

**FRUITLAND PARK LOCAL PLANNING AGENCY MEETING  
AGENDA**

**April 11, 2019**

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

**As soon as practical at 6:15 p.m.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES** (city clerk)  
October 11, 2018 LPA meeting
- 4. Resolution 2019-019 The Glen Final Plat Phases 11-13 - Petitioner: A. A. Moukhtara Company** (city attorney/city manager/community development department director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING FINAL PLAT APPROVAL FOR THE GLEN PHASES 11, 12 & 13 GENERALLY LOCATED NORTH OF LEWIS ROAD, EAST OF CR 468 AND SOUTH OF 466A; AND PROVIDING FOR AN EFFECTIVE DATE.

**QUASI-JUDICIAL PUBLIC HEARING**

- 5. First Reading - Ordinance 2019-001 - First Amendment Master Development Agreement - Mirror Lake Village PUD** (city attorney/city manager/community development director)

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 AND REVISE THE FRONT SETBACKS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND SCRIVENER'S ERRORS; AND SETTING AN EFFECTIVE DATE.

**END OF QUASI-JUDICIAL PUBLIC HEARING**

- 6. PUBLIC COMMENTS**

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Action may not be taken by the Local Planning Agency at this meeting; however, questions may be answered by staff or issues may be referred for appropriate staff action.

Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the Local Planning Agency. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the Local Planning Agency addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

**7. OTHER BUSINESS**

**8. ADJOURNMENT**

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the City Clerk's Office at City Hall (352) 360-6727 at least forty-eight (48) hours prior to the meeting. (§286.26 F.S.) If a person decides to appeal any decision made by the City of Fruitland Park with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings and ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide verbatim records. (§286.0105, F.S.)

**PLEASE TURN OFF ELECTRONIC DEVICES OR PLACE IN VIBRATE MODE.**

**DRAFT FRUITLAND PARK LOCAL PLANNING AGENCY MEETING MINUTES  
October 11, 2018**

A meeting of the City of Fruitland Park Local Planning Agency was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, October 11, 2018 at 6:15 p.m.

**Members Present:** Mayor Chris Cheshire, Vice Mayor John L. Gunter Jr., Commissioners Christopher Bell, Ray Lewis, and Rick Ranize.

**Also Present:** City Manager Gary La Venia; City Treasurer Jeannine Racine; Interim Police Chief Erik Luce, Sergeant Henry Rains; Executive Assistant Karen McKillips, Police Department; Interim Fire Chief Donald Gilpin, Deputy fire Chief Tim Yoder, Fire Department; Public Works Director Dale Bogle; Community Development Department Director Tracy Kelley, Administrative Assistant Kelley Turner and Permit Technician Stevie Taub; District 2 City Commissioner Candidate Fred Collins, and City Clerk Esther B. Coulson.

**1. CALL TO ORDER**

Mayor Cheshire called the meeting to order at 6:15 p.m.

**2. ROLL CALL**

Mayor Cheshire requested that Ms. Coulson call the roll and a quorum was declared present.

**3. APPROVAL OF MINUTES**

**On motion of Commissioner Bell, seconded by Commissioner Ranize and unanimously carried, the LPA approved the June 28, 2018 LPA minutes as submitted.**

**QUASI-JUDICIAL PUBLIC HEARING**

**PUBLIC HEARING**

**4. Ordinance 2018-019 Definitions and Interpretations – Commercial Parking**

After Ms. Geraci-Carver read into the record proposed Ordinance 2018-019, the substance of which is as follows, she swore in those present who intended to testify at this evening's meeting.

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA,  
AMENDING THE LAND DEVELOPMENT CODE; TO AMEND THE  
DEFINITION SECTION OF CHAPTER 151; PROVIDING FOR  
LEGISLATIVE FINDINGS AND INTENT, PROVIDING FOR  
CONFLICTS AND SEVERABILITY; AND AN EFFECTIVE DATE.

Mr. Greg Beliveau, LPG Urban Planners Inc. (consultant retained by the city), reviewed the subject proposed ordinance and relayed the Planning and Zoning (P&Z) Board's recommendation of approval on same.

After discussion, and in response to an inquiry posed by Mayor Cheshire, Mr. Beliveau explained that there would be a clear understanding for current uses correctly complying with the regulations to which Ms. Geraci-Carver indicated that as the city evolves and recognizing the different interpretations, she clarified the definitions intent would not prohibit one from parking commercial vehicles overnight and confirmed that nothing has changed in this regard.

**A motion was made by Commissioner Bell and seconded by Vice Mayor Gunter that the LPA recommend the approval of proposed Ordinance 2018-019 as previously cited.**

Mr. "Zack" Zackary J. McCormick, attorney representing Ms. Sharron Pettus, City of Fruitland Park resident, voiced his disagreement with Mr. Beliveau's earlier viewpoints that the subject issue would affect at least one business -- to which he believes is referencing Spa Kingdom Inc. -- where it would allow what is not permissible under the current interpretation of the commercial parking definition.

Mr. McCormick relayed his client's opposition to the "clarification"; voiced his disagreement with Ms. Geraci-Carver's statements in that regard where he indicated is a de facto rule change and noted the previous understanding that commercial parking would not permit overnight parking of commercial vehicles where based on his client's observations has been carried out by Spa Kingdom and similarly by other businesses. He pointed out the P&Z Board's September 20, 2018 meeting that if the subject proposed ordinance is adopted, anyone with the most basic form of business would be permitted to park commercial vehicles on the property which is currently prohibited in Residential Professional (R-P) and Neighborhood Commercial (C-1) zoning designations. Mr. McCormick indicated that said ordinance would change the city's character; believed that imminent growth would severely impact his client and the quality of life she has and relayed her objections to the adjacent commercial operation .

Ms. Michelle Taylor, City of Fruitland Park resident, homeowner and employee for Deans Services, addressed the length of time she has been parking her vehicle at her driveway; mentioned her ownership of a land maintenance business where her trailer is also parked at her home and pointed out the strict guidelines followed by herself and her employees. She noted that no chemical spills were shown from pictures posted on social media and believed that if state law is followed, that commercial parking ought to continue.

Ms. Ramona L. Barnett, City of Fruitland Park resident, gave her opinion that Spa Kingdom's location is trashy and gave her observations, when visiting individuals' homes, of commercially parked vehicles at their residences where she has problems with contamination from chemicals, children and pets roaming in the area.

Mr. Ryan Lowe, City of Fruitland Park resident who also works for Deans Services; mentioned his experience in the pest control monitoring care industry and pointed out the social media postings regarding the subject issue which related to his commercially parked vehicle. He outlined the United States Environmental Protection Agency and the State of

Florida Department of Agriculture and Consumer Services laws and regulations, which the company is bound by ensuring that chemicals and products used are protected, safeguarded and are inspected frequently where there are no outstanding violations or any incidents.

At Mayor Cheshire's reiterated request, Mr. Beliveau confirmed that the subject issue has no effect on commercial parking vehicles at residential properties and that the city has, will not propose or contemplate and does not enforce any homeowner's association rules in that regard.

Mr. Beliveau confirmed, in response to Commissioner Ranize' inquiries, that the subject issue would affect RP zoning categories; however, the Furniture Barn would be grandparented as a vested business from the screened and buffered fencing requirements; however, they would need to operate within the LDRs

After Mr. Larry Smith, Spa Kingdom owner, recognized all the provisions were complied with prior to the residents living in the area and noted the complaints; Mr. Beliveau explained the grandparenting requirements since 1992, some of which have been amended; addressed the plan to overhaul same and noted that the new compliance would be triggered in the city's code if Mr. Smith expand, make additions, request variances and so forth on his business.

Mr. McCormick, in referring to Mr. Beliveau's opinion, gave his understanding that the de facto current interpretation of commercial parking strictly forbids overnight parking which Mr. Smith's operation is engaging in. He pointed out the document, previously issued by the community development department, that Spa Kingdom is currently in violation of the city's laws and interpretation of commercial parking – recognizing that it is without adopting the proposed clarification.

Mr. McCormick recognized that the subject issue is a definitional rule change and not a clarification. He addressed the need to follow due process and procedures to modify the provisions where it is inaccurate to assert the current status quo which favors Spa Kingdom's use of the property.

In answering Mayor Cheshire's inquiry, Ms. Geraci-Carver confirmed the subject issue to be a clarification and recognized the difference of opinion on the:

- interpretation previously given by Ms. Lori Davis, Code Enforcement Officer, prohibiting overnight parking of Spa Kingdom's vehicles on the property who issued a citation;
- lack of communication by code enforcement with the community development department or Mr. Beliveau in that regard and

- matter when it came to light which was brought to both individuals' attention where Mr. Beliveau indicated the city's continued interpretation of the parking definition to be consistent with Spa Kingdom being allowed to park its vehicles overnight in the respective zoning district.

**Mayor Cheshire called for a roll call vote on the motion with the LPA members voting as follows:**

<b>Commissioner Bell</b>	<b>Yes</b>
<b>Commissioner Lewis</b>	<b>No</b>
<b>Commissioner Ranize</b>	<b>Yes</b>
<b>Vice Mayor Gunter</b>	<b>Yes</b>
<b>Mayor Cheshire</b>	<b>Yes</b>

**The motion was declared carried on a four to one (4-1) vote.**

### **QUASI-JUDICIAL PUBLIC HEARING**

**5. Quasi-Judicial Public Hearing - Ordinance 2018-021 – Rezoning Petitioner: Larry Smith Trustee**

Ms. Geraci-Carver read into the record proposed Ordinance 2018-021, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 0.75 ± ACRES OF THE PROPERTY FROM RESIDENTIAL PROFESSIONAL (RP) TO NEIGHBORHOOD COMMERCIAL (C-1) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Beliveau, who was previously sworn under Item 4, reviewed the subject proposed ordinance; gave a description of the proposed rezoning request by the petitioner which was made in response to a code violation addressed under the previous Item 4. He relayed staff's recommendation of approval with the request to submit:

- a signed and notarized owner's affidavit;
- install a solid vinyl fence in lieu of a 10' buffer along the properties, eastern and western property boundary and in lieu of a 15' buffer along the northern property boundary;
- provide additional vegetative planting along East Berckman and along the eastern portion of the site and
- revise the site plan labeling the dimension and parking spaces.

In response to Mayor Cheshire's inquiries on the disclosure of ex-parte communications, Commissioner Ranize referred to his previous telephone call to Mr. Smith regarding his likely initiation and recommendation to rezone as C-2 and confirmed that conversations have not taken place since.

Answering Ms. Geraci-Carver's statements in identifying the respective correspondence and after Mayor Cheshire referred to the recent emails (petitions) to the city commissioners regarding the subject issue with Vice Mayor Gunter, Commissioners Bell and Lewis confirming same, Commissioner Ranize indicated that that subsequent emails received were deleted without being read.

Mayor Cheshire disclosed the September 27, 2018 email response to an inquiry from Ms. Pettus that there are no plans for Berckman Street which would have to happen organically which is not a priority of the commission at this time.

Mr. Beliveau reported from the public notices recently sent to the surrounding properties that 54 certified, six undeliverable, one is not opposed and four were opposed. (Copies of the respective documents are filed with the supplemental papers to the minutes of this meeting.)

After much discussion, **a motion was made by Commissioner Lewis and seconded by Commissioner Ranize that the LPA recommend the approval of proposed Ordinance 2018-021 as previously cited.**

Mr. McCormick, representing Ms. Pettus, explained that her residence abuts the subject property and relayed her opposition to the proposed change which would create an island of C-1 against R-P zoning designations depicted on the site location map; there is no guarantee from the city on what would be envisioned in the location, and believed that every use, abutting the subject property is RP zoning designation with the C-2 parcel adjacent to the main highway. Mr. McCormick addressed the concept on the need for a transition where he does not see the logic and questioned same as Spa Kingdom is allowed to exist in the current location storing chlorine next to his client's property and a fence does not fix potentially hazardous chemicals which is not the intent of the zoning.

Ms. Geraci-Carver swore-in Mr. Smith who intended to testify on the subject item. He explained that he has been in operation for more than 10 years where he applied to the city for a fence permit and his plan to install an improved fence at an additional expense. He explained the reason for delaying work on the property is due to his neighbor's pursuit which prevents him from operating his business.

Mr. Smith conveyed his apologies to Ms. Barnett who appeared before the LPA earlier in this evening's meeting under Item 4 regarding her concerns on the declined condition of his property due to his neighbor; his desire to make improvements, and that he does not see why he should relocate his business or jeopardize the employees who live and work in the city. He addressed his commitment to keep the property clean if the LPA would allow him to continue with his business.

Following much discussion and there being no further comments **the LPA by unanimous consent, closed the public hearing.**

**Mayor Cheshire called for a roll call vote on the motion and it was declared carried unanimously.**

**END OF QUASI-JUDICIAL PUBLIC HEARING**

**6. PUBLIC COMMENTS**

There were no comments from the public at this time.

**7. OTHER BUSINESS**

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

**8. ADJOURNMENT**

**The meeting adjourned at 7:11 p.m.**

The LPA minutes were approved at the April 11, 2019 meeting.

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

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

**RESOLUTION 2019-019**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING FINAL PLAT APPROVAL FOR THE GLEN PHASES 11, 12 & 13 GENERALLY LOCATED NORTH OF LEWIS ROAD, EAST OF CR 468 AND SOUTH OF 466A; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the applicant has petitioned for final plat approval of The Glen Phases 11, 12 & 13; and

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

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

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

**WHEREAS**, the City Commission finds that the Final Plat of The Glen Phases 11, 12 & 13 is in compliance with the City's land development regulations.

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

**Section 1. Granting of Final Plat Approval.**

Approval of the Final Plat of The Glen Phases 11, 12 & 13 of consisting of 49 single family homes, **a copy of which is attached hereto**, is GRANTED.

**Section 2. Effective Date.**

This resolution shall become effective immediately upon its passage.

PASSED AND RESOLVED this 11<sup>th</sup> day of April, 2019, by the City Commission of the City of Fruitland Park, Florida.

City of Fruitland Park

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Chris Cheshire, Mayor

Attest:

Esther B. Coulson, City Clerk

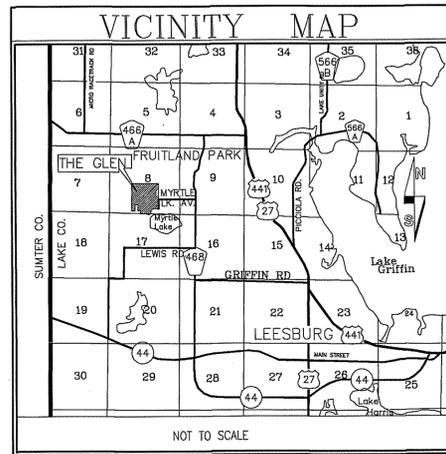
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Mayor Cheshire	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Vice Mayor Gunter	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner DeGrave	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Mobilian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

Approved as to form and legality:

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Anita Geraci-Carver, City Attorney



# THE GLEN PHASES 11, 12 & 13

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

### DESCRIPTION FOR THE GLEN PHASES 11, 12 & 13:

That part of the East 1/2 of the Southwest 1/4 of Section 8, Township 19 South, Range 24 East, Lake County, Florida, described as follows; from the Northeast corner of said East 1/2 of the Southwest 1/4 of Section 8, Township 19 South, Range 24 East, run N 89°22'17" W, along the north boundary of the East 1/2 of the Southwest 1/4 of said Section 8, a distance of 577.44 feet, to northwest corner of THE GLEN PHASE 10, as recorded in Plat Book 70, Page 29, Public Records of Lake County, Florida, and Point of Beginning of the following described parcel; from said Point of Beginning, continue N 89°22'17" W, along said north boundary, a distance of 754.79 feet, to the Northwest corner of said East 1/2 of the Southwest 1/4; thence S 01°02'58" W, along the west boundary of said East 1/2 of the Southwest 1/4, a distance of 2361.04 feet, to a point that is located N 01°02'58" E, a distance of 275.00 feet, from the Southwest corner of said East 1/2 of the Southwest 1/4; thence S 88°55'13" E, and parallel with the south boundary of said East 1/2 of the Southwest 1/4, a distance of 292.50 feet; thence N 01°02'58" E, and parallel with the aforesaid west boundary of the East 1/2 of the Southwest 1/4, a distance of 500.00 feet; thence S 88°55'12" E, a distance of 250.40 feet, to the Southwest corner of THE GLEN PHASE'S 1, 2 & 3, as recorded in Plat Book 53, Pages 62-63, Public Records of Lake County, Florida; thence along the westerly boundary of THE GLEN PHASE'S 1, 2 & 3, the following courses; N 42°30'55" E, a distance of 58.41 feet; thence N 03°59'34" W, a distance of 51.94 feet; thence N 24°27'34" W, a distance of 73.72 feet; thence N 31°56'26" W, a distance of 125.13 feet; thence N 11°55'03" W, a distance of 50.16 feet; thence N 07°31'48" E, a distance of 43.70 feet; thence N 23°42'30" E, a distance of 92.64 feet; thence N 38°26'09" E, a distance of 99.69 feet; thence N 52°56'23" E, a distance of 106.90 feet; thence N 62°39'19" E, a distance of 93.81 feet; thence N 78°24'57" E, a distance of 37.17 feet; thence N 08°37'13" W, a distance of 106.75 feet, to a point on a curve concave to the south and having a radius of 430.51 feet; thence Easterly, along the arc of said curve, through a central angle of 9°39'48", a distance of 72.61 feet (Chord Bearing N 84°52'49" E, and Chord Length 72.52 feet), to the Southwest corner of THE GLEN PHASE'S 4, 5, 6 & 9, as recorded in Plat Book 56, Pages 11-12, Public Records of Lake County, Florida; thence along the west boundary of THE GLEN PHASE'S 4, 5, 6 & 9, the following courses; N 00°17'16" W, a distance of 154.49 feet; thence N 01°50'39" E, a distance of 50.03 feet, to a Point of Reverse Curve on the southerly boundary of the aforesaid THE GLEN PHASE 10, said curve being concave southerly and having a radius of 635.00 feet; thence from a radial bearing of N 00°07'12" W, run westerly, along the arc of said curve and southerly boundary of THE GLEN PHASE 10, through a central angle of 06°16'53", a distance of 69.62 feet (Chord Bearing S 86°44'22" W, and Chord Length 69.58 feet), to the southwest corner of THE GLEN PHASE 10; thence along the westerly boundary of THE GLEN PHASE 10, the following courses; N 06°24'05" W, a distance of 131.80 feet; thence N 88°54'28" W, a distance of 43.04 feet; thence N 03°55'27" E, a distance of 588.53 feet; thence S 88°54'28" E, a distance of 50.00 feet; thence N 37°15'30" E, a distance of 61.93 feet; thence N 88°54'28" W, a distance of 53.12 feet; thence N 01°05'32" E, a distance of 143.41 feet, to the Point of Beginning, and end of this description; area described contains 32.25 acres.

### NOTICE:

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

### NOTES:

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

Book No. 1763, Page 1174, being amended in Book No. 5009, Page 2020, and

Book No. 2460, Page 1195, being amended in Book No. 5009, Page 2020, and

Book No. 2351, Page 1253, and

Book No. 5097, Page 1135, being re-recorded in Book No. 5167, Page 2380, and

Deed Book No. 191, Page 133.

### SHEET INDEX

- SHEET 1 --- TITLE SHEET
- SHEET 2 --- PHASES 11-13 KEY MAP
- SHEET 3 --- LOTS 193-216
- SHEET 4 --- LOTS 189-192 & LOTS 217-237
- SHEET 5 --- TRACT "M" & WATER RETENTION AREA

Prepared by:  
 Billy Earl Owens, PSM  
 Professional Surveyor and Mapper  
 Florida Registration No. 3522  
 Address: 39 CR 494  
 Lake Panasoffkee, FL 33538  
 PH: 352-793-2854

**CERTIFICATE OF CLERK**  
 THIS IS TO CERTIFY, That I have examined the foregoing plat and find that it complies in form with all the requirements of chapter 177, Florida Statutes, and was filed for record on \_\_\_\_\_ 20\_\_\_\_, at \_\_\_\_\_ File No. \_\_\_\_\_  
 Clerk of the Circuit Court  
 in and for Lake County, Florida

**RECORD PLAT REVIEW STATEMENT**  
 "Pursuant to Section 177.081, Florida Statutes, I have reviewed this Plat for conformity to Chapter 177, Florida Statutes, and find that said Plat complies with the technical requirements of that chapter; provided however, that my review does not include field verification of any of the coordinates, points or measurements shown on this Plat."  
 James M. Straughan Date: 3-19-19  
 Florida Registered Surveyor and Mapper,  
 Registration No. 5309

**CONSENT AND JOINDER**  
**THE GLEN PHASES 11, 12 & 13**  
 Maronda Homes, Inc. of Florida, having a Consensual Lien for Deposit, as recorded in Officials Book 5097, pages 1143 through 1151, Public Records of Lake County, Florida, hereby joins in and consents to the dedication appearing on the face of the plat.  
 Name: Scott C. Howard S.C.H. Howard  
 Title: PRESIDENT  
 Witness: James B. Jarpest  
 Witness: Lois E. Owens  
 (SEAL) or with two subscribing witnesses  
 State of Florida  
 County of Lake Seminole  
 The foregoing Consent and Joinder was acknowledged before me this 21 day of March 2019, by Scott C. Howard, as President of Maronda Homes, Inc. of Florida. He/She is personally known to me or has produced the following identification:  
 Notary Public: James B. Jarpest (Seal)

**CERTIFICATE OF APPROVAL BY CITY COMMISSION**  
 THIS IS TO CERTIFY, that on \_\_\_\_\_ 20\_\_\_\_, the foregoing plat was approved by the City Commission of Fruitland Park, Florida, and includes the acceptance of the dedications of the streets and easements.  
 Mayor \_\_\_\_\_  
 Attest: \_\_\_\_\_  
 City Clerk \_\_\_\_\_  
 Approved as to Form and Legal Sufficiency \_\_\_\_\_ Date: \_\_\_\_\_  
 City Attorney \_\_\_\_\_

**CERTIFICATE OF APPROVAL BY THE PLANNING AND ZONING BOARD**  
 Examined and Approved Jamie Barre Date 3/27/19

PLAT BOOK \_\_\_\_\_  
 PAGE \_\_\_\_\_

### DEDICATION FOR THE GLEN PHASES 11, 12 & 13

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being the owner in fee simple of the lands described in the foregoing caption to this plat, does hereby dedicate said lands and plat for the uses and purposes thereon expressed, all streets and rights-of-way shown on this plat are hereby dedicated in perpetuity to the City of Fruitland Park for the use and benefit of the public for proper purposes; all utility easements shown are dedicated in perpetuity to the City of Fruitland Park for construction, installation, maintenance and operation of utilities by any utility provider, including cable television services, in compliance with such ordinances and regulations as may be adopted from time to time by the City Commission of Fruitland Park; all drainage easements as shown are dedicated in perpetuity for construction and maintenance of drainage facilities and shall be perpetual maintenance obligation of The Glen Homeowners' Association, Inc. Front yard drainage easements are subject to the right of each lot to have a driveway for ingress/egress as approved by the City.

IN WITNESS WHEREOF,  
 A.A. Moukhtara, Inc. has caused these presents to be signed by its President and its corporate seal to be affixed hereto by and with the authority of its board of directors this 21st day of March, 2019.  
 Signed, Sealed and delivered in our presence as witnesses:

WITNESS: \_\_\_\_\_ GRANTEE:  
 Signature \_\_\_\_\_ A. A. Moukhtara, Inc.  
 a Florida Corporation  
 Signature Sayed Moukhtara Print Name Sayed Moukhtara  
 Signature Silvia Moukhtara Print Name Silvia Moukhtara  
 by: Michel Moukhtara, President

**STATE OF FLORIDA**  
**COUNTY OF LAKE**  
 The foregoing Dedication was acknowledged before me, an officer duly authorized to take acknowledgements in the State of Florida and County of Lake, this 21st day of March 2019, by Michel Moukhtara, President, on behalf of A. A. Moukhtara, Inc., a Florida Corporation.  
 He  is personally known to me, or [ ] has produced \_\_\_\_\_ as identification.  
 Notary Public - State of Florida  
 Print Name: Joy Lomberk  
 My commission expires 4-19-2021

**CERTIFICATE OF SURVEYOR**  
 KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a Florida licensed and registered Surveyor and Mapper, does hereby certify that on 02/28/2019, he completed the survey on the lands herein described; that this plat was prepared under his direction and supervision; that it is a correct representation of the lands herein described and platted or subdivided; that Permanent Reference Monuments and Permanent Control Points have been set and this plat is in compliance with Chapter 177, Florida Statutes.  
 Billy Earl Owens  
 Professional Surveyor and Mapper  
 39 County Road 494  
 Lake Panasoffkee, Florida 33538  
 Billy Earl Owens  
 Billy Earl Owens, PSM  
 Florida Registration No. 3522 Date 02-28-2019

**TITLE SHEET**  
 Sheet 1 of 5



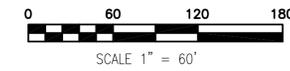
# THE GLEN PHASES 11, 12 & 13

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

Line and Curve Table  
with Sheet Reference

LINE	BEARING	DISTANCE	SHEET
L-1	N 43°30'47" W	21.99'	S-3
L-2	S 31°42'38" W	21.00'	S-3
L-3	S 11°29'28" W	32.79'	S-3
L-4	S 00°29'16" W	28.85'	S-3
L-5	S 11°25'43" W	51.57'	S-3
L-6	S 17°25'31" W	28.48'	S-3
L-7	S 09°59'29" W	7.51'	S-3
L-8	N 62°25'42" E	49.34'	S-4
L-9	S 83°52'36" E	8.76'	S-4
L-10	S 48°33'38" E	18.15'	S-4
L-11	S 29°37'18" E	37.74'	S-3
L-12	S 01°15'38" E	26.43'	S-4

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	SHEET
C-1	17.27'	100.00'	9°53'47"	N 83°57'34" W	17.25'	S-3
C-2	77.85'	100.00'	44°36'19"	S 68°47'22" W	75.90'	S-3
C-3	63.70'	100.00'	36°29'44"	S 28°14'21" W	62.63'	S-3
C-4	138.28'	200.00'	39°36'47"	S 09°48'54" W	135.54'	S-3
C-5	313.23'	610.00'	29°25'16"	S 75°05'20" W	309.80'	S-3
C-6	44.37'	610.00'	4°10'03"	S 58°17'40" W	44.36'	S-3
C-7	646.88'	610.00'	60°45'35"	S 25°49'51" W	616.99'	S-4
C-8	57.61'	75.00'	44°00'42"	S 26°33'17" W	56.21'	S-4
C-9	16.52'	25.00'	37°52'17"	N 69°58'19" W	16.23'	S-3
C-10	33.62'	55.00'	35°01'37"	N 68°32'59" W	33.10'	S-3
C-11	42.02'	55.00'	43°46'17"	S 72°03'04" W	41.00'	S-3
C-12	48.76'	55.00'	50°47'37"	S 24°46'07" W	47.18'	S-3
C-13	37.34'	55.00'	38°53'59"	S 20°04'41" E	36.63'	S-3
C-14	21.61'	25.00'	49°31'09"	S 14°46'05" E	20.94'	S-3
C-15	49.33'	225.00'	12°33'45"	S 03°42'37" W	49.23'	S-3
C-16	98.88'	225.00'	24°40'17"	S 14°54'24" E	96.14'	S-3
C-17	36.34'	25.00'	83°17'41"	S 14°24'18" W	33.23'	S-3
C-18	67.65'	635.00'	6°06'15"	S 53°00'01" W	67.62'	S-3
C-19	70.59'	635.00'	6°22'10"	S 46°45'49" W	70.56'	S-4
C-20	70.59'	635.00'	6°22'10"	S 40°23'39" W	70.56'	S-4
C-21	70.59'	635.00'	6°22'10"	S 34°01'29" W	70.56'	S-4
C-22	70.59'	635.00'	6°22'10"	S 27°39'18" W	70.56'	S-4
C-23	70.59'	635.00'	6°22'10"	S 21°17'08" W	70.56'	S-4
C-24	70.59'	635.00'	6°22'10"	S 14°54'58" W	70.56'	S-4
C-25	70.59'	635.00'	6°22'10"	S 08°32'48" W	70.56'	S-4
C-26	70.59'	635.00'	6°22'10"	S 02°10'38" W	70.56'	S-4
C-27	70.59'	635.00'	6°22'10"	S 04°11'32" E	70.56'	S-4
C-28	40.15'	635.00'	3°37'23"	S 09°11'19" E	40.15'	S-4
C-29	19.03'	55.00'	19°49'41"	S 20°54'50" E	18.94'	S-4
C-30	44.64'	55.00'	46°29'57"	S 54°04'39" E	43.42'	S-4
C-31	44.67'	55.00'	46°32'17"	N 79°24'14" E	43.46'	S-4
C-32	44.60'	55.00'	46°27'36"	N 32°54'17" E	43.39'	S-4
C-33	44.64'	55.00'	46°29'57"	N 13°34'30" W	43.42'	S-4
C-34	44.00'	55.00'	45°50'08"	N 59°44'32" W	42.83'	S-4
C-35	34.67'	25.00'	79°27'12"	N 42°56'00" W	31.96'	S-4
C-36	97.97'	585.00'	9°35'42"	N 01°36'27" W	97.85'	S-4
C-37	85.07'	585.00'	8°19'57"	N 10°33'17" W	85.00'	S-4
C-38	85.07'	585.00'	8°19'57"	N 18°53'13" W	85.00'	S-4
C-39	85.07'	585.00'	8°19'57"	N 27°13'10" W	85.00'	S-4
C-40	85.07'	585.00'	8°19'57"	N 35°33'06" W	85.00'	S-4
C-41	85.07'	585.00'	8°19'57"	N 43°53'03" W	85.00'	S-4
C-42	85.07'	585.00'	8°19'57"	N 52°12'59" W	85.00'	S-4
C-43	85.07'	585.00'	8°19'57"	N 60°32'56" W	85.00'	S-4
C-44	85.07'	585.00'	8°19'57"	N 68°52'52" E	85.00'	S-4
C-45	85.07'	585.00'	8°19'57"	N 77°12'49" E	85.00'	S-4
C-46	85.07'	585.00'	8°19'57"	N 85°32'45" E	85.00'	S-4
C-47	69.62'	635.00'	6°16'53"	S 80°27'28" W	69.58'	S-3
C-48	69.62'	635.00'	6°16'53"	S 74°10'35" W	69.58'	S-3
C-49	69.62'	635.00'	6°16'53"	S 67°53'41" W	69.58'	S-3
C-50	39.08'	25.00'	89°34'30"	N 70°27'30" W	35.22'	S-3
C-51	108.92'	175.00'	35°39'45"	N 07°50'23" W	107.17'	S-3
C-52	106.16'	75.00'	81°06'03"	N 50°32'31" E	97.52'	S-3
C-53	10.00'	430.51'	1°19'52"	N 80°42'51" E	10.00'	S-4
C-54	62.61'	430.51'	8°19'57"	N 85°32'45" E	62.55'	S-4



### LEGEND

- = Permanent Reference Monument-Four inch square concrete Permanent Reference Monument, with Disk marked PRM, LS 3522, set on the boundary of THE GLEN, PHASE 10
- = Permanent Control Point - PK nail and disk marked PCP, LS 3522, set on road centerline at Points on Boundary, Points of Intersection, Points of Curvature and Points of Tangency, unless otherwise noted
- = Five-eighths inch rebar with cap marked Owens, PSM 3522, set on all lot corners
- PC = Point of Curvature
- EC = End of Curve
- POC = Point on Curve
- PRC = Point of Reverse Curve
- (R) = Radial Line
- (NR) = Not Radial Line
- Lot lines along curves are Radial (R) unless noted (NR) Not Radial Line.
- Lot Numbering (189-237) is a continuation of previously recorded phases.
- OR - PG Refers to the Official Records Book and Page Number of document recorded in the Public Records of Lake County, Florida.

NOT A PART OF THIS PLAT  
NOT PLATTED

Northwest corner of the East 1/2 of the Southwest 1/4 of Section 8, Township 19 South, Range 24 East; no monument set.

NOT A PART OF THIS PLAT  
NOT PLATTED

North boundary of the East 1/2 of the Southwest 1/4 of Section 8, Township 19 South, Range 24 East, and Plat Boundary.

Point of Beginning  
Four inch square concrete monument with disk marked PRM, LS 3522, at the northwest corner of THE GLEN, PHASE 10, recorded in Plat Book 70, Page 29, Public Records of Lake County, Florida..

Point of Commencement  
Northeast corner of the East 1/2 of the Southwest 1/4 of Section 8, Township 19 South, Range 24 East; found four inch square concrete monument, with no surveyor's identification, at fence corner.

TRACT "K"  
CONSERVATION  
EASEMENT  
OR 5097, PG 1135-1142  
OR 5167, PG 2380

West boundary of the East 1/2 of the Southwest 1/4 of Section 8, Township 19 South, Range 24 East.

THE GLEN PHASE 10  
Recorded in Plat Book 70, Page 29  
Public Records of Lake County, Florida

BELL CREEK LOOP

BELL CREEK LOOP

THE GLEN PHASES 4, 5, 6 & 9  
Recorded in Plat Book 56, Pages 11-12  
Public Records of Lake County, Florida

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

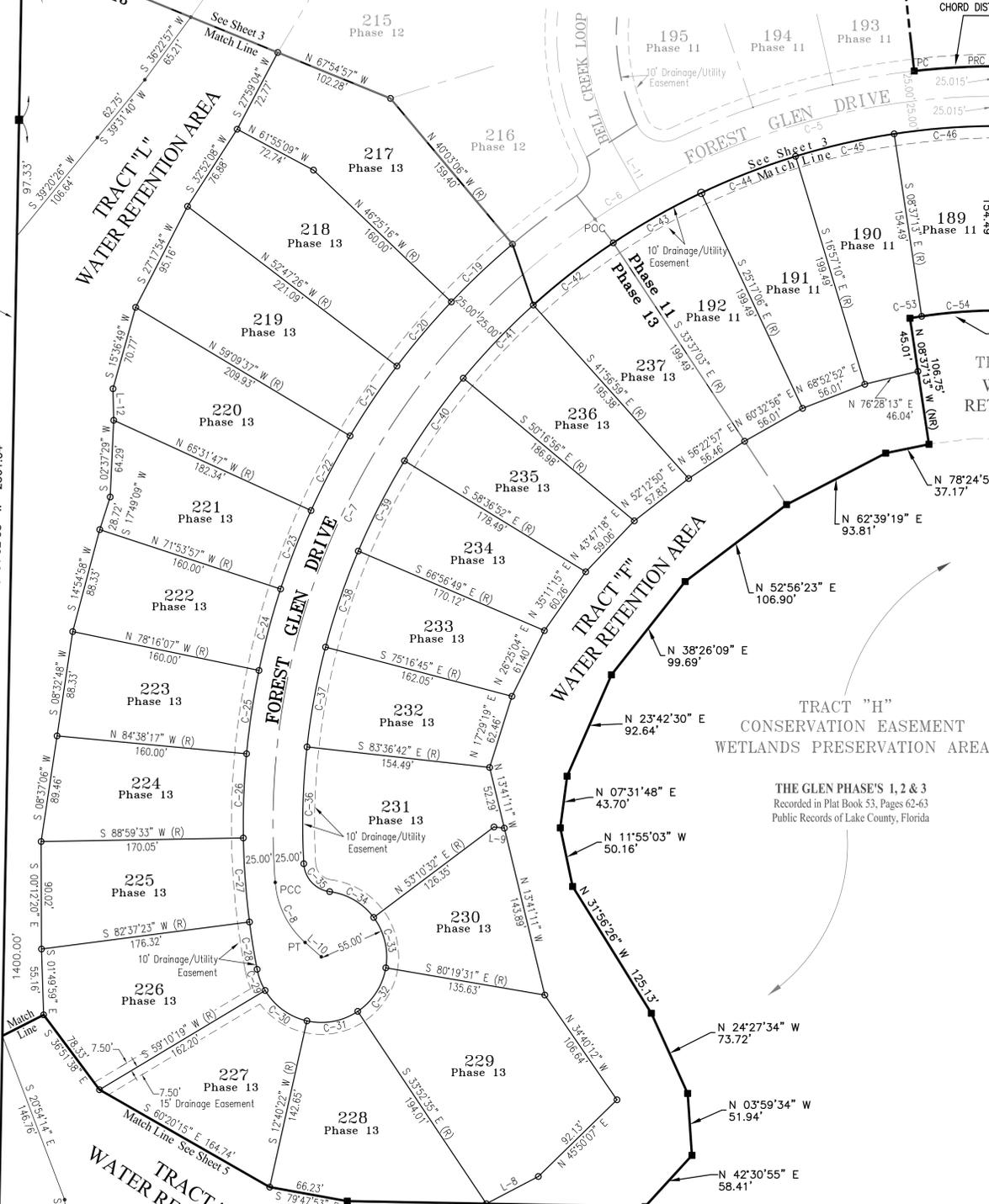
TRACT "K" CONSERVATION EASEMENT  
OR 5097, PG 1135-1142  
OR 5167, PG 2380

Phase 12  
Phase 13

TRACT "L" WATER RETENTION AREA

West boundary of the East 1/2 of the Southwest 1/4 of Section 8, Township 19 South, Range 24 East.

S 01°02'58" W 2361.04'



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

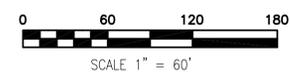
Southwest corner of THE GLEN PHASE'S 4,5,6 and 9  
ARC = 72.61'  
RADIUS = 430.51'  
CENTRAL ANGLE = 9°39'48"  
CHORD BEARING = N 84°52'49" E  
CHORD DISTANCE = 72.52'

THE GLEN PHASE'S 4, 5, 6 & 9  
Recorded in Plat Book 56, Pages 11-12  
Public Records of Lake County, Florida

THE GLEN PHASE'S 4, 5, 6 & 9  
Recorded in Plat Book 56, Pages 11-12  
Public Records of Lake County, Florida

THE GLEN PHASE'S 1, 2 & 3  
Recorded in Plat Book 53, Pages 62-63  
Public Records of Lake County, Florida

WINGSPIRE AD PHASES 2 and 3  
Recorded in Plat Book 53, Pages 92-96  
Public Records of Lake County, Florida



# THE GLEN PHASES 11, 12 & 13

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

Line and Curve Table with Sheet Reference

LINE	BEARING	DISTANCE	SHEET
L-1	N 43°30'47" W	21.99'	S-3
L-2	S 31°42'38" W	21.00'	S-3
L-3	S 11°29'28" W	32.79'	S-3
L-4	S 00°29'16" W	28.85'	S-3
L-5	S 11°25'43" W	51.57'	S-3
L-6	S 17°23'31" W	28.48'	S-3
L-7	S 09°59'29" W	7.51'	S-3
L-8	N 62°25'42" E	49.34'	S-4
L-9	S 83°52'36" E	8.76'	S-4
L-10	S 48°33'38" E	18.15'	S-4
L-11	S 29°37'18" E	37.74'	S-3
L-12	S 01°15'38" E	26.43'	S-4

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	SHEET
C-1	17.27'	100.00'	9°53'47"	N 83°57'34" W	17.25'	S-3
C-2	77.85'	100.00'	44°36'19"	S 68°47'22" W	75.90'	S-3
C-3	63.70'	100.00'	36°29'44"	S 28°42'21" W	62.63'	S-3
C-4	138.28'	200.00'	39°36'47"	S 09°48'54" E	135.54'	S-3
C-5	313.23'	610.00'	29°25'16"	S 75°05'20" W	309.80'	S-3
C-6	44.37'	610.00'	4°10'03"	S 58°17'40" W	44.36'	S-3
C-7	646.88'	610.00'	60°45'35"	S 25°49'51" W	616.99'	S-4
C-8	57.61'	75.00'	44°00'42"	S 26°33'17" E	56.21'	S-4
C-9	16.52'	25.00'	37°52'17"	N 69°58'19" W	16.23'	S-3
C-10	33.62'	55.00'	35°01'37"	N 68°32'59" W	33.10'	S-3
C-11	42.02'	55.00'	43°46'17"	S 72°03'04" W	41.00'	S-3
C-12	48.76'	55.00'	50°47'37"	S 24°46'07" W	47.18'	S-3
C-13	37.34'	55.00'	38°53'59"	S 20°04'41" E	36.63'	S-3
C-14	21.61'	25.00'	49°31'09"	S 14°46'05" E	20.94'	S-3
C-15	49.33'	225.00'	12°33'45"	S 03°42'37" W	49.23'	S-3
C-16	96.88'	225.00'	24°40'17"	S 14°54'24" E	96.14'	S-3
C-17	36.34'	25.00'	83°17'41"	S 14°24'18" W	33.23'	S-3
C-18	67.65'	635.00'	6°06'15"	S 53°00'01" W	67.62'	S-3
C-19	70.59'	635.00'	6°22'10"	S 46°45'49" W	70.56'	S-4
C-20	70.59'	635.00'	6°22'10"	S 40°23'39" W	70.56'	S-4
C-21	70.59'	635.00'	6°22'10"	S 34°01'29" W	70.56'	S-4
C-22	70.59'	635.00'	6°22'10"	S 27°39'18" W	70.56'	S-4
C-23	70.59'	635.00'	6°22'10"	S 21°17'08" W	70.56'	S-4
C-24	70.59'	635.00'	6°22'10"	S 14°54'59" W	70.56'	S-4
C-25	70.59'	635.00'	6°22'10"	S 08°32'48" W	70.56'	S-4
C-26	70.59'	635.00'	6°22'10"	S 02°10'38" W	70.56'	S-4
C-27	70.59'	635.00'	6°22'10"	S 04°11'32" E	70.56'	S-4
C-28	40.15'	635.00'	3°37'23"	S 09°11'19" E	40.15'	S-4
C-29	19.03'	55.00'	19°49'41"	S 20°54'50" E	18.94'	S-4
C-30	44.64'	55.00'	46°29'57"	S 54°04'39" E	43.42'	S-4
C-31	44.67'	55.00'	46°32'17"	N 79°24'14" E	43.46'	S-4
C-32	44.60'	55.00'	46°27'36"	N 32°54'17" E	43.39'	S-4
C-33	44.64'	55.00'	46°29'57"	N 13°34'30" W	43.42'	S-4
C-34	44.00'	55.00'	45°50'08"	N 59°44'32" W	42.83'	S-4
C-35	34.67'	25.00'	79°27'12"	N 42°56'00" W	31.96'	S-4
C-36	97.97'	585.00'	9°35'42"	N 01°35'27" E	97.85'	S-4
C-37	85.07'	585.00'	8°19'57"	N 10°33'17" E	85.00'	S-4
C-38	85.07'	585.00'	8°19'57"	N 18°53'13" E	85.00'	S-4
C-39	85.07'	585.00'	8°19'57"	N 27°13'10" E	85.00'	S-4
C-40	85.07'	585.00'	8°19'57"	N 35°33'06" E	85.00'	S-4
C-41	85.07'	585.00'	8°19'57"	N 43°53'03" E	85.00'	S-4
C-42	85.07'	585.00'	8°19'57"	N 52°12'59" E	85.00'	S-4
C-43	85.07'	585.00'	8°19'57"	N 60°32'56" E	85.00'	S-4
C-44	85.07'	585.00'	8°19'57"	N 68°52'52" E	85.00'	S-4
C-45	85.07'	585.00'	8°19'57"	N 77°12'49" E	85.00'	S-4
C-46	85.07'	585.00'	8°19'57"	N 85°32'45" E	85.00'	S-4
C-47	69.62'	635.00'	6°16'53"	S 80°27'28" W	69.58'	S-3
C-48	69.62'	635.00'	6°16'53"	S 74°10'35" W	69.58'	S-3
C-49	69.62'	635.00'	6°16'53"	S 67°53'41" W	69.58'	S-3
C-50	39.08'	25.00'	89°34'30"	N 70°27'30" W	35.22'	S-3
C-51	108.92'	175.00'	35°39'45"	N 07°50'23" W	107.17'	S-3
C-52	106.16'	75.00'	81°06'03"	N 50°32'31" E	97.52'	S-3
C-53	10.00'	430.51'	1°19'52"	N 80°42'51" E	10.00'	S-4
C-54	62.61'	430.51'	8°19'57"	N 85°32'45" E	62.55'	S-4

### LEGEND

- = Permanent Reference Monument-Four inch square concrete Permanent Reference Monument, with Disk marked PRM, LS 3522, set on the boundary of THE GLEN, PHASE 10
- = Permanent Control Point - PK nail and disk marked PCP, LS 3522, set on road centerline at Points on Boundary, Points of Intersection, Points of Curvature and Points of Tangency, unless otherwise noted
- = Five-eighths inch rebar with cap marked Owens, PSM 3522, set on all lot corners
- PC = Point of Curvature
- EC = End of Curve
- POC = Point on Curve
- PRC = Point of Reverse Curve
- (R) = Radial Line
- (NR) = Not Radial Line
- Lot lines along curves are Radial (R) unless noted (NR) Not Radial Line.
- Lot Numbering (189-237) is a continuation of previously recorded phases.
- OR - PG Refers to the Official Records Book and Page Number of document recorded in the Public Records of Lake County, Florida.

NOT A PART OF THIS PLAT  
NOT PLATTED

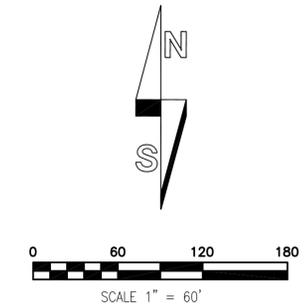
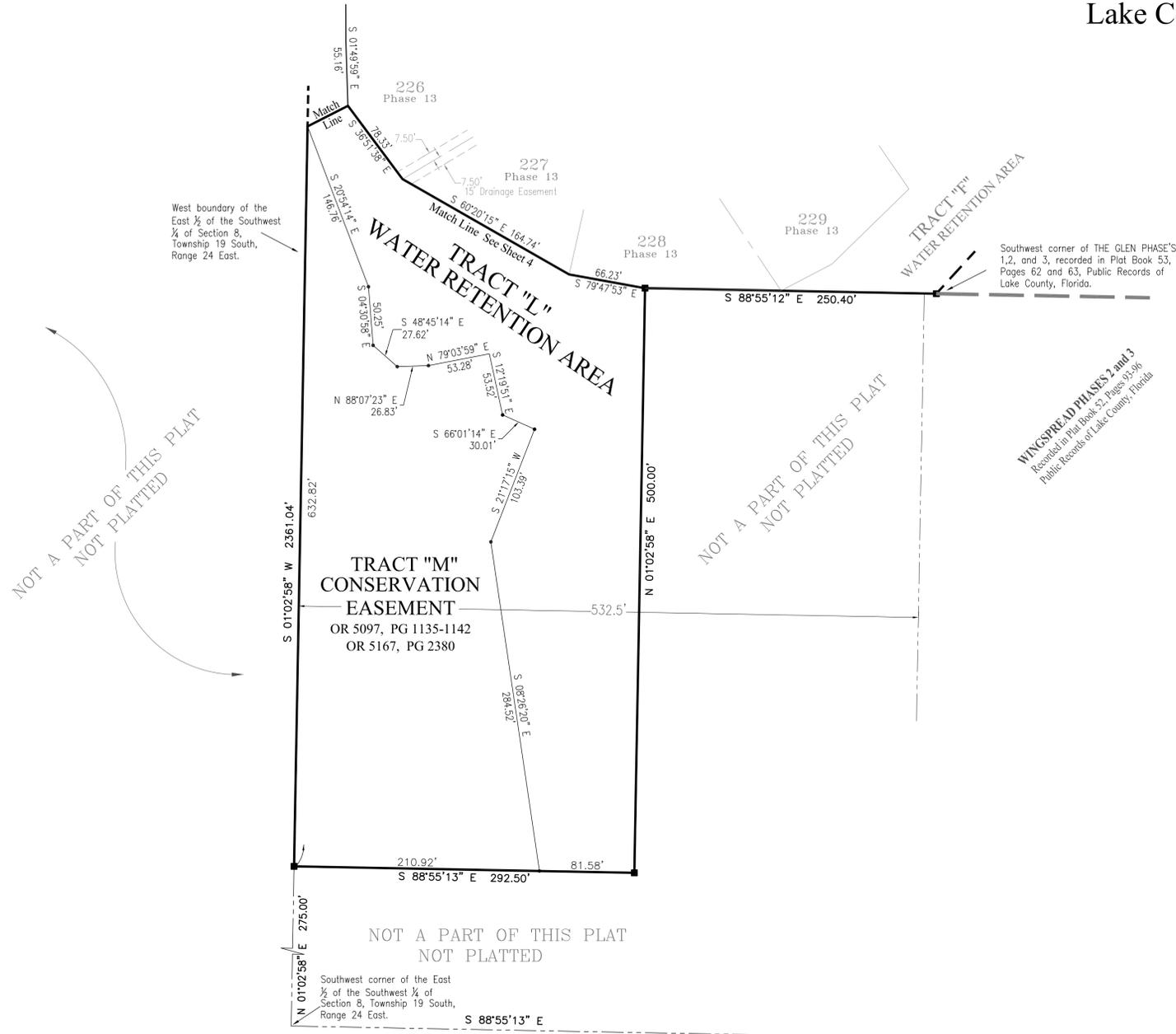
NOT A PART OF THIS PLAT  
NOT PLATTED

TRACT "M" CONSERVATION EASEMENT  
OR 5097, PG 1135-1142  
OR 5167, PG 2380

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

# THE GLEN PHASES 11,12&13

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



### LEGEND

- = Permanent Reference Monument-Four inch square concrete Permanent Reference Monument, with Disk marked PRM, LS 3522, set on the boundary of THE GLEN, PHASE 10
- = Permanent Control Point - PK nail and disk marked PCP, LS 3522, set on road centerline at Points on Boundary, Points of Intersection, Points of Curvature and Points of Tangency, unless otherwise noted
- = Five-eighths inch rebar with cap marked Owens, PSM 3522, set on all lot corners
- PC = Point of Curvature
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- OR - PG Refers to the Official Records Book and Page Number of document recorded in the Public Records of Lake County, Florida.

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

This instrument prepared by and  
after recording return to:

Newman, P. Richard, Esq.  
McLin & Burnsed, P.A.  
Post Box Office Post 491357  
34749-Florida Leesburg 34749-1357

-----SPACE ABOVE THIS LINE FOR RECORDING DATA-----

**AMENDMENT AND SUPPLEMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
OF THE GLEN**

**THIS AMENDMENT AND SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE GLEN** (this "Amendment and Supplement") is made as of this \_\_\_\_ day of \_\_\_\_\_, 2019, ("Effective Date") by **A.A. MOUKHTARA COMPANY**, a Florida corporation ("Declarant").

**RECITALS:**

**WHEREAS**, Declarant is the Declarant under that certain Declaration of Covenants, Conditions and Restriction for The Glen, recorded in Official Records Book 2760, Page 2292, Public Records of Lake County, Florida, as subsequently amended (as amended, collectively, the "Declaration") (unless otherwise defined, capitalized terms used above or herein shall have the meanings ascribed to them in the Declaration); and

**WHEREAS**, Article II of the Declaration provides that Declarant may bring additional properties within the operation of the Declaration to become part of the Property, except as provided for in Article XII, without the consent of the Association, the Owners, any mortgagee or other lien holder or anyone else, by the recording a Supplemental Declaration in the Public Records of Lake County, Florida; and

**WHEREAS**, Declarant is the fee simple owner of that certain real property described on Exhibit "A" attached hereto and incorporated herein (the "Subject Property"), being the same property as depicted as the Plat of The Glen Phases 11, 12 and 13 recorded in Plat Book \_\_\_\_, Page \_\_\_\_ through \_\_\_\_, Public Records of Lake County, Florida; and

**NOW, THEREFORE**, Declarant, for itself and its successors in interest and assigns, by the execution and recording of this Amendment and Supplement in the Public Records of Lake County, Florida, does hereby declare that the Declaration is hereby amended as follows:

1. Recitals. The recital set forth above are incorporated herein by this reference as if the same were fully set forth herein.

2. Additional Property. Effective as of the date on which this Amendment and Supplement is recorded in the Public Records of Lake County, Florida (the “Supplement Effective Date”), the Declaration is hereby supplemented to extend the effect and encumbrance of the Declaration to the Subject Property as additional property. Commencing as of the Supplement Effective Date, the Subject Property, as additional property, shall be held, transferred, sold, conveyed, improved, and occupied subject to the covenants, conditions, restrictions, easements, and liens set forth in the Declaration and in this Amendment and Supplement. The annexation of the Subject Property as additional property is made pursuant to Article II, Section 3 of the Declaration, and also extends the jurisdiction of the Association to the Subject Property.

3. Association Assessments and Fees. Notwithstanding anything in the Declaration to the contrary, Maronda Homes, Inc. of Florida (“Maronda”) and any other entity or individual engaged in the purchase of Lots within the Subject Property for the construction and sale of residences thereon (as to each, a “Phase 11, 12 and 13 Homebuilder,” shall be exempt from the payment of any and all annual, special, start-up, capital, initial and other assessments and contributions during the time they own any Lots within the Subject Property. Neither Maronda nor any of its homebuyers within the Subject Property shall be responsible for paying to the Association, its property management company, or any other party or entity, any estoppel fee whatsoever in connection with the purchase or sale by Maronda of any Lot or home within the Subject Property. Maronda shall be exempt from the payment of any fee whatsoever in connection with obtaining approvals from the ARB as described in Article VII of the Declaration.

4. Effect of this Amendment and Supplement. Except as modified by this Amendment and Supplement, the Declaration remains unmodified, and in full force and effect. In the event of any inconsistency or conflict between the terms of this Amendment and Supplement and the terms of the Declaration, the terms of this Amendment and Supplement shall control only as necessary to resolve any such inconsistency or conflict.

**[BALANCE OF PAGE INTENTIONALLY LEFT BLANK]**

**IN WITNESS WHEREOF**, Declarant has executed this Amendment and Supplement as of the date first written above.

DECLARANT:

Signed, sealed and delivered in the presence of:

**A.A. MOUKHTARA COMPANY**, a Florida corporation

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

By: \_\_\_\_\_

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

Title: \_\_\_\_\_

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

Dated: \_\_\_\_\_

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

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2019, by \_\_\_\_\_ as \_\_\_\_\_ of A.A. MOUKHTARA COMPANY, a Florida corporation, on behalf of the Corporation, who (check appropriate Box) [ \_\_\_\_ ] is personally known to me or [ \_\_\_\_ ] produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
NOTARY PUBLIC. STATE OF FLORIDA

## NOTICE OF PUBLIC HEARING

### RESOLUTION 2019-019

#### **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING FINAL PLAT APPROVAL FOR THE GLEN PHASES 11, 12 & 13 GENERALLY LOCATED NORTH OF LEWIS ROAD, EAST OF CR 468 AND SOUTH OF 466A; AND PROVIDING FOR AN EFFECTIVE DATE.**

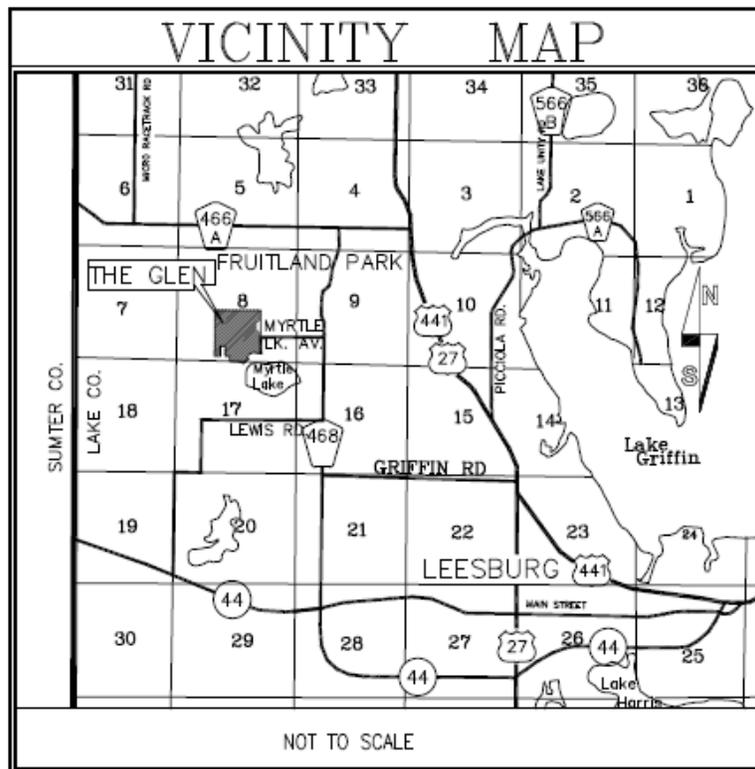
Notice of Intent is hereby given that the City of Fruitland Park will consider Final Plat approval for property located in the City of Fruitland Park known as The Glen Phases 11-13, consisting of approximately 32.25+/- acres generally located north of Lewis Road, East of CR 468 and south of 466A.

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

Fruitland Park City Commission Meeting on April 11, 2019 at 6:00 p.m.

All meetings will be held at the Commission Chambers, 506 W. Berckman Street, Fruitland Park, Florida. The proposed Resolution and metes and bounds legal description of the property may be inspected by the public between the hours of 8:00 a.m. to 5:00 p.m. Monday to Friday at the Community Development Department at City Hall. For further information call (352) 360-6727.

Interested parties may appear at the meetings and be heard with respect to the proposed Resolution. A person who decides to appeal any decision made by any board, agency or commission with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence which the appeal is based (Florida Statutes 286.0105).



**BOOTH, ERN, STRAUGHAN & HIOTT, INC.**  
**350 N. Sinclair Avenue**  
**Tavares, Florida 32778**  
352-343-8481-Office  
352-343-8495-Fax

**PLAT REVIEW CHECK LIST-CITY OF FRUITLAND PARK**  
*with references to Florida Statute*

**PLAT NAME: The Glen Phases 11, 12 & 13**

**CHECKED BY: James M. Straughan, PSM #5309**

**DATE: 1/28/19**

**CHAPTER 177, FLORIDA STATUTES, REQUIREMENTS**

**Legend:**

**OK= Complies with chapter 177 F.S.**

**N/A=not applicable**

**NO=needs more information**

1. ORIGINAL DRAWING BLACK PERMANENT DRAWING INK ON FILM (0.003 INCHES MINIMUM THICKNESS). 177.091 (1)	NO	Not on Mylar Yet Pending City draft approval.
2. SHEET SIZE – 24" X 36"; ½" MARGIN ON TOP, BOTTOM, & RIGHT; 3" LEFT MARGIN. Per Lake County Code Chapter XIV Section 14.07 2.	OK	
3. MAP BOOK _____ PAGE _____, UPPER RIGHT HAND CORNER, per clerk of court.	OK	
4. SHEET NO. _____ OF _____ 177.091 (3)	OK	
5. INDEX SHEET IF MULTIPLE PAGES WITH MATCHLINES. 177.091. (3)	OK	
6. CLEARLY LABELED MATCHLINES TO SHOW WHERE SHEETS MATCH OR ADJOIN. 177.091 (3)	OK	
7. STATED AND GRAPHIC SCALE. 177.091 (4)	OK	
8. SUFFICIENT SIZE LETTERING AND SCALE TO SHOW DETAIL. 177.091 (4) And Per Lake County Code Chapter XIV Section 14.07	OK	

9. PLAT NAME ON EACH SHEET (THE SAME SIZE AND TYPE OF LETTERING, INCLUDING THE WORDS "SECTION", "UNIT", "REPLAT", "AMENDED", ETC.). <i>177.091 (5) &amp; 177.051 (1)</i>	OK	
10. NAME OF SURVEYOR OR SURVEY BUSINESS, STREET, AND MAILING ADDRESS ON EACH SHEET. <i>177.091 (5)</i>	OK	
11. NORTH ARROW. <i>177.091 (6)</i>	OK	
12. BEARING REFERENCE TO A WELL ESTABLISHED AND MONUMENTED LINE. <i>177.091 (6)</i>	OK	
13. PERMANENT REFERENCE MONUMENTS AT EVERY CORNER WITH APPROPRIATE SYMBOL OR DESIGNATION (LB OR LS NUMBER PRIOR TO PLATTING. <i>177.091 (7)</i>	NO	Not set yet      PRM's have been set.
14. PERMANENT CONTROL POINTS ON THE CENTERLINE OF R.O.W. WITH APPROPRIATE SYMBOL OR DESIGNATION (LB OR LS NUMBER) WITHIN 1 (ONE) YEAR OR BEFORE BOND EXPIRATION. <i>177.091 (8)</i>	NO	Not set Yet      PCP's have been set.
15. MONUMENTS AT LOT CORNERS – BEFORE THE TRANSFER OF ANY LOT OR BOND EXPIRATION. <i>177.091 (9)</i>	NO	Not set yet      Monuments have been set.
16. SECTION, TOWNSHIP, AND RANGE UNDER THE NAME OF THE PLAT WITH REPLATTING INFORMATION, IF ANY. <i>177.091 (10) &amp; 177.091 (17)</i>	OK	
17. NAME OF THE CITY, TOWN, VILLAGE, COUNTY, AND STATE THAT THE LAND BEING PLATTED IS IN. <i>177.091 (10)</i>	OK	
18. CAPTION (DESCRIPTION) MUST BE SO COMPLETE THAT FROM IT, WITHOUT REFERENCE TO THE PLAT, THE STARTING POINT AND BOUNDARY CAN BE DETERMINED. <i>177.091 (11)</i>	OK	

19. ADOPTION AND DEDICATION WITH NOTARY. 177.081 (2) & 177.091 (12)	OK	
20. CERTIFICATE OF APPROVAL AND ACCEPTANCE BY GOVERNING BODY. 177.071 & 177.091 (12)	OK	
21. CERTIFICATE OF CLERK. 177.091 (13)	OK	
22. SURVEYOR'S CERTIFICATE 177.091 (13)	OK	
23. SURVEYOR'S CERTIFICATE INCLUDES "THAT THE PLAT WAS PREPARED UNDER HIS OR HER DIRECTION AND SUPERVISION AND THAT THE PLAT COMPLIES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, PART 1, PLATTING.". 177.061	OK	
24. PRINTED NAME OF THE SURVEYOR; LICENSE NUMBER; SURVEY BUSINESS NAME, IF ANY; LB NUMBER, IF ANY; AND ADDRESS UNDER THE SURVEYOR'S CERTIFICATE 177.061	OK	
25. CERTIFICATE OF REVIEW BY PROFESSIONAL SURVEYOR AND MAPPER. 177.081 (1)	NO	Please add my printed name, James M Straughan; And a line for me to sign; Also my Registration number 5309. <a href="#">See revised draft plat, sheet 1 of 5.</a>
26. SECTION LINES AND ¼ SECTION LINES. 177.091 (14)	OK	
27. POINT OF REFERENCE, IF ANY. 177.091 (14)	OK	
28. POINT OF BEGINNING. 177.091 (14)	OK	
29. BEARINGS AND DISTANCES AROUND BOUNDARY. 177.091 (14)	OK	
30. STREET NAMES. 177.091 (15)	OK	

31. R.O.W. WIDTHS. 177.091 (15)	NO	Please add the Right of Way widths to Bell Creek Loop on Sheet 3; Please add the Right of Way widths to Forest Glen Drive on Sheet 4. <a href="#">See revised draft plat.</a>
32. WATERWAYS. 177.091 (15)	NA	
33. LOCATION AND WIDTH OF PROPOSED EASEMENTS. 177.091 (16)	OK	
34. LOCATION AND WIDTH OF EXISTING EASEMENTS IDENTIFIED IN THE TITLE OPINION. 177.091 (16)	NO	Title Opinion number 7: Easement in O.R. Book 372, Pages 44-46 and in O.R. Book 372, Page 47, does not appear to cross subject property, but it is unknown to this Surveyor if any portion of the easement did cross. <a href="#">This easement does not encumber the parcel</a>
35. BEARINGS AND DISTANCES FOR NON CONCENTRIC OR NON PARALELL EASEMENTS. 177.091 (16)	N/A	
36. IDENTIFY CONTIGUOUS PROPERTIES BY SUBDIVISION TITLE, PLAT BOOK AND PAGE OR IF UNPLATTED, SO STATE. 177.091 (17)	NO	Please add to sheets 3, 4 and 5, the words <b>Not Platted to</b> the label of "not a part of this plat"  <a href="#">See revised draft plat.</a>
37. LOT AND BLOCK NUMBERS MUST BE PROGRESSIVE. 177.091 (18)	OK	
38. BEARINGS AND DISTANCES ON ALL TRACTS. 177.091 (19)	OK	
39. BEARINGS AND DISTANCES ON ALL LOTS. 177.091 (19)	NO	Please add line table to sheets 3 and 4. <a href="#">See revised draft plat.</a>
40. BEARINGS AND DISTANCES ON ALL ROADS. 177.091 (19)	NO	Please add line table to sheets 3 and 4. <a href="#">See revised draft plat.</a>
41. IF LOT OR BOUNDARY IRREGULAR, A WITNESS LINE MUST BE SHOWN. 177.091 (19)	NA	
42. CURVILINEAR LOTS – SHOW RADIUS, ARC, AND DELTA. 177.091 (20)	NO	Please add curve table to sheets 3 and 4. <a href="#">See revised draft plat.</a>
43. RADIAL LINES WILL BE SO DESIGNATED. 177.091 (20)	NO	With no curve data provided it is unknown to this Surveyor what lines if any are radial. <a href="#">See revised draft plat.</a>

44. BEARINGS OR ANGLES ON ALL LINES. 177.091 (21)	NO	Please add line table and curve table to sheets 3 and 4. <a href="#">See revised draft plat.</a>
45. BEARINGS AND DISTANCES ON CENTERLINE STREETS. 177.091 (22)	NO	Please add line table to sheets 3 and 4. <a href="#">See revised draft plat.</a>
46. CURVED CENTERLINES SHOW ARC, DELTA, RADIUS, CHORD, AND CHORD BEARING. 177.091 (22)	NO	Please add curve table to sheets 3 and 4. <a href="#">See revised draft plat.</a>
47. DESIGNATE PARK AND RECREATION PARCELS, IF ANY. 177.091 (23)	OK	
48. INTERIOR EXCEPTED PARCELS, AS DESCRIBED IN THE CAPTION, MUST BE LABELED "NOT A PART OF THIS PLAT". 177.091 (24)	N/A	
49. SHOW PURPOSE OF ALL AREAS DEDICATED ON THE PLAT. 177.091 (25)	NO	Please add Tract "L" to Water Retention Area on Sheet 3; Also should there be a line (as shown on Sheets 4 & 5) at the middle rear of lot 226 that would separate Tract "L", I believe that Tract "L" would be part of Phase 13. Most Surveyors would understand where the match lines were.
50. TABULAR DATA MUST APPEAR ON SHEET WHICH IT APPLIES. 177.091 (26)	NO	Please add line table and curve table to sheets 3 and 4. <a href="#">See revised draft plat.</a>
51. "NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY." 177.091 (27)	OK	
52. EASEMENTS REFERENCED FOR CABLE TELEVISION USE. 177.091 (28)	OK	
53. LEGEND OF ALL SYMBOLIZED ABBREVIATIONS. 177.091 (29)	NO	If radial lines are to be added and a symbol depicting them as being radial is used then that should be added.
54. BOUNDARY SURVEY. 177.041	NO	A Boundary Survey was found in the TRC Board Meeting Agenda, but was not signed. <a href="#">See attached signed &amp; sealed survey</a>

[See revised draft plat.](#)

[See revised draft plat.](#)

55. CHECK ACCESS TO PUBLIC OR DEDICATED RIGHT OF WAY. <i>Informational</i>	OK	
---	----	--

**NOTES: 1)** Please add to the Consent and Joinder on Sheet 1, the wording after the word Florida (first line at top) **having a Consensual Lien for Deposit as recorded in Official Records Book 5097, Pages 1143 through 1151, Public Records of Lake County, Florida,** hereby joins in... [See revised draft plat.](#)

**2)** Please modify Note #3 on Sheet 1 to read **Lot corners will be set in accordance with Chapter 177.091 (9) Florida Statutes prior to the expiration of the bond or other surety.**

[Lot corners have been set.](#)

**CITY OF FRUITLAND PARK  
CHAPTER 157 SUBDIVISIONS  
CHECKLIST**

**Legend:**

**OK= Complies with Chapter 157**

**N/A=not applicable**

**NO=needs more information**

**CITY= For City use or does not apply to the Final plat**

20) Final Plat.

The approved final plat is the official record of the subdivision to be filed with the City Clerk and a copy shall be submitted to the Building Department. It is verification that the subdivided land has been developed substantially in accordance with the approved preliminary plat or that a bond has been posted which will secure the development as specified in the final plat, if applicable. The final plat must be approved by the City Commission and recorded in the Public Records of Lake County prior to the developer selling any lot or parcel.

- A) Procedure. No final plat application shall be approved prior to the issuance of a land development permit. The plat shall be accompanied by: CITY
- i) A complete final plat application furnished by the Building Department; CITY
  - ii) The appropriate filing fee and application; CITY
  - iii) Appropriate security for required improvement as specified in the VOFP LDR's unless a certificate of completion has been issued by the City Engineer; CITY
  - iv) Seven (7) copies of the final plat drawing showing the required information and certifications; CITY
  - v) Security for maintenance of Improvements meeting the requirements of the Land Development Code when a certificate of completion has been issued; CITY
  - vi) A copy of the final protective covenants and deed restrictions, where such covenants and restrictions are required or established by the applicant; CITY
  - vii) All applicable informational requirements of the Land

Development Code.

CITY

viii) The City Manager or designee shall determine whether or not an application is complete and can be routed for interdepartmental review. No incomplete application shall be routed for review.

CITY

ix) Current opinion of title prepared by a Florida attorney-at-law or title policy.

OK

21) Format of Drawings. The final plat shall be:

A) Prepared by a land surveyor registered and licensed in the State of Florida;

OK

B) On sheets twenty-four (24) inches by thirty-six (36) inches with one half inch margin on three sides and a three inch margin on the left side for binding;

OK

C) To a scale of no smaller than one inch represents one hundred (100) feet;

OK

D) Clearly drawn or printed with permanent black drawing ink;

OK

E) On linen tracing cloth or stable base film a minimum of 0.003 inches thick coated upon completion with plastic material or a non-adhered scaled print on a stable base film made by photographic processes to ensure permanency; and

NO: NOT ON MYLAR YET

F) Printed with lettering no smaller than 1/8", with a commensurate letter-line width.

OK

23) Information Required. (All Information as required in Chapter 177.091, F.S.). The final plat shall contain:

A) A title block;

OK

B) The name of the proposed subdivision which shall not duplicate nor closely approximate the name of any other existing subdivision in the City. If the plat is an addition to an existing subdivision, it shall bear the same name as the existing subdivision;

OK

C) The name of the city, county and state;

OK

D) The legal description;

OK

E) The date of preparation of the final plat and of any revisions;

NO: NOT CERTIFIED YET

F) A prominent "north arrow" on each sheet showing any portion of the subdivided lands; also, the reference bearing or azimuth in the notes

or legend;

OK

G) The scale stated and graphically illustrated on each sheet;

OK

H) An index sheet on page one showing the entire subdivision and indexing the area shown on succeeding sheets. Each sheet must show the particular number of the sheet and the total number of sheets as well as clearly labeled match lines;

OK

I) The point of beginning shown together with the letters P.O.B. in bold letters when a point of beginning is used in the legal description;

OK

J) The initial point in the description shall be accurately tied to the nearest section corner, quarter section corner or government lot corner, and a certified corner record must be submitted to the Department of Natural Resources for such corner in accordance with Florida Statutes Section 177, part III;

OK

K) Boundary lines of the subdivided tract shown as a heavy line;

OK

L) All adjacent platted property identified by the subdivision name, plat book and page number; if not platted, so state; NO Please add Not Platted

[See revised draft plat.](#)

M) County and City limit lines within or abutting the tract;

OK

N) Permanent reference monuments and permanent control point locations as prescribed in Chapter 177, Florida Statutes, permanent reference monuments shall be installed prior to submission of final plat, permanent control points shall be installed within one year for the recording date;

NO not set yet

O) Survey data including all pertinent dimensions; NO [See revised draft plat.](#)

P) Lot and block identification. Each lot and each block shall be identified;

OK

Q) Street names;

OK

R) The location and width of all existing or recorded streets intersecting or contiguous to the boundary of the plat;

OK

S) "Not included" parcels to be labeled "not a part of this plat";

NO need to add not platted (Chapter 177

[See revised draft plat.](#)

#36)

T) All easements including limited access easements shall be graphically depicted on the plat or included in the covenants and restrictions established by the applicant;

CITY in separate document

U) The following statements shall be noted on the plat in a prominent place:

Notice: "There may be additional restrictions that are not recorded on this plat that may be found in the public records of Lake County";

NO need to add to notes on Sheet 1

See revised draft plat.

V) A three inch by five inch space in the upper right hand corner of each sheet to be used by the Clerk of the Circuit Court for recording information. The following shall be depicted:

PLAT BOOK: \_\_\_\_\_

PAGE: \_\_\_\_\_

OK

W) The boundary of the final plat having a mathematical error of closure not greater than .01 foot. Any plat undertaking to establish a local tidal datum and determine the location of the mean high water line or mean low water line shall comply with the notification requirements of Florida Statutes Section 177.37. OK

23) Covenants, Restrictions, Reservations.

All covenants, restrictions or reservations placed by the developer or required by the City shall appear on the final plat or be established by separate recorded document, which documents shall be submitted to the City with the final plat. If done by separate document, the public record location of such documents shall be indicated beneath the subdivision name or in the margin as follows: "Covenants, restrictions, or reservations affecting the ownership or use of the property shown in this plat are filed in Official Record Book No. \_\_\_\_\_, page \_\_\_\_\_." CITY

24) Certification.

The final plat shall contain on the face or first page the following certifications, dedications and approvals, all executed and acknowledged as required by law, in the forms set forth below:

A) Dedications.

All areas reserved for use by the residents of the subdivision and all areas or facilities intended for public use, shall be specifically dedicated by the owner of the land at the time the plat is recorded. All streets, rights-of-way, easements, recreation facilities designed to serve more than one property owner shall be dedicated to the City, Community Development District or residents within the subdivision". The dedication to Community Development Districts and/or residents within the subdivision shall be dedicated without recourse to the City or any other public agency. All dedications shall be in the following forms or as approved by the City Attorney:

**CERTIFICATE OF DEDICATION**

**(Corporate)**

**STATE OF \_\_\_\_\_**

**COUNTY OF \_\_\_\_\_**

**KNOW ALL MEN BY THESE PRESENTS**, that (exact corporate name), a (state) corporation, fee simple owner of

the land described and platted herein, as (exact name of subdivision), being in the City of Fruitland Park, Lake County, Florida, have caused said lands to be surveyed and platted as shown hereon and does hereby dedicate as follows: CITY (same Dedication as last Plats that the City approved)

**CERTIFICATE OF DEDICATION  
(Individual)**

**STATE OF \_\_\_\_\_**

**COUNTY OF \_\_\_\_\_**

**KNOW ALL MEN BY THESE PRESENTS**, that (exact owner's name), fee simple owner of the land described and platted herein, as (exact name of subdivision), being in the City of Fruitland Park, Lake County, Florida, has caused said lands to be surveyed and platted as shown hereon and does hereby dedicate as follows: N/A

**(SELECT AS APPROPRIATE):**

B) Streets and Right-of-ways. (For public streets)

All streets and rights-of-way shown on this plat (name specifically if less than all) are hereby dedicated in perpetuity to the City of Fruitland Park for the use and benefit of the public for proper purposes.

B) Streets and Right-of ways. (For public streets)

All streets and rights-of-ways shown on this plat (name specifically if less than all) are hereby dedicated in perpetuity to the City of Fruitland Park for the use and benefit of the public for proper purposes.

**i) Private Streets.**

All streets and rights-of-way shown on this plat (name specifically if less than all) are hereby declared to be and shall remain private. They are dedicated for the use and benefit of the owners and residents of this subdivision, and shall be of the perpetual maintenance obligation of the (state exact legal name of maintenance entity). All public authorities, including but not limited to police, fire, ambulance, and utility providers shall have the right to use the streets in the course of performing their respective duties. The City of Fruitland Park shall have no responsibility, duty or liability whatsoever regarding such streets. N/A

**ii) Utility Easements.**

The utility easements shown are reserved by the Developer for the construction, installation, maintenance and operation of utilities. CITY

**iii) Drainage and Stormwater Management Easements.**

The drainage easements and stormwater management tracts or easements as shown are reserved by the Developer or conveyed to a CDD or DD for construction, operation and maintenance of drainage facilities CITY

**iv) Park and Recreation Areas.**

The park and recreation areas are reserved by the Developer.

CITY

v) **Limited Access Easements.**

The limited access easements as shown are reserved by the Developer or its assignees for the purposes of control and jurisdiction over access rights. OK

vi) **Conservation Easements.**

Conservation easements as shown are dedicated to the appropriate agency for the purpose of preservation of environmentally sensitive areas. OK

**(ADD APPROPRIATE CONCLUSION):**

**(Corporate)**

**IN WITNESS WHEREOF**, the above named corporation has caused these presents to be signed by its \_\_\_\_\_ and its corporate seal to be affixed hereto by and with the authority of its board of directors this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**(FULL CORPORATE NAME)**, a corporation of the State of \_\_\_\_\_, By: \_\_\_\_\_ (Signature of president or vice president or chief executive

CITY (same as last Plats that the City approved)

**(Individual)**

**IN WITNESS WHEREOF**, (I) (we), (name(s)), have hereunto set (my) (our) hand(s) and seal(s) this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

WITNESSES:

\_\_\_\_\_ (Signature)

(Typed Name)

\_\_\_\_\_

N/A

(ADD ACKNOWLEDGEMENT OF THOSE EXECUTING THE DEDICATION)

25) Joinder and Consent to Dedication by Mortgagor or Other Party in Interest.

**MORTGAGOR'S CONSENT**

**STATE OF** \_\_\_\_\_  
**COUNTY OF** \_\_\_\_\_

The undersigned hereby certified that it is the holder of (a) mortgage(s), lien(s), or other encumbrance(s) upon the property described hereon and does hereby join in and consent to the dedication of the land described in said



complies with all of the requirements of Chapter 177, Florida Statutes, as amended, chapter in the following forms:

NO (not signed yet) Pending City approval of draft plat.

**CERTIFICATE OF SURVEYOR**

**KNOW ALL MEN BY THESE PRESENTS**, That the undersigned, being a licensed and registered land surveyor, does hereby certify that on \_\_\_\_\_ he completed the survey of the lands as shown in the foregoing plat; that said plat is a correct presentation of the lands therein described and platted or subdivided; that permanent reference monuments have been placed and each P.C.P. will be set as shown thereon within one year of the plat recording date as required by Chapter 177, Florida Statutes and Subdivisions and Platting, Chapter \_\_\_\_; and that said land is located in Fruitland Park, Florida.

Dated \_\_\_\_\_ Registration No. \_\_\_\_\_;  
OK

B) A statement that permanent reference monuments, "P.R.M.", have been set in compliance with Chapter 177, Florida Statutes, as amended; and  
OK

C) Each P.C.P. will be set under the direction and supervision of the surveyor within one year from the date the plat was recorded.  
OK (bond)

28) Certificate of Approval by the City Commission.

The plat shall contain the approval and signature block for the City Commission and the acknowledgment and signature block of the Clerk of Circuit Court and the City Attorney. In the event the plat contains dedications to the City, this certificate shall also indicate whether the City accepts in whole or in part the dedications made. The following form is acceptable:

**CERTIFICATE OF APPROVAL BY CITY COMMISSION**

**THIS IS TO CERTIFY**, that on \_\_\_\_\_, the foregoing plat was approved by the City Commission of Fruitland Park, Florida. (Address acceptance of dedications in whole or in part, as appropriate).

\_\_\_\_\_  
Mayor  
Attest:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

\_\_\_\_\_

City Attorney

OK

29) Certificate of Approval by the Planning & Zoning Board.

The final plat shall contain the approval and signature of the Planning and Zoning Board Chairman in the following form:

**CERTIFICATE OF APPROVAL BY THE PLANNING AND ZONING BOARD**

Examined and Approved \_\_\_\_\_ Date \_\_\_\_\_  
OK

30) Clerk's Certification.

State of Florida  
County of Lake

I, Clerk of the Circuit Court of Lake County, Florida, do hereby certify that I have examined this plat of \_\_\_\_\_ subdivision and that it complies with all the requirements of

Chapter 177 of the Laws of Florida. This plat filed for record this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and recorded on Page \_\_\_\_ of Plat Book \_\_\_\_ in the office of the Clerk of Circuit Court of Lake County, Florida.

By: \_\_\_\_\_  
Clerk of Circuit Court, Lake County, Florida.  
OK

31) Instrument Prepared By.

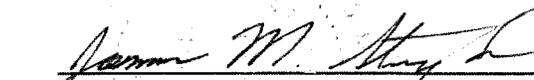
The name and address of the Surveyor or Surveying Company who prepared the plat shall be contained on the plat. OK

32) Signatures.

All signatures required shall be originals on the final plat and shall be made in permanent black ink. NO (not executed yet)

Pending City approval of draft plat.

**NOTES:**

  
\_\_\_\_\_  
James M Straughan PSM #5309  
Booth, Ern, Straughan & Hiott, Inc.

C:

**RESOLUTION 2004-014**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA; RELATING TO QUASI-JUDICIAL HEARINGS; ESTABLISHING PROCEDURES FOR THE DISCLOSURE OF EX PARTE COMMUNICATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statute 286.0115 allows municipalities to remove the presumption of prejudice attached to ex parte communications with local public officials in quasi-judicial proceedings through the adoption of a resolution or ordinance establishing a process for the disclosure of such communications; and

**WHEREAS**, the City Commission of the City of Fruitland Park desires to implement the provisions of F.S. 286.0115 with respect to quasi-judicial proceedings which occur before the City Commission as well as city boards and committees.

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

**Section 1.** The following procedures shall apply with regards to any quasi-judicial matters before the City Commission or any board or committee of the City:

**Procedures for quasi-judicial hearings;  
Disclosure of ex parte communications.**

(a) *Intent.* Pursuant to Section 286.0115(1), Florida Statutes, it is the intent of the city commission that this section is intended to remove the presumption of prejudice from *ex parte* communications with city officials and to permit, among other things, site visits, the receipt of expert opinion, and the review of mail and other correspondence relating to quasi-judicial proceedings by said city officials. .

(b) *Definitions.* As used in this section, the following terms shall be defined as follows:

- (1) "City official" means and refers to any elected or appointed public official holding a municipal position or office who recommends or takes quasi-judicial action as a member of a city board, commission, or committee, including, but not limited to, a member of the city commission, the code enforcement board, the planning and zoning board, or the local planning agency.
- (2) "*Ex parte* communication" means a communication involving a city official and a member of the public, regarding a pending quasi-judicial action, such that the city official may be exposed to only one perspective

or part of the evidence with regard to a quasi-judicial action pending before the commission or board on which the city official serves. *Ex parte* communications occur at other than a public meeting of the board on which the city official serves at which the quasi-judicial action discussed has been publicly noticed.

- (3) "Member of the public" refers to any person interested in a quasi-judicial action, including, but not limited to, an applicant, an officer or member of a homeowner's association, an officer or member of an environmental, homebuilding/development, or concerned citizen's organization, an official or employee of a governmental entity other than the City, a developer, a property owner, or an interested citizen, or a representative of or attorney for any of the foregoing.
- (4) "Quasi-judicial" refers to a land use, land development, zoning, or building related permit, application or appeal, as set forth below, in which city officials give notice and an opportunity to be heard to certain substantially affected persons, investigate facts, ascertain the existence of facts, hold hearings, weigh evidence, draw conclusions from the facts, and apply the law to the facts, as the basis for their decision.
- (5) "Site visit" means an inspection of real property subject to an application for any quasi-judicial action prior to a public hearing on the application conducted by a city official. The mere act of driving by a site in the daily course of driving to a particular location, such as work or a particular store, which act is not undertaken for the purpose of inspecting a particular parcel of real property is not a site visit for purposes of this section.

(c) *Ex parte communications between city officials and members of the public.*

- (1) A member of the public not otherwise prohibited by statute, charter provision or ordinance may have an *ex parte* communication with any city official regarding any quasi-judicial matter on which action may be taken by the commission or board on which the city official serves; provided, that the city official adheres to the disclosure requirements set forth in sub-section (c)(3) below.
- (2) Except as otherwise provided by statute, charter provision, or ordinance, any city official may have an *ex parte* communication with any expert witness or consultant regarding any quasi-judicial matter on which action may be taken by the commission or board on which the city official serves; provided, that the city official adheres to the disclosure requirements set forth in sub-section (c)(3) below. Nothing here,

however, shall restrict a city official access to city staff or expert witness or consultant retained by the City.

(3) Disclosure.

- (A) All city officials shall disclose the occurrence of all *ex parte* communications or discussions with a member of the public or an expert witness or consultant involving said city official which relate to the quasi-judicial action pending before the commission or board on which the city official serves.
- (B) Disclosure shall occur by no later than the final public hearing, or if no formal public hearing is held, then any hearing at which the final decision regarding the quasi-judicial matter is made. The city official shall disclose the *ex parte* communication verbally or by memorandum. Any such memorandum disclosing the occurrence of the *ex parte* communication shall be placed in the official file regarding the pending quasi-judicial matter which file shall be maintained in the City Clerk's records.
- (C) At the time of disclosure, the city official shall identify the person, group, or entity with whom the *ex parte* communication took place, the substance of the *ex parte* communication, and any matters discussed which are considered by the city official to be material to said city official's decision in the pending quasi-judicial matter.
- (d) *Oral or written communications between city staff and city officials.* City officials may discuss quasi-judicial matters pending before the commission or board on which said city official serves with city staff without the requirement to disclose pursuant to sub-section (c)(3) above.
- (e) *Site visits by city officials.* Any city official may conduct a site visit of any property related to a quasi-judicial matter pending before the commission or board on which the city official serves; provided, that the city official adheres to the disclosure requirements set forth in sub-section (c)(3) above. Any disclosure of a site visit pursuant to sub-section (c)(3) shall disclose the existence of the site visit, and any information obtained by virtue of the site visit considered by the city official to be material to said official's decision regarding the pending quasi-judicial matter.
- (f) *Review of mail, correspondence, and written communications by city officials.* Any city official may review mail, correspondence, or written communications, related to a quasi-judicial matter pending before the commission or board on which the city official serves. Upon review of the mail, correspondence, or

written communication, the document shall be placed in the official file regarding the pending quasi-judicial matter and maintained in the city clerk's records.

- (g) *City clerk's file.* All correspondence, mail, or written communications reviewed by city officials prior to the final hearing on a pending quasi-judicial matter shall be placed in the official file regarding said matter and maintained by the city clerk. Said correspondence, mail, or written communications reviewed by city officials prior to the final hearing on a pending quasi-judicial matter, or any disclosure memoranda as described in sub-section (c)(3)(B), shall be available for public inspection. By no later than the final public hearing, or if no formal public hearing is held, then at any hearing at which the final decision regarding the quasi-judicial matter is made, the city clerk shall make said correspondence, mail, written communications, or other matters, and any disclosure memoranda placed in the official file, a part of the record. All of the foregoing documents shall be received by the commission or board as evidence, with the exception of disclosure memoranda, subject to any objections interposed by participants at the hearing.
- (h) *Opportunity to comment upon substance of disclosure.* At such time that a disclosure regarding an *ex parte* communication, receipt of an expert opinion, site visit, or review of mail, correspondence, or other written communication is made a part of the record at a hearing, persons who may have opinions or evidence contrary to those expressed in the *ex parte* communication, expert opinion, or mail, correspondence, or other written communication, or noted during the site visit, shall be given a reasonable opportunity to refute or respond and provide contrasting information, evidence, or views.

**Section 2.** If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance.

**Section 3.** This resolution shall be effective upon passage.

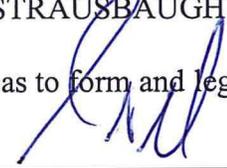
**PASSED AND RESOLVED** this 24<sup>th</sup> day of June, 2004, by the City Commission of the City of Fruitland Park, Florida.

  
\_\_\_\_\_  
JOHN L. GUNTER, JR., VICE MAYOR

ATTEST:

  
\_\_\_\_\_  
MARGE STRAUSBAUGH, CITY CLERK

Approved as to form and legality:

  
\_\_\_\_\_  
Scott A. Gerken, City Attorney



Select Year:  

## The 2018 Florida Statutes

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[Title XIX](#)[Chapter 286](#)[View Entire Chapter](#)

PUBLIC BUSINESS

PUBLIC BUSINESS: MISCELLANEOUS PROVISIONS

### **286.0115 Access to local public officials; quasi-judicial proceedings on local government land use matters.** –

(1)(a) A county or municipality may adopt an ordinance or resolution removing the presumption of prejudice from ex parte communications with local public officials by establishing a process to disclose ex parte communications with such officials pursuant to this subsection or by adopting an alternative process for such disclosure. However, this subsection does not require a county or municipality to adopt any ordinance or resolution establishing a disclosure process.

(b) As used in this subsection, the term “local public official” means any elected or appointed public official holding a county or municipal office who recommends or takes quasi-judicial action as a member of a board or commission. The term does not include a member of the board or commission of any state agency or authority.

(c) Any person not otherwise prohibited by statute, charter provision, or ordinance may discuss with any local public official the merits of any matter on which action may be taken by any board or commission on which the local public official is a member. If adopted by county or municipal ordinance or resolution, adherence to the following procedures shall remove the presumption of prejudice arising from ex parte communications with local public officials.

1. The substance of any ex parte communication with a local public official which relates to quasi-judicial action pending before the official is not presumed prejudicial to the action if the subject of the communication and the identity of the person, group, or entity with whom the communication took place is disclosed and made a part of the record before final action on the matter.

2. A local public official may read a written communication from any person. However, a written communication that relates to quasi-judicial action pending before a local public official shall not be presumed prejudicial to the action, and such written communication shall be made a part of the record before final action on the matter.

3. Local public officials may conduct investigations and site visits and may receive expert opinions regarding quasi-judicial action pending before them. Such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit, or expert opinion is made a part of the record before final action on the matter.

4. Disclosure made pursuant to subparagraphs 1., 2., and 3. must be made before or during the public meeting at which a vote is taken on such matters, so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication. This subsection does not subject local public officials to part III of chapter 112 for not complying with this paragraph.

(2)(a) Notwithstanding the provisions of subsection (1), a county or municipality may adopt an ordinance or resolution establishing the procedures and provisions of this subsection for quasi-judicial proceedings on local government **land use matters**. The ordinance or resolution shall provide procedures and provisions identical to this subsection. However, this subsection does not require a county or municipality to adopt such an ordinance or resolution.

(b) In a quasi-judicial proceeding on local government **land use matters**, a person who appears before the decisionmaking body who is not a party or party-intervenor shall be allowed to testify before the decisionmaking

body, subject to control by the decisionmaking body, and may be requested to respond to questions from the decisionmaking body, but need not be sworn as a witness, is not required to be subject to cross-examination, and is not required to be qualified as an expert witness. The decisionmaking body shall assign weight and credibility to such testimony as it deems appropriate. A party or party-intervenor in a quasi-judicial proceeding on local government **land** use matters, upon request by another party or party-intervenor, shall be sworn as a witness, shall be subject to cross-examination by other parties or party-intervenors, and shall be required to be qualified as an expert witness, as appropriate.

(c) In a quasi-judicial proceeding on local government **land** use matters, a person may not be precluded from communicating directly with a member of the decisionmaking body by application of ex parte communication prohibitions. Disclosure of such communications by a member of the decisionmaking body is not required, and such nondisclosure shall not be presumed prejudicial to the decision of the decisionmaking body. All decisions of the decisionmaking body in a quasi-judicial proceeding on local government **land** use matters must be supported by substantial, competent evidence in the record pertinent to the proceeding, irrespective of such communications.

(3) This section does not restrict the authority of any board or commission to establish rules or procedures governing public hearings or contacts with local public officials.

**History.**—s. 1, ch. 95-352; s. 31, ch. 96-324.

**ORDINANCE 2019-001**

**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 AND REVISE THE FRONT SETBACKS; 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; and

**WHEREAS**, Avex Mirror Lakes, LLC, the applicant and Fruitland Park, LLC the property owner have requested an 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%) 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'); 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*, and ~~struckthrough~~ constitute deletions to the existing text.

The conditions within "Section 3" of the Mirror Lake Village Master Development Agreement by Ordinance No. 2014-024 adopted on January 8, 2015, are hereby amended as follows:

Section 3. Land Use/Development. Development of the Property shall be substantially consistent with the "Conceptual Site Plan - Mirror Lake Village" prepared by Riddle-Newman Engineering, Inc. dated ~~October 30, 2014~~ November 18, 2018 and attached as Exhibit "B" (the Plan). All development shall be consistent with City's "PUD" (Planned Unit Development/Residential) 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.

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

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



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)

## NOTICE OF PUBLIC HEARING

### ORDINANCE 2019-001

**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 AND REVISE THE FRONT SETBACKS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND SCRIVENER'S ERRORS; AND SETTING AN EFFECTIVE DATE.**

Notice of Intent is hereby given that the City of Fruitland Park will consider a development agreement amendment for property located in the City of Fruitland Park known as Mirror Lake Village, consisting of approximately 42.26 ± acres generally located north of Urick Street and west of Seminole Boulevard.

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

Fruitland Park Planning & Zoning Meeting on March 27, 2019 at 6:00 p.m.

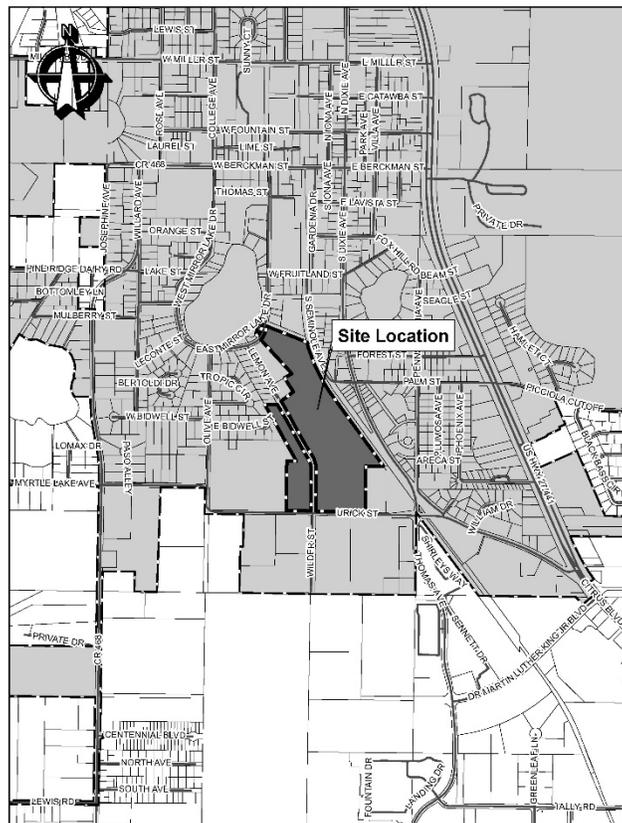
Fruitland Park City Commission Meeting on April 11, 2019 at 6:00 p.m.

Fruitland Park City Commission Meeting on April 25, 2019 at 6:00 p.m.

All meetings will be held at the Commission Chambers, 506 W. Berckman Street, Fruitland Park, Florida. The proposed Ordinance and metes and bounds legal description of the property may be inspected by the public between the hours of 8:00 a.m. to 5:00 p.m. Monday to Friday at the Community Development Department at City Hall. For further information call (352) 360-6727.

Interested parties may appear at the meetings and be heard with respect to the proposed ordinance.

A person who decides to appeal any decision made by any board, agency or commission with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence which the appeal is based (Florida Statutes 286.0105).



February 25, 2019

**VIA EMAIL AND HAND DELIVERY**

City of Fruitland Park  
Attn: Mr. Gary La Venia, City Manager  
506 W. Breckman Street  
Fruitland Park, FL 34731

Re: Mirror Lake Village Phase 2

Dear Mr. La Venia,

Fruitland Park, LLC is the owner of Phase 2 of the Mirror Lake Village PUD (the "Project") and several lots in Phase 1. The storm water ponds for the project were originally designed under St. Johns River Water Management District Storm Water Permit No. 40-069-100697-3 in or around August, 2005 (the "Original Permit"). The Original Permit was modified by application dated October 25, 2013 (the "Permit Modification"). The Original Permit, as modified by the Permit Modification (the "Storm Water Permit") authorizes 6.1 acres of impervious surface on all lots in the Project.

Fruitland Park, LLC hereby agrees not to develop any improvements (vertical or horizontal) on Phase 2 of the Project until such time as the St. Johns Water Management District issues a permit for Phase 2 which authorizes sufficient capacity to accommodate development of Phase 2 in accordance with the approved PUD (as modified). We further agree that by authorizing development of Phase 1 at a 50% impervious surface ratio, 216,000 square feet (approximately 4.96 acres) of the allocated 6.1 acres of permitted impervious surface area will be allocated to Phase 1. Finally, Fruitland Park, LLC hereby agrees to a modification of the pending PUD Amendment application to incorporate the foregoing restriction into the PUD.

We appreciate your efforts to resolve these issues and look forward to working with you bring these matters to a mutually beneficial conclusion.

Sincerely,

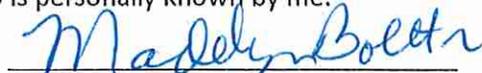
Fruitland Park, LLC

  
Mary Demetree, Manager

STATE OF FLORIDA

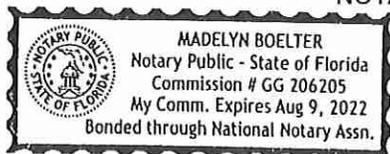
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of February, 2019, by Mary Demetree, as Manager of Fruitland Park, LLC, who is personally known by me.

  
NOTARY PUBLIC, State of Florida

My Commission Expires:

CC: Eric Marks, (via email)





**Development Application Review  
Planned Unit Development Master Agreement Amendment**

**Applicant:** Eric Marks, President, Avex Mirror Lakes, LLC

**Ph:** 407-930-5800 **Email:** ericm@avexhomes.com

**Address:** 28 East Washington Street  
Orlando, FL 32801

**Project:** Avex Mirror Lakes, LLC / Mirror Lake Village (fka Fruitland Estates)

**Project Address:** North of Urick Street & South of East Mirror Lake Drive

Mr. Marks:

The City's Technical Review Committee (TRC) completed the review of the application submittal dated RECEIVED January 28, 2019, for the PUD Amendment. Herein are responses and/or recommendations including those from the regular scheduled TRC meeting on March 5, 2019.

**Development Review:**

Original application dated received November 16, 2018 was incomplete and applicant was to re-submit a complete application packet for review.

The initial application fees are as follows:

City Application Fee	\$415.00	PAID
City Land Planner Fee	\$850.00	PAID
City Engineer Fee	\$875.00	PAID

Per City Ordinance 2008-023 these are the applicable fees as of date; however, there may be additional fees associated with the application(s) that will be passed to applicant.

**City Attorney:**

No formal TRC comments.

**City Engineer (BESH):**

Review of the hydraulic pipe calculations and inlet spread calculations as submitted by Keith Riddle, P.E., show the increase impervious area to fifty (50%) percent for the lots and the pipes and inlets as constructed can handle the additional impervious area and still meet the design requirements of the City's LDR's.

Based on receipt and approval of these calculations, it is recommended for approval for construction of the Phase 1 lots beyond the additional eight (8) Council has approved, once the PUD modification is approved.

**City Land Planner:**

DRAFT Master Developer Agreement Ordinance presented to Board members will state 20 foot front setback revision request would only be considered from the home as the garages will require at least a 25 foot setback to accommodate larger vehicles. LPG will revise Ordinance to add Phase 2 contingency.

**Building Review:**

No comments.

**Fire Review:**

No comments.

**Lake County Public Works:**

No comments.

**Public Works Review (City):**

Construction run-off is causing sand in storm drains that needs to be addressed routinely. Tree debris has been previously dumped beside the stormwater pond behind several dirt mounds. All issues need to be addressed by applicant and/or HOA.

**Police Review:**

No comments.

**City Staff Review:**

In closing the applicant was to submit hydraulic pipe and inlet calculations indicating the request to increase the impervious area that would support the requested ratio of fifty (50%) percent. The project Engineer of record Keith Riddle, P.E., submitted those calculations dated RECEIVED March 6, 2019, meeting the requirements of City Engineer BESH.

The applicant is to move forward with the request of the PUD Amendment Ordinance in accordance to staff recommendations and provisions under the City's Land Development Regulations Chapter 154 Zoning District Regulations; Section 154.30 d) 10) L).

## **Mirror Lake Village (Formerly Fruitland Estates) Stormwater Timeline**

2005/2006 – Fruitland Estates plan permitted with dry stormwater management system. (Project PUD allows for 30% impervious coverage on lots).

2007-2011 – The retention pond as constructed holds water and does not dry out (recover) in a timeframe consistent with City and SJRWMD requirements.

2011 – Dry retention pond design proposed to be changed to dry retention using under drains. (not constructed).

2014 – Re-design of pond underdrain system (project now called Mirror Lake Village). Pond overflows to spreader swale adjacent to Mirror Lake Drive

2018 – Underdrain system allows water to percolate through pond bottom too quickly. After/during hurricane Irma, spreader swale floods and allows stormwater washout over Mirror Lake Drive. Developer receives permission from SJRWMD to plug underdrain system and observe pond in order to better develop engineering solution for the retention pond design. With underdrain system plugged, washouts onto Mirror Lake Drive cease.

2018 – Developer seeks and receives permission from City of Fruitland Park council to allow construction of 10 single family homes at a 50% impervious rate, with the understanding that the PUD will be amended, and that the construction plans and drainage calculations will be modified and permitted as needed with both City of Fruitland Park, and the SJRWMD to allow for development of future lots at 50% impervious rate.

2019 – Developer submits PUD modification to City of Fruitland Park to allow for 50% impervious area on single family lots. PUD modification is currently under review by city staff, and scheduled for the March TRC agenda.

### **TO DATE:**

- Developer has submitted for PUD modification. Application is under review and scheduled for March TRC.
- Developer has not submitted for construction plan modification.
- Developer has not received SJRWMD permit modification.
- Developer has not provided engineering detail on proposed pond modification that will meet City of Fruitland Park and SJRWMD requirements.
- With underdrains still plugged, pond now exists as it did from 2007-2014 where the pond held water.
- The pond as it currently exists is not in compliance with SJRWMD criteria and rules.

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

February 15, 2019

Gary LaVenía  
City Manager  
City of Fruitland Park  
506 W. Berckman Street  
Fruitland Park, FL 34731

**RE: MIRROR LAKE VILLAGE  
PUD MODIFICATION**

Dear Mr. LaVenía:

Per your email dated January 29, 2019, I have reviewed the documents which were attached for the above referenced project. Based on my review, my comments are below.

1. The submitted drainage calculations do not provide pond recovery calculations. Engineer does not object to the PUD modification to allow 50%, however applicant must apply for and receive permit for site plan modification. At such time, calculations showing pond recovery will need to be provided, including justification for soil parameters used, as well as signed and sealed construction drawings for the modification. Applicant will also need to furnish SJRWMD permit for the pond alteration. Building construction at the 50% rate shall not be allowed until site plan modification is approved.

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

Sincerely,



Brett J. Tobias, P.E.  
[btobias@besandh.com](mailto:btobias@besandh.com)  
BJT:am

**From:** [Duane Booth](#)  
**To:** [Tracy Kelley](#); [Dale Bogle](#); [Gary La Venia](#)  
**Cc:** [Keith Riddle](#); "[Beliveau, Greg](#)"  
**Subject:** FW: Mirror Lake Village  
**Date:** Thursday, March 07, 2019 1:54:36 PM  
**Attachments:** [Mirror Lake Inlet Spread Calcs Sealed.pdf](#)  
[Hydraulic Analysis Sealed.pdf](#)

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Tracy,

I have reviewed the hydraulic pipe calculations and inlet spread calculations (attached) as submitted by Keith Riddle, PE.

The calculations show the increase impervious area to 50% for the lots and that the pipes and inlets as constructed can handle the additional impervious area and still meet the design requirements of the City's LDR's.

Based on receipt and approval of these calculations, I can recommend approval to move forward with construction of the phase 1 lots, beyond the additional 8 the Council approved, once the PUD modification is approved.

*Duane K Booth, PE*  
**Booth Ern Straughan & Hiott, Inc.**  
902 N Sinclair Ave  
Tavares, Florida 32778  
352-343-8481 (office) 352-267-4435 (cell)  
[duanebooth@besandh.com](mailto:duanebooth@besandh.com)  
**Good...Better...*BESH!***

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**From:** Keith Riddle <[keith@riddlenewman.com](mailto:keith@riddlenewman.com)>  
**Sent:** Thursday, March 7, 2019 1:44 PM  
**To:** Duane Booth <[duanebooth@besandh.com](mailto:duanebooth@besandh.com)>  
**Subject:** RE: Mirror Lake Village

Attached are the spread calcs for the street inlets.  
Thank you.

Keith E. Riddle, P.E.  
[keith@riddlenewman.com](mailto:keith@riddlenewman.com)

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

**PUD MASTER AGREEMENT AMENDMENT**

**Owner:** Avex Mirror Lakes, LLC, Eric Marks

**General Location:** North of Urick Street & South of E. Mirror Lake Dr.

**Number of Acres:** 42.26 ± acres

**Existing Zoning:** Planned Unit Development

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

**Date:** February 1, 2019

**Description of Project**

In 2015 the City approved Ordinance 2014-024 for the Mirror Lake Village PUD and Master Development Agreement. The owner is requesting that the Master Development Agreement be amended to revise the front setbacks from 30' to 20', and allow a maximum impervious surface ratio coverage of 50% instead of a maximum building coverage of 30%.

Please see attached letter regarding background information pertaining to the existing stormwater ponds and SJRWMD permit.

In support of the proposed revisions, the property owner has submitted documentation from their engineer, Keith Riddle, P.E. of Riddle Newman Engineering for proposed revisions to the existing stormwater pond and SJRWMD permit.

	<b>Surrounding Zoning</b>	<b>Surrounding Land Use</b>
<b>North</b>	Single Family Medium (R-2). Existing homes along Mirror Lake are on lots ranging from ½ acre to 2 + acres	Single Family Medium Density (4 units/acre)
<b>South</b>	Medium Residential (R-3)	Multi-Family High Density (up to 15 units/acre)
<b>East</b>	Single Family Medium (R-2) Lots along the east side of Seminole Ave. and west side of Dixie appear to be 50' x 80'	Single Family Medium Density (4 units/acre)
<b>West</b>	Single Family Low (R-1) and Single Family Medium (R-2). Existing homes along Lemon Ave. are on lots of 80' x 150'	Single Family Low Density (2 units/acre) and Single Family Medium Density (4 units/acre)

## **Assessment**

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The current required setbacks are:

Front – 30’

Side – 5’

Side from roadway (corner lot) – 20’

Rear – 20’

The owner is proposing a front setback of 20’. A typical parking space is 10’ x 20’. The average approximate length of a full size vehicle is 17’ and the average approximate length of a compact car is 15’. Most residential driveways have sidewalks that traverse across them. The setback distance typically takes into account pedestrian safety and visitor parking. Parking on the sidewalk is a violation. Sufficient distance is needed to safely back up considering pedestrian crossings. It is recommended that the front setback be revised to 25’ for a garage and the front setback for the building be revised to 20’. This would allow sufficient driveway outside of the sidewalk and allow for building variances in the subdivision while maintaining public safety.

Staff conducted an analysis of the existing maximum building coverage (buildings only) of 30% within a sampling of the City’s established neighborhoods. The lots are larger and utilize septic tanks with central water provided from the City. The review indicates that the majority of the lots have an average impervious surface ratio (ISR) (all impervious surfaces which include buildings, driveways, accessory buildings, etc.) of approximately 40%. These lots are limited to an increase in an ISR due to the drain field required for the septic system. The subject development utilizes central water and wastewater from the City of Fruitland Park and do not have such limitations. The request to not implement a maximum building coverage and utilize an ISR ratio is not unreasonable. A 50% ISR would equate to a 50% open space area on each lot.

## **Recommendation**

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Staff recommends approval of front setbacks as follows:

Front: 20’

Garage: 25’

Staff recommends approval of an ISR of 50% provided the additional impervious surface is accounted for in the stormwater permit and ponds; therefore, we defer to the City engineer.

Please note that edits to the PUD master plan may need to be made based on final approval by the City Commission (i.e. setbacks, notes).