

AGENDA



City of Tavares Planning & Zoning Advisory Board

March 18, 2021 -- 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 February 18, 2021 Planning and Zoning Board Minutes.

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

V. Public Hearings

1. Koenke Property - Annexation and Rezoning of approximately 05.74 acres located east of CR-561, south of Lake Industrial Blvd. from Lake County Heavy Industrial (HM) to City of Tavares Industrial (I).

Recommendation on Ordinance 2021-02

2. Koenke Property - Small Scale FLUM Amendment of approximately 05.74 acres located east of CR-561, south of Lake Industrial Blvd. from Lake County Industrial to City of Tavares Industrial (IND).

Recommendation on Ordinance 2021-03

VI. Other Business

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
3/18/2021**

AGENDA TAB NO.: 1.

SUBJECT TITLE: Approval of the February 18, 2021 Planning and Zoning Board Minutes.

OBJECTIVE:

To approve the February 18, 2021 Planning and Zoning Board meeting minutes.

SUMMARY:

Attached is the February 18, 2021 Planning and Zoning Board meeting minutes as submitted by the Deputy City Clerk

OPTIONS:

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

STAFF RECOMMENDATION:

For Planning and Zoning Board approval.

FISCAL IMPACT:

None.

LEGAL SUFFICIENCY:

Legally Sufficient.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. 02 - February Minutes Draft

Attachments not provided are available to the public upon request to the City Clerk.

**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
COUNCIL CHAMBERS
201 E. MAIN STREET
FEBRUARY 18, 2021**

BOARD MEMBERS PRESENT

Gary Santoro, Chairman
Dian Joy, Board Member
Gary Koerner, Board Member
Deborah Murphy, Board Member
Bruce Peterman, Board Member
James Sweeza, Board Member
Dara Treadwell, Board Member

LAKE COUNTY SCHOOL BOARD

Helen LaValley - Absent

STAFF MEMBERS PRESENT

Lindsay Holt, City Attorney
Mike Fitzgerald, Community Development Director
Antonio Fabre, Planning Coordinator
Jillian Roberts, Deputy City Clerk

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.

APPROVAL OF MINUTES

Chairman Santoro asked if there are any additions or corrections for November 19, 2020 Planning and Zoning Board Meeting minutes. Board Member Treadwell noted the error on Page 1, under "Approval of Minutes" to correct the last name of Dara Treadwell.

MOTION

James Sweeza moved to approve the minutes, as amended, of the November 19, 2020 Planning and Zoning Board Meeting, seconded by Dara Treadwell. The motion carried unanimously 6-0.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

Attorney Holt swore those in who wished to provide testimony for the quasi-judicial matters before the Board.

Attorney Holt asked each Board Member for disclosure of communications with contacts. There were none.

PUBLIC HEARING

1) Recommendation on Ordinance 2020-01 – Land Development Regulation Amendment – Chapter 21 – Amending Temporary Signs on Vacant Property & Miscellaneous Sign Content

Mr. Fitzgerald provided the following staff report;

A U.S. Supreme Court decision in Reed v Town of Gilbert ruled that regulating signs based on the message on the sign would be a restriction to free speech or conversely show favoritism to some category of speech. The court further determined that regulating signs based on the message would be unconstitutional and would invalidate the regulation or governing code.

The court did recognize that governmental type signs such as traffic signs in the street right-of-ways fall into a separate category and are necessary for public safety and protection. The court also stated that sign design such as size, height, location, number allowed, etc. could be regulated provided no reference is made to the sign message. At their August 5, 2020 meeting City Council directed staff to propose an amendment to the Land Development Regulations regarding allowances for temporary signs. City staff presented Ordinance 2020-12 to the Planning & Zoning Board on November 19, 2020 and City Council (second reading) on December 16, 2020. However, City Council voted to deny the ordinance as the proposed changes to the sign regulations did not meet acceptable criteria. Ordinance 2021-01 proposes changes to temporary sign regulations that temporary signs shall be displayed for a period of 120 days in a calendar year, may be displayed on vacant and developed land, and shall be limited to two (2) signs per parcel of property. Ordinance 2021-01 also proposes to remove a provision pertaining to flag content in conformity with Supreme Court decisions.

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-01 amending Temporary Sign Regulations and Miscellaneous Sign content in conformity with Supreme Court decisions.*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-01.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-01 amending Temporary Sign Regulations and Miscellaneous Sign content in conformity with Supreme Court decisions

Chairman Santoro asked if the board or audience had any comments.

Kyle Tetzlaff, Realtor Association of Lake and Sumter Counties, 3001 State Road 19, Tavares read a speech and noted his concern regarding burden on property owners and the real-estate agents listing the properties. He stated he would prefer a less restrictive ordinance.

Rich Gonzales, wrote an email and noted his concern regarding the 120-day limit in the proposed ordinance.

Chairman Santoro closed public comment.

Chairman Santoro asked the Board for comments.

Board Member Peterman stated he understand the amount of time needed to sell a property and that people searching for property can search online. He noted his concern of the longer amount of time is a free billboard for the realtors, not particularly for the property. He stated he is opposed to 120 days and should remain at 90 days.

Board Member Joy stated the Ordinance should remain at 90 days and noted her preference for an amendment for realtors and for property owners. He also noted her concern that during the pandemic it is taking longer than 90 days to sell property. She stated that for regular signs, not including real-estate, should have a limit of 90 days.

Board Member Koerner confirmed that there is no cost to have a sign for 90 days and asked what is in place to prevent an individual from taking a sign down after 90 days for 30 days and putting it back in place. Mr. Fitzgerald confirmed that there is no permit required for a temporary sign. He also stated that if an individual was to put the sign back up then it would need to be monitored by Code Enforcement.

Board Member Treadwell noted her concern of placing a temporary sign for 90 days, removing it for 30 days, and placing it back. Mr. Fitzgerald stated that the new ordinance proposes an increase from 90 days to 120 days within a calendar year and if placed for more than 120 days in a calendar year then the individual would be in violation which Code Enforcement would be required to recognize.

Mr. Fitzgerald stated the Ordinance presented is based on a review of the minutes of the council meeting and what Council's intention is in reference to the Ordinance. He stated what is being struck though is Section 21-17 under Miscellaneous Signs in the Ordinance is "flags or insignias containing any phrase identifying property for real-estate purposes" because it

pertains to content such as “for sale” or “property available”.

Board Member Sweeza noted his preference for the 120 days and his concern for the lack of a permit process and asked how the sign ordinance would be monitored and enforced by Code Enforcement. He stated his preference for required permit to enable Code Enforcement monitoring abilities.

Mr. Fitzgerald stated the Ordinance that was presented to the Planning and Zoning Board in November 2020 did have a provision for a permit to be required, however it was struck out of the current Ordinance by City Council.

Chairman Santoro noted his concern for the number of flags, banners and signs present in the city. He said according to the minutes from the Council Meeting, the City Council does not want the flags or banners. He also stated his concern for Officer McCormick being able to properly enforce the Ordinance. He stated he will not approve an item that he does not agree with and noted the importance of requiring a permit.

Attorney Holt stated that permitting is a mechanism. The temporary signs without a permit does not mean the City cannot enforce the duration of time. She noted that Officer McCormick would make an assessment and neighboring owners can testify at a hearing as to the location and the timeliness of the signs. She stated under Section 21-16 A 6 – the Ordinance limits 2 per parcel, to account for both this board and the Councils concerns about the esthetics and possible safety issues.

Chairman Santoro asked for Mr. Fitzgerald’s definition of a sign. Mr. Fitzgerald stated that per the definitions in the regulations “a sign is any object or device or part thereof situated outdoors or indoors visible from the exterior of the structure which is used to display words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images”. Mr. Fitzgerald stated that a person must follow the regulations that are codified.

Board member Treadwell asked what prompts Officer McCormick to look at a potential code enforcement violation and noted her concern of no permit being required therefore there would be no start or end date for the sign. Mr. Fitzgerald stated that the City is complaint driven in regards to Code Enforcement. He also stated that Officer McCormick would need to develop a method for enforcing the regulation presently and in the future. Mr. Fitzgerald stated there is not a start date or end date tracked in the building permit system and tracking by Code Enforcement would be up to Code Enforcement.

Board Member Murphy confirmed that the board is not in favor of the changes made by Council.

Mr. Fitzgerald stated that the current ordinance before the board changes it to 120 days from 90 days.

MOTION

Deborah Murphy moved to recommend denial of Ordinance 2021-01, seconded by Dara Treadwell.

Mr. Fitzgerald gave an overview as follows:

- Changing it from 90 days to 120 days
- Clarifying the 32 sq. ft. in size rather than copy area.
- Reinforcing that there are 2 signs per parcel of property, which is currently a codified part of the City Code.
- Eliminating flag content portion of the ordinance.
- Section 21-15 - Struck out 1 temporary sign would be allowed per parcel under construction. – inconsistent with allowing 2 signs per parcel.
- Allowing temporary signs on the property going from 90 to 120 days.
- Signs are permitted on vacant property as well as developed property.

Mr. Fitzgerald noted that there was never a permitting requirement for temporary signs. Ordinance 2020-12 that was presented in November 2020 added in a requirement for permitting which Council denied. Prior to Ordinance 2020-12 being presented, a temporary sign did not require a permit. Requesting a temporary sign have a permit would be a change to the regulation.

Mr. Fitzgerald stated that if a sign is in the right of way then Code Enforcement would notice, remove and dispose of the sign. If the sign is on a property, he would make a note of it and if the sign is there for longer than 120 days, then he can start a code enforcement case against the property owner.

Attorney Holt noted anyone is allowed to make a complaint to code Enforcement. Officer McCormick can go there and see if it is in the confines of the code or if it needs to be violated.

Chairman Santoro stated his intent is to give a mechanism to be able to track to be able to help the citizens of Tavares and it would give everyone a chance to track the signs. Board Member Sweeza concurred.

The motion was denied unanimously 6-0.

OTHER BUSINESS

Mr. Fitzgerald noted there will be items before the Board in March.

PUBLIC COMMENT

Kyle Tetzlaff, Realtor Association, noted the concern of only having 120 days.

ADJOURNMENT

**James Sweezea moved to approve to adjourn the meeting at 3:48 PM, seconded by Dian Joy.
The motion carried unanimously 6-0.**

Respectfully submitted,

Jillian Roberts,
Deputy City Clerk

AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
3/18/2021

AGENDA TAB NO.: 1.

**SUBJECT TITLE: Koenke Property - Annexation and Rezoning of approximately 05.74 acres located east of CR-561, south of Lake Industrial Blvd. from Lake County Heavy Industrial (HM) to City of Tavares Industrial (I).
Recommendation on Ordinance 2021-02**

OBJECTIVE:

To consider the annexation and rezoning to Industrial (I) of approximately 05.74 acres of property located east of CR-561, south of Lake Industrial Blvd.

SUMMARY:

The subject property is approximately 05.74 acres located east of CR-561, south of Lake Industrial Blvd. The land is vacant and presently zoned as County Heavy Industrial District (HM). The applicant is proposing that the property be annexed and rezoned to City Industrial (I).

The proposed zoning of Industrial (I) is compatible with the surrounding zoning. The property is adjacent to parcels already annexed into the City of Tavares and designated as Industrial (I) zoning. The applicant at this time envisions the construction of approximately seven (7) buildings that are six thousand (6000) square feet in size.

The annexation of this property has been reviewed per the City's Annexation Policy. It has been determined by City staff that the property may be properly serviced by the City without undue hardship or significant negative fiscal impact to the City. City water service is available to the property and connection shall be required upon development.

The environmental assessment submitted by Stillwater Environmental, Inc. indicates no adverse conditions or environmental concerns with the property.

The preliminary traffic analysis submitted by Civil Engineering Solutions, Inc. does not indicate an adverse impact to the level of service for surrounding roadways.

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

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-02 annexing and rezoning to Industrial (I) approximately 05.74 acres of property located east of CR-561, south of Lake Industrial Blvd.
2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-02.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-02 annexing and rezoning to Industrial (I) approximately 05.74 acres of property located east of CR-561, south of Lake Industrial Blvd.

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 2021-02
2. Aerial Map
3. Zoning Map
4. Concept Plan
5. Environmental Assessment
6. Traffic Analysis
7. City Engineer Approval of Traffic Exemption
8. Newspaper Ad 2-28-21
9. Newspaper Ad 3-7-21

ORDINANCE 2021-02

AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES OF THE CITY BY ANNEXING APPROXIMATELY 05.74 ACRES OF LAND LOCATED EAST OF COUNTY ROAD 561, SOUTH OF LAKE INDUSTRIAL BOULEVARD, REZONING SAID PROPERTY FROM LAKE COUNTY HEAVY INDUSTRIAL DISTRICT (HM) TO CITY OF TAVARES INDUSTRIAL (I); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; 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 Heavy Industrial District (HM), and the applicant has requested that said property be rezoned to a City designation of Industrial (I); and,

WHEREAS, the City is concurrently processing an amendment to the City's Comprehensive Plan to re-designate the property from Lake County Industrial to City of Tavares Industrial (IND) on the Future Land Use Map 2040; and

WHEREAS, the City of Tavares held duly noticed public hearings before the Planning and Zoning Board and City of Tavares City Council, providing opportunity for individuals to hear and to be heard regarding the proposed amended zoning and annexation; 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 the City of Tavares Land Development Regulations and the proposed amended Comprehensive Plan; now 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 Heavy Industrial District (HM) to City of Tavares Industrial (I) 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 _____ day of _____, 2021 by the City Council of the City of Tavares, Florida.

Amanda Boggus, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

Susie Novack, City Clerk

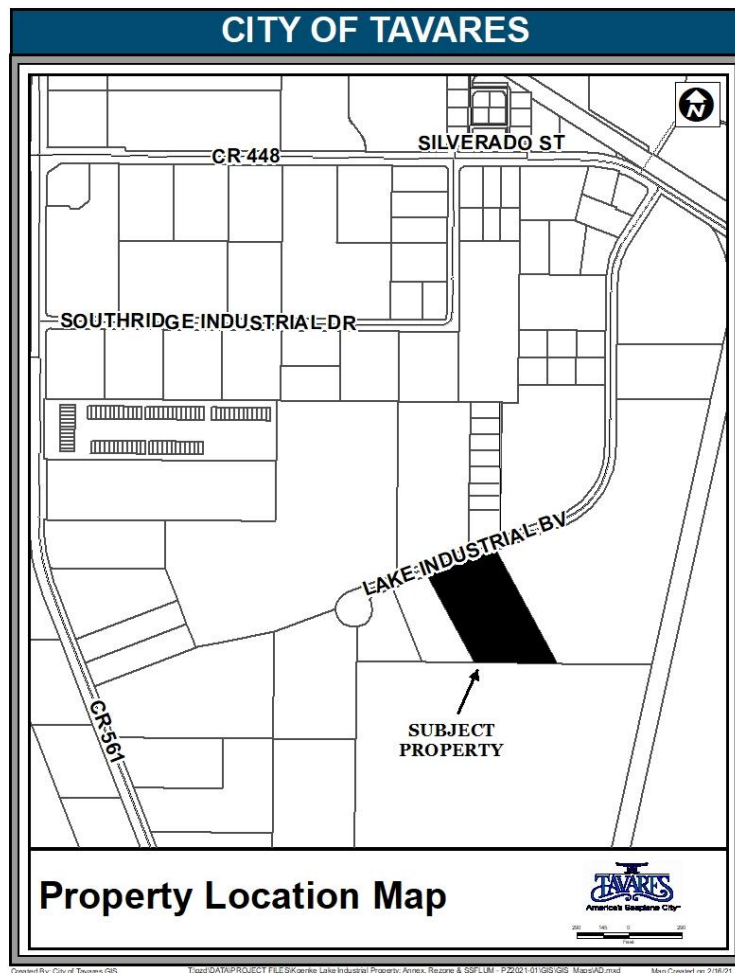
APPROVED AS TO FORM AND LEGALITY:

Robert Q. Williams, City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION:

From the S.W. corner of the S.E. 1/4 (S 1/4 corner) of Section 8, Township 20, Range 26, Lake County, Florida, run East along the South line of said S.E. 1/4 455.0 feet to an iron pipe; thence turn to the left an angle of 90°00'00" and run North 1231.70 feet; thence East parallel with the South line of S.E. 1/4 a distance of 1106.46 feet to the P.O.B., from said P.O.B. run N. 29°27'33" W, 710.62 feet to the Southerly r/w of a 66 foot wide County Road; thence S. 69°17'00" W. along said r/w 400.00 feet; thence S. 29°04'45" E. 546.08 feet; thence East 458.22 feet to the P.O.B.



AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
3/18/2021

AGENDA TAB NO.: 2.

**SUBJECT TITLE: Koenke Property - Small Scale FLUM Amendment of approximately 05.74 acres located east of CR-561, south of Lake Industrial Blvd. from Lake County Industrial to City of Tavares Industrial (IND).
Recommendation on Ordinance 2021-03**

OBJECTIVE:

To consider an application for a Future Land Use Map amendment from Lake County Industrial to City Industrial (IND) for 05.74 acres of property generally located east of CR-561, south of Lake Industrial Blvd.

SUMMARY:

Ordinance 2021-03 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Number 2719648) is 05.74 acres in size and generally located east of CR-561, south of Lake Industrial Blvd. The property is currently vacant. The applicant envisions industrial uses that are compatible with the industrial development that is adjacent to the subject property. This ordinance would amend the current Future Land Use Designation from Lake County Industrial to City Industrial (IND).

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated County Industrial. A City Industrial designation is compatible with surrounding property.

Compatibility

The surrounding property is industrial nature.

Site Conditions

The property is currently vacant. Prior to any development, an approved site plan will be required. All applicable surveying, environmental assessments, and permitting must be in place before the site plan is approved. Any proposed development project will be required to connect to available city utilities.

Impact on City Services

The subject property is located in the City's Utility Service Area. The City of Tavares has municipal water service available to the subject parcel and any new development on this property must connect to city utilities. 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 Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. An Industrial 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)

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-03 Future Land Use Map amendment from Lake County Industrial to City Industrial (IND) for 05.74 acres of property generally located east of CR-561, south of Lake Industrial Blvd.
2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-03.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-03 Future Land Use Map amendment from Lake County Industrial to City Industrial (IND) for 05.74 acres of property generally located east of CR-561, south of Lake Industrial Blvd.

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 2021-03
2. FLU Map
3. Newspaper Ad 2-28-21
4. Newspaper Ad 3-7-21

ORDINANCE 2021-03

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 05.74 ACRES OF PROPERTY FROM COUNTY INDUSTRIAL TO CITY INDUSTRIAL (IND) FOR PROPERTY GENERALLY LOCATED EAST OF COUNTY ROAD 561, SOUTH OF LAKE INDUSTRIAL BOULEVARD; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property described in **Exhibit “A”** attached hereto, is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Lake County Industrial to City Industrial (IND); and

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

WHEREAS, the property consists of less than ten acres;

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, an Industrial Future Land Use designation is compatible with surrounding City of Tavares 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 Industrial to City of Tavares Industrial (IND) 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 _____, 2021 by the City Council of the City of Tavares, Florida.

Amanda Boggus, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

ATTEST:

Susie Novack, City Clerk

Approved as to form:

Robert Q. Williams, City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION:

From the S.W. corner of the S.E. 1/4 (S 1/4 corner) of Section 8, Township 20, Range 26, Lake County, Florida, run East along the South line of said S.E. 1/4 455.0 feet to an iron pipe; thence turn to the left an angle of 90°00'00" and run North 1231.70 feet; thence East parallel with the South line of S.E. 1/4 a distance of 1106.46 feet to the P.O.B., from said P.O.B. run N. 29°27'33" W, 710.62 feet to the Southerly r/w of a 66 foot wide County Road; thence S. 69°17'00" W. along said r/w 400.00 feet; thence S. 29°04'45" E. 546.08 feet; thence East 458.22 feet to the P.O.B.

