



**506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731**

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

TRC COFP Members:

City Manager Gary La Venia, Chairman
Police Chief Eric Luce, Vice Chair
City Attorney
Building Official
Community Development Director
Code Enforcement Officer
Engineer - Halff
Fire Chief
Fire Inspector
Land Planner LPG
Public Works Director

TRC Members:

City of Leesburg Utilities
Lake County School Board
Lake County Public Works Department
Lake County Economic Development

**AGENDA
TECHNICAL REVIEW COMMITTEE (TRC)
May 7, 2024
10:00AM**

- I. MEETING START TIME:**
- II. MEMBERS PRESENT:**
- III. MEETING NOTES FROM PREVIOUS MEETING:** Meeting minutes from February 6, 2024 included for review/comment.
- IV. OLD BUSINESS: NONE**

NEW BUSINESS:

A. Fruitland Hills Variance (aka Gardenia East) & Preliminary Plat – Alternate key: 2872098

The proposed project is comprised of approximately 13.44+/- acres, located east of US Hwy 27/441, north of Register Road and south of Cooke Dr. The applicant seeks to develop 46 single-family homes on 50' wide lots and is requesting preliminary plat approval and a variance from Chapter 164, Section 164.050. A variance is requested for lots 38 – 44, which requires each lot to have a minimum of 3 canopy trees, with a minimum 12' height and a 1 ½" DBH. The applicant also requests that City Commission find that 6 historic and 8 specimen trees be removed from the property in order to develop the site.

B. Vacation of Dixie Blvd—Alternate Keys: 1431824 and 2764902

The applicant is requesting the road vacation of that portion of Dixie Blvd adjacent to 706 and 708 S. Dixie (Lots 4, 5 and 6, Block D of First Addition to Dream Lake Subdivision) to allow contiguous use of the property lying on both sides of the road.

BOARD MEMBERS' COMMENTS:

PUBLIC COMMENTS:

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

ADJOURNMENT:



**506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731**

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TRC COFP Members:

City Manager Gary La Venia, Chairman
Police Chief Eric Luce, Vice Chair
City Attorney
Building Official
Community Development Director
Code Enforcement Officer
Engineer - Halff
Fire Chief
Fire Inspector
Land Planner LPG
Public Works Director

TRC Members:

City of Leesburg Utilities
Lake County School Board
Lake County Public Works Department
Lake County Economic Development

**MINUTES
TECHNICAL REVIEW COMMITTEE (TRC)
February 6, 2024
10:00AM**

- I. MEETING START TIME: 10:05 AM**
- II. MEMBERS PRESENT: Michael Rankin (Interim Community Development Director), Brett Tobias (Halff Engineering), Anita Geraci-Carver (City Attorney), Robb Dicus (City Public Works Director), Sharon Williams (Administrative Manager), Kelli Fielder (Certified Permit Tech), & Emily Church (Office Assistant).**
- III. MEETING NOTES FROM PREVIOUS MEETING:** Meeting minutes from December 5, 2023 included for review/comment. No corrections or deletions.
- IV. OLD BUSINESS: NONE**

NEW BUSINESS:

A. Thiele Micro Racetrack Rd Garage Major Site Plan

A site plan submittal for a 24,000 square foot private garage allowed per Special Exception Use (Ordinance 2023-007). Conditions of the SEU include no outside storage, garage to be used solely for purpose of storage of property owner's personally owned vehicles, 40% building perimeter landscaping (3' minimum, average 5' with 1 canopy tree or 3 understory trees and 28 shrubs for every 350 SF of planting area), and connect to City sewer within 180 days after notice from the City. The maximum ISR is .70, maximum FAR is .50 f and a maximum building height of thirty-five (35) feet for the C-2 zoning

district.

Chris Thompson of Z Development was present on behalf of the Owner.

Brett Tobias of Halff Engineering did not have comments of their own but did re-state Lake County Public Works comments regarding driveway connection permits and drainage. The applicant at this point has attempted to reach Seth Lynch of Lake County for clarification on comments and to date has not heard back. The city has asked to be looped in on correspondence to the county.

Halff Engineering is satisfied with the drainage; it meets the city's criteria but recognizes that Lake County may have additional criteria though the area available for a spreader swale is narrow. Both the engineer and the applicant would like clarification as to why boring rather than trenching for the water main connection is desired as it would limit access for any future connections. Both Engineering and the City's Public Works Director would prefer a trenched main for this practical reason as the city will be required to maintain it.

The City Attorney states we need the right of dedication for the county but is unsure how that process functions on the applicant's end when dealing with Lake County Public Works – recommends reaching out to Seth Lynch for more information. Typically the city receives a sketch of description and it is forwarded to Lake County. The city will need a copy of the deed at the end of the right-of-way dedication process.

Land Planning states that a species study is highly recommended and there were a few small landscaping items that need to be addressed. The Sand Skink study should be conducted in March to May.

Chris Thompson inquired about traffic load on Micro Racetrack and Land Planning and Engineering confirmed that it has been the County's desire to expand the road to meet the usage.

Public Works Director commented that when sewer is available in the area the property will be required to connect.

Thompson would like to submit building permits at the owners risk to begin the permit review process during this time.

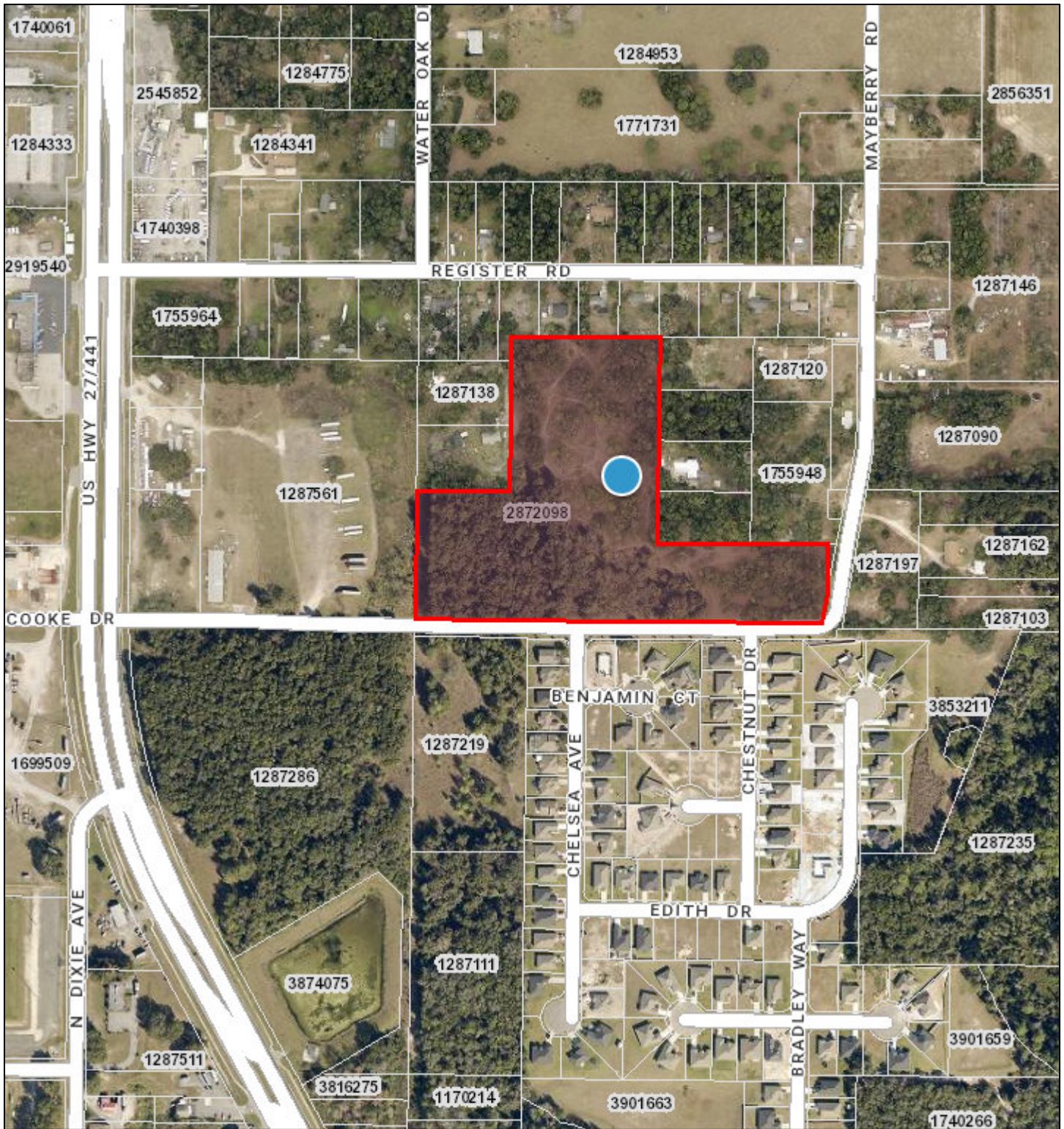
BOARD MEMBERS' COMMENTS:

PUBLIC COMMENTS:

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

ADJOURNMENT: 10:36 AM

FRUITLAND PARK PSP LOCATION MAP





February 6, 2023





1:5,000

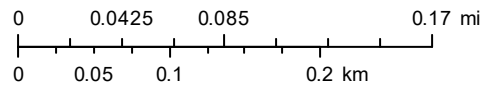
pointLayer

 Override 1

polygonLayer

 Override 1
 County Boundary

 Surrounding Counties
 Street Names
 Local Streets 5K
 Tax Parcels Alternate Key
 Tax Parcels



Lake County Property Appraiser
 Lake BCC

Return to:
City Clerk
City of Fruitland Park
506 W. Berckman St.
Fruitland Park, FL 34131

RESOLUTION 2024-XX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING FOR LOTS 1-37, 45 - 46 A VARIANCE TO THE LAND DEVELOPMENT REGULATION (LDR) SECTION 164.050 WHICH REQUIRES EACH LOT TO INCLUDE A MINIMUM OF THREE CANOPY TREES WITH A MINIMUM HEIGHT OF 12-FEET AND 1 ½” DIAMETER AT BREAST HEIGHT AND INSTEAD SUBSTITUTE 1-CANOPY TREE AND 1-UNDERSTORY TREE WITHIN THE PROPOSED FRUITLAND HILLS SUBDIVISION OWNED BY MRSF1, LLC, PROVIDING FOR AN EXPIRATION DATE; PROVIDING FOR SCRIVENER’S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Gemini Land Development Inc. as applicant on behalf of the owner has petitioned for variances for property located at E of US Hwy 27/441, North of Register Road, West of Mayberry Road, in the City of Fruitland Park, Florida; and

WHEREAS, the applicant requests a variance to the following LDR requirement which requires a minimum of three canopy trees on a residential lot:

- Chapter 164, Section 164.050 Tree Requirements. No certificate of occupancy shall be issued by the City Manager or designee on new single family or duplex dwelling units unless the parcel has the minimum number of approved canopy trees.
- A minimum of three (3) canopy trees with a minimum of twelve (12) feet in height and a 1 1/2” DBH or existing approved canopy trees with an equal or greater height and DBH will be required per lot. Applicant shall submit landscape plans prior to issuance of building permit.
- For single family or duplex dwellings within a new subdivision, additional trees may be required pursuant to the 40% replacement requirements as stated within the tree removal permit. In such cases, the required number of replacement trees shall be divided by the number of lots approved for the subdivision. The resulting number shall be added to the minimum tree requirements for each lot.

WHEREAS, this request has met the public notice requirements set forth in Chapter 168 of the City of Fruitland Park Land Development Regulations; and

WHEREAS, the City Commission has considered the petition in accordance with standards for the granting of variances from landscaping requirements contained in Section 164.060 Chapter 164, City of Fruitland Park Land Development Regulations and

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

1. The City Commission has determined that the requirement of a minimum of three (3) canopy trees per lot on lots that are less than 6000 square feet is excessive or unreasonable due to unusual site restrictions.

2. The City Commission has further determined that the root zone of canopy trees is approximately 450 square feet and taking into consideration the lot size, building pad, and root zone, three canopy trees per lot is excessive.

3. The City Commission has further determined that the variance is consistent with the Comprehensive Plan for the City of Fruitland Park and Code, and will not adversely affect the public interest.

4. The variance will not adversely affect the public health, safety and general welfare of the citizens of the City of Fruitland Park.

5. The petition for variance filed by Gemini Land Development Inc. for property located at E of US Hwy 27/441, North of Register Road, West of Mayberry Road, in the City of Fruitland Park, Florida, more particularly described as:

LEGAL DESCRIPTION: SEE EXHIBIT “A” attached hereto and incorporated herein.

is **GRANTED** as follows:

1. Variance to Chapter 164, Section 164.050 Tree Requirements. In lieu of three canopy trees on proposed Lots 1-37, 45 and 46, Fruitland Hills, these lots must have one canopy tree (a minimum of 12-ft in height and 1 ½” DBH) and one understory tree (a minimum of 6-ft in height and ½” DBH).
2. Scrivener’s errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original resolution or a certified copy of the resolution and attaching the correct legal description.
3. This variance shall become effective immediately on its approval and adoption by the City Commission of the City of Fruitland Park, Florida.

PASSED AND RESOLVED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2024.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:
Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

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

Passed First Reading _____

(SEAL)

Exhibit "A"
LEGAL DESCRIPTION

DESCRIPTION - O.R. 1003, PAGE 1473

THAT PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGIN AT A POINT ON THE WEST LINE OF SAID SECTION 3 THAT IS 914.4 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 3, RUN THENCE SOUTH ALONG SAID WEST LINE 405.6 FEET; THENCE EAST 274 FEET; THENCE NORTH 405.6 FEET; THENCE WEST 274 FEET TO THE POINT OF BEGINNING. ALSO BEGIN AT A POINT 274 FEET EAST OF THE SOUTHWEST CORNER OF THE SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER; RUN THENCE EAST 101 FEET; THENCE NORTH 521 FEET; THENCE EAST 334 FEET; THENCE NORTH 341 FEET; THENCE WEST 435 FEET TO A POINT NORTH OF THE POINT OF BEGINNING; THENCE SOUTH 862 FEET TO THE POINT OF BEGINNING. ALSO, THE SOUTH 258 FEET OF THE WEST 506 FEET OF THE EAST 611 FEET OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER AND THE WEST 334 FEET OF THE EAST 945 FEET OF THE SOUTH 521 FEET OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER, ALL IN SECTION 3, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA. LESS THAT PART OF THE ABOVE-DESCRIBED PARCELS CONVEYED TO LAKE COUNTY BY DEED RECORDED IN OFFICIAL RECORDS BOOK 335, PAGE 586, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

ALSO:

THAT PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3, TOWNSHIP 19 SOUTH, RANGE 24 EAST, RUN NORTH 89°52'25" EAST 375.0 FEET FOR A POINT OF BEGINNING, THENCE NORTH 00°15'30" EAST 521.0 FEET, THENCE NORTH 89°52'25" EAST 5.73 FEET, THENCE SOUTH 00°27'55" WEST 521.0 FEET, THENCE WEST TO THE POINT OF BEGINNING.

THIS DEED IS MADE SUBJECT TO EASEMENTS AND RESERVATIONS OF RECORDS.

CONTAINING 13.447 ACRES, MORE OR LESS.



March 20, 2024

LPG Urban & Regional Planners, LLC
ATTN: Sherie Lindh
1162 Comp Avenue
Mount Dora, FL 32757

Re: Fruitland Hills Subdivision
Variance Request for Information
Review Criteria Justification Letter

Subject: Fruitland Hills Subdivision Variance Request for Preliminary Plan
Review Criteria Justification Letter

Dear Ms. Lindh,

We submitted a Variance Request Application to the City of Fruitland Park on February 29, 2024 along with supplemental required information. We since your email request dated March 18, 2024 requesting additional information as outlined in Chapter 168, Section 168.010(f). We have provided responses to the Review Criteria requested below in **bold**.

We would like to request a variance from the following:

1. Chapter 164, Section 164.090(6)(f)50 historical or specimen trees shall not be removed without the finding of the City Commission that the tree is a hazard or that it is not feasible to develop the site without removing the tree.

Justification meeting the criteria set forth in s.168.010(f) is as follows: We are saving 6 historic trees and 8 specimen trees. The historic and specimen trees being proposed to be removed are within developable areas for roads, utilities, stormwater improvements, adverse grades or are unsafe.

2. Chapter 164, Section 164.050, which requires each lot will require a minimum of three (3) canopy trees with a minimum of 12' in height and a 1 ½" DBH.

Justification meeting the criteria set forth in s.168.010(f) is as follows: Per staff's recommendation, we are proposing that this requirement be intended for only the larger lots (Lots 38 through 44) and all other lots plant one (1) canopy tree and one (1) understory tree (a minimum of 6' and a ½" DBH) be planted in lieu of three (3) canopy trees due to the development footprint of the proposed building pads. An understory tree planted in the rear yard would provide shade, aesthetics, and should not interfere with the proposed building pad.

Review Criteria

When reviewing an application for a variance, the Planning and Zoning Board and the City Commission shall consider the following requirements and criteria:

- 1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;
The Applicant acknowledges and has provided documentation with the original variance application package (and included above) stating that certain conditions exist with regards to grading the site and placement of proposed building pads and infrastructure which is the reason for these variance requests.

- 2) The special conditions and circumstances are not the results of actions of the applicant and/or registered property owner;

The special conditions are not results of actions of the applicant or registered property owner. These conditions are imposed on the site plan and proposed infrastructure. All means have been taken to save as many trees existing trees as possible.

- 3) Literal interpretation and enforcement of the Land Development Code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code, and would work unnecessary undue hardship on the applicant;

The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;

The variance, if granted, would allow construction of this property that is currently zoned PUD to include 46 single family homes, infrastructure, ponds, and recreational areas.

- 4) Granting of the variance request will not confer on the applicant any special privilege that is denied by the Land Development Code to other lands, buildings or structures in the same zoning district; and

The variance, if granted, will not confer on the applicant any special privilege. This would allow construction of this property that is currently zoned PUD to include 46 single family homes, infrastructure, ponds, and recreational areas.

- 5) The granting of the variance will be in harmony with the general intent and purpose of the Land Development Code, and will not be injurious to the surrounding properties or detrimental to the public welfare.

The variance, if granted, will be in harmony with the general intent and purpose of the current LDC. This would allow construction of this property that is currently zoned PUD to include 46 single family homes, infrastructure, ponds, and recreational areas.

Should you have any questions or need additional information please contact me at 407-247-3581 or nicole@geminild.com.

Best Regards,



Nicole C. Gargas
Gemini Land Development, Inc.

c: Ryan Hinricher
Bobby Johnson
Emily Church
Sharon Williams

Return to:
City Clerk
City of Fruitland Park
506 W. Berckman St.
Fruitland Park, FL 34131

RESOLUTION 2024-XX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING PRELIMINARY PLAT APPROVAL OF FRUITLAND HILLS SUBDIVISION GENERALLY LOCATED EAST OF U.S. HIGHWAY 27/441, NORTH OF REGISTER ROAD AND WEST OF MAYBERRY ROAD; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Gemini Land Development Inc. as applicant on behalf of the owner has petitioned for preliminary plat approval of Fruitland Hills Subdivision consisting of a maximum of 46 residential dwelling units; and

WHEREAS, the subject property consisting of 13.44 +/- acres is zoned PUD and has a future land use of MFMD; and

WHEREAS, the Planning and Zoning Board and the City Commission have considered the application in accordance with Sec. 157.060(d) of the City of Fruitland Park Land Development Code and made recommendation to the City Commission; and

WHEREAS, the City Commission of the City of Fruitland Park has considered the application in accordance with the procedures for granting preliminary plan approval set forth in Sec. 157.060(d) of the City of Fruitland Park Land Development Code; and

WHEREAS, the City Commission finds that the Preliminary Plan for the Village at Lake Geneva is in compliance with the City's land development regulations.

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

Section 1. Granting Preliminary Plan Approval.

Approval of the Preliminary Plan for the Village at Lake Geneva, a copy of which is attached hereto, is **GRANTED WITH CONDITIONS**.

Section 2. Conditions of Approval. Prior to the start of any construction activities, the Applicant shall resolve, to the satisfaction of the town manager or designee, the following Planning and Administrative matters:

Section 3. Effective Date.

This resolution shall become effective immediately upon its passage.

PASSED AND RESOLVED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2024.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:
Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

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

Passed First Reading _____

(SEAL)

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

PRELIMINARY PLAN/PLAT AND VARIANCE

Owner: MRSF1 LLC

Applicant: Nicole Gargas, Gemini Land Development, Inc.

General Location: E of US Hwy 27/441, N of Register Rd, W of Mayberry Rd

Number of Acres: 13.44 ± acres

Existing Zoning: PUD

Existing Land Use: Multi-Family Low Density (4-8 units/acre)

Date: March 20, 2024

Description of Project

The applicant is requesting preliminary plat approval and a variance from Chapter 164, Section 164.050 which requires each lot to have a minimum of 3 canopy trees for the Fruitland Hills Subdivision (FKA Gardenia East) for 46 single family detached units. Proposed development must be consistent with Ordinance 2018-010.

	Surrounding Zoning	Surrounding Land Use
North	R-6	Lake County Urban Medium (12 units/net acre)
South	R-3	City MF High Density
East	R-1	Lake County Urban Medium and Lake County Urban Low (4 units/net acre)
West	CP and R-1	Lake County Urban Medium

Assessment

The revised tree removal data submitted on Sheet L-1 indicates tree removal of 220 trees which includes 5 historic trees (36" or greater) and 17 specimen trees (24" to 35"). The applicant is saving 6 historic trees and 8 specimen trees. Pursuant to Chapter 164, Section 164.090(6)(f) historical or specimen trees shall not be removed without the finding of the City Commission that the tree is a hazard or that it is not feasible to develop the site without removing the tree. The applicant indicates that the historic and specimen trees being removed are within

developable areas for roads, utilities, stormwater improvements, adverse grades or are unsafe and are proposed for removal.

The applicant is requesting a variance from Chapter 164, Section 164.050, which requires each lot will require a minimum of three (3) canopy trees with a minimum of 12' in height and a 1 ½" DBH. The applicant is proposing that this requirement be for only the larger lots (Lots 38 through 44) and all other lots plant one (1) canopy tree due to the development footprint. Based on staff's experience, the root zone for canopy trees is approximately 450 square feet and the root zone for understory trees is approximately 150 square feet. Should the City Commission approve a lesser tree planting, staff would recommend that one (1) canopy tree and one (1) understory tree (a minimum of 6' and a ½" DBH) be planted in lieu of three (3) canopy trees. An understory tree planted in the rear yard would provide shade, aesthetics, and should not interfere with the proposed building pad.

The applicant has submitted the following in response to the review criteria for variances.

f) Review Criteria

When reviewing an application for a variance, the Planning and Zoning Board and the City Commission shall consider the following requirements and criteria:

- 1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;

The applicant acknowledges and has provided documentation with the original variance application package (and included above) stating that certain conditions exist with regards to grading the site and placement of proposed building pads and infrastructure which is the reason for these variance requests.

- 2) The special conditions and circumstances are not the results of actions of the applicant and/or registered property owner;

The special conditions and circumstances are not the results of actions of the applicant and/or registered property owner.

- 3) Literal interpretation and enforcement of the Land Development Code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code, and would work unnecessary undue hardship on the applicant;

The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;

The variance, if granted, would allow construction of this property that is currently zoned PUD to include 46 single family homes, infrastructure, ponds, and

recreational areas.

- 4) Granting of the variance request will not confer on the applicant any special privilege that is denied by the Land Development Code to other lands, buildings or structures in the same zoning district; and

The variance, if granted, will not confer on the applicant any special privilege. This would allow construction of this property that is currently zoned PUD to include 46 single family homes, infrastructure, ponds, and recreational areas.

- 5) The granting of the variance will be in harmony with the general intent and purpose of the Land Development Code, and will not be injurious to the surrounding properties or detrimental to the public welfare.

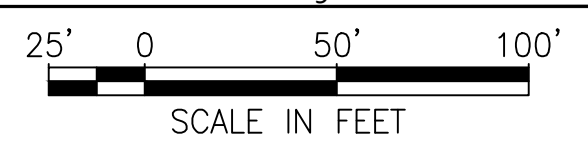
The variance, if granted, will be in harmony with the general intent and purpose of the current LDC. This would allow construction of this property that is currently zoned PUD to include 46 single family homes, infrastructure, ponds, and recreational areas.

Recommendation

The applicant has revised the proposed tree removal and has made efforts to save approximately 50% of the historic and specimen trees onsite.

Chapter 164, Section 164.050 does not take into account the size of lots as it was written to address the typical single family minimum lot size of 8,000 to 10,000 square feet per the zoning regulations of Chapter 154. As outlined above, the root zone of canopy trees is approximately 450 square feet and the root zone of understory trees is approximately 150 square feet. Taking into consideration the lot size, building pad, and root zone, staff would recommend that the smaller lots provide one (1) canopy tree and one (1) understory tree in lieu of three (3) canopy trees.

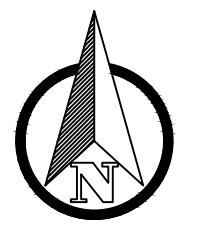
Staff recommends approval of the preliminary plat subject to approval by the City Commission of the removal of the historic and specimen trees and variance request.



Key Map:

LEGEND

- PROPERTY LINE
- CENTER LINE
- RIGHT OF WAY
- ⑥ PARKING COUNT



NOTES:

1. CONTRACTOR SHALL VERIFY FINAL BUILDING DIMENSIONS WITH ARCHITECTURAL PLANS.
2. ALL DIMENSIONS ARE TO FACE OF CURB, BUILDING FACE (OUTSIDE WALL OR VENEER), EDGE OR PAVEMENT (WHERE CURB IS NOT PRESENT), OR PROPERTY LINE, UNLESS OTHERWISE NOTED.
3. REFER TO FDOT INDEX No. 17346 FOR STRIPING & MARKING DETAILS.
4. REFER TO MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (LATEST EDITION) FOR SIGNAGE DETAILS.
5. SIDEWALK LOCATIONS TO BE COORDINATED WITH ARCHITECT.
6. THE SITE IS NOT WITHIN A FEMA FLOOD HAZARD AREA (FHA).
7. THERE ARE NO WETLANDS ONSITE.



RECREATION AREA EQUIPMENT
N.T.S.

SITE DATA

GENERAL	PROVIDED	REQUIRED
ZONING	PUD	
PROPOSED UNITS FOR THIS PSP	46 LOTS	
MINIMUM LOT SIZE	50'X100'	40'X100'
TOTAL GROSS ACRES	13.44 Ac.	
TOTAL RIGHT OF WAY DEDICATION	.22 Ac.	
ELECTRIC AND GAS EASEMENTS	.51 Ac.	
TOTAL DEVELOPABLE ACRES	12.71 Ac.	
TOTAL DEVELOPABLE DENSITY	3.62 DU/Ac.	
TOTAL STORMWATER PROVIDED	1.73 Ac.	
LIFT STATION TRACT	0.05 Ac.	
TOTAL OPEN SPACE PROVIDED	3.48 Ac.	3.36 Ac. 25% of TOTAL AC
PARK/OPEN SPACE	.81 Ac.	
LANDSCAPE BUFFER	1.29 Ac.	
POND TRACTS (50%)	.87 Ac.	
EASEMENT	.51 Ac.	
MAX. STRUCTURE HEIGHT	35'	35'
MINIMUM LIVING AREA	2600 S.F.	1200 S.F.

PHASING

THIS PROJECT WILL BE DEVELOPED IN ONE PHASE.

MISCELLANEOUS

POTABLE & REUSE WATER SERVICE:	CITY OF FRUITLAND PARK
WASTEWATER SERVICE:	CITY OF FRUITLAND PARK
STORMWATER MAINTENANCE WITHIN ROW:	CITY OF FRUITLAND PARK
STORMWATER POND MAINTENANCE:	HOA
ELECTRIC SERVICE:	CITY OF LEESBURG
FIRE PROTECTION:	LAKE COUNTY
SCHOOL AGE POPULATION:	46 UNITS x 0.431 = 20

SETBACKS

FRONT	20'
FRONT GARAGE	25'
SIDE: LOT	5'
SIDE: LOCAL ROADWAY	20'
REAR	10'
ACCESSORY STRUCTURES	5'

DRAINAGE/UTILITY EASEMENTS

FRONT	20'
SIDE	5'
REAR	10'

PARKING

2 SPACES PER UNIT	92 SPACES
STREET PARKING	7 PARALLEL & 4 STANDARD SPACES

SIGNAGE

SIGNAGE SHALL COMPLY WITH CITY OF FRUITLAND PARK DEVELOPMENT STANDARDS.

LIGHTING

LIGHTING SHALL COMPLY WITH CITY OF FRUITLAND PARK DEVELOPMENT STANDARDS.

OWNERSHIP / MAINTENANCE

ROADWAYS (ROW-1 & ROW-2)	PUBLIC	TO BE OWNED AND MAINTAINED BY THE CITY OF FRUITLAND PARK
STORMWATER TRACTS (SW-1 THRU SW-2)	PRIVATE	TO BE OWNED AND MAINTAINED BY HOMEOWNERS ASSOCIATION
DRAINAGE EASEMENTS	PUBLIC	TO BE OWNED AND MAINTAINED BY HOMEOWNER WITH EASEMENT GRANTED TO THE CITY OF FRUITLAND PARK
UTILITY EASEMENTS (FRONTING LOTS)	PUBLIC	TO BE OWNED AND MAINTAINED BY HOMEOWNER WITH EASEMENT GRANTED TO THE CITY OF FRUITLAND PARK
SANITARY SEWER & POTABLE WATER SYSTEM	PUBLIC	TO BE OWNED AND MAINTAINED BY THE CITY OF FRUITLAND PARK
LIFT STATION TRACT (LS-1)	PUBLIC	TO BE OWNED AND MAINTAINED BY THE CITY OF FRUITLAND PARK
OPEN SPACE TRACTS (OS-1 THRU OS-6)	PRIVATE	TO BE OWNED AND MAINTAINED BY HOMEOWNERS ASSOCIATION
4 & 5' SIDEWALK (WITHIN ROW)	PUBLIC	TO BE OWNED AND MAINTAINED BY THE CITY OF FRUITLAND PARK
LANDSCAPE/WALL EASEMENTS/TRACTS (LA-1 THRU LA-2)	PRIVATE	TO BE OWNED AND MAINTAINED BY HOMEOWNERS ASSOCIATION
EXISTING POWER EASEMENTS (FPC-1)	PUBLIC	TO BE OWNED AND MAINTAINED BY UTILITY COMPANY

ALL DESIGNS/PLANS IN THIS PUBLICATION ARE PROTECTED UNDER THE COPYRIGHT LAW. REPRODUCTION OF THE ILLUSTRATIONS OR WORKING DRAWINGS BY ANY MEANS IS STRICTLY PROHIBITED UNLESS LICENSED BY GEMINI LAND DEVELOPMENT, INC.

Consultant(s) / Note(s)

NO.	DATE:	DESCRIPTIONS:
4	2/27/24	Revised per City of FP TRC Comments
3	2/5/24	Revised per City of FP TRC Comments
2	1/8/24	Revised per City of FP TRC Comments
1	11/13/23	Revised per City of FP TRC Comments

DATE: 09-13-23
VERTICAL DATUM: NAVD88
JOB NO.: 23-005
DESIGNED BY: NCG
DRAWN BY: NCG
CHECKED BY: RMJ
APPROVED BY: NCG
SCALE (FT): 1" = 20'

PRELIMINARY SUBDIVISION PLANS

Jurisdiction:

City of Fruitland Park, FL

Sheet Title:

SITE & GEOMETRY PLAN

Sheet No.

C3.00

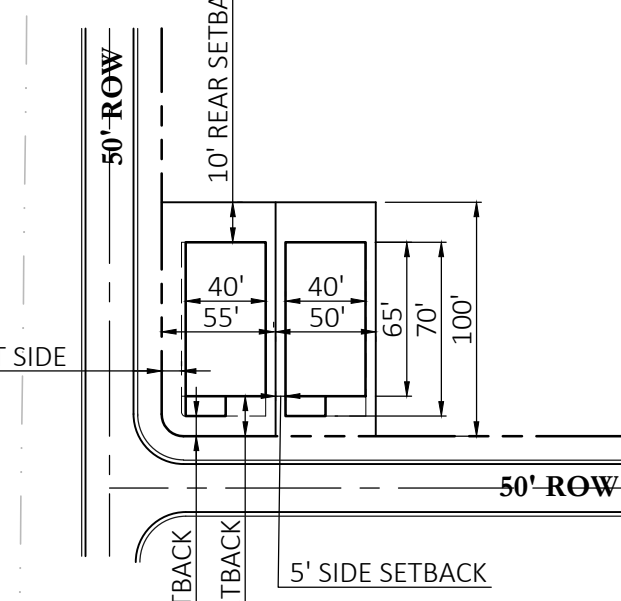
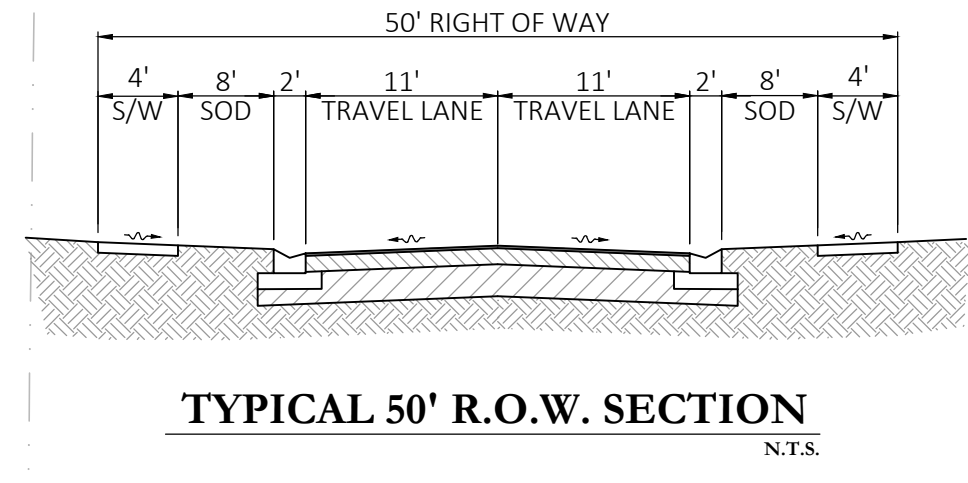
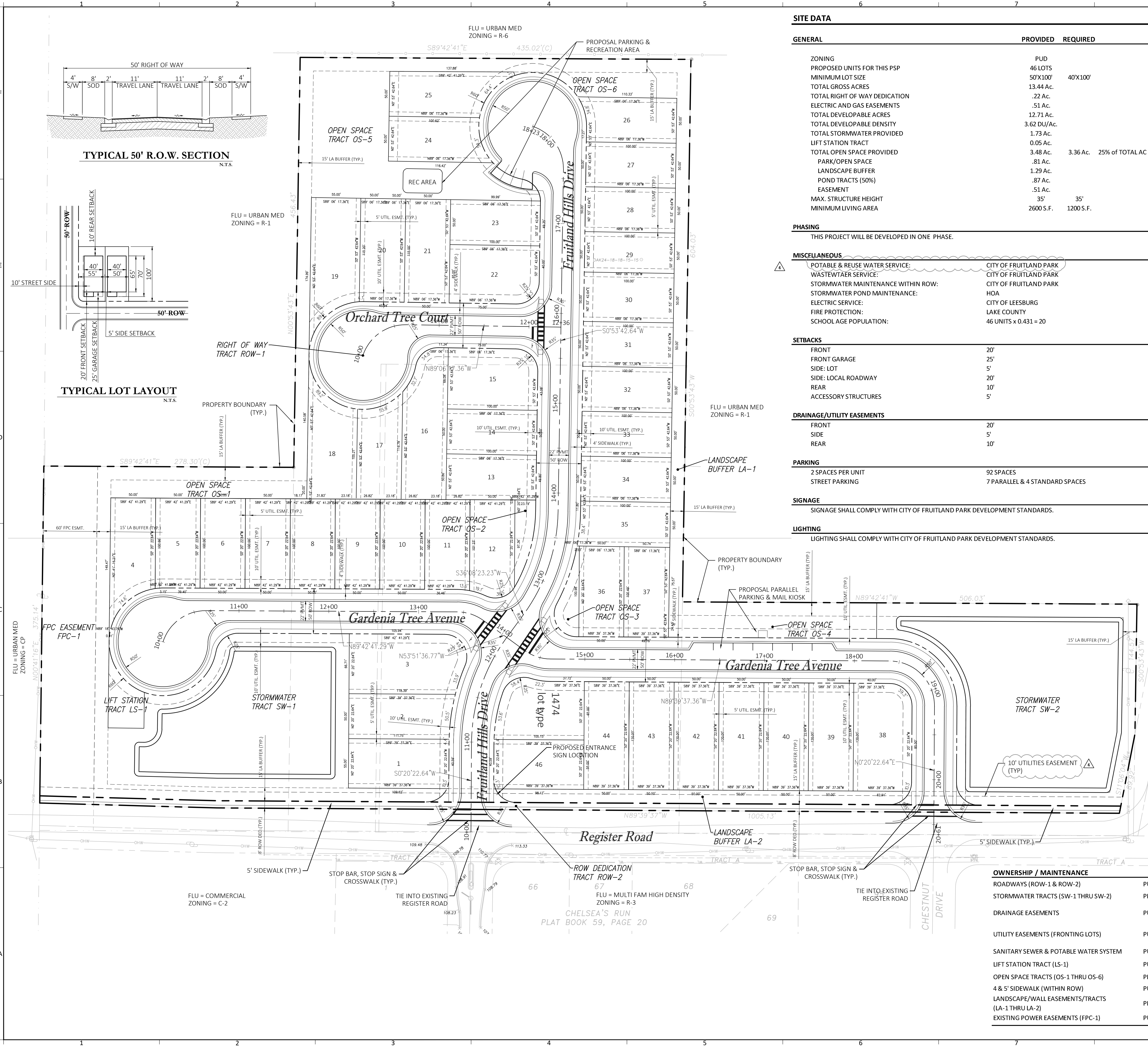


2875 S. Oran Avenue, Suite 500-3600
Orlando, Florida 32806
407.247.3581 www.geminiintl.com
FBPE CA No. 36898

NOT FOR CONSTRUCTION UNLESS SIGNED AND SEALED

Robert M. Johnson, P.E.
Registration No. 77677
Date: 2/29/2024

Digital Signature - This item has been electronically signed and sealed by Robert M. Johnson, PE on the date adjacent to the seal using a SNA authentication code.
Non-Digital Signature - This item has been electronically signed and sealed by Robert M. Johnson, PE on the date indicated here using a SNA authentication code.
Printed copies of this document are not considered signed and sealed and the SNA authentication code must be verified on any electronic copies.

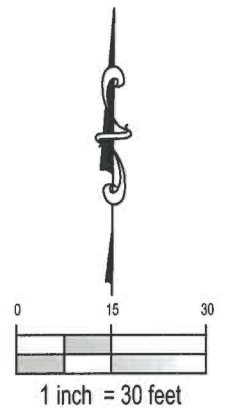
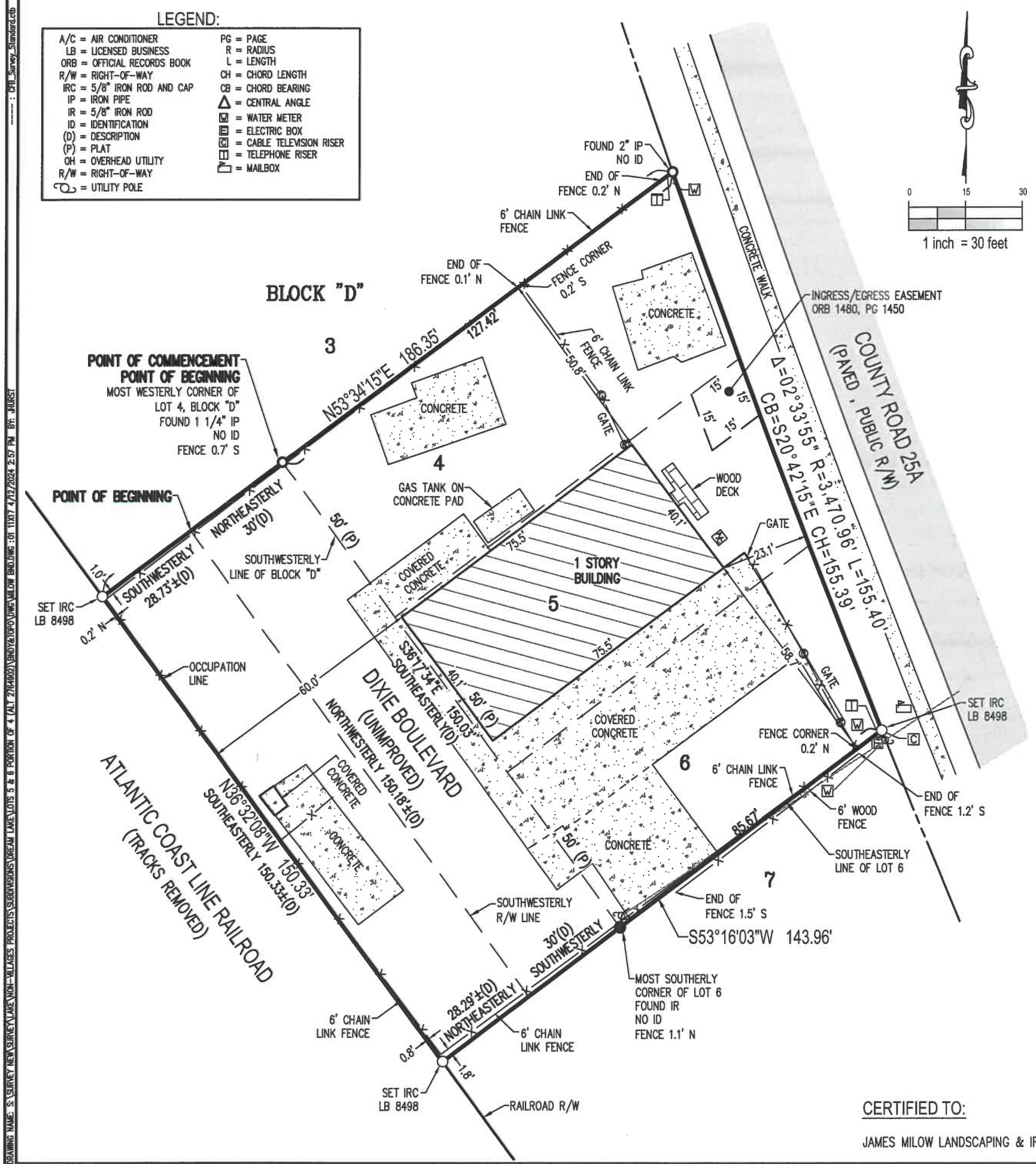


P:\23-005 GARDENIA EAST\CAD\PRELIMINARY\PS\23005-PSP-SSP

DRAWING NAME: S:\SURVEY\NEW SURVEY\LAKE NON-VILLAGES\PROJECTS\SUBDIVISIONS\DREAM LAKE VILLAGES 3 & 6 PORTION OF 4 (A17 216480) BOUNDARY SURVEY\BOUNDARY SURVEY\LAKE NON-VILLAGES 3 & 6 PORTION OF 4 (A17 216480) BOUNDARY SURVEY\LAKE NON-VILLAGES 3 & 6 PORTION OF 4 (A17 216480) BOUNDARY SURVEY.DWG: 01/11/24 12:25:57 PM BY: JHUST

LEGEND:

A/C = AIR CONDITIONER	PG = PAGE
LB = LICENSED BUSINESS	R = RADIUS
ORB = OFFICIAL RECORDS BOOK	L = LENGTH
R/W = RIGHT-OF-WAY	CH = CHORD LENGTH
IRC = 5/8" IRON ROD AND CAP	CB = CHORD BEARING
IP = IRON PIPE	Δ = CENTRAL ANGLE
IR = 5/8" IRON ROD	☒ = WATER METER
ID = IDENTIFICATION	☒ = ELECTRIC BOX
(D) = DESCRIPTION	☒ = CABLE TELEVISION RISER
(P) = PLAT	☒ = TELEPHONE RISER
OH = OVERHEAD UTILITY	☒ = MAILBOX
R/W = RIGHT-OF-WAY	
○ = UTILITY POLE	



LEGAL DESCRIPTION (AS SURVEYED)

LOTS 4, 5 AND 6, BLOCK "D", 1ST ADDITION TO DREAM LAKE SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 13, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

THAT PORTION OF DIXIE BOULEVARD WITHIN THE PLAT OF FIRST ADDITION TO DREAM LAKE SUBDIVISION, IN THE CITY OF FRUITLAND PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 13, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING ADJACENT TO LOTS 4, 5 AND 6, BLOCK "D" OF SAID PLAT, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE MOST WESTERLY CORNER OF LOT 4, BLOCK "D" OF AFORESAID PLAT OF FIRST ADDITION TO DREAM LAKE SUBDIVISION; THENCE RUN SOUTHEASTERLY ALONG THE SOUTHWESTERLY BOUNDARY OF AFORESAID LOTS 4, 5 AND 6, BLOCK "D" TO THE MOST SOUTHERLY CORNER OF LOT 6; THENCE RUN SOUTHWESTERLY ALONG THE EXTENSION OF THE SOUTHEASTERLY LINE OF LOT 6 A DISTANCE OF 30 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF DIXIE BOULEVARD; THENCE ALONG SAID RIGHT-OF-WAY LINE RUN NORTHWESTERLY TO A POINT ON THE SOUTHWESTERLY EXTENSION OF THE NORTHWESTERLY LINE OF AFORESAID LOT 4; THENCE ALONG SAID EXTENSION OF THE NORTHWESTERLY LINE OF LOT 4 RUN NORTHEASTERLY 30 FEET TO THE POINT OF BEGINNING.

AND

A STRIP OF LAND LYING WITHIN SECTION 9, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

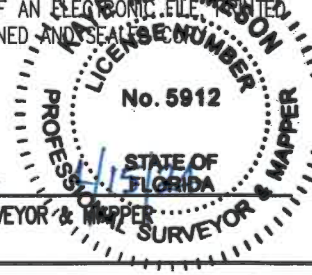
COMMENCE AT THE MOST WESTERLY CORNER OF LOT 4, BLOCK "D", FIRST ADDITION TO DREAM LAKE SUBDIVISION IN THE CITY OF FRUITLAND PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 13, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG THE SOUTHWESTERLY EXTENSION OF THE NORTHWESTERLY LINE OF SAID LOT 4 RUN SOUTHWESTERLY 30 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF DIXIE BOULEVARD AS SHOWN ON AFORESAID PLAT FOR THE POINT OF BEGINNING; THENCE CONTINUE SOUTHWESTERLY ALONG SAID EXTENSION LINE 28.73 FEET, MORE OR LESS, TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE FORMER ATLANTIC COAST LINE RAILROAD; THENCE ALONG SAID RAILROAD RIGHT-OF-WAY LINE RUN SOUTHEASTERLY 150.33 FEET, MORE OR LESS, TO THE SOUTHWESTERLY EXTENSION OF THE SOUTHEASTERLY LINE OF LOT 6, BLOCK "D" OF AFORESAID DREAM LAKE SUBDIVISION; THENCE ALONG SAID EXTENSION LINE RUN NORTHEASTERLY 28.29 FEET, MORE OR LESS, TO THE AFORESAID WESTERLY RIGHT-OF-WAY LINE OF DIXIE BOULEVARD; THENCE ALONG SAID RIGHT-OF-WAY LINE RUN NORTHWESTERLY 150.18 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SURVEY NOTES:

1. THIS IS A BOUNDARY SURVEY AS DEFINED IN CHAPTER 5J-17.050 (11) FLORIDA ADMINISTRATIVE CODE.
2. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM EAST ZONE NORTH AMERICAN DATUM (NAD) OF 1983 WITH 2011 ADJUSTMENT. AS A REFERENCE FOR THIS SURVEY, THE NORTHWESTERLY LINE OF LOT 4, BLOCK "D" HAS A BEARING OF N53°34'15"E.
3. LEGAL DESCRIPTION WAS PREPARED BY THIS FIRM.
4. ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM) NUMBERS 12069C 0.06E AND 12069C 0307E, LAKE COUNTY, FLORIDA, EFFECTIVE DATE OF DECEMBER 18, 2012, THE PROPERTY DESCRIBED HEREON LIES WITHIN ZONE "X". FLOOD ZONES HAVE BEEN SCALED AND DEPICTED HEREON.
5. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
6. UNDERGROUND UTILITIES AND FOUNDATIONS WERE NOT LOCATED.
7. THIS SURVEY MAP AND REPORT (IF APPLICABLE) OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, (IF A HARD COPY), OR THE ADOBE PDF CONTAINING THE ELECTRONIC SIGNATURE HAS NOT BEEN VALIDATED TO BE THE ORIGINAL SIGNED AND SEALED VERSION (IF AN ELECTRONIC FILE). IF AN ELECTRONIC FILE IS PRINTED, COPIES OF THE SURVEY MAP ARE NOT CONSIDERED TO BE A VALID SIGNED AND SEALED COPY.

CERTIFIED TO:
JAMES MILOW LANDSCAPING & IRRIGATION, LLC

Kaye M. Jameson
KAYE M. JAMESON FLORIDA LICENSED SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 5912



JOB NO. S01023.04100	SURVEY DATE: 04/09/2024
DRAWN BY: JH	BOOK/PAGE V23-76/49-51
CLIENT: MILOW	REVISIONS
	DATE

BOUNDARY SURVEY
1ST ADDITION TO DREAM LAKE SUBDIVISION
SECTION 9-19-24, LAKE COUNTY, FLORIDA

CFB SURVEYING
 CLYMER FARNER BARLEY
 4450 NE 83RD ROAD - WILDWOOD, FL 34785
 (352) 748-3126 LBB498

SHEET
01 OF 1



Excavation Site Clear

To: MIKE LEPERA

04/04/2024, 03:19 PM

Email: TROPICALMAINT@AOL.COM

Below lists utilities that were stasured by USIC as Excavation Site Clear.

Please note there may be other Utilities which include private facilities that may be present in the work area and are NOT the responsibility of USIC to locate or mark.

Follow all Federal, State, and Local Laws.

<u>Ticket Number</u>	<u>Address</u>
095405135	706 - 708 S DIXIE AVE

<u>Utility</u>	<u>Locate Date/Time</u>	<u>Ticket Status</u>
Comcast Cab	04/04/2024, 03:16 PM	Excavation Site Clear
Lumen Tel	04/04/2024, 03:16 PM	Excavation Site Clear

You are receiving this notification because your contact information is listed on the above ticket from the One Call System. If you have any questions regarding this notification, please contact USIC at 1-800-762-0592 or reply to this email TicketNotification@usiclcc.com.



Hunt Law Firm, P.A.

601 S 9TH Street • Leesburg, FL 34748 • PH (352) 365-2262 • FX (352) 365-1928 • info@huntlawpa.com

April 23, 2024

City of Fruitland Park
City Commissioners
City Hall
506 Berkman Street
Fruitland Park, FL 34731

RE: Vacation of Dixie Blvd

Dear Sir or Madam:

We have reviewed Title Commitment No. 1463423 A6 (the "Title Search Report"), prepared by Old Republic National Title Insurance Company issued through Attorneys' Title Fund Services, LLC (the "Underwriter") in relation to certain real property located in Lake County, Florida, more particularly described on Exhibit "A" attached hereto (the "Property").

In connection therewith the Title Search Report provides that the chain of title has been reviewed through April 23, 2024 ("Effective Date"). As of the Effective Date, title to the Property was vested in **Rose M. Bowersox, as Trustee of The Richard P. Bowersox Trust dated December 4, 2008 and Rose M. Bowersox, as Trustee of The Rose M. Bowersox Trust dated December 4, 2008, and Michael P. Lepera and Denise F. Lepera pursuant to the documents recorded in O.R. Book 1246, Page 1039; O.R. Book 1480, Page 1450; O.R. Book 3712, Page 2282; O.R. Book 3712, Page 2288 Public Records of Lake County, Florida, as to Parcels 1 and 3, and the City of Fruitland Park as to Parcel 2.**

As of the Effective Date, the Property is encumbered by the following:

1. All matters contained on the Plat of 1ST Addition to Dream Lake Subdivision, as recorded in Plat Book 3, Page 13, Public Records of Lake County, Florida.
2. Easement contained in Deed recorded in O.R. Book 850, Page 304, Public Records of Lake County, Florida.
3. Easement in favor of Ocklawaha Reclamation Farms, contained in instrument recorded July 23, 1946, in Miscellaneous Book 19, Page 133, Public Records of Lake County, Florida, as to Parcel 2.
4. General or special taxes and assessments required to be paid for the year(s) 2024.

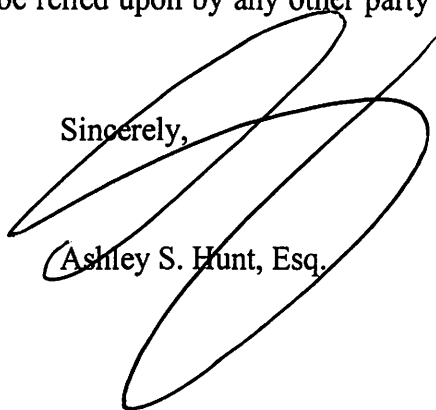
The opinions are limited to the matters expressly stated herein, and no opinion is implied or may be inferred beyond the matters expressly stated.

The opinions as expressed in this letter are rendered as of April 23, 2024, at 11:00 P.M. and are based on existing law which is subject to change.

In the examination, both the Underwriter and the undersigned have assumed the genuineness of all signatures, the authenticity of all documents submitted to us as originals, the conformity to the original of all documents submitted to us as certified, photostatic or confirmed copies, and the authenticity of the originals of all such latter documents. In addition, as to certain matters, we may have relied on certificates from various state authorities and public officials. We assume the accuracy of the factual and legal matters contained therein.

The opinions expressed in this letter are given solely for the benefit of addressee in connection with Etheredge Limited Partnership, and the property described in Exhibit "A" filed with Lake County and may not be relied upon by any other party for any other purpose without prior written consent.

Sincerely,



Ashley S. Hunt, Esq.

