

**FRUITLAND PARK LOCAL PLANNING AGENCY MEETING
AGENDA**

July 25, 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)
June 27, 2019 LPA meeting

QUASI-JUDICIAL PUBLIC HEARING

- 4. Quasi-Judicial Public Hearing – First Reading - Ordinance 2019-006 – Rezoning – Petitioner: City of Fruitland Park** (city attorney/city manager/community development director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 3+/- ACRES OF PROPERTY OWNED BY THE CITY OF FRUITLAND PARK FROM Residential Professional TO PUBLIC FACILITIES DISTRICT WITHIN THE CITY LIMITS OF FRUITLAND PARK; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on August 8, 2019.)

END OF QUASI-JUDICIAL PUBLIC HEARING

- 5. 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.

6. OTHER BUSINESS

7. 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.

FRUITLAND PARK LOCAL PLANNING AGENCY MEETING DRAFT MINUTES
June 27, 2019

A meeting of the City of Fruitland Park Local Planning Agency was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, April 11, 2019 as soon as practical at 6:15 p.m.

Members Present: Mayor Chris Cheshire, Vice Mayor John L. Gunter Jr., Commissioners Christopher Bell, Patrick DeGrave and John Mobilian.

Also Present: City Manager Gary La Venia; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Police Chief Erik Luce, Interim Fire Chief Donald Gilpin and Deputy Fire Chief Tim Yoder, Fire Department; Public Works Director Dale Bogle; Community Development Director Tracy Kelley; Human Resources Director Diana Kolcun, and City Clerk Esther B. Coulson.

1. CALL TO ORDER

Mayor Cheshire called the meeting to order at 6:08 p.m.

2. ROLL CALL

ACTION: 6:07:32 PM Mayor Cheshire requested that the city clerk call the roll and a quorum was declared present.

3. APPROVAL OF MINUTES

ACTION: 6:07:44 PM **On motion of Commissioner Bell, seconded by Commissioner Mobilian and unanimously carried, the LPA approved the April 11, 2019 minutes as submitted.**

QUASI-JUDICIAL PUBLIC HEARING

4. First Reading – Ordinance 2019-004 – Rezoning – Petitioner: DGI Properties LLC

After Ms. Geraci-Carver read into the record proposed Ordinance 2019-004, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 0.23 ± ACRES OF THE PROPERTY FROM GENERAL COMMERCIAL (C-2) TO RESIDENTIAL PROFESSIONAL (RP) WITHIN THE CITY LIMITS OF FRUITLAND PARK; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENERS ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on July 11, 2019.)

ACTION: 6:07:57 PM After the community development director gave an overview of the subject item, a motion was made by Vice Mayor Gunter and seconded by Commissioner DeGrave that the LPA recommend the approval of proposed Ordinance 2019-004 as previously cited.

There being no one from the public, and by unanimous consent, Mayor Cheshire closed the public hearing.

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

END OF QUASI-JUDICIAL PUBLIC HEARING

5. PUBLIC COMMENTS

There were no comments from the public at this time.

ACTION: 6:10:01 PM. No action was taken.

6. OTHER BUSINESS

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

ACTION 6:10:05 PM. No action was taken.

7. ADJOURNMENT

The meeting adjourned at 6:10 p.m.

The LPA minutes were approved at the July 25, 2019 meeting.

Signed _____
Esther B. Coulson, City Clerk

Signed _____
Chris Cheshire, Mayor

ORDINANCE 2019 - 006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 3+/- ACRES OF PROPERTY OWNED BY THE CITY OF FRUITLAND PARK FROM RESIDENTIAL PROFESSIONAL TO PUBLIC FACILITIES DISTRICT WITHIN THE CITY LIMITS OF FRUITLAND PARK; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by the City of Fruitland Park as Owner, requesting that approximately 3.00 acres of real property generally located north of West Berckman Street south of West Fountain Street, east of Rose Avenue and west of College Avenue (the "Property") be rezoned from Residential Professional (RP) to Public Facilities District within the city limits of Fruitland Park; and

WHEREAS, the property has a future land use designation of Mixed Community as shown on the City of Fruitland Park's Comprehensive Plan Future Land Use Map; and

WHEREAS, the proposed zoning is consistent with the future land use designation.

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

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

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

Section 1. Rezoning.

That the zoning classification of the following described property, being situated in the City of Fruitland Park, Florida, shall be hereafter be designated as **Public Facilities District** as defined in the Fruitland Park Land Development Regulations. The property is more particularly depicted in **Exhibit A** attached hereto and incorporated herein and more particularly described as:

Lots 13 – 24, inclusive, according to a Plat of a portion of Block 20, Fruitland Park, Lake County, Florida, filed April 30, 1926 and recorded in Plat Book 8, Page 95, Public Records of Lake County, Florida.

AND

That part of the West 335 feet of Block 20, a Map of the City of Fruitland Park, as recorded in Plat Book 3, Page 9, of the Public Records of Lake County, Florida, being described as follows:

A 30 foot Right of Way for Laurel Street, lying south of and abutting the south line of Lots 13 through 18 inclusive, of plat of a portion of Block 20, as recorded in Plat Book 8, Page 95, of the Public Records of Lake County, Florida, being bounded on

the west by the East Right of Way line for Rose Avenue as shown on said Map of Fruitland Park and Bounded on the East by the east line of said West 335 feet of aforesaid Block 20. Being in Section 4, Township 19 South, Range 24 East, Lake County, Florida.

A portion of Lake County Parcel Id. No. 04-19-24-1200-020-01300; Parcel Alternate Key No. 1430623

Containing approximately 3.00 acres, more or less.

Section 2. Zoning Classification.

That the Property shall be designated as Public Facilities District in accordance with Land Development Code of the City of Fruitland Park, Florida.

Section 3. Consistent with Comprehensive Plan.

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

Section 4. Official Zoning Map.

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

Section 5. Severability.

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

Section 6. Scrivener's Errors.

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

Section 7. Conflict.

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

Section 8. Effective Date.

This Ordinance shall become effective immediately upon its approval and adoption by the City Commission of the City of Fruitland Park.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2019.

Chris Cheshire, Mayor

City of Fruitland Park, Florida

Attest:

Approved as to form and legality:

Esther B. Coulson, City Clerk

Anita Geraci-Carver, City Attorney

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)
Mayor Cheshire _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

First Reading _____

Second Reading _____

The Villages[®] DAILY SUN

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

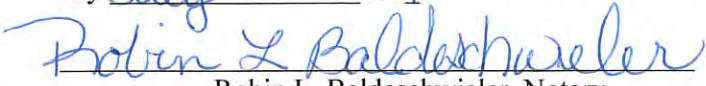
Before the undersigned authority personally appeared **Sheryl Dufour** who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a **Legal Ad** in the matter of **NOTICE OF PUBLIC HEARINGS ORDINANCE 2019-0006**, was published in said newspaper in the issues of

JULY 10, 2019

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

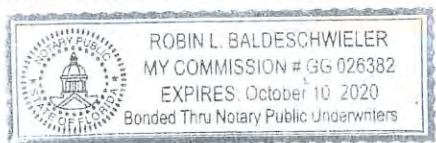

(Signature Of Affiant)

Sworn to and subscribed before me this 10
day July 2019.


Robin L. Baldeschwieler, Notary

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

Attach Notice Here



NOTICE OF PUBLIC HEARINGS

ORDINANCE 2019-006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 3+/- ACRES OF PROPERTY OWNED BY THE CITY OF FRUITLAND PARK FROM RESIDENTIAL PROFESSIONAL TO PUBLIC FACILITIES DISTRICT WITHIN THE CITY LIMITS OF FRUITLAND PARK; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

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

- Fruitland Park Planning & Zoning Board Meeting on July 18, 2019 at 6:00 p.m.
- Fruitland Park City Commission Meeting on July 25, 2019 at 6:00 p.m.
- Fruitland Park City Commission Meeting on August 8, 2019 at 6:00 p.m.

The public meetings will be held in the Commission Chambers located at City Hall, 506 West Berckman Street, Fruitland Park, FL 34731. The proposed ordinance and metes and bounds legal description of property may be inspected by the public during normal working hours at City Hall. For further information call 352-360-6727. Interested parties may appear at the meetings and will be heard with respect to the proposed ordinance.



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



506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731

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

Board Members: Al Goldberg Daniel Dicus Fred Collins Philip Purlee, Vice Chair Walter Birriel	Others: Greg Beliveau, LPG Tracy Kelley, CDD Kelly Turner, Administrative Assistant
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**AGENDA
PLANNING & ZONING BOARD
JULY 18, 2019
6:00PM**

- I. INVOCATION:**
- II. ROLL CALL:**
- III. MINUTES FROM PREVIOUS MEETING:** Approve meeting minutes from June 20, 2019.
- IV. OLD BUSINESS:** None
- V. NEW BUSINESS:**
 - A. Recommend and Elect Chair and Vice Chair to the Planning & Zoning Board
 - B. City of Fruitland Park Library Site Rezoning (Alt Key 1430623)

The City of Fruitland Park desires to initiate rezoning for the portion of the property that is zoned Residential Professional (RP) to make the entire site cohesive as Public Facilities District (PFD). Proposed zoning classification is consistent with the Comprehensive Plan of the City of Fruitland Park.

BOARD MEMBERS' COMMENTS:

ADJOURNMENT:



506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731

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

Board Members: Connie Bame, Chairwoman Daniel Dicus Philip Purlee, Vice Chair Fred Collins Walter Birriel	Others: Tracy Kelley, CDD Kelly Turner, Administrative Assistant
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**MINUTES
PLANNING & ZONING BOARD
JUNE 20, 2019
6:00PM**

- I. **INVOCATION:** Meeting called to order at 6:15PM. Administrative Assistant Turner led the invocation and Pledge of Allegiance.
- II. **ROLL CALL:** Board members present with the exception of Daniel Dicus and Philip Purlee. Present Tracy Kelley, CDD and Kelly Turner, Administrative Assistant.
- III. **MINUTES FROM PREVIOUS MEETING:** Board member Birriel made motion to approve meeting minutes from May 16, 2019. Second by Board member Collins. Approved 3-0.
- IV. **OLD BUSINESS:** None
- V. **NEW BUSINESS:**

A. DGI Properties, LLC, Debra Patterson Rezoning

Debra Patterson, registered agent of DGI Properties, LLC, owner of 205 East Fountain Street, submitted application for rezoning. Property is currently zoned General Commercial (C-2) and applicant wishes to rezone to Residential Professional (RP) for financing purposes.

CDD Kelley gave introduction to application and stated proposed zoning and future land use are conducive to surrounding area. Fifteen (15) notices were sent out certified mail to adjoining property owners and zero (0) were returned. One surrounding property owner called on June 14, 2019 at 11:52 AM and stated position as in-favor of rezoning. Applicant Debra Patterson and Gary Becker present to represent application. Applicant Patterson stated they recently renovated the home to sell for residential purposes and desire the home to be zoned as such.

Board member Birriel made motion recommending approval for Ordinance 2019-004, rezoning 0.23± acres of real property from General Commercial (C-2) to Residential Professional (RP). Second by Board member Collins. Approved 3-0.

BOARD MEMBERS' COMMENTS: Chairwoman Connie Bame thanked the Board members for their attendance in order to meet required quorum to proceed with the regularly scheduled meeting.

ADJOURNMENT: Meeting adjourned at 6:22PM.



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

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

Development Application

Contact Information:

Owner Name: City of Fruitland Park
 Address: 506 W Berckman St
 Phone: 352-360-6727 Email: permits@fruitlandpark.org

Applicant Name: City of Fruitland Park
 Address: 506 W Berckman St
 Phone: 352-360-6727 Email: permits@fruitlandpark.org

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

Property and Project Information:

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

Property Address: 604 W Berckman St
 Parcel Number(s): 04-19-24-1200-020-01300 Section: 4 Township: 19 Range 24

Area of Property: S of W Fountain St, North of W Berckman St, E of Rose Ave, W of College Ave Nearest Intersection: Corner of Rose Ave and W Fountain St
 Existing Zoning: R-P (portion of the property) Existing Future Land Use Designation: Mixed Community
 Proposed Zoning: PFD Proposed Future Land Use Designation: Mixed Community

The property is presently used for: New Fruitland Park Library
 The property is proposed to be used for: No change in use
 Do you currently have City Utilities? Yes

Application Type:

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

Please describe your request in detail: The city desires to initiate rezoning for the portion of the property that is zoned RP to make the entire site cohesive as PFD.

Required Data, Documents, Forms & Fees

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

Printed Name: Gary La Yehia, City Manager, City of Fruitland Park

Signature: _____ Date: 6/10/2019

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

APPLICANT AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LAKE

Before me the undersigned authority, personally appeared Gary La Venia, City Manager, City of
Fruitland Park, who being by me first duly sworn on oath deposes and says:

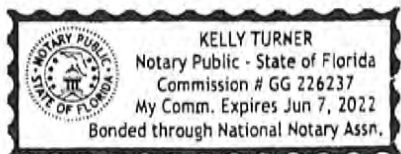
- 1) That he/she affirms and certifies that he/she understands and will comply with all ordinances, regulations, and provisions of the City of Fruitland Park, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further that this application and attachments shall become part of the Official Records of the City of Fruitland Park, Florida, and are not returnable.
- 2) That the submittal requirements for the application have been completed and attached hereto as part of that application.
- 3) That he/she desires Rezoning for the portion of the library site that is zoned RP to make the entire site cohesive as PFD.

[Handwritten Signature]
Affiant (Applicant's Signature)

State of Florida
County of Lake

The Foregoing instrument was acknowledged before me this 10th day of June, 20 19,
by Gary La Venia who is personally known to me or has produced
_____ as identification and who did or did not take an oath

(Notary Seal)



Notary Public - State of Florida
Commission No GG 226237
My Commission Expires Jun 7, 2022

[Handwritten Signature]
Signature
Kelly Turner
Printed Name

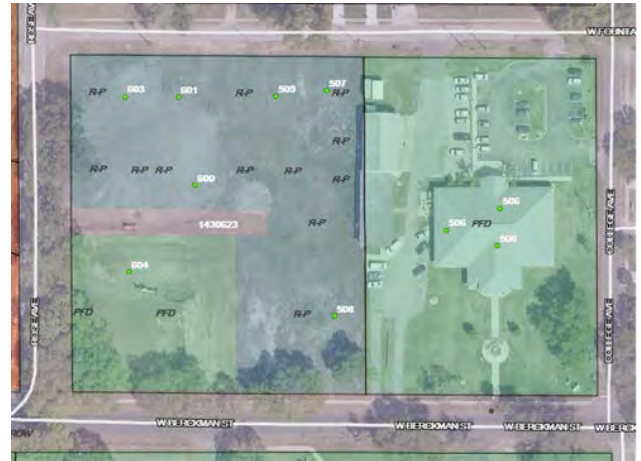
LEGAL DESCRIPTION

FRUITLAND PARK, RESUB PT BLK 20 PB 8 PG 95 LOTS 13, 14, 15, |
16, 17, 18, 19, 20, 21, 22, 23, 24, AND FRUITLAND PARK PB 3 |
PG 69 THE WEST 335 FEET OF BLOCK 20, AND THE 30 FOOT RIGHT |
OF WAY FOR LAUREL STREET NOW VACATED LYING SOUTH OF AND |
ABUTTING THE SOUTH LINE OF LOTS 13 THROUGH 18 INCLUSIVE OF |
RESUB OF A PORTION OF BLOCK 20, BEING BOUNDED ON THE WEST BY |
THE EAST RIGHT OF WAY LINE FOR ROSE STREET, AND BOUNDED ON |
THE EAST BY THE EAST LINE OF SAID WEST 335 FEET OF AFORESAID |
BLOCK 20 |
ORB 2594 PG 265 ORB 3870 PGS 817 818 ORB 3917 PG 2464 ORB |
3919 PG 159 ORB 4511 PG 586 ORB 4547 PG 2320 |

From: [Kelly Turner](#)
To: ["Anita Geraci \(anita@agclaw.net\)"](#)
Cc: [Tracy Kelley](#); [Sheila Kilgore \(sheila@agclaw.net\)](#); [Sherie Lindh](#); [Greg Beliveau](#)
Subject: Rezoning Library Site
Date: Wednesday, March 27, 2019 2:10:00 PM
Attachments: [image001.png](#)
[image003.png](#)

Anita,

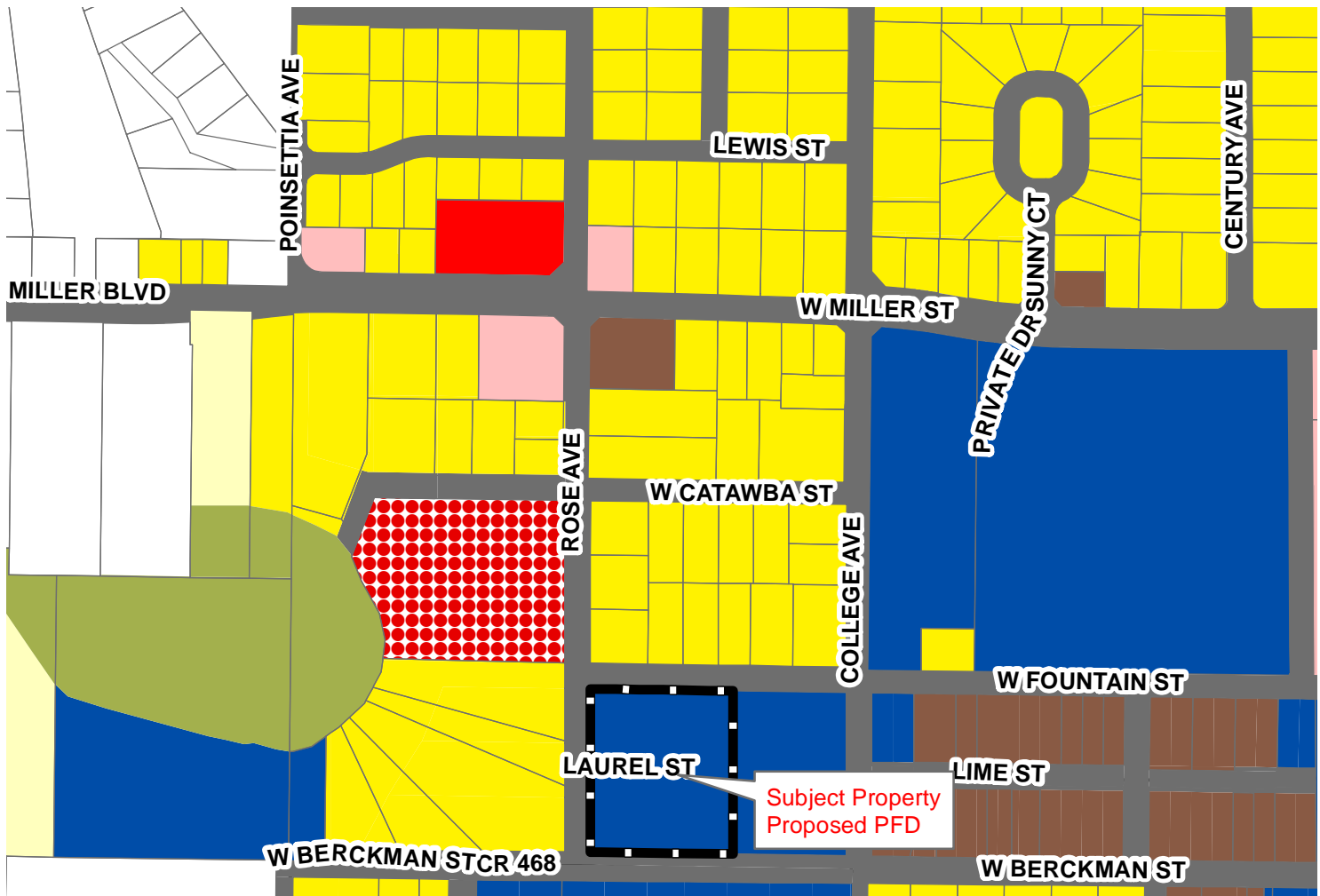
The City desires to initiate a rezoning for the portion of the library site that is zoned RP to make the entire site cohesive as PFD. Please draft an Ordinance to this affect.



Thank you,

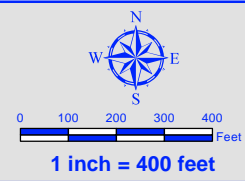


*Under Florida law, *Cf. s. 668..6076, F.S.*, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to the City of Fruitland Park. Instead contact the city by telephone or in writing*



Legend

- Subject Property
- City of Fruitland Park Zoning**
- R-1, Residential Single Family Home - Low Density
- R-2, Residential Single Family Home - Medium Density
- R-2A, Medium Density Residential
- R-3, Multi-Family Residential - High Density
- R-3A, High Density Residential/Neighborhood Commercial
- RP, Residential Professional
- C-1, Neighborhood Commercial
- C-2, General Commercial
- IND, Industrial
- PUD, Planned Unit Development
- CPUD, Commercial Planned Unit Development District
- IND-PUD, Industrial PUD
- MPUD, Mixed Use PUD
- PFD, Public Facilities District
- GB, Green Belt District
- ROW, Right-of-Way




City of Fruitland Park
AK #1430623
 Lake County, Florida
 Proposed Zoning - PFD


Project: 398-
 File: Proposed Zoning.mxd
 Name: City of FP
 PM: Sherie Lindh
 Date: June 9, 2019
 Created By: J.Meier

LPG Urban & Regional Planners, Inc.
 1162 Camp Avenue, Mount Dora, Florida 32757
 Office: (352) 385-1940 / Fax: (352) 383-4824

Aerial Photo

Legend

 604 W Berckman St

 604 W Berckman St

Google Earth



800 ft

ORDINANCE 2019 - 006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 3+/- ACRES OF PROPERTY OWNED BY THE CITY OF FRUITLAND PARK FROM RESIDENTIAL PROFESSIONAL TO PUBLIC FACILITIES DISTRICT WITHIN THE CITY LIMITS OF FRUITLAND PARK; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by the City of Fruitland Park as Owner, requesting that approximately 3.00 acres of real property generally located north of West Berckman Street south of West Fountain Street, east of Rose Avenue and west of College Avenue (the "Property") be rezoned from Residential Professional (RP) to Public Facilities District within the city limits of Fruitland Park; and

WHEREAS, the property has a future land use designation of Mixed Community as shown on the City of Fruitland Park's Comprehensive Plan Future Land Use Map; and

WHEREAS, the proposed zoning is consistent with the future land use designation.

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

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

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

Section 1. Rezoning.

That the zoning classification of the following described property, being situated in the City of Fruitland Park, Florida, shall be hereafter be designated as **Public Facilities District** as defined in the Fruitland Park Land Development Regulations. The property is more particularly depicted in **Exhibit A attached hereto** and incorporated herein and more particularly described as:

Lots 13 – 24, inclusive, according to a Plat of a portion of Block 20, Fruitland Park, Lake County, Florida, filed April 30, 1926 and recorded in Plat Book 8, Page 95, Public Records of Lake County, Florida.

AND

That part of the West 335 feet of Block 20, a Map of the City of Fruitland Park, as recorded in Plat Book 3, Page 9, of the Public Records of Lake County, Florida, being described as follows:

A 30 foot Right of Way for Laurel Street, lying south of and abutting the south line of Lots 13 through 18 inclusive, of plat of a portion of Block 20, as recorded in Plat Book 8, Page 95, of the Public Records of Lake County, Florida, being bounded on

the west by the East Right of Way line for Rose Avenue as shown on said Map of Fruitland Park and Bounded on the East by the east line of said West 335 feet of aforesaid Block 20. Being in Section 4, Township 19 South, Range 24 East, Lake County, Florida.

A portion of Lake County Parcel Id. No. 04-19-24-1200-020-01300; Parcel Alternate Key No. 1430623

Containing approximately 3.00 acres, more or less.

Section 2. Zoning Classification.

That the Property shall be designated as Public Facilities District in accordance with Land Development Code of the City of Fruitland Park, Florida.

Section 3. Consistent with Comprehensive Plan.

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

Section 4. Official Zoning Map.

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

Section 5. Severability.

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

Section 6. Scrivener's Errors.

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

Section 7. Conflict.

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

Section 8. Effective Date.

This Ordinance shall become effective immediately upon its approval and adoption by the City Commission of the City of Fruitland Park.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2019.

Chris Cheshire, Mayor

City of Fruitland Park, Florida

Attest:

Approved as to form and legality:

Esther B. Coulson, City Clerk

Anita Geraci-Carver, City Attorney

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)
Mayor Cheshire _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

First Reading _____

Second Reading _____

DRAFT

**NOTICE OF PUBLIC HEARINGS
ORDINANCE 2019-006**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 3+/- ACRES OF PROPERTY OWNED BY THE CITY OF FRUITLAND PARK FROM RESIDENTIAL PROFESSIONAL TO PUBLIC FACILITIES DISTRICT WITHIN THE CITY LIMITS OF FRUITLAND PARK; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

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

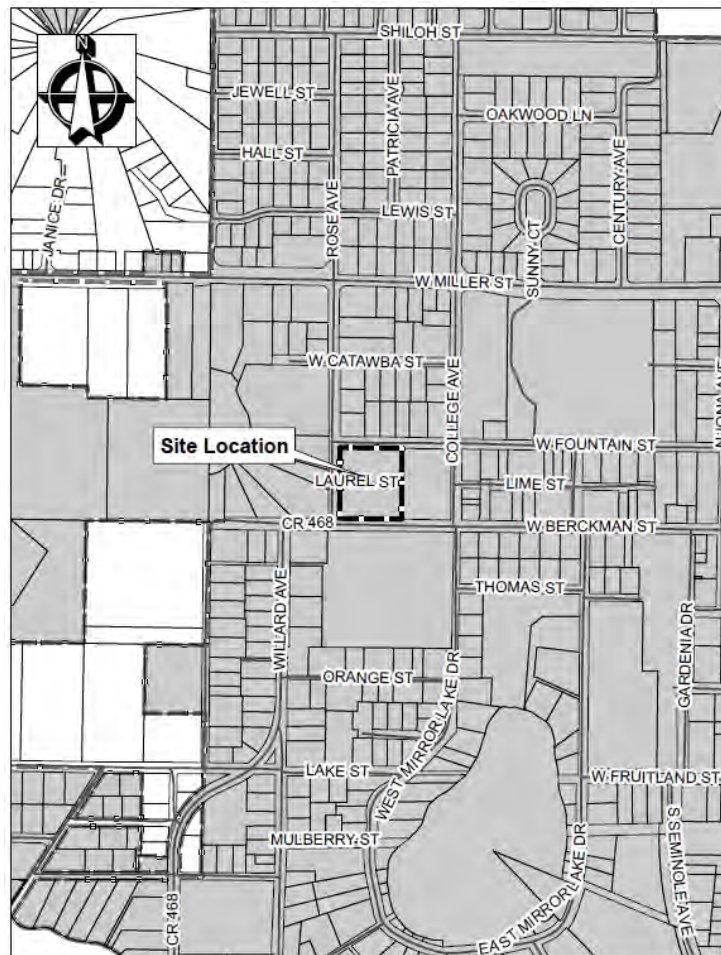
Fruitland Park Planning & Zoning Board Meeting on July 18, 2019 at 6:00 p.m.

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

Fruitland Park City Commission Meeting on August 8, 2019 at 6:00 p.m.

The public meetings will be held in the Commission Chambers located at City Hall, 506 West Berckman Street, Fruitland Park, FL 34731. The proposed ordinance and metes and bounds legal description of property may be inspected by the public during normal working hours at City Hall. For further information call 352-360-6727. Interested parties may appear at the meetings and will be heard with respect to the proposed ordinance.

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



CITY OF FRUITLAND PARK
NOTICE TO SURROUNDING PROPERTY OWNERS

The City of Fruitland Park has received an application for: Rezoning

Owner is seeking to rezone property currently zoned as RP Residential Professional to PFD Public Facilities District.

Name of Applicant: City of Fruitland Park

Address or general location of property: 604 W Berckman St, Fruitland Park FL, 34731

Type of Zoning requested: Public Facilities District

Reason for action: The city desires to initiate rezoning for the portion of the property that is zoned RP to make the entire site cohesive as PFD.

Other information attached: Yes X No _____

* * * *

There will be a Public Hearing:

Planning & Zoning Board
City Commission 1st Reading
City Commission Final Reading

Thursday, July 18, 2019 @ 6:00 p.m.
Thursday, July 25, 2019 @ 6:00 p.m.
Thursday, August 8, 2019 @ 6:00 p.m.

NOTE: If you are opposed to this Rezoning and wish to state your reasons, please fill out and return the form below to: Fruitland Park City Hall, 506 W Berckman Street, Fruitland Park, FL 34731, or call 352-360-6727 and your name will be listed for you to speak at the scheduled P&Z Board Meeting and/or City Commission Meeting.

* * * *

SURROUNDING PROPERTY OWNER

Name: _____
(Please Print)

Address: _____

I/We the undersigned have examined the above information for the proposed _____ and understand the nature of this request.

I/We are opposed ____/not opposed ____ to this action. (check one)

I/We request to speak at P&Z Meeting ____ and/or City Commission Meeting ____.
(check one or both)

Addressee Signature

Addressee Signature

In the event this form is not mailed back to the City or you have not called the City to schedule you as a speaker, this will be considered as an approval.