

**FRUITLAND PARK LOCAL PLANNING AGENCY MEETING
AGENDA**

June 10, 2021

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

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

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES** (city clerk)
November 12, 2020 LPA meeting.

PUBLIC HEARING

- 4. Public Hearing - Ordinance 2021-007 - SSCPA – 212 E LaVista Street – Petitioner: New Life Presbyterian Church of Lake County Inc.** (city attorney/city manager/community development director)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION TO INSTITUTIONAL OF 0.25 ± ACRES OF PROPERTY LOCATED AT 212 EAST LAVISTA STREET, FRUITLAND PARK, FLORIDA; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SCRIVENER’S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.
- 5. Public Hearing – Ordinance 2021-006 - SSCPA – 115 S Villa Avenue – Petitioner: New Life Presbyterian Church of Lake County Inc.** (city attorney/city manager/community development director)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION TO TRANSITIONAL OF 0.26 ± ACRES OF PROPERTY LOCATED AT 115 SOUTH VILLA AVENUE, FRUITLAND PARK, FLORIDA; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR

SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on June 24, 2021.)

END OF PUBLIC HEARING

6. UNFINISHED BUSINESSES

7. 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.

8. OTHER BUSINESS

9. 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.

**CITY OF FRUITLAND PARK LOCAL PLANNING
AGENCY
AGENDA ITEM SUMMARY SHEET
Item Number: 3**

| | |
|----------------------------|-----------------------|
| ITEM TITLE: | Draft Meeting Minutes |
| For the Meeting of: | June 10, 2021 |
| Submitted by: | City Clerk |
| Date Submitted: | June 1, 2021 |
| Funds Required: | No |
| Account Number: | N/A |
| Amount Required: | N/A |
| Balance Remaining: | N/A |
| Attachments: | Yes, draft minutes |

Item Description: LPA meeting minutes of November 12, 2020

| | |
|----------------------------|------------------------------|
| Action to be Taken: | Approve as submitted. |
|----------------------------|------------------------------|

| | |
|--------------------------------|--|
| Staff's Recommendation: | Approval, if there are no corrections. |
|--------------------------------|--|

| | |
|-----------------------------|------|
| Additional Comments: | None |
|-----------------------------|------|

| | |
|-----------------------------|-----|
| City Manager Review: | Yes |
|-----------------------------|-----|

| | |
|-----------------------------|-----|
| Mayor Authorization: | Yes |
|-----------------------------|-----|

**FRUITLAND PARK LOCAL PLANNING AGENCY
DRAFT MEETING MINUTES
November 12, 2020
6:15 p.m.**

A regular meeting of the Fruitland Park Local Planning Agency was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, November 12, 2020 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; Denise Robbins, Deputy Finance Director; Police Chief Erik Luce; Public Works Director Robb Dicus; Community Development Department Director Tracy Kelley; Code Enforcement Officer Lori Davis; Public Works Director Rob Dicus; Parks and Recreation Director Michelle Yoder; Deputy Fire Chief Tim Yoder; Lieutenant Madison Leary, and Firefighter Christopher Lewis, Fire Department; Deputy City Clerk Jabari Hopkins, and City Clerk Esther B. Coulson.

1. CALL TO ORDER

ACTION: 6:12:36 p.m. Mayor Cheshire called the meeting to order.

2. ROLL CALL

ACTION: 6:12:39 p.m. At Mayor Cheshire's request, Ms. Coulson called the roll and a quorum was declared present.

3. APPROVAL OF MINUTES

October 22, 2020 LPA minutes

ACTION: 6:12:51 p.m. **On motion of Commissioner Bell, seconded by Commissioner Mobilian and unanimously carried, the Local Planning Agency approved the October 10, 2019 meeting minutes as amended.**

QUASI-JUDICIAL PUBLIC HEARING

4. Quasi-Judicial Public Hearing – Ordinance 2020-006 LSCPA – FLUP to Commercial - N CR466A and West of Olive Lane - Petitioner: Lake County School District

After Ms. Geraci-Carver read into the record proposed Ordinance 2020—006, the title 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, PROVIDING FOR A LARGE SCALE COMPREHENSIVE PLAN AMENDMENT AND SITE SPECIFIC AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION TO COMMERCIAL HIGH INTENSITY OF 27.74 +/- ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND WEST OF OLIVER LANE; DIRECTING THE CITY

MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

After Mayor Cheshire recognized that the subject proposed ordinance was before the October 22, 2020 LPA, Mr. Greg Beliveau, LPG Urban Planners Inc., was sworn in by Ms. Geraci-Carver. He confirmed that there have been no changes since and requested that the testimony presented at that time be transferred to this evening's proceedings.

The city commission confirmed, in response to Mayor Cheshire's request, that there were no ex-parte communications to disclose at this time.

ACTION: 6:13:05 p.m. A motion was made by Commissioner Mobilian and seconded by Commissioner Bell that the LPA recommend the approval of proposed Ordinance 2020-006 as previously cited.

There being no one from the public and **by unanimous consent, the LPA 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. UNFINISHED BUSINESS

There was no unfinished business to come before the LPA at this time.

ACTION: 6:15:00 P.M. No action was taken at this time.

5. PUBLIC COMMENTS

There were no comments from the public at this time.

ACTION: 6:15:07 PM No action was taken.

6. OTHER BUSINESS

There was no other business to come before the LPA at this time.

ACTION: 6:15:09 PM No action was taken.

7. ADJOURNMENT
The meeting adjourned at 6:15 p.m.

The minutes were approved at the June 10, 2021 meeting.

Signed _____
Esther B. Coulson, MMC City Clerk

Signed _____
Chris Cheshire, Mayor

**CITY OF FRUITLAND PARK LOCAL
PLANNING AGENCY
AGENDA ITEM SUMMARY SHEET**

Item Number: 4

ITEM TITLE: Public Hearing – Ordinance 2021-007 SSCPA - 0.25 ± Acres
- 212 E LaVista Street - Petitioner: New Life Presbyterian
Church of Lake County Inc.

For the Meeting of: June 10, 2021

Submitted by: City Attorney/City Manager/Community Development
Director

Date Submitted: June 2, 2021

Funds Required: No

Attachments: Yes. draft ordinance, development application, justification
letter, legal description, staff comments, proposed zoning
map, proposed FLU map, aerial map, location map, and
advertisement affidavit.

Item Description: Ordinance 2021-007 proposing rezoning approximately
0.25 ± acres of property located at 212 E LaVista Street, Fruitland Park, Florida from Residential
Professional (RP) within the City limits of Fruitland Park to the designation of Public Facilities
District (PFD).

During its May 20, 2021 regular meeting, the Planning and Zoning Board recommended approval
of the rezoning to Public Facilities District (PFD) and the Land Use Map amendment to
Institutional.

Action to be Taken: Recommend approval Ordinance 2021-007 to the city
commission.

Staff's Recommendation: Approval

Additional Comments: During its April 15, 2021 regular meeting of the Planning
and Zoning Board, the proposed ordinance was postponed
to a date certain whereas all public notices and
requirements were satisfied per City Attorney.

City Manager Review: Yes

Mayor Authorization: Yes

ORDINANCE 2021-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION TO INSTITUTIONAL OF 0.25 ± ACRES OF PROPERTY LOCATED AT 212 EAST LAVISTA STREET, FRUITLAND PARK, FLORIDA; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by New Life Presbyterian Church of Lake County, Inc. as applicant/owner, requesting that approximately 0.25 ± acres of real property located at 212 East LaVista Street (the "Property") be assigned a land use designation of "Institutional" under the Comprehensive Plan for the City of Fruitland Park; and

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

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

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

Section 1. The following described property consisting of approximately 0.25 ± acres of land located at 212 East LaVista Street, Fruitland Park shall hereafter be assigned a land use designation of Institutional under the City of Fruitland Park Comprehensive Plan as depicted on the map attached hereto as Exhibit "A" and incorporated herein by reference. The property is more particularly described as:

LEGAL DESCRIPTION: The South 94 feet of the West 1/2 of Block 24, A MAP OF FRUITLAND PARK, according to the plat thereof, recorded in Plat Book 3, Page 9, of the Public Records of Lake County, Florida, LESS the East 30.00 feet for road right of way, ALSO LESS the West 120.0 feet.

Parcel Alternate Key No. 1248744

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

Section 3. That the City Manager or his designee, after passage of this Ordinance, is hereby directed to indicate the changes adopted in this Ordinance and to reflect the same on the Comprehensive Land Use Plan Map of the City of Fruitland Park.

Section 4. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 5. Scrivener’s errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 6. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. This Ordinance shall become effective 31 days after its adoption by the City Commission. If this Ordinance is challenged within 30 days after its adoption, it may not become effective until the state land planning agency or Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2021.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, MMC, City Clerk
(SEAL)

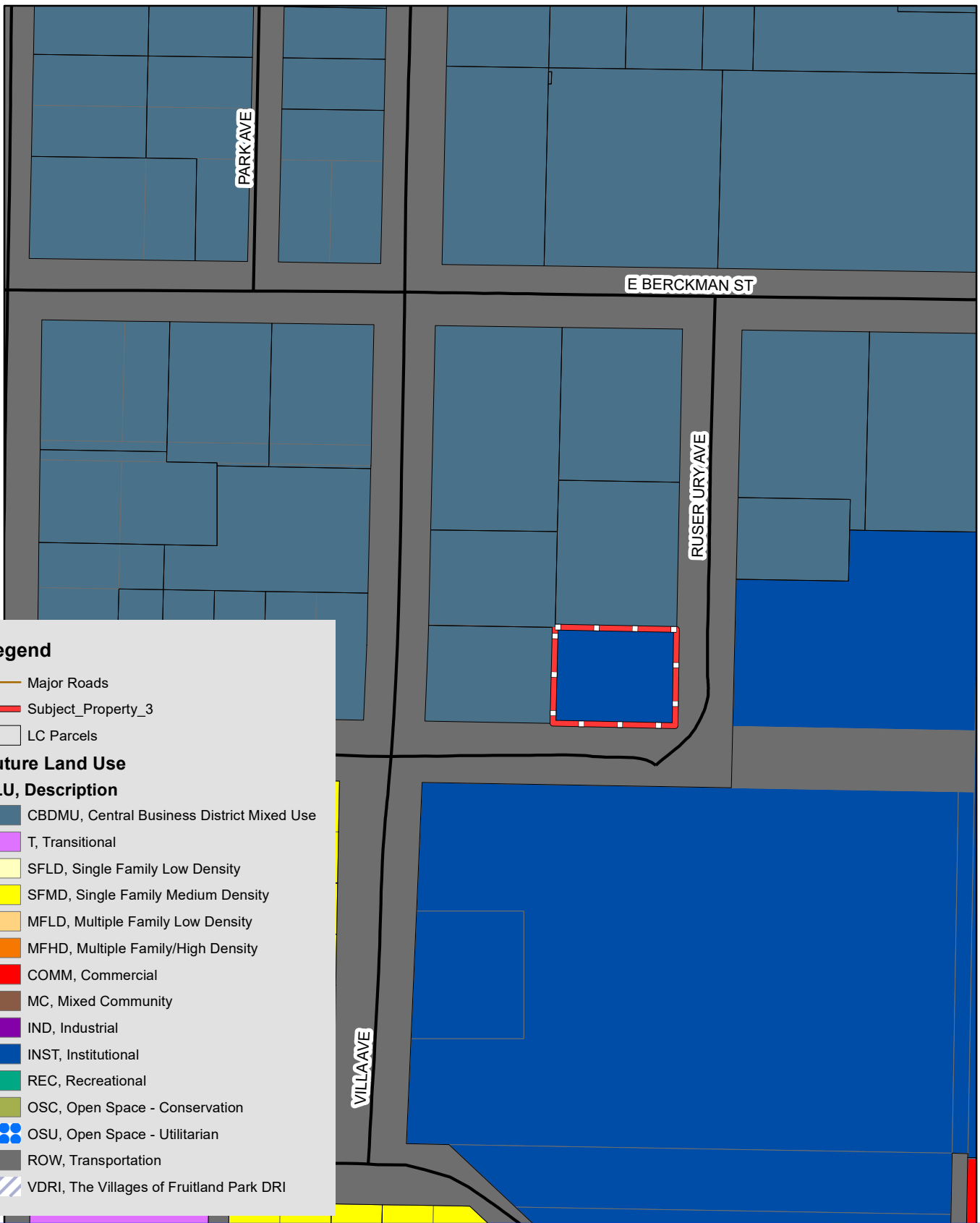
Anita Geraci-Carver, City Attorney

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

Passed First Reading _____

Passed Second Reading _____

Exhibit "A"



Legend

- Major Roads
- Subject_Property_3
- LC Parcels

Future Land Use

FLU, Description

- CBDMU, Central Business District Mixed Use
- T, Transitional
- SFLD, Single Family Low Density
- SFMD, Single Family Medium Density
- MFLD, Multiple Family Low Density
- MFHD, Multiple Family/High Density
- COMM, Commercial
- MC, Mixed Community
- IND, Industrial
- INST, Institutional
- REC, Recreational
- OSC, Open Space - Conservation
- OSU, Open Space - Utilitarian
- ROW, Transportation
- VDRI, The Villages of Fruitland Park DRI



1 inch = 136 feet

**New Life Presbyterian Church
Proposed Future Land Use Map**

Fruitland Park, FL

Project: NLPC
File: Proposed FLU
Name: Fruitland Park
PM: Sherie Lindh
Date: May 4th, 2021
Created By: C.Manno



Urban & Regional Planners, Inc.
1162 CAMP AVENUE - MT. DORA, FL 32757
(352)385-1940 / FAX (352)383-4824



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

Sta Use Only

Case No.: _____
 Fee Paid: _____
 Receipt No.: _____

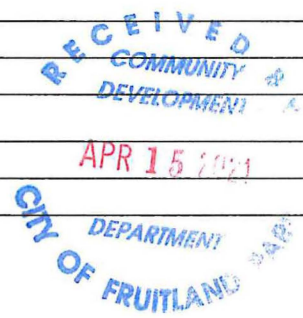
Development Application

Contact Information:

Owner Name: New Life Presbyterian Church of Lake County, Inc.
 Address: 201 E LaVista St., Fruitland Park, FL 34731
 Phone: 352.551.7712 Email: justin.richey.jr@gmail.com marybeth@newlifefp.org

Applicant Name: New Life Presbyterian Church of Lake County, Inc.
 Address: 115 S Villa Ave., Fruitland Park FL 34731
 Phone: 352.728.1861 Email: marybeth@newlifefp.org

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



Property and Project Information:

PROJECT NAME*: Comp Plan Amendment

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

Property Address: 115 S Villa Ave., Fruitland Park, FL 34731

Parcel Number(s): 09-19-24-0400-024-0005 Section: 24 Township: 19 Range: 24

Area of Property: 11,280 sf Nearest Intersection: S Villa & E LaVista

Existing Zoning: PFD Existing Future Land Use Designation: Institutional

Proposed Zoning: R-P Proposed Future Land Use Designation: Institutional Transitional

The property is presently used for: vacant dwelling

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

Do you currently have City Utilities? Yes

Application Type:

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

Please describe your request in detail: Comp plan amendment Change Future Land use Designation

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: Justin Richey, President

Signature: Date: 4/13/2021

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

Development Application Checklist

The Following are Required for ALL Development Applications:

- Legal Description (Word file req'd) Current Deed Aerial Photo
 Property Appraiser Information Electronic Copy of Application Location Map

Pre-application conferences are strongly encouraged. Submit TWO CDs with ALL documents in pdf; those that are generated as CAD files should be submitted in pdf and dwg formats. . Legal Descriptions should also come with a MS Word file of the legal description. Most maps are accessible through www.lakecountyfl.gov/maps/. Note: All maps are required to depict adjacent properties at a minimum.

Failure to provide adequate maps may delay the application process.

Other Required Analyses and Maps:

Small Scale Comprehensive Plan Amendment Applications:

- Justification for Amendment Environmental Constraints Map Requested FLU Map

Large Scale Comprehensive Plan Amendment Applications:

Maps: Environmental Constraints Soils Requested FLUM Designation Requested Zoning Map Designation

Analyses: Environmental Assessment Utility Availability Analysis Urban Sprawl Analysis School Impact Analysis
 Traffic Impact Analysis Consistency with the Comp Plan Florida Master Site File sign-off or Archaeological Survey

Rezoning Applications: Requested Zoning Map Justification for Rezoning

Planned Development Applications:

Maps/Plans: Conceptual Plan as Described in LDRs Chapter 154, Section 154.030,10,G Environmental Constraints

Analyses: Environmental Assessment Traffic Impact Analysis Preliminary Concurrency Analysis

Variance Applications: Justification for Variance

Special Exception Use Applications:

- Justification for Special Exception Use
 Site Sketch List of Special Requirements as Described in LDRs, Chapter 155

Conditional Use Permit Applications:

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

Subdivision Applications:

(Preliminary Plan, Improvement Plan and Final Plat)

- As Described in LDRs, Chapter 157

Minor Subdivision Applications:

- As Described in LDRs, Chapter 157

Site Plan Applications:

- As Described in LDRs, Chapter 160

Comp Plan Amendment justification

New Life Presbyterian Church of Lake County, Inc.

115 S Villa Ave., Fruitland Park FL 34731 – Alt Key #1639492

Per recent conversation on Friday, April, 9, 2021, with Community Development Director, Tracy Kelley, a small scale comprehensive plan amendment (SSCPA) is required in conjunction with your request for rezoning of the subject properties. The proposed rezoning triggered a review of the city's current comprehensive plan and future land use (FLU) designation. In consideration of the intended use of the properties and since the most appropriate future land use (FLU) designation is not a part of the city's current comprehensive plan, this additional step is necessary, as found per City Attorney and City Land Planner comments.

New Life Presbyterian Church of Lake County Inc.

Property Rezoning/Comp Plan Amendment

115 S Villa Ave, Fruitland Park, FL 34731

Property Description:

FRUITLAND PARK S 94 FT OF W 120 FT OF BLK 24 PB 3 PGS 8-9
ORB 2398 PG 1743



**DEVELOPMENT APPLICATION REVIEW LETTER
NEW LIFE PRESBYTERIAN CHURCH
REZONING APPLICATIONS: 115 S. VILLA & 212 E. LA VISTA
March 22, 2021**

Property Owner(s): New Life Presbyterian Church of Lake County, Inc.
Applicant/Agent: New Life Presbyterian (Attn: Justin Richey, President)
Phone: 352-551-7712
Email: justin.richey.jr@gmail.com
Address: 115 S Villa Avenue, Fruitland Park, FL
Project Name: New Life Presbyterian Church Rezoning
Alt Keys: Fruitland Park, FL Alt Keys: 1639492 and 1248744
Project Addresses: 115 S. Villa Ave. (1639492) and 212 E. LaVista St. (1248744)

Dear Mr. Richey:

Contained herein are the comments following informal TRC review. The referenced projects are tentatively scheduled before Technical Review Committee (TRC) on April 6, 2021 at 10:00AM.

Development Review:

The *initial application fees* are as follows (total inclusive of both Project Addresses):

| | |
|-------------------------------------|-----------------|
| Development Application Fees (City) | \$ 230.00 PAID |
| LPG (Land Planner) | \$ 740.00 PAID |
| BESH (Engineer) | \$1,200.00 PAID |
| Overpayment | \$102.00 CREDIT |
| Mailings | *Actual Cost |
| Newspaper Advertisement | *Actual Cost |
| Lake County Recording Fee | *Actual Cost |

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 the applicant(s), including Contractual Services, Notice of Public Hearing advertising and mailing costs.

City Attorney Review:

115 S. Villa Ave.

The application indicates they are seeking a rezoning from PFD to RP for a vacant dwelling. Property is under contract to sell as a s/f home. The application also indicates an existing FLU of Institutional and proposed FLU of CBDMU. In reviewing comp plan, CBDMU indicates permitted land uses are residential on 2nd and 3rd floors. Since this is s/f residential dwelling, Transitional FLU may be more appropriate. No comments relating to RP zoning.

212 E LaVista St.

The application indicates they are seeking a rezoning from RP to PFD for use as storage and

parking. I cannot locate a zoning of PFD in the current zoning code. The application also indicates existing FLU of MC and proposed FLU of CBDMU. Institutional FLU may be more appropriate.

City Engineer (BESH) Review:

115 S. Villa Ave.

The proposed zoning is RP, which does allow for single family homes, but also implements comprehensive plan policies for transitional areas where single family homes can be used for personal or professional services. The use stated on the application is “Residential Single-Family Home.” If that is the proposed end use, would a different residential zoning district be more appropriate? Engineering defers to the city planner on this issue.

212 E. LaVista St.

Based upon my review of the February 25, 2021, rezoning submittal package, I do not have any comments. I recommend approval of the rezoning.

City Building Review:

115 S. Villa Ave. & 212 E. LaVista St.

No comments for both properties.

City Code Enforcement Review:

115 S. Villa Ave. & 212 E. LaVista St.

Code Enforcement has no comments at this time.

City Fire Review:

115 S. Villa Ave. & 212 E. LaVista St.

No comments received at time of review.

City Police Review:

115 S. Villa Ave. & 212 E. LaVista St.

No comments received at time of review.

City Public Works Department Review:

115 S. Villa Ave. & 212 E. LaVista St.

No concerns for either property.

City Staff Review:

115 S. Villa Ave.

Assessment:

Review of the comprehensive plan indicates that the Central Business District Mixed Use allows for residential development; however, it indicates that new residential uses are permitted on the 2nd and 3rd floors with the 1st floor being commercial. It appears the intent was to allow for the existing one-story, single-family units to continue and allow for the residential use on the 1st floor until redevelopment due to the fact that the majority of the area designated is one story single family; however, in order to avoid a conflict, an amendment to Transitional (4 units/acre) may be better suited.

The Transitional land use category is compatible with the Central Business District Mixed Use and the Institutional use.

The subject site is adjacent to Residential Professional (RP) zoning on the north and west; therefore, the proposed RP zoning is compatible and consistent with the area.

Recommendation

Staff recommends the applicant modify the application to request a land use of transitional. Once the application is revised the amendment request would be consistent with the following FLU policies, among others:

Policy 1-1.2: Density and Intensity Standards – Table 1.1

Policy 1-1.17: Transitional

Policy 1-2.1: Promote Orderly, Compact Growth

Staff recommends approval of the rezoning to RP.

212 E. LaVista St.

Assessment:

The application indicates that the subject site will be continued to be utilized for storage and parking associated with the church. The requested land use in the application states CBDMU; however, the land use most appropriate is Institutional.

The subject site is adjacent to PFD zoning on the south and east; therefore, the proposed PFD zoning is compatible and consistent with the area.

Recommendation:

Staff recommends the applicant modify the application to request a land use of institutional. Once the application is revised the amendment request would be consistent with the following FLU policies, among others:

Policy 1-1.2: Density and Intensity Standards – Table 1.1

Policy 1-1.14: Institutional

Policy 1-2.1: Promote Orderly, Compact Growth

Policy 1-5.1: Public Facilities

Staff recommends approval of the rezoning to PFD and land use map amendment to Institutional.

City of Leesburg Utilities Review:

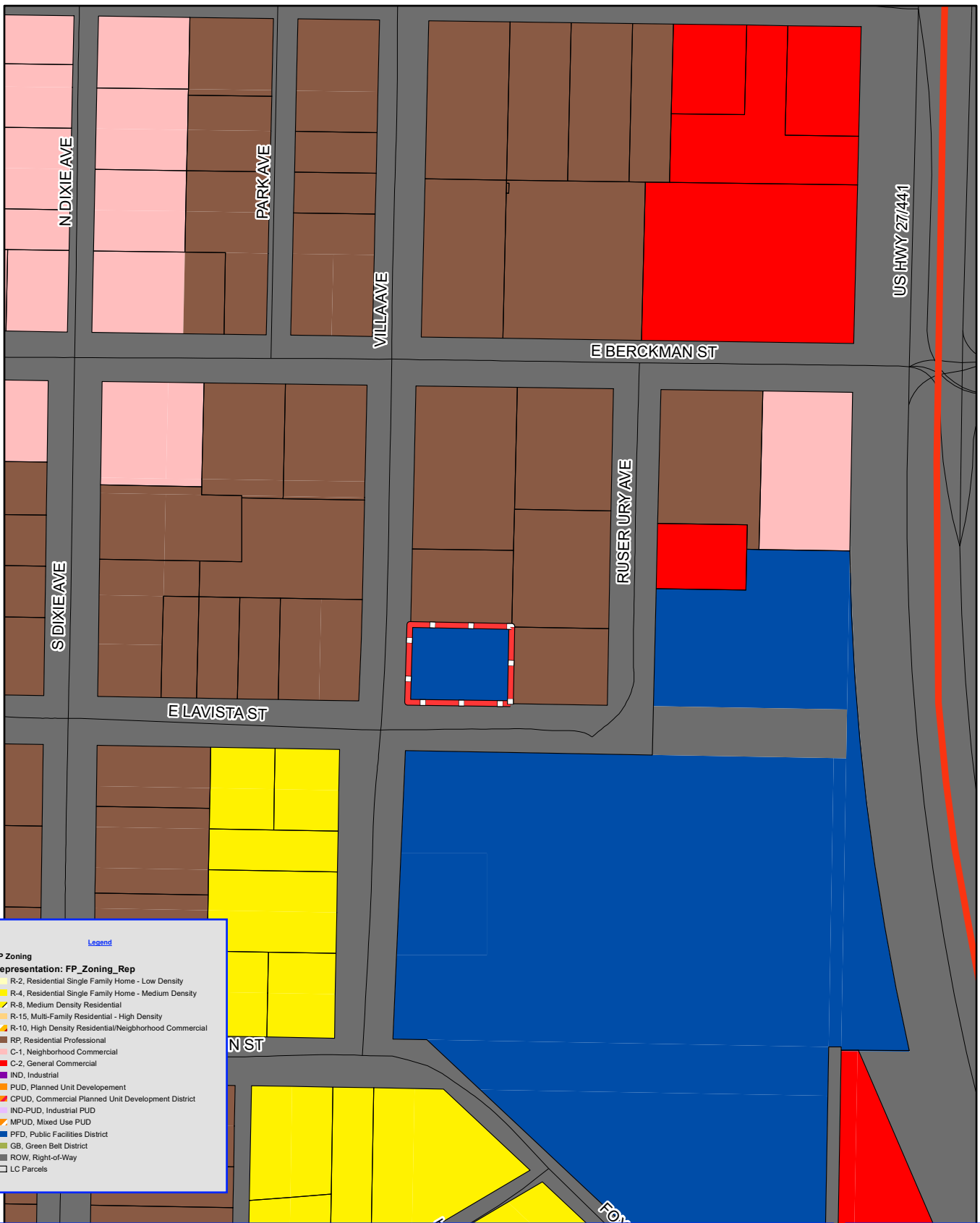
No comments received at time of review.

Lake County Public Schools Review:

No comments received at time of review.

Lake County Public Works Review:

No comments received at time of review.



[Legend](#)

FP Zoning
Representation: FP_Zoning_Rep

- R-2, Residential Single Family Home - Low Density
- R-4, Residential Single Family Home - Medium Density
- R-8, Medium Density Residential
- R-15, Multi-Family Residential - High Density
- R-10, 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
- LC Parcels



New Life Presbyterian Church Proposed Zoning Map

Fruitland Park, FL

Project: NLPC
 File: Proposed Zoning
 AltKey: 1639492
 Name: Fruitland Park
 PM: Sherie Lindh
 Date: May 4th, 2021
 Created By: C.Manno

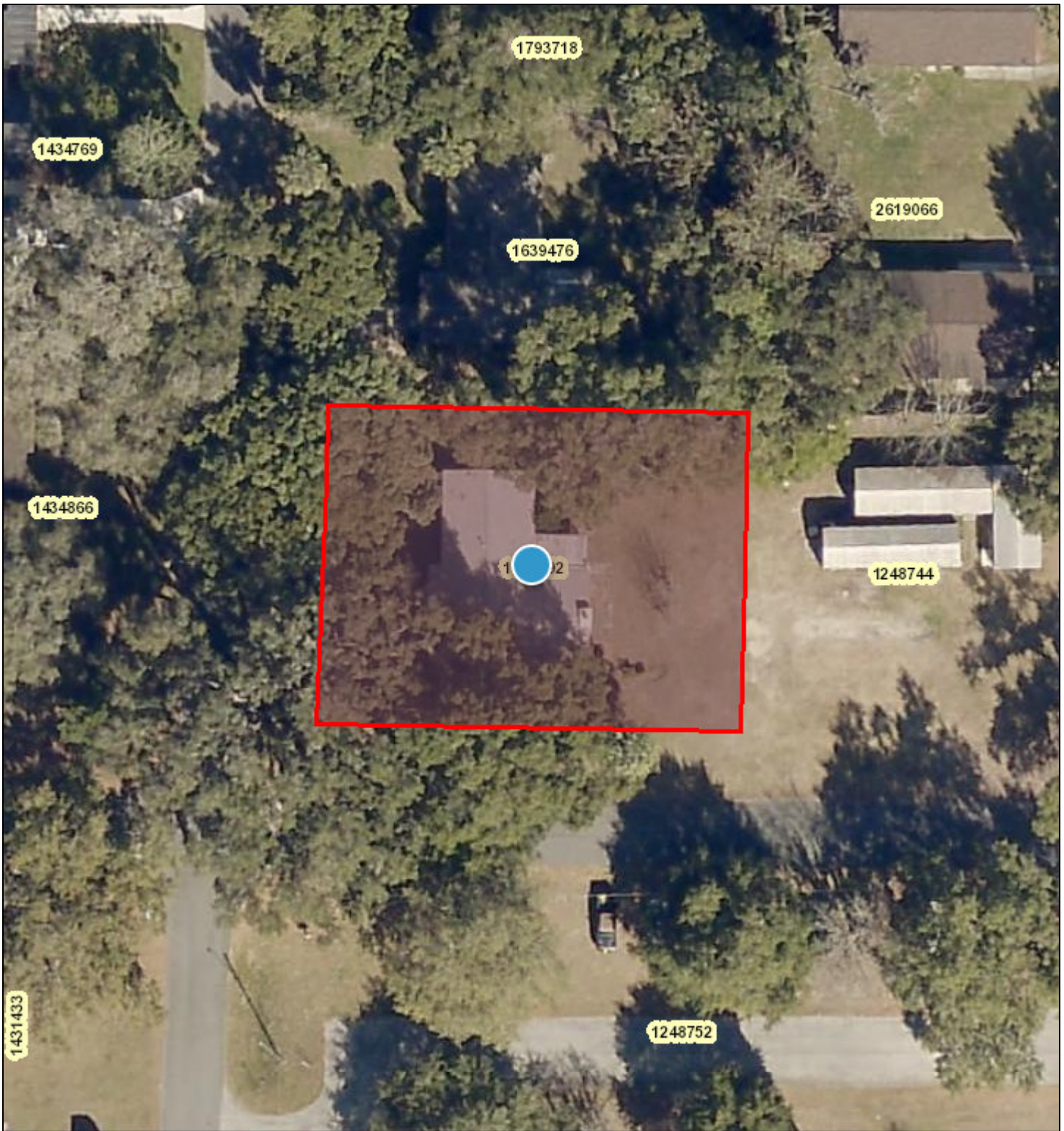
Urban & Regional Planners, Inc.
 1162 CAMP AVENUE - MT. DORA, FL 32757
 (352)385-1940 / FAX (352)383-4824

115 S Villa Aerial Photo



© All Pictometry


115 S Villa Location Map

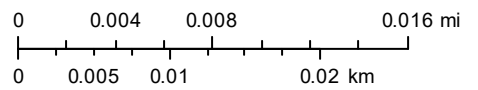



February 23, 2021

1:500

pointLayer

 Surrounding Counties



 Override 1

polygonLayer

 Override 1

Lake County Property Appraiser
Lake BCC

Tax Parcels Alternate Key

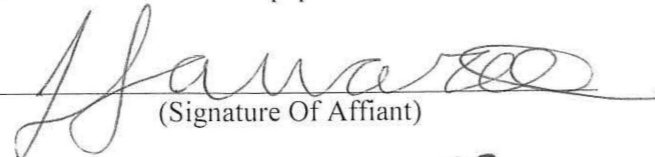
The Villages® DAILY SUN

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

Before the undersigned authority personally appeared **Jackie Lancero**, 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 #01005148 in the matter of **NOTICE OF PUBLIC HEARINGS**

MAY 28, 2021

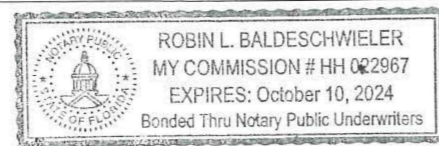
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, 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 28
day of May 2021.


Robin L. Baldeschwieler, Notary

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



Attach Notice Here:

the school's janitor would always have a smile on her face when she walked in his room because of how clean it was, he said.

The Purple Pig
RABBAG TION
AT \$60 TO \$75!!
Weekend Special
customer. Available 5-29-21 to 5-31-21
s, FL 32162 • 352-753-2202

15% OFF
ALL
Balsamics & Koroneiki Oil
(while supplies last)
Limit one coupon per customer, per transaction. In-store only. Offer expires 5-31-21
FL 32162

Christine's House
and Memories Become Many!
Entertainment - Raisch
007
lages, FL 32159
Sun 12p-8p
Mon-Thur 11a-9p
Fri & Sat 11a-10p

NOTICE OF PUBLIC HEARINGS

ORDINANCE 2021-xx

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION TO TRANSITIONAL OF 0.26 ± ACRES OF PROPERTY LOCATED AT 115 SOUTH VILLA AVENUE, FRUITLAND PARK, FLORIDA; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2021-xx

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION TO INSTITUTIONAL OF 0.25 ± ACRES OF PROPERTY LOCATED AT 212 EAST LAVISTA STREET, FRUITLAND PARK, FLORIDA; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.

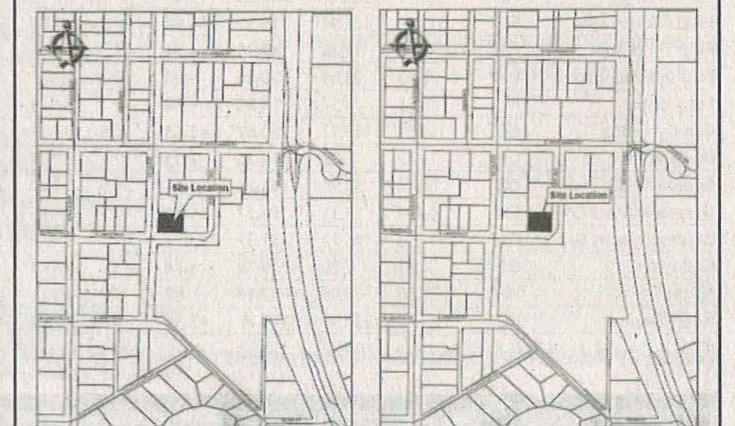
The proposed Ordinances will be considered at the following public meetings:

- Fruitland Park City Commission Meeting on June 10, 2021 at 6:00 p.m.
- Fruitland Park Local Land Planning Agency Meeting on June 10, 2021 at 6:15 p.m.
- Fruitland Park City Commission Meeting on June 24, 2021 at 6:00 p.m.

All meetings will be held at the Commission Chambers, 506 W. Berckman Street, Fruitland Park, Florida. The proposed Ordinances 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 City Clerk's office 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).



**CITY OF FRUITLAND PARK LOCAL
PLANNING AGENCY
AGENDA ITEM SUMMARY SHEET
Item Number: 5**

ITEM TITLE: Public Hearing – Ordinance 2021-006 – SSCPA Amending FLUP designation to Transitional - 0.26 ± acres - 115 S Villa Avenue – Petitioner: New Life Presbyterian Church of Lake County Inc.

For the Meeting of: June 10, 2021

Submitted by: City Attorney/City Manager/Community Development Director

Date Submitted: June 2, 2021

Funds Required: No

Attachments: Yes. draft ordinance, development application, Justification Letter, legal description, staff comments, proposed zoning map, proposed FLU map, aerial map, location map, and advertisement affidavit.

Item Description: Ordinance 2021-006 proposing a Small-Scale Comprehensive Plan Amendment (SSCPA) amending the Future Land Use Plan designation to Transitional of 0.26 ± acres of property located at 115 S Villa Avenue, Fruitland Park, Florida.

Action to be Taken: Recommend approve Ordinance 2021-006 to the city commission.

Staff's Recommendation: Approval

Additional Comments: None.

City Manager Review: Yes

Mayor Authorization: Yes

ORDINANCE 2021-006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION TO TRANSITIONAL OF 0.26 ± ACRES OF PROPERTY LOCATED AT 115 SOUTH VILLA AVENUE, FRUITLAND PARK, FLORIDA; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by New Life Presbyterian Church of Lake County, Inc. as applicant/owner, requesting that approximately 0.26 + acres of real property located at 115 South Villa Avenue (the "Property") be assigned a land use designation of "Transitional" under the Comprehensive Plan for the City of Fruitland Park; and

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

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

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

Section 1. The following described property consisting of approximately 0.26 ± acres of land located at 115 South Villa Avenue, Fruitland Park shall hereafter be assigned a land use designation of "Transitional" under the City of Fruitland Park Comprehensive Plan as depicted on the map attached hereto as Exhibit "A" and incorporated herein by reference. The property is more particularly described as:

LEGAL DESCRIPTION: The South 94 feet of the West 120 feet of Block 24, A Map of Fruitland Park, according to the plat thereof, Recorded in Plat Book 3, Page 9, of the Public Records of Lake County, Florida.

Parcel Alternate Key No. 1639492

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

Section 3. That the City Manager or his designee, after passage of this Ordinance, is hereby directed to indicate the changes adopted in this Ordinance and to reflect the same on the Comprehensive Land Use Plan Map of the City of Fruitland Park.

Section 4. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 5. Scrivener’s errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 6. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. This Ordinance shall become effective 31 days after its adoption by the City Commission. If this Ordinance is challenged within 30 days after its adoption, it may not become effective until the state land planning agency or Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2021.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

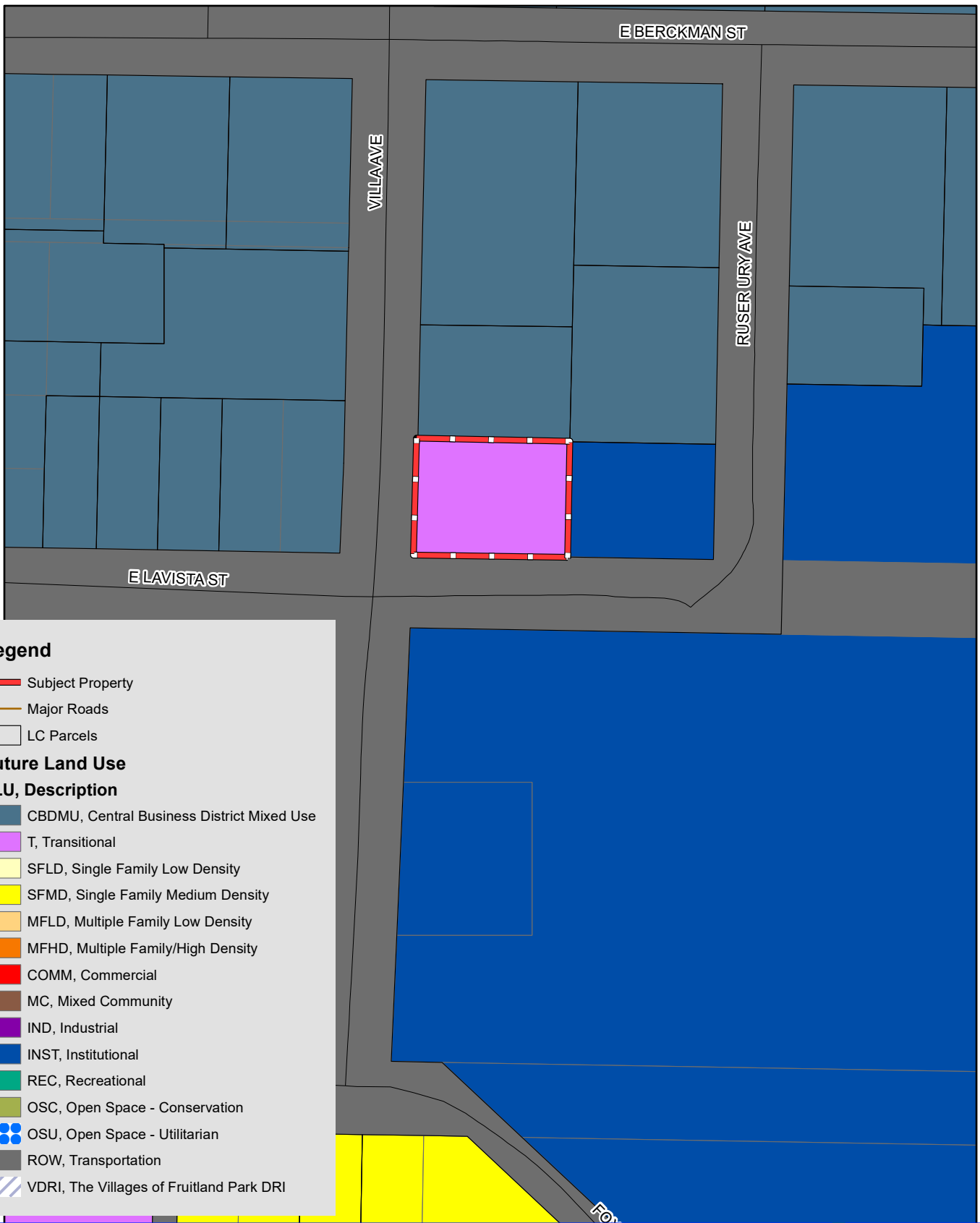
Esther Coulson, MMC, City Clerk
(SEAL)

Anita Geraci-Carver, City Attorney

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

Passed First Reading _____

Passed Second Reading _____



Legend

- Subject Property
- Major Roads
- LC Parcels

Future Land Use

FLU, Description

- CBDMU, Central Business District Mixed Use
- T, Transitional
- SFLD, Single Family Low Density
- SFMD, Single Family Medium Density
- MFLD, Multiple Family Low Density
- MFHD, Multiple Family/High Density
- COMM, Commercial
- MC, Mixed Community
- IND, Industrial
- INST, Institutional
- REC, Recreational
- OSC, Open Space - Conservation
- OSU, Open Space - Utilitarian
- ROW, Transportation
- VDRI, The Villages of Fruitland Park DRI



1 inch = 113 feet

**New Life Presbyterian Church
Proposed Future Land Use Map**

Fruitland Park, FL

Project: NLPC
File: Proposed FLU
Name: Fruitland Park
PM: Sherie Lindh
Date: May 4th, 2021
Created By: C.Manno

Urban & Regional Planners, Inc.
1162 CAMP AVENUE - MT. DORA, FL 32757
(352)385-1940 / FAX (352)383-4824

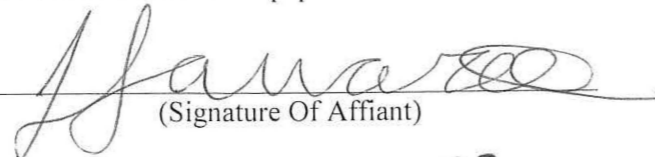
The Villages® DAILY SUN

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

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MAY 28, 2021

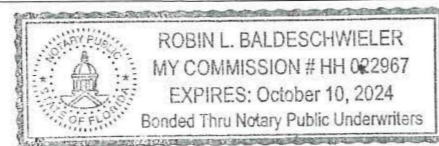
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(Signature Of Affiant)

Sworn to and subscribed before me this 28
day of May 2021.


Robin L. Baldeschwieler, Notary

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



Attach Notice Here:

the school's janitor would always have a smile on her face when she walked in his room because of how clean it was, he said.

The Purple Pig
RABBAG TION
AT \$60 TO \$75!!
Weekend Special
customer. Available 5-29-21 to 5-31-21
s, FL 32162 • 352-753-2202

15% OFF
ALL
Balsamics & Koroneiki Oil
(while supplies last)
Limit one coupon per customer, per transaction. In-store only. Offer expires 5-31-21
FL 32162

Christine's House
and Memories Become Many!
Entertainment - Raisch
007
lages, FL 32159
Sun 12p-8p
Mon-Thur 11a-9p
Fri & Sat 11a-10p

NOTICE OF PUBLIC HEARINGS

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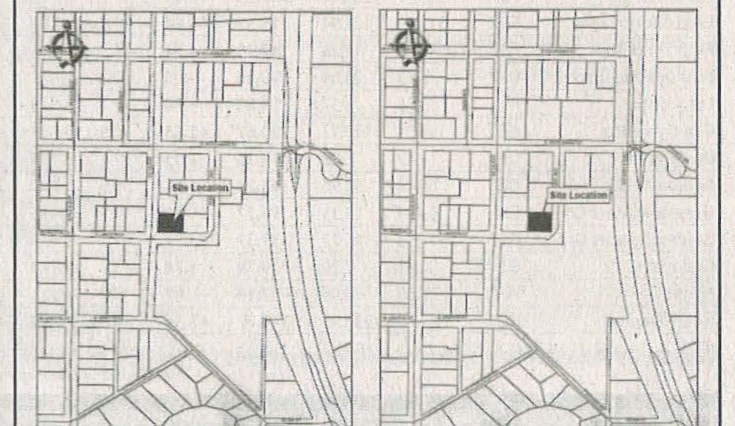
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**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 7**

| | |
|----------------------------|--|
| ITEM TITLE: | Public Comments |
| For the Meeting of: | June 10, 2021 |
| Submitted by: | City Clerk |
| Date Submitted: | June 4, 2021 |
| Funds Required: | None |
| Account Number: | N/A |
| Amount Required: | N/A |
| Balance Remaining: | N/A |
| Attachments: | Yes, Resolution 2013-023, Public Participation Policy and Chapter 286 Florida Statutes |

Item Description: 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 governing body 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 (LPA). Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the LPA addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

Action to be Taken: **None**

Staff’s Recommendation: N/A

Additional Comments: N/A

City Manager Review: Yes

Mayor Authorization: Yes

RESOLUTION 2013 -023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A PUBLIC PARTICIPATION POLICY WITH REGARD TO MEETINGS OF CITY BOARDS AND COMMISSIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission wishes to adopt a public participation policy for meetings of the City's boards and commissions; and

WHEREAS, the City Commission accordingly desires to pass this Resolution 2013-023 to do so.

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

Section 1. The following Public Participation Policy shall apply to meetings of City boards or commissions as provided herein.

Sec. 1. Citizen's Rights

(a) Definition. For the purposes of this section, "board or commission" means a board or commission of the City of Fruitland Park.

(b) Right to be Heard: Members of the public shall be given a reasonable opportunity to be heard on a proposition before a City board or commission except as provided for below. Public input shall be limited to three (3) minutes. This right does not apply to:

1. An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board or commission to act;
2. An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
3. A meeting that is exempt from §286.011; or
4. A meeting during which the Commission is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

Sec. 2. Suspension and Amendment of these Rules

(a) Suspension of these Rules: Any provision of these rules not governed by the City Charter or City Code may be temporarily suspended by a vote of a majority of the Commission.

(b) Amendment of these Rules: These rules may be amended or new rules adopted by resolution.

- (c) Effect of Variance from Rules: The failure to follow this Public Participation Policy shall not be grounds for invalidating any otherwise lawful act of the City's boards or commissions.

Section 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Resolution.

Section 3. This Resolution shall become effective immediately upon passage.

RESOLVED this 26 day of September, 2013, by the City Commission of the City of Fruitland Park, Florida.



Christopher J. Bell, Mayor

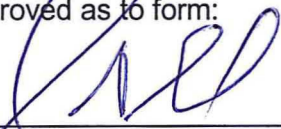
ATTEST:


MARIE AZZOLINO, Acting City Clerk

Passed First Reading 9/26/2013

Passed Second Reading N/A

Approved as to form:


SCOTT A. GERKEN, City Attorney

Select Year:

The 2019 Florida Statutes

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

PUBLIC BUSINESS

PUBLIC BUSINESS: MISCELLANEOUS PROVISIONS

286.0114 Public meetings; reasonable opportunity to be heard; attorney fees.—

(1) For purposes of this section, “board or commission” means a board or commission of any state agency or authority or of any agency or authority of a county, municipal corporation, or political subdivision.

(2) Members of the public shall be given a reasonable opportunity to be heard on a proposition before a board or commission. The opportunity to be heard need not occur at the same meeting at which the board or commission takes official action on the proposition if the opportunity occurs at a meeting that is during the decisionmaking process and is within reasonable proximity in time before the meeting at which the board or commission takes the official action. This section does not prohibit a board or commission from maintaining orderly conduct or proper decorum in a public meeting. The opportunity to be heard is subject to rules or policies adopted by the board or commission, as provided in subsection (4).

(3) The requirements in subsection (2) do not apply to:

(a) An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board or commission to act;

(b) An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;

(c) A meeting that is exempt from s. [286.011](#); or

(d) A meeting during which the board or commission is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

(4) Rules or policies of a board or commission which govern the opportunity to be heard are limited to those that:

(a) Provide guidelines regarding the amount of time an individual has to address the board or commission;

(b) Prescribe procedures for allowing representatives of groups or factions on a proposition to address the board or commission, rather than all members of such groups or factions, at meetings in which a large number of individuals wish to be heard;

(c) Prescribe procedures or forms for an individual to use in order to inform the board or commission of a desire to be heard; to indicate his or her support, opposition, or neutrality on a proposition; and to indicate his or her designation of a representative to speak for him or her or his or her group on a proposition if he or she so chooses; or

(d) Designate a specified period of time for public comment.

(5) If a board or commission adopts rules or policies in compliance with this section and follows such rules or policies when providing an opportunity for members of the public to be heard, the board or commission is deemed to be acting in compliance with this section.

(6) A circuit court has jurisdiction to issue an injunction for the purpose of enforcing this section upon the filing of an application for such injunction by a citizen of this state.

(7)(a) Whenever an action is filed against a board or commission to enforce this section, the court shall assess reasonable attorney fees against such board or commission if the court determines that the defendant to such action acted in violation of this section. The court may assess reasonable attorney fees against the individual filing such an

action if the court finds that the action was filed in bad faith or was frivolous. This paragraph does not apply to a state attorney or his or her duly authorized assistants or an officer charged with enforcing this section.

(b) Whenever a board or commission appeals a court order that has found the board or commission to have violated this section, and such order is affirmed, the court shall assess reasonable attorney fees for the appeal against such board or commission.

(8) An action taken by a board or commission which is found to be in violation of this section is not void as a result of that violation.

History.—s. 1, ch. 2013-227.

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