



506 WEST BERCKMAN STREET  
FRUITLAND PARK, FL 34731

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

<b>Board Members:</b> Al Goldberg, Chairman Daniel Dicus, Vice Chair Carlisle Burch Shayna Grunewald Walter Birriel	<b>Others:</b> Michael Rankin, LPG, Interim Director Anita Geraci-Carver, City Attorney Sharon Williams, Administrative Manager Emily Church, Office Assistant
--	--

---

**AGENDA**  
**PLANNING & ZONING BOARD**  
**November 16, 2023**  
**6:00 PM**

---

- I. **INVOCATION AND PLEDGE OF ALLEGIANCE:**
- II. **ROLL CALL:**
- III. **MEETING NOTES FROM PREVIOUS MEETING:** Meeting notes from October 19, 2023 included for review/comment.
- IV. **OLD BUSINESS:** NONE

**NEW BUSINESS:**

A. **Griffin Preserve – Annexation, Small Scale Comprehensive Plan Amendment, Rezoning, Planned Unit Development (Alternate Keys: 1287201 & 1287146)**

The applicant is requesting annexation, a small-scale comp plan amendment, and a rezoning to receive city services and develop a proposed 67-unit single family subdivision. Based on the proposed density limitation of 4 units/acre the maximum allowable development is 67 units.

**Annexation**

The subject site is adjacent to the City limits along the northeastern and eastern property boundaries and is eligible for voluntary annexation. The proposed annexation would be considered infill development. The subject site is also within the City's Utility Service Area.

**Small Scale Comprehensive Amendment**

The proposed small scale comprehensive plan amendment consists of 16.755 + acres and is located east of US Highway 27/441 and east of Register Road. The subject property is currently zoned Lake County Zoned Regional Office and the proposed is City Zoning Single-Family Medium Density.



**Rezoning/Planned Unit Development**

The subject property is currently zoned Agriculture and Light Manufacturing (LM) in Lake County and the proposed City zoning is Planned Unit Development (PUD) for the development of a 67-unit subdivision.

**B. Mirror Lake Village Phase II -ISR PUD Amendment**

The previously approved PUD Ordinance (2019-001) allows a maximum impervious surface ratio of 50%. The ISR was in lieu of a maximum building coverage which applies to a per lot basis. The applicant is requesting a variance to allow a 50% ISR to be applied to the Phase 2 overall subdivision instead of on a per lot basis. The PUD has been modified by the applicant for approval consideration.

**C. Evolve at Grove Park Major Site Plan**

The subject property is 19.56 acres and consists of two parcels, Alt Key 1699649 and 3884325; however, a resolution was passed authorizing a unity of title for these two parcels (Resolution 2022-062). There are two existing vacant residential dwellings and one vacant restaurant on the subject site which are to be demolished for development of the site. Development of the site is subject to the Master Development Agreement (Ordinance 2022-024) which was formerly known as “The Hawthorne’s”. The proposed development is for 222 MF dwelling units, associated parking, stormwater and recreational amenities along with the creation of two (2) commercial parcels fronting on CR 466-A.

The max ISR is 70%, maximum FAR is .50 for the commercial area, and maximum density allowed per MDA is 224 MF dwellings. The minimum apartment size per code is 600 SF. The proposed minimum apartment size is 738 SF for 1-bedroom units, 1063 SF for 2-bedroom units, and 1205 SF for 3-bedroom units. Required minimum open space is 25%.

**D. Land Development Regulations (LDRs) Restricting Building Heights****E. Comprehensive Plan Future Land Use Element Amendment - Restricting Building Heights****F. New State Legislation - Live Local Act Resolutions****BOARD MEMBERS’ COMMENTS:****PUBLIC COMMENTS:**

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

**ADJOURNMENT:**





506 WEST BERCKMAN STREET  
FRUITLAND PARK, FL 34731

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

<b>Board Members:</b> Al Goldberg, Chairman Daniel Dicus, Vice Chair Carlisle Burch Shayna Grunewald Walter Birriel	<b>Others:</b> Michael Rankin, LPG & Interim CDD Anita Geraci-Carver, City Attorney Sharon Williams, Administrative Manager Emily Church, Office Assistant Kelli Fielder, Certified Permit Tech
--	--

---

**MINUTES**  
**PLANNING & ZONING BOARD**  
**October 19, 2023**  
**6:00 PM**

---

- I. **INVOCATION AND PLEDGE OF ALLEGIANCE:** Sharon Williams, City of Fruitland Park staff, led the prayer and invocation.
- II. **ROLL CALL:** All board members were present, except Shayna Grunewald.
- III. **MEETING NOTES FROM PREVIOUS MEETING:** The meeting notes from August 17, 2023 which were included for review/comment were unanimously approved.
- IV. **OLD BUSINESS:** NONE

**NEW BUSINESS:**

**A. Recommend and elect Chair and Vice Chair of P&Z to serve 2023/2024**

Chairman Al Goldberg and Vice-President Daniel Dicus were nominated and unanimously reappointed to serve in the position of Chairman and Vice-Chairman, respectively, for the term ending 9/30/2026.

**B. Lakeside Storage II – Variance/Major Site Plan/Unity of Title (Alternate Keys: 2919469, 2919507, 2919523, 2919531)**

**Variance**

The applicant is requesting the following two (2) variances for development of the proposed project: (1) requesting the city to waive parking lot landscaping requirements for the RV/boat parking spaces and (2) requesting the city to allow installation of an 8” water main as the city does not have a 10” water main in this area.



Variance #1 - Staff recommends approval of the variance and approval of the condition that the front building perimeter be planted with 3 understory trees, 28 shrubs, and groundcover for every 350 square feet of planting area. The planting area would be a 3' strip. This would be considered comparable.

Variance #2 - planning staff defers to the City Engineer and Lake County Fire Department. The city engineer does not object to a variance for a fire hydrant 10" main. The city does not have a 10" main within the area.

Keith Riddle, Engineer of Record for the project stated the purpose for the parking landscaping variance is that the rear parking landscape would not be visible from the street and plans an enhanced landscape buffer at the front of the property. The purpose of the water main line variance is lack of availability for a 10" main.

Chairman Goldberg asked if Lake County Fire responded with comments to the project and Mr. Rankin responded that there were no objections. The City Attorney stated that Public Works does not have plans to upsize the water main in the area.

### **Major Site Plan**

The subject property is 7.07 acres and consists of four parcels, a northern parcel (Alt Key 2919531), a southern parcel (Alt Key 2919469), and two parcels in between (Alt Key 2919523 and Alt Key 2919507). A single story 781 square foot manufactured office exists on the southern parcel (Alt Key 2919469). The proposed major site plan is to construct a 93,205 SF storage facility including an office for a total of 93,986 square feet on the northern portion of the site, along with associated loading, parking, and stormwater management areas. The building sizes proposed to be built are 76,795 square feet, 6,150 square feet, 6,160 square feet, and 4,100 square feet, along with an office and forty-one (41) RV/boat storage spaces.

Mr. Riddle, the project engineer, provided an overview of the project and explained that the Brown's Mulch business will be remaining in place on the southernmost parcel and will be using the existing driveway off Highway 27/441. The building will be single story, like their first storage facility in Leesburg as their demographic prefers it.

Chairman Birriel asked if air-conditioned drive-in units available. Mr. Riddle responded yes, though it is not typical for a storage unit to be used for cars.

The motion to approve was made by Vice Chair Dicus and seconded by Board Member Burch. Passed unanimously.

### **Unity of Title**



The subject properties proposed for unification are alternate keys 2919531, 2919523, and 2919507. Alternate key 2919469 will remain separate for potential future development. There will be shared maintenance for a retention pond between the parcels.

**BOARD MEMBERS' COMMENTS:**

**PUBLIC COMMENTS:**

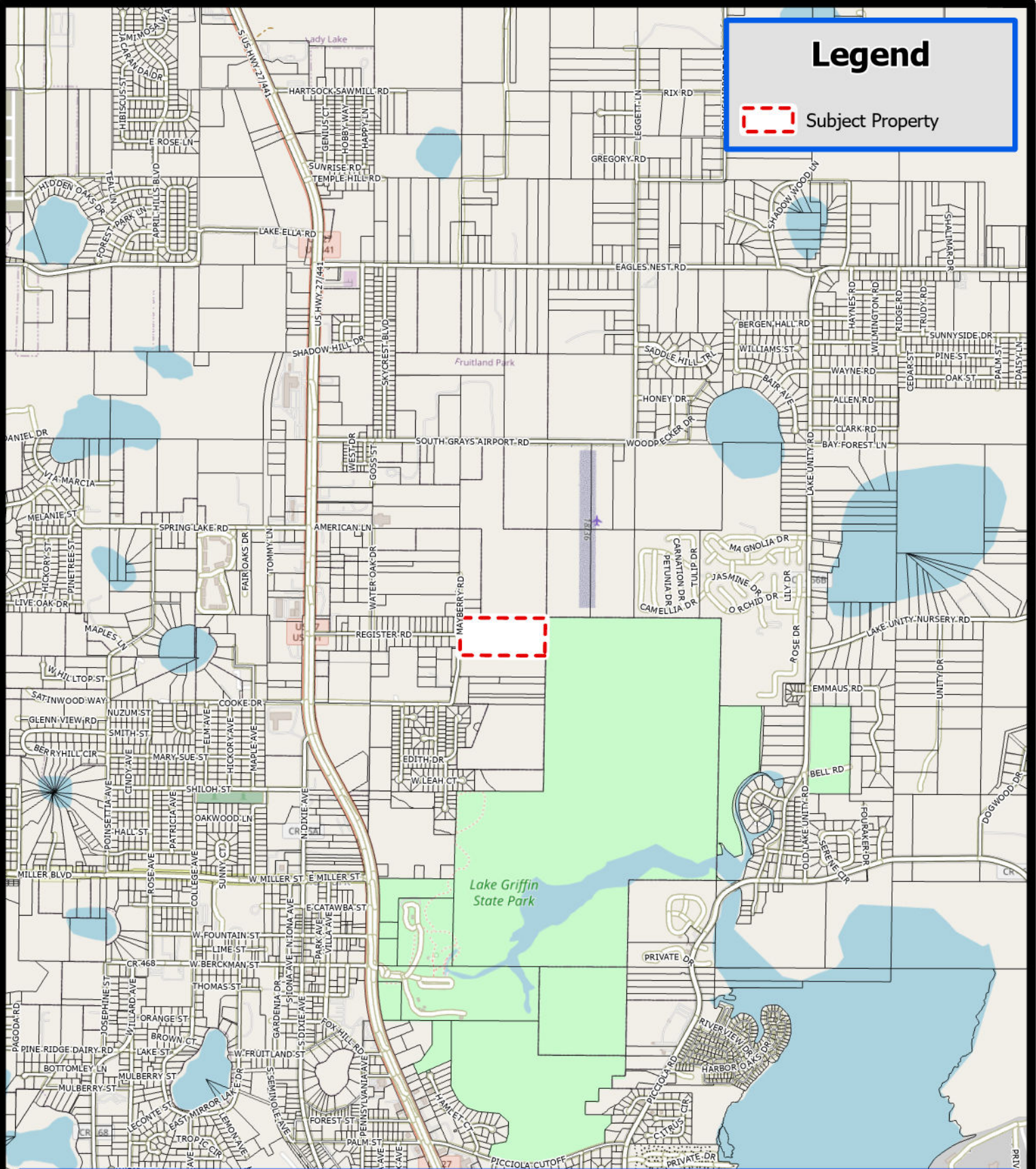
This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to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

**ADJOURNMENT:**



# Legend

 Subject Property



0 800 1,600  
Feet

## Lake Griffin Preserve Location

Fruitland Park, FL

Project: LGP  
Project #: 398-23-08  
File: Location  
PM: Sherie Lindh  
Date: July 26th, 2023  
Created By: C.Manno





**ORDINANCE 2023 - 015**

**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 16.67 ± ACRES OF LAND GENERALLY LOCATED EAST OF US HIGHWAY 441/27 AND EAST OF REGISTER ROAD; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY AND CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, a petition has been submitted by Sloan Engineering Group, Inc., as Applicant, on behalf of Beryl N. Stokes, III, Owner, requesting that approximately 16.67 ± acres of real property generally located east of US Highway 441/27 and east of Register 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 16.67 acres of land generally located east of US Highway 441/27 and east of Register 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. 1287201 and 1287146**

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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
Chris Cheshire, Mayor  
City of Fruitland Park, Florida

(SEAL)

ATTEST:

\_\_\_\_\_  
Esther Coulson, CMC, City Clerk

Approved as to Form:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney



Commissioner Gunter	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Vice-Mayor 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**

That part of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 3, Township 19 South, Range 24 East, in Lake County, Florida, more particularly described as follows:

Commence at the Northeast corner of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 3; thence run N89°46'23"W along the North line of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 1327.38 feet to the Northwest corner of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; thence run S00°53'13"W along the West line of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 15.00 feet for the Point of Beginning; thence continue S00°53'13"W along said West line, a distance of 225.75 feet; thence run S89°46'23"E along the South line of the North 240.74 feet of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 25.00 feet; thence run S00°53'13"W along a line 25.00 feet East of and parallel to said West line of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 337.27 feet; thence run S89°46'23"E along a line parallel with said North line of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 1285.45 feet; thence run N01°04'39"E along a line 15.00 feet West of and parallel to the East line of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 563.05 feet; thence run N89°46'23"W along a line 15.00 feet South of and parallel to said North line of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 1312.33 feet to the Point of Beginning.  
Contains 729,865 square feet or 16.755 acres, more or less.



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

**ANNEXATION, SSCPA, AND REZONING**

**Owner:** Beryl Stokes, III

**Applicant:** Sloan Engineering Group, Inc., Steve Sloan, P.E.

**General Location:** East of US 27/441 and East of Register Road

**Number of Acres:** 16.755 ± acres

**Existing Zoning:** Agriculture and Light Manufacturing (Lake County)

**Proposed Zoning:** PUD (City of Fruitland Park)

**Existing Land Use:** Regional Office

**Proposed Land Use:** Single-Family Medium Density (4 units/acre)

**Date:** September 19<sup>th</sup>, 2023

**Description of Project**

The applicant is requesting annexation, a small-scale comp plan amendment, and a rezoning to receive city services and develop a proposed 67-unit single family subdivision. Based on the proposed density limitation of 4 units/acre the maximum allowable development is 67 units.

	<b>Surrounding Zoning</b>	<b>Surrounding Land Use</b>
<b>North</b>	R-1 (Lake County) & City PUD	Regional Office (3.0 FAR) (Lake County) & SF Low Density (2 units/acre)
<b>South</b>	R-1 (Lake County)	Urban Low (4 units/acre) (Lake County)
<b>East</b>	PFD	Recreation (0.30 FAR)
<b>West</b>	CFD and R-6	Urban Medium Density (7 units/acre)



## **Assessment**

---

### **Annexation**

The subject site is adjacent to the City limits along the northeastern and eastern property boundaries and is eligible for voluntary annexation. The proposed annexation would be considered infill development. The subject site is also within the City's Utility Service Area.

### **Small Scale Comp Plan Amendment**

The proposed small scale comprehensive plan amendment consists of 16.755 ± acres and is located east of US Highway 27/441 and east of Register Road. For comprehensive plan purposes a maximum development scenario was utilized.

The site is designated as Regional Office on the Lake County Future Land Use Map and it is proposed to designate the site as City of Fruitland Park Single Family Medium Density. Under the Lake County Regional Office future land use the property could have been developed at a maximum development scenario of 218 MF units and 2,178,436 SF of commercial/office uses pursuant to Lake County FLU Policy 1-1.3.6 which allows a 3.0 FAR and multi-family residential at 1 unit per 10,000 SF of commercial space. Under the proposed Single Family Medium Density land use the property could be developed at a maximum development scenario of 67 units (4 units/acre); therefore, the amendment would result in a decrease of 151 units and a decrease of 2,178,436 SF of commercial/office uses. It should be noted that maximum densities and intensities will not be achieved in all cases. Compatibility standards and other LDR regulations including those regulating the interaction between land use districts and design districts, as related to each specific site's unique characteristics, will determine actual achievable densities and intensities).

The property to the north within the city limits is designated as SF Low Density (2 units/acre) and the property to the east is designated as Recreation. The adjacent properties within Lake County are designated as Regional Office, Urban Low Density (4 units/acre) and Urban Medium Density (7 units/acre).

The proposed amendment is compatible with the exiting adjacent land uses and would result in a logical transition between those land uses.

***Residential Needs Analysis*** – The housing element data and analysis indicates the City requires a minimum of 5,460 additional dwelling units to meet the projected need through 2035. The addition of 67 units will assist in meeting this need.

***School Impact Analysis*** – The amendment will decrease the impacts to schools, as it is a decrease in density from 1 unit per 10,000 SF (218 MF units) to 4 units/acre (67 units). The decrease in school age children is from 61 students to 17 students; a decrease of 44 students.

Existing County Land Use Residential Units: 218 MF units



Proposed Development Residential Units: 67 SF units

The anticipated number of students generated by the existing land use is shown in Table 1.

**TABLE 1**  
**STUDENTS GENERATED BASED ON EXISTING DEVELOPMENT**

<b>Lake County Student Generation Rates</b>	
<b>Multi-Family</b>	
Type	Student Multipliers per Dwelling Unit
High School	0.068
Middle School	0.061
Elementary School	0.153
Total	0.282

<b>Lake County Student Generation Rates</b>	
<b>Single-Family</b>	
Type	Student Multipliers per Dwelling Unit
High School	0.114
Middle School	0.079
Elementary School	0.157
Total	0.350

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	0	0.152	0	218	0.153	33	<b>33</b>
MIDDLE	0	0.074	0	218	0.061	13	<b>13</b>
HIGH	0	0.102	0	218	0.068	15	<b>15</b>
<b>GRAND TOTAL</b>							<b>61</b>

The anticipated number of students generated by the proposed land use is shown in Table 2.

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
--------	----------	-------------------------	--------------------	----------	-------------------------	--------------------	-------------



ELEMENTARY	67	0.157	4	0	0.143	0	<b>4</b>
MIDDLE	67	0.079	5	0	0.063	0	<b>5</b>
HIGH	67	0.114	8	0	0.077	0	<b>8</b>
<b>GRAND TOTAL</b>							<b>17</b>

**Traffic Impact Analysis** – The amendment will decrease traffic impacts as it is a decrease in density and intensity. Register Road is under the jurisdiction of Lake County and is designated as a local roadway. The LOS for Register Road is “D”. Results of the trip analysis just for the residential portion of the project indicate that the proposed amendment will decrease the daily trips by 752 and reduce the PM Peak hour trips by 41.

### TRIP GENERATION ANALYSIS

#### Proposed Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
SF Residential	67 units	210	717	70	44	26
<b>TOTAL GROSS TRIPS (PROPOSED)</b>			<b>717</b>	<b>70</b>	<b>44</b>	<b>26</b>

#### Existing Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
MF Residential	218 units	220	1,469	111	70	41
<b>TOTAL GROSS TRIPS (EXISTING)</b>			<b>1,469</b>	<b>111</b>	<b>70</b>	<b>41</b>

#### Net Difference (Proposed Net Generation Minus Existing Net Trip Generation)

Land Use	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
<b>TOTAL NET TRIPS (PROPOSED – EXISTING)</b>	<b>-41</b>	<b>-26</b>	<b>-15</b>

**Solid Waste Impact Analysis** – The LOS for solid waste is 2 collections per week pursuant to Public Facilities Policy 4-6.1. The City utilizes a private waste hauler through a franchise agreement. The amendment will not cause a deficiency in the LOS.

**Utility Impact Analysis** – The subject site is within the City of Fruitland Park Utility Service Area and central water is available. The LOS for water is 172 gallons per resident per day pursuant to



Public Facilities Policy 4-10.1. The estimated population based on US Census data (estimated 2021) of 2.34 person per household is 157. The estimated water usage is 0.027.

The City owns, operates and maintains a central potable water treatment and distribution system. The permitted plant capacity is 2.879 MGD and the permitted consumptive use permit capacity is 1.22 MGD. The City has a current available capacity of .317 mgpd and an analysis was conducted of the proposed amendment based on land use and the City's Level of Service (LOS) standards. The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining available capacity of 0.29 mgpd.

The City of Fruitland Park provides sanitary sewer. The City of Fruitland Park has an agreement with the Town of Lady Lake to treat sewage and the maximum capacity is 500,000 gallons per day (0.5 mgd). The City currently has an available capacity of 374,000 gallons per day (0.374 mgd). The LOS for sanitary sewer is 122 gallons per resident per day pursuant to Public Facilities Policy 4-2.1. The estimated population based on US Census data (estimated 2021) of 2.32 person per household is 157. The estimated sanitary sewer usage is 0.019 (mgd). The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining capacity of 0.355 (mgd).

***Environmental Analysis*** – An environmental assessment was conducted by Bio Tech Consulting, Inc. (Appendix A). There are no wetlands or flood prone areas on the subject site. Results of the assessment indicate the presence of one (1) protected species, the gopher tortoises. Prior to development, the appropriate regulatory permits will be required.

### **Rezoning**

The subject property is currently zoned Agriculture and Light Manufacturing (LM) in Lake County and the proposed City zoning is Planned Unit Development (PUD) for the development of a 67-unit subdivision. The proposed zoning is compatible with the adjacent lands. The property to the North is zoned PUD and R-1. The property to the west is zoned Community Facilities District (CFD) and R-6. The property to the south is zoned R-1 and the property to the east is zoned PFD. The city has approved several subdivisions in the general area; Logan PUD to the north which allows 78 SF units and Gardenia East which allows for 49 SF units on 4,000 SF lots. To the southwest is Chelsea Run which is zoned R-15 with lots of approximately 7,840 SF.

### **Concept Plan**

The concept plan identifies a 10' landscaping buffer along Register Road. Pursuant to Chapter 164, Section 164.030(b) landscape buffers for PUDs are reviewed individually with each application. The proposed single family lot sizes within the development are less than the minimum standard for the 8,000 SF lot minimums of the R-8, R-10, and R-15 category which would require a minimum of a Type "A" - 10' buffer adjacent to single family development of



larger lots (R-2 and R-4) per the table as outlined in Section 164.030(b). At a minimum a 10' buffer is recommended by staff along the entire property boundary.

### ***Comprehensive Plan Compliance***

The subject amendment is consistent with the following Comprehensive Plan policies, among others. The amendment will further the City's goals in meeting projected housing demands through 2035.

***FLU Policy 1-1.1:*** Adequate Residential Land Area.

***FLU Policy 1-1.2:*** Density and Intensity Standards and Table 1-1 – Single-Family Medium Density, 4 units/acre.

***FLU Policy 1-1.4:*** Single-Family Medium Density.

***FLU Policy 1-2.1:*** Promote Orderly, Compact Growth.

### **Recommendation**

---

Please submit adequate schools determination or school concurrency reservation. At a minimum a 10' landscaping buffer is recommended by staff on all property boundaries. Please revise the preliminary site plan to include landscaping buffers along all property boundaries.





Department of Public Works, Engineering Division  
P.O. Box 7800 • 350 N. Sinclair Ave. • Tavares, FL 32778

October 13, 2023

Michael Rankin  
Planning Consultant for Fruitland Park, LPG  
City of Fruitland Park  
Community Development Department  
506 W Berkman St  
Fruitland Park, Florida 34731  
(sent via email)

**RE: PROJECT:** Griffin Preserve / Planned Unit Development

Thank you for requesting our comments on this planned unit development.

---

The below information neither constitutes an approval nor a denial by Lake County Board of County Commissioners or Lake County staff. Specifically, the County Commissioners have neither discussed nor voted on this project. These recommendations are only from the Lake County Department of Public Works. The Office of Planning and Zoning, Office of Building Services, Office of Fire Rescue, and other associated offices have NOT provided comments on this development. Further input by these groups may be required.

---

**Major comments for Register Road**

- **Additional offsite road improvements on Register Road may be required.**
- **Additional right-of-way may be required for Register Road.**
- **A traffic impact analysis is recommended to be provided and reviewed prior to the PUD hearing.**

P 352.253.6000 • F 352.253.9025  
Board of County Commissioners • [www.lakecountyfl.gov](http://www.lakecountyfl.gov)

Douglas B. Shields  
District 1

Sean M. Parks, AICP, QEP  
District 2

Kirby Smith  
District 3

Leslie Campione  
District 4

Josh Blake  
District 5



Lake County Department of Public Works recommended requirements for the Tierra Vista PUD impacts to roadways and drainage systems:

Register Road:

- Access from Register Road will require additional offsite road improvements and intersection adjustments on the existing curve to allow this development to access from the county road.
- Additional right-of-way for Register Road be required to meet the minimum requirements for a local roadway and to accommodate the offsite road improvements while maintaining the road drainage. Further evaluation will be performed with subdivision plans based on impacts due to drainage, sidewalk, turn lanes, shoulders, etc. The adopted minimum right-of-way widths for County Local Road is 66-ft (33-ft from centerline of pavement).
- A preliminary review of the right-of-way of Register Road resulted in a deed ORB 286/978 and ORB 286/980. The width appears to be 50-ft in width. A detailed survey of Register Road and the site will be required with future development submittal to verify the right-of-way and property boundary in relation to Register Road.
- Register Road is defined with a functional road classification of 'local road' by the Lake County Comprehensive Plan and adopted Lake-Sumter Metropolitan Planning Organization (LSMPO) Plan.

Traffic:

- A Traffic Impact Analysis (TIA) will be required of this development for review by the Lake-Sumter MPO and Lake County Public Works Department. The TIA will need to follow the Lake-Sumter MPO Traffic Impact Analysis Methodology and Guideline the methodology will need to be worked out prior to TIA submittal.
- The TIA is highly recommended to be provided for review by Lake-Sumter MPO and Lake County prior to public hearings for the PUD.

Internal connectivity:

- The development is recommended to have internal pedestrian and bicycle connectivity throughout the development and to CR 33.

Stormwater Management:

- The site's stormwater management design will need to be reviewed by Lake County when submitted to both the City of Fruitland Park and St Johns River Water Management District. We may require Lake County stormwater design standards on ponds that outfall or affect surrounding unincorporated lands or onto county roads.



Please be advised that this letter pertains to transportation, access management, stormwater, and floodplain related impacts foreseen from the proposed PUD application as reviewed by Lake County Department of Public Works. This letter does not include any land use, zoning, or any other elements that may be addressed by other departments, such as Lake County Department of Economic Growth - Office of Planning and Zoning.

Please contact me if you have any questions concerning the comments and recommendations provided in this letter.

Approval may be subject to Board of County Commission approval.

Sincerely,

*Seth Lynch*

Seth Lynch  
Development Engineer/Project Manager  
Lake County Department of Public Works  
Engineering Division  
[slynch@lakecountyfl.gov](mailto:slynch@lakecountyfl.gov)

Cc: Jeff Earhart, Engineering Manager for Lake County  
Mike Fitzgerald, Planning Director for Lake County  
Janie Barron, Chief Planner for Lake County  
Emily Church, City of Fruitland Park



## **ORDINANCE 2023-016**

**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 REGIONAL OFFICE TO CITY SINGLE-FAMILY MEDIUM DENSITY OF 16.67 +/- ACRES OF PROPERTY GENERALLY LOCATED EAST OF US HWY 441/27 AND EAST OF REGISTER ROAD; 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 Sloan Engineering Group, Inc. as applicant, on behalf of Beryl N Stokes, III as Owner, requesting that real property within the city limits of the City of Fruitland Park be assigned a land use designation of "Single-Family Medium 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 16.67  $\pm$  acres generally located east of US Highway 441/27 and east of Register Road as described and depicted as set forth on Exhibit "A" shall be assigned a land use designation of Single-Family Medium 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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
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 DeGrave	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Mobilian	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)



Passed First Reading \_\_\_\_\_  
Passed Second Reading \_\_\_\_\_  
(SEAL)



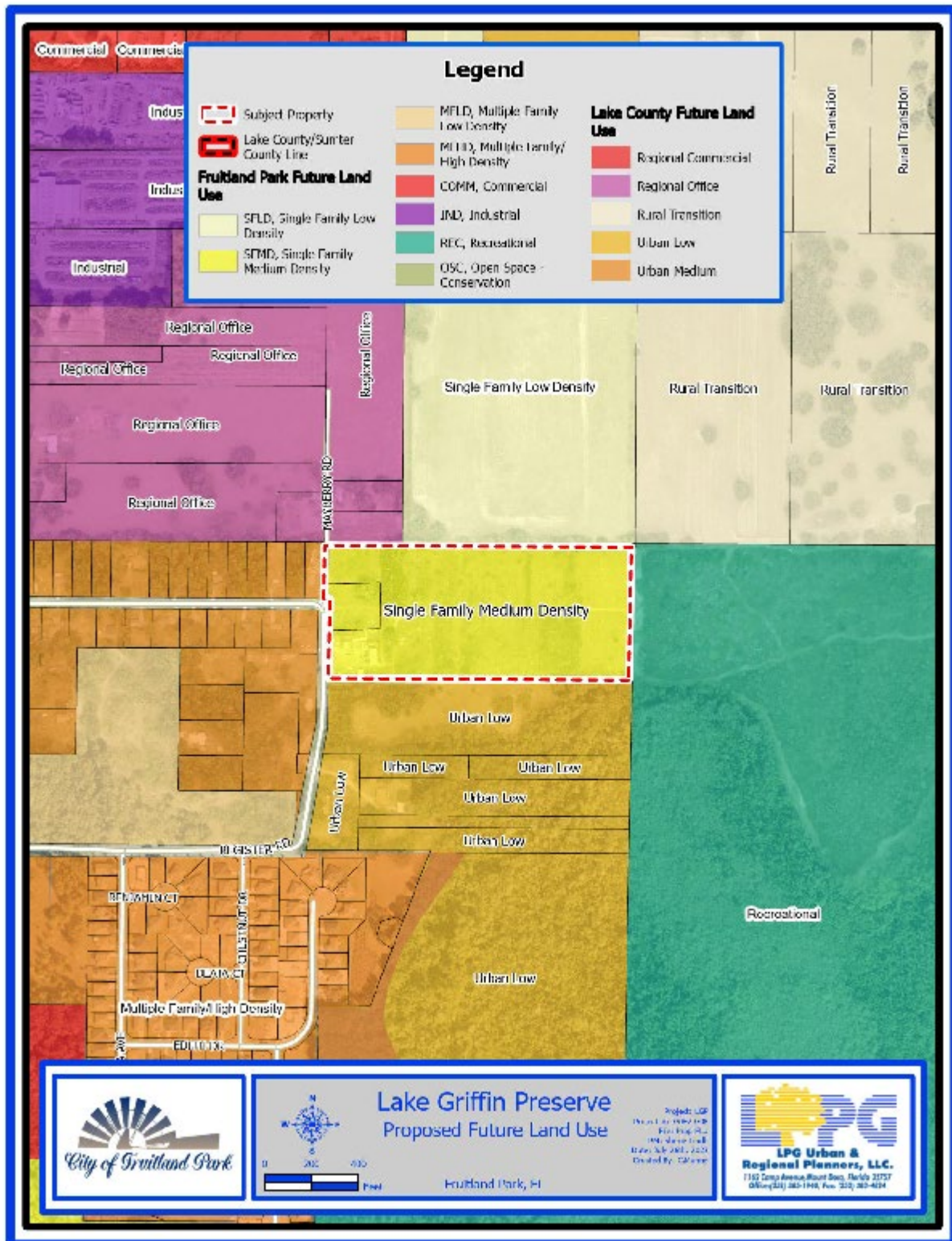
**“EXHIBIT A”**

That part of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 3, Township 19 South, Range 24 East, in Lake County, Florida, more particularly described as follows:

Commence at the Northeast corner of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 3; thence run N89°46'23"W along the North line of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 1327.38 feet to the Northwest corner of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; thence run S00°53'13"W along the West line of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 15.00 feet for the Point of Beginning; thence continue S00°53'13"W along said West line, a distance of 225.75 feet; thence run S89°46'23"E along the South line of the North 240.74 feet of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 25.00 feet; thence run S00°53'13"W along a line 25.00 feet East of and parallel to said West line of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 337.27 feet; thence run S89°46'23"E along a line parallel with said North line of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 1285.45 feet; thence run N01°04'39"E along a line 15.00 feet West of and parallel to the East line of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 563.05 feet; thence run N89°46'23"W along a line 15.00 feet South of and parallel to said North line of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 1312.33 feet to the Point of Beginning. Contains 729,865 square feet or 16.755 acres, more or less.



EXHIBIT B





## **ORDINANCE 2023-017**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 16.67 +/- ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (A) AND LIGHT MANUFACTURING (LM) TO CITY OF FRUITLAND PARK PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED EAST OF US HWY. 441/27 AND EAST OF REGISTER ROAD; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER OR DESIGNEE TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; 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 Sloan Engineer Group, Inc. as applicant, on behalf of Beryl N. Stokes, III as Owner, requesting that real property within the city limits of the City of Fruitland Park be rezoned from Lake County Agriculture (A) and Light Manufacturing (LM) to Planned Unit Development (PUD) 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 zoning 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 FRUITLAND PARK, FLORIDA, AS FOLLOWS:**

Section 1: The following described property consisting of approximately 16.67 ± acres generally located east of U.S. Highway 441/27 and east of Register Road as described as set forth on **Exhibit "A"** and depicted on the map attached hereto as **Exhibit "B"**. shall hereafter be designated as PUD "Planned Unit Development" as defined in the Fruitland Park Land Development Regulations. The Property shall hereafter be developed with a maximum of 67 residential units and according to the Master Development Agreement attached hereto as **Exhibit "C"**, which includes, but is not limited to, the concept plan attached to the Master Development Agreement.

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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
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 DeGrave	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Mobilian	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading \_\_\_\_\_  
Passed Second Reading \_\_\_\_\_  
(SEAL)



**“EXHIBIT A”**

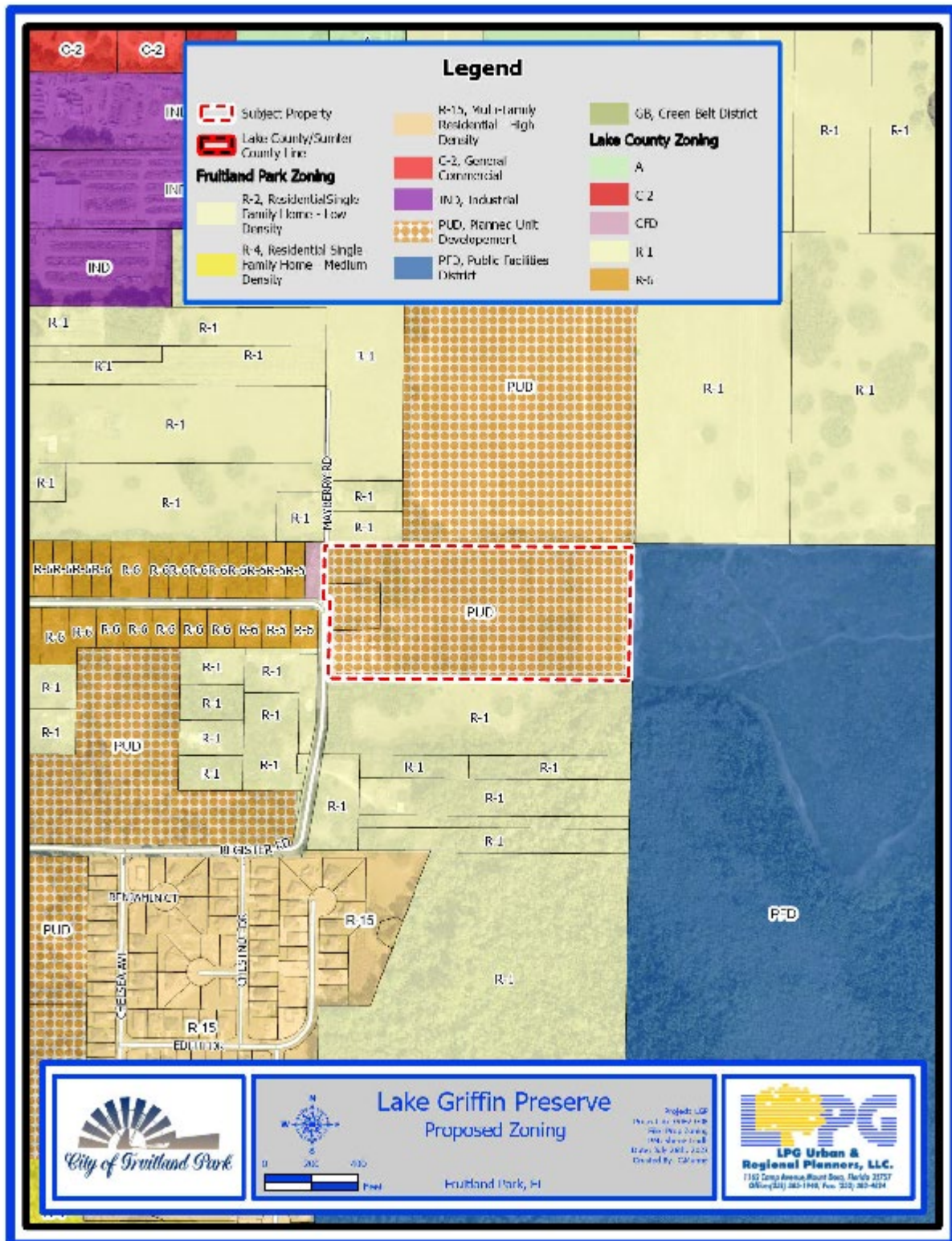
That part of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 3, Township 19 South, Range 24 East, in Lake County, Florida, more particularly described as follows:

Commence at the Northeast corner of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 3; thence run N89°46'23"W along the North line of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 1327.38 feet to the Northwest corner of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; thence run S00°53'13"W along the West line of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 15.00 feet for the Point of Beginning; thence continue S00°53'13"W along said West line, a distance of 225.75 feet; thence run S89°46'23"E along the South line of the North 240.74 feet of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 25.00 feet; thence run S00°53'13"W along a line 25.00 feet East of and parallel to said West line of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 337.27 feet; thence run S89°46'23"E along a line parallel with said North line of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 1285.45 feet; thence run N01°04'39"E along a line 15.00 feet West of and parallel to the East line of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 563.05 feet; thence run N89°46'23"W along a line 15.00 feet South of and parallel to said North line of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 1312.33 feet to the Point of Beginning.

Contains 729,865 square feet or 16.755 acres, more or less.



EXHIBIT "B"





**EXHIBIT “C”  
MASTER DEVELOPMENT AGREEMENT**



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 \_\_\_\_\_, 2023, between the **CITY OF FRUITLAND PARK, FLORIDA, a Florida municipal corporation**, (hereinafter referred to as the "City"), and Beryl N. Stokes, III, (hereinafter referred to as the "Owner").

### **RECITALS**

1. The Owner owns 16.67 ± 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 Owner desires to rezone the Property as set forth herein.
3. The Property is currently located within the City of Fruitland Park with 16.67 +/- acres having a future land use designation of "Single Family Medium Density" on the City of Fruitland Park Future Land Use Map and zoned Lake County Agriculture (A) and Light Manufacturing (LM).
4. Owner has filed applications rezoning from Lake County Agriculture (A) and Light Manufacturing (LM) to City of Fruitland Park "Planned Unit Development" for the Property.
5. 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.
6. 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.
7. Owner will fund certain public improvements and infrastructure to facilitate the development of the Property.
8. 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.
9. This Agreement will address development of the 16.67 +/- acres to be developed for residential use.

**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 a 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, adopts an ordinance rezoning the Property and such rezoning becomes effective. 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. However, if the City denies the application for rezoning, this Agreement shall be void and shall be of no further force and effect.

**Section 3. Land Use/Development.** Development of the Property shall be substantially consistent with the "Conceptual Plan" prepared by Sloan Engineering Group, Inc., dated \_\_\_\_\_ 2023, and attached as **Exhibit "B"** (the "Plan"). The project shall be developed as a residential subdivision. 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 for** Permitted Uses shall include:

- a. Single family detached residential dwelling units..
- b. Passive and Active Recreation Facilities.
- c. Residential units shall not exceed 67 single family dwelling units.
- d. Temporary modular office uses shall be allowed during construction.
- e. Up to six (6) model homes prior to platting, after approval of the preliminary plan, provided that the model homes shall not be eligible to receive certificates of occupancy for residential use until final plat approval. All off-street parking for model homes shall comply with the requirements in the City's Land Development Code.

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

- a. The minimum living area shall be 1,500 square feet for the single-family detached homes
- b. The minimum lot size shall be 5,750 square feet for the detached single-family homes.
- c. Minimum lot width for detached single-family shall be 50 feet with a minimum lot depth of 115 feet.
- d. Minimum Setback requirements for detached residential units shall be:

Front: Local Roadways - Twenty feet (20')  
Garage - Twenty-five feet (25')

Side: Local Roadways - Twenty feet (20')  
Another Lot - Five feet (5')

Rear: Local Roadway - Twenty feet (20')  
Another Lot - Fifteen feet (15')

Accessories Setback: All accessory structures shall be located no closer to the property line than five feet (5').



- e. Maximum building height shall be limited to thirty-five feet (35') for single family.
- f. For clarity and avoidance of doubt, the open space requirement associated with the development of the Property shall be 25% of the total developable acreage of the Property.
- g. In order to utilize the stormwater ponds as common open space they shall provide a recreational component such as walking trails, dog park, or open play fields.
- h. Any zoning standard not specifically listed in this Agreement shall be in compliance with the R-4 zoning district standards and other applicable sections of the Land Development Code.

**Section 6. Residential Design Standards.** Design Standards shall be as follows:



- a. **Architectural features** - All buildings shall utilize at least three of the following design features to provide visual relief along all elevations of the single-family units. Garage vehicle doors shall incorporate the following elements: raised decorative panels, decorative glass panels or panes, decorative hinges, etc. 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
- b. **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:
  - 1) At least thirty-five percent (35%) full-width brick or stone (not including window and door areas and related trim areas), with the balance being any type of lap siding and/or stucco.
  - 2) At least thirty percent (30%) full-width brick or stone, with the balance being stucco and/or 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.).
  - 3) 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.



**Section 7. Changes to the Development Plan.** Changes to the Development Plan, other than those conditions described in this agreement, shall be revised in accordance with the Planned Unit Development review process.

**Section 8. Site Access and Transportation Improvements.** Vehicular access to the project site shall be provided by one primary access off of Register Road, unless otherwise approved by Lake County. Actual location and design of the boulevard shall be determined during the Preliminary Subdivision Plan review. Other potential vehicular and pedestrian accesses will be reviewed during the development review process.

- a. The Permittee 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 including curb and gutter.
- 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 Permittee shall establish an appropriate legal entity that will be responsible to pay the cost and perform the services to maintain the roads and transportation improvements.
- e. Should the Permittee desire to dedicate the proposed project's internal road system to the City of Fruitland Park; the City, at its discretion, may accept or not accept the road system. Prior to acceptance, the Permittee shall demonstrate to the City the road system is in suitable condition and meets City of Fruitland Park requirements. As a condition of accepting the roadway system the City may create a special taxing district or make other lawful provisions to assess the cost of maintenance of the system to the residents of the project, and may require bonds or other financial assurance of maintenance for some period of time
- f. A traffic/transportation study shall be submitted prior to preliminary subdivision plan approval for review and determination of any necessary access improvements if required by Lake County. Said improvements will be the responsibility of the Permittee.

**Section 9. 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. Lighting shall comply with the nonresidential design requirements of the Fruitland Park Land Development Regulations.

**Section 10. 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. All such improvements must be constructed to City requirements and transferred to City as a contribution in aid of construction.



**Section 11. 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 other 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 12. Easements.** Owner shall provide the City such public easements or right of way in form acceptable to the City Attorney, as the City deems necessary for utility services, including but not limited to sewer, water, drainage and reclaimed water services.

**Section 13. Landscaping/Buffers.** Owner has reviewed City's Land Development Regulations relating to landscaping and agrees to comply with such regulations. Owner shall install and maintain a fifteen-foot (15') landscape buffer type "B" along the PUD perimeter property boundary. 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 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 14. 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 15. 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 16. 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 17. Signage.** Owner shall submit a master sign plan as a component of the preliminary 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 18. 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. Title opinion or certification shall have an effective date of no more than 30 days prior to submittal. A copy of all back up documents referenced in the title opinion or certification must be provided.

**Section 29. 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 20. 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 21. 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 22. 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 23. Binding Effect; Assignability.** This Agreement, once effective, shall be binding upon and enforceable by and against the parties hereto and their 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 24. Waiver; Remedies.** No failure or delay on the part of either party in exercising any right, power, or privilege hereunder will operate as a waiver thereof, nor will any waiver on the part of either party or any right, power, or privilege hereunder operate as a waiver of any other right, power, privilege hereunder, nor will any single or partial exercise of any right, power, or privilege hereunder preclude any other further exercise thereof or the exercise of any other right, power, or privilege hereunder.

**Section 25. Exhibits.** All exhibits attached hereto are hereby incorporated in and made a part of this Agreement as if set forth in full herein.

**Section 26. 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:	Beryl N. Stokes, III 1035 W Dixie Avenue Leesburg, Florida 34748 352-678-6078 Telephone
Copy to:	

**Section 27. 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 28. 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 29. Amendment.** Amendments to the provisions of this Agreement shall be made by the parties only in writing by formal amendment.

**Section 30. 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.

***Signature pages to follow***



**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:**

\_\_\_\_\_  
Witness Signature

By: \_\_\_\_\_  
Beryl N. Stokes, III

\_\_\_\_\_  
Print Name

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by [ ] physical presence or [ ] online notarization this \_\_\_\_ day of \_\_\_\_\_ by Beryl N. Stokes, III 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 [X] 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 [X] 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**

That part of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 3, Township 19 South, Range 24 East, in Lake County, Florida, more particularly described as follows:

Commence at the Northeast corner of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 3; thence run N89°46'23"W along the North line of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 1327.38 feet to the Northwest corner of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; thence run S00°53'13"W along the West line of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 15.00 feet for the Point of Beginning; thence continue S00°53'13"W along said West line, a distance of 225.75 feet; thence run S89°46'23"E along the South line of the North 240.74 feet of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 25.00 feet; thence run S00°53'13"W along a line 25.00 feet East of and parallel to said West line of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 337.27 feet; thence run S89°46'23"E along a line parallel with said North line of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 1285.45 feet; thence run N01°04'39"E along a line 15.00 feet West of and parallel to the East line of said Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 563.05 feet; thence run N89°46'23"W along a line 15.00 feet South of and parallel to said North line of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 1312.33 feet to the Point of Beginning.

Contains 729,865 square feet or 16.755 acres, more or less.



**EXHIBIT "B"**  
**THE PLAN**





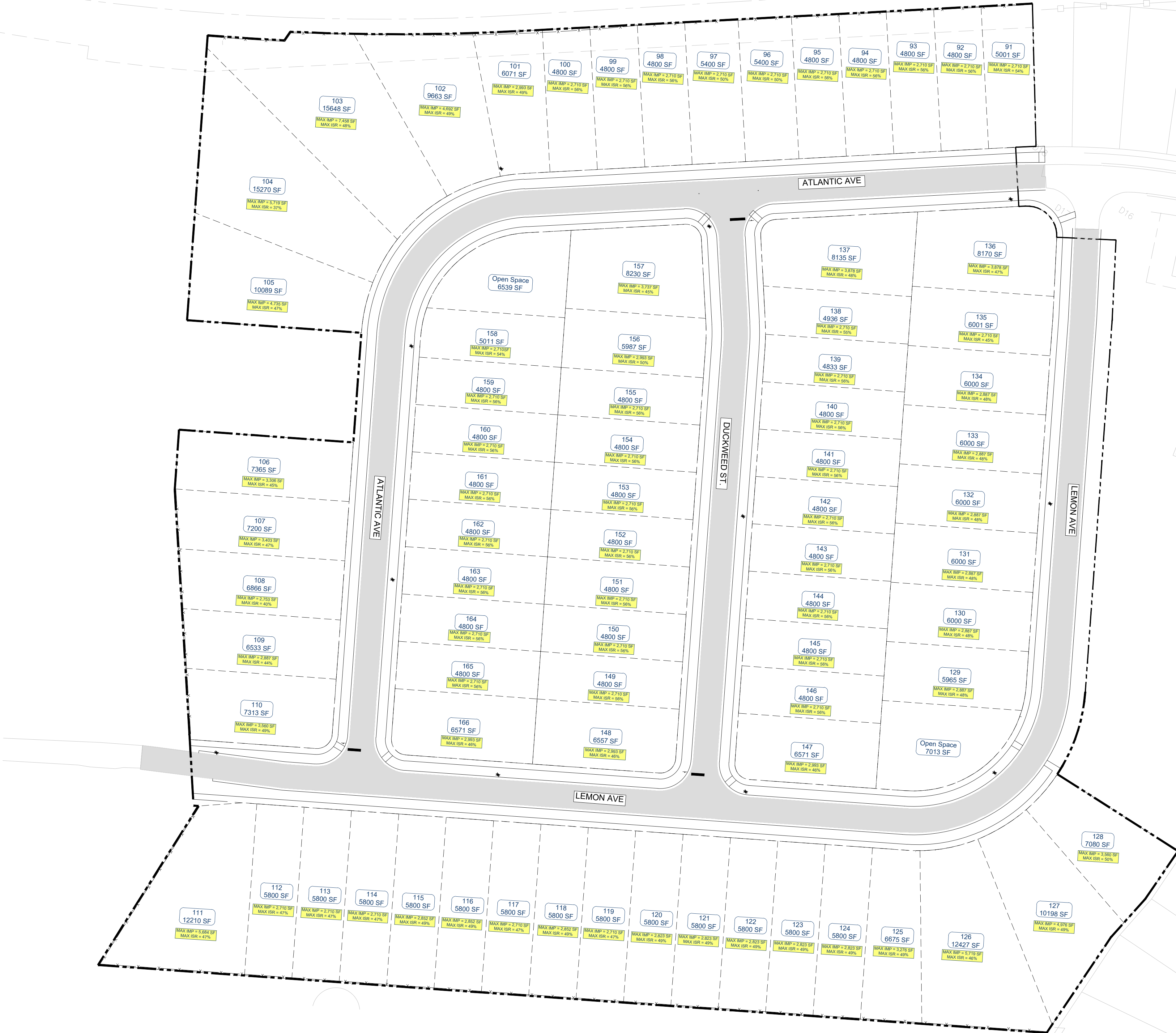


MIRROR LAKE - PHASE 2

FRUITLAND PARK, FLORIDA 34731

LOT IMPERVIOUS AREA PLAN

LOT ISR SUMMARY				
LOT No.	AREA (SF)	TOTAL IMP (SF)	TOTAL OPEN SPACE (SF)	LOT ISR
91	5,000.00	2,710	2,290	54%
92	4,800.00	2,710	2,090	56%
93	4,800.00	2,710	2,090	56%
94	4,800.00	2,710	2,090	56%
95	4,800.00	2,710	2,090	56%
96	5,400.00	2,710	2,690	50%
97	5,400.00	2,710	2,690	50%
98	4,800.00	2,710	2,090	56%
99	4,800.00	2,710	2,090	56%
100	4,800.00	2,710	2,090	56%
101	6,071.00	2,993	3,078	49%
102	9,663.00	4,692	4,971	49%
103	15,648.00	7,458	8,190	48%
104	15,270.00	5,719	9,551	37%
105	10,081.00	4,735	5,346	47%
106	7,365.00	3,306	4,059	45%
107	7,200.00	3,403	3,797	47%
108	6,866.00	2,753	4,113	40%
109	6,533.00	2,887	3,646	44%
110	7,313.00	3,560	3,753	49%
111	12,210.00	5,684	6,526	47%
112	5,800.00	2,710	3,090	47%
113	5,800.00	2,710	3,090	47%
114	5,800.00	2,710	3,090	47%
115	5,800.00	2,852	2,948	49%
116	5,800.00	2,852	2,948	49%
117	5,800.00	2,710	3,090	47%
118	5,800.00	2,852	2,948	49%
119	5,800.00	2,710	3,090	47%
120	5,800.00	2,823	2,977	49%
121	5,800.00	2,823	2,977	49%
122	5,800.00	2,823	2,977	49%
123	5,800.00	2,823	2,977	49%
124	5,800.00	2,823	2,977	49%
125	6,674.00	3,276	3,398	49%
126	12,427.00	5,719	6,708	46%
127	10,198.00	4,976	5,222	49%
128	7,080.00	3,560	3,520	50%
129	5,965.00	2,887	3,078	48%
130	6,000.00	2,887	3,113	48%
131	6,000.00	2,887	3,113	48%
132	6,000.00	2,887	3,113	48%
133	6,000.00	2,887	3,113	48%
134	6,000.00	2,887	3,113	48%
135	6,000.00	2,710	3,290	45%
136	8,169.00	3,878	4,291	47%
137	8,135.00	3,878	4,257	48%
138	4,936.00	2,710	2,226	55%
139	4,833.00	2,710	2,123	56%
140	4,800.00	2,710	2,090	56%
141	4,800.00	2,710	2,090	56%
142	4,800.00	2,710	2,090	56%
143	4,800.00	2,710	2,090	56%
144	4,800.00	2,710	2,090	56%
145	4,800.00	2,710	2,090	56%
146	4,800.00	2,710	2,090	56%
147	6,570.00	2,993	3,577	46%
148	6,556.00	2,993	3,563	46%
149	4,800.00	2,710	2,090	56%
150	4,800.00	2,710	2,090	56%
151	4,800.00	2,710	2,090	56%
152	4,800.00	2,710	2,090	56%
153	4,800.00	2,710	2,090	56%
154	4,800.00	2,710	2,090	56%
155	5,986.00	2,993	2,993	50%
156	8,229.00	3,737	4,492	45%
157	5,011.00	2,710	2,301	54%
158	4,800.00	2,710	2,090	56%
159	4,800.00	2,710	2,090	56%
160	4,800.00	2,710	2,090	56%
161	4,800.00	2,710	2,090	56%
162	4,800.00	2,710	2,090	56%
163	4,800.00	2,710	2,090	56%
164	4,800.00	2,710	2,090	56%
165	4,800.00	2,710	2,090	56%
166	6,570.00	2,993	3,577	46%
TOTALS	473,159.00	236,580	236,579	
50% MAX ISR ALLOWABLE PER LOT BY ORD. 2019-001		236,580	Note: The adjustment of Lot Maximum ISR has been executed to ensure that the cumulative maximum ISR remains within compliance across the entirety of the site, as opposed to being assessed on a per-lot basis	





10/30/23

Att: Sharon Williams  
Administrative Manager  
City of Fruitland Park  
506 W. Berckman Street  
Fruitland Park, FL 34731

RE: Variance Withdrawal / MDA Amendment Application

Dear Mrs. Williams,

Please accept this letter as a formal withdrawal of the previously submitted variance application for Mirror Lake Village. In accordance with staff guidance, we intend to replace the variance application with an amendment to the Mirror Lake Village Master Development Agreement (MDA). This amendment aims to modify the 50% maximum lot Impervious Surface Ratio (ISR) in a manner consistent with the original variance application's intent.

This modification will involve permitting specific lots to exceed the 50% maximum ISR while simultaneously imposing restrictions on others to maintain a lesser percentage. The goal is to ensure that the total impervious area across the entire Phase II development does not exceed what would be permitted if every lot were constructed to the maximum 50% ISR.

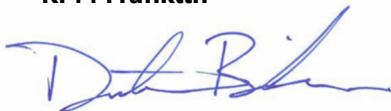
Per the latest MDA modification by ordinance 2019-001, the language "Maximum Impervious Surface Ratio (ISR) - Fifty Percent (50%)" is requested to be replaced with the following: ***"Maximum Fifty Percent (50%) Impervious Surface Ratio (ISR) shall be implemented on a cumulative site basis within the Phase II development, allowing specific lots to exceed the 50% ISR while simultaneously placing restrictions on others to maintain a lesser percentage. This shall be in compliance with the attached Exhibit A, which will serve as the master ISR key for all subject lots located within the Mirror Lake Phase II development."***

It is firmly believed that this MDA Amendment, if granted, will help us strike a balance between property development and environmental conservation, ultimately contributing to the sustainability and harmony of the Mirror Lake community. We have attached the subject "Exhibit A" that outlines our approach and provides a visual representation and calculation of the cumulative ISR concept. We are committed to providing any additional information or documentation that may be required to support the request effectively.

We appreciate your time and consideration of our amendment request and are eager to work collaboratively to ensure that the Mirror Lake Phase 2 development aligns with the city's regulations and vision for responsible growth.

Thank you for your attention to this matter, and we look forward to your response.

Sincerely,  
**KPM Franklin**



Dustin Brinkman, P.E.  
Project Manager  
Ph: 407-994-4456  
E: [dbrinkman@kpmfranklin.com](mailto:dbrinkman@kpmfranklin.com)





Attachments:

PD Amendment Application

Proposed Impervious Area Summary

Lot Impervious Area Plan



LOT ISR SUMMARY				
LOT No.	AREA (SF)	TOTAL IMP (SF)	TOTAL OPEN SPACE (SF)	LOT ISR
91	5,000.00	2,710	2,290	54%
92	4,800.00	2,710	2,090	56%
93	4,800.00	2,710	2,090	56%
94	4,800.00	2,710	2,090	56%
95	4,800.00	2,710	2,090	56%
96	5,400.00	2,710	2,690	50%
97	5,400.00	2,710	2,690	50%
98	4,800.00	2,710	2,090	56%
99	4,800.00	2,710	2,090	56%
100	4,800.00	2,710	2,090	56%
101	6,071.00	2,993	3,078	49%
102	9,663.00	4,692	4,971	49%
103	15,648.00	7,458	8,190	48%
104	15,270.00	5,719	9,551	37%
105	10,081.00	4,735	5,346	47%
106	7,365.00	3,306	4,059	45%
107	7,200.00	3,403	3,797	47%
108	6,866.00	2,753	4,113	40%
109	6,533.00	2,887	3,646	44%
110	7,313.00	3,560	3,753	49%
111	12,210.00	5,684	6,526	47%
112	5,800.00	2,710	3,090	47%
113	5,800.00	2,710	3,090	47%
114	5,800.00	2,710	3,090	47%
115	5,800.00	2,852	2,948	49%
116	5,800.00	2,852	2,948	49%
117	5,800.00	2,710	3,090	47%
118	5,800.00	2,852	2,948	49%
119	5,800.00	2,710	3,090	47%
120	5,800.00	2,823	2,977	49%
121	5,800.00	2,823	2,977	49%
122	5,800.00	2,823	2,977	49%
123	5,800.00	2,823	2,977	49%
124	5,800.00	2,823	2,977	49%
125	6,674.00	3,276	3,398	49%
126	12,427.00	5,719	6,708	46%
127	10,198.00	4,976	5,222	49%
128	7,080.00	3,560	3,520	50%
129	5,965.00	2,887	3,078	48%
130	6,000.00	2,887	3,113	48%
131	6,000.00	2,887	3,113	48%
132	6,000.00	2,887	3,113	48%
133	6,000.00	2,887	3,113	48%



134	6,000.00	2,887	3,113	48%
135	6,000.00	2,710	3,290	45%
136	8,169.00	3,878	4,291	47%
137	8,135.00	3,878	4,257	48%
138	4,936.00	2,710	2,226	55%
139	4,833.00	2,710	2,123	56%
140	4,800.00	2,710	2,090	56%
141	4,800.00	2,710	2,090	56%
142	4,800.00	2,710	2,090	56%
143	4,800.00	2,710	2,090	56%
144	4,800.00	2,710	2,090	56%
145	4,800.00	2,710	2,090	56%
146	4,800.00	2,710	2,090	56%
147	6,570.00	2,993	3,577	46%
148	6,556.00	2,993	3,563	46%
149	4,800.00	2,710	2,090	56%
150	4,800.00	2,710	2,090	56%
151	4,800.00	2,710	2,090	56%
152	4,800.00	2,710	2,090	56%
153	4,800.00	2,710	2,090	56%
154	4,800.00	2,710	2,090	56%
155	4,800.00	2,710	2,090	56%
156	5,986.00	2,993	2,993	50%
157	8,229.00	3,737	4,492	45%
158	5,011.00	2,710	2,301	54%
159	4,800.00	2,710	2,090	56%
160	4,800.00	2,710	2,090	56%
161	4,800.00	2,710	2,090	56%
162	4,800.00	2,710	2,090	56%
163	4,800.00	2,710	2,090	56%
164	4,800.00	2,710	2,090	56%
165	4,800.00	2,710	2,090	56%
166	6,570.00	2,993	3,577	46%
<b>TOTALS</b>	<b>473,159.00</b>	<b>236,580</b>	<b>236,579</b>	
50% MAX ISR ALLOWABLE PER LOT BY ORD. 2019-001		236,580	Note: The adjustment of Lot Maximum ISR has been executed to ensure that the cumulative maximum ISR remains within compliance across the entirety of the site, as opposed to being assessed on a per-lot basis	



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

**DO AMENDMENT – MIRROR LAKE PHASE 2**

**Owner:** Fruitland Park, LLC

**Applicant:** Park Square Enterprises, LLC

**General Location:** West of S. Dixie Ave, south of Lemon Ave, North of Atlantic Ave

**Number of Acres:** 14.19 ± acres

**Existing Zoning:** PUD

**Existing Land Use:** Single Family Medium Density

**Date:** October 31, 2023

**Description of Project**

The approved PUD Ordinance (2019-001) allows a maximum impervious surface ratio of 50%. The ISR was in lieu of a maximum building coverage which applies to a per lot basis. The applicant is requesting DO Amendment to allow a 50% ISR to be applied to the Phase 2 subdivision instead of a per lot basis.

**Assessment**

---

It is planning staff's understanding that the applicant has tried to utilize "pervious pavers" in order to stay within the 50% ISR as outlined in the Amended DO; however, from a stormwater management point of view, pervious pavers appear to have a curve number that is assigned and which would produce stormwater runoff. Utilizing pervious pavers to meet the intent of the LDRs could affect the SJRWMD permit and could potentially exceed the ISR limitations of the existing permit; therefore, a modification to the ISR applying to a per lot basis is sought.

The Lot ISR Summary for Phase II (75 lots) submitted by the applicant indicates that the ISR ratio per lot ranges from 37% to 56%. The total ISR ratio when applied to Phase 2 subdivision as a whole equates to 50%.

The applicant is requesting the existing language as approved by Ordinance 2019-001 be modified as follows:



“Maximum Fifty Percent (50%) Impervious Survey Ratio (ISR) shall be implemented on a cumulative site basis within the Phase II development, allowing specific lots to exceed the 50% ISR while simultaneously placing restrictions on others to maintain a lesser percentage. This shall be in compliance with the attached Exhibit A, which will serve as the master ISR key for all subject lots located within the Mirror Lake Phase II development.”

### **Recommendation**

---

It is planning staff's recommendation that the Development Order be modified. Staff supports the revision of how the ISR is applied and recommends that the exhibit submitted by the applicant be included as an attachment to the revised DO which shows the maximum ISR allocated per lot.





VIA EMAIL [echurch@fruitlandpark.org](mailto:echurch@fruitlandpark.org)

October 16, 2023

Emily Church  
Office Assistant  
City of Fruitland Park  
506 W. Berckman St.  
Fruitland Park, FL 34731

**RE: Mirror Lake Phase 2 Variance, Review #1  
(Halff AVO 043866.119)**

Dear Ms. Church:

Per your email request dated October 5, 2023, I have reviewed the documents which were included in the drop box for the above referenced project. Based on my review, my comments are below:

1. Engineering does not object to such a variance, as the overall impervious area of the development would be in keeping with the originally approved stormwater calculations. However, COFP building department will need to keep the submitted ISR summary plan, and enforce percentages listed on said plan.

Should you have any questions, please feel free to contact our office at 352-343-8481.

Sincerely,  
HALFF

A handwritten signature in blue ink, appearing to be "BT", written over a light blue horizontal line.

Brett Tobias, P.E.  
Team Leader  
[btobias@Halff.com](mailto:btobias@Halff.com)

BJT:am



## ORDINANCE 2023-XX

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE MASTER DEVELOPMENT AGREEMENT CONDITIONS OF THE MIRROR LAKE VILLAGE PLANNED UNIT DEVELOPMENT (PUD) TO PROVIDE FOR A MAXIMUM IMPERVIOUS SURFACE RATIO; PROVIDING FOR CONFLICTS, SEVERABILITY, AND SCRIVENER'S ERRORS; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the Mirror Lake Village Planned Unit Development (PUD) was approved by City Commission on January 8, 2015, by Ordinance No. 2014-024;

WHEREAS, the Mirror Lake Village Planned Unit Development (PUD) Master Development Agreement terms and conditions to allow a maximum impervious surface ratio of fifty percent (50%) for each lot instead of a maximum building coverage of thirty percent (30%), and to reduce the front setback requirements from thirty feet (30') to twenty feet (20') was approved by the City Commission on April 25, 2019, by Ordinance No. 2019-001; and

WHEREAS, Park Square Enterprises, LLC the property owner ~~have~~has requested a second amendment to the Mirror Lake Village Planned Unit Development (PUD) Master Development Agreement terms and conditions to allow a maximum impervious surface ratio of fifty percent (50%) ~~shall be~~ implemented on a cumulative site basis for Phase II development rather than per lot; and

WHEREAS, the petition bears all required signatures; and

WHEREAS, the required notice of the amendment has been properly published;

NOW, THEREFORE, be it ordained by the City Commission of the City of Fruitland Park, Florida:

### SECTION 1. LEGAL DESCRIPTION.

The above-referenced property, more particularly described on Exhibit "A," attached hereto and incorporated herein by reference, consisting of approximately 42.26 ± acres generally located north of Urick Street and west of Seminole Boulevard.

### SECTION 2. AMENDMENT OF MASTER DEVELOPMENT AGREEMENT CONDITIONS.

(NOTE: Underlined words constitute the additions to the existing text of the PUD Ordinance No. ~~2014-024~~2019-001, and ~~strikes throughs~~ constitute deletions to the existing text.

The conditions within "Section 5" of the Mirror Lake Village Master Development Agreement by Ordinance No. 2014-024 adopted on January 8, 2015, and amended in Ordinance No. 2019-001 are hereby amended as follows:

Section 5. Development Standards. City and Owner agree that building setbacks shall be as follows:

A. Front: Local Roadways – Twenty feet (20')\*  
Garage – Twenty-five feet (25')

B. Side: Five feet (5')



- C. Rear: Twenty feet (20')
- D. Rear: From Mirror Lake – Fifty feet (50')

\*Notwithstanding the foregoing, corner lots facing roadways on two sides shall be subject to a twenty feet (20') setback along the roadway designated as the property address for the principal residence and a twenty-five feet (25') setback for garage and a twenty foot (20') setback along the other roadway not designated as the property address.

Maximum Impervious Surface Ratio (ISR) – Fifty percent (50%). Maximum Fifty Percent (50%) Impervious Surface Ratio (ISR) shall be implemented on a cumulative site basis within the Phase II development, allowing specific lots to exceed the 50% ISR while simultaneously placing restrictions on others to maintain a lesser percentage. This shall be in compliance with the attached Exhibit “B”, which will serve as the master ISR key for all subject lots located within the Mirror Lake Phase II development. The ISR is in lieu of a maximum building coverage. Phase II must remain vacant and no construction can commence within Phase II until site plan modification is approved and the stormwater permit is issued to accommodate any increased ISR in Phases I and II.

### SECTION 3: CONFLICTS.

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

### 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: EFFECTIVE DATE.

This Ordinance shall become effective immediately upon enactment.

**PASSED AND ORDAINED** in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
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  
Vice Mayor DeGrave

\_\_\_\_\_(Yes), \_\_\_\_ (No), \_\_\_\_ (Abstained), \_\_\_\_ (Absent)  
\_\_\_\_\_(Yes), \_\_\_\_ (No), \_\_\_\_ (Abstained), \_\_\_\_ (Absent)



Commissioner Bell	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)
Commissioner Gunter	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)
Commissioner Mobilian	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)

Passed First Reading \_\_\_\_\_  
Passed Second Reading \_\_\_\_\_  
(SEAL)



# Evolve at Fruitland Park - Location Map



June 27, 2023

1:5,000

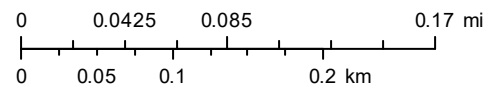
County Boundary Tax Parcels

Surrounding Counties

Street Names

Local Streets 5K

Tax Parcels Alternate Key



Lake County Property Appraiser  
Lake BCC



# EVOLVE AT GROVE PARK

FRUITLAND PARK, FLORIDA



BUILDING TYPE 1



BUILDING TYPE 2



BUILDING TYPE 3



CLUBHOUSE



POOL HOUSE



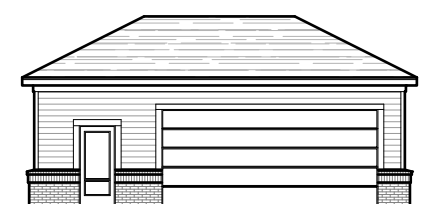
GARAGE TYPE 1



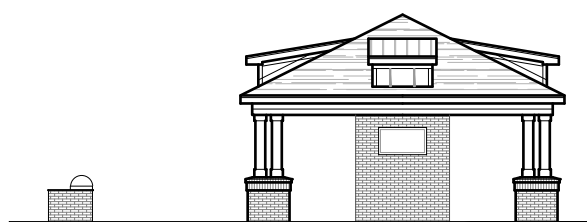
GARAGE TYPE 2



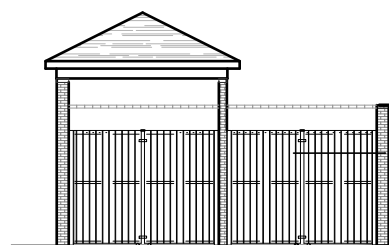
GARAGE TYPE 3



MAINTENANCE BUILDING



GRILLING PAVILION



COMPACTOR ENCLOSURE

## PROJECT SCOPE

- (3) THREE STORY APARTMENT BUILDING TYPES TOTALING 9 BUILDINGS ON SITE WITH 222 TOTAL UNITS.
- OTHER SITE AMENITY BUILDINGS INCLUDE A CLUBHOUSE, POOL HOUSE, 3 GARAGE BUILDING TYPES, MAINTENANCE BUILDING, GRILLING PAVILLION & COMPACTOR ENCLOSURE.

## STATE OF FLORIDA ADOPTED CODES

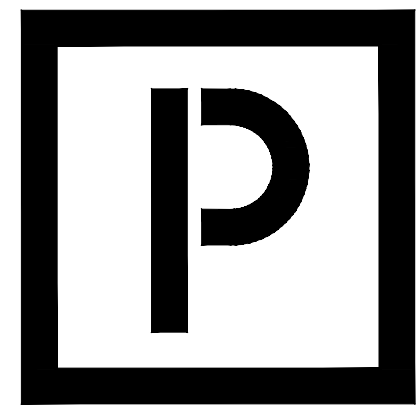
- 2020 FLORIDA BUILDING CODE (7TH EDITION)
- 2020 FLORIDA MECHANICAL CODE
- 2020 FLORIDA PLUMBING CODE
- 2020 FLORIDA ENERGY CONSERVATION CODE
- 2017 NATIONAL ELECTRICAL CODE (NFPA 70)
- FLORIDA FIRE PREVENTION CODE 7TH EDITION 2020
- 2020 FLORIDA ACCESSIBILITY CODE

## PROJECT TEAM

CIVIL:  
UPHAM, INC.  
265 KENILWORTH AVE.  
ORMOND BEACH, FL 32174  
386.672.9515

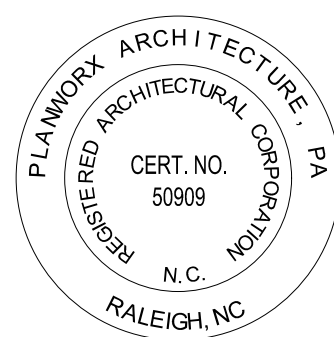
ARCHITECTURAL:  
PLANWORX ARCHITECTURE, P.A.  
5711 SIX FORKS ROAD, SUITE 100  
RALEIGH, NC 27609  
919.846.8100

VICINITY MAP



PLANWORX  
ARCHITECTURE

5711 SIX FORKS ROAD, SUITE 100  
RALEIGH NC 27609  
website www.planworx.com



Evolve at Grove Park

Evolve Companies

Fruitland Park, FL

Design Development Review Set

PROGRESS DATE: 07-18-23

ISSUE DATE:

REVISIONS:

NUMBER DATE INITIALS DESCRIPTION

PROJECT NO:

000923

DRAWN BY:

JT, AM

CHECKED BY:

MM

SHEET TITLE:

Project Cover Sheet

SHEET NUMBER:

G000

1. All drawings are to be coordinated with all site information by owner and contractor, and applicable codes. 3. Planworx Architecture, P.A. is not responsible for constructed variations from the information depicted.

2. Contractor is to notify architect immediately of conditions or items varying from depicted information. 4. Planworx Architecture, P.A. will not assume any liability for expenses associated with errors and omissions on these drawings unless offset by verified construction savings as a result of Planworx Architecture, P.A. Design.

© Copyright 2023 - PLANWORX ARCHITECTURE, P.A. All rights reserved. Reproduction of this sheet, in whole or in part, is strictly prohibited. Plans may be used once by client. Unauthorized use strictly prohibited. PLANS NOT VALID FOR CONSTRUCTION W/O APPROPRIATE PROFESSIONAL SEALS.

5. Planworx Architecture, P.A. retains ownership of all of designs depicted and implied herein.

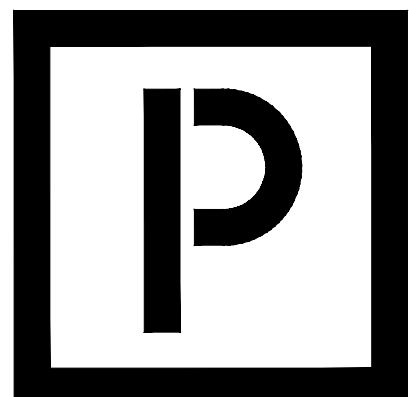
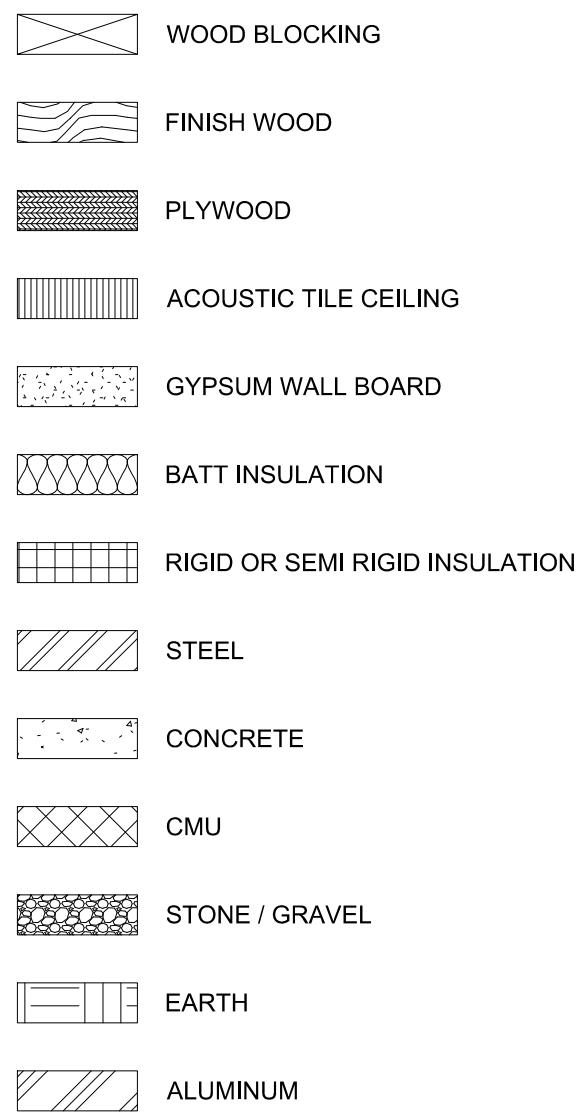
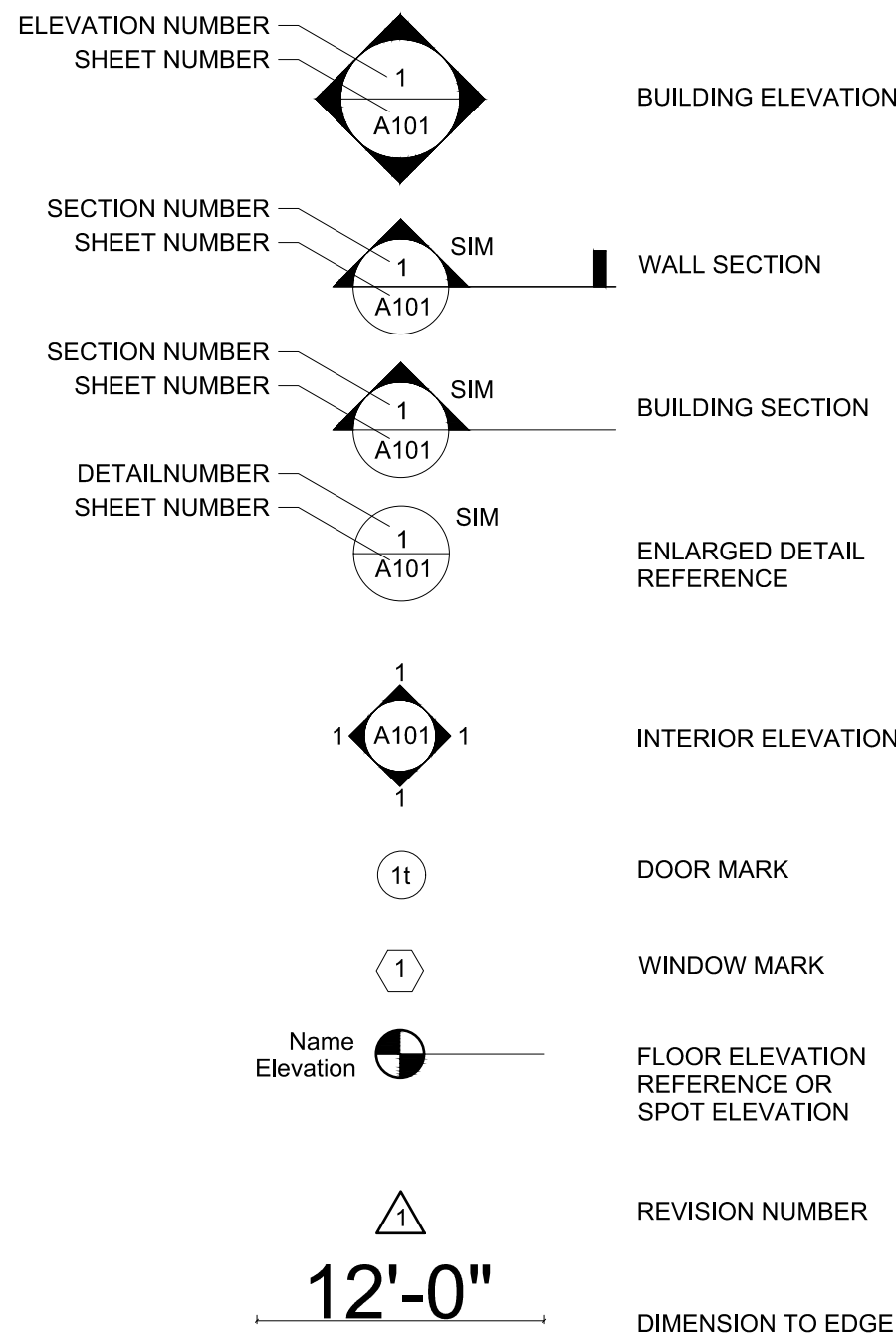
6. Planworx Architecture, P.A. is not responsible for estimating, maintaining, or regulating construction costs associated with these plans.



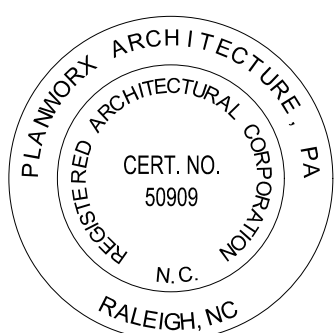
AOTOS ABOVE TOP OF SLAB  
 AFF ABOVE FINISHED FLOOR  
 ACT ACUSTICAL( ) CEILING TILE  
 ADD ADDENDUM  
 ADH ADHESIVE  
 ADJ ADJACENT  
 ALUM ALUMINUM  
 ARCH ARCHITECT(URAL)  
 BM BEAM  
 BET BETWEEN  
 BLK BLOCK(ING)  
 BD BOARD  
 BLDG BUILDING  
 BHD BULKHEAD  
 BTOS BELOW TOP OF SLAB  
 CAB CABINET  
 CLG CEILING  
 CT CERAMIC TILE  
 CTR CENTER  
 CLR CLEAR(ANCE)  
 CL CLOSET  
 COL COLUMN  
 COMB COMBINATION  
 CONC CONCRETE  
 CMU CONCRETE MASONRY UNIT  
 CONF CONFERENCE  
 CONST CONSTRUCTION  
 CJ CONSTRUCTION JOINT  
 CONT CONTINUOUS  
 CONTR CONTRACTOR  
 DEMO DEMOLITION  
 DTL DETAIL  
 DIAG DIAGONAL  
 DIA DIAMETER  
 DIM DIMENSION  
 DISP DISPENSER  
 DIV DIVISION  
 DR DOOR  
 DBL DOUBLE  
 DN DOWN  
 DRW DRAWER  
 DWG DRAWING  
 DFC DRINKING FOUNTAIN  
 EA EACH  
 EWC ELECTRICAL  
 ELEW ELECTRIC WATER COLLER  
 ELR ELECTRICAL  
 ELEV ELEVATOR  
 ENCL ENCLOSE(URE)  
 EQ EQUAL  
 EX EXISTING  
 EJ EXPANSION JOINT  
 EXP EXPOSED  
 EXT EXTERIOR  
 FF FINISHED FLOOR  
 FIN FINISHED  
 FLA FIRE ALARM  
 FC FLOORING CHANGE  
 FE FIRE EXTINGUISHER  
 FHC FIRE HOSE CABINET  
 FR FIRE RATED(ING)  
 FLR FLOOR(ING)  
 FUD FLOOR DRAIN  
 FUT FULLY TEMPERED  
 FUR FURRING  
 GA GAUGE  
 GWS GYPSUM WALL BOARD  
 HORZ HORIZONTAL  
 HVR HORIZONTAL AND VERTICAL  
 HR HORIZONTAL  
 INCL INCLUDE(D)(ING)  
 ID INSIDE DIAMETER  
 INSUL INSULATE(D)(ION)  
 INT INTERIOR  
 ISG INSULATED SAFETY GLAZING  
 JC JANITORS CLOSET  
 KD KNOCK DOWN  
 JT JOINT  
 KIT KITCHEN  
 LBL LABEL  
 LAM LAMINATE  
 LAV LAVATORY  
 LH LEFT HAND  
 LT LIGHT  
 LG LONG, LENGTH  
 MFR MANUFACTURER  
 MC MASONRY OPENING  
 MAT MATERIAL(S)  
 MAX MAXIMUM  
 MECH MECHANICAL  
 MET METAL  
 MIN MINIMUM  
 MISC MISCELLANEOUS  
 MT MOUNTED  
 MOV MOVABLE  
 MUL MULLION  
 NOM NOMINAL  
 NIC NOT IN CONTRACT  
 NTS NOT TO SCALE  
 NO NUMBER  
 OFF OFFICE  
 OC ON CENTER  
 OPNG OPENING  
 OPPOSITE  
 OD OUTSIDE DIAMETER  
 OA OVERALL  
 AH OVERHEAD HANGING  
 PTD PAINTED  
 PPR PAIR  
 PRB PARTICLE BOARD  
 PTN PARTITION  
 PERF PERFORATED  
 PLAS PLASTER  
 PLM PLASTIC LAMINATE  
 PWD PLYWOOD  
 PT PAPER TOWEL DISPENSER/DISP  
 PREPREDICTED(ION)  
 QT QUARRY TILE  
 RAD, R RADIUS  
 REF REFERENCE  
 REINFORCING(D)(ING)  
 REQ REQUIRED  
 RES RESILIENT  
 REV REVISION  
 RH RIGHT HAND  
 R RISER  
 RM ROOM  
 RO ROUGH OPENING  
 RB RUBBER BASE  
 SBD SANITARY NAPKIN DISPENSER  
 SANITARY NAPKIN RECEPTACLE  
 SCHED SCHEDULE  
 SD SOAP DISPENSER  
 SGL GLAZING  
 SH SELF, SHELVEYING  
 SIM SIMILAR  
 SC SOLID CORE  
 SPEC SPECIFICATION, SPECIFIED  
 SQ SQUARE  
 SS STAINLESS STEEL  
 STD STANDARD  
 STL STEEL  
 STOR STORAGE  
 STRUT STRUCTURAL  
 SUSP SUSPENDED  
 TEL TELEPHONE  
 THK THICKENS  
 THRES THRESHOLD  
 TP TOLLET PAPER DISPENSER  
 TONGUE AND GROOVE  
 T TREAD  
 TOP OF SLAB  
 TYP TYPICAL  
 UC UNDERCUT  
 UNF UNFINISHED  
 UNLESS OTHERWISE NOTED  
 VIF VERTICAL FIELD  
 VB VINYL BASE  
 VERT VERTICAL  
 VCT VINYL COMPOSING  
 WWC WALL COVERING  
 WP WATERPROOFING  
 W/ WITHOUT  
 WWO WITH  
 WOOD

[illegible]

- BODY COLOR: SW 7005 PURE WHITE
- ACCENT COLOR: SW 1015 SKYLINE STEEL
- ACCENT COLOR: SW 9163 TIN LIZZIE
- TRIM & DOOR COLOR: SW 7068 GRIZZLE GRAY



5711 SIX FORKS ROAD, SUITE 100  
RALEIGH NC 27609  
website [www.planworx.com](http://www.planworx.com)



# Evolve at Grove Park

# Evolve Companies

# Fruitland Park, FL

## Design Development Review Set

[illegible]

## Sheet Index & General Project Info

# G001

1. All drawings are to be coordinated with all site information from owner and contractor, and applicable codes.

2. Contractor is to notify architect immediately of any conditions or items varying from depicted information.

3. Planworx Architecture, P.A. is not responsible for constructed variations from the information depicted.

Copyright 2023 PLANWORX ARCHITECTURE, P.A. All rights reserved. No part of these drawings or any savings as a result of Planworx Architecture, P.A. Design.

4. No part of these drawings or any savings as a result of Planworx Architecture, P.A. Design may be used or any other means without the written consent of Planworx Architecture, P.A. Planworx Architecture, P.A. will not assume any liability for expenses associated with such errors and omissions.

5. PLANWORX ARCHITECTURE, P.A. retains ownership of all designs depicted and implied herein.

6. Planworx Architecture, P.A. is not responsible for estimating, maintaining, or regulating construction costs associated with these plans.

7. THESE DRAWINGS, PLANS NOT VALID FOR CONSTRUCTION W/O APPROPRIATE PROFESSIONAL SEALS.







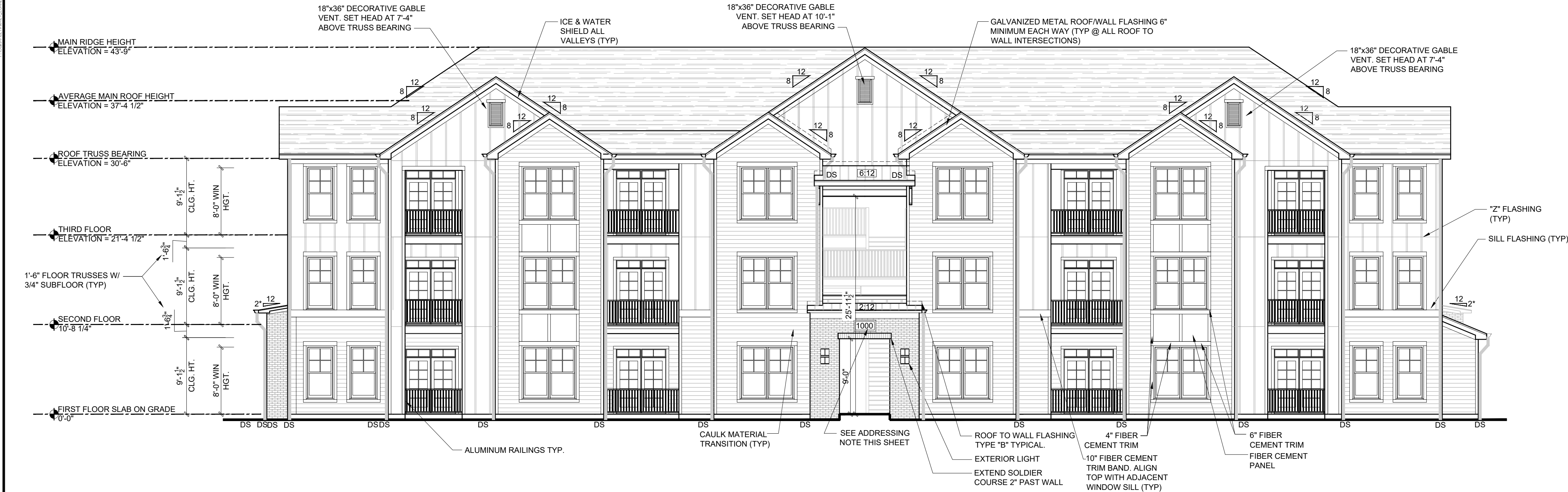
The diagram illustrates eight different roof types, each represented by a unique symbol and a descriptive label:

- ASPHALT SHINGLE ROOF:** Represented by a symbol showing horizontal lines with small, irregular shapes indicating shingles.
- STANDING SEAM METAL ROOF:** Represented by a symbol showing vertical lines with horizontal ridges, indicating the standing seam structure.
- HORIZONTAL FIBER CEMENT SIDING:** Represented by a symbol showing horizontal lines with small, irregular shapes indicating the siding texture.
- FIBER CEMENT PANEL BD W/ 2" BATTENS AT 16" O.C. PER ELEVATION:** Represented by a symbol showing vertical lines with horizontal ridges, indicating the batten structure.
- BRICK VENEER:** Represented by a symbol showing a brick pattern.
- 3/4" PROJECTED BRICK ROWLOCK/SOLDIER COURSE:** Represented by a symbol showing a brick pattern with a row of bricks having a projecting top edge.

1. All drawings are to be coordinated with all site information by owner and contractor, and applicable codes. 3. Planworx Architecture, P.A. is not responsible for constructed variations from the information depicted. 5. Planworx Architecture, P.A. retains ownership of all of designs depicted and implied herein.  
2. Contractor is to notify architect immediately of conditions or items varying from depicted information. 4. Planworx Architecture, P.A. will not assume any liability for expenses associated with errors and omissions on these drawings unless offset by verified construction savings as a result of Planworx Architecture, P.A. Design. 6. Planworx Architecture, P.A. is not responsible for estimating, maintaining, or regulating construction costs associated with these plans.  
© Copyright 2023 - PLANWORX ARCHITECTURE, P.A. All rights reserved. Reproduction of this sheet, in whole or in part, is strictly prohibited. Plans may be used once by client. Unauthorized use strictly prohibited. PLANS NOT VALID FOR CONSTRUCTION W/O APPROPRIATE PROFESSIONAL SEALS.



PLANWORX ARCHITECTURE, P.A. 5711 SIX FORKS ROAD, SUITE 100 RALEIGH, NC 27609  
www.planworx.com



#### ELEVATION GENERAL NOTES

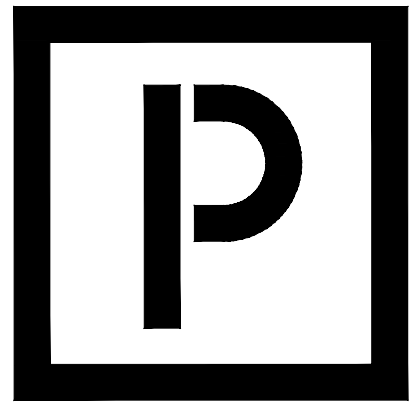
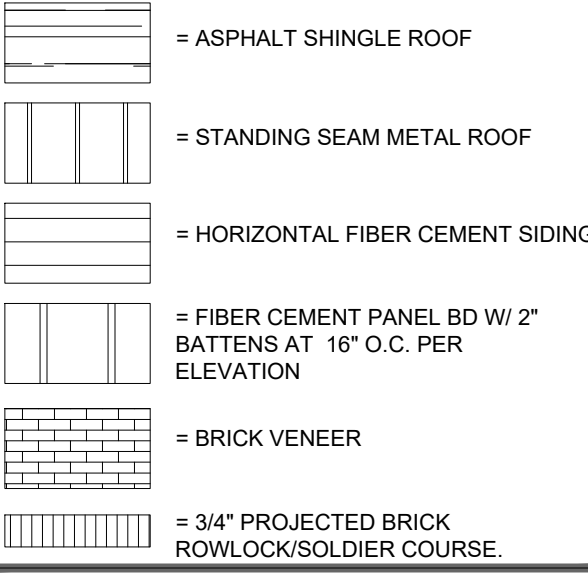
##### ADDRESSING

ADDRESS IDENTIFICATION SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. THESE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS 6" MIN. IN HEIGHT. ADDRESS NUMBERS SHALL BE PLACED ON EACH SIDE AS WELL AS APARTMENT NUMBERS ON THE FRONT OF EACH BREEZEWAY.

##### PENETRATIONS

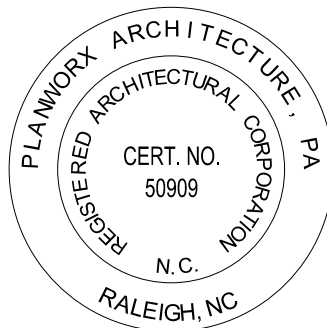
ALL WALL/ROOF PENETRATIONS TO MATCH COLOR OF ADJACENT MATERIAL

#### EXTERIOR MATERIAL LEGEND



**PLANWORX**  
ARCHITECTURE

5711 SIX FORKS ROAD, SUITE 100  
RALEIGH NC 27609  
website www.planworx.com



Evolve at Grove Park

Evolve Companies

Fruitland Park, FL

Design Development Review Set

## 1 BUILDING TYPE 2 - FRONT ELEVATION

Scale: 1/8" = 1'-0"



## 2 BUILDING TYPE 2 - LEFT ELEVATION

Scale: 1/8" = 1'-0"

1. All drawings are to be coordinated with all site information by owner and contractor, and applicable codes. 3. Planworx Architecture, P.A. is not responsible for constructed variations from the information depicted.  
2. Contractor is to notify architect immediately of conditions or items varying from depicted information. 4. Planworx Architecture, P.A. will not assume any liability for expenses associated with errors and omissions on these drawings unless offset by verified construction savings as a result of Planworx Architecture, P.A. Design.  
© Copyright 2023 - PLANWORX ARCHITECTURE, P.A. All rights reserved. Reproduction of this sheet, in whole or in part, is strictly prohibited. Plans may be used once by client. Unauthorized use strictly prohibited. PLANS NOT VALID FOR CONSTRUCTION W/O APPROPRIATE PROFESSIONAL SEALS.

5. Planworx Architecture, P.A. retains ownership of all of designs depicted and implied herein.  
6. Planworx Architecture, P.A. is not responsible for estimating, maintaining, or regulating construction costs associated with these plans.

PROGRESS DATE: 07-18-23

ISSUE DATE:

REVISIONS:

NUMBER DATE INITIALS DESCRIPTION

PROJECT NO:

000923

DRAWN BY:

JT, AM

CHECKED BY:

MM

SHEET TITLE:

Building Type 2  
Exterior Elevations

SHEET NUMBER:

A202



PLANWORX ARCHITECTURE, P.A. 5711 SIX FORKS ROAD, SUITE 100 RALEIGH, NC 27609  
www.planworx.com  
5711 SIX FORKS ROAD, SUITE 100 RALEIGH, NC 27609  
www.planworx.com

#### ELEVATION GENERAL NOTES

**ADDRESSING**  
ADDRESS IDENTIFICATION SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. THESE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS 6" MIN. IN HEIGHT. ADDRESS NUMBERS SHALL BE PLACED ON EACH SIDE AS WELL AS APARTMENT NUMBERS ON THE FRONT OF EACH BREEZEWAY.

**PENETRATIONS**  
ALL WALL/ROOF PENETRATIONS TO MATCH COLOR OF ADJACENT MATERIAL

#### EXTERIOR MATERIAL LEGEND

- ASPHALT SHINGLE ROOF
- STANDING SEAM METAL ROOF
- HORIZONTAL FIBER CEMENT SIDING
- FIBER CEMENT PANEL BD W/ 2" BATTENS AT 16" O.C. PER ELEVATION
- BRICK VENEER
- 3/4" PROJECTED BRICK ROWLOCK/SOLDIER COURSE



1

#### BUILDING TYPE 2 - REAR ELEVATION

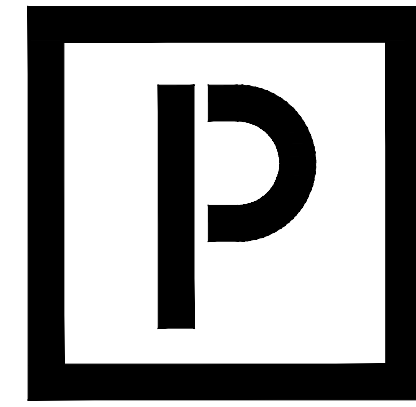
Scale: 1/8" = 1'-0"



2

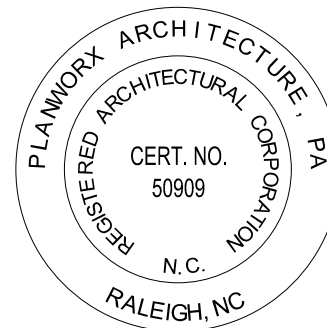
#### BUILDING TYPE 2 - RIGHT ELEVATION

Scale: 1/8" = 1'-0"



**PLANWORX**  
ARCHITECTURE

5711 SIX FORKS ROAD, SUITE 100  
RALEIGH NC 27609  
website www.planworx.com



Evolve at Grove Park

Evolve Companies

Fruitland Park, FL

Design Development Review Set

PROGRESS DATE: 07-18-23

ISSUE DATE:

REVISIONS: NUMBER DATE INITIALS DESCRIPTION

PROJECT NO:

000923

DRAWN BY:

JT, AM

CHECKED BY:

MM

SHEET TITLE:

Building Type 2  
Exterior Elevations

SHEET NUMBER:

A203

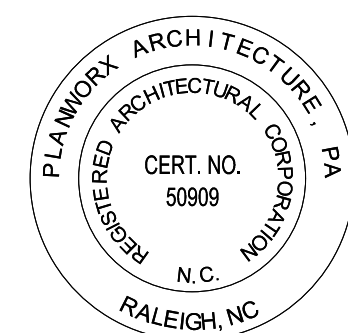
1. All drawings are to be coordinated with all site information by owner and contractor, and applicable codes. 3. Planworx Architecture, P.A. is not responsible for constructed variations from the information depicted.

2. Contractor is to notify architect immediately of conditions or items varying from depicted information. 4. Planworx Architecture, P.A. will not assume any liability for expenses associated with errors and omissions on these drawings unless offset by verified construction savings as a result of Planworx Architecture, P.A. Design.

5. Planworx Architecture, P.A. retains ownership of all of designs depicted and implied herein. 6. Planworx Architecture, P.A. is not responsible for estimating, maintaining, or regulating construction costs associated with these plans.

© Copyright 2023 - PLANWORX ARCHITECTURE, P.A. All rights reserved. Reproduction of this sheet, in whole or in part, is strictly prohibited. Plans may be used once by client. Unauthorized use strictly prohibited. PLANS NOT VALID FOR CONSTRUCTION W/O APPROPRIATE PROFESSIONAL SEALS.





## Evolve at Grove Park

## Evolve Companies

Fruitland Park, FL

Design Development Review Set

[illegible]

PROJECT NO: 000923

DRAWN BY: JT, AM

CHECKED BY: MM

SHEET TITLE:

Building Type 3  
Exterior Elevations

SHEET NUMBER

# A204



1	BUILDING TYPE 3 - FRONT ELEVATION
	SCALE: 1/8" = 1'-0"



2	BUILDING TYPE 3 - LEFT ELEVATION
	SCALE: 1/8" = 1'-0"

1. All drawings are to be coordinated with all site information by owner and contractor, and applicable codes. 2. Planworx Architecture, P.A. is not responsible for constructed variations from the information depicted. 3. Planworx Architecture, P.A. retains ownership of all of designs depicted and implied herein. 4. Contractor is to notify architect immediately of conditions or items varying from depicted information. 5. Planworx Architecture, P.A. will not assume any liability for expenses associated with errors and omissions on these drawings unless offset by verified construction savings as a result of Planworx Architecture, P.A. Design. 6. Planworx Architecture, P.A. is not responsible for estimating, maintaining, or regulating construction costs associated with these plans. © Copyright 2023 - PLANWORX ARCHITECTURE, P.A. All rights reserved. Reproduction of this sheet, in whole or in part, is strictly prohibited. Plans may be used once by client. Unauthorized use strictly prohibited. PLANS NOT VALID FOR CONSTRUCTION W/O APPROPRIATE PROFESSIONAL SEALS.



PLANWORX ARCHITECTURE, P.A. 5711 SIX FORKS ROAD, SUITE 100 RALEIGH, NC 27609  
www.planworx.com

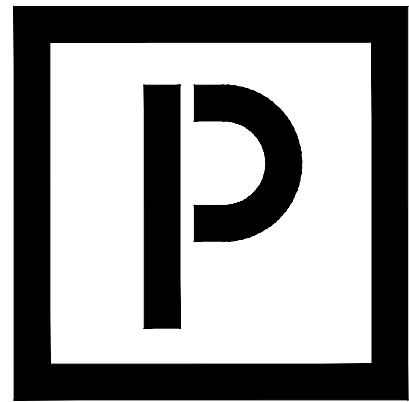


**1 BUILDING TYPE 3 - REAR ELEVATION**  
SCALE: 1/8" = 1'-0"



**2 BUILDING TYPE 3 - RIGHT ELEVATION**  
SCALE: 1/8" = 1'-0"

1. All drawings are to be coordinated with all site information by owner and contractor, and applicable codes. 3. Planworx Architecture, P.A. is not responsible for constructed variations from the information depicted.  
2. Contractor is to notify architect immediately of conditions or items varying from depicted information. 4. Planworx Architecture, P.A. will not assume any liability for expenses associated with errors and omissions on these drawings unless offset by verified construction savings as a result of Planworx Architecture, P.A. Design. 5. Planworx Architecture, P.A. retains ownership of all of designs depicted and implied herein.  
© Copyright 2023 - PLANWORX ARCHITECTURE, P.A. All rights reserved. Reproduction of this sheet, in whole or in part, is strictly prohibited. Plans may be used once by client. Unauthorized use strictly prohibited. PLANS NOT VALID FOR CONSTRUCTION W/O APPROPRIATE PROFESSIONAL SEALS. 6. Planworx Architecture, P.A. is not responsible for estimating, maintaining, or regulating construction costs associated with these plans.



**PLANWORX**  
ARCHITECTURE

5711 SIX FORKS ROAD, SUITE 100  
RALEIGH NC 27609  
website www.planworx.com



Evolve at Grove Park

Evolve Companies

Fruitland Park, FL

Design Development Review Set

PROGRESS DATE: 07-18-23

ISSUE DATE:

REVISIONS: NUMBER DATE INITIALS DESCRIPTION

PROJECT NO:

000923

DRAWN BY:

JT, AM

CHECKED BY:

MM

SHEET TITLE:

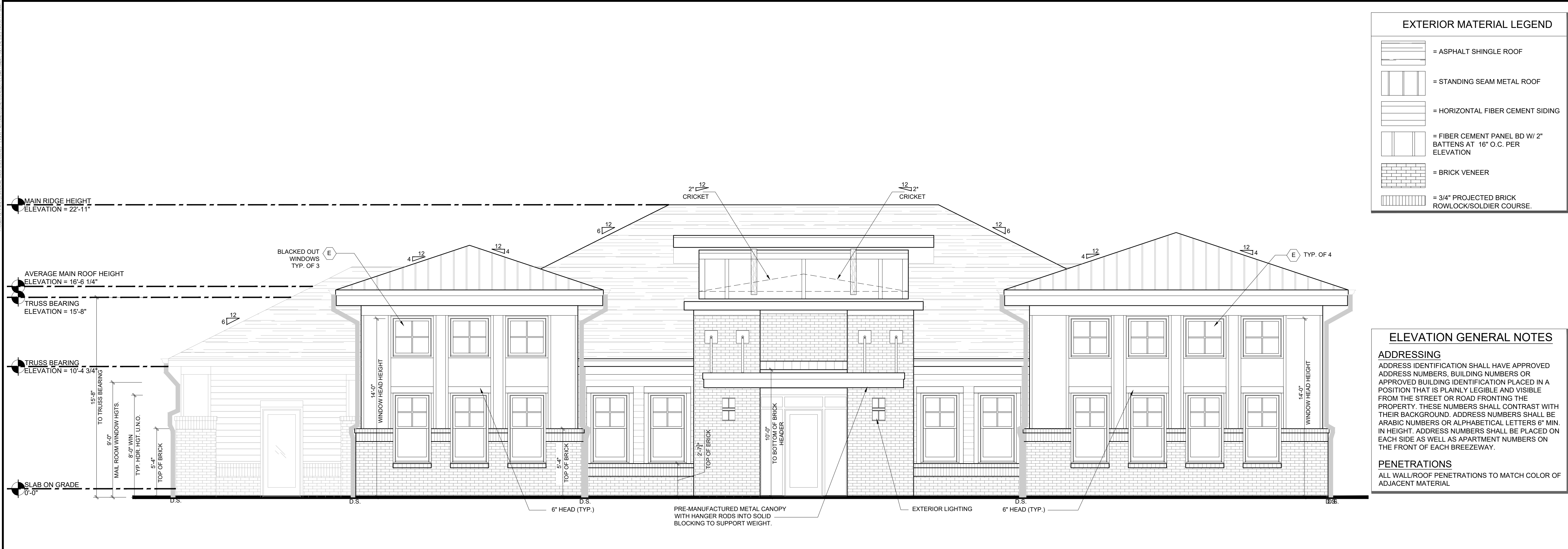
Building Type 3  
Exterior Elevations

SHEET NUMBER:

A205



PLANWORX ARCHITECTURE, P.A. 5711 SIX FORKS ROAD, SUITE 100 RALEIGH, NC 27609  
www.planworx.com



EXTERIOR MATERIAL LEGEND

= ASPHALT SHINGLE ROOF

= STANDING SEAM METAL ROOF

= HORIZONTAL FIBER CEMENT SIDING

= FIBER CEMENT PANEL BD W/ 2" BATTENS AT 16" O.C. PER ELEVATION

= BRICK VENEER

= 3/4" PROJECTED BRICK ROWLOCK/SOLDIER COURSE.

ELEVATION GENERAL NOTES

ADDRESSING

ADDRESS IDENTIFICATION SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. THESE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS 6" MIN. IN HEIGHT. ADDRESS NUMBERS SHALL BE PLACED ON EACH SIDE AS WELL AS APARTMENT NUMBERS ON THE FRONT OF EACH BREEZEWAY.

PENETRATIONS

ALL WALL/ROOF PENETRATIONS TO MATCH COLOR OF ADJACENT MATERIAL

P

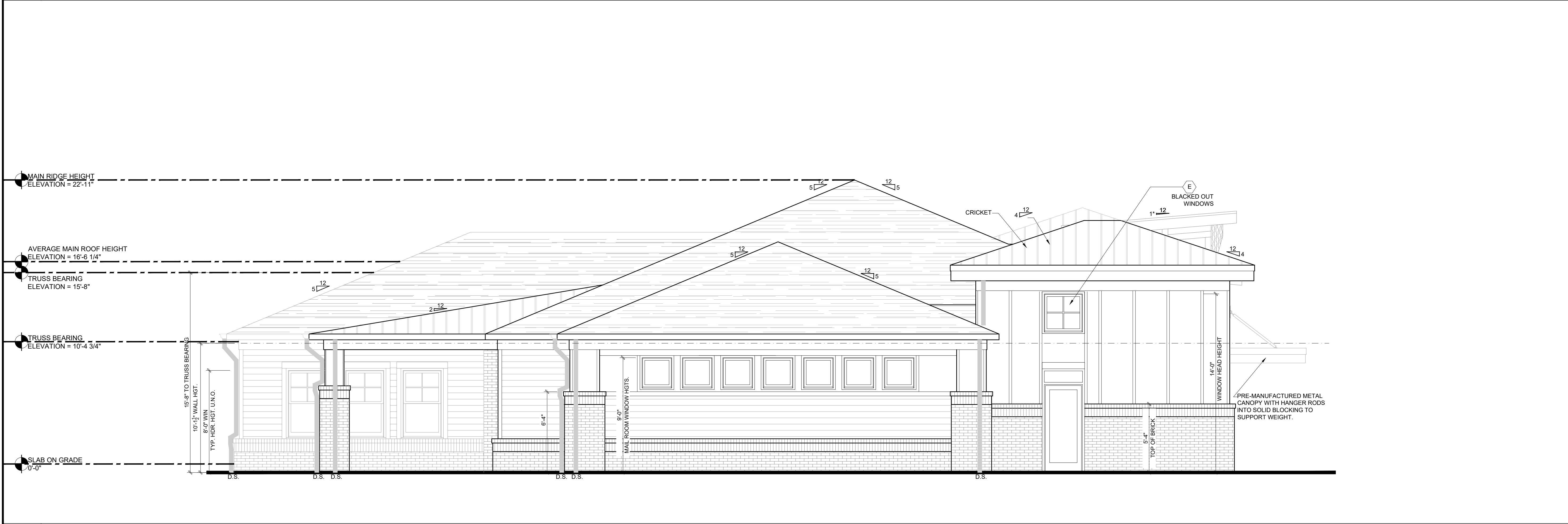
PLANWORX ARCHITECTURE

5711 SIX FORKS ROAD, SUITE 100  
RALEIGH NC 27609  
website      www.planworx.com

PLANWORX ARCHITECTURE, P.A.  
REGISTERED ARCHITECTURAL CORPORATION  
CERT. NO. 50909  
N.C. RALEIGH, NC

1 CLUBHOUSE FRONT ELEVATION

Scale: 1/4" = 1'-0"



2 CLUBHOUSE LEFT SIDE ELEVATION

Scale: 1/4" = 1'-0"

1. All drawings are to be coordinated with all site information by owner and contractor, and applicable codes. 3. Planworx Architecture, P.A. is not responsible for constructed variations from the information depicted. 5. Planworx Architecture, P.A. retains ownership of all of designs depicted and implied herein. 6. Planworx Architecture, P.A. is not responsible for estimating, maintaining, or regulating construction costs associated with these plans.

2. Contractor is to notify architect immediately of conditions or items varying from depicted information. 4. Planworx Architecture, P.A. will not assume any liability for expenses associated with errors and omissions on these drawings unless offset by verified construction savings as a result of Planworx Architecture, P.A. Design.

© Copyright 2023 - PLANWORX ARCHITECTURE, P.A. All rights reserved. Reproduction of this sheet, in whole or in part, is strictly prohibited. Plans may be used once by client. Unauthorized use strictly prohibited. PLANS NOT VALID FOR CONSTRUCTION W/O APPROPRIATE PROFESSIONAL SEALS.

Evolve at Grove Park

Evolve Companies

Fruitland Park, FL

Design Development Review Set

PROGRESS DATE: 07-18-23

ISSUE DATE:

REVISIONS:

NUMBER DATE INITIALS DESCRIPTION

PROJECT NO: 000923

DRAWN BY: JT, AM

CHECKED BY: MM

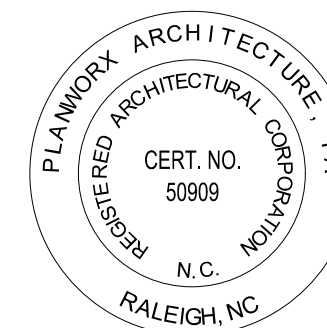
SHEET TITLE: Clubhouse Exterior Elevations

SHEET NUMBER: A206





5711 SIX FORKS ROAD, SUITE 100  
RALEIGH NC 27609  
website [www.planworx.com](http://www.planworx.com)



## Evolve at Grove Park

## Evolve Companies

Fruitland Park, FL

Design Development Review Set

PROGRESS DATE:	07-18-23
----------------	----------

PROGRESS DATA

REVISIONS:

REVISIONS:

PROJECT NO:

000923

DRAWN BY:

JT, AM

CHECKED BY \_\_\_\_\_

MM

SHEET TITL

## Clubhouse Exterior Elevations

SHEET NUMBER:

A207

## ELEVATION GENERAL NOTES

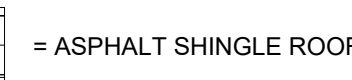
## ADDRESSING

ADDRESS IDENTIFICATION SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. THESE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS 6" MIN. IN HEIGHT. ADDRESS NUMBERS SHALL BE PLACED ON EACH SIDE AS WELL AS APARTMENT NUMBERS ON THE FRONT OF EACH BREEZEWAY.

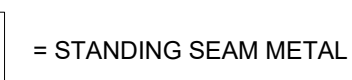
## PENETRATIONS

ALL WALL/ROOF PENETRATIONS TO MATCH COLOR OF ADJACENT MATERIAL

## EXTERIOR MATERIAL LEGEND



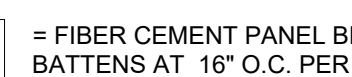
= ASPHALT SHINGLE ROOF



= STANDING SEAM METAL ROOF



= HORIZONTAL FIBER CEMENT SIDING



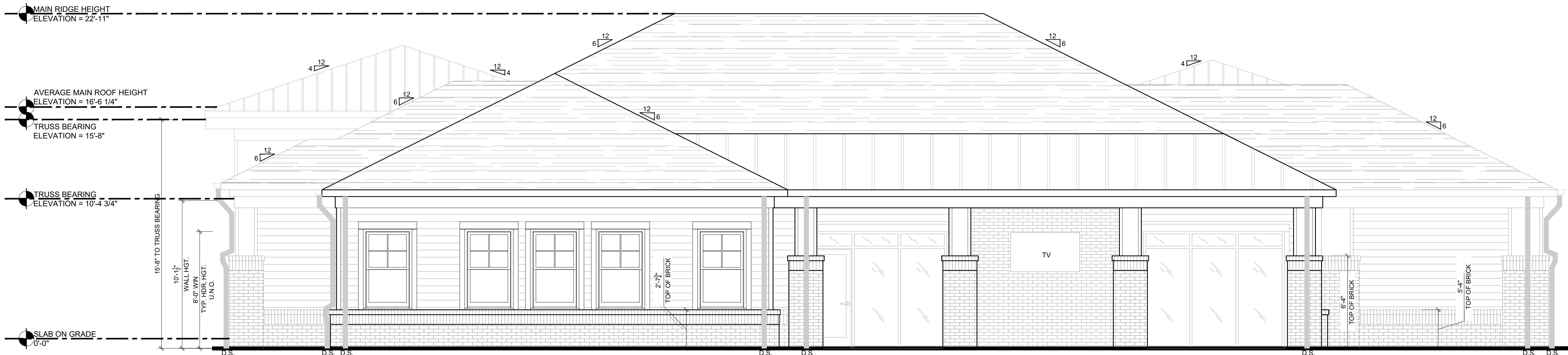
= FIBER CEMENT PANEL BD W/ 2  
BATTENS AT 16" O.C. PER  
ELEVATION



= BRICK VENEER

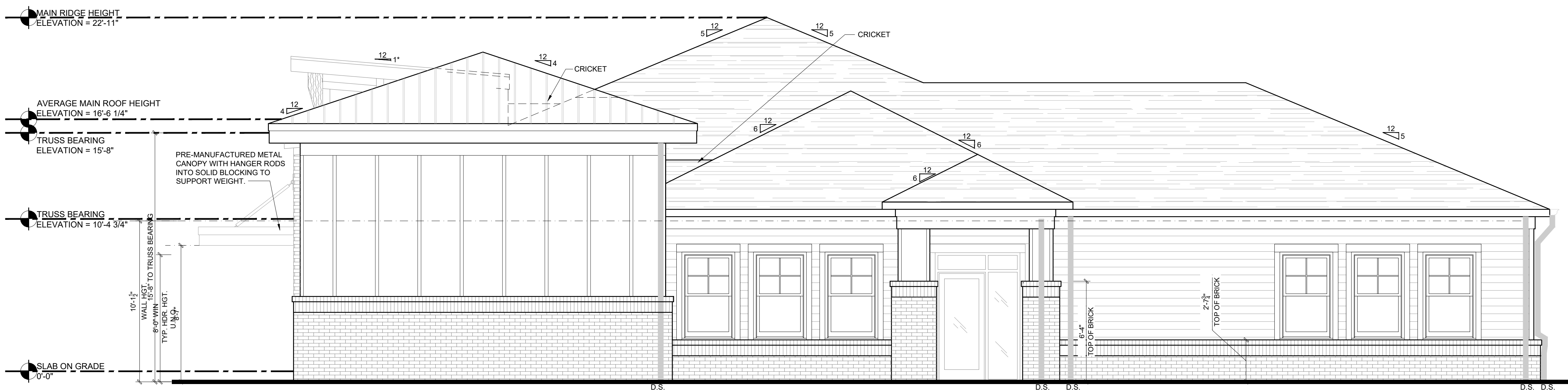


= 3/4" PROJECTED BRICK  
ROWLOCK/SOLDIER COURSE



1	CLUBHOUSE REAR ELEVATION
---	--------------------------

Scale: 1/4" = 1'-0"



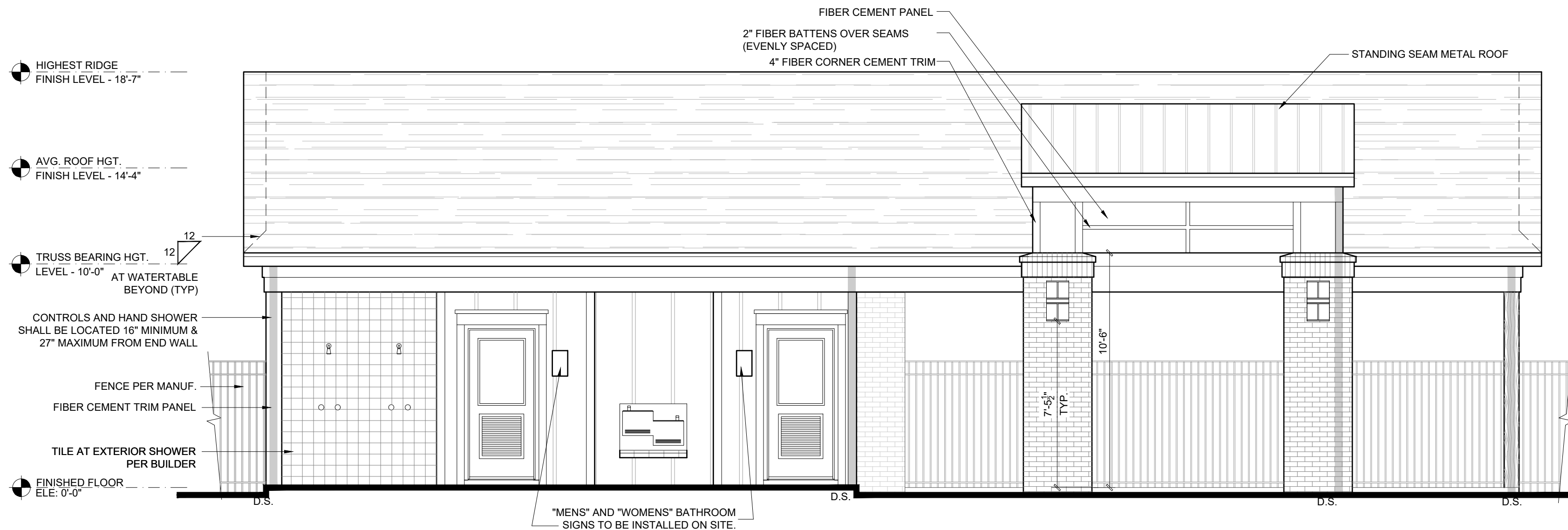
## 2 CLUBHOUSE RIGHT SIDE ELEVATION

Scale: 1/4" = 1'-0"

1. All drawings are to be coordinated with all site information by owner and contractor, and applicable codes. 3. Planworx Architecture, P.A. is not responsible for constructed variations from the information depicted. 5. Planworx Architecture, P.A. retains ownership of all of designs depicted and implied herein.  
2. Contractor is to notify architect immediately of conditions or items varying from depicted information. 4. Planworx Architecture, P.A. will not assume any liability for expenses associated with errors and omissions on these drawings unless offset by verified construction savings as a result of Planworx Architecture, P.A. Design.  
© Copyright 2023 - PLANWORX ARCHITECTURE, P.A. All rights reserved. Reproduction of this sheet, in whole or in part, is strictly prohibited. Plans may be used once by client. Unauthorized use strictly prohibited. PLANS NOT VALID FOR CONSTRUCTION W/O APPROPRIATE PROFESSIONAL SEALS. 6. Planworx Architecture, P.A. is not responsible for estimating, maintaining, or regulating construction costs associated with these plans.



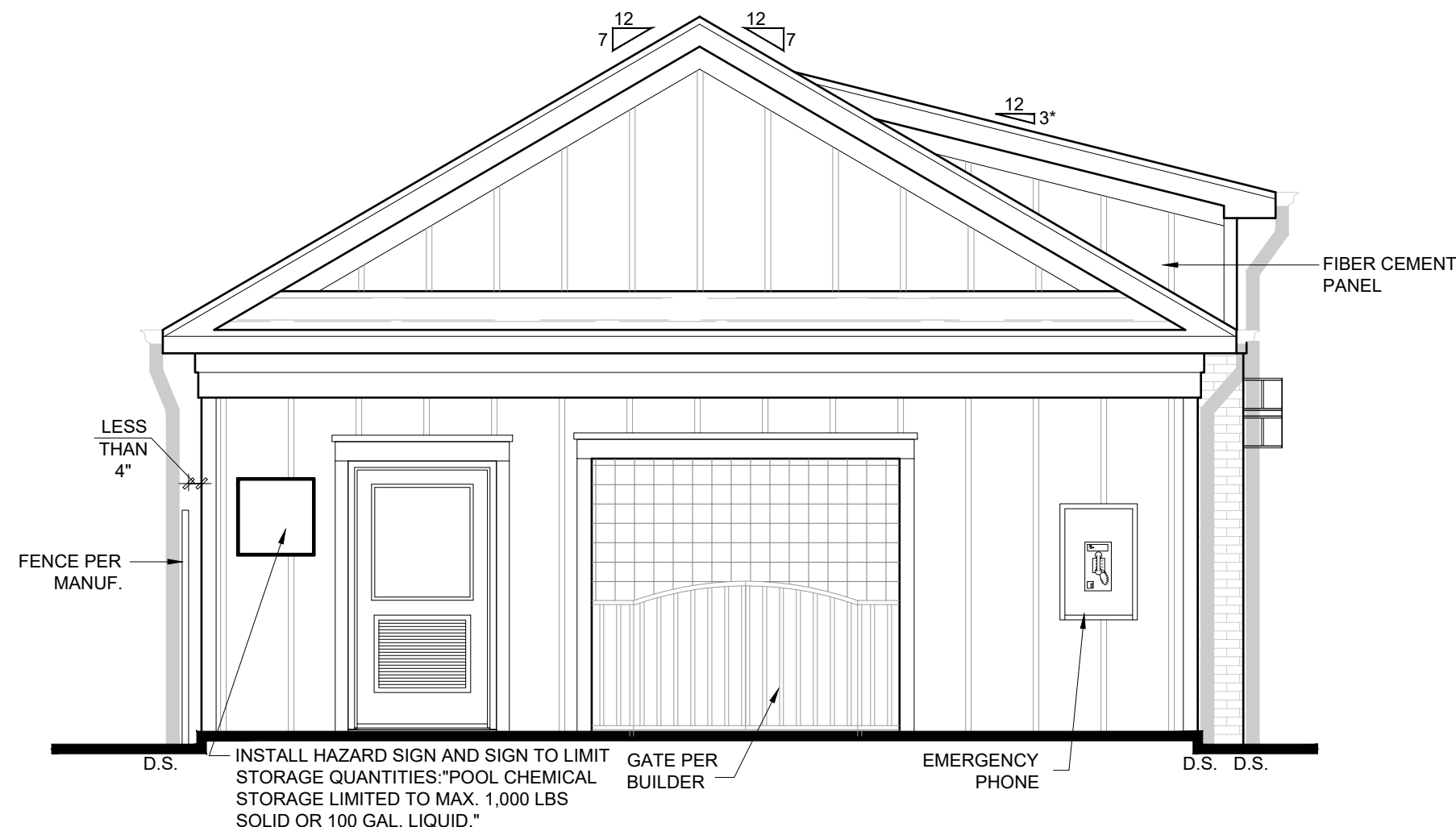
PLANWORX ARCHITECTURE, P.A. 5711 SIX FORKS ROAD, SUITE 100 RALEIGH, NC 27609  
www.planworx.com  
CERT. NO. 50909  
N.C. REGISTERED ARCHITECTURAL CORPORATION  
RALEIGH, NC



ARCHITECTURAL PLANS EXTERIOR MATERIALS	
	= ASPHALT SHINGLE ROOF
	= STANDING SEAM METAL ROOF
	= FIBER CEMENT HORIZONTAL SIDING
	= FIBER CEMENT VERTICAL SIDING PANELS W/ 2" FIBER CEMENT BATTENS
	= BRICK VENEER
	= ROWLOCK/SOLDIER COURSE

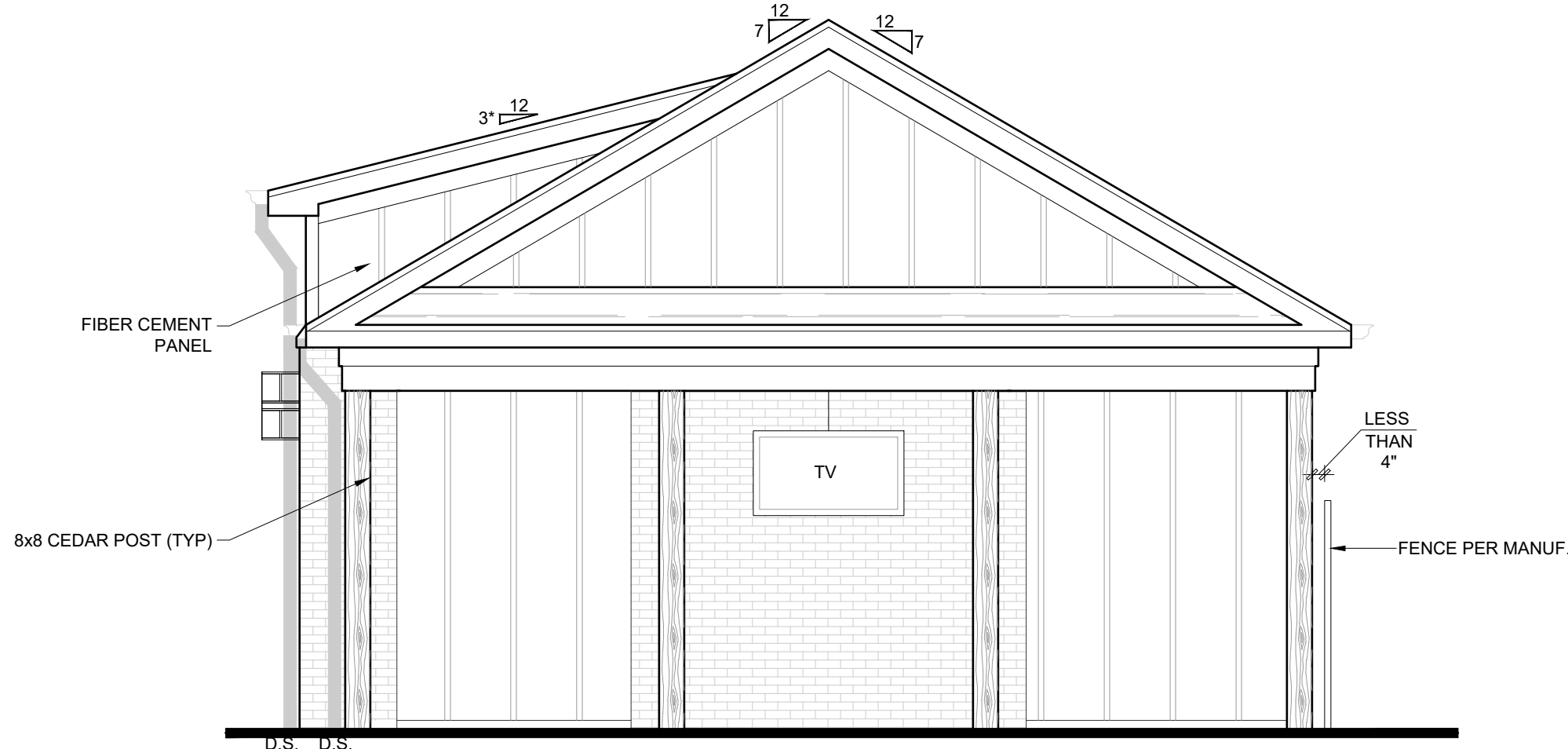
## 1 POOL HOUSE - FRONT ELEVATION

Scale: 1/4" = 1'-0"



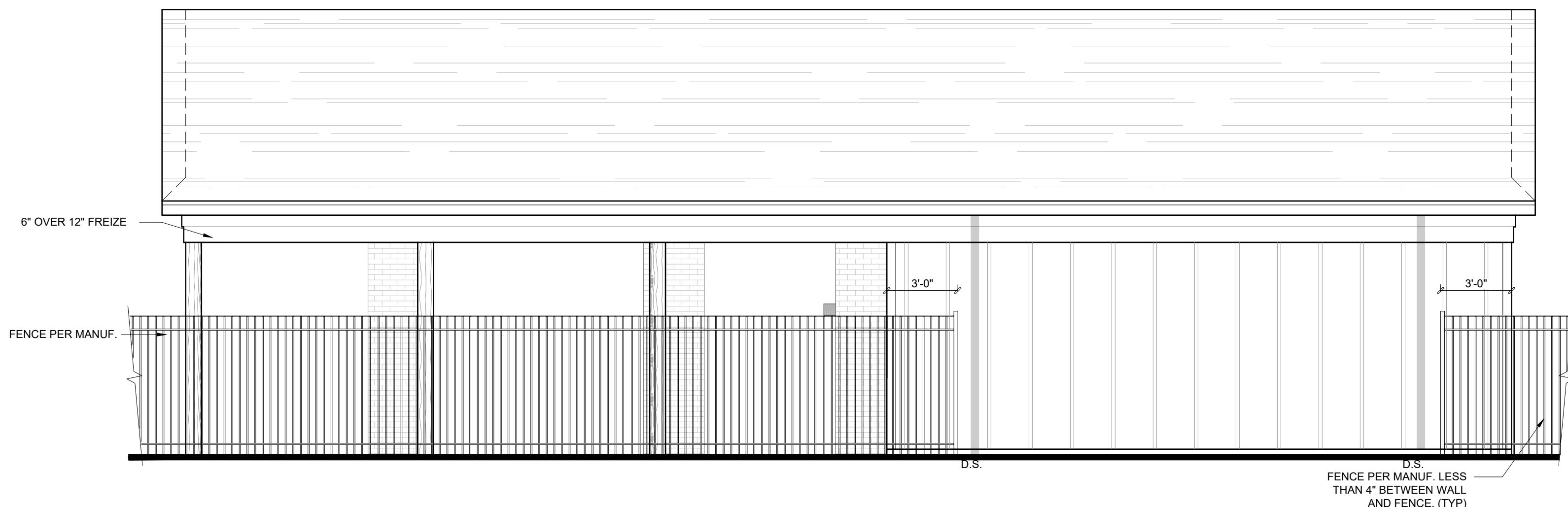
## 2 POOL HOUSE - LEFT SIDE ELEVATION

Scale: 1/4" = 1'-0"



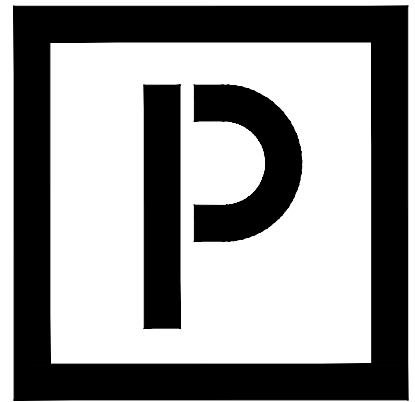
## 3 POOL HOUSE - RIGHT SIDE ELEVATION

Scale: 1/4" = 1'-0"



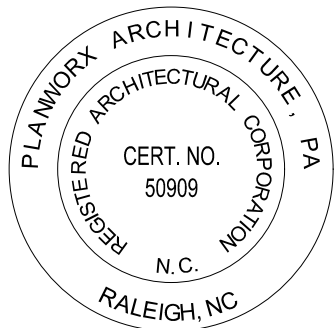
## 4 POOL HOUSE - REAR ELEVATION

Scale: 1/4" = 1'-0"



PLANWORX  
ARCHITECTURE

5711 SIX FORKS ROAD, SUITE 100  
RALEIGH NC 27609  
website www.planworx.com



Evolve at Grove Park

Evolve Companies

Fruitland Park, FL

Design Development Review Set

PROGRESS DATE: 07-18-23

ISSUE DATE:

REVISIONS:

NUMBER DATE INITIALS DESCRIPTION

PROJECT NO:

000923

DRAWN BY:

JT, AM

CHECKED BY:

MM

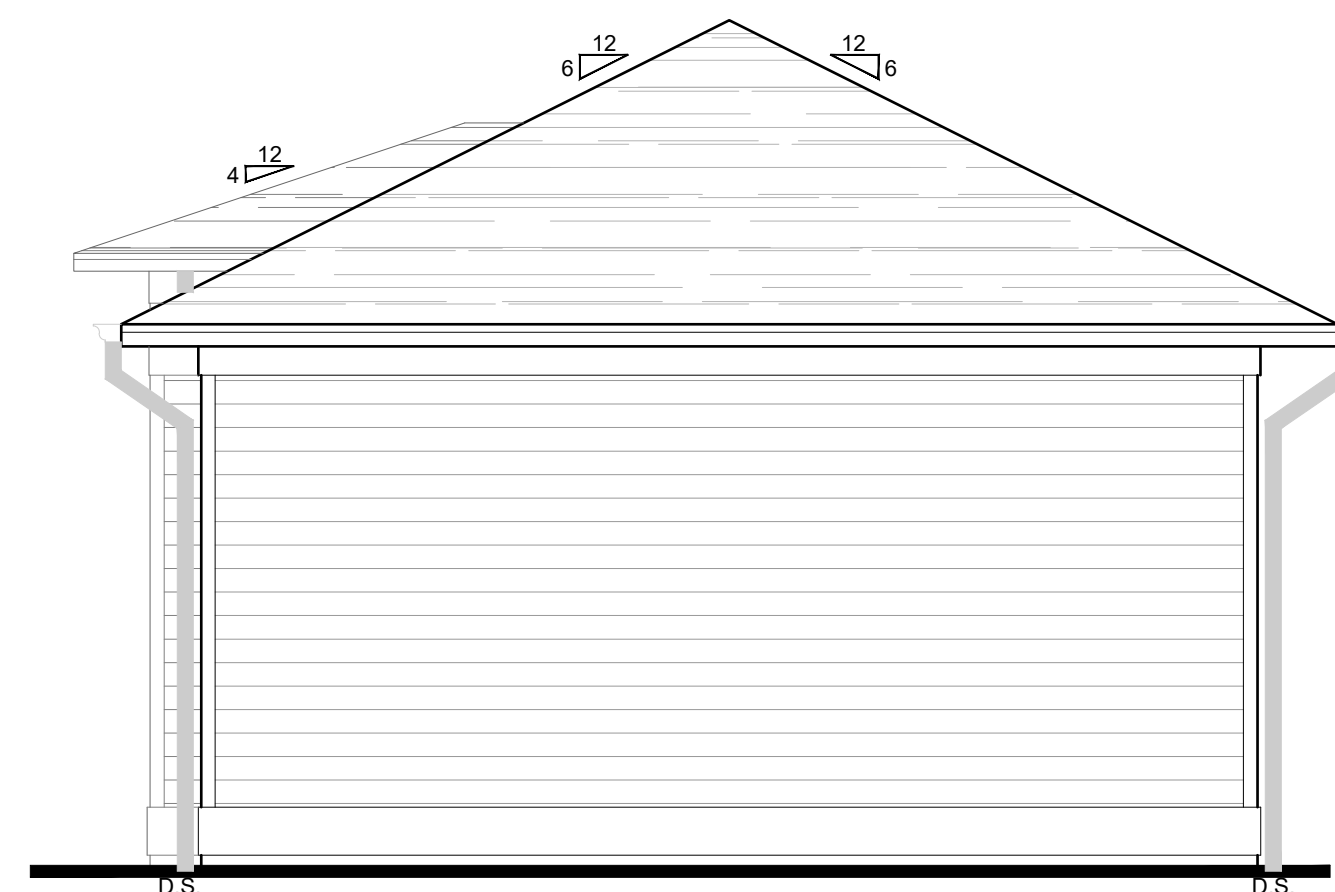
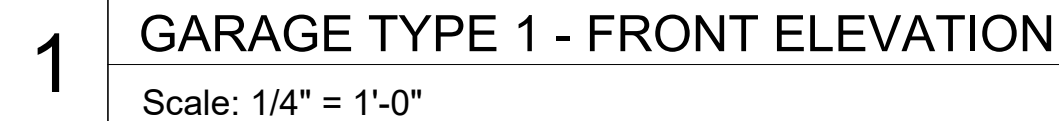
SHEET TITLE:

Pool House  
Exterior Elevations

SHEET NUMBER:

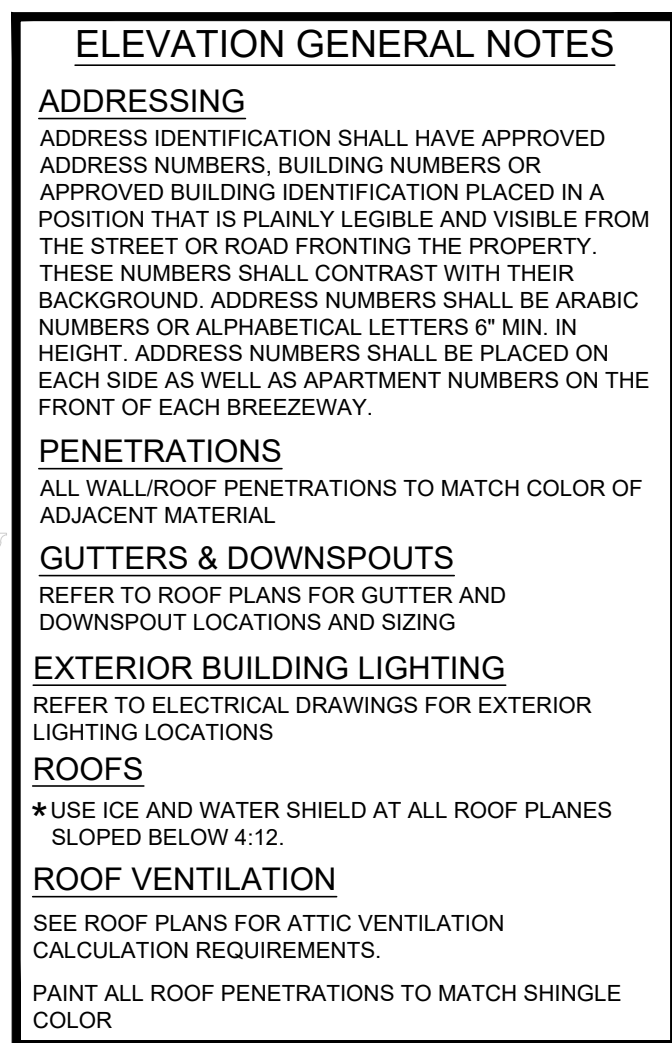
A703





## 2 GARAGE TYPE 1 - LEFT SIDE ELEVATION

Scale: 1/4" = 1'-0"

[illegible]

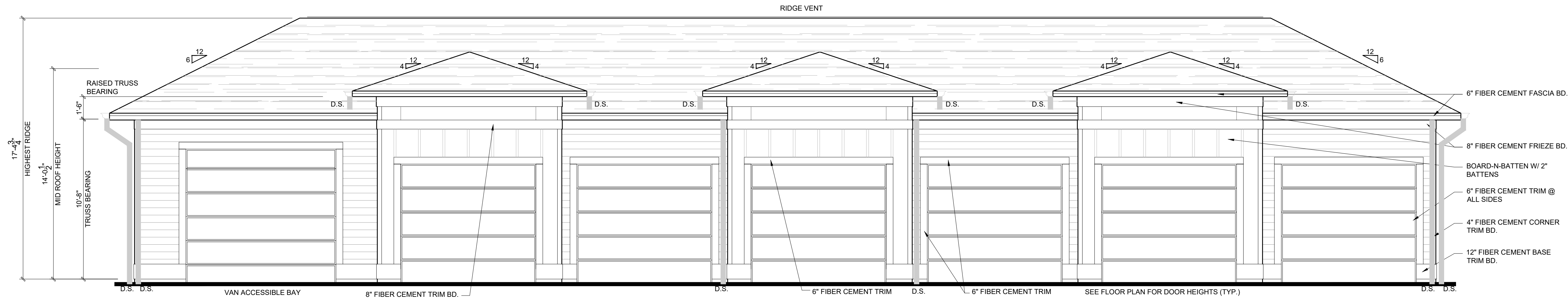
CHECKED BY: MM

#### 4 GARAGE TYPE 1 - REAR ELEVATION

# A708

1. All drawings are to be coordinated with all site information by owner and contractor, and applicable codes. 3. Planworx Architecture, P.A. is not responsible for constructed variations from the information depicted. 5. Planworx Architecture, P.A. retains ownership of all of designs depicted and implied herein.  
2. Contractor is to notify architect immediately of conditions or items varying from depicted information. 4. Planworx Architecture, P.A. will not assume any liability for expenses associated with errors and omissions on these drawings unless offset by verified construction savings as a result of Planworx Architecture, P.A. Design. 6. Planworx Architecture, P.A. is not responsible for estimating, maintaining, or regulating construction costs associated with these plans.  
© Copyright 2023 - PLANWORX ARCHITECTURE, P.A. All rights reserved. Reproduction of this sheet, in whole or in part, is strictly prohibited. Plans may be used once by client. Unauthorized use strictly prohibited. PLANS NOT VALID FOR CONSTRUCTION W/O APPROPRIATE PROFESSIONAL SEALS.

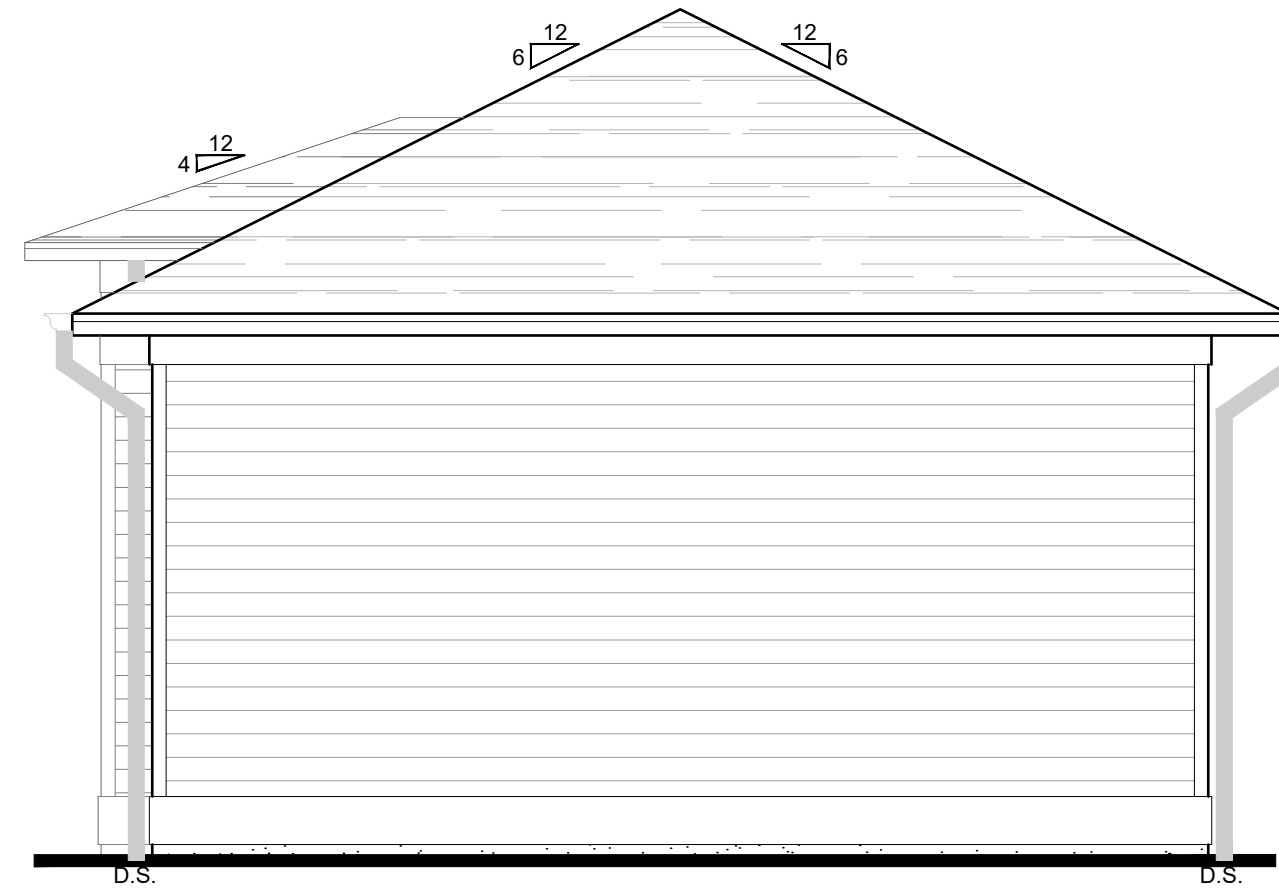




1 GARAGE TYPE 2 - FRONT ELEVATION (VAN ACCESSIBLE)  
Scale: 1/4" = 1'-0"

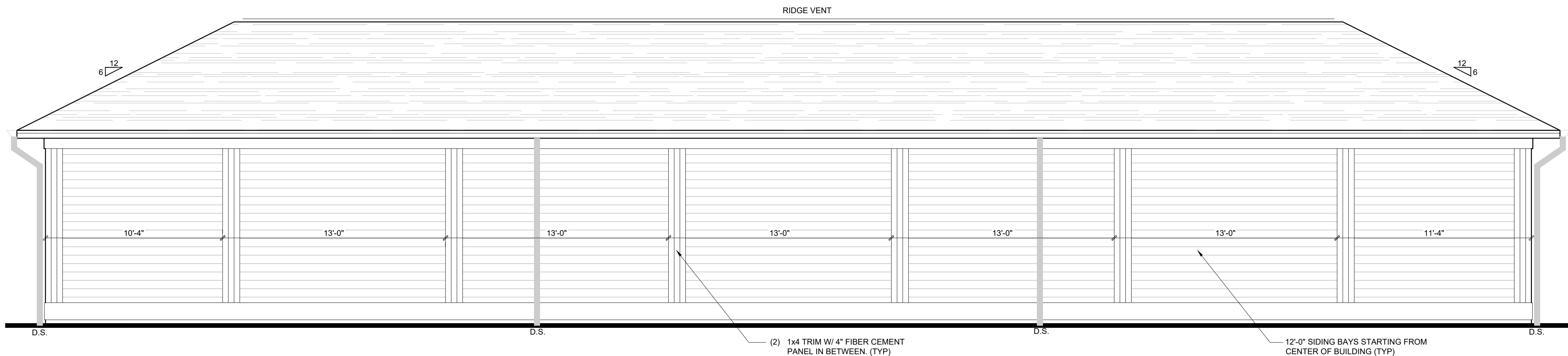


2 GARAGE TYPE 2 - LEFT SIDE ELEVATION (VAN ACCESSIBLE)  
Scale: 1/4" = 1'-0"



3 GARAGE TYPE 2 - RIGHT SIDE ELEVATION (VAN ACCESSIBLE)  
Scale: 1/4" = 1'-0"

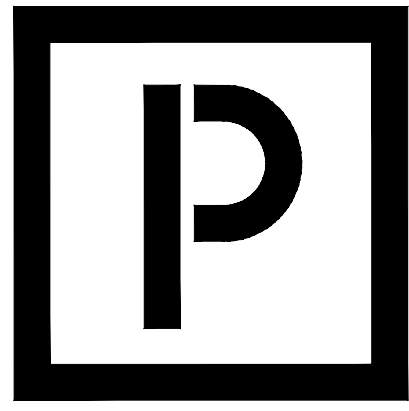
ARCHITECTURAL PLANS EXTERIOR MATERIALS	
	= ASPHALT SINGLE ROOF
	= FIBER CEMENT LAP SIDING
	= FIBER CEMENT PANEL BD W/ CAULK JOINT
	= BOARD & BATTEN SIDING - VERTICAL 1x3 FIBER CEMENT BATTENS @ 24" O.C. OVER 5/16" FIBER CEMENT PANELS TYP.
	= PARGE FOUNDATION



4 GARAGE TYPE 2 - REAR ELEVATION (VAN ACCESSIBLE)  
Scale: 1/4" = 1'-0"

ELEVATION GENERAL NOTES			
<b>ADDRESSING</b> ADDRESS IDENTIFICATION SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. THESE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS 6" MIN. IN HEIGHT. ADDRESS NUMBERS SHALL BE PLACED ON EACH SIDE AS WELL AS APARTMENT NUMBERS ON THE FRONT OF EACH BREEZEWAY.			
<b>PENETRATIONS</b> ALL WALL/ROOF PENETRATIONS TO MATCH COLOR OF ADJACENT MATERIAL			
<b>GUTTERS &amp; DOWNSPOUTS</b> REFER TO ROOF PLANS FOR GUTTER AND DOWNSPOUT LOCATIONS AND SIZING			
<b>EXTERIOR BUILDING LIGHTING</b> REFER TO ELECTRICAL DRAWINGS FOR EXTERIOR LIGHTING LOCATIONS			
<b>ROOFS</b> *USE ICE AND WATER SHIELD AT ALL ROOF PLANES SLOPED BELOW 4:12. <b>ROOF VENTILATION</b> SEE ROOF PLANS FOR ATTIC VENTILATION CALCULATION REQUIREMENTS. PAINT ALL ROOF PENETRATIONS TO MATCH SHINGLE COLOR			

1. All drawings are to be coordinated with all site information by owner and contractor, and applicable codes. 3. Planworx Architecture, P.A. is not responsible for constructed variations from the information depicted. 5. Planworx Architecture, P.A. retains ownership of all of designs depicted and implied herein. 6. Planworx Architecture, P.A. is not responsible for estimating, maintaining, or regulating construction costs associated with these plans.  
2. Contractor is to notify architect immediately of conditions or items varying from depicted information. 4. Planworx Architecture, P.A. will not assume any liability for expenses associated with errors and omissions on these drawings unless offset by verified construction savings as a result of Planworx Architecture, P.A. Design.  
© Copyright 2023 - PLANWORX ARCHITECTURE, P.A. All rights reserved. Reproduction of this sheet, in whole or in part, is strictly prohibited. Plans may be used once by client. Unauthorized use strictly prohibited. PLANS NOT VALID FOR CONSTRUCTION W/O APPROPRIATE PROFESSIONAL SEALS.



PLANWORX  
ARCHITECTURE

5711 SIX FORKS ROAD, SUITE 100  
RALEIGH NC 27609  
website www.planworx.com



Evolve at Grove Park

Evolve Companies

Fruitland Park, FL

Design Development Review Set

PROGRESS DATE: 07-18-23

ISSUE DATE:

REVISIONS:

NUMBER DATE INITIALS DESCRIPTION

PROJECT NO:

000923

DRAWN BY:

JT, AM

CHECKED BY:

MM

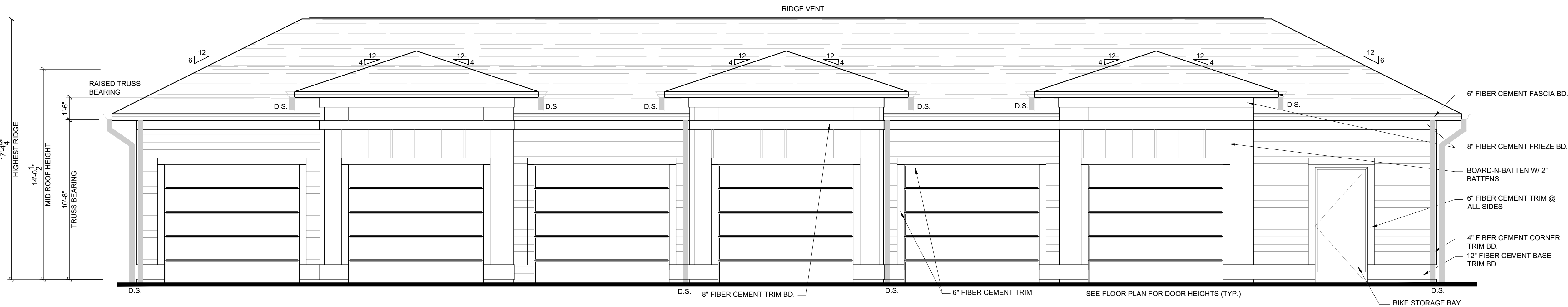
SHEET TITLE:

Garage Type 2  
Exterior Elevations

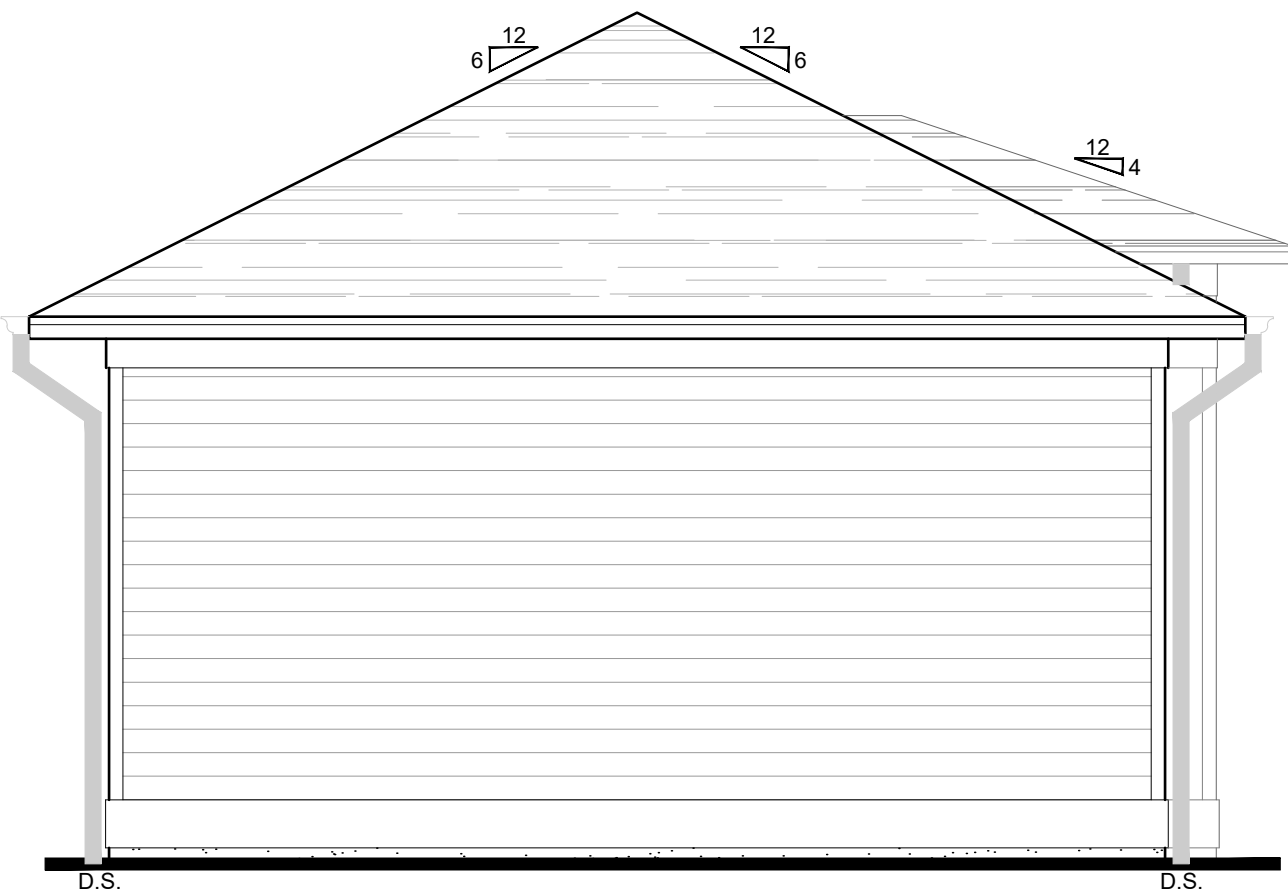
SHEET NUMBER:

A711

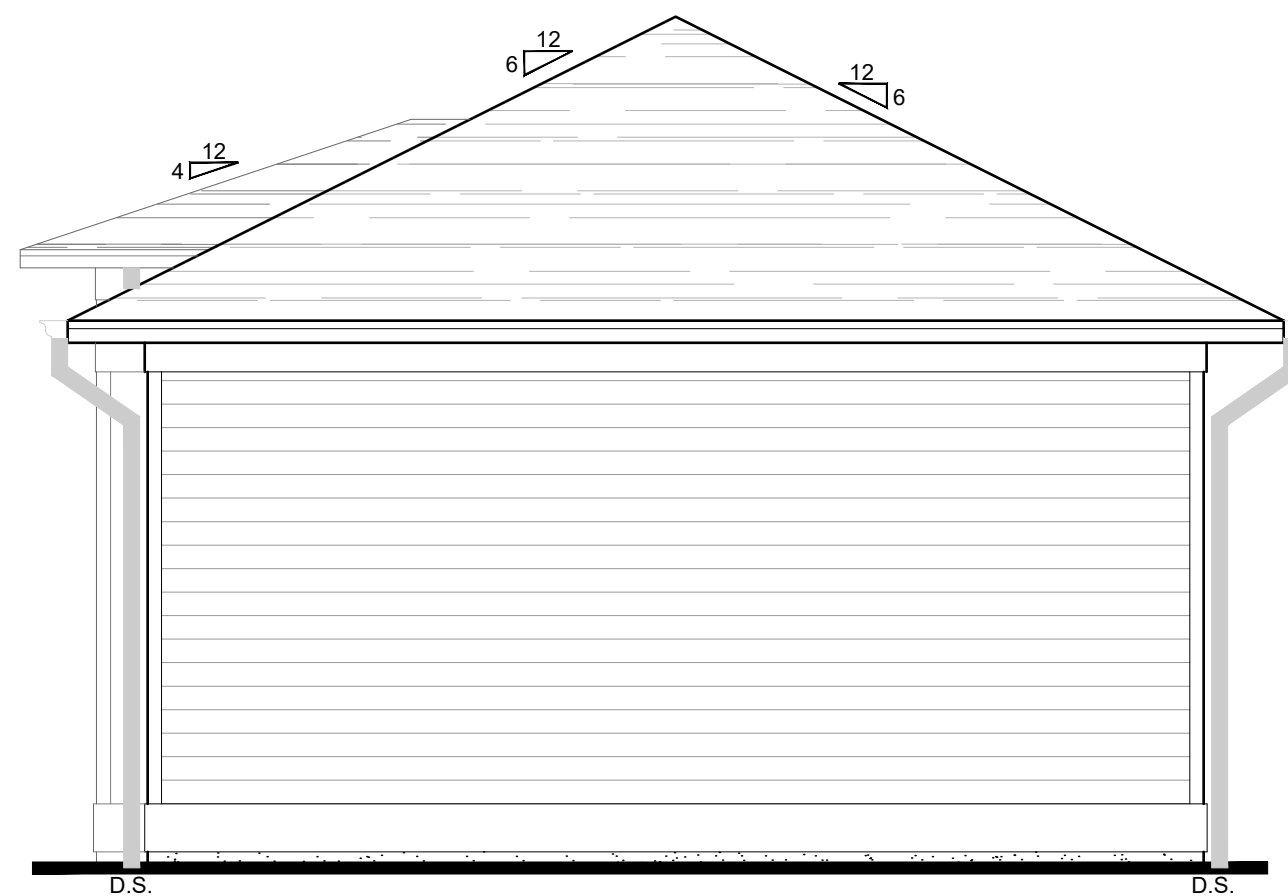




1 GARAGE TYPE 3 - FRONT ELEVATION  
Scale: 1/4" = 1'-0"

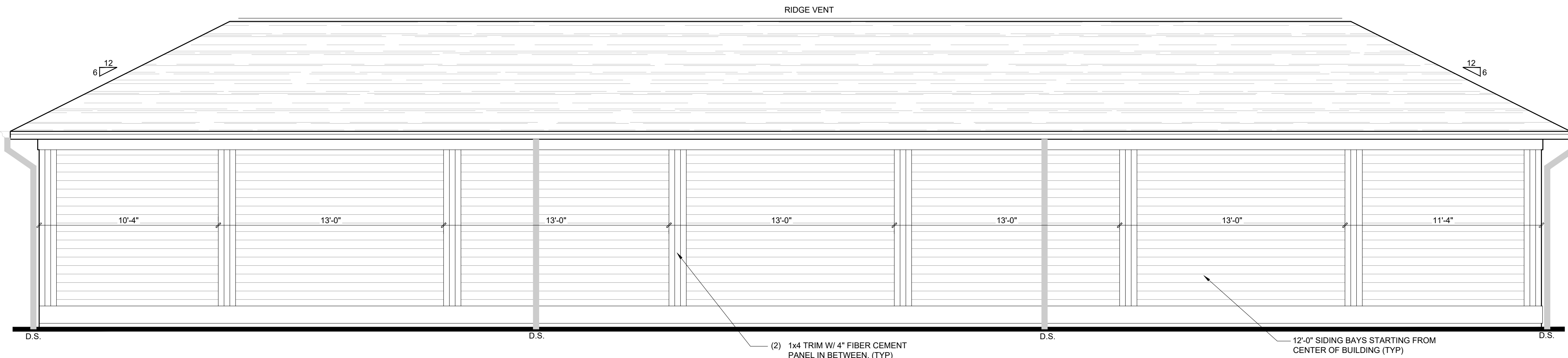


2 GARAGE TYPE 3 - LEFT ELEVATION  
Scale: 1/4" = 1'-0"



3 GARAGE TYPE 3 - RIGHT ELEVATION  
Scale: 1/4" = 1'-0"

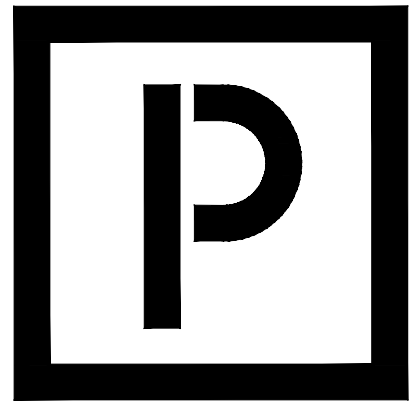
ARCHITECTURAL PLANS EXTERIOR MATERIALS	
	= ASPHALT SINGLE ROOF
	= FIBER CEMENT LAP SIDING
	= FIBER CEMENT PANEL BD W/ CAULK JOINT
	= BOARD & BATTEN SIDING - VERTICAL 1x3 FIBER CEMENT BATTENS @ 24" O.C. OVER 5/16" FIBER CEMENT PANELS TYP.
	= PARGE FOUNDATION



4 GARAGE TYPE 3 - REAR ELEVATION  
Scale: 1/4" = 1'-0"

ELEVATION GENERAL NOTES			
<b>ADDRESSING</b> ADDRESS IDENTIFICATION SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. THESE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS 6" MIN. IN HEIGHT. ADDRESS NUMBERS SHALL BE PLACED ON EACH SIDE AS WELL AS APARTMENT NUMBERS ON THE FRONT OF EACH BREEZEWAY.			
<b>PENETRATIONS</b> ALL WALL/ROOF PENETRATIONS TO MATCH COLOR OF ADJACENT MATERIAL			
<b>GUTTERS &amp; DOWNSPOUTS</b> REFER TO ROOF PLANS FOR GUTTER AND DOWNSPOUT LOCATIONS AND SIZING			
<b>EXTERIOR BUILDING LIGHTING</b> REFER TO ELECTRICAL DRAWINGS FOR EXTERIOR LIGHTING LOCATIONS			
<b>ROOFS</b> *USE ICE AND WATER SHIELD AT ALL ROOF PLANES SLOPED BELOW 4:12.			
<b>ROOF VENTILATION</b> SEE ROOF PLANS FOR ATTIC VENTILATION CALCULATION REQUIREMENTS. PAINT ALL ROOF PENETRATIONS TO MATCH SHINGLE COLOR			

1. All drawings are to be coordinated with all site information by owner and contractor, and applicable codes. 3. Planworx Architecture, P.A. is not responsible for constructed variations from the information depicted.  
2. Contractor is to notify architect immediately of conditions or items varying from depicted information. 4. Planworx Architecture, P.A. will not assume any liability for expenses associated with errors and omissions on these drawings unless offset by verified construction savings as a result of Planworx Architecture, P.A. Design. 5. Planworx Architecture, P.A. retains ownership of all of designs depicted and implied herein.  
© Copyright 2023 - PLANWORX ARCHITECTURE, P.A. All rights reserved. Reproduction of this sheet, in whole or in part, is strictly prohibited. Plans may be used once by client. Unauthorized use strictly prohibited. PLANS NOT VALID FOR CONSTRUCTION W/O APPROPRIATE PROFESSIONAL SEALS. 6. Planworx Architecture, P.A. is not responsible for estimating, maintaining, or regulating construction costs associated with these plans.



**PLANWORX**  
ARCHITECTURE  
5711 SIX FORKS ROAD, SUITE 100  
RALEIGH NC 27609  
website www.planworx.com



Evolve at Grove Park

Evolve Companies

Fruitland Park, FL

Design Development Review Set

PROJECT NO: 000923

DRAWN BY: JT, AM

CHECKED BY: MM

SHEET TITLE:

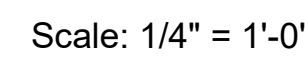
Garage Type 3  
Exterior Elevations

SHEET NUMBER:

A713

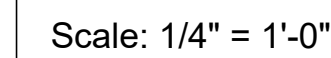


Scale: 1/4" = 1'-0"



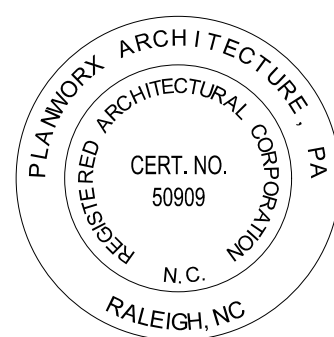
NOTE: SEE CLUBHOUSE BATH ELEVATION SHEET  
FOR MOUNTING DIMENSIONS

## GENERAL NOTES & LEGENDS



566

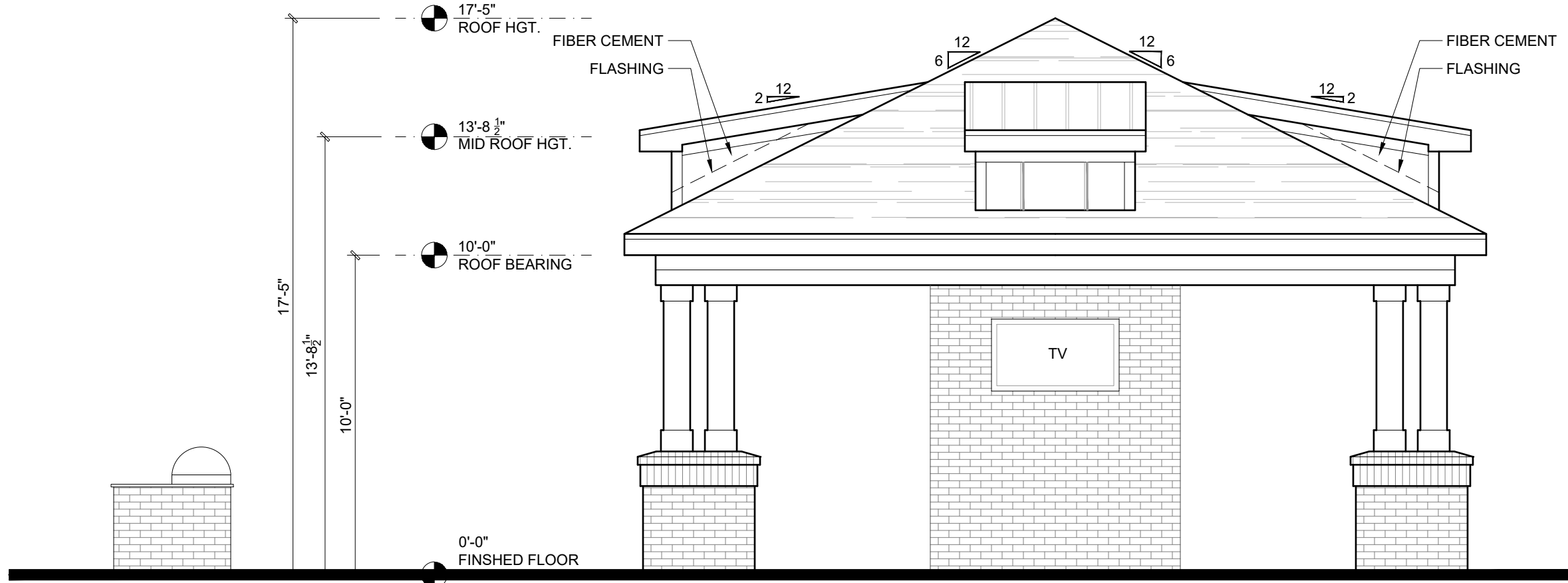
## Design Development Review Set



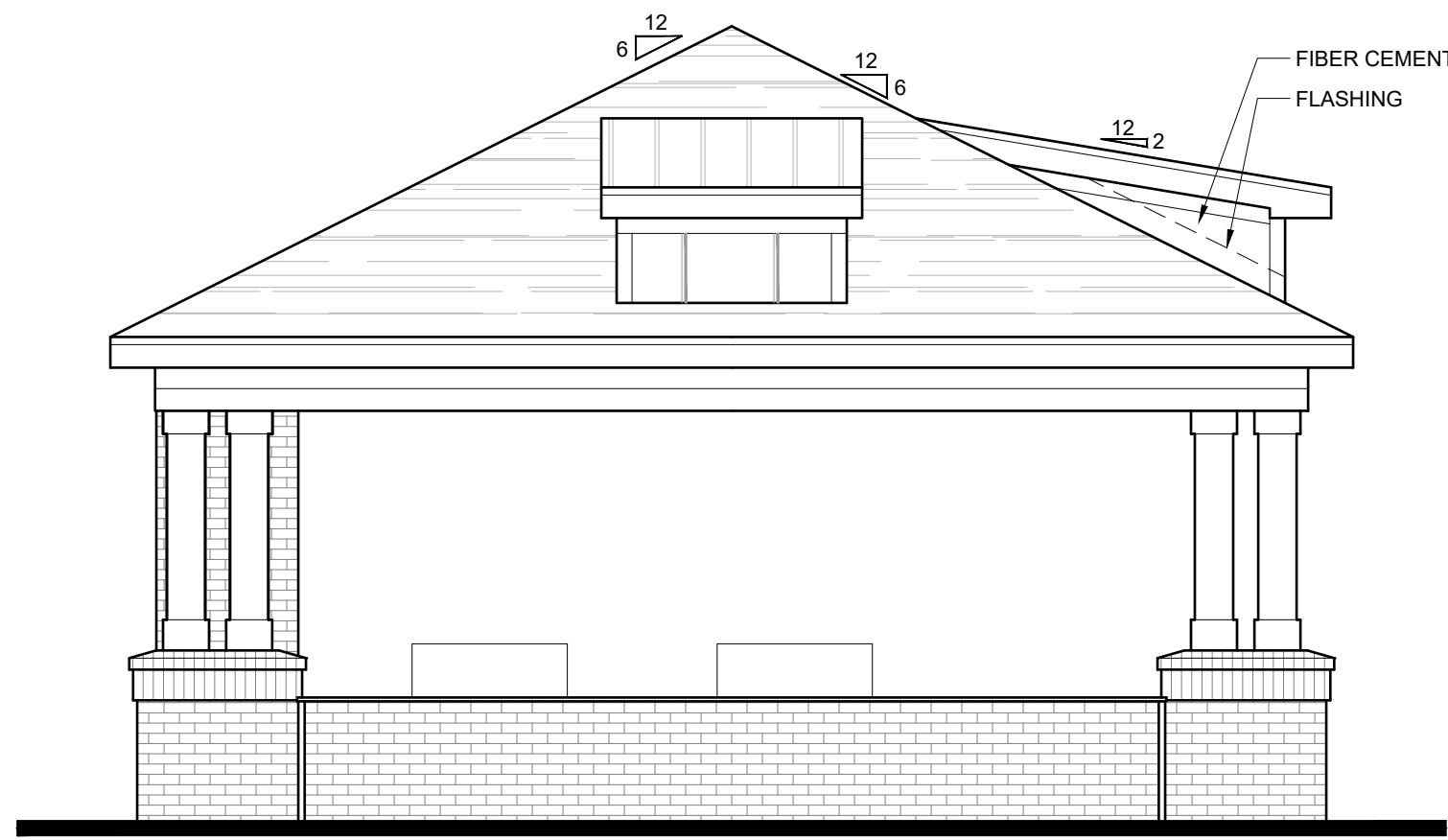
SHEET NUMBER:

# A714

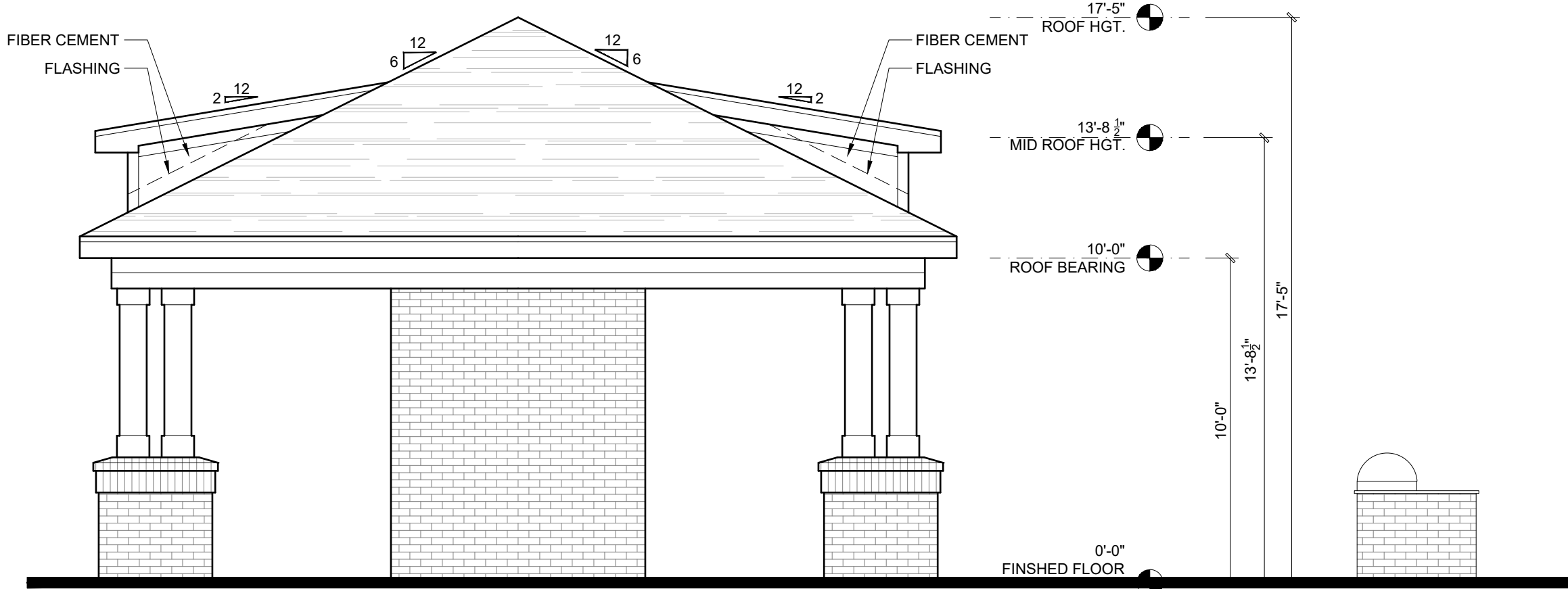




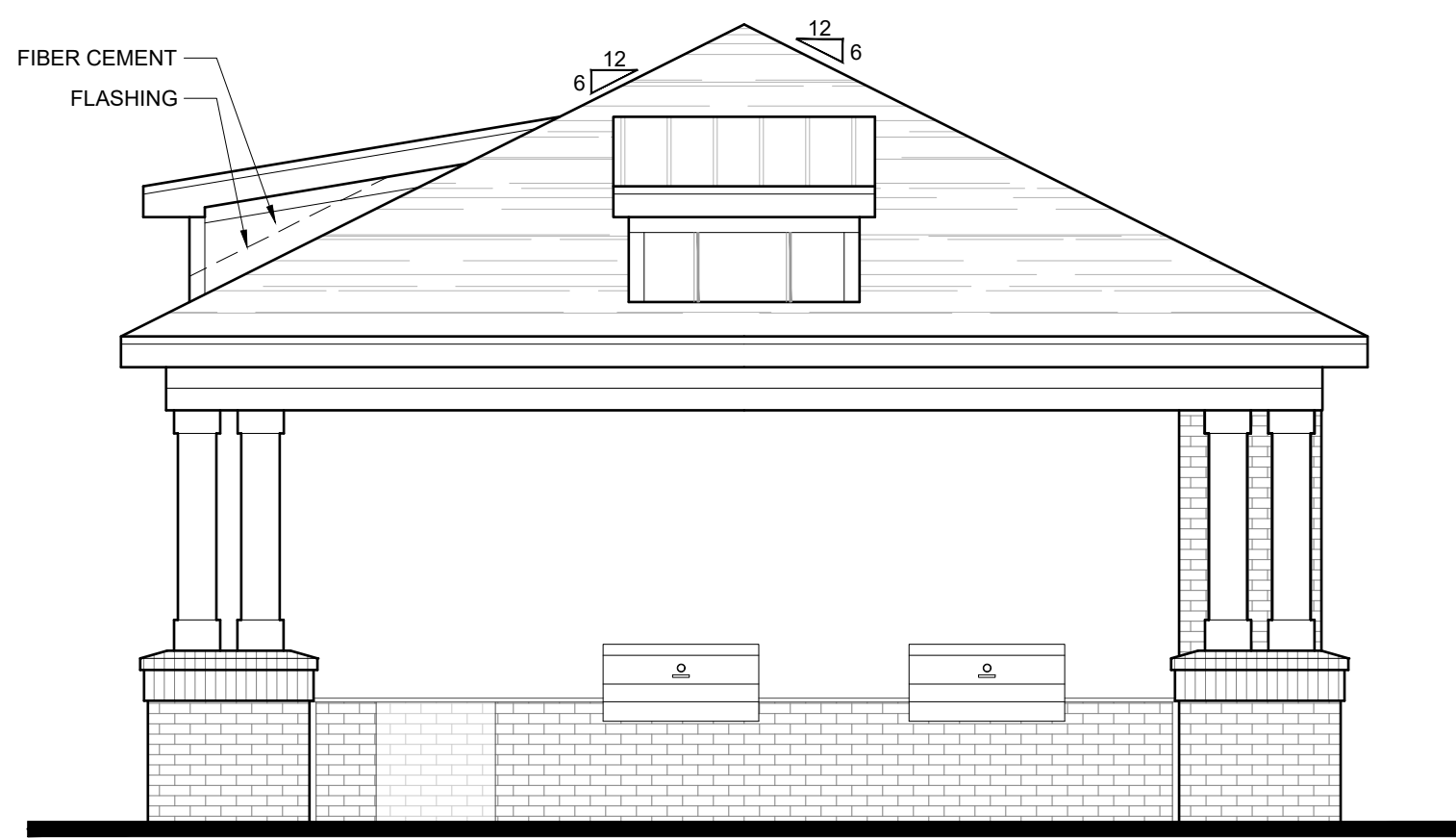
FRONT ELEVATION



LEFT ELEVATION

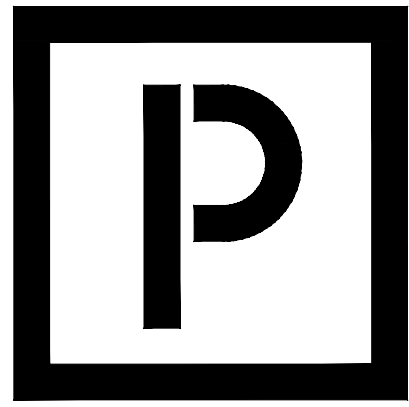


REAR ELEVATION



RIGHT ELEVATION

EXTERIOR MATERIAL LEGEND	
	= ASPHALT SHINGLE ROOF
	= STANDING SEAM METAL ROOF
	= FIBER CEMENT PANEL BD W/ 2" BATTENS AT 16" O.C. PER ELEVATION
	= FIBER CEMENT LAP SIDING
	= BRICK VENEER
	= BRICK ROWLOCK SILL
	= 3/4" PROJECTED BRICK ROWLOCK/SOLDIER COURSE
	= WINDOW FIBER CEMENT TRIM (TYP.) PER BUILDER
	= 4" CORNER/WALL FIBER CEMENT TRIM (TYP.) PER BUILDER
CORNER BOARDS TO BE 6" FIBER CEMENT TRIM	



PLANWORX  
ARCHITECTURE

5711 SIX FORKS ROAD, SUITE 100  
RALEIGH NC 27609  
website www.planworx.com



Evolve at Grove Park

Evolve Companies

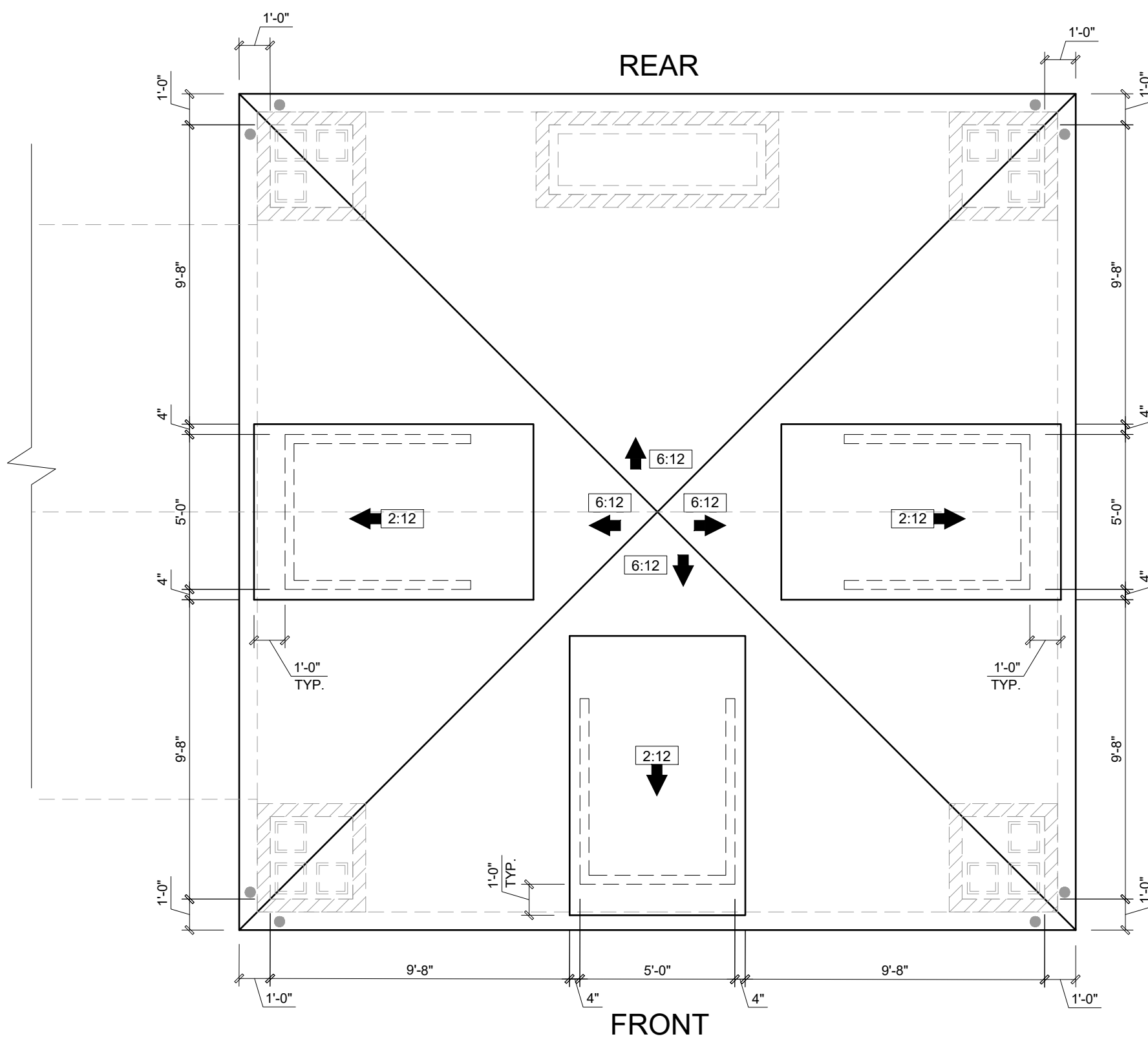
Fruitland Park, FL

Design Development Review Set

3

GRILLING PAVILION - ELEVATIONS

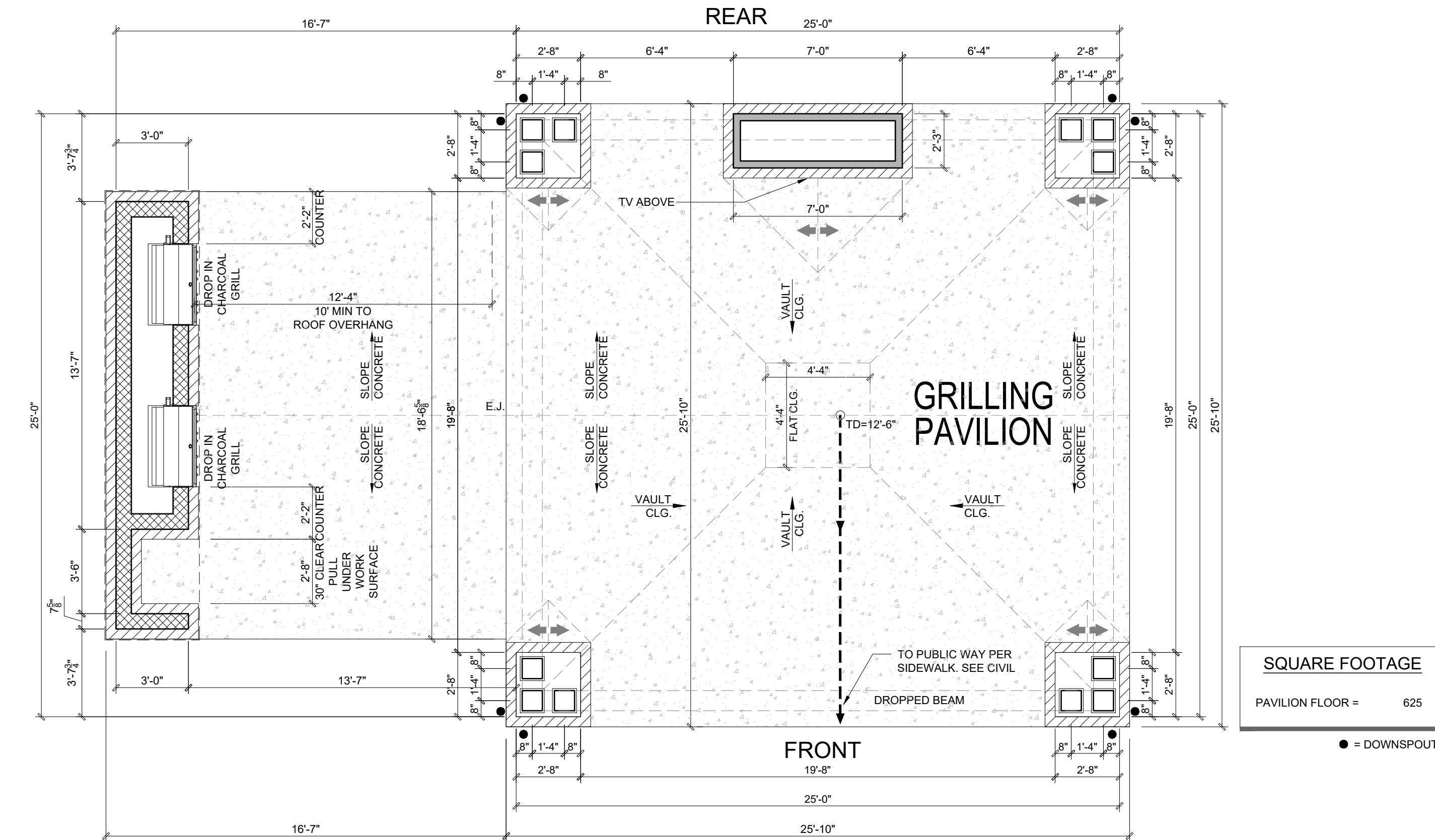
Scale: 1/4" = 1'-0"



2

GRILLING PAVILION - ROOF PLAN

Scale: 1/4" = 1'-0"



1

GRILLING PAVILION - FLOOR PLAN

Scale: 1/4" = 1'-0"

PROGRESS DATE: 07-18-23

ISSUE DATE:

REVISIONS:

NUMBER

DATE

INITIALS

DESCRIPTION

PROJECT NO:

000923

DRAWN BY:

JT, AM

CHECKED BY:

MM

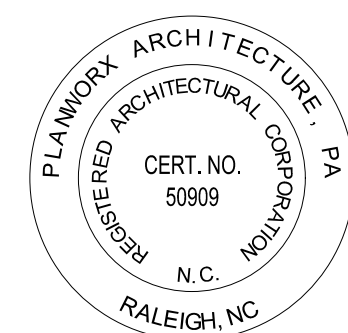
SHEET TITLE:

Grilling Pavilion  
Plans & Elevations

SHEET NUMBER:

A715





Design Development Review Set

SHEET NUMBER:

# A718

SCALE: 1/4"=1'-0"

1. All drawings are to be coordinated with all site information by owner and contractor, and applicable codes. 3. Planworx Architecture, P.A. is not responsible for constructed variations from the information depicted. 5. Planworx Architecture, P.A. retains ownership of all of designs depicted and implied herein.  
2. Contractor is to notify architect immediately of conditions or items varying from depicted information. 4. Planworx Architecture, P.A. will not assume any liability for expenses associated with errors and omissions on these drawings unless offset by verified construction savings as a result of Planworx Architecture, P.A. Design. 6. Planworx Architecture, P.A. is not responsible for estimating, maintaining, or regulating construction costs associated with these plans.  
© Copyright 2023 - PLANWORX ARCHITECTURE, P.A. All rights reserved. Reproduction of this sheet, in whole or in part, is strictly prohibited. Plans may be used once by client. Unauthorized use strictly prohibited. PLANS NOT VALID FOR CONSTRUCTION W/O APPROPRIATE PROFESSIONAL SEALS.



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

**SITE PLAN**

**Owner:** Evolve Companies, LLC, John McDonald

**Engineer:** Upham, Inc., Roger Strcula, P.E.

**General Location:** North side of CR 466-A and east of Oliver Lane

**Number of Acres:** 19.56 ± acres

**Existing Zoning:** Mixed Use PUD

**Existing Land Use:** Commercial and MF High Density

**Date:** August 28, 2023

**Description of Project**

The subject property is 19.56 acres and consists of two parcels, Alt Key 1699649 and 3884325; however, a resolution was passed authorizing a unity of title for these two parcels (Resolution 2022-062). There are two existing vacant residential dwellings and one vacant restaurant on the subject site which are to be demolished for development of the site. Development of the site is subject to the Master Development Agreement (Ordinance 2022-024) which was formerly known as “The Hawthorne’s”. The proposed development is for 222 MF dwelling units, associated parking, stormwater and recreational amenities along with the creation of two (2) commercial parcels fronting on CR 466-A.

The max ISR is 70%, maximum FAR is .50 for the commercial area, and maximum density allowed per MDA is 224 MF dwellings. The minimum apartment size per code is 600 SF. The proposed minimum apartment size is 738 SF for 1-bedroom units, 1063 SF for 2-bedroom units, and 1205 SF for 3-bedroom units. Required minimum open space is 25%.

	<b>Surrounding Zoning</b>	<b>Surrounding Land Use</b>
<b>North</b>	County Agriculture and R-7	County Rural
<b>South</b>	Village of Fruitland Park DRI	Village of Fruitland Park DRI
<b>East</b>	C-2	Commercial
<b>West</b>	Commercial PUD	Commercial



**Assessment**

---

**Review Comments**

All planning comments have been addressed.

**Recommendation**

---

Planning staff recommends approval. Please be advised that a separate sign permit will be required.



## **RESOLUTION 2023-074**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING MAJOR SITE PLAN APPROVAL WITH CONDITIONS TO ALLOW FOR CONSTRUCTION OF 222 MULTI-FAMILY DWELLING UNITS, ASSOCIATED PARKING, STORMWATER, RECREATIONAL AMENITIES AND TWO COMMERCIAL PARCELS; PROVIDING FOR CONDITIONS; AUTHORIZING THE CITY MANAGER TO ISSUE A NOTICE OF SITE PLAN APPROVAL UPON COMPLETION OF ALL CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Evolve Fruitland Park, LLC filed an application for Major Site Plan Approval to allow for construction of a multi-family project with commercial outparcels on real property located north of CR 466A and east of Oliver Lane, Fruitland Park, Florida; and

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

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

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

### **Section 1. Granting of Major Site Plan Approval.**

The application filed by , LLC (hereafter referred to as “Applicant”), to allow for construction of 222 Multi-Family Dwelling Units, associated parking, stormwater, recreational amenities, and two commercial parcels on real property having an address of 305 CR 466A and located north of CR 466A and east of Oliver Lane, Fruitland Park is hereby GRANTED, with conditions, for the following described properties:

Alt. Key Numbers: 1699649 and 3884325

06-19-24-0003-000-01600 and 06-19-24-0003-000-08500

(The Properties)

**LEGAL DESCRIPTION: See attached Exhibit A.**

### **Section 2. Conditions of Approval.**



- (1) Prior to the issuance of a building permit, the Applicant shall resolve, to the satisfaction of the City Manager or designee, the following matters:
  - (a) Execute and delivery of an utility easement in favor of the City of Fruitland Park in the form provided by the City.
  - (b) Obtain Commission approval to repeal Resolution 2022-062 which unified the parcels into one parcel.
- (2) Site plan approval shall terminate and become null and void automatically without notice if construction has not commenced within twelve (12) months from the date of this conditioned approval.
- (3) The Site Plan is attached hereto and incorporated herein.
- (4) The City Manager is authorized to issue and record a Notice of Site Plan Approval in the public records of Lake County, Florida, once conditions have been met.

**Section 3. Effective Date.**

This resolution shall become effective immediately upon its passage.

PASSED and ADOPTED at a regular meeting of the City Commission of the City of Fruitland Park, Lake County, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

SEAL

CITY COMMISSION OF THE CITY OF  
FRUITLAND PARK, FLORIDA

\_\_\_\_\_  
CHRIS CHESHIRE, MAYOR

ATTEST:

\_\_\_\_\_  
ESTHER COULSON, CITY CLERK



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

Approved as to form:

---

Anita Geraci-Carver, City Attorney



## **METES AND BOUNDS DESCRIPTION:**

**Parcels 061924000300008500 & 061924000300001600**

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  $00\pm 49'19"$  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  $89\pm 07'47"$  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  $00\pm 51'56.11$  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  $00\pm 51'56"$  EAST, ALONG SAID LINE FOR 300.30 FEET TO THE SOUTHWEST CORNER OF THE NORTH PARCEL; THENCE CONTINUE NORTH  $00\pm 51'56.11$  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  $89\pm 08'29"$  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  $00\pm 50'21"$  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  $00\pm 50'21.11$  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  $00\pm 50'21.11$  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  $89\pm 15'33.11$  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.

Prepared by:  
Avid Group  
2300 Curlew Road, Suite 201



Palm Harbor, FL 34683







A variance to modify Section 157.080(a)(4)(C) iii of the code for the City of Fruitland Park to permit corrugated polyethylene pipe (HP) under roads.

Section 157.080(a)(4)(C) iii reads:

iii) **Storm Sewers**

The following is a list of minimum standards for storm sewers:

- <sup>a</sup> Material: reinforced concrete, asphalt coated corrugated metal, corrugated aluminum pipe, or smooth bore corrugated polyethylene pipe. **Only reinforced concrete pipe shall be allowed under roads.**
- <sup>b</sup> Minimum Size: Eighteen (18) inches or equal.
- <sup>c</sup> Minimum Cover: Per FDOT standards.
- <sup>d</sup> Junctions: Inlet or manhole required at each change of alignment, grade, size or material. Maximum length between manholes shall be 300 feet for pipe sizes of 18 inches or less, 400 feet for pipes up to 42 inches, and 500 feet for 42 inches and above or as approved by the Public Works Director or designee.
- <sup>e</sup> End Treatment: Inlet, manhole, headwall, mitered end sections or flared end sections.

The justification for the variance is that under the code the use of corrugated polyethylene pipe (HP) is permitted everywhere except under roads. While the roads will be dedicated to the city the maintenance of the roads and drainage will be done by the Homeowners Association/Community Development District. The use of polyethylene pipe (HP) is permitted by the Florida Department of Transportation (FDOT), Lake County and many other municipalities in Central Florida. A copy of the letter from Lake County approving the use of Class II Polypropylene Pipe (HP Storm) is attached. The conditions outlined in the letter will be met. While not a justification for the use of HP pipes, the cost differential between RCP and HP has increased greatly in the past 3 years, making the use of HP Pipe very attractive. The quality of material and longevity increased greatly with HP pipe. This becomes apparent with the acceptance of HP pipes in Right-of-Ways in the majorities of jurisdictions throughout central Florida, notably FDOT and Lake County.



iii) ***Storm Sewers***

The following is a list of minimum standards for storm sewers:

- <sup>a</sup> Material: reinforced concrete, asphalt coated corrugated metal, corrugated aluminum pipe, or smooth bore corrugated polyethylene pipe. Only reinforced concrete pipe shall be allowed under roads.
- <sup>b</sup> Minimum Size: Eighteen (18) inches or equal.
- c. Minimum Cover: Per FDOT standards.
- <sup>d</sup> Junctions: Inlet or manhole required at each change of alignment, grade, size or material. Maximum length between manholes shall be 300 feet for pipe sizes of 18 inches or less, 400 feet for pipes up to 42 inches, and 500 feet for 42 inches and above or as approved by the Public Works Director or designee.
- <sup>e</sup> End Treatment: Inlet, manhole, headwall, ~~metered~~ mitered end sections or flared end sections.



**RESOLUTION 2023-073**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING A VARIANCE TO THE SUBDIVISION REGULATION REQUIREMENTS PERTAINING TO REINFORCED CONCRETE PIPE FOR USE UNDER ROADWAYS TO UTILIZE CORRUGATED POLYETHYLENE PIPE (HP), ON THE SUBJECT PROPERTY LOCATED SOUTH OF LAKE ELLA ROAD AND WEST OF US 27/441 AND OWNED BY LAKE SAUNDERS GROVES LAND, LLP, PROVIDING FOR AN EXPIRATION DATE AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Richard Wohlfarth on behalf of the property owner Lake Saunders Groves Land, LLP has petitioned for a variance for their property, located South of Lake Ella Road and west of US 27/441, in the City of Fruitland Park, Florida; and

**WHEREAS**, the owners request a variance to the following Subdivision requirement:

- Chapter 157, Section 157.080(a)(4)(c) iii

**WHEREAS**, the City Commission has considered the petition in accordance with standards for the granting of variances contained in Chapter 157, City of Fruitland Park Land Development Regulations,

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

1. The petition for variance filed by Richard Wohlfarth on behalf of the property owner Lake Saunders Groves Land, LLP for property south of Lake Ella Road and west of US 27/441, in the City of Fruitland Park, Florida, more particularly described as:

**LEGAL DESCRIPTION:** See Exhibit "A"

**Parcel Alternate Key No. 1771617, 1284821, 1284805, 1284511, 1284503, 1284490, 1771625, 3883988**

is granted as follows:

1. A variance to Chapter 157, Section 157.080(a)(4)(c) iii to utilize corrugated polyethylene pipe (HP) instead of reinforced concrete pipe.
2. This variance is granted subject to the following conditions, and shall be of no effect unless and until the conditions have been met, to wit: Minimum and Maximum cover heights should follow the requirements set forth in the FDOT Drainage Manual, Appendix C, as reiterated in Table 1. Polypropylene pipe can be installed in deeper conditions once supporting calculations and documentation associated with this analysis are approved.
  - a. Polypropylene Pipe is required to be installed with an RCP end section.
  - b. Polypropylene Pipe is Wall Zone installations should follow the requirements set forth in the FDOT Drainage Manual Section 3.11, Appendix D and in the latest version of FDOT Standard Specifications, section 430-4.1.
  - c. FDOT's pipe repair matrix should be used as guidance for any repairs
  - d. Polypropylene Pipe must be produced from a FDOT approved production facility for Class II Polypropylene Pipe
  - e. Class I Polypropylene Pipe is not accepted for use within roadways
  - d. Post inspection services are provided by the pipe manufacturer



**PASSED AND ORDAINED** in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
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'**  
**LEGAL DESCRIPTION**

Parcel 33-18-24-0003-000-02900 (Alt Key 1284490):

The East 66 feet of the North 210 feet of the SE 1/4 of the NW 1/4 and the West 160 Feet of the North 210 feet of the SW 1/4 of the NE 1/4 of Section 33, Township 18 South, Range 24 East, Lake County, Florida.

Parcel 33-18-24-0002-000-00801 (Alt Key 1284503):

The North 511 feet of the NW 1/4 of the SE 1/4 of Section 33, Township 18 South, Range 24 East, lying West of the Railroad, Lake County, Florida.

Parcel 33-18-24-0001-000-00700 (Alt Key 1284511):

The NE 1/4 of the NW 1/4 of Section 33, Township 18 South, Range 24 East, Lake County, Florida, LESS: commence at the NE corner of the NE 1/4 of the NW 1/4 of Section 33, Township 18 South, Range 24 East, in Lake County, Florida, and run S 89°58'40" W, along the North line of the NE 1/4 of the NW 1/4, a distance of 380.35 feet to the Point of Beginning of this description; from said Point of Beginning, run S 00°02'26" W, 1326.45 feet to a point on the South line of the NE 1/4 of the NW 1/4 of said Section 33; thence S 89°54'10" W, along the South line of the NE 1/4 of the NW 1/4 a distance of 169.28 feet; then N 00°02'26" E, 1326.67 feet, to a point on the North line of the NE 1/4 of the NW 1/4 of said Section 33; thence N 89°58'40" E, along the North line of the NE 1/4 of the NW 1/4 a distance of 169.29 feet to the Point of Beginning. LESS the North 40 feet thereof for right-of-way of Lake Ella Road.

Parcel 33-18-24-0002-000-00802 (Alt Key 1284805):

The East 240 feet of the N 1/2 of the SW 1/4 of the NW 1/4 and the West 550 feet of the N 1/2 of the SE 1/4 of the NW 1/4 of Section 33, Township 18 South, Range 24 East, Lake County, Florida.

Parcel 33-18-24-0002-000-00800 (Alt Key 1284821):

The South 209.88 feet of the West 157.5 feet of the East 682.5 feet of the NE 1/4 of the SW 1/4 of Section 33, Township 18 South, Range 24 East, Lake County, Florida.

Parcel 33-18-24-0003-000-02600 (Alt Key 1771617):

Begin at the Northwest corner of the SE 1/4 of NW 1/4 of Section 33, Township 18 South, Range 24 East, Lake County, Florida, run thence East 1254 feet, thence South 210 feet, thence East 226 feet, thence North 210 feet, thence East to the Westerly right of way of the railroad, thence Southerly along said railroad right of way to South line of the SW 1/4 of the NE 1/4, thence West to Southwest corner of the SE 1/4 of the NW 1/4, thence North 1320 feet to the point of beginning, LESS the West 550 feet of the North 1/2 of the SE 1/4 of the NW 1/4 of Section 33, Township 18 South, Range 24 East.

Parcel 33-18-24-0004-000-04600 (Alt Key 1771625):

Begin at the NE corner of the NE 1/4 of the SW 1/4 of Section 33, Township 18 South, Range 24 East, Lake County, Florida, run thence South 900.5 feet, thence West 209.88 feet, thence South 209.88 feet, then West 400.12 feet, thence North 1092.88 feet, thence East 610 feet to the point of beginning.

Parcel 33-18-24-0002-000-10200 (Alt Key 3883988):

Commence at the NE corner of the NE 1/4 of the NW 1/4 of Section 33, Township 18 South, Range 24 East, in Lake County, Florida, and run S 89°58'40" W, along the North line of the NE 1/4 of the NW 1/4, a distance of 380.35 feet to the Point of Beginning of this description; from said Point of Beginning, run S 00°02'26" W, 1326.45 feet to a point on the South line of the NE 1/4 of the NW 1/4 of said Section 33; thence S 89°54'10" W, along the South line of the NE 1/4 of the NW 1/4 a distance of 169.28 feet; then N 00°02'26" E, 1326.67 feet, to a point on the North line of the NE 1/4 of the NW 1/4 of said Section 33; thence N 89°58'40" E, along the North line of the NE 1/4 of the NW 1/4 a distance of 169.29 feet to the Point of Beginning. LESS the North 40 feet thereof for right-of-way of Lake Ella Road.



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

**VARIANCE – ENCLAVE AT LAKE GENEVA**

**Owner:** Lake Saunders Groves Land, LLP

**Engineer:** W/C Group, Richard Wohlfarth, P.E.

**General Location:** South of Lake Ella Road and west of US 27/441

**Number of Acres:** 135 ± acres

**Existing Zoning:** PUD

**Existing Land Use:** Multi-Family High Density

**Date:** November 2, 2023

**Description of Project**

The applicant is requesting a variance from the subdivision design criteria (Chapter 157, Section 157.080(a)(4)(C) iii) to utilize corrugated polyethylene pipe (HP) instead of the required reinforced concrete pipe.

**Assessment**

---

The applicant has submitted the following justification for the variance. The use of polyethylene pipe (HP) is permitted everywhere except under roads. The use of HP is permitted by the FDOT, Lake County and other municipalities in Central Florida. The applicant submitted a letter from Lake County indicating that Lake County approves the use of 12-inch through 48-inch Class II Polypropylene pipe (such as HP Storm) as approved by FDOT for all gravity flow storm drainage applications. Class II Polypropylene Pipe is approved for use in the right of way including cross drains under Arterial, Collector, and major roadways within Lake County provided the following criteria is met:

- 1) Minimum and Maximum cover heights should follow the requirements set forth in the FDOT Drainage Manual, Appendix C, as reiterated in Table 1. Polypropylene pipe can be installed in deeper conditions once supporting calculations and documentation associated with this analysis are approved.
  - a. Polypropylene Pipe is required to be installed with an RCP end section.



- b. Polypropylene Pipe is Wall Zone installations should follow the requirements set forth in the FDOT Drainage Manual Section 3.11, Appendix D and in the latest version of FDOT Standard Specifications, section 430-4.1.
- c. FDOT's pipe repair matrix should be used as guidance for any repairs
- d. Polypropylene Pipe must be produced from a FDOT approved production facility for Class II Polypropylene Pipe
- e. Class I Polypropylene Pipe is not accepted for use within Lake County roadways

Chapter 157, Section 157.110(d) outlines the review criteria for variances from required improvements or design criteria as follows:

- 1) Topographic or other physical conditions exist which are peculiar to the site and not a result of the actions of the applicant.

***There are no topographic or other physical conditions that exist associated with the site to prevent the use of reinforced concrete pipe.***

- 2) Literal interpretation of the Land Development Code would result in unnecessary and undue hardship on the applicant.

***The applicant has submitted their justification for the requested variance. The Fruitland Park Land Development Regulations allow the use of HP is permitted for use everywhere except under roads. The roadways in the proposed development will be dedicated to the public; however, ownership and maintenance of the roadways and drainage system will be the responsibility of the Homeowners Association or a Community Development District (CDD); therefore, the City of Fruitland Park will not be responsible. In addition, Lake County and FDOT also allow for use of polyethylene pipe (HP) under roadways. The applicant also stated that although not a justification for use of the HP pipes, the cost differential between RCP and HP has increased greatly in the past 3 years, making the use of HP pipe very attractive. The quality of material and longevity increased greatly with HP pipe. This becomes apparent with the acceptance of HP pipes in rights of ways in the majorities of jurisdictions throughout central Florida, notably FDOT and Lake County.***

The City Commission may attach any such conditions to the variance as will assure that the variance will not result in noncompliance with the intent and purpose of this Chapter.

## **Recommendation**

---

Since the use of HP and reinforced concrete pipe is an engineering issue rather than a planning issue, staff defers to the City Engineers. The City Engineer has recommended that post inspection services are provided by the pipe manufacturer.



Should the City Commission approve the variance it is recommended that the conditions outlined by Lake County and the City Engineer be incorporated.





VIA EMAIL [echurch@fruitlandpark.org](mailto:echurch@fruitlandpark.org)

October 27, 2023

Emily Church  
Office Assistant  
City of Fruitland Park  
506 W. Berckman Street  
Fruitland Park, FL 34731

**RE: Enclave at Lake Geneva Variance Request for HP Pipe (Halff AVO 043866.123)  
Review #1**

Dear Ms. Church:

Per an email request dated October 26, 2023, I have reviewed the documents which were included in Dropbox for the above referenced project. Based on my review, Halff does not object to the variance provided that post inspection services are provided by the pipe manufacturer as discussed in the pre-application meeting on 10-24-23 with Mr. Richard Wohlfarth and city staff.

Should you have any questions, please feel free to contact our office at 352-343-8481.

Sincerely,  
HALFF

A handwritten signature in blue ink, appearing to read "BT", located below the typed name.

Brett Tobias, P.E.  
Team Leader  
[btobias@Halff.com](mailto:btobias@Halff.com)

BJT:am



## ORDINANCE 2023-019

**AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 154 OF THE CITY OF FRUITLAND PARK'S LAND DEVELOPMENT CODE TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35' WITHIN ALL CITY OF FRUITLAND PARK ZONING DISTRICTS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF GROVELAND LAND DEVELOPMENT CODE; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Fruitland Park desires to amend its land development code to amend the maximum number of stories allowed and maximum height of buildings within the City of Fruitland Park.

**WHEREAS**, the Planning and Zoning Board of the City of Fruitland Park held a public hearing on this ordinance which was advertised in accordance with law, and the Planning and Zoning Board made a recommendation to City Commission.

**WHEREAS**, the City Commission of the City of Fruitland Park at second reading held a public hearing for adoption of this ordinance at least 10 days after the date of advertisement.

**WHEREAS**, the City of Fruitland Park desires to amend the Land Development Code for the City of Fruitland Park as set forth below.

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

**Section 1.** The above recitals are true and correct and made an integral part of this ordinance.

**Section 2.** Section 154.030 d), Chapter 154 of the Land Development Regulations of the City of Fruitland Park, Florida, is hereby amended to read as set forth on **Exhibit A** attached hereto and incorporated herein

**Section 3. Applicability.** This ordinance shall be applicable to property located within the City of Fruitland Park municipal boundaries.

**Section 4. Severability.** If any section or phrase of this ordinance is held to be unconstitutional, void or otherwise invalid, the validity of the remaining portions of this ordinance shall not be affected thereby.

**Section 5. Conflicts.** In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance shall control and supersede.



**Section 6. Inclusion.** It is the intention of the City Commission of the City of Fruitland Park that this ordinance shall become and be made a part of the Land Development Code for the City. Sections may be renumbered or reorganized for editorial and codification purposes and such renumbering or reorganization shall not constitute nor be considered a substantive change to the Land Development Code as adopted.

**Section 7. Effective Date.** The effective date of this ordinance is upon adoption.

**PASSED AND ORDAINED** in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2024.

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

Attest:

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

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

First Reading	_____
Second Reading	_____

Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney



## **EXHIBIT A**

### **CHAPTER 154**

#### **ZONING DISTRICT REGULATIONS**

##### **SECTION 154.030: ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP**

###### **d) Purpose and Intent of Zoning Districts**

This section presents the basic purpose and intent of each zoning district.

###### **1) R-2 "Single Family Low Density Residential"**

This district is established to implement comprehensive plan policies for managing low-density, single-family residential development at a density not to exceed two (2) single-family dwelling units per acre. The R-2 district is established to preserve the stability of existing and future conventional single-family residential neighborhoods, preserve open space, and manage future densities in order to assure that future densities are compatible with existing developments, natural features of the land, as well as existing and projected public services and facilities within the area.

###### **A) *The following uses shall be permitted:***

- i) Single-family detached dwelling units.
- ii) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development Code. Accessory dwelling unit may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage and maximum square footage pursuant to the zoning district.
- iii) Customary accessory structures incidental to the principal structure pursuant to Section 156.010 of the Land Development Code.
- iv) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with 1-6 residents.
- v) Home Occupations pursuant to Section 156.020 of the Land Development Code.

###### **B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission***

- i) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents pursuant to Section 155.030(b)(5) of the Land Development Code.

###### **C) *Uses Expressly Prohibited***



## **EXHIBIT A**

- i) Single-family attached dwelling units.
- ii) Multi-family residential dwelling units.
- iii) Two family (duplex) dwelling units.
- iv) Commercial land uses.
- v) Industrial land uses.
- vi) Any use prohibited by City, State, or Federal law.
- vii) Adult Entertainment.

### **D) *Other Possible Uses***

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as a conditional use pursuant to Chapter 155 of this Code.

### **E) *Design Standards***

- i) Minimum lot size shall be twenty thousand (20,000) square feet.
- ii) Minimum lot width shall be one hundred feet (100') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. ~~Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- iv) Minimum setbacks requirements:
  - a. Front: Local roadways - Twenty feet (20')  
Garage setback from roadway - Twenty-five feet (25').
  - b. Side: Local roadway - Twenty feet (20')  
Another lot - Fifteen feet (15')  
Garage setback from roadway: Twenty-five feet (25')
  - c. Rear: Local roadways - Twenty feet (20')  
Another lot - Twenty-five feet (25')  
Garage setback from roadway: Twenty-five feet (25')
- v) Maximum building coverage: Thirty percent (30%).
- vi) Minimum living area shall be one thousand two hundred (1,200) square feet exclusive of porches, garages or utility rooms.



## **EXHIBIT A**

- vii) The minimum open space shall be twenty-five percent (25%).

### 2) **R-4 "Single-Family Medium Density Residential"**

This district is established to implement comprehensive plan policies for managing traditional single-family residential development at a density not to exceed four (4) dwelling units per acre. This district is established to preserve the stability of existing and future residential neighborhoods, preserve open space, and manage future densities to assure a smooth transition between low-density residential and areas designed for more intense uses, natural features of the land, as well as existing and projected public services and facilities within the area.

#### A) *The following uses shall be permitted:*

- i) Single-family detached residential dwelling units.
- ii) Customary accessory structures incidental to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
- iii) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development Code. Accessory dwelling unit may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
- iv) Home Occupations pursuant to Section 156.020 of the Land Development Code.
- v) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with 1-6 residents.

#### B) *Uses Permitted as Special Exception Use Upon Approval by the City Commission*

- i) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents pursuant to Section 155.030(b)(5) of the Land Development Code.
- ii) Small Homestay Bed and Breakfast Inn.

#### C) *Uses Expressly Prohibited*

- i) General Commercial land uses.
- ii) Industrial land uses.
- iii) Any use prohibited by City, State, or Federal law.



## **EXHIBIT A**

- iv) Multi-family dwelling unit.
- v) Two-family (duplex) dwelling units.
- vi) Single family attached dwelling units.
- vii) Adult Entertainment.

### **D) *Other Possible Uses***

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

### **E) *Design Standards***

- i) Minimum lot size shall be ten thousand (10,000) square feet provided central sewer is utilized. Minimum lot size shall be twelve thousand five hundred (12,500) square feet when septic tanks are utilized.
- ii) Minimum lot width shall be eighty feet (80') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) ~~Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- iv) Minimum setbacks requirements:
  - a. Front: Local roadways - Twenty feet (20')  
Garage setback from roadway - Twenty-five feet (25').
  - b. Side: Local roadway – Twenty feet (20')  
Another lot - Ten feet (10')  
Garage setback from roadway: Twenty-five feet (25').
  - c. Rear: Local roadways – Twenty feet (20')  
Another lot - Twenty feet (20')  
Garage setback from roadway: Twenty-five feet (25').
- v) Maximum building coverage: Thirty percent (30%).
- vi) Minimum living area shall be one thousand two hundred (1,200) square feet exclusive of porches, garages or utility rooms.
- vii) The minimum open space shall be twenty-five percent (25%).



## **EXHIBIT A**

### 3) **R-8 "Multi-Family Low Density Residential"**

This district is established to provide for medium density residential development not restricted to single-family dwelling units. Density shall not exceed four (4) units per acre unless central sewer facilities are available at which time density is not allowed to exceed eight (8) dwelling units per acre. This zoning district will facilitate the transition between lower intensity and higher intensity residential uses.

#### A) *The following uses shall be permitted:*

- i) Single-family detached residential dwelling units.
- ii) Single-family attached residential dwelling units.
- iii) Customary accessory structures to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
- iv) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development code. Accessory dwelling unit may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
- v) Home Occupations pursuant to Section 156.020 of the Land Development Code.
- vi) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with 1-6 residents.
- vii) Two family (duplex) dwelling units.
- viii) Multi-family dwelling units.
- ix) Mobile Home Subdivision Development Requirements. The developer shall prepare and submit plans in accordance with the Subdivision Regulations of Chapter 157 of the Land Development Code.
- x) Small and Medium Home Stay Bed and Breakfast Inn

#### B) *Uses Permitted as Special Exception Use Upon Approval by the City Commission*

- i) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents pursuant to Section 155.030(b)(5) of Land Development Code.



## **EXHIBIT A**

### C) *Uses Expressly Prohibited*

- i) General Commercial land uses.
- ii) Industrial land uses.
- iii) Adult Entertainment.
- iv) Any use prohibited by City, State, or Federal law.

### D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

### E) *Design Standards*

- i) Minimum lot size for single family dwellings shall be eight thousand (8,000) square feet provided central sewer is utilized. Minimum lot size for single family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- ii) Minimum lot size for multi-family dwellings shall be six thousand (6,000) square feet provided central sewer is utilized. Minimum lot size for multi-family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- iii) Minimum lot size for triplex units shall be nine thousand (9,000) square feet provided central sewer is utilized. Minimum lot size shall be fifteen thousand (15,000) square feet when septic tanks are utilized.
- iv) Minimum lot width for single family shall be sixty-five feet (65') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- v) Minimum lot width for multi-family shall be sixty feet (60') provided central sewer is utilized. Minimum lot size for multi-family shall be ten thousand (10,000) square feet when septic tanks are utilized. All lot widths are measured at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- vi) Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. ~~Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- vii) Minimum setbacks requirements for single family, duplex and triplex units:



## **EXHIBIT A**

- a. Front: Local roadways - Twenty feet (20')  
Garage setback from roadway - Twenty-five feet (25').
  - b. Side: Local roadway - Twenty feet (20')  
Another lot - Ten feet (10')  
Garage setback from roadway: Twenty-five feet (25')
  - c. Rear: Local roadways - Twenty feet (20')  
Another lot - Twenty feet (20'). Each additional story of triplex units will add five feet (5') to the rear setback.  
Garage setback from roadway: Twenty-five feet (25')
- viii) Minimum setbacks requirements for multi-family units:
- a. Front: Local roadways - Twenty feet (20')  
Garage setback from roadway - Twenty-five feet (25').
  - b. Side: Local roadway - Twenty feet (20')  
Another lot - Fifteen feet (15')  
  
Garage setback from roadway: Twenty-five feet (25')
  - c. Rear: Local roadways - Twenty feet (20')  
Another lot - Twenty feet (20').  
Garage setback from roadway:  
Twenty-five feet (25')
- ix) Maximum building coverage: Thirty percent (30%).
- x) Minimum living area for single family shall be one thousand (1,000) square feet exclusive of porches, garages or utility rooms. Minimum living area for multi-family, duplex and triplex shall be six hundred (600) square feet exclusive of porches, garages or utility rooms.
- xi) The minimum open space shall be twenty-five percent (25%).

4) **R-3A "High Density Residential/Neighborhood Commercial"**

This district is established to provide for a mix of high density residential and neighborhood commercial uses not to exceed four (4) dwelling units per acre unless central sewer facilities are available at which time density is not allowed to exceed ten (10) dwelling units per acre. Buildings are limited to 3-story maximum and maximum height of 35-ft. It is intended to provide essential services to residential areas without detrimental effects to residential neighborhoods. Any



## **EXHIBIT A**

future request for commercial development in this category will require rezoning to Planned Unit Development consistent with Section 154.030(d)(10).

A) *The following uses shall be permitted:*

- i) Single-family attached dwelling units.
- ii) Single-family detached dwelling units.
- iii) Two-family (duplex) residential dwelling units.
- iv) Multi-family residential dwelling units.
- v) Customary accessory structures incidental to the principal use not to exceed 30% of living area of the principal dwelling unit, or 450 square feet, whichever is greater.
- vi) Home occupations pursuant to Section 156.020 of the Land Development Code.
- vii) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents.
- viii) Day Care Centers.
- ix) Offices for professional services.
- x) Personal services.
- xi) Commercial uses less than 25,000 square feet, when approved through the Planned Unit Development process in Section 154.030(d)(10).

B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*

- i) Mobile home subdivisions/parks.
- ii) Adult congregate living facilities.
- iii) Nursing homes.
- iv) Small, medium, and large Homestay Bed and Breakfast Inn.

C) *Uses Expressly Prohibited*

- i) Commercial land uses greater than 25,000 square feet.
- ii) Industrial land uses.



## **EXHIBIT A**

iii) Adult Entertainment.

iv) Uses prohibited by City, State or Federal law.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

5) **R-10 "Multi-Family Medium Density"**

This district is established to provide for a mix of high density residential and neighborhood commercial uses not to exceed four (4) dwelling units per acre, unless central sewer facilities are available at which time density is not allowed to exceed ten (10) dwelling units per acre. It is intended to provide essential services to residential areas without detrimental effects to residential neighborhoods.

A) *The following uses shall be permitted:*

- i) Single-family attached dwelling units.
- ii) Single-family detached dwelling units.
- iii) Two-family (duplex) residential dwelling units.
- iv) Multi-family residential dwelling units.
- v) Customary accessory structures to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
- vi) Accessory dwelling units for non-paying family members pursuant to Section 156.010 of the Land Development Code. Accessory dwelling unit may not be rented or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
- vii) Home occupations pursuant to Section 156.020 of the Land Development Code.
- viii) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents.
- ix) Small, medium, and large Homestay Bed and Breakfast Inn.

B) *Uses Permitted as Special Exception Use Upon Approval of the*



## **EXHIBIT A**

### *City Commission*

- i) Mobile home subdivisions/parks.
- ii) Adult congregate living facilities.
- iii) Nursing homes.

### *C) Uses Expressly Prohibited*

- i) General Commercial land uses
- ii) Industrial land uses.
- iii) Adult Entertainment.
- iv) Uses prohibited by City, State or Federal law.

### *D) Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

### *E) Design Standards*

- i) Minimum lot size for single family dwellings shall be eight thousand (8,000) square feet provided central sewer is utilized. Minimum lot size for single family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- ii) Minimum lot size for multi-family dwellings shall be six thousand (6,000) square feet provided central sewer is utilized. Minimum lot size for multi-family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- iii) Minimum lot size for triplex units shall be nine thousand (9,000) square feet provided central sewer is utilized. Minimum lot size shall be fifteen thousand (15,000) square feet when septic tanks are utilized.
- iv) Minimum lot width for single family shall be sixty-five feet (65') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- v) Minimum lot width for multi-family shall be sixty feet (60') provided central sewer is utilized. The lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.



## **EXHIBIT A**

- vi) Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. ~~Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- vii) Minimum setbacks requirements for single family, duplex and triplex units:
  - a. Front: Local roadways - Twenty feet (20')  
Garage setback from roadway - Twenty-five feet (25').
  - b. Side: Local roadway - Twenty feet (20')  
Another lot - Ten feet (10')  
Garage setback from roadway: Twenty-five feet (25')
  - c. Rear: Local roadways - Twenty feet (20')  
Another lot - Twenty feet (20'). Each additional story of triplex units will add five feet (5') to the rear setback.  
Garage setback from roadway: Twenty-five feet (25')
- viii) Minimum setbacks requirements for multi-family units:
  - a. Front yard: Thirty feet (30')
  - b. Front yard garage: Twenty-five feet (25')
  - c. Side yard: Fifteen feet (15')
  - d. Rear yard: Thirty feet (30')
- ix) Maximum building coverage: Thirty percent (30%).
- x) Minimum living area for single family shall be one thousand (1,000) square feet exclusive of porches, garages or utility rooms. Minimum living area for multi-family, duplex and triplex shall be six hundred (600) square feet each exclusive of porches, garages or utility rooms.
- xi) The minimum open space shall be twenty-five percent (25%).

### 6) **R-15 "Multi-Family High Density Residential"**

This district is established to implement comprehensive plan policies for managing high density residential development at a density not to exceed four (4) dwelling units per acre unless central sewer facilities are available at which time density is not allowed to exceed (15) dwelling units per acres. This district is established to ensure that sufficient land is available for high density residential development.



## **EXHIBIT A**

- A) *The following uses shall be permitted:*
- i) Single-family attached residential dwelling units.
  - ii) Single-family detached residential dwelling units.
  - iii) Two-family (duplex) residential dwelling units.
  - iv) Multi-family residential dwelling units.
  - v) Customary accessory structures to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
  - vi) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development Code. Accessory dwelling units may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
  - vii) Home Occupations pursuant to Section 156.020 of the Land Development Code.
  - viii) Licensed Community Residential Homes, Group Homes and Foster Care Facilities with more than six (6) residents.
  - ix) Small, Medium, and Large Homestay Bed and Breakfast Inn.
- B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*
- i) Mobile home subdivisions/parks.
  - ii) Adult Congregate Living Facilities.
  - iii) Nursing Homes.
- C) *Uses Expressly Prohibited*
- i) General Commercial land uses.
  - ii) Industrial land uses.
  - iii) Uses prohibited by City, State, or Federal law.
- D) *Other Possible Uses*
- Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.
- E) *Design Standards*



## **EXHIBIT A**

- i) Minimum lot size for single family dwellings shall be eight thousand (8,000) square feet provided central sewer is utilized. Minimum lot size for single family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- ii) Minimum lot size for multi-family dwellings shall be six thousand (6,000) square feet provided central sewer is utilized. Minimum lot size for multi-family shall be ten thousand (10,000) square feet when septic tanks are utilized.
- iii) Minimum lot size for triplex units shall be nine thousand (9,000) square feet provided central sewer is utilized. Minimum lot size shall be fifteen thousand (15,000) square feet when septic tanks are utilized.
- iv) Minimum lot width for single family shall be sixty-five feet (65') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- v) Minimum lot width for multi-family shall be sixty feet (60') provided central sewer is utilized. The lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- vi) Maximum building height shall be thirty-five feet (35') ~~and buildings are limited to 3-story maximum. Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire Inspector and Building Official.~~
- vii) Minimum setbacks requirements for single family, duplex and triplex units:
  - a. Front: Local roadways - Twenty feet (20')  
Garage setback from roadway - Twenty-five feet (25').
  - b. Side: Local roadway – Twenty feet (20')  
Another lot - Ten feet (10')  
Garage setback from roadway: Twenty-five feet (25')
  - c. Rear: Local roadways – Twenty feet (20')  
Another lot - Twenty feet (20'). Each additional story of triplex units will add five feet (5') to the rear setback.  
Garage setback from roadway: Twenty-five feet (25')
- viii) Minimum setbacks requirements for multi-family units:
  - a. Front: Local roadways - Twenty feet (20')  
Garage setback from roadway - Twenty-five feet (25').
  - b. Side: Local roadway – Twenty feet (20')  
Another lot - Fifteen feet (15')



## **EXHIBIT A**

Garage setback from roadway: Twenty-five feet (25')

- c. Rear: Local roadways – Twenty feet (20')  
Another lot - Twenty feet (20').  
Garage setback from roadway: Twenty-five feet (25')

- ix) Maximum building coverage: Thirty percent (30%).
- x) Minimum living area for single family shall be one thousand (1,000) square feet exclusive of porches, garages or utility rooms. Minimum living area for multi-family, duplex and triplex shall be six hundred (600) square feet each exclusive of porches, garages or utility rooms.
- xi) The minimum open space shall be twenty-five percent (25%).

### 7) **RP "Residential Professional"**

This district is established to implement comprehensive plan policies for managing transitional areas where existing residential structures can be utilized for personal and professional services and not adversely affect adjacent property. The density cannot exceed four (4) dwelling units per acre.

A) *The following uses shall be permitted:*

- i) Single Family Detached dwelling units
- ii) Customary accessory structures to the principal structure pursuant to Section 156.010 of the Land Development Code. The accessory structures shall comply with maximum building coverage pursuant to the zoning district.
- iii) Accessory dwelling unit for non-paying guests or family members pursuant to Section 156.010 of the Land Development code. Accessory dwelling unit may not be rented separately or sold separately from the principal structure. Accessory dwelling unit shall comply with the maximum building coverage pursuant to the zoning district.
- iv) Business Services.
- v) Financial Services.
- vi) Personal Services.
- vii) Multi-family dwelling units.
- viii) Medical office/Clinic
- ix) Home occupations pursuant to Section 156.020 of the land Development Code.
- x) Small, Medium, and Large Homestay Bed and Breakfast Inn



## **EXHIBIT A**

B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*

- i) Banks.
- ii) Day Care Centers.
- iii) Health/Exercise Clubs.
- iv) Office/Warehouse Facilities.
- v) Veterinary Offices.
- vi) Game Recreation Facility.

C) *Uses Expressly Prohibited*

- i) Commercial parking.
- ii) Industrial land uses.
- iii) Uses prohibited by City, State, or Federal law.
- iv) Adult Entertainment.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Design Standards*

- i) Minimum lot size shall be ten thousand (10,000) square feet provided central sewer is utilized. Minimum lot size shall be twelve thousand five hundred (12,500) square feet when septic tanks are utilized.
- ii) Minimum lot width shall be one hundred feet (100') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- ~~iii)~~ Maximum building height shall be thirty-five feet (35') and buildings are limited to 3-story maximum. Maximum building height may be increased if adequate fire protection measures are provided and approved by the City Fire and Building Official.
- iv) Minimum setbacks requirements:
  - a. Front yard: Thirty feet (30')



## **EXHIBIT A**

- b. Front yard garage: Twenty-five feet (25')
- c. Side yard: Ten feet (10')
- d. Rear yard: Twenty feet (20').
- v) Maximum Impervious Surface Ratio: seventy percent (70%).
- vi) The minimum open space shall be twenty-five percent (25%).

### 8) **C-1 "Neighborhood Commercial"**

This district is established to implement comprehensive plan policies for managing transitional areas between residential land uses and more intense commercial and industrial uses. This district is established to provide sufficient land for both medium density residential at a density not to exceed six (6) units per acre and professional/light commercial uses.

#### A) *The following uses shall be permitted:*

- i) Offices for professional services.
- ii) Personal services.
- iii) Convenience stores without fuel operations.
- iv) Laundry and dry-cleaning retail stores.
- v) Day care centers.
- vi) Adult Congregate Living Facilities.
- vii) Licensed Community Residential Homes, Group Homes, Foster Care Facilities with more than six (6) residents.
- viii) Clubs, Lodges, and Fraternal Organizations.
- ix) Financial Services.
- x) Office Supply.
- xi) Retail Sales & Services.
- xii) Business Services.
- xiii) Small, Medium, and Large Homestay Bed & Breakfast Inn.
- xiv) Office Complex.
- xv) Maintenance General Contractor.
- xvi) Medical Office/Clinic.



## **EXHIBIT A**

- xvii) Family Amusement Arcade
- xviii) Adult Arcade Amusement Center/Internet Café as define in Chapter 116 of City Code of Ordinances
- xix) Licensed Medical Marijuana Treatment Centers as proved in s. 381.986, Florida Statutes.

### **B) *Uses Permitted as a Special Exception Use Upon Approval of the City Commission***

- i) Convenience stores with fuel operations.
- ii) Restaurants.
- iii) Banks.
- iv) Athletic/Sports Facility.
- v) Game/Recreation Facility.
- vi) Health/Exercise Club.
- vii) Mini-warehouses.
- viii) Veterinary Office.
- ix) Xerographic and Offset Printing.
- x) Office/Warehouse Facility.

### **C) *Uses Expressly Prohibited***

- i) Commercial Parking.
- ii) Wholesale commercial uses.
- iii) Industrial uses.
- iv) Uses prohibited by City, State, and Federal law.
- v) Adult Entertainment.
- vi) RV Parks.
- vii) Outside storage.

### **D) *Other Possible Uses***

Any use not listed as permitted, permitted as a special exception use or prohibited may be allowed as a conditional use pursuant to Chapter 155 of this Code.



## **EXHIBIT A**

### **E) *Maximum Intensity Standard***

The maximum intensity standard shall be limited to seventy (70) percent impervious surface ratio (which includes building coverage), and maximum floor area ratio of 0.5<sub>17</sub>, ~~and a~~ The maximum building height is ~~of~~ thirty-five (35) feet and buildings are limited to 3-story maximum. ~~unless adequate fire protection is provided and approved by the City Fire Inspector and Building Official.~~

### **F) *Design Standards***

- i) Minimum lot size shall be fifteen thousand (15,000) square feet.
- ii) Minimum lot width shall be one hundred twenty-five feet (125') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Minimum setbacks requirements:
  - a. Front yard: Thirty feet (30')
  - b. Side yard: Ten feet (10'). A zero-lot line is allowed on one side setback only with a minimum of ten feet (10') on the opposite side.
  - c. Rear yard: Fifteen feet (15').
- iv) The minimum open space shall be twenty-five percent (25%).

### **9) C-2 "General Commercial"**

This district is established to implement comprehensive plan policies for managing commercial development. This district is designed to accommodate general retail sales and services.

#### **A) *The following uses shall be permitted:***

- i) Adult/Vocational Education.
- ii) Appliance/Electronic Repair Shops.
- iii) Athletic/Sports Facility.
- iv) Auction Houses.
- v) Banks.
- vi) Bars, Lounges, and Night Clubs.
- vii) Boat Sales and Services.



## **EXHIBIT A**

- viii) Business Services.
- ix) Commercial/Industrial Equipment and Supplies.
- x) Convenience Stores with or without Fuel Operations.
- xi) Day Care Centers.
- xii) Equipment Rental.
- xiii) Financial Services.
- xiv) Furniture and Appliance Stores.
- xv) Game/Recreational Facilities.
- xvi) Health/Exercise Clubs.
- xvii) Hotels/Motels.
- xviii) Kennels.
- xix) Maintenance Contractors.
- xx) Medical Office/Clinic.
- xxi) Motor Vehicle Service Centers.
- xxii) Motor Vehicle Service Stations.
- xxiii) Offices.
- xxiv) Office Complex.
- xxv) Office Supplies.
- xxvi) Pawn Shops.
- xxvii) Personal Services.
- xxviii) Restaurants.
- xxvii) Retail Home Building Materials.
- xxviii) Retail Sales and Services.
- xxix) Shopping Center.
- xxx) Theaters.
- xxxi) Transportation Services.
- xxxii) Wholesalers and Distributors.



## **EXHIBIT A**

- xxxiii) Veterinary Clinic.
- xxxiv) Licensed Community residential homes, group homes and foster care facilities with more than six (6) residents.
- xxxv) One single family dwelling unit for owners/caretaker's residence.
- xxxvi) Motor Vehicle Repair Facility.
- xxxvii) Xerographic and Offset Printing.
- xxxviii) Commercial Parking.
- xxxix) Family Amusement Arcade.
- xl) Adult Arcade Amusement Center/Internet Cafes as defined in Chapter 116 of the City Code of Ordinances.
- xli) Licensed Medical Marijuana Treatment Centers as Provided in s, 381.986, Florida Statutes.

B) *Uses Permitted as a Special Exception Use Upon Approval of the City Commission*

- i) Gun & Archery Range.
- ii) Trucking Terminal.
- iii) Farmers/Flea Markets
- iv) Natural Gas/Propane Distribution Centers.
- v) Mobile Homes Sales.
- vi) Motor Vehicle and Boat Storage Facilities.
- vii) Motor Vehicle Dealer Sales.
- viii) Motor Vehicle Sales.

C) *Uses permitted as a Conditional Use Approval of the City Commission*

- i) Mini warehouses.

D) *Uses Expressly Prohibited*

- i) Residential uses, except as stated above in Section 154.030 (8)(A)(xxxvii) and (8)(A)(xxxviii).



## **EXHIBIT A**

- ii) Industrial uses.
- iii) Uses prohibited by City, State, and Federal law.
- iv) Adult Entertainment.
- v) Outside storage.

### **E) *Other Possible Uses***

Any use not listed as permitted, permitted as a special exception use or prohibited may be allowed as a conditional use pursuant to Chapter 155 of the Code.

### **F) *Maximum Intensity Standard***

- i) The maximum intensity standard shall be limited to seventy (70) percent impervious surface ratio (which includes building coverage), ~~and a maximum floor area ratio of .50, and a~~ The maximum building height of is thirty-five (35) feet and buildings are limited to 3-story maximum. unless adequate fire protection is provided and approved by the City Fire Inspector and Building Official.

### **G) *Design Standards***

- i) Minimum lot size shall be twenty thousand (20,000) square feet.
- ii) Minimum lot width shall be one hundred fifty feet (150') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Minimum setback requirements:
  - a. Front yard: Fifty feet (50')
  - b. Side yard: Ten feet (10'). A zero-lot line is allowed on one side setback only with a minimum of ten feet (10') on the opposite side.
  - c. Rear yard: Fifteen feet (15').
- iv) The minimum open space shall be twenty-five percent (25%).

### **10) *I "Industrial"***

This district is established to implement comprehensive plan policies for managing industrial development and to provide development for limited industrial operations engaged in fabricating, repair or storage of



## **EXHIBIT A**

manufactured goods, where no objectionable by-products of the activity (such as odors, smoke, dust, refuse, electro-magnetic interference, noise in excess of that customary to loading, unloading and handling of goods and materials) are noticeable beyond the lot on which the facility is located. No hazardous materials may be utilized by the industrial operations permitted in this district. The location of such districts shall take into consideration access to rail and terminal facilities, major arterial roadways, labor markets and necessary urban services. Such districts shall be accessible to major thoroughfares and buffered from residential neighborhoods.

A) *The following uses shall be permitted:*

- i) Airport and related activities.
- ii) Agriculturally related industry.
- iii) Boat repair.
- iv) Commercial/Industrial Service.
- v) Construction Contractor's Yard and Storage.
- vi) Distribution Centers.
- vii) Laboratory/Research and Development.
- viii) Laundry/Dry Cleaning Plants.
- ix) Manufacturing: Craftsman Shops.
- x) Manufacturing: Fabrication.
- xi) Manufacturing: Processing.
- xii) Motor Vehicle Repair Facility.
- xiii) Motor Vehicle Towing and Impoundment.
- xiv) Trucking Terminal.
- xv) Warehousing.
- xvi) Wholesale Commercial Uses.
- xvii) Xerographic and Offset Printing.
- xviii) Appliance/Electronic Repair Shops.
- xix) Commercial Parking.
- xx) Maintenance Contractor.



## **EXHIBIT A**

- xxi) Motor Vehicle Service Center.
- xxii) Motor Vehicle Service Station.
- xxiii) Transportation Service.
- xxiv) Family Amusement Arcade.
- xxv) Adult Arcade Amusement Center/Internet Cafes.
- xxvi) Adult Entertainment.

a) Adult entertainment uses shall be permitted as long as they are not located nearer than five hundred (500) feet to any other adult entertainment establishment, or nearer than five hundred (500) feet to any place of worship, child care center, or educational center, except vocational and technical schools, colleges, and universities.

B) *Uses Permitted as a Special Exception Use Upon Approval of the City Commission*

- i) One single-family residential dwelling unit on the site of a permitted use to be used exclusively by an owner/caretaker.
- ii) Used motor vehicle parts yard.
- iii) Natural Gas/Propane Distribution Centers.

C) *Uses Expressly Prohibited*

- i) Residential dwelling units except for Section 154.030(d)(7)(b)(I).
- ii) Uses prohibited by City, State, and Federal law.

D) *Other Possible Uses*

Any use not listed as permitted, permitted as a special exception use or prohibited may be allowed pursuant to Chapter 155 of this Code.

E) *Maximum Intensity Standard*

The maximum intensity standard shall be limited to seventy-five (75) percent impervious surface ratio (which included building coverage), a maximum floor area ratio of .50, ~~and a maximum building height of thirty-five (35) feet and buildings are limited to 3-story maximum. unless adequate fire protection is-~~



## **EXHIBIT A**

~~provided and approved by the City Fire Inspector and Building Official.~~

### F) *Design Standards*

- i) Minimum lot size shall be thirty thousand (30,000) square feet.
- ii) Minimum lot width shall be two hundred fifty feet (200') at the front property line unless the lot is located on a cul-de-sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Minimum setbacks requirements:
  - a. Front yard: Fifty feet (50')
  - b. Side yard: Twenty-five feet (25').
  - c. Rear yard: Twenty-five feet (25').
- iv) The minimum open space shall be twenty-five percent (25%).

### 11) **PUD "Planned Unit Development"**

The PUD district is established to implement comprehensive plan policies for encouraging affordable housing by allowing a variety of housing types with a broad range of housing costs. This district is designed to encourage innovative development concepts to provide design amenities and to manage natural features of the land. The location of such PUDs will be dictated by the type of development that will be provided. (Residential PUDs will be located in residentially designated areas of the Future Land Use Map of the comprehensive plan, commercial PUDs will be located in commercially designated areas of the Future Land Use Map, etc.) Densities and intensities cannot exceed those which are permitted in that area on the Future Land Use Map. Preliminary and/or Conceptual Development plans are required to be submitted along with the rezoning application. Buildings are limited to maximum of 3-story and building height of 35-ft.

#### A) *The following uses shall be permitted:*

- i) ***Residential PUD*** – Single- and Multi-family residential dwelling units provided, however, that the housing stock of PUDs located within the Single-family overlay district of the Future Land Use Map which utilize multi-family units must consist of a minimum of 51% single-family dwelling units. On-site recreational facilities and on-site day care facilities, convenience store and personal services intended to service the principal use shall also be permitted.



## **EXHIBIT A**

- ii) **Mixed Use PUD** – All uses as permitted under the R-2, R-4, R-15, RP, PFD, and C-1 zoning districts and other uses deemed appropriate and incidental to the primary use by the City Commission.

The Mixed-Use PUD located within the Mixed Community land use category shall accommodate a use mix consistent with at least two of the three of the following table and shall not exceed a density of 6 units per acre:

Use	Minimum	Maximum
Residential	15%	65%
Commercial	5%	30%
Institutional	5%	35%
Parks & Open Space	20%	
FAR		.70
ISR		.80

The Mixed-Use PUD located within the General Mixed Use land use category shall accommodate a use mix consistent with at least two of the three of the following table and shall not exceed a density of 12 units per acre:

Use	Minimum	Maximum
Residential	15%	65%
Commercial	5%	30%
Institutional	5%	25%
Parks & Open Space	20%	
FAR		.70
ISR		.80

The Mixed- Use PUD shall incorporate the following principles:

- (1) The creation of an attractive and high-quality environment that is compatible with the scale and character of the surrounding community.
- (2) The development of commercial, residential, and mixed-use areas that is safe, comfortable and attractive to pedestrians.
- (3) The location of the commercial center so that it is easily accessible by pedestrians from as many of the residential areas as possible.
- (4) The maximization of shared parking.



## **EXHIBIT A**

- (5) To develop a network of parks, walkways, public art, and cultural facilities that encourage a sense of place and the overall health and well-being of the community.
- (6) To encourage a mix of housing types and styles that provides people with affordable housing choices that can accommodate changes in lifestyle.
- (7) Encourage alternative forms of transportation.

iii) **Commercial PUD** – Commercial uses as permitted under the C-1 zoning district and other uses deemed appropriate and incidental to the primary use by the City Commission.

iv) **Industrial PUD** – Industrial uses as permitted under the Industrial zoning district, commercial uses intended to service the primary uses and other uses deemed appropriate and incidental to the primary use by the City Commission.

a) **Maximum Density/Intensity**

The maximum density/intensity allowed within the PUD shall be as delineated by the land use districts on the Future Land Use Map. A density bonus may be permitted as outlined in Section 154.030(d)(8)(I), below.

b) **PUD Land Uses**

Land uses proposed within a PUD must conform to uses allowed within the land use designations of the Future Land Use Map of the Comprehensive Plan.

B) *Minimum Parcel Size*

The minimum size of any parcel shall be ten (10) acres. A lesser minimum area may be approved if the City Commission determines that the intent and purpose of the PUD district and expressed municipal development policy would be served in such case.

C) *Unified Ownership*

All land within the PUD shall be under the ownership or control of the applicant at the time of execution of the development agreement whether the applicant be an individual, partnership or corporation or groups of individuals, partnerships or corporations.

D) *Setbacks and Buffering*

Setback requirements within the PUD shall be flexible however, in no case shall the setback be less than ten (10) feet between structures. Buffering requirements shall be established at the time of rezoning of



## **EXHIBIT A**

the property to a PUD.

### **E) *Pre-application Conference (Optional)***

It is recommended that a pre-application conference be held between the City Manager or designee and the developer or the developer's representatives, in order to verify the steps necessary for application and review, and discuss potential issues regarding the PUD proposal. Comments made during the pre-application conference are totally non-binding on the formal review of the preliminary development plan.

### **F) *Application for Rezoning***

Application for preliminary development plan and rezoning approval shall be made to the City utilizing the form provided by the City. The application shall be accompanied by one (1) hardcopy along with one (1) electronic copy of the preliminary plan prepared in accordance with the requirements of the Land Development Code.

### **G) *Preliminary Development Plan***

In order to implement the goals and policies of the Comprehensive Plan and to streamline the development review process, the applicant shall have the option of preparing the following types of submittals:

- i) ***Conceptual Plan*** – If the applicant so chooses, a conceptual plan may be submitted prior to the first rezoning hearing for review by the TRC. The conceptual plan shall include the following, which shall not be a bubble plan:
  - a) Boundary of subject property.
  - b) Major natural features such as lakes, streams, wetlands and natural communities.
  - c) Existing or proposed streets abutting the project.
  - d) Generalized location map and legal descriptions, including acreage.
  - e) Proposed land use types and their location including perimeter buffers and setbacks from perimeter boundary.
  - f) Gross densities.
  - g) Typical lot sizes showing setbacks and dimensions.
  - h) Number of units and type.
  - i) Floor area for commercial or industrial.
  - j) Adjacent zoning.



## **EXHIBIT A**

- k) Maximum building heights.
- l) Anticipated phasing plan.
- m) Proposed method of providing water service, including fire protection, sewage disposal, and stormwater management.
- n) Percentage of Open Space and location.
- o) Acreage of Parks/Recreation and location.
- p) Typical road section.
- q) Soils and 100-year flood prone areas.
- r) Project name.



## **EXHIBIT A**

- s) Existing topography at one-foot contours based on Lake County or St. Johns River Water Management District datum.
- t) Net living area for each type of dwelling unit.
- u) Preliminary Environmental Assessment per Chapter of the Land Development Code.
- v) Parking & Loading facilities.
- w) Any other information deemed pertinent by the TRC, Planning and Zoning Board or City Commission.

Upon approval of the Conceptual Plan and rezoning application by the TRC, the Planning and Zoning board and the City Commission, a preliminary development plan must be submitted for review and approval by the TRC prior to construction.

- ii) ***Preliminary Development Plan*** – In order to streamline the process, the applicant may elect to file a preliminary development plan for rezoning approval that meets the following requirements as outlined below. This plan can be submitted in lieu of the conceptual plan.
  - a) All items required for submittal of a Conceptual Plan outlined in 154.030 (d)(12)(g)(i).
  - b) Name and address of owner, surveyor, engineer, and any other professional consultants involved with the generation of the plan information. If the property is owned by a corporation or company, the name and address of its president and secretary, and state of incorporation shall be given.
  - c) Acreage of lots, drainage areas, common areas, and other uses; and the minimum lot size, average lot size and total number of lots, lot typical details including interior and corner lots, setbacks, phase lines, future land use, zoning, density and open space. Future land use and zoning information for adjacent properties.
  - d) Existing topography using one (1) foot contours based upon National Geodetic Vertical datum, and delineation of Flood Insurance Rate Map flood zones. All development located partially within or wholly within the Special Flood Hazard Area must be completed in accordance with Section 161.090.
  - e) Environmental assessment showing all wetlands, delineation of wooded areas and vegetative communities, if required threatened and endangered species information and a separate tree survey showing all specimen trees. See Chapter 165.



## **EXHIBIT A**

- f) All existing buildings, utilities, roads, easements or other improvements on the property, and all roads and lot lines within one hundred fifty (150) feet of the property boundary.
- g) Acreage and square feet open space, preservation areas and common areas.
- h) Required landscaping, required buffers and any fences or walls as outlined in Chapter 164.
- i) A soils report delineating the soils existing on the site to be developed.
- j) Proposed stormwater management plan and drainage control facilities.
- k) Utility sources, distribution and collection lines, if available, (including but not limited to water, sewer, electricity, cable television and telephone).
- l) Traffic Study/Traffic Statement. The traffic study shall follow the requirements of the Lake-Sumter Metropolitan Planning Organization (MPO) Transportation Concurrency Management System Traffic Impact Study Methodology Guidelines Document for Lake County.
- m) Any other information deemed pertinent by the Technical Review Committee, Planning and Zoning Board or City Commission.

Should the developer elect to submit the preliminary plan with the rezoning application, and upon approval of the rezoning application, the applicant can proceed with final development plan approval as outlined below.

### ***iii) Final Development Plan***

- a) All items required for submittal of Preliminary Development Plan outlined in 154.030 (d)(12)(g)(ii).
- b) Acreage and square feet open space, preservation areas, and common areas.
- c) Required landscaping, required buffers and any fences or walls as outlined in Chapter 164.
- d) Any other information deemed pertinent by the Technical Review Committee, Planning and Zoning Board or City Commission.



## **EXHIBIT A**

A minimum of twenty-five percent (25%) of the total project area shall be established and maintained as common open space or common facilities. No area shall be accepted as common open space unless it satisfies the following standards.

- i) Common open space shall be dedicated to and useable by all residents of the Planned Unit Development or specific phase thereof.
- ii) Common open space set aside for recreational use shall be suitably improved for its intended use. Such improvements may include aesthetic, amenities, buffering or recreational facilities.
- iii) Common open space set aside for the preservation of natural features or listed species habitats or for buffering purposes shall remain undisturbed and be protected by conservation easements dedicated to the property owner's/homeowner's association or State agency pursuant to Chapter 165 of the Land Development Code.
- iv) Common open space shall not be used for the construction of any structures other than recreational facilities and incidental maintenance buildings.
- v) Common open space shall be maintained by the Home Owner's Association or other legal entity of the Planned Unit Development or the specific phase thereof.

### **I) *Density Bonuses***

#### **i) *Affordable Housing***

Residential developments may receive a density bonus not to exceed 20% of the density permitted by the applicable land use designation for the provision of affordable housing units.

An affordable dwelling unit shall be a dwelling unit which:

- a) has a market value less than two (2) times 80% of the median annual household income of Lake County or
- b) has a monthly rent less than or equal to  $\frac{1}{12} \times 25\%$  of 80% of the median annual household income of Lake County.
- c) the affordable housing density bonus shall be determined as follows:

% of total units affordable	Bonus
20 – 30%	10%
31 – 50%	15%



## **EXHIBIT A**

51% +	20%
-------	-----

### **ii) Environmental Protection**

Residential developments may receive a density bonus of up to 100% of the number of units allowed by the underlying comprehensive land use designation for the transfer of units from onsite non-altered wetlands and upland habitat.

- a) The total number of units transferred shall not exceed the gross density as allowed on the Future Land Use Map.
- b) A conservation easement pursuant to Chapter 165 of the Land Development Code shall be recorded for the property from which the units are to be transferred. Such easement shall specify that no uses other than passive recreation uses shall be allowed on the property and shall state that the easement shall restrict such land in perpetuity. The easement shall be approved by the City Attorney and recorded in the public records of Lake County.

### **J) Application Review Process**

- i) **Technical Review Committee (TRC).** All applications shall be reviewed by the TRC staff and members' comments shall be delivered and discussed at a regularly scheduled meeting. Formal comments of the TRC shall be transmitted in writing to the applicant no later than five (5) working days after the meeting. A formal staff report will be forwarded to the Planning and Zoning Board with staff recommendations.
- ii) **Resubmittal of the Revised Preliminary Development Plan.** Resubmittal of the preliminary development plan reflecting revisions required by TRC comments shall be made within five (5) days of the regularly scheduled TRC meeting.

### **K) Approval of Application for Rezoning**

- i) **Planning and Zoning Board Action.** The Planning and Zoning Board shall consider the submitted plan and rezoning application at a regularly scheduled meeting to determine if the application meets the requirements of this code. Upon consideration of comments and recommendations of the TRC and public, the Board shall take one of the following actions:
  - a) Postpone the consideration of the application until the next regularly scheduled meeting to allow for the resolution of outstanding issues.
  - b) Recommend that the application be approved.



## **EXHIBIT A**

- c) Recommend that the application be approved with conditions.
- d) Recommend that the application be denied.
- ii) **City Commission Approval.** The City Commission shall consider the submitted plan and rezoning application at a regularly scheduled meeting and determine if the application meets the requirements of the Land Development Code. Upon consideration of the comments of the TRC, the public, and the recommendation of the Planning and Zoning Board, the City Commission shall take one of the following actions:
  - a) Postpone the consideration of the application until the next regularly scheduled meeting to allow for the resolution of outstanding issues.
  - b) Approve the application.
  - c) Approve the application with conditions.
  - d) Deny the application.

### ***L) Alterations to Preliminary Development Plan***

Alterations to the approved Preliminary Development Plan shall be classified as either substantial or non-substantial amendments. The following criteria shall constitute a substantial amendment.

- i) A change which would include a land use not previously permitted under the approved PUD zoning.
- ii) A change that would increase the land use intensity by ten percent (10%) within any development phase without a corresponding decrease in some other portion of the overall PUD.
- iii) A change that would require an amendment to the conditions approved by the City Commission.
- i) A change that would reduce the required open space by more than ten percent (10%).
- ii) Any change that would eliminate pedestrian facilities or multi-use trails.

A determination of a substantial or non-substantial alteration shall be made by the City Manager or designee.

Alterations to the preliminary development plan which are determined to be substantial must be submitted with plans and support data for review by the TRC, the Planning and Zoning Board and the City Commission.



## **EXHIBIT A**

All proposed alterations to an approved plan must be submitted to the City Manager or designee for a determination of whether the alteration is substantial or non-substantial.

### **M) *Execution of Master Development Agreement***

The second reading of the ordinance for rezoning any land to a PUD district shall not take place until the developer has provided an executed copy of the master development agreement to the City Manager or designee. The document shall be a fully corrected copy which addresses all issues discussed prior to the scheduled second reading. The document shall also include reduced copies of the revised conceptual plan exhibits. If there are no additional requirements, corrections, or conditions attached by the City Commission at the second reading, the executed document shall be signed by the City Manager and Mayor and forwarded to the County Clerk for recording. If there are additional requirements, corrections or conditions attached by the City Commission at the second reading, the applicant shall revise the agreement and conceptual plan and return the documents to the City Manager or designee within thirty (30) days for execution and recording. The requirement to return the document within thirty (30) days shall be specified by the City Commission as a condition for approval of the rezoning.

### **N) *Failure to Provide Timely Resubmission***

Failure to meet any of the resubmission deadlines cited above shall require the filing of a new application, including the appropriate review fees. However, the City Manager may extend the deadlines cited above, when warranted by unforeseeable events. A request for extension shall be filed in writing with the City explaining the circumstances justifying the extension.

### **O) *Final Development Plan Approval***

Unless otherwise noted within the development agreement, final development approval for subdivisions or site plans within the PUD shall be required in accordance with the general procedures established by this code. Conceptual plan exhibits of the master development agreement which fully satisfy the requirements for - preliminary subdivision plan submittal shall be considered as such.

### **P) *Expiration of Master Development Agreement***

Any master development executed and recorded after the adoption of this development code shall be required to include an expiration date or series of expiration dates tied to specific improvements or phases. Such date(s) shall be determined based upon the size of the project, installation of physical improvements, and any other factors pertinent to the specific proposal. If the City should determine that the developer has failed to satisfy the requirements necessary to avert expiration, the development agreement shall become null and void, and approval of any additional final development plans for the PUD shall not be permitted without resubmission and approval of a



## **EXHIBIT A**

new development agreement in accordance with the procedures established in the land development code.

12) **PFD "Public Facilities District"**

The PFD district is established to manage policies of the comprehensive plan for development of public facilities. This district is established to provide for the special or substantial public interest facilities that are so desired. Conceptual site plans are required to be submitted along with rezoning applications.

A) *Permitted Uses*

- i) Airports.
- ii) Auditoriums, stadiums, arenas, and expositions.
- iii) Broadcasting facilities.
- iv) Municipal/governmental buildings, structures, and uses.
- v) Cemeteries.
- vi) Houses of worship.
- vii) Educational institutions.
- viii) Day care centers.
- ix) Electric power substations and operation centers.
- x) Gas and water metering stations.
- xi) Hospitals, clinics, and medical facilities.
- xii) Public parks and recreational facilities.
- xiii) Post offices.
- xiv) Libraries.
- xv) Police and fire facilities.
- xvi) Sewage treatment facilities.
- xvii) Water supply operations.
- xviii) Adult care facility.
- xix) Clubs, lodges, and fraternal organizations.
- xx) Funeral homes.
- xxi) Crematorium.



## **EXHIBIT A**

- xxii) Any other use of a similar nature when approved by the City Commission.

### **B) *Locational Criteria for PFD Districts***

- i) The approved use shall front on an arterial or collector roadway. Sewage treatment facilities, water supply operations, electric power substations and operation centers and cemeteries are exempt from this requirement.
- ii) Approved uses shall comply with appropriate landscaping and buffering requirements and access management requirements.
- iii) The site must be located in close proximity to the main user group.
- iv) The approved use must serve the majority of the population.

### **C) *Maximum Intensity Standard***

The maximum intensity standard shall be seventy (70) percent impervious surface ratio (which includes building coverage) ~~and~~ a maximum building height of thirty-five (35) feet and buildings are limited to 3-story maximum.

### **D) *Design Standards***

- i) Minimum setbacks requirements:
  - a. Front yard: Thirty feet (30')
  - b. Side yard: Fifteen feet (15').
  - c. Rear yard: Fifteen-five feet (15').
- ii) The minimum open space shall be twenty-five percent (25%).

### **E) *Site Plan Requirements***

- i) In order to establish "PFD" Public Facility District, the applicant must provide a Conceptual site plan as outlined in Section 154.030(d)(7)(G)(i) of the Land Development Code, with a zoning application.
- ii) After approval of the zoning, a final site plan meeting the requirements of Section 160.080 of the Land Development Code must be submitted and approved by the Technical Review Committee (TRC) before any building permits are issued or the start of operation of activity on the site.



## **EXHIBIT A**

### 13) **GB "Greenbelt District"**

This district is established to provide green, undeveloped areas and to protect floodplains, wetlands, other natural resources and agricultural uses. Areas of the city in which this category is most appropriate are designated as "conservation" on the future land use map of the comprehensive plan; however, this district is also permitted within all other land use designations.

#### A) *Permitted Uses*

- i) Groves and farms.
- ii) Single-family homes and customary accessory uses.
- iii) Swamps, wetlands, and forests.
- iv) Private and public gardens.
- v) Pastures.
- vi) Nature preserves.
- vii) Private and public parks.
- viii) Riding stables.

#### B) *Uses Permitted as Special Exception use Upon Approval by the City Commission*

- i) Golf courses.
- ii) Retail or wholesale plant production, nurseries, and greenhouses.
- iii) Fishing clubs and marinas.

#### C) *Uses Expressly Prohibited*

All uses not listed above are expressly prohibited.

#### D) *Site Development Standards*

- i) Minimum lot size (for buildings): One acre.
- ii) Minimum lot width at building line: 200 feet.
- iii) Minimum dwelling size: 1000 sq. feet.
- iv) Minimum street frontage: 50 feet.



## **EXHIBIT A**

- v) Minimum building setbacks:
  - Front yard: 50 feet.
  - Side yard: 25 feet.
  - Rear yard: 25 feet.
  - From any street: 50 feet.
- vi) Maximum building height: 35 feet and 3-story maximum.
- vii) Parking: See Section 162.040.
- viii) Landscaping and buffers: See Section 164.030.
- ix) Signs: See Chapter 163.
- x) Access: See Section 162.030.

### 14) **CBD "Central Business District Mixed Use"**

This district is established to encourage economic activity, living quarters and local employment opportunities within the central area of the City. Residential density shall not exceed four (4) dwelling units per acre, unless central sewer facilities are available at which time density is not allowed to exceed ten (10) dwelling units per acre.

#### A) *The following uses shall be permitted*

- i) Residential dwelling units on the 2<sup>nd</sup> or 3<sup>rd</sup> floor.
- ii) Bed and Breakfast Inn.
- iii) Convenience stores without fuel operations.
- iv) Business Services.
- v) Financial Services.
- vi) Retail sales and services.
- vii) Medical Office/Clinic.
- viii) Professional Services Office.
- ix) Office Supply.



## **EXHIBIT A**

x) Personal Services.

xi) Restaurants.

B) *Uses Permitted as Special Exception Use Upon Approval of the City Commission*

i) Banks.

ii) Daycare Centers.

iii) Health/Exercise Clubs.

iv) Tattoo parlor.

v) Veterinary Offices.

vi) Game Recreation Facility.

C) *Uses Expressly Prohibited*

i) Commercial parking.

ii) Industrial land uses.

iii) Uses prohibited by City, State, or Federal law.

iv) Adult Entertainment.

D) *Other Possible Uses*

Other uses not listed as permitted, permitted as special exception uses or prohibited may be allowed as conditional uses pursuant to Chapter 155 of this Code.

E) *Maximum Intensity Standard*

Coverage shall be limited to eighty (80) percent impervious surface ratio (which includes building coverage), a maximum floor area ratio of 1.0, ~~and~~ a maximum building height of three stories and 35-ft.

F) *Design Standards*

i) Minimum lot size shall be six thousand (6,000) square feet with central sewer. Minimum lot size shall be ten thousand (10,000) square feet with septic tanks.



## **EXHIBIT A**

- ii) Minimum lot width shall be sixty feet (60') with central sewer at the front property line and eighty feet (80') with septic tank unless the lot is located on a cul-de- sac or a curve in which case the lot width shall be measured along the building setback line.
- iii) Minimum setbacks requirements:
  - a. Front yard: Thirty feet (30')
  - b. Side yard: Ten feet (10'). A zero-lot line is allowed on one side setback only with a minimum of ten feet (10') on the opposite side.
  - c. Rear yard: Fifteen feet (15').
- iv) The minimum open space shall be twenty percent (20%).



## **ORDINANCE 2023-020**

**AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35' WITHIN ALL CITY OF FRUITLAND PARK FUTURE LAND USE DESIGNATIONS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Fruitland Park desires to amend its comprehensive plan to amend the maximum number of stories allowed and maximum height of buildings within the City of Fruitland Park.

**WHEREAS**, the Planning and Zoning Board and the local planning agency of the City of Fruitland Park each held a public hearing on this ordinance which was advertised in accordance with law, and the Planning and Zoning Board and the LPA made a recommendation to City Commission.

**WHEREAS**, the City Commission of the City of Fruitland Park public hearing for transmittal has been advertised as required by law with the public hearing occurring at least 7 days after the day that the first advertisement was published.

**WHEREAS**, the City Commission of the City of Fruitland Park second public hearing for adoption of this ordinance is being held at least 5 days after the date of the second advertisement.

**WHEREAS**, the City of Fruitland Park desires to amend the Comprehensive Plan for the City of Fruitland Park as set forth below.

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

**Section 1. Table 1.1, Chapter 1.** Table 1.1, Chapter 1 in the Future Land Use Element, Goals, Objectives and Policies of the City of Fruitland Park's comprehensive plan is hereby amended to read as stated herein and which shall be applicable to property located within the City of Fruitland Park municipal boundaries:



Table 1.1

Land Use Designation	Permitted Residential Density	Special Requirements	Non-Residential Allowable Uses and Intensities
Single-Family Low Density	2 units/acre	Min. 25% open space.	Public facilities/services as set out in Policy 1-5.1
Single-Family Medium Density	4 units/acre	Min. 25% open space	Small scale commercial uses may be permitted with PUD zoning, max. size 15,000 sq. ft. & max. FAR 0.20 Public facilities/services as set out in Policy 1-5.1
Multiple-Family Low Density	4-8 units/acre	Max 4/ac without sewer Min. 25% open space	Small scale commercial uses may be permitted with PUD zoning, max. size 15,000 sq. ft. & max. FAR 0.20 Public facilities/services as set out in Policy 1-5.1
Multiple-Family Medium Density	10 units/acre	Min. 25% open space. <del>Building heights above 35 feet may be allowable if approved by the City Commission.</del> <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u> Max 4/ac without sewer	Small scale commercial uses may be permitted with PUD zoning, max. size 15,000 sq. ft. & max. FAR 0.20 Public facilities/services as set out in Policy 1-5.1
Multiple-Family High Density	15 units/acre	Min. 25% open space. <del>Building heights above 35 feet may be allowable if approved by the City Commission.</del> <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u> Max 4/ac without sewer	Small scale commercial uses may be permitted with PUD zoning, max. size 20,000 sq. ft. & max. FAR 0.20



Central Business District Mixed Use	10 units/acre	Residential at 2 <sup>nd</sup> or 3 <sup>rd</sup> floor. <del>Maximum building height 3 story's</del> Buildings are limited to 3-story maximum and maximum height of 35-ft.	Max. FAR 1.0. Max. ISR 80%
Transitional Mixed Community	4 units/acre 6 units/acre	Min. 25% open space Min. 20% open space. <del>Building heights above 35 feet may be allowable if approved by the City Commission.</del> Buildings are limited to 3-story maximum and maximum height of 35-ft. Min. & Max. uses apply. Max 4/ac without sewer	Maximum FAR 0.20 Neighborhood commercial and professional services. Max ISR 80%, Max FAR 0.70
General Mixed Use	12 units/acre	Min. 20% open space. <del>Building heights above 35 feet may be allowable if approved by the City Commission.</del> Buildings are limited to 3-story maximum and maximum height of 35-ft. Min. & Max. uses apply. Max 4/ac without sewer	Commercial sales/office, educational & civic uses. Max ISR 80%. Max FAR 0.70
Neighborhood Commercial	Residential uses may be permitted 2 <sup>nd</sup> floor or <del>above 3<sup>rd</sup> floor</del> with up to 4/ac with PUD zoning per Policy 1-1.10	See Policy 1-1.10 for locational criteria. <del>Building heights above 35 feet may be allowable if approved by the City Commission.</del> Buildings are limited to 3-story maximum and maximum height of 35-ft.	Convenience retail, office and services, civic & institutional. Max ISR 70%, Max FAR 0.50.



Commercial – High Intensity		<del>Building heights above 35 feet may be allowable if approved by the City Commission.</del> <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u>	Higher intensity commercial uses and wholesale commercial uses. Max. ISR 70%, Max FAR 0.2-0.5
Industrial		<del>Building heights above 35 feet may be allowable if approved by the City Commission.</del> <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u>	Wholesale commercial and light industrial uses. Max ISR 75%, Max FAR 0.2-0.5
Institutional		<del>Building heights above 35 feet may be allowable if approved by the City Commission.</del> <u>Buildings are limited to 3-story maximum and maximum height of 35-ft.</u>	Educational, religious, public and private utilities, and governmental land uses. Max ISR 70%, Max FAR 0.30
Recreation			Private and public recreation facilities. Max. ISR 30% Max. FAR 0.30
Open Space			Max. ISR 35%

See also Policy 1-1.19, Chapter 1.

**Section 2. Policy 1-1.8, Chapter 1.** Policy 1-1.8, Chapter 1 in the Future Land Use Element, Goals, Objectives and Policies of the City of Fruitland Park’s comprehensive plan is hereby amended to read as stated herein and which shall be applicable to property located within the City of Fruitland Park municipal boundaries:

**Policy 1-1.8: Central Business District Mixed Use.** The Central Business District Mixed Use land use category is established to encourage economic activity, living quarters and local employment opportunities within the central area of Fruitland Park. This category permits the highest commercial floor area ratios in the city and is intended to provide flexibility and to enable uses that meet the retail and service needs of a traditional city center and its vicinity. Permitted land uses include retail, office, business and other professional services at first floor, with office and residential uses at second or third floor. The maximum impervious surface coverage is 80% and the maximum floor area ratio is 1.0. The maximum residential density is up to 10.0 dwelling units per acre.



Maximum building height is 35-feet and buildings are limited to a maximum of three (3) stories.

**Section 3. Policy 1-1.11, Chapter 1.** Policy 1-1.11 Chapter 1 in the Future Land Use Element, Goals, Objectives and Policies of the City of Fruitland Park's comprehensive plan is hereby amended to read as stated herein and which shall be applicable to property located within the City of Fruitland Park municipal boundaries:

Policy 1-1.11: Neighborhood Commercial. Neighborhood Commercial is intended to provide for the day-to-day needs of the immediate neighborhood and should be within walking distance of the supporting neighborhood. Located adjacent to primary highways, commercial development in this land use district is intended to accommodate businesses up to 30,000 sq. ft. in size. Residential uses may be permitted in this category if the site has Planned Unit Development (PUD) zoning and it is compatible with the adjacent properties. No industrial development shall be allowed. ~~Building heights above 35 feet may be allowable if approved by the City Commission. Any building above 35 feet will require assurance of adequate fire protection approved by the City.~~ Maximum building height is 35-feet and buildings are limited to a maximum of three (3) stories.

The following uses and criteria are applicable to this land use category:

- 1) Convenience retail sales and services
- 2) Offices
- 3) Civic and institutional uses.
- 4) Residential at 2<sup>nd</sup> floor and 3<sup>rd</sup> floor ~~above~~
- 5) Maximum FAR: 0.5.
- 6) Maximum ISR: 70%
- 7) Maximum residential density 4 units/acre.

**Section 4. Policy 1-1.19, Chapter 1.** Policy 1-1.19 Chapter 1 in the Future Land Use Element, Goals, Objectives and Policies of the City of Fruitland Park's comprehensive plan is hereby added to read as stated herein and which shall be applicable to property located within the City of Fruitland Park municipal boundaries:

Policy 1-1.19 Affordable Housing Development. It is the City's intention to comply with s.166.04151, Florida Statutes relating to development of affordable housing, as defined in s. 420.0004, Florida Statutes. Therefore, notwithstanding any other policy, ordinance, regulation, or land development code provision, multifamily and mixed-use residential are allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004, F.S. Such proposed multifamily development is not required to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under s.166.04151(7), F.S. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.



**Section 5. Severability.** If any section or phrase of this ordinance is held to be unconstitutional, void or otherwise invalid, the validity of the remaining portions of this ordinance shall not be affected thereby.

**Section 6. Conflicts.** In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance shall control and supersede.

**Section 7. Inclusion.** It is the intention of the City Commission of the City of Fruitland Park that this comprehensive plan amendment shall become and be made a part of the comprehensive plan for the City. Goals, objectives, and policies of the Comprehensive Plan may be renumbered or reorganized for editorial and codification purposes and such renumbering or reorganization shall not constitute nor be considered a substantive change to the comprehensive plan amendment as adopted.

**Section 8. Effective Date.** The effective date of this plan amendment shall be pursuant to the state land planning agency's notice of intent. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If timely challenged, this amendment does not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

**PASSED AND ORDAINED** in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this 9th day of February 2023.

---

Chris Cheshire, Mayor

Attest:

---

Esther B. Coulson, City Clerk, MMC

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

First Reading \_\_\_\_\_  
Second Reading \_\_\_\_\_



Approved as to form and legality:

---

Anita Geraci-Carver, City Attorney



## **RESOLUTION 2023-071**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; PROVIDING NOTICE TO THE PUBLIC OF A PENDING ORDINANCE AND DIRECTING STAFF TO DEVELOP AND PROCESS FOR ADOPTION AN ORDINANCE TO PROVIDE FOR CERTIFICATION OF COMPLIANCE OF AFFORDABLE HOUSING PROJECTS AND OTHER POTENTIAL LAND DEVELOPMENT REGULATIONS ADDRESSING AFFORDABLE HOUSING, MIXED-USE AND MULTI-FAMILY PROJECTS TO ADDRESS THE IMPACTS OF CHAPTER 2023-17, LAWS OF FLORIDA, KNOWN AS THE LIVE LOCAL ACT.**

**WHEREAS**, recent amendments to state law as set forth in Chapter 2023-17, Laws of Florida, will preempt some provisions of local comprehensive plans, zoning and land development regulation provisions for certain mixed-use projects and multi-family projects having at least 40 percent of residential units within a project being affordable housing units for at least a 30-year period; and

**WHEREAS**, Chapter 2023-17, Laws of Florida, does not articulate how a proposed development is intended to evidence compliance with the affordable housing requirements necessary to benefit from the preemptions afforded under Chapter 2023-17, including prior to issuance of a building permit or certificate of completion, or at any time during the minimum 30 year period provided for in the new law or set forth any penalties for non-compliance and such should be required in order to ensure that the purpose of Chapter 2023-17, Laws of Florida, is achieved; and

**WHEREAS**, the staff is directed to prepare and process an ordinance to create city code or land development regulations, as applicable, to require evidence of and ensure compliance with the affordable housing criteria as needed for a development to benefit from the preemptions afforded under Chapter 2023- 17, Laws of Florida, and other land development regulations addressing affordable housing, mixed-use and multi-family projects; and

**WHEREAS**, the goal is to have such pending ordinance considered and adopted within six (6) months from the effective date of this Resolution; and

**WHEREAS**, the City Commission wishes to place the public and all parties on notice that the City Commission is considering land development regulation amendments addressing the aforesaid matters; and

**WHEREAS**, pursuant to the pending legislation doctrine (or pending ordinance doctrine) set forth in *Smith v. City of Clearwater*, 383 So. 2d 681 (Fla. 2d DCA 1980), the City Commission declares and implements the pending ordinance doctrine concerning the zoning and land development regulations governing properties and proposed affordable housing projects, mixed-use projects and multi-family projects located within the unincorporated limits; and



**WHEREAS**, property owners and developers should be aware that provisions of the pending ordinance not yet adopted by the City Commission may be applied to any proposed development and/or development order applications delayed until the adoption and effectiveness of such ordinance; thus, property owners and developers should not rely on existing City Code or Land Development Regulations in making investment and development related decisions; and

**WHEREAS**, the City Commission, in good faith, determines that this Resolution is in the best interest of the City and its residents and promotes the health, safety and welfare of the public.

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

**Section 1. Legal Findings.** The foregoing recitals are hereby adopted as legislative findings of the City Commission of the City of Fruitland Park and are ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**Section 2. Staff Directive.** The staff is directed to prepare and process an ordinance to create city code provisions or land development regulations to require evidence of and ensure compliance with the affordable housing criteria as needed for a development to benefit from the preemptions afforded under Chapter 2023-17, Laws of Florida, and other land development regulations addressing affordable housing, mixed-use and multi-family projects. The City Commission hereby implements the "pending legislation doctrine" in regard to such pending ordinance, and property owners and developers are hereby placed on notice of the same and of the recitals set forth in this Resolution.

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

PASSED AND RESOLVED this \_\_\_\_ day of \_\_\_\_\_, 2023, by the City Commission of the City of Fruitland Park, Florida.

---

City of Fruitland Park  
Chris Cheshire, Mayor

Attest:  
Esther B. Coulson, City Clerk

---



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

Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney





## **SUMMARY OF CHAPTER 2023-17**

### **(Senate Bill No. 102)**

**Except as otherwise provided, Effective July 1, 2023**

- Cities cannot impose rent controls
- Cities can continue to adopt ordinances etc. for purpose of increasing the supply of affordable housing using land use mechanisms, such as inclusionary housing ordinances
- Affordable Housing -
  - Not applicable in area of critical state concern
  - Council may approve development of housing that is affordable (defined in s. 420.0004, FS) including but not limited to a mixed-use resident development on parcel zoned for commercial or industrial use so long as at least 10% of the units is for affordable housing.
  - City must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40% of the residential units in a proposed multifamily rental development are, for at least 30 years, are affordable (defined in s. 420.0004, FS).
    - City may not require a proposed multifamily development to obtain zoning or land use change, special exception, conditional use approval, variance, or



- A city that designated less than 20% of the land area within its jurisdiction for commercial or industrial use must authorize a proposed affordable housing multifamily development in areas zoned for commercial or industrial use only if the proposed multi-family development is mixed-use residential.
  - These provisions do not apply to property defined as recreational and commercial working waterfront in s. 342.201(2)(b), FS in any area zoned as industrial.
  - Expires 10/1/2033
- Disposition of municipal property for affordable housing
    - By October 1, 2023 and every 3 years thereafter the City shall prepare an inventory of all real property within its jurisdiction to which the City or any dependent special district within its boundaries holds fee simple title which is appropriate for use as affordable housing.
    - Inventory list must be publicly available on its website
    - May be used for affordable housing through a long-term land lease requirement development and maintenance of affordable housing.
    - Cities are encouraged to adopt best practices for surplus land programs including but not limited to:



- Allows a county or city to adopt an ordinance to exempt from taxation those portions of property used to provide affordable housing and details criteria.
- Provides tax credits.
- Includes a state housing strategy relating to affordable housing. Intent is for state and local governments working in partnership with communities and private sector.
- Creates a Florida Hometown Hero Program relating to financial assistance to purchase a home.
- Requires a local government to maintain on its website a policy containing procedures and expectations for expedited processing of those building permits and development orders required by law to be expedited. (F.S. 553.792(1)(a))



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

**Re:** **Live Local Ordinance**

**Date:** **October 28, 2023**

**Description**

---

State law as set forth in Chapter 2023-17, Laws of Florida, will preempt some provisions of local comprehensive plans, zoning, and land development regulation provisions for certain mixed-use projects and multi-family projects having at least 40 percent of residential units within a project being affordable housing units for at least a 30-year period (See attached May 2023 Income and Rent Limits).

The law does not articulate how a proposed development is intended to evidence compliance with the affordable housing requirements necessary to benefit from the preemptions afforded under Chapter 2023-17, including prior to issuance of a building permit or certificate of completion, or at any time during the minimum 30 year period provided for in the new law or set forth any penalties for non-compliance and such should be required in order to ensure that the purpose of Chapter 2023-17, Laws of Florida, is achieved.

The staff is directed to prepare and process an ordinance to create city code or land development regulations, as applicable, to require evidence of and ensure compliance with the affordable housing criteria as needed for a development to benefit from the preemptions afforded under Chapter 2023- 17, Laws of Florida, and other land development regulations addressing affordable housing, mixed-use and multi-family projects.

The attached Resolution directs staff to prepare and process an ordinance to create any city code provisions or land development regulations (within six months) to require evidence of and ensure compliance with the affordable housing criteria.

**Recommendation**

---

Staff recommends approval.



## Recommendation

Note: The general hold harmless provisions of IRC Section 142(d)(2)(E) mean that projects with at least one building placed in service on or before the end of the 45-day transition period for newly-released limits use whichever limits are greater, the current-year limits or the limits in use the preceding year.

HUD release: 5/15/2023

Effective: 5/15/2023

Implement on/before: 6/28/2023

**2023 Income Limits and Rent Limits**  
**Florida Housing Finance Corporation**  
**Multifamily Rental Programs and CWHIP Homeownership Program**  
***NOTE: Does not pertain to CDBG-DR, HHRP, HOME, NHTF or SHIP***

County (Metro)	Percentage Category	Income Limit by Number of Persons in Household										Rent Limit by Number of Bedrooms in Unit					
		1	2	3	4	5	6	7	8	9	10	0	1	2	3	4	5
Lake County (Orlando-Kissimmee-Sanford MSA)	20%	12,300	14,060	15,820	17,560	18,980	20,380	21,780	23,180	24,584	25,989	307	329	395	456	509	562
	25%	15,375	17,575	19,775	21,950	23,725	25,475	27,225	28,975	30,730	32,486	384	411	494	570	636	702
	28%	17,220	19,684	22,148	24,584	26,572	28,532	30,492	32,452	34,418	36,384	430	461	553	639	713	786
	30%	18,450	21,090	23,730	26,340	28,470	30,570	32,670	34,770	36,876	38,983	461	494	593	685	764	843
	33%	20,295	23,199	26,103	28,974	31,317	33,627	35,937	38,247	40,564	42,882	507	543	652	753	840	927
	35%	21,525	24,605	27,685	30,730	33,215	35,665	38,115	40,565	43,022	45,480	538	576	692	799	891	983
	40%	24,600	28,120	31,640	35,120	37,960	40,760	43,560	46,360	49,168	51,978	615	659	791	913	1,019	1,124
	45%	27,675	31,635	35,595	39,510	42,705	45,855	49,005	52,155	55,314	58,475	691	741	889	1,027	1,146	1,264
	50%	30,750	35,150	39,550	43,900	47,450	50,950	54,450	57,950	61,460	64,972	768	823	988	1,141	1,273	1,405
	60%	36,900	42,180	47,460	52,680	56,940	61,140	65,340	69,540	73,752	77,966	922	988	1,186	1,370	1,528	1,686
	70%	43,050	49,210	55,370	61,460	66,430	71,330	76,230	81,130	86,044	90,961	1,076	1,153	1,384	1,598	1,783	1,967
	80%	49,200	56,240	63,280	70,240	75,920	81,520	87,120	92,720	98,336	103,955	1,230	1,318	1,582	1,827	2,038	2,248
	120%	73,800	84,360	94,920	105,360	113,880	122,280	130,680	139,080	147,504	155,933	1,845	1,977	2,373	2,740	3,057	3,372
	140%	86,100	98,420	110,740	122,920	132,860	142,660	152,460	162,260	172,088	181,922	2,152	2,306	2,768	3,197	3,566	3,934
Median: 85,700																	