



506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731

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

Board Members: Al Goldberg, Chairman Daniel Dicus, Vice Chair Carlisle Burch Roger Sines Walter Birriel	Others: Michael Rankin, LPG Sharon Williams, Administrative Manager Emily Church, Office Assistant
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AGENDA
PLANNING & ZONING BOARD
NOVEMBER 3, 2022
6:00 PM

- I. **INVOCATION AND PLEDGE OF ALLEGIANCE:**
- II. **ROLL CALL:**
- III. **MEETING NOTES FROM PREVIOUS MEETING:** Meeting notes from September 15, 2022 included for review/comment.
- IV. **OLD BUSINESS:** NONE

NEW BUSINESS:

A. 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.

Staff recommends approval of the variance.

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). A **concurrent rezoning amendment is proposed for the entire site from Lake County Agriculture and C-2 to PUD.** 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.

Staff recommends approval of annexation, a small scale comp plan and rezoning of the properties.

BOARD MEMBERS' COMMENTS:

PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the Planning and Zoning Board. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

ADJOURNMENT:



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Board Members: Al Goldberg, Chairman Daniel Dicus, Vice Chair Carlisle Burch Fred Collins Walter Birriel	Others: Michael Rankin, LPG Sharon Williams, Administrative Manager Emily Church, Office Assistant
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MEETING NOTES
PLANNING & ZONING BOARD
September 15, 2022
6:00 PM

- I. **INVOCATION AND PLEDGE OF ALLEGIANCE:** Board Chairman Goldberg requested all participate in the pledge of allegiance; Sharon Williams was asked to lead the invocation
- II. **ROLL CALL:** All members present except for Board Member Birriel who asked to be excused.
- III. **MEETING NOTES FROM PREVIOUS MEETING:** Meeting notes from August 2, 2022 included for review/comment. Board Member Collins made the motion to approve the last meeting's minutes and was seconded by Board Member Dicus. Passed Unanimously.
- IV. **OLD BUSINESS:** NONE

NEW BUSINESS:

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 of Lake Ella Road Land Trust. 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 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; 17.97 acres of stormwater ponds (the ponds are proposed to be improved with walking trails and benches) and a varied landscape buffer with a 25' minimum width. The properties are located at 1132 and 1342 Lake Ella Road.

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.

Although the concept plan meets the minimum technical requirements of the LDRs, the City cannot approve the development as the Traffic Impact Analysis reveals that portions of Rolling Acres Road has insufficient capacity and operates below the adopted level of service (LOS) to accommodate the impacts of the development. Future conditions in 2025 indicate that Micro Racetrack Road will also operate below the adopted LOS standards. Please refer to the LPG staff report, dated 8/24/2022 for recommendations.

As per staff report, planning staff defers to city legal counsel as it appears staff cannot recommend approval unless proportionate fair share mitigation pursuant to Chapter 153, Sec 153.050(B) is offered for portions of Rolling Acres Road and Micro Racetrack Road.

Michael Rankin of LPG provided an overview of the development application procedure and read a summary of the proposed development. Anita Geraci-Carver (City Attorney) provided a report that this is not a comp plan amendment so it will not need to go to Tallahassee for review and that in the PUD there is language that states that if the city requires it that the applicant must improve Rolling Acres Rd to City and County standards at the subdivision intersection and Lake Ella Rd including intersection improvements and turn lanes. On September 13th the applicant submitted a letter offering to enter into a Proportional Share Agreement with Lake County as the city has requested, though we have not finalized the language but have acknowledged that they will do this. If the board wants to include language like this it can be added and finalized before the City Commission meeting.

Attorney Jimmy Crawford is representing Resibuilt Homes, LL and introduced the Resibuilt Team. He stated that this is an existing Planned Development with a valid Master Developer's Agreement and that the proposed change will lower the density overall by 33 units, reduced townhomes from 236 units, these changed to mostly single-family residential and the current plan allows for more interconnectivity to the surrounding area based on the recommendation by the city and Lake County. States that the current Future Land Use allows up to 8 units per acre and they are asking for less than half of that and significantly reduced the multi-family component. The plan has the larger lot sizes to the perimeter so neighbors won't visually see the smaller lots if the lot sizes bother them.

They have formally offered to enter into a Prop Share Agreement to mitigate the traffic impact created by their development. Crawford pointed out that Lake County may decide not to enter into a Prop Share Agreement and may prefer for the applicant to pay for off-site improvements instead. Chairman Goldberg read the public comments rules to the meeting attendees.

Board Member Dicus asked if he would pay to widen any one of those roads that will be impacted by their development and then let someone else pay them back. Crawford explained that pioneer agreements for road improvements, which Crawford agreed would be a much better system. If they were presently in Lake County zoned agricultural and were coming in with a new Planned Unit Development, he would agree with Board Member Dicus because at that point their fair share would be larger. However, there is an existing Planned Development that allows for more units and they wouldn't need this approval.

Muhammad Abdullah (Traffic Mobility Consultants, 3101 Maguire Blvd Orlando, FL 32803) asked to restate the question. Board Member Dicus stated that the development would add approx.. 1200 cars on that road and inquired if there were discussions with Lake County about a plan. Abdallah stated

that there is a limitation of what a private individual can do especially involving other people's private property involving the improvements suggested. The query that happens at the municipal level do they build the roads and hope development comes and potentially waste taxpayers' money or allow the developments to come and then build the roads to meet the demand and that's why the statute is written the way it is that applicants pay their proportionate share or by making an equivalent improvement. Also, there are impact fees that are collected for this purpose as well.

Board Member Dicus asked what kind of physical improvements would be considered an equivalent improvement in that area. Abdullah responded the most crucial are intersections. There are capacity issues at the stop signs at Lake Ella and Rolling Acres and Lake Ella and Micro Racetrack where queues form. Based on conversations with the county they would focus their attention on those places. A formal agreement has not been made as yet with the county as the county won't do that until Construction Plans are approved so we won't know exactly what those improvements will look like until that point.

Board Member Collins asked if there was any consideration for Timbertop Lane. Are there any plans for that road? Abdullah didn't know about this road. Board Member Dicus stated that it is basically an extension of Rolling Acres. Collins stated that the Rolling Acres and 466 intersection is often listed as one of the most dangerous in Central Florida. Other applications in Lady Lake and in the city have also looked at that intersection and identified it as one that needs improvement. As the level of service decreases it becomes a higher priority to fix. Crawford stated that County Public Works determines priority so it makes a difference for citizens let them know the dissatisfaction with their roads and priorities can shift.

Board Member Dicus stated that the issue is that their traffic studies show deficiencies on two roads. One road is deficient, not because of this project but, because of existing developments.

Abdullah stated that the current PUD is a higher traffic generator than what is currently being proposed. Board Member Dicus asked when that PUD was approved, Sharon Williams stated she believes it was in 2007 or 2008. .

Board Member Burch asked if they had plans for phasing, turn lanes and if there were any other forms of mitigation being considered? Crawford stated that the MDA will state that they will build whatever is required by city and county with the limitations set by state law.

Yog Melwani stated that phasing and timelines aren't set in stone though the concept plan does show four phases and it may go that route – though they are not looking to commit to a timing schedule. Board Member Collins asked if they are thinking of the timing between phases such as six months. Melwani responded that they it would take longer but, couldn't provide a more definitive estimate.

Board Member Dicus asked about water and sewer. Melwani stated that is their understanding that

capacity is sufficient. Chad Moorehead has been working with Robb Dicus and Halff is working on the route for sewer and water. Sewer estimated at the east on Lake Ella and Water south through the right-of-way on Spring Lake Rd. Board Member Dicus asked who is paying for that? Melwani stated that the applicant is forming a pioneering agreement.

City Attorney located the previous PUD that was written in 2007 and the term of the agreement was ten years so the previous PUD has expired. They could extend it by mutual consent but it would have had to go to a public hearing which was not done. Crawford stated that the PUD never expired, it's the MDA that expires since the zoning designation remains in place.

Chairman Goldberg opened up the meeting to public comment and asked if anyone present in the audience received a letter from the City of Fruitland Park. Williams stated they would only receive letters if they are within the jurisdiction of Fruitland Park and were within 250 feet of the property without crossing through another property line; a number of nearby properties were within Unincorporated Lake County. A member of the public asked why and Chairman Goldberg stated that the guidelines are per Florida State Statute.

Scott Shurman of unincorporated Lake County stated that Lake Ella is barely a road and dirt washes out and is not safe for any traffic; it is his primary access road to my property. There should be a traffic signal. He is worried about the availability of emergency services.

Jean Pasacheck of unincorporated Lake County expressed concerned with traffic at the current stop sign. He also had environmental concerns for the gopher tortoises and hopes they are relocated properly. Asclepias (milkweed) plants are also found on this property and they would like to see a portion of their project dedicated to keeping the plants intact.

Linda King, of unincorporated Lake County, asked if Rolling Acres Road would be paved down to 466A. Board Member Dicus inquired about the intention for that section of road. Chad Moorehead responded that the dirt road section is Timbertop Lane and the right-of-way access isn't available so planned improvement is only for Rolling Acres up to the southernmost entrance. Jimmy Crawford explained the county can ask for further road improvements and give the development impact fee credits. Crawford explained that this developer needs good roads to be able to sell homes. Chairman Goldberg asked if the county requested a traffic signal if they would comply in exchange for impact fee credits. Crawford explained these details are still being discussed with the county but he would advise it.

Mike King, of unincorporated Lake County, asked for clarification on the right of way not going all the way down to Rolling Acres Road. Board Member Dicus stated he remembered the road used to go all the way through but, the county abandoned a portion of the road – the road is no longer drivable as the property owners closed it off.

Charles Thompson, of unincorporated Lake County, asked if there are any other exits off of Lake Ella other than the main entrance. During the 2007 PUD meeting the developers were originally planning to go through their neighborhood but they had determined with the hill it would lead to too many accidents. He wants to ensure there are still no plans to go through his neighborhood.

Gale Hodges, of unincorporated Lake County, inquired about all of the homes using one proposed exit and whether it make sense to use Rolling Acres Road? She states that the exhaust fumes on Micro Racetrack Road in the summer is overwhelming. She asks if this is a retirement village or family homes, and doesn't believe that they will only have one car per family if it's not a retirement community. She is also concerned about the construction traffic when the development begins breaking ground and building. Further, she is concerned about congestion and safety as they have horses, dogs, and children.

Gina Grey, unincorporated Lake County, is in opposition to this development due to the anticipated traffic impact. She inquired from the traffic engineer what assumptions were made about the number of cars and drivers per family. She realizes that there are a number of entities that would be involved in this process but for the residents in the area this is dangerous i.e., trying to exit her property.

Tina Bombardo, stated that she lives in unincorporated Lake County so did not receive a notice from the city. The area is very sloping, and inquired if the developer will bulldoze the land to develop the property. She is concerned about erosion – she owns five acres with horses. She is concerned with the landscape changing with the heavy rains that it will impact her property. Lake Ella Road drops off on the north side, if it's not widened with the main entrance for six-hundred homes the cars will experience accidents. Across from the development will be Green Key Village and their turn lane starts at her property and then further up the road is another development in Lady Lake that has stalled their development but, it is planned to have five-hundred homes. She is very concerned about all this traffic for the bikers that use this scenic route. She is very concerned about the bull-dozing changing the view of the land and the erosion it will cause.

Kim Davis of Lady Lake, stated she is in agreement with everyone else that has spoken. The stop sign at Rolling Acres Road and Lake Ella Road is not stopped at and there is no traffic enforcement. There are a number of streets that are single access non-county maintained that have difficulty exiting onto Lake Ella Road. She asked how Micro Racetrack and Rolling Acres Road are proposed to be widen as property will be taken from people and then there will be trees cut down

Kathy Haviland. of unincorporated Lake County, stated she's lived at her address for twenty-one years and there are always accidents; two traffic fatalities in the last three weeks and the county cut down a lot of trees to install stop signs at Rolling Acres and Lake Ella and it has since become overgrown again. She wants to know what is the maintenance status. She also inquired whether the sheriff's department is on board, do they have the staff to handle emergency services as emergency response times are already really slow for this area.

Crawford stated that for gopher tortoises, the developer is required, by the state of FL, to 100% survey and relocate them to an authorized mitigation bank for all tortoises on the property.

Crawford stated that there isn't one entrance in and one exit out, there are four planned entrances and exits on Rolling Acres Road. There's a stub out to the east for future developments to connect so there will be five initially.

Abdullah stated that the number of cars and drivers per household is calculated per the ITE (International Association of Traffic Engineers) Manual; they publish a Traffic TPD for traffic peak hour for every possible kind of use. Single-family is about 9.7 trips/day, townhomes are a little less –

but this is a standard used by governments and industry – it is not a number they or the company generated.

Crawford reminded everyone that they are not responsible for mitigating existing traffic; only traffic generated from their proposed development. They will fix more than their fair share but it is a problem shared by all the property owners in the area.

Crawford stated they aren't asking for any grading variances; they will work with the current topography. Moorehead stated grading would be necessary to make it flat enough to build on. There are requirements through NPDS for erosion control they have to follow, there will be silt fences installed, property will be sodded and slopes will be stabilized. There is a lot of elevation changes on the property.

Crawford asked what kind of notice the neighbors will have before construction starts. It was noted that this is not a requirement by the city or the state. Crawford offered to do notices for the neighbors before construction begins.

Crawford stated the stop sign located at Rolling Acres and Lake Ella being overgrown is a Lake County public works issue and you the citizen would need to call the county to get that resolved.

Board Member Dicus asked if the intent for this property is to have a homeowner's association and Crawford responded yes.

Melwani stated it's too early to talk about price points given current inflation and the housing market; he doesn't want to misrepresent the owner.

Board Member Burch stated that there are four exits to Rolling Acres Road and asked about a road leading to a cul-de-sac. Moorehead stated that the access point has a divided entry with an island down the center of it. Further down, it terminates at a community park.

John Adam of Kissimmee stated that the termination point on the east/west road stubs out to future development to the east and they are providing a parallel facility once connected to the east to help relieve traffic when that development comes in.

Crawford states he's available to answer any questions from the audience and his contact information is available as a public record to any that may want it.

At this point, it was brought back to the board for discussion. Board Member Dicus recommends that something must be done about the roads. He is okay with the development itself as HOAs provide for better clientele and higher-end homes. City attorney has no further recommendations. Board Member Burch agrees with Board Member Dicus. Board Member Collins is okay with the development but is not okay with the road impact. Chairman Goldberg would like to see language in Section 8 that requires either off-site improvements or a proportionate share agreement with the county.

Board Member Collins made the motion to deny approval. There was not a second. The motion failed.

Board Member Dicus made the motion to approve the PUD with language that satisfies Lake County Public Works requirements for Lake Ella and Rolling Acres Roads and applicable road impacts. Chairman Goldberg presented with the understanding he'd like the Commission to seriously consider the traffic impact situation, seconded by Board Member Burch. Board Member Collins voted no. Board Member Burch voted yes. Board Member Dicus voted yes. Chairman Goldberg voted yes. Motion carried 3-1.

BOARD MEMBERS' COMMENTS:

Board Member Dicus stated that they hope that the residents voice their opinions to the county and local municipalities and be the squeaky wheel to make things happen with the traffic situation. Michael Rankin stated that they should look at the contact information on Lake County's website for engineering, public works, and land planning or reach out to Sharon Williams from city staff for contact information. Chairman Goldberg reminded the room that those roads are county roads and not within the city's purview.

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: 7:38PM



CITY OF FRUITLAND PARK

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

THIS Declaration of Unity of Title, made this 26 day of September, 2022 by;
Ralph W Thiele, Trustee of The Ralph W Thiele Revocable Trust dated 12/16/21

Name of Property Owner(s) 35417 & 35421 Micro Racetrack Road, Fruitland Park, FL 34731
Mailing Address: 17300 SW 90th AVE Palmetto Bay, FL 33157

Address of Property Owner(s)

of; 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): 1699673 2562684
Sec 6 Twp 19S Rng 24E

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 to make property wide enough for building to be constructed according to the current code.

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 of Edward P. Ludovici
Type/Print Name of Witness: Edward P. Ludovici

Owner/Partner/Corporation
Signature of Ralph W Thiele
Type/Print Name: Ralph W Thiele, Trustee
Owner
Type/Print Title/Position

2.

Signature

MARY IVINS

Type/Print Name of Witness

Signature

Type/Print Name

Type/Print Title/Position

State of Florida

County of MIAMI-DADE

The foregoing instrument was acknowledged before me this 26TH day of SEPTEMBER 20 22,

By RALPH W. THIELS, TRUSTEE, partner or agent partner/agent on behalf of

Ralph W Thiele, Trustee d/t/d 12/16/21

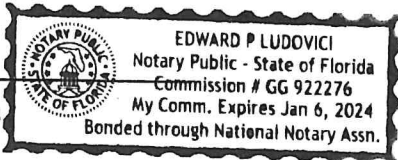
Name of Person acknowledged

Name of Partnership/Corporation

Edward P Ludvici who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

Type of Identification

Signature of Acknowledger



(SEAL)

My Commission Expires

City Staff Approval

Signature

Type/Print Title/Position

Type/Print Name



PROPERTY RECORD CARD

General Information

Name:	PAGE KENNETH E	Alternate Key:	1699673
Mailing Address: 617 INNER CIR THE VILLAGES, FL 32162 Update Mailing Address		Parcel Number: ⓘ	06-19-24-0003-000-01500
		Millage Group and City:	000F Fruitland Park
		2021 Total Certified Millage Rate:	17.1686
		Trash/Recycling/Water/Info:	My Public Services Map ⓘ
Property Location: 35417 MICRO RACETRACK RD 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 101.44 FT OF N 466.89 FT OF E 1/2 OF NE 1/4 OF SW 1/4--LESS THAT PART OF LAND LYING WITHIN S 198 FT OF E 1/2 OF NE 1/4 OF NE 1/4 OF SW 1/4 & LESS E 25 FT FOR RD R/W-- ORB 4324 PG 667 ORB 4432 PG 1897		
<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	VACANT COMMERCIAL (1000)	0	0		1.480	Acre	\$0.00	\$138,380.00

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

Miscellaneous Improvements

There is no improvement information to display.

Sales History

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

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
4432 / 1897	04/2013	Warranty Deed	Unqualified	Vacant	\$100.00
4324 / 667	04/2013	Warranty Deed	Unqualified	Vacant	\$165,000.00
3937 / 4	08/2010	Warranty Deed	Unqualified	Vacant	\$100.00
3619 / 401	04/2008	Warranty Deed	Qualified	Improved	\$150,000.00
3619 / 399	04/2008	Quit Claim Deed	Unqualified	Improved	\$100.00
3619 / 397	04/2008	Quit Claim Deed	Unqualified	Improved	\$100.00
3334 / 339	11/2006	Warranty Deed	Unqualified	Improved	\$79,900.00
2236 / 571	12/2002	Warranty Deed	Qualified	Vacant	\$7,500.00
907 / 1628	02/1987	Warranty Deed	Unqualified	Improved	\$1.00
904 / 1296	12/1986	Warranty Deed	Qualified	Improved	\$38,500.00

PROPERTY RECORD CARD

General Information

Name:	PAGE KENNETH E	Alternate Key:	2562684
Mailing Address:	617 INNER CIR THE VILLAGES, FL 32162 Update Mailing Address	Parcel Number:	06-19-24-0003-000-04100
		Millage Group and City:	000F Fruitland Park
		2021 Total Certified Millage Rate:	17.1686
		Trash/Recycling/Water/Info:	My Public Services Map
Property Location:	35421 MICRO RACETRACK RD 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 101.45 FT OF N 365.45 FT OF E 1/2 OF NE 1/4 OF SW 1/4-- LESS E 33 FT-- ORB 4324 PG 667 ORB 4432 PG 1897		
<p><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></p>			

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT COMMERCIAL (1000)	0	0		1.440	Acre	\$0.00	\$134,640.00

[Click here for Zoning Info](#)

[FEMA Flood Map](#)

Miscellaneous Improvements

There is no improvement information to display.

Sales History

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4432 / 1897	04/2013	Warranty Deed	Unqualified	Improved	\$100.00
4324 / 667	04/2013	Warranty Deed	Unqualified	Improved	\$165,000.00
3937 / 4	08/2010	Warranty Deed	Unqualified	Improved	\$100.00
3619 / 419	04/2008	Warranty Deed	Qualified	Improved	\$150,000.00
3619 / 417	04/2008	Quit Claim Deed	Unqualified	Improved	\$100.00
3619 / 415	04/2008	Quit Claim Deed	Unqualified	Improved	\$100.00
3334 / 339	11/2006	Warranty Deed	Unqualified	Improved	\$79,900.00
3085 / 673	02/2006	Warranty Deed	Qualified	Improved	\$100,000.00
1543 / 1236	08/1997	Warranty Deed	Qualified	Improved	\$29,000.00
1028 / 200	05/1989	Warranty Deed	Unqualified	Vacant	\$4,500.00
802 / 1302	03/1984	Warranty Deed	Qualified	Vacant	\$4,500.00
776 / 102	04/1983	Fee Simple	Unqualified	Vacant	\$1.00

A. SETTLEMENT STATEMENT		B. TYPE OF LOAN	
Affiliated Title of Central Florida, Ltd. 2701 SE Maricamp Road, Suite 101 Ocala, Florida 34471 352-369-4300 fax: 352-369-4305		1. <input type="checkbox"/> FHA 2. <input type="checkbox"/> FRBA 3. <input type="checkbox"/> CONV. UNINS. 4. <input type="checkbox"/> VA 5. <input type="checkbox"/> CONV. INS.	
		6. File Number: 22-1542	
		7. Loan Number:	
		8. Mortgage Ins. Claim No.:	
C. NOTE: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked (fee) were paid outside the closing. They are shown here for informational purposes and are not included in the totals.			
Ralph W. Thiele, Trustee of the Ralph W. Thiele 2021 Revocable Trust dated 12/16/21			
D. Buyer:		751 Krietzmeier Path The Villages, Florida 32163	
E. Seller:		Kenneth Elmer Page 126 Prachauthid 33 yeak 4, Bangamod, Thungkhru Bankok 10140	
F. Lender:			
G. Properties:		35417 Micro Racetrack Road Fruitland Park, Lake County, Florida 34731 Lake County, Florida	
		35421 Micro Racetrack Road Fruitland Park, Lake County, Florida 34731 Lake County, Florida	
H. Settlement Agent: Affiliated Title of Central Florida, Ltd.			
Place of Settlement: 10935 SE 177th Place, Suite 302, Summerfield, FL 34491 Marion County			
I. Settlement Date: September 23, 2022			
J. Summary of Buyer's Transaction		K. Summary of Seller's Transaction	
100. Gross Amount Due From Buyer:		400. Gross Amount Due To Seller:	
101. Contract Sales Price	450,000.00	401. Contract Sales Price	450,000.00
102. Personal Property		402. Personal Property	
103. Settlement Charges to Buyer (line 1400)	1,938.25	403.	
Adjustments for Items Paid by Seller in Advance:		Adjustments for Items Paid by Seller in Advance:	
106. City / Town Taxes		406. City / Town Taxes	
107. County / Parish Taxes		407. County / Parish Taxes	
108. Assessments		408. Assessments	
120. Gross Amount Due from Buyer:	451,938.25	420. Gross Amount Due to Seller:	450,000.00
200. Amounts Paid by or in Behalf of Buyer:		500. Reductions in Amount Due to Seller:	
201. Deposit / Earnest Money	10,000.00	501. Excess Deposit (see instructions)	
202. Principal Amount of New Loan		502. Settlement Charges to Seller (Line 1400)	19,685.00
203. Existing Loan(s)		503. Existing Loan(s)	
204.		504. Payoff of First Mortgage	
205.		505. Payoff of Second Mortgage	
206.		506. Purchase Money Mortgage	
Adjustments for Items Unpaid by Seller:		Adjustments for Items Unpaid by Seller:	
210. City / Town Taxes		510. City / Town Taxes	
211. County / Parish Taxes Lot 35417 Micro Racetrack Jan 1, 2022 thru Sep 22, 2022	1,807.82	511. County / Parish Taxes Lot 35417 Micro Racetrack Jan 1, 2022 thru Sep 22, 2022	1,807.82
212. County / Parish Taxes Lot 35421 Micro Racetrack Jan 1, 2022 thru Sep 22, 2022	1,760.14	512. County / Parish Taxes Lot 35421 Micro Racetrack Jan 1, 2022 thru Sep 22, 2022	1,760.14
220. Total Paid by / for Buyer:	13,567.96	520. Total Reductions in Amount Due Seller:	23,252.96
300. Cash at Settlement from / to Buyer:		600. Cash at Settlement to / from Seller:	
301. Gross Amount due from Buyer (line 120)	451,938.25	601. Gross Amount due to Seller (line 420)	450,000.00
302. Less Amount Paid by/for Buyer (line 220)	13,567.96	602. Less Reductions Amount due Seller (line 520)	23,252.96
303. Cash From Buyer:	\$438,370.29	603. Cash To Seller:	\$426,747.04

Settlement Date: September 23, 2022

File Number: 22-1542

L. Settlement Charges				Paid from Buyer's Funds at Settlement	Paid from Seller's Funds at Settlement
708. Total Sales / Broker's Commission:					
Based on Price \$450,000.00 @ 3.00% = \$13,500.00					
Division of Commission as follows					
701.	6,750.00	to NextHome Sally Love Real Estate			
702.	6,750.00	to NextHome Sally Love Real Estate			
703.		Commission Paid at Settlement			
704.		Transaction fee			13,500.00
880. Items Payable in Connection with Loan:					
801.		Loan Origination Fee			
802.		Loan Discount			
803.		Appraisal Fee			
804.		Credit Report			
805.		Lender's Inspection Fee			
806.		Mortgage Insurance Application Fee			
807.		Assumption Fee			
900. Items Required by Lender to be Paid in Advance:					
901.		Daily interest charge from Sep 23, 2022			
902.		Mortgage Insurance Premium			
903.		Hazard Insurance Premium			
904.		Flood Insurance Premium			
1000. Reserves Deposited with Lender:					
1001.		Hazard Insurance			
1002.		Mortgage Insurance			
1003.		City Property Taxes			
1004.		County Property Taxes			
1005.		Annual Assessments			
1100. Title Charges:					
1101.		Settlement or Closing Fee to Affiliated Title of Central Florida, Ltd.			385.00
1102.		Abstract or Title Search to First American Title Insurance Company			85.00
1103.					
1104.		Title Insurance Binder			
1105.		Document Preparation			
1106.		Attorney fees			
1107.		(includes above item numbers: Title Insurance to First American Title Insurance Company & Affiliated Title of Central Florida, Lt			2,325.00
1109.		Lender's Coverage	0.00		
1110.	Owner's Coverage	450,000.00	Risk Rate Premium:	\$2,325.00	
1200. Government Recording and Transfer Charges:					
1201.	Recording Fees:	Deed	18.50	Mortgage	0.00
1202.	City/County Tax/Stamps:	Deed	0.00	Mortgage	0.00
1203.	State Tax/Stamps:	Deed	3,150.00	Mortgage	0.00
1204.	Intangible Tax to Clerk of the Circuit Court				3,150.00
1205.					
1300. Additional Settlement Charges:					
1301.		Survey to Stokes, Anderson & Associates, LLC			1,900.00
1302.		Pest Inspection			
1303.		Municipal Lien search to Kingdom Lien Search			225.00
1304.		E-Recording Fee to Simplifile			4.75
1305.		Customer Secure Document Storage Portal to Secure Doc Storage			15.00
1400.	Total Settlement Charges (Enter on line 103, Section J and line 502, Section K)			\$1,938.25	\$19,685.00

I have carefully reviewed the Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of Settlement Statement.

Buyer: Ralph W. Thiele, Trustee of the Ralph W. Thiele 2021 Revocable Trust dated 12/16/21 Seller:

Kenyon Elmer Page

The Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with the instructions of the parties hereto.

Settlement Agent:

Date: September 23, 2022

352-369-4300 fax: 352-369-4305

6. File Number:
22-1542
7. Loan Number:
8. Mortgage Ins. Case No.:

C. NOTE: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked (poc) were paid outside the closing. They are shown here for informational purposes and are not included in the totals.

D. Buyer: Ralph W. Thiele, Trustee of the Ralph W. Thiele 2021 Revocable Trust dated 12/16/21
751 Krietermeyer Path
The Villages, Florida 32163

E. Seller: Kenneth Elmer Page
126 Prachauthid 33 yeak 4, Bangamod, Thungkhru Bangkok 10140

F. Lender:

G. Properties: 35417 Micro Racetrack Road
Fruitland Park, Lake County, Florida 34731
Lake County, Florida
35421 Micro Racetrack Road
Fruitland Park, Lake County, Florida 34731
Lake County, Florida

H. Settlement Agent: Affiliated Title of Central Florida, Ltd.
Place of Settlement: 10935 SE 177th Place, Suite 302, Summerfield, FL 34491 Marion County

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Adjustments for Items Paid by Seller in Advance:		Adjustments for Items Paid by Seller in Advance:	
106. City / Town Taxes		406. City / Town Taxes	
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108. Assessments		408. Assessments	
120. Gross Amount Due from Buyer:	451,938.25	420. Gross Amount Due to Seller:	450,000.00
200. Amounts Paid by or in Behalf of Buyer:		500. Reductions in Amount Due to Seller:	
201. Deposit / Earnest Money	10,000.00	501. Excess Deposit (see instructions)	
202. Principal Amount of New Loan		502. Settlement Charges to Seller (Line 1400)	19,685.00
203. Existing Loan(s)		503. Existing Loan(s)	
204.		504. Payoff of First Mortgage	
205.		505. Payoff of Second Mortgage	
206.		506. Purchase Money Mortgage	
Adjustments for Items Unpaid by Seller:		Adjustments for Items Unpaid by Seller:	
210. City / Town Taxes		510. City / Town Taxes	
211. County / Parish Taxes Lot 35417 Micro Racetrack Jan 1, 2022 thru Sep 22, 2022	1,807.82	511. County / Parish Taxes Lot 35417 Micro Racetrack Jan 1, 2022 thru Sep 22, 2022	1,807.82
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302. Less Amount Paid by/for Buyer (line 220)	13,567.96	602. Less Reductions Amount due Seller (line 520)	23,252.96
303. Cash From Buyer:	\$438,370.29	603. Cash To Seller:	\$426,747.04

703. Commission Paid at Settlement						
704. Transaction fee						13,500.00
800. Items Payable in Connection with Loan:						
801. Loan Origination Fee						
802. Loan Discount						
803. Appraisal Fee						
804. Credit Report						
805. Lender's Inspection Fee						
806. Mortgage Insurance Application Fee						
807. Assumption Fee						
900. Items Required by Lender to be Paid in Advance:						
901. Daily interest charge from Sep 23, 2022						
902. Mortgage Insurance Premium						
903. Hazard Insurance Premium						
904. Flood Insurance Premium						
1000. Reserves Deposited with Lender:						
1001. Hazard Insurance						
1002. Mortgage Insurance						
1003. City Property Taxes						
1004. County Property Taxes						
1005. Annual Assessments						
1100. Title Charges:						
1101. Settlement or Closing Fee to Affiliated Title of Central Florida, Ltd.						385.00
1102. Abstract or Title Search to First American Title Insurance Company						85.00
1103.						
1104. Title Insurance Binder						
1105. Document Preparation						
1106. Attorney fees						
1107.						
(includes above item numbers:						
Title Insurance to First American Title Insurance Company & Affiliated Title of Central						
1108. Florida, Lt						2,325.00
(includes above item numbers:						
1109. Lender's Coverage	0.00					
1110. Owner's Coverage	450,000.00	Risk Rate				
		Premium:	\$2,325.00			
1200. Government Recording and Transfer Charges:						
1201. Recording Fees:	Deed	18.50	Mortgage	0.00	Releases	0.00
						18.50
1202. City/County Tax/Stamps:	Deed		Mortgage	0.00		0.00
1203. State Tax/Stamps:	Deed	3,150.00	Mortgage	0.00		
1204. Intangible Tax to Clerk of the Circuit Court						3,150.00
1205.						
1300. Additional Settlement Charges:						
1301. Survey to Stokes, Anderson & Associates, LLC						1,900.00
1302. Pest Inspection						
1303. Municipal Lien search to Kingdom Lien Search						225.00
1304. E-Recording Fee to Simplific						4.75
1305. Customer Secure Document Storage Portal to Secure Dox Storage						15.00
1400. Total Settlement Charges (Enter on line 103, Section J and line 502, Section K)					\$1,938.25	\$19,685.00

I have carefully reviewed the Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of Settlement Statement.

Ralph W. Thiele

Buyer: Ralph W. Thiele, Trustee of the Ralph W. Thiele 2021 Revocable Trust dated 12/16/21 Seller: Kenneth Elmer Page

The Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with the instructions of the parties hereto.

Settlement Agent: *[Signature]*
Dennis Dorian

Date: September 23, 2022

Legal Description: Parcels combined for address 35417 Micro Racetrack Rd & 35421 Micro Racetrack Rd, Fruitland Park, Florida 34731 according to Survey.

Parcel 1: The South 101.45 feet of the North 365.45 feet of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 6, Township 19 South, Range 24 East, Lake County, Florida, Less Road on East as described in Official Records Book 356, Page 493 and Official Records Book 1305, Page 446, Public Records of Lake County, Florida.

together with

Parcel 2: The South 101.44 Feet of the North 466.89 Feet of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 6, Township 19 South, Range 24 East, Less Public Road Right-of-Way as set forth in Deed Book 344, Page 11 and Official Records Book 356, Page 495, Public Records of Lake County, Florida. Less and Except that Part Lying in the South 198.00 Feet of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 6 Township 19 South, Range 24 East, Lake County, Florida.



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: Crystal Lake Land Holdings LLC
 Address: 114 Sleepy Hollow Rd, Leesburg FL 34748
 Phone: 352-408-3319 Email: dreichcoe@aol.com

Applicant Name: A&B Engineering Consultants, PA (Angel L Rivera, PE)
 Address: 14164 Stilton ST, Tampa FL 33626
 Phone: 727-698-9513 Email: ariveraproperties@gmail.com

Engineer Name: A&B Engineering Consultants, PA (Angel L Rivera, PE)
 Address: 14164 Stilton ST, Tampa FL 33626
 Phone: 727-698-9513 Email: ariveraproperties@gmail.com

Property and Project Information:

PROJECT NAME*: Lake Myrtle Breezes

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

Property Address: 1108 Myrtle Breezes Ct

Parcel Number(s): 08-19-24-1200-000-01000 Section: 08 Township: 19 Range 24

Area of Property: 0.33ac (per Property Appraiser) Nearest Intersection: Myrtle Breezes Ct

Existing Zoning: R-2, Residential Single Family Existing Future Land Use Designation: R-2

Proposed Zoning: R-2, Residential Single Family Proposed Future Land Use Designation: Single Family Medium Density

The property is presently used for: vacant developed lot

The property is proposed to be used for: single family home

Do you currently have City Utilities? watermain in development, and will construct septic tank

Application Type:


- | | | | |
|--|--|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Comp Plan Amendment | <input type="checkbox"/> Rezoning | <input type="checkbox"/> Planned Development |
| <input checked="" 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: We request a variance for the minimum lot width from 80ft to 70.3ft at 30ft from the street right of way.

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: Angel L Rivera

Signature:  Date: July 25, 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

PROPERTY RECORD CARD

General Information

Name:	CRYSTAL LAKE LAND HOLDINGS LLC	Alternate Key:	3845251
Mailing Address:	114 SLEEPY HOLLOW RD LEESBURG, FL 34748 Update Mailing Address	Parcel Number: ⓘ	08-19-24-1200-000-01000
		Millage Group and City:	000F (FRUITLAND PARK)
		2021 Total Certified Millage Rate:	17.1686
		Trash/Recycling/Water/Info:	My Public Services Map ⓘ
Property Location:	1108 MYRTLE BREEZES CT FRUITLAND PARK FL 34731 Update Property Location ⓘ	Property Name:	-- Submit Property Name ⓘ
		School Information:	School Locator & Bus Stop Map ⓘ School Boundary Maps ⓘ
Property Description:	LAKE MYRTLE BREEZES PB 56 PG 95-96 LOT 10--LESS BEG AT NW'LY COR OF LOT 10, RUN S 05-52-29 W 457.82 FT TO SW COR OF SAID LOT 10, RUN N 0-26-17 E ALONG SAID W LINE OF LOT 10 A DIST OF 393.43 FT, N 35-16-12 E 75.93 FT TO POB--ORB 5152 PG 1912		
<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	VACANT RESIDENTIAL LAKEFRONT (0003)	0	0		1	LT	\$0.00	\$83,125.00

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

Miscellaneous Improvements

There is no improvement information to display.

Sales History

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

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
5152 / 1912	6/28/2018	Warranty Deed	Unqualified	Vacant	\$100.00
4355 / 1757	7/15/2013	Quit Claim Deed	Multi-Parcel	Vacant	\$80,000.00
3591 / 1463	2/29/2008	Warranty Deed	Multi-Parcel	Vacant	\$587,500.00
3038 / 2447	12/19/2005	Warranty Deed	Multi-Parcel	Vacant	\$1.00

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

Values and Estimated Ad Valorem Taxes ⓘ

Legal Description:

Lot 10 of Lake Myrtle Breezes, as shown on the plat Book 56 , Page(s) 95 and 96 , Public Records of Lake County, Florida. Less and Except that portion amended by the lot line deviation recorded in Official Records Book 3902, Page 307, Public Records of Lake County, described as follows: Begin at the Northwesterly corner of said Lot 10; thence run South 05°52 '29" West a distance of 457.82 feet to Southwest corner of said Lot 10, thence run North 0°26 '17" East along said West line of Lot 10 a distance of 393.43 feet , thence run North 35°16 '12" East a distance of 75.93 feet to the Point of Beginning.

Property Address:

1108 Myrtle Breezes Court, Fruitland Park, Florida 34731

APPLICANT AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LAKE

Before me the undersigned authority, personally appeared Angel L. Rivera

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

- 1) That he/she affirms and certifies that he/she understandings and will comply with all ordinances, regulations, and provisions of the City of Fruitland Park, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further that this application and attachments shall become part of the Official Records of the City of Fruitland Park, Florida, and are not returnable.
- 2) That the submittal requirements for the application have been completed and attached hereto as part of that application.
- 3) That he/she desires _____ to allow Ivan Urdaneta, PE to participate and/or represent the applicant in any meetings, and/or hearings, related to the Variance request

AR
Affiant (Applicant's Signature)

State of Florida

County of Hickory

The Foregoing instrument was acknowledged before me this 25 day of July, 20 22,
by Angel L. Rivera who is personally known to me or has produced
PE LIC as identification and who did or did not take an oath



Bonnie Elizalde Rivera
Notary Public
State of Florida
Comm# HH026862
Expires 8/2/2024

(Notary Seal)

Notary Public - State of Florida

Commission No HH026862

My Commission Expires 8/2/24

Bonnie Elizalde Rivera
Signature

Bonnie Elizalde Rivera

Printed Name

OWNER'S AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LAKE

Before me the undersigned authority, personally appeared Eric Coe

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

- 1) That he/she is the fee-simple owner of the property legally described on attached page of this application.
2) That he/she desires to request a variance to allow the sale of the property

1108 Myrtle Breezes Ct, Fruitland Park (Alt Key 3845251) and for the Buyer to obtain a building permit for a new home

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

Handwritten signature of Eric Coe

Affiant (Owner's Signature)

State of Florida

County of Hillsborough

The Foregoing instrument was acknowledged before me this 25 day of July, 20 22, by ERIC COE FL LIC who is personally known to me or has produced as identification and who did or did not take an oath

(Notary Seal)



Bonnie Elizalde Rivera, Notary Public, State of Florida, Comm# HH026862, Expires 8/2/2024

Notary Public - State of Florida, Commission No HH026862, My Commission Expires 8/2/24

Signature and Printed Name of Bonnie Elizalde Rivera



July 25, 2022

Community Development Department, City of Fruitland Park
Attn. Mrs Sharon Williams
506 W Berckman Street
Fruitland Park, FL 34731

**RE: Request for Variance
1108 Myrtle Breezes Ct.
Fruitland Park, FL**

Dear Mrs Williams,

We hereby request a variance to the minimum lot width set forth in your Land Development Code for a zoning district R-2. The requirement is 80ft and the lot has 70.3ft at 30ft from the street right of way.

Justification:

1. The lot has a width larger than 80ft in more than half of the lot
2. The required side setbacks will remain
3. No other variances are needed
4. The lot was split by a previous owner and the current owner didn't know
5. Required services are already available without construction of additional improvements
6. The granting of a variance is consistent with the overall intent of the LDC, and will not be injurious to the surrounding properties or detrimental to the public welfare.

The intent of this variance is to conclude a sale to a Builder, so a new home can be built on the developed lot. I hope that you find our request acceptable.

Prepared by,



A handwritten signature in blue ink, appearing to be 'AR'.

Angel L. Rivera, PE
President

DAVID W. JORDAN
LAKE COUNTY TAX COLLECTOR

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS
2021 Paid Real Estate

ACCOUNT NUMBER	ESCROW CODE	ALTERNATE KEY	MILLAGE CODE
0819241200-000-01000		3845251	000F

CRYSTAL LAKE LAND HOLDINGS LLC
114 SLEEPY HOLLOW RD
LEESBURG, FL 34748

1108 MYRTLE BREEZES CT

LAKE MYRTLE BREEZES PB 56 PG 95-96 LOT
10--LESS BEG AT NW'LYCOR OF LOT 10,
RUN S 05-52-29 W 457.82 FT TO SW COR
OF SAIDLOT 10, RUN N
See Additional Legal on Tax Roll



PAY IN US FUNDS TO DAVID W. JORDAN, TAX COLLECTOR · PO BOX 327 · TAVARES, FL 32778-0327 · 352-343-9602

AD VALOREM TAXES						
TAXING AUTHORITY	ASSESSED VALUE	EXEMPTION AMT	TAXABLE VALUE	MILLAGE RATE	TAXES LEVIED	
LAKE COUNTY GENERAL	83,125	0	83,125	5.0529	420.02	
AMBULANCE MSTU	83,125	0	83,125	0.4629	38.48	
ENVIRON LAND PURCHASE	83,125	0	83,125	0.0918	7.63	
FIRE MSTU	83,125	0	83,125	0.5138	42.71	
PUBLIC SCHOOLS						
BY STATE LAW	83,125	0	83,125	3.5940	298.75	
BY LOCAL BOARD	83,125	0	83,125	2.9980	249.21	
CITY OF FRUITLAND PK	83,125	0	83,125	3.9134	325.30	
ST JOHNS WATER MGMT	83,125	0	83,125	0.2189	18.20	
LAKE CO WATER AUTH	83,125	0	83,125	0.3229	26.84	
N LAKE CNTY HOSP	0	0	0	0.0000	0.00	
TOTAL:				17.1686	\$1,427.14	

NON-AD VALOREM ASSESSMENTS		
LEVYING AUTHORITY	RATE	AMOUNT
NON-AD VALOREM ASSESSMENTS:		\$0.00

COMBINED TAXES AND ASSESSMENTS: \$1,427.14

If Paid By	Nov 30, 2021			
Please Pay	\$0.00			

Paid 11/20/2021 Receipt # 2021-00193478 \$1,370.05

DAVID W. JORDAN
LAKE COUNTY TAX COLLECTOR

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS
2021 Paid Real Estate

PAY IN US FUNDS TO DAVID W. JORDAN, TAX COLLECTOR · PO BOX 327 · TAVARES, FL 32778-0327 · 352-343-9602

If Paid By	Nov 30, 2021			
Please Pay	\$0.00			

1108 MYRTLE BREEZES CT

CRYSTAL LAKE LAND HOLDINGS LLC
114 SLEEPY HOLLOW RD
LEESBURG, FL 34748

LAKE MYRTLE BREEZES PB 56 PG 95-96 LOT
10--LESS BEG AT NW'LYCOR OF LOT 10, RUN S
05-52-29 W 457.82 FT TO SW COR OF
SAIDLOT 10, RUN N
See Additional Legal on Tax Roll

ACCOUNT NUMBER	ESCROW CODE	ALTERNATE KEY	MILLAGE CODE
0819241200-000-01000		3845251	000F

Paid 11/20/2021 Receipt # 2021-00193478 \$1,370.05

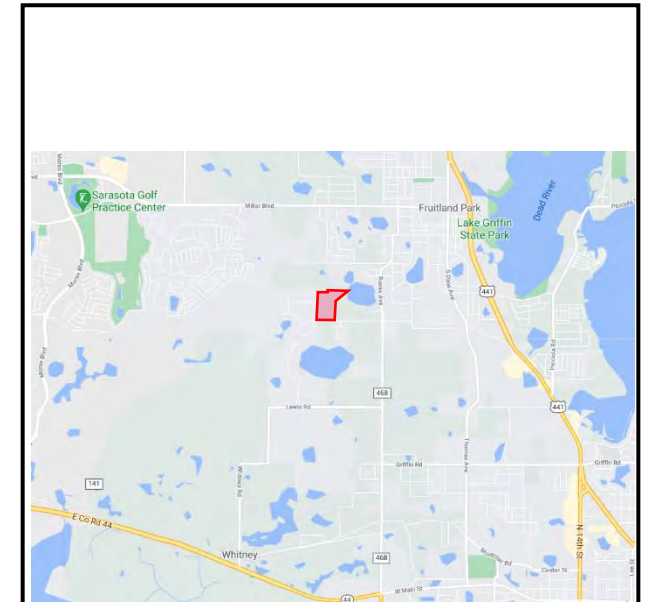
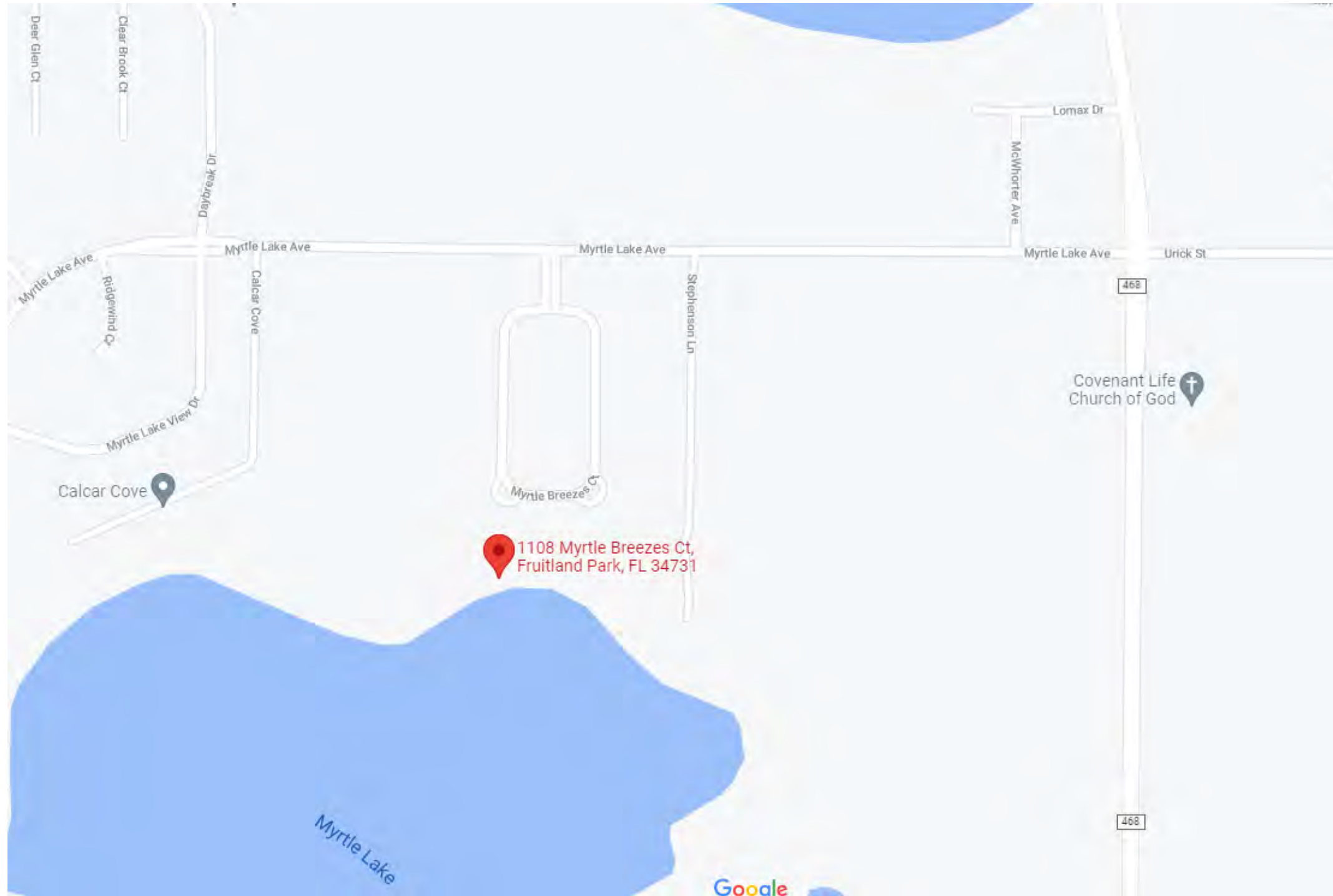


1108 Myrtle Breezes Ct (Alt Key 3845251)
Fruitland Park, FL



Sheet Title:
Exhibit A
(Aerial Photo)

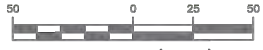
1108 Myrtle Breezes Ct (Alt Key 3845251)
Fruitland Park, FL



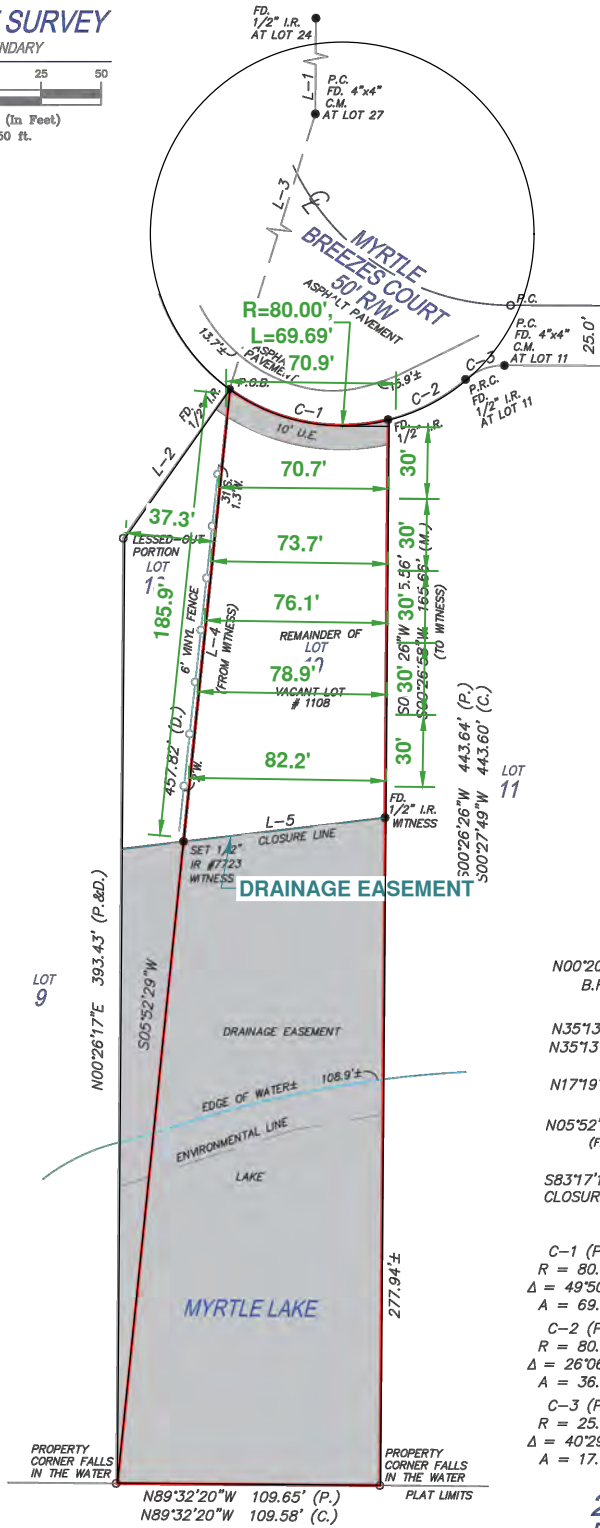
Sheet Title:
Exhibit B
(Location Map)

SKETCH OF SURVEY

TYPE OF SURVEY: BOUNDARY



GRAPHIC SCALE (In Feet)
1 inch = 50 ft.



L-1	N00°20'52"E 379.57' (P.)	
	B.R. 379.99' (M.)	
L-2	N35°13'32"E 65.85' (P.)	
	N35°13'32"E 75.93' (D.)	
L-3	N17°19'21"E 141.55' (M.)	
L-4	N05°52'29"E 209.42' (M.)	
	(FROM WITNESS)	
L-5	S83°17'18"W 84.41' (M.)	
	CLOSURE LINE	
C-1 (P.)	C-1 (M.)	
R = 80.00'	R = 80.00'	
$\Delta = 49°50'24"$	$\Delta = 49°36'57"$	
A = 69.59'	A = 69.28'	
C-2 (P.)	C-2 (M.)	
R = 80.00'	R = 80.00'	
$\Delta = 26°06'05"$	$\Delta = 26°13'11"$	
A = 36.44'	A = 36.61'	
C-3 (P.)	C-3 (M.)	
R = 25.00'	R = 25.00'	
$\Delta = 40°29'08"$	$\Delta = 40°17'29"$	
A = 17.67'	A = 17.58'	

PROPERTY CORNER FALLS IN THE WATER
N89°32'20"W 109.65' (P.)
N89°32'20"W 109.58' (C.)
PARCEL ID:
17192400010000
PLAT LIMITS

SKETCH OF SURVEY

TYPE OF SURVEY: BOUNDARY

Legal Description:
 Lot 10 of Lake Myrtle Breezes, as shown on the plat Book 56, Page(s) 95 and 96, Public Records of Lake County, Florida. Less and Except that portion amended by the lot line deviation recorded in Official Records Book 3902, Page 307, Public Records of Lake County, described as follows: Begin at the Northwestern corner of said Lot 10; thence run South 05°52'29" West a distance of 457.82 feet to Southwest corner of said Lot 10, thence run North 0°26'17" East along said West line of Lot 10 a distance of 393.43 feet, thence run North 35°16'12" East a distance of 75.93 feet to the Point of Beginning

Property Address:
 1108 Myrle Breezes Court
 Fruitland Park, Florida 34731

22-0433
 PAGE 1 OF 2

GENERAL NOTES:

- LEGAL DESCRIPTION PROVIDED BY OTHERS.
- UNDERGROUND FEATURES, SUCH AS IMPROVEMENTS, ENCROACHMENTS, FOUNDATIONS OR UTILITIES, IF EXISTENT, WERE NOT LOCATED AS A PART OF THIS SURVEY.
- BUILDING TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES. THE DIMENSIONS OF BUILDING(S) AS SHOWN HEREON DO NOT INCLUDE AN EAVE OVERHANG UNLESS NOTED.
- NO IDENTIFICATION FOUND ON PROPERTY CORNERS UNLESS OTHERWISE SHOWN.
- DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
- BEARINGS SHOWN HEREON ARE REFERENCED TO THE LINE NOTED B.R.
- THE SURVEY DEPICTED HEREON FORMS A CLOSED GEOMETRIC FIGURE.
- THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON. LIABILITY TO THIRD PARTIES MAY NOT BE TRANSFERRED OR ASSIGNED.
- THIS DRAWING MAY NOT BE TO SCALE DUE TO ELECTRONIC TRANSFER OR COPY.
- THIS SURVEY DOES NOT REFLECT OR DETERMINE PROPERTY OWNERSHIP, OWNERSHIP OF FENCES, IF ANY, WERE NOT DETERMINED AS A PART OF THIS SURVEY.
- THE SURVEY DEPICTED HEREON IS NOT INTENDED TO SHOW THE LOCATION OR EXISTENCE OF ANY WETLAND OR JURISDICTIONAL AREAS. THERE MAY BE AREAS WITHIN THE BOUNDARIES OF THIS SURVEY THAT MAY BE CONSIDERED JURISDICTIONAL BY VARIOUS AGENCIES.
- THIS SURVEY IS VALID IN ACCORDANCE WITH F.S. 627.7842, FOR A PERIOD OF 90 DAYS FROM THE DATE OF CERTIFICATION.
- THIS SURVEY IS INTENDED FOR MORTGAGE OR REFINANCE PURPOSES ONLY, AND IS EXCLUSIVELY FOR THIS USE BY THOSE TO WHOM IT IS CERTIFIED. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION, PERMITTING, DESIGN OR ANY OTHER USE WITHOUT THE WRITTEN CONSENT OF THE ATTESTING SURVEYOR.
- THIS IS NOT AN ALTA/ACSM LAND TITLE SURVEY. NO EXAMINATION OF TITLE WAS MADE BY THE SURVEYOR.
- THESE LANDS MAY BE SUBJECT TO DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS, AND/OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.

LEGEND & ABBREVIATIONS

A/C	AIR CONDITIONER	N.	NORTH	S/W	SIDEWALK
B.R.	BEARING REFERENCE	N&D	NAIL & DISC	SEC.	SECTION
C.	CALCULATED	N.R.	NON RADIAL	TEL	TELEPHONE FACILITIES
C.M.	CONCRETE MONUMENT	O.H.L.	OVERHEAD LINES	T.O.B.	TOP OF BANK
CONC.	CONCRETE	O.R.B.	OFFICIAL RECORDS BOOK	TX	TRANSFORMER
CALC.	CALCULATED	P.	PLAT	TYP.	TYPICAL
CATV	CABLE TELEVISION RISER	P.B.	PLAT BOOK	U.E.	UTILITY EASEMENT
CB	CHORD BEARING	P.C.	POINT OF CURVATURE	W.	WEST
CH	CHORD	P.C.C.	POINT OF COMPOUND CURVATURE	W.M.	WATER METER
COR.	CORNER	P.C.P.	PERMANENT CONTROL POINT		
D.	DESCRIPTION OR DEED	PG.	PAGE	SYMBOLS	
D.E.	DRAINAGE EASEMENT	P.I.	POINT OF INTERSECTION		CENTERLINE
E.L.	ELEVATION	P.K.	PARKER-KAYLON NAIL		CENTRAL ANGLE/DELTA
ELEV.	ELEVATION	P.O.L.	POINT ON LINE		CONCRETE
E.	EAST	P.P.	UTILITY POLE		CONC. BLOCK WALL TYPICAL
E.O.P.	EDGE OF PAVEMENT	PVC	POLYVINYL CHLORIDE		COVERED AREA
E.O.W.	EDGE OF WATER	P.O.B.	POINT OF BEGINNING		EXISTING ELEVATION
E.P.U.E.	ELECTRIC POWER	P.O.C.	POINT OF COMMENCEMENT		PVC FENCE
	UTILITY EASEMENT	P.R.C.	POINT OF REVERSE CURVE		PROPERTY CORNER
ESMT.	EASEMENT	P.R.M.	PERMANENT REFERENCE MONUMENT		SITE BENCH MARK
F.F.	FINISHED FLOOR	P.T.	POINT OF TANGENCY		WELL
FD.	FOUND	R.	RADIUS		WIRE FENCE
I.P.	IRON PIPE	RAD.	RADIAL		WOOD DECK
I.R.	IRON ROD	RAD. PT.	RADIUS POINT		WOOD FENCE
L	ARC LENGTH	R/W	RIGHT OF WAY		
M.	FIELD MEASURED	S.	SOUTH		
M.E.	MAINTENANCE EASEMENT				
N.A.V.D. 1988	NORTH AMERICAN VERTICAL DATUM 1988				
N.G.V.D. 1929	NATIONAL GEODETIC VERTICAL DATUM 1929				
G.P.S.	GLOBAL POSITIONING SYSTEM				
N.A.D. 27	NORTH AMERICAN HORIZONTAL DATUM 1927				
N.A.D. 83	NORTH AMERICAN HORIZONTAL DATUM 1983				

CERTIFIED TO:
 NCRC Housing Rehab Fund,
 LLC, a Florida limited
 liability company;
 Fidelity National Title of
 Florida, Inc.;
 Fidelity National Title
 Insurance Company.

SHEET 1 OF 2

FLOOD ZONE

(FOR INFORMATIONAL PURPOSES ONLY)
 SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN FLOOD ZONE "X", PER F.I.R.M. COMMUNITY & PANEL NUMBER 120387-0306 E, LAST REVISION DATE 12/18/2012.
 THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THE ABOVE INFORMATION. IT IS SUGGESTED THAT A FLOOD ZONE DETERMINATION BE VERIFIED FROM THE COUNTY IN WHICH THE SUBJECT PROPERTY LIES.

NOTE:
 IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.052 (2)(d)4, IF LOCATION OF EASEMENTS OR RIGHT-OF-WAY OF RECORD, OTHER THAN THOSE ON RECORD PLAT IS REQUIRED, THIS INFORMATION MUST BE FURNISHED TO THE SURVEYOR AND MAPPER.

THIS SURVEY SKETCH IS COPYRIGHTED MATERIAL. ©

Section 08, Township 19 South, Range 24 East			
Drawn By: AV	Survey Number: 22-0433		
4			
3			
2			
1			00-00-2022
NO.	REVISIONS	BY	DATE
Prepared By LakeRidge Surveying & Mapping, LLC			
17316 DEER ISLAND ROAD		PHONE 407-385-3151	
DEER ISLAND, FL 32778		407-385-3152	
CERTIFICATE OF AUTHORIZATION LB7723		FAX 1-866-941-8789	

SURVEYOR'S CERTIFICATION
 I, THE UNDERSIGNED REGISTERED SURVEYOR, HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF IS A TRUE AND ACCURATE PRESENTATION OF THE INFORMATION SHOWN HEREON.
 LAST DATE OF FIELD SURVEY: 02-05-2022

Robert w Richmond
 Digitally signed by Robert w Richmond
 Date: 2022.02.08 11:42:39 -05'00'

ROBERT W. RICHMOND, Professional Land Surveyor & Mapper No. 6616, State of Florida

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER AND/OR AN AUTHENTICATED ELECTRONIC SIGNATURE AND ELECTRONIC SEAL.

RESOLUTION 2022-040

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING A VARIANCE TO THE LAND DEVELOPMENT REGULATIONS (LDR) RULE OF MINIMUM LOT WIDTH AT BUILDING SETBACK LINE FROM 80' TO 70' ON THE DESCRIBED PROPERTY LOCATED AT 1108 MYRTLE BREEZES COURT IN THE CITY OF FRUITLAND PARK, FLORIDA, OWNED BY CRYSTAL LAKE LAND HOLDINGS, LLC, PROVIDING FOR AN EXPIRATION DATE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, A & B Engineering Consultants, PA, has petitioned for a variance on behalf of the property owner Crystal Lake Land Holdings, LLC for the property located at 1108 Myrtle Breezes Court, in the City of Fruitland Park, Florida; and

WHEREAS, the owner desires to request a variance from the City of Fruitland Park requirement pertaining to the minimum lot width requirement at the building setback line;

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

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

- Chapter 154, Section 154.030(d)(2)(E)(ii) minimum lot width of 80' at the building setback line

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

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

1. The petition for variance filed by A & B Engineering Consultants, PA. on behalf of the property owner, Crystal Lake Land Holdings, LLC for property located on Myrtle Breezes Court, in the City of Fruitland Park, Florida, more particularly described as:

LEGAL DESCRIPTION:

Lot 10 of Lake Myrtle Breezes, as shown on the plat Book 56, Page(s) 95 and 96, Public Records of Lake County, Florida. Less and Except that portion amended by the lot line deviation recorded in Official Records Book 3902, Page 307, Public Records of Lake County, described as follows: Begin at the Northwestern corner of said Lot 10; thence run South 05°52 '29" West a distance of 457.82 feet to Southwest corner of said Lot 10, thence run North 0°26 '17" East along said West line of Lot 10 a distance of 393.43 feet , thence run North 35°16 '12" East a distance of 75.93 feet to the Point of Beginning.

is granted as follows:

1. A variance to Chapter 154, Section 154.030(d)(2)(E)(ii) minimum lot width requirements at the building setback line from 80' to 70'.
2. This variance shall become effective immediately on its approval and adoption by the City Commission of the City of Fruitland Park, Florida.

3. If the variance has not been utilized within two (2) years of being granted it shall expire.

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
(SEAL)

Anita Geraci-Carver, City Attorney

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

Passed First Reading _____

The Villages[®] DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared **Joseph Szabo**, who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal #1089195 in the matter of

NOTICE OF PUBLIC HEARING

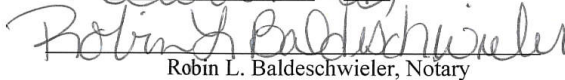
was published in said newspaper in the issues of

OCTOBER 12, 2022

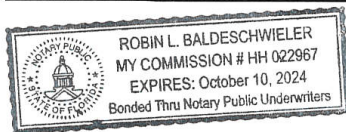
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for Publication in the said newspaper.


(Signature Of Affiant)

Sworn to and subscribed before me this 12
day of October 2022


Robin L. Baldeschwieler, Notary

Personally Known X or
Production Identification _____
Type of Identification Produced _____



NOTICE OF PUBLIC HEARING RESOLUTION 2022-040

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING A VARIANCE TO THE LAND DEVELOPMENT REGULATIONS (LDR) RULE OF MINIMUM LOT WIDTH AT BUILDING SETBACK LINE FROM 80' TO 70' ON THE DESCRIBED PROPERTY LOCATED AT 1108 MYRTLE BREEZES COURT IN THE CITY OF FRUITLAND PARK, FLORIDA, OWNED BY CRYSTAL LAKE LAND HOLDINGS, LLC, PROVIDING FOR AN EXPIRATION DATE AND PROVIDING FOR AN EFFECTIVE DATE.

The proposed Resolution will be considered at the following public meetings:

Fruitland Park Planning & Zoning Board Meeting on October 20, 2022 at 6:00 p.m.

Fruitland Park City Commission Hearing on October 27, 2022 at 6:00 p.m.

The public meetings will be held in the Commission Chambers located at City Hall, 506 West Berckman Street, Fruitland Park FL 34731. These meetings are open to the public and hearings may be continued as determined by the commission from time to time to a time/date certain. The proposed Resolution and metes and bounds legal description of property may be inspected by the public during normal working hours at City Hall. For further information call 352-360-6727. Interested parties may appear at the meetings and will be heard with respect to the proposed Resolution.

A person who decides to appeal any decision made by any board, agency or council with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in any of these proceedings should contact Esther Coulson, City Clerk at (352) 360-6790 at least 48 hours before the date of the scheduled hearing.



#1089195 October 12, 2022



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.

97 26965

88:1512 REG 1269

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
T.F. 1.00 EXACT 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)

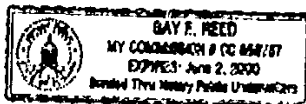
[Signature]
Joseph Clifton Burke
a/k/a J. C. Burke, Jr., Trustee
[Signature]
Deloris C. Burke, Trustee

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

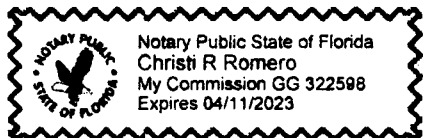
[Signature]
Witness Signature

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

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: i	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 i
Property Location:	305 COUNTY ROAD 466-A FRUITLAND PARK FL 34731 Update Property Location i	Property Name:	-- Submit Property Name i
		School Information:	School Locator & Bus Stop Map i School Boundary Maps i
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](#) [i](#) [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"/>

ORDINANCE 2022-025

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 2022-024

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 19.56 ± ACRES OF PROPERTY FROM CITY OF FRUITLAND PARK C-2 AND LAKE COUNTY AGRICULTURE TO CITY OF FRUITLAND PARK MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK FOR RESIDENTIAL AND COMMERCIAL USE; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Luxury Leased Homes, applicant on behalf of T.D. Burke, Owner, requesting that approximately 19.56 +/- acres of real property located north of CR-466A at 305 CR 466-A (the "Property") be rezoned from City of Fruitland Park C-2 and Lake County Agriculture to Mixed Use Planned Unit Development (MPUD) within the city limits of Fruitland Park; and

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

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

WHEREAS, the City Commission reviewed said petition, the recommendations of the Planning and Zoning Board, staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised;

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

Section 1. The following described property consisting of approximately 19.56 ± acres of land generally located north of CR 466-A and located at 305 CR 466-A shall hereafter be designated as MPUD, Mixed Use Planned Unit Development, as defined in the Fruitland Park Land Development Regulations. The property is more particularly described as set forth on **Exhibit "A"** and depicted on the map attached hereto as **Exhibit "B"**. The Property shall hereafter be developed according to Master Development Agreement attached hereto as **Exhibit "C"**, which includes, but is not limited to, the concept plans attached to the Master Development Agreement. An amendment to the Master Development Agreement shall not require an amendment to this MPUD zoning ordinance.

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

Section 3. 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 4. 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 5. Conflict. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. 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

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk

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 _____

(SEAL)

EXHIBIT "A"
LEGAL DESCRIPTION

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" X 4" 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.

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 Conceptual Plan" prepared by Upham, Inc., dated October 13, 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

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

- a. Maximum 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 ten feet (10') from the edge of pavement (travel lane).
- f. Minimum Setback requirements, as measured from the PUD perimeter property lines shall be:

- i. North: Twenty-five feet (25')
 - ii. South: Fifty feet (50') from the right of way of CR 466-A
 - iii. East: Twenty-five feet (25')
 - iv. West: Twenty-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 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 one access point 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, inclusive of all sidewalks.

- 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 PUD perimeter property boundaries. 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, not 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” Master Development Agreement

COMPOSITE EXHIBIT "B"

Exhibit "C"



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 commercial 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 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.

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



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.





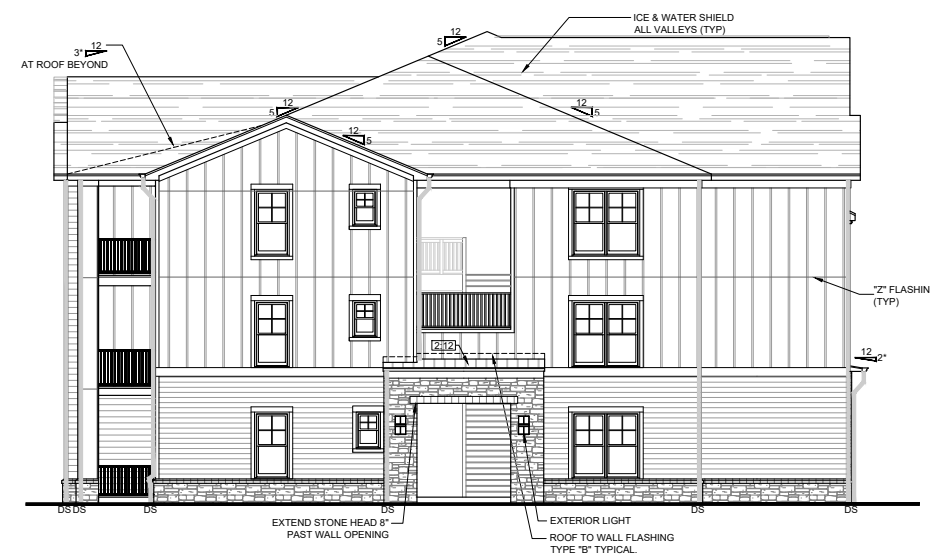


**BUILDING TYPE 1
REAR ELEVATION**
SCALE: 1/8"=1'-0"

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"



**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 14, 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 12.27 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 concept plan meets the minimum technical requirements of the LDRs.

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

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.

The Villages
DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared **Joseph Szabo**, who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal #1089247 in the matter of

NOTICE OF PUBLIC HEARING

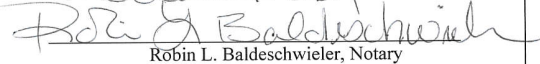
was published in said newspaper in the issues of

OCTOBER 12, 2022

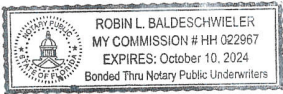
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


(Signature of Affiant)

Sworn to and subscribed before me this 12
day of October 2022


Robin L. Baldeschwieler, Notary

Personally Known X or
Production Identification _____
Type of Identification Produced _____



NOTICE OF PUBLIC HEARING

ORDINANCE 2022-025

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.

ORDINANCE 2022-023

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.

ORDINANCE 2022-024

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 19.56 ± ACRES OF PROPERTY FROM CITY OF FRUITLAND PARK C-2 AND LAKE COUNTY AGRICULTURE TO CITY OF FRUITLAND PARK MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK FOR RESIDENTIAL AND COMMERCIAL USE; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2022-062

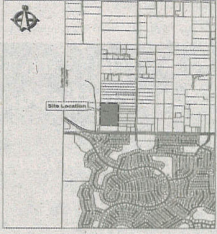
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A DECLARATION OF UTILITY OF TITLE UNIFYING AS AN INDIVISIBLE BUILDING SITE, TWO PROPERTIES LOCATED AT MICRO RACETRACK RD., FRUITLAND PARK, FLORIDA, OWNED BY FRUITLAND GROVE, LLC AND IDENTIFIED 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.

The proposed Ordinances/Resolution will be considered at the following public meetings:

- Fruitland Park Planning & Zoning Board Meeting on October 20, 2022 at 6:00 p.m.
- Fruitland Park City Commission Hearing on October 27, 2022 at 6:00 p.m.
- Fruitland Park City Commission Hearing on November 10, 2022 at 6:00 p.m.

The public meetings will be held in the Commission Chambers located at City Hall, 506 West Berkman Street, Fruitland Park FL 34731. These meetings are open to the public and hearings may be continued as determined by the commission from time to time to a time/date certain. The proposed Ordinances/Resolution and metes and bounds legal description of property may be inspected by the public during normal working hours at City Hall. For further information call 352-360-6727. Interested parties may appear at the meetings and will be heard with respect to the proposed Resolution.

A person who decides to appeal any decision made by any board, agency or council with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in any of these proceedings should contact Esther Coulson, City Clerk at (352) 360-6790 at least 48 hours before the date of the scheduled hearing.



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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.

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.

ORDINANCE 2022-023

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