



**506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731**

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

TRC COFP Members:

City Manager Gary La Venia, Chairman
Police Chief Eric Luce, Vice Chair
City Attorney
Building Official
Community Development Director
Code Enforcement Officer
Engineer - Halff
Fire Chief
Fire Inspector
Land Planner LPG
Public Works Director

TRC Members:

City of Leesburg Utilities
Lake County School Board
Lake County Public Works Department
Lake County Economic Development

AGENDA

**TECHNICAL REVIEW COMMITTEE
OCTOBER 4, 2022
10:00AM**

- I. MEETING START TIME:**
- II. MEMBERS PRESENT:**
- III. MEETING NOTES FROM PREVIOUS MEETING:** Meeting minutes from September 6, 2022 included for review/comment.
- IV. OLD BUSINESS: NONE**

NEW BUSINESS:

A. Fruitland Park Self Storage – Lake Ella Road (Alternate Keys: 1284651 & 1284465; Conditional Use and Special Exception

Conditional Use and Special Exception Use applications submitted by Phillip Hollis, P.E. of Flagship Companies Group, LLC on behalf of the owner, Purvis M. & Julia Taylor. The applicant is proposing a conditional use permit to develop the 4.83 +/- acre (210,395 square foot) subject parcel for mini warehouses (totaling 105,152 square feet), and a special exception use permit to include motor vehicle and boat storage (an additional 22,558 square feet under RV canopy with 35' deep bays with drive-thru large RV parking).

There are five (5) mini warehouse buildings proposed, one 3-story building climate controlled with 29,867 square feet per story, 89,602 square feet total, and four (4) one-story self-storage facilities being 2,041 square feet, 7,263 square feet, 3,128 square feet, and 3,335 square feet each in size. A total of

105,152 square feet of mini warehouses for self-storage is being requested. There is also an RV canopy consisting of 22,558 square feet with 35' deep bays and drive-thru large RV parking spaces.

Should the Conditional Use Permit and Special Exception Use Permit be approved, staff will recommend the following conditions:

- 1) No outside storage with the exception of the covered RV/Boat Storage
- 2) An 8' vinyl fence or wall shall be provided to screen the RV/Boat Storage area as shown on the conceptual site plan
- 3) The site shall be developed in substantial conformity to the conceptual site plan
- 4) All lighting shall meet dark sky requirements
- 5) The facility is to be used solely for the purposes of storage; retail sales and services with the exception of related sales associated with the use such as, but not limited to, boxes, tape, locks, pens are expressly prohibited; wholesale, manufacturing or other commercial uses are expressly prohibited.
- 6) Retention pond landscaping. Three (3) canopy trees for every 150 linear feet of retention pond bank shall be required as measured at the top of pond bank. Trees shall be planted within forty (40) feet from the top of bank line and include a ten (10) foot clear zone for maintenance. Curvilinear retention ponds, rather than geometric or rectangular ponds, are required, when possible.

B. The Hawthorns – Annexation, Comp Plan Amendment, Rezoning, Planned Development, Unity of Title Alternate Keys: 3884325 & 1699649)

The subject property consists of two properties; a 4.57-acre parcel (Alt Key 1699649) in the city limits with frontage on CR-466A, developed with the Burke's BBQ restaurant and an office building along with a 14.98-acre parcel (Alt Key 3884325) to the north of the existing restaurant in Lake County developed with a landscaping business and nursery. The applicant is requesting to annex the 14.98-acre parcel (Alt Key 3884325) into the city limits and add it to the existing Burke's BBQ parcel (Alt Key 1699649) to allow construction of a mixed-use project consisting of 240 multi-family apartments, associated recreation and 2.71 acres of general commercial. The existing Burke's Restaurant will be demolished to allow construction of the development.

A companion small-scale comprehensive plan map amendment is requested for the northern 14.98 +/- acre subject property amending the future land use from Lake County Rural to Multi-Family High Density (15 units/acre). The applicant is proposing to keep the zoning as C-2 in the front parcel along 466A, identified as alternate key 1699649, and change the zoning from Lake County Agricultural to PUD for the rear [northerly] parcel (alternate key 3884325). The concept plan shows the location of the multi-family units and residential supporting facilities including a community building with leasing office, pool, located adjacent to CR-466A with commercial lots along CR 466A. The proposed density of the PUD is 15 units per acre.

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:



**506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731**

**PHONE: 352 360-6727
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TRC COFP Members:

City Manager Gary La Venia, Chairman
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City Attorney
Building Official
Community Development Director
Code Enforcement Officer
Engineer - Halff
Fire Chief
Fire Inspector
Land Planner LPG
Public Works Director

TRC Members:

City of Leesburg Utilities
Lake County School Board
Lake County Public Works Department
Lake County Economic Development

MEETING NOTES

**TECHNICAL REVIEW COMMITTEE
SEPTEMBER 6, 2022
10:00AM**

- I. MEETING START TIME: 10:08 AM**
- II. MEMBERS PRESENT:** Shane Gerwing (Alpha Inspections), Tyler Brandeburg (Lake County School Board), Michael Rankin (LPG), Robb Dicus (City Public Works Director), Hugo Cabrera (Halff), Sharon Williams (Administrative Manager), Emily Church (Office Assistant). Also present was Jimmy Crawford, Yog Melwani, Heath Rivers, Chad Moorehead, Chris Godwin, & Mohammed Abdul for Rolling Acres.
- III. MEETING NOTES FROM PREVIOUS MEETING:** Meeting minutes from August 2, 2022 included for review/comment were approved.
- IV. OLD BUSINESS: NONE**

NEW BUSINESS:

Lake Myrtle Breezes Variance - 1108 Myrtle Breezes Court (Alternate Keys: 3845251)

A Variance application was submitted by Angel Rivera P.E. of A&B Engineering Consultants, PA on behalf of the owner, Crystal Lake Land Holdings, LLC. The subject site consists of approximately .33 ± acres. On November 8, 2009 the City of Fruitland Park approved a lot line deviation between Lots 8, 9 and 10 pursuant to Chapter 157, Section 157.050. It appears that the lot line deviation was sought due to the existing construction of Lot 9 not meeting the side setbacks of 10'. After the lot line deviation, the remaining portion of Lot 10 indicates that the lot width does not

meet the minimum requirement of the zoning district which requires 80' width at the building setback line on cul-de-sacs and curves pursuant to the City of Fruitland Park Land Development Regulations (LDRs), Chapter 154, Section 154.040.

Review of the boundary survey indicates that there is 70' at the building setback line and indicates that the front setback would need to be increased to approximately 160' to achieve the 80' width requirement. Taking into consideration rear and side setbacks, the buildable area for a home and accessory structures would be approximately 60' x 25', which is not sufficient.

The R-4 zoning district requires a minimum lot size of 12,500 square feet with central water and septic tank. The subject lot was platted at 18,146 square feet (0.42 acres) and due to the approved lot line deviation, the lot is now approximately 14,374 square feet (0.33 acres) which exceeds the minimum required.

Michael Rankin of LPG introduced the project and noted that LPG recommended approval to move to Planning & Zoning. Robb Dicus had concerns about the existing irrigation well on the property next door. He wants to make sure there is enough clearance for the septic. Approved to send to Planning & Zoning.

Rolling Acres – Lake Ella Road (Alternate Keys: 1284082 & 1384015), Planned Development

A Planned Development application was submitted by ResiBuilt Homes, LLC on behalf of the owner, Daryl M. Carter, Trustee. The proposed development consists of 158 + acres consisting of 413 single family units (50' x 120' - 6,000 SF and 60' x 120' – 7,200 SF) and 190 townhomes (24' x 120' – 2,880 SF) for a total unit count of 603 dwelling units at a density of 3.78 units/acre. The minimum net living area is 1432 SF. The proposed plan offers a varied landscape buffer with a 25' minimum width. The proposed plan designates 48.69 acres of open space (30%) consisting of 10.5 acres of recreation parcels and community park; 20.22 acres in buffers and other open space, and 17.97 acres of stormwater ponds (the ponds are proposed to be improved with walking trails and benches).

The existing approved PUD consisted of 210 single family units (50' x 120', 75' x 135', 80' x 150') and 426 townhomes for a total unit count of 636 units and 4.26 acres of neighborhood commercial uses. The previous plan also provided 46% open space with the majority of the buffers being 50' in width to mitigate the adjacent agriculturally zoned properties and low-density development. The proposed development is a reduction of 33 units. The properties are located at 1132 and 1342 Lake Ella Road.

Michael Rankin of LPG introduced the project and indicated the real challenge is regarding traffic. Jimmy Crawford introduced himself as the project attorney and asked for his team to introduce themselves. Jimmy Crawford noted that they are offering a proportionate share agreement for traffic mitigation. They are okay with a clause being added to the Master Developers Agreement. Sharon Williams asked that they send the language as soon as possible to be able to advertise for Planning and Zoning. Jimmy Crawford thanked the staff for their hard work in getting this item on the agenda.

PWD Robb Dicus had no comments as he and Chad Moorehead (the engineer) had talked previously. Hugo Cabrera (engineering) and Shane Gerwig (fire inspections) had no comments. Tyler Brandeburg (Lake County School Board) also had no comments. Michael Rankin of LPG made a clarifying statement regarding the LPG staff report that staff supports the project; however, the issue with traffic needs to be resolved with legal counsel first.

Yog Melwani asked if we had the most recent Master Developer's Agreement draft and if we had comments back from the City Attorney. Sharon Williams responded that at present we don't have comments back from City Attorney. Yog asked if it was possible to get a copy of the Lake Saunders PUD and Sharon Williams stated that yes, we could provide them with a copy. Yog stated that previous review letters went to the applicant and property owner but a copy was not sent to Yog. He asked if it was possible to be on the September Planning and Zoning Meeting (P&Z). Sharon Williams indicated it is tentatively scheduled for this month (pending advertisement requirements are met) on September 15th for P&Z and City Commission on September 22nd and October 13th. Michael Rankin recapped that it would go to Planning and Zoning this month and then onto City Commission. TRC is not recommending approval, as the attorneys should finalize the Proportional Share Agreement language specifically for the Master Developer Agreement.

Sharon William thanked the Resibuilt team for being so responsive in their correspondence.

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: 10:22 AM



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: Purvis M. & Julia Taylor
 Address: 8837 LOWER BURNINGTOWN RD, FRANKLIN, NC 2873 4
 Phone: _____ Email: _____

Applicant Name: Phillip Hollis, P.E., Flagship Companies Group, LLC.
 Address: 1190 Business Center Drive, Suite 2000, Lake Mary, FL 32746
 Phone: (407) 246-1155 Email: phillip@pmjs.com

Engineer Name: Bryan Potts, P.E., Tannath Design Inc.
 Address: 2494 Rose Spring Dr, Orlando, FL 32825
 Phone: (407) 982-9878 Email: bpotts@tannathdesign.com

Property and Project Information:

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

Property Address: 2221 US 441

Parcel Number(s): 33-18-24-0001-000-01901 & 33-18-24-0001-000-01801 Section: 33 Township: 18 Range: 24

Area of Property: 207,090 SF (4.75 AC) Nearest Intersection: US441 &

Existing Zoning: C-2 General Commercial Existing Future Land Use Designation: COMM Commercial - High Intensity

Proposed Zoning: C-2 General Commercial Proposed Future Land Use Designation: COMM Commercial - High Intensity

The property is presently used for: Vacant

The property is proposed to be used for: Self-Storage

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 checked="" 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: We would like to propose Mini-Warehouse as part of our project.

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: Phillip C. Hollis as owner's Agent

Signature: Phillip C. Hollis Date: 6/22/2022

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)

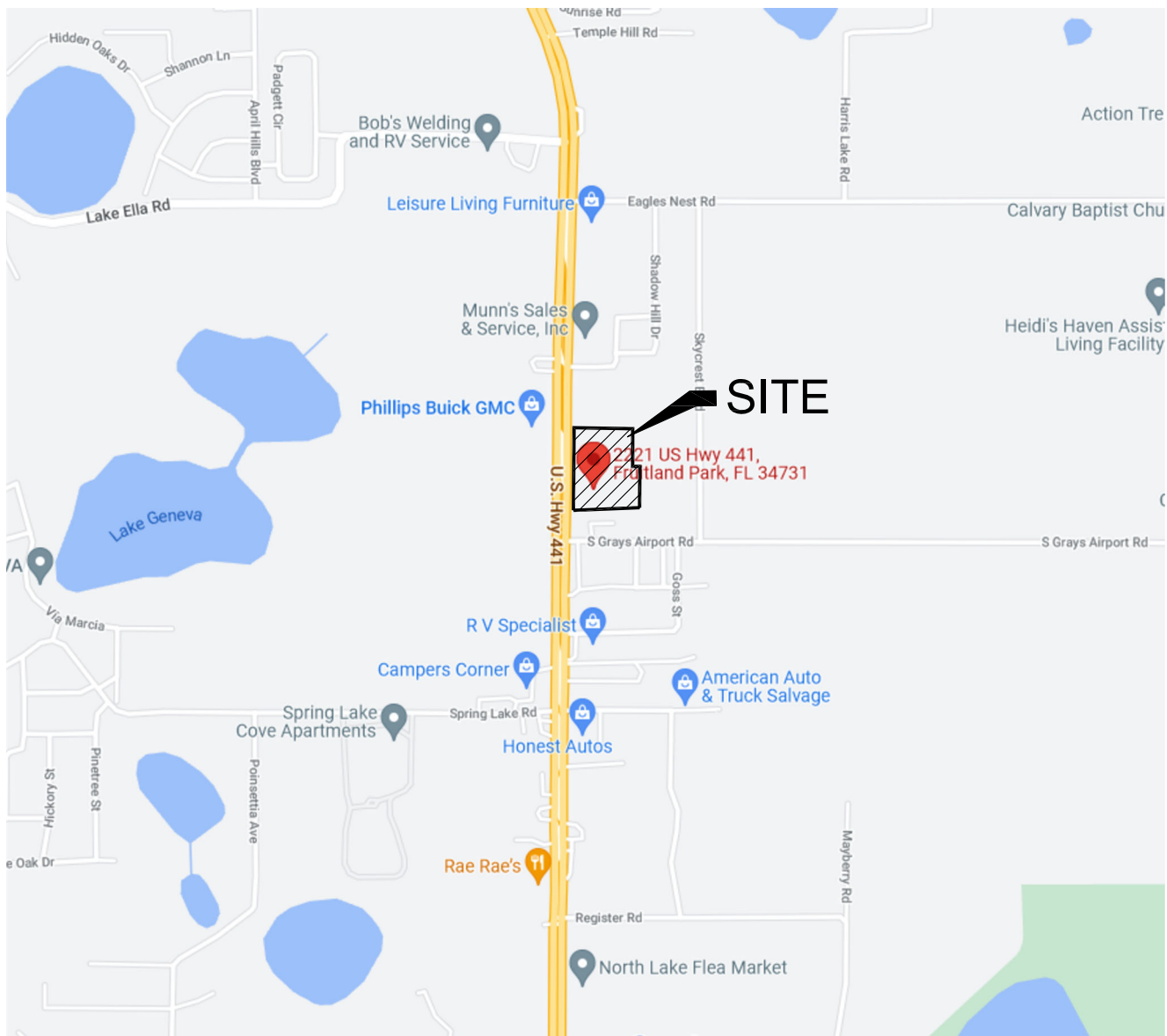
- As Described in LDRs, Chapter 157

Minor Subdivision Applications:

- As Described in LDRs, Chapter 157

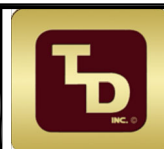
Site Plan Applications:

- As Described in LDRs, Chapter 160



SCALE:	NTS
PROJECT:	088-007
DATE:	06/10/22
DRAWN BY:	DDP

Location Map
FRUITLAND PARK STORAGE
2221 US HWY 441
Fruitland Park, Florida



Tannath Design, Inc.
2494 Rose Spring Drive
Orlando, Florida 32825
407-982-9878
www.tannathdesign.com

FIGURE

1



SCALE:	NTS
PROJECT:	088-007
DATE:	06/10/22
DRAWN BY:	DDP

Aerial Map
FRUITLAND PARK STORAGE
2221 US HWY 441
Fruitland Park, Florida



Tannath Design, Inc.
2494 Rose Spring Drive
Orlando, Florida 32825
407-982-9878
www.tannathdesign.com

FIGURE

2



Tannath Design, Inc.

2494 Rose Spring Dr.
Orlando, FL 32825
(407) 982-9878
www.tannathdesign.com

September 26, 2022

**City of Fruitland Park
Community Development,
Planning & Zoning Board &
City Commissioners
506 West Berckman Street
Fruitland Park, Florida 34731**

Re: Conditional Use Justification
Project: Fruitland Park Storage

The proposed project is a Self-Storage facility located at 2221 US Hwy 441, within the City of Fruitland Park, Florida. The project consists of a 3-story mini-warehouse building, 3-one-story mini-warehouse buildings, and an enclosed compound around (with canopy over) boat & RV storage. The existing zoning is C-2 General Commercial, which permits mini-warehouses with a conditional use under Section 154.03(d) C-2 General Commercial, (C) Uses Permitted as a Conditional Use by the City Commission, (i) Mini-warehouses. Therefore, this Conditional Use request is for Mini-warehouses in C-2 zoning. In meeting the requirements of a Conditional Use: a) the project is located along an arterial road (US Hwy 441), b) our site is over 2 acres and c) the Mini-warehouses are to be used solely for the purposes of personal storage. Retail sales and services, wholesale, manufacturing or other commercial uses are expressly prohibited.

In accordance with CHAPTER 155 - CONDITIONAL USES AND SPECIAL EXCEPTIONS SECTION 155.010: CONDITIONAL USES (b) (2), we are providing the required written statement specially addressing the general requirements of Paragraph (d)(2), Review Criteria herewith. When reviewing an application for a conditional use, the Planning and Zoning Board and City Commission shall consider the following requirements and criteria:

A) The proposed use must comply with the adopted Comprehensive Plan and Future Land Use Map;

- ***The site is designated on the Future Land Use Map as Commercial – High Intensity.***
- ***The proposed conditional use site plan and C-2 zoning is consistent with the policies, goals & objectives of the comprehensive plan.***
- ***The proposed site Impervious Surface Area is less than 70%.***
- ***The proposed Floor Area Ratio is less than 0.50.***
- ***The maximum building height is thirty-five (35) feet unless adequate fire protection is provided as approved by the City Fire Inspector and Building Official.***

Fruitland Park Storage – Conditional Use

Therefore, the proposed use complies with the adopted Comprehensive Plan and Future Land Use Map.

B) Traffic generation and access for the proposed use shall not adversely impact adjoining properties and the general public safety;

- **Self-Storage (Mini-warehouses) is one of the lowest trip generators of all commercial development types allowed in C-2 per the Institute of Traffic Engineers data.**
- **Meetings with FDOT representative have relocated the driveway where currently shown on the Site Plan to eliminate conflicts and accommodate turning motions for safety of traffic operations.**
- **There are no access points from the site directly to adjoining properties.**
- **Driveway spacing within the FDOT R/W is adequate.**

Therefore, traffic generation and access for the proposed use will not adversely impact adjoining properties and the general public safety.

C) Off-street parking, loading and service areas shall be provided and located such that there is no adverse impact on adjoining properties, beyond that generally experienced in the district;

- **Adequate off-street parking is provided on-site for the office operations and self-storage customers per LDC.**
- **All parking, ingress and egress will meet ADA standards.**
- **Loading zones are provided by extra wide travel ways and specific loading area at the 3-story building and will comply with LDC.**
- **There is no queuing / stacking or other potential for adverse impacts on adjoining properties.**

Therefore, off-street parking, loading and service areas will be provided and located such that there is no adverse impact on adjoining properties, beyond that generally experienced in the C-2 zoning district.

D) Required yards, screening or buffering, and landscaping shall be consistent with the district in general and the specific needs of abutting land uses;

- **The lot size exceeds the twenty thousand (20,000) square feet minimum.**
- **The lot width exceeds the minimum one hundred fifty feet (150') at the front property line and the lot is not located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.**
- **The site plan meets the minimum setbacks requirements:**
 - **Front yard: Fifty feet (50')**
 - **Side yard: Ten feet (10').**
 - **A zero-lot line is allowed on one side setback only with a minimum of ten feet (10') on the opposite side.**
 - **Rear yard: Fifteen feet (15').**
- **The minimum open space exceeds twenty-five percent (25%).**
- **Screening, buffering and landscaping design is shown on the site plan to create a screened and secure storage compound to be consistent with the district in general and the specific needs of abutting land uses.**
- **Architectural enhancements have been added to the building architecture to be consistent with the district in general and the specific needs of abutting land uses.**

Therefore, required yards, screening or buffering, and landscaping are consistent with the district in general and the specific needs of abutting land uses.

Fruitland Park Storage – Conditional Use

E) Size, location and number of conditional uses in the area shall be limited so as to maintain the overall character of the district as intended by the Land Development Code;

- ***The site size per the site plan is 4.83 acres, of which 25% or more is open space, with an additional 25% in stormwater retention & utility easement.***
- ***The location is 2221 US Highway 441 and there are no known previous or proposed Conditional Uses in this area.***
- ***The number of conditional uses in the area appears to be very limited.***

Therefore, the size, location and number of conditional uses in the area are being limited, so as to maintain the overall character of the district as intended by the Land Development Code.

F) will be compatible with existing and planned uses;

- ***The site is located on the heavy commercialized US 441 / 27 arterial highway corridor.***
- ***The site is located east of and across from the sprawling General Motors Car Dealership and Service Center.***
- ***The site is located north of the existing Golf Cart Sales and Self-Storage facilities.***
- ***The site is located south of an existing commercial roofing company and other businesses.***
- ***The site is located west of a commercial nursery.***

Therefore, the proposed Conditional Use will be compatible with existing and planned uses.

G) will not be injurious to the neighborhood or detrimental to the public welfare.

- ***The site is located within a High Intensity Commercial Land Use area on a major commercialized arterial roadway.***
- ***The quality of the proposed project will enhance the neighborhood and provide a needed service to the residents of Fruitland Park because they are underserved with quality safe conditioned personal storage.***
- ***Retail sales and services, wholesale, manufacturing or other commercial uses are expressly prohibited.***
- ***Screening, buffering, landscaping and architectural design enhancements have been added to enhance the district in general and the specific needs of abutting land uses.***

Therefore, the proposed Conditional Use will not be injurious to the neighborhood or detrimental to the public welfare.

Thank you for your consideration of approval for this beneficial conditional use.

Bryan Potts, P.E.
Tannath Design Inc.
2494 Rose Spring Drive
Orlando, FL 32825
(407) 982-9878
bpotts@tannathdesign.com



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: Purvis M. & Julia Taylor
 Address: 8837 LOWER BURNINGTOWN RD, FRANKLIN, NC 2873 4
 Phone: _____ Email: _____

Applicant Name: Phillip Hollis, P.E., Flagship Companies Group, LLC.
 Address: 1190 Business Center Drive, Suite 2000, Lake Mary, FL 32746
 Phone: (407) 246-1155 Email: phillip@pmjs.com

Engineer Name: Bryan Potts, P.E., Tannath Design Inc.
 Address: 2494 Rose Spring Dr, Orlando, FL 32825
 Phone: (407) 982-9878 Email: bpotts@tannathdesign.com

Property and Project Information:

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

Property Address: 2221 US 441

Parcel Number(s): 33-18-24-0001-000-01901 & 33-18-24-0001-000-01801 Section: 33 Township: 18 Range: 24

Area of Property: 207,090 SF (4.75 AC) Nearest Intersection: US441 &

Existing Zoning: C-2 General Commercial Existing Future Land Use Designation: COMM Commercial - High Intensity

Proposed Zoning: C-2 General Commercial Proposed Future Land Use Designation: COMM Commercial - High Intensity

The property is presently used for: Vacant

The property is proposed to be used for: Self-Storage

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 checked="" 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: We would like to propose Motor Vehicle and Boat storage as part of our project.

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: Phillip C. Hollis, PE as Owner's Agent
FLAGSHIP COMPANIES GROUP, LLC

Signature: Phillip C. Hollis Date: 6/22/2022

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:

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 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:

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



Tannath Design, Inc.

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Orlando, FL 32825
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September 26, 2022

**City of Fruitland Park
Community Development,
Planning & Zoning Board &
City Commissioners
506 West Berckman Street
Fruitland Park, Florida 34731**

Re: Special Exception Justification
Project: Fruitland Park Storage

The proposed project is a Self-Storage facility located at 2221 US Hwy 441, within the City of Fruitland Park, Florida. The project consists of a 3-story mini-warehouse building, 3-one-story mini-warehouse buildings, and an enclosed compound around (with canopy over) boat & RV storage. The existing zoning is C-2 General Commercial, which permits mini-warehouses with a conditional use under Section 154.03(d) C-2 General Commercial, (C) Uses Permitted as a Conditional Use by the City Commission, (i) Mini-warehouses. Boat & RV Storage requires a Special Exception. In meeting these requirements, a) the project is located along an arterial road (US Hwy 441), b) our site is over 2 acres and c) the Mini-warehouses are to be used solely for the purposes of personal storage. Retail sales and services, wholesale, manufacturing or other commercial uses are expressly prohibited.

In addition to those requirements described in Section 155.020(d) (2) below, the buffering requirements in conformance with Section 164.030(b) of the Land Development Code will be met by this project. Further, in accordance with 155.030 (36) MOTOR VEHICLE AND BOAT STORAGE FACILITIES (C-2), this special exception meets the following conditions:

- A) The proposed motor vehicle and boat storage area is two thousand (2,000) feet from any other motor vehicle and boat storage area;
- B) The proposed motor vehicle and boat storage area will be paved, exceeding the "stabilized and maintained" criteria;
- C) The proposed site fronts on an arterial or collector roadway (US 441 / 27); and
- D) The proposed motor vehicle and boat storage area will be completely enclosed by a six (6) foot minimum height vinyl opaque fence or wall.

In accordance with CHAPTER 155 - CONDITIONAL USES AND SPECIAL EXCEPTIONS SECTION 155.020: SPECIAL EXCEPTIONS (b) (2), we are providing the required written statement specially addressing the general requirements of Paragraph (d) (2), Review Criteria herewith. When reviewing an application for a special exception the

Fruitland Park Storage – Special Exception

Planning and Zoning Board and City Commission shall consider the following requirements and criteria:

A) Traffic generation and access for the proposed use shall not adversely impact adjoining properties and the general public safety;

- **Self-Storage (Mini-warehouses) is one of the lowest trip generators of all commercial development types allowed in C-2 per the Institute of Traffic Engineers data.**
- **Meetings with FDOT representative have relocated the driveway where currently shown on the Site Plan to eliminate conflicts and accommodate turning motions for safety of traffic operations.**
- **There are no access points from the site directly to adjoining properties.**
- **Driveway spacing within the FDOT R/W is adequate.**

Therefore, traffic generation and access for the proposed use will not adversely impact adjoining properties and the general public safety.

B) Off-street parking, loading and service areas shall be provided and located such that there is no adverse impact on adjoining properties, beyond that generally experienced in the district;

- **Adequate off-street parking is provided on-site for the office operations and self-storage customers per LDC.**
- **All parking, ingress and egress will meet ADA standards.**
- **Loading zones are provided by extra wide travel ways and specific loading area at the 3-story building and will comply with LDC.**
- **The site plan meets the vehicular turning characteristics for emergency vehicles, motor vehicles and boats.**
- **There is no queuing / stacking or other potential for adverse impacts on adjoining properties.**

Therefore, off-street parking, loading and service areas will be provided and located such that there is no adverse impact on adjoining properties, beyond that generally experienced in the C-2 zoning district.

C) Required yards, screening or buffering and landscaping shall be consistent with the district in general and the specific needs of the abutting land uses;

- **The lot size exceeds the twenty thousand (20,000) square feet minimum.**
- **The lot width exceeds the minimum one hundred fifty feet (150') at the front property line and the lot is not located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.**
- **The site plan meets the minimum setbacks requirements:**
 - **Front yard: Fifty feet (50')**
 - **Side yard: Ten feet (10').**
 - **A zero-lot line is allowed on one side setback only with a minimum of ten feet (10') on the opposite side.**
 - **Rear yard: Fifteen feet (15').**
- **The minimum open space exceeds twenty-five percent (25%).**
- **Screening, buffering and landscaping design is shown on the site plan to create a screened and secure storage compound to be consistent with the district in general and the specific needs of abutting land uses in conformance with Section 164.030(b).**
- **Architectural enhancements have been added to the building architecture to be consistent with the district in general and the specific needs of abutting land uses.**

Therefore, required yards, screening or buffering, and landscaping are consistent with the district in general and the specific needs of abutting land uses.

Fruitland Park Storage – Special Exception

D) Architectural and signage treatments shall comply with the general provisions applicable to permitted uses in the district, to the greatest extent possible, and be sensitive to surrounding development; and

- ***The site is located within a High Intensity Commercial Land Use area on a major commercialized arterial roadway.***
- ***The quality of the proposed project architecture and signage will enhance the neighborhood and provide a needed service to the residents of Fruitland Park because the area is underserved with quality safe conditioned personal storage.***
- ***Retail sales and services, wholesale, manufacturing or other commercial uses are expressly prohibited.***
- ***Screening, buffering, landscaping and architectural design enhancements have been added to enhance the district in general and the specific needs of abutting land uses.***

Architectural and signage treatments will comply with the general provisions applicable to permitted uses in the district, to the greatest extent possible, and be sensitive to surrounding development.

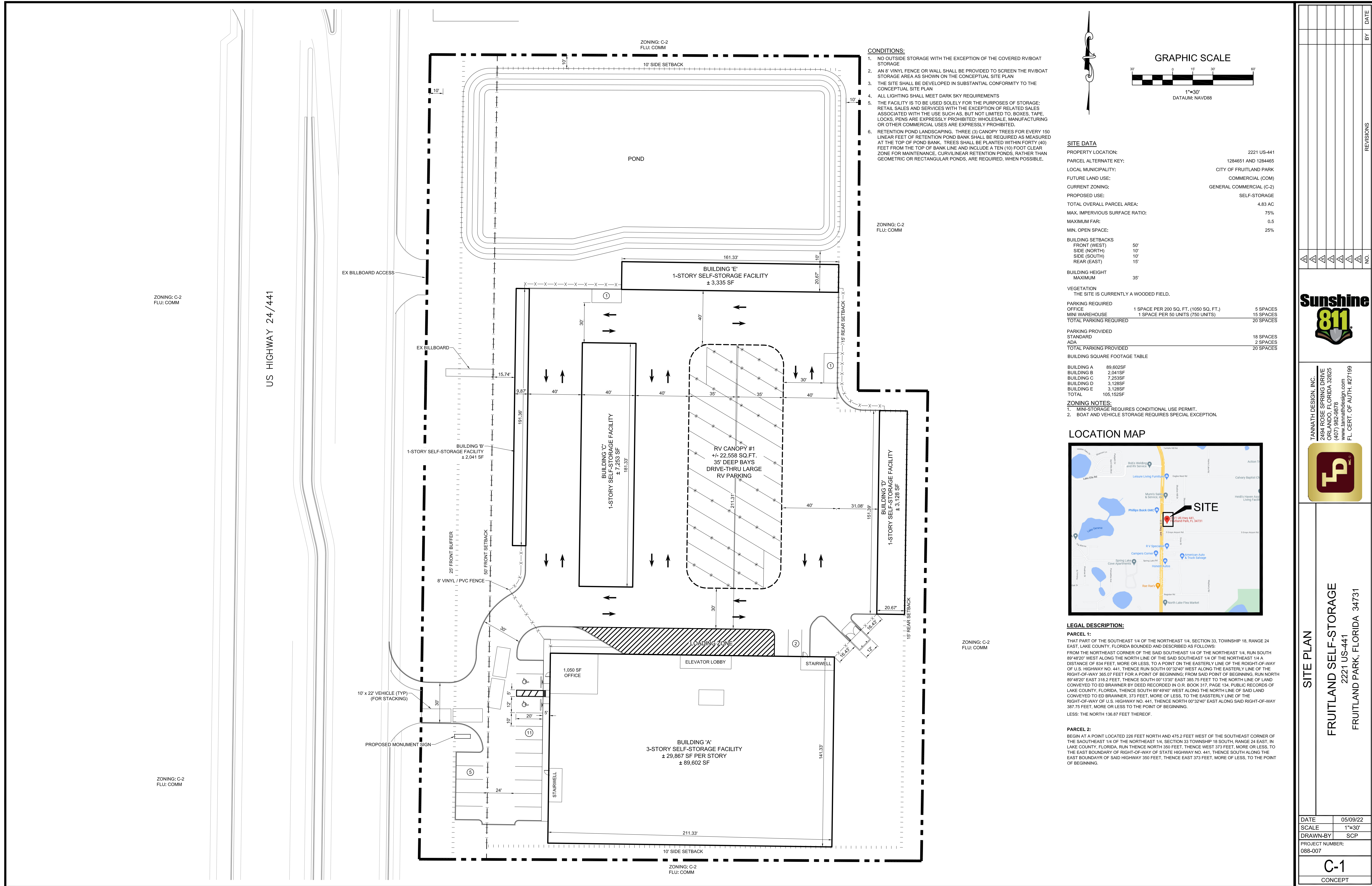
E) Size, location or number of special exception uses in the area shall be limited so as to maintain the overall character of the district as intended by the Land Development Code.

- ***The site size per the site plan is 4.83 acres, of which 25% or more is open space, with an additional 25% in stormwater retention & utility easement.***
- ***The location is 2221 US Highway 441 and there are no known previous or proposed Special Exceptions in this area.***
- ***The number of Special Exceptions in the area appears to be very limited.***

Therefore, the size, location and number of Special Exceptions in the area are being limited, so as to maintain the overall character of the district as intended by the Land Development Code.

Thank you for your consideration of approval for this beneficial conditional use.

Bryan Potts, P.E.
Tannath Design Inc.
2494 Rose Spring Drive
Orlando, FL 32825
(407) 982-9878
bpotts@tannathdesign.com



- CONDITIONS:**
1. NO OUTSIDE STORAGE WITH THE EXCEPTION OF THE COVERED RV/BOAT STORAGE
 2. AN 8' VINYL FENCE OR WALL SHALL BE PROVIDED TO SCREEN THE RV/BOAT STORAGE AREA AS SHOWN ON THE CONCEPTUAL SITE PLAN
 3. THE SITE SHALL BE DEVELOPED IN SUBSTANTIAL CONFORMITY TO THE CONCEPTUAL SITE PLAN
 4. ALL LIGHTING SHALL MEET DARK SKY REQUIREMENTS
 5. THE FACILITY IS TO BE USED SOLELY FOR THE PURPOSES OF STORAGE; RETAIL SALES AND SERVICES WITH THE EXCEPTION OF RELATED SALES ASSOCIATED WITH THE USE SUCH AS, BUT NOT LIMITED TO, BOXES, TAPE, LOCKS, PENS ARE EXPRESSLY PROHIBITED; WHOLESALE, MANUFACTURING OR OTHER COMMERCIAL USES ARE EXPRESSLY PROHIBITED.
 6. RETENTION POND LANDSCAPING. THREE (3) CANOPY TREES FOR EVERY 150 LINEAR FEET OF RETENTION POND BANK SHALL BE REQUIRED AS MEASURED AT THE TOP OF POND BANK. TREES SHALL BE PLANTED WITHIN FORTY (40) FEET FROM THE TOP OF BANK LINE AND INCLUDE A TEN (10) FOOT CLEAR ZONE FOR MAINTENANCE. CURVILINEAR RETENTION PONDS, RATHER THAN GEOMETRIC OR RECTANGULAR PONDS, ARE REQUIRED, WHEN POSSIBLE.

SITE DATA

PROPERTY LOCATION: 2221 US-441
 PARCEL ALTERNATE KEY: 1284651 AND 1284465
 LOCAL MUNICIPALITY: CITY OF FRUITLAND PARK
 FUTURE LAND USE: COMMERCIAL (COM)
 CURRENT ZONING: GENERAL COMMERCIAL (C-2)
 PROPOSED USE: SELF-STORAGE
 TOTAL OVERALL PARCEL AREA: 4.83 AC
 MAX. IMPERVIOUS SURFACE RATIO: 75%
 MAXIMUM FAR: 0.5
 MIN. OPEN SPACE: 25%

BUILDING SETBACKS
 FRONT (WEST) 50'
 SIDE (NORTH) 10'
 SIDE (SOUTH) 10'
 REAR (EAST) 15'

BUILDING HEIGHT
 MAXIMUM 35'

VEGETATION
 THE SITE IS CURRENTLY A WOODED FIELD.

PARKING REQUIRED

OFFICE	1 SPACE PER 200 SQ. FT. (1050 SQ. FT.)	5 SPACES
MINI WAREHOUSE	1 SPACE PER 50 UNITS (750 UNITS)	15 SPACES
TOTAL PARKING REQUIRED		20 SPACES

PARKING PROVIDED

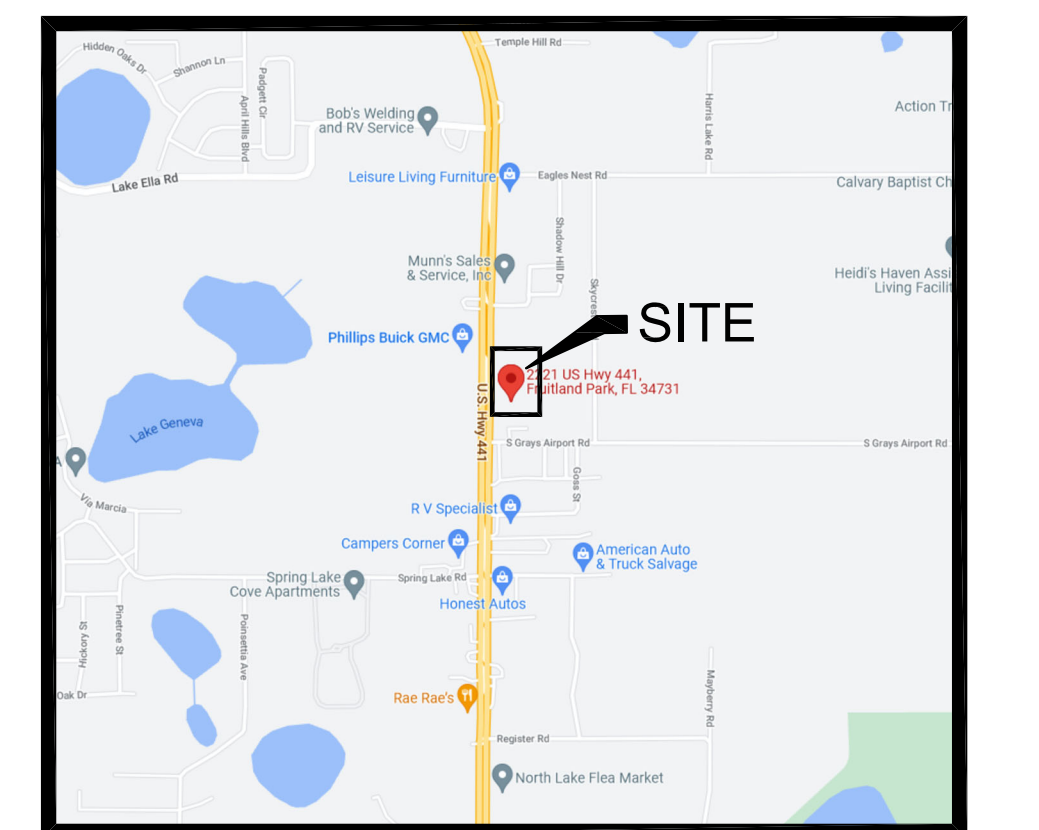
STANDARD	18 SPACES
ADA	2 SPACES
TOTAL PARKING PROVIDED	20 SPACES

BUILDING SQUARE FOOTAGE TABLE

BUILDING A	89,602SF
BUILDING B	2,041SF
BUILDING C	7,253SF
BUILDING D	3,128SF
BUILDING E	3,128SF
TOTAL	105,152SF

- ZONING NOTES:**
1. MINI-STORAGE REQUIRES CONDITIONAL USE PERMIT.
 2. BOAT AND VEHICLE STORAGE REQUIRES SPECIAL EXCEPTION.

LOCATION MAP



LEGAL DESCRIPTION:

PARCEL 1:
 THAT PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 33, TOWNSHIP 18, RANGE 24 EAST, LAKE COUNTY, FLORIDA BOUNDED AND DESCRIBED AS FOLLOWS:
 FROM THE NORTHEAST CORNER OF THE SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4, RUN SOUTH 89°48'20" WEST ALONG THE NORTH LINE OF THE SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 A DISTANCE OF 334 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY LINE OF THE RIGHT-OF-WAY OF U.S. HIGHWAY NO. 441, THENCE RUN SOUTH 00°32'40" WEST ALONG THE EASTERLY LINE OF THE RIGHT-OF-WAY 365.07 FEET FOR A POINT OF BEGINNING; FROM SAID POINT OF BEGINNING, RUN NORTH 89°48'20" EAST 316.2 FEET, THENCE SOUTH 00°13'00" EAST 385.75 FEET TO THE NORTH LINE OF LAND CONVEYED TO ED BRAUNER BY DEED RECORDED IN O.R. BOOK 517, PAGE 114, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THENCE SOUTH 89°49'40" WEST ALONG THE NORTH LINE OF SAID LAND CONVEYED TO ED BRAUNER, 373 FEET, MORE OR LESS, TO THE EASTERLY LINE OF THE RIGHT-OF-WAY OF U.S. HIGHWAY NO. 441, THENCE NORTH 00°32'40" EAST ALONG SAID RIGHT-OF-WAY 387.75 FEET, MORE OR LESS TO THE POINT OF BEGINNING.
 LESS: THE NORTH 136.87 FEET THEREOF.

PARCEL 2:
 BEGIN AT A POINT LOCATED 226 FEET NORTH AND 475.2 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 33 TOWNSHIP 18 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, RUN THENCE NORTH 350 FEET, THENCE WEST 373 FEET, MORE OR LESS, TO THE EAST BOUNDARY OF RIGHT-OF-WAY OF STATE HIGHWAY NO. 441, THENCE SOUTH ALONG THE EAST BOUNDARY OF SAID HIGHWAY 350 FEET, THENCE EAST 373 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

NO.	REVISIONS	BY	DATE

Sunshine 811

TANNATH DESIGN, INC.
 2494 ROSE SPRING DRIVE
 ORLANDO, FLORIDA 32825
 (407) 982-9878
 www.tannathdesign.com
 FL. CERT. OF AUTH. #27199

TP

SITE PLAN
FRUITLAND SELF-STORAGE
 2221 US-441
 FRUITLAND PARK, FLORIDA 34731

DATE	05/09/22
SCALE	1"=30'
DRAWN-BY	SCP
PROJECT NUMBER:	088-007
C-1	CONCEPT



PERSPECTIVE:

N.T.S.

FRUITLAND SELF-STORAGE
FLAGSHIP DEVELOPMENT
FRUITLAND PARK, FL
A-000 PERSPECTIVE T

ELEVEN
18
ARCHITECTURE
A WOMEN'S BUSINESS ENTERPRISE



1' - 2" EIFS - OVERCAST - TYP.
 3' - 6" EIFS - WINTER EVE - TYP.
 0' - 8" EIFS - OVERCAST - TYP.

WEST ELEVATION

FRUITLAND SELF-STORAGE
 FLAGSHIP DEVELOPMENT
 FRUITLAND PARK, FL
 A-001 WEST ELEVATION



A WOMEN'S BUSINESS ENTERPRISE



NORTH ELEVATION

FRUITLAND SELF-STORAGE
FLAGSHIP DEVELOPMENT
FRUITLAND PARK, FL
A-002 NORTH ELEVATION

ELEVEN

18

ARCHITECTURE

A WOMEN'S BUSINESS ENTERPRISE

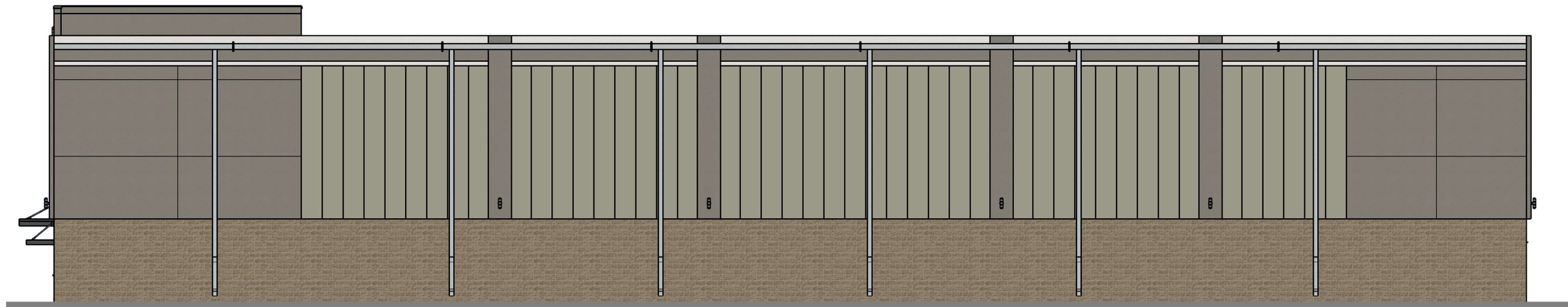


EAST ELEVATION

FRUITLAND SELF-STORAGE
FLAGSHIP DEVELOPMENT
FRUITLAND PARK, FL
A-003 EAST ELEVATION



A WOMEN'S BUSINESS ENTERPRISE



SOUTH ELEVATION

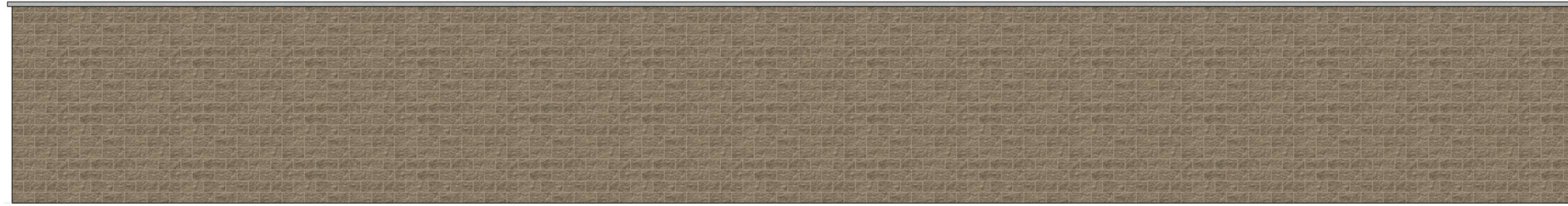
FRUITLAND SELF-STORAGE
FLAGSHIP DEVELOPMENT
FRUITLAND PARK, FL
A-004 SOUTH ELEVATION

1. INSULATED PANEL
 - PANEL: CF ARCHITECTURAL
 - FINISH: LIGHT GRAY
2. EIFS
 - MANUFACTURER: DRYVIT
 - COLOR: 617 WINTER EVE
3. EIFS
 - MANUFACTURER: DRYVIT
 - COLOR: 613 OVERCAST
4. SPLIT FACE BLOCK
 - PAINT: CURIO GRAY- SW 0024
5. AWNINGS
 - FINISH: CHARCOAL POWDER COAT

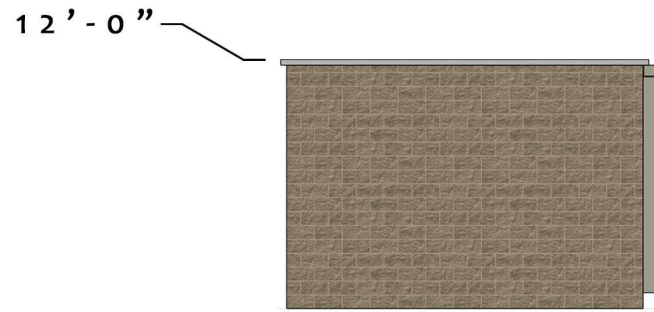


FRUITLAND SELF-STORAGE
 FLAGSHIP DEVELOPMENT
 FRUITLAND PARK, FL
 A-005 MATERIAL OUTLINE

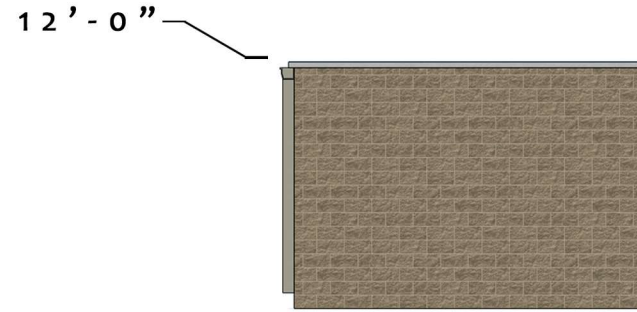
MATERIAL OUTLINE



REAR ELEVATION



WEST ELEVATION



EAST ELEVATION



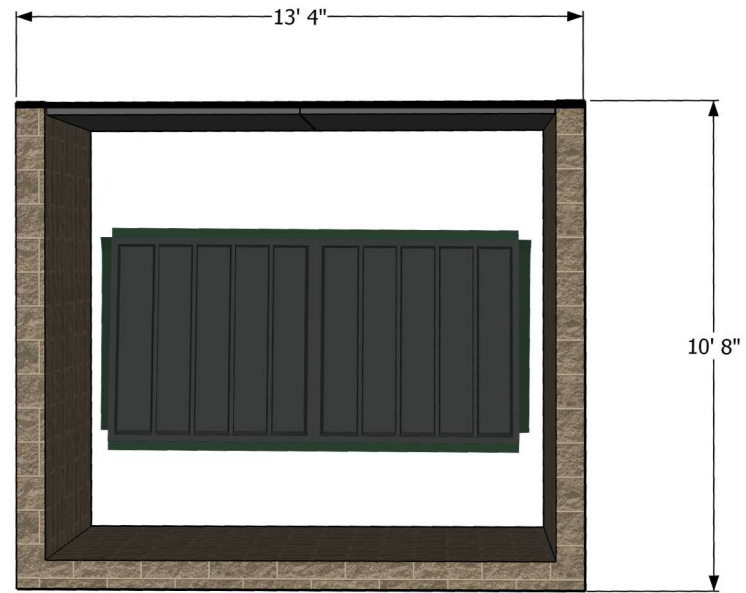
FRONT ELEVATION

FRUITLAND SELF-STORAGE
FLAGSHIP DEVELOPMENT
FRUITLAND PARK, FL
A-006 EXTERIOR STORAGE UNITS

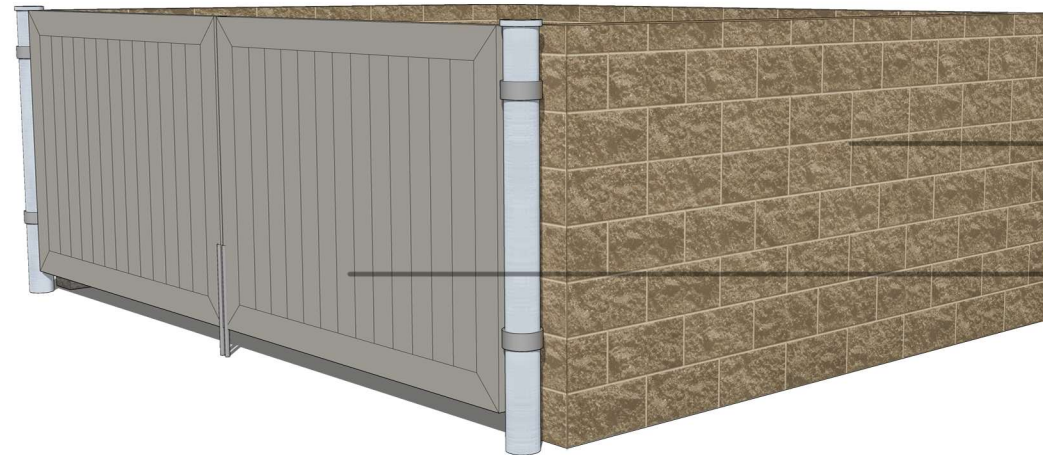


RV CANOPY ELEVATION

FRUITLAND SELF-STORAGE
FLAGSHIP DEVELOPMENT
FRUITLAND PARK, FL
A-007 RV CANOPY ELEVATION



6'-0"



TOP OF BLOCK 6'

SPLIT FACE BLOCK, COLOR TO MATCH BUILDING

NVP SWING GATES (OR EQUAL) SLATE GRAY. VINYL MOUNTED OVER GALVANIZED FRAME

DUMPSTER ENCLOSURE



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: T D Burke
 Address: P.O. Box 816, Fruitland Park, Florida 34731-0816
 Phone: _____ Email: _____

Applicant Name: Luxury Leased Homes USA, LLC
 Address: 333 N. Alabama St., Ste. 350, Indianapolis, IN 46204
 Phone: _____ Email: _____

Engineer Name: Morris Engineering & Consulting, LLC
 Address: 6997 Professional Pkwy E, Sarasota, FL 34240
 Phone: 941-444-6644 Email: lstewart@morrisengineering.net

Property and Project Information:

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

Property Address: 305 CR 466A, Fruitland Park
 Parcel Number(s): 1699649 and 3884325 Section: 6 Township: 19 Range 24
 Area of Property: 19.57± acres Nearest Intersection: CR 466A and Oliver Lane
 Existing Zoning: A & C-2 Existing Future Land Use Designation: Rural and Comm High Intensity
 Proposed Zoning: Res. PUD Proposed Future Land Use Designation: Multi-Family High Density

The property is presently used for: Restaurant, single family and landscape company
 The property is proposed to be used for: Residential homesites with related amenities and infrastructure
 Do you currently have City Utilities? No

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 type="checkbox"/> Site Plan | <input type="checkbox"/> Minor Site Plan | <input type="checkbox"/> Replat of Subdivision | |

Please describe your request in detail: _____

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: Jose Kreutz

Signature:  Date: 11/8/21

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.

SCHEDULED MAINTENANCE Users may experience temporary website unavailability on Wednesday, Nov. 3 between 6:30 and 11 p.m. EDT. We apologize for any inconvenience this may cause.

PROPERTY RECORD CARD

General Information

Name:	BURKE T D	Alternate Key:	3884325
Mailing Address:	PO BOX 816 FRUITLAND PARK, FL 34731-0816 Update Mailing Address	Parcel Number: ⓘ	06-19-24-0003-000-08500
		Millage Group and City:	0001 (UNINCORPORATED)
		2021 Total Certified Millage Rate:	13.7509
		Trash/Recycling/Water/Info:	My Public Services Map ⓘ
Property Location:	305 COUNTY ROAD 466-A FRUITLAND PARK FL 34731 Update Property Location ⓘ	Property Name:	-- Submit Property Name ⓘ
		School Information:	School Locator & Bus Stop Map ⓘ School Boundary Maps ⓘ
Property Description:	W 1/2 OF NE 1/4 OF SW 1/4--LESS THAT PORTION LYING WITHIN 300 FT N OF N R/W LINE OF CR 466A-- ORB 1512 PG 1269		
<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	OFFICE 1 STORY (1700)	0	0		1	AC	\$0.00	\$33,000.00
2	VACANT RESIDENTIAL (0000)	0	0		12.46	AC	\$0.00	\$341,404.00

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

Commercial Building(s)

Building 1

Commercial	Building Value: \$24,043.00							
Summary	Section(s)							
Year Built: 1970	Section No.	Section Type	Wall Height	No. Stories	Ground Floor Area	Basement	Basement Finished	Map Color
Total Square Footage: 1898	1	FINISHED LIVING AREA (FLA)	8	1	1898	0%	0%	<input type="checkbox"/>
Full Bathrooms: 1	Interior Finish (17C)		Percent		Sprinkler		A/C	
Half Bathrooms: 0			100.00 %		No		Yes	
Elevators: 0								
Elevator Landings: 0								
Escalators: 0								

SCHEDULED MAINTENANCE Users may experience temporary website unavailability on Wednesday, Nov. 3 between 6:30 and 11 p.m. EDT. We apologize for any inconvenience this may cause.

PROPERTY RECORD CARD

General Information

Name:	BURKE T D	Alternate Key:	1699649
Mailing Address:	PO BOX 816 FRUITLAND PARK, FL 34731-0816 Update Mailing Address	Parcel Number: ⓘ	06-19-24-0003-000-01600
		Millage Group and City:	000F (FRUITLAND PARK)
		2021 Total Certified Millage Rate:	17.1686
		Trash/Recycling/Water/Info:	My Public Services Map ⓘ
Property Location:	305 COUNTY ROAD 466A FRUITLAND PARK FL 34731 Update Property Location ⓘ	Property Name:	-- Submit Property Name ⓘ
		School Information:	School Locator & Bus Stop Map ⓘ School Boundary Maps ⓘ
Property Description:	S 300 FT OF W 1/2 OF NE 1/4 OF SW 1/4 LYING N OF CR 466A ORB 1512 PG 1269		
<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	RESTAURANT (2100)	0	0		2.84	AC		\$0.00	\$468,600.00
2	SINGLE FAMILY (0100)	0	0		1.7	AC		\$0.00	\$36,975.00

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

Residential Building(s)

Building 001

Residential	Single Family	Building Value: \$196,127.00						
Summary								
Year Built: 1981	Total Living Area: 3605 ⓘ	Central A/C: Yes	Attached Garage: Yes					
Bedrooms: 4	Full Bathrooms: 3	Half Bathrooms: 2	Fireplaces: 1					
Incorrect Bedroom, Bath, or other information? ⓘ								
Section(s)								
Section No.	Section Type	Ext. Wall Type	No. Stories	Floor Area	Finished Attic	Basement	Basement Finished	Map Color
1	FINISHED LIVING AREA (FLA)	Stucco/Brick (003)	1	3605	N	0%	0%	<input type="checkbox"/>
2	OPEN PORCH FINISHED (OPF)	No Wall Type (000)	1	400	N	0%	0%	<input type="checkbox"/>

THIS INSTRUMENT PREPARED BY RETURN TO:
Steven M. Roy, Esq./Jchs
McLIM, BURNSED, MORRISON,
JOHNSON, NEWMAN & ROY, P.A.
P. O. BOX 491357
LEESBURG, FL 34749-1357

REC. \$5.00 RECORDED FOR
TF 1.00 FIDELITY TAXES
MORT. LGS: _____
DEED LGS: 19.897.00
BY: JCH D.C.
END 1.00

WARRANTY DEED

THIS INDENTURE made this 3rd day of April, 1997, between JOSEPH CLIFTON BURKE a/k/a J. C. BURKE and DELORIS C. BURKE, as Co-Trustees of the Joseph C. Burke Living Trust Agreement dated October 14, 1988, whose address is 824 Yorktown Drive, Leesburg, FL 32748, grantor, and T. D. Burke, a single person, whose address is P. O. BOX 716, Fruitland Park, FL 34731, grantee,

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 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 and being in Lake County, Florida, to-wit:

PROPERTY IDENTIFICATION NO. 0019240003-000-01600

The West 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section Six 6, Township 18 South, Range 24 East,

THE PROPERTY DESCRIBED HEREIN DOES NOT CONSTITUTE EITHER THE RESIDENCE OR THE HOMESTEAD OF THE GRANTORS HEREIN AS THE SAME IS DEFINED BY THE CONSTITUTION OR THE LAWS OF THE STATE OF FLORIDA.

Subject to easements, restrictions and reservations of record, if any, but this instrument shall not operate to reimpose the same.

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

"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, the grantor has hereunto set grantor's hand and seal the day and year first above written.

Witnesses:

[Signature]
(Signature of Witness)
[Signature]
(Print Name of Witness)
[Signature]
(Signature of Witness)
[Signature]
(Print Name of Witness)

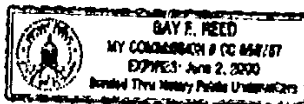
[Signature]
Joseph Clifton Burke
a/k/a J. C. Burke, Jr., Trustee
[Signature]
Deloris C. Burke, Trustee

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 3rd day of April, 1997, by Joseph Clifton Burke, a/k/a J. C. Burke, Jr. and Deloris C. Burke, Co-Trustees, [CHECK ONE] () who is/are personally known to me or (x) produced [Signature] as identification.

[Signature]
NOTARY PUBLIC - STATE OF FLORIDA
(Signature of Notary Public)
[Signature]
(Print Name of Notary Public)
My Commission Expires: _____
(Serial/Commission Number)

[NOTARY SEAL]



THIS INSTRUMENT PREPARED BY/RETURN TO: Steven M. Roy, Esq./ahs McLIN, BURNSED, MORRISON, JOHNSON, NEWMAN & ROY, P.A. P. O. BOX 491357 LEESBURG, FL 34749-1357

REC 5.00 RECEIVED FOR TF 1.00 EXCISE TAXES MORT. DOC. DEED DOC 1,897.00 INT JAMES C. WATKINS, CLERK LAKE CO. FL BY JH D.C. END 1.00

WARRANTY DEED

THIS INDENTURE made this 3rd day of April, 1997, between JOSEPH CLIFTON BURKE a/k/a J. C. BURKE and DELORIS C. BURKE, as Co-Trustees of the Joseph C. Burke Living Trust Agreement dated October 14, 1988, whose address is 624 Yorktown Drive, Leesburg, FL 32748, grantor*, and T. D. Burke, a single person, whose address is P. O. BOX 716, Fruitland Park, FL 34731, grantee*,

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 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 and being in Lake County, Florida, to-wit:

PROPERTY IDENTIFICATION NO. 0619240003-000-01600

The West 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section Six 6, Township 19 South, Range 24 East,

THE PROPERTY DESCRIBED HEREIN DOES NOT CONSTITUTE EITHER THE RESIDENCE OR THE HOMESTEAD OF THE GRANTORS HEREIN AS THE SAME IS DEFINED BY THE CONSTITUTION OR THE LAWS OF THE STATE OF FLORIDA.

Subject to easements, restrictions and reservations of record, if any, but this instrument shall not operate to reimpose the same.

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

"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, the grantor has hereunto set grantor's hand and seal the day and year first above written.

Witnesses:

Witness signatures: Gay E. Reed, Anita H. Snapp

Grantor signatures: Joseph Clifton Burke, Deloris C. Burke

STATE OF FLORIDA COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 3rd day of April, 1997, by Joseph Clifton Burke, a/k/a J. C. Burke, Jr. and Deloris C. Burke, Co-Trustees, [CHECK ONE] () who is/are personally known to me or (X) produced driver's licenses as identification.

Notary Public signature and name: Gay E. Reed

[NOTARY SEAL]



Vertical stamp: APR 24 1 39 PM '97

Prepared by and Return to:
Ashley S. Hunt, Esquire
Hunt Law Firm, P.A.
601 S. 9th Street
Leesburg, FL 34748



Parcel Identification Number(s): 06-19-24-0003-000-01600 and
06-19-24-0003-000-08500

QUIT CLAIM DEED

THIS QUIT CLAIM DEED, executed this 30th day of August, 2021, by **Norma Jean Burke, Grantor and spouse of Grantee**, whose post office address is 5187 SW 18th Terrace, Bushnell, FL 33513, first party, to **T.D. Burke, Grantee and spouse of Grantor**, second party, whose post office address is P.O. Box 816, Fruitland Park, FL 34731.

WITNESSETH, that the said first party, for and in consideration of the sum of \$10.00, 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:

The West 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section Six 6, Township 19 South, Range 24 East

This Quit Claim Deed is Given Pursuant to the Dissolution of Marriage Action, Burke v. Burke, Lake County Case No. 2020 DR 000811.

At the request of the parties, this deed was prepared without a title search, and the legal description was supplied by the parties. The preparer of this instrument assumes no liability for the state of the title or any inaccuracy of the legal description.

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

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

Signed, sealed and delivered
in the presence of:

[Signature]
Witness Signature

Christi Romero
Printed Name

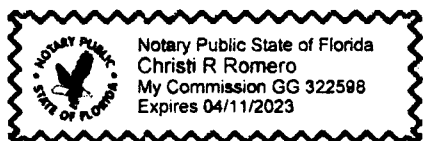
[Signature]
Witness Signature

CATHERINE J. TAYLOR
Printed Name

[Signature]
NORMA JEAN BURKE, GRANTOR AND SPOUSE OF GRANTEE

STATE OF FLORIDA
COUNTY OF SUMTER

The Foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 30 day of August, 2021, by **Norma Jean Burke**, () who is personally known to me or (X) who has produced FL DL as identification.



[Signature]
Notary Signature
Christi Romero
Printed Notary Name



CITY OF FRUITLAND PARK

DECLARATION OF UNITY OF TITLE
(Individual/Partnership/Corporation)

THIS Declaration of Unity of Title, made this 9th day of December, 2021 by;
T.D. Burke

Name of Property Owner(s)
P.O. Box 716, Fruitland Park, Florida 34731

Address of Property Owner(s)

of; N/A N/A
Name of Partnership/Corporation Title/Position

County of Lake, State of Florida, hereinafter referred to as "Declarant," pursuant to the City of Fruitland Park Land Development Regulations, being the fee owner of the following described real property located in Fruitland Park, Florida, to wit:

Alternate Key Number(s): 3884325 1699649
Sec 6 Twp 19 Rng 24

Hereby make the following declarations of condition, limitation and restriction on said lands, hereinafter to be known and referred to as a Declaration of Unity of Title, as to the following particulars:

- 1. That the aforesaid plot of, or combination of separate lots, plots, parcels, acreage or portions thereof, shall hereinafter be declared to be unified under one title as an indivisible building site.
2. That the said property shall henceforth be considered as one plot or parcel of land, and that no portion thereof shall be sold, assigned, transferred, conveyed or devised separately except in its entirety as one plot or parcel of land.
3. Purpose of unity create one developable parcel

DECLARANT further agrees that this Declaration of Unity of Title shall constitute a covenant to run with the land, as provided by law, and shall be binding upon the Declarant, his/her heirs, successors and assigns, and all parties claiming under him/her until such time as the same may be released in writing by the City of Fruitland Park, a political subdivision of the State of Florida. Declarant also agrees that this Declaration of Unity of Title shall be recorded in the Public Records of Lake County, Florida.

IN WITNESS WHEREOF, Declarant has executed this instrument in the manner provided by law, on the day and year first above written. Signed, Sealed and Delivered in our presence as witness:

Witnesses
1. [Signature]
Signature
Dan Tatro
Type/Print Name of Witness

Owner/Partner/Corporation
[Signature]
Signature
Timothy D. Burke
Type/Print Name
OWNER
Type/Print Title/Position

2.

Signature

Signature

Type/Print Name of Witness

Type/Print Name

Type/Print Title/Position

State of Florida

County of Lake

The foregoing instrument was acknowledged before me this 9th day of December 2021,

By Timothy D. Burke, partner or agent partner/agent on behalf of

Timothy D. Burke

Name of Person acknowledged

Name of Partnership/Corporation

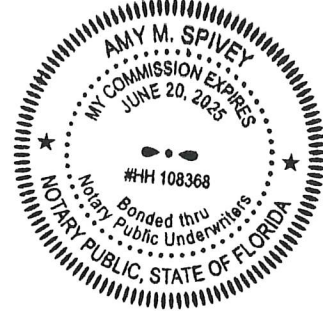
who is personally known to me or who has produced _____ as identification and
who did (did not) take an oath. Type of Identification

Amy M. Spivey
Signature of Acknowledger

June 20, 2025

My Commission Expires

(SEAL)

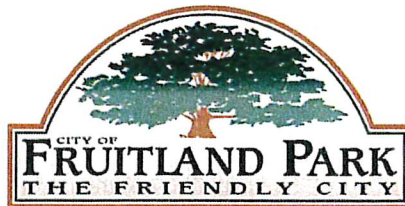


City Staff Approval

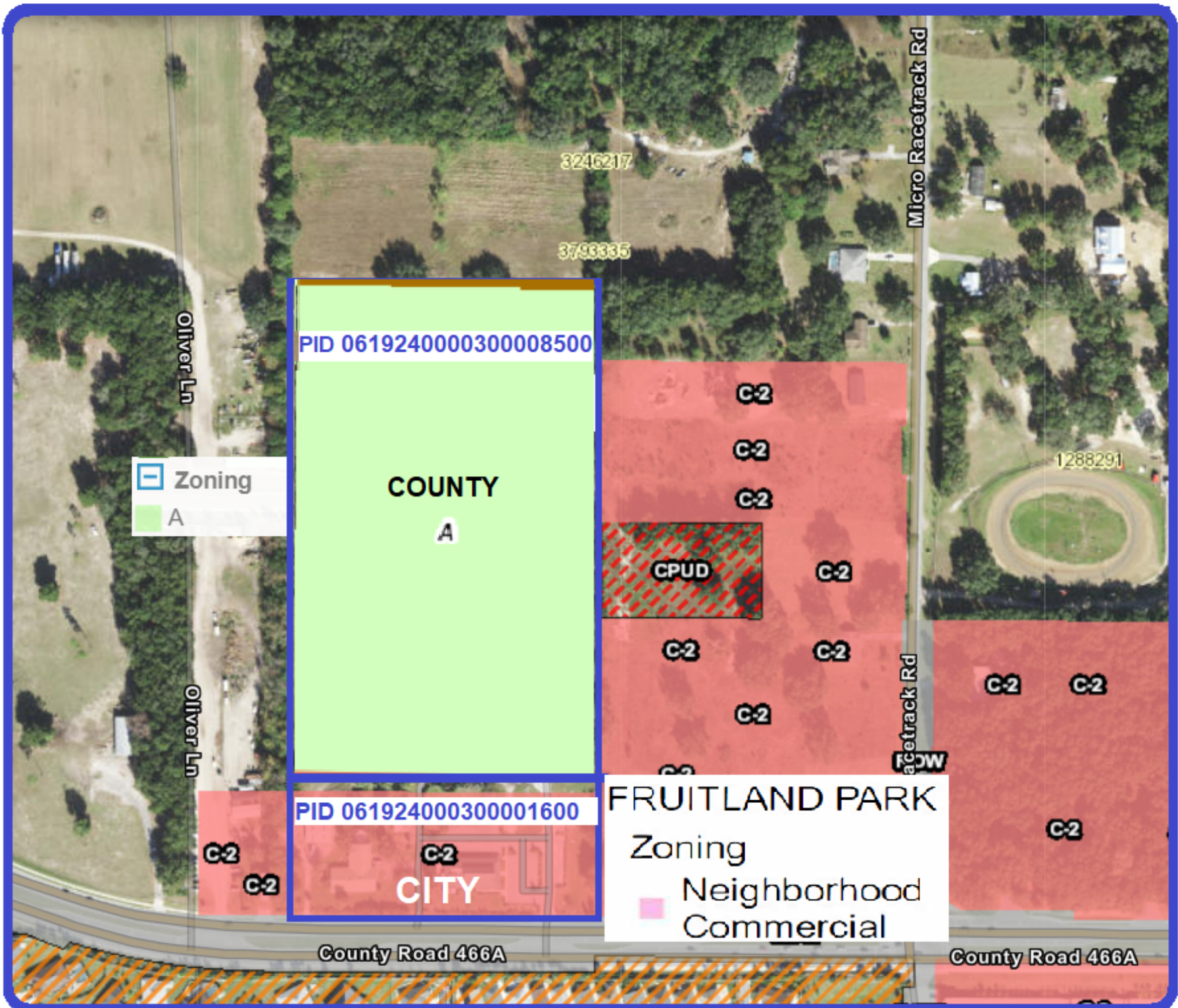
Signature

Type/Print Title/Position

Type/Print Name



ZONING MAP





The Hawthorns at Fruitland Park Property Rezoning Justification Narrative

Subject Real Estate: Two (2) parcels which combine for 19.58 acres located at 305 CR 466A. Alt Key 1699649 ("South Parcel") is located within the City of Fruitland Park, and Alt Key 3884325 ("North Parcel") is located in unincorporated Lake County.

Justification Narrative

The applicant, **LUXURY LEASED HOMES**, is filing for a Rezoning application to change the current zoning district from C-2 and A to a Mixed-Use PUD for Parcel Alternate Key Numbers 1699649 and 3884325 located at 305 CR 466A. This request is accompanied by a concurrent Small Scale Comprehensive Plan amendment to change the Future Land Use to Multi-Family High Density on the North Parcel (Alt Key 3884325).

The parcel's South Parcel (Alt Key 1699649) is currently zoned C-2 and is located within the City of Fruitland Park with 4.57± acres, while the North Parcel (Alt Key 3884325) is located with Lake County and is zoned agricultural with 15.00± acres. The County parcel is proposed to be annexed into the City of Fruitland Park with a concurrent application creating a 19.57± acre overall development parcel. **The intent is for the aggregate of both parcels to be zoned a Mixed-Use PUD.**

The project, termed The Hawthorns at Fruitland Park, will allow no more than 240 dwelling units and permit the construction of residential and commercial buildings, and related amenities, consistent with Chapter 154 of the Land Development Code and the Comprehensive Plan.

Existing structures on the property include a previous BBQ restaurant, residential structure and landscape company facilities, all of which will be demolished. New commercial structures shall comply with the City's Non-Residential Design Criteria.

The development proposes one (1) curb cut off County Road No. 466-A (CR 466A) for ingress and egress. CR 466A (Miller Boulevard) is a four-lane divided arterial roadway with a full median opening. A second access point will connect onto the area known as "Oliver Lane", which eventually will connect onto the access road at the Benchmark "The Commons" retail center. Sidewalks are currently located on both sides of CR 466A with proposed tie-ins from the development to promote pedestrian accessibility.

The requested change is necessary to serve the residential development consisting of an upscale apartment community providing a need within the City of Fruitland Park and allow a larger density of residential uses to be accommodated within the development. The Hawthorns at Fruitland Park will be a Class A maintenance-free residential community serving professionals in the healthcare and financial services industry in The Villages. The community will NOT be age-restricted.

333 North Alabama Street, Suite 350
Indianapolis, IN 46204
P: 317-677-7125



The proposed change is consistent with the Comprehensive Plan Future Land Use Element – Multi-Family High Density Residential accordance with Policy 1-1.7 which is consistent with the recent development trends in the area. To the south of CR 466A is The Villages with existing residential units.

The existing land use pattern of the surrounding area consist of the following:

The adjacent property to the east is Zoned C-2 and is occupied by Savannah Oaks; to the north 3- to 5-acre homesteads located within Lake County, to the west is the recently approved Commercial High Intensity ; to the south is CR 466A and then The Villages zoned PUD. This proposed zoning category is compatible with the existing, adjacent zoning categories and existing uses, as the Hawthorns will serve to transition from the highly urban Commons project to the north and east. The Hawthorns proposes a 35' Landscape Buffer along the North and East property lines; additionally, the Hawthorn's stormwater detention facility has been designed along the East property line to provide an additional buffer.

Schools - The proposed development will add up to 255 residential dwelling units to the City of Fruitland Park thus increasing the potential number of students in the nearby elementary, middle and high schools. The potential impact to the local school system is projected, by Lake County Schools, follows:

- 72 new students are projected to be generated, based on an amended application of 255 apartment homes

A "School Concurrency Application & Service Provider" was submitted to Lake County Schools by the Applicant. On 2/16/22, Ms. Helen Lavalley of the Lake County School District issued a School Concurrency Capacity Reservation (attached) noting that "**The Analysis performed indicates the level of service standards for each school level will not be exceeded by the students generated from this residential development.**" In follow up correspondence, petitioner submitted an amended application to Lake County Schools, with a new School Concurrency Capacity Reservation issued on 8/23/22 (attached).

Streets - The property frontage is on County Road 466 A (Miller Boulevard). This is a Lake County maintained roadway. Comments have been received from Lake County Public Works, and incorporated into the design of The Hawthorns.

Recreation and Open Space – The residential development is proposing to provide onsite amenities to provide recreational services and proper open space for their residents. A clubhouse with swimming pool, children's playground, outdoor exercise trail and dog parks will be included.

Environmental Considerations - The proposed development will not have an adverse effect on environmentally sensitive systems as no potential, jurisdictional wetlands have been identified on the property. The southern property has an existing ERP Water Management District permit from the St. Johns River Water Management District.



Six (6) gopher tortoise burrows were the only protected species of wildlife observed on the property and will be permitted through the proper agencies if required.

Potable Water, Wastewater and Reuse Water

This development is currently served by well and septic facilities. There is an existing wastewater line running along CR 466A in front of the parcel which may be utilized to provide service to the development. However, the closest water facility is located to the east at the intersection of CR 466A and Micro Racetrack Road. Reclaimed water is not currently available for irrigation, however, current regulations require a dry line be installed for this service when it becomes available.

Stormwater

The project will design and permit the stormwater system with the Saint Johns River Water Management District as well as the City's design requirements.

Transportation – The Transportation Element of the Comprehensive Plan identifies CR 466A as being within the jurisdiction of Lake County as an arterial for the City of Fruitland Park.

A Traffic Impact Analysis conducted by Traffic Impact Group, LLC dated August 16, 2022 states the development proposes to generate 28 entering trips and 90 exiting trips in the AM peak hour and 100 entering and 66 exiting trips in the PM peak hour are attributed to the development. CR 466A analysis indicates the roadway segment is projected to continue to operate at an acceptable level of service. A right turn lane, along west-bound CR 466A, will be provided, which meets Lake County criteria.

Therefore, the report notes the development does not cause a capacity deficiency on the adjacent roadway and it is expected to continue to operate in acceptable level of service.

Maintenance of Common Areas

Maintenance and operation of the common areas within the development shall be the responsibility of the property owner or its designee such as a property association, at no cost or obligation to the City.

Conclusion

The application for rezoning from Commercial and Agricultural to Residential Planned Development is consistent with the Comprehensive Plan Multi-Family High Density Residential Future Land Use Designation proposed for the property. The proposed commercial and residential uses are consistent with the existing zonings and uses within the surrounding area.

As noted, there are adequate public facilities to serve the development. With the development of The Villages, additional development has brought changing conditions to the area making the proposed request consistent with the surrounding area. The proposed change is not anticipated to excessively increase traffic congestion or be otherwise detrimental to public safety as noted in the request. The proposed change is not anticipated to be a deterrent to the improvement or development of adjacent properties with its purpose to promote health, safety, morals and general welfare of the citizens, residents and businesses of the City of Fruitland Park.



**LUXURY
LEASED HOMES**

333 North Alabama Street, Suite 350
Indianapolis, IN 46204
P: 317-677-7125

LEGAL DESCRIPTION: NORTH PARCEL

A PARCEL OF LAND LYING IN A PORTION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 4" X4" CONCRETE MONUMENT NO ID AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; THENCE NORTH 00°49'19" EAST ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 1,326.69 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 89°07'47" EAST ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 1,327.37 FEET TO THE SOUTHWEST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE NORTH 00°51'56" EAST ALONG THE WEST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 41.38 FEET TO INTERSECT THE NORTH RIGHT OF WAY OF COUNTY ROAD 466-A (MILLER BOULEVARD) AS SHOWN ON THE LAKE COUNTY ROAD MAP BOOK 2, PAGE 118; THENCE CONTINUE NORTH 00°51'56" EAST, ALONG SAID LINE, FOR 300.30 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°51'56" EAST, ALONG SAID LINE, FOR 984.70 FEET TO THE NORTHWEST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 89°08'29" EAST ALONG THE NORTH LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 663.12 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 00°50'21" WEST ALONG THE EAST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 983.33 FEET; THENCE NORTH 89°15'33" WEST FOR 663.58 FEET TO THE POINT OF BEGINNING.

CONTAINING 652,744 SQUARE FEET OR 14.9849 ACRES, MORE OR LESS.

LEGAL DESCRIPTION: SOUTH PARCEL

A PARCEL OF LAND LYING IN A PORTION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 4" X4" CONCRETE MONUMENT NO ID AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; THENCE NORTH 00°49'19" EAST ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 1,326.69 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 89°07'47" EAST ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 1,327.37 FEET TO THE SOUTHWEST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE NORTH 00°51'56" EAST ALONG THE WEST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 41.38 FEET TO INTERSECT THE NORTH RIGHT OF WAY OF COUNTY ROAD 466-A (MILLER BOULEVARD) AS SHOWN ON THE LAKE COUNTY ROAD MAP BOOK 2, PAGE 118 AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°51'56" EAST, ALONG SAID LINE, FOR 300.30 FEET TO THE SOUTHWEST CORNER OF THE NORTH PARCEL; THENCE SOUTH 89°15'33" EAST ALONG THE SOUTH LINE OF THE NORTH PARCEL FOR 663.58 FEET TO THE SOUTHEAST CORNER OF THE NORTH PARCEL AND INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 00°50'21" WEST ALONG SAID EAST LINE FOR 300.30 FEET TO INTERSECTION WITH THE AFORESAID NORTH RIGHT OF WAY OF COUNTY ROAD 466-A (MILLER BOULEVARD) (SAID POINT BEING NORTH 00°50'21"E 42.88 FEET FROM THE SOUTHEAST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6); THENCE NORTH 89°15'33" WEST ALONG SAID NORTH RIGHT OF WAY FOR 663.72 FEET TO THE POINT OF BEGINNING.

CONTAINING 199,293 SQUARE FEET OR 4.5751 ACRES, MORE OR LESS.

LEGAL DESCRIPTION: OVERALL PARCEL- AS SURVEYED

A PARCEL OF LAND LYING IN A PORTION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 4" X4" CONCRETE MONUMENT NO ID AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; THENCE NORTH 00°49'19" EAST ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 1,326.69 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 89°07'47" EAST ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE NORTH 00°51'56" EAST ALONG THE WEST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 41.38 FEET TO INTERSECT THE NORTH RIGHT OF WAY OF COUNTY ROAD 466-A (MILLER BOULEVARD) AS SHOWN ON THE LAKE COUNTY ROAD MAP BOOK 2, PAGE 118 AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°51'56" EAST, ALONG SAID LINE FOR 300.30 FEET TO THE SOUTHWEST CORNER OF THE NORTH PARCEL; THENCE CONTINUE NORTH 00°51'56" EAST, ALONG SAID LINE FOR 984.70 FEET TO THE NORTHWEST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 89°08'29" EAST ALONG THE NORTH LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 00°50'21" WEST ALONG THE EAST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 983.33 FEET TO THE SOUTHWEST CORNER OF THE NORTH PARCEL; THENCE SOUTH 00°50'21" WEST ALONG SAID EAST LINE FOR 300.30 FEET TO INTERSECTION WITH THE AFORESAID NORTH RIGHT OF WAY OF COUNTY ROAD 466-A (MILLER BOULEVARD) (SAID POINT BEING NORTH 00°50'21"E 42.88 FEET FROM THE SOUTHEAST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6); THENCE NORTH 89°15'33" WEST ALONG SAID NORTH RIGHT OF WAY FOR 663.72 FEET TO THE POINT OF BEGINNING.

CONTAINING 852,037 SQUARE FEET OR 19.5601 ACRES, MORE OR LESS.



AERIAL PHOTO & LOCATION MAP

SCALE: 1" = 1,200'

SITE COVERAGES:

LOT 1 (PUD)	LOT 2 (C-2)	LOT 3 (C-2)	TOTAL PROJECT
SITE AREA	15.95 AC	100.0%	1.35 AC
OPEN SPACE	5.33 AC	33.5%	1.36 AC
STORMWATER POND	2.16 AC	13.5%	0.90 AC
BUILDINGS	2.70 AC	16.9%	
PAVEMENT & MISC.	5.76 AC	36.1%	
RECREATION AREAS	0.89 AC	5.6%	
TOTAL IMPERVIOUS	8.46 AC	53.0%	
FAR = 2.42 AC (3-STY) + 0.28 AC (1-STY) / 15.95 AC = 0.45			
TOTAL PROPOSED UNITS = 240 UNITS			
PROPOSED DENSITY = 15 UNITS / AC			

PROPOSED BUILDING DATA:

MINIMUM LIVING AREA OF APARTMENTS:
 • 1 BEDROOM: 738 MIN SF
 • 2 BEDROOM: 1063 MIN SF
 • 3 BEDROOM: 1205 MIN SF
 • TYPE 1 BUILDING TOTAL GSF: 37,382 (X4) = 149,528
 • TYPE 2 BUILDING TOTAL GSF: 33,196 (X6) = 199,176

PROPOSED CLUBHOUSE: 5,185 SF

SETBACKS:

	BUILDING	BUFFER
FRONT (SR-466A)	50'	25'
SIDE	25'	25'
REAR	25'	25'
INTERIOR	10'	N/A

PARKING DATA:

STANDARD SPACES = 375 SPACES
 POTENTIAL ADA SPACES = 12 SPACES
 GARAGE SPACES = 21 SPACES
 TOTAL = 408 SPACES
 SPACES PER UNIT = 1.74

NOTICE OF INTENT:

THE C-2 "GENERAL COMMERCIAL" ZONING ANTICIPATED USES ARE: DAY CARE CENTERS, BANKS, BARS AND LOUNGES, HEALTH AND EXERCISE CLUBS, HOTEL, MEDICAL OFFICE AND/OR CLINIC, MINI-WAREHOUSES, OFFICES, RESTAURANTS, VETERINARY CLINIC, RETAIL STORE, APARTMENT LEASING CENTER AND CLUBHOUSE.

LEGEND:

NOTE: NOT ALL SYMBOLS SHOWN HERE MAY BE APPLICABLE TO THESE DRAWINGS, ALSO THERE MAY BE ADDITIONAL SYMBOLS WITHIN PLANS NOT SHOWN HERE, SEE INDIVIDUAL DRAWING LEGEND WHERE APPLICABLE.

EXISTING CABLE TV PEDESTAL	FOUND IRON ROD AND CAP (AS NOTED)
EXISTING CAP OR PLUG	FOUND CONCRETE MONUMENT (AS NOTED)
EXISTING CLEAN OUT	EXISTING EASEMENT
EXISTING CONDUIT RISER/ MARKER	EXISTING OVERHEAD ELECTRIC CABLE
EXISTING ELECTRIC METER	EXISTING UNDERGROUND ELECTRIC CONDUIT/CABLE
EXISTING ELEVATION (SOFT)	EXISTING UNDERGROUND FIBER OPTIC CABLE
EXISTING ELEVATION (HARD)	EXISTING FORCE MAIN (# INDICATES SIZE)
EXISTING FIRE HYDRANT	EXISTING GAS MAIN (# INDICATES SIZE)
PROPOSED FIRE HYDRANT	EXISTING RECLAIM WATER MAIN (# INDICATES SIZE)
EXISTING FLOW DIRECTION	EXISTING SANITARY SEWER (# INDICATES SIZE)
PROPOSED FLOW DIRECTION	EXISTING WATER MAIN (# INDICATES SIZE)
EXISTING GAS METER	EXISTING UNDERGROUND TELEPHONE CABLE
EXISTING GAS VALVE	EXISTING UNDERGROUND TELEVISION CABLE
EXISTING GUY WIRE & ANCHOR PIN	EXISTING OVERHEAD TRAFFIC SIGNAL CABLE
EXISTING MAIL BOX	PROPOSED SANITARY SEWER (# INDICATES SIZE)
EXISTING MANHOLE (UNKNOWN)	PROPOSED WATER MAIN (# INDICATES SIZE)
PROPOSED MANHOLE	EXISTING SWALE OR CENTER OF DITCH
EXISTING SANITARY SEWER CLEANOUT	PROPOSED SWALE OR CENTER OF DITCH
EXISTING SANITARY SEWER MANHOLE	EXISTING TOP OF DITCH BANK
EXISTING ROAD SIGNS AND POSTS	EXISTING BOTTOM OF DITCH BANK
PROPOSED SIGN AND POST	EXISTING WOOD FENCE
EXISTING TEE	EXISTING WIRE OR CHAIN LINK FENCE
EXISTING UTILITY POLE	PROPOSED WIRE OR CHAIN LINK FENCE
EXISTING VALVE IRRIGATION	PROPOSED SEDIMENT FENCE
EXISTING VALVE WATER	PROPOSED VISI-BARRIER
PROPOSED WATER VALVE	EXISTING CONTOUR
EXISTING WATER METER	PROPOSED CONTOUR (SOFT)
EXISTING STORM SEWER WITH INLET	PROPOSED CONTOUR (HARD)
PROPOSED STORM SEWER WITH INLET	
PROPOSED SITE LIGHT POLES AND FIXTURES	
PROPOSED BACTERIOLOGICAL TEST POINT	

INDEX OF SHEETS		
SHEET #	DESCRIPTION	REVISIONS
1	COVER SHEET	
2	CONCEPTUAL SITE PLAN	

REVISIONS

DATE	DESCRIPTION

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY ROGER W. STRUCULA, PE ON THE DATE ADJACENT TO THE SEAL. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

UPHAM INC.
 CIVIL ENGINEERING-SURVEYING-LANDSCAPE ARCHITECTURE
 265 Kenilworth Avenue • Ormond Beach • Florida 32174
 Voice: 386.672.9515 • Fax: 386.673.6554 • uphaminc.com
 LE # 0003612 LC # 0000357

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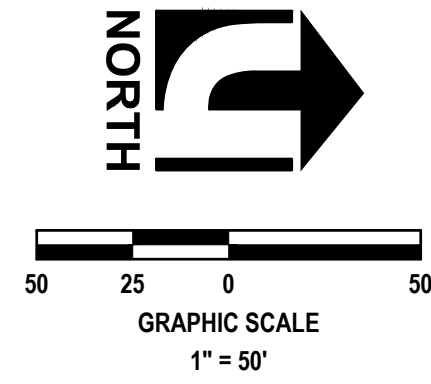
LUXURY LEASED HOMES

COVER SHEET
 STATE ROAD 466A
 FRUITLAND PARK

PROJECT No: 220802
 DATE: SEPTEMBER 28, 2022
 DESIGN BY: RWS
 DRAWN BY: JMB
 CHECKED BY: RWS
 SCALE: 1" = 50'

SHEET NUMBER:

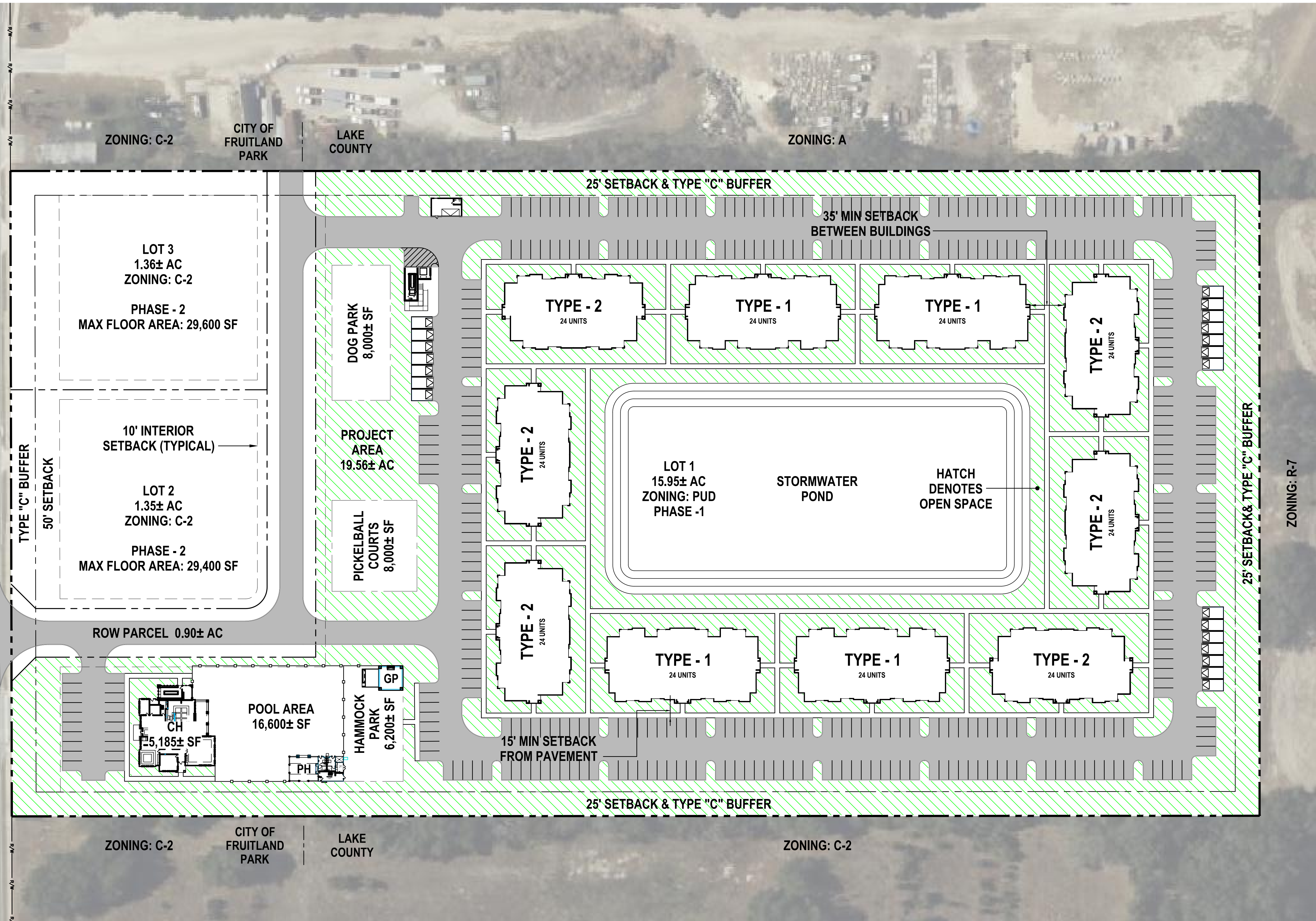
1



NOTE:
BUILDINGS OR STRUCTURES LOCATED IN THE COMMERCIAL HIGH INTENSITY FLU WILL ADHERE TO THE CITY'S NON-RESIDENTIAL DESIGN CRITERIA



STATE ROAD 466A



PAVING LEGEND:

- ASPHALT PAVEMENT 1.5" SUPERPAVE FDOT SP-9.5, PER FDOT - SSRBC, SECTION 234
- 6" LIMEROCK BASE (LBR 100) MIN OF 98% MOD. PROCTOR MAX DRY DENSITY PER FDOT - SSRBC, SECTION 200 & 230 & SECTION 911 LATEST VERSION ALTERNATIVELY, CRUSH CONCRETE OF EQUAL THICKNESS. GRADATION SHOULD MEET FDOT SSRBC, SECTION 334-5.2.4
- 12" STABILIZED SUBGRADE (LBR 40) PER FDOT - SSRBC, SECTION 160, PAGE 196 (TYPE B) AND COMPACTED TO 98% (MIN) MOD. PROCTOR MAX DRY DENSITY PER AASHTO T-180 (SEE DETAIL ON SHEET C410)

REVISIONS

DATE	DESCRIPTION

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LUPHAM

CIVIL ENGINEERING-SURVEYING-LANDSCAPE ARCHITECTURE
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CONCEPTUAL SITE PLAN

STATE ROAD 466A
FRUITLAND PARK

PROJECT No: 220802
DATE: SEPTEMBER 28, 2022
DESIGN BY: RWS
DRAWN BY: JMB
CHECKED BY: RWS
SCALE: 1" = 50'

SHEET NUMBER:
2

NOT VALID UNLESS SIGNED AND DATED



The Hawthorns at Fruitland Park Small Scale Comprehensive Plan Map Amendment Justification Narrative

Subject Real Estate: The Project consist of two (2) parcels which combine for 19.58 acres:

- Alt Key 1699649 (the “South Parcel”) is located within the City of Fruitland Park, and shall retain the Commercial High Intensity FLU.
- Alt Key 3884325 (the “North Parcel”) is located in unincorporated Lake County, however if approved, shall be annexed into the City of Fruitland Park and this SCCPA assigns a Multi-Family High Density Residential FLU.

Applicant’s Request

The applicant, **LUXURY LEASED HOMES**, is filing for a Small-Scale Comprehensive Plan Amendment for the North Parcel (Alt Key 3884325) which would change the Future Land Use from Rural to Multi-Family High Density Residential Future Land Use. The South Parcel (Alt Key 1699649) is not a part of the SCCPA request, as the existing Commercial High Intensity FLU shall remain in effect.

Applicant requests a concurrent rezoning amendment to a Mixed Use PUD, which includes both the South and North Parcels, in order to construct a community which will offer traditional commercial uses along CR 466A, in the form of commercial buildings, and a proposed residential development consisting of multi-family apartment homes in a rental community providing a need within the City of Fruitland Park. The change in land use will allow a large density of residences for the City which may reduce the need to commute to adjacent municipalities for housing and/or employment and therefore capture the population base within the community boundaries.

The proposed amendment is not inconsistent with the goals, objectives, and policies of the comprehensive plan. The Comprehensive Plan Future Land Use Policy 1-1.7 Multi-Family High Density Residential allows the proposed residential use with a density not to exceed 15 units per acres, however the developer proposes a voluntary density not to exceed 240 apartment homes across the 19.58 acres. The Comprehensive Plan Table 1-1 indicates there is 204.98 acres of vacant Multi-Family High Density remaining. This request is within the allowable range of available land for this future land use.

The Applicant’s proposal to provide commercial uses along the CR 466A frontage maintains the commercial integrity of the corridor, a stated priority in Fruitland Park.

Compatibility with Adjacent Uses

To our West, the adjacent properties have a Commercial and Rural Future Land Use designations. A 140,000 Sq. ft. retail project (The Commons) has been approved.

333 North Alabama Street, Suite 350
Indianapolis, IN 46204
P: 317-677-7125



To our South exists the Villages of Fruitland, an age-restricted residential community of a housing density and home sizes similar to our proposed project.

To our East, the properties are designated Commercial.

The properties to the north are located within the unincorporated Lake County limits and have a Rural Future Land Use designation. The properties consist of 3- to 5-acre homesteads, accessible off Micro Racetrack Road. Applicant contends that its mixed-use project provides a transitional use between the high intensity retail project The Commons and proposes 35' deep landscaped buffer yards to mitigate the impact of the change in zoning. It is noteworthy that no existing homes are located within 500' of the Hawthorns.

The City of Fruitland Park encourages a mix of housing types and styles that provide residents with affordable housing choices that can accommodate changes in lifestyle. This development will provide workforce housing and add to the of housing options. The City's projects a demand for 5,460 housing units by 2035 with the established Future Land Use Map having sufficient vacant capacity to accommodate 8,371 housing units.

The proposed amendment should not be considered urban sprawl or exemplify an energy inefficient land use pattern. The proposed development is located within the City limits of The City of Fruitland Park along with the annexation request for the northern 15.00± acres, with public utilities available to the property.

The proposed amendment will not have an adverse effect on environmentally sensitive systems as the only wetlands identified on the property are part of the water detention system previously constructed as part of the "Burke's BBQ" restaurant. Six (6) gopher tortoise burrows were the only protected species of wildlife observed on the property and will be permitted through the proper agencies. A 100% survey will be completed within 90-days of a construction start. Attached is ecological and wildlife report conducted by Modica and Associates, as well as a follow-up note dated 3/7/22.

According to the FEMA Flood Map 12069C0305E, the property is located within Zone X, which indicates the property is in an area of minimal flood hazard.

Transportation – The Transportation Element of the Comprehensive Plan identifies CR 466A as being within the jurisdiction of Lake County as an arterial for the City of Fruitland Park.

A Traffic Impact Analysis conducted by Traffic Impact Group, LLC dated August 16, 2022 states the development proposes to generate 28 entering trips and 90 exiting trips in the AM peak hour and 100 entering and 66 exiting trips in the PM peak hour are attributed to the development. CR 466A analysis indicates the roadway segment is projected to continue to operate at an acceptable level of service. A right turn lane, along west-bound CR 466A, will be provided, which meets Lake County criteria.



Therefore, the report notes the development does not cause a capacity deficiency on the adjacent roadway and it is expected to continue to operate in acceptable level of service.

Potable Water & Sewer – The Comprehensive Plan Objectives 4-10 and 4-2 for water and sewer specify Goals and Policies for adherence for development connection to City of Fruitland Park public utilities. This development is currently served by well and septic facilities. There is an existing wastewater line running along CR 466A in front of the parcel which may be utilized to provide service to the development. However, the closest water facility is located to the east at the intersection of CR 466A and Micro Racetrack Road. Reclaimed water is not currently available for irrigation, however, current regulations require a dry line be installed for this service when it becomes available.

The estimated usage for the residential portion is calculated as follows:

240 Multi-Family Homes at a 0.75 Per Unit Factor = 180 ERU's
180 ERU's x 300 gpd (water) = 54,000 gpd total water increase for the development
180 ERU's x 250 gpd (sewer) = 45,000 gpd total wastewater increase for the development

Solid Waste – Objective 4-6 of the Comprehensive Plan outlines the City's Solid Waste policies. The City's Solid Waste is currently collected by a contracted carrier for curbside pickup on a weekly schedule. We anticipate the development to produce approximately:

240 dwelling units x 2.76 persons per unit = 663 persons
663 persons x 7 pounds/day = 4,637 pounds per day

The Public School Facilities Element (Chapter 10) – The proposed development will add up to 240 residential dwelling units to the City of Fruitland Park thus increasing the potential number of students in the nearby elementary, middle and high schools. The potential impact to the local school system is projected, by Lake County Schools, follows:

- Seventy-Two (72) students, based on an estimate of 255 new homes

A "School Concurrency Application & Service Provider" was submitted to Lake County Schools by the Applicant. On 2/16/22, Ms. Helen Lavalley of the Lake County School District issued a School Concurrency Capacity Reservation (attached) noting that **"The Analysis performed indicates the level of service standards for each school level will not be exceeded by the students generated from this residential development."**

Stormwater – The development will meet the City's code requirements and obtain permits from the St. Johns River Water Management District at the development approval/site plan approval review application in accordance with Policies put forth in Goal 4A. A copy of the approved permit will be supplied to the City.



Recreation and Open Space – The residential development is proposing to provide onsite amenities to provide recreational services and proper open space for their residents. A clubhouse with swimming pool, 24-hour fitness, coffee bar, pickle ball court, tot lot and dog park will be included.

The proposed plan amendment will not adversely affect transportation, potable water, sewer, schools or other public facilities without providing remedies to correct the system or facility as noted by the information provided above. The proposed plan amendment is consistent with and generally furthers the State Comprehensive Plan.





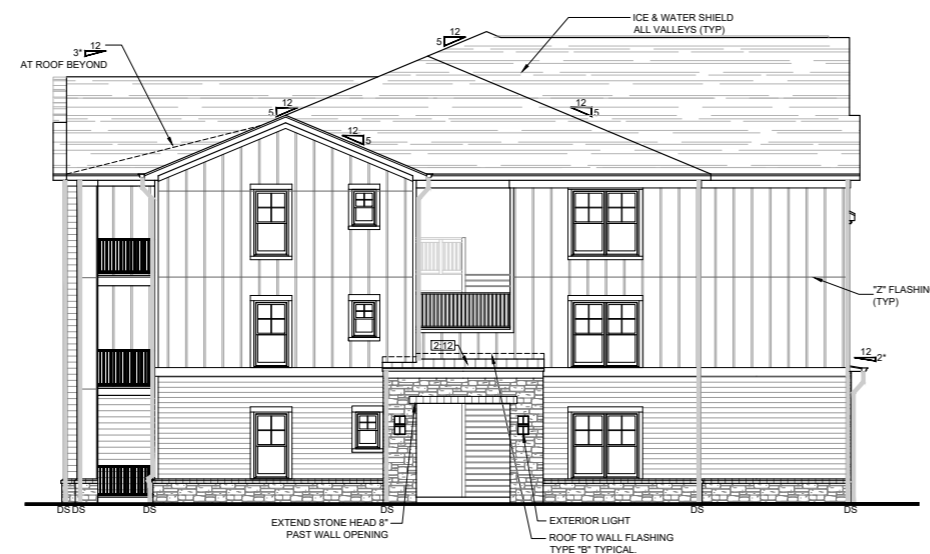


**BUILDING TYPE 1
REAR ELEVATION**
SCALE: 1/8"=1'-0"

ARCHITECTURAL PLANS EXTERIOR MATERIALS	
	= ASPHALT SHINGLE ROOF
	= STANDING SEAM METAL ROOF
	= FIBER CEMENT LAP SIDING
	= BOARD & BATTEN SIDING - VERTICAL 1x3 FIBER CEMENT BATTENS @ 24" O.C. OVER 5/16" FIBER CEMENT PANELS TYP.
	= CULTURED STONE VENEER
	= STONE SILL

ELEVATION GENERAL NOTES

- ★ 1-USE ICE AND WATER SHIELD AT ALL ROOF PLANES SLOPED BELOW 4:12.
- 2-SEE ROOF PLANS FOR ATTIC VENTILATION CALCULATION REQUIREMENTS.
- 3-PAINT ALL WALL AND ROOF PENETRATIONS THE SAME COLOR AS ADJACENT MATERIAL.



**BUILDING TYPE 1
SIDE ELEVATION**
SCALE: 1/8"=1'-0"



**Record and Return to:
City of Fruitland Park
Attn: City Clerk
506 W. Berckman Street
Fruitland Park, Florida 34731**

MASTER DEVELOPMENT AGREEMENT

THIS AGREEMENT is entered into and made as of the ____th day of _____, 2022, between the **CITY OF FRUITLAND PARK, FLORIDA, a Florida municipal corporation**, (hereinafter referred to as the “City”), and **T.D. BURKE** (hereinafter referred to as the “Owner”).

RECITALS

1. The Owner desires to rezone approximately 19.56 ± acres of property within the City of Fruitland Park, described and depicted as set forth on **Exhibit “A”** attached to and incorporated in this Agreement (hereafter referred to as the “Property”).
2. The Property is currently located within the City of Fruitland Park and is currently zoned Lake County Agriculture and City General Commercial (C-2) with a future land use designation on the City of Fruitland Park Future Land Use Map of “Commercial High Intensity” and “Multi-Family High Density.”
3. Owner has filed applications for rezoning for the Property as a Mixed Use Planned Unit Development.
4. Owner represents that it is the sole legal owner of the Property and that it has the full power and authority to make, deliver, enter into, and perform pursuant to the terms and conditions of this Agreement and has taken all necessary action to authorize the execution, delivery, and performance of the terms and conditions of this Agreement.
5. The City of Fruitland Park has determined that the rezoning of the Property and the proposal for its development presents, among other things, an opportunity for the City to secure quality planning and growth, protection of the environment, and a strengthened and revitalized tax base.
6. Owner will fund certain public improvements and infrastructure to facilitate the development of the Property.
7. The Property is within the City’s Chapter 180, Florida Statutes, utility district, and Owner has requested and City desires to provide water and sewer as well as other municipal services to the Property.

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

agree as follows:

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

Section 2. Conditions Precedent. Owner has filed an application for rezoning for the Property. It is understood and agreed to by the City and the Owner that this Agreement shall not be binding or enforceable as to any party unless and until: a) the City duly adopts the Agreement and adopts an ordinance rezoning the Property. The parties hereto understand and acknowledge that the City is in no way bound to rezone the Property. The City shall have the full and complete right to approve or deny the application for rezoning.

Section 3. Land Use/Development. Development of the Property shall be substantially consistent with the “PUD Preliminary Plan” prepared by Upham, Inc., dated _____, 2022, and attached as **Composite Exhibit “B”** (which may be referred to as the “Plan” or the “PUD Master Plan” or “Development Plan”). The project shall be developed in accordance with the Permitted Uses set forth below. All development shall be consistent with City’s “PUD” (Planned Unit Development) zoning district and, subject to City approval. As set forth further below, all land use issues addressed herein must be adopted by City through its regular procedures before being effective.

Section 4. Permitted Uses. Permitted Uses shall include:

- a. Multi-family apartments not to exceed 240 units.
- b. Recreation amenities.
- c. Day Care Center
- d. Bank
- e. Bars and Lounges
- f. Health and Exercise clubs
- g. Hotel
- h. Medical Office/Clinic
- i. Offices
- j. Restaurants
- k. Veterinary Clinic
- l. Retail Sales and Services
- m. Mini-Warehouses

Section 5. Development Standards. Development Standards shall be as follows:

- a. Impervious Surface Ratio (ISR) 70%
- b. Minimum Open Space 25%, which may include all buffers, recreation and other pervious area not located within platted road right of way.
- c. Maximum Building Height of 45’, measured to the mean height of hip or gabled roofs.
- d. Minimum distance between multi-family buildings shall be thirty-five feet (35’) measured from building wall to building wall.
- e. Interior buildings shall have a setback of fifteen feet (15’) from the edge of pavement (travel lane).
- f. Minimum Setback requirements, as measured from the PUD perimeter property lines shall be:
 - i. North: Thirty-five feet (35’)

- ii. South: Fifty feet (50') from the right of way of CR 466-A
 - iii. East: Twenty-five feet (25')
 - iv. West: Thirty-five feet (25')
- g. Open space shall not be less than twenty-five (25) percent of the total property area. Stormwater ponds may not be included as open space unless designed as an amenity.
 - h. Parking: The Owner will be required to meet the parking requirements of the Fruitland Park Land Development Regulations.
 - i. Type "C" Landscape buffers of twenty-five feet (25') shall be provided along the southern and western PUD perimeter property boundaries. Type "C" Landscape buffers of thirty-five feet (35') shall be provided along the northern and eastern PUD perimeter property boundaries.

Section 6. Commercial Design Standards.

All non-residential development shall meet the design standards of Chapter 154, Section 154.050 through Section 154.070 (inclusive).

Section 7. Multi-Family Design Standards. Design Standards shall be as follows:

- a. Multi-family development shall meet the R-15 MFHDR zoning development standards.
- b. Architectural features - All buildings shall utilize at least three of the following design features to provide visual relief along all elevations of the multi-family units. Front doors shall incorporate the following decorative elements: raised decorative panels, decorative glass panels or panes, decorative handles, etc. Designs may vary throughout the development.
 - 1) Dormers
 - 2) Gables
 - 3) Recessed or raised entries
 - 4) Covered porch entries
 - 5) Cupolas
 - 6) Pillars or decorative posts
 - 7) Bay window (minimum 12 inch projections)
 - 8) Eaves (minimum 6-inch projections)
 - 9) Front windows with arched glass tops and minimum 4-inch trim
 - 10) Metal roofs
 - 11) Decorative Corbels and Brackets
- c. Building Materials - Exterior building materials contribute significantly to the visual impact of a building on the community. These materials shall be well designed and integrated into a comprehensive design style for the project. The total exterior wall area of each building elevation shall be composed of one of the following:
 - i. The exterior wall area may be any type of lap siding and/or stucco, including a "cementitious" lap siding. (A "cementitious" lap siding product is defined as a manufactured strip siding composed of cement-

based materials rather than wood fiber-based or plastic-based materials. For example, Masonite or vinyl lap siding would not be allowed under this option.) The exterior may include full width or cast brick or stone.

- ii. All textured stucco, provided there are unique design features such as recessed garages, tile or metal roofs, arched windows etc. in the elevations of the buildings or the buildings are all brick stucco. Unique design features shall be reviewed by the Community Development Director for compliance.
- c. Details, such as, brackets, corbels, decorative panels, may be made from alternative materials, such foam with a hard shell finish.
- d. Buildings shall have landscape areas planted with trees, shrubs or groundcovers, other than sod, around the building as follows:
 - i. Building Perimeter landscaping. A minimum three (3) foot wide landscape area, with an average of five (5) feet or more, around a minimum of forty (40) percent of the total building perimeter and within twenty-five (25) feet of the building walls.
 - ii. *Minimum planting requirement.* One (1) canopy tree or three (3) understory trees, and twenty-eight (28) shrubs shall be required for every three hundred and fifty (350) feet of planting area in c. 1) above. Trees installed for any other requirement of this subsection c. may be credited towards this requirement if in the required location.

Section 8. Development Phasing. The proposed project may be constructed in phases in accordance with the Planned Unit Development Master Plan (attached as part of these conditions). Changes to the Planned Unit Development Master Plan, other than those conditions described in this agreement, shall be revised in accordance with the Planned Unit Development review process. If such changes are consistent with this Master Development Agreement, the amendment to the Planned Unit Development Master Plan will be processed as a Minor Development under LDC section 160.040.

Section 9. Site Access and Transportation Improvements. Vehicular access to the project site shall be provided by a minimum of two access points on CR 466-A. The access points shall be reviewed during the development review process.

- a. The Owner shall provide all necessary improvements within and adjacent to the development as required by Lake County and City of Fruitland Park.
- b. All roads within the development shall be designed and constructed by the developer to meet the City of Fruitland Park requirements. Drive aisles within parking areas shall not be required to be constructed to City street standards.
- c. Sidewalks shall be provided on both sides of the local internal roads and shall provide cross connections to all recreation and residential areas. Internal road rights-of-ways shall be of sufficient width to contain the sidewalks. All sidewalks shall be constructed in accordance with City of Fruitland Park Codes.
- d. The City of Fruitland Park will not be responsible for the maintenance or repair of any of the roads or transportation improvements. The Owner shall establish an appropriate legal entity that will be responsible to pay the cost and perform the services to maintain the roads and transportation improvements.

- e. A traffic/transportation study shall be submitted prior to preliminary plan approval for review and determination of any necessary access improvements if required by Lake County. Said improvements will be the responsibility of the Owner.
- f. At such time that traffic signals are warranted at the proposed project entrance, the Owner shall pay their pro rata share of the cost of the signal(s) as determined by Lake County or the City.

Section 10. Lighting. All exterior lighting shall be arranged to reflect light away from adjacent properties to the greatest extent possible while providing lighting adequate to ensure safety on road right of way and parking areas.

Section 11. Water, Wastewater, and Reuse Water. Subject to the terms herein, Owner and their successors and assigns agree to obtain water, reuse water, irrigation water, and wastewater service (hereafter, "Utilities") exclusively through purchase from City. Owner covenants and warrants to City that it will not engage in the business of providing such Utilities to the Property or within City's F.S. Chapter 180 utility district. Notwithstanding the foregoing, private wells for irrigation purposes will be allowed within the Property so long as such wells are approved and permitted by the St. Johns River Water Management District (the "District") and comply with the rules and regulations of the District. Owner shall construct, at Owner's expense, all on-site utility facilities (e.g. lift stations and lines) as well as pay for the extension of facilities from City's current point of connection. Owner shall also construct, at Owner's expense, "dry" utility lines for reclaimed water purposes. Except as otherwise provided herein, all such improvements must be constructed to City requirements and transferred to City as a contribution in aid of construction. Owner shall own and maintain all onsite water and wastewater improvements including any lift station(s) up to the point of connection at the property line for the wastewater improvements and up to the point of connection to the City water meter for the water utility improvements. Owner shall, at its expense, install fire hydrant(s) and extend utility line(s) as required by the Settlement Agreement entered into between the City of Fruitland Park and Owner in Lake County Case No. 2019-CA-001894.

Section 12. Impact Fees. Owner shall be required to pay impact fees as established by City from time to time, including water and wastewater impact fees. The amount to be paid shall be the adopted impact fee rate at the time the building permit is issued. Owner agrees to pay all impact fees and any impact fees adopted after the execution of this Agreement as building permits are issued. If impact fees increase from the time they are paid until the building permit is issued, Owner shall pay the incremental increased amount at the time building permits are issued.

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

Section 13. Easements. Owner shall provide the City such easements or right of way in form acceptable to the City Attorney, as the City deems necessary for the installation and maintenance of roads, sidewalks, bikeways, street lighting or utility services, including but not limited to sewer, water, drainage and reclaimed water services.

Section 14. Landscaping/Buffers. Developer has reviewed City's Land Development Regulations relating to landscaping and agrees to comply with such regulations. Owner shall install and maintain a twenty-five foot (25') landscape buffer along the southern and western perimeter property boundaries including CR-466A, and a thirty-five foot (35') along the eastern and northern property line where the adjacent properties are zoned Rural or Agriculture. All landscaping and tree protection shall comply with Chapter 164 of the City of Fruitland Park Land Development Regulations.

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

Owner shall design and construct, at its sole expense, the interior landscaped areas and islands within the parking areas of the Property in accordance with all applicable City of Fruitland Park Land Development Regulations. Owner shall maintain such areas.

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

Section 15. Stormwater Management. Owner agrees to provide at Owner's expense a comprehensive stormwater management system consistent with all regulatory requirements of the City and the St. John's River Water Management District. Impacts to flood plains are allowed in accordance with the Water Management District procedures for compensating storage and will be based on the 100-year floodplain established by Lake County.

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

Section 17. Environmental Considerations. The Owner agrees to comply with all federal, state, county, and city laws, rules and regulations regarding any environmental issues affecting the Property.

Section 18. Signage. Owner shall submit a master sign plan as a component of the final site plan (i.e., construction plan) application for the Property. Such plan shall be in compliance with all applicable regulations contained within the City of Fruitland Park Land Development Regulations, unless City grants a waiver or variance pursuant to the City's Land Development Regulations. Alternatively, the Owner, in the Owner's discretion, may apply to amend the PUD to incorporate a Master Signage Plan at the time that the Owner desires to install signage at the development.

Section 19. Title Opinion. Owner shall provide to City, in advance of the City's execution of this Agreement, a title opinion of an attorney licensed in the State of Florida, or a certification by an abstractor or title company authorized to do business in the State of Florida, showing marketable title to the Property to be in the name of the Owner and showing all liens, mortgages, and other encumbrances not satisfied or released of record.

Section 20. Compliance with City Laws and Regulations. Except as expressly modified herein, all development of the Property shall be subject to compliance with the City Land Development Regulations and City Code provisions, as amended, as well as regulations of county, state, local, and federal agencies. All improvements and infrastructure shall be constructed to City standards.

Section 21. Due Diligence.

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

Section 22. Enforcement/Effectiveness. A default by either party under this Agreement shall entitle the other party to all remedies available at law. This is a non-statutory development agreement which is not subject to or enacted pursuant to the provisions of Sections 163.3220 – 163.3243, *Florida Statutes*.

Section 23. Governing Law. This Agreement shall be construed in accordance with the laws of the State of Florida and venue for any action hereunder shall be in the Circuit Court of Lake County, Florida.

Section 24. Binding Effect; Assignability. This Agreement, once effective, shall be binding upon and enforceable by and against the parties hereto and their successors in interest and/or assigns. This Agreement shall be assignable by the Owner to successive owners. Owner shall, however, provide written notice to the City of any and all such assignees. The rights and obligations set forth in this Agreement shall run with the land and be binding on all successors and/or assignees. Owner consents to the placement of a claim of lien on the Property upon default in payment of any obligation herein without precluding any other remedies of City. The parties hereby covenant that they will enforce this Agreement and that it is a legal, valid, and binding agreement.

Section 25. Waiver; Remedies. No failure or delay on the part of either party in exercising any right, power, or privilege hereunder will operate as a waiver thereof, nor will any waiver on the part of either party or any right, power, or privilege hereunder operate as a waiver of any other right, power, privilege hereunder, nor will any single or partial exercise of any right, power, or privilege hereunder preclude any other further exercise thereof or the exercise of any other right, power, or privilege hereunder.

Section 26. Exhibits. All exhibits attached hereto are hereby incorporated in and made a part of this Agreement as if set forth in full herein.

Section 27. Notice. Any notice to be given shall be in writing and shall be sent by certified mail, return receipt requested, to the party being noticed at the following addresses or such other address as the parties shall provide from time to time:

As to City:	City Manager City of Fruitland Park 506 W. Berckman Street Fruitland Park, Florida 34731 352-360-6727 Telephone
Copy to:	Chris Cheshire, City Mayor

	City of Fruitland Park 506 W. Berckman Street Fruitland Park, Florida 34731 352-360-6727 Telephone Anita Geraci-Carver Law Office of Anita Geraci-Carver, P.A. 1560 Bloxam Avenue Clermont, Florida 34711 352-243-2801 Telephone 352-243-2768 Facsimile
As to Owner:	T.D. Burke P.O. Box 816 Fruitland Park, FL 34731-0816
Copy to:	Jose Kreutz Luxury Leased Homes USA, LLC 333 N. Alabama Street, Suite 350 Indianapolis, IN 46204

Section 28. Entire Agreement. This Agreement sets forth all of the promises, covenants, agreements, conditions, and understandings between the parties hereto, and supersedes all prior and contemporaneous agreements, understandings, inducements or conditions, express or implied, oral or written, except as herein contained. However, the failure of this Agreement to address a particular permit, condition, term, or restriction shall not relieve Owner from complying with the law governing said permitting requirements, conditions, terms or restrictions.

Section 29. Term of Agreement. The term of this Agreement shall commence on the date this Agreement is executed by both the City and Owner, or the effective date of the annexation of the Property, whichever occurs later, and shall terminate twenty (20) years thereafter; provided, however, that the term of this Agreement may be extended by mutual consent of the City and the Owner, subject to a public hearing.

Section 30. Amendment. Amendments to the provisions of this Agreement shall be made by the parties only in writing by formal amendment.

Section 31. Severability. If any part of this Developer’s Agreement is found invalid or unenforceable in any court, such invalidity or unenforceability shall not effect the other parts of this Developer’s Agreement, if the rights and obligations of the parties contained herein are not materially prejudiced and if the intentions of the parties can be effected. To that end, this Developer’s Agreement is declared severable.

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

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:**

OWNER:

Witness Signature

T.D. Burke

Print Name

Witness Signature

Print Name

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me by [] physical presence or [] online notarization this ____ day of _____ by T.D. Burke, who is personally known to me or who have produced _____ as identification.

Notary Public

Notary Public - State of Florida

Commission No _____

My Commission Expires _____

ACCEPTED BY THE CITY OF FRUITLAND PARK

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

By: _____

Chris Cheshire, Mayor

Date: _____

Anita Geraci-Carver
City Attorney

ATTEST: _____

Esther B. Coulson
City Clerk

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me by physical present or online notarization this ____ day of _____ by Chris Cheshire, Mayor of the City of Fruitland Park, a Florida municipal corporation on behalf of the corporation and Esther B. Coulson, City Clerk of the City of Fruitland Park, Florida, on behalf of the corporation, who are personally known to be me or produced _____ as identification.

Notary Public
Notary Public - State of Florida
Commission No _____

My Commission Expires _____

EXHIBIT "A"
LEGAL DESCRIPTION

LEGAL DESCRIPTION – OVERALL PARCEL- AS SURVEYED

A PARCEL OF LAND LYING IN A PORTION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A FOUND 4" X4" CONCRETE MONUMENT NO ID AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; THENCE NORTH 00°49'19" EAST ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 1,326.69 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 89°07'47" EAST ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 1,327.37 FEET TO THE SOUTHWEST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE NORTH 00°51'56" EAST ALONG THE WEST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 41.38 FEET TO INTERSECT THE NORTH RIGHT OF WAY OF COUNTY ROAD 466-A (MILLER BOULEVARD) AS SHOWN ON THE LAKE COUNTY ROAD MAP BOOK 2, PAGE 118 AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°51'56" EAST, ALONG SAID LINE FOR 300.30 FEET TO THE SOUTHWEST CORNER OF THE NORTH PARCEL; THENCE CONTINUE NORTH 00°51'56" EAST, ALONG SAID LINE, FOR 984.70 FEET TO THE NORTHWEST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 89°08'29" EAST ALONG THE NORTH LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 663.12 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 00°50'21" WEST ALONG THE EAST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 983.33 FEET TO THE SOUTHEAST CORNER OF THE NORTH PARCEL; THENCE SOUTH 00°50'21" WEST ALONG SAID EAST LINE FOR 300.30 FEET TO INTERSECTION WITH THE AFORESAID NORTH RIGHT OF WAY OF COUNTY ROAD 466-A (MILLER BOULEVARD) (SAID POINT BEING NORTH 00°50'21"E 42.88 FEET FROM THE SOUTHEAST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6) ; THENCE NORTH 89°15'33" WEST ALONG SAID NORTH RIGHT OF WAY FOR 663.72 FEET TO THE POINT OF BEGINNING.

CONTAINING 852,037 SQUARE FEET OR 19.5601 ACRES, MORE OR LESS.

COMPOSITE EXHIBIT "B"

COMPOSITE EXHIBIT "B"

Exhibit "C"

RESOLUTION 2021-XX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A DECLARATION OF UNITY OF TITLE UNIFYING AS AN INDIVISIBLE BUILDING SITE, TWO PROPERTIES LOCATED AT MICRO RACETRACK RD., FRUITLAND PARK, FLORIDA, OWNED BY FRUITLAND GROVE, LLC AND IDENTIFIED BY THE LAKE COUNTY PROPERTY APPRAISER AS ALTERNATE KEY NUMBER 1288151 AND ALTERNATE KEY NUMBER 1699665; PROVIDING FOR A DECLARATION OF UNITY OF TITLE TO BE RECORDED IN THE PUBLIC RECORDS OF LAKE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Fruitland Grove, LLC owns 2 parcels of real property more particularly described below which it desires to unify as one indivisible building site; and

WHEREAS, it is necessary to authorize the Mayor of the City of Fruitland Park to execute the necessary document to effectuate the unity of title.

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

Section 1. Authorization.

The Mayor is authorized to execute the Declaration of Unity of Title attached hereto for the purpose of unifying the real property more particularly described below.

LEGAL DESCRIPTION:

PARCEL 1

THE NORTH 260 FEET OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LESS COUNTY ROAD RIGHT OF WAY.

PARCEL 2

THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 IN SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST IN LAKE COUNTY, FLORIDA, LESS THE EAST 100 FEET THEREOF AND LESS

THE NORTH 260 FEET THEREOF, AND LESS THE RIGHT OF WAY FOR COUNTY ROAD ON THE WEST THEREOF, AND LESS STATE ROAD NO. 466A ON THE SOUTH THEREOF.

ALSO LESS AND EXCEPT THAT PORTION CONVEYED TO LAKE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA FOR ROAD RIGHT OF WAY AS SET FORTH IN THAT WARRANTY DEED

RECORDED IN OFFICIAL RECORDS BOOK 4515, PAGE 1619, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGIN AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 466-A AND THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 89 DEGREES 14 MINUTES 41 SECONDS EAST 319.35 FEET ALONG SAID NORTH RIGHT OF WAY LINE; THENCE NORTH 00 DEGREES 45 MINUTES 19 SECONDS EAST 19.00 FEET; THENCE NORTH 89 DEGREES 14 MINUTES 41 SECONDS WEST 236.21 FEET; THENCE NORTH 56 DEGREES 43 MINUTES 41 SECONDS WEST 55.81 FEET; THENCE NORTH 00 DEGREES 50 MINUTES 54 SECONDS EAST 105.97 FEET; THENCE NORTH 10 DEGREES 49 MINUTES 17 SECONDS WEST 82.78 FEET; THENCE NORTH 01 DEGREES 01 MINUTES 34 SECONDS EAST 122.70 FEET; THENCE NORTH 89 DEGREES 01 MINUTES 34 SECONDS WEST 19.64 FEET TO SAID EAST LINE OF THE SOUTHWEST 1/4 OF SECTION 6; THENCE SOUTH 00 DEGREES 50 MINUTES 54 SECONDS WEST 358.83 FEET ALONG SAID EAST LINE OF THE SOUTHWEST 1/4 OF SECTION 6 TO THE POINT OF BEGINNING.

Section 2. Recording of Notice. The Mayor or designee is directed to record the Declaration of Unity of Title, **a copy of which is attached hereto**, in the public records of Lake County, Florida, and provide a copy to the Lake County Property Appraiser.

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

Record and Return to:
City of Fruitland Park
506 W Berekman St.
Fruitland Park, FL 34731

NOTICE OF DECLARATION OF UNITY OF TITLE

This Declaration of Unity of Title, made this ____ day of _____, 2021, by Fruitland Grove, LLC, having an address of 1805 U.S. Highway 82 West, Tifton, GA 31793, hereinafter referred to as the “Declarant” being the fee owner of the following described real property located in Lake County, Florida:

Alt. Key Numbers: **1288151 & 1699665**

Parcel Id. Numbers: 06-19-24-0004-000-02700 and 06-19-24-0004-000-02703

LEGAL DESCRIPTION:

THE NORTH 260 FEET OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LESS COUNTY ROAD RIGHT OF WAY.

AND

THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 IN SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST IN LAKE COUNTY, FLORIDA, LESS THE EAST 100 FEET THEREOF AND LESS

THE NORTH 260 FEET THEREOF, AND LESS THE RIGHT OF WAY FOR COUNTY ROAD ON THE WEST THEREOF, AND LESS STATE ROAD NO. 466A ON THE SOUTH THEREOF.

ALSO LESS AND EXCEPT THAT PORTION CONVEYED TO LAKE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA FOR ROAD RIGHT OF WAY AS SET FORTH IN THAT WARRANTY DEED

RECORDED IN OFFICIAL RECORDS BOOK 4515, PAGE 1619, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGIN AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 466-A AND THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 89 DEGREES 14 MINUTES 41 SECONDS EAST 319.35 FEET ALONG SAID NORTH RIGHT OF WAY LINE; THENCE NORTH 00 DEGREES 45 MINUTES 19 SECONDS EAST 19.00 FEET; THENCE NORTH 89 DEGREES 14 MINUTES 41 SECONDS WEST 236.21 FEET; THENCE NORTH 56 DEGREES 43 MINUTES 41 SECONDS WEST 55.81 FEET; THENCE NORTH 00 DEGREES 50 MINUTES 54 SECONDS EAST 105.97 FEET; THENCE NORTH 10 DEGREES 49 MINUTES 17 SECONDS WEST 82.78 FEET; THENCE NORTH 01 DEGREES 01 MINUTES 34 SECONDS EAST 122.70 FEET; THENCE NORTH 89 DEGREES 01 MINUTES 34 SECONDS WEST 19.64 FEET TO SAID EAST LINE OF THE

SOUTHWEST 1/4 OF SECTION 6; THENCE SOUTH 00 DEGREES 50 MINUTES 54 SECONDS WEST 358.83 FEET ALONG SAID EAST LINE OF THE SOUTHWEST 1/4 OF SECTION 6 TO THE POINT OF BEGINNING.

Hereby makes the following declarations of condition, limitation, and restriction on the Property, hereinafter to be known and referred to as a Declaration of Unity of Title, as to the following particulars:

1. That the afore-described plot of, or combination of separate lots, plots, parcels, acreage or portions thereof, shall hereafter be declared to be unified under one title as an indivisible building site. **See attached Sketch of Description.**
2. That the Property shall henceforth be considered as one plot or parcel of land, and that no portion thereof shall be sold, assigned, transferred, conveyed or devised separately except in its entirety as one plot or parcel of land.
3. The purpose of unity is to unify as one indivisible building site for construction thereon.

Declarant further agrees that this Declaration of Unity of Title shall constitute a covenant to run with the land, as provided by law, and shall be binding upon the Declarant, its successors and assigns, and all parties claiming under such parties until such time as the same be released in writing by the City of Fruitland Park, a Florida municipality of the

State of Florida. Declarant also agrees this Declaration of Unity of Title shall be recorded in the Public Records of Lake County, Florida.

IN WITNESS WHEREOF, Declarant has executed this instrument in the manner provided by law on the day and year above written. Signed, sealed, and delivered in our presence as witnesses:

WITNESSES

CITY OF FRUITLAND PARK

Signature of Witness #1

Chris Cheshire, Mayor

Print Name of Witness #1

Attest:

Signature of Witness #2

Esther Coulson, City Clerk

Print Name of Witness #2

State of Florida
County of Lake

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 2021, by Chris Cheshire, as Mayor of the City of Fruitland Park, a Florida municipal corporation on behalf of the corporation. He is personally known to me or who produced _____ as identification.

Notary Stamp:

Signature of Notary

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

ANNEXATION/SSCPA/PUD

Owner(s): T D Burke

Applicant: Luxury Leased Homes USA, LLC – Jose Kreutz

General Location: 305 CR 466A, Fruitland Park, Florida

Number of Acres: 19.56 ± acres

Existing Zoning: Lake County A, Agriculture & Fruitland Park C-2

Existing Land Use: Lake County Rural & Fruitland Park Commercial High Intensity

Proposed Zoning Mixed Use PUD

Proposed Land Use: Multi-Family High Density & Commercial High Intensity

Date: October 3, 2022

Description of Project

The subject property consists of two properties; a 4.57-acre parcel (Alt Key 1699649) in the city limits with frontage on CR-466A, developed with the Burke’s BBQ restaurant and an office building along with a 14.98-acre parcel (Alt Key 3884325) to the north of the existing restaurant in Lake County developed with a landscaping business and nursery. The applicant is requesting to annex the 14.98-acre parcel (Alt Key 3884325) into the city limits and add it to the existing Burke’s BBQ parcel (Alt Key 1699649) to allow construction of a mixed-use project consisting of 240 multi-family apartments, associated recreation and 2.71 acres of general commercial.

A companion small-scale comprehensive plan map amendment is requested for the northern 14.98 +/- acre subject property amending the future land use from Lake County Rural to Multi-Family High Density (15 units/acre). A concurrent rezoning amendment is proposed for the entire site from Lake County Agriculture and C-2 to PUD. The concept plan shows the location of the multi-family units and residential supporting facilities including a community building with leasing office, pool, located adjacent to CR-466A with commercial lots along CR 466A. The proposed density of the PUD is 15 units per acre. The existing Burke’s Restaurant will be demolished to allow construction of the development.

The immediate surrounding properties are zoned for C-2 and intended for high intensity commercial uses. The subject property is located immediately north of the Villages of Fruitland

Park, consisting of primarily single-family homes and supporting neighborhood commercial use. The existing area has a mix of uses.

	Surrounding Zoning	Surrounding Land Use
North	County Agriculture and R-7	County Rural
South	Village of Fruitland Park DRI	Village of Fruitland Park DRI
East	Commercial	C-2
West	County Agriculture, Commercial	County Rural, C-2

Table 1. Surrounding Property Uses

Assessment

Concept Plan

The revised concept plan revised the buffer widths adjacent to the Lake County Rural land use from 35' to 25'. Are the buffers as noted correct?

The application indicates a request for a mixed-use PUD; however, the concept plan note section and sheet 2 does not appear to reflect this data as it separates Lot 1 as a PUD and Lots 2 and 3 as C-2. Lots 2 and 3 should state zoning as PUD and future use as commercial. Sheet 2 of the concept plan indicates that the minimum setback from the edge of pavement is 15'; however, the note section indicates 10'. Please revise the concept plan accordingly.

SITE COVERAGES:

LOT 1 (PUD)			LOT 2 (C-2)			LOT 3 (C-2)		
SITE AREA	16.96 AC	100.0%	1.36 AC			1.36 AC		
OPEN SPACE	5.35 AC	31.6%	ROW PARCEL			0.90 AC		
STORMWATER POND	2.16 AC	12.8%	TOTAL PROJECT			19.68 AC		
BUILDINGS	2.70 AC	16.0%						
PAVEMENT & MISC.	5.76 AC	34.0%						
RECREATION AREAS	0.89 AC	5.3%						
TOTAL IMPERVIOUS	8.48 AC	50.0%						
FAR = 2.42 AC (3-STY) + 0.28 AC (1-STY) / 16.96 AC = 0.45								
TOTAL PROPOSED UNITS = 240 UNITS								
PROPOSED DENSITY = 15 UNITS / AC								

PROPOSED BUILDING DATA:

MINIMUM LIVING AREA OF APARTMENTS:	PROPOSED BUILDING HEIGHTS:
- 1 BEDROOM: 738 MIN SF	TYPE 1: 30'-6" TO EAVE AND
- 2 BEDROOM: 1088 MIN SF	38'-3" TO THE MEAN HEIGHT
- 3 BEDROOM: 1206 MIN SF	FOR BUILDING
- TYPE 1 BUILDING TOTAL GSF: 37,382 (X4) = 149,528	TYPE 2: 30'-6" TO EAVE AND
- TYPE 2 BUILDING TOTAL GSF: 33,198 (X8) = 198,178	37'-6" TO THE MEAN HEIGHT
	FOR BUILDING
PROPOSED CLUBHOUSE: 5,185 SF	

SETBACKS:

	BUILDING	BUFFER
FRONT (BR-488A)	60'	25'
SIDE	25'	25'
REAR	25'	25'
INTERIOR	10'	N/A

PARKING DATA:

STANDARD SPACES = 376 SPACES
POTENTIAL ADA SPACES = 12 SPACES
GARAGE SPACES = 21 SPACES
TOTAL = 408 SPACES
SPACES PER UNIT = 1.74

The concept plan denotes a list of commercial uses proposed including mini-warehouses. Typically, mini-warehouses require a conditional use permit; however, the use may be

incorporated within the PUD. It is recommended that should the applicant desire this use, a concept plan and elevations be submitted to supplement the PUD.

Annexation

The southern parcel is located within the City limits. The request is to annex the northern 14.98 acres into the City limits. The existing use on the property is a landscaping company and plant nursery. The adjoining properties to the east are within the City limits. The property is contiguous to the City limits on the south side as well.

Small Scale Comprehensive Plan Amendment & Rezoning-Planned Unit Development

The request is to amend the future land use from Lake County Rural to Multi-Family High Density (15 units/acre) on 14.98 acres.

Schools-

A School Capacity Reservation letter has been provided with the application.

Recreation

The concept plan identifies a clubhouse, pool, pickleball courts, small park area, and one (1) dog park for recreational amenities.

Traffic- A traffic study prepared by Traffic Impact Group, LLC, dated August 2022 was submitted. The report states that CR-466A will continue to operate at an appropriate level of service with the additional traffic attributed to the proposed development.

Environmental Assessment- An environmental assessment prepared by Modica & Associates, Inc dated October 2021 was submitted. The report identified the presence of gopher tortoise burrows. A letter from Modica & Associates, Inc. dated March 2022 indicates that there are no WOTUS jurisdictional wetlands onsite. A sand skink survey exemption was granted by the FWC.

Recommendation

Please revise the concept plan as indicated above.

Annexation

The subject property is contiguous to the city limits and therefore is eligible for annexation.

Small Scale Comp Plan Map Amendment

The proposed amendment to MFHD is compatible with adjacent land uses and consistent with the comprehensive plan, will not degrade level of service for public facilities, and meets the following policies (among others):

FLU Policy 1-1.2, Table 1-13

FLU Policy 1-1.7 – MF High Density

FLU Policy 1-2.1 – Promote Orderly Growth

FLU Policy 1-2.2 – New Development

Rezoning

The requested mixed-use PUD is consistent with the LDRs and comprehensive plan. The proposed PUD provides for residential, recreation and commercial uses. The proposed plan provides buffers to mitigate the adjacent land uses.



September 21, 2022

Mr. Mike Rankin
Community Development Department
City of Fruitland Park
506 W. Berckman St.
Fruitland Park, FL 34731

RE: The Hawthorns
Petitioner's Response to Staff Report Received 9/9/22

Dear Mike,

This letter, and the accompanying materials, serves as our formal response to the review letters received on 9/9/22 for the above referenced project. In summary, we have:

- amended our SSCAP to ONLY encompass the north parcel currently in the Rural FLU
- revised the Concept Plan in accordance with the requirements of Chapter 154, Sec. 154.030

As you will see, our amended project meets the city's requirements in terms of Open Space, FAR and Impervious Surface Ratio. We therefore request your recommendation to be forwarded to TRC and P&Z action.

As always, thank you for your guidance.

Sincerely,

Luxury Leased Homes

Jose Kreutz

Enclosures: Amended Rezone Narrative
Amended SSCAP Narrative
Concept Plan

CC: Emily Church
Sharon Williams

333 North Alabama Street, Suite 350
Indianapolis, IN 46204
P: 317-677-7125

ORDINANCE 2022 - XX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 15.00 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466-A, EAST OF OLIVER LANE AND WEST OF MICRO RACETRACK ROAD; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SCRIVENER’S ERRORS, SEVERABILITY AND CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Luxury Leased Homes USA, LLC, as Applicant, on behalf of T.D. Burke, Owner, requesting that approximately 15.00 ± acres of real property generally located north of CR 466-A, east of Oliver Lane and west of Micro Racetrack Road (the “Property”) be annexed to and made a part of the City of Fruitland Park; and

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

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

WHEREAS, the Planning and Zoning Board considered this ordinance at a public meeting; and

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

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

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

Section 1. The recitals set forth above are hereby adopted as legislative findings of the City Commission of the City of Fruitland Park.

Section 2. The following described property consisting of approximately 15.00 acres of land generally located north of CR 466-A, east of Oliver Lane and west of Micro Racetrack Road, contiguous to the City limits, is hereby incorporated into and made part of the City of Fruitland Park Florida. The property is more particularly described as follows:

LEGAL DESCRIPTION: See attached Exhibit A.

Parcel Alternate Key No. 3884325
Parcel Id No. 06-19-24-0003-000-08500

Section 3. Upon this Ordinance becoming effective, the property annexed shall be subject to all laws, ordinances, and regulations enforced in the City of Fruitland Park, and shall be entitled to the same privileges and benefits as other parts of the City of Fruitland Park upon the effective date of the annexation. Except that the property annexed in this Ordinance is subject to the Land Use Plan

of the Lake County Comprehensive Plan and county zoning regulations until the City adopts the Comprehensive Plan Amendments to include the property annexed in the City Comprehensive Plan.

Section 4. The City Clerk shall forward a certified copy of this Ordinance to the Clerk of the Circuit Court, the County Manager of Lake County, Florida, and the Department of State of Florida within seven (7) days after its passage on second and final reading. It shall further be submitted to the Office of Economic and Demographic Research within 30 days of approval along with a statement specifying the population census effect and the affected land area. F.S. 171.091, Florida Statutes.

Section 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. 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 7. All ordinances and parts of ordinances to the extent in conflict with this Ordinance are hereby repealed.

Section 8. This Ordinance shall become effective immediately upon passage by the City Commission of the City of Fruitland Park.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2022.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

(SEAL)

ATTEST:

Esther Coulson, CMC, City Clerk

Approved as to Form:

Anita Geraci-Carver, City Attorney

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

Passed First Reading _____
Passed Second Reading _____

EXHIBIT A
Legal Description

ORDINANCE 2022-xx

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY RURAL TO CITY MULTI-FAMILY HIGH DENSITY ON 14.98 +/- ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND EAST OF OLIVER LANE; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from Luxury Leased Homes, applicant on behalf of T.D. Burke, as Owner, requesting that real property within the city limits of the City of Fruitland Park be assigned a land use designation of "Multi-Family High Density" under the Comprehensive Plan for the City of Fruitland Park; and

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

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

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

Section 1: The following described property consisting of approximately 14.98 ± acres generally located north of CR 466A and east of Oliver Lane as described and depicted as set forth on Exhibit "A" shall be assigned a land use designation of Multi-Family High Density under the City of Fruitland Park Comprehensive Plan as depicted on the map attached hereto as Exhibit "B" and incorporated herein by reference.

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

Section 3. Direction to the City Manager.

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

Section 4: Severability.

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

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

Section 6: Scrivener’s Errors.

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

Section 7. Adoption

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

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

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2022.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

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

Passed First Reading _____
Passed Second Reading _____
(SEAL)

“EXHIBIT A”

A PARCEL OF LAND LYING IN A PORTION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 4” X4” CONCRETE MONUMENT NO ID AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; THENCE NORTH 00°49'19" EAST ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 1,326.69 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 89°07'47" EAST ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 1,327.37 FEET TO THE SOUTHWEST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE NORTH 00°51'56" EAST ALONG THE WEST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 41.38 FEET TO INTERSECT THE NORTH RIGHT OF WAY OF COUNTY ROAD 466-A (MILLER BOULEVARD) AS SHOWN ON THE LAKE COUNTY ROAD MAP BOOK 2, PAGE 118; THENCE CONTINUE NORTH 00°51'56" EAST, ALONG SAID LINE, FOR 300.30 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°51'56" EAST, ALONG SAID LINE, FOR 984.70 FEET TO THE NORTHWEST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 89°08'29" EAST ALONG THE NORTH LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 663.12 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE SOUTH 00°50'21" WEST ALONG THE EAST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6 FOR 983.33 FEET; THENCE NORTH 89°15'33" WEST FOR 663.58 FEET TO THE POINT OF BEGINNING.

CONTAINING 652,744 SQUARE FEET OR 14.9849 ACRES, MORE OR LESS.

EXHIBIT B