exemption (up to \$500)	Learn More View the Law
Total and Permanent Disability Exemption (amount varies)	Learn More View the Law
Veteran's Disability Exemption (\$5000)	Learn More View the Law
Veteran's Total and Permanent Disability Exemption (amount varies)	Learn More View the Law
Veteran's Combat Related Disability Exemption (amount varies)	Learn More View the Law
Deployed Servicemember Exemption (amount varies)	Learn More View the Law
First Responder Total and Permanent Disability Exemption (amount varies)	Learn More View the Law
Surviving Spouse of First Responder Exemption (amount varies)	Learn More View the Law
Conservation Exemption (amount varies)	Learn More View the Law
Tangible Personal Property Exemption (up to \$25,000)	Learn More View the Law
✓ Religious, Charitable, Institutional, and Organizational Exemptions (amount varies)	Learn More View the Law
Economic Development Exemption	Learn More View the Law
Government Exemption (amount varies)	Learn More View the Law

Exemption Savings

The exemptions marked with a ✓ above are providing a tax dollar savings of:
\$2,589.07

Assessment Reduction Information (3% cap, 10% cap, Agricultural, Portability, etc.)

This property is benefitting from the following assessment reductions with a checkmark ✓

Save Our Homes Assessment Limitation (3% assessed value cap)	Learn More View the Law
Save Our Homes Assessment Transfer (Portability)	Learn More View the Law
Non-Homestead Assessment Limitation (10% assessed value cap)	Learn More View the Law
Conservation Classification Assessment Limitation	Learn More View the Law
Agricultural Classification	Learn More View the Law

NOTE: Should a determination be made that a property no longer meets the criteria for a bona fide agricultural purpose, a formal denial will be mailed on or before July 1 of the applicable tax year.

Assessment Reduction Savings ⓘ

The assessment reductions marked with a ✓ above are providing a tax dollar savings of: \$0.00

NOTE: Information on this Property Record Card is compiled and used by the Lake County Property Appraiser for the sole purpose of ad valorem property tax assessment administration in accordance with the Florida Constitution, Statutes, and Administrative Code. The Lake County Property Appraiser makes no representations or warranties regarding the completeness and accuracy of the data herein, its use or interpretation, the fee or beneficial/equitable title ownership or encumbrances of the property, and assumes no liability associated with its use or misuse. See the posted [Site Notice](#).



THIS INSTRUMENT PREPARED BY:
Fred A. Morrison
P.O. Box 491357
Leesburg, Florida 34749 - 1357

Quitclaim Deed

RESERVED FOR RECORDING

THIS QUIT CLAIM DEED, executed this 23rd day of April, 2018, by **THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA**, whose address is 201 West Burleigh Boulevard, Tavares, Florida 32778, first party, to **THE CITY OF FRUITLAND PARK, FLORIDA**, whose address is 506 West Berckman Street, Fruitland Park, Florida 34731, second party:

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

WITNESSETH, That the said first party, for and in consideration of the sum of TEN AND NO/100- ----(\$10.00)-----Dollars, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Lake, State of Florida, to-wit:

From the SW corner of the SE ¼ of Section 9, Township 19 South, Range 24 East, Lake County, Florida, run North 0°35'00" E. along the west line of the SE ¼ a distance of 1029.53 ft, thence South 89°28'30" E. 26.51 ft. to the SW corner of Lot 5, Block 43, Town of Fruitland Park, Florida, thence North 0°18'20" E. 760.44 ft. to the Point of Beginning of this description; run thence North 0°18'20" E. 125.00 ft., thence S 89°51'30" E. 250.00 ft. along the South Line of Mirror Lake Manor as recorded P.B. 23, Pg. 51 of the Public Records of Lake County, Florida; then S 00°08'30" W. 125.00 ft., thence N. 89°51'30" W. 250.00 ft. to the POB

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

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

WITNESSES (two required):

GRANTOR: THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA

Natalie Challenger
Natalie Challenger
(Type or print name of witness)

BY: Stephanie Luke
STEPHANIE LUKE, Chair

Gaye Sikkema
Gaye Sikkema
(Type or print name of witness)

STATE OF FLORIDA
COUNTY OF LAKE

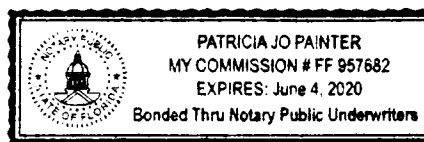
BEFORE ME, the undersigned Notary Public, personally appeared Stephanie Luke, as Chair of the School Board of Lake County, Florida, who acknowledged before me on the 23 day of April, 2018, that she executed the foregoing instrument, and who was either {CHECK ONE} personally known to me, or who produced _____ as identification.

Patricia Jo Painter
NOTARY PUBLIC SIGNATURE

PATRICIA JO PAINTER
Type or print name of Notary

FF 957682
Commission Number

6.4.2020
Commission Expiration Date



WARRANTY DEED

Rec 6.00
St 180.00
Sur 12.00
Con 20.00

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

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

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

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

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

Signed, sealed and delivered
in our presence:

Arthur E. Roberts

Inogene K. Merrill
As to Clyde Rogers and wife,
Esther Rogers

Clyde Rogers (SEAL)
CLYDE ROGERS

Esther Rogers (SEAL)
ESTHER ROGERS

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

Esther E. Roberts

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

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

Glenn Rogers (SEAL)
GLENN ROGERS

Lois J. Rogers (SEAL)
LOIS J. ROGERS

Regent R. Weber (SEAL)
REGENT R. WEBER

STATE OF FLORIDA
COUNTY OF LAKE

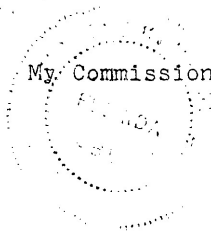
I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared CLYDE ROGERS and wife, ESTHER ROGERS; GLENN ROGERS and wife, LOIS J. ROGERS; and REGENT R. WEBER, to me known to be the persons described in and who executed the foregoing instrument and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

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

Imogene K. Merrill
Notary Public

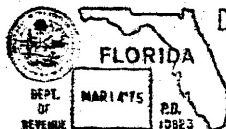
My Commission Expires:

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



LAKE COUNTY

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DOCUMENTARY SUR TAX
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STATE OF FLORIDA
DOCUMENTARY STAMP TAX
DEPT OF REVENUE
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180.00

Legal Description:

From the SW corner of the SE 1/4 of Section 9, Township 19 South, Range 24 East, Lake County, Florida, run North 0°35'00" East along the West line of the SE 1/4 a distance of 1029.53 feet, Thence South 89°28'30" East 26.51 feet to the SW corner of Lot 5, Block 43, Town of Fruitland Park, Florida, and the Point of Beginning of this Description; Run Thence North 0°18'20" East 885.44 feet, Thence South 89°51'30" East 941.02 feet, Thence South 30°16'00" East 298.55 feet, Thence North 89°51'30" West 125.60 feet, Thence South 0°30'10" West 634.41 feet, Thence North 89°28'30" West 965.10 feet to the POB, containing 20.00 acres. (ORB584, PG 477)

LESS

From the SW corner of the SE 1/4 of Section 9, Township 19 South, Range 24 East, Lake County, Florida, run North 0°35'00" East along the West line of the SE 1/4 a distance of 1029.53 feet, Thence South 89°28'30" East 26.51 feet to the SW corner of Lot 5, Block 43, Town of Fruitland Park, Florida, Thence North 0°18'20" East 760.44 feet to the POB of this Description; Run Thence North 0°18'20" East 125.00 feet, Thence South 89°51'30" East 250 feet along the South line of Mirror Lake Manor as recorded PB 23, PG 51 of Public Records of Lake County, Florida; Then South 00°08'30" West 125.00 feet, Thence North 89°51'30" West 250 feet to the POB. (ORB 5139, PG 2470)

ALSO LESS

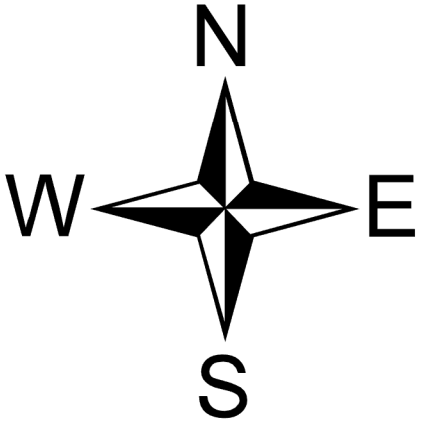
Fruitland Park from SW corner of Lot 5, Block 43 run North 885.44 feet, South 89°51'30" East 250 feet to POB, Continue on same line 100 feet, South 00°08'30" West 125 feet, North 89°51'30" West 100 feet, North 00°08'30" East 125 feet to POB PB 3 PGS 8-9. (Lake County Property Appraiser)





National Geographic, Esri, Garmin, HERE, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, increment P Corp.



Lake County School District Property
 Fruitland Park
 Lake County, Florida
 Location Map



590 Feet

 Olive Street
 County Boundary

Date Exported: 6/30/2021 10:01 AM
 Name of Map: OliveStreet


Aerial Map



August 26, 2021

1:7,500





pointLayer

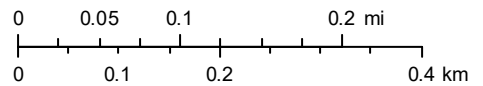
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Street Names

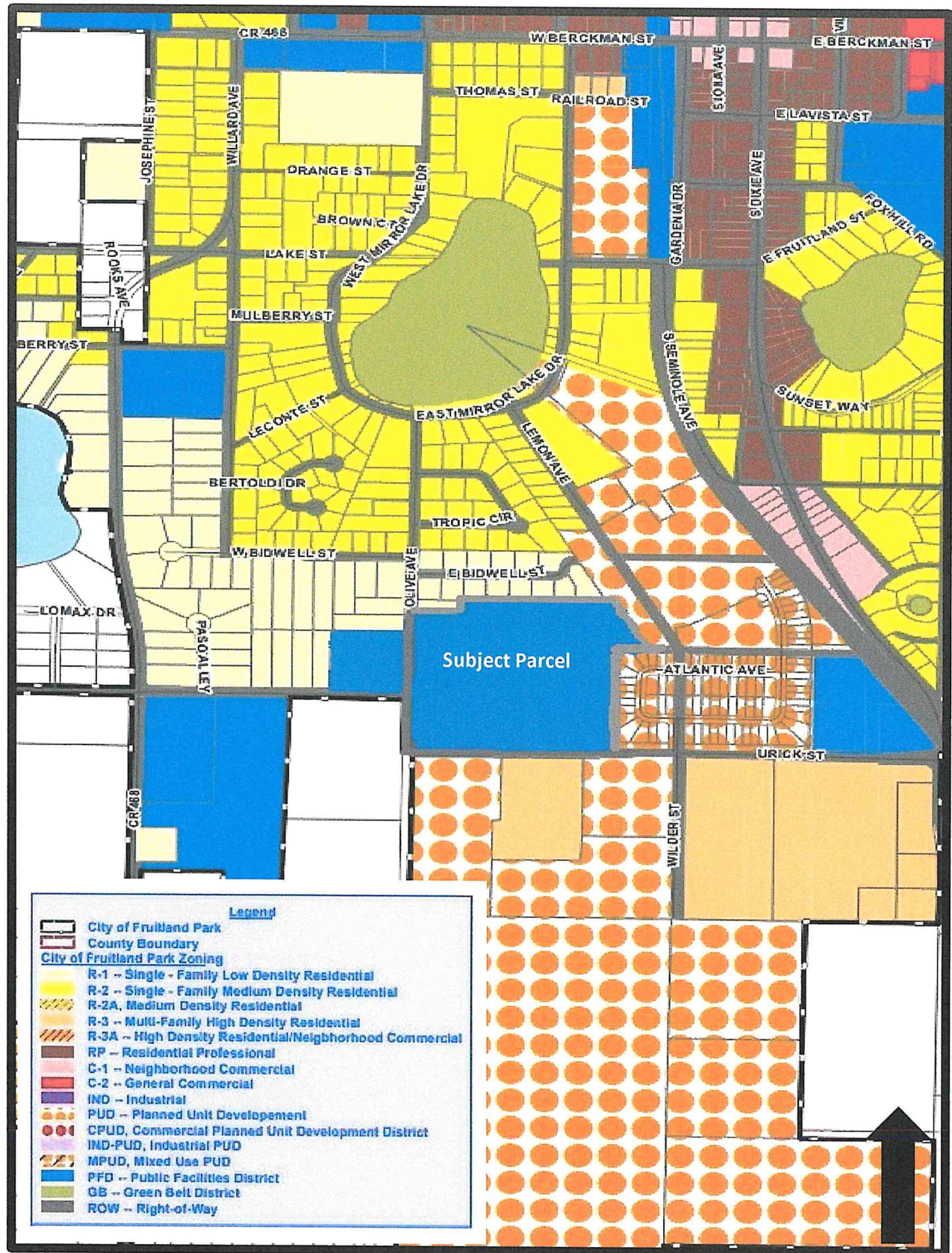
-  Local Streets
-  Property Name
-  County Boundary
-  Water Bodies

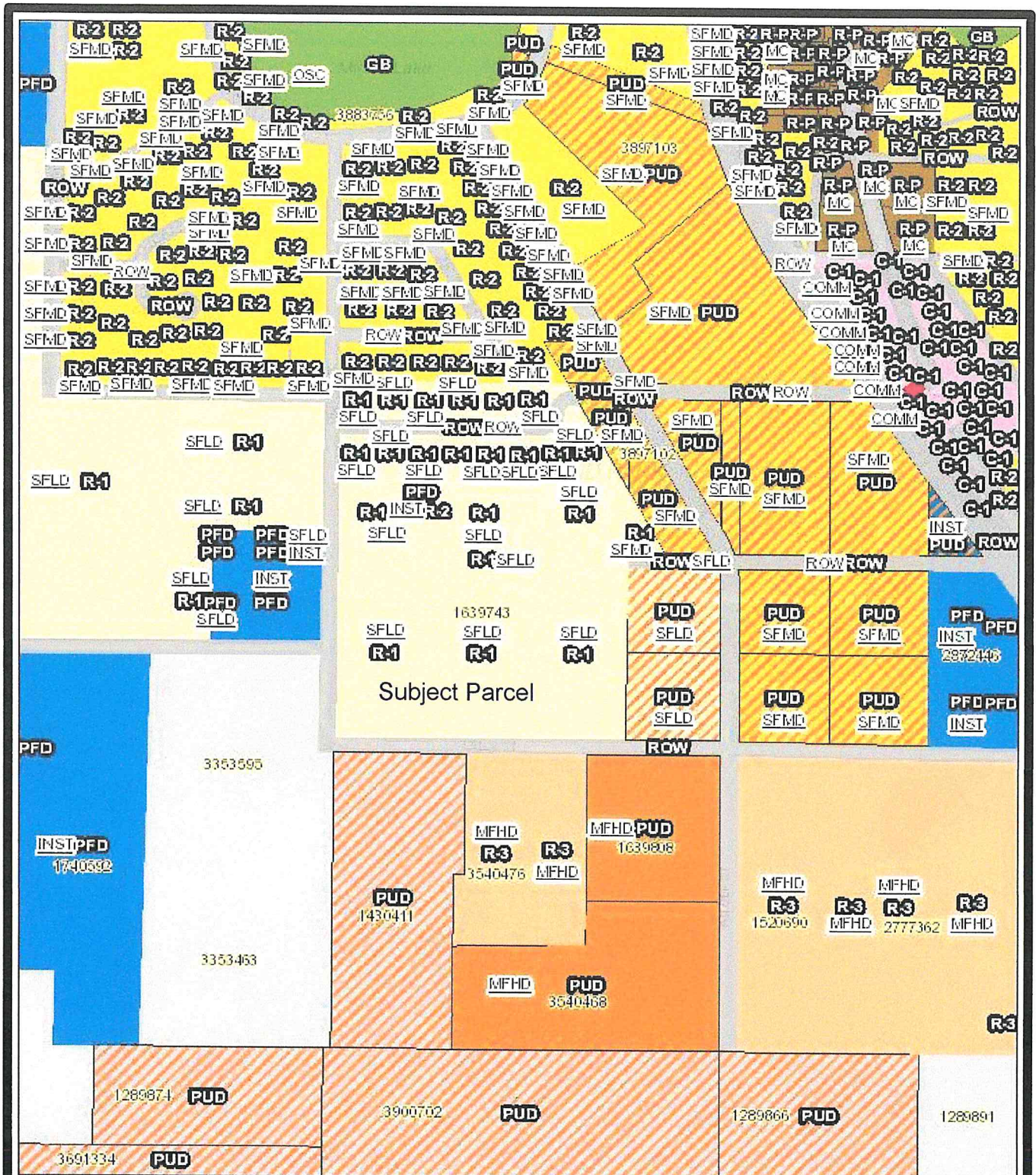


Lake County Property Appraiser
Lake BCC

City of Fruitland Park
Requested Zoning Map

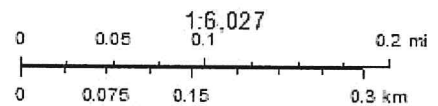
Fruitland Park Elementary





August 26, 2021

Tax Parcels Alternate Key



**FRUITLAND PARK ELEMENTARY
REPLACEMENT/MODERNIZATION
JUSTIFICATION STATEMENT FOR REZONING**



I. Background Information

The subject Property is located at the northeast corner of Olive Avenue and Urick Street and identified by alternate key 1639743. The Property is currently zoned Residential Low Density (R1) and the Future Land Use Designation is Single Family Low Density (SFLD). The Property is approximately 19 acres and currently undeveloped.

The School District is replacing the existing Fruitland Park Elementary school on this subject property. The existing elementary school is now over 50 years old, having opened in 1965, and has reached the end of its useful lifecycle. It has subsequently been scheduled for a modernized replacement. The replacement school is included in the District's Five Year Capital Plan and scheduled to open in 2024.

A replacement school is designed to address the school facility as an integrated system and considers issues such as instructional program delivery, student circulation, relationship of core facilities, security concerns, and site access. The new Fruitland Park Elementary replacement school will provide a safe, secure and updated modern school facility for the students.

II. Proposed Changes

The request is an official zoning map amendment from R-1 (Residential low density) to PFD (Public Facilities District). The current R-1 zoning does not permit educational institution uses. The rezoning to the PFD zoning district would permit educational institution uses. Therefore, the rezoning to PFD is required in order to allow for the construction of a public elementary school.

III. Consistency with surrounding land uses

The proposed changes are compatible with the adjacent land use. The property is surrounded by residential, institutional and agricultural zoned properties and land uses. See table below:

Adjacent Property	FLU Designation	Zoning District	Land Use
East	SFLD/SFMD	PUD	Residential Development (Mirror Lake Village Phs 1 & 2)
North	SFLD	PFD/R-1	City Parcels and Residential Development (Mirror Lake Manor)
West	SFLD/INST/AG	PFD/R-1	Vacant parcels, Church, Residential and Agricultural uses
South	MFHD	PUD/R-3	Residential Uses (Holloway PUD and Fruitland Acre Apartments)

The proposed rezoning change is consistent with the Comprehensive Plan.

The requested rezoning and the proposed development of the property are consistent with the Goals, Policies, and Objectives of the Comprehensive Plan.

The existing future land use designation permits or supports public facilities pursuant to Policy 1-5.1, if criteria are met.

Policy 1-5.1: Public Facilities. *Necessary Public Facilities shall be permitted as Institutional Land Uses within any Future Land Use Designation if such facility satisfies the following criteria:*

1) *Serves the majority of the population.*

The elementary school will serve the student population of Fruitland Park. The existing students are anticipated to attend the new replacement school. The proposed school will also serve the elementary students estimated to be generated by recently approved new development within the current attendance boundary.

2) *Located in close proximity to the main user group.*

The main user group or student population is located within the City and in close proximity to the proposed public school site. The new school site is located approximately a mile from the existing school. The students currently attending the existing Fruitland Park Elementary are expected to attend the new school.

Additionally, the recently approved Holloway Planned Unit Development (PUD) is located directly south of the proposed school site, across Urick Street. The Holloway PUD is estimated to generate 110 elementary students. These students will be assigned to attend the new school in the future.

Also, the Tara Oaks residential development located further south is under construction. The Tara Oaks development was approved for 1,168 dwelling units. The estimated students to be generated by this residential development is 183.

Both of these residential developments are located in the Fruitland Park Elementary attendance boundary. The students generated by the new residential developments are assigned to Fruitland Park Elementary.

3) *Buffers will be provided along the perimeter property boundary and the width of such buffers shall be determined by the adjacent land used and the proposed land use.*

The school district intends to comply, to the extent possible, in providing the required perimeter buffers.

- 4) *Landscaping will be provided based on the adjacent land use and the proposed land use.*

The intent is to preserve existing trees and vegetation to the extent possible. The district will utilize design elements of CPTED for a secure site perimeter. These CPTED elements will include, but not be limited to, fencing, gates and landscaping.

The City's Land Development Code does provide a credit for utilizing existing vegetation/trees on site. Per Section 164, Landscape Requirements: *The applicant is encouraged to utilize existing vegetation within the property for Buffer landscaping in lieu of planting materials. However, the existing vegetation on-site must be an upland community as defined in the Appendix to the City of Fruitland Park Code.*

The approved public facility use will comply, to the extent possible, with the landscaping and buffering requirements and access management requirements. The District intends to provide the perimeter buffers and preserve the existing natural vegetation as much as possible.

IV. PFD Zoning Criteria

Pursuant to the City's Code, the purpose of the PFD district is to provide for the development of public facilities. *Public facilities/services shall include but not be limited to, public and private utilities, governmental, religious, and educational land uses.*

The proposed public school is a public facility use and is permitted in the PFD zoning district.

PFD zoning district locational criteria:

- i) The approved use shall front on an arterial or collector roadway.

The subject property has frontage on Olive Avenue, which is a local road, and Urick Street, which is a County Road. The main access is proposed on Olive Avenue, in order to provide sufficient stacking on site. The bus loop is a separate access on Olive Avenue, north of the main access. The existing roadway infrastructure is in place to serve the proposed public school.

- ii) Approved uses shall comply with appropriate landscaping and buffering requirements and access management requirements.

The school district intends to comply with the buffering and access management requirements. The district anticipates preserving, to the extent possible, existing vegetation/trees.

- iii) The site must be located in proximity to the main user group.

The subject property that will support the new replacement school is located within approximately one mile of the existing Fruitland Park Elementary. The students that currently attend Fruitland Park are anticipated to also attend the new Fruitland Park Elementary.

Two recently approved (large) residential developments are located within close proximity to the new school location. Holloway PUD is located directly south across Urick Street. This PUD consists of 700 dwelling units and is estimated to generate 110 elementary students. The Tara Oaks residential development, located further south and approved for 1,168 dwelling units, is estimated to generate 183 elementary students. The Tara Oaks development has started site development. Both of these residential developments are located in the Fruitland Park Elementary attendance boundary.

- iv) The approved use must serve the majority of the population.

The new school will serve the student population within the City of Fruitland Park and the surrounding area. As stated previously, the students currently attending the existing school are expected to attend the new school. Additionally, there is new residential development approved just south of the new school site. The combined estimated elementary students generated from these recently approved developments is 293. The new developments are located within the Fruitland Park Elementary attendance boundary. The school district does not plan to adjust this attendance boundary for the new school.

V. Conclusion

The rezoning and the proposed development of the property are consistent with the Goals, Policies, and Objectives of the Comprehensive Plan. Quality schools are key elements of neighborhoods and communities. This school will be a benefit to the Fruitland Park community for many years to come.

ORDINANCE 2021-xx

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REZONING APPROXIMATELY 18.99 ± ACRES OF PROPERTY LOCATED ON OLIVE AVENUE, FRUITLAND PARK, FLORIDA FROM CITY OF FRUITLAND PARK R-1 ZONING TO THE CITY OF FRUITLAND PARK DESIGNATION OF PUBLIC FACILITIES DISTRICT WITHIN THE CITY LIMITS OF FRUITLAND PARK; 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 SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by the School Board of Lake County as applicant/owner requesting that approximately 18.99 acres of real property located on Olive Avenue (the "Property") be rezoned from City of Fruitland Park R-1 to City of Fruitland Park Public Facilities District; and

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

WHEREAS, the proposed zoning is consistent with the future land use designation; 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 following described property consisting of approximately 18.99 ± acres of land located on Olive Avenue, Fruitland Park shall hereafter be designated as Public Facilities District, as defined in the Fruitland Park Land Development Regulations. The property is more particularly described as:

LEGAL DESCRIPTION: See Exhibit A.

Parcel Alternate Key No. 1639743

and depicted in **Exhibit B.**

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

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

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

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

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

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

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2021.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk
(SEAL)

Anita Geraci-Carver, City Attorney

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

Passed First Reading _____

Passed Second Reading _____

EXHIBIT A
Legal Description

Legal Description:

From the SW corner of the SE 1/4 of Section 9, Township 19 South, Range 24 East, Lake County, Florida, run North 0°35'00" East along the West line of the SE 1/4 a distance of 1029.53 feet, Thence South 89°28'30" East 26.51 feet to the SW corner of Lot 5, Block 43, Town of Fruitland Park, Florida, and the Point of Beginning of this Description; Run Thence North 0°18'20" East 885.44 feet, Thence South 89°51'30" East 941.02 feet, Thence South 30°16'00" East 298.55 feet, Thence North 89°51'30" West 125.60 feet, Thence South 0°30'10" West 634.41 feet, Thence North 89°28'30" West 965.10 feet to the POB, containing 20.00 acres. (ORB584, PG 477)

LESS

From the SW corner of the SE 1/4 of Section 9, Township 19 South, Range 24 East, Lake County, Florida, run North 0°35'00" East along the West line of the SE 1/4 a distance of 1029.53 feet, Thence South 89°28'30" East 26.51 feet to the SW corner of Lot 5, Block 43, Town of Fruitland Park, Florida, Thence North 0°18'20" East 760.44 feet to the POB of this Description; Run Thence North 0°18'20" East 125.00 feet, Thence South 89°51'30" East 250 feet along the South line of Mirror Lake Manor as recorded PB 23, PG 51 of Public Records of Lake County, Florida; Then South 00°08'30" West 125.00 feet, Thence North 89°51'30" West 250 feet to the POB. (ORB 5139, PG 2470)

ALSO LESS

Fruitland Park from SW corner of Lot 5, Block 43 run North 885.44 feet, South 89°51'30" East 250 feet to POB, Continue on same line 100 feet, South 00°08'30" West 125 feet, North 89°51'30" West 100 feet, North 00°08'30" East 125 feet to POB PB 3 PGS 8-9. (Lake County Property Appraiser)

EXHIBIT B
Map

Conceptual Site Plan

Site Plan Information

Site Size: 18.96 Acres

Parking Spaces: 200

Car Stacking:

- 110 cars single stacked
- 205 cars double stacked

School Information

Two-Story Elementary

- Administration
- Media
- Multi-Purpose/Dining/Kitchen
- Academics/Classrooms
- ESE Programs
- Art & Music Classrooms
- Flex & Collaborative Learning Spaces



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

REZONING AND SITE PLAN

Owner: School Board of Lake County

Applicant: School Board of Lake County

General Location: Northeast corner of the intersection of Urick Street and Olive Avenue

Number of Acres: 19 Acres +/-

Existing Zoning: R-1 (Single Family Low Density Residential)

Proposed Zoning: Public Facilities District (PFD)

Existing Land Use: Single Family Low Density (SFLD)

Date: September 14, 2021

Description of Project

The request is to allow construction of a replacement elementary school and accessory uses on approximately 19 acres located on the northeast corner of the intersection of Urick Street and Olive Avenue. A rezoning application with an associated concept plan were filed by the property owner and applicant Lake County School Board. The applicant requests that the approximately 19 acres be rezoned from R-1, Single Family Low Density Residential to PFD, Public Facilities District to allow construction of a public elementary school to replace the existing elementary school.

The surrounding uses are provided in Table 1. The surrounding area is primarily residential in nature, with planned and under construction communities coming online which will contribute to an increase in elementary aged students.

	Surrounding Zoning	Surrounding Land Use
North	R-1	SFLD
South	R-3	MFHD
East	PUD	SFLD/SFMD
West	PFD/R1	INST/SFLD

Table 1. Surrounding Property Uses

Assessment

Comprehensive Plan Consistency

Policy 1-5.1 permits necessary public facilities as institutional land uses within any Future Land Use category provided that the facility serves a majority of the population; is located close to the main user group; and provides buffers as well as landscaping to protect and screen both existing and planned adjacent uses. Educational land uses are included in the definition of public facilities. Policy 1-5-3 further provides that schools built and operated by the Lake County School Board are allowed throughout the City except in areas designated for Industrial or Conservation.

The subject site is of sufficient size to accommodate the elementary school and customary accessory uses. It will serve the elementary aged population of Fruitland Park and surrounding areas of Lake County, is located in reasonable proximity of all areas of the City, and the conceptual site plan shows buffering and landscaping. The buffers and landscaping are further reviewed below. The subject property is not located an industrial or conservation area. The Single Family Low Density Future Land Use designation permits the construction of the school as an allowed use consistent with Table 1.1, Policy 1-5.1 and 1-5.3. The applicant has provided the required materials to support the rezoning request from R-1 to PFD district.

Rezoning

LDC Section 154.030.d.1, R-1 single family low density zoning district does not permit construction of schools. The requested rezoning is necessary to allow for the construction of the new school. Pursuant to LDC Section 154.030 d.11, The PFD, public facilities zoning district permits educational institutions (i.e., schools). The PFD district does have locational criteria that must be met to permit development of any public facility which are outline below.

- i) The approved use shall front on an arterial or collector roadway. Sewage treatment facilities, water supply operations, electric power substations and operation centers and cemeteries are exempt from this requirement.

The school does not front on an arterial or collector roadway. However, the school is a unique public facility. Schools are intended to serve the adjacent neighborhoods as delineated in Policy 1-5.1 and 1-5.3. The new school's location is acceptable as existing and future growth in the surrounding area will generate a need for a better equipped and modern elementary school. Two recently approved residential development Hollway PUD and Tara Oaks have or will shortly begin construction. A projected 293 new student are expected at full building out of the communities.

- ii) Approved uses shall comply with appropriate landscaping and buffering requirements and access management requirements.
The applicant intends to provide buffering and landscaping for the new school. Staff has requested additional details be added to the concept plan.
- iii) The site must be located in close proximity to the main user group.
The new school is in proximity to an area experiencing growth and 293 students are expected from the two newly approved residential communities in the area.
- iv) The approved use must serve the majority of the population.
The school will serve the entire school aged population of the City of Fruitland Park and the surrounding areas.

The applicant has demonstrated compliance with the locational criteria for the Public Facilities Zoning District.

Pursuant to LDC Section 152.040, subparagraph “e” the following review criteria must be considered by the Planning and Zoning Board and City Commission when reviewing an amendment.

- 1) Consistency with the Comprehensive Plan, or in the case of a Plan amendment, consistency with the remainder of the Plan and its goal, objectives and policies.
The applicant has provided competent evidence to support consistency with the goals, objectives, and policies of the Comprehensive Plan. The Single Family Low Density future land use permits the construction of public facilities. Policy 1-5.1 defines educational land uses as public facilities and allows public facilities as institutional uses in any future land use category. Policy 1-5.3 permits schools owned and operated by Lake County School Board in all areas of the City with the exception of Industrial and Conservation Areas. The subject property is not in an industrial or conservation area and as such construction of a new elementary school is allowed on the subject property consistent with the existing future land use and Comprehensive Plan.

Policy 1-5.3 further describes the conditions schools must meet:

- 1) Facilities and services needed to meet the impacts of the school facility are available or will be provided by the School Board in accordance with the Comprehensive Plan Elements and CIE.
Central water and sewer facilities and capacity are available in the area to serve the new school. The applicant is proposing connection to central water and sewer consistent with this standard.
- 2) Transportation facilities needed to serve access of buses are designed and constructed in a manner that can sustain the substantial impact of the school without the requirement of additional upgrades at the expense of the City.

TPD's traffic analysis identified two safety related improvements that will facilitate traffic to and around the new elementary site. See traffic analysis section for additional details. Applicant has demonstrated consistency with this standard.

- 3) The scale and intensity of the host land use will be respected.
The concept plan demonstrates the applicant's understanding of the subject property and the surrounding area. The applicant is providing a large amount of open space and proposing buffering with the intention to maintain existing vegetation to the greatest extent possible. The design will allow for the school to blend with the existing neighborhood. The subject property will be fenced to protect students. The rezoning request is consistent with this standard.
- 4) The City will be allowed to contribute to the review of the site design for new facilities, in order to avoid conflict with surrounding properties and existing City land development regulations.
The applicant has provided a concept plan with reasonable level of detail which was reviewed against the City's LDRS. Impacts on surrounding properties were considered in placement of the school and supporting infrastructure. Staff has provided some comments of additional items to include on the concept plan. The site design is generally consistent with the standard.
- 5) The School Board is expected to accommodate City concerns over the design of access and impact of traffic on residential neighborhoods and will be encouraged to provide bicycle and pedestrian access at multiple points on campus.
Staff has asked for additional details on bike parking. Vehicular traffic is sufficiently addressed by the traffic analysis. The application is consistent with this standard.
- 6) Non-School facilities will be sited in land use categories allowing the specific activity of the intended use.
Non-school facilities are not proposed with the rezoning application, so the request is consistent with this standard.
- 7) In recognition that the siting of a new school often draws additional development into the area, the School Board will choose new sites in a manner that compliments the City's growth plans, maximizes the use of existing facilities and discourages urban sprawl.
The applicant has complied with this standard. The school is proposed in an area experiencing growth. The roadway system is adequate to accommodate the new school with two safety improvements recommended

by the traffic study. Central water and sewer are available to serve the new school. The rezoning request is consistent with the City's growth plans.

- 2) Consistency with applicable sections of the Land Development Code.
Staff is requesting some additional information be added to the concept plan. The proposal is generally consistent with the Land Development Code.
- 3) Additionally, as to rezoning amendments:
 - A) Whether justified by changed or changing conditions.
The rezoning request is justified by changing conditions in the county, city and in elementary education. The County and City have seen a rapid increase in population over the last ten years. With new residents, come more children. New home construction in the area is steadily increasing, providing the City with an increasing tax base and increasing need for more services.

Technologically advances have progressed exponentially in the last 50 years since the current elementary school was built. The existing elementary school has come to the end of the building's life cycle. Changes in technology and educational theory have made the current facility obsolete. The applicant is seeking the rezoning to build a modern elementary school to replace the obsolete facility. The new school will allow the applicant to provide an improved educational experience for the elementary aged students residing in the City and surrounding areas.
 - B) Whether adequate sites already exist for the proposed district uses.
The number of properties currently zoned public facilities is limited within the City. Generally, a rezoning is required to accommodate a public school or a new public facility. The subject property is of sufficient size to accommodate the school and the applicant has demonstrated consistency with the comprehensive plan and general compliance with the land development code.
 - C) Whether specific requirements of the Land Development Code are adequate to insure compatibility with adjoining properties as required by the Comprehensive Plan.
Elementary schools are generally deemed a compatible use within a residential neighborhood. Neighborhood design theory has espoused the central location of schools within a neighborhood, since the early 1900's. The main build block of a neighborhood, "the neighborhood unit", focused the neighborhood around a school. The school is deemed

an essential element of community centric neighborhood design. The intent is to provide a school in short walking distance of a child's home.

The applicant has provided sufficient evidence to deem the school consistent with the Comprehensive Plan and generally compliant with the Land Development Code. Buffers and landscaping are proposed to assist the new school with blending into the neighborhood. The traffic study concluded that with the traffic from the new school the existing roads will continue to operate at an adequate level of service with limited safety improvement required.

The proposed rezoning is consistent with the review criteria of LDC Section 152.040, subparagraph "e". Staff is supportive of the request rezoning.

Traffic analysis

Access to the site is provided from both Urick Street and Olive Avenue. The traffic analysis provided by TPD, Traffic Planning and Design, Inc. concludes that the proposed school will not adversely impact adjacent roadways or intersections. With the addition of the traffic from the school, TPD determined that the roadways will continue to operate within the adopted level of service standards. Table 1 summarizes the results of the projected traffic on the adjacent roadways.

Roadway Segment	Lanes	Capacity	Direction	Existing Volume	Existing LOS	Project Volume	Total Volume	Projected LOS
CR 466A to Pine Ridge Dairy Rd	2	530	NB/EB	188	C	13	201	C
			SB/WB	189	C	11	200	C
Pine Ridge Dairy Rd to Griffin Rd	2	680	NB/EB	299	C	41	340	D
			SB/WB	315	C	50	365	D
Griffin Rd to SR 44	2	620	NB/EB	430	C	37	467	C
			SB/WB	353	C	45	398	C
CR 466A to US27/441	2	530	NB/EB	303	D	50	353	D
			SB/WB	265	C	41	306	D

Table 1. Projected Roadway Capacity Analysis

The bus loop and parent drop off is accessed from Olive Street. The bus loop is located in the northwest corner of the property with a separate entrance from Olive Avenue. The parent drop off is access from Olive Avenue via the main access point with traffic traveling west and south of the main school. Segregation of bus and passenger vehicle traffic will facilitate more orderly drop off and pick up at the new facility. The concept plan does not provide enough detail to determine if access spacing between proposed driveways meet County standards. Further detail will be provided at the time of site plan and may result in shifting of the access points.

TPD completed an intersection analysis. The results concluded that intersections and site access driveways are projected to operate at a satisfactory level of service with the addition of the projected traffic. The intersection of Olive Avenue and Urick Street will serve the school's main access point and was analyzed as an all way stop in lieu of the existing two way stop on the southbound approach on Olive Avenue.

Two transportation improvements are recommended by the TPD traffic analysis; (1) an exclusive north bound turn lane at the intersection Urick Street and Olive Avenue to serve the main entrance and (2) site access to have an all way stop control in lieu of the existing two-way stop control on the southbound approach on Olive Street. The proposed improvements are safety related and are consistent with Policy 1-5. that

“Transportation facilities needed to serve access of buses are designed and constructed in a manner that can sustain the substantial impact of the school without the requirement of additional upgrades at the expense of the City.”

Environmental analysis

An environmental analysis dated May 19, 2021 by Austin Environmental Consultants, Inc was submitted which evaluated the potential impacts to environmentally sensitive lands and listed species. The site does not contain any jurisdictional wetlands. Upland communities present on the property include open lands, upland hardwood forests, and hardwood-conifer mixed.

No known eagle nests will be impacted by the development. A pedestrian survey found active and inactive gopher tortoise burrows within the property. The environmental assessment advises prior to land development activities a 100% survey of all gopher tortoise habitat be performed and if necessary, permits secured through FFWCC.

The property falls within the USFWS Consultation Area for Sand Skinks. An additional Sand Skink Survey was provided dated May 12, 2021, evaluating the potential presence of Sand Skinks. No evidence of sand skinks was observed during the Sand Skink survey, survey concludes the subject property does not contain occupied sand skink habitat.

Conceptual plan review

Parking

The applicant has provided 200 parking spaces on the concept plan. Staff cannot determine if that is sufficient for the proposed 1000 student elementary school. LDC Section 162.040 states parking shall be provided based on 1 space per staff member and 1 space per 3 seats in largest assembly area. Staff requests additional details on the seating capacity of the largest assembly area and number of staff members for the elementary school.

The concept plan does not show the complete parking layout so Staff cannot fully evaluate if the parking lot or parking lot landscaping designs are consistent with the LDC. Additional detail on parking lot layout, size of proposed parking spaces, width of

access aisles would be required to fully analyze, if the applicant complies with Chapter 162.

A separate bus loop is provided in the northwest portion of the property. Car stacking for parent drop off and pick up is provided. If single stacking is utilized up to 110 vehicles can stack in the drop off area while if double stacking is utilized up to 205 vehicles can be accommodated. Without additional details on parking space size and width of the access aisle, Staff cannot completely evaluate if car stack is sufficient.

A future parking area is delineated on the concept plan. Access to this parking area is from the bus loop.

Landscaping Review

Buffering and landscaping are provided. No details on buffer widths or design are provided. No details on tree preservation or mitigation were provided. Additional details are needed for staff to determine if the concept plan meets the intent of Chapter 164.

Review Comments:

- Please add the percentage of open space and impervious surface ratio to the concept plan.
- Please provide the seating capacity of the largest assembly area and the number of projected staff members so staff can determine that sufficient parking is provided.
- Please provide bike parking. Elementary schools generate a need for bike parking. LDC Section 162.040 has a guideline of ½ a bike parking space for each required parking space.
- Staff recommends providing additional details on parking lot design. Staff would like to verify that the parking and parent drop off can be accommodated as shown on the concept plan.
- City is supportive of the buffers included on the concept plan and that existing vegetation will be maintained to the greatest extent possible. Please label the concept plan with the proposed buffer widths.
- Staff cannot evaluate from the submitted materials, the impact of construction on existing trees. Please be advised that Chapter 164 provides the City's guidance for tree removal and mitigation.
- Please revise the traffic study to replace "Olive Street" with "Olive Avenue". The document references the roadway by both names. The roadway name is "Olive Avenue".

Recommendation

- Please revise the concept plan and traffic analysis as indicated above.



City of Fruitland Park, Florida
Community Development Department
 506 W. Berckman St., Fruitland Park, Florida 34731
 Tel: (352) 360-6727 Fax: (352) 360-6652
 www.fruitlandpark.org

<i>Sta Use Only</i>	
Case No.:	_____
Fee Paid:	_____
Receipt No.:	_____

Development Application

Contact Information:

Owner Name: Fruitland Lake Ella LLC - Levy Wong, Managing Partner
 Address: 133602 SW 128th St., Miami, FL 33186
 Phone: (305) 213-9124 Email: levyw@aol.com

Applicant Name: Bill Lloyd of 441 Lake Ella, LLC
 Address: 147 2nd Ave South, Suite 400, St Petersburg, FL 33701
 Phone: (727) 828-4911 Email: seth@rkmdev.com

Engineer Name: Gary Murray
 Address: 333 North Alabama St, Suite 200, Indianapolis, IN 46204
 Phone: (317) 291-5805 Email: gary.murray@woolpert.com

Property and Project Information:

PROJECT NAME*: Convenience Store Lake Ella Road & US Highway 27/441

*A project name is required for all submissions. Please choose a name representative of the project for ease of reference.

Property Address: US Hwy 27/441 Fruitland Park, FL 34731

Parcel Number(s): 33-18-24-0001-000-00400 Section: 33 Township: 18 S Range: 24 E

Area of Property: 1.87 Nearest Intersection: Eagle's Nest Rd and US Highway 27

Existing Zoning: C-2 Existing Future Land Use Designation: Mixed Community

Proposed Zoning: _____ Proposed Future Land Use Designation: _____

The property is presently used for: Vacant

The property is proposed to be used for: Gas Station and Convenience Store

Do you currently have City Utilities? Yes

Application Type:

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Comp Plan Amendment | <input type="checkbox"/> Rezoning | <input type="checkbox"/> Planned Development |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Special Exception Use | <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Final Plat |
| <input type="checkbox"/> Minor Lot Split | <input type="checkbox"/> Preliminary Plan | <input type="checkbox"/> Construction Plan | <input type="checkbox"/> ROW/Plat Vacate |
| <input checked="" type="checkbox"/> Site Plan | <input type="checkbox"/> Minor Site Plan | <input type="checkbox"/> Replat of Subdivision | |

Please describe your request in detail: Request to construct a gas station and convenience store and all associated utilities, grading, paving and landscaping required.

Required Data, Documents, Forms & Fees

Attached to this application is a list of **REQUIRED** data, documents and forms for each application type as well as the adopted fee schedule. These items must be included when submitting the application package. Failure to include the supporting data will deem your application package **INCOMPLETE** and will not be processed for review.

Printed Name: William C Lloyd

Signature: *William C Lloyd* Date: 3-4-2021

If application is being submitted by any person other than the legal owner(s) of the property, the applicant must have written authorization from the owner to submit application.

OWNER'S AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LAKE

Before me the undersigned authority, personally appeared Fruitland Lake Ella LLC

_____, who being by me first duly sworn on oath deposes and says:

- 1) That he/she is the fee-simple owner of the property legally described on attached page of this application.
- 2) That he/she desires approval _____ to allow for permitting with the following agencies:

Lake County, SJRWMD, City of Fruitland Park, FDOT, and FDEP.

- 3) That he/she has appointed Bill Lloyd of 441 Lakeella, LLC to act as agent on his/her behalf to accomplish the above. The owner is required to complete the Applicant's Affidavit of this application if no agent is appointed to act on his/her behalf.

[Handwritten Signature]
Affiant (Owner's Signature)

State of Florida

County of Miami-Dade

The Foregoing instrument was acknowledged before me this 3rd day of Dec, 20 20,
by LELY WAWS who is personally known to me or has produced
DRIVERS LICENSE as identification and who did or did not take an oath

(Notary Seal)



Notary Public - State of Florida
Commission No _____
My Commission Expires _____

[Handwritten Signature]
Signature
Joseph T Washenko
Printed Name

APPLICANT AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LAKE

Before me the undersigned authority, personally appeared Fruitland Lake Ella, LLC

_____, who being by me first duly sworn on oath deposes and says:

- 1) That he/she affirms and certifies that he/she understandings and will comply with all ordinances, regulations, and provisions of the City of Fruitland Park, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further that this application and attachments shall become part of the Official Records of the City of Fruitland Park, Florida, and are not returnable.
- 2) That the submittal requirements for the application have been completed and attached hereto as part of that application.
- 3) That he/she desires Bill Lloyd, 441 Lake Ella, LLC to allow and act on behalf of the development application for the proposed 7-Eleven major site plan.

Bill Lloyd
Affiant (Applicant's Signature)

State of Florida
County of Pinellas

The Foregoing instrument was acknowledged before me this 11th day of March, 20 21,
by Bill Lloyd who is personally known to me or has produced
_____ as identification and who did or did not take an oath

(Notary Seal)



ANGELA L THOMPSON
Commission # GG 294010
Expires August 21, 2022
Bonded Thru Budget Notary Services

Notary Public - State of Florida
Commission No GG294010
My Commission Expires 08/21/2022

Angela L Thompson
Signature
Angela L Thompson
Printed Name

PROPERTY RECORD CARD

General Information

Name:	FRUITLAND LAKE ELLA LLC	Alternate Key:	2748770
Mailing Address:	13362 SW 128TH ST MIAMI, FL 33186 Update Mailing Address	Parcel Number: ⓘ	33-18-24-0001-000-00400
		Millage Group and City:	000F (FRUITLAND PARK)
		2019 Total Certified Millage Rate:	17.6785
		Trash/Recycling/Water/Info:	My Public Services Map ⓘ
Property Location:	US HWY 27/441 FRUITLAND PARK FL 34731 Update Property Location ⓘ	Property Name:	-- Submit Property Name ⓘ
		School Information:	School Locator & Bus Stop Map ⓘ School Boundary Maps ⓘ
Property Description:	THAT PART OF NW 1/4 OF NE 1/4 OF NE 1/4 LYING W OF HWY ORB 2405 PG 24 ORB 3578 PG 2451		
<small>NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.</small>			

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class	Value	Land Value
1	TIMBER S I 70 (5400)	0	0	MGMT	5.49	AC		\$1,922.00	\$71,370.00

[Click here for Zoning Info](#) ⓘ [FEMA Flood Map](#)

Miscellaneous Improvements

There is no improvement information to display.

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description above and/or recorded and indexed with the Clerk of Court. [Follow this link to search all documents by owner's name.](#)

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
3578 / 2451	1/30/2008	Judicial	Multi-Parcel	Vacant	\$100.00
2405 / 24	9/3/2003	Warranty Deed	Qualified	Vacant	\$375,000.00

[Click here to search for mortgages, liens, and other legal documents.](#) ⓘ

Values and Estimated Ad Valorem Taxes ⓘ

Values shown below are 2020 CERTIFIED VALUES.

The Market Value listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC GENERAL FUND	\$71,370	\$1,922	\$1,922	5.03270	\$9.67
LAKE COUNTY MSTU AMBULANCE	\$71,370	\$1,922	\$1,922	0.46290	\$0.89
SCHOOL BOARD STATE	\$71,370	\$1,922	\$1,922	3.70100	\$7.11

SCHOOL BOARD LOCAL	\$71,370	\$1,922	\$1,922	2.99800	\$5.76
CITY OF FRUITLAND PARK	\$71,370	\$1,922	\$1,922	3.91340	\$7.52
ST JOHNS RIVER FL WATER MGMT DIST	\$71,370	\$1,922	\$1,922	0.22870	\$0.44
LAKE COUNTY VOTED DEBT SERVICE	\$71,370	\$1,922	\$1,922	0.11000	\$0.21
LAKE COUNTY WATER AUTHORITY	\$71,370	\$1,922	\$1,922	0.33680	\$0.65
NORTH LAKE HOSPITAL DIST	\$71,370	\$1,922	\$1,922	0.89500	\$1.72
				Total: 17.6785	Total: \$33.97

Exemptions Information

This property is benefitting from the following exemptions with a checkmark ✓

Homestead Exemption (first exemption up to \$25,000)	Learn More View the Law
Additional Homestead Exemption (up to an additional \$25,000)	Learn More View the Law
Limited Income Senior Exemption (applied to county millage - up to \$50,000)	Learn More View the Law
Limited Income Senior Exemption (applied to city millage - up to \$25,000) ⓘ	Learn More View the Law
Limited Income Senior 25 Year Residency (county millage only-exemption amount varies)	Learn More View the Law
Widow / Widower Exemption (up to \$500)	Learn More View the Law
Blind Exemption (up to \$500)	Learn More View the Law
Disability Exemption (up to \$500)	Learn More View the Law
Total and Permanent Disability Exemption (amount varies)	Learn More View the Law
Veteran's Disability Exemption (\$5000)	Learn More View the Law
Veteran's Total and Permanent Disability Exemption (amount varies)	Learn More View the Law
Veteran's Combat Related Disability Exemption (amount varies)	Learn More View the Law
Deployed Servicemember Exemption (amount varies)	Learn More View the Law
First Responder Total and Permanent Disability Exemption (amount varies)	Learn More View the Law
Surviving Spouse of First Responder Exemption (amount varies)	Learn More View the Law
Conservation Exemption (amount varies)	Learn More View the Law
Tangible Personal Property Exemption (up to \$25,000)	Learn More View the Law
Religious, Charitable, Institutional, and Organizational Exemptions (amount varies)	Learn More View the Law
Economic Development Exemption	Learn More View the Law
Government Exemption (amount varies)	Learn More View the Law

Exemption Savings ⓘ

The exemptions marked with a ✓ above are providing a tax dollar savings of: **\$0.00**

Assessment Reduction Information (3% cap, 10% cap, Agricultural, Portability, etc.)

This property is benefitting from the following assessment reductions with a checkmark ✓

Save Our Homes Assessment Limitation (3% assessed value cap)	Learn More View the Law
Save Our Homes Assessment Transfer (Portability)	Learn More View the Law
Non-Homestead Assessment Limitation (10% assessed value cap)	Learn More View the Law

Conservation Classification Assessment Limitation

[Learn More](#) [View the Law](#)

✓ Agricultural Classification

[Learn More](#) [View the Law](#)

Assessment Reduction Savings

The assessment reductions marked with a ✓ above are providing a tax dollar savings of: **\$1,227.74**

NOTE: Information on this Property Record Card is compiled and used by the Lake County Property Appraiser for the sole purpose of ad valorem property tax assessment administration in accordance with the Florida Constitution, Statutes, and Administrative Code. The Lake County Property Appraiser makes no representations or warranties regarding the completeness and accuracy of the data herein, its use or interpretation, the fee or beneficial/equitable title ownership or encumbrances of the property, and assumes no liability associated with its use or misuse. See the posted [Site Notice](#).

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Property data last updated on September 7, 2020.
[Site Notice](#)

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
OF FLORIDA, IN AND FOR LAKE COUNTY, FLORIDA

FRUITLAND LAKE ELLA, LLC,
a Florida limited liability company

CASE NO. 07CA2794

Plaintiff,

vs.

CSX TRANSPORTATION, INC., a foreign
corporation registered to do business in
Florida,

Defendant.
-----/

FINAL JUDGMENT QUIETING TITLE

THIS CASE came before the Court for consideration of the motion by the Plaintiff for entry of judgment by default in this action. Based on the motion and the record, it is hereby,

ORDERED AND ADJUDGED that:

1. This Court has jurisdiction of the subject matter of this action and of the parties before it, the Plaintiff and CSX Transportation, Inc.
2. Process was duly served on CSX Transportation, Inc. Because CSX Transportation, Inc., failed to file or serve any answer or other paper in response to the complaint, the Clerk entered a default against the Defendant on January 16, 2008.
3. Because the complaint does not seek damages or other unliquidated relief, the Plaintiff is entitled to entry of judgment by default entered against the Defendant has the effect of admitting all well pleaded allegations of the complaint.
4. The Plaintiff is hereby declared to be the owner of the following-described real property in Lake County, Florida:

CLERK OF CIRCUIT
AND COUNTY COURT
LAKE COUNTY
FLORIDA

2008 JAN 30 PM 12:19

Case: 2007 CA 002794



1/30

A PORTION OF THE C.S.X. TRANSPORTATION RAILROAD RIGHT OF WAY (FORMERLY THE ATLANTIC COAST LINE RAILROAD) AS SHOWN ON THE ATLANTIC COAST LINE RAILROAD RIGHT OF WAY AND TRACK MAP, PALATKA TO BROOKSVILLE, STATION 4809+92.5 TO STATION 4915+52.5, DATED JUNE 30, 1917, BOUNDED ON THE NORTH BY THE NORTH LINE OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA AND BOUNDED ON THE SOUTH BY THE SOUTH LINE OF THE NORTH 1/2 OF SAID SECTION 33, SAID PORTION OF RIGHT OF WAY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF THE SAID NORTHEAST 1/4 OF SECTION 33, RUN THENCE ALONG THE NORTH LINE THEREOF, S. 89°51'38" E., FOR A DISTANCE OF 1589.24 FEET MORE OR LESS TO THE WEST RIGHT OF WAY OF SAID RAILROAD, SAID RIGHT OF WAY BEING LOCATED 17.50 FEET WEST (AT RIGHT ANGLES) FROM THE CENTERLINE THEREOF AND THE POINT OF BEGINNING, THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE, CONTINUE ALONG SAID NORTH LINE OF THE NORTHEAST 1/4, S. 89°51'38" E., FOR A DISTANCE OF 36.34 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID C.S.X. TRANSPORTATION RAILROAD, BEING A POINT ON THE ARC OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 1927.20 FEET AND A CHORD BEARING AND DISTANCE OF S. 16°18'28" W., 46.20 FEET; THENCE SOUTHERLY ALONG SAID EASTERLY RIGHT OF WAY LINE FOR THE NEXT FOUR (4) COURSES: RUN THENCE ALONG THE ARC THEREOF, THROUGH A CENTRAL ANGLE OF 01°22'25", A DISTANCE OF 46.20 FEET; THENCE S. 16°59'40" W., 992.56 FEET TO THE EAST LINE OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF AFORESAID SECTION 33; THENCE ALONG SAID EAST LINE, S. 00°15'56" W., 147.65 FEET TO A RIGHT OF WAY LINE 60.00 FEET EAST OF THE RAILROAD CENTERLINE; THENCE DEPARTING SAID EAST LINE, S. 16°59'40" W., ALONG SAID RIGHT OF WAY LINE, 192.01 FEET TO THE SOUTH LINE OF SAID SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33; THENCE DEPARTING THE AFORESAID EASTERLY RAILROAD RIGHT OF WAY LINE, AND RUN ALONG SAID SOUTH LINE, N. 89°49'58" W., 125.37 FEET TO THE WESTERLY RIGHT OF WAY LINE OF AFORESAID RAILROAD SAID CENTERLINE BEING 60.00 FEET FROM THE CENTERLINE THEREOF; THENCE DEPARTING SAID SOUTH LINE, RUN NORTHERLY ALONG SAID WESTERLY RAILROAD RIGHT OF WAY LINE FOR THE NEXT FOUR (4) COURSES: RUN THENCE N. 16°59'40" E., 627.55 FEET TO THE AFORESAID EAST LINE OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33; THENCE ALONG THE EAST LINE THEREOF, S. 00°15'56" W., 147.65 FEET TO A RIGHT OF WAY LINE 17.5 FEET EAST OF SAID RAILROAD CENTERLINE; THENCE DEPARTING SAID EAST LINE, N. 16°59'40" E., 876.12 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 1892.20 FEET; THENCE NORTHERLY ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 01°04'47", A DISTANCE OF 35.66 FEET TO THE POINT OF

BEGINNING. LESS ANY PORTION THEREOF LYING WITHIN THE SOUTH 100.00 FEET OF THE NORTH 400.00 FEET OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 33.

ALL LYING AND SITUATED WITHIN THE FOLLOWING DESCRIBED PROPERTY:

Parcel #1:

The South 1/2 of the Northwest 1/4 of the Northeast 1/4, and the Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4, Section 33, Township 18 South, Range 24 East, Lake County, Florida. ALSO: The Northwest 1/4 of the Northwest 1/4 of the Northeast 1/4, Section 33, Township 18 South, Range 24 East, Lake County, Florida.

Parcel #2:

That part of Northwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 33, Township 18 South, Range 24 East, Lake County, Florida, lying West of the Highway.

Parcel #3:

The North 100 feet of the West 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 33, Township 18 South, Range 24 East, Lake County, Florida.

Parcel #4:

The South 100 feet of the North 200 feet of the West 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 33, Township 18 South, Range 24 East, Lake County, Florida, LESS and EXCEPT that part conveyed to the State of Florida by Special Warranty Deed recorded in Official Records Book 68, Page 297, Public Records of Lake County, Florida.

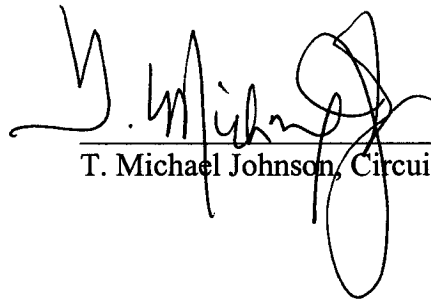
Parcel #5:

The South 100 feet of the North 300 feet of the West 1/2 of the Southwest 1/4 of

the Northeast 1/4 of the Northeast 1/4 of Section 33, Township 18 South, Range 24 East, Lake County, Florida, LESS and EXCEPT that part conveyed to the State of Florida by Special Warranty Deed recorded in Official Records Book 68, Page 297, Public Records of Lake County, Florida.

free and clear of any right, title, interest or claim of the Defendant, CSX Transportation, Inc., or anyone claiming by, through, under or against it since the filing of the lis pendens in this action. All right, title, and interest of the Defendant in and to the above-described real property is hereby terminated and the Defendant is enjoined from asserting or claiming any further right, title, interest or claim in and to the property.

DATED in Chambers, at Tavares, Lake County, Florida, this 30 day of Jan, 2008.



T. Michael Johnson, Circuit Court Judge

COPIES FURNISHED TO:

Richard P. Newman, P. O. Box 491357, Leesburg, FL 34749-1357; and
CSX Transportation, Inc., c/o Corporation Service Company, as Registered Agent, 1201 Hays Street,
Tallahassee, FL 32301-2525.

CFN 2003115965
Bk 02405 Pgs 0024 - 27; (4pgs)
DATE: 09/11/2003 09:03:23 AM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 17.00
TRUST FUND 2.50
DEED DOC 2,625.00

Prepared by and return to:
Carol F. Hall
Cummins & Nailos, P.A.
1009 N. 14th Street P. O. Box 491656
Leesburg, FL 34748
File Number: 03-246

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 3rd day of September, 2003 between CRAWFORD A. DEEMS, II, a married man and CONSTANCE D. GILBERT, a married woman, individually and as surviving heirs of LUCILLE W. DEEMS, Deceased whose post office address is P. O. Box 490423, Leesburg, FL 34749-0423, grantor, and FRUITLAND LAKE ELLA, LLC, a Florida Limited Liability Corporation whose post office address is 13362 S.W. 128th Street, Miami, FL 33186, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Lake County, Florida to-wit:

THAT PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LYING WEST OF THE HIGHWAY, LESS AND EXCEPT RAILROAD RIGHT OF WAY.

Parcel Identification Number: 3318240001-000-00400

THE ABOVE DESCRIBED PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD PROPERTY OF EITHER GRANTOR NAMED ABOVE.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anyway appertaining

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2002.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Carol F. Hall
Witness Name: CAROL F. HALL

Crawford A. Deems, II (Seal)
CRAWFORD A. DEEMS, II

Norman C. Cummins
Witness Name: NORMAN C. CUMMINS

Witness Name: _____

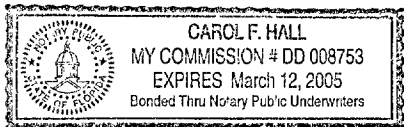
CONSTANCE D. GILBERT (Seal)

Witness Name: _____

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this ^{28th} ~~3rd~~ day of ^{AUG.} ~~September~~, 2003 by CRAWFORD A. DEEMS, II and
CONSTANCE D. GILBERT, who are personally known or have produced a driver's license as identification.

[Notary Seal]



Carol F. Hall
Notary Public

Printed Name: _____

My Commission Expires: _____

State of Georgia
County of _____

The foregoing instrument was acknowledged before me this 3rd day of September, 2003 by CONSTANCE D GILBERT,
who are personally known or have produced a driver's license as identification.

[Notary Seal]

Notary Public

Printed Name: _____

My Commission Expires: _____

Prepared by and return to:

Carol F. Hall
Cummins & Nalos, P.A.
1009 N. 14th Street P. O. Box 491656
Leesburg, FL 34748
File Number: 03-246

The quality of this image
is equivalent to the quality
of the original document.

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 3rd day of September, 2003 between CRAWFORD A. DEEMS, II, a married man and CONSTANCE D. GILBERT, a married woman, individually and as surviving heirs of LUCILLE W. DEEMS, Deceased whose post office address is P. O. Box 490423, Leesburg, FL 34749-0423, grantor, and FRUITLAND LAKE ELLA, LLC, a Florida Limited Liability Corporation whose post office address is 13362 S.W. 128th Street, Miami, FL 33186, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Lake County, Florida to-wit:

THAT PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LYING WEST OF THE HIGHWAY, LESS AND EXCEPT RAILROAD RIGHT OF WAY.

Parcel Identification Number: 3318240001-000-00400

The above described property does not constitute the homestead property of either grantor named above.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2002.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence

Holly Brazel
Witness Name: _____

(Seal)
CRAWFORD A. DEEMS, II

Witness Name: _____

#1 SIGN → ~~Holly Brazel~~ Holly Brazel
PRINT Witness Name: Holly Brazel

Constance D. Gilbert
CONSTANCE D. GILBERT

#2 SIGN → Diane Stone
PRINT Witness Name: Diane Stone

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 3rd day of September, 2003 by CRAWFORD A. BEEMS, II and CONSTANCE D. GILBERT, who are personally known or have produced a driver's license as identification.

[Notary Seal]

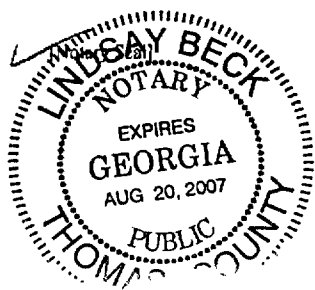
Notary Public

Printed Name:

My Commission Expires:

State of Georgia
County of Thomas

The foregoing instrument was acknowledged before me this 3rd day of September, 2003 by CONSTANCE D. GILBERT, who are personally known or have produced a driver's license as identification.



Notary Public

Printed Name:

My Commission Expires:

Lindsay Beck
Lindsay Beck
Aug 20, 2007

The quality of this image
is equivalent to the quality
of the original document.

Legal Description:

THAT PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA LYING WEST OF THE HIGHWAY, LESS AND EXCEPT RAILROAD RIGHT-OF-WAY.

TOGETHER WITH THAT PORTION OF THE LANDS DESCRIBED IN THAT FINAL JUDGEMENT QUIETING TITLE RECORDED IN OFFICIAL RECORDS BOOK 3578, PAGE 2451 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING WITHIN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LYING WEST OF THE HIGHWAY.



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
FRUITLAND LAKE ELLA, LLC

Filing Information

Document Number L03000006434
FEI/EIN Number 81-0604979
Date Filed 02/20/2003
State FL
Status ACTIVE

Principal Address

13362 S.W. 128 ST.
MIAMI, FL 33186

Mailing Address

13362 S.W. 128 ST.
MIAMI, FL 33186

Registered Agent Name & Address

WONG, LEVY A
13362 S.W. 128 ST.
MIAMI, FL 33186

Name Changed: 04/27/2011

Authorized Person(s) Detail

Name & Address

Title MGRM

WONG, LEVY A
13362 SW 128 STREET
MIAMI, FL 33186

Title MGRM

WONG, SYLVAN
4550 SW 151 PLACE
MIAMI, FL 33185

Annual Reports

Report Year	Filed Date
-------------	------------

2019	03/06/2019
2020	03/20/2020
2021	02/12/2021

Document Images

02/12/2021 -- ANNUAL REPORT	View image in PDF format
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03/06/2019 -- ANNUAL REPORT	View image in PDF format
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04/02/2010 -- ANNUAL REPORT	View image in PDF format
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07/05/2006 -- ANNUAL REPORT	View image in PDF format
04/25/2005 -- ANNUAL REPORT	View image in PDF format
04/19/2004 -- ANNUAL REPORT	View image in PDF format
02/20/2003 -- Florida Limited Liabilites	View image in PDF format

**Electronic Articles of Organization
For
Florida Limited Liability Company**

L20000317853
FILED 8:00 AM
October 07, 2020
Sec. Of State
agent05

Article I

The name of the Limited Liability Company is:
441 LAKE ELLA, LLC

Article II

The street address of the principal office of the Limited Liability Company is:
147 2ND AVE SOUTH
SUITE 400
ST PETERSBURG, FL. 33701

The mailing address of the Limited Liability Company is:
147 2ND AVE SOUTH
SUITE 400
ST PETERSBURG, FL. 33701

Article III

Other provisions, if any:
ANY AND ALL LAWFUL BUSINESS

Article IV

The name and Florida street address of the registered agent is:
JAMES C ROWE
147 2ND AVE SOUTH
SUITE 400
ST PETERSBURG, FL. 33701

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: JAMES C ROWE

Article V

The name and address of person(s) authorized to manage LLC:

Title: AMBR
WILLIAM C LLOYD
147 2ND AVE SOUTH, SUITE 400
ST PETERSBURG, FL. 33701

L20000317853
FILED 8:00 AM
October 07, 2020
Sec. Of State
agent05

Article VI

The effective date for this Limited Liability Company shall be:

10/07/2020










Signature of member or an authorized representative

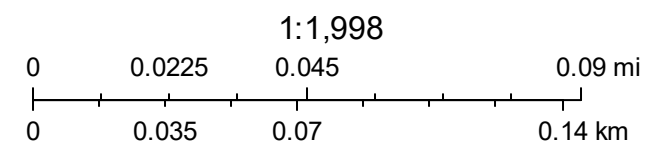
Electronic Signature: WILLIAM C LLOYD

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.

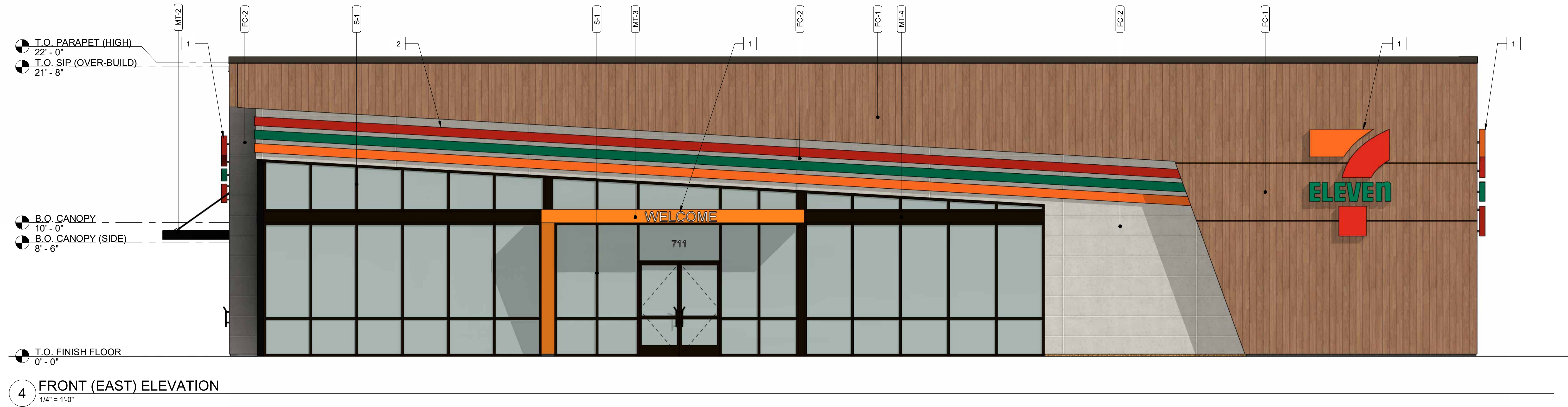


October 12, 2020

-  County Boundary
-  Street Names
-  Local Streets
-  Subdivision Lot Numbers
-  Address Locations
-  Property Name
-  Tax Parcels Alternate Key
-  Tax Parcels
-  Surrounding Counties



Lake County Property Appraiser
Lake BCC



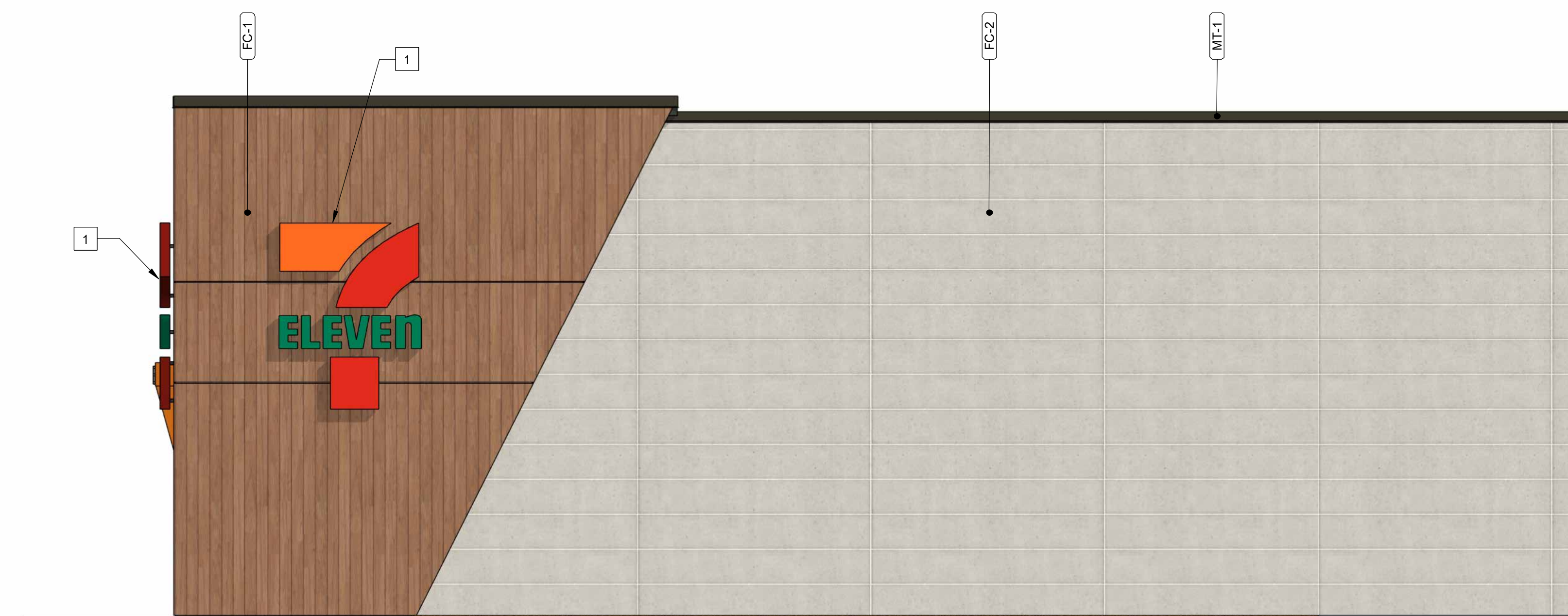
4 FRONT (EAST) ELEVATION
1/4" = 1'-0"



3 REAR (WEST) ELEVATION
1/4" = 1'-0"



2 LEFT (SOUTH) ELEVATION
1/4" = 1'-0"



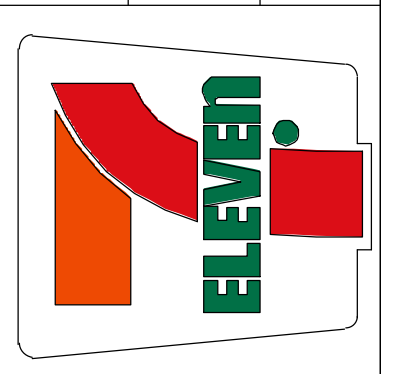
1 RIGHT (NORTH) ELEVATION
1/4" = 1'-0"

EXTERIOR MATERIALS SCHEDULE					
CODE	DESCRIPTION	COLOR	MANUFACTURER	MODEL	COMMENTS
FIBER CEMENT PANEL					
FC-1	FIBER CEMENT PANELS - VINTAGEWOOD	CEDAR	NICHIHA	AWP 3030	VERTICAL INSTALLATION
FC-2	FIBER CEMENT PANELS - INDUSTRIALBLOCK	GRAY	NICHIHA	AWP 3030	HORIZONTAL INSTALLATION
FC-3	FIBER CEMENT PANELS	ENDURING BRONZE	JAMES HARDIE	SMOOTH HARDEPANEL	PANELS TO BE FACTORY PRIMED AND FIELD PAINTED SW7055
METAL					
MT-1	PRE-FINISHED METAL COPING & COMPRESSION EDGE	MEDIUM BRONZE	DURO-LAST	DURO-LAST #6052 & #3110	20 GA. PREFINISHED METAL PARAPET CAP
MT-2	PRE-FINISHED ALUMINUM CANOPY	BLACK	MAPES ARCHITECTURAL CANOPIES	SUPER LUMIDECK FLAT SOFFIT	FINISH TO MATCH SHERWIN WILLIAMS TRICORN BLACK SW0258
MT-3	PRE-FINISHED ALUMINUM CANOPY	ORANGE	MAPES ARCHITECTURAL CANOPIES	CUSTOM SUPER LUMIDECK FLAT SOFFIT WITH VERTICAL LEG AND INTERNAL DRAINAGE	
MT-4	BRAKE METAL TO MATCH STOREFRONT	DARK BRONZE	BY G.C.		
PAINT					
P-3	EXTERIOR HM DOORS, FRAMES, TRASH ENCLOSURE GATE, DOWNSPOUTS, LIGHTS POLES AND ROOF LADDER.	ENDURING BRONZE	SHERWIN WILLIAMS	SW7055	SEE PAINT SCHEDULE FOR ADDITIONAL INFORMATION
P-8	PAINTED CMU	GRAY CLOUDS	SHERWIN WILLIAMS	SW7658	SEE PAINT SCHEDULE FOR ADDITIONAL INFORMATION
P-10	PAINTED CMU - ACCENT	ENDURING BRONZE	SHERWIN WILLIAMS	SW7055	SEE PAINT SCHEDULE FOR ADDITIONAL INFORMATION
ROOFING					
MR-1	MEMBRANE ROOFING SYSTEM	WHITE	DUROLAST	WHITE 40MIL SINGLE-PLY PVC ROOFING MEMBRANE	
STOREFRONT					
S-1	ALUMINUM STOREFRONT FRAMING	DARK BRONZE	KAWNEER	451T VG	

No.	Description	Date

PROTO: 2-23-2021

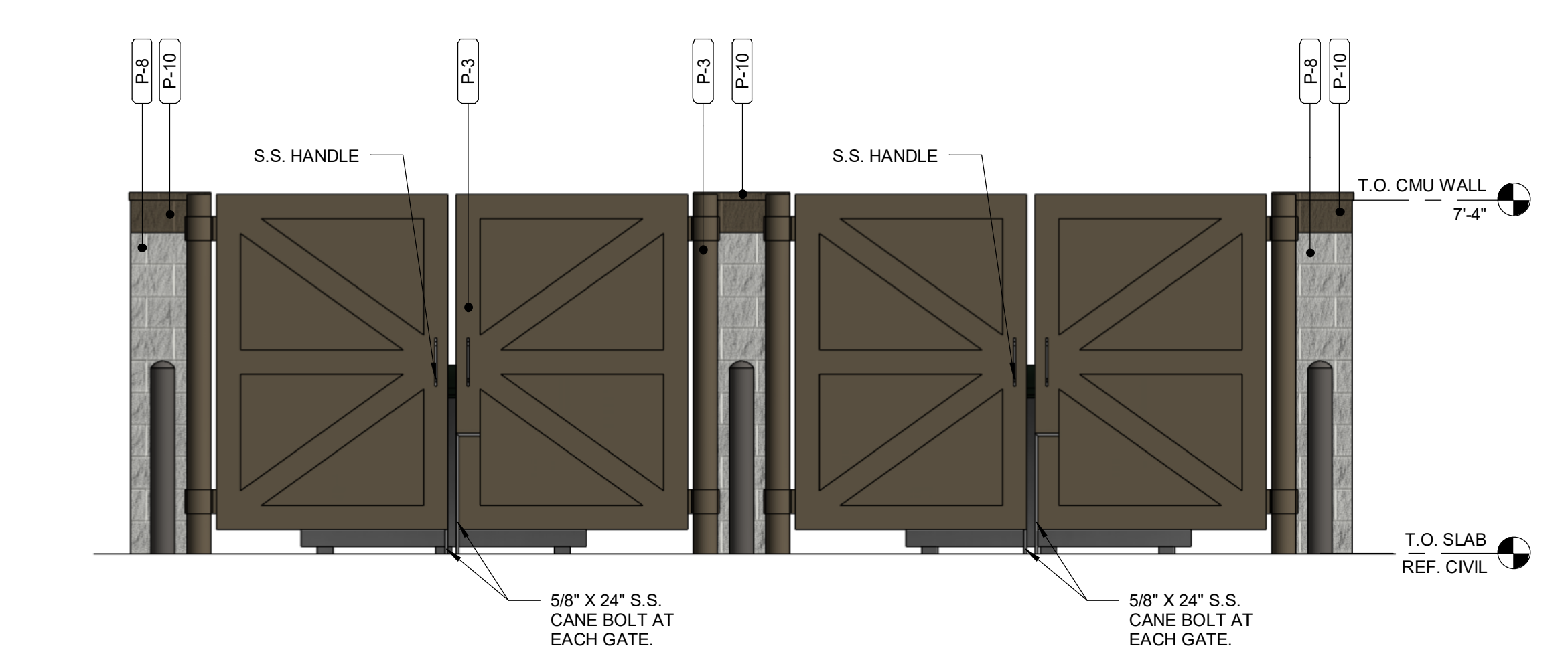
7-ELEVEN, INC.
3200 HACKBERRY ROAD, IRVING, TEXAS 75063
7-ELEVEN - WESTLAKE, TX
STATE HWY 170 & HWY 377
WESTLAKE, TX 75082
EXTERIOR COLORED ELEVATIONS



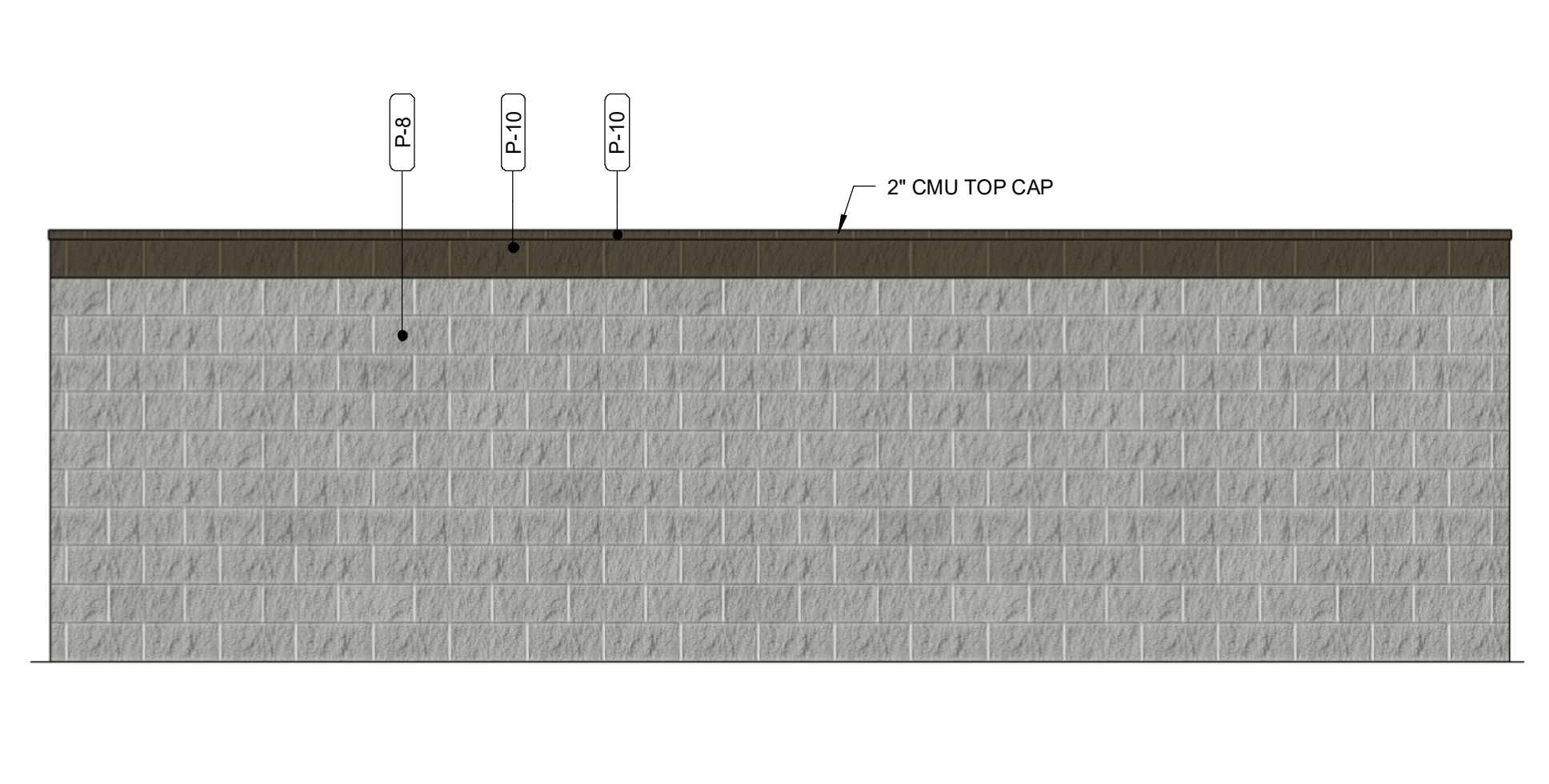
Documents prepared by A/E
for which they are intended. Any
specific project and specific use
projects, by owner or any other
party, without the expressed
done at the user's own risk. If
used in a way other than that
held A/E firm harmless from all
claims and losses.

JOB #: Project Number
SCALE: 1/4" = 1'-0"
DATE: Issue Date
DRAWN BY: Author
CHECKED BY: Checker

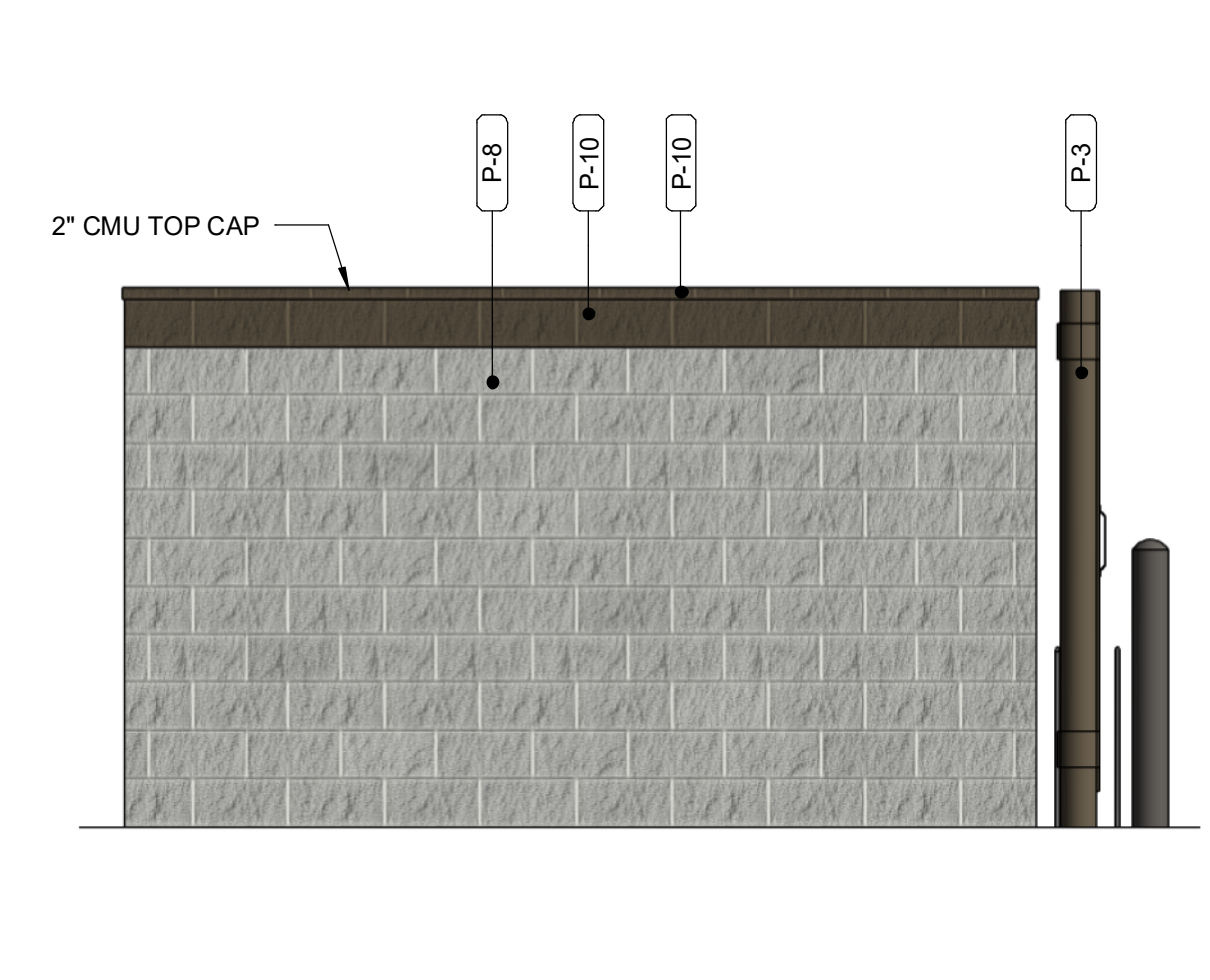
PRELIMINARY DRAWINGS
DESIGN DEVELOPMENT
CONSTRUCTION



7 FRONT TRASH ENCL. ELEVATION
3/8" = 1'-0"

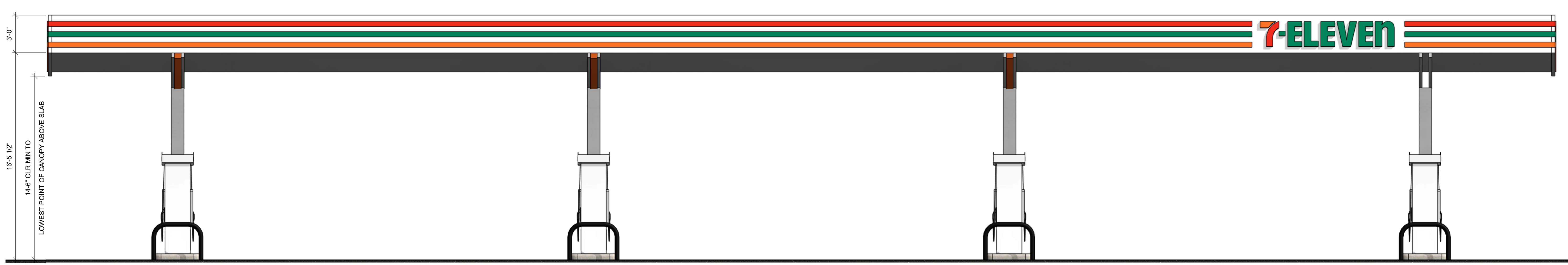


6 REAR TRASH ENCL. ELEVATION
3/8" = 1'-0"

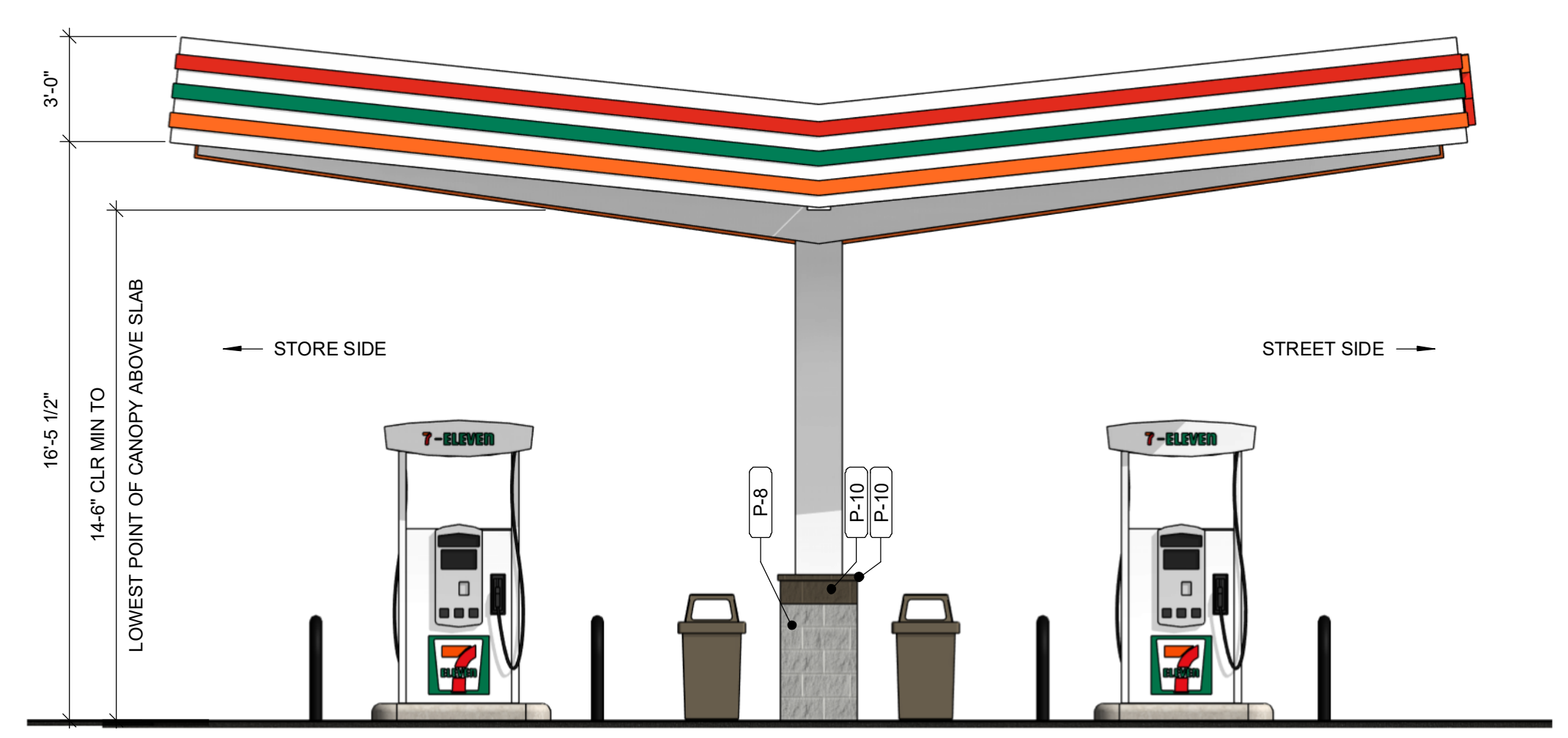


5 SIDE TRASH ENCL. ELEVATION
3/8" = 1'-0"

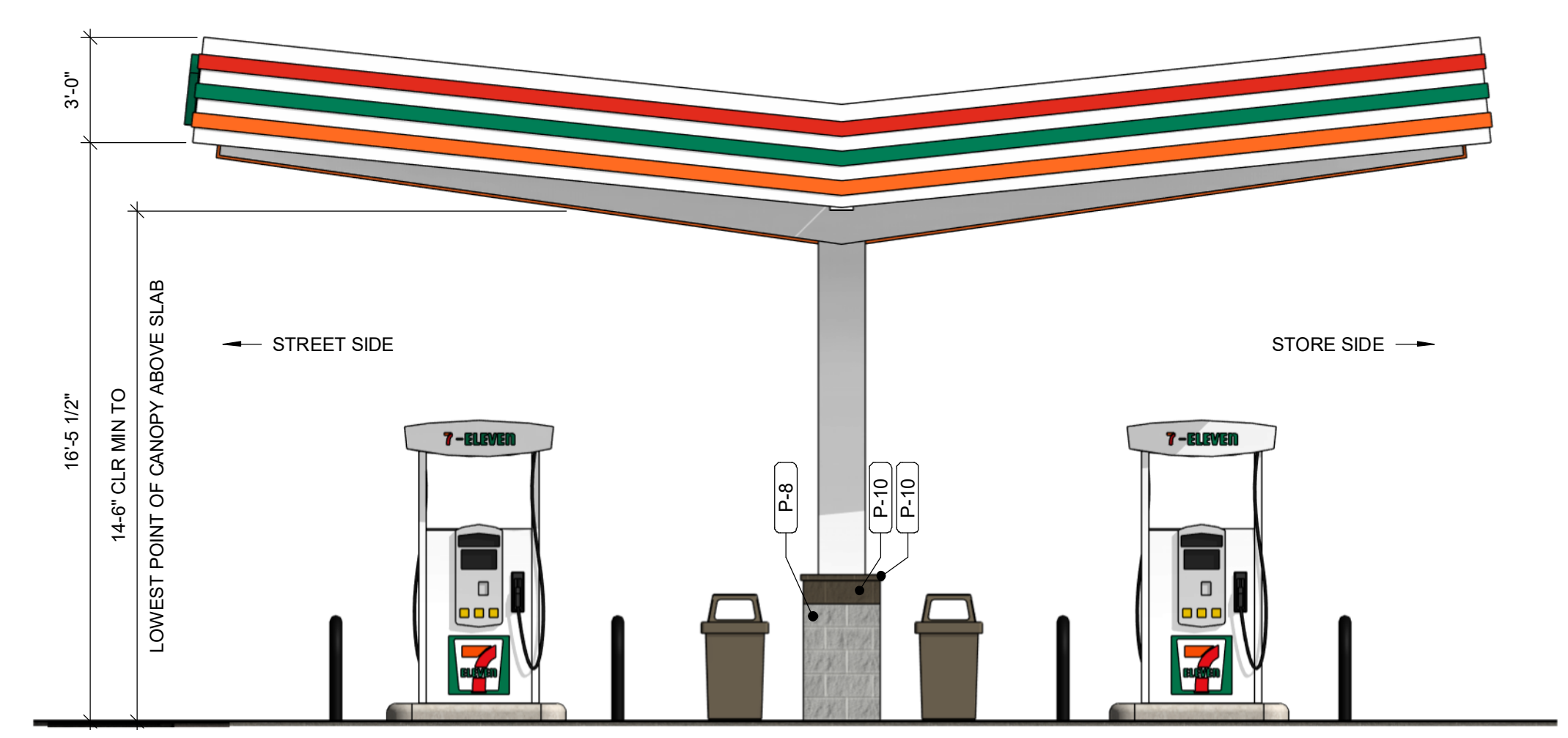
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S-1	ALUMINUM STOREFRONT FRAMING	DARK BRONZE	KAWNEER	451T VG	



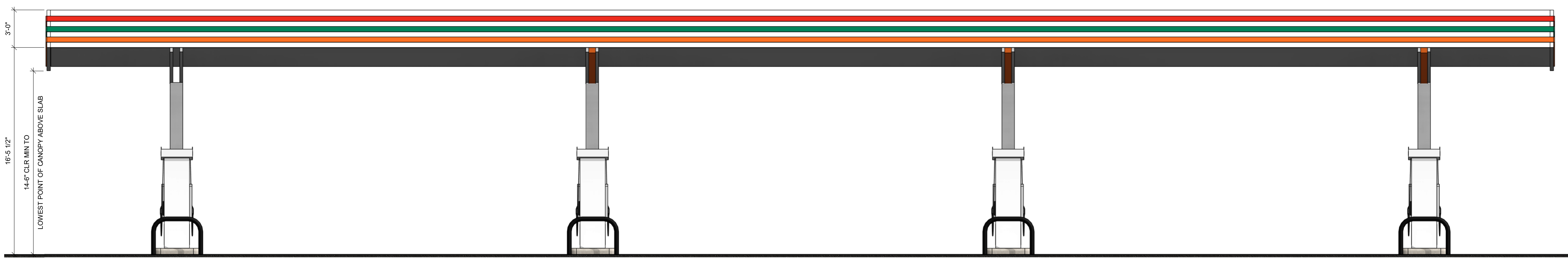
4 WINGED FUEL CANOPY - EAST
1/4" = 1'-0"



3 WINGED FUEL CANOPY - SOUTH
1/4" = 1'-0"



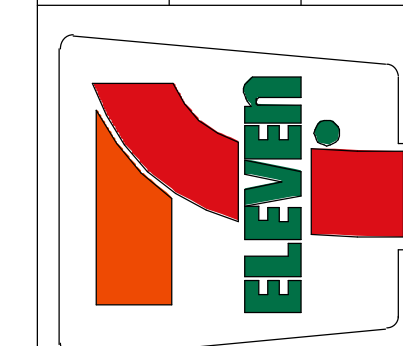
2 WINGED FUEL CANOPY - NORTH
1/4" = 1'-0"



1 WINGED FUEL CANOPY - WEST
1/4" = 1'-0"

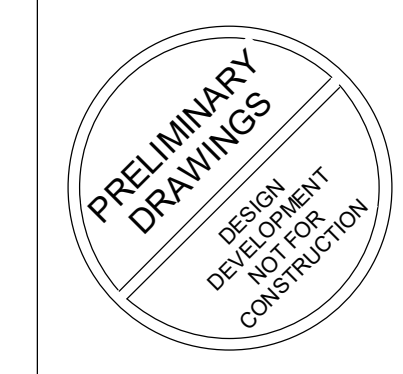
PROTO: 2-23-2021

7-ELEVEN, INC
3200 HACKBERRY ROAD, IRVING, TEXAS 75063
7-ELEVEN - WESTLAKE, TX
STATE HWY 170 & HWY 377
WESTLAKE, TX 75082
EXTERIOR COLORED ELEVATIONS



JOB #: Project Number
SCALE: As indicated
DATE: Issue Date
DRAWN BY: Author
CHECKED BY: Checker

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RESOLUTION 2021-XX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING MAJOR SITE PLAN APPROVAL WITH CONDITIONS TO ALLOW FOR CONSTRUCTION OF A SEVEN-ELEVEN; PROVIDING FOR CONDITIONS; AUTHORIZING THE CITY MANAGER TO ISSUE A NOTICE OF SITE PLAN APPROVAL UPON COMPLETION OF ALL CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Fruitland Park Ella, LLC and R.K.M. Development Corp. has filed an application for Major Site Plan Approval to allow for construction of a new Seven-Eleven building on real property located at xxxx US Hwy 27/441, Fruitland Park; and

WHEREAS, the Planning and Zoning Board of the City of Fruitland Park has considered the application in accordance with the Land Development Regulations for Major Site Plan Approval in Chapter 160 of the Land Development Regulations; and

WHEREAS, the City Commission of the City of Fruitland Park has considered the application in accordance with the Land Development Regulations for Major Site Plan Approval in Chapter 160 of the Land Development Regulations, subject to conditions;

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

Section 1. Granting of Major Site Plan Approval.

The application filed by Fruitland Park Ella, LLC and R.K.M. Development Corp. (hereafter referred to as “Applicant”), to allow for construction of a new Seven-Eleven building on real property located at xxxx US Hwy 27/441, Fruitland Park is hereby GRANTED, with conditions, for the following described property:

Alt. Key Numbers: 274770

Parcel Id. Numbers: 33-18-24-0001-000-00400

LEGAL DESCRIPTION: See attached Exhibit A.

Section 2. Conditions of Approval.

- (1) Prior to the issuance of a building permit, the Applicant shall resolve, to the satisfaction of the City Manager or designee, the following matters:
 - (a) Applicant must obtain a driveway permit from FDOT for connection of the Property to US Hwy 27/441.
 - (b) Applicant must dedicate and convey by right-of-way deed to Lake County right-of-way for Lake Ella Road. Applicant must prepare

and provide to Lake County the legal description and sketch of description of the right-of-way as determined by Lake County, along with a copy of the Property boundary survey and title report.

- (c) Applicant must cooperate with FDOT and Lake County for the traffic signal modification at the intersection of US Hwy 27/441 and Lake Ella Road, and execute any required agreements relating to same.
 - (d) Construction of the building must include a fire sprinkler system.
 - (e) If the canopy over the gas pumps is connected to the building, the canopy must include fire sprinklers. Alternatively, if the canopy does not connect to the building, then fire sprinklers will not be required.
- (2) Site plan approval shall terminate and become null and void automatically without notice if construction has not commenced within twelve (12) months from the date of this conditioned approval.
 - (3) The Site Plan is attached hereto and incorporated herein.
 - (4) Upon compliance with the conditions set forth above, the City Manager is authorized to issue and record a Notice of Site Plan Approval in the public records of Lake County, Florida.

Section 3. Effective Date.

This resolution shall become effective immediately upon its passage.

PASSED and ADOPTED at a regular meeting of the City Commission of the City of Fruitland Park, Lake County, Florida this _____ day of _____, 2021.

SEAL

CITY COMMISSION OF THE CITY OF
FRUITLAND PARK, FLORIDA

CHRIS CHESHIRE, MAYOR

ATTEST:

ESTHER COULSON, CITY CLERK

Mayor Cheshire _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Chairman Gunter _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner DeGrave _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Mobilian _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Approved as to form:

Anita Geraci-Carver, City Attorney

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

SITE PLAN

Owner: Fruitland Lake Ella LLC

Applicant: Bill Lloyd of 441 Lake Ella, LLC

General Location: West of US Highway 27/441 & Eagle Nest Road

Number of Acres: 2.32 ± acres

Existing Zoning: C-2

Existing Land Use: Mixed Community (MC)

Date: August 4, 2021

Description of Project

The subject property is part of a larger tract of land (5.49 acres) and a lot split will need to be processed simultaneously with the site plan. The proposed plan is to construct a 4,650 SF 7-11 with associated 980 SF car wash, gas pumps and canopy, parking and stormwater management.

	Surrounding Zoning	Surrounding Land Use
North	C-2	Commercial – High Intensity
South	C-2	Mixed Community
East	C-2	Lake County Urban Medium
West	PUD	Mixed Community

Assessment

The applicant has addressed all outstanding planning comments.

Review of the architectural plans submitted indicate that it meets Section 154.070.

Recommendation

The site plan meets the minimum planning technical requirements of Chapter 160, Section 160.080 and staff recommends approval subject to engineering approval. Applicant acknowledges that a separate sign permit will be required.



VIA EMAIL dwilliams@fruitlandpark.org

September 13, 2021

Dwayne Williams
Community Development Director
City of Fruitland Park
506 W. Berckman Street
Fruitland Park, FL 34731

**RE: 7-ELEVEN (HALFF AVO #043866.070)
MAJOR SITE PLAN RAI #2 REVISED**

Dear Mr. Williams:

I have reviewed the plans and calculations submitted on August 30, 2021. As discussed with public works, the only remaining comment is that the site will need alternate forms of fire protection as the site cannot meet the required fire flow. As the City of Fruitland Park does not provide fire protection services, I recommend conditional approval provided the applicant coordinate with Lake County Fire to provide needed fire protection prior to beginning construction.

Should you have any questions, please feel free to contact our office.

Sincerely,

HALFF

A handwritten signature in blue ink, appearing to read "Brett J. Tobias".

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

BJT:am