



506 WEST BERCKMAN STREET  
FRUITLAND PARK, FL 34731

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

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

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- I. INVOCATION:**
- II. ROLL CALL:**
- III. MINUTES FROM PREVIOUS MEETING:** Approve meeting minutes from May 16, 2019.
- 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 C-2 “General Commercial” and applicant wishes to rezone to RP “Residential Professional” for financing purposes.

**BOARD MEMBERS’ COMMENTS:**

**ADJOURNMENT:**



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<b>Board Members:</b> Connie Bame, Chairwoman Daniel Dicus Philip Purlee, Vice Chair Fred Collins Walter Birriel	<b>Others:</b> Tracy Kelley, CDD Kelly Turner, Administrative Assistant
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**MINUTES  
PLANNING & ZONING BOARD  
MAY 16, 2019  
6:00PM**

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- I. **INVOCATION:** Meeting called to order at 6:00PM. Board member Purlee led the invocation and Pledge of Allegiance.
- II. **ROLL CALL:** Board members present with the exception of Fred Collins. Present Tracy Kelley, CDD and Kelly Turner, Administrative Assistant.
- III. **MINUTES FROM PREVIOUS MEETING:** Board member Dicus made motion to approve meeting minutes from March 27, 2019. Second by Board member Purlee. Approved 4-0.
- IV. **OLD BUSINESS:** None
- V. **NEW BUSINESS:**

A. Picciola Reserve Phase 2 Minor Lot Split

Ken Wagner submitted application on behalf of registered property owner. Applicant proposes splitting existing lot into two lots to be used for single family homes with joint access off of Wood Duck Lane.

CDD Kelley introduced applicant Ken Wagner and gave introduction to minor lot split application. The property is about an acre in size and the applicant proposes to divide the property into two lots pursuant to Chapter 157.050 of the Land Development Regulations to be used for single family homes. CDD Kelley supplied Board members with a copy of the boundary survey. Three notices were sent out certified mail to subdivision property owner, Lake County Attorney, and Lake County Commission. Applicant Wagner approached the Board and stated city water and septic would be utilized on site as sewer is not available to the site. The site will be accessed from Wood Duck Lane with no means of access off of Picciola Road.

Board member Dicus made motion to approve Resolution 2019-018 granting lot split approval of property located northwest of Picciola Road and south of Wood Duck Lane. Second by Board member Purlee. Approved 4-0.

**BOARD MEMBERS' COMMENTS:** None.

**ADJOURNMENT:** Meeting adjourned at 6:06PM.



**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

Staff Use Only	
Case No.:	_____
Fee Paid:	_____
Receipt No.:	_____

## Development Application

Contact Information:

Owner Name: DGI Properties, LLC  
 Address: PO Box 8, YALAHUA, FL 34797  
 Phone: 351-324-0721 Email: ibld-4u@hotmail.com  
 Applicant Name: Debra L. Patterson  
 Address: PO Box 8 YALAHUA FL 34797  
 Phone: 352-272-8484 Email: ibld-4u@hotmail.com  
 Engineer Name: N/A  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Property and Project Information:

**PROJECT NAME\*:** "Fountain Street"  
\*A project name is required for all submissions. Please choose a name representative of the project for ease of reference.

Property Address: 205 E Fountain Street, Fruitland Park FL 34731 ALT KEY  
2573325  
 Parcel Number(s): E 90 FT OF W 390 FT OF N 110 FT OF BLK 15 PBI 3 Pages 8-9 Section: ORB 5207 Township: PG2001 19 Range: 24  
 Area of Property: 09-19-24-0400-015-06008 Nearest Intersection: 466A + US 27  
 Existing Zoning: C-2 Existing Future Land Use Designation: \_\_\_\_\_  
 Proposed Zoning: RP Proposed Future Land Use Designation: \_\_\_\_\_  
 The property is presently used for: C-2 - Vacant  
 The property is proposed to be used for: Residential or Residential Professional  
 Do you currently have City Utilities? YES

Application Type:

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

Please describe your request in detail: Change from C-2 zoning to RP - Property cannot be financed through conventional lenders due to C-2 zoning - Hardship  
Not saleable in current zoning restrictions.

**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.

Signature: [Handwritten Signature] Date: 5/14/19

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/](http://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:

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

#### Conditional Use Permit Applications:

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

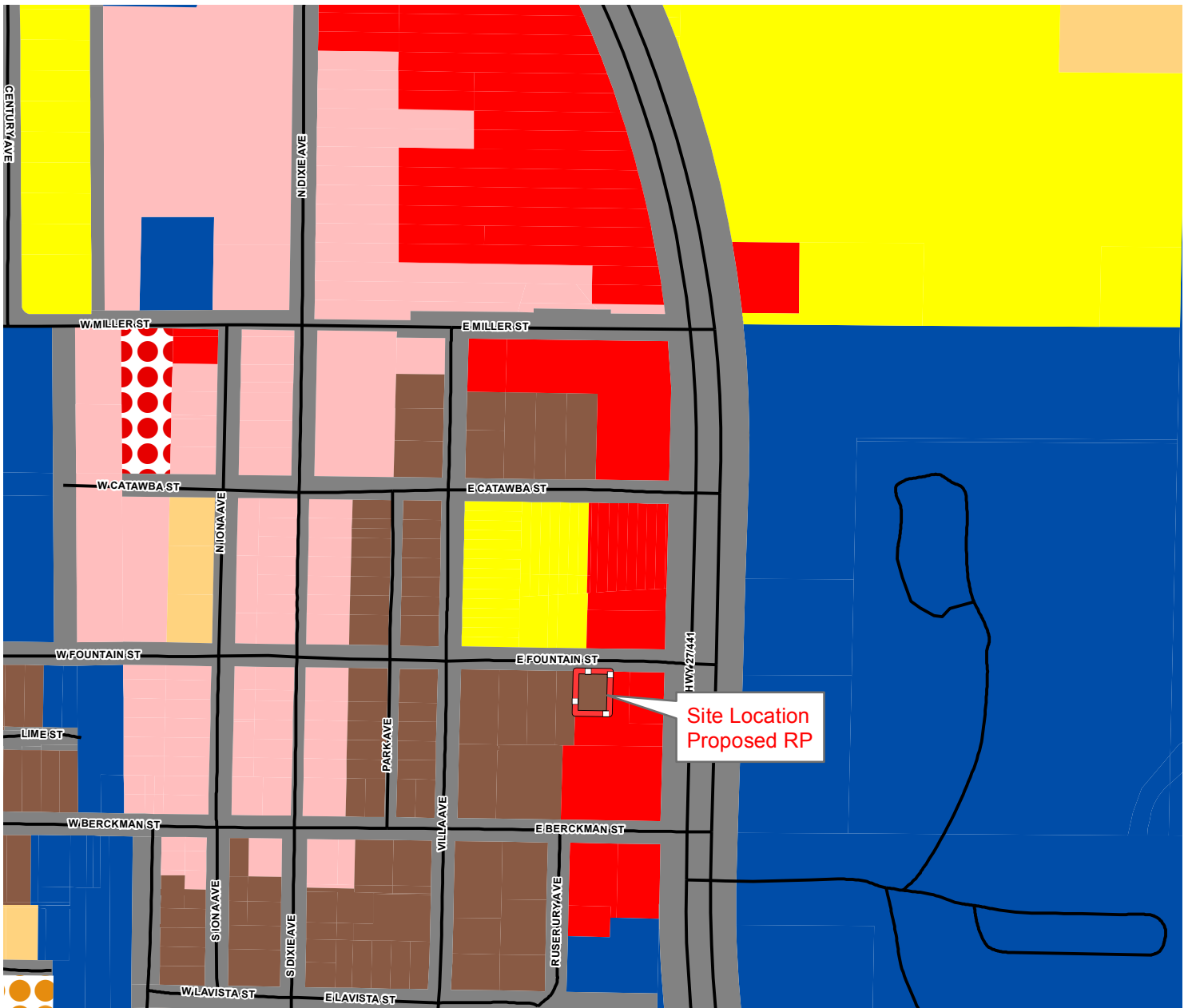
- As Described in LDRs, Chapter 160

# 205 E Fountain Street



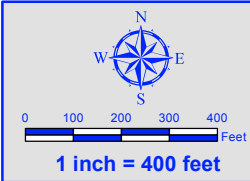
© 2017 Pictometry

03/01/2017



**Legend**

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



**City of Fruitland Park  
DGI Properties**  
Lake County, Florida  
Proposed Zoning - RP

Project: 398-19-01  
File: Proposed Zoning.mxd  
Name: DGI Properties  
PM: Sherie Lindh  
Date: May 17, 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

# PROPERTY RECORD CARD

## General Information

<b>Owner Name:</b>	DGI PROPERTIES LLC	<b>Alternate Key:</b>	2573325
<b>Mailing Address:</b>	PO BOX 8 YALAHA, FL 34797-0008 <a href="#">Update Mailing Address</a>	<b>Parcel Number:</b> <a href="#">i</a>	09-19-24-0400-015-00008
		<b>Millage Group and City:</b>	00F1 (FRUITLAND PARK)
		<b>Total Certified Millage Rate:</b>	17.7079
		<b>Trash/Recycling/Water/Info:</b>	<a href="#">My Public Services Map</a> <a href="#">i</a>
<b>Property Location:</b>	205 EAST FOUNTAIN ST FRUITLAND PARK FL 34731 <a href="#">Update Property Location</a> <a href="#">i</a>	<b>Property Name:</b>	-- <a href="#">Submit Property Name</a> <a href="#">i</a>
		<b>School Information:</b>	<a href="#">School Locator &amp; Bus Stop Map</a> <a href="#">i</a> <a href="#">School Boundary Maps</a> <a href="#">i</a>
<b>Property Description:</b>	FRUITLAND PARK, E 90 FT OF W 390 FT OF N 110 FT OF BLK 15 PB  3 PGS 8-9   ORB 5207 PG 2001		

NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.

## Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class	Value	Land Value
1	SINGLE FAMILY (0100)	90	110		90	FF	\$0.00		\$28,512.00

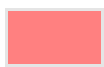

[Click here for Zoning Info](#) [i](#)

[FEMA Flood Map](#)

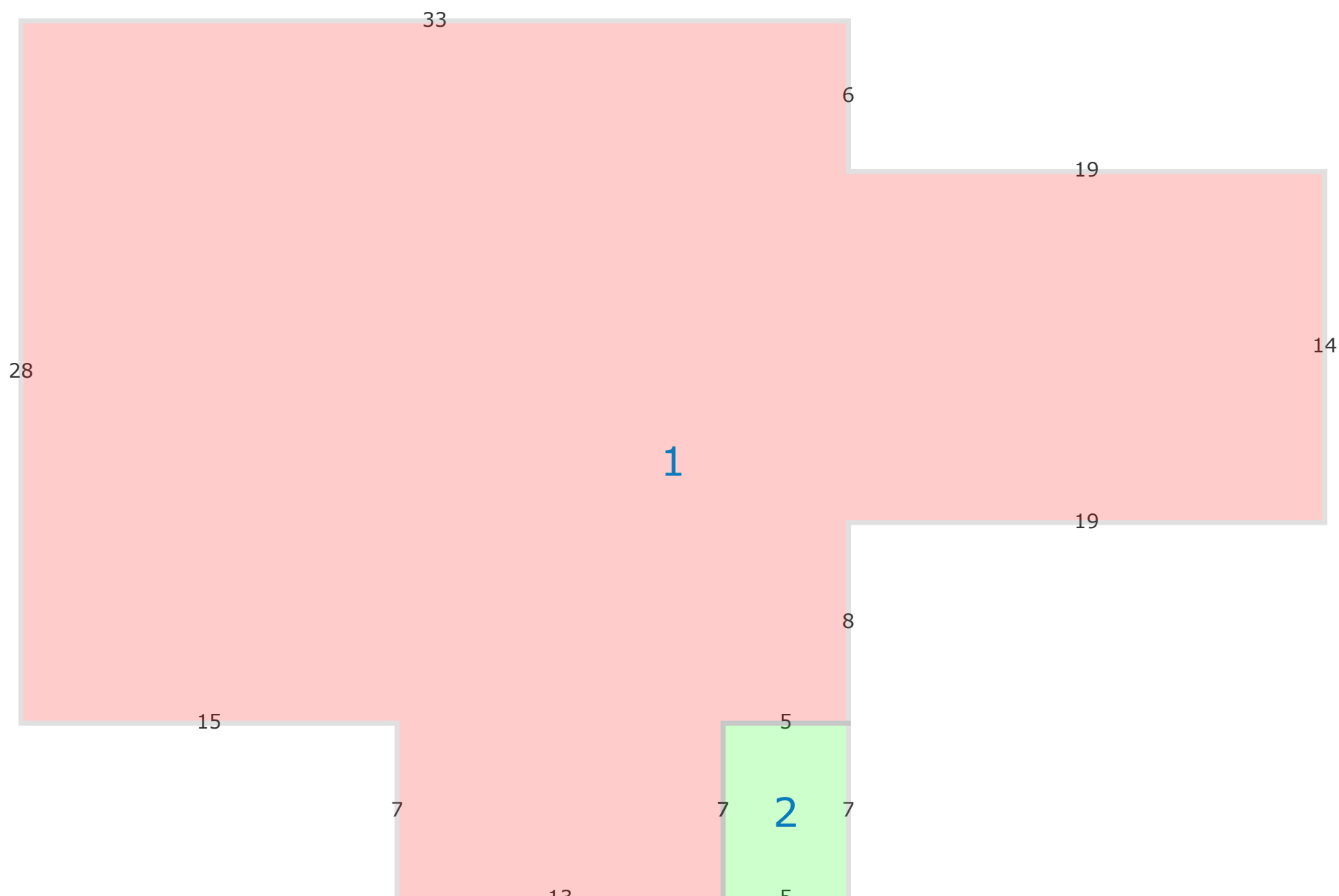
## Residential Building(s)

### Building 001

Residential	Single Family	Building Value: \$33,665.00	
<b>Summary</b>			
Year Built: 1948	Total Living Area: 1281 <a href="#">i</a>	Central A/C: No	Attached Garage: No
Bedrooms: 3	Full Bathrooms: 2	Half Bathrooms: 0	Fireplaces: 0
<a href="#">Incorrect Bedroom, Bath, or other information?</a> <a href="#">i</a>			
<b>Section(s)</b>			

Section No.	Section Type	Ext. Wall Type	No. Stories	Floor Area	Finished Attic	Basement	Basement Finished	Map Color
1	FINISHED LIVING AREA (FLA)	Block (002)	1	1281	N	0%	0%	
2	OPEN PORCH FINISHED (OPF)	No Wall Type (000)	1	35	N	0%	0%	

[View Larger / Print / Save](#)



## Miscellaneous Improvements

There is no improvement information to display.

## Sales History

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

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
<a href="#">5207 / 2001</a>	11/29/2018	Warranty Deed	Qualified	Improved	\$64,900.00
<a href="#">3418 / 2365</a>	4/17/2007	Quit Claim Deed	Unqualified	Improved	\$0.00
<a href="#">1314 / 1672</a>	8/1/1994	Quit Claim Deed	Unqualified	Improved	\$0.00
<a href="#">744 / 1404</a>	3/1/1982	Warranty Deed	Qualified	Vacant	\$21,000.00

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

## Values and Estimated Ad Valorem Taxes

**Values shown are 2019 WORKING VALUES subject to change until certified.**

The Market Value listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.



Prepared by and return to:  
Sultana L. Haque  
Attorney at Law  
StoneBridge Title Group, LLC  
2699 Lee Road, Suite 110  
Winter Park, FL 32789  
407-613-2080

File Number: SB18-2080

## Warranty Deed

The Warranty Deed made this November 29<sup>th</sup>, 2018 A.D. By Coreen M. Harris, a single woman, whose post office address is: 2025 Spring Lake Rd, Fruitland Park, Florida 34731 hereinafter called the grantor, to DGI Properties, LLC, a Florida limited liability company, whose post office address is: P.O. Box 8, Yalaha, Florida 34797, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Lake County, Florida, viz:

**That Part of Block 15 in the City of Fruitland Park, Florida, according to the plat thereof, recorded in Plat Book 3, page 9, Public Records of Lake county, Florida, bounded and described as follows: Begin at a Point on the North line of said Block 15 that is 300 feet East of the Northwest corner thereof, thence East along the North Line of said Block 15 a distance of 90 feet; thence South 110 feet; thence West 90 feet, thence North 110 feet to the point of beginning.**

Parcel ID Number: 09-19-24-0400-015-00008

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2017.

**NOTARY SIGNATURE AFFIDAVIT**

COUNTY OF Paulding

STATE OF Georgia

Please have the Notary Public complete the following:

Notary Name ( please Print): Sharon L. Driver

Address: 290 Burnt Hickory Road, Powder Springs, GA 30127

Phone ( Please include area code): (770) 361-1881

Notary: Please make a copy of

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Driver's License(s) or other picture identification of the person(s) signing the aforesaid document(s) and return with the executed documents.

I, the above described Notary Public hereby certify that I have checked te identification of the those parties who have signed before me, and I have attached copies of their Driver's License(s) or other picture identification. I have verified them to be the same as those described in the instruments acknowledged by me.

WITNESS my hand and official seal in the county and state aforesaid this 29<sup>TH</sup> day of November, A.D. 2018.

Notary Pubic Signature Sharon L. Driver

Printed Name: Sharon L. Driver

Commission Expires: June 17, 2019

Commission No: \_\_\_\_\_

**SHARON L DRIVER  
NOTARY PUBLIC  
PAULDING COUNTY  
STATE OF GEORGIA**  
My Commission Expires June 17, 2019

And Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

1st Witness Signature

J.P. BERNI SCIMKORIT

1st Witness Printed Name

Theresa S. Tritt

2nd Witness Signature

Theresa Tritt

2nd Witness Printed Name

State of Florida

County of Paulding

The foregoing instrument was acknowledged before me this 29<sup>TH</sup> day of November, 2018, by Coreen M. Harris, who is/are personally known to me or who has produced \_\_\_\_\_ as identification.

Coreen M. Harris

**Coreen M. Harris**

Address: 2025 Spring Lake Rd, Fruitland Park Florida 34731

Sharon L. Driver

Notary Public

Print Name: Sharon L. Driver

My Commission

Expires: June 17, 2019

**SHARON L DRIVER  
NOTARY PUBLIC  
PAULDING COUNTY  
STATE OF GEORGIA  
My Commission Expires June 17, 2019**

APPLICANT'S AFFIDAVIT

STATE OF Florida  
COUNTY OF Lake



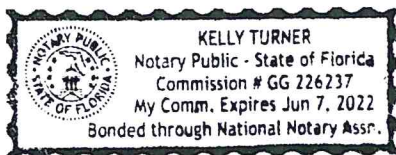
Before me, the undersigned authority, personally appeared Debra Patterson  
\_\_\_\_\_, who being by me first duly sworn on oath, deposes  
and says:

- 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 requesting from C2 to PP to allow property to be  
Sold and allow for bank financing # hardship  
under current C2 zoning

[Signature]  
Affiant (Applicant's signature)

Signed and sworn to (or affirmed before me on May 16, 2019  
(date) by Debra Patterson (name of affiant).  
He/she is personally known to me or has produced  
Florida Drivers License (type of identification) as  
identification.

Kelly Turner (Signature of Person Taking Acknowledgment)  
Kelly Turner (Name of Acknowledger Typed, Printed or Stamped)  
Notary Public (Title or Rank)  
GG 226237 (Serial Number, if any)



(NOTARY'S SEAL)

OWNER'S AFFIDAVIT

STATE OF FLORIDA  
COUNTY OF LAKE

RECEIVED BY  
COMMUNITY DEVELOPMENT  
MAY 16 2019  
DEPARTMENT  
CITY OF FRUITLAND PARK

Before me the undersigned authority, personally appeared Debra Patterson

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

- 1) That he is the fee-simple owner of the property legally described on attached page of this application.
- 2) That he desires re-zoning from C2 to RP to allow property to be sold and allow for bank lending \* hardship under current C2 zoning.
- 3) That he has appointed n/a to act as agent on his behalf to accomplish the above. The owner is required to complete the Applicant's Affidavit of this application if no agent is appointed to act on his/her behalf.

[Signature]  
Affiant (Owner's Signature)

State of Florida  
County of lake

The Foregoing instrument was acknowledged before me this 16<sup>th</sup> day of May, 20 19,  
by Debra L Patterson who is personally known to me or has produced  
Florida Drivers License 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

Kelley Turner  
Signature  
Kelley Turner  
Printed Name



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

## Detail by Entity Name

Florida Limited Liability Company

**DGI PROPERTIES, LLC**

### Filing Information

**Document Number** L16000029651  
**FEI/EIN Number** 81-1450233  
**Date Filed** 02/11/2016  
**Effective Date** 02/11/2016  
**State** FL  
**Status** ACTIVE

### Principal Address

131 Waterfont Way #220 Altamonte Springs Fl, 32701  
PO Box 8  
Yalaha, FL 34797

Changed: 04/01/2018

### Mailing Address

PO Box 8  
Yalaha, FL 34797

Changed: 04/01/2018

### Registered Agent Name & Address

**PATTERSON, DEBRA**

131 Waterfront Way  
#220  
Altamonte Springs, FL 32701

Address Changed: 04/01/2018

### Authorized Person(s) Detail

#### **Name & Address**

**Title MGR**

**PATTERSON, DEBRA**

131 Waterfront Way #220 Altamonte Springs Fl, 32701  
PO Box 8  
Yalaha, FL 34797

**NOTICE OF PUBLIC HEARINGS  
ORDINANCE 2019-004**

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 proposed Ordinance will be considered at the following public meetings:

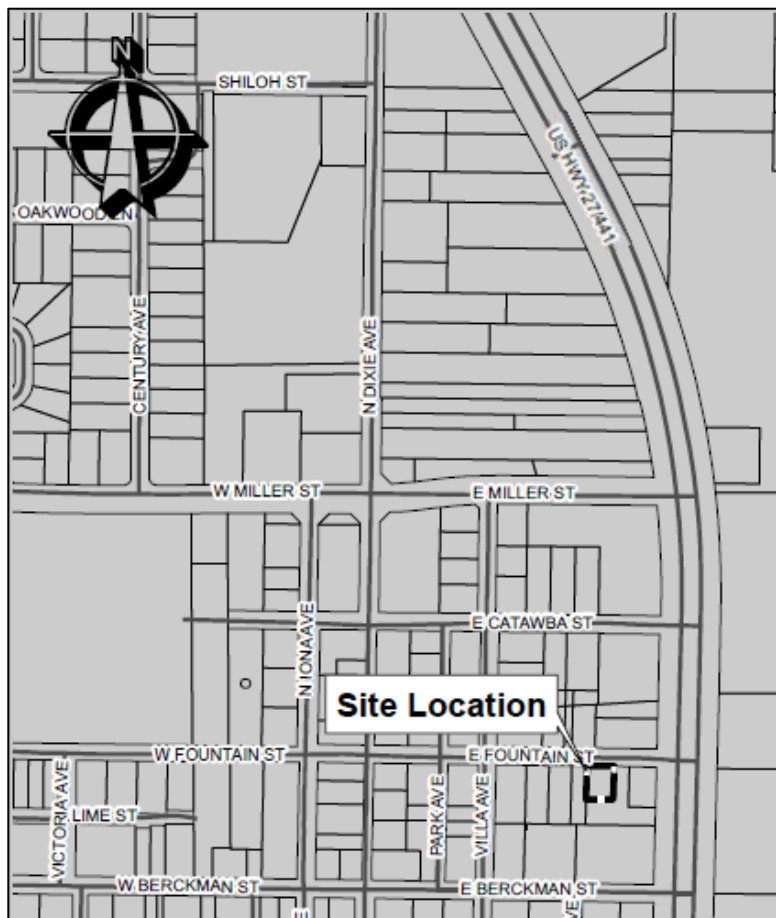
Fruitland Park Planning & Zoning Board Meeting on June 20, 2019 at 6:00 p.m.

Fruitland Park City Commission Meeting on June 27, 2019 at 6:00 p.m.

Fruitland Park City Commission Meeting on July 11, 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 C-2 General Commercial to RP Residential Professional.

Name of Applicant: Debra Patterson

Address or general location of property: 205 E Fountain St, Fruitland Park FL, 34731

Type of Zoning requested: Residential Professional

Reason for action: The owner desires rezoning for financing purposes.

Other information attached:      Yes   X   No       

\* \* \* \*

There will be a Public Hearing:

**Planning & Zoning Board**  
**City Commission 1<sup>st</sup> Reading**  
**City Commission Final Reading**

**Thursday, June 20, 2019 @ 6:00 p.m.**  
**Thursday, June 27, 2019 @ 6:00 p.m.**  
**Thursday, July 11, 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.***



ORDINANCE 2019 - 004

**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.**

**WHEREAS**, a petition has been submitted by DGI Properties, LLC, Debra Patterson, as Owner, requesting that approximately 0.23 acres of real property generally located south of East Fountain Street and west of US 27/441 (the "Property") be rezoned from General Commercial (C-2) to Residential Professional (RP) within the city limits of Fruitland Park; and

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

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

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

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

Section 1. The following described property consisting of approximately 0.23 ± acres of land generally located east of Fountain Street and south of US 27/441 shall hereafter be designated as RP, Residential Professional, as defined in the Fruitland Park Land Development Regulations. The property is more particularly described as:

**LEGAL DESCRIPTION:** That Part of Block 15 in the City of Fruitland Park, Florida, according to the plat thereof, recorded in Plat Book 3, page 9, Public Records of Lake county, Florida, bounded and described as follows: Begin at a Point on the North line of said Block 15 that is 300 feet East of the Northwest corner thereof, thence East along the North Line of said Block 15 a distance of 90 feet; thence South 110 feet; thence West 90 feet, thence North 110 feet to the point of beginning.

**Parcel Alternate Key No. 2573325**

Section 2. 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 3. That the zoning classification is consistent with the Comprehensive Plan of the City of Fruitland Park, Florida.

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

Section 7. This Ordinance shall become effective immediately upon adoption.

**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:

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

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

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

Passed First Reading \_\_\_\_\_

Passed Second Reading \_\_\_\_\_



**Development Application Review**  
**May 16, 2019**  
**Rezoning**

**Applicant:** DGI Properties, LLC  
**Ph:** 561-324-0721 **Email:** ibld-4u@hotmail.com

**Address:** PO Box 8  
Yalaha, FL 34797

**Project:** Fountain Street  
**Parcel ID:** 09-19-24-0400-010-0008 **Alt Key:** 2573325

Mrs. Patterson:

The City's Technical Review Committee (TRC) completed the review of the application submittal dated May 13, 2019 for rezoning and this document is to serve as notification of those responses and/or recommendations.

**Development Review:**

The application dated received is recommended to follow an informal TRC review. There are no other reviews required outside of land development and zoning regulations.

The initial application fees are as follows:

City Application Fee	\$115.00 PAID
City Land Planner Fee	\$370.00 PAID
Pre-Application Conference	<i>Actual Cost</i>
Advertisement	<i>Actual Cost</i>
Certified Mailings	<i>Actual Cost</i>

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 comments.

**City Engineer (BESH):**

No comments.

**City Land Planner:**

Staff recommends approval of the rezoning.

**Building Review:**

No comments.

**Fire Review:**

No comments.

**Lake County Public Works:**

No comments.

**Lake County Schools:**

The property currently supports a single-family dwelling. The application does not indicate an increase in residential density. Therefore, the school district does not have any comments for the Fountain Street rezoning.

**Police Review:**

No comments.

**City Staff Review:**

In closing the applicant is to submit Applicant and Owner Affidavits to be attached with the original application. Approval is recommended for rezoning from existing Commercial (C2) to Residential Professional (RP).

Please submit the required provisions under the City's Land Development Regulations Chapter 152 Administration; Section 152.040: Amendments; and review Chapter 154 Zoning District Regulations; Section 154.030: Residential Professional (RP) Zoning Classification.

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

**REZONING**

**Owner:** DGI Properties, LLC, Debra Patterson

**General Location:** West of US 27/441 and south of Fountain Street

**Number of Acres:** 0.23 ± acres

**Existing Zoning:** Commercial (C-2)

**Proposed Zoning:** Residential Professional (RP)

**Existing Land Use:** Central Business District

**Date:** May 14, 2019

**Description of Project**

The owners are seeking a zoning to RP for the subject site. The land use allows for a maximum ISR of 80%. Review of the property tax card indicates the site is developed with a residential unit of approximately 1,281 sf. The owner desires rezoning in order to obtain financing.

	<b>Surrounding Zoning</b>	<b>Surrounding Land Use</b>
<b>North</b>	C-2	Commercial
<b>South</b>	C-2	Central Business District
<b>East</b>	C-2	Central Business District
<b>West</b>	RP	Central Business District

**Assessment**

The permitted land uses within the CBD include retail, office, business, other professional services, and residential. The proposed rezoning is consistent with the comprehensive plan FLU Policy 1-1.8. The RP zoning district allows for residential, business, personal and financial services and is typically located within a transitioning area. The properties to the east are utilized as residential and commercial (day care center), the property to the north is utilized as auto repair and sales and the property to the west is residential. The area is transitioning from residential to commercial. The proposed rezoning is adjacent to RP zoning to the west, therefore, it would not be considered spot zoning.

**Recommendation**

Staff recommends approval of the rezoning.

**From:** [Lavalley, Helen C](#)  
**To:** [Kelly Turner](#)  
**Subject:** RE: TRC - 205 E. Fountain Street Rezoning  
**Date:** Wednesday, May 15, 2019 9:22:54 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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Kelly:

The property currently supports a single-family dwelling. The application does not indicate an increase in residential density. Therefore, the school district does not have any comments for the Fountain Street rezoning.

Please let me know if you have any questions.

Thank you,

*Helen LaValley*

Lake County Schools  
352-253-6694



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**From:** Kelly Turner <kturner@fruitlandpark.org>  
**Sent:** Tuesday, May 14, 2019 12:31 PM  
**To:** Tracy Kelley <tkelley@fruitlandpark.org>  
**Cc:** Amy Malone <amalone@besandh.com>; Anita Geraci (anita@agclaw.net) <anita@agclaw.net>; 'Beliveau, Greg' <gregb@lpgurp.com>; Brett Tobias <btobias@besandh.com>; Dale Bogle <dbogle@fruitlandpark.org>; Dan Hickey <dhipkey@fruitlandpark.org>; Donald Gilpin <dgilpin@fruitlandpark.org>; Duane Booth <duanebooth@besandh.com>; Erik D. Luce <eluce@fruitlandpark.org>; Gary La Venia <glavenia@fruitlandpark.org>; Jeff Gerling <jeff@alpha-florida.com>; Jeni Simken <jsimken@fruitlandpark.org>; Lavalley, Helen C <LavalleyH@lake.k12.fl.us>; Lori Davis <ldavis@fruitlandpark.org>; Sheila Kilgore (sheila@agclaw.net) <sheila@agclaw.net>; sherie@lpgurp.com; SLynch@lakecountyfl.gov; Tracy Garcia <tgarcia@lakecountyfl.gov>; Tracy Kelley <tkelley@fruitlandpark.org>  
**Subject:** TRC

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