

AGENDA



City of Tavares Planning & Zoning Advisory Board

May 20, 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 March 18, 2021 Planning and Zoning Board Meeting Minutes (Deputy Clerk)

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

V. Public Hearings

1. Cyprich Property - Vacate a Portion of an Easement Located at 1501 Texas Court
Recommendation on Resolution 2021-08
2. Pallazzo Holdings, LLC - Rezoning of Approximately 09.53 Acres Located East of SR-19, South of Lane Park Cutoff
Recommendation on Ordinance 2021-04
3. Pope Property - Annexation and Rezoning of Approximately 0.10 Acres of Property Located at 12934 Lake Dora Circle
Recommendation on Ordinance 2021-05
4. Pope Property - Small Scale FLUM Amendment of Approximately 0.10 Acres Located at 12934 Lake Dora Circle
Recommendation on Ordinance 2021-06
5. Hammock Citrus Corporation - Rezoning of Approximately 16.84 Acres Located East of SR-19 and 600 Feet North of Lane Park Cutoff
Recommendation on Ordinance 2021-07
6. Hammock Citrus Corporation - Large Scale FLUM Amendment of Approximately 16.84 Acres Located East of SR-19 and 600 Feet North of Lane Park Cutoff

Recommendation on Ordinance 2021-08

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
5/20/2021

AGENDA TAB NO.: 1.

SUBJECT TITLE: Approval of the March 18, 2021 Planning and Zoning Board Meeting Minutes (Deputy Clerk)

OBJECTIVE:

Approval of the March 18, 2021 Planning and Zoning Board meeting minutes.

SUMMARY:

Attached are the March 18, 2021 Planning and Zoning Board meeting minutes as submitted by the Deputy Clerk.

OPTIONS:

1. Approve the March 18, 2021 Planning and Zoning Board meeting minutes as submitted by the Deputy Clerk.
2. Approve the March 18, 2021 Planning and Zoning Board meeting minutes with changes.

STAFF RECOMMENDATION:

For Board approval.

FISCAL IMPACT:

None.

LEGAL SUFFICIENCY:

Yes.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. 03 - March PZ Minutes

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

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

BOARD MEMBERS PRESENT

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

LAKE COUNTY SCHOOL BOARD

Helen LaValley - Absent

STAFF MEMBERS PRESENT

Robert Q. Williams, City Attorney - Absent
Mike Fitzgerald, Community Development Director
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 February 18, 2021 Planning and Zoning Board Meeting minutes. There were none.

MOTION

Dara Treadwell moved to approve the minutes of the February 18, 2021 Planning and Zoning Board Meeting, seconded by Dian Joy. The motion carried unanimously 5-0.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

Ms. Roberts swore those in that were present.

PUBLIC HEARING

1) Recommendation on Ordinance 2021-02 – 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).

Mr. Fitzgerald provided the following staff report;

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.

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

Chairman Santoro asked for comments from the audience.

David Clutts, Civil Engineering Solutions, 322 N. Rockingham Ave. Tavares, Applicant, stated that he is available to answer questions.

Board Member Treadwell asked if there is a concept drawing. Mr. Fitzgerald confirmed there is one in the packet.

Chairman Santoro asked if the property is annexed and rezoned and the plans fall through, will the annexation and rezoning still occur. Mr. Fitzgerald confirmed that the annexation and rezoning would still proceed.

MOTION

Bruce Peterman moved to recommend approval of Ordinance 2021-02, seconded by Dian Joy. The motion carried unanimously 6-0.

2) Recommendation on Ordinance 2021-03 – 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 201-03

Mr. Fitzgerald provided the following staff report;

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. Page 16 of 21 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.

Chairman Santoro asked for public comment. There was none.

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

MOTION

James Sweeza moved to recommend approval of Ordinance 2021-03, seconded by Dara Treadwell. The motion carried unanimously 6-0.

OTHER BUSINESS

Mr. Fitzgerald noted that Board Member Gary Korerner resigned from the Planning and Zoning Board.

PUBLIC COMMENT

None.

ADJOURNMENT

Dian Joy moved to approve to adjourn the meeting at 3:14 PM, seconded by James Sweeza. The motion carried unanimously 6-0.

Respectfully submitted,

March 18, 2021
Planning & Zoning Board Meeting

Jillian Roberts,
Deputy City Clerk

AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
5/20/2021

AGENDA TAB NO.: 1.

SUBJECT TITLE: Cyprich Property - Vacate a Portion of an Easement Located at 1501 Texas Court
Recommendation on Resolution 2021-08

OBJECTIVE:

To consider the partial vacation of the easement located at 1501 Texas Ct., Lot 9 and part of Lot 10 in Vista Del Largo Subdivision as recorded in Plat Book 20, Pages 55-57.

SUMMARY:

This is a request to vacate a portion of a platted easement lying across the property located at 1501 Texas Ct. Tavares, Florida 32778. During the recent sale of the property the title company issuing the title insurance advised the new owner of the property to petition to vacate a portion of the existing easement as it is no longer practical as a result of a lot line deviation that was completed in 1980, and the subsequent construction of a swimming pool in 1984 that encroaches on the easement. City staff has reviewed the vacate request and determined no conflicts in the vacation with regard to drainage, utilities, health, safety, or welfare of the Public. This vacate will remove the city's public interest in this land, thus allowing the applicant to eliminate any perceived exception to clear title of this property.

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Resolution 2021-08 partial vacation of the easement located at 1501 Texas Ct., Lot 9 and part of Lot 10 in Vista Del Largo Subdivision as recorded in Plat Book 20, Pages 55-57.

2. That the Planning & Zoning Board moves to recommend denial of Resolution 2021-08.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Resolution 2021-08 partial vacation of the easement located at 1501 Texas Ct., Lot 9 and part of Lot 10 in Vista Del Largo Subdivision as recorded in Plat Book 20, Pages 55-57.

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 2021-08
2. Aerial Map
3. Easement Location Map
4. Newspaper Ad - 5-9-21

RESOLUTION 2021-08

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, TO VACATE A PORTION OF THE EASEMENT LOCATED AT 1501 TEXAS CT. TAVARES, FL 32778, LOT 9 AND THAT PART OF LOT 10, IN VISTA DEL LARGO, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 20, PAGES 55 THROUGH 57 OF THE PUBLIC RECORDS OF LAKE 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 1501 Texas Ct. has petitioned for a partial vacation of said easement; and

WHEREAS, the portion of the easement described in Exhibit "A" is no longer practical as a result of the lot line deviation between Lots 9 & 10 of Vista Del Largo Subdivision, completed in 1980 by Deed as recorded in Book 696, Page 153 of the Public Records of Lake County, Florida, and the construction of a swimming pool in 1984 across the portion of said easement; and

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

WHEREAS, the petition to vacate said easement 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 easement, as described in Exhibit A, attached hereto and made part of this resolution.

PASSED AND RESOLVED this ____ day of ____, 2021 by the Tavares City Council.

Amanda Boggus, Mayor
Tavares City Council

ATTEST

Susie Novack, City Clerk

Approved as to form and legality:

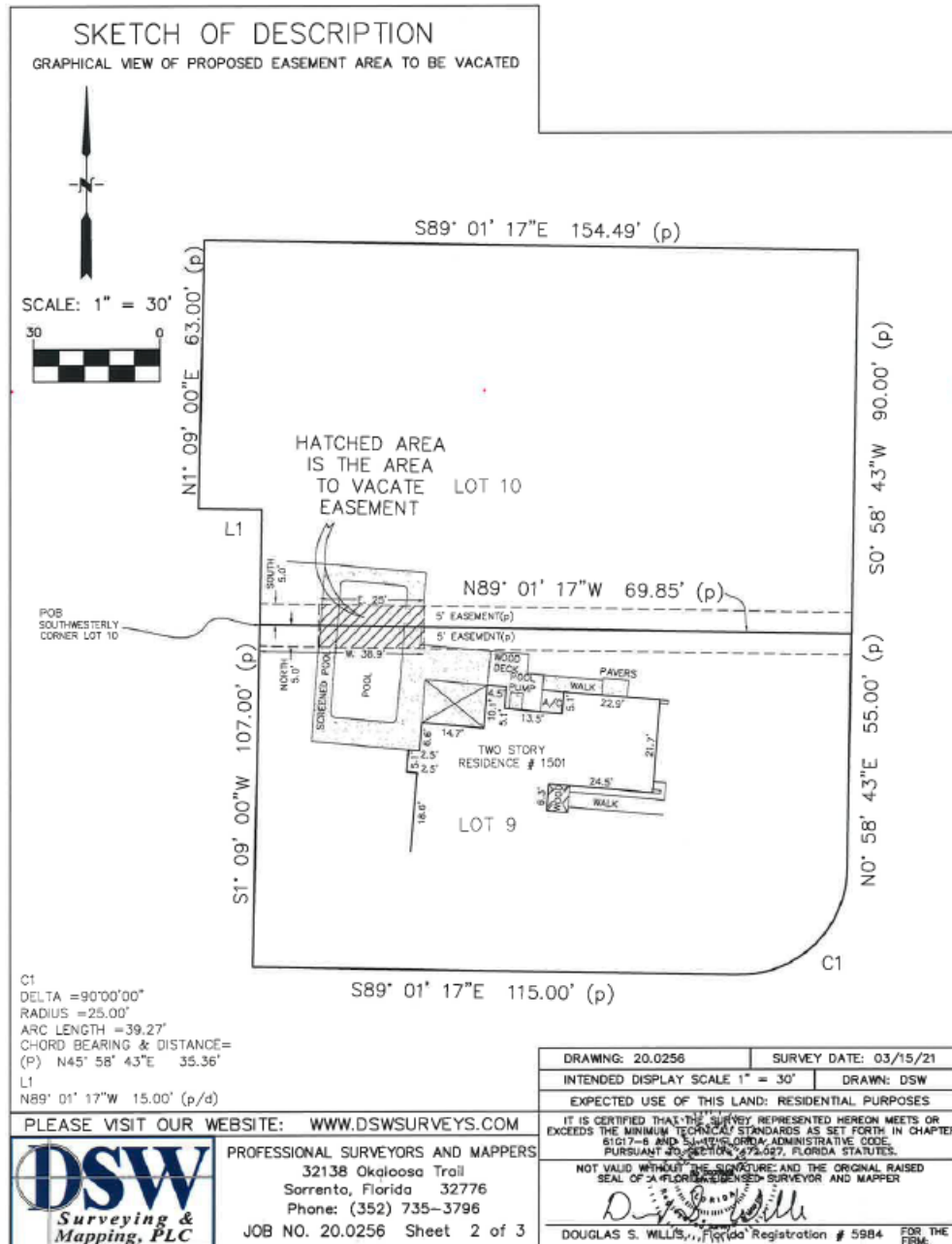
Robert Q. Williams, City Attorney

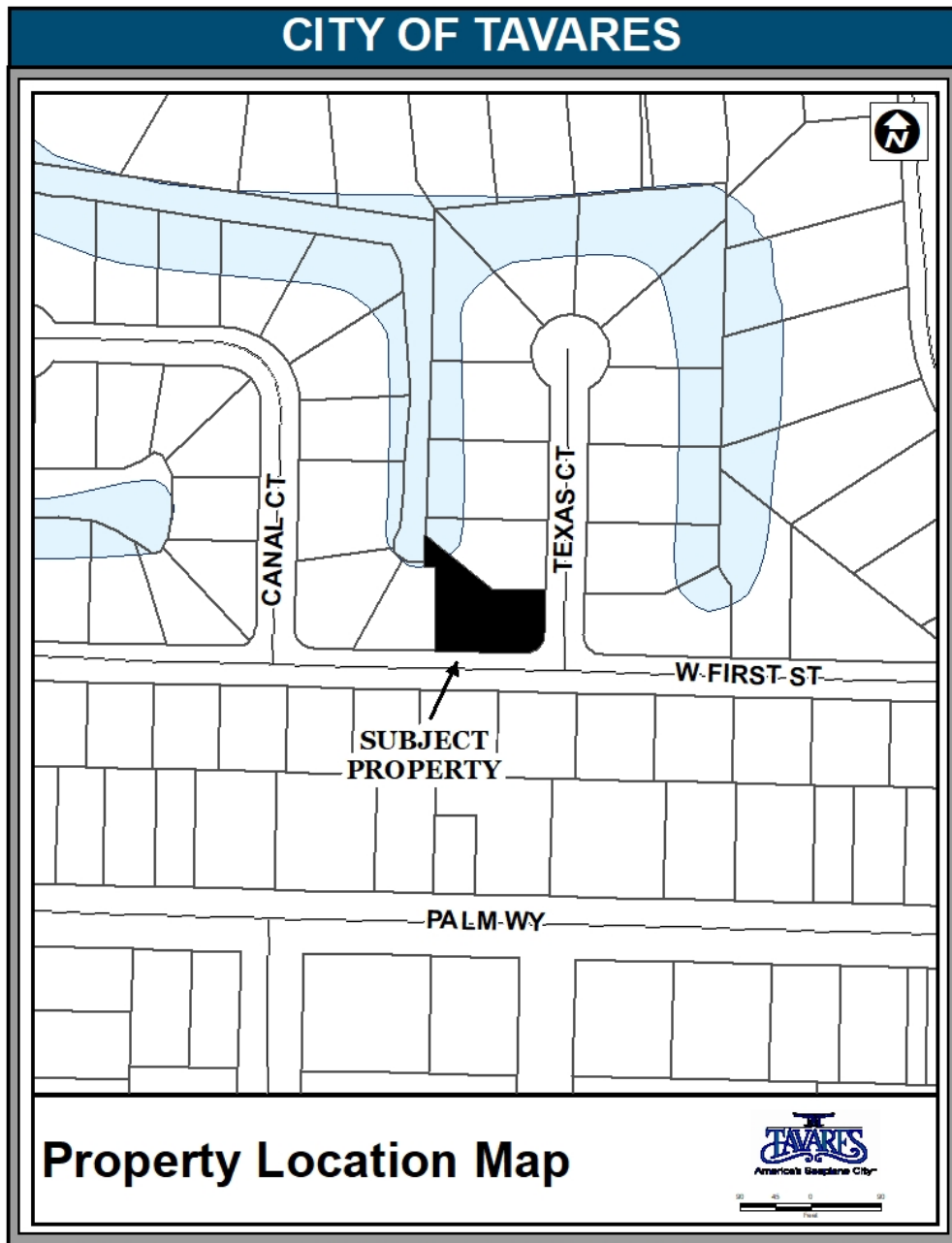
Exhibit A

THE SOUTH 5 FEET OF THE EAST 25 FEET OF THE WEST 38.9 FEET OF LOT 10, IN VISTA DEL LARGO, according to the plat thereof as recorded in Plat Book 20, Page 55 of the Public Records of Lake County, Florida.

AND

THE NORTH 5 FEET OF THE EAST 25 FEET OF THE WEST 38.9 FEET OF LOT 9, IN VISTA DEL LARGO, according to the plat thereof as recorded in Plat Book 20, Page 55 of the Public Records of Lake County, Florida.





Created By: City of Tavares GIS

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Map Created on 4/26/21

AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
5/20/2021

AGENDA TAB NO.: 2.

SUBJECT TITLE: Pallazzo Holdings, LLC - Rezoning of Approximately 09.53 Acres Located East of SR-19, South of Lane Park Cutoff
Recommendation on Ordinance 2021-04

OBJECTIVE:

To consider the rezoning of approximately 09.53 acres of property located east of SR-19, south of Lane Park Cutoff from Planned Development (PD) to Residential Multi-Family (RMF-2).

SUMMARY:

The subject property consists of approximately 09.53 acres of vacant property located east of SR-19, south of Lane Park Cutoff. The property is currently zoned as a Planned Development (PD), and the applicant is proposing that the property be rezoned to Residential Multi-Family (RMF-2).

The proposed zoning of Residential Multi-Family (RMF-2) is compatible with the surrounding zoning, which is a mixture of residential, commercial, and Public Facilities zoning. The applicant at this time envisions the construction of seventy (70) townhomes with shared parking. The proposed use and number of dwelling units is consistent with the existing Medium Density land use and the Comprehensive Plan. The proposed use is similar to what was approved by City Council under the existing Planned Development. The applicant desires to remove the age restriction that was required per Planned Development Ord. 07-42. The subject property is approximately 0.25 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 property owner is required to obtain school capacity reservation prior to development approval.

The environmental assessment submitted by Ray and Associates 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 Traffic & Mobility Consultants does not indicate an adverse impact to the level of service for surrounding roadways.

Any development of the property will be in accordance with the City's Land Development Regulations. Prior to the issuance of any Building Permits for this property compliance with all applicable regulations will be required.

The underlying Future Land Use designation of Medium Density (MED) does not change and is compatible with the requested Residential Multi-Family (RMF-2) zoning district.

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-04 rezoning approximately 09.53 acres of property located east of SR-19, south of Lane Park Cutoff from Planned Development (PD) to Residential Multi-Family (RMF-2).
2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-04.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-04 rezoning approximately 09.53 acres of property located east of SR-19, south of Lane Park Cutoff from Planned Development (PD) to Residential Multi-Family (RMF-2).

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 2021-04
2. Aerial Map
3. Zoning Map
4. Concept Plan
5. Building Rendering
6. Newspaper Ad 5-9-21

ORDINANCE 2021-04

AN ORDINANCE OF THE CITY OF TAVARES REZONING APPROXIMATELY 09.53 ACRES OF PROPERTY GENERALLY LOCATED EAST OF STATE ROAD 19, SOUTH OF LANE PARK CUTOFF FROM PLANNED DEVELOPMENT (PD) TO RESIDENTIAL MULTI-FAMILY (RMF-2); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owners of the property legally described in “**Exhibit A**” of this Ordinance have applied for the rezoning of this land from Planned Development (PD) to Residential Multi-Family (RMF-2); and

WHEREAS, properties within this area are a mix of residential, commercial, and Public facilities use; and

WHEREAS, the City of Tavares has advertised in accordance with Florida State 166.041 for two public hearings, as is its option, prior to adoption of this ordinance; and

WHEREAS, the City of Tavares held these duly noticed public hearings before the Planning and Zoning Board and the City of Tavares City Council, providing opportunity for individuals to hear and to be heard regarding the proposed amended zoning; and

WHEREAS, the City Council has reviewed and considered all relevant evidence, 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 Comprehensive Plan; now therefore

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

Section 1. Rezoning

The said properties, as legally defined in **Exhibit “A”**, attached hereto and made a part herewith, are hereby rezoned from Planned Development (PD) to Residential Multi-Family (RMF-2).

Section 2. 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 3. Effective Date.

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

PASSED AND ORDAINED this _____ 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"

Boundary Survey

Legal Description:

That part of Woodhaven Subdivision, according to the plat thereof, recorded in Plat Book 22, Pages 34 through 39, inclusive, Public Records of Lake County, Florida, which has been partially vacated by instrument recorded in Official Records Book 1066, Page 775, Public Records of Lake County, Florida, lying within the following described parcel of land:

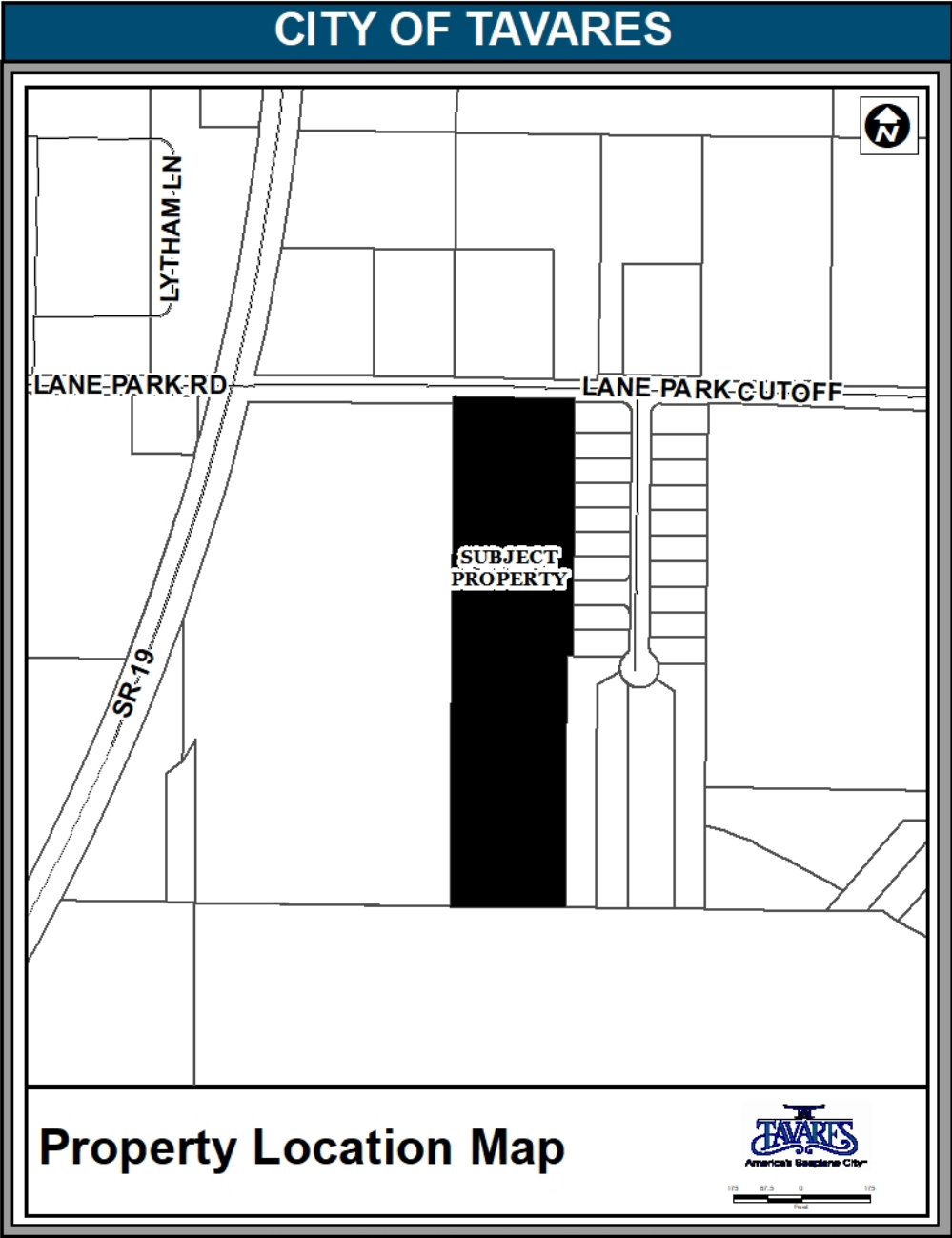
Commence at the Southeast corner of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of Section 6, Township 20 South, Range 26 East, Lake County, Florida, run thence South 89 degrees 40 minutes 16 seconds West 1315.61 feet along the South boundary of said Section 6 to the Southeast corner of Idamere Shores, a subdivision in the City of Tavares, Florida, according to the plat thereof, recorded in Plat Book 38, Pages 11 and 12, Public Records of Lake County, Florida, thence continue South 89 degrees 40 minutes 16 seconds West 357.49 feet along the South boundary of said Section 6 to the Southwest corner of said Idamere Shores and the Point of Beginning of this description: From said Point of Beginning continue South 89 degrees 40 minutes 16 seconds West along the South boundary of said Section 6 a distance of 310.01 feet to a point on the West boundary of the East 1/2 of the Southwest 1/4 of the Southeast 1/4 of said Section 6; from said point, run thence North 00 degrees 08 minutes 57 seconds West along the West boundary of the East 1/2 of the Southwest 1/4 of the Southeast 1/4 of said Section 6, said boundary also being the West boundary of said Woodhaven Subdivision, a distance of 1311.02 feet to a point that is 30.00 feet South of the existing centerline of Lane Park Cutoff Road (District No. 3-3444)(3-3637 per record plat of Woodhaven Subdivision). From said point, run thence South 89 degrees 26 minutes 21 seconds East along the Southerly right-of-way line according to said record plat of Woodhaven Subdivision a distance of 326.03 feet to a point on the West boundary of said Idamere Shores and its Northerly extension, from said point, leaving said Southerly right-of-way line, run thence South 00 degrees 08 minutes 57 seconds East along a West boundary of said Idamere Shores and its Northerly extension 658.06 feet, thence South 89 degrees 51 minutes 03 seconds West along a North boundary of said Idamere Shores 16.00 feet, thence South 00 degrees 08 minutes 57 seconds East along a West boundary of said Idamere Shores 647.94 feet to the Point of Beginning.

Less and Except any platted roadways shown on the said plat of Woodhaven Subdivision lying within 50 feet of the centerline of pavement of Lane Park Cutoff Road No. 3444 (shown on the said plat of Woodhaven as Road No 3-367)(O.R.B. 1290, Page 1564).

Flood Description:

By performing a search with the local governing municipality or www.fema.gov, the property appears to be located in zone X/AE. This Property was found in City of Tavares, community number 120138, dated 12/18/2012.

CERTIFIED TO: FAIRWINDS CREDIT UNION



Created By: City of Tavares GIS Typed: DATA\PROJECT FILE SLake Idamere - Rezoning - PZ2020-17\GIS\GIS_Maps\AD.mxd MAP CREATED ON 04/26/21

AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
5/20/2021

AGENDA TAB NO.: 3.

SUBJECT TITLE: Pope Property - Annexation and Rezoning of Approximately 0.10 Acres of Property Located at 12934 Lake Dora Circle
Recommendation on Ordinance 2021-05

OBJECTIVE:

To consider the annexation and rezoning to Residential Manufactured Home Subdivision (RMH-S), of approximately 0.10 acres of property located at 12934 Lake Dora Circle, Tavares, FL.

SUMMARY:

The subject property is located at 12934 Lake Dora Circle and is approximately 0.10 acres in size. The land is presently zoned as County Mixed Home Residential (RM), and the applicant is proposing that the property be annexed and rezoned to Residential Manufactured Home Subdivision (RMH-S). The property is contiguous to the City boundary.

This property is in close proximity to a mixture of mobile home and single family uses. The proposed zoning of Residential Manufactured Home Subdivision (RMH-S) is compatible with surrounding property.

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. The City of Tavares has municipal water and waste water utility service available to the subject parcel.

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 Mobile Home (MH) on the Future Land Use Map 2040.

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-05 annexation and rezoning to Residential Manufactured Home Subdivision (RMH-S), of approximately 0.10 acres of property located at 12934 Lake Dora Circle, Tavares, FL.
2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-05.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-05 annexation and rezoning to Residential Manufactured Home Subdivision (RMH-S), of approximately 0.10 acres of property located at 12934 Lake Dora Circle, Tavares, FL.

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 2021-05
2. Aerial Map
3. Zoning Map
4. Newspaper Ad 5-2-21
5. Newspaper Ad 5-9-21

ORDINANCE 2021-05

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 0.10 ACRES OF PROPERTY LOCATED AT 12934 LAKE DORA CIRCLE; REZONING THE PROPERTY FROM COUNTY MIXED HOME RESIDENTIAL (RM) TO CITY RESIDENTIAL MANUFACTURED HOME SUBDIVISION (RMH-S); 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 Mixed Home Residential (RM) and the applicant has requested that said property be rezoned to a City designation of Residential Manufactured Home Subdivision (RMH-S); 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 Mobile Home 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 Mixed Home Residential (RM) to City of Tavares Residential Manufactured Home Subdivision (RMH-S) 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 _____, 2021, by the City Council of the City of Tavares, Florida.

Amanda Boggus, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

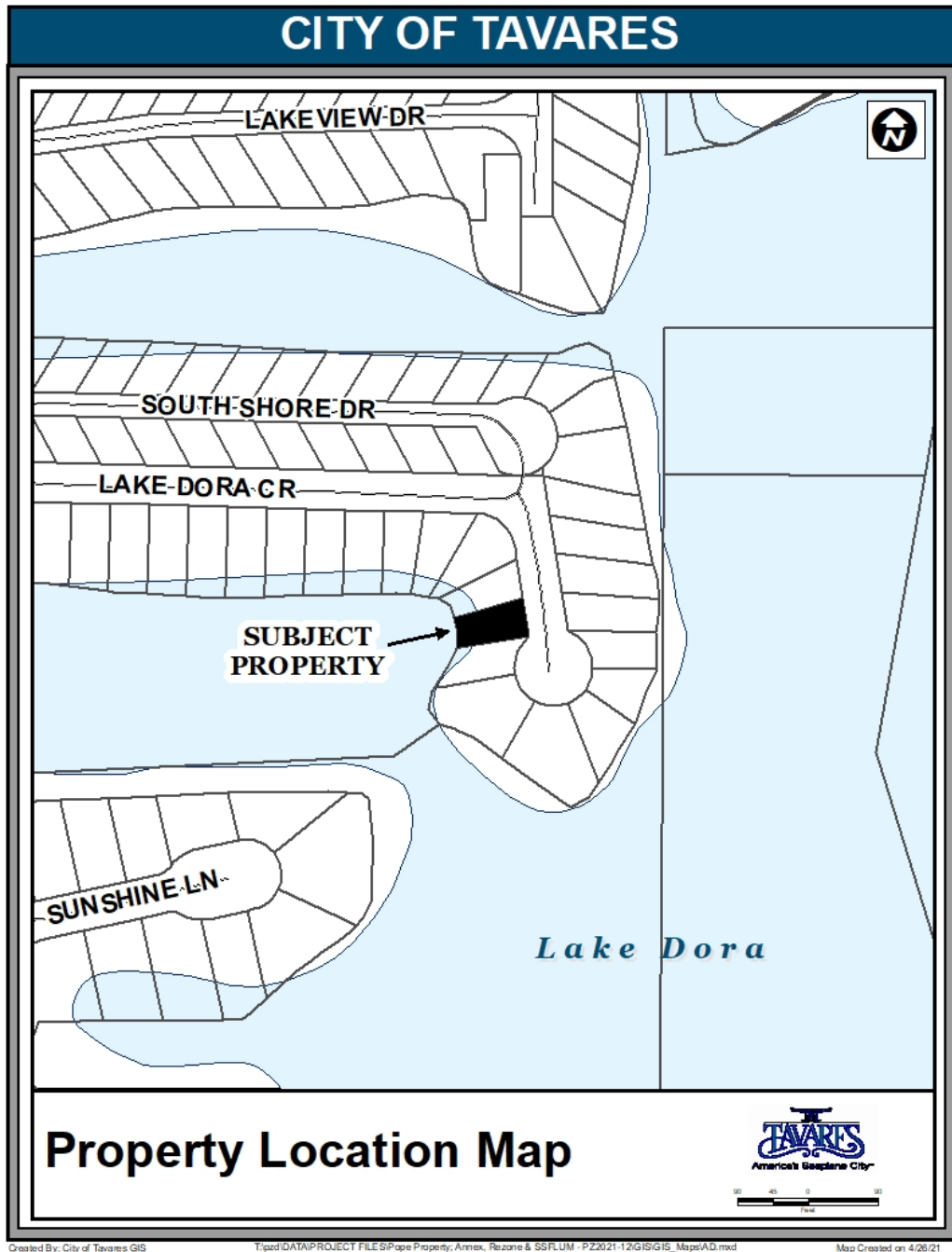
Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Robert Q. Williams, City Attorney

EXHIBIT "A"

Lot 12 in THOMPSON ESTATES, a subdivision in Lake County, Florida,
according to the plat thereof recorded in Plat Book 16, Page 26, Public
Records of Lake County, Florida



AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
5/20/2021

AGENDA TAB NO.: 4.

SUBJECT TITLE: Pope Property - Small Scale FLUM Amendment of Approximately 0.10 Acres Located at 12934 Lake Dora Circle
Recommendation on Ordinance 2021-06

OBJECTIVE:

To consider a Future Land Use Map amendment from County Urban Low to City Mobile Home (MH) for 0.10 acres of property located at 12934 Lake Dora Circle, Tavares, FL.

SUMMARY:

The subject property is located at 12934 Lake Dora Circle, and is approximately 0.10 acres in size. The land presently has a land use designation of County Urban Low Density, and 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 to City of Tavares Mobile Home (MH).

Ordinance 2021-06 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from County Urban Low to City Mobile Home (MH).

The subject property is adjacent to a mixture of mobile home and single-family residential uses. An application to annex and rezone this property to a Residential Manufactured Home Subdivision (RMH-S) designation is concurrently under consideration.

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 Urban Low. A City Mobile Home (MH) designation is most compatible with surrounding property and the existing County Future Land Use.

Compatibility

Lands surrounding this property are residential in nature.

Site Conditions

The property currently contains a mobile home.

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 waste water utility service available to 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 Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A Mobile Home (MH) 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 2021-06 Future Land Use Map amendment from County Urban Low to City Mobile Home (MH) for 0.10 acres of property located at 12934 Lake Dora Circle, Tavares, FL.
2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-06.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-06 Future Land Use Map amendment from County Urban Low to City Mobile Home (MH) for 0.10 acres of property located at 12934 Lake Dora Circle, Tavares, FL.

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 2021-06
2. FLU Map
3. Newspaper Ad 5-2-21
4. Newspaper Ad 5-9-21

ORDINANCE 2021-06

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 0.10 ACRES OF PROPERTY FROM COUNTY URBAN LOW TO CITY MOBILE HOME (MH) FOR PROPERTY LOCATED AT 12934 LAKE DORA CIRCLE; 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 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, a Mobile Home 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 Mobile Home (MH) 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:

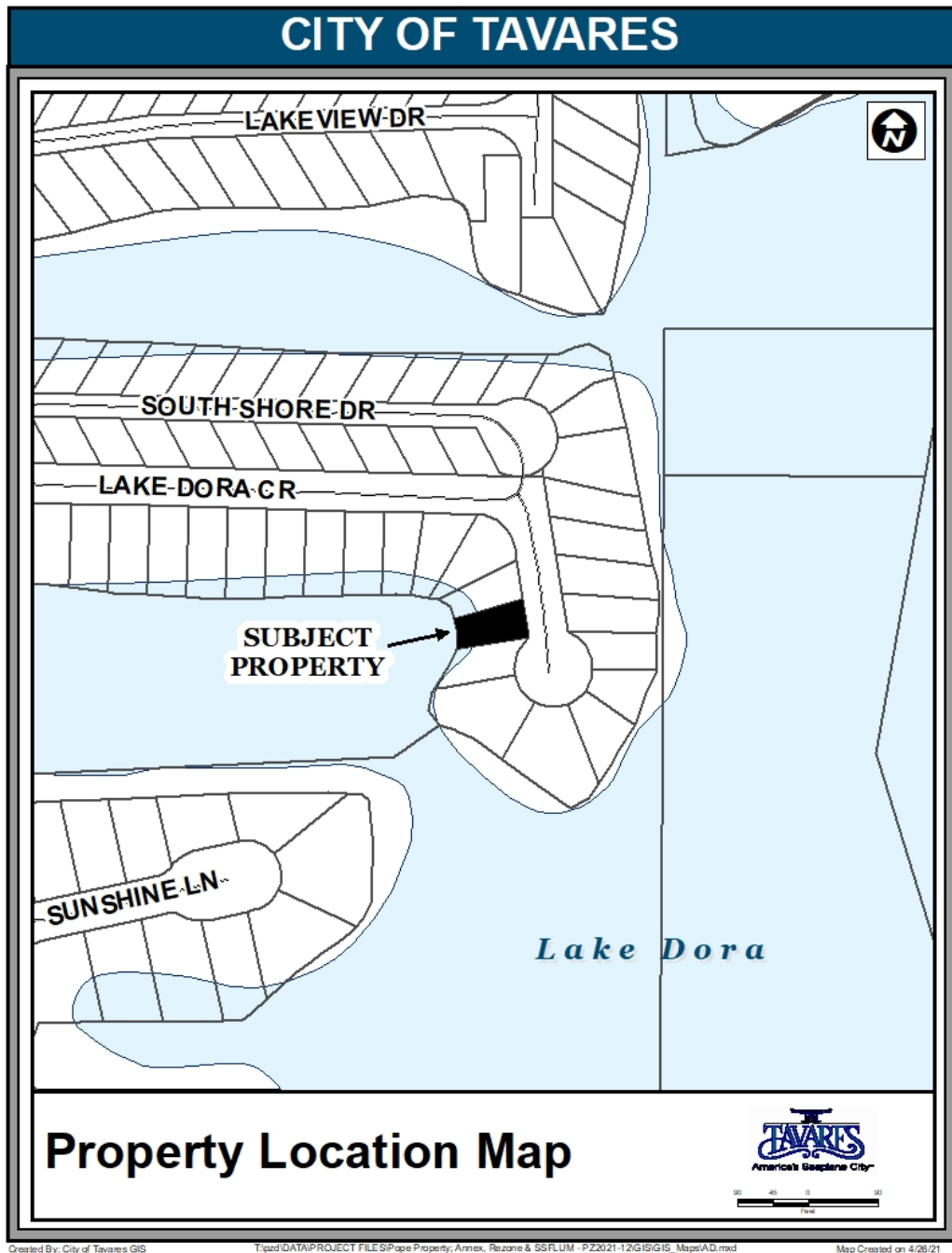
Susie Novack, City Clerk

Approved as to form:

Robert Q. Williams, City Attorney

EXHIBIT "A"

Lot 12 in THOMPSON ESTATES, a subdivision in Lake County, Florida,
according to the plat thereof recorded in Plat Book 16, Page 26, Public Records of
Lake County, Florida



AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
5/20/2021

AGENDA TAB NO.: 5.

SUBJECT TITLE: Hammock Citrus Corporation - Rezoning of Approximately 16.84 Acres Located East of SR-19 and 600 Feet North of Lane Park Cutoff
Recommendation on Ordinance 2021-07

OBJECTIVE:

To consider the rezoning of approximately 16.84 acres of property located east of SR-19 and approximately 600 feet north of Lane Park Cutoff from Highway Commercial (C-2) to Industrial (I).

SUMMARY:

The subject property consists of approximately 16.84 acres of vacant property located east of SR-19 and approximately 600 feet north of Lane Park Cutoff. The property is currently zoned as Highway Commercial (C-2), and the applicant is proposing that the property be rezoned to Industrial (I).

The proposed zoning of Industrial (I) is compatible with the surrounding zoning, which is a mixture of industrial, commercial, and Public Facilities zoning. The applicant at this time envisions the construction of multiple buildings to be utilized as industrial flex space accommodating future industrial uses as well as an area reserved for boat and recreational vehicle storage. The proposed industrial uses will not abut State Road 19 or County Road 561. Approximately six (6) acres of property abutting State Road 19 are not included in the rezoning application and shall remain Highway Commercial (C-2) zoning.

The environmental assessment submitted by LPG Urban & Regional Planners, 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 Traffic & Mobility Consultants does not indicate an adverse impact to the level of service for surrounding roadways.

Any development of the property will be in accordance with the City's Land Development Regulations. 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 Industrial (IND) on the Future Land Use Map 2040.

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-07 rezoning approximately 16.84 acres of property located east of SR-19 and approximately 600

feet north of Lane Park Cutoff from Highway Commercial (C-2) to Industrial (I).

2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-07.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-07 rezoning approximately 16.84 acres of property located east of SR-19 and approximately 600 feet north of Lane Park Cutoff from Highway Commercial (C-2) to Industrial (I).

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 2021-07
2. Aerial Map
3. Zoning Map
4. Concept Plan
5. Traffic Analysis
6. Environmental Assessment Report
7. Newspaper Ad 5-9-21

ORDINANCE 2021-07

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 16.84 ACRES OF PROPERTY GENERALLY LOCATED EAST OF STATE ROAD 19, APPROXIMATELY 600 FEET NORTH OF LANE PARK CUTOFF FROM HIGHWAY COMMERCIAL (C-2) TO INDUSTRIAL (I); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property described in Exhibit "A" attached hereto, is requesting to rezone said property from Highway Commercial (C-2) to Industrial (I); and

WHEREAS, properties within this area are zoned for commercial and industrial use; 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

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 is concurrently processing a large-scale future land use map amendment to re-designate the property from Commercial (COM) to Industrial (IND) designation on the Future Land Use Map 2040; and

WHEREAS, the City Council finds this amendment in compliance with the City of Tavares' Land Development Regulations and Comprehensive Plan; therefore

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

Section 1. Rezoning

The said property, as legally defined in Exhibit "A", attached hereto and made a part herewith, is hereby rezoned Highway Commercial (C-2) to Industrial (I), under the specific provisions as established by the City of Tavares Land Development Regulations.

Section 2. 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 3. Effective Date.

The Rezoning provisions of this Ordinance shall take effect simultaneously with the Effective Date of Ordinance 2021-08.

PASSED AND ORDAINED this _____ 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"

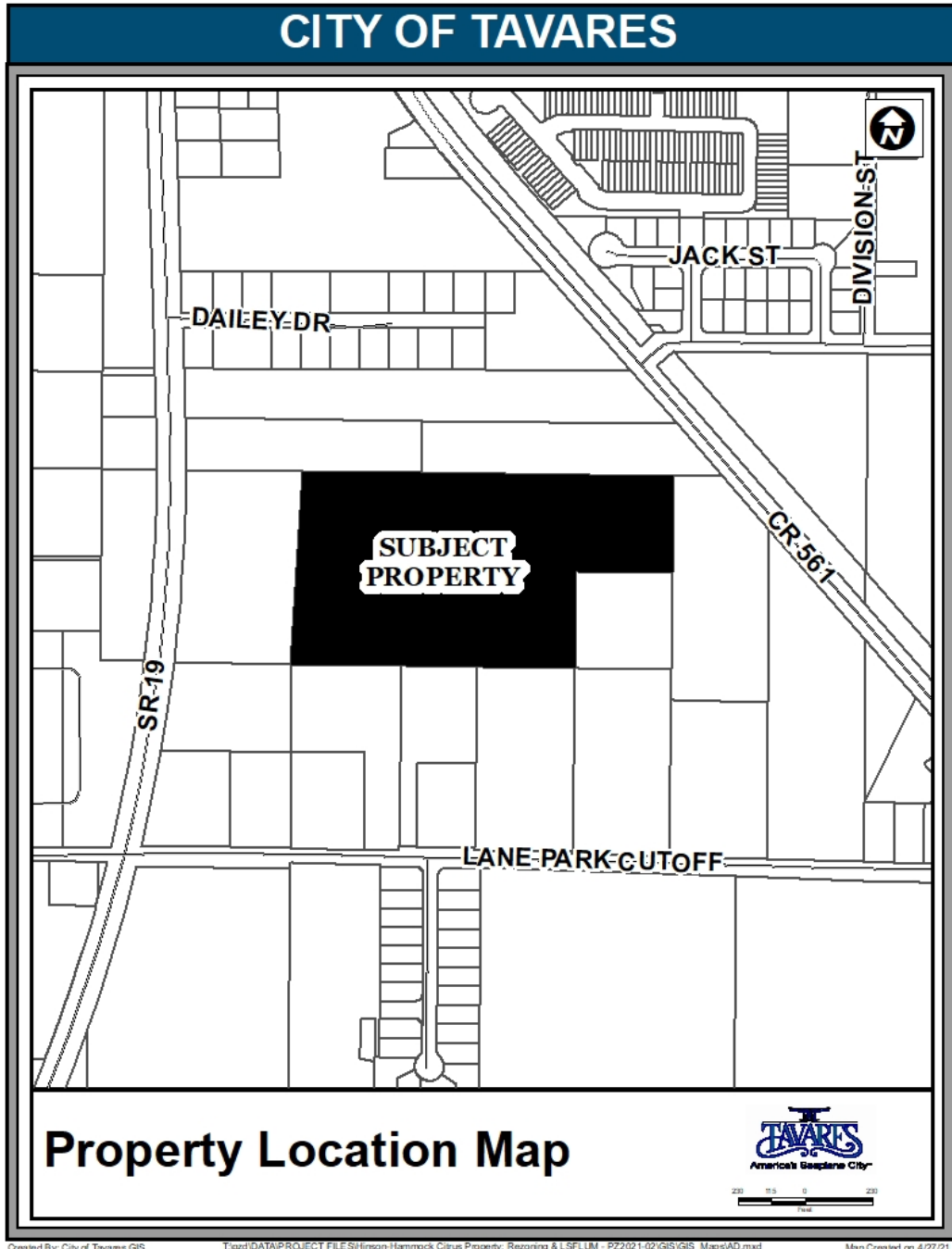
The North 1/2 of the Northwest 1/4 of The Southeast 1/4 and the Northwest 1/4 of the Northeast 1/4 of the Southeast 1/4, Section 6, Township 20 South, Range 26 East, less Right of way for SR 19, Lake County, Florida.

LESS AND EXCEPT:

That portion located West of State Road No. 19 of the North 1/2 of the Northwest 1/4 of the Southeast 1/4 and the Northwest 1/4 of the Northeast 1/4 of the Southeast 1/4, Section 6, Township 20 South, Range 26 East, Lake County, Florida, Less right of way for State Road No. 19.

LESS AND EXCEPT:

BEGIN AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 19 AND THE NORTH LINE OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; THENCE RUN S 89°13'34" E ALONG SAID NORTH LINE A DISTANCE OF 400 FEET; THENCE S 03°38'22" W, 660.20 FEET; THENCE N 89°18'50" W, 400 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 19, SAID POINT ALSO BEING ON A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 5779.28 FEET (CHORD BEARING N 03°37'31" E, CHORD DISTANCE 660.67 FEET), THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 660.67 FEET TO THE POINT OF BEGINNING.



Created By: City of Tavares GIS

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Map Created on 4/27/21

AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
5/20/2021

AGENDA TAB NO.: 6.

SUBJECT TITLE: Hammock Citrus Corporation - Large Scale FLUM Amendment of Approximately 16.84 Acres Located East of SR-19 and 600 Feet North of Lane Park Cutoff Recommendation on Ordinance 2021-08

OBJECTIVE:

To consider a Future Land Use Map amendment from Commercial (COM) to Industrial (IND) for 16.84 acres of property located east of State Road 19, approximately 600 feet north of Lane Park Cutoff.

SUMMARY:

Ordinance 2021-08 proposes a large-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Number 3925309) is 16.84 acres in size, located at east of State Road 19, approximately 600 feet north of Lane Park Cutoff. This ordinance would amend the current Future Land Use Designation from Commercial (COM) to 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 City Commercial (COM). A City Industrial (IND) designation is compatible with surrounding property.

Compatibility

Lands surrounding this property are industrial and commercial in 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 city water and wastewater utilities.

Impact on City Services

The subject property is located in the City's Utility Service Area. The City of Tavares has municipal water and sewer services 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 2021-08

Future Land Use Map amendment from Commercial (COM) to Industrial (IND) for 16.84 acres of property located east of State Road 19, approximately 600 feet north of Lane Park Cutoff.

2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-08.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-08 Future Land Use Map amendment from Commercial (COM) to Industrial (IND) for 16.84 acres of property located east of State Road 19, approximately 600 feet north of Lane Park Cutoff.

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 2021-08
2. FLU Map
3. Newspaper Ad 5-9-21

ORDINANCE 2021-08

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 16.84 ACRES OF LAND GENERALLY LOCATED EAST OF STATE ROAD 19, APPROXIMATELY 600 FEET NORTH OF LANE PARK CUTOFF, FROM COMMERCIAL (COM) TO INDUSTRIAL (IND); PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of the property described in **Exhibit “A”** has voluntarily petitioned to change the future land use designation from Commercial (COM) to Industrial (IND); 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, the City desires to encourage commercial and industrial uses in this particular area of the City, and

WHEREAS, an Industrial 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 Commercial (COM) to 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"

The North 1/2 of the Northwest 1/4 of The Southeast 1/4 and the Northwest 1/4 of the Northeast 1/4 of the Southeast 1/4, Section 6, Township 20 South, Range 26 East, less Right of way for SR 19, Lake County, Florida.

LESS AND EXCEPT:

That portion located West of State Road No. 19 of the North 1/2 of the Northwest 1/4 of the Southeast 1/4 and the Northwest 1/4 of the Northeast 1/4 of the Southeast 1/4, Section 6, Township 20 South, Range 26 East, Lake County, Florida, Less right of way for State Road No. 19.

LESS AND EXCEPT:

BEGIN AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 19 AND THE NORTH LINE OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; THENCE RUN S 89°13'34" E ALONG SAID NORTH LINE A DISTANCE OF 400 FEET; THENCE S 03°38'22" W, 660.20 FEET; THENCE N 89°18'50" W, 400 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 19, SAID POINT ALSO BEING ON A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 5779.28 FEET (CHORD BEARING N 03°37'31" E, CHORD DISTANCE 660.67 FEET), THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 660.67 FEET TO THE POINT OF BEGINNING.

