

## AGENDA



### **City of Tavares Planning & Zoning Advisory Board**

**January 20, 2022 -- 3:00 PM**

**TAVARES CITY HALL COUNCIL CHAMBERS**

**201 E MAIN STREET, TAVARES**

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**I. Call to Order**

**II. Pledge of Allegiance**

**III. Approval of Minutes**

1. Approval of the November 18, 2021, Planning and Zoning Board Meeting Minutes (Deputy City Clerk)

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

**V. Public Hearings**

1. Badeau Property - Vacate a Portion of an Easement Located at 719 Dolphin Drive  
**Recommendation on Resolution 2022-01**
2. Trzaskoma Property - Planned Development Amendment for Approximately 3 Acres of Property Located at the Northeast Corner of Ann Rou Road and Lake Eustis Drive.  
**Recommendation on Ordinance 2022-01**

**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.

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

**BOARD MEMBERS PRESENT**

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

**LAKE COUNTY SCHOOL BOARD**

Helen LaValley - Absent

**STAFF MEMBERS PRESENT**

Mike Fitzgerald, Community Development Director  
Lindsay Holt, City Attorney  
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 August 18, 2021 Planning and Zoning Board Meeting minutes. There were none.

**MOTION**

**James Sweezea moved to approve the minutes of the August 18, 2021 Planning and Zoning Board Meeting, seconded by Brooke Matthews. The motion carried unanimously 6-0.**

**SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS**

Attorney Holt swore in those who were present and stated exparte communications should be disclosed by the Board Members. There were none.

**PUBLIC HEARING**

**1) Recommendation on Resolution 2021-28 – Herring Property – Vacate Easement Located at 1417 Schult Court**

Mr. Fitzgerald provided the following staff report:

*This is a request to vacate a platted easement lying across the property located at 1417 Schult Ct. Tavares, Florida 32778. As a stipulation of the proposed sale of the property, the mortgage company issuing the buyer's mortgage is requiring the current owner of the property to petition to vacate an existing easement as it is no longer practical as a result of a lot line deviation in 2002 by Warranty Deed recorded in BK 2177, PG 1328 of the Public Records of Lake County, and the subsequent construction of the existing mobile home in 2002 that encroaches on the easement. City staff 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 2021-28 vacation of an easement located at 1417 Schult Ct, Lot 728 and the south 1/2 of Lot 727, Lake Frances Estates-Unit 5, as recorded in Plat Book 26, Page 12.
2. That the Planning & Zoning Board moves to recommend denial of Resolution 2021-28.

**STAFF RECOMMENDATION:**

*Staff recommends that the Planning & Zoning Board moves to recommend approval of Resolution 2021-28 vacation of an easement located at 1417 Schult Ct, Lot 728 and the south 1/2 of Lot 727, Lake Frances Estates-Unit 5, as recorded in Plat Book 26, Page 12.*

Mr. Fitzgerald stated that at the time that Resolution 2021-28 was published it had a different sketch and legal description. The Planning & Zoning Board has been given the updated legal description and sketch and will be voting on the amended Resolution.

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

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

**MOTION**

**James Sweezea moved to recommend approval of Resolution 2021-28 as amended, seconded by Brooke Matthews. The motion carried unanimously 6-0.**

**2) Recommendation on Ordinance 2021-11 – Idamere Crossings – Rezoning of Approximately 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff**

Mr. Fitzgerald provided the following staff report:

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

*The proposed zoning of Planned Development (PD) 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 one hundred sixty-five (165) residential*

*apartments together with recreational amenities including a clubhouse, fitness center, walking trails, and picnic tables. The proposed 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 property owner is required to obtain 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 residential 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 Ordinance 2021-11 and 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 High Density (HD) on the Future Land Use Map 2040.*

**OPTIONS:**

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-11 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 2021-11.*

**STAFF RECOMMENDATION:**

*Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-11 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).*

Chairman Santoro asked for comments from the audience.

Michael Rankin, LPG, 1162 Camp Ave, Mount Dora, stated he is seeking approval to rezone the property.

Geoff Nicholson, Progressive Aerodyne, 3801 S.R. 19, Tavares stated that Lake Idamere is a FAA airport and should be taken into consideration.

Vance Jochim, 12619 Milwaukie Ave, Lake County - stated his concern about the volume of traffic on S.R 19 if developed, validity of traffic reports and studies and noted that attachments that are not ADA compliant should be included in the online agenda.

Chairman Santoro asked for comments from the Board.

Board Member Murphy stated her support of the development, providing housing and adding to the tax base and noted her concern of traffic.

Board Member Sweeza noted his concern of traffic near C.R. 561, S.R. 19 and Lane Park Road. He asked for conformation of widening S.R. 19. Mr. Fitzgerald confirmed the State has plans to widen S.R. 19 to four lanes but did not have a timeline of the project.

Mr. Fitzgerald stated the agenda packet did include a traffic study for Idamere Crossings and included table 1, a trip comparison between a shopping center and multi-family housing development. He said the agenda included the data that was claimed to be missing. He noted a meeting was held with the Public Works Director, Department of Transportation and Lake county and are programming C.R. 561 and S.R 19 to become a become a lighted intersection.

Chairman Santoro stated his concern is when they widen S.R. 19 and the layout of the property. Mr. Fitzgerald said the developer put a 45-foot potential FDOT Right of Way.

### **MOTION**

**Dian Joy moved to recommend approval of Ordinance 2021-11, seconded by James Sweeza. The motion carried unanimously 6-0.**

### **3) Recommendation on Ordinance 2021-12 – Small Scale FLUM Amendment of Approximately 19.46 Acres Located at the Souteast Corner of SR-19 & Lane Park Cutoff**

Mr. Fitzgerald provided the following staff report:

*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 High Density (HD).*

*Ordinance 2021-12 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Commercial (COM) to High Density (HD).*

*The subject property is adjacent to a mixture of a mixture of residential, commercial, and public facilities uses. An application to rezone this property to a Planned Development (PD) 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 Commercial (COM). A City High Density (HD) designation is compatible with surrounding property and County Future Land Use.*

#### *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 waste water 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 Comprehensive Plan Goals, Objectives and Policies with the following findings:*

- 1. A High Density (HD) 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 2021-12, 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.*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-12.*

**STAFF RECOMMENDATION:**

*Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-12, 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.*

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

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

**MOTION**

**Dian Joy moved to recommend approval of Ordinance 2021-12, seconded by James Sweeza. The motion carried unanimously 6-0.**

**4) Recommendation on Ordinance 2021-13 – Avalon Park Tavares, LLC – Annexation and Rezoning of Approximately 0.63 Acres Located at 1693 & 1695 South Palm Circle**

Mr. Fitzgerald provided the following staff report:

*The subject property is located at 1693 & 1695 South Palm Circle, approximately 0.63 acres in size, and contiguous to the City boundary. The land is presently zoned as County Urban Residential (R-6), and the applicant is proposing that the property be annexed and rezoned to Planned Development (PD), and incorporated into the Avalon Park Planned Development that is subject to the provisions*

*contained in Ordinance 2016-27 approved by City Council on October 19, 2016. Two (2) single family homes are located on the subject parcels, and it is the intention of the owner, Avalon Park LLC, to demolish the existing homes, and have the property become part of a future phase of the Avalon Park development.*

*This property is in close proximity to a mixture of single family and commercial uses. The proposed zoning of Planned Development (PD) 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 on the City. The City of Tavares has municipal water and waste water utility capacity available for the subject parcels. The Avalon Park developer shall be responsible for extending municipal utility services to the subject property upon development.*

*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 Medium Density (MED) on the Future Land Use Map 2040.*

**OPTIONS:**

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-13 annexation and rezoning to Planned Development (PD), of approximately 0.63 acres of property located at 1693 & 1695 South Palm Circle.*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-13.*

**STAFF RECOMMENDATION:**

*Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance Page 30 of 72 2021-13 annexation and rezoning to Planned Development (PD), of approximately 0.63 acres of property located at 1693 & 1695 South Palm Circle.*

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

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

**MOTION**

**Dian Joy moved to recommend approval of Ordinance 2021-13, seconded by Brooke Matthews. The motion carried unanimously 6-0.**

**5) Recommendation on Ordinance 2021-14 – Avalon Park Tavares, LLC – Small Scale FLUM Amendment of Approximately 0.63 Acres Located at 1693 & 1695 South Palm Circle**

Mr. Fitzgerald provided the following staff report:

*The subject property is located at 1693 & 1695 South Palm Circle, and is approximately 0.63 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 Medium Density (MED).*

*Ordinance 2021-14 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from County Urban Low to City Medium Density (MED).*

*The subject property is adjacent to a mixture of residential and commercial uses. An application to annex and rezone this property to a Planned Development (PD) 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 Density. A City Medium Density (MED) designation is most compatible with surrounding property and County Future Land Use.*

*Compatibility*

*The land surrounding this property is residential and commercial in nature.*

*Site Conditions*

*The property currently contains single family homes.*

*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 capacity 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 Comprehensive Plan Goals, Objectives and Policies with the following findings:*

- 1. A Medium Density (MED) 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 2021-14, a Future Land Use Map amendment from County Urban Low Density to City Medium Density for 0.63 acres of property located at 1693 & 1695 South Palm Circle*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-14.*

**STAFF RECOMMENDATION:**

*Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-14, a Future Land Use Map amendment from County Urban Low Density to City Medium Density for 0.63 acres of property located at 1693 & 1695 South Palm Circle.*

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

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

## **MOTION**

**James Sweezea moved to recommend approval of Ordinance 2021-14, seconded by Dian Joy. The motion carried unanimously 6-0.**

### **6) Recommendation on Ordinance 2021-17 – Lane Park Commons (Supervisor of Elections / Sheriff Site) – Rezoning of Approximately 13.19 Acres Located at the Northwest Corner of SR-19 & Lane Park Road**

Mr. Fitzgerald provided the following staff report:

*The subject property consists of approximately 13.19 acres of vacant property located at the northwest corner of SR-19 & Lane Park Road. The property is currently zoned as Residential Single Family (RSF-2), and the applicant, Lake County, is proposing that the property be rezoned to Public Facilities District (PFD).*

*The proposed zoning of Public Facilities District (PFD) is compatible with Lake County's proposal to construct government facilities on the subject property. The surrounding zoning is a mixture of residential and commercial zoning. Lake County at this time envisions the construction of a fifty-thousand (50,000) square foot building to house operations for the Supervisor of Elections, and an eighty-thousand (80,000) square foot building for the Lake County Sheriff's office. The proposed use is consistent with the Comprehensive Plan by ensuring intergovernmental coordination between the City of Tavares and Lake County.*

*The environmental assessment submitted by Kleinfelder, Inc. states that no conditions were visually and/or physically observed on the property that would suggest the presence of conditions representative of environmental concerns that could impact the property. The assessment recommends soil sampling to confirm or dismiss the presence of residual agricultural products on 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.*

*Lake County submitted a statement to City staff regarding traffic impact that the Supervisor of Elections will not require a traffic study as the trips will meet the Lake-Sumter MPO de minimis requirement with a very low number of staffed employees. Lake County is requesting that the traffic study for the Sheriff's office be deferred until the time of site plan submittal.*

*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 Low Density (LOW) to Public Facility / Institutional (PUB) on the Future Land Use Map 2040.*

**OPTIONS:**

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-17 rezoning of approximately 13.19 acres of property located at the northwest corner of SR-19 & Lane Park Road from Residential Single Family (RSF-2) to Public Facilities District (PFD).*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-17.*

**STAFF RECOMMENDATION:**

*Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-17 rezoning of approximately 13.19 acres of property located at the northwest corner of SR-19 & Lane Park Road from Residential Single Family (RSF-2) to Public Facilities District (PFD).*

Chairman Santoro asked for comments from the audience.

Melanie Marsh, Lake County Attorney, 315 W. Main Street, Tavares, stated, on behalf of Board of County Commissioners and the Supervisor of Elections, they are seeking approval.

Chairman Santoro asked for comments from the Board.

Board Member Sweeza asked how the development would impact the tax base and if the City could do a trade to get other county properties that would provide the city tax dollars in order to supplement since county and government buildings do not pay taxes. He also asked if the properties the Sheriff and Supervisor of Elections (SEO) are currently in if they will remain a government property or be placed back on the tax roll. Mr. Fitzgerald stated he is unsure of the fiscal impact and the questions would be forwarded to the City Administrator.

Attorney Marsh said there has been no discussion by the Board of County Commissioners about taking the existing sheriffs building and placing it on the market.

Board Member Murphy asked why soil samples are being requested. Mr. Fitzgerald said there are no concerns. Kleinfelder, Inc. is recommending the sample due to agricultural use since the 1940's.

Board Member Treadwell asked for confirmation if the subject property was previously approved for residential and what actions will be taken for the current SOE space on US HWY 441. Mr. Fitzgerald confirmed that the property was previously called Lane Park Commons and was approved for residential single-family subdivision. The developer chose to not move forward and placed the property for sale. He said the current SOE leased space is zoned for commercial use.

Board Member Joy asked how many properties the county currently has that would be available once property is developed and if the new property will be sufficient for all parties. Attorney Marsh stated she is unsure of the total amount of properties and stated the Sheriff and the SOE

have both outgrown their current spaces and the leased facility for the SOE will be vacated. She said the Sheriff indicated the facility would be sufficient.

Board Member Treadwell asked if the entrance to the property on Lane Park. Mr. Fitzgerald stated there are two entrances, one on S.R 19 and one on Lane Park Road.

Board Member Sweeza asked how much larger the new space would be for the SEO. Attorney Marsh stated the current leased facility is approximately 20,000 square feet and noted during the last presidential election the SOE needed more room for training, election workers and storing equipment.

John McDaniel, Lane Park Road, noted he lives in close proximity to the property and would prefer the Sheriffs office and the SOE than Walmart to be on the subject property.

Chairman Santoro asked if this property is city land and if the property will be annexed back into the county. Mr. Fitzgerald confirmed that the property is within city limits and will remain within city limits. Mr. Fitzgerald stated that the City of Tavares has an interlocal agreement with Lake County. Property within the city limits of Tavares that the County owns, Community Development oversee the site plan review, infrastructure plan review and rezoning. He said when the County constructs the buildings, the County Building Department will complete the building review and the inspections.

Chairman Santoro noted his concern of the county having other properties on C.R. 561 and the property off the tax base. Attorney Marsh said the SOE must have the main facility within city limits of the county seat. The SOE noted his preference of the subject property because it does have traffic light access. Other property the County owns in the area is the County Landfill which has monitoring and the property that holds the Renaissance Faire which has monitoring wells.

### **MOTION**

**Dian Joy moved to recommend approval of Ordinance 2021-17, seconded by Deborah Murphy.**

Chairman Santoro asked Attorney Holt for clarification if the motion was denied. Attorney Holt confirmed.

**The motion carried 3-3.**

**The motion denied as follows:**

**Chairman Santoro – No  
Dian Joy – Yes  
Brooke Matthews - No  
Deborah Murphy – Yes  
James Sweeza – No  
Dara Treadwell - Yes**

### **7) Recommendation on Ordinance 2021-18 – Lane Park Commons (Supervisor of Elections / Sheriff Site) – Small Scale FLUM Amendment of Approximately 13.19 Acres Located at the Northwest Corner of SR-19 & Lane Park Road**

Mr. Fitzgerald provided the following staff report:

*The subject property is located at the Northwest Corner of SR-19 & Lane Park Road, and is approximately 13.19 acres in size. The land is presently vacant and has a land use designation of Low Density (LOW). 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 Low Density (LOW) to Public Facility / Institutional (PUB).*

*Ordinance 2021-18 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Low Density (LOW) to Public Facility / Institutional (PUB).*

*The subject property is adjacent to a mixture of residential and commercial uses. An application to rezone this property to Public Facilities District (PFD) 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 Low Density (LOW). A City Public Facility / Institutional (PUB) designation is compatible with surrounding property and County Future Land Use.*

#### *Compatibility*

*The land surrounding this property is residential and commercial 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 waste water 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 Comprehensive Plan Goals, Objectives and Policies with the following findings:*

- 1. A Public Facility / Institutional (PUB) 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, and Intergovernmental Coordination policy 7-2.3.*
- 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 2021-18, a Future Land Use Map amendment from Low Density (LOW) to Public Facility / Institutional for 13.19 Acres Located at the northwest Corner of SR-19 & Lane Park Road.*

2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-18.

**STAFF RECOMMENDATION:**

*Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-18, a Future Land Use Map amendment from Low Density (LOW) to Public Facility / Institutional for 13.19 Acres Located at the northwest Corner of SR-19 & Lane Park Road.*

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

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

**MOTION**

**Deborah Murphy moved to recommend denial of Ordinance 2021-18, seconded by James Sweeza. The motion carried unanimously 6-0.**

**8) Recommendation on Ordinance 2021-19 – Land Trust Services Corporation Trustee – Annexation and Rezoning of Approximately 0.21 Acres Located at 31325 David Walker Drive**

Mr. Fitzgerald provided the following staff report:

*The subject property is located at 31325 David Walker Drive, approximately 0.21 acres in size, and contiguous to the City boundary. The land is presently zoned as County Mobile Home Rental Park District (RMRP), and the applicant is proposing that the property be annexed and rezoned to Residential Multi-Family (RMF-3).*

*This property is in close proximity to a mixture of single family, multi-family, and commercial uses. The proposed zoning of Residential Multi-Family (RMF-3) is compatible with surrounding property. There is an existing mobile home located on the property, and the use of the property for a mobile home residence may continue until the time that the property is developed for multi-family purposes.*

*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 on the City. The City of Tavares has municipal water and waste water utility services available for the subject parcel.*

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

**OPTIONS:**

1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-19 annexation and rezoning to Residential Multi-Family (RMF-3), of approximately 0.21 acres of property located at 31325 David Walker Drive.
2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-19.

**STAFF RECOMMENDATION:**

*Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-19 annexation and rezoning to Residential Multi-Family (RMF-3), of approximately 0.21 acres of property located at 31325 David Walker Drive.*

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

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

**MOTION**

**Dian Joy moved to recommend approval of Ordinance 2021-19, seconded by Brooke Matthews. The motion carried unanimously 6-0.**

**9) Recommendation on Ordinance 2021-20 – Land Trust Service Corporation Trustee – Small Scale FLUM Amendment of Approximately 0.21 Acres Located at 31325 David Walker Drive**

Mr. Fitzgerald provided the following staff report:

*The subject property is located at 31325 David Walker Drive, and is approximately 0.21 acres in size. The land presently has a land use designation of County Urban High 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 High Density to City High Density (HD).*

*Ordinance 2021-20 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from County Urban High Density to City High Density (HD).*

*The subject property is adjacent to a mixture of residential and commercial uses. An application to annex and rezone this property to Residential Multi-Family (RMF-3) 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 High Density. A City High Density (HD) designation is most compatible with surrounding property and the existing County Future Land Use.*

*Compatibility*

*The land surrounding this property is residential and commercial in nature.*

*Site Conditions*

*The property currently contains one 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 services 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 Comprehensive Plan Goals, Objectives and Policies with the following findings:*

- 1. A High Density (HD) 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 2021-20, a Future Land Use Map amendment from County Urban High Density to City High Density for 0.21 acres of property located at 31325 David Walker Drive.*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-20.*

#### **STAFF RECOMMENDATION:**

*Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-20, a Future Land Use Map amendment from County Urban High Density to City High Density for 0.21 acres of property located at 31325 David Walker Drive.*

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

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

#### **MOTION**

**Deborah Murphy moved to recommend approval of Ordinance 2021-20, seconded by Dian Joy. The motion carried unanimously 6-0.**

#### **OTHER BUSINESS**

Attorney Holt stated the concern that was brought up regarding the agenda being ADA compliant, she stated anything that is posted to the website must be a PDF readable version so the document is ADA compliant. She noted the agenda is posted in advance and items that are not on the website can be requested ahead of time by contacting the City Clerk or Mr. Fitzgerald.

#### **PUBLIC COMMENT**

Vance Jochim 12619 Milwaukie, Lake County - noted his support for asking questions regarding the tax base for the Supervisor of Elections property.

Doug Hower, 444 Bellissimo Place, Howey-In-The-Hills - noted he works part time at the Supervisor of Elections and said the number of voters in Lake County has grown significantly and the larger space is needed.. He noted that rent is over \$20,000 per month.

**ADJOURNMENT**

**MOTION**

**James Sweeza moved to adjourn the meeting at 3:59 PM, seconded by Dian Joy. The motion carried unanimously 6-0.**

Respectfully submitted,

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Jillian Roberts,  
Deputy City Clerk

**AGENDA SUMMARY**  
**TAVARES PLANNING & ZONING ADVISORY BOARD**  
**1/20/2022**

**AGENDA TAB NO.: 1.**

**SUBJECT TITLE: Badeau Property - Vacate a Portion of an Easement Located at 719 Dolphin Drive**  
**Recommendation on Resolution 2022-01**

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**OBJECTIVE:**

To consider the partial vacation of the easement located at 719 Dolphin Drive, Lot 40 in Imperial Mobile Terrace 5th Addition as recorded in Plat Book 23, Page 46.

**SUMMARY:**

This is a request to vacate a portion of platted easement lying across the property located at 719 Dolphin Drive Tavares, Florida 32778. As a stipulation of the proposed sale of the property, the mortgage company issuing the buyer's mortgage is requiring the current owner of the property to petition to vacate a portion of an existing easement where the rear of the existing mobile home encroaches. City staff 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 2022-01 vacation of an easement located at 719 Dolphin Drive, Lot 40 in Imperial Mobile Terrace 5th Addition as recorded in Plat Book 23, Page 46.
2. That the Planning & Zoning Board moves to recommend denial of Resolution 2022-01.

**STAFF RECOMMENDATION:**

Staff recommends that the Planning & Zoning Board moves to recommend approval of Resolution 2022-01 vacation of an easement located at 719 Dolphin Drive, Lot 40 in Imperial Mobile Terrace 5th Addition as recorded in Plat Book 23, Page 46.

**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 2022-01
2. Aerial Map
3. Newspaper Ad 1-9-22

**RESOLUTION 2022-01**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, TO VACATE A PORTION OF AN EASEMENT LOCATED AT 719 DOLPHIN DRIVE TAVARES, FL 32778, LOT 40 IN IMPERIAL MOBILE TERRACE 5<sup>TH</sup> ADDITION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 46, 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 719 Dolphin Drive has petitioned for a vacation of said easement; and

**WHEREAS**, the portion of the easement described in Exhibit "A" is no longer practical as a result of the encroachment of the mobile home built in 1979 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 \_\_\_\_, 2022 by the Tavares City Council.

\_\_\_\_\_  
Lori Pfister, Mayor  
Tavares City Council

ATTEST

\_\_\_\_\_  
Susie Novack, City Clerk

Approved as to form and legality:

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Lindsay C. T. Holt, City Attorney

## Exhibit "A"

### SKETCH OF DESCRIPTION

PAGE 1 IS FOR LEGAL DESCRIPTION

#### PROPERTY DESCRIPTION

LOT 40, IMPERIAL MOBILE TERRACE 5TH ADDITION, according to the plat thereof as recorded in Plat Book 23, Page 46 of the Public Records of Lake County, Florida.

#### DESCRIPTION OF A PORTION OF EASEMENT TO BE VACATED

COMMENCE AT THE SOUTHEAST CORNER OF LOT 40, IMPERIAL MOBILE TERRACE 5TH ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 46 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. THENCE RUN N 46°00'00" E ALONG THE EASTERLY LINE OF LOT 40 A DISTANCE OF 4.00'; THENCE RUN N 44°00'00" W A DISTANCE OF 6.00' TO THE POINT OF BEGINNING; THENCE CONTINUE N 44°00'00" W A DISTANCE OF 11.00'; THENCE RUN N 46°00'00" E A DISTANCE OF 3.50'; THENCE RUN S 44°00'00" E A DISTANCE OF 11.00'; THENCE RUN S 46°00'00" W A DISTANCE OF 3.50' TO THE POINT OF BEGINNING. CONTAINING 44.00± SQ.FT.

Based on the FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP, Lake County, Florida, Community Panel Number 120138 0345 E, last dated 12/18/2012, it appears from a scaling of said map that the land described hereon is shown to be in Zone "X", (AREA OF MINIMAL FLOODING)  
Said FEMA map is not a Survey and no responsibility is taken for the information contained in or the accuracy of the above referenced map.

1. This Plat represents a Boundary Survey of the description as furnished DSW Surveying and Mapping, PLC. per client's instruction and makes no claims regarding ownership or rights of possession.
2. Bearings shown hereon are based on the SOUTHWEST line of Lot 40, Being N 44°00'00" W, PER PLAT.
3. This surveyor has not searched the public records or abstracted the land shown hereon for easements, right of ways, covenants and restrictions or other pertinent documents which may be found in the public records of this county. This research was not included in the scope of services of this firm.
4. The relative distance accuracy for boundary dimensions shown hereon is in excess of 1 Foot in 10,000 Feet.
5. Underground improvements and utilities have not been located.
6. This survey performed by DSW Surveying and Mapping, PLC. is for the singular use by the clients named hereon for the express stated purpose listed hereon. This drawing is not legally binding without my signature and original raised embossed seal. No third party is authorized to use this drawing in any way, and this surveyor shall not be held liable for damages resulting from the unauthorized or illegal executions or attempts at circumventing prescribed laws or professional fee payments. All plats, reports, notes, plans, specifications, computer files, field notes or data, other documents and instruments prepared by this firm as instruments of service shall remain the property of this firm. This firm shall retain all common law, statutory and other reserved rights, including the copyright thereto. The original of this drawing remains the property of DSW Surveying and Mapping, PLC.
7. Building ties, Fence ties, Etc. are not to be used as a way to reconstruct boundary line location.
8. Fencing may deflect on and off property as fencing travels property lines. Fencing is located and ties at the property corners only.

PLEASE VISIT OUR WEBSITE: [WWW.DSWSURVEYS.COM](http://WWW.DSWSURVEYS.COM)



PROFESSIONAL SURVEYORS AND MAPPERS  
CERTIFICATION OF AUTHORIZATION #LB7945  
32138 OKALOOSA TRAIL  
SORRENTO, FLORIDA 32776  
Phone: (352) 735-3796  
JOB NO. 21.1546 Sheet 1 of 3

DRAWING: 21.1546 SURVEY DATE: 10/18/21

INTENDED DISPLAY SCALE 1" = 30' DRAWN: DSW

EXPECTED USE OF THIS LAND: RESIDENTIAL PURPOSES

IT IS CERTIFIED THAT THE SURVEY REPRESENTED HEREON MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH IN CHAPTER 61G17-8 AND 61G17-9, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

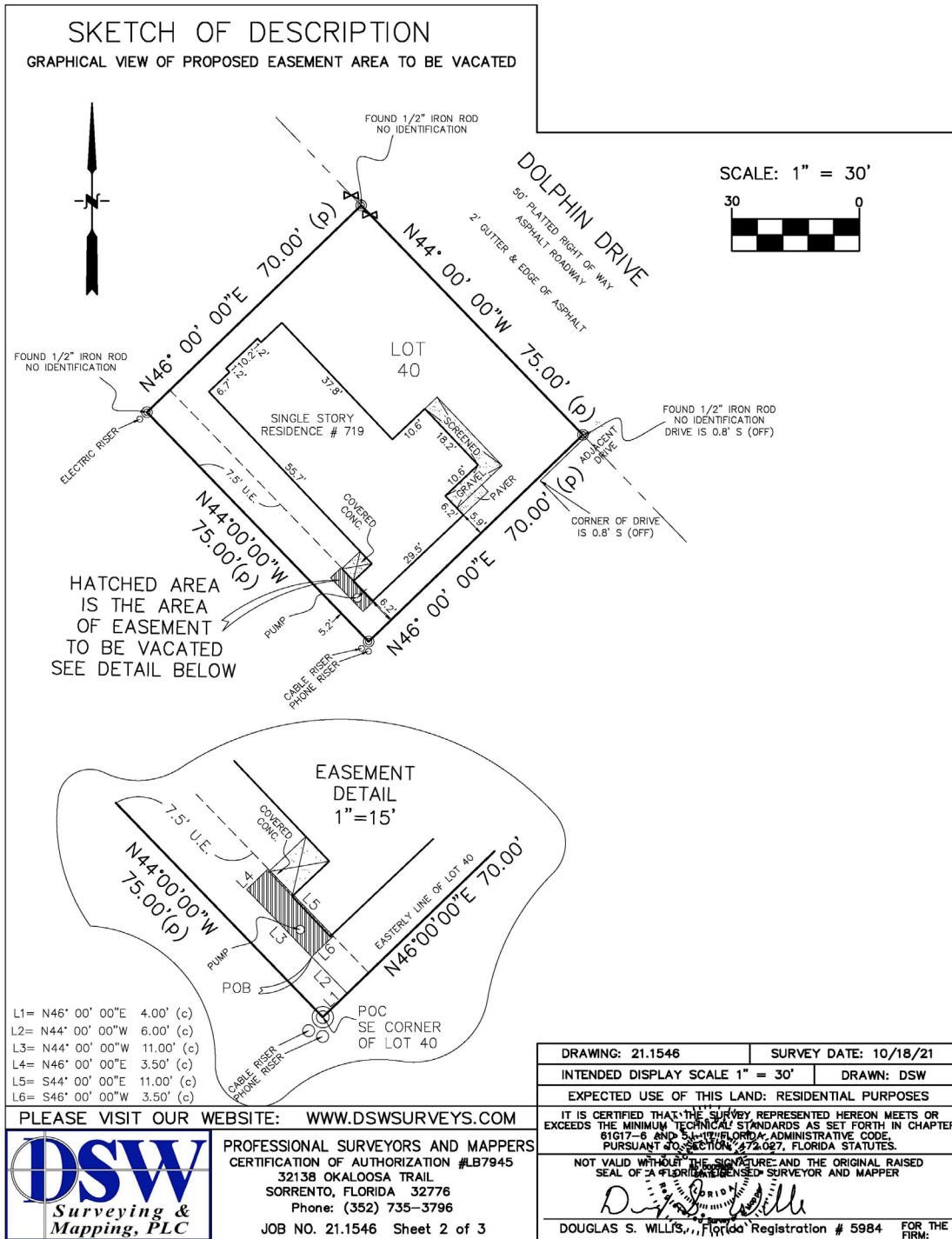
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

A handwritten signature in black ink, appearing to read "Douglas S. Willis". The signature is written over a circular embossed seal that contains the text "FLORIDA" and "LICENSED SURVEYOR AND MAPPER".

DOUGLAS S. WILLIS, Florida Registration # 5984

FOR THE FIRM:

# Exhibit "A" continued



**AGENDA SUMMARY**  
**TAVARES PLANNING & ZONING ADVISORY BOARD**  
**1/20/2022**

**AGENDA TAB NO.: 2.**

**SUBJECT TITLE: Trzaskoma Property - Planned Development Amendment for Approximately 3 Acres of Property Located at the Northeast Corner of Ann Rou Road and Lake Eustis Drive. Recommendation on Ordinance 2022-01**

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**OBJECTIVE:**

To consider a Planned Development Amendment for Approximately 3 Acres of Property Located at the Northeast Corner of Ann Rou Road and Lake Eustis Drive, redesignating the property from multi-family use to single-family use.

**SUMMARY:**

The subject property is approximately 3 acres located at the northeast corner of Ann Rou Road and Lake Eustis Drive. The property is currently vacant and is part of the Etowah Planned Development approved by City Council on April 6, 1994, with subsequent amendments in 2004, 2005, 2006 and 2009. As part of the Etowah Planned Development, the property was designated as Phase 4 with multi-family use and a maximum allowance of 17 dwelling units. On November 16, 2021, the property was sold by CG Land Services, LLC, and the new owner desires single family use rather than multi-family use. Ordinance 2022-01 proposes an amendment to the Etowah Planned Development to redesignate the subject property from multi-family use to single-family use with a maximum allowance of two (2) dwelling units. The subject property shall retain its Planned Development (PD) zoning classification, and shall be subject to the provisions of the Etowah Planned Development and the City of Tavares Land Development Regulations as they pertain to single family development.

**OPTIONS:**

1. The Planning & Zoning Board moves to recommend approval of Ordinance 2022-01 a Planned Development Amendment for Approximately 3 Acres of Property Located at the Northeast Corner of Ann Rou Road and Lake Eustis Drive, redesignating the property from multi-family use to single-family use.
2. The Planning & Zoning Board moves to recommend denial of Ordinance 2022-01.

**STAFF RECOMMENDATION:**

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2022-01 a Planned Development Amendment for Approximately 3 Acres of Property Located at the Northeast Corner of Ann Rou Road and Lake Eustis Drive, redesignating the property from multi-family use to single-family use.

**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 2022-01
2. Aerial Map
3. Zoning Map
4. Etowah Master Plan
5. Newspaper Ad 1-9-22

## **ORDINANCE 2022-01**

**AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING PLANNED DEVELOPMENT ORDINANCE 2006-43 AS AMENDED BY ORDINANCE 2009-35 OF THE CITY OF TAVARES BY AMENDING SECTION 2.2, LAND USES; AMENDING EXHIBIT "A", CONCEPTUAL PLAN; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on October 18, 2006, the City of Tavares adopted Ordinance 2006-43, an ordinance generally known as the Etowah Planned Development Zoning Ordinance; and

**WHEREAS**, on February 3, 2010, the City of Tavares adopted Ordinance 2009-35, an ordinance amending Ordinance 2006-43 generally known as the Etowah Planned Development Zoning Ordinance; and

**WHEREAS**, phases one, two, and three of the Etowah Planned Development have been platted and developed; and

**WHEREAS**, the parcel described in Exhibit "B" is the remaining 03.01+- acres of the original Etowah Planned Development designated as Phase 4 of the Etowah Planned Development Conceptual Plan; and

**WHEREAS**, the owner of the parcel described in Exhibit "B" has petitioned the City of Tavares to amend the Etowah Planned Development Conceptual Plan Exhibit "A", primarily to change Phase 4 from multi-family use designation to single family use with an allowance for two (2) single family dwelling units; and

**WHEREAS**, the City of Tavares held a duly noticed public hearings before the Planning and Zoning Board, City of Tavares City Council, providing opportunity for individuals to hear and to be heard regarding the proposed 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 the City of Tavares Comprehensive Plan and Land Development Regulations; therefore

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:**

**Section 1. PD Amendment:**

That Section 2.2 Lane Uses and the Etowah Planned Development Conceptual Plan Exhibit "A" of Ordinance 2006-43 as amended by Ordinance 2009-35 is amended as follows:

Section 2.2 Land Uses

- A. The Conceptual Master Plan for the project is attached hereto and made a part herewith as Exhibit "A" and is an integral part of this PD document. Elements in the Conceptual Master Plan include residential acreage, recreation space, open space, and jurisdictional wetlands. The general location of each of these uses has been established as depicted in the Conceptual Master Plan.

Site Specific Breakdown of Units:

|                    |                                              |
|--------------------|----------------------------------------------|
| <del>Phase 4</del> | <del>17 multi-family residential units</del> |
| <u>Phase 4</u>     | <u>2 single-family residential units</u>     |

- B. The property described in Exhibit "B" shall be subject to the provisions contained within this Ordinance, Ordinance 2006-43, and the Land Development Regulations.

**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. Effective Date**

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

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022 by the City Council of the City of Tavares, Florida.

\_\_\_\_\_  
Lori Pfister, Mayor  
Tavares City Council

First Reading: \_\_\_\_\_

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

ATTEST:

\_\_\_\_\_  
Susie Novack, City Clerk

Approved as to form:

\_\_\_\_\_  
Lindsay C. T. Holt, City Attorney

[illegible]

Page 28 of 29

**EXHIBIT "B"**  
**LEGAL DESCRIPTION**

PARCEL 2B:

THAT PORTION OF SECTION 16, TOWNSHIP 19 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 16, SAID POINT BEING MONUMENTED WITH A 6" X 6" CONCRETE MONUMENT WITH NO IDENTIFICATION; THENCE RUN NORTH 89°10'16" WEST ALONG THE SOUTH LINE OF SAID SECTION 16 A DISTANCE OF 342.03 FEET TO THE EASTERLY RIGHT OF WAY LINE OF ANN ROU ROAD AS RECORDED IN OFFICIAL RECORDS BOOK 1892, PAGES 190 THROUGH 193, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING FOUR (4) COURSES, NORTH 53°28'54" WEST A DISTANCE OF 55.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1297.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 28°39'54" AN ARC DISTANCE OF 648.89 FEET TO THE POINT OF TANGENCY; THENCE RUN NORTH 82°08'50" WEST A DISTANCE OF 208.79 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 467.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°50'17" AN ARC DISTANCE OF 63.89 FEET, FOR THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES, CONTINUE ALONG SAID CURVE NORTHWESTERLY THROUGH A CENTRAL ANGLE OF 29°19'02" AN ARC DISTANCE OF 238.95 FEET TO THE POINT OF TANGENCY; THENCE RUN NORTH 44°59'31" WEST A

DISTANCE OF 138.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EAST AND HAVING A RADIUS OF 25.00 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 88°18'15" AN ARC DISTANCE OF 38.53 FEET TO THE SOUTHERLY RIGHT OF WAY OF LAKE SHORE DRIVE AS RECORDED IN OFFICIAL RECORD BOOK 2735, PAGES 1751 THROUGH 1754, PUBLIC RECORDS LAKE COUNTY, FLORIDA, SAID POINT BEING SITUATED ON A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 1934.86 FEET TO WHICH A RADIAL LINE BEARS SOUTH 46°41'16" EAST; THENCE RUN ALONG SAID SOUTHERLY RIGHT OF WAY THE FOLLOWING TWO (2) COURSES, NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°23'00" AN ARC DISTANCE OF 283.11 FEET; THENCE RUN NORTH 36°06'40" EAST A DISTANCE OF 29.49 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY RUN SOUTH 55°29'19" EAST A DISTANCE OF 359.05 FEET; THENCE RUN SOUTH 32°53'36" WEST A DISTANCE OF 348.10 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PORTION DEEDED OUT IN OFFICIAL RECORDS BOOK 4041, PAGE 152, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.