

AGENDA



City of Tavares Planning & Zoning Advisory Board

February 15, 2024 -- 3:00 PM

TAVARES CITY HALL COUNCIL CHAMBERS

201 E MAIN STREET, TAVARES

I. Call to Order

II. Pledge of Allegiance

III. Approval of Minutes

1. Approval of the January 18, 2024, Planning and Zoning Board Meeting Minutes (Deputy Clerk)

IV. Swearing in by City Attorney and Disclosure of Exparte Contacts

V. Public Hearings

1. Resolution 2024-04 – KH CW Lake Harris LLC request to Vacate Unimproved Right-of-Way Easement located at the westerly end of Woodlea Road of the Webley's Subdivision.
2. Ordinance 2024-04 - Velaquez & Escobedo – Annexation and Rezoning of Approximately 12.24 Acres located on the east side of Camp Road and approximately 500 feet north of Lane Park Road.
3. Ordinance 2024-05 - Velaquez & Escobedo - Small Scale FLUM Amendment of Approximately 12.24 Acres located on the east side of Camp Road and approximately 500 feet north of Lane Park Road.

VI. Other Business

1. Planning and Zoning Workshop

VII. Audience to be heard

VIII. Adjournment

F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to 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.

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (352) 742-6209.

AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
2/15/2024

AGENDA TAB NO.: 1.

SUBJECT TITLE: Approval of the January 18, 2024, Planning and Zoning Board Meeting Minutes (Deputy Clerk)

OBJECTIVE:

To consider approval of the January 18, 2024, Planning and Zoning Board Meeting Minutes.

SUMMARY:

Attached are the January 18, 2024, Planning and Zoning Board meeting minutes as submitted by the Deputy Clerk.

OPTIONS:

1. Move to approve the Planning and Zoning Board meeting minutes as submitted by the Deputy Clerk.
2. Move to approve the Planning and Zoning Board meeting minutes with corrections.

STAFF RECOMMENDATION:

For Board approval.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Yes.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. 1-18-2024 PZ Min Draft

**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E. MAIN STREET, TAVARES
JANUARY 18, 2024**

BOARD MEMBERS PRESENT

Gary Santoro, Chairman
Deborah Murphy, Vice-Chairman
Dian Joy, Board Member
Bruce Peterman, Board Member
Brooke Matthews, Board Member - Absent
James Sweezea, Board Member
Dara Treadwell, Board Member

LAKE COUNTY SCHOOL BOARD

Helen LaValley - Absent

STAFF MEMBERS PRESENT

Antonio Fabre – Community Development Interim Director
Terri O'Neil, City Planner
Lindsay Holt, City Attorney
Erick Hernandez, Staff Assistant

I. CALL TO ORDER

Chairman Santoro called the meeting to order at 3:00 p.m. and asked those present to silence their cell phones. He led those present in the Pledge of Allegiance.

Chairman Santoro added that the "Election of Officers" would be held under Other Business.

MOTION

James Sweezea moved to approve the addition of 'Election of Officers', seconded by Dara Treadwell. The motion carried unanimously 6-0.

MOTION

James Sweezea moved to move Other Business before Approval of Minutes. Seconded by Dara Treadwell. The motion carried unanimously 6-0.

II. OTHER BUSINESS

Chairman Santoro opened the floor for nominations for Chairman.

James Sweezea nominated Gary Santoro for the position of Chairman. There were no other nominations.

MOTION

James Sweeza moved to nominate Gary Santoro as Chairman of the Planning and Zoning Board, seconded by Bruce Peterson. The motion carried unanimously 6-0.

Chairman Santoro opened the floor for nominations for Vice-Chairman.

Dara Treadwell nominated Deborah Murphy for the position of Vice-Chair. There were no other nominations.

MOTION

Dara Treadwell moved to nominate Deborah Murphy, seconded by Bruce Peterson. The motion carried unanimously 6-0.

MOTION

Dian Joy moved to close the nomination, seconded by Dara Treadwell. The motion carried unanimously 6-0.

III. APPROVAL OF MINUTES

Chairman Santoro asked if there are any additions or corrections to the September 21, 2023, Planning and Zoning Board Meeting minutes. There were none.

MOTION

James Sweeza moved to approve the minutes of the September 21, 2023 Planning and Zoning Board Meeting. Seconded by Dian Joy. The motion carried unanimously 6-0.

IV. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

Attorney Holt swore in those who were present and wished to provide testimony.

Attorney Holt asked the Board Members if there were any ex-parte communications. There were none.

V. PUBLIC HEARING

1) Recommendation on Resolution 2024-01 – St. John Independent Free Methodist Church – Right-of-Way Vacate Located at 120 N. Bloxham Avenue

Mr. Fabre gave the following presentation:

This is a request to vacate a platted undeveloped alleyway lying between the property located at 120 N. Bloxham, Tavares, Florida 32778. The current adjacent property owner is petitioning to vacate an existing right-of-way since it is

undeveloped and not practical as a future alleyway. City staff reviewed the vacate request and determined no conflicts in the vacation regarding drainage, utilities, health, safety, or welfare of the Public. As a result, this official vacation will remove the city's public interest in this land.

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Resolution 2024-01 vacation of right-of-way located at 120 N. Bloxham, lying east of Lots "A", "B", and "C" in Block 52 of Tavares Improvement Company's Subdivision, as recorded in Plat Book 4, Page 39.*
- 2. That the Planning & Zoning Board moves to recommend denial of Resolution 2024-01.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Resolution 2024-01 vacation of an undeveloped alleyway located at 120 N. Bloxham, lying east of Lots "A", "B", "C" in Block 52 of Tavares Improvement Company's and Subdivision, as recorded in Plat Book 4, Page 39.

Chairman Santoro asked for public comment. There were none.

Board Member Treadwell asked if the undeveloped alleyway is Church Property. Mr. Fabre stated the undeveloped alleyway belongs to the City of Tavares and will be vacated.

Board Member Sweeza asked what would become of the alleyway. Mr. Fabre noted the Property Appraiser will divide the alleyway evenly between the owners of the property it sits between.

MOTION

Dara Treadwell moved to recommend approval of Resolution 2024-01, seconded by James Sweeza. The motion carried unanimously 6-0.

2) Recommendation on Ordinance 2024-01 – Idamere Crossings – Rezoning of Approximately 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff

Mr. Fabre gave the following presentation:

SUMMARY:

The subject property consists of approximately 19.46 acres of vacant property located at the southeast corner of SR-19 & Lane Park Cutoff Road. The property is currently zoned as Highway Commercial (C- 2), and the applicant is proposing that the property be rezoned to a mixed use Planned Development (PD).

On November 18, 2021, the Planning & Zoning Board voted unanimously to recommend approval of PD Ordinance 2021-11 which proposed a one hundred sixty-five (165) dwelling units multi-family apartment complex on the subject property. On December 15, 2021, the City Council denied the PD rezoning

request as presented. In general, City Council rational of denial was to preserve existing commercial land use along SR-19.

At present, the applicant is proposing to develop the site with 1.7 acres of commercial along SR-19 and a 110 dwelling unit multi-family apartment complex. The PD will limit the density to 25 dwelling units an acre and will specifically dictate the multi-family portion of the development shall be restricted to 110 multi-family dwelling units. The commercial uses will be subject to certain Highway Commercial (C-2) uses outlined in the proposed PD Ordinance 2024-01.

The proposed residential use is consistent with the Comprehensive Plan by ensuring the availability, quality, and sustainability of a mix of housing types in Tavares. The subject property is approximately 0.30 miles from Tavares Middle School and is walkable for students as there is an existing sidewalk on the south side of Lane Park Cutoff. The Lake County School District has reviewed the proposed 110- unit development and determined that there are adequate school facilities to serve the approximately 29 students anticipated. The property owner is required to apply for and obtain a school capacity reservation prior to development approval.

The environmental assessment submitted by E Sciences, Inc. indicates no adverse conditions or environmental concerns with the property. Prior to any development, the property owner must comply with all Florida Fish and Wildlife Conservation Commission provisions as they pertain to threatened species.

The preliminary traffic analysis submitted by VHB does not indicate an adverse impact on the level of service for surrounding roadways. The report states that the proposed planned development (PD) zoning and land use presents a potential trip reduction from the existing commercial zoning.

Development of the property will be in accordance with the provisions of PD Ordinance 2024-01 and the City's Land Development Regulations. The proposed Planned Development (PD) zoning is compatible with the surrounding zoning, which is a mixture of residential, commercial, and Public Facilities zoning. Prior to the issuance of any Building Permits for this property, compliance with all applicable regulations will be required. The City is concurrently processing a future land use map amendment to re-designate the property from Commercial (COM) to Mixed Use (MU) on the Future Land Use Map 2040.

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2024-01 rezoning of approximately 19.46 acres of property located at the southeast corner of SR-19 & Lane Park Cutoff from Commercial (C-2) to Planned Development (PD).*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2024-01.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2024-01 rezoning of approximately 19.46 acres of property located at the southeast corner of SR-19 & Lane Park Cutoff from Commercial (C-2) to Planned Development (PD).

Michael Rankin, Managing Member & Owner of LPG representing Harvey Haus, gave a presentation about the changes made to the proposed plan for the 19.46 acres of property located at the southeast corner of SR-19 and Lane Park Cutoff.

Chairman Santoro asked for comments from the public.

Don Kehr, 16833 Deer Island Rd, Lake County stated he disagreed with the proposed ordinance change. He noted his concern that the for-sale posting did not meet the posting requirements. Mr. Kehr stated, that if this proposal is passed by the city council, he will file a lawsuit.

Kevin Frisby, 3576 Bayshore Cir, disagreed with the proposed ordinance change and explained that in previous meetings the members of the City Council voted to not zone this property as residential. He noted his concern the project would be an eye sore for those who live near Lake Idamere.

Mike Laloun, 3724 Bayshore Cir, noted that he is new to the City of Tavares and his appreciation for the commercial appeal of the city. He disagreed with the proposed ordinance change.

Chairman Santoro closed public comment.

Chairman Santoro asked Attorney Holt if a for-sale posting needed to be placed on intersecting streets. Attorney Holt stated the single for-sale posting is sufficient if it is in a conspicuous location for the code.

Board Member Peterson asked how many times the proposed ordinance location has been rezoned and stated he disagrees with the proposed ordinance change and development plan. He stated SR-19 & Lane Park Cutoff would not be able to handle the large amount of vehicle traffic. Mr. Fabre stated that the property has never been rezoned. He clarified that the proposed residential property will only be three stories high.

Board Member Joy agreed with the proposed ordinance change. She stated that housing is needed for those who are employed in Tavares.

Board Member Treadwell asked what type of commercial buildings could be built on the property and stated that she does not oppose apartment development. Mr. Fabre noted the types of commercial properties that could be developed on that property. He stated the applicant has restricted certain commercial properties.

Board Member Sweezea stated concerns about traffic congestion on SR-19 and Lane Park Cutoff and future road widening development.

MOTION

James Sweezea moved to meet with Planning and Zoning regarding population growth, seconded by Dara Treadwell. 6-0

Vice-Chairman Murphy disagreed with the housing proposal and wants to keep SR-19 zoned for commercial use only.

Board Member Peterman asked Mark Rankin about the ingress and egress easements of SR-19 and Lane Park Cutoff. Mr. Rankin stated the ingress and egress easements would be located on Lane Park Rd.

MOTION

Dian Joy moved to recommend approval of Ordinance 2024-01, seconded by Dara Treadwell. The motion carried Yay 3-3 Nay. Dian, Dara, and Gary voted Yay. James, Deborah, and Bruce voted for Nay.

3) Recommendation on Ordinance 2024-02 – Idamere Crossings – Small Scale FLUM Amendment of Approximately 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff

SUMMARY:

The subject property is located at the Southeast Corner of SR-19 & Lane Park Cutoff and is approximately 19.46 acres in size. The land is presently vacant and has a land use designation of Commercial (COM). The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Commercial (COM) to Mixed Use (MU).

On November 18, 2021, the Planning & Zoning Board voted unanimously to recommend approval of (PD) Ordinance 2021-12 which proposed High Density (HD) Future Land Use (FLU) on the subject property. On December 15, 2021, the City Council denied the FLU request as presented. In general, the City Council rational of denial was to preserve the existing commercial future land designation along SR-19.

Ordinance 2024-02 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Commercial (COM) to Mixed Use (MU). The subject property is adjacent to a mixture of a mixture of residential, commercial, and public facilities land uses. An application to rezone this property to a Planned Development (PD) designation is concurrently under consideration.

Future Land Use Amendment:

The parcel is designated as Commercial (not to exceed 2.0 FAR) on the City's Future Land Use Map. The small-scale Comprehensive Plan Amendment is

proposed to designate the site as Mixed Use (not to exceed 25 du/ac, 1.0 FAR). A City Mixed Use (MU) designation is compatible with surrounding property and Future Land Use designations.

Compatibility:

Land surrounding this property is residential, commercial, and public facilities in nature.

Site Conditions:

The property is currently vacant.

Impact on City Services:

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and wastewater utility service available for the subject parcel. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

FINDINGS:

This amendment request is considered to be in compliance with the City's Comprehensive Plan Goals, Objectives and Policies with the following findings:

- 1. A Mixed Use (MU) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.*
- 2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System (Comp Plan, Chapter 8 & LDR's Chapter 10).*

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2024-02, a Future Land Use Map amendment from Commercial (COM) to High Density (HD) for 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff. (Per error correction by Mr. Fabre, High Density will be changed to Mixed Use)

2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2024-02.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2024-02, a Future Land Use Map amendment from Commercial (COM U) for 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff.

Chairman Santoro asked for comments from the public. There were none.

MOTION

James Sweeza moved to recommend approval of Ordinance 2024-02 seconded by Dian Joy. The motion carried 6-0.

4) Recommendation on Ordinance 2024-03 – Comprehensive Plan 2040 Text Amendment of the Public Facilities Element and Conservation Element pursuant to the City’s

OBJECTIVE:

To consider approval of the transmittal to the State for review of Ordinance 2024-03 - Comprehensive Plan 2040 Text Amendment to the Public Facilities Element and Conservation Element pursuant to the City’s 10-Year Water Supply Facilities Work Plan and Reginal Water Supply Planning Initiatives.

SUMMARY:

Local governments within a regional water supply planning area are required to develop a Water Supply Facilities Work Plan (Work Plan) in order to ensure that adequate water supplies will be available to meet future demands for a minimum 10-year planning period, pursuant to F.S. Section 163.3177(6)(c)3. In addition to the Water Supply Facilities Work Plan requirements, local governments are required to revise their Comprehensive Plan for consistency with the Work Plan and regional water supply planning initiatives.

The purpose of this Water Supply Facilities Work Plan is to identify and plan for water supply sources and associated facilities to serve City of Tavares (City) potable water customers for the 2023 through 2032 planning period. The Work Plan has been prepared in accordance with Chapter 163 F.S., which requires local governments to adopt a Work Plan and supporting comprehensive plan policies within 18 months of the approval of a regional water supply plan. The Central Springs/East Coast (CSEC) Regional Water Supply Plan was approved by the St. Johns River Water Management District (SJRWMD) on February 8, 2022.

OPTIONS:

1That the Planning & Zoning Board moves to recommend approval of the transmittal to the State for review of Ordinance 2024-03 - Comprehensive Plan 2040 Text Amendment to the Public Facilities Element and Conservation Element pursuant to the City’s 10-Year Water Supply Facilities Work Plan and Reginal Water Supply Planning Initiatives.

2.That the Planning & Zoning Board moves to recommend denial of Ordinance 2024-03.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of the transmittal to the State for review of Ordinance 2024-03 - Comprehensive Plan 2040 Text Amendment to the Public Facilities Element and Conservation Element pursuant to the City’s 10 year Water Supply Facilities Work Plan and Reginal Water Supply Planning Initiatives.

Sarah Whitaker, PG President, SMW GeoSciences INC., spoke about the city's 10-year water supply plan.

Chairman Santoro asked Mrs. Whitaker about possible solutions for irrigation and reclaimed water and noted his concern about not using potable water for irrigation or using wells in the future. Mrs. Whitaker stated other cities' water plans and conservation efforts regarding irrigation and having to use lake water as a supplement. She also stated the Water Management District offers funding for water supply projects and conservation.

MOTION

James Sweeza moved to recommend approval of Ordinance 2024-03 seconded by Dian Joy. The motion carried unanimously 6-0.

VI. PUBLIC COMMENT

None

VII. ADJOURNMENT

MOTION

Bruce Peterman moved to adjourn the meeting at 4:14 p.m., seconded by Deborah Murphy. The motion carried unanimously 6-0.

Respectfully submitted,

Erick Hernandez,
Staff Assistant

**AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
2/15/2024**

AGENDA TAB NO.: 1.

SUBJECT TITLE: Resolution 2024-04 – KH CW Lake Harris LLC request to Vacate Unimproved Right-of-Way Easement located at the westerly end of Woodlea Road of the Webley's Subdivision.

OBJECTIVE:

To consider the vacation request of an unimproved right-of-way easement located at the westerly end of Woodlea Road of the Webley's Subdivision, as recorded in Plat Book 1, Page 22, of the Public Records of Sumter County, Florida.

SUMMARY:

This is a request to vacate a platted unimproved right-of-way easement located at the westerly end of Woodlea Road of the Webley's Subdivision, as recorded in Plat Book 1, Page 22, of the Public Records of Sumter County, Florida. The current property owner is petitioning to vacate the subject right-of-way since it is undeveloped and not practical as right-of-way. The right-of-way easement is completely situated on the existing Cresswind at Lake Harris Subdivision development.

On January 17, 2024, City Council approved the Final Plat for Phase 1 of Cresswind at Lake Harris, subject to vacation of this right-of-way. During the title and platting review process, a historic r-o-w easement dedicated to Sumter County was revealed. The Webley's Subdivision (AKA: "Infant Town of Florida") plat, filed on March 31, 1885, provides for an easement to be granted to Sumter County along the streets identified in the plat. On January 9, 2024, Sumter County has agreed to grant an Assignment of the R-O-W easements to the City of Tavares.

City staff reviewed the vacate request and determined no conflicts in the vacation regarding drainage, utilities, health, safety, or welfare of the Public. As a result, this official vacation will remove the city's public interest in this land.

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Resolution 2024-04 vacation of right-of-way easement located at the westerly end of Woodlea Road of the Webley's Subdivision, as recorded in Plat Book 1, Page 22, of the Public Records of Sumter County, Florida.
2. That the Planning & Zoning Board moves to recommend denial of Resolution 2024-04.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Resolution 2024-04 vacation of an unimproved right-of-way located at the westerly end of Woodlea Road of the Webley's Subdivision, as recorded in Plat Book 1, Page 22, of the Public Records of Sumter County, Florida.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This Resolution has been reviewed by the City Attorney and approved for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Resolution 2024-04 - Cresswind at Lake Harris - Vacate
2. Location Map
3. Assignment of Easement - Sumter Co and Tavares - Infant Town of Florida

RESOLUTION 2024-04

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, TO VACATE UNIMPROVED RIGHT-OF-WAY OF WEBLEY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 22, OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property located at 4256 Woodlea Road has petitioned for a vacation of said right-of-way; and,

WHEREAS, the unimproved right-of-way described in Exhibit "A" is no longer practical as right-of-way; and,

WHEREAS, Sumter County has reassigned any and all interest in the aforesaid right-of-way to the City of Tavares; and,

WHEREAS, this proposed vacate will remove the City's public interest in this property; and,

WHEREAS, the petition to vacate said right-of-way has been duly noticed as required by law; and,

WHEREAS, the abutting property owners have been notified per the requirements of the City of Tavares Land Development Regulations; and,

WHEREAS, the City of Tavares has reviewed the vacate request and determined no conflicts in the vacation with regard to drainage, utilities, health, safety, or welfare.

NOW, THEREFORE, be it resolved by the City Council of the City of Tavares, Florida as follows:

The City of Tavares hereby vacates any and all interest in the aforesaid right-of-way, as described in Exhibit "A", attached hereto and made part of this resolution.

PASSED AND RESOLVED this ____ day of _____, 2024 by the Tavares City Council.

Bob Grenier, Mayor
Tavares City Council

ATTEST

Susie Novack, City Clerk

Approved as to form and legality:

Lindsay C. T. Holt, City Attorney

Exhibit "A"

SKETCH OF DESCRIPTION
(NOT A FIELD SURVEY)

WEBLEY'S SUBDIVISION
RIGHT OF WAY TO BE VACATED
DESCRIPTION

THE SOUTH 10.00 FEET OF LOTS 6 THROUGH 10, INCLUSIVE, OF WEBLEY'S SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 22, OF THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, FOR RIGHT OF WAY, BEING BOUNDED ON THE WEST BY THE WEST LINE OF SAID LOT 6 AND BOUNDED ON THE EAST BY THE EAST LINE OF SAID LOT 10;

AND:

THE NORTH 10.00 FEET OF LOTS 3 THROUGH 5, INCLUSIVE, OF SAID WEBLEY'S SUBDIVISION, FOR RIGHT OF WAY, BEING BOUNDED ON THE WEST BY THE WEST LINE OF SAID LOT 3 AND BOUNDED ON THE EAST BY THE EAST LINE OF SAID LOT 5;

AND:

THE WEST 20.00 FEET OF LOT 3 OF SAID WEBLEY'S SUBDIVISION, AND THE NORTH 10.00 FEET OF THE WEST 20.00 FEET OF LOT 2, OF SAID WEBLEY'S SUBDIVISION, FOR RIGHT OF WAY;

AND:

THE NORTH 10.00 FEET OF LOT 1 OF SAID WEBLEY'S SUBDIVISION, FOR RIGHT OF WAY, BEING BOUNDED ON THE EAST BY THE EAST LINE OF SAID LOT 1 AND BOUNDED ON THE WEST BY THE EAST LINE OF REPLAT OF THE PENINSULA, AS RECORDED IN PLAT BOOK 36, PAGES 32 THROUGH 34, INCLUSIVE, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

CONTAINING 1.17 ACRES, MORE OR LESS.

NOTES:

1. THE SURVEY MAP (AND/OR) REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. BEARINGS AND COORDINATES SHOWN HEREON ARE FLORIDA STATE PLANE COORDINATE EAST ZONE (901) BASED ON FLORIDA PERMANENT REFERENCE NETWORK (FPRN) AS MAINTAINED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND IS BASED ON NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT (SPCS'83-2011) AND REFERENCED TO THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 36-19-25 AS BEING N 00°37'54" E. ALL DISTANCE SHOWN ARE IN UNITED STATES SURVEY FEET.
3. EXCEPT AS SHOWN HEREON, ADJOINING RIGHTS OF WAY, SUBDIVISIONS AND PARCELS WERE NOT SURVEYED TO DETERMINE IF THESE PROPERTIES HAVE GAPS OR OVERLAPS OR TO ACCURATELY POSITION THE BOUNDARY LINES OF SAID PROPERTIES SHOWN HEREON. THE POSITION OF SAID ADJOINING PROPERTIES IS APPROXIMATE. RECORDING DATA FOR ADJOINING PROPERTIES IS BASED ON INFORMATION PROVIDED BY A SEARCH OF PUBLIC RECORDS OF LAKE COUNTY, FLORIDA INCLUDING GIS MAPPING.
4. THIS SURVEY HAS BEEN PREPARED UNDER THE DIRECTION AND SUPERVISION OF THE UNDERSIGNED BELOW IN ACCORDANCE WITH THE ADOPTED "STANDARDS OF PRACTICE" FOR LAND SURVEYING AS REQUIRED BY CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATE STATUTES.
5. THE PURPOSE OF THIS SURVEY IS TO SHOW THE EXISTING STREET RIGHT OF WAYS CONTAINED IN WEBLEY'S SUBDIVISION THAT ARE TO BE VACATED PER CITY OF TAVARES.
6. INFORMATION SHOWN HEREON BASED ON BOUNDARY SURVEY BY THIS FIRM DATED 02/03/2023.
7. SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RIGHTS OF WAY AND OTHER MATTERS OF RECORD.

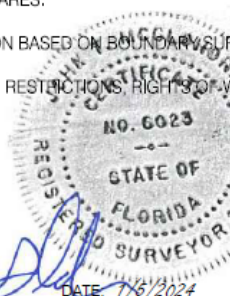
 JOHN T. MCGLOHORN, PROFESSIONAL SURVEYOR & MAPPER FLORIDA REGISTRATION NO. 6023 FOR THE LICENSED FIRM OF HALFF, LICENSED BUSINESS NO. 8348		SHEET 1 OF 3		SKETCH OF DESCRIPTION IN SECTIONS 35 & 36, TOWNSHIP 19 SOUTH, RANGE 25 EAST LAKE COUNTY, FLORIDA WEBLEY'S SUBDIVISION STREET VACATIONS																																							
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Exhibit "A" continued

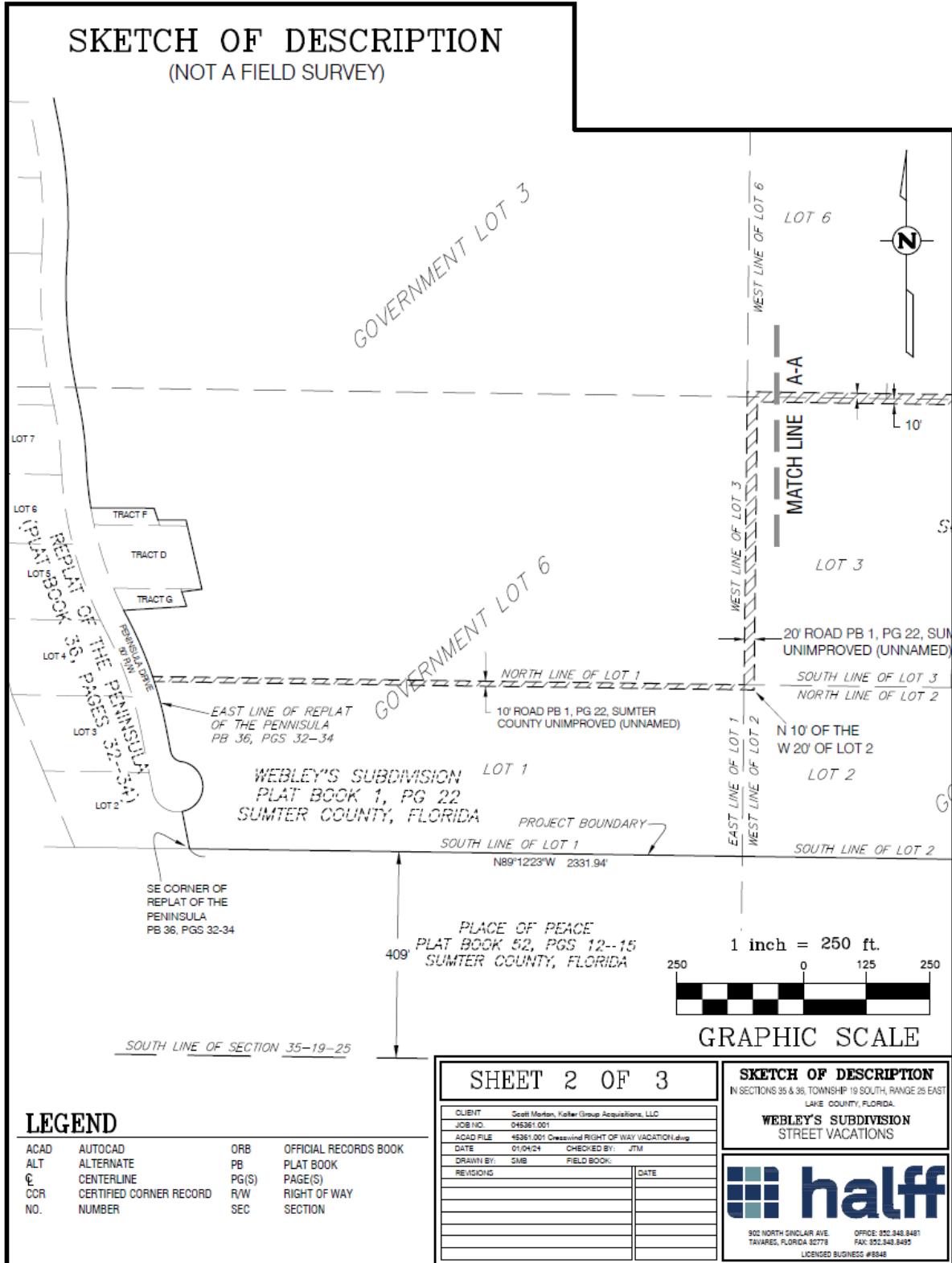
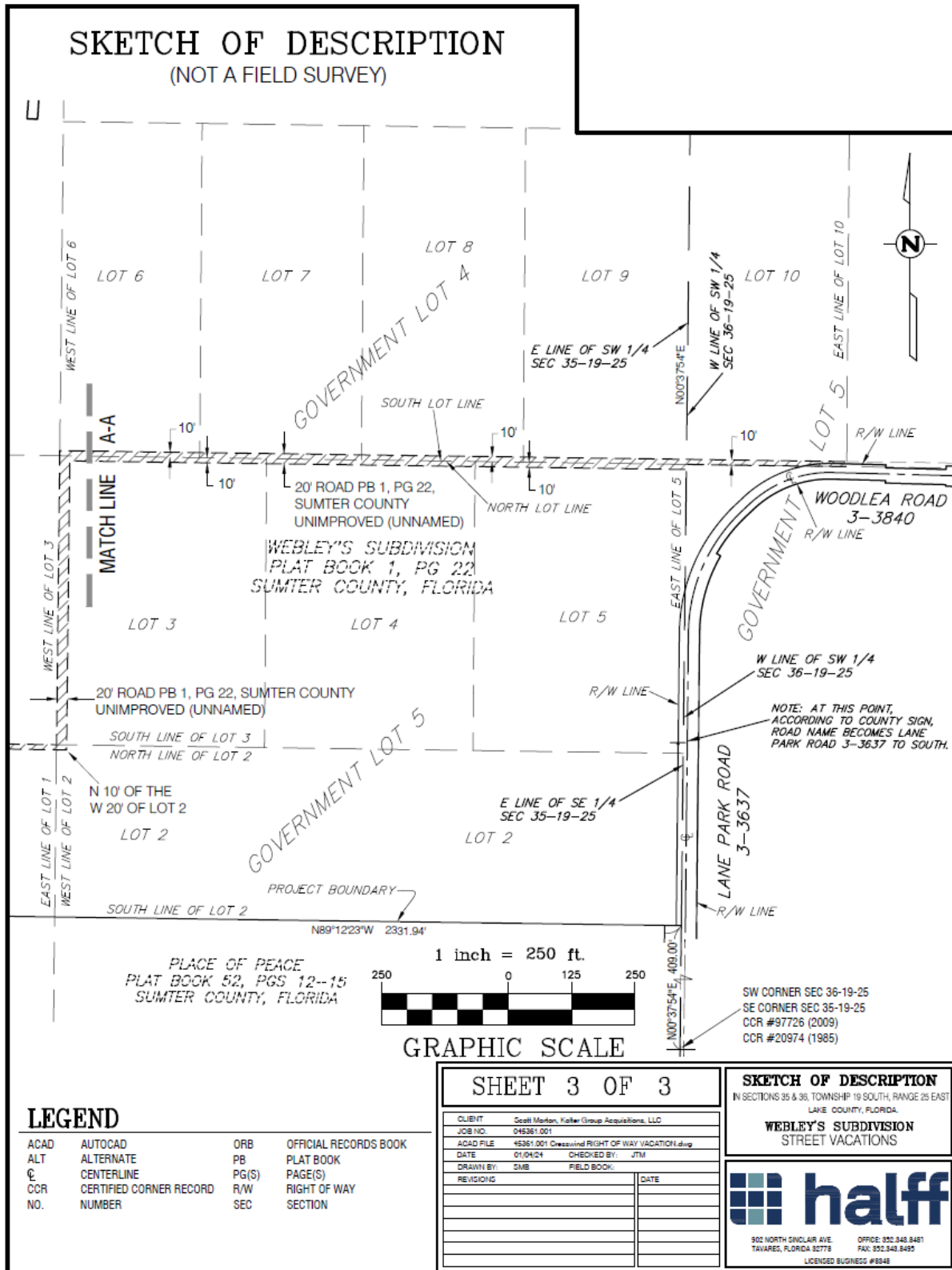


Exhibit "A" continued



AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
2/15/2024

AGENDA TAB NO.: 2.

SUBJECT TITLE: Ordinance 2024-04 - Velaquez & Escobedo – Annexation and Rezoning of Approximately 12.24 Acres located on the east side of Camp Road and approximately 500 feet north of Lane Park Road.

OBJECTIVE:

To consider the annexation and rezoning of approximately 12.24 acres of property located on the east side of Camp Road and approximately 500 feet north of the Lane Park Road intersection. The property is currently zoned as Lake County Agricultural Residential (AR), and the applicant is proposing that the property be annexed and rezoned to Residential Single-Family (RSF-A) District.

SUMMARY:

The subject property is located on the east side of Camp Road and approximately 500 feet north of the Lane Park Road intersection and consists of approximately 12.24 acres of vacant land. The property is currently zoned as Lake County Agricultural Residential (AR), and the applicant is proposing that the property be annexed and rezoned to Residential Single-Family (RSF-A) District.

The subject property is also situated adjacent to the Leela Reserve Subdivision (Park Square Homes) development. On March 16, 2022, City Council approved a Development Agreement between the Leela Reserve's Developer for needed improvements on the existing Camp Road. Camp Road was constrained on the portion along the subject property. The applicant has agreed to dedicate additional right-of-way. Accordingly, administration fees were waived in consideration of the offsetting public benefit of the additional ROW dedication (see attachment). At this time, the applicant envisions construction of one (1) single-family residence on the subject property.

This property is in close proximity to a mixture of single-family residences, public facilities and institutional uses. Therefore, the proposed zoning of Residential Single-Family (RSF-A) is compatible with surrounding properties. The annexation of this property has been reviewed per the City's Annexation Policy. The property is contiguous to the City boundary. It also has been determined by City staff that the property may be properly serviced by the City without undue hardship or significant negative fiscal impact on the City. The City of Tavares has municipal water and wastewater utility services available for the subject property.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban Low Density to City of Tavares Low Density (LOW) on the Future Land Use Map 2040.

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2024-04 annexation and rezoning of approximately 12.24 acres of property located on the east side of Camp Road and approximately 500 feet north of Lane Park Road from Lake County Agricultural Residential (AR) to Residential Single-Family (RSF-A) District.

2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2024-04.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2024-04 annexation and rezoning of approximately 12.24 acres of property located on the east side of Camp Road and approximately 500 feet north of Lane Park Road from Lake County Agricultural Residential (AR) to Residential Single-Family (RSF-A) District.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This Ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2024-04 Velazquez & Escobedo - Annexation & Rezone
2. Aerial Map
3. ZONE_PT
4. Newspaper - AD
5. ROW Deed - Camp Road - Recorded

ORDINANCE 2024-04

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 12.24 ACRES OF PROPERTY LOCATED ON THE EAST SIDE OF CAMP ROAD AND APPROXIMATELY 500 FEET NORTH OF LANE PARK ROAD; REZONING THE PROPERTY FROM COUNTY AGRICULTURAL RESIDENTIAL (AR) TO CITY RESIDENTIAL SINGLE-FAMILY (RSF-A) DISTRICT; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of the property described in **Exhibit “A”** has voluntarily petitioned to annex into the City of Tavares; and

WHEREAS, the property legally defined in **Exhibit “A”** is contiguous with the corporate limits of the City of Tavares and the annexation of said property will not result in the creation of any enclave; and

WHEREAS, the City of Tavares, Florida, is in a position to provide municipal services to the property described herein; and,

WHEREAS, the City Council of the City of Tavares, Florida, deems it in the best interest of the City to accept said petition and to annex said property; and,

WHEREAS, the property is currently zoned Lake County Agricultural Residential (AR) and the applicant has requested that said property be rezoned to a City designation of Residential Single-Family (RSF-A) District; and,

WHEREAS, the City is concurrently processing a small scale future land use map amendment to re-designate the property from Lake County Urban Low Density to a City of Tavares Low Density (LOW) on the Future Land Use Map; therefore

BE IT ORDAINED by the City Council of the City of Tavares, Florida, as follows:

Section 1. Annexation

The property legally defined as and depicted in **Exhibit “A”** attached hereto, situated in Lake County, Florida, is hereby incorporated into and made a part of the City of Tavares, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes.

Section 2. Rezoning

The property described in **Exhibit “A”** shall hereby be rezoned from Lake County Agricultural Residential (AR) to City of Tavares Residential Single-Family (RSF-A) District and shall be subject to the provisions contained within the Land Development Regulations for this zoning designation.

Section 3. Severability.

Upon a determination by a court of competent jurisdiction that a portion of this ordinance is void, unconstitutional, or unenforceable, all remaining portions shall remain in full force and effect.

Section 4. Effective Date.

This Ordinance shall take effect immediately upon its final adoption by the Tavares City Council.

PASSED AND ORDAINED this _____ of _____, 2024, by the City Council of the City of Tavares, Florida.

Bob Grenier, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

Susie Novack, City Clerk

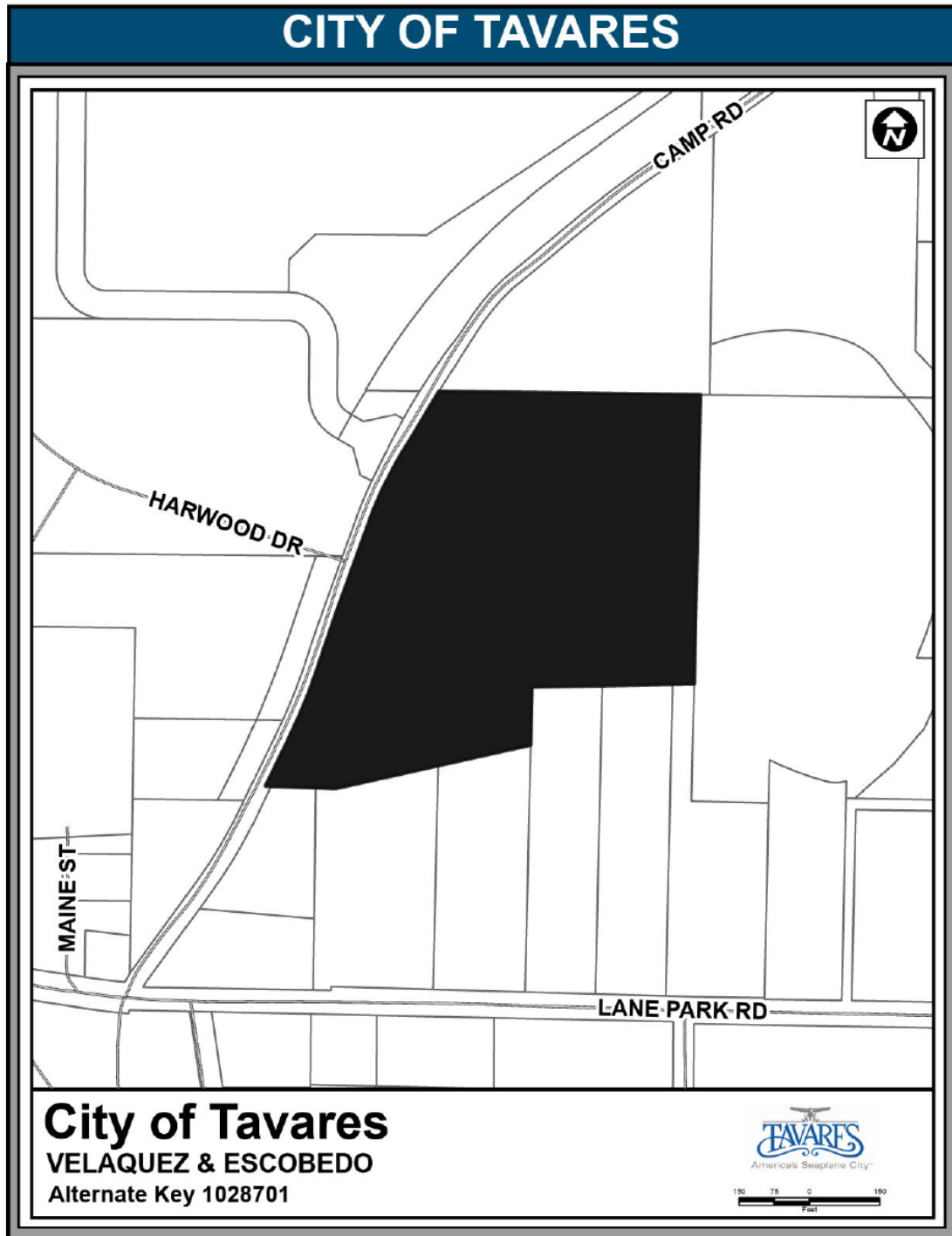
APPROVED AS TO FORM AND LEGALITY:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

Parcel ID Number: 06-20-26-0003-000-02300

BEG N 0-15-14 W 700 FT FROM SE COR OF N 1/2 OF GOV LOT 10 OF SEC 6-20-26, RUN S 87-25-48 W 346.28 FT, S 0-15-11 W 124.10 FT, S 75-50-21 W 426.48 FT, N 89-31-18 W 176.64 FT, N 23-42-08 E 168.12 FT, N 18-43-08 E 372.44 FT, N 23-36-08 E 384.60 FT, N 89-41-19 E 591.70 FT TO NE COR GOV LOT 10, S 0-15-14 E 619.8 FT TO POB ORB 6043 PG 1216



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Map Created on 1/24/24

AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
2/15/2024

AGENDA TAB NO.: 3.

SUBJECT TITLE: Ordinance 2024-05 - Velaquez & Escobedo - Small Scale FLUM Amendment of Approximately 12.24 Acres located on the east side of Camp Road and approximately 500 feet north of Lane Park Road.

OBJECTIVE:

To consider a Future Land Use Map amendment from Lake County Urban Low Density to City of Tavares Low Density (LOW) designation for 12.24 Acres located on the east side of Camp Road and approximately 500 feet north of the Lane Park Road intersection.

SUMMARY:

The subject property is located on the east side of Camp Road and approximately 500 feet north of the Lane Park Road intersection and is approximately 12.24 acres in size. The land is presently vacant and has a land use designation of Lake County Urban Low Density. The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Lake County Urban Low Density to City Low Density (LOW).

Ordinance 2024-05 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Lake County Urban Low Density to City Low Density (LOW). The subject property is adjacent to a mixture of single-family residences, public facilities and institutional uses. An application to annex and rezone this property to a Residential Single-Family (RSF-A) District is concurrently under consideration.

Future Land Use Amendment

The parcel is designated as Lake County Urban Low Density on the County's Future Land Use Map. The small-scale Comprehensive Plan Amendment is proposed to designate the site as Low Density (not to exceed 5.6 du/ac). A City Low Density (LOW) designation is compatible with surrounding property and Future Land Use designations.

Compatibility

Land surrounding this property is residential, public facilities and institutional in nature. The property is contiguous to the City boundary.

Site Conditions

The property is currently vacant with approximately 6.8 acres of wetlands.

Impact on City Services

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and wastewater utility service available for the subject parcel. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

Findings

This amendment request is considered to be in compliance with the City's Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A Low Density (LOW) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.
2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System (Comp Plan, Chapter 8 & LDR's Chapter 10).

OPTIONS:

1. That the Planning & Zoning Board (LPA) moves to recommend approval of Ordinance 2024-05, a Future Land Use Map amendment from Lake County Urban Low Density to City of Tavares Low Density (LOW) designation for 12.24 Acres located on the east side of Camp Road and approximately 500 feet north of Lane Park Road.
2. That the Planning & Zoning Board (LPA) moves to deny the proposed Ordinance 2024-05.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board (acting as the LPA) moves to recommend approval of Ordinance 2024-05, a Future Land Use Map amendment from Lake County Urban Low Density to City of Tavares Low Density (LOW) designation for 12.24 Acres located on the east side of Camp Road and approximately 500 feet north of Lane Park Road.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This Ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2024-05 Velaquez & Escobedo - SSFLUM
2. Aerial Map
3. FLU_PT
4. Newspaper - AD

ORDINANCE 2024-05

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2040, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 12.24 ACRES OF PROPERTY FROM COUNTY URBAN LOW DENSITY TO CITY LOW DENSITY (LOW) FOR PROPERTY LOCATED AT THE EAST SIDE OF CAMP ROAD AND APPROXIMATELY 500 FEET NORTH OF LANE PARK ROAD; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of the property described in Exhibit “A” has voluntarily petitioned to annex into the City of Tavares; and

WHEREAS, the City of Tavares is concurrently processing the annexation of this property; and

WHEREAS, the property consists of less than fifty acres; and

WHEREAS, the City of Tavares has advertised as required by law for two public hearings prior to adoption of this ordinance; and

WHEREAS, the City has held such public hearings and the records of the City provide that the owners of the land affected have been notified as required by law; and

WHEREAS, a Low Density Future Land Use designation is compatible with surrounding designations and such designation is compatible with both City of Tavares and Lake County surrounding future land use designations; and

WHEREAS, the City of Tavares Planning and Zoning Board, Local Planning Agency, and City Council held duly noticed public hearings providing opportunity for individuals to hear and be heard regarding the adoption of the proposed map amendment; and,

WHEREAS, the City Council has reviewed and considered all relevant evidence and information and testimony presented by witnesses, the public, and City staff; and,

WHEREAS, the City Council finds this amendment in compliance with Chapter 163, Florida Statutes, and the City of Tavares Comprehensive Plan; and

WHEREAS, adoption of this amendment is in the best interest of the health, safety, and general welfare of the citizens of Tavares.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Tavares, Florida as follows

Section 1. Future Land Use Amendment

The Comprehensive Plan and Future Land Use Map of the City of Tavares, Florida, is hereby amended to reflect a re-designation from Lake County Urban Low Density to City of Tavares Low Density (LOW) on certain real property as legally described in Exhibit "A". All provisions of the Comprehensive Plan shall hereby apply to said property.

Section 2. Severability and Conflicts

The provisions of this ordinance are severable and it is the intention of the City Council of Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the decision of such court shall not impair any remaining provisions of this ordinance.

Section 3. Transmittal

The City Administrator is hereby authorized and directed to transmit the adopted Comprehensive Plan amendments to the Florida Department of Economic Opportunity, the East Central Florida Regional Planning Council, the St. Johns River Water Management District, the Department of Environmental Protection, the Florida Department of Transportation, and any other governmental agency in the State of Florida that has filed a written request with the City Council for a copy of the Comprehensive Plan within 10 working days of the adoption of this Ordinance as specified in the State Land Planning Agency's procedural rules.

Section 4. Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has

become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED this _____ day of _____, 2024 by the City Council of the City of Tavares, Florida.

Bob Grenier, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

ATTEST:

Susie Novack, City Clerk

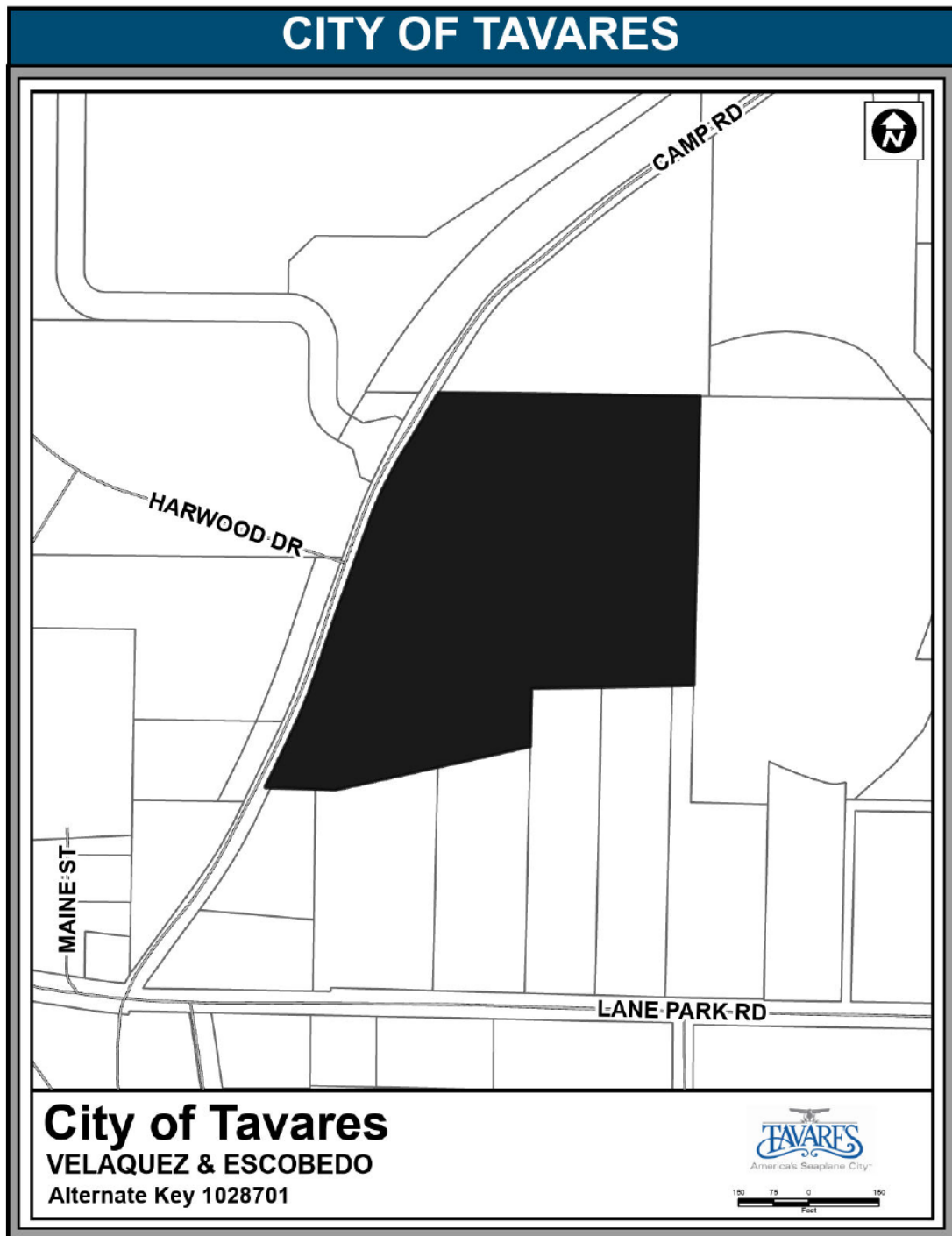
Approved as to form:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

Parcel ID Number: 06-20-26-0003-000-02300

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