

AGENDA



City of Tavares Planning & Zoning Advisory Board

June 16, 2022 -- 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 May 19, 2022 Planning and Zoning Board Meeting Minutes (Deputy Clerk)

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

1. Sunshine and Ethics Law Update (City Attorney)

V. Public Hearings

1. Nahas Property - Annexation & Rezoning of Approximately 19.81 Acres Located at the Northwest Corner of Mt Homer Rd. and East Burleigh Blvd.
Recommendation on Ordinance 2022-06
2. Nahas Property - Small Scale FLUM Amendment of Approximately 19.81 Acres Located at the Northwest Corner of Mt Homer Rd. and East Burleigh Blvd.
Recommendation on Ordinance 2022-07
3. Park Square Homes - Annexation & Rezoning of Approximately 03.13 Acres Located West of SR-19, South of Slim Haywood Ave., North of Camp Rd.
Recommendation on Ordinance 2022-08
4. Park Square Homes - Small Scale FLUM Amendment of Approximately 03.13 Acres Located West of SR-19, South of Slim Haywood Ave., North of Camp Rd.
Recommendation on Ordinance 2022-09

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
May 19, 2022**

BOARD MEMBERS PRESENT

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

LAKE COUNTY SCHOOL BOARD

Helen LaValley - Absent

STAFF MEMBERS PRESENT

Antonio Fabre – Planning Coordinator
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 to the February 17, 2022 Planning and Zoning Board Meeting minutes. There were none.

MOTION

Bruce Peterman moved to approve the minutes of the February 17, 2022 Planning and Zoning Board Meeting, seconded by Brooke Matthews. The motion carried unanimously 5-0.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

Mr. Fitzgerald asked the Board Members if there were any ex parte communications.

Board Member Peterman stated he was contacted via e-mail by three people and did not respond.

Board Member Treadwell stated she was contacted via e-mail by three people and replied to one person and suggested they attend the board meeting.

Chairman Santoro stated he was contacted by three people.

Vice-Chairman Murphy stated she was contacted by three people.

PUBLIC HEARING

Recommendation on Ordinance 2022-03 – Conner Property – Rezoning of Approximately 2 Acres Located South of Dora Ave., West of Dillard Rd.

Mr. Fitzgerald gave the following presentation:

SUMMARY:

The subject property consists of approximately 02.00 acres of vacant property located south of Dora Avenue, west of Dillard Road. The property is currently zoned as Planned Development (PD), and the applicant is proposing that the property be rezoned to a newly stated Planned Development (PD) that includes an adult-age restricted provision.

The proposed zoning of Planned Development (PD) is compatible with the surrounding zoning, which is a mixture of residential and commercial zoning. The property contains one (1) single family residence, and the applicant at this time envisions the construction of two (2) additional detached residential single family homes and eight (8) attached duplex units. The duplex units shall be adult age restricted per the zoning provisions contained in Ordinance 2022-03. 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 property owner is applying for school impact exemption for the age-restricted duplex portion of the development. The two additional single family homes will not be age restricted and have a negligible impact on school capacity.

The environmental assessment submitted by Wicks Engineering Services, 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 traffic generated by the proposed development will have a minimal impact on surrounding roadways and is exempt from a Tier 1 traffic study per the City's Engineer.

Development of the property will be in accordance with the provisions of Ordinance 2022-03 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 future land use designation of the property is Low Density with an allowance of 5.6 dwelling units per acre, and this designation is not affected by the rezoning.

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2022-03 rezoning of approximately 02.00 acres of property located south of Dora Ave., west of Dillard Rd. to a newly stated Planned Development (PD).

2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2022-03

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2022-03 rezoning of approximately 02.00 acres of property located south of Dora Ave., west of Dillard Rd. to a newly stated Planned Development (PD).

Ed Holder, 11312 Dead River Rd, Tavares noted it would not have negative impacts on the schools or roads.

Ms. Roberts swore those in that were present.

Ted Wicks, Wicks Engineering, Tavares, applicant noted he is present for questions.

Board Member Treadwell asked for clarification if the existing home will remain and where the access will be located.

Mr. Wicks stated the existing home and duplex will use the existing driveway to access their homes.

MOTION

Deborah Murphy moved to recommend approval [Option 1] of Ordinance 2022-03, seconded by Bruce Peterman. The motion carried unanimously 5-0

2) Recommendation on Ordinance 2022-05 – Gorgeous Groves, Inc. – Rezoning of Approximately 220 Acres Located West of the Intersection of Woodlea Rd. and Lane Park Rd.

SUMMARY:

The subject property consists of approximately 220 acres of vacant property located west of the intersection of Woodlea Road and Lane Park Road. The property is currently

zoned as Residential Single Family (RSF-A), and the applicant is proposing that the property be rezoned to a Planned Development (PD) that includes an adult-age restricted provision.

The proposed zoning of Planned Development (PD) is compatible with the surrounding zoning, which is a mixture of residential and County agricultural zoning. The applicant at this time envisions the construction of a master-planned age-restricted community consisting of 625 single-family dwelling units and active adult amenities including a club house, community pool, tennis & pickle ball courts, and a community marina. The proposed development will be a private gated community with private roads. Ordinance 2022-05 provides for flexibility in site and building design with a range of lot sizes from forty feet (40') to sixty feet (60') in width, preservation of open space and scenic areas, and large landscape buffers. The proposed use is consistent with the Comprehensive Plan by ensuring the availability, quality, and sustainability of a mix of housing types in Tavares. In accordance with the Comprehensive Plan, the proposed development implements urban design principles promoting a livable community, preserves the character of existing homes by providing a 170' wide landscape buffer, and takes into consideration the historical context of previous City Council approval as a private master-planned community.

The property owner shall apply to Lake County for school impact exemption for an age-restricted community.

The environmental assessment submitted by Bio-Tech Consulting, 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 and U.S. Fish and Wildlife Service provisions as they pertain to threatened and protected species.

The traffic analysis submitted by Luke Transportation Engineering Consultants assesses the impact of all phases of the proposed Cresswind development. The study does not indicate an adverse impact on the level of service for surrounding roadways except for State Road 19. The City of Tavares maintains an initiative per the 2017 Peninsula Area Roadway Corridor Study to provide residents with a safe transportation corridor that is a north-south alternative route to State Road 19, and improve local mobility and circulation west of State Road 19 from Dead River Road to Lane Park Road. The Cresswind developer is working with the City of Tavares and Lake County regarding a proportionate share of traffic mitigation and will propose a Developer's Agreement for the design, funding, and construction of improvements necessary for a portion of the Captain Haynes Road extension from Woodlea Road extending south approximately 1300 feet. This segment of Captain Haynes Road will also serve as ingress / egress for the future Lake County school site located south of Woodlea Road, and the School Board has agreed to dedicate a 1/2 acre of School Board property as right-of-way for this purpose. A Developer's Agreement regarding such traffic mitigation improvements will be presented for City Council consideration at a later date, and will include a request for dedication of a certain amount of City-owned property as right of-way for Captain Haynes Road. The entrance to the development shall be designed in such a way as to ensure safe ingress / egress for the community. Any additional required improvements to Woodlea Road shall be at the discretion of Lake County Public Works, City of Tavares staff, and the City Engineer during the site plan review process.

The developer acknowledges that city utility services for potable water and waste water are currently not available for the site, and that development of the subject property is contingent upon the construction of and connection to city utility services. The City of Tavares has initiated extending capital utility lines to the Peninsula area through the approval of Resolution 2021-23 on September 8, 2021.

Development of the property will be in accordance with the provisions of Ordinance 2022-05 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 future land use designation of the property is Suburban Density with an allowance of 3 dwelling units per acre, and this designation is not affected by the rezoning.

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2022-05 rezoning of approximately 220 acres of property located west of the intersection of Woodlea Rd. and Lane Park Rd. from Residential Single Family (RSF-A) to Planned Development (PD).*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2022-05.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2022-05 rezoning of approximately 220 acres of property located west of the intersection of Woodlea Rd. and Lane Park Rd. from Residential Single Family (RSF-A) to Planned Development (PD)

Tara Tedrow – Lowndes Law, 215 N Eola Dr, Orlando, Representative for the Applicant

Ms. Tedrow provided presentation a PowerPoint presentation with some of the following highlights (*the following presentation is on file in the City Clerk's office and is available by request*):

- 30% open space on the property
- Not changing allowable density on the property
- Age-Restricted gated resort community.
- Forever homes customized with smaller backyards.
- Under approved future land use and zoning density.
- HOA provided maintenance, design, and esthetics standards.
- 30% open space plus an eleven-acre amenities center.
- 4-foot-wide sidewalks on both sides of the private street.
- 17 acres of undisturbed wetlands on the property.
- Lifestyle director on-site with Fitness Center.
- Not a starter home community.
- Meets Comprehensive Plan standards.

- Compatible with surrounding zoning.
- High-end homes – the entire community is HOA maintained, homes are fee simple ownership
- Voluntary community meetings were held to engage with residences – voluntary concessions:
 - Kolter agreed to provide fencing between the properties, as the residents had requested.
 - Agreed to provide open aluminum rail fencing on the property line of the Peninsula.
 - Large 170-foot buffer from property line to The Peninsula property.
 - Agreed to revise our plan to include two full lanes entering and exiting.
 - Agreed to have a private gate for The Peninsula homeowners and another gate for Cresswind.
 - Separate HOA.
 - Kolter agreed to not have rentals for less than 6 months.
 - Kolter will agree to commit to providing water and sewer to the Peninsula in Phase 2.

Traffic Analysis

- Study analyzed a 1-mile area of influence.
- Project would generate approximately 138 a.m. peak hour trips and 188 p.m. peak hour trips.
- Kolter will:
 - Donate right of way for Woodlea Road and Lane Park Improvements.
 - As suggested, 12-foot-wide lanes with 4-foot-wide shoulders along project frontage.

Transportation development Agreement

- Kolter will connect Captain Haynes Roadway segments.
- The Peninsula Area Roadway Corridor Study was performed in 2017.

Comprehensive Plan

- Cresswind is compatible with surrounding zoning.
- Use is consistent with the Comprehensive Plan.
- Future Land Use Designation allows exact density requested.

Chairman Santoro asked the public for comment.

Edd Holder, 11312 Dead River Road, Tavares – Stated it was a beautiful project and noted concerns about the Comprehensive Plan, overcrowded schools, traffic on SR 19, HWY 441, and increased development.

Rick Waddell, 1730 Peninsula Drive, Tavares– noted his concern about the compliance of Ordinance 1993-37, Comprehensive Plan 2040, and access road use.

Keith Kramer, 1710 Peninsula Drive, Tavares – noted the concern of compliance with Comprehensive Plan 2040 policy 1-6.1, 1-6.2 and the desire for a private road and entrance.

Ian Crawford, 1530 Peninsula Drive, Tavares - noted his concern about density and preserving the peninsula and natural surroundings.

Dennis Schlimgen, 1600 Peninsula Drive, Tavares – noted his concern about density and loss of investment.

Jim Hall, HDSi, Orlando - noted his concerns about the Peninsulas private access road and compliance with the Comprehensive Plan 1-6.1.

Terrell Bounds, 1550 Peninsula Dr, Tavares – noted his concerns about the City obtaining a Performance Bond due to the state of the current economy.

Sue Lennard, 1440 Peninsula Drive, Tavares – noted the concern of Land Use in the Comprehensive Plan 2040, preservation of the peninsula, and passing through Kolter Homes Community to reach the Peninsula homes.

Agelos Haralampopoulos, Lot 17, Peninsula Drive, Tavares - noted his concern about preserving the property, property values, and enhancing the surrounding area.

Beverly Bounds 1550 Peninsula Drive, Tavares – noted her concern about the preserving beauty of the estate community and the property.

Tom Heerschap, 1240 Peninsula Drive, Tavares - noted concern and preference of having their own entrance.

Vance Jochim, 12619 Milwaukie Ave, Lake County – Noted his concern about a dedicated road for the peninsula and traffic. He commended Ms. Tedrow for meeting with and addressing the concerns of the residents.

Patrick Willis, 2121 S Hiawassee Rd, Orlando – the attorney representing homeowners, noted his concern regarding the shared access road for the Peninsula, HOA, and proposed ordinance.

Edwin Drew, 955 Mansfield Road, Tavares - noted the concern about HOA Regulations, traffic, and wildlife.

Kathy Kramer, 1710 Peninsula Drive, Tavares - noted her concern about increased development, and traffic on Woodlea Rd, Captain Haynes Rd, and Lane Park Rd.

Rick Harrington, 11435 Peninsula Dr, Tavares – commended Ms. Tedrow for a job well done and noted the concern of Amendment 1 to the declaration to the ingress/egress and utilities was filed and consistency with Comprehensive Plan 2040 and Land Development Regulations (LDR) and quid pro quo about roads being completed for approval.

Chairman Santoro closed Public Comment.

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Board Member Peterman asked about the possibility of having an additional entrance to the development and noted that they should each have their separate entrances.

Ms. Tedrow stated the underlying ingress/egress easement dates back to 1994. She noted in Section 4 of the easement states "the relocation of the easement can happen at any time at the sole discretion of the declarant at its sole cost and expense". She stated Kolter Homes can make it a condition of approval that the Peninsula HOA will not be obligated to pay for any of Kolters' improvements on their site. She noted the engineer is available for questions.

Board Member Matthews asked about the possibility of a redesign of the community to accommodate an additional road.

Brett Tomais, 902 N. Sinclair Ave, Tavares, HALFF Associates, Civil Engineer, addressed the roadway that is proposed along the southern border of the proposed development. The roadway must make accommodations for emergency vehicles as well as stormwater retainers for the roadway, buffers, grading requirements, and drainage. He noted he does not believe 30 feet is enough space.

Chairman Santoro asked how wide the easement is. Mr. Tomias stated the existing easement is 30 feet.

Scott Morton, Senior Vice President, Planning and Entitlement, Kolter Homes, stated when planning 100 feet right of way is allocated to accommodate two lanes in each direction, center median, call box, security, and means of entry at the entrance.

Chairman Santoro asked if the existing easement has to be relocated. Ms. Tedrow confirmed the access road must be relocated and replaced.

Mr. Morton said the originally recorded easement is serpentine throughout the project. The recoded replacement easement places the easement over the existing road.

Board Member Treadwell noted the concern of maintenance of homes, development, and a need for a separate road for the Peninsula.

Ms. Tedrow asked if the main concern is a need for a separate access road to the Peninsula and requested a recess. Chairman Santoro confirmed.

There was a recess from 5:09 p.m. to 5:36 p.m.

Ms. Tedrow asked for a recommendation of approval conditioned upon the applicants submitting plans, prior to City Council, that provides an access route to Peninsula Drive residents that does not go through our community for access and provide flexibility to the developer with buffer setbacks on the current plan.

Chairman Santoro asked Attorney Holt if the recommendation has her approval. Attorney Holt confirmed and stated Kolter is asking for a recommendation to City Council with that stipulation

and said the Planning and Zoning Board can approve it as originally presented or make a motion to approve it as amended.

Mr. Fitzgerald clarified Ms. Tedrow brought up setbacks and the consideration that is being presented and some flexibility on the buffer of 170 feet between the Peninsula and Cresswind Community.

Chairman Santoro asked Ms. Tedrow regarding the quid pro quo. Ms. Treadwell clarified there is not a quid pro quo and City staff created a solution to a problem that has been identified by the Lake Sumter MPO as a top priority. Ms. Tedrow confirmed Kolter Homes is pleased to work with Lake County, Lake County School Board, and the City to be part of the regional solution in fixing the North-South connector road.

Chairman Santoro asked Kolter Homes if recreational vehicles such as boats and motorhomes are permitted. Mr. Morton stated recreational vehicles are not allowed in Cresswind Communities and would need to find a self-storage off-site.

Board Member Treadwell asked who will provide maintenance to the access road leading to the Peninsula and the road within the community. Ms. Tedrow stated interior roads will be maintained by Kolter Homes as stated in the Developers Agreement. Pertaining the private access road to the Peninsula would be maintained by The Peninsula HOA.

MOTION

Deborah Murphy moved to recommend approval [Option 1] of Ordinance 2022-05 as amended per the discussion above, seconded by Bruce Peterman. The motion carried unanimously 5-0.

3) Recommendation on Ordinance 2022-04 – City Impact Fee Waiver for Property Located Within the Community Redevelopment Area (CRA)

Mr. Fitzgerald gave the following presentation:

SUMMARY:

The City of Tavares established a Community Redevelopment Area (CRA) in 1995 with subsequent boundary expansions in 2006 and 2013. The City of Tavares recognizes the significance of the CRA as an area for tourism, professional offices, retail, dining, mixed housing choices, seaplane base operations, institutional, and cultural activity. The CRA is identified as a focus area for economic development through the adopted Community Redevelopment Plan, the Downtown Master Plan, and the Economic Development Strategy. The City's Comprehensive Plan promotes the implementation of incentives to encourage redevelopment and to attract business and industry. Promoting infill development within the CRA as a smart growth initiative serves to direct development towards the existing downtown core, utilizes existing infrastructure, and makes use of economically viable property. Quality infill projects can lead to neighborhood revitalization and a potential increase in property value, which are primary goals of the

CRA. Within the boundary of the CRA there are approximately thirty (30) acres of vacant property with a mixture of land use and zoning classifications.

The City of Tavares is experiencing an influx of growth, as many communities in Florida are experiencing. However, there is limited development interest within the CRA boundary. Investment in an infill project can present some challenges for developers, including assembly of fragmented property, potential environmental cleanup, limited financing options, demolition cost, higher construction costs for commercial and multi-story buildings, and impact fees. In accordance with the Comprehensive Plan, the City of Tavares has the opportunity to consider an incentive program designed to encourage redevelopment within the CRA boundary. Ordinance 2022-04 proposes an incentive program that waives city impact fees for water, sewer, police, fire, and parks for building permits issued to properties located in the CRA for a period not to exceed June 7, 2025.

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2022-04, a temporary City impact fee waiver for property located within the Community Redevelopment Area (CRA).*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2022-04.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2022-04, a temporary City impact fee waiver for property located within the Community Redevelopment Area (CRA).

FISCAL IMPACT:

City impact fees are not collected for CRA development.

MOTION

Brooke Matthews moved to recommend approval [Option 1] of Ordinance 2022-04, seconded by Dara Treadwell. The motion carried unanimously 5-0.

OTHER BUSINESS

Mr. Fitzgerald said the Smart Growth Workshop will be held on Monday, June 13, 2022, from 6 PM-8 PM in the City Council Chambers.

Chairman Santoro inquired about moving the Planning and Zoning Board Meeting to be before the City Council Meeting. Mr. Fitzgerald confirmed the Planning and Zoning Board would like to move the Board Meeting to the 2nd Thursday of the month. Chairman Santoro confirmed.

Attorney Holt stated Council can watch the Planning and Zoning Board Meeting and suggested to place moving the meeting on the agenda.

PUBLIC COMMENT

Vance Jochim, 121619 Milwaukee Ave, Lake County, noted the concern of signs for hearings and increased development.

ADJOURNMENT

MOTION

Dara Treadwell moved to adjourn the meeting at 6:06 p.m., seconded by Brooke Matthews. The motion carried unanimously 5-0.

Respectfully submitted,

Jillian Roberts,
Deputy City Clerk

AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
6/16/2022

AGENDA TAB NO.: 1.

SUBJECT TITLE: Sunshine and Ethics Law Update (City Attorney)

OBJECTIVE:

To have the City Attorney present an annual update on the Florida Sunshine and ethics laws.

SUMMARY:

The City Attorney will provide an overview of Sunshine and ethics laws.

OPTIONS:

N/A

STAFF RECOMMENDATION:

For the City Attorney to provide an overview to the Planning & Zoning Board on Florida's Sunshine and Ethics Law.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Yes

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
6/16/2022

AGENDA TAB NO.: 1.

**SUBJECT TITLE: Nahas Property - Annexation & Rezoning of Approximately 19.81 Acres
Located at the Northwest Corner of Mt Homer Rd. and East Burleigh Blvd.
Recommendation on Ordinance 2022-06**

OBJECTIVE:

To consider the annexation and rezoning to Residential Multi-Family (RMF-3), of approximately 19.81 acres of property located at the northwest corner of Mt Homer Rd. and East Burleigh Blvd.

SUMMARY:

The subject property is approximately 19.81 acres located at the northwest corner of Mt Homer Rd. and East Burleigh Blvd., and is contiguous to the City boundary. The land is presently zoned as County Planned Commercial District (CP), and the applicant is proposing that the property be annexed and rezoned to Residential Multi-Family (RMF-3).

The proposed zoning of Residential Multi-Family (RMF-3) 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 ten (10) three-story buildings containing thirty (30) units each totaling three hundred (300) residential apartments, together with recreational amenities including a clubhouse and swimming pool. The subject property is in close proximity to AdventHealth Waterman hospital, the Tavares medical village, the Eustis Village shopping center, and many other commercial businesses located on US-441. 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 proposed use will meet the increasing demand for the availability of attainable housing for individuals employed by businesses that the community relies upon to remain economically viable. The property is adjacent to Pincrest Academy Charter School (grades K-8), and per the Lake County Schools Growth Planning Department, the public schools impacted are Eustis Heights Elementary, Eustis Middle, and Eustis High School. The owner is required to obtain school capacity reservation prior to development approval.

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 environmental assessment submitted by Zev Cohen & 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 traffic study submitted by VHB provides a summary conclusion regarding the level of service for surrounding roadways, and finds that the surrounding roadway network will not be negatively impacted by the anticipated traffic increases generated by the proposed development. The study contains a

recommendation for future improvements to the intersection of Huffstetler Drive and Mt Homer Road for conversion from a two-way stop condition to a signalized intersection. City staff notes this recommendation and will coordinate with developers, Lake County, and the City's Engineer to apply it to development proposals in this area.

Development of the property will be in accordance with the provisions of 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 Lake County Urban Low 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 2022-06 annexation and rezoning to Residential Multi-Family (RMF-3), of approximately 19.81 acres of property located at the northwest corner of Mt Homer Rd. and East Burleigh Blvd.

2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2022-06.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2022-06 annexation and rezoning to Residential Multi-Family (RMF-3), of approximately 19.81 acres of property located at the northwest corner of Mt Homer Rd. and East Burleigh Blvd.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2022-06
2. Aerial Map
3. Zoning Map
4. Concept Plan
5. School Impact Analysis
6. Environmental Assessment
7. Traffic Study
8. Newspaper Ad 6-5-22

ORDINANCE 2022-06

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 19.81 ACRES OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF MT HOMER ROAD AND EAST BURLEIGH BOULEVARD; REZONING THE PROPERTY FROM COUNTY PLANNED COMMERCIAL DISTRICT (CP) TO CITY RESIDENTIAL MULTI-FAMILY (RMF-3); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

WHEREAS, the property is currently zoned Lake County Planned Commercial District (CP), and the applicant has requested that said property be rezoned to a City designation of Residential Multi-Family (RMF-3); 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 High Density (HD) 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 Planned Commercial District (CP) to City of Tavares Residential Multi-Family (RMF-3) 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 _____, 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 AND LEGALITY:

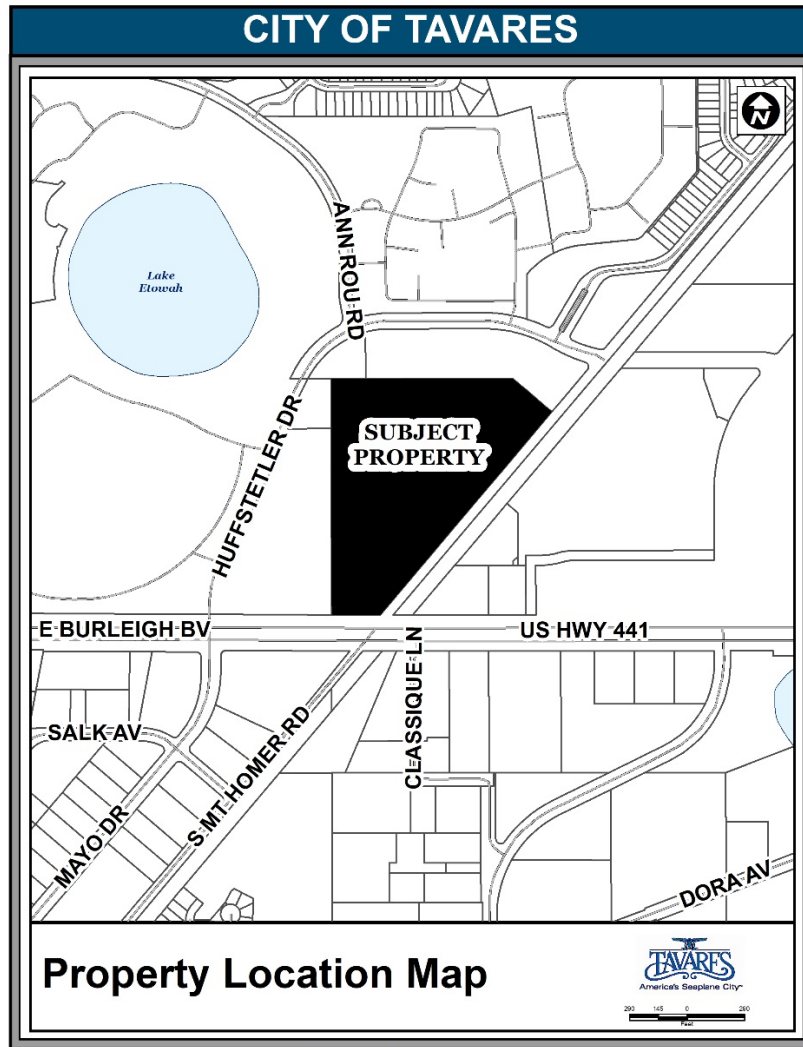
Lindsay C. T. Holt, City Attorney

EXHIBIT “A”

LEGAL DESCRIPTION: OFFICIAL RECORDS BOOK 862, PAGE 2478

THAT PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, RUN THENCE SOUTH 0°27'22" WEST ALONG THE WEST LINE THEREOF A DISTANCE OF 1191.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 441, THENCE NORTH 89°38'00" EAST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 247.24 FEET TO A POINT ON THE NORTHWEST RIGHT OF WAY LINE OF MOUNT HOMER ROAD, THENCE NORTH 39°45'40" EAST ALONG THE SAID NORTHWEST RIGHT OF WAY LINE A DISTANCE OF 1332.97 FEET TO A POINT ON A LINE, SAID LINE BEING 208.00 FEET SOUTHWEST OF AND PARALLEL WITH THE SOUTHWEST RIGHT OF WAY LINE OF THE UN-NAMED AND UNIMPROVED STREET BETWEEN BLOCK 9 AND BLOCK 10, ACCORDING TO THE PLAT OF MOUNT HOMER SUBDIVISION, AS RECORDED IN PLAT BOOK 2, PAGE 29, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THENCE NORTH 50°14'20" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 268.18 FEET, TO A POINT ON THE NORTH LINE OF THE AFORESAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, THENCE SOUTH 89°34'01" WEST ALONG THE SAID NORTH LINE A DISTANCE OF 903.14 FEET TO THE POINT OF BEGINNING AND POINT OF TERMINUS.



AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
6/16/2022

AGENDA TAB NO.: 2.

**SUBJECT TITLE: Nahas Property - Small Scale FLUM Amendment of Approximately 19.81 Acres Located at the Northwest Corner of Mt Homer Rd. and East Burleigh Blvd.
Recommendation on Ordinance 2022-07**

OBJECTIVE:

To consider a Future Land Use Map amendment from County Urban Low Density to City High Density for 19.81 acres located at the northwest corner of Mt Homer Rd. and East Burleigh Blvd.

SUMMARY:

The subject property is located at the northwest corner of Mt Homer Rd. and East Burleigh Blvd., and is approximately 19.81 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 High Density (HD).

Ordinance 2022-07 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from County Urban Low to City High Density (HD).

The subject property is adjacent to a mix of residential, commercial, and public facilities uses. An application to annex and rezone this property to a 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 Low Density. A City High Density (HD) 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 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 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 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 2022-07, a Future Land Use Map amendment from County Urban Low Density to City High Density for 19.81 acres located at the northwest corner of Mt Homer Rd. and East Burleigh Blvd.
2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2022-07.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2022-07, a Future Land Use Map amendment from County Urban Low Density to City High Density for 19.81 acres located at the northwest corner of Mt Homer Rd. and East Burleigh Blvd.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2022-07
2. FLU Map

ORDINANCE 2022-07

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 19.81 ACRES OF PROPERTY FROM COUNTY URBAN LOW DENSITY TO CITY HIGH DENSITY (HD) FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF MT HOMER ROAD AND EAST BURLEIGH BOULEVARD; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

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

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

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

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

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

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

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

Section 1. Future Land Use Amendment

The Comprehensive Plan and Future Land Use Map of the City of Tavares, Florida, is hereby amended to reflect a re-designation from Lake County Urban Low Density to City of Tavares High Density (HD) 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 _____, 2022 by the City Council of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

ATTEST:

Susie Novack, City Clerk

Approved as to form:

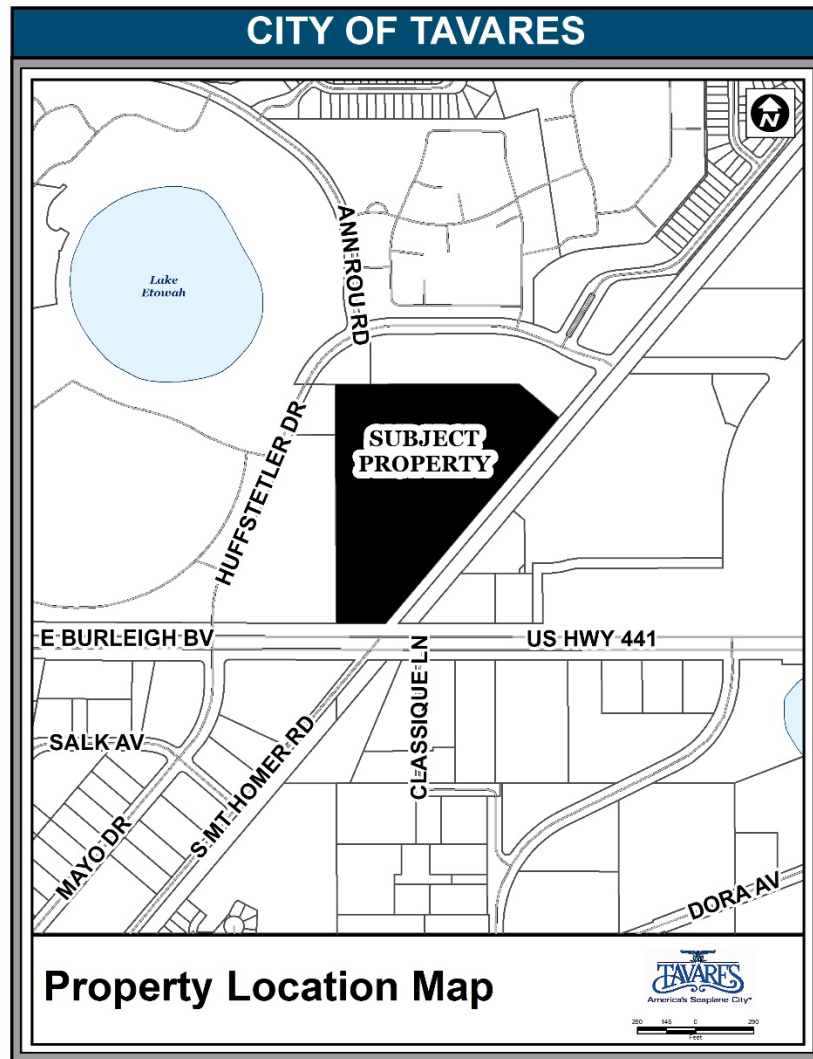
Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION: OFFICIAL RECORDS BOOK 862, PAGE 2478

THAT PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, RUN THENCE SOUTH 0°27'22" WEST ALONG THE WEST LINE THEREOF A DISTANCE OF 1191.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 441, THENCE NORTH 89°38'00" EAST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 247.24 FEET TO A POINT ON THE NORTHWEST RIGHT OF WAY LINE OF MOUNT HOMER ROAD, THENCE NORTH 39°45'40" EAST ALONG THE SAID NORTHWEST RIGHT OF WAY LINE A DISTANCE OF 1332.97 FEET TO A POINT ON A LINE, SAID LINE BEING 208.00 FEET SOUTHWEST OF AND PARALLEL WITH THE SOUTHWEST RIGHT OF WAY LINE OF THE UN-NAMED AND UNIMPROVED STREET BETWEEN BLOCK 9 AND BLOCK 10, ACCORDING TO THE PLAT OF MOUNT HOMER SUBDIVISION, AS RECORDED IN PLAT BOOK 2, PAGE 29, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THENCE NORTH 50°14'20" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 268.18 FEET, TO A POINT ON THE NORTH LINE OF THE AFORESAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, THENCE SOUTH 89°34'01" WEST ALONG THE SAID NORTH LINE A DISTANCE OF 903.14 FEET TO THE POINT OF BEGINNING AND POINT OF TERMINUS.



Created By: City of Tavares GIS T:\proj\DATA\PROJECT FILES\SS FLUM Crossing, PO Rezoning, Conceptual Plan & LSF LUM - PZ\2021-22\GIS\GIS_Maps\AD.mxd Map Created on 10/26/21

AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
6/16/2022

AGENDA TAB NO.: 3.

**SUBJECT TITLE: Park Square Homes - Annexation & Rezoning of Approximately 03.13 Acres Located West of SR-19, South of Slim Haywood Ave., North of Camp Rd.
Recommendation on Ordinance 2022-08**

OBJECTIVE:

To consider the annexation and rezoning to Residential Multi-Family (RMF-2), of approximately 03.13 acres of property located west of SR-19, south of Slim Haywood Ave., north of Camp Rd.

SUMMARY:

The subject property is approximately 03.13 acres in size, located west of SR-19, south of Slim Haywood Ave., north of Camp Rd., and is contiguous to the City boundary. The land is presently zoned as County Agriculture (A), and the applicant is proposing that the property be annexed and rezoned to Residential Multi-Family (RMF-2). The property abuts Camp Rd. on the north side and the annexation of the property will eliminate a separation between the existing City boundary and the Camp Road right-of-way. Park Square Homes is proposing a residential development known as Leela Reserve that will incorporate the 03.13 acre subject property to be used primarily for landscape buffering and storm water retention. The Leela Reserve subdivision is under preliminary review by City staff, and is already a permitted use under RMF-2 zoning per Ordinance 2022-02 approved by City Council on March 16, 2022.

This property is adjacent to residential land use. The proposed zoning of Residential Multi-Family (RMF-2) 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 developer shall be responsible for extending municipal utility services to the subject property upon development.

The environmental assessment submitted by Austin Environmental Consultants, 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 design of the Park Square Homes residential project (Leela Reserve) indicates that the 03.13 acre subject property will be used primarily for landscape buffering and storm water retention, and therefore will result in no additional traffic impact.

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 2022-08 annexation and rezoning to Residential Multi-Family (RMF-2), of approximately 03.13 acres of property located west of SR-19, south of Slim Haywood Ave., north of Camp Rd.
2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2022-08.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2022-08 annexation and rezoning to Residential Multi-Family (RMF-2), of approximately 03.13 acres of property located west of SR-19, south of Slim Haywood Ave., north of Camp Rd.

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 2022-08
2. Aerial Map
3. Zoning Map
4. Newspaper Ad 6-5-22

ORDINANCE 2022-08

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 03.13 ACRES OF PROPERTY LOCATED WEST OF SR-19, SOUTH OF SLIM HAYWOOD AVENUE, NORTH OF CAMP ROAD; REZONING THE PROPERTY FROM COUNTY AGRICULTURE (A) TO CITY 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 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 Agriculture (A) and the applicant has requested that said property be rezoned to a City designation of Residential Multi-Family (RMF-2); 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 Medium Density (MED) 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 Agriculture (A) to City of Tavares Residential Multi-Family (RMF-2) 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 _____, 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 AND LEGALITY:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

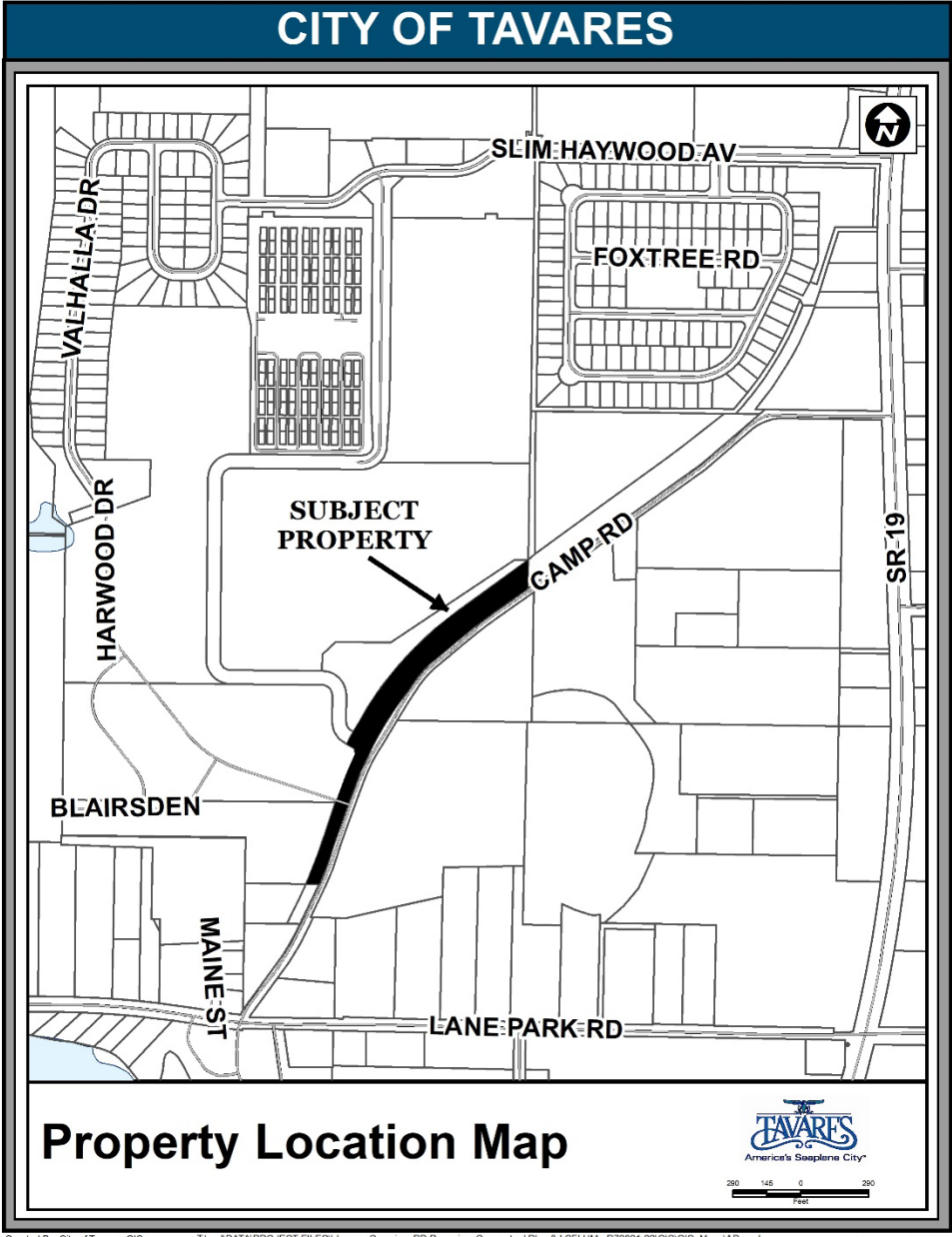
THAT PORTION OF THE FORMER ATLANTIC COAST LINE RAILROAD LYING IN SAID GOVERNMENT LOT 10, ALL BEING IN SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST AND SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST 1/4 CORNER OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; THENCE RUN ON A BEARING RELATED TO FLORIDA STATE PLANE COORDINATES, EAST ZONE, ALONG THE EAST LINE OF SAID SECTION 1, ALSO BEING THE WEST LINE OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, SOUTH 00°59'22" WEST A DISTANCE OF 1105.03 FEET TO THE NORTH LINE OF GOVERNMENT LOT 10 OF SAID SECTION 6; THENCE RUN SOUTH 89°17'00" EAST ALONG SAID NORTH LINE A DISTANCE OF 433.18 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF FORMER ATLANTIC COAST LINE RAILROAD AS SHOWN ON THE "RIGHT OF WAY AND TRACK MAP, ATLANTIC COAST LINE R.R. CO., LANE PARK BRANCH, STATION 422+40 TO STATION 500+56, DATED REVISED JUNE 30, 1920", AND BEING ON FILE AT C.S.X. RAILROAD, JACKSONVILLE, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTH LINE SOUTH 89°17'00" EAST A DISTANCE OF 115.69 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID FORMER ATLANTIC COAST LINE RAILROAD; SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1382.68 FEET, TO WHICH A RADIAL LINE BEARS NORTH 57°54'43" WEST; THENCE RUN SOUTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°24'12", AN ARC DISTANCE OF 178.66 FEET TO THE INTERSECTION OF SAID EASTERLY RIGHT OF WAY LINE WITH THE WESTERLY RIGHT OF WAY LINE OF MAINTENANCE OF CAMP ROAD AS SHOWN ON THE "LAKE COUNTY CAMP ROAD 3-3442 MAINTENANCE RIGHT OF WAY MAP, DATED OCTOBER 19, 2004" RECORDED IN MAINTENANCE MAP BOOK 9, PAGES 64 THROUGH 67, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 881.20 FEET, TO WHICH A RADIAL LINE BEARS NORTH 62°01'10" WEST; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE OF MAINTENANCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°06'50", AN ARC DISTANCE OF 140.17 FEET TO A NON-TANGENT POINT; (2) THENCE RUN SOUTH 19°56'21" WEST A DISTANCE OF 181.79 FEET; (3) THENCE RUN SOUTH 19°05'05" WEST A DISTANCE OF 87.95 FEET TO A POINT SITUATED ON A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 1190.34 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 73°30'54" EAST; (4) THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°19'14", AN ARC DISTANCE OF 172.87 FEET TO THE NORTH BOUNDARY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4716, PAGE 1121, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE RUN NORTH 89°17'00" WEST ALONG SAID NORTH LINE A DISTANCE OF 56.26 FEET TO A POINT ON THE EASTERLY LINE OF LANDS DESCRIBED IN EXHIBIT 'A' OF THE CITY OF TAVARES ORDINANCE 2004-06 PASSED AND ORDAINED ON MAY 5, 2004, SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 2,306.26 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 66°23'59" EAST, THENCE RUN ALONG SAID EASTERLY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 4°44'14" AN ARC DISTANCE OF 190.69 FEET TO A POINT OF TANGENCY; (2) THENCE RUN NORTH 18°51'41" EAST A DISTANCE OF 242.52 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1,231.30 FEET; (3) THENCE RUN NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 7°44'04" AN ARC DISTANCE OF 166.21 TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF AN ACCESS ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 4732, PAGES 1956 THROUGH 1965, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID EASTERLY LINE RUN NORTH 14°53'05" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE A DISTANCE OF 20.11 FEET; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY LINE NORTH 59°53'05" WEST A DISTANCE OF 33.00 FEET TO A POINT ON THE AFORESAID WESTERLY RIGHT OF WAY LINE OF FORMER ATLANTIC COAST LINE RAILROAD, SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1482.69 FEET, TO WHICH A RADIAL LINE BEARS NORTH 64°50'18" WEST; THENCE RUN NORTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°35'55", AN ARC DISTANCE OF 119.00 FEET TO THE POINT OF BEGINNING.

AND

THAT PORTION OF THE FORMER ATLANTIC COAST LINE RAILROAD AS SHOWN ON THE "RIGHT OF WAY AND TRACK MAP, ATLANTIC COAST LINE R.R. CO., LANE PARK BRANCH, STATION 422+40 TO STATION 500+56, DATED REVISED JUNE 30, 1920", THAT IS ON FILE AT C.S.X. RAILROAD, JACKSONVILLE, FLORIDA, AND BEING THAT PORTION BETWEEN STATIONS 466+35.11 TO 475+50.53 AS SHOWN ON SAID ATLANTIC COAST LINE RAILROAD RIGHT OF WAY AND TRACK MAP, IN GOVERNMENT LOT FIVE (5) OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA:

COMMENCE AT THE EAST 1/4 SECTION CORNER OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST LAKE COUNTY, FLORIDA, THENCE RUN ON A BEARING RELATED TO FLORIDA STATE PLANE COORDINATES, EAST ZONE, S 00°59'22"W ALONG THE WEST LINE OF GOVERNMENT LOT FIVE (5) OF SAID SECTION SIX (6) A DISTANCE OF 1105.03 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT FIVE (5); THENCE DEPARTING SAID WEST LINE RUN S 89°17'00"E ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT FIVE (5) A DISTANCE OF 483.18 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING A POINT ON THE WESTERLY RIGHT OF WAY LINE OF AFORESAID FORMER ATLANTIC COAST LINE RAILROAD, AND BEING SITUATED ON A CHORD DEFINED CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1482.68 FEET, TO WHICH A RADIAL LINE BEARS N 60°14'23"W; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE AND ARC OF SAID CURVE, NORTHEASTERLY THROUGH A CENTRAL ANGLE OF 24°15'10" AN ARC DISTANCE OF 627.61 FEET TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WESTERLY RIGHT OF WAY LINE N 54°00'47"E A DISTANCE OF 374.63 FEET TO A POINT THAT IS 15.00 FEET WEST WHEN MEASURED AT RIGHT ANGLES TO THE EAST LINE OF SAID GOVERNMENT LOT FIVE (5); THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, RUN S 01°03'31"W PARALLEL TO SAID EAST LINE A DISTANCE OF 122.53 FEET TO THE WESTERLY RIGHT OF WAY LINE BY MAINTENANCE OF CAMP ROAD AS SHOWN ON THE "LAKE COUNTY CAMP ROAD 3-3442 MAINTENANCE RIGHT OF WAY MAP, DATED OCTOBER 19, 2004" RECORDED IN MAINTENANCE MAP BOOK 9, PAGES 64 THROUGH 67, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING FIVE (5) COURSES: (1) S 55°04'18"W A DISTANCE OF 152.04 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 2297.94 FEET, TO WHICH A RADIAL LINE BEARS N 34°50'57"W; (2) THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°41'14" AN ARC DISTANCE OF 147.88 FEET; (3) THENCE RUN S 50°17'27"W A DISTANCE OF 233.39 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 503.60 FEET, TO WHICH A RADIAL LINE BEARS N 43°20'58"W; (4) THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°48'05" AN ARC DISTANCE OF 130.10 FEET; (5) THENCE RUN S 32°50'28"W A DISTANCE OF 18.73 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF AFORESAID FORMER ATLANTIC COAST LINE RAILROAD, SAID POINT BEING SITUATED ON A NON-TANGENT CHORD DEFINED CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1382.68 FEET, TO WHICH A RADIAL LINE BEARS N 51°43'03"W; THENCE LEAVING SAID "LAKE COUNTY CAMP ROAD 3-3442 MAINTENANCE RIGHT OF WAY MAP", RUN ALONG SAID EASTERLY RIGHT OF WAY LINE OF FORMER ATLANTIC COAST LINE RAILROAD, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°11'40" AN ARC DISTANCE OF 149.49 FEET TO THE AFORESAID SOUTH LINE OF GOVERNMENT LOT FIVE (5); THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE, RUN N 89°17'00"W ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT FIVE (5) A DISTANCE OF 115.69 FEET TO THE POINT OF BEGINNING.



AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
6/16/2022

AGENDA TAB NO.: 4.

**SUBJECT TITLE: Park Square Homes - Small Scale FLUM Amendment of Approximately 03.13 Acres Located West of SR-19, South of Slim Haywood Ave., North of Camp Rd.
Recommendation on Ordinance 2022-09**

OBJECTIVE:

To consider a Future Land Use Map amendment from County Urban Low Density to City Medium Density for 03.13 acres located west of SR-19, south of Slim Haywood Ave., north of Camp Rd.

SUMMARY:

The subject property is located west of SR-19, south of Slim Haywood Ave., north of Camp Rd., and is approximately 03.13 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 2022-09 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 residential uses. An application to annex and rezone this property to a Residential Multi-Family (RMF-2) 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 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 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 2022-09, a Future Land Use Map amendment from County Urban Low Density to City Medium Density for 03.13 acres located west of SR-19, south of Slim Haywood Ave., north of Camp Rd.
2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2022-09.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2022-09, a Future Land Use Map amendment from County Urban Low Density to City Medium Density for 03.13 acres located west of SR-19, south of Slim Haywood Ave., north of Camp Rd.

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 2022-09
2. FLU Map

ORDINANCE 2022-09

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 03.13 ACRES OF PROPERTY FROM COUNTY URBAN LOW DENSITY TO CITY MEDIUM DENSITY (MED) FOR PROPERTY LOCATED WEST OF SR-19, SOUTH OF SLIM HAYWOOD AVENUE, NORTH OF CAMP ROAD; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

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

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

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

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

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

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

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

Section 1. Future Land Use Amendment

The Comprehensive Plan and Future Land Use Map of the City of Tavares, Florida, is hereby amended to reflect a re-designation from Lake County Urban Low Density to City of Tavares Medium Density (MED) 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 _____, 2022 by the City Council of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

ATTEST:

Susie Novack, City Clerk

Approved as to form:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

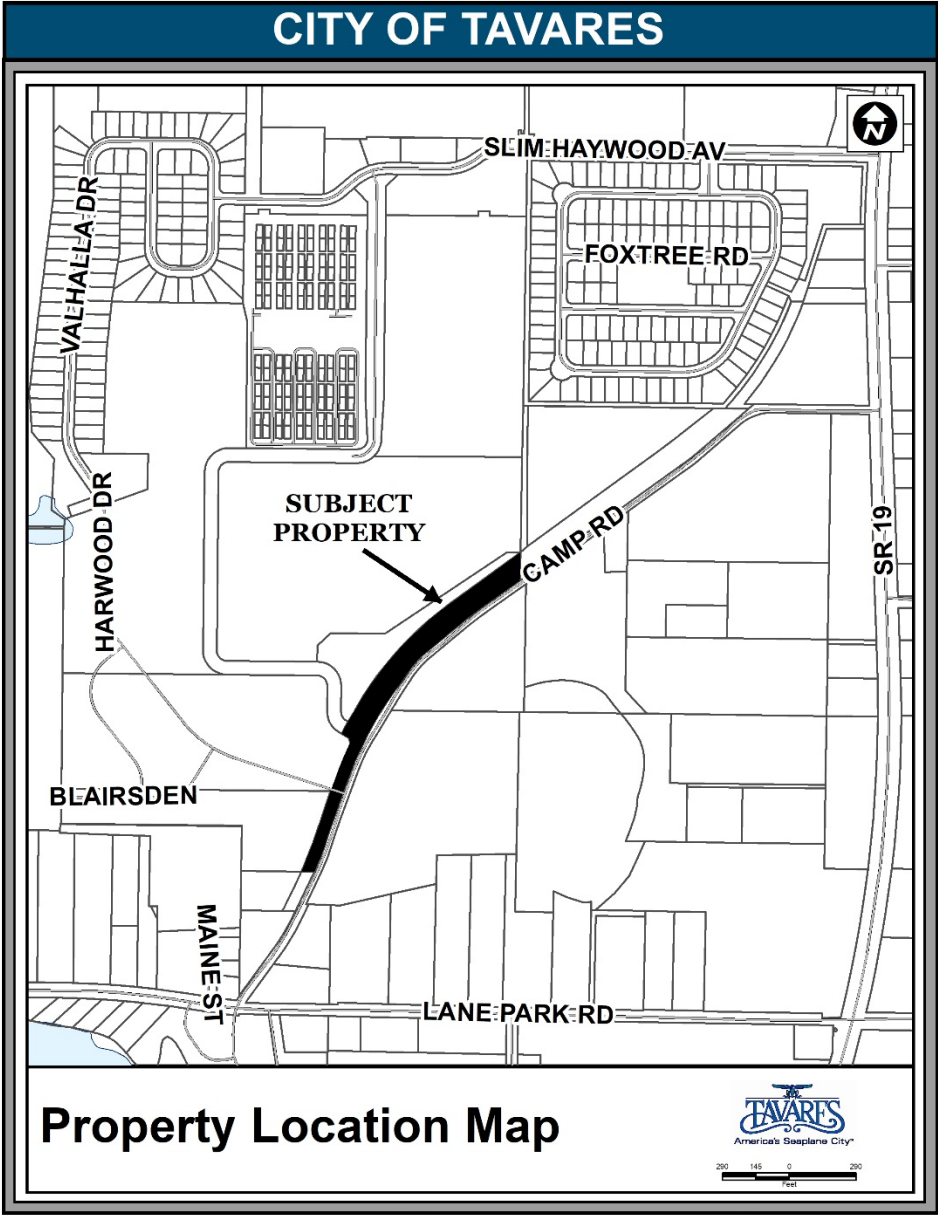
THAT PORTION OF THE FORMER ATLANTIC COAST LINE RAILROAD LYING IN SAID GOVERNMENT LOT 10, ALL BEING IN SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST AND SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST 1/4 CORNER OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; THENCE RUN ON A BEARING RELATED TO FLORIDA STATE PLANE COORDINATES, EAST ZONE, ALONG THE EAST LINE OF SAID SECTION 1, ALSO BEING THE WEST LINE OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, SOUTH 00°59'22" WEST A DISTANCE OF 1105.03 FEET TO THE NORTH LINE OF GOVERNMENT LOT 10 OF SAID SECTION 6; THENCE RUN SOUTH 89°17'00" EAST ALONG SAID NORTH LINE A DISTANCE OF 433.18 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF FORMER ATLANTIC COAST LINE RAILROAD AS SHOWN ON THE "RIGHT OF WAY AND TRACK MAP, ATLANTIC COAST LINE R.R. CO., LANE PARK BRANCH, STATION 422+40 TO STATION 500+56, DATED REVISED JUNE 30, 1920", AND BEING ON FILE AT C.S.X. RAILROAD, JACKSONVILLE, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTH LINE SOUTH 89°17'00" EAST A DISTANCE OF 115.69 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID FORMER ATLANTIC COAST LINE RAILROAD; SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1382.68 FEET, TO WHICH A RADIAL LINE BEARS NORTH 57°54'43" WEST; THENCE RUN SOUTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°24'12", AN ARC DISTANCE OF 178.66 FEET TO THE INTERSECTION OF SAID EASTERLY RIGHT OF WAY LINE WITH THE WESTERLY RIGHT OF WAY LINE OF MAINTENANCE OF CAMP ROAD AS SHOWN ON THE "LAKE COUNTY CAMP ROAD 3-3442 MAINTENANCE RIGHT OF WAY MAP, DATED OCTOBER 19, 2004" RECORDED IN MAINTENANCE MAP BOOK 9, PAGES 64 THROUGH 67, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 881.20 FEET, TO WHICH A RADIAL LINE BEARS NORTH 62°01'10" WEST; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE OF MAINTENANCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°06'50", AN ARC DISTANCE OF 140.17 FEET TO A NON-TANGENT POINT; (2) THENCE RUN SOUTH 19°56'21" WEST A DISTANCE OF 181.79 FEET; (3) THENCE RUN SOUTH 19°05'05" WEST A DISTANCE OF 87.95 FEET TO A POINT SITUATED ON A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 1190.34 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 73°30'54" EAST; (4) THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°19'14", AN ARC DISTANCE OF 172.87 FEET TO THE NORTH BOUNDARY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4716, PAGE 1121, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE RUN NORTH 89°17'00" WEST ALONG SAID NORTH LINE A DISTANCE OF 56.26 FEET TO A POINT ON THE EASTERLY LINE OF LANDS DESCRIBED IN EXHIBIT 'A' OF THE CITY OF TAVARES ORDINANCE 2004-06 PASSED AND ORDAINED ON MAY 5, 2004, SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 2,306.26 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 66°23'59" EAST, THENCE RUN ALONG SAID EASTERLY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 4°44'14" AN ARC DISTANCE OF 190.69 FEET TO A POINT OF TANGENCY; (2) THENCE RUN NORTH 18°51'41" EAST A DISTANCE OF 242.52 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1,231.30 FEET; (3) THENCE RUN NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 7°44'04" AN ARC DISTANCE OF 166.21 TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF AN ACCESS ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 4732, PAGES 1956 THROUGH 1965, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING SAID EASTERLY LINE RUN NORTH 14°53'05" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE A DISTANCE OF 20.11 FEET; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY LINE NORTH 59°53'05" WEST A DISTANCE OF 33.00 FEET TO A POINT ON THE AFORESAID WESTERLY RIGHT OF WAY LINE OF FORMER ATLANTIC COAST LINE RAILROAD, SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1482.69 FEET, TO WHICH A RADIAL LINE BEARS NORTH 64°50'18" WEST; THENCE RUN NORTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°35'55", AN ARC DISTANCE OF 119.00 FEET TO THE POINT OF BEGINNING.

AND

THAT PORTION OF THE FORMER ATLANTIC COAST LINE RAILROAD AS SHOWN ON THE "RIGHT OF WAY AND TRACK MAP, ATLANTIC COAST LINE R.R. CO., LANE PARK BRANCH, STATION 422+40 TO STATION 500+56, DATED REVISED JUNE 30, 1920", THAT IS ON FILE AT C.S.X. RAILROAD, JACKSONVILLE, FLORIDA, AND BEING THAT PORTION BETWEEN STATIONS 466+35.11 TO 475+50.53 AS SHOWN ON SAID ATLANTIC COAST LINE RAILROAD RIGHT OF WAY AND TRACK MAP, IN GOVERNMENT LOT FIVE (5) OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA:

COMMENCE AT THE EAST 1/4 SECTION CORNER OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST LAKE COUNTY, FLORIDA, THENCE RUN ON A BEARING RELATED TO FLORIDA STATE PLANE COORDINATES, EAST ZONE, S 00°59'22"W ALONG THE WEST LINE OF GOVERNMENT LOT FIVE (5) OF SAID SECTION SIX (6) A DISTANCE OF 1105.03 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT FIVE (5); THENCE DEPARTING SAID WEST LINE RUN S 89°17'00"E ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT FIVE (5) A DISTANCE OF 483.18 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING A POINT ON THE WESTERLY RIGHT OF WAY LINE OF AFORESAID FORMER ATLANTIC COAST LINE RAILROAD, AND BEING SITUATED ON A CHORD DEFINED CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1482.68 FEET, TO WHICH A RADIAL LINE BEARS N 60°14'23"W; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE AND ARC OF SAID CURVE, NORTHEASTERLY THROUGH A CENTRAL ANGLE OF 24°15'10" AN ARC DISTANCE OF 627.61 FEET TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WESTERLY RIGHT OF WAY LINE N 54°00'47"E A DISTANCE OF 374.63 FEET TO A POINT THAT IS 15.00 FEET WEST WHEN MEASURED AT RIGHT ANGLES TO THE EAST LINE OF SAID GOVERNMENT LOT FIVE (5); THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, RUN S 01°03'31"W PARALLEL TO SAID EAST LINE A DISTANCE OF 122.53 FEET TO THE WESTERLY RIGHT OF WAY LINE BY MAINTENANCE OF CAMP ROAD AS SHOWN ON THE "LAKE COUNTY CAMP ROAD 3-3442 MAINTENANCE RIGHT OF WAY MAP, DATED OCTOBER 19, 2004" RECORDED IN MAINTENANCE MAP BOOK 9, PAGES 64 THROUGH 67, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING FIVE (5) COURSES: (1) S 55°04'18"W A DISTANCE OF 152.04 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 2297.94 FEET, TO WHICH A RADIAL LINE BEARS N 34°50'57"W; (2) THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°41'14" AN ARC DISTANCE OF 147.88 FEET; (3) THENCE RUN S 50°17'27"W A DISTANCE OF 233.39 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 503.60 FEET, TO WHICH A RADIAL LINE BEARS N 43°20'58"W; (4) THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°48'05" AN ARC DISTANCE OF 130.10 FEET; (5) THENCE RUN S 32°50'28"W A DISTANCE OF 18.73 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF AFORESAID FORMER ATLANTIC COAST LINE RAILROAD, SAID POINT BEING SITUATED ON A NON-TANGENT CHORD DEFINED CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1382.68 FEET, TO WHICH A RADIAL LINE BEARS N 51°43'03"W; THENCE LEAVING SAID "LAKE COUNTY CAMP ROAD 3-3442 MAINTENANCE RIGHT OF WAY MAP", RUN ALONG SAID EASTERLY RIGHT OF WAY LINE OF FORMER ATLANTIC COAST LINE RAILROAD, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°11'40" AN ARC DISTANCE OF 149.49 FEET TO THE AFORESAID SOUTH LINE OF GOVERNMENT LOT FIVE (5); THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE, RUN N 89°17'00"W ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT FIVE (5) A DISTANCE OF 115.69 FEET TO THE POINT OF BEGINNING.



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