AGENDA
Regular City Commission Meeting
6:00 PM - Thursday, April 4, 2019 - City Hall

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	INVOCATION: TO BE DETERMINED	
	PLEDGE OF ALLEGIANCE: VICE MAYOR LEHEUP-SMITH	
	CALL TO ORDER	
	ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE	
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2.	APPROVAL OF MINUTES	
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First Reading

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7.7 Ordinance No. 19-09: Voluntary Annexation for Property at 2400 and 2500 S. Bay St., 143 W. Dicie Ave. and 200 W. Seminole Ave. 399 - 434
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7.8 Ordinance No. 19-10: Comprehensive Plan Amendment for Property located at 2400 and 2500 S. Bay St, 143 W Dicie Ave. and 200 W. Seminole Ave. 435 - 469
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7.10 Ordinance No. 19-12: Amendment to the Land Development Regulations, Chapter 109 507 - 530
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8. OTHER BUSINESS

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10. COMMENTS

10.1 City Commission

10.2 City Manager

10.3 City Attorney

10.4 Mayor

11. ADJOURNMENT

This Agenda is provided to the Commission only as a guide, and in no way limits their consideration to the items contained hereon. The Commission has the sole right to determine those items they will discuss, consider, act upon, or fail to act upon. Changes or amendments to this Agenda may occur at any time prior to, or during the scheduled meeting. It is recommended that if you have an interest in the meeting, you make every attempt to attend the meeting. This Agenda is provided only as a courtesy, and such provision in no way infers or conveys that the Agenda appearing here is, or will be the Agenda considered at the meeting.

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she 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 (Florida Statutes, 286.0105). In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact the City Clerk 48 hours prior to any meeting so arrangements can be made. Telephone (352) 483-5430 for assistance.

"Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission and the public. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: MARCH 21, 2019 - REGULAR CITY COMMISSION MEETING

Introduction:
This item is for approval of the minutes of the March 21, 2019, regular City Commission meeting.

Attachments:
03-21-2019 CC MIN - For Approval

Reviewed by:

MINUTES

Regular City Commission Meeting
6:00 PM - Thursday, March 21, 2019 - City Hall

INVOCATION: PASTOR LORENZO HAGINS

PLEDGE OF ALLEGIANCE: COMMISSIONER ALIBERTI

CALL TO ORDER: 6:03 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

1. AGENDA UPDATE

2. APPROVAL OF MINUTES

2.1 February 21, 2019 - Regular City Commission Meeting

Moved by Vice Mayor LeHeup-Smith, seconded by Commissioner Aliberti, to approve the Minutes as submitted. Motion carried by the following votes:

Ayes: Commissioner Aliberti, Vice Mayor LeHeup-Smith, and Mayor Holland

3. PRESENTATIONS

3.1 Ferran Park Phase 4 Presentation

Rick Gierok, Public Works Director, provided an overview on Phase 4 of the Ferran Park improvements. He reviewed the history of the development of the master plan. He explained the items included in the plan as follows: enhancement of bandshell viewing area; improvement of park entrance; and sidewalk connectivity to the existing lakewalk. He then reviewed those phases already completed and the costs affiliated with each portion for a total expenditure so far of $1,289,000 not including preparation of the master plan.

Mr. Gierok then reviewed the work to be included in Phases 4 and 5 with Phase 4 concentrating on the center of the park and Phase 5 being the parking area. He added that Phase 6 would include some signalization changes. He reviewed the design and engineering costs for the remaining phases for a total of $85,000. He estimated the cost for construction of Phase 4 as $1,190,000 and for Phase 5 as $320,000. He commented on the work necessary to protect the trees while installing the sidewalks. He estimated the remaining project total for Phases 4 and 5 at $1,495,250 with $1,461,000 budgeted in the CIP. He added that the cost for the seawall repair is not included. He stated there is $400,000 budgeted separately for that project.

Discussion was held regarding adding shading for the bandshell.

4. APPOINTMENTS

4.1 Appointment to the Downtown and East Town Redevelopment Agency Board (CRA Board) - Representative from the portion of the CRA east of Center Street - Gail Isaac-Thomas

Moved by Commissioner Aliberti, seconded by Vice Mayor LeHeup-Smith, to approve the appointment of Gail Isaac-Thomas to the CRA Board. Motion carried by the following votes:

Ayes: Commissioner Aliberti, Vice Mayor LeHeup-Smith, and Mayor Holland

4.2 Appointment to Firefighters' Pension Board - Ken Carpenter

Moved by Commissioner Aliberti, seconded by Vice Mayor LeHeup-Smith, to approve the reappointment of Ken Carpenter to the Firefighters' Pension Board of Trustees. Motion carried by the following votes:

Ayes: Commissioner Aliberti, Vice Mayor LeHeup-Smith, and Mayor Holland

4.3 Appointment to Firefighter's Pension Board - Jeffrey P. Stephan

Moved by Vice Mayor LeHeup-Smith, seconded by Commissioner Aliberti, to approve the reappointment of Jeffrey Stephan to the Firefighters' Pension Board of Trustees. Motion carried by the following votes:

Ayes: Commissioner Aliberti, Vice Mayor LeHeup-Smith, and Mayor Holland

4.4 Appointment to Eustis Memorial Library Board - Donna Bachowski

Moved by Vice Mayor LeHeup-Smith, seconded by Commisioner Aliberti, to approve the appointment of Donna Bachowski to the Eustis Memorial Library Board. Motion carried by the following votes:

Ayes: Commissioner Aliberti, Vice Mayor LeHeup-Smith, and Mayor Holland

4.5 Appointment to Eustis Memorial Library Board - Aja Lake

Moved by Vice Mayor LeHeup-Smith, seconded by Commissioner Aliberti, to approve the appointment of Aja Lake to the Eustis Memorial Library Board. Motion carried by the following votes:

Ayes: Commissioner Aliberti, Vice Mayor LeHeup-Smith, and Mayor Holland

4.6. Appointment to Police Officers' Pension Board - Adam Bolton

Moved by Vice Mayor LeHeup-Smith, seconded by Commissioner Aliberti, to approve the appointment of Adam Bolton to the Police Officers' Pension Board. Motion carried by the following votes:

Ayes: Commissioner Aliberti, Vice Mayor LeHeup-Smith, and Mayor Holland

5. AUDIENCE TO BE HEARD

5.1 Donald Johnson, Time Value Investments, 2020 Dixie Avenue, addressed the Commission regarding his need to get code enforcement liens lifted that were imposed on the previous owner. He explained he can't get buyer for the property without the liens being lifted.

Mr. Neibert stated that he can apply to the Commission to have the liens lifted.

Mr. Johnson indicated he has cleaned up the property.

Derek Schroth, City Attorney, indicated that there are still issues of concern to Code Enforcement.

Mr. Johnson indicated that he has cleaned everything that was listed in the code violations.

Lori Barnes, Development Services Director, explained that the property is not currently habitable. She suggested that the Commission could pass a resolution stating the Commission's intent to lift the liens once the property is brought up to code.

Mr. Johnson stated that in order to quiet the title the liens have to be lifted.

Mr. Schroth explained there would be a recorded resolution stating that the liens will be lifted once the criteria have been completed.

Mr. Johnson stated that the property is repairable with Mr. Neibert emphasizing that the property is not habitable.

Mr. Schroth explained the problem is that the property is currently not in compliance with current City codes

The Commission recommended that Mr. Johnson go through the process to bring the request to the Commission.

Darius Kerrison addressed the Commission regarding the master plan for Ferran Park. He expressed concern about the cost of the planned improvements and noted there are other areas that also need improvement. He asked for an anticipated completion date for Palmetto Plaza with Mr. Neibert indicating early May.

Gail Isaac- Thomas thanked the Commission for her appointment to the CRA Board. She questioned why the last Commission meeting was cancelled with Mr. Neibert indicating there was only one item scheduled for the agenda so it was moved to this agenda.

6. CONSENT AGENDA

6.1 Resolution No. 19-27: Approval of purchase in excess of $25,000 for Georgefest Musical Entertainment

6.2 Resolution No. 19-29: Approval of Purchase in Excess of $25,000 for Engineering Services for the Bates Avenue WWTP Expansion Study and Corresponding Budget Amendment

6.3 Resolution No. 19-30: Reduction of Code Enforcement Fine/Release of Lien for 33 West Herrick Drive, Code Enforcement Case #18-00900

Moved by Vice Mayor LeHeup-Smith, seconded by Commissioner Aliberti, to approve the Consent Agenda. Motion carried by the following votes:

Ayes: Commissioner Aliberti, Vice Mayor LeHeup-Smith, and Mayor Holland

7. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

7.1 Resolution No. 19-28: Site Plan with waivers for a Commercial Retail Building at 930 S. Bay Street

Mr. Schroth announced Resolution No. 19-28: A Resolution of the City Commission of the City of Eustis, Florida; approving a site plan with waivers for a 9,100 square foot, commercial retail building on approximately +/- 1.3 acres located at 930 S. Bay Street.

Roland Magyar, Senior Planner, reviewed the proposed site plan for a retail building and requested waivers as follows: 1) Allow a street yard setback of 133 ft. instead of 75 ft. on Herrick; 2) Allow a frontage building percentage of 27% instead of 50% on Morin Street; 3) Allow a 1 ft. landscape buffer between parcels instead of 10 ft.; 4) Allow a landscape buffer along Stevens Avenue of 7.5 ft. instead of 15 ft.; and 5) Allow a landscape buffer of +/-13.68 ft. instead of 15 ft. for the parking spaces along Morin Street. He explained the reasons for each of the waivers. He stated three people contacted the City - Two had no objections and one sent an email in objection which was provided to the Commission. He stated staff's recommendation for approval.

The Commission confirmed the location of the person objecting and whether or not the retention area would be fenced and who would be responsible for maintaining the retention area and landscaping.

Mr. Schroth opened the public hearing at 6:44 p.m. There being no public comment, the hearing was closed at 6:44 p.m.

Mr. Schroth asked for a straw poll due to the absence of Commissioner Morin. A straw poll showed the vote would be 2 to 1. It was a consensus of the Commission to defer to allow a full Commission consideration.

Daniel Young, engineer for the project, asked why the issue is being deferred again with Mr. Schroth explaining the Commission has a process to follow in the case of a curable absence.

Mr. Young commented on their efforts to follow all the City's codes and explained the difficulties presented by the site and the close proximity of the other building on the site.

Matt Cason, representing the applicant, explained their waiver request for the landscape buffer. He asked if they remove the request for the 1 ft. buffer would they still be in compliance.

Mr. Magyar explained that the code allows a zero lot line for a commercial lot type which would remove the requirement for the landscape buffer.

The Commission discussed the options between no landscape buffer under the zero lot line or a 1 ft. buffer. It was noted that the buildings are actually only 16 feet apart, not 30 feet. Concern was also expressed about the need to allow the objecting property owner to be present to explain their objections.

Commissioner Aliberti moved to postpone Resolution No. 19-28 to the April 4, 2019, Commission meeting. The motion died for lack of a second.

Further discussion was held regarding the landscape buffer waiver.

Moved by Vice Mayor LeHeup-Smith, seconded by Mayor Holland, to approve Resolution No. 19-28. Motion carried by the following vote:

Ayes: Vice Mayor LeHeup-Smith and Mayor Holland

Nays: Commissioner Aliberti

7.2 Resolution No. 19-31: Approval of Memorandum of Understanding - Annexation Agreement for voluntary annexation of Eustis Middle School property

Mr. Schroth announced Resolution No. 19-31: A Resolution of the City Commission of the City of Eustis, Florida, authorizing the Mayor to execute a Memorandum of Understanding regarding the annexation of the Eustis Middle School property pursuant to certain conditions.

Ms. Barnes explained staff has been working with the School Board regarding the middle school property and reviewed the stipulations in the Memorandum of Understanding which would allow the City to annex the middle school property with those stipulations being met. She indicated staff has already begun the process to obtain the environmental study once the resolution is approved.

Mr. Schroth opened the public hearing at 6:56 p.m. There being no public comment, the hearing was closed at 6:56 p.m.

Moved by Commissioner Aliberti, seconded by Vice Mayor LeHeup-Smith, to approve Resolution No. 19-31. Motion carried by the following vote:

Ayes: Commissioner Aliberti, Vice Mayor LeHeup-Smith, and Mayor Holland

FIRST READING

7.3 Ordinance No. 19-12: Amendment to the Land Development Regulations, Chapter 109

Mr. Schroth read Ordinance No. 19-12 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County Florida, amending the Land Development Regulations, Chapter 109, Section 109-4: Use Regulations Table to allow mobile vendors in the Central Business District (CBD) with a conditional use permit approval subject to certain conditions, and to eliminate single family attached as a permitted use in the Mixed Commercial/Industrial district; providing for codification, severability and an effective date.

Lori Barnes, Development Services Director, explained the proposed amendments to Chapter 109 of the Land Development Regulations to allow mobile food vendors in the Central Business District as a conditional use and remove the single-family residential attached use from Mixed Commercial Industrial. She noted the a la carte street food and craft beer business that recently opened in Orlando. She indicated that some similar type businesses also provide gaming areas. She stated staff's recommendation for approval noting that any food truck operations would have to come before the Commission as a conditional use.

Mr. Schroth opened the public hearing at 7:02 p.m.

Daniel DiVenanzo expressed concern regarding the proposal and whether or not the ordinance would address how the trucks look, how power will be supplied, and whether or not the local restaurants were aware of the proposed ordinance. He encouraged the Commission to wait until there is a full Commission.

There being no further public comment, the hearing was closed at 7:07 p.m.

Mayor Holland reported that he did hear from the owner of Tilly's who expressed concern regarding the proposal. He explained the reason the Commission may postpone an item is if an item is denied it cannot be heard again for six months.

The Commission confirmed that the proposal is only within the Central Business District (CBD) and questioned where the boundaries are located.

Ms. Barnes explained the boundaries of the CBD and reviewed those land use designations that allow mobile food vendors and the criteria. She explained why staff drafted the regulations for the CBD as a conditional use. She indicated they could have drafted specific regulations but felt the conditional use would allow the Commission to consider each site individually and allow staff to work with each applicant to make sure the site is workable.

The Commission confirmed that a CUP is granted to the location with Ms. Barnes noting the Commission would have the discretion to include requirements for different conditions.

Mr. Neibert explained the Commission could require that there has to be a minimum amount of space per food truck.

Mr. DiVenanzo expressed concern about not having specific regulations due to future applicants and creating a precedent.

Mayor Holland conducted a straw poll with Vice Mayor LeHeup-Smith expressing support for the proposal but agreeing to a postponement. Commissioner Aliberti expressed opposition.

Mr. Neibert asked what additional information the Commission would want prior to bringing back the proposal.

The Commission asked to see a draft of a CUP showing what it would look like and expressed concern regarding allowing it within the CBD and the mobile vendors being in close proximity to the City's existing major restaurants.

Moved by Commissioner Aliberti, seconded by Vice Mayor LeHeup-Smith, to postpone first reading of Ordinance No. 19-12 to the April 4, 2019, Commission meeting. Motion carried by the following votes:

Ayes: Commissioner Aliberti, Vice Mayor LeHeup-Smith, and Mayor Holland

8. OTHER BUSINESS

8.1 Discussion of Extension of Annexation Incentive Program

Ms. Barnes explained that the previously approved annexation incentive program included a provision that the Commission could extend the program for another year as long as it was approved prior to the end of the program. She stated that the current program will expire April 30th. She reported on the success of the program with some annexations coming before the Commission on April 4th. She commented on the benefits to the City and indicated that the cost of the program would be recouped through the increased ad valorem revenues.

The Commission questioned why the City may not want to annex a parcel with Mr. Neibert indicating the cost of extending services to a parcel might be more than the City thought would be beneficial.

Ms. Barnes indicating some properties may not be legally able to be annexed at the time of request.

Discussion was held regarding annexation of enclaves with Ms. Barnes indicating some of those will be coming before the Commission on April 4th.

CONSENSUS: It was a consensus of the Commission to extend the program.

8.2 Selection of Interim City Commissioner, Seat #5

Mr. Schroth stated that Commissioner Morin has asked the Commission to consider postponing this item until he can be present.

Mr. Neibert explained staff is recommending the same process as used in the past for interim appointments. He stated the recommended application period would be from March 25th through April 5th. He suggested the special meeting be held April 11th but he would contact Commissioner Morin to confirm that date would be good for him.

CONSENSUS: It was a consensus of the Commission to proceed with the recommended process with an application period of March 25th through April 5th and to tentatively schedule the special meeting for April 11, 2019.

9. FUTURE AGENDA ITEMS

9.1 Commissioner Aliberti asked for staff to move forward with the dog park and that it be named after Commissioner Gnann-Thompson. Mr. Neibert stated a recommendation for the dog park would be on the next agenda.

10. COMMENTS

10.1 City Commission

Commissioner Aliberti reported on the Georgefest wrap up meeting. She indicated there were many good ideas for the theme and recommendations for changing some items. She stated they are trying to get more input from the business community. She commented on an event in Tavares she attended. She explained they came back by boat and noted how beautiful Lake Eustis and the City's shoreline was at night. She emphasized the need for the City to utilize the lake more.

10.2 City Manager - None

10.3 City Attorney

Mr. Schroth commented on the passing of Commissioner Gnann-Thompson and how much she will be missed.

10.4 Mayor

Mayor Holland thanked everyone for their support on behalf of him and his cousin. He stated he would be looking for someone who has a heart for the City and will work for the City. He cited how much Commissioner Gnann-Thompson was involved and her love for everyone and the City. He thanked the police and firefighters for being pallbearers.

11. ADJOURNMENT: 7:30 P.M.

Mayor Holland, Mayor/Commissioner

Mary C. Montez, City Clerk

**These minutes reflect the actions taken and portions of the discussion during the meeting. To review the entire discussion concerning any agenda item, go to www.eustis.org and click on the video for the meeting in question. A DVD of the entire meeting or CD of the entire audio recording or verbatim transcript of the meeting can be obtained from the office of the City Clerk for a fee.*

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: EUSTIS FIRE DEPARTMENT PROMOTION CEREMONY

Introduction:
Fire Chief Mike Swanson has requested to hold a promotion ceremony at the April 4, 2019, Commission meeting.

Background:
The following Eustis Fire Department personnel will be promoted as follows:
David Jackson to Senior Engineer
Kevin Saxton to Senior Engineer
Shawn Kelleher to Senior Engineer
Brad Carroll to Senior Engineer
Michael Downs to Engineer

Reviewed by:

Ronald Neibert, City Manager	Approved - 29 Mar 2019
Mary Montez, City Clerk	Approved - 29 Mar 2019

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: PRESENTATION OF ARBOR DAY PROCLAMATION

Introduction:
Mayor Holland will read into the record a proclamation declaring April 26, 2019, as Arbor Day in the City of Eustis. A tree planting ceremony will be held at Eustis Heights Elementary School at 10:00 a.m. on April 26, 2019.

Attachments:
2019 National Arbor Day

Reviewed by:

Proclamation

Know Ye: **WHEREAS,** In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, This holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, Trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, Trees are a renewable resource, giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and

WHEREAS, Trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, Trees, wherever they are planted, are a source of joy and spiritual renewal.

Therefore: I, Michael L. Holland, Mayor of the City of Eustis, Florida, hereby proclaim Friday, April 26, 2019 as

NATIONAL ARBOR DAY

in the City of Eustis, Florida, and I urge all citizens to celebrate **National Arbor Day** and to support efforts to protect our trees and woodlands. I further urge all citizens to plant trees to gladden the heart and to promote the well-being of this and future generations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Eustis to be affixed, this 4th day of April 2019.

_____

MICHAEL L. HOLLAND
MAYOR/COMMISSIONER

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: EUSTIS CITY COMMISSION

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: APPOINTMENT TO EUSTIS HOUSING AUTHORITY - RONNIE BUGGS

Introduction:
The purpose of this report is for the Commission to consider the appointment of Ronnie Buggs to the Eustis Housing Authority (EHA) for a partial term to fill a vacant position on the board. If approved, this term will expire 9/17/2021 after which Mr. Buggs will be eligible for appointment to a full four-year term.

Background:
Previously, James Trent served on the EHA Board in this vacant position; however, Mr. Trent regrettably passed away recently. Director Horace Jones has asked the Commission to appoint Ronnie Buggs to this vacant position.

Recommended Action:
Appoint Ronnie Buggs to the EHA Board of Directors.

Attachments:
Board Application - Ronnie Buggs
EHA Board Recommendation
EHA Member Roster as of 3-27-2019

Reviewed by:

Ronald Neibert, City Manager	Approved - 29 Mar 2019
Mary Montez, City Clerk	Approved - 29 Mar 2019

City of Eustis, Florida

BOARD/COMMITTEE APPLICATION FORM

Name Ronnie Buggs Address 614 Park St. Eustis, Fla. 32726

Home Phone 352-702-7191 Work Phone n/A City resident: Yes ✓ No ____

Interested/willing to serve on the Eustis Housing Authority (Board/Committee)

Age 64 Social Security # 264-11-0973 FL Drivers License # B200-720-54-225-0

Marital Status Married Education/Training H. S. Diploma Eustis High School class of 1972 / Former Cert. Corr. Officer / Former Cert. cook

Employer (Name & type of business activity) Last job Supv. Enviromental Services Fla. Hosp Waterman Eustis, Apopka & Altamonte Springs between 1996- 2004

Business Address n/A Position Unemployed / Retired

Training or experience related to the business/activities/duties of this Board/Committee:

Supervised Enviromental Service Dept. at Fla. Hosp. Abide by all by laws of Staff and materials do perform duties. To maintain & stay within budget.

Professional/Business affiliations Serve as current member at Deacon board at local church. Former Cert. Corr. Offices LCSD / Completed Culinary Arts program Cert Cook/Chef Former member of BSA troop leader.

References (Name, address and telephone number):

1. Hersing Green P.O. Box 268 Tavares, Fla. 32778 352-602-9453 C 352-253-6058 W
2. Bro. Richard Allen 321 W. Lakeview Ave. Eustis, Fla. 404-456-9726
3. Sacred Whitney 18610 US Hwy 441 Mt. Dora 32757 352-636-4319 C 352-385-3948 W

I am willing to commit 6 hours per week/month to this board/committee. I will attend meetings in accordance with the adopted policies of the City. I understand that as an appointed member of this board/committee, I am subject to the requirements and restrictions of the Florida Sunshine Law. If at any time my business or professional interests conflict with the interests of this board/committee, I will not participate in such deliberations.

Signature Ronnie Buggs Date 03/18/2019

Return to: City Clerk • City of Eustis • P.O. Drawer 68 • Eustis, FL 32727-0068 • Telephone: 483-5440

From: Horace Jones
To: Montez, Mary
Subject: EHA Board Candidate - Ronnie Buggs
Date: Tuesday, March 19, 2019 6:23:53 PM

Good Afternoon Mary,

Please accept this as notification that the Eustis Housing Authority board of commissioners would like for Mr. Ronnie Buggs to be considered for appointment. Mr. Buggs attended the February 26, 2019 board meeting and there were no concerns expressed about his appointment to the board.

Please let me know if you have any questions or need additional information.

Best Regards,

Horace J. Jones
Executive Director
Eustis Housing Authority
Ph: (352) 357-4851 ext. 102
Fax: (352) 357-1792

EUSTIS HOUSING AUTHORITY(EHA)

Five Member Board – 4-Year Term (from date of appointment)

The Eustis City Commission appoints the Board of Directors because the State of Florida declared the EHA a dependent unit of the City of Eustis. The EHA is funded by the Federal Government.

HORACE J. JONES, Executive Director 1000 Wall Street, #60 357-4851 (Work) 357-8081 (Fax)	THEMA LEFLORE 401 W. Seminole Ave. 357-9424 (Home and Work) Appointed 2/19/2015 Reappointed 11/5/2015 Expires 10/31/2019
FAYE WEAVER 1518 Jefferson Drive, Mount Dora Appointed 11/7/2013 Reappointed 4/20/2017 Expires 5/31/2021	DR. HUGH BROCKINGTON II P. O. Box 1998 827 Edgewater Circle (352) 267-7806 Appointed 1/6/2017 Reappointed 3/16/2017 Expires 1/17/2021
JASMINE MELENDEZ (Resident Member) 1403 Rose Lane (347) 876-2485 Appointed: 1/18/2018 Reappointed: 1/3/2019 Expires 10/31/2022	VACANT (Previously held by James Trent) Expires 9/17/2021

Board Attorney – Scott Gerken

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: APPOINTMENT TO THE CODE ENFORCEMENT BOARD (CEB) - KAREN SARTELE

Introduction:
This item is for consideration of the appointment of Karen Sartele to the CEB for a partial term to expire 10/31/2021.

Background:
The CEB is made up of seven members and two alternate members with each member serving a three-year term. Currently, there are only five Board members with two full member vacancies as well as both alternate positions being vacant. If approved, Ms. Sartele will serve a partial term until October 31, 2021 and then be eligible for appointment to a full three-year term.

Recommended Action:
Staff recommends Commission approval of the appointment of Karen Sartele to the CEB.

Attachments:
Sartele Board Application
CEB Roster as of Dec 2018
Article III - Code Enforcement

Reviewed by:

Ronald Neibert, City Manager	Approved - 29 Mar 2019
Mary Montez, City Clerk	Approved - 29 Mar 2019

Close Window

VOLUNTEER CODE ENFORCEMENT BOARD

Rating: Not Rated ▼ **Date Submitted:** 7/16/2018 8:19:39 AM

Job Application

Karen H Sartele

CURRENT INFO

204 West Blue Water Edge Dr
Eustis , FL 32736

352-223-3799
352-223-3799
karensartele@gmail.com

PREVIOUS INFO

EMPLOYMENT INFO

Will Work: Part Time
Times:
Date Available: 08/01/2018

Hours Available: 4
Travel: No

SKILLS

Foreign languages spoken fluently:

Skill	Skill Level	Last Used	Experience
Microsoft Word	Beginner	Currently	10 years

EXPERIENCE

Realtor
ReMax Premiere Realty

0101/2005 - 00/00/0000
18097 Hwy. 441
Mount Dora, 32757
352-735-4060
Supervisor Name: Nancy Diechman

Real Estate
Salary: $1
Reason for leaving: Current
Number Supervised: 0

Hours Worked: 40

EDUCATION

Do you have a high school diploma or GED? Yes

SomeCollege Nursing
Charity Nursing School

New Orleans/LA

REFERENCES

Joan Altman, Retired
206 West Blue Water Edge Dr, Eustis FL, 32736

N/a
352-445-4121

MISCELLANEOUS

1. Have you ever been convicted, plead guilty or no contest to, had prosecution deferred or adjudication withheld on a felony or first-degree misdemeanor in any jurisdiction?	No
2. Do you have any pending criminal charges?	No
3. Are you legally eligible for employment in the United States of America?	Yes
4. Have you ever been discharged for any reason from any job?	No
5. Have you ever been employed by the City of Eustis?	No
6. Are any members of your family or relatives employed by the City of Eustis?	No
7. Maiden or other names under which you may have worked or gone to school:	
8. Do you possess a current, VALID Florida driver license?	Yes
9. Which driver license do you possess:	E,
10. Other driver license endorsement:	
11. Construction Vehicles/Equipment you can operate:	
12. Active licenses, certificates or registrations:	

Realtor March 31, 2019

13. Organizations which you belong to that are relevant to the job:

14. Have you ever been arrested, received a notice to appear, charged, convicted, pled nolo contendere or pled guilty to any criminal violation, regardless if the record was sealed or expunged? N/A
(For Sworn Police applications only)
Comments:

VETERANS' PREFERENCE

Do you wish to claim Veteran's Preference? No
Veteran Type:

EUSTIS, FL CODE ENFORCEMENT BOARD	
Stephanie L. Carder 1101 Club Hills Dr. Eustis, FL 32726 H: 352-589-1474 C: 352-455-8743 stefflee@aol.com Term Expires: 2/28/2020	**James P. Hagarty** 34142 Parkview Ave. Eustis, FL 32736 H: 509-728-1776 shamus50@gmail.com Term Expires: 7/31/2019
Alan Paczkowski 418 W. Blue Water Edge Drive Eustis, FL 32736-2258 (352) 357-5859 lakepacz@3rddoor.com Term Expires: 7/2/2020	**Alternate: Vacant** Term Expires: 12/31/2019
Vacant Term Expires: 3/31/2021	**Alternate: Vacant** Term Expires: 12/31/2019
Vacant Term Expires: 10/31/2021	
Russell "Alan" Johnson 1208 Chesterfield Ct. Eustis, FL 32726 PH: 206-291-5621 guynextdoorSEA@aol.com Term Expires: 03/31/2019	**Board Attorney:** Kevin M. Stone, Esq. Stone & Gerken, P.A. 4850 North Hwy 19A Mount Dora, FL 32757 357-0330 kevin@stoneandgerken.com
George Asbate 751 Old Mount Dora Road Eustis, FL 32726 PH: 407-947-2148 george@megafl.com Term Expires: 12/31/2021	**City Staff Attorney:** Zachary Broome for Derek Schroth Bowen & Schroth, PA 600 Jennings Avenue Eustis, FL 32726 589-1414 off 589-1726 fax m-f 9-5 zbroome@bowenschroth.com

ARTICLE III. CODE ENFORCEMENT*

(*State law references: Code enforcement, F.S. ch. 162.)

DIVISION 2. BOARD*

(*State law references: Code enforcement board, F.S. § 162.005.)

Sec. 2-86. Creation.

There is created a local government code enforcement board pursuant to F.S. ch. 162 for the city.
(Code 1959, § 2-4)

Sec. 2-87. Appointments.

(a) The city commission shall appoint a code enforcement board consisting of seven regular members and two alternate members. At any meeting where the code enforcement manager determines that one or more regular board members will not be present for the meeting, the alternate members shall be called. The city commission shall also appoint legal counsel for the code enforcement board. Members of the code enforcement board shall be residents of the city. Appointments shall be made in accordance with applicable ordinances on the basis of experience or interest in the subject matter jurisdiction of the board in the sole discretion of the city commission. The membership of the code enforcement board shall, whenever possible, include an architect, a businessperson, an engineer, a general contractor, a subcontractor, and a realtor.
(b) All appointments shall be made for a term of three years. A member may be reappointed for successive terms upon approval of the city commission. Appointments to fill any vacancy on the code enforcement board shall be for the remainder of the unexpired term in office.
(c) Members cannot hold public office or another position with the city.
(d) Members shall serve in accordance with all city ordinances and may be removed for cause.
(e) The city commission shall provide legal, clerical and administrative personnel as required.
(Code 1959, §§ 2-5, 2-8; Ord. No. 03-60, § 1, 8-7-2003)
State law references: Similar provisions, F.S. § 162.05(2).

Sec. 2-88. Officers.

(a) The officers of the code enforcement board shall be a chair and a vice-chair. Nomination of the chair and vice-chair shall be made from the members at the annual organizational meeting in January of each year, and the election shall be held immediately thereafter.
(b) A candidate receiving a majority of the votes cast shall be declared elected and shall serve a term of one year or until a successor shall take office.
(c) The chair shall preside at all meetings and hearings of the board. The chair shall be one of the members of the board. The chair shall have the privilege of discussing all matters before the board and shall have the same voting rights as all board members.
(Code 1959, § 2-9(G), (H))
State law references: Similar provisions, F.S. § 162.05(4).

Sec. 2-89. Compensation.

(a) Members of the code enforcement board shall serve without compensation.
(b) With city manager authorization, reimbursement could be made for travel, mileage and per diem expenses incurred.
(Code 1959, § 2-8(A))
State law references: Compensation, F.S. § 162.05(4).

Sec. 2-90. Removal from office.

(a) The city commission may remove any member of the code enforcement board for cause upon written notice and after public hearing. Any vacancy occurring during the unexpired term of office of any member shall be filled by appointment of the city commission for the remainder of the term. Such vacancy shall be filled within 30 days after the vacancy occurs.

(b) If any member fails to attend two of three successive meetings without cause and without prior approval of the chair, the code enforcement board shall declare the member's office vacant, and the city commission shall promptly fill such vacancy.

(Code 1959, §§ 2-8(B), 2-9(F))

State law references: Similar provisions, F.S. § 162.05(3)(e).

Sec. 2-91. Rules and procedures.

(a) Rules and procedures not inconsistent with this Code may be adopted by the code enforcement board during a regular meeting by the affirmative vote of at least four members of the board, provided notice of the proposed change is given to the board at a preceding regular meeting.

(b) The provisions of these rules and procedures shall be discussed and/or adopted or readopted by the board annually at its regular organizational meeting.

(Code 1959, § 2-9(I)(1), (2))

State law references: Authority to adopt rules of procedure, F.S. § 162.05(1).

Sec. 2-92. Meetings.

(a) All meetings, regular or special, and all hearings, shall be open to the public in accordance with the provisions of F.S. § 286.011.

(b) The January meeting of each year shall be an organizational meeting/workshop, to be held at 2:00 p.m., in the city commission room, city hall, for the purpose of election of officers and adopting rules and procedures, including establishing a schedule of regular meetings.

(Code 1959, § 2-9(B), (I)(3))

Sec. 2-93. Quorum.

A quorum of the code enforcement board shall consist of four or more members, and an affirmative vote of a majority of those present and voting shall be necessary to pass any motion or adopt any order. Voting shall be done by voice vote and shall be recorded by individual "aye" or "nay."

(Code 1959, § 2-9(C), (D))

State law references: Similar provisions, F.S. §§ 162.05(4), 162.07(4).

Sec. 2-94. Abstention.

Each member of the code enforcement board present shall cast an "aye" or "nay" vote on each question before the board, except as provided for voting conflicts pursuant to F.S. § 112.3143. In such event, he must file a memorandum of voting conflict with the secretary of the board as prescribed by F.S. § 112.3143(3)(a).

(Code 1959, §§ 2-9(E), 2-10(B)(1))

State law references: Conflict of interest, F.S. § 112.311 et seq.

Sec. 2-95. Jurisdiction.

The code enforcement board shall hear and decide violations of the city Code and ordinances where a pending or repeated violation continues to exist.

(Code 1959, § 2-6)

State law references: Similar provisions, F.S. § 162.02.

Sec. 2-96. Powers.

The code enforcement board shall have the power to:

(1) Subpoena alleged violators and witnesses to its hearings. Subpoenas may be served by the sheriff of the county or police department of the city.

(2) Subpoena evidence.

(3) Take testimony under oath.

(4) Issue orders having the force of law commanding whatever steps are necessary to bring a violation into compliance.

(5) Establish a time frame for compliance.

(Code 1959, § 2-7)

State law references: Similar provisions, F.S. § 162.08.

Sec. 2-97. Conflict of interest.

(a) No member of the code enforcement board shall have any interest, be it financial or otherwise, direct or indirect, or engage in any business transaction or professional activity, or incur any obligation which is in conflict with the proper discharge of his duties in the public interest in accordance with F.S. ch. 112.

(b) No member shall appear before the city commission, or any commission, committee or board of the city, as agent, attorney or representative of any person, except when representing property he owns.

(Code 1959, §§ 2-8(C), 2-10(B)(2))

Secs. 2-98--2-125. Reserved.

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: RESOLUTION NO. 19-32: ASSIGNING LAKE EMERGENCY MEDICAL SERVICES, INC. INTERLOCAL AGREEMENT FOR JOINT USE OF A COMMUNICATION SYSTEM TO LAKE COUNTY

Introduction:
Resolution No. 19-32 provides for the City of Eustis Interlocal Agreement with Lake Emergency Medical Services Inc. and the Lake County School Board to be assigned to the Lake County Board of County Commissioners. The interlocal agreement itself has not been altered or changed.

Background:
1.On September 30, 2018 Lake Emergency Medical Services, Inc was dissolved.

2.On October 1, 2018 Lake EMS/Office of EMS/Board of County Commissioners (Lake EMS) was formed and its operations and management now fall directly under Lake County Board of Commissioners.

3.This is an organization change for Lake EMS, and an alteration in services for the City of Eustis is not expected. This issue was discussed and reiterated during a meeting, which was attended by the Assistant County Manager John Molenda, Eustis City Manager Ron Neibert and Eustis Fire Chief Michael Swanson.

4.The only reason for Resolution No. 19-32 is that Lake EMS had an organizational name change and the new name must be officially assigned to the Interlocal Agreement by resolution.

Recommended Action:
The administration recommends approval of Resolution No. 19-32.

Attachments:
Resolution No 19-32
School Board and Eustis Interlocal Assignment_CAO_3.27.19

Reviewed by:

Ronald Neibert, City Manager	Approved - 29 Mar 2019
Mary Montez, City Clerk	Approved - 29 Mar 2019

RESOLUTION NO. 19-32

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; AUTHORIZING THE MAYOR TO EXECUTE AN ASSIGNMENT OF INTERLOCAL AGREEMENT BETWEEN LAKE EMERGENCY MEDICAL SERVICES, INC., LAKE COUNTY SCHOOL BOARD AND CITY OF EUSTIS TO LAKE COUNTY, FLORIDA.

WHEREAS, Lake EMS, the Lake County School Board and the City of Eustis entered into an interlocal agreement for the joint use of a communication system; and

WHEREAS, Lake EMS, a not for profit organization operated by Lake County, has been dissolved and consolidated into Lake County; and

WHEREAS, Lake EMS desired to assign the said agreement to Lake County, which requires the permission of the City of Eustis and the Lake County School Board; and

WHEREAS, the City of Eustis desires to permit Lake EMS/Office of EMS/Lake County Board of County Commissioners to assign the agreement to Lake County; and

WHEREAS, the parties have determined that it is in the best interests of the residents of Eustis and Lake County to enter into this Assignment.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Eustis, Florida, as follows:

1. That the Mayor is hereby authorized to execute the attached Assignment of the Interlocal Agreement between Lake Emergency Medical Services, Inc., the Lake County School Board and the City of Eustis to Lake County, Florida.

DONE AND RESOLVED this 4th day of April, 2019, in regular session of the City Commission of the City of Eustis, Florida.

CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA

_____
Michael L. Holland
Mayor/Commissioner

ATTEST:

_____
Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this ___ day of _____ 2019, by Michael L. Holland, Mayor, and Mary Montez, City Clerk, who are personally known to me.

_____
Notary Public - State of Florida
My Commission Expires: _____
Notary Serial No: _____

CITY ATTORNEY'S OFFICE

This document has been reviewed and approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

_____ _____
City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution No. 19-32 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Parks & Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____
Mary Montez, City Clerk

ASSIGNMENT OF THE INTERLOCAL AGREEMENT BETWEEN LAKE EMERGENCY MEDICAL SERVICES, INC., THE LAKE COUNTY SCHOOL BOARD AND THE CITY OF EUSTIS RELATING TO THE JOINT USE OF A COMMUNICATION SYSTEM TO LAKE COUNTY, FLORIDA

This is the Assignment of the Interlocal Agreement between Lake Emergency Medical Services, Inc., a Florida not for profit corporation (Lake EMS), the School Board of Lake County, Florida, a public body corporate (the SCHOOL BOARD), and the City of Eustis, a municipal corporation organized under the laws of the State of Florida (the CITY), to Lake County, Florida, a political subdivision of the State of Florida (the COUNTY).

WITNESSETH:

WHEREAS, on June 12, 2012, Lake EMS, the SCHOOL BOARD, and the CITY entered into an interlocal agreement for the joint use of a communication system (the Agreement); and

WHEREAS, Lake EMS, a not for profit organization operated by the COUNTY, is being dissolved and consolidated into the COUNTY; and

WHEREAS, Lake EMS desires to assign the Agreement to the COUNTY, which requires the permission of the SCHOOL BOARD and the CITY; and

WHEREAS, the SCHOOL BOARD and the CITY desire to permit Lake EMS to assign the Agreement to the COUNTY; and

WHEREAS, the parties have determined that it is in the best interests of the residents of Lake County to enter into this Assignment.

NOW, THEREFORE, IN CONSIDERATION of the mutual terms, understandings, conditions, promises, covenants set forth in this Assignment, and intending to be legally bound, the parties hereby agree as follows:

1.1 The above recitals are true and correct and incorporated in this Assignment.

1.2 The Agreement between Lake EMS, the SCHOOL BOARD, and the CITY is hereby assigned to the COUNTY. All references in the Agreement to Lake EMS will be construed as referring to the COUNTY.

1.3 Any notices to the COUNTY under the Agreement must be provided to the following location:

Jerry Smith, Director
Lake County Office of Emergency Medical Services
315 W. Main Street
Tavares, Florida 32778

Mailing address:
P.O. Box 7800
Tavares, Florida 32778

1.4 Lake EMS will have no further obligations to the SCHOOL BOARD or the CITY under the Agreement upon execution of this Assignment.

Assignment of Interlocal Agreement Between Lake Emergency Medical Services, Inc., the Lake County School Board, and the City of Eustis to Lake County, Florida

IN WITNESS WHEREOF, the parties have made and executed this Assignment on the respective dates under each signature: Lake EMS signing by and through its Executive Director, by the SCHOOL BOARD through its Chairperson as approved by the Board, by the CITY through its duly authorized representative, and by the COUNTY through its County Manager.

ATTEST:

CITY

CITY OF EUSTIS

_____
Mary Montez, City Clerk

_____
Michael L. Holland, Mayor

This _____ day of _____, 2019.

Approved as to form and legality:

_____
Derek Schroth, City Attorney

Assignment of Interlocal Agreement Between Lake Emergency Medical Services, Inc., the Lake County School Board, and the City of Eustis to Lake County, Florida

ATTEST:

SCHOOL BOARD

THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA

_____
Diane Kornegay, Superintendent

_____
Sandy Gamble, Chairperson

This _____ day of _____, 2019.

Approved as to form and legality:

_____
School Board Attorney

COUNTY

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

_____
Leslie Campione, Chairman

This _____day of _____, 2019.

ATTEST:

_____
Gary J. Cooney, Clerk
Board of County Commissioners
of Lake County, Florida

Approved as to form and legality:

_____
Melanie Marsh, County Attorney

Lake EMS

LAKE EMERGENCY MEDICAL SERVICES, INC.

_____
Timothy I. Sullivan, Chairman

This _____ day of _____, 2019.

Approved as to form and legality:

_____
Melanie Marsh, County Attorney

Approved as to form and legality:

_____
Melanie Marsh
County Attorney

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: RESOLUTION NO. 19-33: APPROVAL OF AN EXPENDITURE IN EXCESS OF $25,000 FOR LANDSCAPE ARCHITECTURAL DESIGN SERVICES FOR FERRAN PARK PHASES 4 & 5

Introduction:

Resolution No. 19-33 approves an expenditure in excess of $25,000 and authorizes the City Manager to execute an agreement with Murray Design Group, Inc. to develop a landscape architectural design and construction documents for the Ferran Park Phases 4 & 5 project.

Background:

The 2018-2019 approved CIP Budget includes funds for the construction of Ferran Park's Phases 4 & 5. Staff would like to secure the services of Murray Design Group, Inc., one of the City's contracted Continuing Services Engineers, to provide landscape design and construction documents for this project in coordination with City Staff and consultant civil engineers.

Phase 4's site plan will include a relocated veteran's memorial, picnic pavilion(s), promenade, vendor staging area, site lighting, site furniture, pedestrian entrance gates, trellises, wedding pavilion and planting area.

The proposed scope of work will include:

Task 1: Site Plan Development
Task 2: Design Development
Task 3: Landscape and Hardscape Construction Documents
Task 4: Sub-Consultant Services
Task 5: Project Coordination

Phase 4 services will be provided on the following fee basis:

- Site Plan Development $ 2,500

- Design Development $ 8,875
- Landscape/Hardscape Documents $14,500
- Sub-Consultant Services
  - Structural Engineer (site work) $ 2,000
  - Site Lighting/Electrical Engineer $ 9,000
  - Irrigation Designer $ 1,500
  - Arborist $ 500
- Project Coordination $ 1,875

Phase 4 Total: $40,750

The total compensation for the Scope of Services described above shall be in accordance with the continuing services agreement between the City and Murray Design Group, Inc. Our 2018/2019 Capital Improvement Plan has $1,431,000 programmed for the Ferran Park Phases 4 & 5 project.

Additional design services fees will include:

- Murray Design Group, Inc., Ferran Park Phase 5 $22,000
- GAI Civil Engineering, Ferran Park Phase 5 $22,500

Total Design Fees for Ferran Park, Phases 4 & 5 $85,250

Recommended Action:

Staff recommends approval of Resolution No. 19-33.

Alternatives:

Alternatives:

1. . Approve Resolution No. 19-33
2. . Deny Resolution No. 19-33

Discussion of Alternatives:

a. Alternative 1 approves the Resolution.

Advantages:

- Murray Design Group, Inc. provided the landscape architectural design documents for Ferran Park Phases 1, 2 and 3; therefore, is very familiar with the project.
- Disadvantages:
  - The action approves an expenditure of $85,250.

2. Alternative 2 denies the Resolution.

Advantages:

The City would not expend $85,250.

Disadvantages:

The Ferran Park Phase 4 project would be delayed.

Prepared by: Sally Mayer, Administrative Assistant - Public Utilities
Reviewed by: Rick Gierok, P.E., Director of Public Works

Budget Impact:
Funds for the Ferran Park Phase 4 & 5 Project were included in the 2018/2019 year budget.

Attachments:
Resolution No 19-33
Murray Design Group Proposal

Reviewed by:

Ronald Neibert, City Manager	Approved - 29 Mar 2019
Mary Montez, City Clerk	Approved - 29 Mar 2019

RESOLUTION NO. 19-33

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, APPROVING A PURCHASE IN EXCESS OF $25,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH MURRAY DESIGN GROUP, INC. AND GAI CIVIL ENGINEERING TO DEVELOP LANDSCAPE ARCHITECTURAL DESIGNS AND CONSTRUCTION DOCUMENTS FOR FERRAN PARK PHASES 4 & 5 .

WHEREAS, the Ferran Park Phase 4 site plans include a relocated veterans' memorial, picnic pavilion(s), a promenade, vendor staging area, site lighting, site furniture, pedestrian entrance gates, trellises, a wedding pavilion and planting areas; and

WHEREAS, Murray Design Group, Inc. has submitted a proposal of $40,750 for the landscape architectural design and construction documents of the Ferran Park Phase 4 Project consistent with the City of Eustis Purchasing Policies and Procedures; and

WHEREAS, Ferran Park Phase 5 Project will include additional design service fees of $22,000 for Murray Design Group, Inc. and $22,500 for GAI Civil Engineering consistent with the City of Eustis Purchasing Policies and Procedures; and

WHEREAS, $1,431,000 funding for this project is included in the approved Capital Improvement Budget for Fiscal Year 2018/19; and

WHEREAS, the City Commission must approve any purchase in excess of $25,000.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Eustis, Florida, as follows:

1) That the City Commission does hereby authorize an expenditure in excess of $25,000 for landscape architectural design services related to the Ferran Park Phases 4 & 5 Project; and
2) That the City Commission does hereby authorize the City Manager to execute all agreements and contracts for Ferran Park Phases 4 & 5 Architectural Design for the amount of $85,250.

DONE AND RESOLVED, this _____day of _____, 2019, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA

_____
Michael L. Holland
Mayor/Commissioner

ATTEST:

_____
Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____ day of _____, 2019, by Michael L. Holland, Mayor, and Mary C. Montez, City Clerk, who are personally known to me.

_____
Notary Public - State of Florida
My Commission Expires:_____
Notary Serial No:_____

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for use and reliance of the City Commission of the City of Eustis, Florida.

_____ _____
City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution No. 19-33 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____
Mary C. Montez, City Clerk

Ferran Park – Phase 4

January 22, 2019

Murray Design Group, Inc. (Consultant) presents to Rick Gierok of the City of Eustis (Client) a task and fee proposal for the following project located in LAKE COUNTY, Florida:

PROJECT DESCRIPTION

The Client has requested that the Consultant provide the following services for Ferran Park Phase 4: landscape architectural design development and construction documents. The Consultant will coordinate efforts with City of Eustis Staff and its consultant civil engineers. This proposal is also inclusive of sub-consultant services required to realize the Phase Four work. Based on previous meetings, Phase Four's site plan will include a relocated veterans' memorial, picnic pavilion(s), promenade, vendor staging area, site lighting, site furniture, pedestrian entrance gates, trellises, wedding pavilion and planting areas. Parking design and site engineering by others. The following task and fee proposal Scope of Work is based on comments from client coordination meetings:

SCOPE OF WORK - Task and Fee Proposal:

TASK 1 SITE PLAN DEVELOPMENT

A. Using the provided master plan as a guide as well as discussions with the City, the Consultant shall prepare a site plan for phase four of the park at a scale of 1" = 20'. These plans will indicate the location of all new design elements, inclusive of structures, site furnishings, hardscape layout and plantings.
B. Coordinate with sub-consultant arborist to review condition of existing oaks (primarily at the proposed vending staging area).
C. The Consultant shall share the base map with the civil engineer once approved by the City.

(Schedule: 4 weeks)

TASK 2 DESIGN DEVELOPMENT

A. Once the site plan is approved, the Consultant shall prepare design development details for the park. These plans will depict preliminary details for the new design elements, inclusive of structures, hardscape and plantings.
B. Provide design development documents for Phase Four of the project as depicted by the approved site plan.

(Schedule: 4 weeks)

TASK 3 LANDSCAPE AND HARDSCAPE CONSTRUCTION DOCUMENTS

A. The Consultant shall prepare issued for bid construction documents and final landscape plans at a scale of 1" = 20'. These plans will indicate the location of all new design elements, inclusive of structures, hardscape and plantings.

B. Prepare technical specifications for the landscape construction documents.

C. Provide issued for bid construction documents and final hardscape layout plans and details for Phase Four of the project as depicted by the approved design development plans (30% construction documents).

D. Provide a schedule of hardscape elements for bidding and construction use.

E. Anticipated drawings and specifications: Hardscape Plans and Details, Site Lighting, Site Furnishings, Landscape Plans and Specifications.

F. Provide an estimate of probable costs for Phase Four of the project

G. These drawings will be submitted as a 90% Construction Documents to the Client for comments and bidding.

(Schedule: 6 weeks)

TASK 4 SUB-CONSULTANT SERVICES

The Consultant will provide site lighting, electrical engineering, irrigation and structural engineering services using the following sub-consultants:

A. Structural Engineering: The Consultant shall retain David G. Kittridge, P.E. to provide structural engineering services for the vertical site elements as required for the landscape design. Signed and sealed documents will be provided for permitting.

B. Electrical Engineering: The Consultant shall retain Milan Engineering to provide site lighting design services for the project (see attached for detailed scope)

C. Irrigation: The Consultant shall retain Crawford Irrigation Design to provide irrigation design services for the project.

Post Design Services for sub-consultants in the following professions (structural engineering and electrical engineering) shall be provided as an additional service at an hourly rate shown in the attachment. Please refer to attachments for detailed description of sub-consultants' agreements.

TASK 5 PROJECT COORDINATION

The Consultant will coordinate design efforts with the city's consultant civil engineer as well the sub-consultants under this agreement (site lighting, electrical engineering, irrigation and structural engineering).

TASK 6 BIDDING AND CONSTRUCTION PHASE SERVICES

If requested by the Client, the Consultant shall provide assistance in the plant procurement/tree tagging at qualified nurseries, answering RFI's, processing shop drawings and pay requests, and making periodic visits during construction as

additional services as directed by the Client, if needed. The work will also include a substantial and final completion walk through.

TASK 7 MISCELLANEOUS SERVICES

If requested by the Client, the Consultant will assist with items outside of this specific scope of services, such as presentation/marketing graphics, meetings with building officials, site visits beyond the initial visit, meetings beyond the two included in this proposal, permitting assistance, etc., on an hourly basis.

COMPENSATION

The services described in the Scope of Work section of this Agreement will be provided on the following fee basis:

Task 1:	Site Plan Development:	$2,500.00 Lump Sum
Task 2:	Design Development:	$8,875.00 Lump Sum
Task 3:	Landscape/Hardscape Final Construction Documents:	$14,500.00 Lump Sum
Task 4:	Sub-Consultant Services	
	Structural Engineer (site work)	$2,000.00 Lump Sum
	Site Lighting / Electrical Engineer	$9,000.00 Lump Sum
	Irrigation Designer	$1,500.00 Lump Sum
	Arborist	$500.00 Lump Sum
Task 5:	Project Coordination:	$1,875.00 Lump Sum
Task 6:	Bidding/Construction Phase Services:	hourly
Task 7:	Miscellaneous Services:	hourly
	GRAND TOTAL	**$40,750.00 Lump Sum**

Reimbursable Allowance: $300.00

By Ramon V Murray
Ramon V. Murray, Principal
Murray Design Group, Inc .

Approved by:_____
Rick Gierok, Public Works Dir.
City of Eustis

Attachments/

Exhibit A

Hourly Rates per Consultant

MURRAY DESIGN GROUP:

Principal	$135
Associate Designer	$95
CAD / Technician	$50

David Kittridge:

Principal	$150

Clear Engineering:

Principal	$140
CAD / Technician	$70
Administrative/Clerical	$50

Crawford Irrigation Design:

Principal	$75

CLEAR ENGINEERING

13651 Crystal River Drive
Orlando, FL 32828
Phone (407) 277-3431
darius@clear-engr.com

January 18, 2019

Ramon V Murray, RLA, ASLA
Principal Landscape Architect
Murray Design Group
942 Fremont Avenue
Winter Park, FL 32789

RE: Professional Engineering Fee Proposal #79129
Ferran Park, Eustis – Phase 4
Electrical Engineering

Dear Ramon:

Thank you for the opportunity to provide Professional Design Services for this upcoming Project in Eustis. This proposal is based on preliminary scope provided to us by Murray Design Group. Our services include the following design elements.

1. Electrical Engineering Design
    a. Site electrical service design/ coordination with utility
    b. Design for miscellaneous site and landscape lighting
    c. Provide design for event power receptacles
    d. Lighting design for shade structure, as needed.
    e. Power to irrigation controller(s), as needed
    f. Voltage drop calculations
2. Coordination with Owner, Landscape, and Civil Consultants
3. Specifications in drawing format.
4. Delivery of design documents in phases; to include Construction Documents
5. Two design-team/ Client design review meetings as needed.

Exclusions:
1. Probable construction cost estimates
2. Construction Phase services (pre-con meeting, RFI's, site visits/ inspections)
    a. Attend prebid meeting, if needed
    b. Shop drawings review
    c. Evaluate Contractors Bid and respond to Bidder's RFI's
    d. Site meetings, site visits, observation of contractor's work, and punch
        i. 2 site visits
        ii. 1 final inspection with punch list
    e. Visit site for night-time review of installed Area lighting installation and performance (light meter measurements) as required by AHJ.
    f. As-built drawings
3. Additional Construction Phase services

Additional meetings, site visits, contractor's request for value engineering, and requests for substitutions, etc. are available on an hourly basis or negotiated fixed fee based on scope of services

Professional Engineering Fees:

$9,000.00	Electrical Engineering Construction Documents
$TBD	Construction Phase Services, if needed.

Reimbursable expenses include printing and plotting of full-size drawings for Review/Permitting Submittals, Field trip mileage, delivery services, etc. and will be billed at cost.

Additional services, such as drawing revisions, bidding support, and construction administration will be performed (after approval) on an hourly rate basis as follows:

Principal/ Engineer	$140.00
CAD Technician	$70.00
Administrative/ Clerical	$50.00

We look forward to working with you on this project. Please give us a call with any questions.

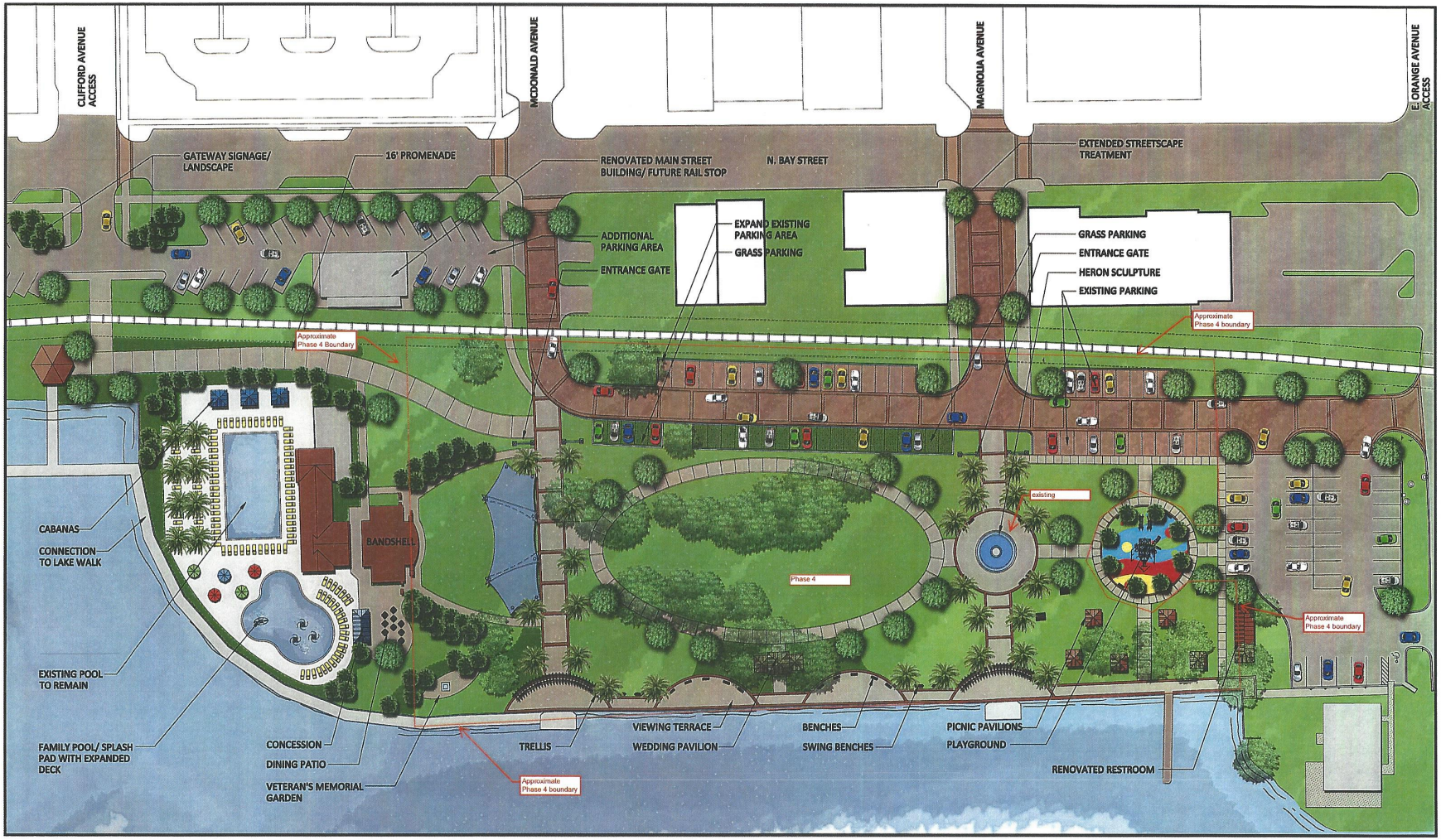
Sincerely,

Darius D. Adams, P.E.
Professional Engineer

Proposal accepted by: _____

Name: _____

Company: _____



N

0 30 60 90

GRAPHIC SCALE 1"= 30'-0"

FERRAN PARK

EUSTIS, FLORIDA

MASTER PLAN

BELLOMO HERBERT
A GAI COMPANY

RESOLUTION NO. 19-33

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, APPROVING A PURCHASE IN EXCESS OF $25,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH MURRAY DESIGN GROUP, INC. AND GAI CIVIL ENGINEERING TO DEVELOP LANDSCAPE ARCHITECTURAL DESIGNS AND CONSTRUCTION DOCUMENTS FOR FERRAN PARK PHASES 4 & 5 .

WHEREAS, the Ferran Park Phase 4 site plans include a relocated veterans' memorial, picnic pavilion(s), a promenade, vendor staging area, site lighting, site furniture, pedestrian entrance gates, trellises, a wedding pavilion and planting areas; and

WHEREAS, Murray Design Group, Inc. has submitted a proposal of $40,750 for the landscape architectural design and construction documents of the Ferran Park Phase 4 Project consistent with the City of Eustis Purchasing Policies and Procedures; and

WHEREAS, Ferran Park Phase 5 Project will include additional design service fees of $22,000 for Murray Design Group, Inc. and $22,500 for GAI Civil Engineering consistent with the City of Eustis Purchasing Policies and Procedures; and

WHEREAS, $1,431,000 funding for this project is included in the approved Capital Improvement Budget for Fiscal Year 2018/19; and

WHEREAS, the City Commission must approve any purchase in excess of $25,000.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Eustis, Florida, as follows:

1) That the City Commission does hereby authorize an expenditure in excess of $25,000 for landscape architectural design services related to the Ferran Park Phases 4 & 5 Project; and
2) That the City Commission does hereby authorize the City Manager to execute all agreements and contracts for Ferran Park Phases 4 & 5 Architectural Design for the amount of $85,250.

DONE AND RESOLVED, this _____day of _____, 2019, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA

_____
Michael L. Holland
Mayor/Commissioner

ATTEST:

_____
Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____ day of _____, 2019, by Michael L. Holland, Mayor, and Mary C. Montez, City Clerk, who are personally known to me.

_____
Notary Public - State of Florida
My Commission Expires:_____
Notary Serial No:_____

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for use and reliance of the City Commission of the City of Eustis, Florida.

_____ _____
City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution No. 19-33 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____
Mary C. Montez, City Clerk

Ferran Park – Phase 4

January 22, 2019

Murray Design Group, Inc. (Consultant) presents to Rick Gierok of the City of Eustis (Client) a task and fee proposal for the following project located in LAKE COUNTY, Florida:

PROJECT DESCRIPTION

The Client has requested that the Consultant provide the following services for Ferran Park Phase 4: landscape architectural design development and construction documents. The Consultant will coordinate efforts with City of Eustis Staff and its consultant civil engineers. This proposal is also inclusive of sub-consultant services required to realize the Phase Four work. Based on previous meetings, Phase Four's site plan will include a relocated veterans' memorial, picnic pavilion(s), promenade, vendor staging area, site lighting, site furniture, pedestrian entrance gates, trellises, wedding pavilion and planting areas. Parking design and site engineering by others. The following task and fee proposal Scope of Work is based on comments from client coordination meetings:

SCOPE OF WORK - Task and Fee Proposal:

TASK 1 SITE PLAN DEVELOPMENT

A. Using the provided master plan as a guide as well as discussions with the City, the Consultant shall prepare a site plan for phase four of the park at a scale of 1" = 20'. These plans will indicate the location of all new design elements, inclusive of structures, site furnishings, hardscape layout and plantings.
B. Coordinate with sub-consultant arborist to review condition of existing oaks (primarily at the proposed vending staging area).
C. The Consultant shall share the base map with the civil engineer once approved by the City.

(Schedule: 4 weeks)

TASK 2 DESIGN DEVELOPMENT

A. Once the site plan is approved, the Consultant shall prepare design development details for the park. These plans will depict preliminary details for the new design elements, inclusive of structures, hardscape and plantings.
B. Provide design development documents for Phase Four of the project as depicted by the approved site plan.

(Schedule: 4 weeks)

TASK 3 LANDSCAPE AND HARDSCAPE CONSTRUCTION DOCUMENTS

A. The Consultant shall prepare issued for bid construction documents and final landscape plans at a scale of 1" = 20'. These plans will indicate the location of all new design elements, inclusive of structures, hardscape and plantings.

B. Prepare technical specifications for the landscape construction documents.

C. Provide issued for bid construction documents and final hardscape layout plans and details for Phase Four of the project as depicted by the approved design development plans (30% construction documents).

D. Provide a schedule of hardscape elements for bidding and construction use.

E. Anticipated drawings and specifications: Hardscape Plans and Details, Site Lighting, Site Furnishings, Landscape Plans and Specifications.

F. Provide an estimate of probable costs for Phase Four of the project

G. These drawings will be submitted as a 90% Construction Documents to the Client for comments and bidding.

(Schedule: 6 weeks)

TASK 4 SUB-CONSULTANT SERVICES

The Consultant will provide site lighting, electrical engineering, irrigation and structural engineering services using the following sub-consultants:

A. Structural Engineering: The Consultant shall retain David G. Kittridge, P.E. to provide structural engineering services for the vertical site elements as required for the landscape design. Signed and sealed documents will be provided for permitting.

B. Electrical Engineering: The Consultant shall retain Milan Engineering to provide site lighting design services for the project (see attached for detailed scope)

C. Irrigation: The Consultant shall retain Crawford Irrigation Design to provide irrigation design services for the project.

Post Design Services for sub-consultants in the following professions (structural engineering and electrical engineering) shall be provided as an additional service at an hourly rate shown in the attachment. Please refer to attachments for detailed description of sub-consultants' agreements.

TASK 5 PROJECT COORDINATION

The Consultant will coordinate design efforts with the city's consultant civil engineer as well the sub-consultants under this agreement (site lighting, electrical engineering, irrigation and structural engineering).

TASK 6 BIDDING AND CONSTRUCTION PHASE SERVICES

If requested by the Client, the Consultant shall provide assistance in the plant procurement/tree tagging at qualified nurseries, answering RFI's, processing shop drawings and pay requests, and making periodic visits during construction as

additional services as directed by the Client, if needed. The work will also include a substantial and final completion walk through.

TASK 7 MISCELLANEOUS SERVICES

If requested by the Client, the Consultant will assist with items outside of this specific scope of services, such as presentation/marketing graphics, meetings with building officials, site visits beyond the initial visit, meetings beyond the two included in this proposal, permitting assistance, etc., on an hourly basis.

COMPENSATION

The services described in the Scope of Work section of this Agreement will be provided on the following fee basis:

Task 1:	Site Plan Development:	$2,500.00 Lump Sum
Task 2:	Design Development:	$8,875.00 Lump Sum
Task 3:	Landscape/Hardscape Final Construction Documents:	$14,500.00 Lump Sum
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Task 6:	Bidding/Construction Phase Services:	hourly
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	GRAND TOTAL	**$40,750.00 Lump Sum**

Reimbursable Allowance: $300.00

By Ramon V Murray
Ramon V. Murray, Principal
Murray Design Group, Inc .

Approved by:_____
Rick Gierok, Public Works Dir.
City of Eustis

Attachments/

Exhibit A

Hourly Rates per Consultant

MURRAY DESIGN GROUP:

Principal	$135
Associate Designer	$95
CAD / Technician	$50

David Kittridge:

Principal	$150

Clear Engineering:

Principal	$140
CAD / Technician	$70
Administrative/Clerical	$50

Crawford Irrigation Design:

Principal	$75

CLEAR ENGINEERING

13651 Crystal River Drive
Orlando, FL 32828
Phone (407) 277-3431
darius@clear-engr.com

January 18, 2019

Ramon V Murray, RLA, ASLA
Principal Landscape Architect
Murray Design Group
942 Fremont Avenue
Winter Park, FL 32789

RE: Professional Engineering Fee Proposal #79129
Ferran Park, Eustis – Phase 4
Electrical Engineering

Dear Ramon:

Thank you for the opportunity to provide Professional Design Services for this upcoming Project in Eustis. This proposal is based on preliminary scope provided to us by Murray Design Group. Our services include the following design elements.

1. Electrical Engineering Design
    a. Site electrical service design/ coordination with utility
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    c. Provide design for event power receptacles
    d. Lighting design for shade structure, as needed.
    e. Power to irrigation controller(s), as needed
    f. Voltage drop calculations
2. Coordination with Owner, Landscape, and Civil Consultants
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4. Delivery of design documents in phases; to include Construction Documents
5. Two design-team/ Client design review meetings as needed.

Exclusions:
1. Probable construction cost estimates
2. Construction Phase services (pre-con meeting, RFI's, site visits/ inspections)
    a. Attend prebid meeting, if needed
    b. Shop drawings review
    c. Evaluate Contractors Bid and respond to Bidder's RFI's
    d. Site meetings, site visits, observation of contractor's work, and punch
        i. 2 site visits
        ii. 1 final inspection with punch list
    e. Visit site for night-time review of installed Area lighting installation and performance (light meter measurements) as required by AHJ.
    f. As-built drawings
3. Additional Construction Phase services

Additional meetings, site visits, contractor's request for value engineering, and requests for substitutions, etc. are available on an hourly basis or negotiated fixed fee based on scope of services

Professional Engineering Fees:

$9,000.00	Electrical Engineering Construction Documents
$TBD	Construction Phase Services, if needed.

Reimbursable expenses include printing and plotting of full-size drawings for Review/Permitting Submittals, Field trip mileage, delivery services, etc. and will be billed at cost.

Additional services, such as drawing revisions, bidding support, and construction administration will be performed (after approval) on an hourly rate basis as follows:

Principal/ Engineer	$140.00
CAD Technician	$70.00
Administrative/ Clerical	$50.00

We look forward to working with you on this project. Please give us a call with any questions.

Sincerely,

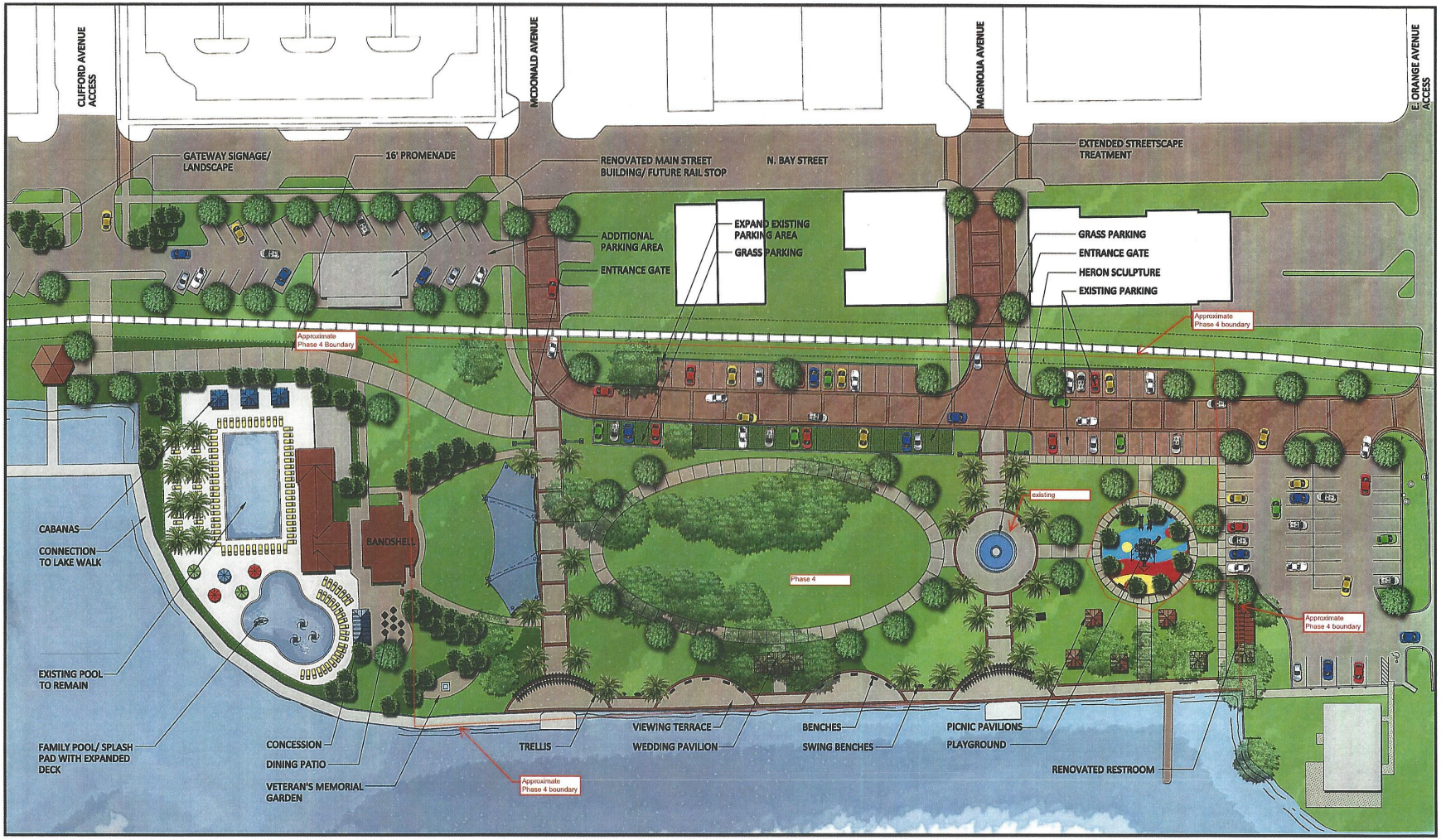


Darius D. Adams, P.E.
Professional Engineer

Proposal accepted by: _____

Name: _____

Company: _____



N

0 30 60 90

GRAPHIC SCALE 1"= 30'-0"

FERRAN PARK

EUSTIS, FLORIDA

MASTER PLAN

BH BELLOMO HERBERT A GAI COMPANY

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: RESOLUTION NO. 19-38: PURCHASE IN EXCESS OF $25,000 FOR NEW PUMPS AT BATES AVENUE WASTEWATER TREATMENT PLANT

Introduction:
Resolution No. 19-38 approves an expenditure in excess of $25,000 and authorizes the City Manager to execute an agreement with Hydra Services, Inc. for three pumps for the Bates Avenue wastewater treatment plant.

Background:
See attached Staff Report.

Attachments:
Staff Report - Res 19-38
Resolution No 19-38
Hydra Serv Quotes and sole source letter

Reviewed by:

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: RONALD R. NEIBERT, CITY MANAGER

DATE: APRIL 4, 2019

RE: RESOLUTION NO. 19-38
PURCHASE IN EXCESS OF $25,000 FOR NEW PUMPS
AT BATES AVENUE WASTEWATER TREATMENT PLANT

Introduction:
Resolution No. 19-38 approves an expenditure in excess of $25,000 and authorizes the City Manager to execute an agreement with Hydra Services, Inc. for three pumps for the Bates Avenue wastewater treatment plant.

Recommended Action:
Staff recommends approval of Resolution No. 19-38.

Background:
Hydra Services Inc. is the sole source for this type of pump. This is a necessary upgrade due to the age and performance of the current pumps.

The approved 2018-2019 Budget has $93,900 programmed for this purchase and other equipment in Account # 040-535-3520-60-64. The City Purchasing Ordinance requires that the Commission approve any purchase that exceeds $25,000.

Alternatives:
1. Approve Resolution No. 19-38
2. Deny Resolution No. 19-38

Discussion of Alternatives:
1. Alternative 1 approves the Resolution.
   Advantages:
   - Increased life span of critical infrastructure components of the Bates Ave. Wastewater Facility.
   - Improve personnel safety by replacing old, faulty equipment with new.

   Disadvantages:
   - The action will approve an expenditure of $40,760.30.

2. Alternative 2 denies the Resolution.
   Advantages:
   - The City would not expend $ 40,760.30.

Disadvantages:

- The City will continue to have major pump repairs or replacement.

Community Input
The Community had opportunity to give comments during the 2018/2019 CIP Budget approval process.

Budget/Staff Impact:
The funds for the proposed purchase have been included in the approved Fiscal Year 2018/2019 Annual budget, Account # 040-535-3520-60-64.

Reviewed By:
Bill Johnston, Wastewater Superintendent

Prepared by:
Vicky McGhee, Senior Staff Assistant – Wastewater

Attachments:
Resolution No. 19-38
Quote by Hydra Services Inc.
Sole source letter

RESOLUTION NO. 19-38

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING AN EXPENDITURE IN EXCESS OF $25,000 FOR THREE NEW PUMPS FOR THE BATES AVENUE WASTEWATER PLANT.

WHEREAS, sufficient funding for these pumps is available within the FY 2018/2019 Budget; and

WHEREAS, Hydra Services Inc. is the sole source vendor; and

WHEREAS, City of Eustis Purchasing Ordinance requires that the City Commission approve any purchase in excess of $25,000.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Eustis, Lake County, Florida, as follows:

(1) That the City Commission hereby authorizes a purchase in excess of $25,000 to purchase of three new pumps for the Bates Avenue wastewater plant; and
(2) That the City Commission hereby authorizes the City Manager to execute all agreements and contracts associated with the approved purchase.

DONE AND RESOLVED this 4th day of April, 2019, in regular session of the City Commission of the City of Eustis, Florida.

CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA

_____
Michael L. Holland
Mayor/Commissioner

ATTEST:

_____
Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____ day of _____, 2019, by Michael L. Holland, Mayor, and Mary C. Montez, City Clerk, who are personally known to me.

_____
Notary Public – State of Florida
My Commission Expires:
Notary Serial No:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for use and reliance of the City Commission of the City of Eustis, Florida

_____ _____
City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution No. 19-38 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____
Mary C. Montez, City Clerk

Hydra Service, Inc.

SPECIALIST IN FLUID MOVEMENT

250 Springview Commerce Drive
Debary Florida 32765
Phone: 407 330 3456
Phone: 800 323 1731
Fax: 407 330 3404

Sales Representative
Contact Information
Cell Phone: 407-625-1388
Fax: 407-977- 6419

TO:	**City of Eustis**	FROM:	**Keaton Heller**
		EMAIL:	Kheller@hydraservice.net
ATTN:	**Walt L**	DATE:	**March 18, 2019**
PHONE	**352-357-3777**	QUOTE:	**190318-5KH**
FAX:	**352-357-1121**	REF:	**Replace IR Pump East with Plate and Increaser**
EMAIL:		ENG FIRM:	

1 Sulzer/ABS Model **XFPD201G-CB2.300-PE120/8D**, **16.1** h.p., **460** volt, **3** phase, with **49'** of power cable, with motor cooling option for dry installation
1 Custom Bottom Plate to Fit Wilo Suction Plate
1 Increaser, Cast Iron, 8" x 10"
Note: Price per pump and bottom plate is $15,242.00. All pricing includes Freight

TOTAL PRICE, F.O.B. JOB, FREIGHT ALLOWED **$15,242.00** PLUS ANY FEDERAL, STATE OR LOCAL TAXES WHICH MAY APPLY. TERMS ARE NET **30** DAYS. PRICES ARE FIRM 30 DAYS
"HYDRA SERVICE INC TERMS & CONDITIONS APPLY" PAYMENT TERMS NET 30 DAYS.
ESTMTD DELIVERY: **8-10** WEEKS AFTER RECEIPT IN OUR OFFICE OF COMPLETE APPROVED SUBMITTAL DATA AND SIGNED PROPOSAL.
THESE TERMS ARE INDEPENDENT OF, AND ARE NOT CONTINGENT UPON THE TIME OR MANNER IN WHICH PURCHASER MAY RECEIVE PAYMENT FROM OTHERS.
NO DAY OF FACTORY START-UP IS INCLUDED AND REQUIRED FOR WARRANTY. PAYMENT FOR MATERIALS WILL BE REQUIRED BEFORE THE AUTHORIZED START-UP IS CONDUCTED.

ACCEPTED DATE _____ Review Date: 2/18/2019

_____ Keaton Heller

NAME OF PURCHASER REVIEWED BY HYDRA SERVICE PUMP REP.

Hydra Service, Inc.

SPECIALIST IN FLUID MOVEMENT

250 Springview Commerce Drive
Debary Florida 32765
Phone: 407 330 3456
Phone: 800 323 1731
Fax: 407 330 3404

Sales Representative
Contact Information
Cell Phone: 407-625-1388
Fax: 407-977- 6419

TO:	**City of Eustis**	FROM:	**Keaton Heller**
		EMAIL:	Kheller@hydraservice.net
ATTN:	**Walt L**	DATE:	**March 19, 2019**
PHONE	**352-357-3777**	QUOTE:	**190319-1KH**
FAX:	**352-357-1121**	REF:	**Replace IR West**
EMAIL:		ENG FIRM:	

1	Sulzer/ABS Model **XFPD150G-CB1.3-PE110/6D**, **15** h.p., **460** volt, **3** phase, with **49'** of power cable, with motor cooling option for dry installation
1	Custom Bottom Plate to Fit Wilo Suction Elbow

TOTAL PRICE, F.O.B. JOB, FREIGHT ALLOWED **$12,759.15** PLUS ANY FEDERAL, STATE OR LOCAL TAXES WHICH MAY APPLY. TERMS ARE NET **30** DAYS. PRICES ARE FIRM 30 DAYS
"HYDRA SERVICE INC TERMS & CONDITIONS APPLY" PAYMENT TERMS NET 30 DAYS.
ESTMTD DELIVERY: **6-8** WEEKS AFTER RECEIPT IN OUR OFFICE OF COMPLETE APPROVED SUBMITTAL DATA AND SIGNED PROPOSAL.
THESE TERMS ARE INDEPENDENT OF, AND ARE NOT CONTINGENT UPON THE TIME OR MANNER IN WHICH PURCHASER MAY RECEIVE PAYMENT FROM OTHERS.
NO DAY OF FACTORY START-UP IS INCLUDED AND REQUIRED FOR WARRANTY. PAYMENT FOR MATERIALS WILL BE REQUIRED BEFORE THE AUTHORIZED START-UP IS CONDUCTED.

ACCEPTED DATE _____ Review Date: 3/19/2019

_____ Keaton Heller

NAME OF PURCHASER REVIEWED BY HYDRA SERVICE PUMP REP.

Hydra Service, Inc.

SPECIALIST IN FLUID MOVEMENT

250 Springview Commerce Drive
Debary Florida 32765
Phone: 407 330 3456
Phone: 800 323 1731
Fax: 407 330 3404

Sales Representative
Contact Information
Cell Phone: 407-625-1388
Fax: 407-977- 6419

TO:	**City of Eustis**	FROM:	**Keaton Heller**
		EMAIL:	Kheller@hydraservice.net
ATTN:	**Walt L**	DATE:	**March 19, 2019**
PHONE	**352-357-3777**	QUOTE:	**190319-2KH**
FAX:	**352-357-1121**	REF:	**Replace RAS Pump**
EMAIL:		ENG FIRM:	

1 Sulzer/ABS Model **XFPD150G-CB1.3-PE110/6D**, **15** h.p., **460** volt, **3** phase, with **49'** of power cable, with motor cooling option for dry installation

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ACCEPTED DATE _____ Review Date: 3/19/2019

_____ Keaton Heller

NAME OF PURCHASER REVIEWED BY HYDRA SERVICE PUMP REP.

SULZER

Sulzer Pumps Solutions Inc.
140 Pond View Drive
Meriden, CT 06450
Phone (203) 238 2700
Fax (203) 514 4364
www.sulzer.com

March 21, 2019

Subject: Hydra Service Inc. as Contracted Sulzer Distributor for Sulzer (ABS) type products

To the City of Eustis, Florida:

The purpose of this letter is to confirm that **Hydra Service Inc.** located in DeBary, Florida is the contracted Sulzer sole distributor for Sulzer wastewater (formerly ABS) products, including pumps, mixers, blowers and aerators, for the Municipal Wastewater Collection and Treatment market. **Hydra Service**'s territory includes the entire state of Florida.

Nationally we utilize a network of independent distributors/service centers to serve Municipal, Industrial, Building Trades and Dewatering market segments in specific territories. The authorized distributor for Sulzer products in these segments/territories has the expertise, knowledge, training and access to the latest product developments and upgrades, along with genuine OEM parts. **Hydra Service, Inc.** is trained in the latest methods in care and start-up of our equipment and has the ability to execute warranty claims.

Please do not hesitate to contact me if I can provide any additional information.

Sincerely,

Lance Reed

Lance Reed
Regional Sales Manager
Southwest Region

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: RESOLUTION NO. 19-39: CONDITIONAL RELEASE OF CODE ENFORCEMENT LIEN - 2020 DIXIE AVENUE, CASE #00-117, 07-303, 07-304, 07-305, 07-306 AND 11-073

Introduction:
Resolution No. 19-39 provides for the release of Code Enforcement Liens recorded against 2020 Dixie Avenue once the current or future owner obtains required permits and completes all work necessary to bring the property into full compliance with the City's Housing Code (reference outstanding code violation case 17-00911).

Background:
See attached staff report.

Recommended Action:
The administration recommends approval of Resolution No. 19-39.

Alternatives:
1. Approve Resolution No. 19-39 to release the City's liens against the property once conditions are met.
2. Deny Resolution No. 19-39 and maintain the unpaid liens against the subject property.

Attachments:
Staff Report Res. No. 19-39
Resolution No. 19-39
Email Coorespondence
Notice of Tax Deed Sale
Tax Deed
Tenant Complaints and Inspection Consent
Tenant complaint inspection pictures
6-29-18 Inspection Pictures
04-16-18 Email Attachment

06-20-18 Email Attachment from Mr. Johnson

Reviewed by:

Lori Barnes, Director	Approved - 29 Mar 2019
Ronald Neibert, City Manager	Approved - 29 Mar 2019

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: RONALD R. NEIBERT, CITY MANAGER

DATE: APRIL 4, 2019

RE: RESOLUTION NO. 19-39: CONDITIONAL RELEASE OF CODE ENFORCEMENT LIEN
2020 DIXIE AVENUE, CASE #00-117, 07-303, 07-304, 07-305, 07-306 AND 11-073

Introduction:
Resolution No. 19-39 provides for the release of Code Enforcement Liens recorded against 2020 Dixie Avenue once the current or future owner obtains required permits and completes all work necessary to bring the property into full compliance with the City's Housing Code (reference outstanding code violation case 17-00911).

Recommended Action:
The administration recommends approval of Resolution No. 19-39.

Background:
Due to the previous owner's failure to comply with City Code, the City of Eustis has six Code Enforcement Liens recorded against 2020 Dixie Avenue, which total $243,120 for code violation case #00-117, 07-303, 07-304, 07-305, 07-306 and 11-073. The property's prior homestead protection status prevented the City from foreclosing on the outstanding liens.

On July 17, 2017, after receiving tenant complaints regarding the condition of the structure, Code Enforcement opened Case 17-00911. On inspection, Code Enforcement found the property in violation of the City's Housing Code. At that time, the Inspector advised the tenants the property was in tax default. Given that condition, the City would likely be unsuccessful in persuading the property owner to perform repairs and recommended the tenants vacate the dwelling. The tenants eventually vacated, as recommended, and the property has remained vacant. Code Enforcement halted enforcement action against the minimum housing violations due to the status of the property (tax default and homestead protection and over $200,000 of recorded Code Enforcement Liens).

On August 26, 2016, the Lake County Clerk of Court offered the property at tax deed sale. After receiving no bids, the County placed the property on the Lands Available List. Per the

tax deed sale process, properties remain in the current property owner's name while on the Lands Available List until deeded to Lake County through tax escheatment.

On March 30, 2018, Time Value Investments, LLC purchased the property from the Lands Available List. Prior to the purchase, Jay Ayre, a representative for the buyer, came to City Hall to meet with the Code Enforcement Supervisor regarding the prospective purchase. The Supervisor informed Mr. Ayre that the City was aware of the property status and planned to await tax escheatment, acquire the property from the County, and proceed with demolition of the structure.

The Supervisor also advised Mr. Ayre of all the outstanding code violations and liens that existed on the property, including the documented minimum housing violation. Despite the information provided, Mr. Ayre was not discouraged. As he believed a Florida Supreme Court ruling that would allow Time Value Investments, LLC to circumvent the City's liens, he felt the purchase was a good investment.

However, he requested assurances that the City would release the liens and asked for written confirmation. In response, the Supervisor sent him an email stating, "Per our conversation, were you and your partners to purchase this distressed property and bring it up to City Code, staff will recommend to the City Commission a full waiver and release of all the outstanding code enforcement fines and liens." The next day, Jay Ayre contacted the Supervisor via email stating he had not received the email, so it was resent.

On April 11, 2018, Mr. Ayre emailed the Supervisor requesting copies of "the files with all the issues that need to be addressed." On April 16, 2018, the Supervisor emailed a detailed report on all the open code violations.

On April 23, 2018, Don Johnson, the principal manager for Time Value Investments, LLC emailed the Supervisor with an update regarding property clean-up, and informed the Supervisor he is the main contact for the property. Mr. Johnson indicated it was their intent to sell the property without full renovation. He stated they needed to know specifics "that relate to the now known problem," so they could inform any interested buyer.

On June 20, 2018, Mr. Johnson emailed again to report that they had spent around $4,300 removing over 70 yards of debris, abandoned vehicles, and other mechanics from the property. He stated they needed more direction on the minimum housing violations, and requested an onsite meeting to (1) review the current conditions and (2) discuss removing the levied violations so they would not remain clouding the title.

On June 29, 2018, the Supervisor met with Mr. Johnson and Mr. Ayre at the property. The Supervisor documented correction of all exterior ground violations associated with the liens, but observed the Housing Code violations remained. During the inspection of the structure, the Supervisor pointed out that although the building had all the characteristics of a duplex it appeared to be an illegal conversion. (Later, his suspicions proved true when he located a lien for Case 00-117 recorded in public record for a zoning violation involving conversion of the single- family residence to multi-family without a permit, his suspicions. This lien was not originally disclosed because it was generated prior to the Supervisor's employment with the City and there was no record of it in the City's database. He discovered it when he did a search of public records on the Clerk of Court's website while preparing this report).

Onsite during the June 29, 2018 inspection, the Supervisor identified a multitude of minimum housing violations, which involve some of the following issues:

- Possible defects in the roof that admit rain, which was documented in 2017;
- Defective exterior surfaces;
- Defective plumbing fixtures and other plumbing issues that were also observed during the 2017 inspection;
- Defective interior surfaces such as, but not limited to doors, ceilings, windows, walls, floors, etc.;
- Defective electrical equipment and electrical hazards, some of which could cause a structure fire;
- Additions that did not appear the meet either minimum sq. ft. or egress requirements;
- No smoke detectors; and
- No heating facilities.

After the Inspection, Mr. Johnson inquired about the process to release the liens from the property. The Supervisor advised he was reluctant to recommend a release of the liens. Bringing the structure up to code would involve extensive work, and intact liens leverage completion of repairs. Mr. Johnson was not too concerned at the time; he said he was a cash only business and that he will not sell it to anyone who needs financing for the purchase. The Supervisor advised to have prospective buyers call the Code Enforcement Department with questions about the liens.

Since the meeting with Mr. Johnson, the several prospective buyers have contacted the inquiring of liens and housing code violations. The City has advised all inquirers they will not provide an itemized list of violations. It is a perspective owners' responsibility to consult a licensed Contractor to prepare a repair and rehabilitation plan, followed by acquiring the necessary permits to complete the work. As for the liens, the City has assured all interested that they can submit written requests for the City Commission to release the liens once all repairs are completed and the property meets code.

On March 4, 2019, Mr. Johnson emailed the City Clerk, City Commission, City Manager and City Attorney demanding the City remove its liens. He referenced the same Florida Supreme Court ruling Mr. Ayre noted when he first contacted the City; only this time he provided the details. In the case he referred to (City of Palm Bay vs. Wells Fargo Bank, N.A.) the City of Palm Bay passed an Ordinance giving their code enforcement liens super majority over all other liens, despite the order of recording. This case has no relevance to the matter at hand because the City of Eustis has not passed an Ordinance giving code enforcement liens super majority. Mr. Johnson also stated in his email that the City's Code Enforcement Liens are inferior to the tax deed and "get wiped from record after a superior lien foreclosure finalizes."

On March 11, 2019, the City Attorney responded to this allegation, and informed Mr. Johnson that the City's lien does in fact survive the tax deed sale. The City Attorney provided a copy of Florida Statute 197.552 which states:

"…Except as specifically provided in this chapter, no right, interest, restriction, or other covenant shall survive the issuance of a tax deed, except that a lien of record held by a

municipal or county governmental unit, special district, or community development district, when such lien is not satisfied as of the disbursement of proceeds of sale under the provisions of S. 197.582, shall survive the issuance of a tax deed…"

On March 11 and 12, 2019, Mr. Johnson emailed the City Attorney again requesting that the liens be released.

On March 25, 2019, Lori Barnes, Development Services Director, emailed Mr. Johnson advising that the Department is willing to bring a Resolution to the City Commission for consideration. The Resolution, if approved, will formalize the City's intent to release the liens once the property is in compliance reference the following outstanding violation and corrective action:

> Violation: Single family residential dwelling has not been maintained in accordance with the International Property Maintenance Code and has been declared unsafe and unfit for human occupancy.
>
> Corrective Action Required: Obtain a permit to repair and rehabilitate or demolish the structure from the City of Eustis Building Department.

Mr. Johnson responded to Ms. Barnes' email stating: "I have looked in public records and find no evidence of such a violation in the previous owner's name(s), or the present owner for that matter. Time Value Investments, LLC has never been mailed, emailed or given spoken notice of such a violation. When in the presence of Eric Martin at the subject property no notice was given about such a violation…" Mr. Johnson's June 20, 2018, return of the detailed violation report by email (which had previously been provided to Jay Ayre) with a hand written note beside the case involving the minimum housing code violations saying they were not clear as to the violations, is in direct conflict with this statement. (The June 20 email was the reason for the onsite meeting on June 29, 2018).

The Code Enforcement Department does not recommend an immediate release of the liens, as requested by Don Johnson, for the following reasons:

- If the City approves the request to remove the liens, a purchaser could obtain a mortgage to purchase the property, and then fail to bring the property into compliance with City Code. Any Code Enforcement Liens generated thereafter would be inferior making it very difficult and costly for the City to foreclose on the property.

- Keeping the liens intact gives the City leverage to ensure the buyer acquires required permits and completes all work necessary to bring the property into full compliance with the City's Housing Code.

- Should the buyer decide to abandon the repair and rehabilitation of the structure for any reason, the City's liens would still be superior allowing the City to foreclose on the property, if needed.

Alternatives

1. Approve Resolution No. 19-39 to release the City's liens against the property once conditions are met.
2. Deny Resolution No. 19-39 and maintain the unpaid liens against the subject property.

Discussion of Alternatives:

1. Alternative 1 approves Resolution No. 19-39 and releases the code enforcement liens against the subject property once the current or future owner obtains required permits and completes all work necessary to bring the property into full compliance with the City's Housing Code.

   Advantages:

   - The action formalizes the City's intent to release the liens once conditions are met.
   - The action could assist the current owner in selling the property.

   Disadvantages:

   - The City would lose the possibility of collecting the remaining $243,120 in fines.

2. Alternative 2 denies Resolution No. 19-39 and maintains the unpaid liens against the subject property.

   Advantages:

   - The City could collect the remaining $243,120 in fines.
   - There would be no assurance for prospective buyers that the City has intent to release the liens, which could still hinder the sale of the property.

   Disadvantages:

   - The new owner would bear the financial burden of paying the remaining fines.
   - The new owner could not sell the property without paying the remaining fines and taking a financial loss.
   - The new owner could abandon the property resulting in foreclosure of the liens.
   - The action would discourage future investors from purchasing distressed properties.
   - The City would incur substantial attorney fees enforcing the liens against the property.

Community Input

No adjacent property owners attended the Code Enforcement Hearings.

Budget / Staff Impact:

If the Resolution is approved, the City would not receive any portion of the remaining fines if all conditions are met.

Reviewed By:

Lori Barnes, ACIP, Development Services Director

Prepared By:

Eric Martin, Code Enforcement Supervisor

Attachments:

- Resolution No. 19-39

- Email correspondence
- Notice of tax deed sale
- Tax deed
- Tenant complaints and inspection consent forms
- Tenant complaint inspection pictures
- 6-29-18 Inspection Pictures
- 4-16-18 Email attachment
- 6-20-18 Email attachment from Mr. Johnson

RESOLUTION NO. 19-39

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; PROVIDING FOR THE RELEASE OF CODE ENFORCEMENT LIENS RECORDED AGAINST 2020 DIXIE AVENUE UPON SATISFACTION OF CONDITIONS.

WHEREAS, the City of Eustis, Florida established code enforcement fines against the following described property under Case No. 00-117, 07-303, 07-304, 07-305, 07-306 and 11-073 against Vikel Eustache and Gail Eustache Moore, previous property owners, for failing to comply with City Ordinances:

ROSENWALD GARDENS LOTS 11, 12, 13 BLK 4 PB 5 PG 61 ORB 918 PG 476 ORB 1088 PG 1745; and

WHEREAS, the City of Eustis, Florida, a Florida Municipal Corporation, has recorded six Code Enforcement Liens against the subject property, totaling $243,120; and

WHEREAS, on August 26, 2016, the property received no bids when it was offered for tax deed sale by the Lake County Clerk of Court; and

WHEREAS, on March 30, 2018, Time Value Investments LLC purchased the property from the Lands Available List, which is published on the Lake County Clerk of Courts website; and

WHEREAS, tax deeds are sold “as is” on a “buyer beware” basis because properties may be subject to additional taxes and/or liens, and

WHEREAS, all creditors or subsequent purchasers were given notice as required by Florida Statute by the recording of such liens in the public records, and

WHEREAS, the City’s liens were a matter of public record when Time Value Investments LLC purchased the tax deed/property, and

WHEREAS, Don Johnson, representative of Time Value Investments LLC, has submitted a request for the city to release its code enforcement liens against the property; and

WHEREAS, although the new property owner has corrected all the code violations associated with the City’s liens, the Code Enforcement Department does not recommend approving the request because the primary structure located on the property has not been maintained in a safe and sanitary condition consistent with the standards contained in the Housing Code adopted in Section 50-26, and

WHEREAS, the new property owner has stated his intention is to sell the property without bringing the structure into compliance with the City’s Housing Code, and

WHEREAS, the City Commission understands that a buyer may be hesitant to purchase the property due to the City's liens without certain assurances that they will not be held financially liable for satisfying the liens once becoming owner of the property.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Eustis, Florida, as follows:

That the City Clerk is hereby authorized to execute a Release of Lien for the code enforcement liens recorded against the following described property once the current or future owner obtains required permits and completes all work necessary to bring the property into full compliance with the City's Housing Code.

ROSENWALD GARDENS LOTS 11, 12, 13 BLK 4 PB 5 PG 61 ORB 918 PG 476 ORB 1088 PG 1745

DONE AND RESOLVED this 4th day of April, 2019, in regular session of the City Commission of the City of Eustis, Florida.

CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA

_____
Michael L. Holland
Mayor-Commissioner

ATTEST:

_____
Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____ day of _____, 2019 by Michael L. Holland, Mayor, and Mary C. Montez, City Clerk, who are personally known to me.

_____
Notary Public - State of Florida
My Commission Expires:_____
Notary Serial No:_____

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content, but I have not performed an independent Title examination as to the accuracy of the Legal Description.

_____ _____
City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution No. 19-39 hereby approved, and I hereby certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____ _____
Date Mary C. Montez, City Clerk

Martin,Eric

From:	Don Johnson <donjohnson@timevalueassets.com>
Sent:	Tuesday, March 26, 2019 10:53 AM
To:	Barnes, Lori
Cc:	Martin,Eric; Derek Schroth; Neibert, Ronald
Subject:	Re: 2020 Dixie Avenue - City of Eustis Liens

That violation does not exist.

There is an open and straight passage between the wood frame and the concrete block portion of the home. In fact Eric Martin walked through it and even stated that because it was opened it could not be used as a duplex.

Thank you for your time.

Sincerely,

DONALD E. JOHNSON - AUTHORIZED MEMBER

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Thank you.

On Tue, Mar 26, 2019 at 10:47 AM Barnes, Lori <BarnesL@ci.eustis.fl.us> wrote:

Mr. Johnson:

I have attached the code lien from 2000 regarding the illegal conversion of the single-family home. The City Commission resolution, if approved, will formalize the City's intent to release the liens once permits are obtained and work completed to bring the structure into compliance with the code. Any person who may wish to proceed with a rehab project will need to obtain the services of a design professional to identify what improvements will be required to meet code requirements and to prepare signed and sealed drawings for permitting.

Best,

Lori Barnes, AICP, CPM

Development Services Director

City of Eustis

4 North Grove Street, P.O. Drawer 68, Eustis, FL 32727

Phone: (352) 483-5460

Email: barnesl@ci.eustis.fl.us

From: Don Johnson <donjohnson@timevalueassets.com>
Sent: Monday, March 25, 2019 9:54 PM
To: Barnes, Lori <BarnesL@ci.eustis.fl.us>
Cc: Martin,Eric <MartinE@ci.eustis.fl.us>; Derek Schroth <dschroth@bowenschroth.com>; Neibert, Ronald <NeibertR@ci.eustis.fl.us>
Subject: Re: 2020 Dixie Avenue - City of Eustis Liens

I appreciate your help, but I am struggling to find this data.

I have looked in public records and find no evidence of such a violation in the previous owners name(s), or the present owner for that matter. Time Value Investments LLC has never been mailed, emailed or given spoken notice of such a violation. When in the presence of Eric Martin at the subject property no notice was given about such a violation, in fact when questioned whether it (hauling all the junk away) fixed the problem he acknowledged that it did, and every bit of public records I have found show the situation was remedied, including the conversion to a single family unit, by the present owner Time Value Investments LLC. Which is another item I do not understand since both The City Water Department and The County of Lake, along with the Muni-code, and County Code recognize the property being available to use as a Multi-Family. Again though, other than use, no one is occupying the dwelling, so at the moment occupancy is not what I am trying to learn about, it is the wording that it is "unfit" and that it needs to be fixed or demolished that concern me most. That textual content is too ambiguous to be meaningful. I can drive that neighborhood and close down 99% of the housing if I used only those words based on sight.

Please provide me with the documents I need in order to see what it is you are trying to convey, because I have failed to find them in any public records. This would be most helpful.

Again, I want to get this sold to a rehabber/landlord Buyer, I am not doing the rehab work, and need something I can tell someone that is direct and makes sense for them to be able to resolve that issue. The information injected above covers the entire International Property Maintenance Code manual(s). So, there must be (non-compliant) items within the referenced code to have made a violation possible, and any interested Buyer will insist on knowing before they purchase; what are those items, when were they cited as a violation, where are they documented, what time-frame is needed to bring them compliant, will all the amounts of the lien(s) be waived, or is there an amount remaining they will be subject to pay, and any other questions similar to these that any astute Buyer will ask.

Thank you for your help in getting this resolved. DON JOHNSON

Thank you for your time.

Sincerely,

DONALD E. JOHNSON - AUTHORIZED MEMBER

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Thank you.

On Mon, Mar 25, 2019 at 5:11 PM Barnes, Lori <BarnesL@ci.eustis.fl.us> wrote:

Dear Mr. Johnson:

I have reviewed the code enforcement files for the subject property. As previously conveyed to you, outstanding violations exist on the property. The Development Services Department will not recommend release of the liens until the property is in compliance.

To assist you in your efforts to sell the property, we are willing to bring a resolution to the City Commission for their consideration that will formalize the City's intent to release the liens once the property is in compliance. The resolution is currently being prepared and will be placed on the April 4 City Commission agenda.

Violation: Single family residential dwelling has not been maintained in accordance with the International Property Maintenance Code and has been declared unsafe and unfit for human occupancy.

Corrective Action Required: Obtain a permit to repair and rehabilitate or demolish the structure from the City of Eustis Building Department, 111 E. Orange Avenue, Eustis, (352)483-5462.

Best Regards,

Lori Barnes, AICP, CPM

Development Services Director

City of Eustis

4 North Grove Street, P.O. Drawer 68, Eustis, FL 32727

Phone: (352) 483-5460

Email: barnesl@ci.eustis.fl.us

From: Don Johnson <donjohnson@timevalueassets.com>
Sent: Tuesday, March 12, 2019 12:02 AM
To: Derek Schroth <dschroth@bowenschroth.com>
Cc: Barnes, Lori <BarnesL@ci.eustis.fl.us>; Martin,Eric <MartinE@ci.eustis.fl.us>
Subject: Re: City of Eustis Liens

Thank you once again for a quick response.

Regarding the property in discussion, please find attached a copy of the public records for each incident, that appears to later have become a lien, against the former owners.

Based on these recorded "discrepancies", the Company has already cured them in accordance to the recorded liens, once again without any prompting or prodding from the City, and Mr Martin told myself and Jason Ayre in person that the nuisances had been satisfied nearly ten months ago. Nothing against him, but Mr. Martin is not the legal counsel to the City and not to whom I seek to settle this matter with since his job appears to be the person to file and be witness to the complaints, and ensure the complaints have been met on behalf of the City, which he already did as stated above and in a previous email. It seems his part at this point then would be to simply supply you with a yes or no version of whether the violations as recorded have been brought to compliance. He has already stated to me his stance that he believes I should somehow ensure future owners comply with Code Ordinances, over which you of all people should know that I can not. It simply is not within my ability, nor would I since I am a firm believer in private property rights.

As mentioned before, the property is not occupied and has not been used as a dwelling of any sort since ownership, and the only incident the City cited the former owners on not related to garbage nuisances was habitation, of which we have not participated in any type of habitation, whether it be leasing, renting, homesteading, boarding, etc., which means we can not cure it unless we had participated in that event. Those

are things a future owner that would either rehab it for resale, or use as a means of tenant relationships would have to deal with the City over, not the current owner that has no intention of either.

So we ask once again, respectfully, ask that the City of Eustis release any liens it has that is causing my Company great financial harm due to not being able to sell to a rehab/hold buyer, and because the future owner won't be able to get a loan to purchase and do the repairs as long as the liens remain, as well as they will not be able to cure title from the tax deed sale with the liens in place, and an end user owner occupant would not be able to get a home mortgage loan with them in place.

I would greatly appreciate that we get this process completed as soon as possible, or have some sort of resolve that will make a future owner comfortable enough to purchase.

Thank you for your time.

Sincerely,

DONALD E. JOHNSON - AUTHORIZED MEMBER

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Thank you.

On Mon, Mar 11, 2019 at 6:27 PM Derek Schroth <dschroth@bowenschroth.com> wrote:

Good Afternoon Mr. Johnson:

Mr. Martin will email you regarding the remaining deficiencies to be cured. Thank you.

Sincerely,

Derek A. Schroth

Florida Bar Certified Expert in Business Litigation and Local Government Law

Web Site: www.bowenschroth.com

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From: Don Johnson [mailto:donjohnson@timevalueassets.com]
Sent: Monday, March 11, 2019 2:21 PM
To: Derek Schroth
Cc: Barnes, Lori (BarnesL@ci.eustis.fl.us); Martin,Eric
Subject: Re: City of Eustis Liens

Thank you for a quick response.

That's good news then. As I wrote previously, Code Enforcement Supervisor, Eric Martin, already stated that Time Value Investments LLC, as the current owner, has satisfied the

reason behind the complaint that led the former owner to a lien. We were not even prompted by any department or board to clean and remove the junkyard at the property, and we did it at great expense to ourselves. We took out seventy (70) yards worth of debris in dumpsters and removed the abandoned vehicles through a licensed recovery service.

It has cost me now over $5,400 to hold this property since purchasing it, on top of the back taxes, fees and interest to acquire it, I have over $30,000.00 into this project. We just need it sold so we can recover our money. I am not rich, nor have a lot of resources at my disposal, I am just a small business person trying to eek out a living.

The property is not occupied and no complaints have been registered to us, Time Value Investments LLC, the owners, as seen by the screenshot of the official records for the County of Lake Florida attached. We have done nothing but provide value and service to the City of Eustis, as well as Lake County.

We are respectfully requesting that all liens by the City be removed from the property located at 2020 Dixie Ave., Eustis Florida 32726, so that we can move forward in having a rehab company purchase this property and bring it back to a community standard that helps to serve the Citizens and City of Eustis in a more positive light than it is currently. I estimate a rehabbed after repair value of this property between $100,000 and $115,000, which will more than double it's current assessed value, thus increasing the tax base to the Community, not to mention that by getting an owner occupant into the property will greatly increase the likelihood of pride of ownership value that is created in a Community.

Please let me know exactly what I need to do in order to expedite this process.

Thank you for your time.

Sincerely,

DONALD E. JOHNSON - AUTHORIZED MEMBER

TIME VALUE ASSETS, LLC

"Time IS Money ... We'll Help You Make The Most Of Them Both!"

CALL US AT: (855) 407 - 7653 (SOLD)

Our Mailing Address Is:

TIME VALUE ASSETS, LLC

2469 EASTLAND RD.
MOUNT DORA, FL 32757

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Thank you.

On Fri, Mar 8, 2019 at 4:16 PM Derek Schroth <dschroth@bowenschroth.com> wrote:

Good Afternoon Mr. Johnson:

Please see below statute. Although the City's lien survives a tax deed sale, the City will satisfy and extinguish the liens upon completion of the work in its entirety. Thank you.

Title XIV

TAXATION AND FINANCE Chapter 197

TAX COLLECTIONS, SALES, AND LIENS View Entire Chapter

197.552 Tax deeds.—All tax deeds shall be issued in the name of a county and shall be signed by the clerk of the county. The deed shall be witnessed by two witnesses, the official seal shall be attached thereto,

and the deed shall be acknowledged or proven as other deeds. Except as specifically provided in this chapter, no right, interest, restriction, or other covenant shall survive the issuance of a tax deed, except that a lien of record held by a municipal or county governmental unit, special district, or community development district, when such lien is not satisfied as of the disbursement of proceeds of sale under the provisions of s. 197.582, shall survive the issuance of a tax deed. The charges by the clerk shall be as provided in s. 28.24. Tax deeds issued to a purchaser of land for delinquent taxes shall be in the form prescribed by the department. All deeds issued pursuant to this section shall be prima facie evidence of the regularity of all proceedings from the valuation of the lands to the issuance of the deed, inclusive.

Sincerely,

Derek A. Schroth

Florida Bar Certified Expert in Business Litigation and Local Government Law

Bowen|Schroth

Bowen, Schroth, Mazenko & Broome, P.A.

600 Jennings Ave.

Eustis, Florida 32726

Telephone: (352) 589-1414

Facsimile: (352) 589-1726

Florida Bar No. 0352070

Web Site: www.bowenschroth.com

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want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Please note: Florida has a very broad public records law. Most written communication to or from government officials regarding government/public business is public record available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

Martin,Eric

From:	Martin,Eric
Sent:	Tuesday, March 05, 2019 10:32 AM
To:	'Derek Schroth'
Cc:	Barnes, Lori
Subject:	FW: We need liens removed, they are causing Company, and Mortgagee harm
Attachments:	2020 Dixie Avenue, Eustis, FL; RE: 2020 Dixie Ave; RE: 2020 Dixie Ave; RE: 2020 DIXIE AVE EUSTIS FL - CODE REMEDIES; RE: 2020 DIXIE AVE, EUSTIS FL 32726 CODE ENFORCEMENT; RE: Code Enforcement Search Request - 2020 Dixie Ave; RE: Code Enforcement Search Request - 2020 Dixie Ave; RE: Information on 2020 Dixie Ave.

Derek,

Attached is all the email correspondence I have had with Jay Ayre, Don Johnson and title companies since March of 2018

From: Don Johnson <donjohnson@timevalueassets.com>
Sent: Monday, March 04, 2019 11:13 PM
To: Montez, Mary <MontezM@ci.eustis.fl.us>; commission email <commission@ci.eustis.fl.us>; eustiscm email <eustiscm@ci.eustis.fl.us>; dschroth@bowenschroth.com
Cc: CodeEnforcement <CodeEnforcement@ci.eustis.fl.us>
Subject: RE: We need liens removed, they are causing Company, and Mortgagee harm

RE: We need liens removed, they are causing Company, and Mortgagee harm

To all those concerned,

My name is Donald Johnson, Manager of, Time Value Investments LLC, the legal owner of 2020 Dixie Ave., Eustis, Fl 32726, aka Parcel # 01-19-26-0600-004-01100

The aforementioned property was acquired by Time Value Investments LLC via Tax Deed on March 30, 2018. (CLERKS RECORD)

We are reaching out to The City of Eustis in an effort to have the Code Enforcement Liens that appear to remain on this parcel removed by whatever expedient process that The City can facilitate.

The Company has and continues to suffer financial harm due to the Code Enforcement Departments stance on a lien, placed on this property prior to the Tax Deed sale by actions of the previous Owners, not our Company.

I (Donald Johnson) personally met with Eric Martin at the property, (meeting occurred on or about 6/29/2018), along with an Associate of mine as witness, and requested then that he remove the lien(s) so we could move forward in the sale of the property. Prior to that meeting time, the Company, at great expensive and without demand or provocation by The City removed the debris and nuisance that had originated the Liens by the previous Owners in order to create a more hospitable environment in which to market the property. We encountered the use of seventy (70) yards of dumpsters to remove that debris, along with separate services to remove over a dozen tires, two passenger vans and a scooter. ***When I asked Mr. Martin if the nuisance had been resolved he stated it in fact had been at that time. He further stated there were no other active incidents recorded on or against this property.*** He reported to us that he was originally called there by a former tenant that was experiencing plumbing issues, and had encountered the mess that created the infractions by that

previous Owner. When asked to remove the Liens he stated he would not because he felt that a "future" owner might let it fall back into disrepair and that they needed to be vetted by him and get proper permits as such. He stated that lifting the City's lien position would put the City at a disadvantage. Again, recalling that he did in fact state that the new owner, not obligated to do any of the said work, resolved those issues, had already done so without any demand by the City, or any person whatsoever, and was told by me personally that I was not retaining the property as it was not my business model.

Please read, study and understand that statement for just a moment. A civil servant employee was demanding that a current property owner force a future owner (buyer) to comply with the law before he would remove liens that should have been stricken at the time of the Tax Deed sale. As if I, or any Owner, has the authority, or ability, to demand and to ensure anyone is going to comply with any law after selling to another a possession. The real estate industry would cease to exist if this were made an issue during each sale. In essence this placed the property under hostage.

(See Florida Supreme Court ruling - which he was told existed - regarding this exact matter HERE IS THE PDF DOC and HERE, another brief HERE - this list goes on, an on. There are many legal opinions regarding this case and rulings, and actions by localities that support that these liens are not superior to, but are in fact junior and do, as most do, get wiped from record after a superior lien foreclosure finalizes. A Tax Deed is Superior to even the First Mortgage in that case, so how does it stand that a City of Eustis Code Lien is eliminated by a Mortgage Foreclosure and not a Tax Deed Foreclosure Sale? It does not. In fact a Tax Lien is a Superior recording to all others at the very stroke of midnight at the beginning of each year and throughout the course of each year from the start of existence of that parcels creation in County record until it no longer exists, especially if it goes unpaid. The Code Liens need to be removed so title may be conveyed absent of their hold.).

In fact by doing what the City Code Enforcement has done, it has strictly and viciously hampered the sale of the property since that time. To make matters worse, the marketplace has shifted since this encounter. In November 2018, a wood frame dwelling located on Grant (just around the corner from Dixie Ave) sold for $42,500 with only 800(+/-) sf, while our property (nearly 2 1/2 times the size at just an offering price of $29,900) sat on market unsold because we kept repeating Mr Martin's position to would be Buyers. Result, no one wants to be held hostage by some maybe answer by City of Eustis Code Enforcement lien, again, that shouldn't even be attached any longer to this property due to the legal foreclosure process of the Tax Deed sale held in March 2018. We can no longer play the Mr Nice Guy part with The City.

By marketplace evidence of an inferior comparable sale, Time Value Investments has lost a minimum of $13,000.00 due to the in-actions of The City of Eustis Code Enforcement Department. It (The City) has acted as judge, jury and prosecutor on liens that by a decision of the Florida Supreme Court years before this time were already dismissed. The actions of the current Owner improved the condition to the satisfaction of the Code Enforcement, again, on our own and without demand, which should have been treated favorably, but instead were treated upon punitively by The City.

As Manager of the Company, I might be able to rescue a sale to a former prospect given written communication by The City it is in fact releasing the lien(s) and that running a title report should not be a negative - as well as financial - experience for that Buyer. At this point the Mortgagee wants their capital back and so the Company likely still won't profit on this sale, (because we now have to sell at liquidation pricing) and may even lose contributed funds that brought the property back to favorable conditions prior to the liens. I need my Lender to be righted and save face to them so they'll lend to me on other projects.

I would appreciate an answer to this email as soon as possible, as well as a resolution to this matter so I can get this property Sold.

Please contact me direct via this email address, or by phone at (407) 920-1182.

Thank you for your time.

Sincerely,

DONALD E. JOHNSON - AUTHORIZED MEMBER

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CALL US AT: (352) 800 - 4977

Our Mailing Address Is:
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4129 UNITED AVE.
STE 3
MOUNT DORA, FL 32757

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Thank you.

Martin,Eric

From: Don Johnson <donjohnson@timevalueassets.com>
Sent: Wednesday, June 20, 2018 2:33 PM
To: Martin,Eric
Cc: Jay Ayre
Subject: RE: 2020 DIXIE AVE, EUSTIS FL 32726 CODE ENFORCEMENT
Attachments: 193414-062018.pdf

RE: 2020 DIXIE AVE, EUSTIS FL 32726 CODE ENFORCEMENT

Good afternoon Mr Martin,

I wrote you back on April 23,2018 regarding the property located at 2020 DIXIE AVE, EUSTIS (ID#01-19-26-0600-004-01100).

We (TIME VALUE INVESTMENTS LLC) acquired the stated property via Tax Deed on March 30, 2018.

We immediately began to clean up the property, expending over (70) yards of trash dumpsters to remove the debris, along with removing all vehicles and other mechanics from the property, at a cost of around $4,300.00 to date.

I just left you a voicemail, and writing now to arrange a time and date that I can meet you at the property to ascertain that the violations have been extinguished and that we can get those levied violations removed so that they do not remain clouding the title.

At this time the property is for sale and most people inquiring are staying away because they see these violations as a problem. We need to work to have them removed as soon as possible so we can get someone in that will renovate the property and bring it back to a good and usable Community Standard that benefits the City of Eustis.

Please contact me directly at (407) 920-1182 at your earliest convenience to set up a meeting. Thank you.

Don Johnson

P.S. I've attached the documents provided to me.

Thank you for your time.

Sincerely,

DONALD E. JOHNSON - AUTHORIZED MEMBER

TIME VALUE ASSETS, LLC
"Time IS Money ... We'll Help You Make The Most Of Them Both!"

CALL ME DIRECT AT: (407) 920-1182

The Mailing Address For Any Of These Entities Is:

- TIME VALUE ASSETS LLC
- TIME VALUE INVESTMENTS LLC
- FIRST STOP FLORIDA LLC
- CFJV INVESTMENTS LLC

C/O DONALD E. JOHNSON - AUTHORIZED MEMBER
5953 FEATHER LANE
SANFORD, FLORIDA 32771

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Thank you.

*** Please note that the phone number 407 - 462 - 4992 is no longer active. Be sure to update your address/contact books with the above number.**

Martin,Eric

From:	Don Johnson <donjohnson@timevalueassets.com>
Sent:	Monday, April 23, 2018 1:32 PM
To:	Martin,Eric
Subject:	RE: 2020 DIXIE AVE EUSTIS FL - CODE REMEDIES
Attachments:	CITY-OF-EUSTIS_CE-MARTIN.pdf

RE: 2020 DIXIE AVE EUSTIS FL - CODE REMEDIES

Good afternoon Mr. Martin,

My name is Don Johnson, I am the Principal Manager for Time Value Investments LLC, the entity that acquired the property located at 2020 Dixie Ave, Eustis, from the Lake County Clerk of Court Tax Deed Lands Available list.

Jason Ayre is the person you spoke to up until now, he has a vested interest in the property, but is not a direct Manager for the Company. Please direct all correspondence to me.

On 4/1/2018 I placed on the property several NO PARKING signs in conspicuous locations, along with Notices of Immediate Possession by Time Value Investments LLC.

Once the real property was acquired the Company waited a minimum ten (10) day period for anyone wanting to recover personal property from the real estate to do such, but no one stepped forward.

No one came forward during the next (18) days and claimed the vehicles, or any other personal property.

On, or about, Thursday 4/19/2018 I had Hurley's Towing & Recovery come and remove abandoned vehicles from the real property, they did so immediately that same day. They removed the only motorized vehicles left behind. Two Vans and a moped type vehicle in back of one of the Vans. Those items were last known by myself to be in their possession.

That action should be able to dismiss part of the Code Violations listed.

We rented a total of Seventy (70) yards) of waste bins (2 10 yards, 2 15 yards and a 20 yard) to remove other debris and personal property from the real property throughout the weekend of 4/20/18-4/22/18. We were able to remove nearly all of the "junk".

There are certain items remaining that we are making arrangements to have removed, i.e. some asphalt shingles, mattresses, tires and old bicycles. Apparently they are specialty items and must be disposed of in a certain manner. Since Friday, I have invested an additional $2,330.00 just in trash removal, so far.

Please advise me as to what other, if any, items remain on the list presented to me (see attached), that need to be done in order to eliminate the violations completely.

It is our intention to resale this property without fully renovating it, and we must know any specifics that relate to a now known problem, so that we can inform any other interested party.

I am seeking to get an immediate resolution of these problems so that any fines that may have accumulated to the previous owner will be lifted without prejudice to the Company. I believe we have proven good intent on our part, and intend to continue our commitment to the City and Community to leaving behind a better residence than what we acquired.

Please let me know when a good time to meet you would at the subject property could be arranged, preferably this week. What will not work for me is this Friday, I have a Doctors appointment I can not re-schedule, it is in the early afternoon, but any other day I can make work.

You can reach me directly at: 407-920-1182, or via this email address. Please direct any conversation and/or paperwork specifically at me, as I am the Manager of the Company holding this property.

Thank you for your time.

Sincerely,

DONALD E. JOHNSON - AS MANAGER OF
TIME VALUE INVESTMENTS LLC

TIME VALUE ASSETS, LLC - AUTHORIZED MEMBER
"Time IS Money ... We'll Help You Make The Most Of Them Both!"

CALL ME DIRECT AT: (407) 920-1182

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- TIME VALUE INVESTMENTS LLC
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- CFJV INVESTMENTS LLC

C/O DONALD E. JOHNSON - AUTHORIZED MEMBER
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Thank you.

*** Please note that the phone number 407 - 462 - 4992 is no longer active. Be sure to update your address/contact books with the above number.**

Martin,Eric

From: Martin,Eric
Sent: Monday, April 16, 2018 10:14 AM
To: 'Jay Ayre'
Subject: RE: 2020 Dixie Ave
Attachments: Scan.pdf

Here is the information you requested.

Eric Martin
Code Enforcement Supervisor
City of Eustis
P.O. Drawer 68
Eustis, FL 32727
352-483-5464

From: Jay Ayre <docktorj@assetsbydesign.com>
Sent: Wednesday, April 11, 2018 1:57 PM
To: Martin,Eric <MartinE@ci.eustis.fl.us>; Donald Johnson <donjohnson@timevalueassets.com>
Subject: 2020 Dixie Ave

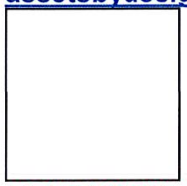
Good day Eric.
I was the guy that came in to your office and spoke with you regarding this property.
Can you please e-mail me the files with all the issues that need to be addressed ?
I thought you already emailed them to me, but I can't find them.

I cc'd my partner Don on this email.
Don and I are now your point of contact on this parcel, as we acquired the deed.
Please cc both of us on any communications.
Thank you in advance for your help.
We will do our best to get this place to the point where it's an asset for the community.

--
THE INTENDED PARTIES OF THIS EMAIL SHOULD SEND A CONFIRMATION OF RECEIPT OF THIS EMAIL TO THE SENDING PARTY FOR VERIFICATION.

Thank you for your time.
Sincerely,
Jay Ayre
Managing Member
Assets By Design LLC
"Investing By Chance Is Called Gambling.....We DESIGN The Outcome !"
CALL ME DIRECT AT:

(407) 442-6705 office
(407) 376-0005 cell
assetsbydesign.com



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Thank you.

Martin,Eric

From: Jay Ayre <docktorj@assetsbydesign.com>
Sent: Wednesday, April 11, 2018 1:57 PM
To: Martin,Eric; Donald Johnson
Subject: 2020 Dixie Ave

Good day Eric.
I was the guy that came in to your office and spoke with you regarding this property.
Can you please e-mail me the files with all the issues that need to be addressed ?
I thought you already emailed them to me, but I can't find them.

I cc'd my partner Don on this email.
Don and I are now your point of contact on this parcel, as we acquired the deed.
Please cc both of us on any communications.
Thank you in advance for your help.
We will do our best to get this place to the point where it's an asset for the community.

--
THE INTENDED PARTIES OF THIS EMAIL SHOULD SEND A CONFIRMATION OF RECEIPT OF THIS EMAIL TO THE SENDING PARTY FOR VERIFICATION.

Thank you for your time.
Sincerely,

Jay Ayre
Managing Member
Assets By Design LLC
"Investing By Chance Is Called Gambling.....We DESIGN The Outcome !"
CALL ME DIRECT AT:
(407) 442-6705 office
(407) 376-0005 cell
assetsbydesign.com



HELP US TO AVOID SCAMS AND UNINTENDED DIRECTIVES.

NO CONTRACT, ADDENDUM, ESCROW, FINANCIAL OR CLOSING INSTRUCTIONS SHOULD BE CHANGED UNTIL AND UNLESS THE RECEIVER VERIFIES SUCH IN WRITING BY THE SENDER AND/OR CALLS 407-422-6705 FOR THE SAME.

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Thank you.

Martin,Eric

From:	Martin,Eric
Sent:	Monday, March 12, 2018 4:51 PM
To:	Jay Ayre
Subject:	RE: 2020 Dixie Ave
Attachments:	2020 Dixie Avenue, Eustis, FL

Email is attached.

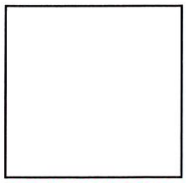
Eric Martin
Code Enforcement Supervisor
City of Eustis
P.O. Drawer 68
Eustis, FL 32727

From: Jay Ayre [mailto:docktorj@assetsbydesign.com]
Sent: Thursday, March 08, 2018 8:04 AM
To: Martin,Eric <MartinE@ci.eustis.fl.us>
Subject: 2020 Dixie Ave

Hello Eric.
Thanks for taking the time out to chat with me regarding this property.
I did not receive the email you sent to me regarding the property.
Can you please resend ?
Thanks !

--
THE INTENDED PARTIES OF THIS EMAIL SHOULD SEND A CONFIRMATION OF RECEIPT OF THIS EMAIL TO THE SENDING PARTY FOR VERIFICATION.

Thank you for your time.
Sincerely,
Jay Ayre
Managing Member
Assets By Design LLC
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Thank you.

Martin,Eric

From: Martin,Eric
Sent: Wednesday, March 07, 2018 4:33 PM
To: docktorj@assestsbydesign.com
Subject: 2020 Dixie Avenue, Eustis, FL

Dear Mr. Ayre,

Per our conversation, were you and your partners to purchase this distressed property and bring it up to City Code, staff will recommend to the City Commission a full waiver and release of all the outstanding code enforcement fines and liens.

Sincerely,

Eric Martin
Code Enforcement Supervisor
City of Eustis
P.O. Drawer 68
Eustis, FL 32727

Certificate # 4228 of 2013
Parcel ID # 01-19-26-060000401100

NOTICE OF APPLICATION FOR TAX DEED

NOTICE IS HEREBY GIVEN, that COUNTY OF LAKE, holder of tax certificate No. 4228 issued June 1, 2013 has filed same in my office and has made application for a tax deed to be issued thereon. Said certificate embraces the following described property in the County of Lake, State of Florida, to-wit:

EUSTIS, ROSENWALD GARDENS LOTS 11, 12, 13 BLK 4 PB 5 PG 61 ORB 918 PG 476 ORB 1088 PG 1745

The assessment of the said property under the said certificate issued was in the name of VIKEL EUSTACHE. Unless said certificate be redeemed according to law the property described in such certificate shall be sold to the highest bidder online at www.lake.realtaxdeed.com at 11:15 a.m. on the 26th day of April 2016. A deposit of 5% of the bid or $200.00, whichever is greater, will be collected at the time of sale per 197.542(2), F.S. Prospective bidders must register at www.lake.realtaxdeed.com and post a deposit prior to bidding.

Dated this 10th day of March 2016

Neil Kelly
Clerk of Circuit Court
Lake County, Florida

By _____
MADELINE KUHARSKE Deputy Clerk

PUBLISH: Mar 24, 2016, Mar 31, 2016, Apr 07, 2016, Apr 14, 2016
OPENING BID AMOUNT: $35,848.58
REDEMPTION AMOUNT: $14,283.83

Note: When redeeming property please be advised that the Tax Collector cannot accept personal checks.

IF YOU WISH TO REDEEM, PLEASE REMIT **$14,283.83**, CASH OR A CASHIER'S CHECK BEFORE 11 AM ON **4/26/2016.**

MAKE PAYABLE TO: BOB MCKEE, TAX COLLECTOR

REMIT BY MAIL OR IN PERSON TO:
BOB MCKEE, TAX COLLECTOR
320 W. MAIN STREET
P.O. DRAWER 327
TAVARES, FLORIDA 32778

WARNING

THERE ARE UNPAID TAXES ON PROPERTY WHICH YOU OWN OR IN WHICH YOU HAVE A LEGAL INTEREST. THE PROPERTY WILL BE SOLD AT PUBLIC AUCTION ON **April 26, 2016 @ 11:15AM** UNLESS THE BACK TAXES ARE PAID. TO MAKE PAYMENT, OR TO RECEIVE FURTHER INFORMATION, CONTACT THE CLERK OF COURT IMMEDIATELY AT 550 WEST MAIN STREET, P. O. BOX 7800, TAVARES, FLORIDA 32778, (352)253-2620 OR 2621.

2020 DIXIE AVE

NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$147.00

Tax Certificate No. 4228-2013
Parcel Identification No. 01-19-26-060000401100

Tax Deed

STATE OF FLORIDA
COUNTY OF LAKE

The following Tax Sale Certificate Numbered **4228** issued on **June 1, 2013** was filed in the Office of the Tax Collector of this County and application made for the issuance of a tax deed, the applicant having paid or redeemed all other taxes or tax sale certificates on the land described as required by law to be paid or redeemed, and the costs and expenses of this sale, and due notice of sale having been published as required by law, and no person entitled to do so having appeared to redeem said land; such land was offered for sale on the 26th day of April 2016 as required by law for cash to the highest bidder and no bids were received.

Such land was on 30th day of March 2018, sold from the List of Lands Available for Taxes and was sold to:

TIME VALUE INVESTMENTS LLC
5953 FEATHER LN
SANFORD, FL 32771

RETURN

NOW, this the 30th day of March 2018 County of Lake, State of Florida, in consideration of the sum of $20,921.26, being the amount paid pursuant to the Laws of Florida does hereby sell the following lands situated in the County and State aforesaid and described as follows:

EUSTIS, ROSENWALD GARDENS LOTS 11, 12, 13 BLK 4 PB 5 PG 61 ORB 918 PG 476 ORB 1088 PG 1745

WITNESS:

JILL D. MESSER

RENITA HARBISON

Neil Kelly
Clerk of the Circuit Court
Lake County, Florida

BY: _____
LACEY VASTI, Deputy Clerk

City of Eustis Code Enforcement

MINIMUM HOUSING INSPECTION CONTENT FORM

General Information:

Inspector Name: ERIC MARTIN Date: 07-17-17

Property Address: 2020 DIXIE AVENUE

EUSTIS, FL 32726

Owner/Agent: EGENIE DECKER & VIKEL EUSTACHE Telephone: _____
Address: 13135 PHOENIX WOODS LN
ORLANDO, FL 32726

I hereby consent to an inspection of the premises by the City of Eustis Code Enforcement Department to ensure compliance with city codes, standards, rules, and regulations.
I understand that I have the right to refuse to allow an inspection of the premises.

Owner/Occupant
Consent to Enter: Lanitia McMillian (Signature) Lanitia McMillian (Printed name)

Contact Information: _____

_____

Housing Information:

_____ SFR Detached ____ Mobile Home __X__ Duplex __ Townhouse X__ Apartment

Number of Bedrooms _____ Number of Bathrooms _____

INSPECTION _____ **PASSED** __X__ **FAILED**

*Based on the 2009 International Property Maintenance Code

City of Eustis Code Enforcement

MINIMUM HOUSING INSPECTION CONTENT FORM

General Information:

Inspector Name: ERIC MARTIN Date: 07-20-17

Property Address: 2020 DIXIE AVENUE

EUSTIS, FL 32726

Owner/Agent: EGENIE DECKER AND VIKEL EUSTACHE Telephone: _____

Address: 13145 PHOENIX WOODS LANE

ORLANDO, FL 32824

I hereby consent to an inspection of the premises by the City of Eustis Code Enforcement Department to ensure compliance with city codes, standards, rules, and regulations.
I understand that I have the right to refuse to allow an inspection of the premises.

Owner/Occupant **Consent to Enter:** Monisha Neal (Signature) Monisha Neal (Printed name)

Contact Information: _____

_____

Housing Information:

_____ SFR Detached ____ Mobile Home __Duplex _____ Townhouse X__ Apartment

Number of Bedrooms _____ Number of Bathrooms _____

INSPECTION _____ **PASSED** __X__ **FAILED**

*Based on the 2009 International Property Maintenance Code

City of Eustis

Development Services Department

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5460

Tenant Complaint Form

☐ SFR Detached ☐ Mobile Home ☑ Duplex ☐ Townhouse ☐ Apartment

TENANT INFORMATION

Name: Monisha Neal

Address: 2030 Dixie ave Eustis FL 32726

Telephone: (407) 496-9088 Email: _____

OWNER/LANDLORD INFORMATION

Name: Engaine

Address: 2030 Dixie ave Eustis FL 32726

Telephone: _____ Email: _____

NATURE OF COMPLAINT

First the rooms are not finished and the walls are falling in my bathroom is not fix my kitchen has bugs and holes everywhere and the house

ADDITIONAL REQUIRED INFORMATION

Have you been served with notice of eviction? ☑ YES ☐ NO

Has the owner/landlord been notified prior to this complaint? ☑ YES ☐ NO

If yes, how long ago? 2 weeks

If no, explain: _____

Signature: Monisha Neal Date: 7/17/2017

I have read and fully understand the City's inspection policy

---

FOR OFFICIAL USE ONLY

Received By: M Lambert Date: 7/17/17

PRINT NAME

City of Eustis

Development Services Department

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5460

RECEIVED
JUL 05 2017
BY:.....

Tenant Complaint Form

☐ SFR Detached ☐ Mobile Home ☒ Duplex ☐ Townhouse ☐ Apartment

TENANT INFORMATION

Name: Lainitia McMillian

Address: 2020 Dixie Avenue

Telephone: 352-602-0607 Email: lainitiamoon@gmail.com

OWNER/LANDLORD INFORMATION

Name: Eyenie Decker

Address: ~~1-407-579-9229~~

Telephone: 1-407-579-9229 Email:

NATURE OF COMPLAINT

Ceiling in Breezeway has leaky roof & damage
No electricity in the kitchen
Ants coming through windows & sockets
Rats
~~No~~ hot water in kitchen or second bathroom
debris in backyard making it hazardous
leak in my bedroom ceiling
loose faucet head in kitchen at sink

ADDITIONAL REQUIRED INFORMATION

Have you been served with notice of eviction? ☐ YES ☑ NO

Has the owner/landlord been notified prior to this complaint? ☑ YES ☐ NO

If yes, how long ago? 3wks ago or longer

If no, explain:

Signature: Lainitia McMillian Date: 7-5-17

I have read and fully understand the City's inspection policy

---

FOR OFFICIAL USE ONLY

Received By: ERIC MARTIN Date: 7-6-17

PRINT NAME

1



Roof defect causing water damage on ceiling

2



Broken light fixture

July 17, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

3



4



Substandard light fixture
Door not weather tight

July 17, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

5



Substandard light fixture
Boarded Window
No electrical power in kitchen

6



Poor flooring conditions

July 17, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

7



Poor/defective flooring conditions

8



Substandard sized bedroom.
No door hardware

July 17, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

9



Improperly sized bedroom egress window

10



Poor floor conditions, Defective exterior door
No cold water to sink and another bathroom (no picture) had no hot water

July 17, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

11



Broken plumbing valve

12



Defective exterior door. Same door as picture 10

July 17, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

13



Wooden kitchen addition/broken window

14



Closer view of broken kitchen window

July 17, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

15



Poor exterior siding conditions

16



Poor exterior siding conditions

July 17, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

17



Trash and debris

18



Trash and debris

July 17, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

19



Trash and debris

20



Trash and debris

July 17, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

20



Trash and debris

21



Trash and debris

July 17, 2017 Inspection Pictures

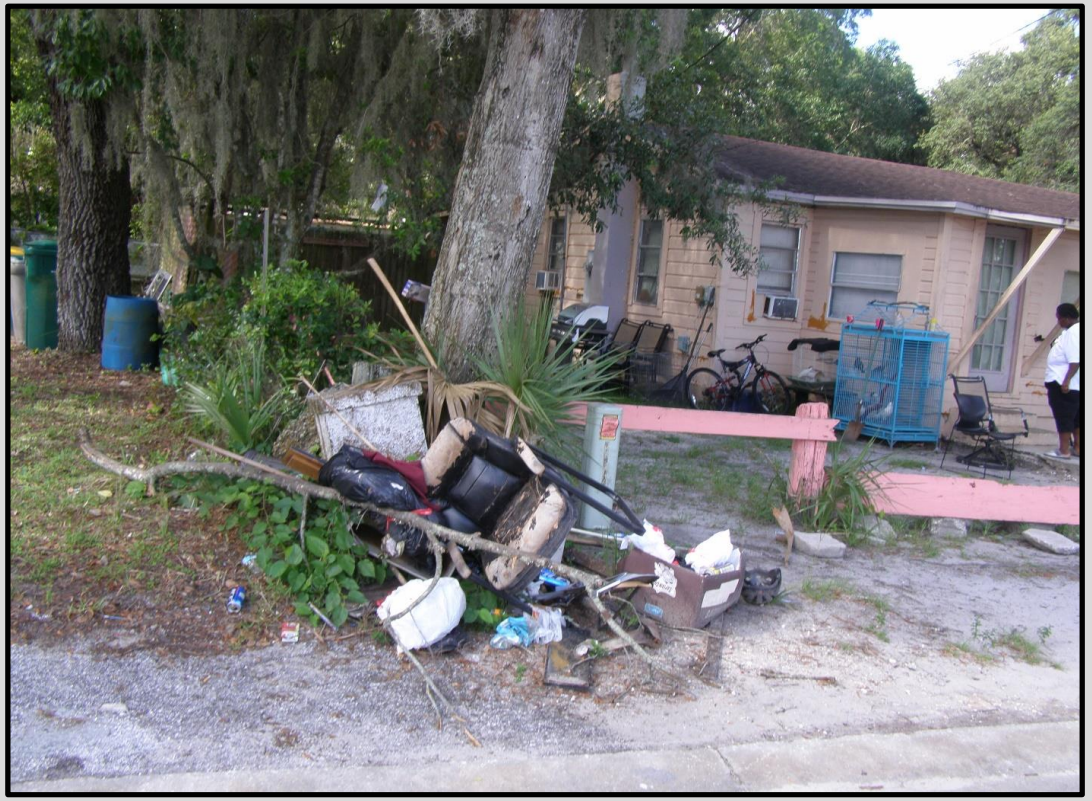
2020 Dixie Avenue Case #17-00911

20



Trash and debris/abandoned vehicle

21



Trash and debris

July 17, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

21



Substandard wall conditions

22



Defective plumbing fixtures, etc.

July 20, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

23



Defective plumbing fixtures, etc.

24



Substandard flooring conditions

July 20, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

25



Closed off hallway to create illegal duplex

26



Substandard light fixture

July 20, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

27



Closed off hallway to create illegal duplex

28



Substandard light fixture

July 20, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

29



Substandard light fixture

30



Broken bedroom window

July 20, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

31



Defective interior surfaces

32



Unsanitary conditions under kitchen sign/hole in wall

July 20, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

33



Electrical/fire hazard

34



Electrical/fire hazard

July 20, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

35



Defective wall/ceiling conditions

36

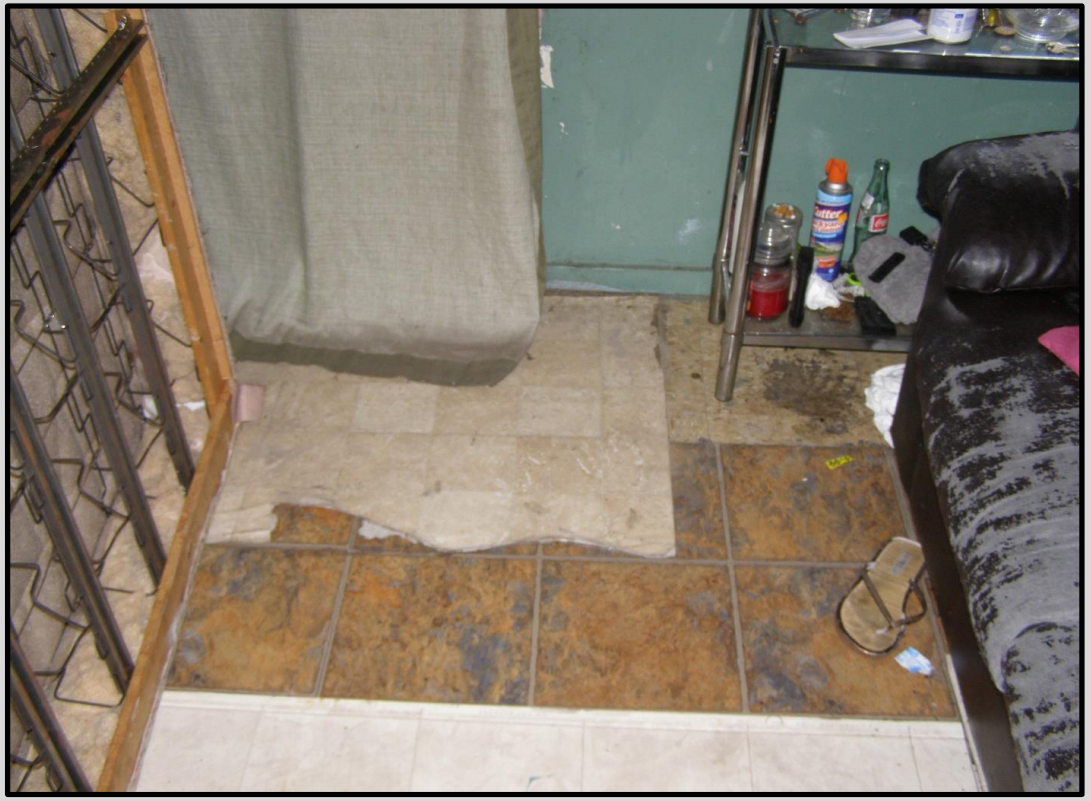


Cracked ceiling plaster. Possible roof leak

July 20, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

37



Substandard flooring conditions

38



Exterior door not weather tight

July 20, 2017 Inspection Pictures

2020 Dixie Avenue Case #17-00911

1



2



June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

3



4



June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

5



6



June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

7



8



June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

9



10



June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

11



12



June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

13



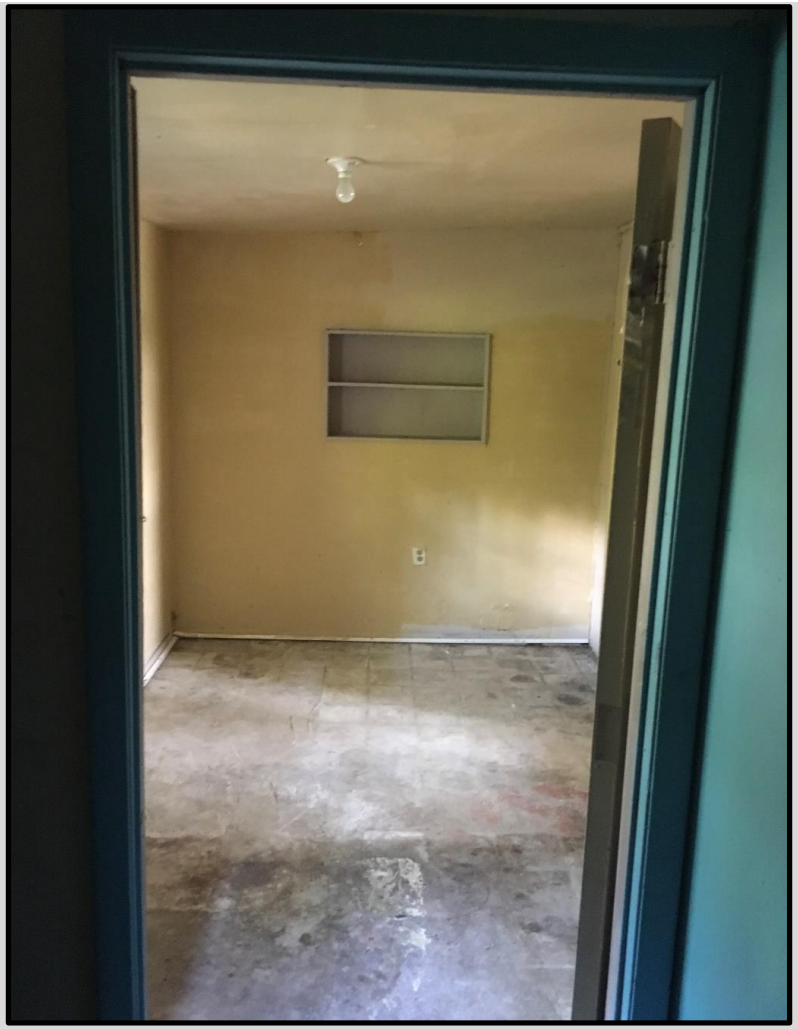
14



June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

17



18



June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

19



20



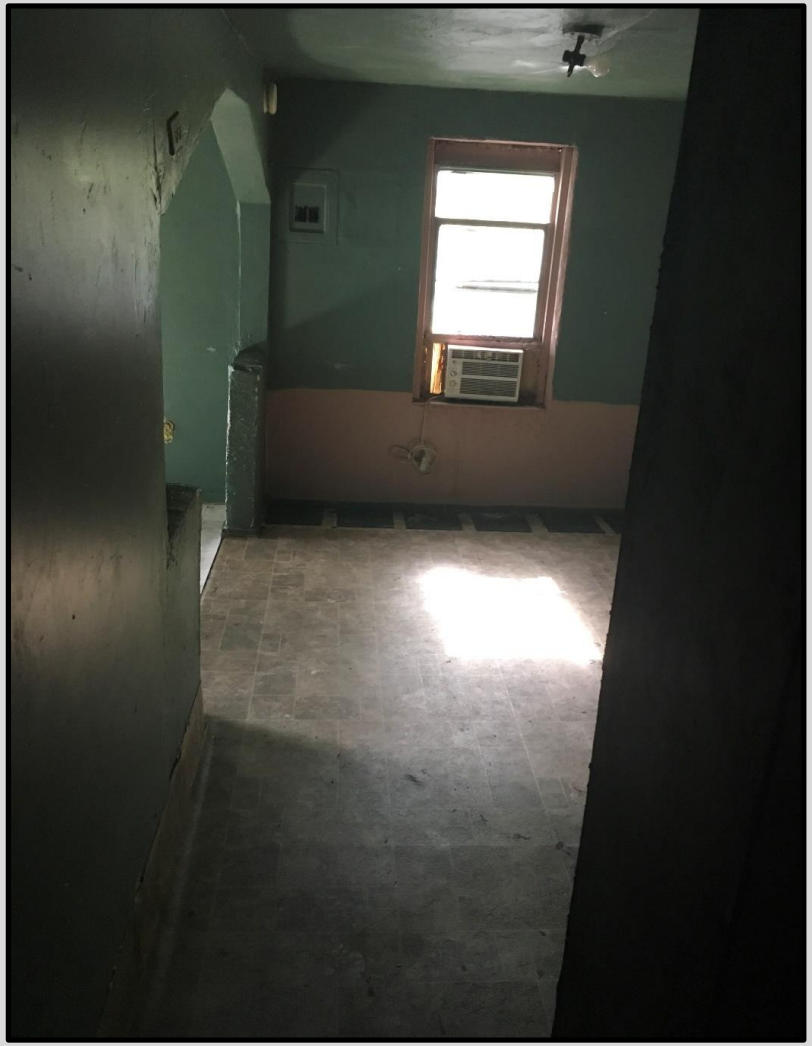
June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

21



22



June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

23



24



June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

25



26



June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

27



28



June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

29



30



June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

31



32



June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

33



34



June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

35



36



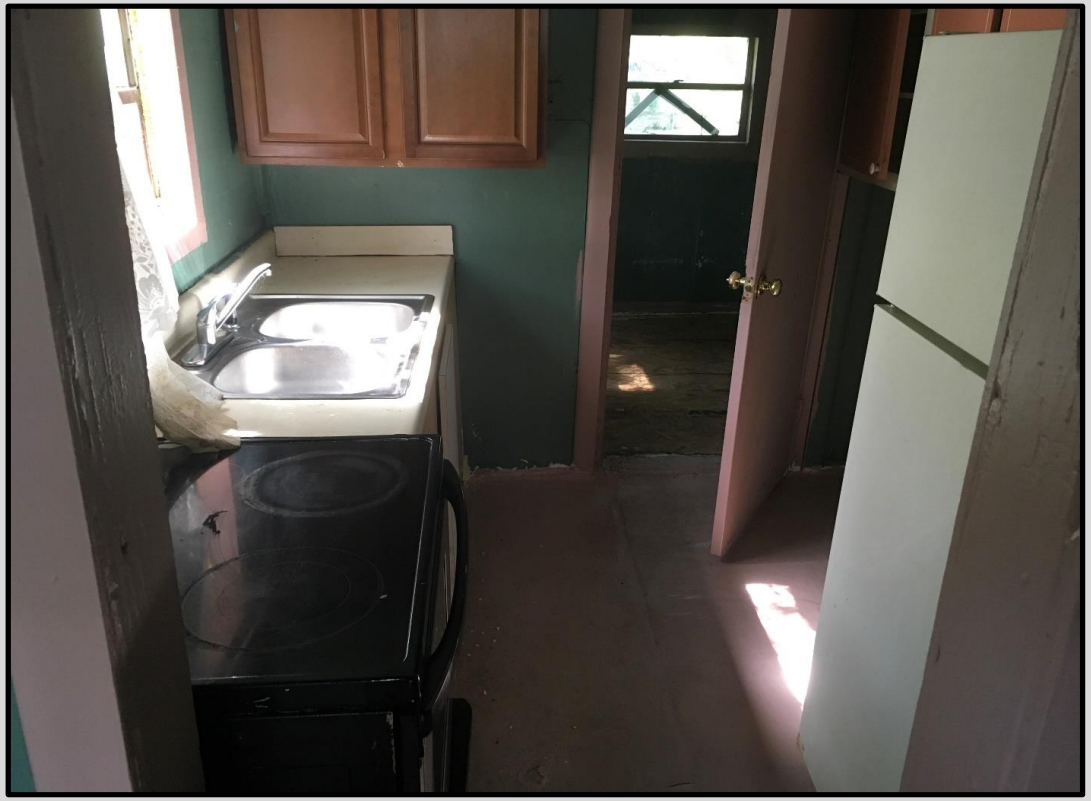
June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

37



38



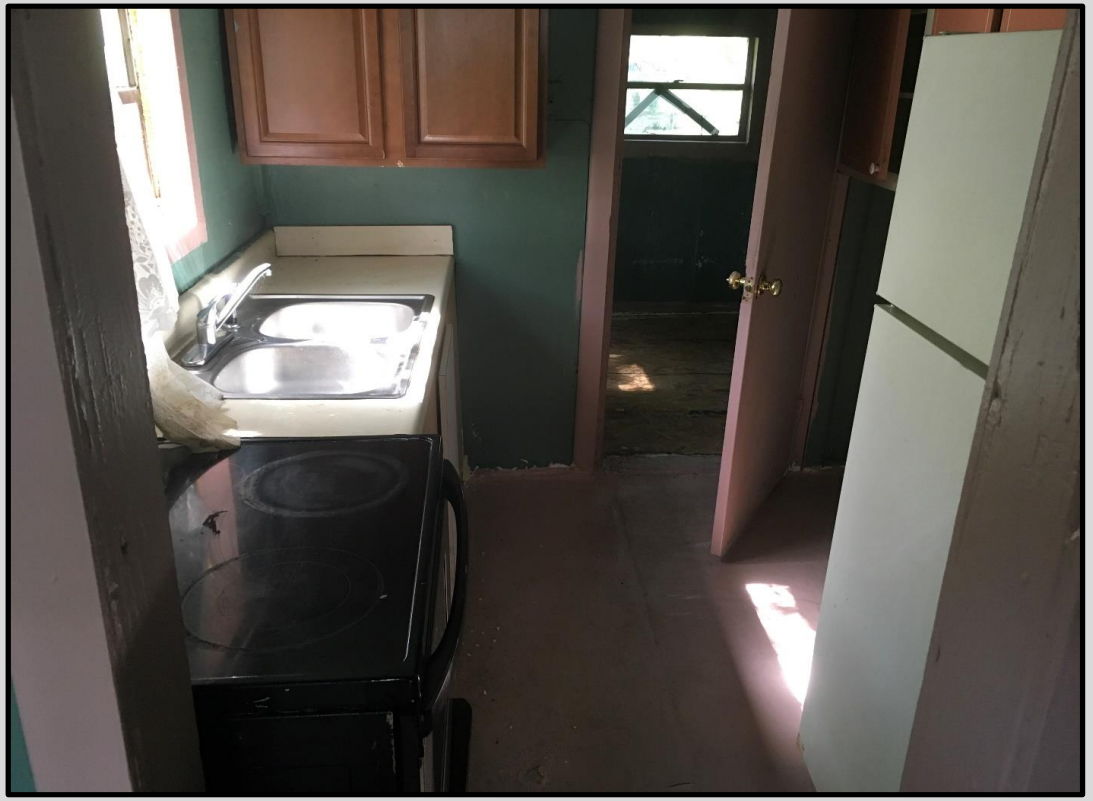
June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

37



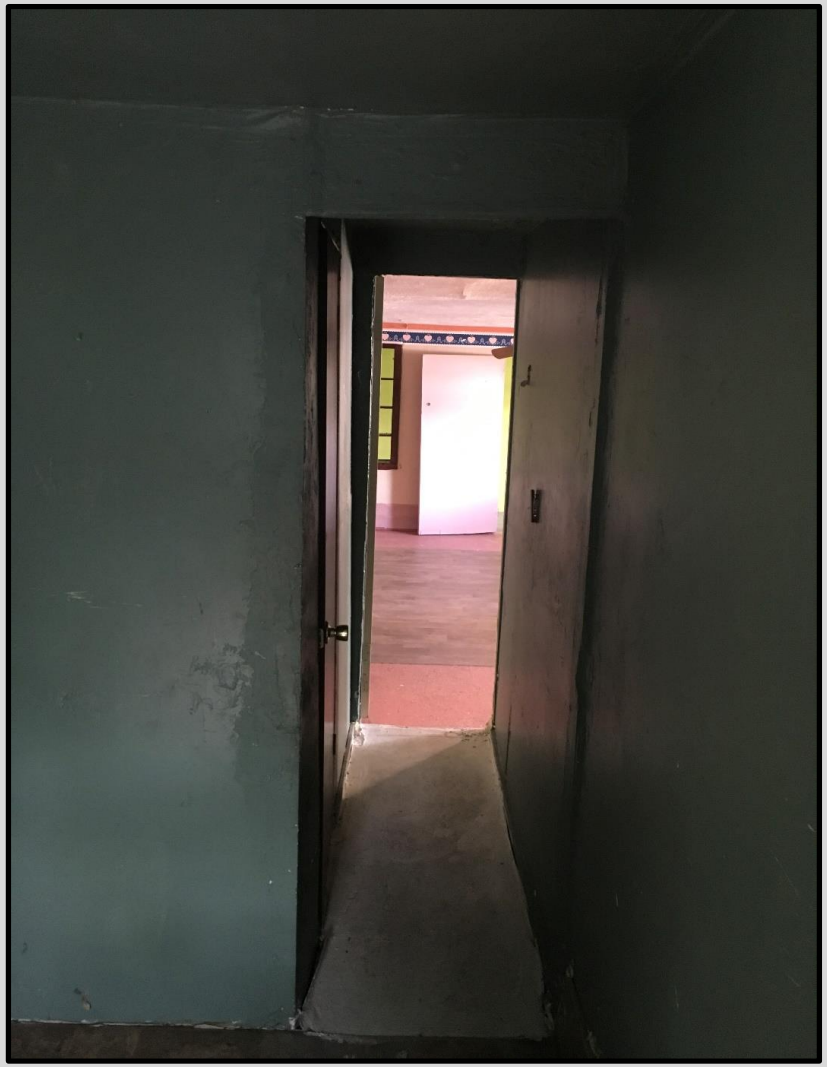
38



June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

39



June 29, 2018 Inspection Pictures

2020 Dixie Avenue Case #17-00911

Range: 01-19-26-0600-004-01100 to 01-19-26-0600-004-01100
Violation Date Range: First to 04/16/18 Use Type Range: First to Last Open: N
Ordinance Id Range: First to Last User Code Range: First to Last Completed: N
Void: N
Pending: Y
Customer Range: First to Last Inc Violations With Waived Fines: Yes

Violation Id: 11-00073 Parcel Id: 01-19-26-0600-004-01100
Status: Pending

Ordinance Id	Description
34-2	Section 34-2: Except as stated in this Section, no solid waste shall be buried or burned within the City. Yard trash may be burned within the City only after the City has issued a permit, which may be issued by the Fire Chief or any duly authorized officer of the Fire Department of the City.

Conditions: Violation: Burning of solid waste on property.

Required Remedy: Remove all rubbish generated from the unauthorized burning of solid waste from the property.

Violation Id: 07-00304 Parcel Id: 01-19-26-0600-004-01100
Status: Pending

Ordinance Id	Description
VIOLATION	Conversion Violation

Conditions: Violation: Storage of machinery, equipment, etc which is no longer safely usable for the purpose of which it were manufactured.

Required Remedy: Remove all things stored on property which are no longer safely usable for the purpose for which it was manufactured.

Violation Id: 07-00303 Parcel Id: 01-19-26-0600-004-01100
Status: Pending

Ordinance Id	Description
34-3	Section 34-3(a)(d)(e): a) No person shall maintain, leave, abandon, or store motor vehicles, trailers, or vessels, as defined by F.S. 320.01 and 327.02, or any other equipment for transporting goods, passengers, or equipment, which are stripped, wrecked, partially dismantled, disabled, inoperative, or are no longer safely usable for the purposes for which they were manufactured, within view from public property or another person's private property. Any such items maintained, left, abandoned, or stored for a period of fifteen days or more within the corporate limits of the City of Eustis within view from public property or another person's private property (except for items that pose an immediate danger to the general health, safety, and welfare of the public) are declared to be a violation of this Section. Any motor vehicle, trailer, or vessel which is required to be registered and licensed in order to be operated in this state, which does not have a current valid license tag, shall be presumptively deemed "disabled or abandoned" under this Section.

d) An inoperative, disabled, or abandoned motor vehicle, trailer, vessel, or other equipment designed to transport goods, passengers, or equipment that is stored so it is screened from view from public property or another person's private property is permitted and does not violate this Section. For purposes of this Section, "screened from view" shall mean within a garage or behind an opaque fence, wall, or similar enclosure.
e) In this Section, "inoperative" shall mean the vehicle or vessel is incapable of being immediately driven or moved, or the vessel or trailer is incapable of being immediately moved or pulled in the manner for which it was intended or designed.

Conditions: Repeat Violation: Storage of unused, stripped, junked, wrecked, partially dismantled, disabled or inoperative motor vehicles or other vehicles not in good and safe operating condition within view of public property or another personâ€™s private property. Motor vehicles without a current valid license tag shall be deemed as â€œdisabled or abandonedâ€ under this section.

Required Remedy: Remove all unused, stripped, junked, wrecked, partially dismantled, unlicensed, disabled, or inoperable vehicles and any other vehicles that are not in good and safe operating condition from the property.

Violation Id: 07-00306 Parcel Id: 01-19-26-0600-004-01100
Status: Pending

Ordinance Id	Description
78-58A.B	Section 78-58(a)(b) Special provisions regarding solid waste: (a) Storing of solid waste. No person shall place any solid waste in any street, alley, or other public place or upon any private property, whether owned by such person or not, within the City, unless it is in proper containers for collection or in metal, plastic or other type containers under express approval of the City. No person shall throw or deposit any solid waste in any lake, stream, or other body of water. This Section shall not apply to the deposit of material under a permit authorized by any ordinance of the City; or to goods, wares, or merchandise deposited upon any public way or other public place temporarily, in the necessary course of trade, and removed from such place within two hours of being so deposited; or to articles or things deposited in or conducted into the City sewer system through lawful drains in accordance with the related ordinances of the City. (b) Unauthorized accumulation. Any unauthorized accumulation of solid waste on any premises is declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of solid waste upon being notified by the City or its representative shall be deemed a violation of this Code.

Conditions: VIOLATION: There is an accumulation of uncontained trash, garbage, rubbish or other waste materials scattered all over the ground of the property. Storage and/or placement of solid waste on the property, on the vacant lot west of the property and in the public right-of-way. Exempt waste is being placed at the curbside for collection by Waste Management. (A list of exempt waste is attached)

REMEDY: Bag or containerize all trash, garbage, rubbish or other waste materials and place it at the curbside for collection. Remove all solid waste from the property, from the vacant lot and from the public right-of-way. Remove all exempt was from the curbside and dispose of it at the Lake County Landfill in Astatula.

Violation Id: 17-00911 Parcel Id: 01-19-26-0600-004-01100
Status: Pending

Ordinance Id	Description
34-1.1	Section 34-1(1): It shall be unlawful for the owner or occupant of any residential or commercial premises to fail to conform to the following requirements: (1) All buildings or structures shall be maintained in a safe and sanitary condition consistent with the standards contained in the Housing Code adopted in Section 50-26. The owner, or his designated agent, shall be responsible for the safety and maintenance of buildings.

Conditions: Violation: Single family residential dwelling has not been maintained in accordance with the International Property Maintenance Code and has been declared unsafe and unfit for human occupancy.

Corrective Action Required: Obtain a permit to repair and rehabilitate or demolish the structure from the City of Eustis Building Department, 111 E. Orange Avenue, Eustis, (352)483-5462.

Note: If property is demolished and there are no plans to rebuild within 6 months all improvements must be removed from the property.

Violation Id: 07-00305 Parcel Id: 01-19-26-0600-004-01100
Status: Pending

Ordinance Id	Description
34-96A4	Section 34-96(a)(4): (a) No person who owns or occupies real property within the City shall maintain or cause to be maintained on the property a nuisance. Prohibited acts and required compliance measures include the following: (4) No person shall allow any object or item such as, but not limited to, household furniture, household appliances, or containers or other receptacles that could collect water or any other accumulation of personal property, construction and demolition debris, or other materials, trash, garbage, or rubbish of any kind that could become a breeding place for insects or vermin or cause unpleasant odors or which is unsightly and an eyesore from adjoining properties or from the public right-of-way to be placed or left outdoors except for such period as may be necessary to allow collection of such items by waste collection services.

Conditions: Violation: Objects or items and accumulations placed or left outdoors that could become a breeding place for insects or vermin, or cause unpleasant odors or which is unsightly and an eyesore from adjoining properties or from the public right-of-way.

Required Remedies:
1) Remove all objects or items and accumulations from the property, or
2) Move it all inside a building or behind an opaque fence, wall or similar structure where it cannot become a breeding place for insects or vermin or cause unpleasant odors and is screened from view of adjoining properties or from the public right-of- way.

Range: 01-19-26-0600-004-01100 to 01-19-26-0600-004-01100
Violation Date Range: First to 04/16/18
Ordinance Id Range: First to Last
Use Type Range: First to Last
User Code Range: First to Last
Customer Range: First to Last
Inc Violations With Waived Fines: Yes

Open: N
Completed: N
Void: N
Pending: Y

Violation Id: 11-00073 Parcel Id: 01-19-26-0600-004-01100
Status: Pending

✓ Completed

Ordinance Id	Description
34-2	Section 34-2: Except as stated in this Section, no solid waste shall be buried or burned within the City. Yard trash may be burned within the City only after the City has issued a permit, which may be issued by the Fire Chief or any duly authorized officer of the Fire Department of the City.

Conditions: Violation: Burning of solid waste on property.

Required Remedy: Remove all rubbish generated from the unauthorized burning of solid waste from the property.

Violation Id: 07-00304 Parcel Id: 01-19-26-0600-004-01100
Status: Pending

✓ Completed

Ordinance Id	Description
VIOLATION	Conversion Violation

Conditions: Violation: Storage of machinery, equipment, etc which is no longer safely usable for the purpose of which it were manufactured.

Required Remedy: Remove all things stored on property which are no longer safely usable for the purpose for which it was manufactured.

Violation Id: 07-00303 Parcel Id: 01-19-26-0600-004-01100
Status: Pending

✓ COMPLETED

Ordinance Id	Description
34-3	Section 34-3(a)(d)(e): a) No person shall maintain, leave, abandon, or store motor vehicles, trailers, or vessels, as defined by F.S. 320.01 and 327.02, or any other equipment for transporting goods, passengers, or equipment, which are stripped, wrecked, partially dismantled, disabled, inoperative, or are no longer safely usable for the purposes for which they were manufactured, within view from public property or another person's private property. Any such items maintained, left, abandoned, or stored for a period of fifteen days or more within the corporate limits of the City of Eustis within view from public property or another person's private property (except for items that pose an immediate danger to the general health, safety, and welfare of the public) are declared to be a violation of this Section. Any motor vehicle, trailer, or vessel which is required to be registered and licensed in order to be operated in this state, which does not have a current valid license tag, shall be presumptively deemed "disabled or abandoned" under this Section.

d) An inoperative, disabled, or abandoned motor vehicle, trailer, vessel, or other equipment designed to transport goods, passengers, or equipment that is stored so it is screened from view from public property or another person's private property is permitted and does not violate this Section. For purposes of this Section, "screened from view" shall mean within a garage or behind an opaque fence, wall, or similar enclosure.
e) In this Section, "inoperative" shall mean the vehicle or vessel is incapable of being immediately driven or moved, or the vessel or trailer is incapable of being immediately moved or pulled in the manner for which it was intended or designed.

Conditions: Repeat Violation: Storage of unused, stripped, junked, wrecked, partially dismantled, disabled or inoperative motor vehicles or other vehicles not in good and safe operating condition within view of public property or another personâ€™s private property. Motor vehicles without a current valid license tag shall be deemed as â€œdisabled or abandonedâ€ under this section.

Required Remedy: Remove all unused, stripped, junked, wrecked, partially dismantled, unlicensed, disabled, or inoperable vehicles and any other vehicles that are not in good and safe operating condition from the property.

Violation Id: 07-00306 Parcel Id: 01-19-26-0600-004-01100
Status: Pending

√ COMPLETED

Ordinance Id	Description
78-58A.B	Section 78-58(a)(b) Special provisions regarding solid waste: (a) Storing of solid waste. No person shall place any solid waste in any street, alley, or other public place or upon any private property, whether owned by such person or not, within the City, unless it is in proper containers for collection or in metal, plastic or other type containers under express approval of the City. No person shall throw or deposit any solid waste in any lake, stream, or other body of water. This Section shall not apply to the deposit of material under a permit authorized by any ordinance of the City; or to goods, wares, or merchandise deposited upon any public way or other public place temporarily, in the necessary course of trade, and removed from such place within two hours of being so deposited; or to articles or things deposited in or conducted into the City sewer system through lawful drains in accordance with the related ordinances of the City. (b) Unauthorized accumulation. Any unauthorized accumulation of solid waste on any premises is declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of solid waste upon being notified by the City or its representative shall be deemed a violation of this Code.

Conditions: VIOLATION: There is an accumulation of uncontained trash, garbage, rubbish or other waste materials scattered all over the ground of the property. Storage and/or placement of solid waste on the property, on the vacant lot west of the property and in the public right-of-way. Exempt waste is being placed at the curbside for collection by Waste Management. (A list of exempt waste is attached)

REMEDY: Bag or containerize all trash, garbage, rubbish or other waste materials and place it at the curbside for collection. Remove all solid waste from the property, from the vacant lot and from the public right-of-way. Remove all exempt was from the curbside and dispose of it at the Lake County Landfill in Astatula.

Violation Id: 17-00911 Parcel Id: 01-19-26-0600-004-01100
Status: Pending

NOT CLEAR AS TO VIOLATION?

Ordinance Id	Description
34-1.1	Section 34-1(1): It shall be unlawful for the owner or occupant of any residential or commercial premises to fail to conform to the following requirements: (1) All buildings or structures shall be maintained in a safe and sanitary condition consistent with the standards contained in the Housing Code adopted in Section 50-26. The owner, or his designated agent, shall be responsible for the safety and maintenance of buildings.

Conditions: Violation: Single family residential dwelling has not been maintained in accordance with the International Property Maintenance Code and has been declared unsafe and unfit for human occupancy.

Corrective Action Required: Obtain a permit to repair and rehabilitate or demolish the structure from the City of Eustis Building Department, 111 E. Orange Avenue, Eustis, (352)483-5462.

Note: If property is demolished and there are no plans to rebuild within 6 months all improvements must be removed from the property.

Violation Id: 07-00305 Parcel Id: 01-19-26-0600-004-01100
Status: Pending

√ COMPLETED

Ordinance Id	Description
34-96A4	Section 34-96(a)(4): (a) No person who owns or occupies real property within the City shall maintain or cause to be maintained on the property a nuisance. Prohibited acts and required compliance measures include the following: (4) No person shall allow any object or item such as, but not limited to, household furniture, household appliances, or containers or other receptacles that could collect water or any other accumulation of personal property, construction and demolition debris, or other materials, trash, garbage, or rubbish of any kind that could become a breeding place for insects or vermin or cause unpleasant odors or which is unsightly and an eyesore from adjoining properties or from the public right-of-way to be placed or left outdoors except for such period as may be necessary to allow collection of such items by waste collection services.

Conditions: Violation: Objects or items and accumulations placed or left outdoors that could become a breeding place for insects or vermin, or cause unpleasant odors or which is unsightly and an eyesore from adjoining properties or from the public right-of-way.

Required Remedies:
1) Remove all objects or items and accumulations from the property, or
2) Move it all inside a building or behind an opaque fence, wall or similar structure where it cannot become a breeding place for insects or vermin or cause unpleasant odors and is screened from view of adjoining properties or from the public right-of- way.

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: RESOLUTION NO. 19-40: RELEASE OF LIEN AGREEMENT - 1304 ST. ANDREWS BLVD. - CASE NO. 15-00531 AND 18-00927

Introduction:
Resolution No. 19-40 approves an executed settlement agreement and provides for the release of two Code Enforcement liens recorded against 1304 St. Andrews Blvd.

Background:
The City of Eustis has two code enforcement liens recorded against 1304 St. Andrews Boulevard totaling $56,300 ($52,750 for Case 15-00531 and $3,550 for Case 18-00927) because the property owner, who is now deceased, failed to maintain the property in compliance with City Code. The property's homestead protection status prevented the City from foreclosing on any outstanding liens.

On August 17, 2018, Case 18-00927 was opened when the Code Enforcement Department received a citizen complaint from a neighbor stating that the property owner is deceased and the property was severely overgrown with an unsecured in ground swimming pool. The Inspector had the Public Works Department immediately secure the pool to protect the public.

The Department researched the property and found that it was currently in foreclosure by the mortgage servicer, who was notified of the violations in an attempt to get their Preservation Department to correct the violations. When the attempt failed, the Case went before the Code Enforcement Board, who authorized the City to access the property, abate the violations and charge the violator with the costs in accordance with Florida Statute 162.09(1).

On January 18, 2019, the City of Eustis received a Notice to Creditors that the Estate of Michael C. Andrews is pending in the Circuit Court for Lake County. In response, the City Attorney filed a Statement of Claims in an effort to satisfy the unpaid liens and through that process came to an agreement with the Estate's Managing Attorney for payment of $2,500 to settle the Claim, which was received on March 12, 2019.

Recommended Action:

The administration recommends approval of Resolution No. 19-40.

Alternatives:

1. Approve Resolution No. 19-40 to authorize the settlement agreement and release the City's liens against the property.
2. Deny Resolution No. 19-40 and maintain the unpaid liens against the subject property.

Budget Impact:

If the Resolution is approved, the City would receive $2,500.

Attachments:

Staff Report Res. No. 19-40
Resolution No. 19-40
15-00531 Lien
18-00927 Lien
Notice to Creditors
Satisfaction and Release of Claim
Copy of check
Notice of Lis Pendens
Final Judgment of Foreclosure

Reviewed by:

Lori Barnes, Director	Approved - 29 Mar 2019
Ronald Neibert, City Manager	Approved - 29 Mar 2019

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: RONALD R. NEIBERT, CITY MANAGER

DATE: APRIL 4, 2019

RE: RESOLUTION NO. 19-40: RELEASE OF LIEN AGREEMENT
1304 ST. ANDREWS BLVD, CASE #15-00531 AND 18-00927

Introduction:
Resolution No. 19-40 approves an executed settlement agreement and provides for the release of two Code Enforcement liens recorded against 1304 St. Andrews Blvd.

Recommended Action:
The administration recommends approval of Resolution No. 19-40.

Background:
The City of Eustis has two code enforcement liens recorded against 1304 St. Andrews Boulevard totaling $56,300 ($52,750 for Case 15-00531 and $3,550 for Case 18-00927) because the property owner, who is now deceased, failed to maintain the property in compliance with City Code. The property's homestead protection status prevented the City from foreclosing on any outstanding liens.

On August 17, 2018, Case 18-00927 was open when the Code Enforcement Department received a citizen complaint from a neighbor stating that the property owner is deceased and the property was severely overgrown with an unsecure in ground swimming pool. The Inspector had the Public Works Department immediately secure the pool to protect the public.

The Department researched the property and found that it was currently in foreclosure by the mortgage servicer, who was notified of the violations in an attempt to get their Preservation Department to correct the violations. When the attempt failed, the Case went before the Code Enforcement Board, who authorized the City to access the property and abate the violations and charge the violator with the costs in accordance with Florida Statute 162.09(1).

On January 18, 2019, the City of Eustis received a Notice to Creditors that the Estate of Michael C. Andrews in pending in the Circuit Court for Lake County. In response the City Attorney filed a Statement of Claims in an effort to satisfy the unpaid liens and through that

process came to an agreement with the Estate's Managing Attorney for payment of $2,500 to settle the Claim, which was received on March 12, 2019.

Alternatives

1. Approve Resolution No. 19-40 to authorize the settlement agreement and release the City's liens against the property.
2. Deny Resolution No. 19-40 and maintain the unpaid liens against the subject property.

Discussion of Alternatives:

1. Alternative 1 approves Resolution No. 19-40 and releases the code enforcement liens against the subject property.
   Advantages:
   - The action is responsive to the request of the Estate's Managing Attorney.
   - The action would allow the City to recover enforcement and abatement costs.
   - The action would be consistent with previous City Commission actions.

   Disadvantages:
   - The City would lose the possibility of collecting the remaining $56,300 in fines.

2. Alternative 2 denies Resolution No. 19-40 and maintains the unpaid liens against the subject property.
   Advantages:
   - The City could collect the full fine of $56,300.

   Disadvantages:
   - The foreclosure of the property by the mortgage servicer could continue, which would result in the City's interest being foreclosed as it is inferior to the mortgage lien.
   - The City would not recover its enforcement and abatement costs.

Community Input

No adjacent property owners attended the Code Enforcement Hearings, but the violations were the result of a citizen complaint.
.

Budget / Staff Impact:

If the Resolution is approved, the City would receive $2,500.

Reviewed By:
Lori Barnes, ACIP, Development Services Director

Prepared By:
Eric Martin, Code Enforcement Supervisor

Attachments:
- Resolution No. 19-40
- Copy of Liens

- Notice to Creditors
- Satisfaction and Release of Claim
- Copy of $2,500 check
- Notice of Lis Pendens
- Final Judgment of Foreclosure

RESOLUTION NO. 19-40

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING AN EXECUTED SETTLEMENT AGREEMENT AND PROVIDING FOR THE RELEASE OF TWO CODE ENFORCEMENT LIENS RECORDED AGAINST 1304 ST. ANDREWS BOULEVARD

WHEREAS, the City of Eustis, Florida established code enforcement fines against the following described property under Case No. 15-00531 and Case No. 18-00927 against Michael C. Andrews, deceased property owner, for failing to comply with City Ordinances:

EUSTIS, ORANGE GROVE PARK LOT 11 PB 14 PG 5 ORB 2155 PG 1605, and

WHEREAS, on December 28, 2015 and October 31, 2018, the City of Eustis, Florida, a Florida municipal Corporation, recorded Code Enforcement Liens against the subject property; and

WHEREAS, on January 18, 2019, the City of Eustis received a Notice to Creditors that the Estate of Michael C. Andrews is pending in the Circuit Court for Lake County; and

WHEREAS, in response, the City Attorney filed a Statement of Claims in an effort to satisfy the unpaid liens totaling $56,300 ($52,750 for Case 15-00531 and $3,550 for Case 18-00927); and

WHEREAS, On February 27, 2019, the Estate's Managing Attorney contacted the City Attorney in an effort to settle the claim; and

WHEREAS, the two Parties came to a settlement agreement of $2,500; and

WHEREAS, the City Attorney has advised Staff the funds have been received; and

WHEREAS, the settlement amount is enough to cover all the City's abatement and administrative costs associated with the Code Enforcement Cases.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Eustis, Florida, as follows:

Section 1: That the Satisfaction and Release of Claim drafted by the Estate's Attorney and executed by the City Attorney is hereby authorized.

Section 2: That the City Clerk is hereby authorized to execute a Release of Lien for the code enforcement liens recorded against the following described property:

EUSTIS, ORANGE GROVE PARK LOT 11 PB 14 PG 5 ORB 2155 PG 1605

DONE AND RESOLVED this 4th day of April, 2019, in regular session of the City Commission of the City of Eustis, Florida.

CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA

_____
Michael L. Holland
Mayor-Commissioner

ATTEST:

_____
Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this ___ day of _____, 2019, by Michael L. Holland, Mayor, and Mary C. Montez, City Clerk, who are personally known to me.

_____
Notary Public - State of Florida
My Commission Expires:_____
Notary Serial No:_____

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content, but I have not performed an independent Title examination as to the accuracy of the Legal Descriptions.

_____ _____
City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution No. 19-40 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____
Mary C. Montez, City Clerk

RETURN TO:
CITY CLERK
CITY OF EUSTIS
P. O. DRAWER 68
EUSTIS, FL 32726-0068

RETURN

CODE ENFORCEMENT BOARD

CITY OF EUSTIS

STATE OF FLORIDA

INSTRUMENT #2015138781
OR BK 4721 PG 1219 - 1220 (2 PGS)
DATE: 12/28/2015 4:24:24 PM
NEIL KELLY, CLERK OF THE CIRCUIT COURT
LAKE COUNTY
RECORDING FEES $18.50

CASE NO. 15-00531

IN THE MATTER OF: MICHAEL C. ANDREWS

ORDER IMPOSING FINE / LIEN

This matter was heard by the Special Magistrate on December 14, 2015 at a Certification of Fine / Lien Hearing based on a prior Order entered in this matter by the Code Enforcement Board during a regularly scheduled hearing held on October 12, 2015.

At the October 12, 2015 Hearing, the Board took evidence and testimony under oath from the City and gave opportunity to MICHAEL C. ANDREWS to give evidence and testimony under oath.

Based on the testimony given under oath and relevant evidence presented at the October 12, 2015 Hearing, the Board issued a Finding of Fact and Conclusion of Law and thereupon issued an oral Order, which was reduced to writing and furnished to MICHAEL C. ANDREWS.

Said Order required MICHAEL C. ANDREWS to take certain corrective action by November 11, 2015, as more specifically set forth in that Order.

An Affidavit of Non-Compliance, bearing the re-inspection date of November 13, 2015 has been filed with the Special Magistrate by the Code Inspector, which Affidavit certifies under oath that the required corrective action was not taken as ordered.

Accordingly, it having been brought to the Special Magistrate's attention that MICHAEL C. ANDREWS has not complied with the Order dated October 12, 2015. It is hereby ORDERED that MICHAEL C. ANDREWS pay to the City of Eustis a fine in the amount of $50 per day after November 11, 2015 for each and every day the violation(s) exist(s) and continue to exist at EUSTIS, ORANGE GROVE PARK LOT 11 PB 14 PG 5 ORB 2155 PG 1605 (1304 ST. ANDREWS BLVD, Eustis, FL Parcel ID 14-19-26-020000001100), described as:

1) Grass or weeds overgrown to a height of twelve inches or more from the ground.
2) Unkempt landscaping.

The City Clerk is hereby ordered to record a certified copy of this Order Imposing Fine / Lien and said Fine shall constitute a Lien against the land on which the violation exists and upon any other real or personal property owned by the violator pursuant to City of Eustis Code of Ordinances.

Case No. **15-00531**

DONE AND ORDERED THIS 14TH DAY OF DECEMBER, 2015.

Code Enforcement Special Magistrate of the City of Eustis, Florida

By: _____
Kevin M. Stone, Esquire

CERTIFICATE OF SERVICE

I, Clerk of the City of Eustis, hereby certify that this is a true and accurate copy of the Order of Enforcement and that a copy of this Order has been sent via First Class Mail to MICHAEL C. ANDREWS at 1304 St. Andrews Blvd, Eustis, FL 32726 on this 16th day of, December, 2015.

CITY OF EUSTIS

_____
Mary C. Montez, City Clerk

STATE OF FLORIDA)
) ss
COUNTY OF LAKE)

Being an officer duly authorized to administer oaths and take acknowledgments, I HEREBY CERTIFY that on this day personally appeared before me, Mary C. Montez, to me well known and known to me to be the person in and who executed the foregoing instrument and acknowledged to and before me that he executed said instrument of the purpose therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal at Eustis, said County and State, this 16th day of, December, 2015.

SERITA HILL
MY COMMISSION # EE 219006
EXPIRES: August 20, 2016
Bonded Thru Notary Public Underwriters

_____
NOTARY PUBLIC

My Commission Expires: Aug 20, 2016
Notary Serial No. EE 219006

RETURN TO:
CITY CLERK
CITY OF EUSTIS
P. O. DRAWER 68
EUSTIS, FL 32726-0068

CODE ENFORCEMENT BOARD

CITY OF EUSTIS

STATE OF FLORIDA

INSTRUMENT #2018127714
OR BK 5191 PG 1959 - 1960 (2 PGS)
DATE: 10/31/2018 8:58:30 AM
GARY J. COONEY, CLERK OF THE CIRCUIT COURT
AND COMPTROLLER, LAKE COUNTY, FLORIDA
RECORDING FEES $18.50

CASE #18-00927

IN THE MATTER OF: MICHAEL C. ANDREWS

ORDER IMPOSING FINE / LIEN

This matter was heard by the Code Enforcement Board on October 8, 2018 at a Certification of Fine / Lien Hearing based on a prior Order entered in this matter by the Board at its regular meeting on September 10, 2018.

At the September 10, 2018 hearing, the Board took evidence and testimony under oath from the City and gave opportunity to MICHAEL C. ANDREWS to give evidence and testimony under oath.

Based on the testimony given under oath and relevant evidence presented at the September 10, 2018 meeting, the Board issued its Findings of Fact and Conclusion of Law and thereupon issued its oral Order, which was reduced to writing and furnished to MICHAEL C. ANDREWS.

Said order required MICHAEL C. ANDREWS to take certain corrective action by September 20, 2018, as more specifically set forth in that Order.

An Affidavit of Non-Compliance, bearing the re-inspection date of September 21, 2018 has been filed by the Code Inspector, which Affidavit certifies under oath that the required corrective action was not taken as ordered.

Accordingly, it having been brought to the Board's attention that MICHAEL C. ANDREWS has not complied with the order dated September 10, 2018. It is hereby ORDERED that MICHAEL C. ANDREWS pay to the City of Eustis a nuisance abatement fee of $800, and a daily fine in the amount of $2500 per day from September 21, 2018 to October 2, 2018 totaling $2,750 for the violation(s) that existed at EUSTIS, ORANGE GROVE PARK LOT 11 PB 14 PG 5 ORB 2155 PG 1605 (1304 ST. ANDREWS BLVD., EUSTIS, FL Parcel ID 14-19-26-020000001100), described as:

1) Grass or weeds overgrown to a height of twelve inches or more from the ground.
2) Accumulation of vegetation, weeds and plant matter on the property and adjoining public right-of-ways.
3) Swimming pool is not being maintained in a clean and sanitary condition.

The City Clerk is hereby ordered to record a certified copy of this Order Imposing Fine / Lien and said Fine shall constitute a Lien against the land on which the violation existed and upon any other real or personal property owned by the violator pursuant to City of Eustis Code of Ordinances Chapter 2 Section 2-131 and Florida Statutes 162.09(3).

Case #18-00927

CERTIFICATION OF VOTE

The vote of the Code Enforcement Board regarding the Findings of Fact, Conclusions of Law, and Order/Imposition of Fine:

Member	Yes	No	Absent
Alan Paczkowski	x		
Stephanie Carder	x		
James Hagarty			x
Alan Johnson			x
George Asbate	x		
Joanne Hart-Rittenhouse	x		

DONE AND ORDERED THIS 8TH DAY OF OCTOBER, 2018.

Code Enforcement Board of the City of Eustis, Florida

By:_____
Alan Paczkowski, Chairperson

CERTIFICATE OF SERVICE

I, Clerk of the City of Eustis, hereby certify that this is a true and accurate copy of the Order of Enforcement and that a copy of this order has been sent via First Class mail to Michael C. Andrews at 1304 St. Andrews Blvd., Eustis, FL 32726 on this 11th day of October, 2018

CITY OF EUSTIS

Mary C. Montez

Mary C. Montez, City Clerk

STATE OF FLORIDA
COUNTY OF LAKE

Being an officer duly authorized to administer oaths and take acknowledgments, I HEREBY CERTIFY that on this day personally appeared before me, Mary C. Montez, to me well known and known to me to be the person in and who executed the foregoing instrument and acknowledged to and before me that he executed said instrument of the purpose therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal at Eustis, said County and State, this 11th day of, October A.D., 2018.

LAURIE KATHLEEN HUEBSCH
Notary Public - State of Florida
Commission # GG 219270
My Comm. Expires May 17, 2022
Bonded through National Notary Assn.

NOTARY PUBLIC

My Commission expires: 5-17-22
Notary Serial No. GG 219270

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR LAKE COUNTY, FLORIDA

PROBATE DIVISION

IN RE:
MICHAEL CHARLES ANDREWS CASE NO.: 2018CP001578

_____/

NOTICE TO CREDITORS

The estate of Michael Charles Andrews, File No. 2018CP001578, is pending in the Circuit Court for Lake County, Florida at 550 W. Main Street, Tavares, FL 32778.

The names and addresses of the personal representative and the personal representative's attorney are set forth below. The date of first publication of this notice is November 6, 2018.

All creditors and those having claims or demands against decedent's estate, including unmatured, contingent or unliquidated claims, upon whom a copy of this notice has been served are required to file their claims with the above-named court within the later of three (3) months after the date of the first publication of this notice or thirty (30) days after the date of service of a copy of this notice on them.

All other creditors having claims or demands against decedent's estate, including unmatured, contingent or unliquidated claims, are required to file their claims with the above-named court within three (3) months after the date of the first publication of this notice.

ALL CLAIMS NOT SO FILED WILL BE FOREVER BARRED.

APFELBAUM LAW

By: /s/ Nicolás A. Apfelbaum
Nicolás A. Apfelbaum, Esq.
Florida Bar No.: 68132
1922 SE Port St. Lucie Blvd.
Port St. Lucie, FL 34952
(772) 236-4009 Phone
napfelbaum@alawfl.com
Attorney for Personal Representative

Lucinda Kathleen Talbot
24532 W. Great Oaks Drive
Channahon, IL 60410
Personal Representative

CERTIFIED MAIL

Apfelbaum Law
1922 SE Port St. Lucie Blvd.
Port St. Lucie, FL 34952

7017 3040 0000 3390 5172

UNITED STATES POSTAL SERVICE

32727

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34952
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R2305

RETURN RECEIPT REQUESTED

City of Eutis
PO Drawer 68
Eustis, FL 32727

01/18

RECEIVED

JAN 18 2019

BY:

32727C068 B001

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR LAKE COUNTY, FLORIDA

PROBATE DIVISION

IN RE:
ESTATE OF MICHAEL CHARLES ANDREWS CASE NO.: 2018CP1578

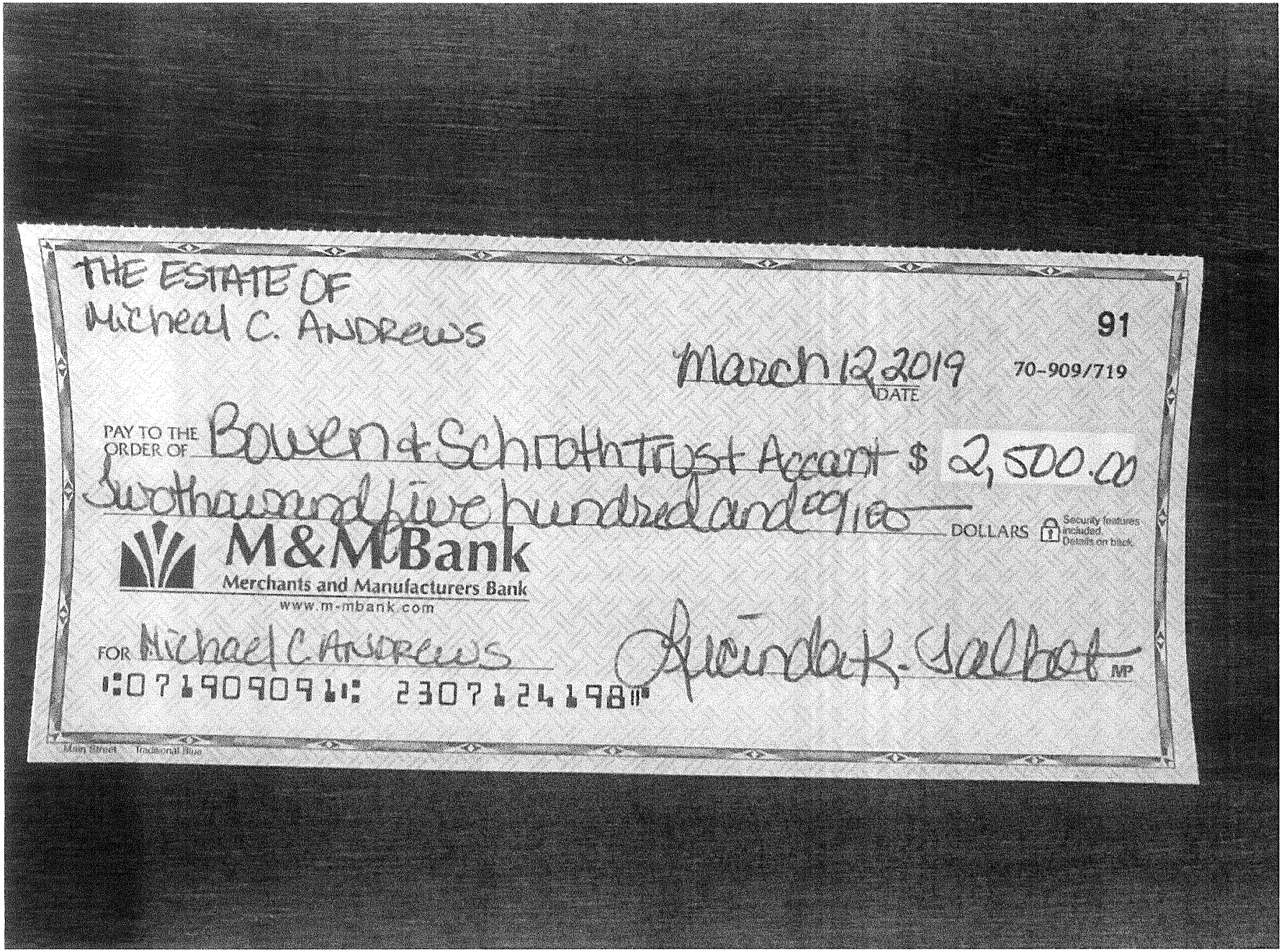
_____/

SATISFACTION AND RELEASE OF CLAIM

The undersigned, the City of Eustis, has been paid, settled or compromised the claims filed in the instant proceeding on January 29, 2019 against the Estate of Michael Charles Andrews, and this Satisfaction and Release is executed to acknowledge discharge of the claims and to release the Estate of Michael Charles Andrews and the personal representative, if any, of the estate from all further liability with respect thereto.

Signed on this _____ day of _____, 2019 by an authorized representative of claimant:

_____
By: _____
The City of Eustis
Claimant



THE ESTATE OF
Michael C. ANDREWS

91

March 12 2019
DATE

70-909/719

PAY TO THE ORDER OF Bowen & Schroth Trust Account $ 2,500.00

Two thousand five hundred and 00/100 DOLLARS

Security features included. Details on back.

M&M Bank
Merchants and Manufacturers Bank
www.m-mbank.com

FOR Michael C. ANDREWS

Amanda K. Talbot

⑆071909091⑆ 2307124198⑈

Main Street Traditional Blue

INSTRUMENT#: 2018088165 OR BK 5146 PG 2088 PAGES: 2 7/30/2018 11:34:46 AM
GARY J. COONEY, CLERK OF THE CIRCUIT COURT & COMPTROLLER, LAKE COUNTY, FLORIDA
REC FEES: $0.00

35-2018-CA-001567-AXXX-XX

Filing # 75632296 E-Filed 07/27/2018 03:25:30 PM

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE J.P. MORGAN MORTGAGE ACQUISITION TRUST 2007-CH3 ASSET BACKED PASS-THROUGH CERTIFICATES, SERIES 2007-CH3,
Plaintiff,

vs.

MICHAEL C. ANDREWS; UNKNOWN SPOUSE OF MICHAEL C. ANDREWS; ANY AND ALL UNKNOWN PARTIES CLAIMING BY, THROUGH, UNDER, AND AGAINST THE HEREIN NAMED INDIVIDUAL DEFENDANT(S) WHO ARE NOT KNOWN TO BE DEAD OR ALIVE, WHETHER SAID UNKNOWN PARTIES MAY CLAIM AN INTEREST AS SPOUSES, HEIRS, DEVISEES, GRANTEES, OR OTHER CLAIMANTS,
Defendants.
_____/

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT IN AND FOR LAKE COUNTY, FLORIDA
GENERAL JURISDICTION DIVISION
CASE NO.

NOTICE OF LIS PENDENS

TO: THE DEFENDANTS NAMED ABOVE AND ALL OTHERS TO WHOM IT MAY CONCERN:

18-170959

FILED: LAKE COUNTY, GARY J. COONEY, CLERK, 07/30/2018 10:15:36 AM

1. YOU ARE HEREBY NOTIFIED of the institution of this action by the Plaintiff against you seeking to foreclose a note and mortgage encumbering the following described real property in **Lake** County, Florida, in Official Records Book 3322, Page 1394.

LOT 11, IN ORANGE GROVE PARK, A SUBDIVISION IN THE CITY OF EUSTIS FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGE 5, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

-A/K/A 1304 SAINT ANDREWS BLVD, EUSTIS, FL 32726

Including the buildings and appurtenances located thereon.

Dated this _____ day of JUL 25 2018, 20___.

ROBERTSON, ANSCHUTZ & SCHNEID, P.L.
Attorney for Plaintiff
6409 Congress Ave., Suite 100
Boca Raton, FL 33487
Telephone: 561-241-6901
Facsimile: 561-997-6909
Service Email: mail@rasflaw.com

By: DSciulloCraig

[ ] Melissa Konick, Esq., FL Bar No. 17569, Email Address: mkonick@rasflaw.com
[ ] Wendy Manswell, Esq., FL Bar No. 12027, Email Address: wmanswell@rasflaw.com
[ ] Tiffanie Waldman, Esq., FL Bar No. 86591, Email Address: twaldman@rasflaw.com
[ ] Rosemarie Wildman, Esq., FL Bar No. 645869, Email Address: rwildman@rasflaw.com
[ ] Gweneth Brimm, Esq., FL Bar No. 727601, Email Address: gbrimm@rasflaw.com
[✓] Dominique Sciullo-Craig, Esq., FL Bar No. 108379, Email Address: dcraig@rasflaw.com

INSTRUMENT#: 2019023114 OR BK 5242 PG 2271 PAGES: 5 3/1/2019 10:16:55 AM
GARY J. COONEY, CLERK OF THE CIRCUIT COURT & COMPTROLLER, LAKE COUNTY, FLORIDA
REC FEES: $0.00

IN THE FLORIDA COURT OF THE FIFTH
JUDICIAL CIRCUIT OF FLORIDA IN AND FOR
LAKE COUNTY
GENERAL JURISDICTION DIVISION
CASE NO: 35-2018-CA-001567-AXXX-XX

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE, ON BEHALF OF
THE HOLDERS OF THE J.P. MORGAN
MORTGAGE ACQUISITION TRUST 2007-CH3
ASSET BACKED PASS-THROUGH
CERTIFICATES, SERIES 2007-CH3,
Plaintiff,

vs.

LUCINDA KATHLEEN TALBOT; THE
UNKNOWN HEIRS, BENEFICIARIES,
DEVISEES, GRANTEES, ASSIGNEES,
LIENORS, CREDITORS, TRUSTEES AND ALL
OTHERS WHO MAY CLAIM AN INTEREST IN
THE ESTATE OF MICHAEL CHARLES
ANDREWS, DECEASED ; ANY AND ALL
UNKNOWN PARTIES CLAIMING BY,
THROUGH, UNDER, AND AGAINST THE
HEREIN NAMED INDIVIDUAL
DEFENDANT(S) WHO ARE NOT KNOWN TO
BE DEAD OR ALIVE, WHETHER SAID
UNKNOWN PARTIES MAY CLAIM AN
INTEREST AS SPOUSES, HEIRS, DEVISEES,
GRANTEES, OR OTHER CLAIMANTS,
Defendant(s).

_____/

2019 FEB 28 PM 3:0
CLERK OF CIRCUIT COURT
LAKE COUNTY
TAVARES FLORIDA

FINAL JUDGMENT OF FORECLOSURE

This action was heard before the court on February 28, 2019 on evidence presented at the Order to Show Cause hearing pursuant to Fla. Stat. §702.10. **IT IS ADJUDGED** that Plaintiff's Motion for Final Judgment is **GRANTED** pursuant to Fla. Stat. §702.10, against all defendants listed by name: LUCINDA KATHLEEN TALBOT; THE UNKNOWN HEIRS, BENEFICIARIES, DEVISEES, GRANTEES, ASSIGNEES, LIENORS, CREDITORS, TRUSTEES AND ALL OTHERS WHO MAY CLAIM AN INTEREST IN THE ESTATE OF MICHAEL CHARLES ANDREWS, DECEASED ;

1. **Amounts Due.** Plaintiff, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE J.P. MORGAN MORTGAGE ACQUISITION TRUST 2007-CH3 ASSET BACKED PASS-THROUGH CERTIFICATES, SERIES 2007-CH3, whose address is c/o Select Portfolio Servicing, Inc., 3217 S. Decker Lake Drive, Salt Lake City, UT 84119, is due:

Principal	$134,622.21
Deferred Unpaid Principal Balance:	$1,500.00
Interest to date of this judgment: February 28, 2018	$11,537.82
Taxes	$825.76
Insurance Premiums	$1,435.00
Prior Servicer Advances	$1,070.24
Property Appraisals	$118.00
Inspections	$135.00
FC Fees	$1,630.00
FC Costs	$2,187.13
Late Charges	$137.13
Interest on Advance	$0.06
TOTAL SUM	**$155,198.35**

That shall bear interest at a rate in accordance with section 55.03(3), Florida Statute

2. **Lien on Property.** Plaintiff holds a lien for the total sum superior to all claims or estates of defendant(s), on the following described property in Lake County, Florida:

LOT 11, IN ORANGE GROVE PARK, A SUBDIVISION IN THE CITY OF EUSTIS FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGE 5, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

Property Address: 1304 SAINT ANDREWS BLVD, EUSTIS, FL 32726

3. **Sale of Property.** If the total sum with interest at the rate described in paragraph 1 and all costs accrued subsequent to this judgment are not paid, the Clerk of this Court shall sell the property at public sale on the ____ day of APR 16 2019, 20___, to the highest bidder for cash, except as prescribed in paragraph 4, at the courthouse located at 550 WEST MAIN STREET, TAVARES, FL 32778 in Lake County, Florida, in accordance with section 45.031, Florida Statutes (2013), using the following method:

☒ the Lake County Courthouse 550 W. Main St. 1st Floor, Near Information Desk, Tavares, FL 32778 beginning at 11:00 AM

4. **Costs.** Plaintiff shall advance all subsequent costs of this action and shall be reimbursed for them by the clerk if plaintiff is not the purchaser of the property for sale, provided, however, that the purchaser of the property for sale shall be responsible for the documentary stamps payable on the certificate of title. If plaintiff is the purchaser, the clerk shall credit plaintiff's bid with the total sum with interest and costs accruing subsequent to this judgment, or such part of it as is necessary to pay the bid in full.

5. **Distribution of Proceeds.** On filing the certificate of title the clerk shall distribute the proceeds of the sale, so far as they are sufficient, by paying: first, all of plaintiff's costs; second, documentary stamps affixed to the certificate; third, plaintiff's attorneys' fees; fourth, the total sum due to plaintiff, less the items paid, plus interest at the rate prescribed in paragraph 1 from this date to the date of the sale; and by retaining any remaining amount pending the further order of this court.

6. **Right of Redemption/Right of Possession.** On filing the certificate of sale, defendant(s) and all persons claiming under or against defendant(s) since the filing of the Notice of Lis Pendens shall be foreclosed of all estate or claim in the property, and defendant(s) right of redemption as prescribed by section 45.0315, Florida Statutes (2013) shall be terminated, except as to claims or rights under chapter 718 or chapter 720, Florida Statutes, if any. Upon the filing of the certificate of title, the person named on the certificate of title shall be let into possession of the property.

7. **Jurisdiction Retained. Jurisdiction is reserved over this action to enforce the Final Judgment and to enter further orders that are proper including, without limitation, an award of attorney's fees and costs, a deficiency decree (if sought and appropriate), writs of possession, orders granting leave to file supplemental and/or amended pleadings to add additional parties, and orders resolving any disputes with respect to assessments and/or other amounts allegedly due associations.**

IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENT OF PERSONS WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS PURSUANT TO THE FINAL JUDGMENT.

IF YOU ARE A SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN 60 DAYS AFTER THE SALE. IF YOU FAIL TO FILE A CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

IF YOU ARE THE PROPERTY OWNER, YOU MAY CLAIM THESE FUNDS YOURSELF. YOU ARE NOT REQUIRED TO HAVE A LAWYER OR ANY OTHER REPRESENTATION AND YOU DO NOT HAVE TO ASSIGN YOUR RIGHTS TO ANYONE ELSE IN ORDER FOR YOU TO CLAIM ANY MONEY TO WHICH YOU

ARE ENTITLED. PLEASE CHECK WITH THE CLERK OF THE COURT, 550 WEST MAIN STREET, TAVARES, FL 32778, WITHIN 10 DAYS AFTER THE SALE TO SEE IF THERE IS ADDITIONAL MONEY FROM THE FORECLOSURE SALE THAT THE CLERK HAS IN THE REGISTRY OF THE COURT.

IF YOU DECIDE TO SELL YOUR HOME OR HIRE SOMEONE TO HELP YOU CLAIM THE ADDITIONAL MONEY, YOU SHOULD READ VERY CAREFULLY ALL PAPERS YOU ARE REQUIRED TO SIGN, ASK SOMEONE ELSE, PREFERABLY AN ATTORNEY WHO IS NOT RELATED TO THE PERSON OFFERING TO HELP YOU, TO MAKE SURE THAT YOU UNDERSTAND WHAT YOU ARE SIGNING AND THAT YOU ARE NOT TRANSFERRING YOUR PROPERTY OR THE EQUITY IN YOUR PROPERTY WITHOUT THE PROPER INFORMATION. IF YOU CANNOT AFFORD TO PAY AN ATTORNEY, YOU MAY CONTACT COMMUNITY LEGAL SERVICES OF MID-FLORIDA, INC., 226 WEST MAIN STREET, TAVARES, FL 32778, (352) 343-0815 TO SEE IF YOU QUALIFY FINANCIALLY FOR THEIR SERVICES. IF THEY CANNOT ASSIST YOU, THEY MAY BE ABLE TO REFER YOU TO A LOCAL BAR REFERRAL AGENCY OR SUGGEST OTHER OPTIONS. IF YOU CHOOSE TO CONTACT COMMUNITY LEGAL SERVICES OF MID-FLORIDA, INC. FOR ASSISTANCE, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

ORDERED at TAVARES, LAKE COUNTY, FLORIDA this 28 day of February, 2019.

Heidi Davis
HONORABLE PRESIDING JUDGE

COPIES FURNISHED TO:

ROBERTSON, ANSCHUTZ & SCHNEID, P.L.
ATTORNEYS FOR PLAINTIFF
6409 CONGRESS AVE., SUITE 100
BOCA RATON, FL 33487
PRIMARY EMAIL: MAIL@RASFLAW.COM

LUCINDA KATHLEEN TALBOT
24532 W GREAT OAKS DR
CHANNAHON, IL 60410-5487

THE UNKNOWN HEIRS, BENEFICIARIES, DEVISEES, GRANTEES, ASSIGNEES, LIENORS, CREDITORS, TRUSTEES AND ALL OTHERS WHO MAY CLAIM AN INTEREST IN THE ESTATE OF MICHAEL CHARLES ANDREWS, DECEASED
1304 SAINT ANDREWS BLVD

EUSTIS, FL 32726

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: ORDINANCE NO. 19-03: VOLUNTARY ANNEXATION OF PROPERTY LOCATED AT BATES AVENUE AND 1706 VIRGINIA AVENUE

Introduction:
Ordinance No. 19-03 provides for the voluntary annexation of 3 parcels totaling approximately 10.97 acres.

Background:
The applicants requested annexation of 3 lots totaling +/-10.97 acres of land at E. Bates Avenue 1200 ft. east of E. CR 44 and 1706 Virginia Ave.

Recommended Action:
The administration recommends approval of Ordinance 19-03.

Policy Implications:
None

Alternatives:
1. Approve Ordinance No. 19-03
2. Deny Ordinance No. 19-03

Budget Impact:
None

Attachments:
Staff Report Ord 19-03, 19-04, and 19-05- Group 1 - Annex CPP DD
Ord 19-03 Group 1 Annex
DC AFFIDAVITS-APR 4; APR 18 MEETINGS
Notice of Public Hearing 500 ft Group 1 - Annex

Reviewed by:

Lori Barnes, Director	Approved - 29 Mar 2019
Ronald Neibert, City Manager	Approved - 29 Mar 2019

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: RONALD R. NEIBERT, CITY MANAGER

DATE: APRIL 4, 2019

RE: EXPLANATION OF ORDINANCES FOR PROPERTY AT BATES AVE AND 1706 VIRGINIA AVENUE
Ordinance No. 19-03 – Voluntary Annexation
Ordinance No. 19-04 – Comprehensive Plan Amendment
Ordinance No. 19-05 – Design District Assignment

Introduction:

- Ordinance No. 19-03 provides for the voluntary annexation of 3 parcels totaling approximately 10.97 acres.
- Ordinance No. 19-04 would change the future land use designation from Lake County Urban Low to Suburban Residential and Lake County Urban Medium to Urban Residential within the City of Eustis
- Ordinance No. 19-05 would assign the subject property a design district designation of Suburban Neighborhood.
- If Ordinance No. 19-03 is denied, there can be no consideration of Ordinance Nos. 19-04 and 19-05.

Recommended Action:

The administration recommends approval of Ordinance Nos. 19-03, 19-04 and 19-05.

Applicant's Request:

The applicants requested annexation of 3 lots totaling +/-10.97 acres of land at E. Bates Avenue 1200 ft. east of E. CR 44 and 1706 Virginia Ave. With the annexation, assignment



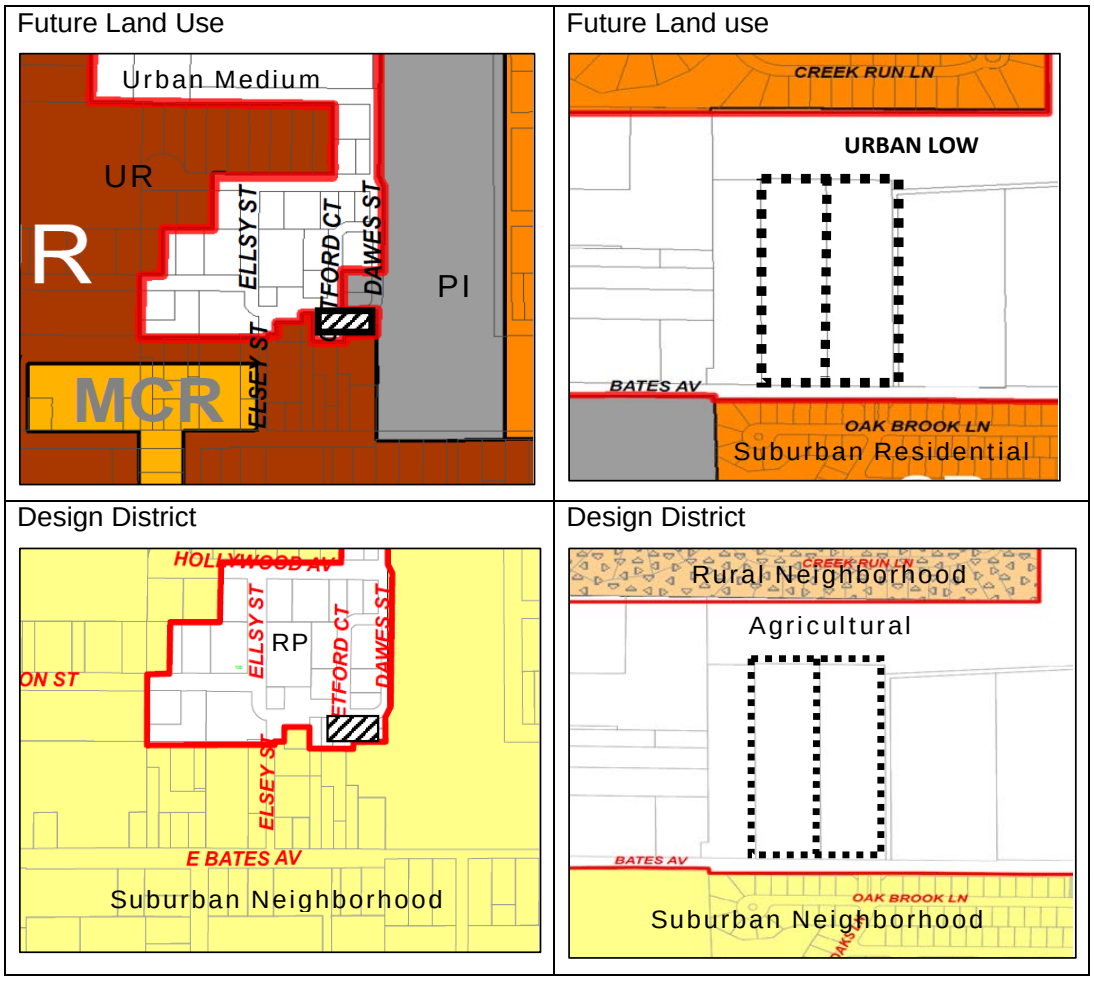


of a Eustis Future Land Use and Design District is necessary. The applicants have requested a Suburban Residential land use for the Bates Ave. properties and Urban Residential land use for the Virginia Ave. property, and a Suburban Neighborhood design district for all properties.

Background:

1) Site Information
   a) The Bates Ave. properties are vacant, wooded lots
   b) The Virginia Ave. property had a house that was demolished, and is now vacant.
   c) The sites are contiguous to the city limits.

FIGURE 1: CITY AND COUNTY FUTURE LAND USE, ZONING AND DESIGN DISTRICTS



d) County Future Land Use and Zoning

i) The Virginia Ave. site has a Lake County land use designation of Urban Medium Density and zoning of RP (see Figure 1). These categories allow the following development patterns within the County:

(1) The Urban Medium Density Future Land Use Category provides for a range of residential development at a maximum density of seven (7) dwelling units per one (1) net buildable acre, in addition to civic, commercial, and office uses with an intensity up to 0.35 FAR. Limited light industrial uses may only be allowed as a conditional use.

(2) "RP" Residential Professional. The purpose of this district is to provide single-family, duplex and multifamily housing in an urban area where needed and where urban conveniences and facilities can be provided; also to provide for those professional services not in direct conflict with the residential usage and which do not generate traffic of such a nature as to require commercial or industrial zoning.

ii) The Bates Avenue properties have a Lake County land use designation of Urban Low Density and a zoning of A (see Figure 1). These categories allow the following development patterns within the County:

(1) The Urban Low land use category allows for a range of residential uses up to 4 du/net acre, as well as professional office, limited commercial/retail, and services with an intensity up to 0.25 FAR. Limited light industrial uses may be allowed as a conditional use. Located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities.

(2) "A" Agriculture District. The purpose of the district is to provide a method whereby parcels of Land, which are most suited to agricultural usage may be classified and preserved for this purpose. Agriculture is a major industry of the County; therefore it is the intent of this district to: Provide long term means for preventing further encroachment upon agricultural enterprises; to encourage agricultural pursuits by preserving good soils and agricultural areas from subdivision development or commercial and industrial construction.

e) City Future Land Use and Design District

i) The Virginia Avenue site is surrounded by the Urban Residential future land use district (See Figure 1). The Urban Residential (UR) category applies to areas near the downtown core of the city. This land use designation has a maximum density of 12 units per acre and an impervious surface ration (ISR) of 40%. The district allows single family and duplexes, accessory apartments, group homes <7 residents, and day care facilities.

ii) The Bates Avenue sites are contiguous with the Suburban Residential future land use district (See Figure 1). The SR areas have a maximum density of five units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

iii) All parcels are contiguous with the Suburban Neighborhood design district (See Figure 1). This district has predominately residential use with some neighborhood scale commercial services with parks and civic spaces as focal points in the neighborhoods.

f) Figure 2 illustrates the existing uses of the property and surrounding area. The Bates Ave sites are heavily wooded, vacant land. The Virginia Ave property is a vacant site that previously contained a single family residence.

The surrounding land uses are primarily single-family and multi-family residences or vacant land. Some of the land previously had homes on them but are vacant now. There is also large acreage of undeveloped land. The light blue parcel in the NW corner is the Eustis Housing Authority property.

FIGURE 2: EXISTING LAND USES



2) **<u>Analysis of Annexation Request (Ord. No. 19-03)</u>:**

a. <u>Resolution No. 87-34</u> - Joint Planning Area Agreement with Lake County: "The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law.The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

The subject properties are located within the Joint Planning Area. City potable water and wastewater are available to serve all 3 parcels. (See public facilities and services analysis under item 5 below).

b. <u>Florida Statutes Voluntary Annexation - Chapter 171.044(1)</u> -"The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

The Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject properties lay within that planning area, and are contiguous to the City limits. This annexation is a natural extension of the City Limits.

c. <u>Florida Statutes Voluntary Annexation - Chapter 171.044(2)</u> - "…Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town…"

The department published notice of this annexation in the Daily Commercial in accordance with the requirements on March 18, 2019 and March 25, 2019.

d. Florida Statutes Voluntary Annexation - Chapter 171.044(5): "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

Annexation of the subject properties does not create enclaves, but is a natural extension of the City. There are existing enclaves in the area, which these annexations will assist in the elimination of the enclaves.

e. Florida Statutes Voluntary Annexation - Chapter 171.044(6): "Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located..."

The department provided notice to the Lake County Board of County Commissioners on March 8, 2019.

3) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. 19-04)** in **Accordance with Florida Statutes Chapter 163.3177.9:** The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

a) The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

This indicator does not apply. The properties are part of an existing developed area with surrounding properties already developed at the appropriate density.

(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

This indicator does not apply. The properties are part of an existing developed area.

(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

This indicator does not apply. The properties are part of a developed residential use area permitted by the County and City. The proposed designations are consistent with the character of the surrounding area

(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

The properties are part of a developed residential area. Any development will follow the City's adopted rules to conserve and protect natural resources and conservation areas.

(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

This indicator does not apply. These sites and adjacent areas do not support active agricultural or silvicultural activities. These sites are not prime farmland and have no unique soils.

(VI) Fails to maximize use of existing public facilities and services.

This indicator does not apply. The Virginia Ave. site is already connected to City water and sewer from the previous home. City sewer and water lines run along the front of both Bates Ave. properties, which will maximize the use of the existing facilities.

(VII) Fails to maximize use of future public facilities and services.

This indicator does not apply. There are no future public facilities and services planned for this area.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

This indicator does not apply. Adequate capacity is available to serve the existing development consistent with the requested UR and SR future land use designation. The City provides these services to other properties in the area, so efficiency will improve.

(IX) Fails to provide a clear separation between rural and urban uses.

This indicator does not apply. The properties are within an existing residentially developed area permitted by the County and City.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

. *This indicator does not apply. The Virginia Ave. property is within an existing developed area. The Bates Ave. property is within a developing area of the City, which includes proximity to a public educational facility.*

(XI) Fails to encourage a functional mix of uses.

This indicator does not apply. This is an existing developed area.

(XII) Results in poor accessibility among linked or related land uses.

This indicator does not apply. This parcel is within an existing, mixed-use developed area. Access to the site is already developed.

(XIII) Results in the loss of significant amounts of functional open space.

This indicator does not apply. The Virginia Ave. property is already developed. The Bates Ave. property is already served by an urban collector.

b) The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

These properties are part of an existing developed area in an established residential-use area.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

City water service is connected to the site. Potable water capacity is adequate to serve the annexed property consistent with the requested UR and SR future land use designation. The transportation network has sufficient capacity to serve this site. Upon annexation, the City will also provide other services such as fire and police protection. The City provides these services to other properties in the area, so efficiency will improve.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

The Virginia Ave. parcel is part of an existing, residential-use developed area in an established neighborhood. The Bates Ave. parcel is within walking distance of a public school.

(IV) Promotes conservation of water and energy.

Not applicable. The Virginia Ave parcel is an existing developed parcel. The Bates Ave. parcels are wooded lots not requiring water or energy.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Not applicable. These sites do not support active agricultural or silvicultural activities.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

Not applicable. The Virginia Ave. parcel is part of an existing developed area, and the property was already developed. The Bates Ave. parcels do not contain areas planned for open space or recreation needs.

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

The parcel is part of an existing, residentially developed area in an established neighborhood. The parcels are not located in areas that would support non-residential uses.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Not applicable.

4) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Comprehensive Plan Future Land Use Element Appendix:** All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the Map #1: 2035 Future Land Use Map by changing the land use designation assigned to a parcel of property shall also be reviewed to determine and assess any significant impacts to the policy structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the four (4) major categories of Plan policies as follows:

A. General Public Facilities/Services: Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The facilities and services required for analysis include emergency services, parks and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

Emergency Services Analysis: The Virginia Ave. property is located approximately 1.93 miles from a City fire station with paramedical services and the Bates Ave. parcels are 2.08 miles from a County fire station. These parcels are in an existing developed area and already receives City services.

Parks & Recreation: The Virginia Ave. parcel is already developed and is included in existing recreational levels of service. The Bates Ave. properties equate to 10.72 acres of undeveloped land. The maximum development potential is 53 dwelling units. The City's LDR require a park of 1 acre for residential subdivision greater than 50 du. This standard is exacted at time of subdivision approval.

Potable Water & Sanitary Sewer: The applicant's property is already connected to City water. There is no wastewater service to this property. The following outlines the water demand based on a maximum development potential scenario.

Potential Residential Demand

Water: 1 ERU = 300 GPD

53 du x 300 gpd= 15,900 gpdpdu

Wastewater – 1 ERU = 250 GPD

53 du x 250 gpd = 13,250 gpdpdu

According to the City of Eustis Public Works Department, water and sewer with sufficient capacity are available to all parcels.

Schools: The proposed change will not negatively impact schools.

Solid Waste: The City contracts with Waste Management for hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in delivery of services.

Stormwater: The Comprehensive Plan and Land Development Regulations include level of service standards to which new development must adhere. Projects designed to meet these standards will not negatively affect the existing facilities and services.

Transportation Network Analysis: (Institute of Traffic Engineers Trip Generation Manual, 7th Edition). The existing uses are single family housing (210 land use). Based upon the analysis, there will be minimal impact to the transportation system.

	Land Use ITE	Multiplier Trips/du	Units (du)	Trips	
Single Family Detached	210	0.76	53	40	AM Peak Hour, Weekday

B Natural Resources/Natural Features: The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan. Specifically each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued natural functioning of flood plains; and 4) the suitability of the soil and topography to the development proposed.

Ground water recharge areas: The Virginia Ave. property is part of an existing developed area, which has been evaluated for groundwater recharge. The Bates Ave. properties are not developed and are classified as high recharge areas. Any development on these lots must submit additional environmental reports per the City's Wekiva Study Area requirements.

Historical or archaeological sites: The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist. Should any historical sites or archaeological sites be uncovered during future development, work in the vicinity shall cease until the property authorities can be contacted and an evaluation is conducted.

Flood zones: The subject properties are not within a flood zone or wetland.

Soil and topography: The subject property has no soil or topographical constraints. It consists primarily of Astatula Sand, 0-5% slope (AtB).

C. Comprehensive Plan Review: Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the compatibility of the use, intensity, location, and timing of the proposed amendment.

The current Lake County zoning designation of the subject property is Agricultural for the Bates Ave. parcels, and the land use designation is Urban Low. Adjacent to the property is a single-family complex with a FLU designation of Suburban Residential (SR), which allows up to 5 du/acre. The Virginia Ave. parcel is not considered in this section, as it was already developed prior to demolition.

FLU	*AC/SF*	*Density*	*Max. Potential*
SR (City)	*10.72*	*5*	*53 du*
Urban Low (Res)	*10.72*	*4*	*42 du*

Under the new Eustis designation, the maximum development potential could increase the unit count by 11 dwelling units.

D. Transportation: Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.

The proposed land use designation is consistent with the Transportation Element. Development approvals must submit a traffic impact analysis and will be reviewed by the Lake-Sumter MPO and Lake County Engineering. Improvements to the roadway will be implemented based upon the TIA.

E. Water Supply: Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

Public utilities and services are available. Refer to 4.A. above for more information. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.

5) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Chapter 102-16(f), Land Development Regulations, Standards for Review**: In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

(1) Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan. See analysis above under item 4, A through D.

(2) Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

All properties are vacant. Any new development will follow the standards contained within the City's LDR's.

(3) Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The UR and SR land use designations are consistent with the surrounding development.

(4) Whether there have been changed conditions that justify an amendment.

The applicant wishes to annex the property into the City limits of Eustis. Assignment of a City of Eustis future land use designation is required. These changed conditions warrant a change in the land use designation.

(5) Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

City water and sewer service are available to the sites. Capacity is available to serve future development consistent with the requested UR and SR future land use designation. Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.

(6) Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

The Virginia Ave. parcel is a previously developed site and will have no impact on the environment. The Bates Ave. parcels were formally citrus groves that have been abandoned and are now revegetated woods. Any development will follow the City's LDR, which specifically addresses tree protection.

(7) Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

These parcels are contiguous to the City limits, which will result in orderly and logical development.

(8) Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

The purpose and intent of the Land Development Regulations is as follows:

> "The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the city's comprehensive plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small town community character and life style."

The proposed UR and SR future land use designations for the subject parcel will provide for orderly growth and development. This designation would advance the

public interest by providing housing options, and application of the LDRs to the future development will ensure consistency with the community character and lifestyle.

(9) Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

Properties within the Eustis Planning Area have been deemed appropriate for annexation; and as such, would warrant a more appropriate, municipal land use designation than that of the County.

6) **Analysis of Design District Request (Ord. No. 19-05):** The City's Land Development Regulations are a form-based code. Design districts are unique to form-based codes. Lake County still uses traditional Euclidean zoning, so there are no design districts for parcels in unincorporated Lake County. When a parcel annexes into the City of Eustis, the City must assign a consistent design district that follows the urban, suburban and rural transect

Section 102-17 of the Land Development Regulations includes the following standards for review of an amendment to the Design District Map. In approving a change in the designation, the City Commission shall consider:

(1) Whether the amendment is in conflict with any applicable provisions of the Code.

a) Section 102-17(a) "...Section 109-3 Design Districts, identifies the definition, structure and form of each design district. The assignment of design district must follow the district pattern and intent."

The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Neighborhood). The Suburban development pattern and intent, and the Suburban Neighborhood definition, structure and form description are stated below. The assignment of a Suburban Neighborhood design district designation is appropriate due to the established and proposed development patterns in the area.

The City of Eustis Design District Map (see Figure 1) shows the surrounding area as Suburban Neighborhood.

b) Sec. 109-3.5.5. Suburban development pattern intent statements:

i. Intent. Suburban development pattern…relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. Nonresidential uses are primarily located on corridors, districts and a mix of uses is prominent in centers.

ii. Design districts: Suburban Neighborhood:

a. Definition. Predominately residential uses with some neighborhood scale commercial services.

b. Structure. Interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

c. Form. Mix of detached residential uses with some neighborhood supporting retail, parks and civic spaces as focal points in the neighborhoods.

c) Section 102-17(a) The following guidelines must be followed when proposing the reassignment of design district:

i) Compatible intensities should face across streets. Changes in design districts should occur along rear alleys or lanes or along conservation edges.

The requested design district designation is consistent with the designation of the surrounding area.

ii) Where new development will abut an existing or approved neighborhood, the new development should establish similar or compatible transect conditions.

The parcels are part of an existing residential development pattern. The Suburban Neighborhood design district designation is the same as the designation of the surrounding area.

(2) Whether the proposed amendment is consistent with all elements of the comprehensive plan.

The requested amendment is consistent with the Future Land Use element (including Policy FLU 1.2.4, Development Patterns and FLU 1.3.2. Maintain Residential Compatibility), as well as all other elements of the Comprehensive Plan.

(3) Whether, and the extent to which, the proposed design district is consistent with existing and proposed land uses.

The Suburban Neighborhood definition, structure and form are compatible with the existing uses and any proposed uses permitted under the UR and SR future land use designation.

(4) Whether there have been changed conditions that justify amending the design district.

The subject properties are proposed for annexation and a design district assignment is necessary. The conditions have changed from land located in unincorporated Lake County within the City of Eustis with full municipal services

(5) Whether, and the extent to which, the proposed redistricting would result in demands on public facilities, and whether, or to the extent to which, the proposed change would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

This amendment will not change the demand on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond that already anticipated. Also see analysis of public facilities in above sections of this report.

(6) Whether, and the extent to which, the redistricting would result in significant impacts on the natural environment.

The proposed Design District designation for this property does not change the development potential of the parcels. Design Districts control the form and function of any development that does occur. The Future Land Use designation controls the density, intensity and minimum open space permitted on the site, so the Design District amendment would not result in additional impacts on the natural environment.

(7) Whether, and the extent to which, the proposed redistricting would affect the property values in the area.

This request should not affect property values, because the proposed Design District designation is consistent with the surrounding development patterns and design districts.

(8) Whether, and the extent to which, the proposed redistricting would result in an orderly and logical development pattern.

Assignment of the requested designation will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.

(9) Whether the proposed redistricting would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

The proposed Design District is not in conflict with the public interest and reflects the purpose and intent of the regulations.

(10) Any other matters that may be deemed appropriate by the city commission, in review and consideration of the proposed redistricting.

The City's Land Development Regulations are a form-based code. The Design District designations define the development <u>form</u>, but not the types of land uses, densities, intensities or required open space. The districts, therefore, must be consistent and follow the urban, suburban and rural transect. This request assigns a designation to an annexation parcel.

7) <u>Applicable Policies and Codes</u>

a. <u>Resolution No. 87-34</u> – Joint Planning Area Agreement with Lake County:

"The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law. The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

b. <u>Florida Statutes Chapter 171.044: Voluntary Annexation</u>:

1) "The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

2) "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

<u>Land Development Regulations Section 109-2.3</u>: Outlines the general intent of the Suburban and Urban Residential Districts in the City. These land use designation are intended to have a maximum density of five or 8 units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

c. <u>Land Development Regulations Section 109-5.5</u>: The Suburban Neighborhood Design District is predominately residential uses with some neighborhood scale

commercial services and interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods. The mix of detached residential uses with some neighborhood supporting retail, parks and civic spaces act as focal points in the neighborhoods.

8) **Fiscal Impact:**

a. The current assessed value of the subject properties is $156,433.

b. Based on the current millage rate of 7.581, annexation of the property could increase annual operating revenues, by as much as $1,185.92.

Alternatives:

1. Approve Ordinance Nos. 19-03 (Annexation), 19-04 (Comp. Plan Amendment), and/or 19-05 (Design District Designation) for property located at 1706 Virginia Ave. and E. Bates Ave.
2. Deny Ordinance Nos. 19-03, and 19-04, and 19-05.

Discussion of Alternatives:

1. Alternative 1 approves the ordinances.
   Advantages:
   - The action would be consistent with the expansion plans for the City in accordance with the adopted Eustis Planning Area.
   - Annexation could increase the tax base of the City and increase the annual operating revenues.
   - The City would have a more compact service area for utilities, police, and fire to increase efficiency and level of service. A more compact service area can reduce the overall per capita cost of providing urban services.
   - The land use change and design district assignment are consistent with the proposed use of the property and the nature of the surrounding area.
   - The action could encourage additional development and/or annexations in that area.

   Disadvantages:
   - No disadvantages.

2. Alternative 2 denies the Ordinances. (If Ordinance No. 19-03 is denied, the Commission cannot approve Ordinance Nos. 19-04 and 19-05.)

   Advantages:
   - There are no advantages to denying the ordinances.

   Disadvantages:
   - Denying annexation would create a gap in the City's natural growth boundary as defined by the Eustis Planning Area.
   - The action would eliminate the potential for increased operating revenue and the subject properties would continue to receive the indirect benefits of City services that are provided to adjacent properties without paying City taxes.
   - The City would continue to experience gaps in its service area causing service inefficiency and confusion regarding City boundaries.

Community Input:
The department has notified surrounding property owners within 500 feet of the site; the proper legal advertisements have been placed in the newspaper; and the site has been posted. To date the department has received 2 responses from residents or adjacent property owners for comment or additional information.

Budget / Staff Impact:
There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

Reviewed By: Lori Barnes, AICP, Development Services Director

Prepared By: Roland Magyar, AICP, Senior Planner

Attachments:

Ordinance No. 19-03, 19-04, 19-05 (including Exhibit A),

Surrounding Property Owner Notice of Hearing, and Advertisements

ORDINANCE NO. 19-03

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; VOLUNTARILY ANNEXING APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE, EUSTIS, FL.

WHEREAS, Randy Fish, Daniel and Alexis Frost and Gordon Telesford, the legal owners of record, have made an application for voluntary annexation of approximately 10.97 acres of real property located at E. Bates Avenue 1200 feet east of E. CR 44 and 1706 Virginia Avenue, respectively, more particularly described as:

Tax ID: 06-19-27-0004-000-04000

FROM S 1/4 COR RUN S 89-05-0 E ALONG S LINE 175.33 FT, N 0-06-13 E 24 FT TO N R/W LINE OF BATES AVE, S 89-05-0 E ALONG SAID N R/W LINE 242.35 FT FOR POB, RUN N 0-04-29 E 971.98 FT, S 88-52-37 E 242.31 FT, S 0-04-16 W 971.11 FT TO N R/W LINE OF BATES AVE, N 89-05-0 W ALONG SAID R/W LINE 242.35 FT TO POB ORB 5105 PG 2207

Tax ID: 06-19-27-0004-000-06600

FROM S 1/4 COR RUN S 89-05-0 E ALONG S LINE 175.33 FT, N 0-06-13 E 24 FT TO N R/W LINE OF BATES AVE FOR POB, CONT N 0-06-13 E 972.84 FT, S 88-52-37 E 241.87 FT, S 0-04-29 W 971.98 FT TO N R/W LINE OF BATES AVE, N 89-05-0 W ALONG SAID R/W LINE 242.35 FT TO POB ORB 5235 PG 1083

Tax ID: 01-19-26-0900-000-00409

HAZZARD'S HOMESTEAD BEG SE COR LOT 4 RUN W 90 FT, S 20 FT TO POB, W 59.33 FT, N 88 FT, E 149.33 FT, S 31 FT, W 90 FT, S 57 FT TO POB--LESS R/W EASEMENT OVER N 25 FT-- *UNRECORDED PLAT SEE DEED FOR FULL PROPERTY DESCRIPTION ORB 4558 PG 884

WHEREAS, the subject properties are reasonably compact and contiguous to the City of Eustis boundary; and

WHEREAS, the annexation of these properties will not result in the creation of enclaves; and

WHEREAS, the subject property is located within the City of Eustis Planning Area and City services are available; and

WHEREAS, on April 4, 2019 the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

WHEREAS, on April 18, 2019, the City Commission held the 2nd Public Hearing to consider the voluntary annexation of the property contained herein;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

Section 1. That pursuant to, and under the authority of, Florida Statute 171.044, the City of Eustis, Lake County, Florida, does hereby annex and amend the municipal

boundaries to include approximately 10.97 acres of real property located at E. Bates Avenue 1200 feet east of E. CR 44 and 1706 Virginia Avenue, as described above.

A map depicting the location of the annexed property described above is attached hereto as Exhibit “A”.

Section 2. That the Director of Development Services shall be authorized to amend the City of Eustis Boundary Map to incorporate the change described in Section 1.

Section 3. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. That upon final passage and adoption, the City Clerk is hereby directed to file a copy hereof with the Clerk of the Circuit Court, the County Manager for Lake County, Florida, and the Department of State for the State of Florida within 7 days after the adoption of such ordinances.

Section 5. That should any section, phrase, sentence, provision or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 6. That this Ordinance shall become effective upon passing.

Section 7. That the property annexed in this Ordinance is subject to the Future Land Use Element of the Lake County Comprehensive Plan until the City adopts the Comprehensive Plan Amendment to include the annexed parcel in the City Comprehensive Plan.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 18th day of April, 2019.

CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA

_____
Michael L. Holland
Mayor-Commissioner

ATTEST:

_____
City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this ____ day of _____, 2019 by Michael L. Holland., Mayor and Mary C. Montez, City Clerk, who are personally known to me.

_____
Notary Public - State of Florida
My Commission Expires:_____
Notary Serial No:_____

CITY ATTORNEY'S OFFICE

This document has been reviewed and approved as to form and legal content, but I have not performed an Independent Title Examination as to the accuracy of the Legal Description.

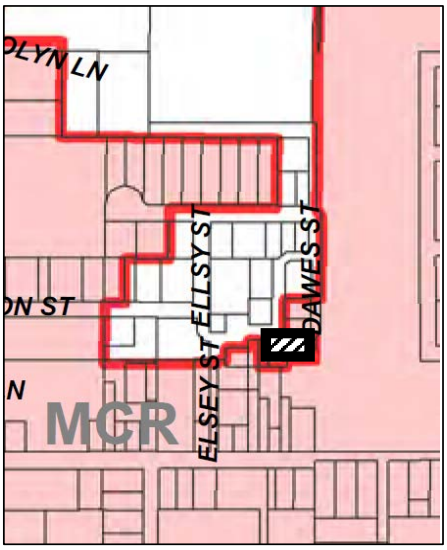
_____ _____
City Attorney's Office Date

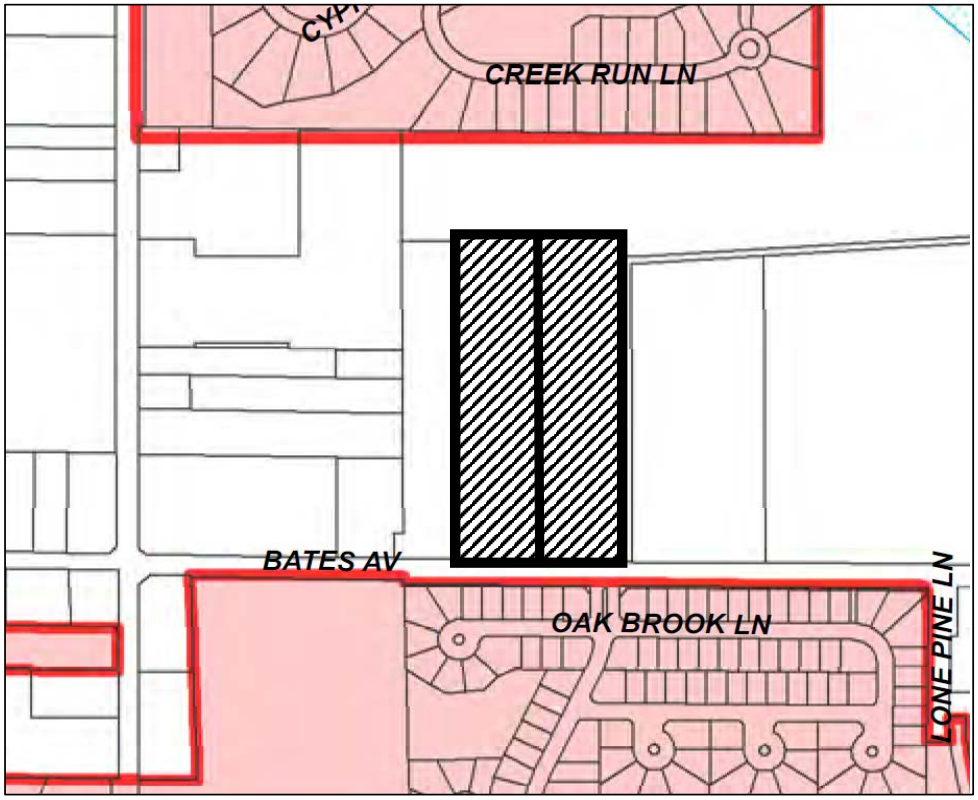
CERTIFICATE OF POSTING

The foregoing Resolution No. 19-03 is hereby approved, and I hereby certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____ _____
Date Mary C. Montez, City Clerk

Exhibit A


LYN LN
ELSEY ST
DAWES ST
MCR


CREEK RUN LN
BATES AV
OAK BROOK LN
LONE PINE LN

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086003
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$177.00

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-01 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-04 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-04: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 10.97 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44 FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), AND 1.706 VIRGINIA AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO URBAN RESIDENTIAL (UR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$177.00
Tax	$0.00
Sub Total	$177.00
Prepaid Amount	$0.00
Balance Due	$177.00

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086003

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

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All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

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If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086000
Phone: (352) 483-5430
Date: 03/19/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-05 No	03/18/2019	03/18/2019	$115.08

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that *a verbatim record* of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$115.08
Tax	$0.00
Sub Total	$115.08
Prepaid Amount	$0.00
Balance Due	$115.08

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-05

was published in said newspaper in the issues of:

March 14, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French
(Print, Type or Stamp Name of Notary Public)

AD# 1008000

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086004
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$171.84

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352-483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$171.84
Tax	$0.00
Sub Total	$171.84
Prepaid Amount	$0.00
Balance Due	$171.84

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

(Print, Type or Stamp Name of Notary Public)

AD# 1008604

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct. the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086001
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-08 No	03/18/2019	03/18/2019	$111.64

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$111.64
Tax	$0.00
Sub Total	$111.64
Prepaid Amount	$0.00
Balance Due	$111.64

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-08

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French
(Print, Type or Stamp Name of Notary Public)

AD# 10086001

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086005
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$178.72

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 W. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations *and conduct* the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$178.72
Tax	$0.00
Sub Total	$178.72
Prepaid Amount	$0.00
Balance Due	$178.72

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and *subscribed before* me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086005

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 N. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086002
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-11 No	03/18/2019	03/18/2019	$118.52

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-11

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-11 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$118.52
Tax	$0.00
Sub Total	$118.52
Prepaid Amount	$0.00
Balance Due	$118.52

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

Ord 19-11

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086002

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-11

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-11 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 119 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

RECEIVED
MAR 2 2 2019

Notice of Public Hearing

You are receiving this notice because you own property within 500 feet of a land development request (see below). This is part of the City's notification process to inform the public of this request. If you have questions regarding this request, please contact us at 352-483-5460. If you have no questions or do not wish to attend the meeting, you may disregard this notice.

TO: Surrounding Property Owners

FROM: Roland D. Magyar, Senior Planner

DATE: March 21, 2019

RE: Notice of Quasi-Judicial Public Hearing

Ordinance Nos.: 19-03, 19-04, 19-05

Notice is hereby given for the following public hearings to be held in the City Commission Chambers, City Hall, 10 N. Grove Street, Eustis, FL, regarding Annexation and Future Land Use and Design District map amendments of 10.97 acres of real property located at E. Bates Avenue 1200 ft. east of E. CR 44 and 1706 Virginia Avenue.

1. The Local Planning Agency will hold a public hearing on April 4, 2019 at 5:50 PM, or as may be continued at their discretion, to consider a change the land use designation of the subject properties from Urban Low and Urban Medium in Lake County to Suburban Residential (SR) and Urban Residential (UR) in the City of Eustis.
2. The Eustis City Commission will conduct two Quasi-Jurisdictional Public Hearings at **6:00 PM**, or as may be continued at their discretion, regarding the following ordinances on the following dates:

Ordinance 19-03 is a voluntary annexation of 10.97 acres located at at E. Bates Avenue 1200 ft. east of E. CR 44 and 1706 Virginia Avenue.

Ordinance 19-04 is a small Scale Comprehensive Plan Amendment to change the Future Land Use designation of said properties from Urban Low and Urban Medium in Lake County to Suburban Residential (SR) and Urban Residential (UR) in the City of Eustis.

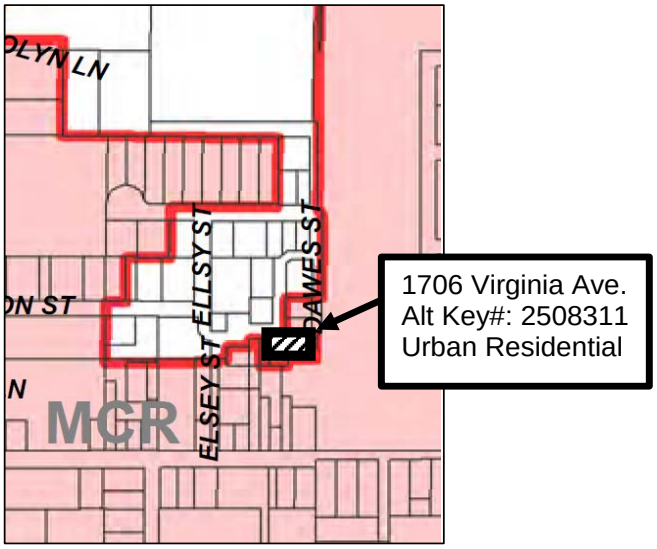
Ordinance 19-05 is the assignment of the Design District designation of Suburban Neighborhood to these properties.

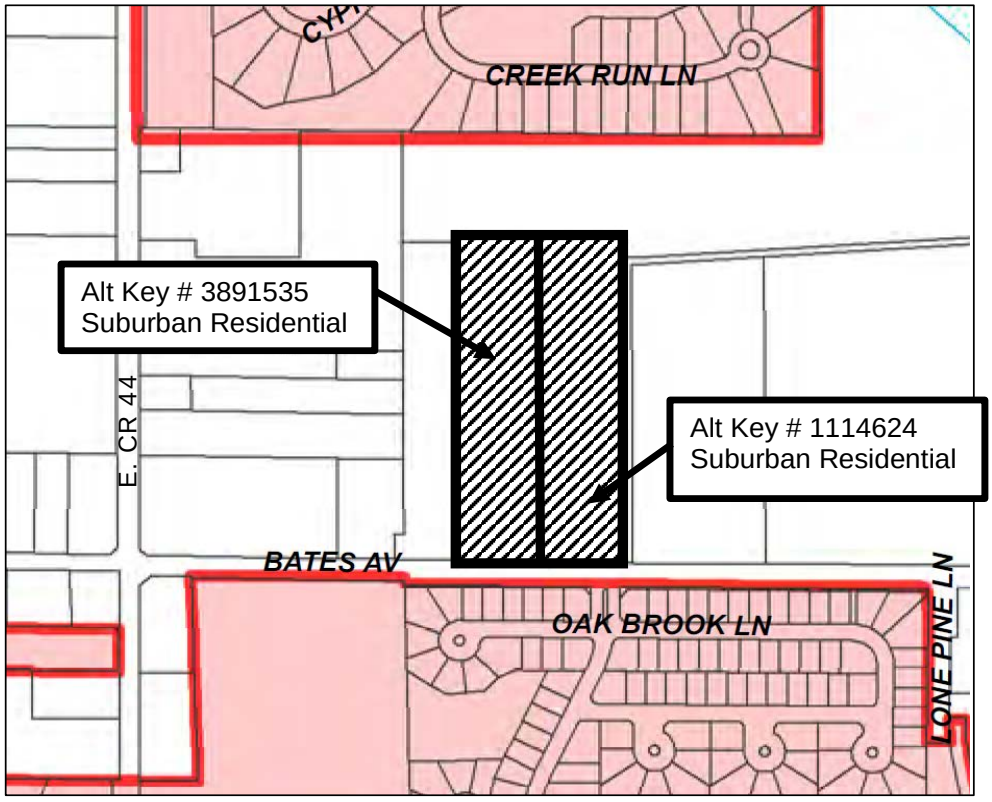
1st Reading	2nd Reading
April 4, 2019	April 18, 2019

A Location Map is provided on the reverse side.

The case file, complete legal description of the property and proposed ordinance will be available for examination beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at (352) 483-5460 if you have any questions

LOCATION MAP





City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: ORDINANCE NO. 19-04: COMPREHENSIVE PLAN AMENDMENT FOR PROPERTY LOCATED AT BATES AVE AND 1706 VIRGINIA AVENUE

Introduction:
Ordinance No. 19-04 would change the future land use designation from Lake County Urban Low to Suburban Residential and Lake County Urban Medium to Urban Residential within the City of Eustis. If Ordinance No. 19-03 is denied, there can be no consideration of Ordinance Nos. 19-04 and 19-05.

Background:
The applicants requested annexation of 3 lots totaling +/-10.97 acres of land at E. Bates Avenue 1200 ft. east of E. CR 44 and 1706 Virginia Ave. With the annexation, assignment of a Eustis Future Land Use and Design District is necessary. The applicants have requested a Suburban Residential land use for the Bates Ave. properties and Urban Residential land use for the Virginia Ave. property.

Recommended Action:
The administration recommends approval of Ordinance No. 19-04.

Alternatives:
1. Approve Ordinance No. 19-04
2. Deny Ordinance No. 19-04

Attachments:
Staff Report Ord 19-03 19-04 and 19-05- Group 1 - Annex CPP DD
Ord. No. 19-04 Comp Plan Small w Annex - Group 1
Notice of Public Hearing 500 ft Group 1 - Annex
DC AFFIDAVITS-APR 4; APR 18 MEETINGS

Reviewed by:

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: RONALD R. NEIBERT, CITY MANAGER

DATE: APRIL 4, 2019

RE: EXPLANATION OF ORDINANCES FOR PROPERTY AT BATES AVE AND 1706 VIRGINIA AVENUE
Ordinance No. 19-03 – Voluntary Annexation
Ordinance No. 19-04 – Comprehensive Plan Amendment
Ordinance No. 19-05 – Design District Assignment

Introduction:

- Ordinance No. 19-03 provides for the voluntary annexation of 3 parcels totaling approximately 10.97 acres.
- Ordinance No. 19-04 would change the future land use designation from Lake County Urban Low to Suburban Residential and Lake County Urban Medium to Urban Residential within the City of Eustis
- Ordinance No. 19-05 would assign the subject property a design district designation of Suburban Neighborhood.
- If Ordinance No. 19-03 is denied, there can be no consideration of Ordinance Nos. 19-04 and 19-05.

Recommended Action:

The administration recommends approval of Ordinance Nos. 19-03, 19-04 and 19-05.

Applicant's Request:

The applicants requested annexation of 3 lots totaling +/-10.97 acres of land at E. Bates Avenue 1200 ft. east of E. CR 44 and 1706 Virginia Ave. With the annexation, assignment



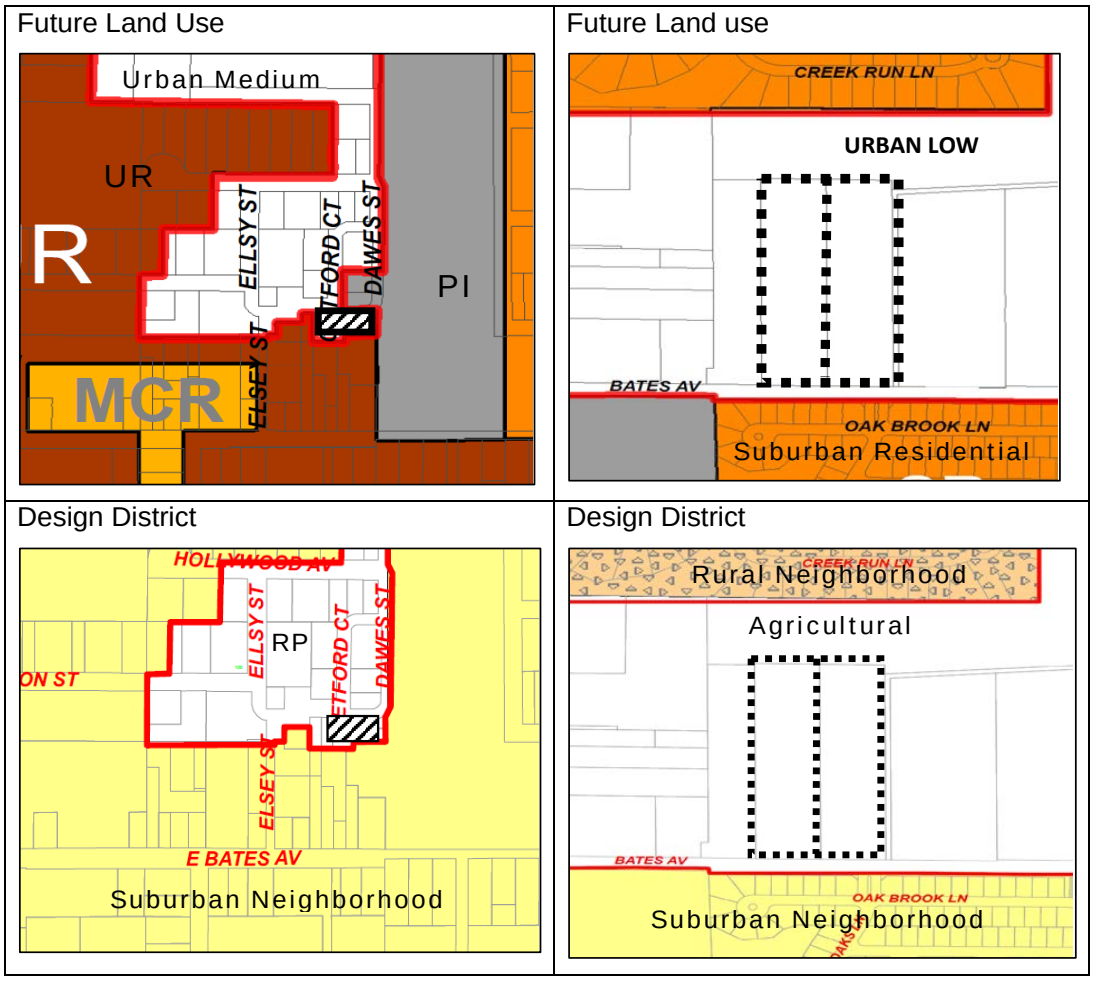


of a Eustis Future Land Use and Design District is necessary. The applicants have requested a Suburban Residential land use for the Bates Ave. properties and Urban Residential land use for the Virginia Ave. property, and a Suburban Neighborhood design district for all properties.

Background:

1) Site Information
   a) The Bates Ave. properties are vacant, wooded lots
   b) The Virginia Ave. property had a house that was demolished, and is now vacant.
   c) The sites are contiguous to the city limits.

FIGURE 1: CITY AND COUNTY FUTURE LAND USE, ZONING AND DESIGN DISTRICTS



d) County Future Land Use and Zoning

i) The Virginia Ave. site has a Lake County land use designation of Urban Medium Density and zoning of RP (see Figure 1). These categories allow the following development patterns within the County:

(1) The Urban Medium Density Future Land Use Category provides for a range of residential development at a maximum density of seven (7) dwelling units per one (1) net buildable acre, in addition to civic, commercial, and office uses with an intensity up to 0.35 FAR. Limited light industrial uses may only be allowed as a conditional use.

(2) "RP" Residential Professional. The purpose of this district is to provide single-family, duplex and multifamily housing in an urban area where needed and where urban conveniences and facilities can be provided; also to provide for those professional services not in direct conflict with the residential usage and which do not generate traffic of such a nature as to require commercial or industrial zoning.

ii) The Bates Avenue properties have a Lake County land use designation of Urban Low Density and a zoning of A (see Figure 1). These categories allow the following development patterns within the County:

(1) The Urban Low land use category allows for a range of residential uses up to 4 du/net acre, as well as professional office, limited commercial/retail, and services with an intensity up to 0.25 FAR. Limited light industrial uses may be allowed as a conditional use. Located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities.

(2) "A" Agriculture District. The purpose of the district is to provide a method whereby parcels of Land, which are most suited to agricultural usage may be classified and preserved for this purpose. Agriculture is a major industry of the County; therefore it is the intent of this district to: Provide long term means for preventing further encroachment upon agricultural enterprises; to encourage agricultural pursuits by preserving good soils and agricultural areas from subdivision development or commercial and industrial construction.

e) City Future Land Use and Design District

i) The Virginia Avenue site is surrounded by the Urban Residential future land use district (See Figure 1). The Urban Residential (UR) category applies to areas near the downtown core of the city. This land use designation has a maximum density of 12 units per acre and an impervious surface ration (ISR) of 40%. The district allows single family and duplexes, accessory apartments, group homes <7 residents, and day care facilities.

ii) The Bates Avenue sites are contiguous with the Suburban Residential future land use district (See Figure 1). The SR areas have a maximum density of five units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

iii) All parcels are contiguous with the Suburban Neighborhood design district (See Figure 1). This district has predominately residential use with some neighborhood scale commercial services with parks and civic spaces as focal points in the neighborhoods.

f) Figure 2 illustrates the existing uses of the property and surrounding area. The Bates Ave sites are heavily wooded, vacant land. The Virginia Ave property is a vacant site that previously contained a single family residence.

The surrounding land uses are primarily single-family and multi-family residences or vacant land. Some of the land previously had homes on them but are vacant now. There is also large acreage of undeveloped land. The light blue parcel in the NW corner is the Eustis Housing Authority property.

FIGURE 2: EXISTING LAND USES



2) **<u>Analysis of Annexation Request (Ord. No. 19-03)</u>:**

a. <u>Resolution No. 87-34</u> - Joint Planning Area Agreement with Lake County: "The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law.The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

The subject properties are located within the Joint Planning Area. City potable water and wastewater are available to serve all 3 parcels. (See public facilities and services analysis under item 5 below).

b. <u>Florida Statutes Voluntary Annexation - Chapter 171.044(1)</u> -"The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

The Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject properties lay within that planning area, and are contiguous to the City limits. This annexation is a natural extension of the City Limits.

c. <u>Florida Statutes Voluntary Annexation - Chapter 171.044(2)</u> - "…Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town…"

The department published notice of this annexation in the Daily Commercial in accordance with the requirements on March 18, 2019 and March 25, 2019.

d. Florida Statutes Voluntary Annexation - Chapter 171.044(5): "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

Annexation of the subject properties does not create enclaves, but is a natural extension of the City. There are existing enclaves in the area, which these annexations will assist in the elimination of the enclaves.

e. Florida Statutes Voluntary Annexation - Chapter 171.044(6): "Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located..."

The department provided notice to the Lake County Board of County Commissioners on March 8, 2019.

3) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. 19-04)** in **Accordance with Florida Statutes Chapter 163.3177.9:** The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

a) The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

This indicator does not apply. The properties are part of an existing developed area with surrounding properties already developed at the appropriate density.

(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

This indicator does not apply. The properties are part of an existing developed area.

(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

This indicator does not apply. The properties are part of a developed residential use area permitted by the County and City. The proposed designations are consistent with the character of the surrounding area

(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

The properties are part of a developed residential area. Any development will follow the City's adopted rules to conserve and protect natural resources and conservation areas.

(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

This indicator does not apply. These sites and adjacent areas do not support active agricultural or silvicultural activities. These sites are not prime farmland and have no unique soils.

(VI) Fails to maximize use of existing public facilities and services.

This indicator does not apply. The Virginia Ave. site is already connected to City water and sewer from the previous home. City sewer and water lines run along the front of both Bates Ave. properties, which will maximize the use of the existing facilities.

(VII) Fails to maximize use of future public facilities and services.

This indicator does not apply. There are no future public facilities and services planned for this area.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

This indicator does not apply. Adequate capacity is available to serve the existing development consistent with the requested UR and SR future land use designation. The City provides these services to other properties in the area, so efficiency will improve.

(IX) Fails to provide a clear separation between rural and urban uses.

This indicator does not apply. The properties are within an existing residentially developed area permitted by the County and City.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

. *This indicator does not apply. The Virginia Ave. property is within an existing developed area. The Bates Ave. property is within a developing area of the City, which includes proximity to a public educational facility.*

(XI) Fails to encourage a functional mix of uses.

This indicator does not apply. This is an existing developed area.

(XII) Results in poor accessibility among linked or related land uses.

This indicator does not apply. This parcel is within an existing, mixed-use developed area. Access to the site is already developed.

(XIII) Results in the loss of significant amounts of functional open space.

This indicator does not apply. The Virginia Ave. property is already developed. The Bates Ave. property is already served by an urban collector.

b) The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

These properties are part of an existing developed area in an established residential-use area.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

City water service is connected to the site. Potable water capacity is adequate to serve the annexed property consistent with the requested UR and SR future land use designation. The transportation network has sufficient capacity to serve this site. Upon annexation, the City will also provide other services such as fire and police protection. The City provides these services to other properties in the area, so efficiency will improve.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

The Virginia Ave. parcel is part of an existing, residential-use developed area in an established neighborhood. The Bates Ave. parcel is within walking distance of a public school.

(IV) Promotes conservation of water and energy.

Not applicable. The Virginia Ave parcel is an existing developed parcel. The Bates Ave. parcels are wooded lots not requiring water or energy.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Not applicable. These sites do not support active agricultural or silvicultural activities.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

Not applicable. The Virginia Ave. parcel is part of an existing developed area, and the property was already developed. The Bates Ave. parcels do not contain areas planned for open space or recreation needs.

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

The parcel is part of an existing, residentially developed area in an established neighborhood. The parcels are not located in areas that would support non-residential uses.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Not applicable.

4) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Comprehensive Plan Future Land Use Element Appendix:** All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the Map #1: 2035 Future Land Use Map by changing the land use designation assigned to a parcel of property shall also be reviewed to determine and assess any significant impacts to the policy structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the four (4) major categories of Plan policies as follows:

A. General Public Facilities/Services: Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The facilities and services required for analysis include emergency services, parks and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

Emergency Services Analysis: The Virginia Ave. property is located approximately 1.93 miles from a City fire station with paramedical services and the Bates Ave. parcels are 2.08 miles from a County fire station. These parcels are in an existing developed area and already receives City services.

Parks & Recreation: The Virginia Ave. parcel is already developed and is included in existing recreational levels of service. The Bates Ave. properties equate to 10.72 acres of undeveloped land. The maximum development potential is 53 dwelling units. The City's LDR require a park of 1 acre for residential subdivision greater than 50 du. This standard is exacted at time of subdivision approval.

Potable Water & Sanitary Sewer: The applicant's property is already connected to City water. There is no wastewater service to this property. The following outlines the water demand based on a maximum development potential scenario.

Potential Residential Demand

Water: 1 ERU = 300 GPD

53 du x 300 gpd= 15,900 gpdpdu

Wastewater – 1 ERU = 250 GPD

53 du x 250 gpd = 13,250 gpdpdu

According to the City of Eustis Public Works Department, water and sewer with sufficient capacity are available to all parcels.

Schools: The proposed change will not negatively impact schools.

Solid Waste: The City contracts with Waste Management for hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in delivery of services.

Stormwater: The Comprehensive Plan and Land Development Regulations include level of service standards to which new development must adhere. Projects designed to meet these standards will not negatively affect the existing facilities and services.

Transportation Network Analysis: (Institute of Traffic Engineers Trip Generation Manual, 7th Edition). The existing uses are single family housing (210 land use). Based upon the analysis, there will be minimal impact to the transportation system.

	Land Use ITE	Multiplier Trips/du	Units (du)	Trips	
Single Family Detached	210	0.76	53	40	AM Peak Hour, Weekday

B Natural Resources/Natural Features: The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan. Specifically each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued natural functioning of flood plains; and 4) the suitability of the soil and topography to the development proposed.

Ground water recharge areas: The Virginia Ave. property is part of an existing developed area, which has been evaluated for groundwater recharge. The Bates Ave. properties are not developed and are classified as high recharge areas. Any development on these lots must submit additional environmental reports per the City's Wekiva Study Area requirements.

Historical or archaeological sites: The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist. Should any historical sites or archaeological sites be uncovered during future development, work in the vicinity shall cease until the property authorities can be contacted and an evaluation is conducted.

Flood zones: The subject properties are not within a flood zone or wetland.

Soil and topography: The subject property has no soil or topographical constraints. It consists primarily of Astatula Sand, 0-5% slope (AtB).

C. Comprehensive Plan Review: Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the compatibility of the use, intensity, location, and timing of the proposed amendment.

The current Lake County zoning designation of the subject property is Agricultural for the Bates Ave. parcels, and the land use designation is Urban Low. Adjacent to the property is a single-family complex with a FLU designation of Suburban Residential (SR), which allows up to 5 du/acre. The Virginia Ave. parcel is not considered in this section, as it was already developed prior to demolition.

FLU	*AC/SF*	*Density*	*Max. Potential*
SR (City)	*10.72*	*5*	*53 du*
Urban Low (Res)	*10.72*	*4*	*42 du*

Under the new Eustis designation, the maximum development potential could increase the unit count by 11 dwelling units.

D. Transportation: Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.

The proposed land use designation is consistent with the Transportation Element. Development approvals must submit a traffic impact analysis and will be reviewed by the Lake-Sumter MPO and Lake County Engineering. Improvements to the roadway will be implemented based upon the TIA.

E. Water Supply: Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

Public utilities and services are available. Refer to 4.A. above for more information. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.

5) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Chapter 102-16(f), Land Development Regulations, Standards for Review**: In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

(1) Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan. See analysis above under item 4, A through D.

(2) Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

All properties are vacant. Any new development will follow the standards contained within the City's LDR's.

(3) Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The UR and SR land use designations are consistent with the surrounding development.

(4) Whether there have been changed conditions that justify an amendment.

The applicant wishes to annex the property into the City limits of Eustis. Assignment of a City of Eustis future land use designation is required. These changed conditions warrant a change in the land use designation.

(5) Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

City water and sewer service are available to the sites. Capacity is available to serve future development consistent with the requested UR and SR future land use designation. Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.

(6) Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

The Virginia Ave. parcel is a previously developed site and will have no impact on the environment. The Bates Ave. parcels were formally citrus groves that have been abandoned and are now revegetated woods. Any development will follow the City's LDR, which specifically addresses tree protection.

(7) Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

These parcels are contiguous to the City limits, which will result in orderly and logical development.

(8) Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

The purpose and intent of the Land Development Regulations is as follows:

> "The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the city's comprehensive plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small town community character and life style."

The proposed UR and SR future land use designations for the subject parcel will provide for orderly growth and development. This designation would advance the

public interest by providing housing options, and application of the LDRs to the future development will ensure consistency with the community character and lifestyle.

(9) Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

Properties within the Eustis Planning Area have been deemed appropriate for annexation; and as such, would warrant a more appropriate, municipal land use designation than that of the County.

6) **Analysis of Design District Request (Ord. No. 19-05):** The City's Land Development Regulations are a form-based code. Design districts are unique to form-based codes. Lake County still uses traditional Euclidean zoning, so there are no design districts for parcels in unincorporated Lake County. When a parcel annexes into the City of Eustis, the City must assign a consistent design district that follows the urban, suburban and rural transect

Section 102-17 of the Land Development Regulations includes the following standards for review of an amendment to the Design District Map. In approving a change in the designation, the City Commission shall consider:

(1) Whether the amendment is in conflict with any applicable provisions of the Code.

a) Section 102-17(a) "...Section 109-3 Design Districts, identifies the definition, structure and form of each design district. The assignment of design district must follow the district pattern and intent."

The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Neighborhood). The Suburban development pattern and intent, and the Suburban Neighborhood definition, structure and form description are stated below. The assignment of a Suburban Neighborhood design district designation is appropriate due to the established and proposed development patterns in the area.

The City of Eustis Design District Map (see Figure 1) shows the surrounding area as Suburban Neighborhood.

b) Sec. 109-3.5.5. Suburban development pattern intent statements:

i. Intent. Suburban development pattern…relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. Nonresidential uses are primarily located on corridors, districts and a mix of uses is prominent in centers.

ii. Design districts: Suburban Neighborhood:

a. Definition. Predominately residential uses with some neighborhood scale commercial services.

b. Structure. Interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

c. Form. Mix of detached residential uses with some neighborhood supporting retail, parks and civic spaces as focal points in the neighborhoods.

c) Section 102-17(a) The following guidelines must be followed when proposing the reassignment of design district:

i) Compatible intensities should face across streets. Changes in design districts should occur along rear alleys or lanes or along conservation edges.

The requested design district designation is consistent with the designation of the surrounding area.

ii) Where new development will abut an existing or approved neighborhood, the new development should establish similar or compatible transect conditions.

The parcels are part of an existing residential development pattern. The Suburban Neighborhood design district designation is the same as the designation of the surrounding area.

(2) Whether the proposed amendment is consistent with all elements of the comprehensive plan.

The requested amendment is consistent with the Future Land Use element (including Policy FLU 1.2.4, Development Patterns and FLU 1.3.2. Maintain Residential Compatibility), as well as all other elements of the Comprehensive Plan.

(3) Whether, and the extent to which, the proposed design district is consistent with existing and proposed land uses.

The Suburban Neighborhood definition, structure and form are compatible with the existing uses and any proposed uses permitted under the UR and SR future land use designation.

(4) Whether there have been changed conditions that justify amending the design district.

The subject properties are proposed for annexation and a design district assignment is necessary. The conditions have changed from land located in unincorporated Lake County within the City of Eustis with full municipal services

(5) Whether, and the extent to which, the proposed redistricting would result in demands on public facilities, and whether, or to the extent to which, the proposed change would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

This amendment will not change the demand on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond that already anticipated. Also see analysis of public facilities in above sections of this report.

(6) Whether, and the extent to which, the redistricting would result in significant impacts on the natural environment.

The proposed Design District designation for this property does not change the development potential of the parcels. Design Districts control the form and function of any development that does occur. The Future Land Use designation controls the density, intensity and minimum open space permitted on the site, so the Design District amendment would not result in additional impacts on the natural environment.

(7) Whether, and the extent to which, the proposed redistricting would affect the property values in the area.

This request should not affect property values, because the proposed Design District designation is consistent with the surrounding development patterns and design districts.

(8) Whether, and the extent to which, the proposed redistricting would result in an orderly and logical development pattern.

Assignment of the requested designation will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.

(9) Whether the proposed redistricting would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

The proposed Design District is not in conflict with the public interest and reflects the purpose and intent of the regulations.

(10) Any other matters that may be deemed appropriate by the city commission, in review and consideration of the proposed redistricting.

The City's Land Development Regulations are a form-based code. The Design District designations define the development form, but not the types of land uses, densities, intensities or required open space. The districts, therefore, must be consistent and follow the urban, suburban and rural transect. This request assigns a designation to an annexation parcel.

7) Applicable Policies and Codes

a. Resolution No. 87-34 – Joint Planning Area Agreement with Lake County:

"The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law. The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

b. Florida Statutes Chapter 171.044: Voluntary Annexation:

1) "The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

2) "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

Land Development Regulations Section 109-2.3: Outlines the general intent of the Suburban and Urban Residential Districts in the City. These land use designation are intended to have a maximum density of five or 8 units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

c. Land Development Regulations Section 109-5.5: The Suburban Neighborhood Design District is predominately residential uses with some neighborhood scale

commercial services and interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods. The mix of detached residential uses with some neighborhood supporting retail, parks and civic spaces act as focal points in the neighborhoods.

8) **Fiscal Impact:**

a. The current assessed value of the subject properties is $156,433.

b. Based on the current millage rate of 7.581, annexation of the property could increase annual operating revenues, by as much as $1,185.92.

Alternatives:

1. Approve Ordinance Nos. 19-03 (Annexation), 19-04 (Comp. Plan Amendment), and/or 19-05 (Design District Designation) for property located at 1706 Virginia Ave. and E. Bates Ave.
2. Deny Ordinance Nos. 19-03, and 19-04, and 19-05.

Discussion of Alternatives:

1. Alternative 1 approves the ordinances.
   Advantages:
   - The action would be consistent with the expansion plans for the City in accordance with the adopted Eustis Planning Area.
   - Annexation could increase the tax base of the City and increase the annual operating revenues.
   - The City would have a more compact service area for utilities, police, and fire to increase efficiency and level of service. A more compact service area can reduce the overall per capita cost of providing urban services.
   - The land use change and design district assignment are consistent with the proposed use of the property and the nature of the surrounding area.
   - The action could encourage additional development and/or annexations in that area.

   Disadvantages:
   - No disadvantages.

2. Alternative 2 denies the Ordinances. (If Ordinance No. 19-03 is denied, the Commission cannot approve Ordinance Nos. 19-04 and 19-05.)

   Advantages:
   - There are no advantages to denying the ordinances.

   Disadvantages:
   - Denying annexation would create a gap in the City's natural growth boundary as defined by the Eustis Planning Area.
   - The action would eliminate the potential for increased operating revenue and the subject properties would continue to receive the indirect benefits of City services that are provided to adjacent properties without paying City taxes.
   - The City would continue to experience gaps in its service area causing service inefficiency and confusion regarding City boundaries.

Community Input:
The department has notified surrounding property owners within 500 feet of the site; the proper legal advertisements have been placed in the newspaper; and the site has been posted. To date the department has received 2 responses from residents or adjacent property owners for comment or additional information.

Budget / Staff Impact:
There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

Reviewed By: Lori Barnes, AICP, Development Services Director

Prepared By: Roland Magyar, AICP, Senior Planner

Attachments:

Ordinance No. 19-03, 19-04, 19-05 (including Exhibit A),

Surrounding Property Owner Notice of Hearing, and Advertisements

ORDINANCE NO. 19-04

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 10.97 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44 FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), AND 1706 VIRGINIA AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO URBAN RESIDENTIAL (UR) IN THE CITY OF EUSTIS.

WHEREAS, on November 4, 2010, the Eustis City Commission adopted the City of Eustis Comprehensive Plan 2010-2035 through Ordinance No. 10-11; and

WHEREAS, State of Florida Department of Community Affairs found the City of Eustis Comprehensive Plan 2010-2035 In Compliance pursuant to Sections 163.3184, 163.3187, and 163.3189 Florida Statutes; and

WHEREAS, the City of Eustis periodically amends its Comprehensive Plan in accordance with Chapter 163.3187 and 163.3191, Florida Statutes; and

WHEREAS, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 10.97 acres of recently annexed real property located at E. Bates Avenue 1200 feet east of E. CR 44 and 1706 Virginia Avenue, and more particularly described herein; and

WHEREAS, on April 4, 2019, the Local Planning Agency held a Public Hearing to consider the adoption of a Small Scale Future Land Use Amendment for this change in designation; and

WHEREAS, On April 4, 2019, the City Commission held the 1st Adoption Public Hearing to accept the Local Planning Agency's recommendation to adopt the Small Scale Future Land Use Amendment contained herein; and

WHEREAS, On April 18, 2019, the City Commission held the 2nd Adoption Public Hearing to consider the adoption of the Small Scale Future Land Use Amendment contained herein;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

Section 1. Land Use Designation

That the Future Land Use Designation of the real property as described below shall be changed from Lake County Urban Low to Suburban Residential within the City of Eustis:

Tax ID: 06-19-27-0004-000-04000

FROM S 1/4 COR RUN S 89-05-0 E ALONG S LINE 175.33 FT, N 0-06-13 E 24 FT TO N R/W LINE OF BATES AVE, S 89-05-0 E ALONG SAID N R/W LINE 242.35 FT FOR POB, RUN N 0-04-29 E 971.98 FT, S 88-52-37 E 242.31 FT, S 0-04-16 W 971.11 FT TO N R/W LINE OF BATES AVE, N 89-05-0 W ALONG SAID R/W LINE 242.35 FT TO POB ORB 5105 PG 2207

Tax ID: 06-19-27-0004-000-06600

FROM S 1/4 COR RUN S 89-05-0 E ALONG S LINE 175.33 FT, N 0-06-13 E 24 FT TO N R/W LINE OF BATES AVE FOR POB, CONT N 0-06-13 E 972.84 FT, S 88-52-37 E 241.87 FT, S 0-04-29 W 971.98 FT TO N R/W LINE OF BATES AVE, N 89-05-0 W ALONG SAID R/W LINE 242.35 FT TO POB ORB 5235 PG 1083, and

That the Future Land Use Designation of the real property as described below shall be changed from Lake County Urban Medium to Urban Residential within the City of Eustis:

Tax ID: 01-19-26-0900-000-00409

HAZZARD'S HOMESTEAD BEG SE COR LOT 4 RUN W 90 FT, S 20 FT TO POB, W 59.33 FT, N 88 FT, E 149.33 FT, S 31 FT, W 90 FT, S 57 FT TO POB--LESS R/W EASEMENT OVER N 25 FT-- *UNRECORDED PLAT SEE DEED FOR FULL PROPERTY DESCRIPTION ORB 4558 PG 884

Section 2. Map Amendment and Notification

That the Director of Development Services shall be authorized to amend the Future Land Use Map of the Comprehensive Plan to incorporate the change described in Section 1 and provide appropriate notification in accordance with Florida Statutes.

Section 3. Conflict

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. Severability

That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 5. Effective Date

That this Ordinance shall not become effective unless and until the annexation of the subject property becomes effective through approval of Ordinance No. 19-03. Further, the effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity 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 Department of Economic Opportunity.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this _____ day of _____, 2019.

CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA

_____
Michael L. Holland
Mayor-Commissioner

ATTEST:

_____
City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this ____ day of _____, 2019 by Michael L. Holland, Mayor and Mary C. Montez, City Clerk, who are personally known to me.

_____
Notary Public - State of Florida
My Commission Expires:_____
Notary Serial No:_____

CITY ATTORNEY'S OFFICE

This document has been reviewed and approved as to form and legal content, but I have not performed an Independent Title Examination as to the accuracy of the Legal Description.

_____ _____
City Attorney's Office Date

CERTIFICATE OF POSTING

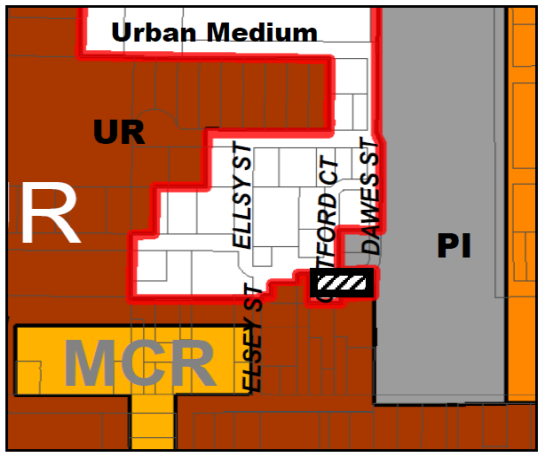
The foregoing Resolution No. 19-04 is hereby approved, and I hereby certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____ _____

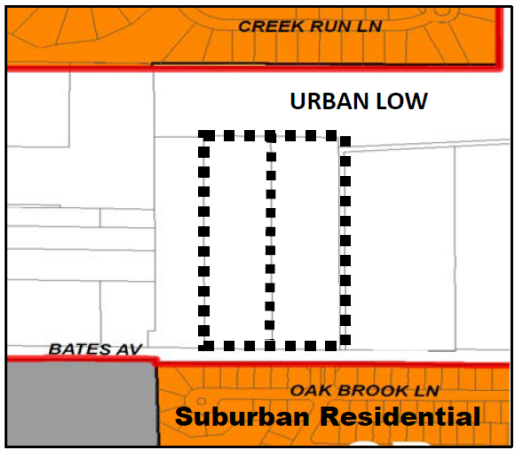
Date Mary C. Montez, City Clerk

Exhibit A

Future Land Use



Future Land use



Notice of Public Hearing

You are receiving this notice because you own property within 500 feet of a land development request (see below). This is part of the City's notification process to inform the public of this request. If you have questions regarding this request, please contact us at 352-483-5460. If you have no questions or do not wish to attend the meeting, you may disregard this notice.

TO: Surrounding Property Owners

FROM: Roland D. Magyar, Senior Planner

DATE: March 21, 2019

RE: Notice of Quasi-Judicial Public Hearing

Ordinance Nos.: 19-03, 19-04, 19-05

Notice is hereby given for the following public hearings to be held in the City Commission Chambers, City Hall, 10 N. Grove Street, Eustis, FL, regarding Annexation and Future Land Use and Design District map amendments of 10.97 acres of real property located at E. Bates Avenue 1200 ft. east of E. CR 44 and 1706 Virginia Avenue.

1. The Local Planning Agency will hold a public hearing on April 4, 2019 at 5:50 PM, or as may be continued at their discretion, to consider a change the land use designation of the subject properties from Urban Low and Urban Medium in Lake County to Suburban Residential (SR) and Urban Residential (UR) in the City of Eustis.
2. The Eustis City Commission will conduct two Quasi-Jurisdictional Public Hearings at **6:00 PM**, or as may be continued at their discretion, regarding the following ordinances on the following dates:

Ordinance 19-03 is a voluntary annexation of 10.97 acres located at at E. Bates Avenue 1200 ft. east of E. CR 44 and 1706 Virginia Avenue.

Ordinance 19-04 is a small Scale Comprehensive Plan Amendment to change the Future Land Use designation of said properties from Urban Low and Urban Medium in Lake County to Suburban Residential (SR) and Urban Residential (UR) in the City of Eustis.

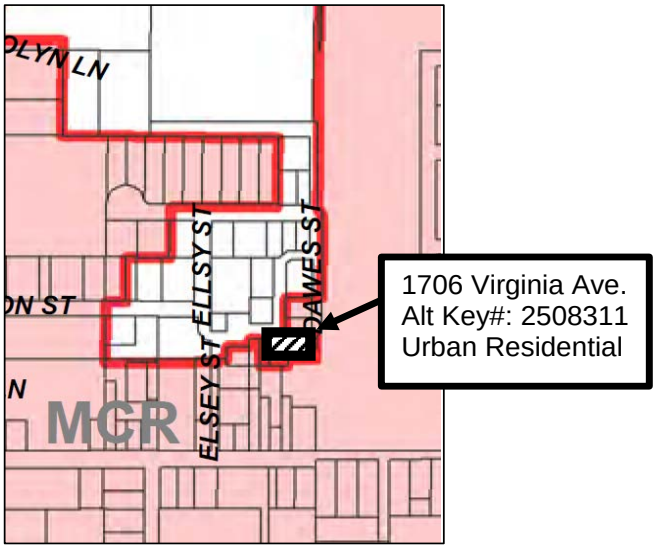
Ordinance 19-05 is the assignment of the Design District designation of Suburban Neighborhood to these properties.

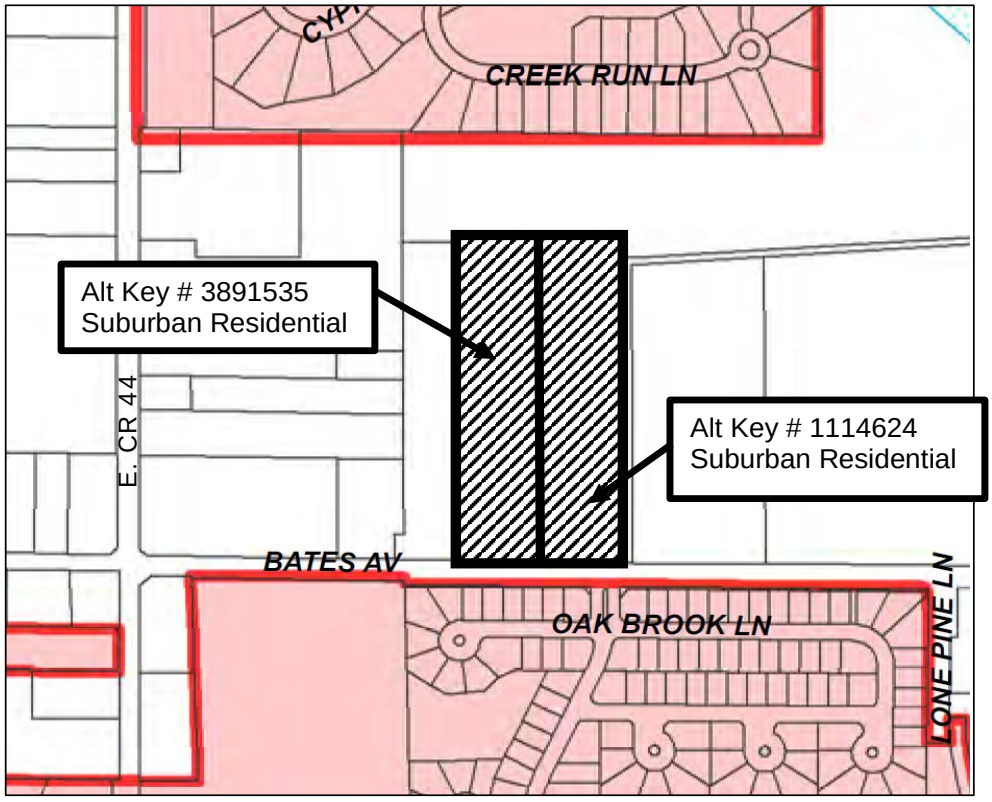
1st Reading	2nd Reading
April 4, 2019	April 18, 2019

A Location Map is provided on the reverse side.

The case file, complete legal description of the property and proposed ordinance will be available for examination beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at (352) 483-5460 if you have any questions

LOCATION MAP





Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086003
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$177.00

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-01 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-04 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-04: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 10.97 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44 FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), AND 1706 VIRGINIA AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO URBAN RESIDENTIAL (UR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$177.00
Tax	$0.00
Sub Total	$177.00
Prepaid Amount	$0.00
Balance Due	$177.00

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086003

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-01 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-04 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-04: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 10.97 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44 FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), AND 1706 VIRGINIA AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO URBAN RESIDENTIAL (UR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086000
Phone: (352) 483-5430
Date: 03/19/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-05 No	03/18/2019	03/18/2019	$115.08

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that *a verbatim record* of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$115.08
Tax	$0.00
Sub Total	$115.08
Prepaid Amount	$0.00
Balance Due	$115.08

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-05

was published in said newspaper in the issues of:

March 14, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French
(Print, Type or Stamp Name of Notary Public)

AD# 10086000

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086004
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$171.84

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352-483-5460 if you have any questions.

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Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$171.84
Tax	$0.00
Sub Total	$171.84
Prepaid Amount	$0.00
Balance Due	$171.84

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

(Print, Type or Stamp Name of Notary Public)

AD# 1008604

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct. the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086001
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-08 No	03/18/2019	03/18/2019	$111.64

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$111.64
Tax	$0.00
Sub Total	$111.64
Prepaid Amount	$0.00
Balance Due	$111.64

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-08

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086001

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086005
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$178.72

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 W. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations *and conduct* the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$178.72
Tax	$0.00
Sub Total	$178.72
Prepaid Amount	$0.00
Balance Due	$178.72

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086005

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 N. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

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On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

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The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086002
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-11 No	03/18/2019	03/18/2019	$118.52

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-11

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-11 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$118.52
Tax	$0.00
Sub Total	$118.52
Prepaid Amount	$0.00
Balance Due	$118.52

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

Ord 19-11

was published in said newspaper in the issues of:

March 18, 2019

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Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086002

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-11

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-11 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 119 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

RECEIVED
MAR 2 2 2019

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: ORDINANCE NO. 19-05: DESIGN DISTRICT ASSIGNMENT FOR PROPERTY LOCATED AT BATES AVENUE AND 1706 VIRGINIA AVENUE

Introduction:
Ordinance No. 19-05 would assign the subject property a design district designation of Suburban Neighborhood. If Ordinance No. 19-03 is denied, there can be no consideration of Ordinance Nos. 19-04 and 19-05.

Background:
The applicants requested annexation of 3 lots totaling +/-10.97 acres of land at E. Bates Avenue 1200 ft. east of E. CR 44 and 1706 Virginia Ave. With the annexation, assignment of a Eustis Future Land Use and Design District is necessary. The applicants have requested a Suburban Neighborhood design district for all properties.

Recommended Action:
The administration recommends approval of Ordinance No. 19-05.

Policy Implications:
n/a

Alternatives:
1. Approve Ordinance No. 19-05
2. Deny Ordinance No. 19-05

Budget Impact:
n/a

Attachments:
Staff Report Ord 19-03, 19-04, and 19-05- Group 1 - Annex CPP DD
Ord 19-05 Group 1 DD
DC AFFIDAVITS-APR 4; APR 18 MEETINGS

Notice of Public Hearing 500 ft Group 1 - Annex

Reviewed by:

Lori Barnes, Director	Approved - 29 Mar 2019
Ronald Neibert, City Manager	Approved - 29 Mar 2019

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: RONALD R. NEIBERT, CITY MANAGER

DATE: APRIL 4, 2019

RE: EXPLANATION OF ORDINANCES FOR PROPERTY AT BATES AVE AND 1706 VIRGINIA AVENUE
Ordinance No. 19-03 – Voluntary Annexation
Ordinance No. 19-04 – Comprehensive Plan Amendment
Ordinance No. 19-05 – Design District Assignment

Introduction:

- Ordinance No. 19-03 provides for the voluntary annexation of 3 parcels totaling approximately 10.97 acres.
- Ordinance No. 19-04 would change the future land use designation from Lake County Urban Low to Suburban Residential and Lake County Urban Medium to Urban Residential within the City of Eustis
- Ordinance No. 19-05 would assign the subject property a design district designation of Suburban Neighborhood.
- If Ordinance No. 19-03 is denied, there can be no consideration of Ordinance Nos. 19-04 and 19-05.

Recommended Action:

The administration recommends approval of Ordinance Nos. 19-03, 19-04 and 19-05.

Applicant's Request:

The applicants requested annexation of 3 lots totaling +/-10.97 acres of land at E. Bates Avenue 1200 ft. east of E. CR 44 and 1706 Virginia Ave. With the annexation, assignment



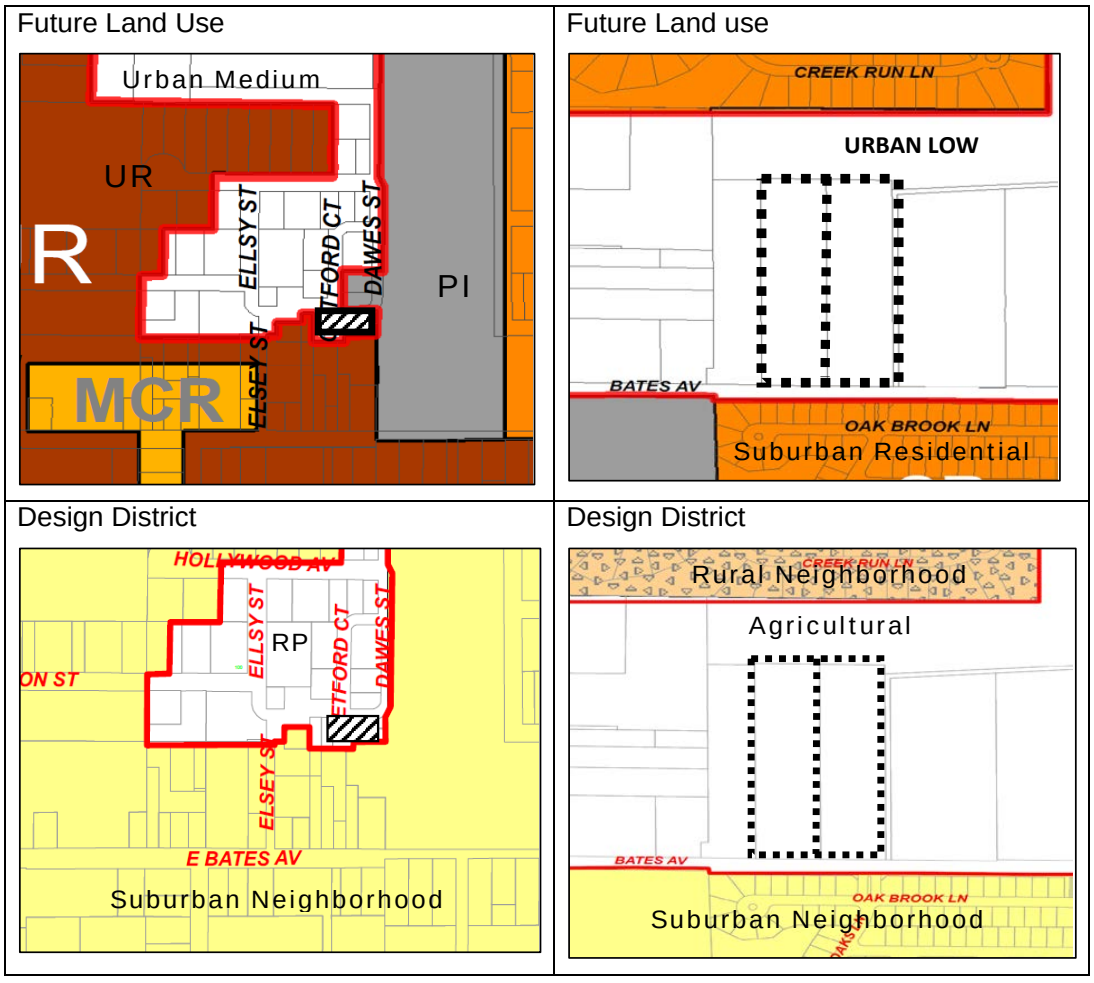


of a Eustis Future Land Use and Design District is necessary. The applicants have requested a Suburban Residential land use for the Bates Ave. properties and Urban Residential land use for the Virginia Ave. property, and a Suburban Neighborhood design district for all properties.

Background:

1) Site Information
   a) The Bates Ave. properties are vacant, wooded lots
   b) The Virginia Ave. property had a house that was demolished, and is now vacant.
   c) The sites are contiguous to the city limits.

FIGURE 1: CITY AND COUNTY FUTURE LAND USE, ZONING AND DESIGN DISTRICTS



d) County Future Land Use and Zoning

i) The Virginia Ave. site has a Lake County land use designation of Urban Medium Density and zoning of RP (see Figure 1). These categories allow the following development patterns within the County:

(1) The Urban Medium Density Future Land Use Category provides for a range of residential development at a maximum density of seven (7) dwelling units per one (1) net buildable acre, in addition to civic, commercial, and office uses with an intensity up to 0.35 FAR. Limited light industrial uses may only be allowed as a conditional use.

(2) "RP" Residential Professional. The purpose of this district is to provide single-family, duplex and multifamily housing in an urban area where needed and where urban conveniences and facilities can be provided; also to provide for those professional services not in direct conflict with the residential usage and which do not generate traffic of such a nature as to require commercial or industrial zoning.

ii) The Bates Avenue properties have a Lake County land use designation of Urban Low Density and a zoning of A (see Figure 1). These categories allow the following development patterns within the County:

(1) The Urban Low land use category allows for a range of residential uses up to 4 du/net acre, as well as professional office, limited commercial/retail, and services with an intensity up to 0.25 FAR. Limited light industrial uses may be allowed as a conditional use. Located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities.

(2) "A" Agriculture District. The purpose of the district is to provide a method whereby parcels of Land, which are most suited to agricultural usage may be classified and preserved for this purpose. Agriculture is a major industry of the County; therefore it is the intent of this district to: Provide long term means for preventing further encroachment upon agricultural enterprises; to encourage agricultural pursuits by preserving good soils and agricultural areas from subdivision development or commercial and industrial construction.

e) City Future Land Use and Design District

i) The Virginia Avenue site is surrounded by the Urban Residential future land use district (See Figure 1). The Urban Residential (UR) category applies to areas near the downtown core of the city. This land use designation has a maximum density of 12 units per acre and an impervious surface ration (ISR) of 40%. The district allows single family and duplexes, accessory apartments, group homes <7 residents, and day care facilities.

ii) The Bates Avenue sites are contiguous with the Suburban Residential future land use district (See Figure 1). The SR areas have a maximum density of five units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

iii) All parcels are contiguous with the Suburban Neighborhood design district (See Figure 1). This district has predominately residential use with some neighborhood scale commercial services with parks and civic spaces as focal points in the neighborhoods.

f) Figure 2 illustrates the existing uses of the property and surrounding area. The Bates Ave sites are heavily wooded, vacant land. The Virginia Ave property is a vacant site that previously contained a single family residence.

The surrounding land uses are primarily single-family and multi-family residences or vacant land. Some of the land previously had homes on them but are vacant now. There is also large acreage of undeveloped land. The light blue parcel in the NW corner is the Eustis Housing Authority property.

FIGURE 2: EXISTING LAND USES



2) **<u>Analysis of Annexation Request (Ord. No. 19-03)</u>:**

a. <u>Resolution No. 87-34</u> - Joint Planning Area Agreement with Lake County: "The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law.The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

The subject properties are located within the Joint Planning Area. City potable water and wastewater are available to serve all 3 parcels. (See public facilities and services analysis under item 5 below).

b. <u>Florida Statutes Voluntary Annexation - Chapter 171.044(1)</u> -"The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

The Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject properties lay within that planning area, and are contiguous to the City limits. This annexation is a natural extension of the City Limits.

c. <u>Florida Statutes Voluntary Annexation - Chapter 171.044(2)</u> - "…Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town…"

The department published notice of this annexation in the Daily Commercial in accordance with the requirements on March 18, 2019 and March 25, 2019.

d. Florida Statutes Voluntary Annexation - Chapter 171.044(5): "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

Annexation of the subject properties does not create enclaves, but is a natural extension of the City. There are existing enclaves in the area, which these annexations will assist in the elimination of the enclaves.

e. Florida Statutes Voluntary Annexation - Chapter 171.044(6): "Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located..."

The department provided notice to the Lake County Board of County Commissioners on March 8, 2019.

3) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. 19-04)** in **Accordance with Florida Statutes Chapter 163.3177.9:** The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

a) The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

This indicator does not apply. The properties are part of an existing developed area with surrounding properties already developed at the appropriate density.

(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

This indicator does not apply. The properties are part of an existing developed area.

(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

This indicator does not apply. The properties are part of a developed residential use area permitted by the County and City. The proposed designations are consistent with the character of the surrounding area

(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

The properties are part of a developed residential area. Any development will follow the City's adopted rules to conserve and protect natural resources and conservation areas.

(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

This indicator does not apply. These sites and adjacent areas do not support active agricultural or silvicultural activities. These sites are not prime farmland and have no unique soils.

(VI) Fails to maximize use of existing public facilities and services.

This indicator does not apply. The Virginia Ave. site is already connected to City water and sewer from the previous home. City sewer and water lines run along the front of both Bates Ave. properties, which will maximize the use of the existing facilities.

(VII) Fails to maximize use of future public facilities and services.

This indicator does not apply. There are no future public facilities and services planned for this area.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

This indicator does not apply. Adequate capacity is available to serve the existing development consistent with the requested UR and SR future land use designation. The City provides these services to other properties in the area, so efficiency will improve.

(IX) Fails to provide a clear separation between rural and urban uses.

This indicator does not apply. The properties are within an existing residentially developed area permitted by the County and City.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

. *This indicator does not apply. The Virginia Ave. property is within an existing developed area. The Bates Ave. property is within a developing area of the City, which includes proximity to a public educational facility.*

(XI) Fails to encourage a functional mix of uses.

This indicator does not apply. This is an existing developed area.

(XII) Results in poor accessibility among linked or related land uses.

This indicator does not apply. This parcel is within an existing, mixed-use developed area. Access to the site is already developed.

(XIII) Results in the loss of significant amounts of functional open space.

This indicator does not apply. The Virginia Ave. property is already developed. The Bates Ave. property is already served by an urban collector.

b) The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

These properties are part of an existing developed area in an established residential-use area.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

City water service is connected to the site. Potable water capacity is adequate to serve the annexed property consistent with the requested UR and SR future land use designation. The transportation network has sufficient capacity to serve this site. Upon annexation, the City will also provide other services such as fire and police protection. The City provides these services to other properties in the area, so efficiency will improve.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

The Virginia Ave. parcel is part of an existing, residential-use developed area in an established neighborhood. The Bates Ave. parcel is within walking distance of a public school.

(IV) Promotes conservation of water and energy.

Not applicable. The Virginia Ave parcel is an existing developed parcel. The Bates Ave. parcels are wooded lots not requiring water or energy.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Not applicable. These sites do not support active agricultural or silvicultural activities.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

Not applicable. The Virginia Ave. parcel is part of an existing developed area, and the property was already developed. The Bates Ave. parcels do not contain areas planned for open space or recreation needs.

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

The parcel is part of an existing, residentially developed area in an established neighborhood. The parcels are not located in areas that would support non-residential uses.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Not applicable.

4) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Comprehensive Plan Future Land Use Element Appendix:** All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the Map #1: 2035 Future Land Use Map by changing the land use designation assigned to a parcel of property shall also be reviewed to determine and assess any significant impacts to the policy structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the four (4) major categories of Plan policies as follows:

A. General Public Facilities/Services: Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The facilities and services required for analysis include emergency services, parks and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

Emergency Services Analysis: The Virginia Ave. property is located approximately 1.93 miles from a City fire station with paramedical services and the Bates Ave. parcels are 2.08 miles from a County fire station. These parcels are in an existing developed area and already receives City services.

Parks & Recreation: The Virginia Ave. parcel is already developed and is included in existing recreational levels of service. The Bates Ave. properties equate to 10.72 acres of undeveloped land. The maximum development potential is 53 dwelling units. The City's LDR require a park of 1 acre for residential subdivision greater than 50 du. This standard is exacted at time of subdivision approval.

Potable Water & Sanitary Sewer: The applicant's property is already connected to City water. There is no wastewater service to this property. The following outlines the water demand based on a maximum development potential scenario.

Potential Residential Demand

Water: 1 ERU = 300 GPD

53 du x 300 gpd= 15,900 gpdpdu

Wastewater – 1 ERU = 250 GPD

53 du x 250 gpd = 13,250 gpdpdu

According to the City of Eustis Public Works Department, water and sewer with sufficient capacity are available to all parcels.

Schools: The proposed change will not negatively impact schools.

Solid Waste: The City contracts with Waste Management for hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in delivery of services.

Stormwater: The Comprehensive Plan and Land Development Regulations include level of service standards to which new development must adhere. Projects designed to meet these standards will not negatively affect the existing facilities and services.

Transportation Network Analysis: (Institute of Traffic Engineers Trip Generation Manual, 7th Edition). The existing uses are single family housing (210 land use). Based upon the analysis, there will be minimal impact to the transportation system.

	Land Use ITE	Multiplier Trips/du	Units (du)	Trips	
Single Family Detached	210	0.76	53	40	AM Peak Hour, Weekday

B Natural Resources/Natural Features: The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan. Specifically each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued natural functioning of flood plains; and 4) the suitability of the soil and topography to the development proposed.

Ground water recharge areas: The Virginia Ave. property is part of an existing developed area, which has been evaluated for groundwater recharge. The Bates Ave. properties are not developed and are classified as high recharge areas. Any development on these lots must submit additional environmental reports per the City's Wekiva Study Area requirements.

Historical or archaeological sites: The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist. Should any historical sites or archaeological sites be uncovered during future development, work in the vicinity shall cease until the property authorities can be contacted and an evaluation is conducted.

Flood zones: The subject properties are not within a flood zone or wetland.

Soil and topography: The subject property has no soil or topographical constraints. It consists primarily of Astatula Sand, 0-5% slope (AtB).

C. Comprehensive Plan Review: Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the compatibility of the use, intensity, location, and timing of the proposed amendment.

The current Lake County zoning designation of the subject property is Agricultural for the Bates Ave. parcels, and the land use designation is Urban Low. Adjacent to the property is a single-family complex with a FLU designation of Suburban Residential (SR), which allows up to 5 du/acre. The Virginia Ave. parcel is not considered in this section, as it was already developed prior to demolition.

FLU	*AC/SF*	*Density*	*Max. Potential*
SR (City)	*10.72*	*5*	*53 du*
Urban Low (Res)	*10.72*	*4*	*42 du*

Under the new Eustis designation, the maximum development potential could increase the unit count by 11 dwelling units.

D. Transportation: Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.

The proposed land use designation is consistent with the Transportation Element. Development approvals must submit a traffic impact analysis and will be reviewed by the Lake-Sumter MPO and Lake County Engineering. Improvements to the roadway will be implemented based upon the TIA.

E. Water Supply: Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

Public utilities and services are available. Refer to 4.A. above for more information. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.

5) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Chapter 102-16(f), Land Development Regulations, Standards for Review**: In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

(1) Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan. See analysis above under item 4, A through D.

(2) Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

All properties are vacant. Any new development will follow the standards contained within the City's LDR's.

(3) Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The UR and SR land use designations are consistent with the surrounding development.

(4) Whether there have been changed conditions that justify an amendment.

The applicant wishes to annex the property into the City limits of Eustis. Assignment of a City of Eustis future land use designation is required. These changed conditions warrant a change in the land use designation.

(5) Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

City water and sewer service are available to the sites. Capacity is available to serve future development consistent with the requested UR and SR future land use designation. Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.

(6) Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

The Virginia Ave. parcel is a previously developed site and will have no impact on the environment. The Bates Ave. parcels were formally citrus groves that have been abandoned and are now revegetated woods. Any development will follow the City's LDR, which specifically addresses tree protection.

(7) Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

These parcels are contiguous to the City limits, which will result in orderly and logical development.

(8) Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

The purpose and intent of the Land Development Regulations is as follows:

> "The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the city's comprehensive plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small town community character and life style."

The proposed UR and SR future land use designations for the subject parcel will provide for orderly growth and development. This designation would advance the

public interest by providing housing options, and application of the LDRs to the future development will ensure consistency with the community character and lifestyle.

(9) Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

Properties within the Eustis Planning Area have been deemed appropriate for annexation; and as such, would warrant a more appropriate, municipal land use designation than that of the County.

6) **Analysis of Design District Request (Ord. No. 19-05):** The City's Land Development Regulations are a form-based code. Design districts are unique to form-based codes. Lake County still uses traditional Euclidean zoning, so there are no design districts for parcels in unincorporated Lake County. When a parcel annexes into the City of Eustis, the City must assign a consistent design district that follows the urban, suburban and rural transect

Section 102-17 of the Land Development Regulations includes the following standards for review of an amendment to the Design District Map. In approving a change in the designation, the City Commission shall consider:

(1) Whether the amendment is in conflict with any applicable provisions of the Code.

a) Section 102-17(a) "...Section 109-3 Design Districts, identifies the definition, structure and form of each design district. The assignment of design district must follow the district pattern and intent."

The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Neighborhood). The Suburban development pattern and intent, and the Suburban Neighborhood definition, structure and form description are stated below. The assignment of a Suburban Neighborhood design district designation is appropriate due to the established and proposed development patterns in the area.

The City of Eustis Design District Map (see Figure 1) shows the surrounding area as Suburban Neighborhood.

b) Sec. 109-3.5.5. Suburban development pattern intent statements:

i. Intent. Suburban development pattern…relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. Nonresidential uses are primarily located on corridors, districts and a mix of uses is prominent in centers.

ii. Design districts: Suburban Neighborhood:

a. Definition. Predominately residential uses with some neighborhood scale commercial services.

b. Structure. Interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

c. Form. Mix of detached residential uses with some neighborhood supporting retail, parks and civic spaces as focal points in the neighborhoods.

c) Section 102-17(a) The following guidelines must be followed when proposing the reassignment of design district:

i) Compatible intensities should face across streets. Changes in design districts should occur along rear alleys or lanes or along conservation edges.

The requested design district designation is consistent with the designation of the surrounding area.

ii) Where new development will abut an existing or approved neighborhood, the new development should establish similar or compatible transect conditions.

The parcels are part of an existing residential development pattern. The Suburban Neighborhood design district designation is the same as the designation of the surrounding area.

(2) Whether the proposed amendment is consistent with all elements of the comprehensive plan.

The requested amendment is consistent with the Future Land Use element (including Policy FLU 1.2.4, Development Patterns and FLU 1.3.2. Maintain Residential Compatibility), as well as all other elements of the Comprehensive Plan.

(3) Whether, and the extent to which, the proposed design district is consistent with existing and proposed land uses.

The Suburban Neighborhood definition, structure and form are compatible with the existing uses and any proposed uses permitted under the UR and SR future land use designation.

(4) Whether there have been changed conditions that justify amending the design district.

The subject properties are proposed for annexation and a design district assignment is necessary. The conditions have changed from land located in unincorporated Lake County within the City of Eustis with full municipal services

(5) Whether, and the extent to which, the proposed redistricting would result in demands on public facilities, and whether, or to the extent to which, the proposed change would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

This amendment will not change the demand on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond that already anticipated. Also see analysis of public facilities in above sections of this report.

(6) Whether, and the extent to which, the redistricting would result in significant impacts on the natural environment.

The proposed Design District designation for this property does not change the development potential of the parcels. Design Districts control the form and function of any development that does occur. The Future Land Use designation controls the density, intensity and minimum open space permitted on the site, so the Design District amendment would not result in additional impacts on the natural environment.

(7) Whether, and the extent to which, the proposed redistricting would affect the property values in the area.

This request should not affect property values, because the proposed Design District designation is consistent with the surrounding development patterns and design districts.

(8) Whether, and the extent to which, the proposed redistricting would result in an orderly and logical development pattern.

Assignment of the requested designation will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.

(9) Whether the proposed redistricting would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

The proposed Design District is not in conflict with the public interest and reflects the purpose and intent of the regulations.

(10) Any other matters that may be deemed appropriate by the city commission, in review and consideration of the proposed redistricting.

The City's Land Development Regulations are a form-based code. The Design District designations define the development <u>form</u>, but not the types of land uses, densities, intensities or required open space. The districts, therefore, must be consistent and follow the urban, suburban and rural transect. This request assigns a designation to an annexation parcel.

7) <u>Applicable Policies and Codes</u>

a. <u>Resolution No. 87-34</u> – Joint Planning Area Agreement with Lake County:

"The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law. The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

b. <u>Florida Statutes Chapter 171.044: Voluntary Annexation</u>:

1) "The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

2) "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

<u>Land Development Regulations Section 109-2.3</u>: Outlines the general intent of the Suburban and Urban Residential Districts in the City. These land use designation are intended to have a maximum density of five or 8 units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

c. <u>Land Development Regulations Section 109-5.5</u>: The Suburban Neighborhood Design District is predominately residential uses with some neighborhood scale

commercial services and interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods. The mix of detached residential uses with some neighborhood supporting retail, parks and civic spaces act as focal points in the neighborhoods.

8) **Fiscal Impact:**

a. The current assessed value of the subject properties is $156,433.

b. Based on the current millage rate of 7.581, annexation of the property could increase annual operating revenues, by as much as $1,185.92.

Alternatives:

1. Approve Ordinance Nos. 19-03 (Annexation), 19-04 (Comp. Plan Amendment), and/or 19-05 (Design District Designation) for property located at 1706 Virginia Ave. and E. Bates Ave.
2. Deny Ordinance Nos. 19-03, and 19-04, and 19-05.

Discussion of Alternatives:

1. Alternative 1 approves the ordinances.
   Advantages:
   - The action would be consistent with the expansion plans for the City in accordance with the adopted Eustis Planning Area.
   - Annexation could increase the tax base of the City and increase the annual operating revenues.
   - The City would have a more compact service area for utilities, police, and fire to increase efficiency and level of service. A more compact service area can reduce the overall per capita cost of providing urban services.
   - The land use change and design district assignment are consistent with the proposed use of the property and the nature of the surrounding area.
   - The action could encourage additional development and/or annexations in that area.

   Disadvantages:
   - No disadvantages.

2. Alternative 2 denies the Ordinances. (If Ordinance No. 19-03 is denied, the Commission cannot approve Ordinance Nos. 19-04 and 19-05.)

   Advantages:
   - There are no advantages to denying the ordinances.

   Disadvantages:
   - Denying annexation would create a gap in the City's natural growth boundary as defined by the Eustis Planning Area.
   - The action would eliminate the potential for increased operating revenue and the subject properties would continue to receive the indirect benefits of City services that are provided to adjacent properties without paying City taxes.
   - The City would continue to experience gaps in its service area causing service inefficiency and confusion regarding City boundaries.

Community Input:
The department has notified surrounding property owners within 500 feet of the site; the proper legal advertisements have been placed in the newspaper; and the site has been posted. To date the department has received 2 responses from residents or adjacent property owners for comment or additional information.

Budget / Staff Impact:
There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

Reviewed By: Lori Barnes, AICP, Development Services Director

Prepared By: Roland Magyar, AICP, Senior Planner

Attachments:

Ordinance No. 19-03, 19-04, 19-05 (including Exhibit A),

Surrounding Property Owner Notice of Hearing, and Advertisements

ORDINANCE NO. 19-05

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE, EUSTIS, FL.

WHEREAS, the City of Eustis desires to amend the Design District Map of the Land Development Regulations adopted under Ordinance No. 09-33 to assign a Design District designation of Suburban Neighborhood to approximately 10.97 acres of real property located at E. Bates Avenue 1200 feet east of E. CR 44 and 1706 Virginia Avenue and

WHEREAS, On April 4, 2019, the City Commission held the 1st Public Hearing to consider the Design District Amendment contained herein; and

WHEREAS, On April 18, 2019, the City Commission held the 2nd Public Hearing to consider the adoption of the Design District Amendment contained herein;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

Section 1. Design District Designation

That the Design District Designation of the real properties described below shall be Suburban Neighborhood:

Tax ID: 06-19-27-0004-000-04000

FROM S 1/4 COR RUN S 89-05-0 E ALONG S LINE 175.33 FT, N 0-06-13 E 24 FT TO N R/W LINE OF BATES AVE, S 89-05-0 E ALONG SAID N R/W LINE 242.35 FT FOR POB, RUN N 0-04-29 E 971.98 FT, S 88-52-37 E 242.31 FT, S 0-04-16 W 971.11 FT TO N R/W LINE OF BATES AVE, N 89-05-0 W ALONG SAID R/W LINE 242.35 FT TO POB ORB 5105 PG 2207

Tax ID: 06-19-27-0004-000-06600

FROM S 1/4 COR RUN S 89-05-0 E ALONG S LINE 175.33 FT, N 0-06-13 E 24 FT TO N R/W LINE OF BATES AVE FOR POB, CONT N 0-06-13 E 972.84 FT, S 88-52-37 E 241.87 FT, S 0-04-29 W 971.98 FT TO N R/W LINE OF BATES AVE, N 89-05-0 W ALONG SAID R/W LINE 242.35 FT TO POB ORB 5235 PG 1083

Tax ID: 01-19-26-0900-000-00409

HAZZARD'S HOMESTEAD BEG SE COR LOT 4 RUN W 90 FT, S 20 FT TO POB, W 59.33 FT, N 88 FT, E 149.33 FT, S 31 FT, W 90 FT, S 57 FT TO POB--LESS R/W EASEMENT OVER N 25 FT-- *UNRECORDED PLAT SEE DEED FOR FULL PROPERTY DESCRIPTION ORB 4558 PG 884

Section 2. Map Amendment

That the Director of Development Services shall be authorized to amend the Design District Map to incorporate the change described in Section 1.

Section 3. **Conflict**

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. **Severability**

That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 5. **Effective Date**

That this Ordinance shall become effective upon annexation of the subject properties through approval of Ordinance No. 19-03.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this _____ day of _____, 2019.

CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA

_____
Michael L. Holland.
Mayor/Commissioner

ATTEST:

_____
City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____ day of _____ , 2019 Michael L. Holland., Mayor and Mary C. Montez, City Clerk, who are personally known to me.

_____
Notary Public - State of Florida
My Commission Expires:_____
Notary Serial No:_____

CITY ATTORNEY'S OFFICE

This document has been reviewed and approved as to form and legal content, but I have not performed an Independent Title Examination as to the accuracy of the Legal Description.

City Attorney's Office _____ Date _____

CERTIFICATE OF POSTING

The foregoing Ordinance No. 19-05 is hereby approved, and I hereby certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Date _____ Mary C. Montez, City Clerk _____

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086003
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$177.00

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-01 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-04 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-04: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 10.97 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44 FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), AND 1.706 VIRGINIA AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO URBAN RESIDENTIAL (UR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$177.00
Tax	$0.00
Sub Total	$177.00
Prepaid Amount	$0.00
Balance Due	$177.00

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086003

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-01 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-04 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-04: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 10.97 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44 FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), AND 1706 VIRGINIA AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO URBAN RESIDENTIAL (UR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086000
Phone: (352) 483-5430
Date: 03/19/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-05 No	03/18/2019	03/18/2019	$115.08

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that *a verbatim record* of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$115.08
Tax	$0.00
Sub Total	$115.08
Prepaid Amount	$0.00
Balance Due	$115.08

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-05

was published in said newspaper in the issues of:

March 14, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French
(Print, Type or Stamp Name of Notary Public)

AD# 1008600

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086004
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$171.84

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352-483-5460 if you have any questions.

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Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$171.84
Tax	$0.00
Sub Total	$171.84
Prepaid Amount	$0.00
Balance Due	$171.84

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

(Print, Type or Stamp Name of Notary Public)

AD# 1008604

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct. the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086001
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-08 No	03/18/2019	03/18/2019	$111.64

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$111.64
Tax	$0.00
Sub Total	$111.64
Prepaid Amount	$0.00
Balance Due	$111.64

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-08

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086001

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086005
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$178.72

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 W. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations *and conduct* the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$178.72
Tax	$0.00
Sub Total	$178.72
Prepaid Amount	$0.00
Balance Due	$178.72

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and *subscribed before* me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086005

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 W. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086002
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-11 No	03/18/2019	03/18/2019	$118.52

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-11

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-11 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$118.52
Tax	$0.00
Sub Total	$118.52
Prepaid Amount	$0.00
Balance Due	$118.52

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

Ord 19-11

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086002

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-11

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-11 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 119 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

RECEIVED
MAR 2 2 2019

Notice of Public Hearing

You are receiving this notice because you own property within 500 feet of a land development request (see below). This is part of the City's notification process to inform the public of this request. If you have questions regarding this request, please contact us at 352-483-5460. If you have no questions or do not wish to attend the meeting, you may disregard this notice.

TO: Surrounding Property Owners

FROM: Roland D. Magyar, Senior Planner

DATE: March 21, 2019

RE: Notice of Quasi-Judicial Public Hearing

Ordinance Nos.: 19-03, 19-04, 19-05

Notice is hereby given for the following public hearings to be held in the City Commission Chambers, City Hall, 10 N. Grove Street, Eustis, FL, regarding Annexation and Future Land Use and Design District map amendments of 10.97 acres of real property located at E. Bates Avenue 1200 ft. east of E. CR 44 and 1706 Virginia Avenue.

1. The Local Planning Agency will hold a public hearing on April 4, 2019 at 5:50 PM, or as may be continued at their discretion, to consider a change the land use designation of the subject properties from Urban Low and Urban Medium in Lake County to Suburban Residential (SR) and Urban Residential (UR) in the City of Eustis.
2. The Eustis City Commission will conduct two Quasi-Jurisdictional Public Hearings at **6:00 PM**, or as may be continued at their discretion, regarding the following ordinances on the following dates:

Ordinance 19-03 is a voluntary annexation of 10.97 acres located at at E. Bates Avenue 1200 ft. east of E. CR 44 and 1706 Virginia Avenue.

Ordinance 19-04 is a small Scale Comprehensive Plan Amendment to change the Future Land Use designation of said properties from Urban Low and Urban Medium in Lake County to Suburban Residential (SR) and Urban Residential (UR) in the City of Eustis.

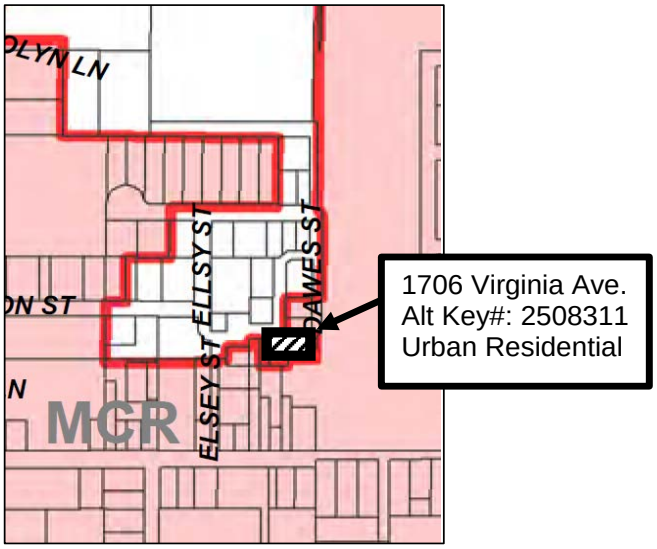
Ordinance 19-05 is the assignment of the Design District designation of Suburban Neighborhood to these properties.

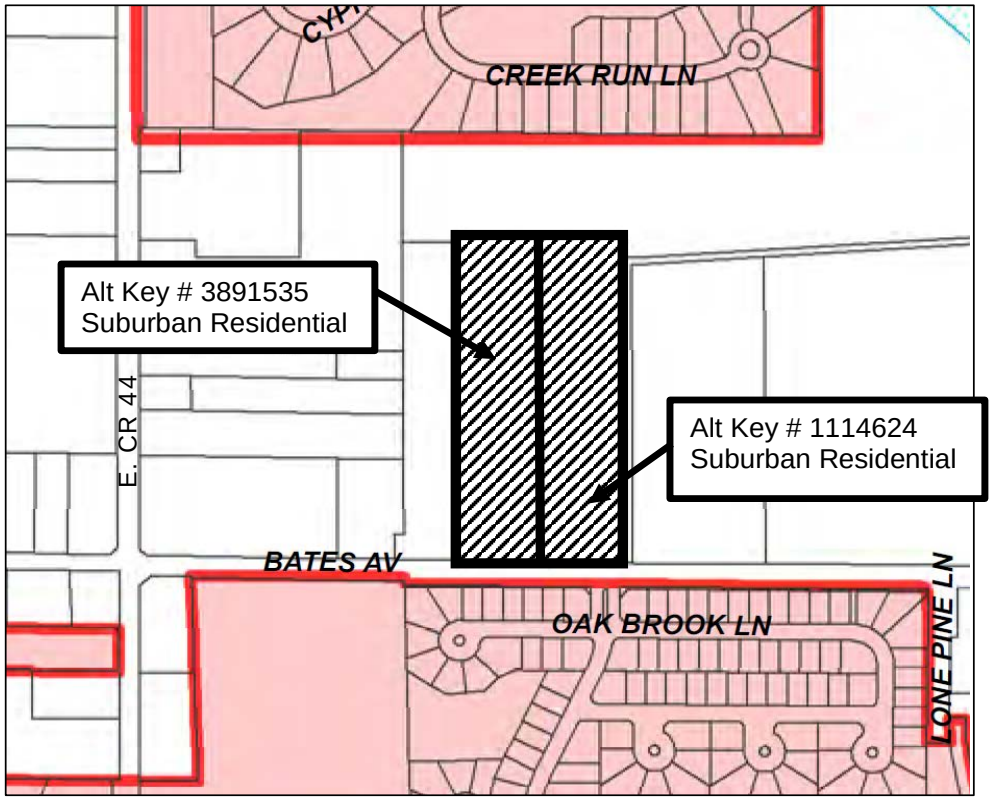
1st Reading	2nd Reading
April 4, 2019	April 18, 2019

A Location Map is provided on the reverse side.

The case file, complete legal description of the property and proposed ordinance will be available for examination beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at (352) 483-5460 if you have any questions

LOCATION MAP





City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: ORDINANCE NO. 19-06: VOLUNTARY ANNEXATION OF PROPERTY AT 443 OHIO BLVD.

Introduction:
Ordinance No. 19-06 provides for the voluntary annexation of one parcel totaling approximately 0.19 acres.

Background:
The applicant requested annexation of one lot totaling +/-0.19 acres of land at 443 Ohio Blvd.

Recommended Action:
Administration recommends approval of Ordinance No. 19-06.

Policy Implications:
None

Alternatives:
1. Approve Ordinance No. 19-06
2. Deny Ordinance No. 19-06

Budget Impact:
None

Attachments:
Staff Report Ord 19-06, 19-07, and 19-08- Group 2 - Annex CPP DD
Ord 19-06 Group 2 Annex
Notice of Public Hearing 500 ft Group 2 - Annex-FLUM
DC AFFIDAVITS-APR 4; APR 18 MEETINGS

Reviewed by:

Lori Barnes, Director	Approved - 29 Mar 2019
Ronald Neibert, City Manager	Approved - 29 Mar 2019

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: RONALD R. NEIBERT, CITY MANAGER

DATE: APRIL 4, 2019

RE: EXPLANATION OF ORDINANCES FOR PROPERTY AT 443 OHIO BLVD.
Ordinance No. 19-06 – Voluntary Annexation
Ordinance No. 19-07 – Comprehensive Plan Amendment
Ordinance No. 19-08 – Design District Assignment

Introduction:

- Ordinance No. 19-06 provides for the voluntary annexation of one parcel totaling approximately 0.19 acres.
- Ordinance No. 19-07 would change the future land use designation from Lake County Urban Low to Suburban Residential within the City of Eustis
- Ordinance No. 19-08 would assign the subject property a design district designation of Suburban Neighborhood.
- If Ordinance No. 19-06 is denied, there can be no consideration of Ordinance Nos. 19-07 and 19-08.

Recommended Action:

The administration recommends approval of Ordinance Nos. 19-06, 19-07 and 19-08.

Applicant's Request:

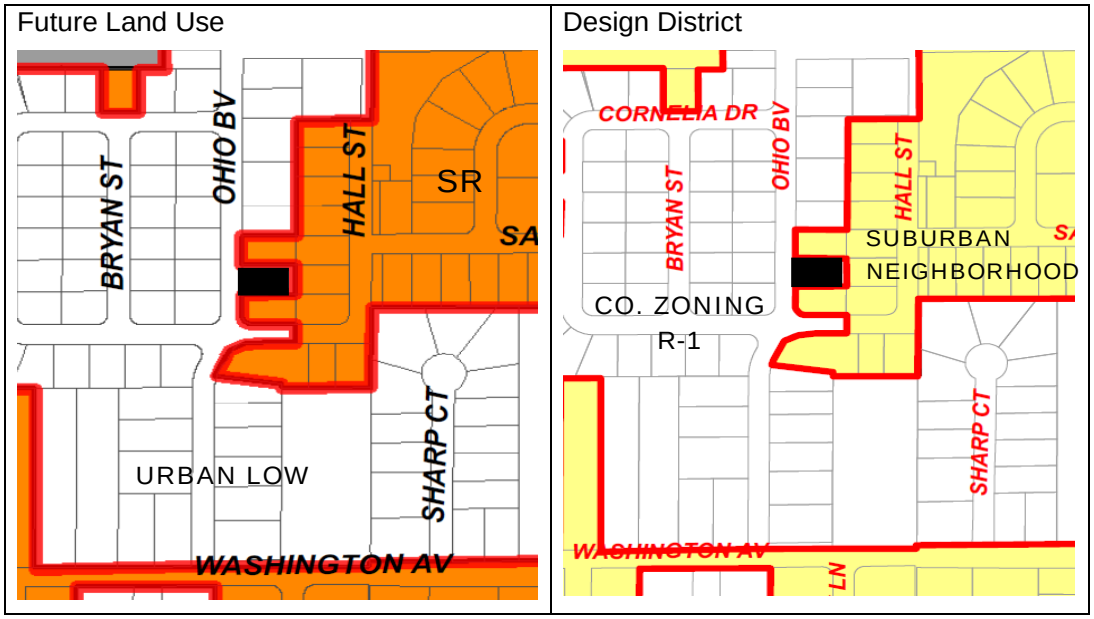
The applicant requested annexation of one lot totaling +/-0.19 acres of land at 443 Ohio Blvd. with assignment of a Eustis Future Land Use and Design District. The applicant requested a Suburban Residential land use and a Suburban Neighborhood design district for the property.

Background:

1) Site Information
   a) The site is developed with a single-family residence.
   b) The site is contiguous to the city limits.



FIGURE 1: CITY AND COUNTY FUTURE LAND USE, ZONING AND DESIGN DISTRICTS



c) County Future Land Use and Zoning

i) The property has a Lake County land use designation of Urban Low Density and a zoning of R-1 (see Figure 1). These categories allow the following development patterns within the County:

(1) The Urban Low land use category allows for a range of residential uses up to 4 du/net acre, as well as professional office, limited commercial/retail, and services with an intensity up to 0.25 FAR. Limited light industrial uses may be allowed as a conditional use. Located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities.

(2) "R-1" Rural Residential. The purpose of this district is to provide a transition between agricultural and Conservation Areas and the more urban residential communities. It is intended to permit the development of single-family homes in an environment that is compatible with the surrounding natural resources.

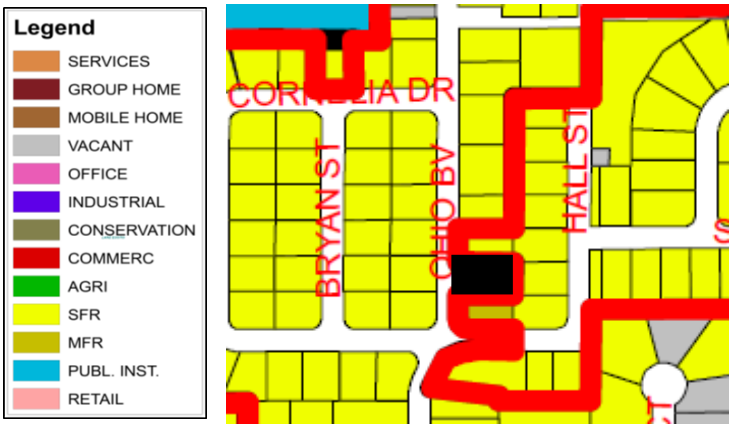
d) City Future Land Use and Design District

i) The site is contiguous to the Suburban Residential future land use district (See Figure 1). The SR areas have a maximum density of five units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

ii) The parcel is contiguous to the Suburban Neighborhood design district (See Figure 1). This district is predominately residential uses with some neighborhood scale commercial services with parks and civic spaces as focal points in the neighborhoods.

e) Figure 2 illustrates the existing uses of the property and surrounding area. The surrounding land uses are primarily single-family residences.

FIGURE 2: EXISTING LAND USES



2) **<u>Analysis of Annexation Request (Ord. No. 19-03)</u>:**

a. <u>Resolution No. 87-34</u> – Joint Planning Area Agreement with Lake County: "The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law. The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

The property is located within the Joint Planning Area. City potable water and wastewater are available to serve the site. (See public facilities and services analysis under item 5 below).

b. <u>Florida Statutes Voluntary Annexation - Chapter 171.044(1)</u> -"The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

The Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject property lays within that planning area, and is contiguous to the City limits. This annexation is a natural extension of the City Limits.

c. <u>Florida Statutes Voluntary Annexation - Chapter 171.044(2):</u> "…Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town…"

The department published notice of this annexation in the Daily Commercial in accordance with the requirements on March 18, 2019 and March 25, 2019.

d. <u>Florida Statutes Voluntary Annexation - Chapter 171.044(5)</u>: "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

Annexation of the subject property does not create enclaves, but is a natural extension of the City. There are existing enclaves in the area, which this annexation will assist in the elimination of the enclaves.

e. Florida Statutes Voluntary Annexation - Chapter 171.044(6): "Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located..."

The department provided notice to the Lake County Board of County Commissioners on March 8, 2019.

3) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. 19-04)** in **Accordance with Florida Statutes Chapter 163.3177.9:** The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

a) The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

This indicator does not apply. The property is part of an existing developed area with surrounding properties already developed at the appropriate density.

(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

This indicator does not apply. The property is part of an existing developed area.

(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

This indicator does not apply. The property is part of a developed residential use area permitted by the County and City. The proposed designations are consistent with the character of the surrounding area

(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

The property is part of a developed residential area. Any development will follow the City's adopted rules to conserve and protect natural resources and conservation areas.

(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

This indicator does not apply. This site and adjacent areas do not support active agricultural or silvicultural activities. The site is not prime farmland and has no unique soils.

(VI) Fails to maximize use of existing public facilities and services.

This indicator does not apply. The site is already connected to City water. City water lines run along the front of the property, which will maximize the use of the existing facilities.

(VII) Fails to maximize use of future public facilities and services.

This indicator does not apply. There are no future public facilities and services planned for this area.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

This indicator does not apply. Adequate capacity is available to serve the existing development consistent with the requested SR future land use designation. The City provides these services to other properties in the area, so efficiency will improve.

(IX) Fails to provide a clear separation between rural and urban uses.

This indicator does not apply. The properties are within an existing residentially developed area permitted by the County and City.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

. This indicator does not apply. The property is already developed with a single-family residence.

(XI) Fails to encourage a functional mix of uses.

This indicator does not apply. This is an existing developed area.

(XII) Results in poor accessibility among linked or related land uses.

This indicator does not apply. This parcel is within an existing, mixed-use developed area. Access to the site is already developed.

(XIII) Results in the loss of significant amounts of functional open space.

This indicator does not apply. The property is already developed.

b) The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

The site is part of an existing developed area in an established residential-use area.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

City water service is connected to the site. Potable water capacity is adequate to serve the annexed property consistent with the requested SR future land use designation. The transportation network has sufficient capacity to serve this site. Upon annexation, the City will also provide other services such as fire and police protection. The City provides these services to other properties in the area, so efficiency will improve.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

The parcel is part of an existing, residential-use developed area in an established neighborhood.

(IV) Promotes conservation of water and energy.

Not applicable. The parcel is an existing developed parcel.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Not applicable; the site does not support active agricultural or silvicultural activities.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

Not applicable; the parcel is part of an existing developed area, and the property is already developed.

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

The parcel is part of an existing, residentially developed area in an established neighborhood. The parcel is not located in an area that would support non-residential uses.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Not applicable.

4) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Comprehensive Plan Future Land Use Element Appendix:** All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the Map #1: 2035 Future Land Use Map by changing the land use designation assigned to a parcel of property

shall also be reviewed to determine and assess any significant impacts to the policy structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the four (4) major categories of Plan policies as follows:

A. General Public Facilities/Services: Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The facilities and services required for analysis include emergency services, parks and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

   Emergency Services Analysis: The property is located approximately 1.95 miles from a City fire station with paramedical services 2.3 miles from a County fire station. This parcel is in an existing developed area and already receives City services.

   Parks & Recreation: The parcel is already developed and is included in existing recreational levels of service.

   Potable Water & Sanitary Sewer: The applicant's property is already connected to City water. Wastewater lines are approximately 125 ft. to the south. The following outlines the water and sewer demand based on a maximum development potential scenario.

   Potential Residential Demand

   Water: 1 ERU = 300 GPD
   Wastewater – 1 ERU = 250 GPD

   According to the City of Eustis Public Works Department, water and sewer with sufficient capacity are available to the parcel.

   Schools: The proposed change will not negatively impact schools.

   Solid Waste: The City contracts with Waste Management for hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in delivery of services.

   Stormwater: The site is developed and is included

   Transportation Network Analysis: (Institute of Traffic Engineers Trip Generation Manual, 7th Edition). The existing use is single family housing (210 land use). so, there will be no additional impact to the transportation system.

B. Natural Resources/Natural Features: The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan. Specifically each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued natural functioning of flood plains; and 4) the suitability of the soil and topography to the development proposed.

   Ground water recharge areas: The property is part of an existing developed area, which has been evaluated for groundwater recharge.

   Historical or archaeological sites: The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist.

   Flood zones: The subject properties are not within a flood zone or wetland.

   Soil and topography: The subject property has no soil or topographical constraints. It consists primarily of Astatula Sand, 0-5% slope (AtB).

C. Comprehensive Plan Review: Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the compatibility of the use, intensity, location, and timing of the proposed amendment.

   The current Lake County zoning designation of the subject property is R-1 and the land use designation is Urban Low. Single-family homes are adjacent to the site with a City of Eustis FLU designation of Suburban Residential (SR), which allows up to 5 du/acre.

D. Transportation: Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.

   The site has been developed since 1960 and is incorporated into all transportation plans.

E. Water Supply: Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

   Public utilities and services are available. Refer to 4.A. above for more information. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.

5) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Chapter 102-16(f), Land Development Regulations, Standards for Review**: In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

(1) Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan. See analysis above under item 4, A through D.

(2) Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

All properties are developed. Any new development will follow the standards contained within the City's LDR's.

(3) Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The SR land use designation is consistent with the surrounding development.

(4) Whether there have been changed conditions that justify an amendment.

The applicant wishes to annex the property into the City limits of Eustis. Assignment of a City of Eustis future land use designation is required. These changed conditions warrant a change in the land use designation.

(5) Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

City water and sewer service are available to the site. Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.

(6) Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

The parcel is a developed site and will have no impact to the environment.

(7) Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

These parcels are contiguous to the City limits, which will result in orderly and logical development.

(8) Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

The purpose and intent of the Land Development Regulations is as follows:

> "The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the city's comprehensive plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small town community character and life style."

The proposed SR future land use designations for the subject parcel will provide for orderly growth and development. This designation would advance the public interest by providing housing options, and application of the LDRs to the future development will ensure consistency with the community character and lifestyle.

(9) Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

Properties within the Eustis Planning Area have been deemed appropriate for annexation; and as such, would warrant a more appropriate, municipal land use designation than that of the County.

6) **Analysis of Design District Request (Ord. No. 19-05):** The City's Land Development Regulations are a form-based code. Design districts are unique to form-based codes. Lake County still uses traditional Euclidean zoning, so there are no design districts for parcels in unincorporated Lake County. When a parcel annexes into the City of Eustis, the City must assign a consistent design district that follows the urban, suburban and rural transect.

Section 102-17 of the Land Development Regulations includes the following standards for review of an amendment to the Design District Map. In approving a change in the designation, the City Commission shall consider:

(1) Whether the amendment is in conflict with any applicable provisions of the Code.

a) Section 102-17(a) "...Section 109-3 Design Districts, identifies the definition, structure and form of each design district. The assignment of the design district must follow the district pattern and intent."

The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Neighborhood). The Suburban development pattern and intent, and the Suburban Neighborhood definition, structure and form description are stated below. The assignment of a Suburban Neighborhood design district designation is appropriate due to the established and proposed development patterns in the area.

The City of Eustis Design District Map (see Figure 1) shows the surrounding area as Suburban Neighborhood.

b) Sec. 109-3.5.5. Suburban development pattern intent statements:

i. Intent. Suburban development pattern…relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. Nonresidential uses are primarily located on corridors, districts and a mix of uses is prominent in centers.

ii. Design districts: Suburban Neighborhood:

a. Definition. Predominately residential uses with some neighborhood scale commercial services.

b. Structure. Interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

c. Form. Mix of detached residential uses with some neighborhoods supporting retail, parks and civic spaces as focal points in the neighborhoods.

c) Section 102-17(a) The following guidelines must be followed when proposing the reassignment of design district:

i) Compatible intensities should face across streets. Changes in design districts should occur along rear alleys or lanes or along conservation edges.

The requested design district designation is consistent with the designation of the surrounding area.

ii) Where new development will abut an existing or approved neighborhood, the new development should establish similar or compatible transect conditions.

The parcels are part of an existing residential development pattern. The Suburban Neighborhood design district designation is the same as the designation of the surrounding area.

(2) Whether the proposed amendment is consistent with all elements of the comprehensive plan.

The requested amendment is consistent with the Future Land Use element (including Policy FLU 1.2.4, Development Patterns and FLU 1.3.2. Maintain Residential Compatibility), as well as all other elements of the Comprehensive Plan.

(3) Whether, and the extent to which, the proposed design district is consistent with existing and proposed land uses.

The Suburban Neighborhood definition, structure and form are compatible with the existing uses and any proposed uses permitted under the SR future land use designation.

(4) Whether there have been changed conditions that justify amending the design district.

The subject property is proposed for annexation and a design district assignment is necessary. The conditions have changed from land located in unincorporated Lake County within the City of Eustis with full municipal services

(5) Whether, and the extent to which, the proposed redistricting would result in demands on public facilities, and whether, or the extent to which, the proposed change would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

This amendment will not change the demand on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond that already anticipated. Also see analysis of public facilities in above sections of this report.

(6) Whether, and the extent to which, the redistricting would result in significant impacts on the natural environment.

The proposed Design District designation for this property does not change the development potential of the parcels. Design Districts control the form and function of any development that does occur. The Future Land Use designation controls the density, intensity and minimum open space permitted on the site, so the Design District amendment would not result in additional impacts on the natural environment.

(7) Whether, and the extent to which, the proposed redistricting would affect the property values in the area.

This request should not affect property values, because the proposed Design District designation is consistent with the surrounding development patterns and design districts.

(8) Whether, and the extent to which, the proposed redistricting would result in an orderly and logical development pattern.

Assignment of the requested designation will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.

(9) Whether the proposed redistricting would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

The proposed Design District is not in conflict with the public interest and reflects the purpose and intent of the regulations.

(10) Any other matters that may be deemed appropriate by the city commission, in review and consideration of the proposed redistricting.

The City's Land Development Regulations are a form-based code. The Design District designations define the development <u>form</u>, but not the types of land uses, densities, intensities or required open space. The districts, therefore, must be consistent and follow the urban, suburban and rural transect. This request assigns a designation to an annexation parcel.

7) <u>Applicable Policies and Codes</u>

a. <u>Resolution No. 87-34</u> – Joint Planning Area Agreement with Lake County:

"The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law. The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

b. <u>Florida Statutes Chapter 171.044: Voluntary Annexation</u>:

1) "The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

2) "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

Land Development Regulations Section 109-2.3: Outlines the general intent of the Suburban Residential District in the City. This land use designation is intended to have a maximum density of five units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

c. Land Development Regulations Section 109-5.5: The Suburban Neighborhood Design District is predominately residential uses with some neighborhood scale commercial services and interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods. The mix of detached residential uses with some neighborhood supporting retail, parks and civic spaces act as focal points in the neighborhoods.

8) **Fiscal Impact:**

a. The current assessed value of the subject property is $86,132.

b. Based on the current millage rate of 7.581, annexation of the property could increase annual operating revenues, by as much as $652.97.

Alternatives:

1. Approve Ordinance Nos. 19-06 (Annexation), 19-07 (Comp. Plan Amendment), and/or 19-08 (Design District Designation) for property located at 443 Ohio Blvd.
2. Deny Ordinance Nos. 19-06, and 19-07, and 19-08.

Discussion of Alternatives:

1. Alternative 1 approves the ordinances.
   Advantages:
   - The action would be consistent with the expansion plans for the City in accordance with the adopted Eustis Planning Area.
   - Annexation could increase the tax base of the City and increase the annual operating revenues.
   - The City would have a more compact service area for utilities, police, and fire to increase efficiency and level of service. A more compact service area can reduce the overall per capita cost of providing urban services.
   - The land use change and design district assignment are consistent with the proposed use of the property and the nature of the surrounding area.
   - The action could encourage additional development and/or annexations in that area.

   Disadvantages:
   - No disadvantages.

2. Alternative 2 denies the Ordinances. (If Ordinance No. 19-06 is denied, the Commission cannot approve Ordinance Nos. 19-07 and 19-08.)

   Advantages:
   - There are no advantages to denying the ordinances.

Disadvantages:

- Denying annexation would continue a gap in the City's natural growth boundary as defined by the Eustis Planning Area.
- The action would eliminate the potential for increased operating revenue and the subject properties would continue to receive the indirect benefits of City services that are provided to adjacent properties without paying City taxes.
- The City would continue to experience gaps in its service area causing service inefficiency and confusion regarding City boundaries.

Community Input:
The department has notified surrounding property owners within 500 feet of the site; the proper legal advertisements have been placed in the newspaper; and the site has been posted. To date the department has received 1 response from residents or adjacent property owners for comment or additional information.

Budget / Staff Impact:
There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

Reviewed By: Lori Barnes, AICP Development Services Director

Prepared By: Roland Magyar, AICP, Senior Planner

Attachments:

Ordinance No. 19-06, 19-07, 19-08 (including Exhibit A),

Surrounding Property Owner Notice of Hearing, and Advertisements

ORDINANCE NO. 19-06

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; VOLUNTARILY ANNEXING APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD., EUSTIS, FL.

WHEREAS, Dura-Stress Acquisitions, LLC, the legal owner of record, has made an application for voluntary annexation of approximately 0.19 acres of real property located at 443 Ohio Blvd., more particularly described as:

Tax ID: 12-19-26-0100-000-02200

BUCKEYE ADDITION LOT 22 PB 14 PG 21 ORB 5033 PG 1230

WHEREAS, the subject property reasonably compact and contiguous to the City of Eustis boundary; and

WHEREAS, the annexation of the property will not result in the creation of enclaves; and

WHEREAS, the subject property is located within the City of Eustis Planning Area and City services are available; and

WHEREAS, on April 4, 2019 the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

WHEREAS, on April 18, 2019, the City Commission held the 2nd Public Hearing to consider the voluntary annexation of the property contained herein;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

Section 1. That pursuant to, and under the authority of, Florida Statute 171.044, the City of Eustis, Lake County, Florida, does hereby annex and amend the municipal boundaries to include approximately 0.19 acres of real property located at 443 Ohio Blvd., as described above.

A map depicting the location of the annexed property described above is attached hereto as Exhibit “A”.

Section 2. That the Director of Development Services shall be authorized to amend the City of Eustis Boundary Map to incorporate the change described in Section 1.

Section 3. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. That upon final passage and adoption, the City Clerk is hereby directed to file a copy hereof with the Clerk of the Circuit Court, the County Manager for Lake County, Florida, and the Department of State for the State of Florida within 7 days after the adoption of such ordinances.

Section 5. That should any section, phrase, sentence, provision or portion of this Ordinance be declared by any court of competent jurisdiction to be

unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 6. That this Ordinance shall become effective upon passing.

Section 7. That the property annexed in this Ordinance is subject to the Future Land Use Element of the Lake County Comprehensive Plan until the City adopts the Comprehensive Plan Amendment to include the annexed parcel in the City Comprehensive Plan.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 18th day of April, 2019.

CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA

_____
Michael L. Holland
Mayor-Commissioner

ATTEST:

_____
City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this ____ day of _____, 2019 by Michael L. Holland., Mayor and Mary C. Montez, City Clerk, who are personally known to me.

_____
Notary Public - State of Florida
My Commission Expires:_____
Notary Serial No:_____

CITY ATTORNEY'S OFFICE

This document has been reviewed and approved as to form and legal content, but I have not performed an Independent Title Examination as to the accuracy of the Legal Description.

City Attorney's Office

Date

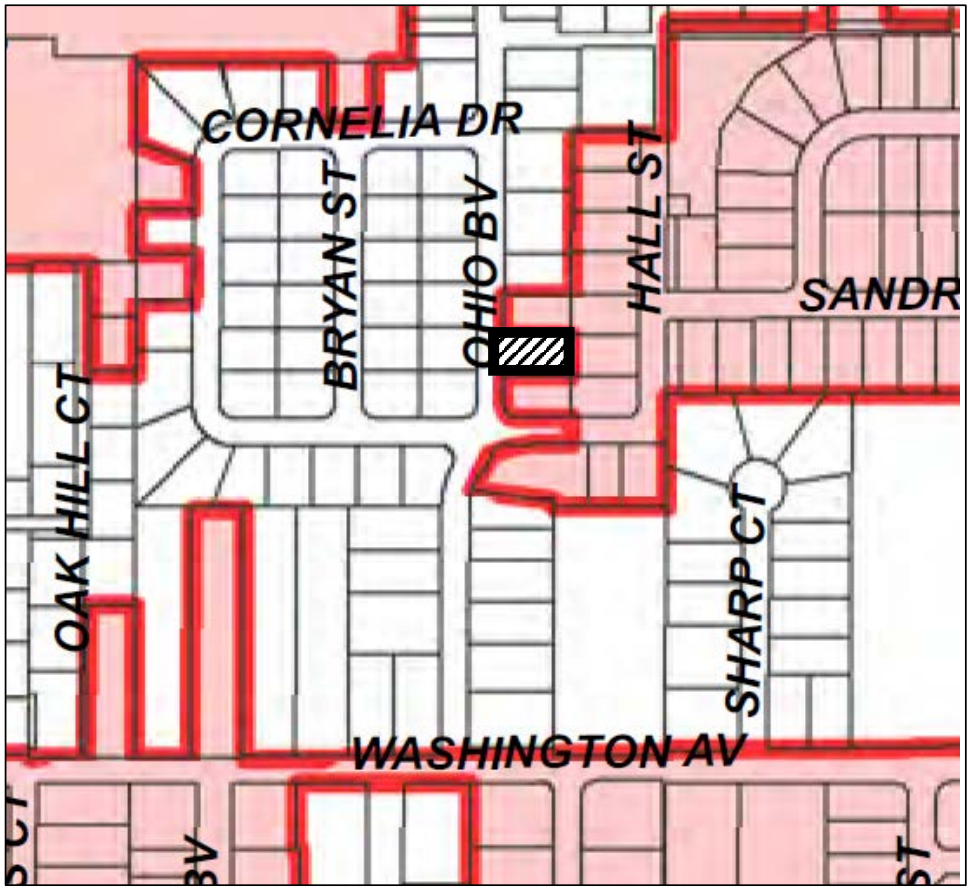
CERTIFICATE OF POSTING

The foregoing Resolution No. 19-06 is hereby approved, and I hereby certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Date

Mary C. Montez, City Clerk

Exhibit A


CORNELIA DR
BRYAN ST
OHIO BV
HALL ST
SANDR
OAK HILL CT
SHARP CT
WASHINGTON AV

Notice of Public Hearing

You are receiving this notice because you own property within 500 feet of a land development request (see below). This is part of the City's notification process to inform the public of this request. If you have questions regarding this request, please contact us at 352-483-5460. If you have no questions or do not wish to attend the meeting, you may disregard this notice.

TO: Surrounding Property Owners

FROM: Roland D. Magyar, Senior Planner

DATE: March 21, 2019

RE: Notice of Quasi-Judicial Public Hearing

Ordinance Nos.: 19-06, 19-07, 19-08

Notice is hereby given for the following public hearings to be held in the City Commission Chambers, City Hall, 10 N. Grove Street, Eustis, FL, regarding Annexation and Future Land Use and Design District map amendments of 0.19 acres of real property located at 443 Ohio Blvd.

1. The Local Planning Agency will hold a public hearing on April 4, 2019 at 5:50 PM, or as may be continued at their discretion, to consider a change the land use designation of the subject properties from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis.
2. The Eustis City Commission will conduct two Quasi-Jurisdictional Public Hearings at **6:00 PM**, or as may be continued at their discretion, regarding the following ordinances on the following dates:

Ordinance 19-06 is a voluntary annexation of 0.19 acres located at 443 Ohio Blvd.

Ordinance 19-07 is a small Scale Comprehensive Plan Amendment to change the Future Land Use designation of said properties from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis.

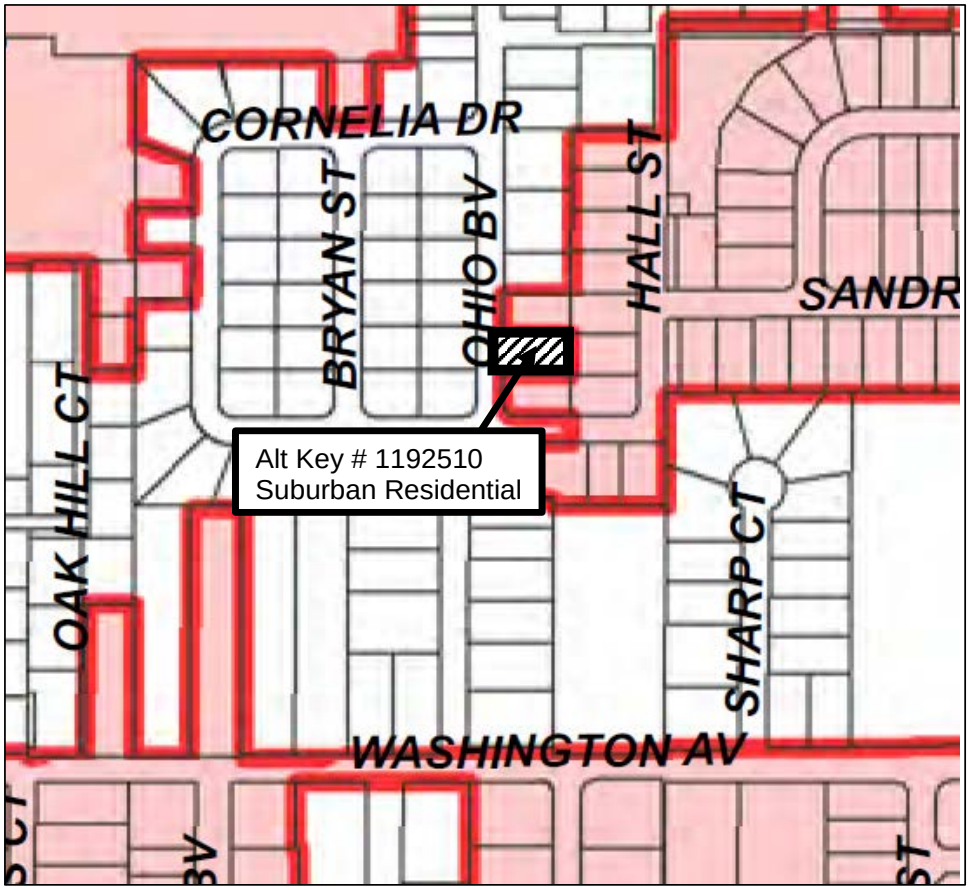
Ordinance 19-08 is the assignment of the Design District designation of Suburban Neighborhood to this property.

1st Reading	2nd Reading
April 4, 2019	April 18, 2019

A Location Map is provided on the reverse side.

The case file, complete legal description of the property and proposed ordinance will be available for examination beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at (352) 483-5460 if you have any questions

LOCATION MAP



Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086003
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$177.00

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-01 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-04 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-04: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 10.97 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44 FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), AND 1.706 VIRGINIA AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO URBAN RESIDENTIAL (UR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$177.00
Tax	$0.00
Sub Total	$177.00
Prepaid Amount	$0.00
Balance Due	$177.00

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086003

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-01 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-04 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-04: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 10.97 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44 FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), AND 1706 VIRGINIA AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO URBAN RESIDENTIAL (UR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086000
Phone: (352) 483-5430
Date: 03/19/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-05 No	03/18/2019	03/18/2019	$115.08

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that *a verbatim record* of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$115.08
Tax	$0.00
Sub Total	$115.08
Prepaid Amount	$0.00
Balance Due	$115.08

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-05

was published in said newspaper in the issues of:

March 14, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French
(Print, Type or Stamp Name of Notary Public)

AD# 1008 6000

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086004
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$171.84

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352-483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$171.84
Tax	$0.00
Sub Total	$171.84
Prepaid Amount	$0.00
Balance Due	$171.84

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 1008604

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct. the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086001
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-08 No	03/18/2019	03/18/2019	$111.64

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$111.64
Tax	$0.00
Sub Total	$111.64
Prepaid Amount	$0.00
Balance Due	$111.64

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-08

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086001

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086005
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$178.72

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 W. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations *and conduct* the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$178.72
Tax	$0.00
Sub Total	$178.72
Prepaid Amount	$0.00
Balance Due	$178.72

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and *subscribed before* me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086005

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 W. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086002
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-11 No	03/18/2019	03/18/2019	$118.52

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-11

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-11 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$118.52
Tax	$0.00
Sub Total	$118.52
Prepaid Amount	$0.00
Balance Due	$118.52

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

Ord 19-11

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086002

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Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

RECEIVED
MAR 2 2 2019

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: ORDINANCE NO. 19-07: COMPREHENSIVE PLAN AMENDMENT FOR PROPERTY AT 443 OHIO BLVD.

Introduction:
Ordinance No. 19-07 would change the future land use designation from Lake County Urban Low to Suburban Residential within the City of Eustis. If Ordinance No. 19-06 is denied, there can be no consideration of Ordinance Nos. 19-07 and 19-08.

Background:
The applicant requested annexation of one lot totaling +/-0.19 acres of land at 443 Ohio Blvd. with assignment of a Eustis Future Land Use and Design District. The applicant requested a Suburban Residential land use for the property.

Recommended Action:
The administration recommends approval of Ordinance No. 19-07.

Policy Implications:
n/a

Alternatives:
1. Approve Ordinance No. 19-07
2. Deny Ordinance No. 19-07

Budget Impact:
n/a

Attachments:
Staff Report Ord 19-06, 19-07, and 19-08- Group 2 - Annex CPP DD
Ord. No. 19-07 Comp Plan Small w Annex - Group 2
DC AFFIDAVITS-APR 4; APR 18 MEETINGS
Notice of Public Hearing 500 ft Group 2 - Annex-FLUM

Reviewed by:

Lori Barnes, Director	Approved - 29 Mar 2019
Ronald Neibert, City Manager	Approved - 29 Mar 2019

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: RONALD R. NEIBERT, CITY MANAGER

DATE: APRIL 4, 2019

RE: EXPLANATION OF ORDINANCES FOR PROPERTY AT 443 OHIO BLVD.
Ordinance No. 19-06 – Voluntary Annexation
Ordinance No. 19-07 – Comprehensive Plan Amendment
Ordinance No. 19-08 – Design District Assignment

Introduction:

- Ordinance No. 19-06 provides for the voluntary annexation of one parcel totaling approximately 0.19 acres.
- Ordinance No. 19-07 would change the future land use designation from Lake County Urban Low to Suburban Residential within the City of Eustis
- Ordinance No. 19-08 would assign the subject property a design district designation of Suburban Neighborhood.
- If Ordinance No. 19-06 is denied, there can be no consideration of Ordinance Nos. 19-07 and 19-08.

Recommended Action:

The administration recommends approval of Ordinance Nos. 19-06, 19-07 and 19-08.

Applicant's Request:

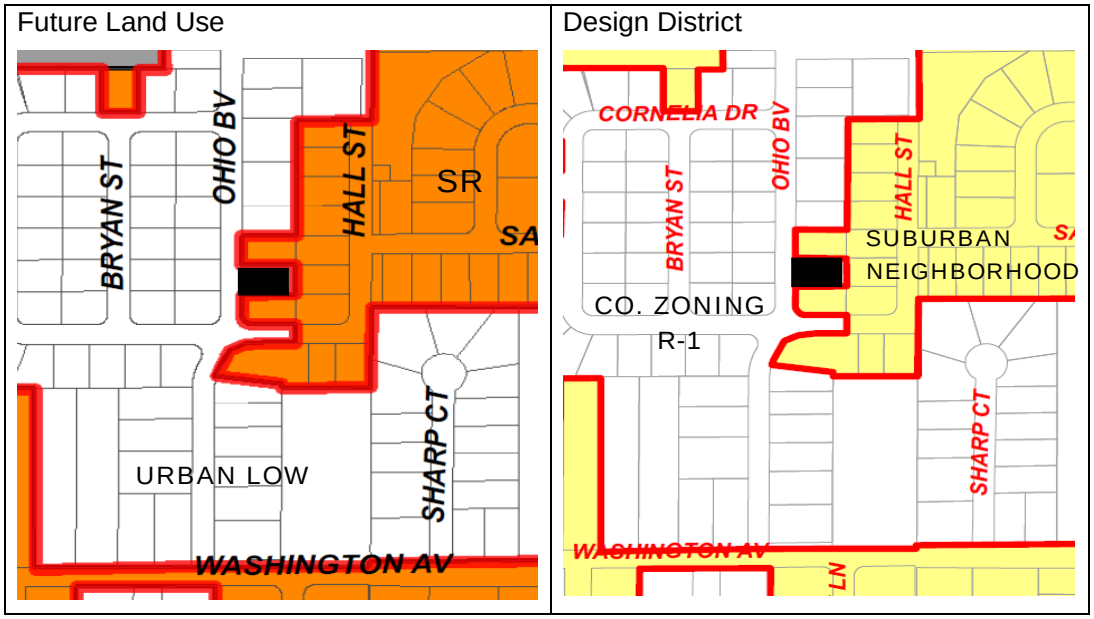
The applicant requested annexation of one lot totaling +/-0.19 acres of land at 443 Ohio Blvd. with assignment of a Eustis Future Land Use and Design District. The applicant requested a Suburban Residential land use and a Suburban Neighborhood design district for the property.

Background:

1) Site Information
   a) The site is developed with a single-family residence.
   b) The site is contiguous to the city limits.



FIGURE 1: CITY AND COUNTY FUTURE LAND USE, ZONING AND DESIGN DISTRICTS



c) County Future Land Use and Zoning

i) The property has a Lake County land use designation of Urban Low Density and a zoning of R-1 (see Figure 1). These categories allow the following development patterns within the County:

(1) The Urban Low land use category allows for a range of residential uses up to 4 du/net acre, as well as professional office, limited commercial/retail, and services with an intensity up to 0.25 FAR. Limited light industrial uses may be allowed as a conditional use. Located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities.

(2) "R-1" Rural Residential. The purpose of this district is to provide a transition between agricultural and Conservation Areas and the more urban residential communities. It is intended to permit the development of single-family homes in an environment that is compatible with the surrounding natural resources.

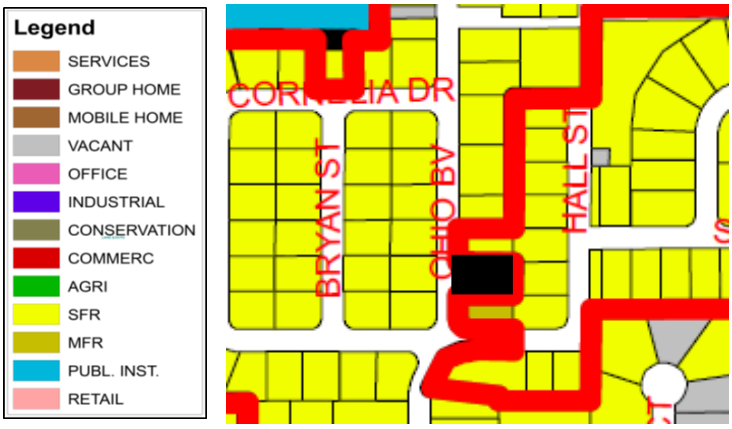
d) City Future Land Use and Design District

i) The site is contiguous to the Suburban Residential future land use district (See Figure 1). The SR areas have a maximum density of five units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

ii) The parcel is contiguous to the Suburban Neighborhood design district (See Figure 1). This district is predominately residential uses with some neighborhood scale commercial services with parks and civic spaces as focal points in the neighborhoods.

e) Figure 2 illustrates the existing uses of the property and surrounding area. The surrounding land uses are primarily single-family residences.

FIGURE 2: EXISTING LAND USES



2) **<u>Analysis of Annexation Request (Ord. No. 19-03)</u>:**

a. <u>Resolution No. 87-34</u> – Joint Planning Area Agreement with Lake County: "The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law. The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

The property is located within the Joint Planning Area. City potable water and wastewater are available to serve the site. (See public facilities and services analysis under item 5 below).

b. <u>Florida Statutes Voluntary Annexation - Chapter 171.044(1)</u> -"The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

The Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject property lays within that planning area, and is contiguous to the City limits. This annexation is a natural extension of the City Limits.

c. <u>Florida Statutes Voluntary Annexation - Chapter 171.044(2):</u> "…Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town…"

The department published notice of this annexation in the Daily Commercial in accordance with the requirements on March 18, 2019 and March 25, 2019.

d. <u>Florida Statutes Voluntary Annexation - Chapter 171.044(5)</u>: "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

Annexation of the subject property does not create enclaves, but is a natural extension of the City. There are existing enclaves in the area, which this annexation will assist in the elimination of the enclaves.

e. Florida Statutes Voluntary Annexation - Chapter 171.044(6): "Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located..."

The department provided notice to the Lake County Board of County Commissioners on March 8, 2019.

3) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. 19-04)** in **Accordance with Florida Statutes Chapter 163.3177.9:** The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

a) The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

This indicator does not apply. The property is part of an existing developed area with surrounding properties already developed at the appropriate density.

(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

This indicator does not apply. The property is part of an existing developed area.

(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

This indicator does not apply. The property is part of a developed residential use area permitted by the County and City. The proposed designations are consistent with the character of the surrounding area

(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

The property is part of a developed residential area. Any development will follow the City's adopted rules to conserve and protect natural resources and conservation areas.

(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

This indicator does not apply. This site and adjacent areas do not support active agricultural or silvicultural activities. The site is not prime farmland and has no unique soils.

(VI) Fails to maximize use of existing public facilities and services.

This indicator does not apply. The site is already connected to City water. City water lines run along the front of the property, which will maximize the use of the existing facilities.

(VII) Fails to maximize use of future public facilities and services.

This indicator does not apply. There are no future public facilities and services planned for this area.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

This indicator does not apply. Adequate capacity is available to serve the existing development consistent with the requested SR future land use designation. The City provides these services to other properties in the area, so efficiency will improve.

(IX) Fails to provide a clear separation between rural and urban uses.

This indicator does not apply. The properties are within an existing residentially developed area permitted by the County and City.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

. This indicator does not apply. The property is already developed with a single-family residence.

(XI) Fails to encourage a functional mix of uses.

This indicator does not apply. This is an existing developed area.

(XII) Results in poor accessibility among linked or related land uses.

This indicator does not apply. This parcel is within an existing, mixed-use developed area. Access to the site is already developed.

(XIII) Results in the loss of significant amounts of functional open space.

This indicator does not apply. The property is already developed.

b) The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

The site is part of an existing developed area in an established residential-use area.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

City water service is connected to the site. Potable water capacity is adequate to serve the annexed property consistent with the requested SR future land use designation. The transportation network has sufficient capacity to serve this site. Upon annexation, the City will also provide other services such as fire and police protection. The City provides these services to other properties in the area, so efficiency will improve.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

The parcel is part of an existing, residential-use developed area in an established neighborhood.

(IV) Promotes conservation of water and energy.

Not applicable. The parcel is an existing developed parcel.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Not applicable; the site does not support active agricultural or silvicultural activities.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

Not applicable; the parcel is part of an existing developed area, and the property is already developed.

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

The parcel is part of an existing, residentially developed area in an established neighborhood. The parcel is not located in an area that would support non-residential uses.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Not applicable.

4) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Comprehensive Plan Future Land Use Element Appendix:** All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the Map #1: 2035 Future Land Use Map by changing the land use designation assigned to a parcel of property

shall also be reviewed to determine and assess any significant impacts to the policy structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the four (4) major categories of Plan policies as follows:

A. General Public Facilities/Services: Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The facilities and services required for analysis include emergency services, parks and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

   Emergency Services Analysis: The property is located approximately 1.95 miles from a City fire station with paramedical services 2.3 miles from a County fire station. This parcel is in an existing developed area and already receives City services.

   Parks & Recreation: The parcel is already developed and is included in existing recreational levels of service.

   Potable Water & Sanitary Sewer: The applicant's property is already connected to City water. Wastewater lines are approximately 125 ft. to the south. The following outlines the water and sewer demand based on a maximum development potential scenario.

   Potential Residential Demand

   Water: 1 ERU = 300 GPD
   Wastewater – 1 ERU = 250 GPD

   According to the City of Eustis Public Works Department, water and sewer with sufficient capacity are available to the parcel.

   Schools: The proposed change will not negatively impact schools.

   Solid Waste: The City contracts with Waste Management for hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in delivery of services.

   Stormwater: The site is developed and is included

   Transportation Network Analysis: (Institute of Traffic Engineers Trip Generation Manual, 7th Edition). The existing use is single family housing (210 land use). so, there will be no additional impact to the transportation system.

B. Natural Resources/Natural Features: The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan. Specifically each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued natural functioning of flood plains; and 4) the suitability of the soil and topography to the development proposed.

   Ground water recharge areas: The property is part of an existing developed area, which has been evaluated for groundwater recharge.

   Historical or archaeological sites: The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist.

   Flood zones: The subject properties are not within a flood zone or wetland.

   Soil and topography: The subject property has no soil or topographical constraints. It consists primarily of Astatula Sand, 0-5% slope (AtB).

C. Comprehensive Plan Review: Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the compatibility of the use, intensity, location, and timing of the proposed amendment.

   The current Lake County zoning designation of the subject property is R-1 and the land use designation is Urban Low. Single-family homes are adjacent to the site with a City of Eustis FLU designation of Suburban Residential (SR), which allows up to 5 du/acre.

D. Transportation: Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.

   The site has been developed since 1960 and is incorporated into all transportation plans.

E. Water Supply: Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

   Public utilities and services are available. Refer to 4.A. above for more information. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.

5) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Chapter 102-16(f), Land Development Regulations, Standards for Review**: In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

(1) Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan. See analysis above under item 4, A through D.

(2) Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

All properties are developed. Any new development will follow the standards contained within the City's LDR's.

(3) Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The SR land use designation is consistent with the surrounding development.

(4) Whether there have been changed conditions that justify an amendment.

The applicant wishes to annex the property into the City limits of Eustis. Assignment of a City of Eustis future land use designation is required. These changed conditions warrant a change in the land use designation.

(5) Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

City water and sewer service are available to the site. Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.

(6) Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

The parcel is a developed site and will have no impact to the environment.

(7) Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

These parcels are contiguous to the City limits, which will result in orderly and logical development.

(8) Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

The purpose and intent of the Land Development Regulations is as follows:

> "The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the city's comprehensive plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small town community character and life style."

The proposed SR future land use designations for the subject parcel will provide for orderly growth and development. This designation would advance the public interest by providing housing options, and application of the LDRs to the future development will ensure consistency with the community character and lifestyle.

(9) Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

Properties within the Eustis Planning Area have been deemed appropriate for annexation; and as such, would warrant a more appropriate, municipal land use designation than that of the County.

6) **Analysis of Design District Request (Ord. No. 19-05):** The City's Land Development Regulations are a form-based code. Design districts are unique to form-based codes. Lake County still uses traditional Euclidean zoning, so there are no design districts for parcels in unincorporated Lake County. When a parcel annexes into the City of Eustis, the City must assign a consistent design district that follows the urban, suburban and rural transect.

Section 102-17 of the Land Development Regulations includes the following standards for review of an amendment to the Design District Map. In approving a change in the designation, the City Commission shall consider:

(1) Whether the amendment is in conflict with any applicable provisions of the Code.

a) Section 102-17(a) "...Section 109-3 Design Districts, identifies the definition, structure and form of each design district. The assignment of the design district must follow the district pattern and intent."

The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Neighborhood). The Suburban development pattern and intent, and the Suburban Neighborhood definition, structure and form description are stated below. The assignment of a Suburban Neighborhood design district designation is appropriate due to the established and proposed development patterns in the area.

The City of Eustis Design District Map (see Figure 1) shows the surrounding area as Suburban Neighborhood.

b) Sec. 109-3.5.5. Suburban development pattern intent statements:

i. Intent. Suburban development pattern…relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. Nonresidential uses are primarily located on corridors, districts and a mix of uses is prominent in centers.

ii. Design districts: Suburban Neighborhood:

a. Definition. Predominately residential uses with some neighborhood scale commercial services.

b. Structure. Interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

c. Form. Mix of detached residential uses with some neighborhoods supporting retail, parks and civic spaces as focal points in the neighborhoods.

c) Section 102-17(a) The following guidelines must be followed when proposing the reassignment of design district:

i) Compatible intensities should face across streets. Changes in design districts should occur along rear alleys or lanes or along conservation edges.

The requested design district designation is consistent with the designation of the surrounding area.

ii) Where new development will abut an existing or approved neighborhood, the new development should establish similar or compatible transect conditions.

The parcels are part of an existing residential development pattern. The Suburban Neighborhood design district designation is the same as the designation of the surrounding area.

(2) Whether the proposed amendment is consistent with all elements of the comprehensive plan.

The requested amendment is consistent with the Future Land Use element (including Policy FLU 1.2.4, Development Patterns and FLU 1.3.2. Maintain Residential Compatibility), as well as all other elements of the Comprehensive Plan.

(3) Whether, and the extent to which, the proposed design district is consistent with existing and proposed land uses.

The Suburban Neighborhood definition, structure and form are compatible with the existing uses and any proposed uses permitted under the SR future land use designation.

(4) Whether there have been changed conditions that justify amending the design district.

The subject property is proposed for annexation and a design district assignment is necessary. The conditions have changed from land located in unincorporated Lake County within the City of Eustis with full municipal services

(5) Whether, and the extent to which, the proposed redistricting would result in demands on public facilities, and whether, or the extent to which, the proposed change would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

This amendment will not change the demand on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond that already anticipated. Also see analysis of public facilities in above sections of this report.

(6) Whether, and the extent to which, the redistricting would result in significant impacts on the natural environment.

The proposed Design District designation for this property does not change the development potential of the parcels. Design Districts control the form and function of any development that does occur. The Future Land Use designation controls the density, intensity and minimum open space permitted on the site, so the Design District amendment would not result in additional impacts on the natural environment.

(7) Whether, and the extent to which, the proposed redistricting would affect the property values in the area.

This request should not affect property values, because the proposed Design District designation is consistent with the surrounding development patterns and design districts.

(8) Whether, and the extent to which, the proposed redistricting would result in an orderly and logical development pattern.

Assignment of the requested designation will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.

(9) Whether the proposed redistricting would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

The proposed Design District is not in conflict with the public interest and reflects the purpose and intent of the regulations.

(10) Any other matters that may be deemed appropriate by the city commission, in review and consideration of the proposed redistricting.

The City's Land Development Regulations are a form-based code. The Design District designations define the development <u>form</u>, but not the types of land uses, densities, intensities or required open space. The districts, therefore, must be consistent and follow the urban, suburban and rural transect. This request assigns a designation to an annexation parcel.

7) <u>Applicable Policies and Codes</u>

a. <u>Resolution No. 87-34</u> – Joint Planning Area Agreement with Lake County:

"The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law. The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

b. <u>Florida Statutes Chapter 171.044: Voluntary Annexation</u>:

1) "The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

2) "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

Land Development Regulations Section 109-2.3: Outlines the general intent of the Suburban Residential District in the City. This land use designation is intended to have a maximum density of five units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

c. Land Development Regulations Section 109-5.5: The Suburban Neighborhood Design District is predominately residential uses with some neighborhood scale commercial services and interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods. The mix of detached residential uses with some neighborhood supporting retail, parks and civic spaces act as focal points in the neighborhoods.

8) **Fiscal Impact:**

a. The current assessed value of the subject property is $86,132.

b. Based on the current millage rate of 7.581, annexation of the property could increase annual operating revenues, by as much as $652.97.

Alternatives:

1. Approve Ordinance Nos. 19-06 (Annexation), 19-07 (Comp. Plan Amendment), and/or 19-08 (Design District Designation) for property located at 443 Ohio Blvd.
2. Deny Ordinance Nos. 19-06, and 19-07, and 19-08.

Discussion of Alternatives:

1. Alternative 1 approves the ordinances.
   Advantages:
   - The action would be consistent with the expansion plans for the City in accordance with the adopted Eustis Planning Area.
   - Annexation could increase the tax base of the City and increase the annual operating revenues.
   - The City would have a more compact service area for utilities, police, and fire to increase efficiency and level of service. A more compact service area can reduce the overall per capita cost of providing urban services.
   - The land use change and design district assignment are consistent with the proposed use of the property and the nature of the surrounding area.
   - The action could encourage additional development and/or annexations in that area.

   Disadvantages:
   - No disadvantages.

2. Alternative 2 denies the Ordinances. (If Ordinance No. 19-06 is denied, the Commission cannot approve Ordinance Nos. 19-07 and 19-08.)

   Advantages:
   - There are no advantages to denying the ordinances.

Disadvantages:

- Denying annexation would continue a gap in the City's natural growth boundary as defined by the Eustis Planning Area.
- The action would eliminate the potential for increased operating revenue and the subject properties would continue to receive the indirect benefits of City services that are provided to adjacent properties without paying City taxes.
- The City would continue to experience gaps in its service area causing service inefficiency and confusion regarding City boundaries.

Community Input:
The department has notified surrounding property owners within 500 feet of the site; the proper legal advertisements have been placed in the newspaper; and the site has been posted. To date the department has received 1 response from residents or adjacent property owners for comment or additional information.

Budget / Staff Impact:
There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

Reviewed By: Lori Barnes, AICP Development Services Director

Prepared By: Roland Magyar, AICP, Senior Planner

Attachments:

Ordinance No. 19-06, 19-07, 19-08 (including Exhibit A),

Surrounding Property Owner Notice of Hearing, and Advertisements

ORDINANCE NO. 19-07

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

WHEREAS, on November 4, 2010, the Eustis City Commission adopted the City of Eustis Comprehensive Plan 2010-2035 through Ordinance No. 10-11; and

WHEREAS, State of Florida Department of Community Affairs found the City of Eustis Comprehensive Plan 2010-2035 In Compliance pursuant to Sections 163.3184, 163.3187, and 163.3189 Florida Statutes; and

WHEREAS, the City of Eustis periodically amends its Comprehensive Plan in accordance with Chapter 163.3187 and 163.3191, Florida Statutes; and

WHEREAS, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 0.19 acres of recently annexed real property located at 443 Ohio Blvd., and more particularly described herein; and

WHEREAS, on April 4, 2019, the Local Planning Agency held a Public Hearing to consider the adoption of a Small Scale Future Land Use Amendment for this change in designation; and

WHEREAS, On April 4, 2019, the City Commission held the 1st Adoption Public Hearing to accept the Local Planning Agency's recommendation to adopt the Small Scale Future Land Use Amendment contained herein; and

WHEREAS, On April 18, 2019, the City Commission held the 2nd Adoption Public Hearing to consider the adoption of the Small Scale Future Land Use Amendment contained herein;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

Section 1. Land Use Designation

That the Future Land Use Designation of the real property as described below shall be changed from Lake County Urban Medium to Suburban Residential within the City of Eustis:

Tax ID: 12-19-26-0100-000-02200

BUCKEYE ADDITION LOT 22 PB 14 PG 21 ORB 5033 PG 1230

Section 2. Map Amendment and Notification

That the Director of Development Services shall be authorized to amend the Future Land Use Map of the Comprehensive Plan to incorporate the change described in Section 1 and provide appropriate notification in accordance with Florida Statutes.

Section 3. Conflict

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. Severability

That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 5. Effective Date

That this Ordinance shall not become effective unless and until the annexation of the subject property becomes effective through approval of Ordinance No. 19-06. Further, the effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity 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 Department of Economic Opportunity.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this _____ day of _____, 2019.

CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA

_____
Michael L. Holland
Mayor-Commissioner

ATTEST:

_____
City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this ____ day of _____, 2019 by Michael L. Holland, Mayor and Mary C. Montez, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:_____
Notary Serial No:_____

CITY ATTORNEY'S OFFICE

This document has been reviewed and approved as to form and legal content, but I have not performed an Independent Title Examination as to the accuracy of the Legal Description.

City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution No. 19-07 is hereby approved, and I hereby certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Date Mary C. Montez, City Clerk

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086003
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$177.00

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-01 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-04 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-04: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 10.97 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44 FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), AND 1706 VIRGINIA AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO URBAN RESIDENTIAL (UR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$177.00
Tax	$0.00
Sub Total	$177.00
Prepaid Amount	$0.00
Balance Due	$177.00

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086003

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-01 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-04 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-04: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 10.97 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44 FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), AND 1706 VIRGINIA AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO URBAN RESIDENTIAL (UR) IN THE CITY OF EUSTIS.

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On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086000
Phone: (352) 483-5430
Date: 03/19/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-05 No	03/18/2019	03/18/2019	$115.08

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that *a verbatim record* of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$115.08
Tax	$0.00
Sub Total	$115.08
Prepaid Amount	$0.00
Balance Due	$115.08

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-05

was published in said newspaper in the issues of:

March 14, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French
(Print, Type or Stamp Name of Notary Public)

AD# 1008600

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086004
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$171.84

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352-483-5460 if you have any questions.

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Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$171.84
Tax	$0.00
Sub Total	$171.84
Prepaid Amount	$0.00
Balance Due	$171.84

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 1008604

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

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Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086001
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-08 No	03/18/2019	03/18/2019	$111.64

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$111.64
Tax	$0.00
Sub Total	$111.64
Prepaid Amount	$0.00
Balance Due	$111.64

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-08

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086001

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086005
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$178.72

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 W. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations *and conduct* the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$178.72
Tax	$0.00
Sub Total	$178.72
Prepaid Amount	$0.00
Balance Due	$178.72

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and *subscribed before* me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086005

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 N. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086002
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-11 No	03/18/2019	03/18/2019	$118.52

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-11

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-11 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$118.52
Tax	$0.00
Sub Total	$118.52
Prepaid Amount	$0.00
Balance Due	$118.52

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

Ord 19-11

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086002

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-11

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-11 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 119 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

RECEIVED
MAR 2 2 2019

Notice of Public Hearing

You are receiving this notice because you own property within 500 feet of a land development request (see below). This is part of the City's notification process to inform the public of this request. If you have questions regarding this request, please contact us at 352-483-5460. If you have no questions or do not wish to attend the meeting, you may disregard this notice.

TO: Surrounding Property Owners

FROM: Roland D. Magyar, Senior Planner

DATE: March 21, 2019

RE: Notice of Quasi-Judicial Public Hearing

Ordinance Nos.: 19-06, 19-07, 19-08

Notice is hereby given for the following public hearings to be held in the City Commission Chambers, City Hall, 10 N. Grove Street, Eustis, FL, regarding Annexation and Future Land Use and Design District map amendments of 0.19 acres of real property located at 443 Ohio Blvd.

1. The Local Planning Agency will hold a public hearing on April 4, 2019 at 5:50 PM, or as may be continued at their discretion, to consider a change the land use designation of the subject properties from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis.
2. The Eustis City Commission will conduct two Quasi-Jurisdictional Public Hearings at **6:00 PM**, or as may be continued at their discretion, regarding the following ordinances on the following dates:

Ordinance 19-06 is a voluntary annexation of 0.19 acres located at 443 Ohio Blvd.

Ordinance 19-07 is a small Scale Comprehensive Plan Amendment to change the Future Land Use designation of said properties from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis.

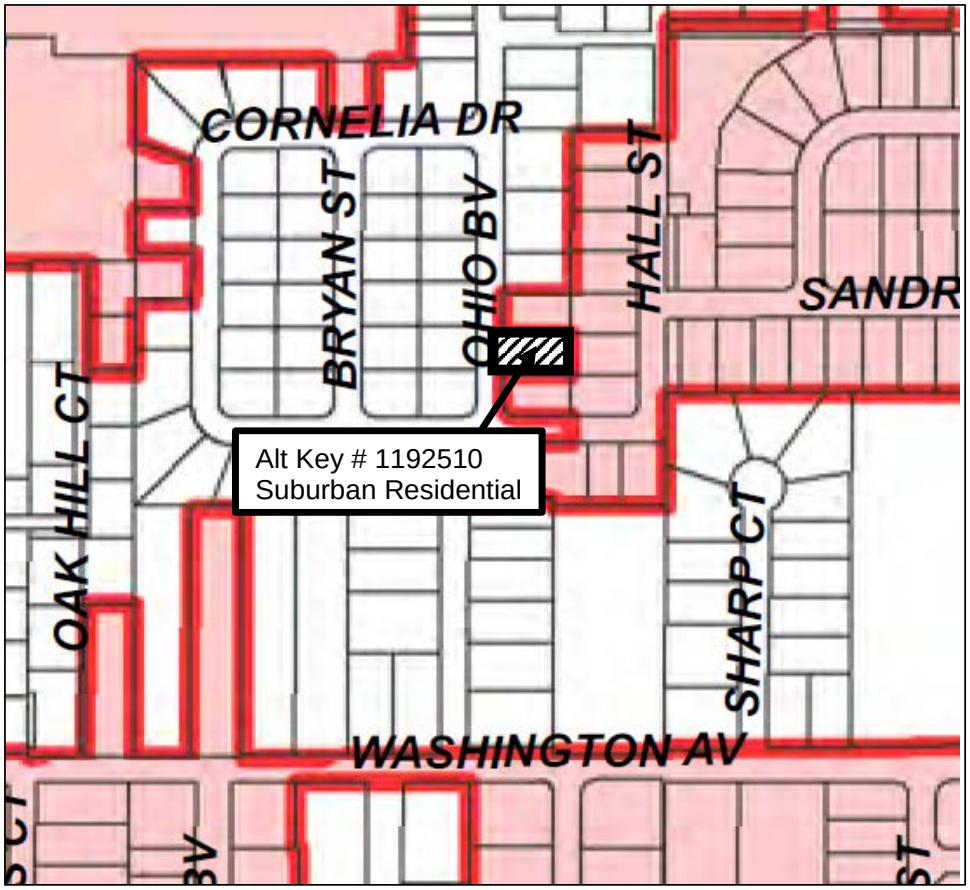
Ordinance 19-08 is the assignment of the Design District designation of Suburban Neighborhood to this property.

1st Reading	2nd Reading
April 4, 2019	April 18, 2019

A Location Map is provided on the reverse side.

The case file, complete legal description of the property and proposed ordinance will be available for examination beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at (352) 483-5460 if you have any questions

LOCATION MAP



City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: ORDINANCE NO. 19-08: DESIGN DISTRICT ASSIGNMENT FOR PROPERTY LOCATED AT 443 OHIO BLVD.

Introduction:
Ordinance No. 19-08 would assign the subject property a design district designation of Suburban Neighborhood. If Ordinance No. 19-06 is denied, there can be no consideration of Ordinance Nos. 19-07 and 19-08.

Background:
The applicant requested annexation of one lot totaling +/-0.19 acres of land at 443 Ohio Blvd. with assignment of a Eustis Future Land Use and Design District. The applicant requested a Suburban Neighborhood design district for the property.

Recommended Action:
The administration recommends approval of Ordinance No. 19-08.

Policy Implications:
n/a

Alternatives:
1. Approve Ordinance No. 19-08
2. Deny Ordinance No. 19-08

Budget Impact:
n/a

Attachments:
Staff Report Ord 19-06, 19-07, and 19-08- Group 2 - Annex CPP DD
Ord 19-08 Group 2 DD
DC AFFIDAVITS-APR 4; APR 18 MEETINGS
Notice of Public Hearing 500 ft Group 2 - Annex-FLUM

Reviewed by:

Lori Barnes, Director	Approved - 29 Mar 2019
Ronald Neibert, City Manager	Approved - 29 Mar 2019

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: RONALD R. NEIBERT, CITY MANAGER

DATE: APRIL 4, 2019

RE: EXPLANATION OF ORDINANCES FOR PROPERTY AT 443 OHIO BLVD.
Ordinance No. 19-06 – Voluntary Annexation
Ordinance No. 19-07 – Comprehensive Plan Amendment
Ordinance No. 19-08 – Design District Assignment

Introduction:

- Ordinance No. 19-06 provides for the voluntary annexation of one parcel totaling approximately 0.19 acres.
- Ordinance No. 19-07 would change the future land use designation from Lake County Urban Low to Suburban Residential within the City of Eustis
- Ordinance No. 19-08 would assign the subject property a design district designation of Suburban Neighborhood.
- If Ordinance No. 19-06 is denied, there can be no consideration of Ordinance Nos. 19-07 and 19-08.

Recommended Action:

The administration recommends approval of Ordinance Nos. 19-06, 19-07 and 19-08.

Applicant's Request:

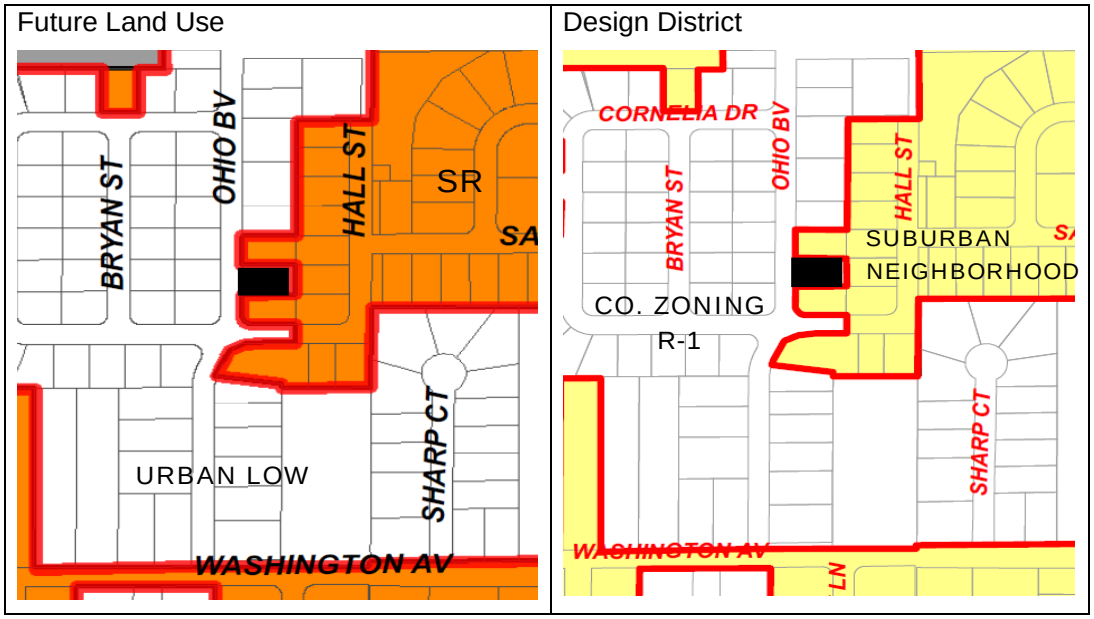
The applicant requested annexation of one lot totaling +/-0.19 acres of land at 443 Ohio Blvd. with assignment of a Eustis Future Land Use and Design District. The applicant requested a Suburban Residential land use and a Suburban Neighborhood design district for the property.

Background:

1) Site Information
   a) The site is developed with a single-family residence.
   b) The site is contiguous to the city limits.



FIGURE 1: CITY AND COUNTY FUTURE LAND USE, ZONING AND DESIGN DISTRICTS



c) County Future Land Use and Zoning

i) The property has a Lake County land use designation of Urban Low Density and a zoning of R-1 (see Figure 1). These categories allow the following development patterns within the County:

(1) The Urban Low land use category allows for a range of residential uses up to 4 du/net acre, as well as professional office, limited commercial/retail, and services with an intensity up to 0.25 FAR. Limited light industrial uses may be allowed as a conditional use. Located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities.

(2) "R-1" Rural Residential. The purpose of this district is to provide a transition between agricultural and Conservation Areas and the more urban residential communities. It is intended to permit the development of single-family homes in an environment that is compatible with the surrounding natural resources.

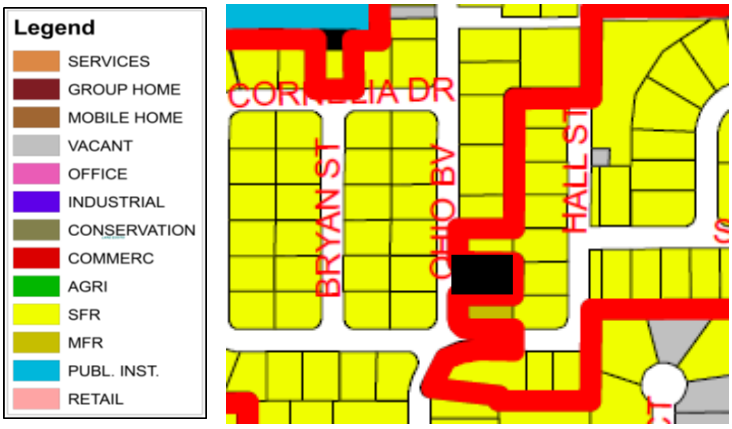
d) City Future Land Use and Design District

i) The site is contiguous to the Suburban Residential future land use district (See Figure 1). The SR areas have a maximum density of five units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

ii) The parcel is contiguous to the Suburban Neighborhood design district (See Figure 1). This district is predominately residential uses with some neighborhood scale commercial services with parks and civic spaces as focal points in the neighborhoods.

e) Figure 2 illustrates the existing uses of the property and surrounding area. The surrounding land uses are primarily single-family residences.

FIGURE 2: EXISTING LAND USES



2) **<u>Analysis of Annexation Request (Ord. No. 19-03)</u>:**

a. <u>Resolution No. 87-34</u> – Joint Planning Area Agreement with Lake County: "The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law. The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

The property is located within the Joint Planning Area. City potable water and wastewater are available to serve the site. (See public facilities and services analysis under item 5 below).

b. <u>Florida Statutes Voluntary Annexation - Chapter 171.044(1)</u> -"The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

The Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject property lays within that planning area, and is contiguous to the City limits. This annexation is a natural extension of the City Limits.

c. <u>Florida Statutes Voluntary Annexation - Chapter 171.044(2):</u> "…Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town…"

The department published notice of this annexation in the Daily Commercial in accordance with the requirements on March 18, 2019 and March 25, 2019.

d. <u>Florida Statutes Voluntary Annexation - Chapter 171.044(5)</u>: "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

Annexation of the subject property does not create enclaves, but is a natural extension of the City. There are existing enclaves in the area, which this annexation will assist in the elimination of the enclaves.

e. Florida Statutes Voluntary Annexation - Chapter 171.044(6): "Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located..."

The department provided notice to the Lake County Board of County Commissioners on March 8, 2019.

3) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. 19-04)** in **Accordance with Florida Statutes Chapter 163.3177.9:** The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

a) The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

This indicator does not apply. The property is part of an existing developed area with surrounding properties already developed at the appropriate density.

(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

This indicator does not apply. The property is part of an existing developed area.

(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

This indicator does not apply. The property is part of a developed residential use area permitted by the County and City. The proposed designations are consistent with the character of the surrounding area

(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

The property is part of a developed residential area. Any development will follow the City's adopted rules to conserve and protect natural resources and conservation areas.

(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

This indicator does not apply. This site and adjacent areas do not support active agricultural or silvicultural activities. The site is not prime farmland and has no unique soils.

(VI) Fails to maximize use of existing public facilities and services.

This indicator does not apply. The site is already connected to City water. City water lines run along the front of the property, which will maximize the use of the existing facilities.

(VII) Fails to maximize use of future public facilities and services.

This indicator does not apply. There are no future public facilities and services planned for this area.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

This indicator does not apply. Adequate capacity is available to serve the existing development consistent with the requested SR future land use designation. The City provides these services to other properties in the area, so efficiency will improve.

(IX) Fails to provide a clear separation between rural and urban uses.

This indicator does not apply. The properties are within an existing residentially developed area permitted by the County and City.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

. This indicator does not apply. The property is already developed with a single-family residence.

(XI) Fails to encourage a functional mix of uses.

This indicator does not apply. This is an existing developed area.

(XII) Results in poor accessibility among linked or related land uses.

This indicator does not apply. This parcel is within an existing, mixed-use developed area. Access to the site is already developed.

(XIII) Results in the loss of significant amounts of functional open space.

This indicator does not apply. The property is already developed.

b) The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

The site is part of an existing developed area in an established residential-use area.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

City water service is connected to the site. Potable water capacity is adequate to serve the annexed property consistent with the requested SR future land use designation. The transportation network has sufficient capacity to serve this site. Upon annexation, the City will also provide other services such as fire and police protection. The City provides these services to other properties in the area, so efficiency will improve.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

The parcel is part of an existing, residential-use developed area in an established neighborhood.

(IV) Promotes conservation of water and energy.

Not applicable. The parcel is an existing developed parcel.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Not applicable; the site does not support active agricultural or silvicultural activities.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

Not applicable; the parcel is part of an existing developed area, and the property is already developed.

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

The parcel is part of an existing, residentially developed area in an established neighborhood. The parcel is not located in an area that would support non-residential uses.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Not applicable.

4) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Comprehensive Plan Future Land Use Element Appendix:** All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the Map #1: 2035 Future Land Use Map by changing the land use designation assigned to a parcel of property

shall also be reviewed to determine and assess any significant impacts to the policy structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the four (4) major categories of Plan policies as follows:

A. General Public Facilities/Services: Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The facilities and services required for analysis include emergency services, parks and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

   Emergency Services Analysis: The property is located approximately 1.95 miles from a City fire station with paramedical services 2.3 miles from a County fire station. This parcel is in an existing developed area and already receives City services.

   Parks & Recreation: The parcel is already developed and is included in existing recreational levels of service.

   Potable Water & Sanitary Sewer: The applicant's property is already connected to City water. Wastewater lines are approximately 125 ft. to the south. The following outlines the water and sewer demand based on a maximum development potential scenario.

   Potential Residential Demand

   Water: 1 ERU = 300 GPD
   Wastewater – 1 ERU = 250 GPD

   According to the City of Eustis Public Works Department, water and sewer with sufficient capacity are available to the parcel.

   Schools: The proposed change will not negatively impact schools.

   Solid Waste: The City contracts with Waste Management for hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in delivery of services.

   Stormwater: The site is developed and is included

   Transportation Network Analysis: (Institute of Traffic Engineers Trip Generation Manual, 7th Edition). The existing use is single family housing (210 land use). so, there will be no additional impact to the transportation system.

B. Natural Resources/Natural Features: The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan. Specifically each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued natural functioning of flood plains; and 4) the suitability of the soil and topography to the development proposed.

   Ground water recharge areas: The property is part of an existing developed area, which has been evaluated for groundwater recharge.

   Historical or archaeological sites: The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist.

   Flood zones: The subject properties are not within a flood zone or wetland.

   Soil and topography: The subject property has no soil or topographical constraints. It consists primarily of Astatula Sand, 0-5% slope (AtB).

C. Comprehensive Plan Review: Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the compatibility of the use, intensity, location, and timing of the proposed amendment.

   The current Lake County zoning designation of the subject property is R-1 and the land use designation is Urban Low. Single-family homes are adjacent to the site with a City of Eustis FLU designation of Suburban Residential (SR), which allows up to 5 du/acre.

D. Transportation: Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.

   The site has been developed since 1960 and is incorporated into all transportation plans.

E. Water Supply: Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

   Public utilities and services are available. Refer to 4.A. above for more information. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.

5) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Chapter 102-16(f), Land Development Regulations, Standards for Review**: In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

(1) Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan. See analysis above under item 4, A through D.

(2) Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

All properties are developed. Any new development will follow the standards contained within the City's LDR's.

(3) Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The SR land use designation is consistent with the surrounding development.

(4) Whether there have been changed conditions that justify an amendment.

The applicant wishes to annex the property into the City limits of Eustis. Assignment of a City of Eustis future land use designation is required. These changed conditions warrant a change in the land use designation.

(5) Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

City water and sewer service are available to the site. Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.

(6) Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

The parcel is a developed site and will have no impact to the environment.

(7) Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

These parcels are contiguous to the City limits, which will result in orderly and logical development.

(8) Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

The purpose and intent of the Land Development Regulations is as follows:

> "The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the city's comprehensive plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small town community character and life style."

The proposed SR future land use designations for the subject parcel will provide for orderly growth and development. This designation would advance the public interest by providing housing options, and application of the LDRs to the future development will ensure consistency with the community character and lifestyle.

(9) Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

Properties within the Eustis Planning Area have been deemed appropriate for annexation; and as such, would warrant a more appropriate, municipal land use designation than that of the County.

6) **Analysis of Design District Request (Ord. No. 19-05):** The City's Land Development Regulations are a form-based code. Design districts are unique to form-based codes. Lake County still uses traditional Euclidean zoning, so there are no design districts for parcels in unincorporated Lake County. When a parcel annexes into the City of Eustis, the City must assign a consistent design district that follows the urban, suburban and rural transect.

Section 102-17 of the Land Development Regulations includes the following standards for review of an amendment to the Design District Map. In approving a change in the designation, the City Commission shall consider:

(1) Whether the amendment is in conflict with any applicable provisions of the Code.

a) Section 102-17(a) "...Section 109-3 Design Districts, identifies the definition, structure and form of each design district. The assignment of the design district must follow the district pattern and intent."

The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Neighborhood). The Suburban development pattern and intent, and the Suburban Neighborhood definition, structure and form description are stated below. The assignment of a Suburban Neighborhood design district designation is appropriate due to the established and proposed development patterns in the area.

The City of Eustis Design District Map (see Figure 1) shows the surrounding area as Suburban Neighborhood.

b) Sec. 109-3.5.5. Suburban development pattern intent statements:

i. Intent. Suburban development pattern…relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. Nonresidential uses are primarily located on corridors, districts and a mix of uses is prominent in centers.

ii. Design districts: Suburban Neighborhood:

a. Definition. Predominately residential uses with some neighborhood scale commercial services.

b. Structure. Interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

c. Form. Mix of detached residential uses with some neighborhoods supporting retail, parks and civic spaces as focal points in the neighborhoods.

c) Section 102-17(a) The following guidelines must be followed when proposing the reassignment of design district:

i) Compatible intensities should face across streets. Changes in design districts should occur along rear alleys or lanes or along conservation edges.

The requested design district designation is consistent with the designation of the surrounding area.

ii) Where new development will abut an existing or approved neighborhood, the new development should establish similar or compatible transect conditions.

The parcels are part of an existing residential development pattern. The Suburban Neighborhood design district designation is the same as the designation of the surrounding area.

(2) Whether the proposed amendment is consistent with all elements of the comprehensive plan.

The requested amendment is consistent with the Future Land Use element (including Policy FLU 1.2.4, Development Patterns and FLU 1.3.2. Maintain Residential Compatibility), as well as all other elements of the Comprehensive Plan.

(3) Whether, and the extent to which, the proposed design district is consistent with existing and proposed land uses.

The Suburban Neighborhood definition, structure and form are compatible with the existing uses and any proposed uses permitted under the SR future land use designation.

(4) Whether there have been changed conditions that justify amending the design district.

The subject property is proposed for annexation and a design district assignment is necessary. The conditions have changed from land located in unincorporated Lake County within the City of Eustis with full municipal services

(5) Whether, and the extent to which, the proposed redistricting would result in demands on public facilities, and whether, or the extent to which, the proposed change would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

This amendment will not change the demand on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond that already anticipated. Also see analysis of public facilities in above sections of this report.

(6) Whether, and the extent to which, the redistricting would result in significant impacts on the natural environment.

The proposed Design District designation for this property does not change the development potential of the parcels. Design Districts control the form and function of any development that does occur. The Future Land Use designation controls the density, intensity and minimum open space permitted on the site, so the Design District amendment would not result in additional impacts on the natural environment.

(7) Whether, and the extent to which, the proposed redistricting would affect the property values in the area.

This request should not affect property values, because the proposed Design District designation is consistent with the surrounding development patterns and design districts.

(8) Whether, and the extent to which, the proposed redistricting would result in an orderly and logical development pattern.

Assignment of the requested designation will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.

(9) Whether the proposed redistricting would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

The proposed Design District is not in conflict with the public interest and reflects the purpose and intent of the regulations.

(10) Any other matters that may be deemed appropriate by the city commission, in review and consideration of the proposed redistricting.

The City's Land Development Regulations are a form-based code. The Design District designations define the development <u>form</u>, but not the types of land uses, densities, intensities or required open space. The districts, therefore, must be consistent and follow the urban, suburban and rural transect. This request assigns a designation to an annexation parcel.

7) <u>Applicable Policies and Codes</u>

a. <u>Resolution No. 87-34</u> – Joint Planning Area Agreement with Lake County:

"The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law. The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

b. <u>Florida Statutes Chapter 171.044: Voluntary Annexation</u>:

1) "The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

2) "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

Land Development Regulations Section 109-2.3: Outlines the general intent of the Suburban Residential District in the City. This land use designation is intended to have a maximum density of five units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

c. Land Development Regulations Section 109-5.5: The Suburban Neighborhood Design District is predominately residential uses with some neighborhood scale commercial services and interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods. The mix of detached residential uses with some neighborhood supporting retail, parks and civic spaces act as focal points in the neighborhoods.

8) **Fiscal Impact:**

a. The current assessed value of the subject property is $86,132.

b. Based on the current millage rate of 7.581, annexation of the property could increase annual operating revenues, by as much as $652.97.

Alternatives:

1. Approve Ordinance Nos. 19-06 (Annexation), 19-07 (Comp. Plan Amendment), and/or 19-08 (Design District Designation) for property located at 443 Ohio Blvd.
2. Deny Ordinance Nos. 19-06, and 19-07, and 19-08.

Discussion of Alternatives:

1. Alternative 1 approves the ordinances.
   Advantages:
   - The action would be consistent with the expansion plans for the City in accordance with the adopted Eustis Planning Area.
   - Annexation could increase the tax base of the City and increase the annual operating revenues.
   - The City would have a more compact service area for utilities, police, and fire to increase efficiency and level of service. A more compact service area can reduce the overall per capita cost of providing urban services.
   - The land use change and design district assignment are consistent with the proposed use of the property and the nature of the surrounding area.
   - The action could encourage additional development and/or annexations in that area.

   Disadvantages:
   - No disadvantages.

2. Alternative 2 denies the Ordinances. (If Ordinance No. 19-06 is denied, the Commission cannot approve Ordinance Nos. 19-07 and 19-08.)

   Advantages:
   - There are no advantages to denying the ordinances.

Disadvantages:

- Denying annexation would continue a gap in the City's natural growth boundary as defined by the Eustis Planning Area.
- The action would eliminate the potential for increased operating revenue and the subject properties would continue to receive the indirect benefits of City services that are provided to adjacent properties without paying City taxes.
- The City would continue to experience gaps in its service area causing service inefficiency and confusion regarding City boundaries.

Community Input:
The department has notified surrounding property owners within 500 feet of the site; the proper legal advertisements have been placed in the newspaper; and the site has been posted. To date the department has received 1 response from residents or adjacent property owners for comment or additional information.

Budget / Staff Impact:
There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

Reviewed By: Lori Barnes, AICP Development Services Director

Prepared By: Roland Magyar, AICP, Senior Planner

Attachments:

Ordinance No. 19-06, 19-07, 19-08 (including Exhibit A),

Surrounding Property Owner Notice of Hearing, and Advertisements

ORDINANCE NO. 19-08

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD., EUSTIS, FL.

WHEREAS, the City of Eustis desires to amend the Design District Map of the Land Development Regulations adopted under Ordinance No. 09-33 to assign a Design District designation of Suburban Neighborhood to approximately 0.19 acres of real property located at 443 Ohio Blvd. and

WHEREAS, On April 4, 2019, the City Commission held the 1st Public Hearing to consider the Design District Amendment contained herein; and

WHEREAS, On April 18, 2019, the City Commission held the 2nd Public Hearing to consider the adoption of the Design District Amendment contained herein;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

Section 1. Design District Designation

That the Design District Designation of the real properties described below shall be Suburban Neighborhood:

Tax ID: 12-19-26-0100-000-02200

BUCKEYE ADDITION LOT 22 PB 14 PG 21 ORB 5033 PG 1230

Section 2. Map Amendment

That the Director of Development Services shall be authorized to amend the Design District Map to incorporate the change described in Section 1.

Section 3. Conflict

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. Severability

That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 5. Effective Date

That this Ordinance shall become effective upon annexation of the subject properties through approval of Ordinance No. 19-06.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this _____ day of _____, 2019.

CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA

_____
Michael L. Holland.
Mayor/Commissioner

ATTEST:

_____
City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____ day of _____ , 2019 Michael L. Holland., Mayor and Mary C. Montez, City Clerk, who are personally known to me.

_____
Notary Public - State of Florida
My Commission Expires:_____
Notary Serial No:_____

CITY ATTORNEY'S OFFICE

This document has been reviewed and approved as to form and legal content, but I have not performed an Independent Title Examination as to the accuracy of the Legal Description.

_____ _____
City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Ordinance No. 19-08 is hereby approved, and I hereby certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Date

Mary C. Montez, City Clerk

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086003
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$177.00

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-01 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-04 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-04: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 10.97 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44 FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), AND 1.706 VIRGINIA AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO URBAN RESIDENTIAL (UR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$177.00
Tax	$0.00
Sub Total	$177.00
Prepaid Amount	$0.00
Balance Due	$177.00

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086003

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

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Public hearings on the proposal will be held as follows:

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On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

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All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086000
Phone: (352) 483-5430
Date: 03/19/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-05 No	03/18/2019	03/18/2019	$115.08

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that *a verbatim record* of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$115.08
Tax	$0.00
Sub Total	$115.08
Prepaid Amount	$0.00
Balance Due	$115.08

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-05

was published in said newspaper in the issues of:

March 14, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 1008600

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086004
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$171.84

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352-483-5460 if you have any questions.

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Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$171.84
Tax	$0.00
Sub Total	$171.84
Prepaid Amount	$0.00
Balance Due	$171.84

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 1008604

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct. the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086001
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-08 No	03/18/2019	03/18/2019	$111.64

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$111.64
Tax	$0.00
Sub Total	$111.64
Prepaid Amount	$0.00
Balance Due	$111.64

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-08

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086001

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086005
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$178.72

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 W. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations *and conduct* the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$178.72
Tax	$0.00
Sub Total	$178.72
Prepaid Amount	$0.00
Balance Due	$178.72

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086005

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 N. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086002
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-11 No	03/18/2019	03/18/2019	$118.52

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-11

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-11 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$118.52
Tax	$0.00
Sub Total	$118.52
Prepaid Amount	$0.00
Balance Due	$118.52

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

Ord 19-11

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086002

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-11

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-11 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 119 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

RECEIVED
MAR 2 2 2019

Notice of Public Hearing

You are receiving this notice because you own property within 500 feet of a land development request (see below). This is part of the City's notification process to inform the public of this request. If you have questions regarding this request, please contact us at 352-483-5460. If you have no questions or do not wish to attend the meeting, you may disregard this notice.

TO: Surrounding Property Owners

FROM: Roland D. Magyar, Senior Planner

DATE: March 21, 2019

RE: Notice of Quasi-Judicial Public Hearing

Ordinance Nos.: 19-06, 19-07, 19-08

Notice is hereby given for the following public hearings to be held in the City Commission Chambers, City Hall, 10 N. Grove Street, Eustis, FL, regarding Annexation and Future Land Use and Design District map amendments of 0.19 acres of real property located at 443 Ohio Blvd.

1. The Local Planning Agency will hold a public hearing on April 4, 2019 at 5:50 PM, or as may be continued at their discretion, to consider a change the land use designation of the subject properties from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis.
2. The Eustis City Commission will conduct two Quasi-Jurisdictional Public Hearings at **6:00 PM**, or as may be continued at their discretion, regarding the following ordinances on the following dates:

Ordinance 19-06 is a voluntary annexation of 0.19 acres located at 443 Ohio Blvd.

Ordinance 19-07 is a small Scale Comprehensive Plan Amendment to change the Future Land Use designation of said properties from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis.

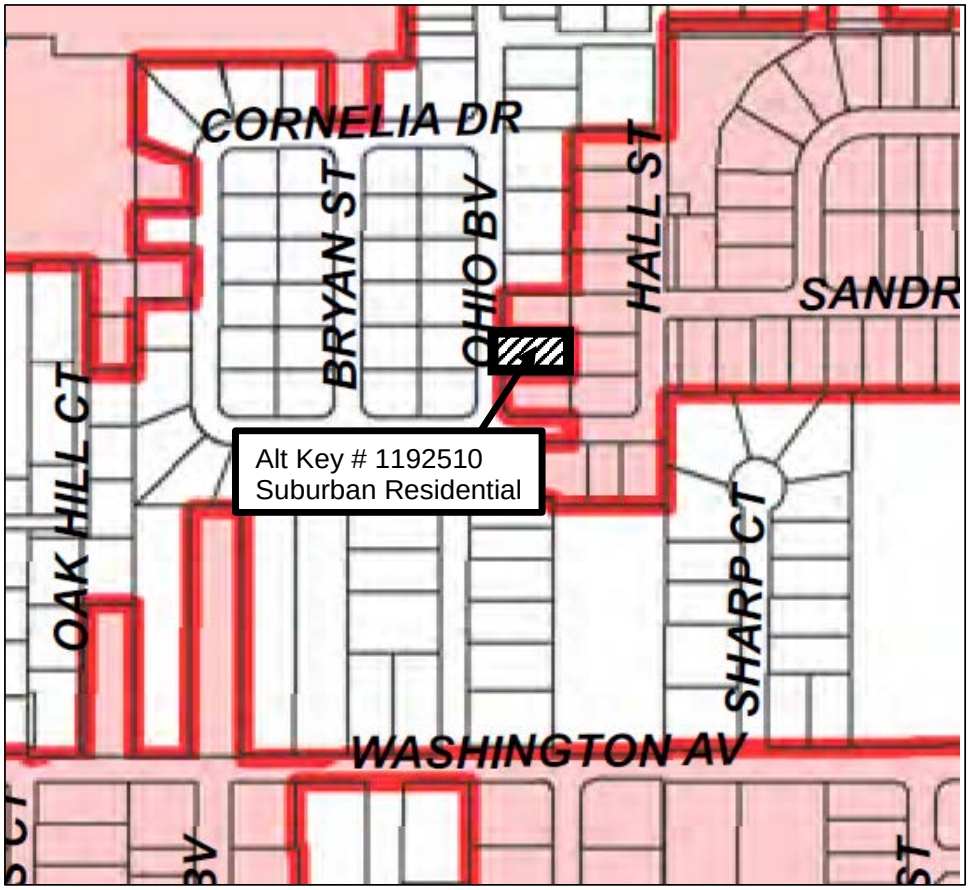
Ordinance 19-08 is the assignment of the Design District designation of Suburban Neighborhood to this property.

1st Reading	2nd Reading
April 4, 2019	April 18, 2019

A Location Map is provided on the reverse side.

The case file, complete legal description of the property and proposed ordinance will be available for examination beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at (352) 483-5460 if you have any questions

LOCATION MAP



City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: ORDINANCE NO. 19-09: VOLUNTARY ANNEXATION FOR PROPERTY AT 2400 AND 2500 S. BAY ST., 143 W. DICIE AVE. AND 200 W. SEMINOLE AVE.

Introduction:
Ordinance No. 19-09 provides for the annexation of four properties totaling approximately 1.19 acres.

Background:
The applicants requested annexation of four lots totaling +/-1.19 acres of land at 2400 and 2500 S. Bay St., 200 W. Seminole Ave., and 143 W. Dicie Ave.

Recommended Action:
The administration recommends approval of Ordinance No. 19-09

Policy Implications:
None

Alternatives:
1. Approve Ordinance No. 19-09
2. Deny Ordinance No. 19-09

Budget Impact:
None

Attachments:
Staff Report Ord 19-09, 19-10, and 19-11 Group 3 - Annex CPP DD
Ord 19-09 Group 3 Annex
Notice of Public Hearing 500 ft Group 3 - Annex-FLUM
DC AFFIDAVITS-APR 4; APR 18 MEETINGS

Reviewed by:

Lori Barnes, Director	Approved - 29 Mar 2019
Ronald Neibert, City Manager	Approved - 29 Mar 2019

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: RONALD R. NEIBERT, CITY MANAGER

DATE: APRIL 4, 2019

RE: EXPLANATION OF ORDINANCES FOR PROPERTY AT 2400 AND 2500 S. BAY STREET, 143 W. DICIE AVE. AND 200 W. SEMINOLE AVE.
Ordinance No. 19-09 – Voluntary Annexation
Ordinance No. 19-10 – Comprehensive Plan Amendment
Ordinance No. 19-11 – Design District Assignment

Introduction:

- Ordinance No. 19-09 provides for the voluntary annexation of four parcels totaling approximately 1.19 acres.
- Ordinance No. 19-10 would change the future land use designation from Lake County Urban Low to General Commercial (GC) and Suburban Residential (SR) within the City of Eustis
- Ordinance No. 19-11 would assign the subject property a design district designation of Suburban Neighborhood, Urban Neighborhood and Urban Corridor.
- If Ordinance No. 19-09 is denied, there can be no consideration of Ordinance Nos. 19-10 and 19-11.

Recommended Action:

The administration recommends approval of Ordinance Nos. 19-09, 19-10 and 19-11.

Applicant's Request:

The applicants requested annexation of four lots totaling +/-1.19 acres of land at 2400 and 2500 S. Bay St., 200 W. Seminole Ave., and 143 W. Dicie Ave. with assignment of a Eustis Future Land Use and Design District. The applicants requested the following Future Land Use and Design Districts:

Address	Future Land Use	Design District
2400 S. Bay St.	General Commercial	Urban Corridor
2500 S. Bay St.	General Commercial	Urban Corridor
143 W. Dicie Ave.	Suburban Residential	Urban Neighborhood
200 W. Seminole Ave.	Suburban Residential	Suburban Neighborhood

Background:

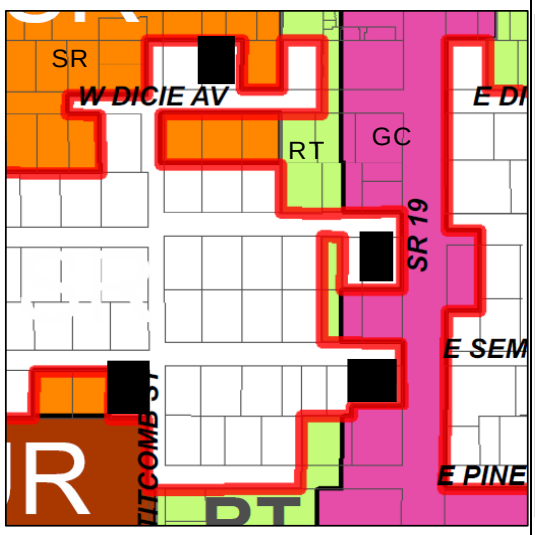
1) Site Information

   a) The sites are developed with single-family residences and office uses.

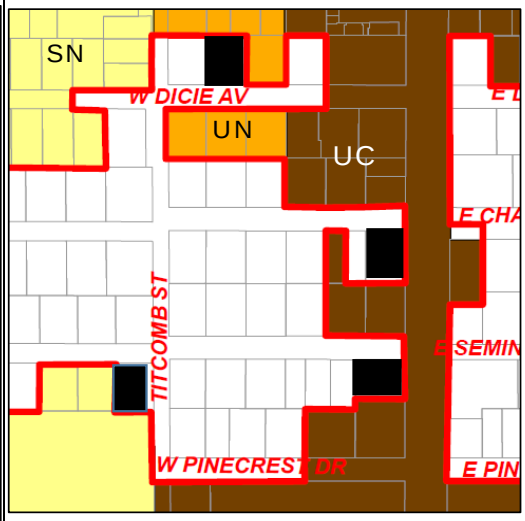
   b) The sites are contiguous to the city limits.

   FIGURE 1: CITY AND COUNTY FUTURE LAND USE, ZONING AND DESIGN DISTRICTS

Eustis Future Land Use



Eustis Design District



County Future Land Use



County Zoning



c) County Future Land Use and Zoning

i) The properties have a Lake County land use designation of Urban Low Density and a zoning of R-6 and C-1 (see Figure 1). These categories allow the following development patterns within the County:

(1) The Urban Low land use category allows for a range of residential uses up to 4 du/net acre, as well as professional office, limited commercial/retail, and services with an intensity up to 0.25 FAR. Limited light industrial uses may be allowed as a conditional use. Located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities.

(2) "R-6" Urban Residential District. The purpose of this district is to provide for medium Density single-family residential and multifamily housing usage in the Urban Future Land Use Category.

(3) "C-1" Neighborhood Commercial. The purpose of this district is to provide limited retail services of a convenience nature, serving a rural community or residential neighborhood.

d) City Future Land Use and Design District

i) Suburban Residential future land use district (See Figure 1). The SR areas have a maximum density of five units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

ii) General commercial district (GC). An area consisting of primarily freestanding commercial land uses serving both motorists and local residents with an intensity up to 0.35 FAR.

iii) The Suburban Neighborhood design district (See Figure 1). This district includes predominately residential uses with some neighborhood scale commercial services with parks and civic spaces as focal points in the neighborhoods.

iv) Urban neighborhood Design District. Predominately residential uses with some neighborhood scale commercial services. The district contains interconnected streets and blocks with alleys.

v) Urban corridor Design District. Linear concentrations of typically commercial uses that are predominately auto-oriented. The parcel size is primarily shallow in nature, compatible with the adjacent neighborhoods, and are predominately single-use areas that may include a mix of uses, retail, and residential.

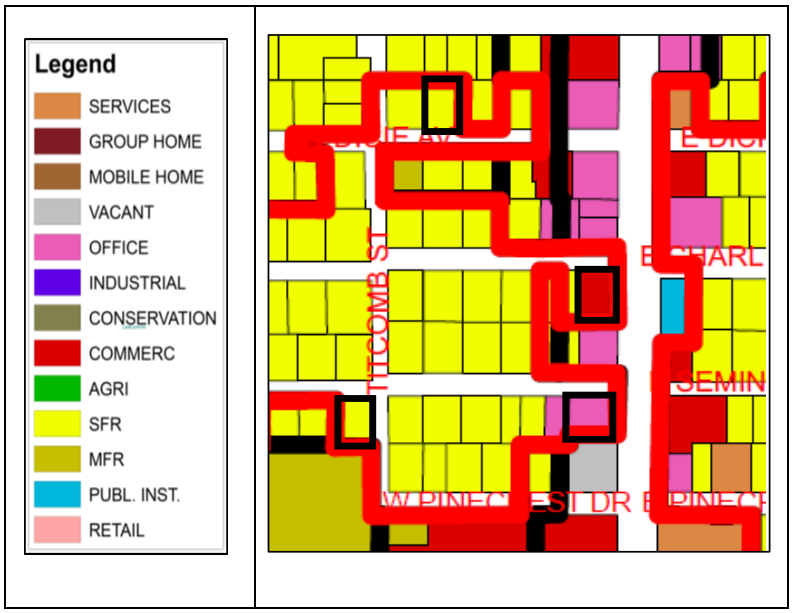
e) Figure 2 illustrates the existing uses of the property and surrounding area. The surrounding land uses are primarily single-family residences and office.

2) **Analysis of Annexation Request (Ord. No. 19-03):**

a. Resolution No. 87-34 – Joint Planning Area Agreement with Lake County:
"The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law. The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

The properties are located within the Joint Planning Area. City potable water is available to serve the sites. Wastewater is available to the office uses (See public facilities and services analysis under item 5 below).

FIGURE 2: EXISTING LAND USES



b. Florida Statutes Voluntary Annexation - Chapter 171.044(1) -"The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

   The Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject properties lie within that planning area, and are contiguous to the City limits. This annexation is a natural extension of the City Limits.

c. Florida Statutes Voluntary Annexation - Chapter 171.044(2): "…Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town…"

   The department published notice of this annexation in the Daily Commercial in accordance with the requirements on March 18, 2019 and March 25, 2019.

d. Florida Statutes Voluntary Annexation - Chapter 171.044(5): "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

   Annexation of the subject properties does not create enclaves, but is a natural extension of the City. These annexations are within an enclave and are reducing the size of the enclave.

e. Florida Statutes Voluntary Annexation - Chapter 171.044(6): "Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection

(2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located..."

The department provided notice to the Lake County Board of County Commissioners on March 8, 2019.

3) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. 19-04)** in **Accordance with Florida Statutes Chapter 163.3177.9:** The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

   a) The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

      (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

      This indicator does not apply. The properties are part of an existing developed area with surrounding properties already developed at the appropriate density.

      (II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

      This indicator does not apply. The properties are part of an existing developed area.

      (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

      This indicator does not apply. The properties are part of a developed residential and commercial use area permitted by the County and City. The proposed designations are consistent with the character of the surrounding area

      (IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

      The properties are part of a developed residential/commercial area. Any development will follow the City's adopted rules to conserve and protect natural resources and conservation areas.

      (V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

      This indicator does not apply. These sites and adjacent areas do not support active agricultural or silvicultural activities. These sites are not prime farmland and have no unique soils.

(VI) Fails to maximize use of existing public facilities and services.

This indicator does not apply. The sites are already connected to City water. City water lines run along the front of the property, which will maximize the use of the existing facilities. Once the enclave is within the City Limits, wastewater lines may be extended to service this enclave.

(VII) Fails to maximize use of future public facilities and services.

This indicator does not apply. There are no future public facilities and services planned for this area.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

This indicator does not apply. Adequate capacity is available to serve the existing development consistent with the requested SR and GC future land use designation. The City provides these services to other properties in the area, so efficiency will improve.

(IX) Fails to provide a clear separation between rural and urban uses.

This indicator does not apply. The properties are within an existing residential/commercial developed area permitted by the County and City.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

. *This indicator does not apply. The properties are already developed with single-family residences and offices.*

(XI) Fails to encourage a functional mix of uses.

This indicator does not apply. This is an existing developed area.

(XII) Results in poor accessibility among linked or related land uses.

This indicator does not apply. These parcels are within an existing, mixed-use developed area. Access to the site is already developed.

(XIII) Results in the loss of significant amounts of functional open space.

This indicator does not apply. The properties are already developed.

b) The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

The sites are part of an existing developed area in an established residential/commercial use area.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

City water service is connected to the sites. Potable water capacity is adequate to serve the annexed property consistent with the requested SR and GC future land use designation. The transportation network has sufficient capacity to serve these sites. Upon annexation, the City will also provide other services such as fire and police protection. The City provides these services to other properties in the area, so efficiency will improve.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

The parcels are part of an existing, residential/commercial area in an established neighborhood.

(IV) Promotes conservation of water and energy.

Not applicable. The parcels are currently developed.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Not applicable. The sites do not support active agricultural or silvicultural activities.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

Not applicable. The parcels are part of an existing developed area, and the properties are already developed.

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

The parcels are part of an existing, residential/commercial developed area in an established neighborhood.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Not applicable.

4) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Comprehensive Plan Future Land Use Element Appendix:** All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the Map #1: 2035 Future Land Use Map by changing the land use designation assigned to a parcel of property shall also be reviewed to determine and assess any significant impacts to the policy

structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the four (4) major categories of Plan policies as follows:

A. General Public Facilities/Services: Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The facilities and services required for analysis include emergency services, parks and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

Emergency Services Analysis: The properties are located approximately 0.95 miles from a City fire station with paramedical. These parcels are in an existing developed area and already receive City services.

Parks & Recreation: The parcels are already developed and included in existing recreational levels of service.

Potable Water & Sanitary Sewer: The applicant's properties are already connected to City water. Wastewater lines are connected to the S. Bay St. properties. The following outlines the water and sewer demand based on a maximum development potential scenario.

Potential Residential Demand

Water: 1 SF ERU = 300 GPD and 0.05 gpd/100 sf = 1 office ERU
2 ERU (SF) + (3400 + 2948)/100 x 0.05 = 3.174 ER = 5.174 ERU
5.174 ERU x 300 = 1,552 gpd
Wastewater – 1 ERU = 250 GPD
5.174 ERU x 250 = 1,294 gpd

According to the City of Eustis Public Works Department, water and sewer with sufficient capacity are available to the parcels.

Schools: The proposed change will not negatively impact schools. The parcels are developed and are included in school capacity calculations.

Solid Waste: The City contracts with Waste Management for hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in delivery of services.

Stormwater: The sites are developed and included in any stormwater calculations.

Transportation Network Analysis: (Institute of Traffic Engineers Trip Generation Manual, 7th Edition). The existing uses are single family housing (210 land use) and general office (710 land ues), so there will be no additional impact to the transportation network.

B. Natural Resources/Natural Features: The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan. Specifically each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued natural functioning of flood plains; and 4) the suitability of the soil and topography to the development proposed.

   Ground water recharge areas: The properties are part of an existing developed area, which has been evaluated for groundwater recharge.

   Historical or archaeological sites: The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist.

   Flood zones: The subject properties are not within a flood zone or wetland.

   Soil and topography: The subject properties have no soil or topographical constraints. They consist of disturbed urban land.

C. Comprehensive Plan Review: Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the compatibility of the use, intensity, location, and timing of the proposed amendment.

   The current Lake County zoning designation of the subject properties are R-6 and C-1 and the land use designation is Urban Low. Single-family homes are adjacent to the residential sites and commercial uses are adjacent to the Bay St. sites. The sites are compatible with a City of Eustis FLU designations of Suburban Residential (SR) and General Commercial (GC).

D. Transportation: Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.

   The sites are already developed and incorporated into all transportation plans.

E. Water Supply: Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

   Public utilities and services are available. Refer to 4.A. above for more information. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.

5) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Chapter 102-16(f), Land Development Regulations, Standards for Review:** In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

(1) Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan. See analysis above under item 4, A through D.

(2) Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

All properties are developed. Any new development will follow the standards contained within the City's LDRs.

(3) Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The GC and SR land use designations are consistent with the surrounding development.

(4) Whether there have been changed conditions that justify an amendment.

The applicants wish to annex their properties into the City limits of Eustis. Assignment of a City of Eustis future land use designation is required. These changed conditions warrant a change in the land use designation.

(5) Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

City water service is available to the sites. Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.

(6) Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

All parcels are developed and will have no impact to the environment.

(7) Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

These parcels are contiguous to the City limits, which will result in orderly and logical development.

(8) Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

The purpose and intent of the Land Development Regulations are as follows:

> "The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the city's comprehensive plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small town community character and life style."

The proposed SR and GC future land use designations for the subject parcels will provide for orderly growth and development. These designations would advance the public interest by providing housing options, and application of the LDRs to the future development will ensure consistency with the community character and lifestyle.

(9) Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

Properties within the Eustis Planning Area have been deemed appropriate for annexation; and as such, would warrant a more appropriate, municipal land use designation than that of the County.

6) **Analysis of Design District Request (Ord. No. 19-05):** The City's Land Development Regulations are a form-based code. Design districts are unique to form-based codes. Lake County still uses traditional Euclidean zoning, so there are no design districts for parcels in unincorporated Lake County. When a parcel annexes into the City of Eustis, the City must assign a consistent design district that follows the urban, suburban and rural transect

Section 102-17 of the Land Development Regulations includes the following standards for review of an amendment to the Design District Map. In approving a change in the designation, the City Commission shall consider:

(1) Whether the amendment is in conflict with any applicable provisions of the Code.

a) Section 102-17(a) "...Section 109-3 Design Districts, identifies the definition, structure and form of each design district. The assignment of design district must follow the district pattern and intent."

The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Neighborhood, Urban Neighborhood and Urban Corridor). The Suburban and Urban development patterns and intent, and the Suburban Neighborhood, Urban Neighborhood and Urban Corridor definition, structure and form descriptions are stated below. The assignment of a Suburban Neighborhood, Urban Neighborhood and Urban Corridor design district designations are appropriate due to the established and proposed development patterns in the area.

The City of Eustis Design District Map (see Figure 1) shows the surrounding area Design Districts.

b) Section 109-5.3 Urban Development pattern intent statements

(1) Urban neighborhood.

(a) Definition. Predominately residential uses with some neighborhood scale commercial services.

(b) Structure. Interconnected streets and blocks with alleys

(c) Form. Mix of unit types with focus on "center" park, civic or neighborhood commercial/retail feature

(2) Urban corridor.

(a) Definition. Linear concentrations of typically commercial uses, predominately auto-oriented uses. The parcel size is primarily shallow in nature, compatible with the adjacent neighborhoods.

(b) Structure. Interconnected driveways or rear lanes, access ways

(c) Form. Predominately single-use areas that may include a mix of uses, retail, and residential

c) Section 109-5.5. Suburban development pattern intent statements:

i. Intent. Suburban development pattern…relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. Nonresidential uses are primarily located on corridors, districts and a mix of uses is prominent in centers.

ii. Design districts: Suburban Neighborhood:

a. Definition. Predominately residential uses with some neighborhood scale commercial services.

b. Structure. Interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

c. Form. Mix of detached residential uses with some neighborhood supporting retail, parks and civic spaces as focal points in the neighborhoods.

d) Section 102-17(a) The following guidelines must be followed when proposing the reassignment of design district:

i) Compatible intensities should face across streets. Changes in design districts should occur along rear alleys or lanes or along conservation edges.

The requested design district designations are consistent with the designation of the surrounding area.

ii) Where new development will abut an existing or approved neighborhood, the new development should establish similar or compatible transect conditions.

The parcels are part of an existing residential/commercial development pattern. The design district designations are the same as the designation of the surrounding area.

(2) Whether the proposed amendment is consistent with all elements of the comprehensive plan.

The requested amendment is consistent with the Future Land Use element (including Policy FLU 1.2.4, Development Patterns and FLU 1.3.2. Maintain Residential Compatibility), as well as all other elements of the Comprehensive Plan.

(3) Whether, and the extent to which, the proposed design district is consistent with existing and proposed land uses.

The Design District definitions, structure and form are compatible with the existing uses and any proposed uses permitted under the SR and GC future land use designations.

(4) Whether there have been changed conditions that justify amending the design district.

The subject properties are proposed for annexation so a Design District assignment is necessary. The conditions have changed from land located in unincorporated Lake County within the City of Eustis with full municipal services.

(5) Whether, and the extent to which, the proposed redistricting would result in demands on public facilities, and whether, or to the extent to which, the proposed change would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

This amendment will not change the demand on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond that already anticipated. Also see analysis of public facilities in above sections of this report.

(6) Whether, and the extent to which, the redistricting would result in significant impacts on the natural environment.

The proposed Design District designations for these properties does not change the development potential of the parcels. Design Districts control the form and function of any development that does occur. The Future Land Use designation controls the density, intensity and minimum open space permitted on the site, so the Design District amendment would not result in additional impacts on the natural environment.

(7) Whether, and the extent to which, the proposed redistricting would affect the property values in the area.

This request should not affect property values, because the proposed Design District designations are consistent with the surrounding development patterns and design districts.

(8) Whether, and the extent to which, the proposed redistricting would result in an orderly and logical development pattern.

Assignment of the requested designations will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.

(9) Whether the proposed redistricting would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

The proposed Design Districts are not in conflict with the public interest and reflect the purpose and intent of the regulations.

(10) Any other matters that may be deemed appropriate by the city commission, in review and consideration of the proposed redistricting.

The City's Land Development Regulations are a form-based code. The Design District designations define the development <u>form</u>, but not the types of land uses, densities, intensities or required open space. The districts, therefore, must be consistent and

follow the urban, suburban and rural transect. This request assigns a designation to an annexation parcel.

7) Applicable Policies and Codes

a. Resolution No. 87-34 – Joint Planning Area Agreement with Lake County:

"The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law. The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

b. Florida Statutes Chapter 171.044: Voluntary Annexation:

1) "The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

2) "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

c) Land Development Regulations Section 109-2.3: Outlines the general intent of the Suburban Residential District in the City. This land use designation is intended to have a maximum density of five units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

d) Land Development Regulations Section 109-2.4: General commercial district (GC). An area consisting of primarily freestanding commercial land uses serving both motorists and local residents. This land use designation is intended to have a maximum FAR of 0.35.

e) Land Development Regulations Section 109-5.5: The Suburban Neighborhood Design District is predominately residential uses with some neighborhood scale commercial services and interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods. The mix of detached residential uses with some neighborhood supporting retail, parks and civic spaces act as focal points in the neighborhoods.

f) Land Development Regulations Section 109-5.3: Urban neighborhood. Predominately residential uses with some neighborhood scale commercial services. Interconnected streets and blocks with alleys. Mix of unit types with focus on "center" park, civic or neighborhood commercial/retail feature. Maximum density of 8 du/acre.

g) Land Development Regulations Section 109-5.3: Urban corridor. Linear concentrations of typically commercial uses, predominately auto-oriented uses. The parcel size is primarily shallow in nature, compatible with the adjacent neighborhoods.

8) **Fiscal Impact:**

a. The current assessed value of the subject properties is $566,701.

b. Based on the current millage rate of 7.581, annexation of the property could increase annual operating revenues, by as much as $4,296.16.

Alternatives:

1. Approve Ordinance Nos. 19-09 (Annexation), 19-10 (Comp. Plan Amendment), and/or 19-11 (Design District Designation) for property located at 2400 and 2500 S. Bay Street, 200 W. Seminole Ave. and 143 W. Dicie Ave.
2. Deny Ordinance Nos. 19-09, and 19-10, and 19-11.

Discussion of Alternatives:

1. Alternative 1 approves the ordinances.
   Advantages:
   - The action would be consistent with the expansion plans for the City in accordance with the adopted Eustis Planning Area.
   - Annexation could increase the tax base of the City and increase the annual operating revenues.
   - The City would have a more compact service area for utilities, police, and fire to increase efficiency and level of service. A more compact service area can reduce the overall per capita cost of providing urban services.
   - The land use change and design district assignment are consistent with the proposed use of the property and the nature of the surrounding area.
   - The action could encourage additional development and/or annexations in that area.

   Disadvantages:
   - No disadvantages.

2. Alternative 2 denies the Ordinances. (If Ordinance No. 19-09 is denied, the Commission cannot approve Ordinance Nos. 19-10 and 19-11.)

   Advantages:
   - There are no advantages to denying the ordinances.

   Disadvantages:
   - Denying annexation would create a gap in the City's natural growth boundary as defined by the Eustis Planning Area.
   - The action would eliminate the potential for increased operating revenue and the subject properties would continue to receive the indirect benefits of City services that are provided to adjacent properties without paying City taxes.
   - The City would continue to experience gaps in its service area causing service inefficiency and confusion regarding City boundaries.

Community Input:

The department has notified surrounding property owners within 500 feet of the site; the proper legal advertisements have been placed in the newspaper; and the site has been posted. To date the department has received 1 response from residents or adjacent property owners for comment or additional information.

Budget / Staff Impact:

There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

Reviewed By: Lori Barnes, AICP Development Services Director

Prepared By: Roland Magyar, AICP, Senior Planner

Attachments:

Ordinance No. 19-09, 19-10, 19-11 (including Exhibit A),
Surrounding Property Owner Notice of Hearing, and Advertisements

ORDINANCE NO. 19-09

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; VOLUNTARILY ANNEXING APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST., EUSTIS, FL.

WHEREAS, North River Ltd. Partnership, Carol English and Dea Smith, Pablo and Miriam Rodriguez, and Glenn Tyre, Trustee, the legal owners of record, have made application for voluntary annexation of approximately 1.19 acres of real property located at 2400 S. Bay St., 200 W. Seminole Rd., 143 W. Dicie Ave. and 2500 S. Bay St. more particularly described as:

Tax ID: 14-19-26-2600-009-00100

LYNNHURST LOTS 1, 2, BLK 9 PB 8 PG 50 ORB 1033 PG 1021

Tax ID: 14-19-26-0003-000-08200

FROM NE COR OF SE 1/4 OF SW 1/4 OF SW 1/4 OF SEC 14-19-26 RUN S 0-42-0 E 173 FT FOR POB, RUN S 89-28-30 W 95 FT, S 0-42-0 E 123 FT, N 89-28-30 E 95 FT, N 0-42-0 W 123 FT TO POB ORB 5092 PG 279

Tax ID: 14-19-26-2600-007-01500

LYNNHURST LOTS 15, 16, BLK 7 PB 8 PG 50 ORB 4748 PG 2151

Tax ID: 14-19-26-2600-010-00101

LYNNHURST SUB N 100 FT OF LOTS 1 & 2, E 1/2 OF LOT 3 IN BLK 10 PB 8 PG 50 ORB 727 PG 2323 ORB 3813 PG 481

WHEREAS, the subject properties are reasonably compact and contiguous to the City of Eustis boundary; and

WHEREAS, the annexation of the properties will not result in the creation of enclaves; and

WHEREAS, the subject properties are located within the City of Eustis Planning Area and City services are available; and

WHEREAS, on April 4, 2019 the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

WHEREAS, on April 18, 2019, the City Commission held the 2nd Public Hearing to consider the voluntary annexation of the property contained herein;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

Section 1. That pursuant to, and under the authority of, Florida Statute 171.044, the City of Eustis, Lake County, Florida, does hereby annex and amend the municipal boundaries to include approximately 1.19 acres of real property located at 2400 S. Bay St., 200 W. Seminole Rd., 143 W. Dicie Ave. and 2500 S. Bay St, as described above.

A map depicting the location of the annexed property described above is attached hereto as Exhibit “A”.

Section 2. That the Director of Development Services shall be authorized to amend the City of Eustis Boundary Map to incorporate the changes described in Section 1.

Section 3. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. That upon final passage and adoption, the City Clerk is hereby directed to file a copy hereof with the Clerk of the Circuit Court, the County Manager for Lake County, Florida, and the Department of State for the State of Florida within 7 days after the adoption of such ordinances.

Section 5. That should any section, phrase, sentence, provision or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 6. That this Ordinance shall become effective upon passing.

Section 7. That the property annexed in this Ordinance is subject to the Future Land Use Element of the Lake County Comprehensive Plan until the City adopts the Comprehensive Plan Amendment to include the annexed parcel in the City Comprehensive Plan.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 18th day of April, 2019.

CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA

_____
Michael L. Holland
Mayor-Commissioner

ATTEST:

_____
City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this ____ day of _____, 2019 by Michael L. Holland., Mayor and Mary C. Montez, City Clerk, who are personally known to me.

_____
Notary Public - State of Florida
My Commission Expires:_____
Notary Serial No:_____

CITY ATTORNEY'S OFFICE

This document has been reviewed and approved as to form and legal content, but I have not performed an Independent Title Examination as to the accuracy of the Legal Description.

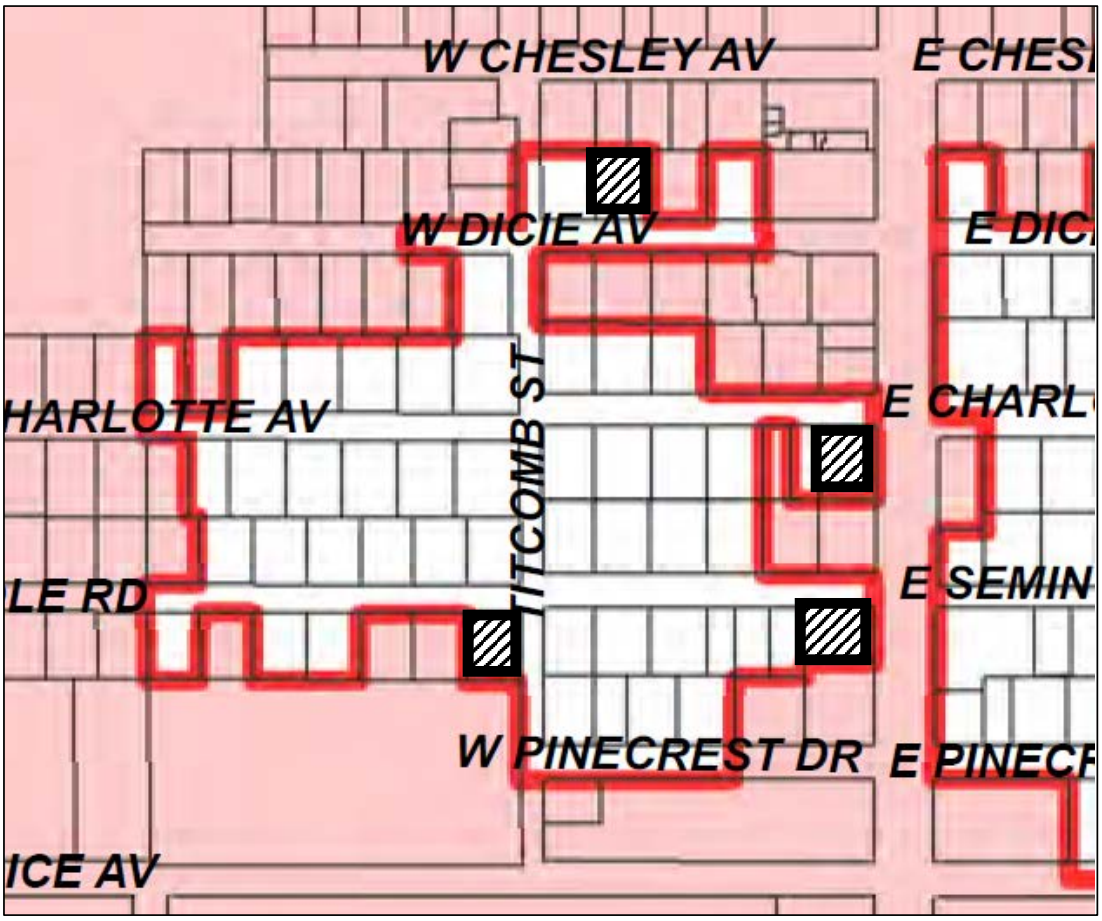
_____ _____
City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution No. 19-09 is hereby approved, and I hereby certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____ _____
Date Mary C. Montez, City Clerk

Exhibit A


W CHESLEY AV
E CHES
W DICIE AV
E DIC
HARLOTTE AV
ITCOMB ST
E CHARL
LE RD
E SEMIN
W PINECREST DR
E PINECR
ICE AV

Notice of Public Hearing

You are receiving this notice because you own property within 500 feet of a land development request (see below). This is part of the City's notification process to inform the public of this request. If you have questions regarding this request, please contact us at 352-483-5460. If you have no questions or do not wish to attend the meeting, you may disregard this notice.

TO: Surrounding Property Owners

FROM: Roland D. Magyar, Senior Planner

DATE: March 21, 2019

RE: Notice of Quasi-Judicial Public Hearing

Ordinance Nos.: 19-09, 19-10, 19-11

Notice is hereby given for the following public hearings to be held in the City Commission Chambers, City Hall, 10 N. Grove Street, Eustis, FL, regarding Annexation and Future Land Use and Design District map amendments of 1.19 acres of real property located at 2400 S. Bay St., 200 W. Seminole Rd., 143 W. Dicie Ave. and 2500 S. Bay St.

1. The Local Planning Agency will hold a public hearing on April 4, 2019 at 5:50 PM, or as may be continued at their discretion, to consider a change the land use designation of the subject properties from Urban Low in Lake County to Suburban Residential (SR) and General Commercial (GC) in the City of Eustis.
2. The Eustis City Commission will conduct two Quasi-Jurisdictional Public Hearings at **6:00 PM**, or as may be continued at their discretion, regarding the following ordinances on the following dates:

Ordinance 19-09 is a voluntary annexation of 1.19 acres located at 2400 S. Bay St., 200 W. Seminole Rd., 143 W. Dicie Ave. and 2500 S. Bay St.

Ordinance 19-10 is a small Scale Comprehensive Plan Amendment to change the Future Land Use designation of said properties from Urban Low in Lake County to Suburban Residential (SR) and General Commercial (GC) in the City of Eustis.

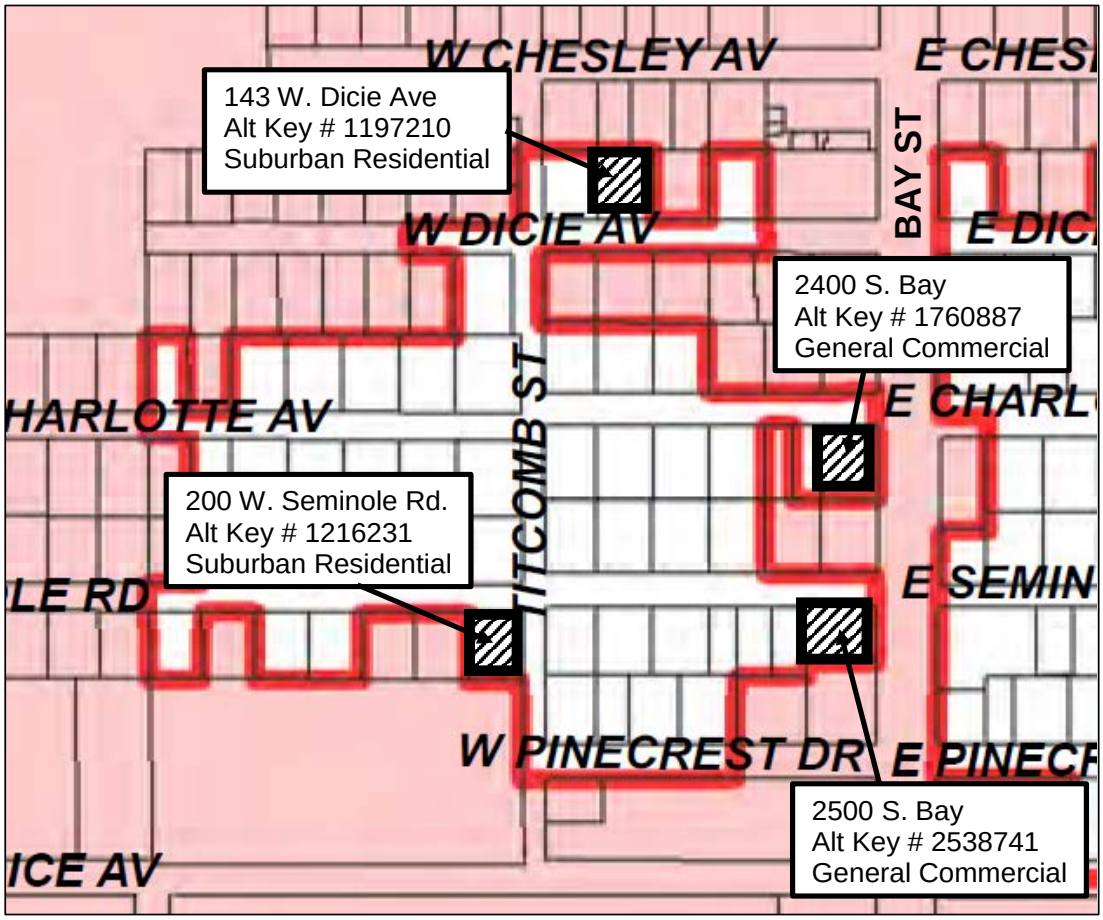
Ordinance 19-11 is the assignment of the Design District designation of Suburban Neighborhood and Urban Corridor to this property.

1st Reading	2nd Reading
April 4, 2019	April 18, 2019

A Location Map is provided on the reverse side.

The case file, complete legal description of the property and proposed ordinance will be available for examination beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at (352) 483-5460 if you have any questions

LOCATION MAP



Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086003
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$177.00

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-01 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-04 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-04: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 10.97 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44 FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), AND 1706 VIRGINIA AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO URBAN RESIDENTIAL (UR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$177.00
Tax	$0.00
Sub Total	$177.00
Prepaid Amount	$0.00
Balance Due	$177.00

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086003

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-01 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-04 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-04: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 10.97 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44 FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), AND 1706 VIRGINIA AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO URBAN RESIDENTIAL (UR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086000
Phone: (352) 483-5430
Date: 03/19/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-05 No	03/18/2019	03/18/2019	$115.08

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that *a verbatim record* of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$115.08
Tax	$0.00
Sub Total	$115.08
Prepaid Amount	$0.00
Balance Due	$115.08

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-05

was published in said newspaper in the issues of:

March 14, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French
(Print, Type or Stamp Name of Notary Public)

AD# 1008600

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086004
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$171.84

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352-483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$171.84
Tax	$0.00
Sub Total	$171.84
Prepaid Amount	$0.00
Balance Due	$171.84

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

(Print, Type or Stamp Name of Notary Public)

AD# 1008604

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct. the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086001
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-08 No	03/18/2019	03/18/2019	$111.64

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$111.64
Tax	$0.00
Sub Total	$111.64
Prepaid Amount	$0.00
Balance Due	$111.64

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-08

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French
(Print, Type or Stamp Name of Notary Public)

AD# 10086001

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086005
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$178.72

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 W. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations *and conduct* the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$178.72
Tax	$0.00
Sub Total	$178.72
Prepaid Amount	$0.00
Balance Due	$178.72

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and *subscribed before* me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086005

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 W. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086002
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-11 No	03/18/2019	03/18/2019	$118.52

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-11

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-11 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$118.52
Tax	$0.00
Sub Total	$118.52
Prepaid Amount	$0.00
Balance Due	$118.52

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

Ord 19-11

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086002

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-11

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-11 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 119 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

RECEIVED
MAR 2 2 2019

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: ORDINANCE NO. 19-10: COMPREHENSIVE PLAN AMENDMENT FOR PROPERTY LOCATED AT 2400 AND 2500 S. BAY ST, 143 W DICIE AVE. AND 200 W. SEMINOLE AVE.

Introduction:
Ordinance No. 19-10 would change the future land use designation from Lake County Urban Low to General Commercial (GC) and Suburban Residential (SR) within the City of Eustis. If Ordinance No. 19-09 is denied, there can be no consideration of Ordinance Nos. 19-10 and 19-11.

Background:
The applicants requested annexation of four lots totaling +/-1.19 acres of land at 2400 and 2500 S. Bay St., 200 W. Seminole Ave., and 143 W. Dicie Ave. with assignment of a Eustis Future Land Use and Design District. The applicants requested the following Future Land Use Districts:

Address	Future Land Use
2400 S. Bay St.	General Commercial
2500 S. Bay St.	General Commercial
143 W. Dicie Ave.	Suburban Residential
200 W. Seminole Ave.	Suburban Residential

Recommended Action:
The administration recommends approval of Ordinance No. 19-10.

Policy Implications:
n/a

Alternatives:
1. Approve Ordinance No. 19-10
2. Deny Ordinance No. 19-10

Budget Impact:
n/a

Attachments:
Staff Report Ord 19-09, 19-10, and 19-11 Group 3 - Annex CPP DD
Ord. No. 19-10 Comp Plan Small w Annex - Group 3
DC AFFIDAVITS-APR 4; APR 18 MEETINGS
Notice of Public Hearing 500 ft Group 3 - Annex-FLUM

Reviewed by:

Lori Barnes, Director	Approved - 29 Mar 2019
Ronald Neibert, City Manager	Approved - 29 Mar 2019

City of Eustis
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TO: EUSTIS CITY COMMISSION

FROM: RONALD R. NEIBERT, CITY MANAGER

DATE: APRIL 4, 2019

RE: EXPLANATION OF ORDINANCES FOR PROPERTY AT 2400 AND 2500 S. BAY STREET, 143 W. DICIE AVE. AND 200 W. SEMINOLE AVE.
Ordinance No. 19-09 – Voluntary Annexation
Ordinance No. 19-10 – Comprehensive Plan Amendment
Ordinance No. 19-11 – Design District Assignment

Introduction:

- Ordinance No. 19-09 provides for the voluntary annexation of four parcels totaling approximately 1.19 acres.
- Ordinance No. 19-10 would change the future land use designation from Lake County Urban Low to General Commercial (GC) and Suburban Residential (SR) within the City of Eustis
- Ordinance No. 19-11 would assign the subject property a design district designation of Suburban Neighborhood, Urban Neighborhood and Urban Corridor.
- If Ordinance No. 19-09 is denied, there can be no consideration of Ordinance Nos. 19-10 and 19-11.

Recommended Action:

The administration recommends approval of Ordinance Nos. 19-09, 19-10 and 19-11.

Applicant's Request:

The applicants requested annexation of four lots totaling +/-1.19 acres of land at 2400 and 2500 S. Bay St., 200 W. Seminole Ave., and 143 W. Dicie Ave. with assignment of a Eustis Future Land Use and Design District. The applicants requested the following Future Land Use and Design Districts:

Address	Future Land Use	Design District
2400 S. Bay St.	General Commercial	Urban Corridor
2500 S. Bay St.	General Commercial	Urban Corridor
143 W. Dicie Ave.	Suburban Residential	Urban Neighborhood
200 W. Seminole Ave.	Suburban Residential	Suburban Neighborhood

Background:

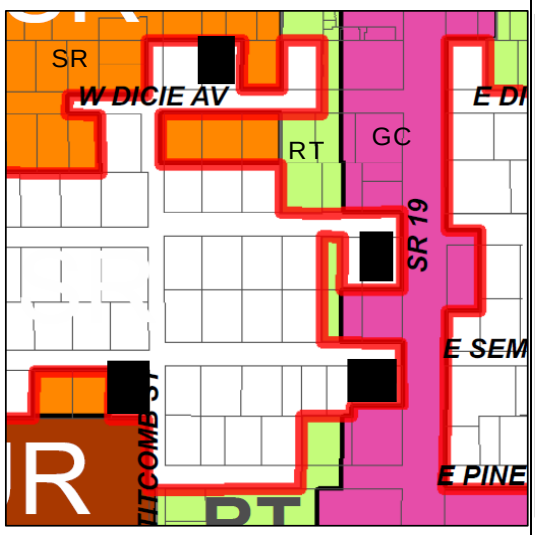
1) Site Information

   a) The sites are developed with single-family residences and office uses.

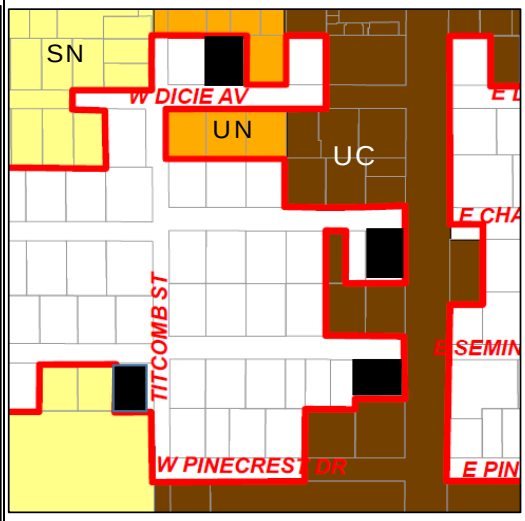
   b) The sites are contiguous to the city limits.

   FIGURE 1: CITY AND COUNTY FUTURE LAND USE, ZONING AND DESIGN DISTRICTS

Eustis Future Land Use



Eustis Design District



County Future Land Use



County Zoning



c) County Future Land Use and Zoning

i) The properties have a Lake County land use designation of Urban Low Density and a zoning of R-6 and C-1 (see Figure 1). These categories allow the following development patterns within the County:

(1) The Urban Low land use category allows for a range of residential uses up to 4 du/net acre, as well as professional office, limited commercial/retail, and services with an intensity up to 0.25 FAR. Limited light industrial uses may be allowed as a conditional use. Located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities.

(2) "R-6" Urban Residential District. The purpose of this district is to provide for medium Density single-family residential and multifamily housing usage in the Urban Future Land Use Category.

(3) "C-1" Neighborhood Commercial. The purpose of this district is to provide limited retail services of a convenience nature, serving a rural community or residential neighborhood.

d) City Future Land Use and Design District

i) Suburban Residential future land use district (See Figure 1). The SR areas have a maximum density of five units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

ii) General commercial district (GC). An area consisting of primarily freestanding commercial land uses serving both motorists and local residents with an intensity up to 0.35 FAR.

iii) The Suburban Neighborhood design district (See Figure 1). This district includes predominately residential uses with some neighborhood scale commercial services with parks and civic spaces as focal points in the neighborhoods.

iv) Urban neighborhood Design District. Predominately residential uses with some neighborhood scale commercial services. The district contains interconnected streets and blocks with alleys.

v) Urban corridor Design District. Linear concentrations of typically commercial uses that are predominately auto-oriented. The parcel size is primarily shallow in nature, compatible with the adjacent neighborhoods, and are predominately single-use areas that may include a mix of uses, retail, and residential.

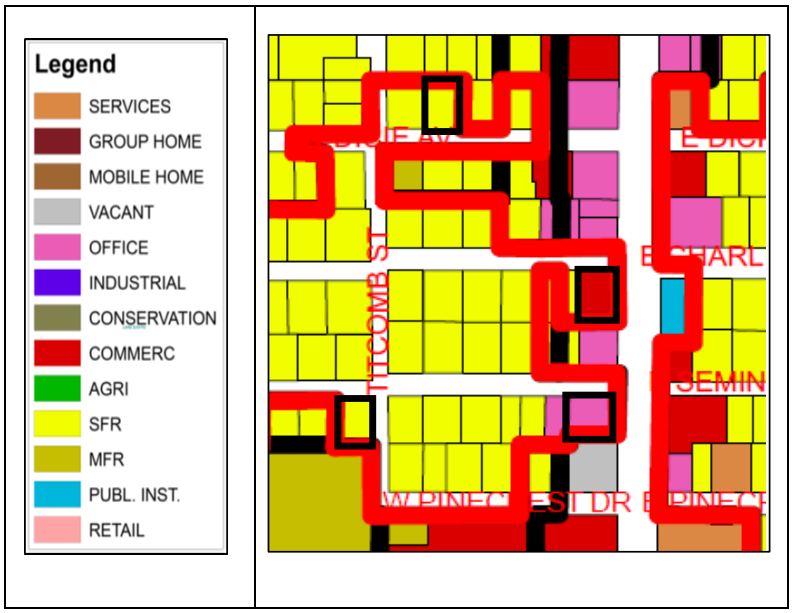
e) Figure 2 illustrates the existing uses of the property and surrounding area. The surrounding land uses are primarily single-family residences and office.

2) **Analysis of Annexation Request (Ord. No. 19-03):**

a. Resolution No. 87-34 – Joint Planning Area Agreement with Lake County:
"The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law. The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

The properties are located within the Joint Planning Area. City potable water is available to serve the sites. Wastewater is available to the office uses (See public facilities and services analysis under item 5 below).

FIGURE 2: EXISTING LAND USES



b. Florida Statutes Voluntary Annexation - Chapter 171.044(1) -"The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

   The Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject properties lie within that planning area, and are contiguous to the City limits. This annexation is a natural extension of the City Limits.

c. Florida Statutes Voluntary Annexation - Chapter 171.044(2): "…Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town…"

   The department published notice of this annexation in the Daily Commercial in accordance with the requirements on March 18, 2019 and March 25, 2019.

d. Florida Statutes Voluntary Annexation - Chapter 171.044(5): "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

   Annexation of the subject properties does not create enclaves, but is a natural extension of the City. These annexations are within an enclave and are reducing the size of the enclave.

e. Florida Statutes Voluntary Annexation - Chapter 171.044(6): "Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection

(2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located..."

The department provided notice to the Lake County Board of County Commissioners on March 8, 2019.

3) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. 19-04)** in **Accordance with Florida Statutes Chapter 163.3177.9:** The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

   a) The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

      (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

      This indicator does not apply. The properties are part of an existing developed area with surrounding properties already developed at the appropriate density.

      (II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

      This indicator does not apply. The properties are part of an existing developed area.

      (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

      This indicator does not apply. The properties are part of a developed residential and commercial use area permitted by the County and City. The proposed designations are consistent with the character of the surrounding area

      (IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

      The properties are part of a developed residential/commercial area. Any development will follow the City's adopted rules to conserve and protect natural resources and conservation areas.

      (V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

      This indicator does not apply. These sites and adjacent areas do not support active agricultural or silvicultural activities. These sites are not prime farmland and have no unique soils.

(VI) Fails to maximize use of existing public facilities and services.

This indicator does not apply. The sites are already connected to City water. City water lines run along the front of the property, which will maximize the use of the existing facilities. Once the enclave is within the City Limits, wastewater lines may be extended to service this enclave.

(VII) Fails to maximize use of future public facilities and services.

This indicator does not apply. There are no future public facilities and services planned for this area.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

This indicator does not apply. Adequate capacity is available to serve the existing development consistent with the requested SR and GC future land use designation. The City provides these services to other properties in the area, so efficiency will improve.

(IX) Fails to provide a clear separation between rural and urban uses.

This indicator does not apply. The properties are within an existing residential/commercial developed area permitted by the County and City.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

. *This indicator does not apply. The properties are already developed with single-family residences and offices.*

(XI) Fails to encourage a functional mix of uses.

This indicator does not apply. This is an existing developed area.

(XII) Results in poor accessibility among linked or related land uses.

This indicator does not apply. These parcels are within an existing, mixed-use developed area. Access to the site is already developed.

(XIII) Results in the loss of significant amounts of functional open space.

This indicator does not apply. The properties are already developed.

b) The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

The sites are part of an existing developed area in an established residential/commercial use area.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

City water service is connected to the sites. Potable water capacity is adequate to serve the annexed property consistent with the requested SR and GC future land use designation. The transportation network has sufficient capacity to serve these sites. Upon annexation, the City will also provide other services such as fire and police protection. The City provides these services to other properties in the area, so efficiency will improve.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

The parcels are part of an existing, residential/commercial area in an established neighborhood.

(IV) Promotes conservation of water and energy.

Not applicable. The parcels are currently developed.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Not applicable. The sites do not support active agricultural or silvicultural activities.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

Not applicable. The parcels are part of an existing developed area, and the properties are already developed.

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

The parcels are part of an existing, residential/commercial developed area in an established neighborhood.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Not applicable.

4) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Comprehensive Plan Future Land Use Element Appendix:** All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the Map #1: 2035 Future Land Use Map by changing the land use designation assigned to a parcel of property shall also be reviewed to determine and assess any significant impacts to the policy

structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the four (4) major categories of Plan policies as follows:

A. General Public Facilities/Services: Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The facilities and services required for analysis include emergency services, parks and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

Emergency Services Analysis: The properties are located approximately 0.95 miles from a City fire station with paramedical. These parcels are in an existing developed area and already receive City services.

Parks & Recreation: The parcels are already developed and included in existing recreational levels of service.

Potable Water & Sanitary Sewer: The applicant's properties are already connected to City water. Wastewater lines are connected to the S. Bay St. properties. The following outlines the water and sewer demand based on a maximum development potential scenario.

Potential Residential Demand

Water: 1 SF ERU = 300 GPD and 0.05 gpd/100 sf = 1 office ERU
2 ERU (SF) + (3400 + 2948)/100 x 0.05 = 3.174 ER = 5.174 ERU
5.174 ERU x 300 = 1,552 gpd
Wastewater – 1 ERU = 250 GPD
5.174 ERU x 250 = 1,294 gpd

According to the City of Eustis Public Works Department, water and sewer with sufficient capacity are available to the parcels.

Schools: The proposed change will not negatively impact schools. The parcels are developed and are included in school capacity calculations.

Solid Waste: The City contracts with Waste Management for hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in delivery of services.

Stormwater: The sites are developed and included in any stormwater calculations.

Transportation Network Analysis: (Institute of Traffic Engineers Trip Generation Manual, 7th Edition). The existing uses are single family housing (210 land use) and general office (710 land ues), so there will be no additional impact to the transportation network.

B. Natural Resources/Natural Features: The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan. Specifically each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued natural functioning of flood plains; and 4) the suitability of the soil and topography to the development proposed.

   Ground water recharge areas: The properties are part of an existing developed area, which has been evaluated for groundwater recharge.

   Historical or archaeological sites: The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist.

   Flood zones: The subject properties are not within a flood zone or wetland.

   Soil and topography: The subject properties have no soil or topographical constraints. They consist of disturbed urban land.

C. Comprehensive Plan Review: Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the compatibility of the use, intensity, location, and timing of the proposed amendment.

   The current Lake County zoning designation of the subject properties are R-6 and C-1 and the land use designation is Urban Low. Single-family homes are adjacent to the residential sites and commercial uses are adjacent to the Bay St. sites. The sites are compatible with a City of Eustis FLU designations of Suburban Residential (SR) and General Commercial (GC).

D. Transportation: Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.

   The sites are already developed and incorporated into all transportation plans.

E. Water Supply: Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

   Public utilities and services are available. Refer to 4.A. above for more information. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.

5) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Chapter 102-16(f), Land Development Regulations, Standards for Review:** In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

(1) Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan. See analysis above under item 4, A through D.

(2) Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

All properties are developed. Any new development will follow the standards contained within the City's LDRs.

(3) Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The GC and SR land use designations are consistent with the surrounding development.

(4) Whether there have been changed conditions that justify an amendment.

The applicants wish to annex their properties into the City limits of Eustis. Assignment of a City of Eustis future land use designation is required. These changed conditions warrant a change in the land use designation.

(5) Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

City water service is available to the sites. Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.

(6) Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

All parcels are developed and will have no impact to the environment.

(7) Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

These parcels are contiguous to the City limits, which will result in orderly and logical development.

(8) Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

The purpose and intent of the Land Development Regulations are as follows:

> "The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the city's comprehensive plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small town community character and life style."

The proposed SR and GC future land use designations for the subject parcels will provide for orderly growth and development. These designations would advance the public interest by providing housing options, and application of the LDRs to the future development will ensure consistency with the community character and lifestyle.

(9) Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

Properties within the Eustis Planning Area have been deemed appropriate for annexation; and as such, would warrant a more appropriate, municipal land use designation than that of the County.

6) **Analysis of Design District Request (Ord. No. 19-05):** The City's Land Development Regulations are a form-based code. Design districts are unique to form-based codes. Lake County still uses traditional Euclidean zoning, so there are no design districts for parcels in unincorporated Lake County. When a parcel annexes into the City of Eustis, the City must assign a consistent design district that follows the urban, suburban and rural transect

Section 102-17 of the Land Development Regulations includes the following standards for review of an amendment to the Design District Map. In approving a change in the designation, the City Commission shall consider:

(1) Whether the amendment is in conflict with any applicable provisions of the Code.

a) Section 102-17(a) "...Section 109-3 Design Districts, identifies the definition, structure and form of each design district. The assignment of design district must follow the district pattern and intent."

The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Neighborhood, Urban Neighborhood and Urban Corridor). The Suburban and Urban development patterns and intent, and the Suburban Neighborhood, Urban Neighborhood and Urban Corridor definition, structure and form descriptions are stated below. The assignment of a Suburban Neighborhood, Urban Neighborhood and Urban Corridor design district designations are appropriate due to the established and proposed development patterns in the area.

The City of Eustis Design District Map (see Figure 1) shows the surrounding area Design Districts.

b) Section 109-5.3 Urban Development pattern intent statements

(1) Urban neighborhood.

(a) Definition. Predominately residential uses with some neighborhood scale commercial services.

(b) Structure. Interconnected streets and blocks with alleys

(c) Form. Mix of unit types with focus on "center" park, civic or neighborhood commercial/retail feature

(2) Urban corridor.

(a) Definition. Linear concentrations of typically commercial uses, predominately auto-oriented uses. The parcel size is primarily shallow in nature, compatible with the adjacent neighborhoods.

(b) Structure. Interconnected driveways or rear lanes, access ways

(c) Form. Predominately single-use areas that may include a mix of uses, retail, and residential

c) Section 109-5.5. Suburban development pattern intent statements:

i. Intent. Suburban development pattern…relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. Nonresidential uses are primarily located on corridors, districts and a mix of uses is prominent in centers.

ii. Design districts: Suburban Neighborhood:

a. Definition. Predominately residential uses with some neighborhood scale commercial services.

b. Structure. Interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

c. Form. Mix of detached residential uses with some neighborhood supporting retail, parks and civic spaces as focal points in the neighborhoods.

d) Section 102-17(a) The following guidelines must be followed when proposing the reassignment of design district:

i) Compatible intensities should face across streets. Changes in design districts should occur along rear alleys or lanes or along conservation edges.

The requested design district designations are consistent with the designation of the surrounding area.

ii) Where new development will abut an existing or approved neighborhood, the new development should establish similar or compatible transect conditions.

The parcels are part of an existing residential/commercial development pattern. The design district designations are the same as the designation of the surrounding area.

(2) Whether the proposed amendment is consistent with all elements of the comprehensive plan.

The requested amendment is consistent with the Future Land Use element (including Policy FLU 1.2.4, Development Patterns and FLU 1.3.2. Maintain Residential Compatibility), as well as all other elements of the Comprehensive Plan.

(3) Whether, and the extent to which, the proposed design district is consistent with existing and proposed land uses.

The Design District definitions, structure and form are compatible with the existing uses and any proposed uses permitted under the SR and GC future land use designations.

(4) Whether there have been changed conditions that justify amending the design district.

The subject properties are proposed for annexation so a Design District assignment is necessary. The conditions have changed from land located in unincorporated Lake County within the City of Eustis with full municipal services.

(5) Whether, and the extent to which, the proposed redistricting would result in demands on public facilities, and whether, or to the extent to which, the proposed change would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

This amendment will not change the demand on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond that already anticipated. Also see analysis of public facilities in above sections of this report.

(6) Whether, and the extent to which, the redistricting would result in significant impacts on the natural environment.

The proposed Design District designations for these properties does not change the development potential of the parcels. Design Districts control the form and function of any development that does occur. The Future Land Use designation controls the density, intensity and minimum open space permitted on the site, so the Design District amendment would not result in additional impacts on the natural environment.

(7) Whether, and the extent to which, the proposed redistricting would affect the property values in the area.

This request should not affect property values, because the proposed Design District designations are consistent with the surrounding development patterns and design districts.

(8) Whether, and the extent to which, the proposed redistricting would result in an orderly and logical development pattern.

Assignment of the requested designations will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.

(9) Whether the proposed redistricting would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

The proposed Design Districts are not in conflict with the public interest and reflect the purpose and intent of the regulations.

(10) Any other matters that may be deemed appropriate by the city commission, in review and consideration of the proposed redistricting.

The City's Land Development Regulations are a form-based code. The Design District designations define the development <u>form</u>, but not the types of land uses, densities, intensities or required open space. The districts, therefore, must be consistent and

follow the urban, suburban and rural transect. This request assigns a designation to an annexation parcel.

7) Applicable Policies and Codes

a. Resolution No. 87-34 – Joint Planning Area Agreement with Lake County:

"The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law. The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

b. Florida Statutes Chapter 171.044: Voluntary Annexation:

1) "The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

2) "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

c) Land Development Regulations Section 109-2.3: Outlines the general intent of the Suburban Residential District in the City. This land use designation is intended to have a maximum density of five units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

d) Land Development Regulations Section 109-2.4: General commercial district (GC). An area consisting of primarily freestanding commercial land uses serving both motorists and local residents. This land use designation is intended to have a maximum FAR of 0.35.

e) Land Development Regulations Section 109-5.5: The Suburban Neighborhood Design District is predominately residential uses with some neighborhood scale commercial services and interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods. The mix of detached residential uses with some neighborhood supporting retail, parks and civic spaces act as focal points in the neighborhoods.

f) Land Development Regulations Section 109-5.3: Urban neighborhood. Predominately residential uses with some neighborhood scale commercial services. Interconnected streets and blocks with alleys. Mix of unit types with focus on "center" park, civic or neighborhood commercial/retail feature. Maximum density of 8 du/acre.

g) Land Development Regulations Section 109-5.3: Urban corridor. Linear concentrations of typically commercial uses, predominately auto-oriented uses. The parcel size is primarily shallow in nature, compatible with the adjacent neighborhoods.

8) **Fiscal Impact:**

a. The current assessed value of the subject properties is $566,701.

b. Based on the current millage rate of 7.581, annexation of the property could increase annual operating revenues, by as much as $4,296.16.

Alternatives:

1. Approve Ordinance Nos. 19-09 (Annexation), 19-10 (Comp. Plan Amendment), and/or 19-11 (Design District Designation) for property located at 2400 and 2500 S. Bay Street, 200 W. Seminole Ave. and 143 W. Dicie Ave.
2. Deny Ordinance Nos. 19-09, and 19-10, and 19-11.

Discussion of Alternatives:

1. Alternative 1 approves the ordinances.
   Advantages:
   - The action would be consistent with the expansion plans for the City in accordance with the adopted Eustis Planning Area.
   - Annexation could increase the tax base of the City and increase the annual operating revenues.
   - The City would have a more compact service area for utilities, police, and fire to increase efficiency and level of service. A more compact service area can reduce the overall per capita cost of providing urban services.
   - The land use change and design district assignment are consistent with the proposed use of the property and the nature of the surrounding area.
   - The action could encourage additional development and/or annexations in that area.

   Disadvantages:
   - No disadvantages.

2. Alternative 2 denies the Ordinances. (If Ordinance No. 19-09 is denied, the Commission cannot approve Ordinance Nos. 19-10 and 19-11.)

   Advantages:
   - There are no advantages to denying the ordinances.

   Disadvantages:
   - Denying annexation would create a gap in the City's natural growth boundary as defined by the Eustis Planning Area.
   - The action would eliminate the potential for increased operating revenue and the subject properties would continue to receive the indirect benefits of City services that are provided to adjacent properties without paying City taxes.
   - The City would continue to experience gaps in its service area causing service inefficiency and confusion regarding City boundaries.

Community Input:

The department has notified surrounding property owners within 500 feet of the site; the proper legal advertisements have been placed in the newspaper; and the site has been posted. To date the department has received 1 response from residents or adjacent property owners for comment or additional information.

Budget / Staff Impact:

There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

Reviewed By: Lori Barnes, AICP Development Services Director

Prepared By: Roland Magyar, AICP, Senior Planner

Attachments:

Ordinance No. 19-09, 19-10, 19-11 (including Exhibit A),
Surrounding Property Owner Notice of Hearing, and Advertisements

ORDINANCE NO. 19-10

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 W. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

WHEREAS, on November 4, 2010, the Eustis City Commission adopted the City of Eustis Comprehensive Plan 2010-2035 through Ordinance No. 10-11; and

WHEREAS, State of Florida Department of Community Affairs found the City of Eustis Comprehensive Plan 2010-2035 In Compliance pursuant to Sections 163.3184, 163.3187, and 163.3189 Florida Statutes; and

WHEREAS, the City of Eustis periodically amends its Comprehensive Plan in accordance with Chapter 163.3187 and 163.3191, Florida Statutes; and

WHEREAS, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 1.19 acres of recently annexed real property located at 2400 S. Bay St., 200 W. Seminole Rd., 143 W. Dicie Ave. and 2500 S. Bay St., and more particularly described herein; and

WHEREAS, on April 4, 2019, the Local Planning Agency held a Public Hearing to consider the adoption of a Small Scale Future Land Use Amendment for this change in designation; and

WHEREAS, On April 4, 2019, the City Commission held the 1st Adoption Public Hearing to accept the Local Planning Agency's recommendation to adopt the Small Scale Future Land Use Amendment contained herein; and

WHEREAS, On April 18, 2019, the City Commission held the 2nd Adoption Public Hearing to consider the adoption of the Small Scale Future Land Use Amendment contained herein;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

Section 1. Land Use Designation

That the Future Land Use Designation of the real property as described below shall be changed from Lake County Urban Low to Suburban Residential within the City of Eustis:

Tax ID: 14-19-26-2600-007-01500
LYNNHURST LOTS 15, 16, BLK 7 PB 8 PG 50 ORB 4748 PG 2151

Tax ID: 14-19-26-0003-000-08200
FROM NE COR OF SE 1/4 OF SW 1/4 OF SW 1/4 OF SEC 14-19-26 RUN S 0-42-0 E 173 FT FOR POB, RUN S 89-28-30 W 95 FT, S 0-42-0 E 123 FT, N 89-28-30 E 95 FT, N 0-42-0 W 123 FT TO POB ORB 5092 PG 279

That the Future Land Use Designation of the real property as described below

shall be changed from Lake County Urban Low to General Commercial within the City of Eustis:

Tax ID: 14-19-26-2600-009-00100
LYNNHURST LOTS 1, 2, BLK 9 PB 8 PG 50 ORB 1033 PG 1021

Tax ID: 14-19-26-2600-010-00101
LYNNHURST SUB N 100 FT OF LOTS 1 & 2, E 1/2 OF LOT 3 IN BLK 10 PB 8 PG 50 ORB 727 PG 2323 ORB 3813 PG 481

Section 2. **Map Amendment and Notification**

That the Director of Development Services shall be authorized to amend the Future Land Use Map of the Comprehensive Plan to incorporate the change described in Section 1 and provide appropriate notification in accordance with Florida Statutes.

Section 3. **Conflict**

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. **Severability**

That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 5. **Effective Date**

That this Ordinance shall not become effective unless and until the annexation of the subject property becomes effective through approval of Ordinance No. 19-09. Further, the effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity 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 Department of Economic Opportunity.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this _____ day of _____, 2019.

CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA

_____
Michael L. Holland

Mayor-Commissioner

ATTEST:

_____
City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this ____ day of _____, 2019 by Michael L. Holland, Mayor and Mary C. Montez, City Clerk, who are personally known to me.

_____
Notary Public - State of Florida
My Commission Expires:_____
Notary Serial No:_____

CITY ATTORNEY'S OFFICE

This document has been reviewed and approved as to form and legal content, but I have not performed an Independent Title Examination as to the accuracy of the Legal Description.

_____ _____
City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution No. 19-10 is hereby approved, and I hereby certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____ _____
Date Mary C. Montez, City Clerk

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086003
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$177.00

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-01 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-04 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-04: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 10.97 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44 FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), AND 1.706 VIRGINIA AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO URBAN RESIDENTIAL (UR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$177.00
Tax	$0.00
Sub Total	$177.00
Prepaid Amount	$0.00
Balance Due	$177.00

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086003

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-01 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-04 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-04: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 10.97 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44 FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), AND 1706 VIRGINIA AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO URBAN RESIDENTIAL (UR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086000
Phone: (352) 483-5430
Date: 03/19/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-05 No	03/18/2019	03/18/2019	$115.08

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that *a verbatim record* of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$115.08
Tax	$0.00
Sub Total	$115.08
Prepaid Amount	$0.00
Balance Due	$115.08

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-05

was published in said newspaper in the issues of:

March 14, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French
(Print, Type or Stamp Name of Notary Public)

AD# 10086000

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086004
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$171.84

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352-483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$171.84
Tax	$0.00
Sub Total	$171.84
Prepaid Amount	$0.00
Balance Due	$171.84

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 1008604

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct. the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086001
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-08 No	03/18/2019	03/18/2019	$111.64

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$111.64
Tax	$0.00
Sub Total	$111.64
Prepaid Amount	$0.00
Balance Due	$111.64

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-08

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086001

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086005
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$178.72

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 W. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations *and conduct* the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$178.72
Tax	$0.00
Sub Total	$178.72
Prepaid Amount	$0.00
Balance Due	$178.72

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and *subscribed before* me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086005

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 W. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086002
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-11 No	03/18/2019	03/18/2019	$118.52

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-11

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-11 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$118.52
Tax	$0.00
Sub Total	$118.52
Prepaid Amount	$0.00
Balance Due	$118.52

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

Ord 19-11

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086002

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-11

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-11 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 119 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

RECEIVED
MAR 2 2 2019

Notice of Public Hearing

You are receiving this notice because you own property within 500 feet of a land development request (see below). This is part of the City's notification process to inform the public of this request. If you have questions regarding this request, please contact us at 352-483-5460. If you have no questions or do not wish to attend the meeting, you may disregard this notice.

TO: Surrounding Property Owners

FROM: Roland D. Magyar, Senior Planner

DATE: March 21, 2019

RE: Notice of Quasi-Judicial Public Hearing

Ordinance Nos.: 19-09, 19-10, 19-11

Notice is hereby given for the following public hearings to be held in the City Commission Chambers, City Hall, 10 N. Grove Street, Eustis, FL, regarding Annexation and Future Land Use and Design District map amendments of 1.19 acres of real property located at 2400 S. Bay St., 200 W. Seminole Rd., 143 W. Dicie Ave. and 2500 S. Bay St.

1. The Local Planning Agency will hold a public hearing on April 4, 2019 at 5:50 PM, or as may be continued at their discretion, to consider a change the land use designation of the subject properties from Urban Low in Lake County to Suburban Residential (SR) and General Commercial (GC) in the City of Eustis.
2. The Eustis City Commission will conduct two Quasi-Jurisdictional Public Hearings at **6:00 PM**, or as may be continued at their discretion, regarding the following ordinances on the following dates:

Ordinance 19-09 is a voluntary annexation of 1.19 acres located at 2400 S. Bay St., 200 W. Seminole Rd., 143 W. Dicie Ave. and 2500 S. Bay St.

Ordinance 19-10 is a small Scale Comprehensive Plan Amendment to change the Future Land Use designation of said properties from Urban Low in Lake County to Suburban Residential (SR) and General Commercial (GC) in the City of Eustis.

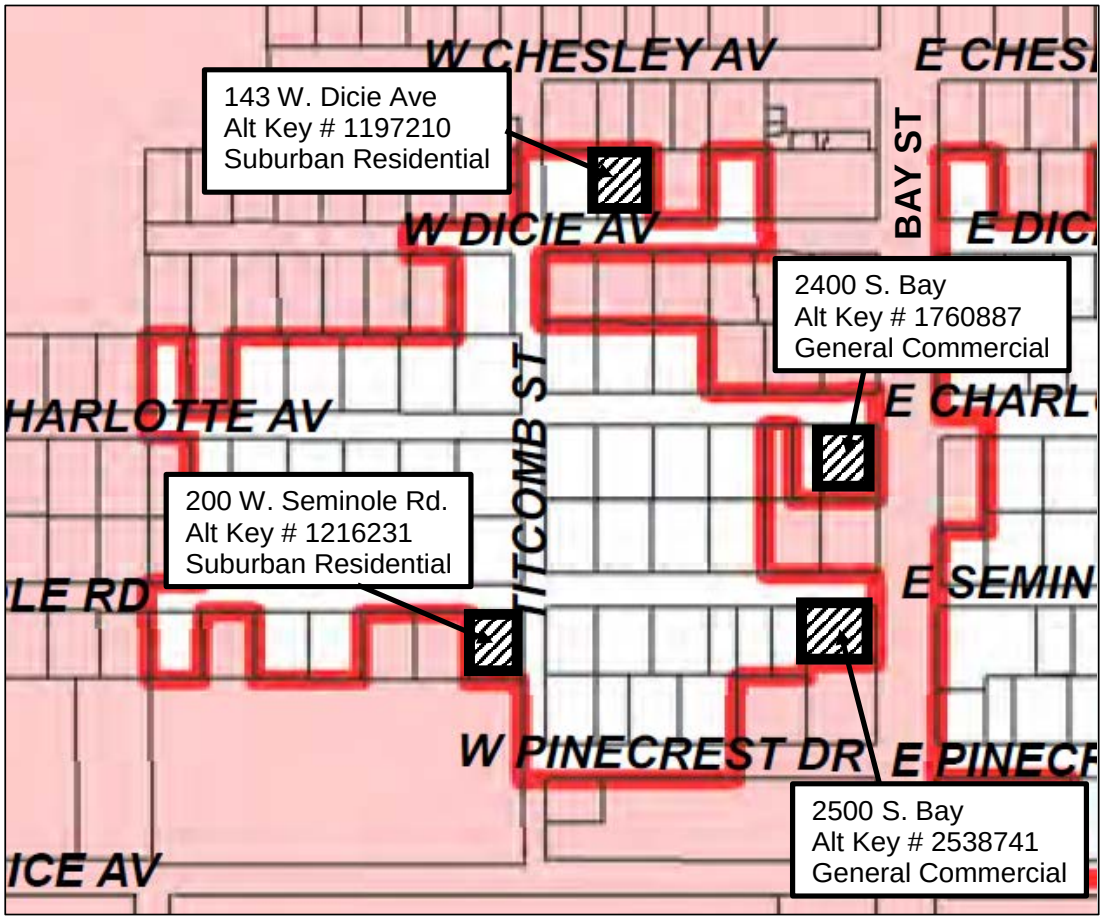
Ordinance 19-11 is the assignment of the Design District designation of Suburban Neighborhood and Urban Corridor to this property.

1st Reading	2nd Reading
April 4, 2019	April 18, 2019

A Location Map is provided on the reverse side.

The case file, complete legal description of the property and proposed ordinance will be available for examination beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at (352) 483-5460 if you have any questions

LOCATION MAP



City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: ORDINANCE NO. 19-11: DESIGN DISTRICT ASSIGNMENT FOR PROPERTY LOCATED AT 2400 AND 2500 S. BAY ST., 143 W. DICIE AVE. AND 200 W. SEMINOLE AVE.

Introduction:
Ordinance No. 19-11 would assign the subject property a design district designation of Suburban Neighborhood. If Ordinance No. 19-09 is denied, there can be no consideration of Ordinance Nos. 19-10 and 19-11.

Background:
The applicants requested annexation of four lots totaling +/-1.19 acres of land at 2400 and 2500 S. Bay St., 200 W. Seminole Ave., and 143 W. Dicie Ave. with assignment of a Eustis Future Land Use and Design District. The applicants requested the following Design Districts:

Address	Design District
2400 S. Bay St.	Urban Corridor
2500 S. Bay St.	Urban Corridor
143 W. Dicie Ave.	Urban Neighborhood
200 W. Seminole Ave.	Suburban Neighborhood

Recommended Action:
The administration recommends approval of Ordinance No. 19-11.

Policy Implications:
n/a

Alternatives:
1. Approve Ordinance No. 19-11
2. Deny Ordinance No. 19-11

Budget Impact:

n/a

Attachments:
Staff Report Ord 19-09 19-10 and 19-11 Group 3 - Annex CPP DD
Ord 19-11 Group 3 DD
Notice of Public Hearing 500 ft Group 3 - Annex-FLUM
DC AFFIDAVITS-APR 4; APR 18 MEETINGS

Reviewed by:

Lori Barnes, Director	Approved - 29 Mar 2019
Ronald Neibert, City Manager	Approved - 29 Mar 2019

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: RONALD R. NEIBERT, CITY MANAGER

DATE: APRIL 4, 2019

RE: EXPLANATION OF ORDINANCES FOR PROPERTY AT 2400 AND 2500 S. BAY STREET, 143 W. DICIE AVE. AND 200 W. SEMINOLE AVE.
Ordinance No. 19-09 – Voluntary Annexation
Ordinance No. 19-10 – Comprehensive Plan Amendment
Ordinance No. 19-11 – Design District Assignment

Introduction:

- Ordinance No. 19-09 provides for the voluntary annexation of four parcels totaling approximately 1.19 acres.
- Ordinance No. 19-10 would change the future land use designation from Lake County Urban Low to General Commercial (GC) and Suburban Residential (SR) within the City of Eustis
- Ordinance No. 19-11 would assign the subject property a design district designation of Suburban Neighborhood, Urban Neighborhood and Urban Corridor.
- If Ordinance No. 19-09 is denied, there can be no consideration of Ordinance Nos. 19-10 and 19-11.

Recommended Action:

The administration recommends approval of Ordinance Nos. 19-09, 19-10 and 19-11.

Applicant's Request:

The applicants requested annexation of four lots totaling +/-1.19 acres of land at 2400 and 2500 S. Bay St., 200 W. Seminole Ave., and 143 W. Dicie Ave. with assignment of a Eustis Future Land Use and Design District. The applicants requested the following Future Land Use and Design Districts:

Address	Future Land Use	Design District
2400 S. Bay St.	General Commercial	Urban Corridor
2500 S. Bay St.	General Commercial	Urban Corridor
143 W. Dicie Ave.	Suburban Residential	Urban Neighborhood
200 W. Seminole Ave.	Suburban Residential	Suburban Neighborhood

Background:

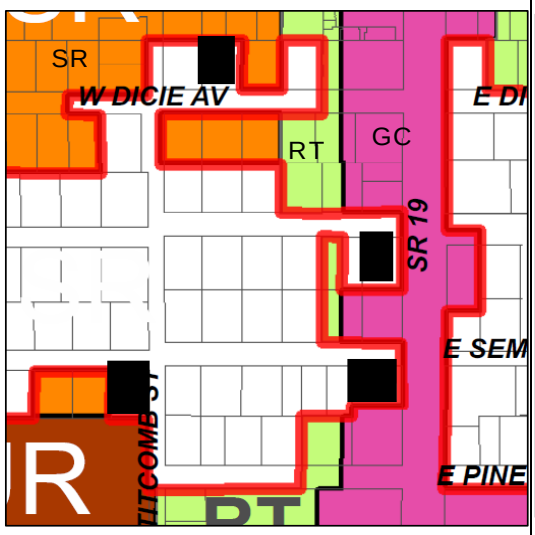
1) Site Information

   a) The sites are developed with single-family residences and office uses.

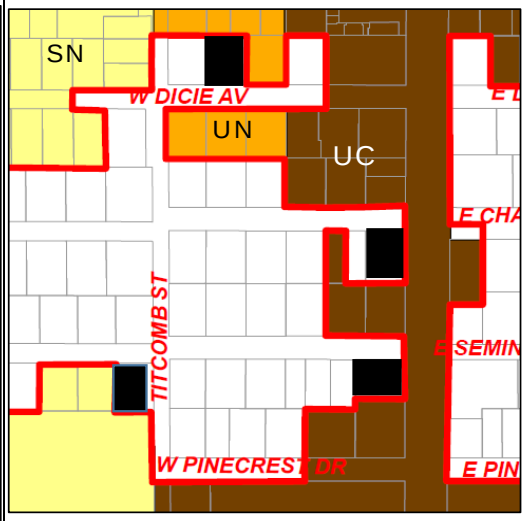
   b) The sites are contiguous to the city limits.

   FIGURE 1: CITY AND COUNTY FUTURE LAND USE, ZONING AND DESIGN DISTRICTS

Eustis Future Land Use



Eustis Design District



County Future Land Use



County Zoning



c) County Future Land Use and Zoning

i) The properties have a Lake County land use designation of Urban Low Density and a zoning of R-6 and C-1 (see Figure 1). These categories allow the following development patterns within the County:

(1) The Urban Low land use category allows for a range of residential uses up to 4 du/net acre, as well as professional office, limited commercial/retail, and services with an intensity up to 0.25 FAR. Limited light industrial uses may be allowed as a conditional use. Located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities.

(2) "R-6" Urban Residential District. The purpose of this district is to provide for medium Density single-family residential and multifamily housing usage in the Urban Future Land Use Category.

(3) "C-1" Neighborhood Commercial. The purpose of this district is to provide limited retail services of a convenience nature, serving a rural community or residential neighborhood.

d) City Future Land Use and Design District

i) Suburban Residential future land use district (See Figure 1). The SR areas have a maximum density of five units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

ii) General commercial district (GC). An area consisting of primarily freestanding commercial land uses serving both motorists and local residents with an intensity up to 0.35 FAR.

iii) The Suburban Neighborhood design district (See Figure 1). This district includes predominately residential uses with some neighborhood scale commercial services with parks and civic spaces as focal points in the neighborhoods.

iv) Urban neighborhood Design District. Predominately residential uses with some neighborhood scale commercial services. The district contains interconnected streets and blocks with alleys.

v) Urban corridor Design District. Linear concentrations of typically commercial uses that are predominately auto-oriented. The parcel size is primarily shallow in nature, compatible with the adjacent neighborhoods, and are predominately single-use areas that may include a mix of uses, retail, and residential.

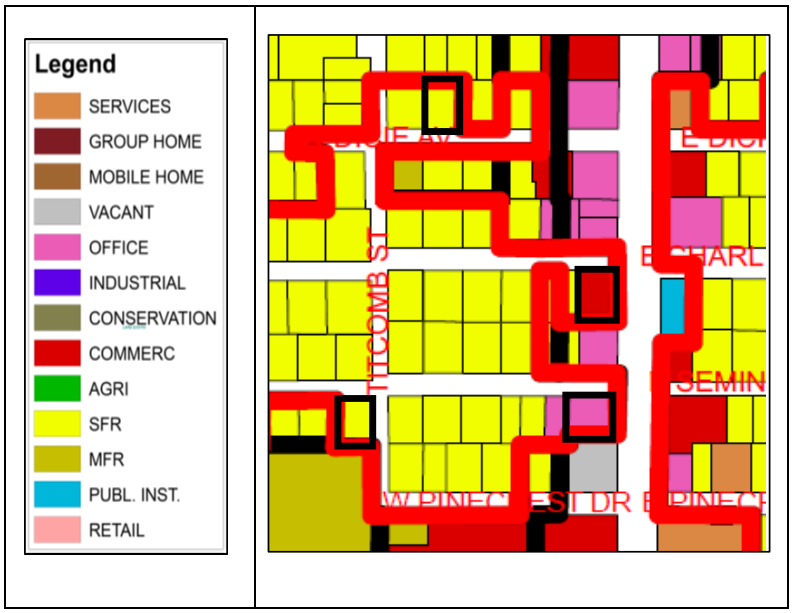
e) Figure 2 illustrates the existing uses of the property and surrounding area. The surrounding land uses are primarily single-family residences and office.

2) **Analysis of Annexation Request (Ord. No. 19-03):**

a. Resolution No. 87-34 – Joint Planning Area Agreement with Lake County:
"The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law. The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

The properties are located within the Joint Planning Area. City potable water is available to serve the sites. Wastewater is available to the office uses (See public facilities and services analysis under item 5 below).

FIGURE 2: EXISTING LAND USES



b. Florida Statutes Voluntary Annexation - Chapter 171.044(1) -"The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

   The Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject properties lie within that planning area, and are contiguous to the City limits. This annexation is a natural extension of the City Limits.

c. Florida Statutes Voluntary Annexation - Chapter 171.044(2): "…Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town…"

   The department published notice of this annexation in the Daily Commercial in accordance with the requirements on March 18, 2019 and March 25, 2019.

d. Florida Statutes Voluntary Annexation - Chapter 171.044(5): "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

   Annexation of the subject properties does not create enclaves, but is a natural extension of the City. These annexations are within an enclave and are reducing the size of the enclave.

e. Florida Statutes Voluntary Annexation - Chapter 171.044(6): "Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection

(2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located..."

The department provided notice to the Lake County Board of County Commissioners on March 8, 2019.

3) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. 19-04)** in **Accordance with Florida Statutes Chapter 163.3177.9:** The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

   a) The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

      (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

      This indicator does not apply. The properties are part of an existing developed area with surrounding properties already developed at the appropriate density.

      (II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

      This indicator does not apply. The properties are part of an existing developed area.

      (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

      This indicator does not apply. The properties are part of a developed residential and commercial use area permitted by the County and City. The proposed designations are consistent with the character of the surrounding area

      (IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

      The properties are part of a developed residential/commercial area. Any development will follow the City's adopted rules to conserve and protect natural resources and conservation areas.

      (V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

      This indicator does not apply. These sites and adjacent areas do not support active agricultural or silvicultural activities. These sites are not prime farmland and have no unique soils.

(VI) Fails to maximize use of existing public facilities and services.

This indicator does not apply. The sites are already connected to City water. City water lines run along the front of the property, which will maximize the use of the existing facilities. Once the enclave is within the City Limits, wastewater lines may be extended to service this enclave.

(VII) Fails to maximize use of future public facilities and services.

This indicator does not apply. There are no future public facilities and services planned for this area.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

This indicator does not apply. Adequate capacity is available to serve the existing development consistent with the requested SR and GC future land use designation. The City provides these services to other properties in the area, so efficiency will improve.

(IX) Fails to provide a clear separation between rural and urban uses.

This indicator does not apply. The properties are within an existing residential/commercial developed area permitted by the County and City.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

. *This indicator does not apply. The properties are already developed with single-family residences and offices.*

(XI) Fails to encourage a functional mix of uses.

This indicator does not apply. This is an existing developed area.

(XII) Results in poor accessibility among linked or related land uses.

This indicator does not apply. These parcels are within an existing, mixed-use developed area. Access to the site is already developed.

(XIII) Results in the loss of significant amounts of functional open space.

This indicator does not apply. The properties are already developed.

b) The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

The sites are part of an existing developed area in an established residential/commercial use area.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

City water service is connected to the sites. Potable water capacity is adequate to serve the annexed property consistent with the requested SR and GC future land use designation. The transportation network has sufficient capacity to serve these sites. Upon annexation, the City will also provide other services such as fire and police protection. The City provides these services to other properties in the area, so efficiency will improve.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

The parcels are part of an existing, residential/commercial area in an established neighborhood.

(IV) Promotes conservation of water and energy.

Not applicable. The parcels are currently developed.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Not applicable. The sites do not support active agricultural or silvicultural activities.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

Not applicable. The parcels are part of an existing developed area, and the properties are already developed.

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

The parcels are part of an existing, residential/commercial developed area in an established neighborhood.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Not applicable.

4) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Comprehensive Plan Future Land Use Element Appendix:** All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the Map #1: 2035 Future Land Use Map by changing the land use designation assigned to a parcel of property shall also be reviewed to determine and assess any significant impacts to the policy

structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the four (4) major categories of Plan policies as follows:

A. General Public Facilities/Services: Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The facilities and services required for analysis include emergency services, parks and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

Emergency Services Analysis: The properties are located approximately 0.95 miles from a City fire station with paramedical. These parcels are in an existing developed area and already receive City services.

Parks & Recreation: The parcels are already developed and included in existing recreational levels of service.

Potable Water & Sanitary Sewer: The applicant's properties are already connected to City water. Wastewater lines are connected to the S. Bay St. properties. The following outlines the water and sewer demand based on a maximum development potential scenario.

Potential Residential Demand

Water: 1 SF ERU = 300 GPD and 0.05 gpd/100 sf = 1 office ERU
2 ERU (SF) + (3400 + 2948)/100 x 0.05 = 3.174 ER = 5.174 ERU
5.174 ERU x 300 = 1,552 gpd
Wastewater – 1 ERU = 250 GPD
5.174 ERU x 250 = 1,294 gpd

According to the City of Eustis Public Works Department, water and sewer with sufficient capacity are available to the parcels.

Schools: The proposed change will not negatively impact schools. The parcels are developed and are included in school capacity calculations.

Solid Waste: The City contracts with Waste Management for hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in delivery of services.

Stormwater: The sites are developed and included in any stormwater calculations.

Transportation Network Analysis: (Institute of Traffic Engineers Trip Generation Manual, 7th Edition). The existing uses are single family housing (210 land use) and general office (710 land ues), so there will be no additional impact to the transportation network.

B. Natural Resources/Natural Features: The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan. Specifically each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued natural functioning of flood plains; and 4) the suitability of the soil and topography to the development proposed.

   Ground water recharge areas: The properties are part of an existing developed area, which has been evaluated for groundwater recharge.

   Historical or archaeological sites: The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist.

   Flood zones: The subject properties are not within a flood zone or wetland.

   Soil and topography: The subject properties have no soil or topographical constraints. They consist of disturbed urban land.

C. Comprehensive Plan Review: Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the compatibility of the use, intensity, location, and timing of the proposed amendment.

   The current Lake County zoning designation of the subject properties are R-6 and C-1 and the land use designation is Urban Low. Single-family homes are adjacent to the residential sites and commercial uses are adjacent to the Bay St. sites. The sites are compatible with a City of Eustis FLU designations of Suburban Residential (SR) and General Commercial (GC).

D. Transportation: Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.

   The sites are already developed and incorporated into all transportation plans.

E. Water Supply: Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

   Public utilities and services are available. Refer to 4.A. above for more information. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.

5) **Analysis of Comprehensive Plan/Future Land Use Request (Ord. No. 19-04) in Accordance with Chapter 102-16(f), Land Development Regulations, Standards for Review:** In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

(1) Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan. See analysis above under item 4, A through D.

(2) Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

All properties are developed. Any new development will follow the standards contained within the City's LDRs.

(3) Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The GC and SR land use designations are consistent with the surrounding development.

(4) Whether there have been changed conditions that justify an amendment.

The applicants wish to annex their properties into the City limits of Eustis. Assignment of a City of Eustis future land use designation is required. These changed conditions warrant a change in the land use designation.

(5) Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

City water service is available to the sites. Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.

(6) Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

All parcels are developed and will have no impact to the environment.

(7) Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

These parcels are contiguous to the City limits, which will result in orderly and logical development.

(8) Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

The purpose and intent of the Land Development Regulations are as follows:

> "The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the city's comprehensive plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small town community character and life style."

The proposed SR and GC future land use designations for the subject parcels will provide for orderly growth and development. These designations would advance the public interest by providing housing options, and application of the LDRs to the future development will ensure consistency with the community character and lifestyle.

(9) Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

Properties within the Eustis Planning Area have been deemed appropriate for annexation; and as such, would warrant a more appropriate, municipal land use designation than that of the County.

6) **Analysis of Design District Request (Ord. No. 19-05):** The City's Land Development Regulations are a form-based code. Design districts are unique to form-based codes. Lake County still uses traditional Euclidean zoning, so there are no design districts for parcels in unincorporated Lake County. When a parcel annexes into the City of Eustis, the City must assign a consistent design district that follows the urban, suburban and rural transect

Section 102-17 of the Land Development Regulations includes the following standards for review of an amendment to the Design District Map. In approving a change in the designation, the City Commission shall consider:

(1) Whether the amendment is in conflict with any applicable provisions of the Code.

a) Section 102-17(a) "...Section 109-3 Design Districts, identifies the definition, structure and form of each design district. The assignment of design district must follow the district pattern and intent."

The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Neighborhood, Urban Neighborhood and Urban Corridor). The Suburban and Urban development patterns and intent, and the Suburban Neighborhood, Urban Neighborhood and Urban Corridor definition, structure and form descriptions are stated below. The assignment of a Suburban Neighborhood, Urban Neighborhood and Urban Corridor design district designations are appropriate due to the established and proposed development patterns in the area.

The City of Eustis Design District Map (see Figure 1) shows the surrounding area Design Districts.

b) Section 109-5.3 Urban Development pattern intent statements

(1) Urban neighborhood.

(a) Definition. Predominately residential uses with some neighborhood scale commercial services.

(b) Structure. Interconnected streets and blocks with alleys

(c) Form. Mix of unit types with focus on "center" park, civic or neighborhood commercial/retail feature

(2) Urban corridor.

(a) Definition. Linear concentrations of typically commercial uses, predominately auto-oriented uses. The parcel size is primarily shallow in nature, compatible with the adjacent neighborhoods.

(b) Structure. Interconnected driveways or rear lanes, access ways

(c) Form. Predominately single-use areas that may include a mix of uses, retail, and residential

c) Section 109-5.5. Suburban development pattern intent statements:

i. Intent. Suburban development pattern…relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. Nonresidential uses are primarily located on corridors, districts and a mix of uses is prominent in centers.

ii. Design districts: Suburban Neighborhood:

a. Definition. Predominately residential uses with some neighborhood scale commercial services.

b. Structure. Interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

c. Form. Mix of detached residential uses with some neighborhood supporting retail, parks and civic spaces as focal points in the neighborhoods.

d) Section 102-17(a) The following guidelines must be followed when proposing the reassignment of design district:

i) Compatible intensities should face across streets. Changes in design districts should occur along rear alleys or lanes or along conservation edges.

The requested design district designations are consistent with the designation of the surrounding area.

ii) Where new development will abut an existing or approved neighborhood, the new development should establish similar or compatible transect conditions.

The parcels are part of an existing residential/commercial development pattern. The design district designations are the same as the designation of the surrounding area.

(2) Whether the proposed amendment is consistent with all elements of the comprehensive plan.

The requested amendment is consistent with the Future Land Use element (including Policy FLU 1.2.4, Development Patterns and FLU 1.3.2. Maintain Residential Compatibility), as well as all other elements of the Comprehensive Plan.

(3) Whether, and the extent to which, the proposed design district is consistent with existing and proposed land uses.

The Design District definitions, structure and form are compatible with the existing uses and any proposed uses permitted under the SR and GC future land use designations.

(4) Whether there have been changed conditions that justify amending the design district.

The subject properties are proposed for annexation so a Design District assignment is necessary. The conditions have changed from land located in unincorporated Lake County within the City of Eustis with full municipal services.

(5) Whether, and the extent to which, the proposed redistricting would result in demands on public facilities, and whether, or to the extent to which, the proposed change would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

This amendment will not change the demand on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond that already anticipated. Also see analysis of public facilities in above sections of this report.

(6) Whether, and the extent to which, the redistricting would result in significant impacts on the natural environment.

The proposed Design District designations for these properties does not change the development potential of the parcels. Design Districts control the form and function of any development that does occur. The Future Land Use designation controls the density, intensity and minimum open space permitted on the site, so the Design District amendment would not result in additional impacts on the natural environment.

(7) Whether, and the extent to which, the proposed redistricting would affect the property values in the area.

This request should not affect property values, because the proposed Design District designations are consistent with the surrounding development patterns and design districts.

(8) Whether, and the extent to which, the proposed redistricting would result in an orderly and logical development pattern.

Assignment of the requested designations will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.

(9) Whether the proposed redistricting would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

The proposed Design Districts are not in conflict with the public interest and reflect the purpose and intent of the regulations.

(10) Any other matters that may be deemed appropriate by the city commission, in review and consideration of the proposed redistricting.

The City's Land Development Regulations are a form-based code. The Design District designations define the development <u>form</u>, but not the types of land uses, densities, intensities or required open space. The districts, therefore, must be consistent and

follow the urban, suburban and rural transect. This request assigns a designation to an annexation parcel.

7) Applicable Policies and Codes

a. Resolution No. 87-34 – Joint Planning Area Agreement with Lake County:

"The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law. The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

b. Florida Statutes Chapter 171.044: Voluntary Annexation:

1) "The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."

2) "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

c) Land Development Regulations Section 109-2.3: Outlines the general intent of the Suburban Residential District in the City. This land use designation is intended to have a maximum density of five units to one acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

d) Land Development Regulations Section 109-2.4: General commercial district (GC). An area consisting of primarily freestanding commercial land uses serving both motorists and local residents. This land use designation is intended to have a maximum FAR of 0.35.

e) Land Development Regulations Section 109-5.5: The Suburban Neighborhood Design District is predominately residential uses with some neighborhood scale commercial services and interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods. The mix of detached residential uses with some neighborhood supporting retail, parks and civic spaces act as focal points in the neighborhoods.

f) Land Development Regulations Section 109-5.3: Urban neighborhood. Predominately residential uses with some neighborhood scale commercial services. Interconnected streets and blocks with alleys. Mix of unit types with focus on "center" park, civic or neighborhood commercial/retail feature. Maximum density of 8 du/acre.

g) Land Development Regulations Section 109-5.3: Urban corridor. Linear concentrations of typically commercial uses, predominately auto-oriented uses. The parcel size is primarily shallow in nature, compatible with the adjacent neighborhoods.

8) **Fiscal Impact:**

a. The current assessed value of the subject properties is $566,701.

b. Based on the current millage rate of 7.581, annexation of the property could increase annual operating revenues, by as much as $4,296.16.

Alternatives:

1. Approve Ordinance Nos. 19-09 (Annexation), 19-10 (Comp. Plan Amendment), and/or 19-11 (Design District Designation) for property located at 2400 and 2500 S. Bay Street, 200 W. Seminole Ave. and 143 W. Dicie Ave.
2. Deny Ordinance Nos. 19-09, and 19-10, and 19-11.

Discussion of Alternatives:

1. Alternative 1 approves the ordinances.
   Advantages:
   - The action would be consistent with the expansion plans for the City in accordance with the adopted Eustis Planning Area.
   - Annexation could increase the tax base of the City and increase the annual operating revenues.
   - The City would have a more compact service area for utilities, police, and fire to increase efficiency and level of service. A more compact service area can reduce the overall per capita cost of providing urban services.
   - The land use change and design district assignment are consistent with the proposed use of the property and the nature of the surrounding area.
   - The action could encourage additional development and/or annexations in that area.

   Disadvantages:
   - No disadvantages.

2. Alternative 2 denies the Ordinances. (If Ordinance No. 19-09 is denied, the Commission cannot approve Ordinance Nos. 19-10 and 19-11.)

   Advantages:
   - There are no advantages to denying the ordinances.

   Disadvantages:
   - Denying annexation would create a gap in the City's natural growth boundary as defined by the Eustis Planning Area.
   - The action would eliminate the potential for increased operating revenue and the subject properties would continue to receive the indirect benefits of City services that are provided to adjacent properties without paying City taxes.
   - The City would continue to experience gaps in its service area causing service inefficiency and confusion regarding City boundaries.

Community Input:

The department has notified surrounding property owners within 500 feet of the site; the proper legal advertisements have been placed in the newspaper; and the site has been posted. To date the department has received 1 response from residents or adjacent property owners for comment or additional information.

Budget / Staff Impact:

There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

Reviewed By: Lori Barnes, AICP Development Services Director

Prepared By: Roland Magyar, AICP, Senior Planner

Attachments:

Ordinance No. 19-09, 19-10, 19-11 (including Exhibit A),
Surrounding Property Owner Notice of Hearing, and Advertisements

ORDINANCE NO. 19-11

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST., EUSTIS, FL.

WHEREAS, the City of Eustis desires to amend the Design District Map of the Land Development Regulations adopted under Ordinance No. 09-33 to assign a Design District designation of Suburban Neighborhood to approximately 1.19 acres of real property located at 2400 S. Bay St., 200 W. Seminole Rd., 143 W. Dicie Ave. and 2500 S. Bay St. and

WHEREAS, On April 4, 2019, the City Commission held the 1st Public Hearing to consider the Design District Amendment contained herein; and

WHEREAS, On April 18, 2019, the City Commission held the 2nd Public Hearing to consider the adoption of the Design District Amendment contained herein;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

Section 1. Design District Designation

That the Design District Designation of the real properties described below shall be Suburban Neighborhood:

Tax ID: 14-19-26-0003-000-08200
FROM NE COR OF SE 1/4 OF SW 1/4 OF SW 1/4 OF SEC 14-19-26 RUN S 0-42-0 E 173 FT FOR POB, RUN S 89-28-30 W 95 FT, S 0-42-0 E 123 FT, N 89-28-30 E 95 FT, N 0-42-0 W 123 FT TO POB ORB 5092 PG 279

That the Design District Designation of the real properties described below shall be Urban Neighborhood:

Tax ID: 14-19-26-2600-007-01500
LYNNHURST LOTS 15, 16, BLK 7 PB 8 PG 50 ORB 4748 PG 2151

That the Design District Designation of the real properties described below shall be Urban Corridor:

Tax ID: 14-19-26-2600-009-00100
LYNNHURST LOTS 1, 2, BLK 9 PB 8 PG 50 ORB 1033 PG 1021

Tax ID: 14-19-26-2600-010-00101
LYNNHURST SUB N 100 FT OF LOTS 1 & 2, E 1/2 OF LOT 3 IN BLK 10 PB 8 PG 50 ORB 727 PG 2323 ORB 3813 PG 481

Section 2. Map Amendment

That the Director of Development Services shall be authorized to amend the Design District Map to incorporate the change described in Section 1.

Section 3. Conflict

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. **Severability**

That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 5. **Effective Date**

That this Ordinance shall become effective upon annexation of the subject properties through approval of Ordinance No. 19-09.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this _____ day of _____, 2019.

CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA

_____
Michael L. Holland.
Mayor/Commissioner

ATTEST:

_____
City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____ day of _____ , 2019 Michael L. Holland., Mayor and Mary C. Montez, City Clerk, who are personally known to me.

_____
Notary Public - State of Florida
My Commission Expires:_____
Notary Serial No:_____

CITY ATTORNEY'S OFFICE

This document has been reviewed and approved as to form and legal content, but I have not performed an Independent Title Examination as to the accuracy of the Legal Description.

City Attorney's Office _____ Date _____

CERTIFICATE OF POSTING

The foregoing Ordinance No. 19-11 is hereby approved, and I hereby certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Date _____ Mary C. Montez, City Clerk _____

Notice of Public Hearing

You are receiving this notice because you own property within 500 feet of a land development request (see below). This is part of the City's notification process to inform the public of this request. If you have questions regarding this request, please contact us at 352-483-5460. If you have no questions or do not wish to attend the meeting, you may disregard this notice.

TO: Surrounding Property Owners

FROM: Roland D. Magyar, Senior Planner

DATE: March 21, 2019

RE: Notice of Quasi-Judicial Public Hearing

Ordinance Nos.: 19-09, 19-10, 19-11

Notice is hereby given for the following public hearings to be held in the City Commission Chambers, City Hall, 10 N. Grove Street, Eustis, FL, regarding Annexation and Future Land Use and Design District map amendments of 1.19 acres of real property located at 2400 S. Bay St., 200 W. Seminole Rd., 143 W. Dicie Ave. and 2500 S. Bay St.

1. The Local Planning Agency will hold a public hearing on April 4, 2019 at 5:50 PM, or as may be continued at their discretion, to consider a change the land use designation of the subject properties from Urban Low in Lake County to Suburban Residential (SR) and General Commercial (GC) in the City of Eustis.
2. The Eustis City Commission will conduct two Quasi-Jurisdictional Public Hearings at **6:00 PM**, or as may be continued at their discretion, regarding the following ordinances on the following dates:

Ordinance 19-09 is a voluntary annexation of 1.19 acres located at 2400 S. Bay St., 200 W. Seminole Rd., 143 W. Dicie Ave. and 2500 S. Bay St.

Ordinance 19-10 is a small Scale Comprehensive Plan Amendment to change the Future Land Use designation of said properties from Urban Low in Lake County to Suburban Residential (SR) and General Commercial (GC) in the City of Eustis.

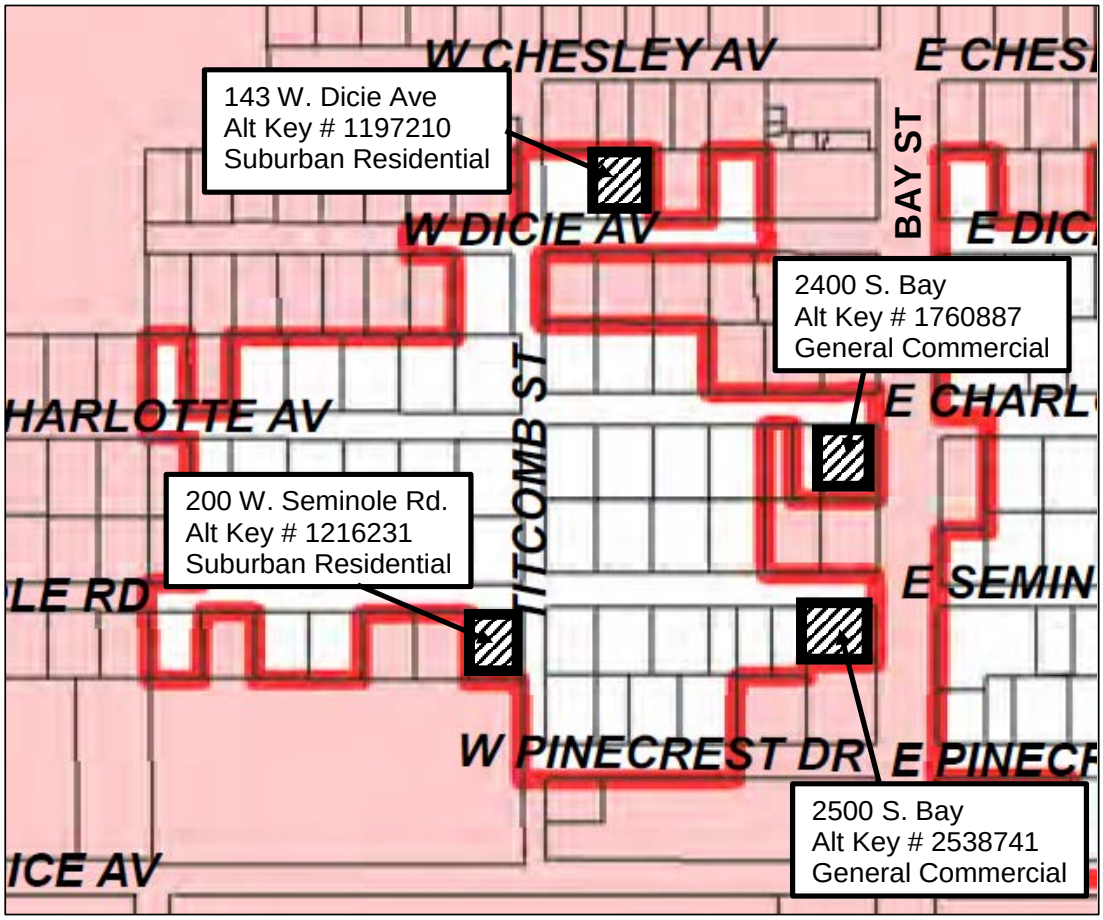
Ordinance 19-11 is the assignment of the Design District designation of Suburban Neighborhood and Urban Corridor to this property.

1st Reading	2nd Reading
April 4, 2019	April 18, 2019

A Location Map is provided on the reverse side.

The case file, complete legal description of the property and proposed ordinance will be available for examination beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at (352) 483-5460 if you have any questions

LOCATION MAP



Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086003
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$177.00

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-01 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-04 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-04: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 10.97 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44 FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), AND 1706 VIRGINIA AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO URBAN RESIDENTIAL (UR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$177.00
Tax	$0.00
Sub Total	$177.00
Prepaid Amount	$0.00
Balance Due	$177.00

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086003

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-01 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-04 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-04: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 10.97 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44 FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), AND 1706 VIRGINIA AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO URBAN RESIDENTIAL (UR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086003
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086000
Phone: (352) 483-5430
Date: 03/19/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-05 No	03/18/2019	03/18/2019	$115.08

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that *a verbatim record* of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$115.08
Tax	$0.00
Sub Total	$115.08
Prepaid Amount	$0.00
Balance Due	$115.08

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-05

was published in said newspaper in the issues of:

March 14, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French
(Print, Type or Stamp Name of Notary Public)

AD# 1008600

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-05

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-05 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.97 ACRES OF REAL PROPERTY LOCATED AT EAST BATES AVENUE 1200 FEET EAST OF E. CR 44, AND 1706 VIRGINIA AVENUE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086000
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086004
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$171.84

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352-483-5460 if you have any questions.

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Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Payment Info	
Ad Price	$171.84
Tax	$0.00
Sub Total	$171.84
Prepaid Amount	$0.00
Balance Due	$171.84

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 1008604

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-02 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-07 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-07: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF 0.19 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED AT 443 OHIO BLVD. FROM URBAN MEDIUM IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct. the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086004
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086001
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-08 No	03/18/2019	03/18/2019	$111.64

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$111.64
Tax	$0.00
Sub Total	$111.64
Prepaid Amount	$0.00
Balance Due	$111.64

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 19-08

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086001

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-08

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-08 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY LOCATED AT 443 OHIO BLVD.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086001
March 18, 2019

RECEIVED
MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086005
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
CITY OF EUSTIS NOTICE OF COMPREHENSIVE PLAN CHANGE CITY COMM	03/18/2019	03/18/2019	$178.72

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 W. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations *and conduct* the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

RECEIVED
MAR 2 2 2019

Payment Info	
Ad Price	$178.72
Tax	$0.00
Sub Total	$178.72
Prepaid Amount	$0.00
Balance Due	$178.72

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

City of Eustis

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and *subscribed before* me this 19 day of Mar A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086005

CITY OF EUSTIS
NOTICE OF COMPREHENSIVE PLAN CHANGE
CITY COMMISSION PUBLIC HEARING NOTICE

The City of Eustis proposes to adopt Future Land Use Amendment 2019-CPLUS-03 to the City of Eustis Comprehensive Plan, by Ordinance No. 19-10 to change the Future Land Use map designation of the property described below. The proposed Small Scale Comprehensive Plan Amendment is described as follows:

ORDINANCE NO. 19-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST. AND 2500 S. BAY ST. FROM URBAN LOW IN LAKE COUNTY TO GENERAL COMMERICIAL (GC), AND 200 W. SEMINOLE ROAD, AND 143 N. DICIE AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR), IN THE CITY OF EUSTIS.

Public hearings on the proposal will be held as follows:

On April 4, 2019 at 5:50 p.m., the Local Planning Agency will meet and hold a Public Hearing for the purpose of making recommendations to the City Commission.

On April 4, 2019 at 6:00 p.m., City Commission, as part of its regular meeting, will hold a Public Hearing for the purpose of accepting the LPA recommendations and conduct the first reading of the proposed Comprehensive Plan Amendment.

On April 18, 2019 at 6:00 p.m., the City Commission, as part of its regular meeting, will hold a Public Hearing, for the purpose of conducting the second reading of the Adoption Ordinance.

All meetings will be held in the City Commission Room at Eustis City Hall, 10 N. Grove St., Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the Comprehensive Plan Amendment.

The case file, complete legal description of the property, and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

If a person decides to appeal any decision made by the commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 352-483-5430 at least 48 hours before the hearing date.

Roland Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086005
March 18, 2019

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MAR 22 2019

Daily Commercial

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

City of Eustis (Legals)
P.O. DRAWER 68
EUSTIS, FL 32727-0068

Account Number: 4108071
Order Number: 10086002
Phone: (352) 483-5430
Date: 03/15/19
Ad Taker: Joanne French

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
NOTICE OF QUASI-JUDICIAL PUBLIC HEARING ORDINANCE NO. 19-11 No	03/18/2019	03/18/2019	$118.52

NOTICE OF QUASI-JUDICIAL PUBLIC HEARING

ORDINANCE NO. 19-11

Notice is hereby given that the Eustis City Commission will conduct a Public Hearing for the first reading of Ordinance No. 19-11 on April 4, 2019, at 6:00 p.m. and the second reading on April 18, 2019 at 6:00 p.m., or as may be continued at their discretion, in the Commission Room, City Hall, 10 N. Grove St., Eustis, FL. The proposed Ordinance is described as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 1.19 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

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Payment Info	
Ad Price	$118.52
Tax	$0.00
Sub Total	$118.52
Prepaid Amount	$0.00
Balance Due	$118.52

Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

Ord 19-11

was published in said newspaper in the issues of:

March 18, 2019

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19 day of Mar, A.D., 2019.

JOANNE FRENCH
Notary Public - State of Florida
Commission # FF 227705
My Comm. Expires May 5, 2019
Bonded through National Notary Assn.

Joanne French
Notary Public

Joanne French

(Print, Type or Stamp Name of Notary Public)

AD# 10086002

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AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD, URBAN NEIGHBORHOOD AND URBAN CORRIDOR DESIGN DISTRICT DESIGNATIONS TO APPROXIMATELY 119 ACRES OF REAL PROPERTY LOCATED AT 2400 S. BAY ST., 200 W. SEMINOLE ROAD, 143 W. DICIE AVENUE, AND 2500 S. BAY ST.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. The case file, complete legal description of the property and proposed ordinance will be available beginning approximately five working days before the hearing from 8:00 a.m. to 5:00 p.m. at Development Services, 4 N. Grove St., the Office of the City Clerk, 10 N. Grove St., or at www.eustis.org. Please contact our office at 352- 483-5460 if you have any questions.

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Roland D. Magyar, AICP, Senior Planner, Eustis, FL

Ad No: 10086002
March 18, 2019

RECEIVED
MAR 2 2 2019

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: ORDINANCE NO. 19-12: AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS, CHAPTER 109

Introduction:
Ordinance No. 19-12 amends Land Development Regulations, Chapter 109, Section 109-4: Use Regulations Table to allow mobile vendors in the Central Business District with a Conditional Use Permit subject to certain conditions, and eliminates single-family attached as a permitted use in the Mixed Commercial/Industrial district.

Background:
See attached staff report.

Recommended Action:
The administration recommends approval of Ordinance No. 19-12.

Policy Implications:
n/a

Alternatives:
1. Approve Ordinance No. 19-12.
2. Deny Ordinance No. 19-12.

Budget Impact:
n/a

Attachments:
Staff Report Ord. No. 19-12
109-4 Use Regulation Table Redline
Conditional Uses and Mods Section 102-30
Sample CUP Ordinance CBD Food Truck
Ordinance No. 19-12

Ad Proof ORD 19-12

Reviewed by:

Ronald Neibert, City Manager	Approved - 15 Mar 2019
Mary Montez, City Clerk	Approved - 15 Mar 2019

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

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RE: ORDINANCE NO. 19-12: AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS, CHAPTER 109

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Background:
See attached staff report.

Recommended Action:
The administration recommends approval of Ordinance No. 19-12.

Policy Implications:
n/a

Alternatives:
1. Approve Ordinance No. 19-12.
2. Deny Ordinance No. 19-12.

Budget Impact:
n/a

Attachments:
Staff Report Ord. No. 19-12
109-4 Use Regulation Table Redline
Conditional Uses and Mods Section 102-30
Sample CUP Ordinance CBD Food Truck
Ordinance No. 19-12

Ad Proof ORD 19-12

Reviewed by:

Ronald Neibert, City Manager	Approved - 15 Mar 2019
Mary Montez, City Clerk	Approved - 15 Mar 2019

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: RONALD R. NEIBERT, CITY MANAGER

DATE: MARCH 21, 2019

RE: ORDINANCE NO. 19-12:
AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS

Introduction:
Ordinance No. 19-12 amends Land Development Regulations, Chapter 109, Section 109-4: Use Regulations Table to allow mobile vendors in the Central Business District with a Conditional Use Permit subject to certain conditions, and eliminates single-family attached as a permitted use in the Mixed Commercial/Industrial district.

Recommended Action:
The administration recommends approval of Ordinance No. 19-12.

Background:
At the March 2, 2019, City Commission workshop, staff discussed possible revisions to the LDRs to permit mobile vendors in the Central Business District subject to certain conditions. The Commission directed staff to prepare a proposed ordinance for their consideration.

Proposed Amendments & Considerations:
1. Mobile Vendors in the Central Business District (CBD): The amended Use Regulations Table would include mobile vendors as “Limited” or Conditional Uses in the CBD. The Table footnotes (conditions) would include the following:

   In the CBD, the "Limited" mobile vendor use applies to mobile vendors in conjunction with City-sponsored or City-sanctioned events as approved by the City Manager.

   Mobile vendors offering food service only (food trucks) proposing regular operation in the CBD may apply for a Conditional Use Permit approval by City Commission; provided the proposed operation is located on a developed site where the food truck use is managed by and/or operated dependently in association with an eating and/or drinking establishment located in an onsite building with restroom facilities.

All mobile vendors are required to apply for and obtain a business tax receipt. Application requirements include letter of permission from the property owner, site plan layout showing driveway connection, and location that does not impede access to the site or required parking.

Innovative food truck parks with community-centered outdoor venues are on the rise. The food truck industry is rapidly growing (7.9% vs, 2% restaurant growth) showing how they are a hit with people across the United States. Trucks offer all different cuisines ranging from tacos and burgers to kebabs and even lobster.

In central Florida and across the country, communities are embracing food trucks in various ways.

In Orlando:
À La Cart is a social dining experience featuring some of the best street food offerings in Central Florida. À La Cart features multiple mobile food vendors, giving everyone an opportunity to satisfy their cravings. An open-air pavilion provides guests with covered indoor seating and an outdoor courtyard allows you to challenge someone to a friendly lawn game while you dine among the carts. The bar inside has 15 taps featuring a rotating lineup of beers, ciders, wines, and cold-brew coffee. À La Cart is open seven days a week for lunch and dinner.

In St. Augustine:
What started off as a vision for Big Island Bowls food truck owners has become a reality with the opening of The Village Garden, the first venue of its kind in St. Augustine. The Village Garden is a community-centered outdoor venue with four permanent food trucks and two rotating guest food trucks every day. The four permanent food trucks include Big Island Bowls, The Loving Cup, New York Beach Bagels, and Pele's Wood Fire. Open seven days a week, The Village Garden has enough food options to satisfy every pallet in town.

Across the Country:
The Seventh Street Truckyard will open an indoor food-truck eatery in St. Paul, Minnesota, changing the idea of how trucks operate. Several trucks will be placed inside a former warehouse, along with bars, live music, and carnival games.This model where trucks are part of a bigger food experience is taking off around the country. In Dallas, the Texas Truck Yard features outdoor seating and a covered bar, with space for trucks to regularly park outside. And in Durham, North Carolina, local restaurateur Mattie Beason is opening County Fare, a venue with a bar and spots for a rotating series of food trucks.

Eustis' current regulations permit mobile vendors in the following land use districts: General Commercial, General Industrial, Mixed Commercial/Residential, and Mixed Commercial/Industrial. Vendors may set up on any site with an improved driveway connection and property owner permission.

The proposed amendment to the LDRs would permit mobile vendors of the food truck variety only within the Central Business District, providing the opportunity to create innovative food truck venues, while avoiding an environment where mobile vendors could set up on any property in the downtown.

2. An additional item is included in the proposed ordinance to correct an error in the Use Regulations Table that reflects single-family attached as a permitted use in the Mixed Commercial/Industrial MCI land use district. With approval of the ordinance, the Use Regulations Table will not list single-family use as a permitted use in MCI.

Applicable Policies & Codes:

Central Business District (CBD)

This land use designation is designed to support a mixed-use area encompassing downtown Eustis within which a combination of commercial, institutional, office, and residential uses may occur at comparatively high densities.

General Range of Uses: This category accommodates the mix of residential, commercial, light industrial/manufacturing, office, institutional, and schools. Public and utility services that are 5 acres or less in size are also permitted as well as residential uses found in or otherwise desirable in downtown areas.

GOAL FLU 1: DEVELOPMENT FRAMEWORK

Implement a land use and development framework that will:

- Promote diversified economic development;
- Protect and enhance residential neighborhoods;
- Ensure services and facilities for new and existing development;
- Discourage urban sprawl;
- Recognize the value of natural resources; and
- Respect private property rights.

OBJECTIVE FLU 1.1: DEVELOPMENT FRAMEWORK IMPLEMENTATION

To create a planning framework and implementation strategy that will enhance the livability of the City of Eustis; promote its natural, cultural, and physical resources; minimize any negative effects of urban development on the natural resources of the City; maintain overall air quality; and discourage urban sprawl.

Policy FLU 1.1.1: Planning Principles

The following principles shall guide the creation of land use policy and development regulations within the City of Eustis:

☐Creating a range of housing opportunities and choices;
☐Creating walkable neighborhoods;
☐Encouraging community and stakeholder collaboration;
☐Fostering distinctive, attractive communities with a strong sense of place;
☐Making development decisions predictable, fair and cost effective;
☐Allowing for a mix of land uses;
☐ Providing for open space, natural beauty and protection of critical environmental areas;
☐Providing a variety of transportation choices;
☐Encouraging compact building design.

GOAL ECD 1: ECONOMIC DEVELOPMENT
Promote a healthy and growing local employment and tax base in terms of new job opportunities provided, wages paid and revenues generated.

Policy ECD 1.2.1: Land Development Regulations Standards
The City shall ensure that the Land Development Regulations promote investments in the Downtown and do not create significant regulatory impediments to redevelopment and infill projects.

Mixed Commercial / Industrial (MCI)
This land use designation is intended to provide for development of light manufacturing, distribution, corporate office and related commercial and industrial facilities in select high profile locations and in well planned environments.

General Range of Uses: Uses include light industry and manufacturing, distribution, corporate office, and related commercial and industrial facilities in select high profile locations and in well planned environments. Outdoor recreation and schools are permitted as well as public and utility services and facilities that are 5 acres or less in size. Light industry includes warehousing and wholesale distribution, provided that truck access bays and loading operations are effectively screened from view where necessary, truck traffic does not impact local streets, and hours of operation are compatible with adjacent land uses. Light industry also includes those manufacturing, distribution, and associated activities which do not create any noise, glare, vibration, odor, or waste products which would adversely impact adjacent properties or municipal utility systems, based on performance standards established in the Land Development Regulations.

Alternatives:
1. Approve Ordinance No. 19-12.
2. Deny Ordinance No. 19-12.

Discussion of Alternatives:
1. Alternative 1 approves Ordinance No. 19-12.
   Advantages:
   - The action is consistent with the goals, objectives, and policies of the Comprehensive Plan including the Economic Development Element, the Future Land Use Element, and the FLUE Appendix.

   Disadvantages:
   - There are no disadvantages to approving the ordinance.

2. Alternative 2 denies Ordinance No. 19-12.
   Advantages:
   - The City Commission could consider other revisions to the Land Development Regulations.

   Disadvantages:
   - Unique, innovative food truck businesses could not locate in downtown Eustis, the disallowance of which could be inconsistent with Comprehensive Plan

provisions to provide diversified economic development and avoid significant regulatory impediments to redevelopment and infill projects in the downtown.
- Single-family attached would remain as a permitted use in MCI, which is inconsistent with other Comprehensive Plan provisions.

Community Input
Development Services has properly advertised the ordinance and there is an opportunity for community input at the public hearing.

Budget / Staff Impact:
None

Prepared By:
Lori Barnes, AICP, CPM, Development Services Director

Attachments:
Ordinance No. 19-12 & Exhibit A (Redline/Strike-Thru of Use Regulations Table)

	Residential				Commercial and Industrial		Mixed Use				Other			Standards
SPECIFIC USE	RR	SR	UR	MH	GC	GI	CBD	RT	MCR	MCI	PI	AG	CON	
KEY: P = Permitted Use; L = Permitted Subject to Limitations In Standards Column; C = Conditional Use; Blank = Not Permitted														
Agricultural														
Agricultural, general	C	C	C	C	C	C	C	C	C	C		P	L,C	4
Commercial poultry farm												C		
Commercial swine farm												C		
Residential														
Accessory Apt.	C	C	P				P	P	P			C		
Bed & Breakfast	C	C	C	C	P		P	P	P			C		
Boarding and Rooming House			C		P		C	C	P					
Group Home; 6 or fewer residents	P	P	P		C		P	P	P		P	P		
Group Home; 7 or more residents	C	C	C		C		C	P	P		P	C		
Home occupation	L	L	L	L	P		P	P	P			L		6; additional standards in Sec.~~109-4.2(g)~~ 110-5.9
Live Work			C				P	P	P					
Mobile Home				P								C		
Multi-family		L	P		L		P	P	P					2, 7, 8 (as part of PUD)
Recreational vehicle park				P										
Single family detached	P	P	P	P				P	P			P		
Single family attached (duplex, row house, townhouse)		P	P					P	P	~~P~~				
Recreation Facilities														
Golf Course	L	L										L		8
Marina		C	C		P		C		C	C	P			
Parks: tot lot, passive, and picnic	P	P	P	P	P		P	P	P	P	P	P	L	3

	Residential				Commercial and Industrial		Mixed Use				Other			Standards
SPECIFIC USE	RR	SR	UR	MH	GC	GI	CBD	RT	MCR	MCI	PI	AG	CON	
KEY: P = Permitted Use; L = Permitted Subject to Limitations In Standards Column; C = Conditional Use; Blank = Not Permitted														
Regional park; amphitheater		C	C		P		C	P	P		P	C		
Nature, ecology facilities	C	P	P	P	P						P	L	L	3
Sports Complex		C			P	P			P	P	P	C		
Shooting Range (indoor)					P	P				P	P			
Shooting Range (outdoor)	C	C				C				C	C	C		11
Commercial														
All commercial and office except as specified below				L	P		P	C	P	P				1
Adult						L								12
Car sales, leasing and related services					P	P	C	C	C	C				
Car Wash, Automated					P	P			P	P				
Car Wash, full or self-service					P	P		C	C	C				
Convenience store w/ gas station				L	P	P	P	C	P	P				1
Convenience store w/o gas				L	P	P	P	C	P	P				1
Commercial, neighborhood		L	L	L	P	P	P	C	P	P				1,5
Drive-thru sales or service					P	P	C	C	P	P				
Dry cleaning/laundry				L	P		P	C	P	P				1
Fast Lube/Oil Change					P	P			P	P				
Food and beverage store/ incl. alcohol				L	P		P	C	P	P	L			1,9
Hotel					P		P	C	P	P				
Mobile Vendor					P	P	L, C		P	P				14

	Residential				Commercial and Industrial		Mixed Use				Other			Standards
SPECIFIC USE	RR	SR	UR	MH	GC	GI	CBD	RT	MCR	MCI	PI	AG	CON	
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Outdoor Kennel					C	P			C	C		P		
Package store					P		P	C	P	P				
Parking, commercial					P		P	C	P	P	L			9
Pharmacy					P	C	P	C	P	P				
Restaurant, no drive-thru				L	P		P	C	P	P	L			1,9
Restaurant with drive-thru					P		C	C	P	P				
Retail sales and service				L	P	C	P	C	P	P	L			1,9
Self service storage					P	P			P	P				
Vehicle parts and accessories (sales)					P	P	P	C	C	P				
Vehicle service, general					P	P	P	C	C	P				
Vehicle service, major						P				P				
Office														
Professional services and general office			L		P		P	P	P	P				5,7
Industrial														
All light industrial/research except as listed below						P	P			P	C			
Crematorium						C								
Heavy industrial						P								
Research lab w/o manufacturing					P	P	P	C	C	P				
Warehouse and freight movement						P				L				10
Wholesale trade						P				L				10
Community/Serice Uses														

	Residential				Commercial and Industrial		Mixed Use				Other			Standards
SPECIFIC USE	RR	SR	UR	MH	GC	GI	CBD	RT	MCR	MCI	PI	AG	CON	
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Child daycare centers; nursery schools	C	C	P	L	P		P	P	P	P	P			1
Churches and accessory uses, including schools	C	C	C	L	P		P	P	P	P	P			1
College or University	C	C	C		P		P	C	P	P	P			
Elementary school	P	P	P	P	P	C	C	P	P	C	P			
Middle school	C	C	C	C	P	C	C	P	P	P	P			
High school	C	C	C	C	P	C		P	P	P	P			
Vocational school					P	P	C	C	P	P	P			
Government buildings	C	C	C	L	P	P	P	P	P	P	P	P		1
Hospitals					P				P	P	P			
Nursing home					P		P	P	P	P	P			
Public services/utilities	L, C	L, C	L, C	L, C	L, C	L, C	L, C	L, C	L, C	L, C	P	C	C	13 – 2 ac in Res/5 Ac in Mixed & GI
Wireless Communication Antenna and/or *Tower*s	C	C	C	C	C	P	C	C	C	C	P	C	C	
Wireless Communication Antenna and/or *Tower*s Camouflaged	C	C	C	C	C	P	P	P	P	P	P	P	C	

Standards.

(1) The "Limited" uses in MH are permitted as a use upon site plan approval and when they are integrated into the rental park specifically for the purpose of serving the residents of the park; and where the total site area for the facilities does not exceed two percent of the overall land area in the rental park.

(2) In the General Commercial district, the "Limited" residential uses are limited to the upper floors of buildings above ground-level commercial and office uses.

(3) In the Conservation land use district, outdoor recreation facilities are limited to interpretive and educational features and related facilities for nature study and enjoyment. All structures/facilities shall be of an unobtrusive nature to enable a compatible mixture of natural and manmade features, including but not limited to the following: boardwalks and nature/hiking trails; environmental/ecological education centers; and shelters/restrooms and other similar uses.

	Residential				Commercial and Industrial		Mixed Use				Other			Standards
SPECIFIC USE	RR	SR	UR	MH	GC	GI	CBD	RT	MCR	MCI	PI	AG	CON	
KEY: P = Permitted Use; L = Permitted Subject to Limitations In Standards Column; C = Conditional Use; Blank = Not Permitted														

limited to the following: boardwalks and nature/hiking trails, environmental/ecological education centers, and shelters/restrooms and other similar uses.
(4) Agricultural uses are limited to silviculture and native range land only in the Conservation land use category unless specified otherwise as part of a conditional use permit.
(5) Neighborhood scale commercial uses may be permitted within these districts when limited in scale consistent with a residential structure on a lot when a development of fifty homes or greater is approved or as part of a Planned Unit Development Master Plan on previously undeveloped property. These uses are not permitted in established and existing neighborhoods.
(6) Home Occupation which: a) is clearly incidental and subordinate to the use of the dwelling unit as a residence; b) is conducted only by members of the family residing in the dwelling unit and entirely within the principal structure; c) does not offer products for sale from the premises; d) does not alter or change the residential character or exterior appearance of the dwelling unit and no evidence of the use is visible or audible from the exterior of the residential property; e) does not generate traffic in excess of that customary at residences; and f) where no commercial vehicles or equipment associated with the business are kept on premises unless stored in an enclosed structure or screened from view from the street or adjacent properties unless otherwise permitted by these regulations.
(7) Limited to the building type design standards of the applicable Design District, Sec. 110.
(8) Allowed when the facility is in conjunction with a Planned Unit Development.
(9) Allow commercial as general accessory, complementary use with a marina and/or outdoor recreation facilities in PI.
(10) The size and scale of the wholesale facility shall be compatible and consistent with the adjacent building typologies.
(11) An outdoor shooting range is permitted as a conditional use only in Suburban Residential land use districts located within a Rural Design District.
(12) Must be consistent with Section 10 of the Code of Ordinances
(13) In SR, UR, MH: Public and utility services and facilities that are 2 acres or less in size are also permitted. In GC, CBD, RT, MCR, GI: Public and utility services and facilities that are 5 acres or less in size are also permitted.
(14) In the CBD, the "Limited" mobile vendor use applies to mobile vendors in conjunction with City sponsored or City sanctioned events as approved by the City Manager. Mobile vendors offering food service only (food trucks) proposing regular operation in the CBD may apply for a Conditional Use Permit approval by City Commission; provided the proposed operation is located on a developed site where the food truck use is managed by and/or operated dependently in association with an eating and/or drinking establishment located in an onsite building with restroom facilities. All mobile vendors are required to apply for and obtain a business tax receipt. Application requirements include letter of permission from the property owner, site plan layout showing driveway connection, and location that does not impede access to the site or required parking.

Permitted Accessory Uses/Structures. Uses and/or structures that are customary and secondary to the primary use or structure permitted by the Land Use District and meet any additional requirements listed in Sec. 110-5Section 109-4.2. for Special Accessory Uses where applicable.

Sec. 102-30. - Conditional uses and modifications.

(a) Purpose. The purpose of this section is to provide for uses that are generally compatible with the use characteristics of a land use district, but which require individual review of their location, design, intensity, configuration, and public facility impact in order to determine the appropriateness of the use of any particular site in the district and their compatibility with adjacent uses. Conditional uses may require the imposition of additional conditions to make them compatible in their specific contexts.

(b) Authority. The city commission may, in accordance with the procedures, standards, and limitations of these land development regulations, grant conditional use permits or conditional use modifications for only those conditional uses set forth in sections 109-3 and 109-4.

(c) Standard of review for conditional use permits . The proposed conditional use must be consistent with the general purpose, goals, objectives, and standard of these land development regulations, the city comprehensive plan, the Code of Ordinances of the city, and in compliance with all additional standards imposed on it by the particular provisions of these land development regulations authorizing such use.

(d) Application procedures for conditional uses. The application for a conditional use permit shall include a survey or map showing the following:

(1) All structures on the property

(2) Abutting rights-of-way

(3) Parking

(4) Landscape buffers

(5) Setbacks from each boundary line

(6) Adjacent land uses within 500 feet of the subject property

(7) Property legal description

(e) Conditions on conditional use permits . The city commission, by ordinance, shall attach such conditions, limitations and requirements to a conditional use permit as are necessary to carry out the spirit and purpose of these land development regulations and the city comprehensive plan; and to prevent or minimize adverse effects upon other property in the neighborhood, including but not limited to limitations on size, intensity of use, bulk and location, landscaping, lighting, the provision of adequate ingress and egress, duration of the permit, and hours of operation. Such conditions shall be set forth expressly in the ordinance granting the conditional use permit.

(Ord. No. 16-13, § 1(Exh. A), 5-19-2016; Ord. No. 17-17, § 1, 11-2-2017)

SAMPLE FOOD CBD FOOD TRUCK ORDINANCE NO. 19-XX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW MOBILE VENDOR FOOD TRUCKS AS AN ACCESSORY TO AN EATING/DRINKING ESTABLISHMENT IN THE CENTRAL BUSINESS DISTRICT FUTURE LAND USE DISTRICT AT (ADD ADDRESS).

WHEREAS, (ADD APPLICANT) has applied for a Conditional Use Permit to permit food trucks as a dependent component of their proposed eating/drinking establishment at (add address); and

WHEREAS, the subject property has a Land Use Designation of Central Business District (CBD) and a Design District Designation of Urban Corridor; and

WHEREAS, Chapter 109-4, Use Regulations Table allows food trucks as a Conditional Use in the CBD subject to certain conditions; and

WHEREAS, the applicant has provided a site plan and other supporting documentation demonstrating the proposed operation complies with the conditions (1) proposed operation is located on a developed site, (2) the food truck use is managed by and/or operated dependently in association with an eating and/or drinking establishment located in an onsite building with restroom facilities; and

WHEREAS, the request for a Conditional Use Permit was properly Noticed for a Quasi Judicial Public Hearing before the City Commission; and

WHEREAS, on (ADD DATE), the City's Development Review Committee recommended unanimously to forward the application to the City Commission.

WHEREAS, on (ADD DATE), the City Commission held the 1st Public Hearing to consider the Conditional Use Permit; and

WHEREAS, on (ADD DATE), the City Commission held the 2nd Public Hearing to consider the Conditional Use Permit; and

WHEREAS, the proposed conditional use is consistent with the City's Land Development Regulations, Comprehensive Plan and Code of Ordinances; and

WHEREAS, the applicant has presented evidence to establish the following:

1. That the proposed use is desirable at the particular location.
2. That the proposed conditional use will not have an undue adverse effect upon nearby property.
3. That such use will not be detrimental to the health, safety, or general welfare of the citizens residing in the area.
4. That the proposed use will comply with all Regulations and Conditions specified in the City Code for such use.
5. That the proposed conditional use is compatible with the existing or planned character of the neighborhood in which it would be located.

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

Section 1. That a Conditional Use Permit is granted for mobile vendor food truck use in conjunction with a brick and mortar eating and/or drinking establishment located at (ADD ADDRESS), more particularly described as:

PARCEL NUMBER:

Section 2. That the conditions of approval include the following (EXAMPLES OF TYPES OF CONDITIONS THAT COULD BE PLACED ON A CUP):

a. No more than X food trucks shall be permitted onsite at one time; (STAFF WOULD RECOMMEND LIMITATION TO # OF TRUCKS BASED ON SITE SIZE, BUILDING SIZE, SEATING, NUMBER OF RESTROOMS, ETC. and

b. Food trucks shall not utilize generators for power; (STAFF WOULD LIMIT TRUCKS TO LANDLINE POWER SOURCE IF GENERATORS MAY CAUSE NOISE ISSUES FOR ADJACENT USES) and

c. Hours shall be limited to xxx am to xxx am; (STAFF MAY LIMIT HOURS IF THIS COULD BE AN ISSUE FOR ADJACENT USES) and

d. Property owner shall grow and maintain an opaque vegetation barrier (STAFF MAY REQUIRE ADDITIONAL LANDSCAPING IF NEEDED FOR AESTHETICS); and

e. Improvements shall generally conform to the Site Plan attached hereto as Exhibit A; and

f. Submittal of a life safety plan and/or architectural plans demonstrating compliance with maximum occupant load, ADA requirements, restroom facilities; occupant load may be limited based on number or restrooms provided; and

g. Administrative Site Plan approval must be obtained within 6-months; and

h. Site Development Permit and/or Building Permit for construction of site and/or building improvements must be obtained within 1-year; and

i. Modifications to the food truck operation as approved herein will require City Commission approval via a CUP modification.

Section 3. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 5. That this Ordinance shall become effective immediately on passing.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this XX day of Month, 2019.

CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA

Michael L. Holland
Mayor-Commissioner

ATTEST:

City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA

COUNTY OF LAKE

The foregoing instrument was acknowledged before me this _____ day of February, 2019 by Michael L. Holland, Mayor and Mary C. Montez, City Clerk, who are personally known to me.

Notary Public - State of Florida

My Commission Expires:_____

Notary Serial No:_____

CITY ATTORNEY'S OFFICE

This document has been reviewed and approved as to form and legal content, but I have not performed an Independent Title Examination as to the accuracy of the Legal Description.

_____ _____

City Attorney's Office Date

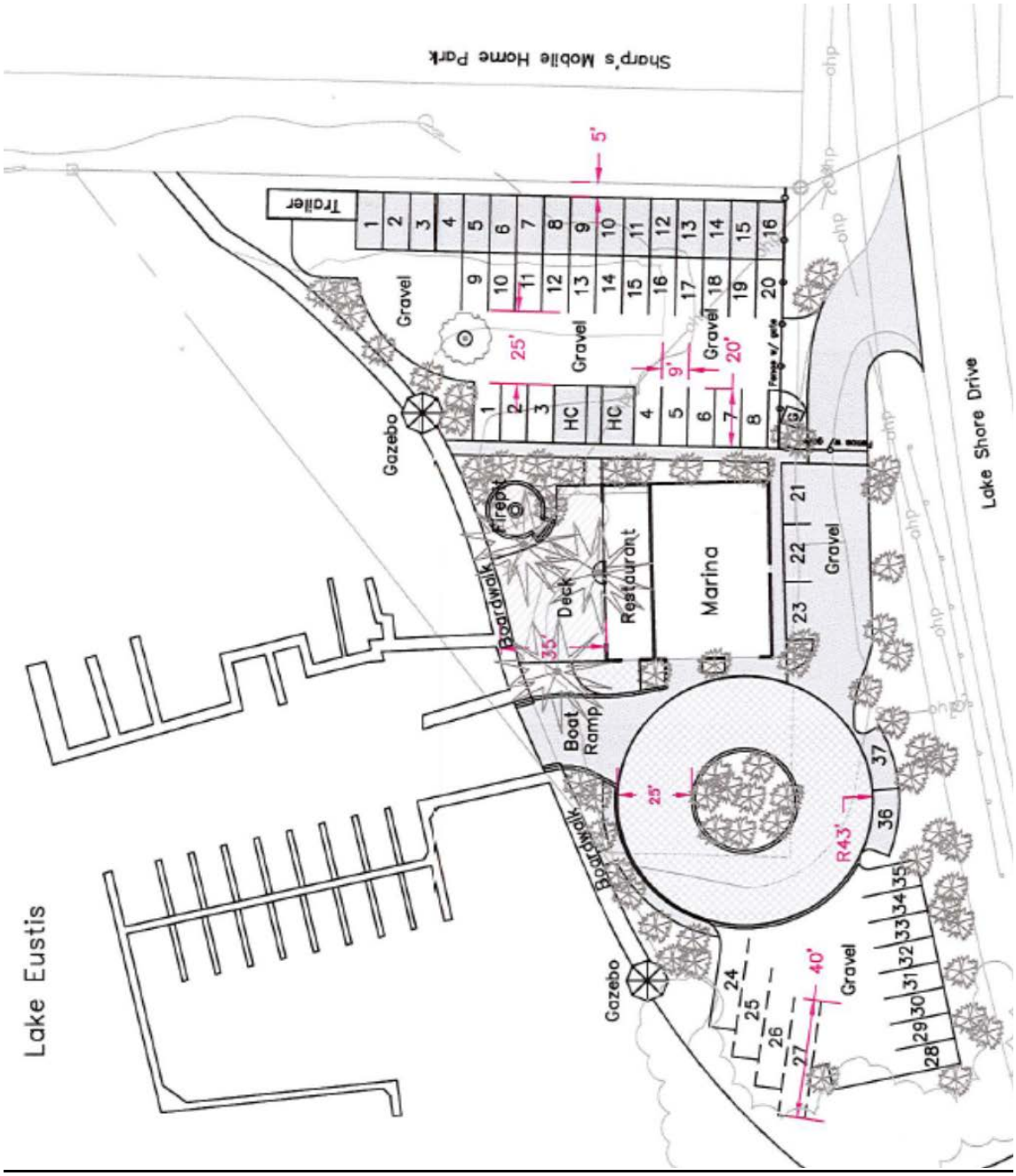
CERTIFICATE OF POSTING

The foregoing Ordinance No. 19-XX is hereby approved, and I hereby certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____ _____

Date Mary C. Montez, City Clerk

Exhibit A


Sharp's Mobile Home Park
Trailer
Gravel
Gazebo
Firepit
Boardwalk
Deck
Restaurant
Marina
Boat Ramp
Lake Eustis
Lake Shore Drive
HC
5'
25'
9'
20'
35'
R43'
40'

ORDINANCE NO. 19-12

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, CHAPTER 109, SECTION 109-4: USE REGULATIONS TABLE TO ALLOW MOBILE VENDORS IN THE CENTRAL BUSINESS DISTRICT (CBD) WITH A CONDITIONAL USE PERMIT APPROVAL SUBJECT TO CERTAIN CONDITIONS, AND TO ELIMINATE SINGLE FAMILY ATTACHED AS A PERMITTED USE IN THE MIXED COMMERCIAL/INDUSTRIAL DISTRICT; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Eustis City Commission adopted revised Land Development Regulations under Ordinance No. 09-33 on July 16, 2009, amended by Ordinance No. 15-13 on October 1, 2015, Ordinance No. 16-18 on April 7, 2016, Ordinance No. 16-13 on May 19, 2016, Ordinance No. 16-31 on December 15, 2016, and Ordinance No. 17-17 on November 2, 2017; and

WHEREAS, the City Commission finds it necessary to periodically revise and update the Land Development Regulations; and

WHEREAS, the City Commission finds the proposed revisions are necessary for clarification and property owner flexibility; and

WHEREAS, the Local Planning Agency reviewed the proposed revisions to the Land Development Regulations and finds them to be in compliance with the Comprehensive Plan.

WHEREAS, the proposed revisions could help promote economic development in the City; and

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS THE FOLLOWING:

Section 1. That the City of Eustis Land Development Regulations are hereby amended as shown in the attached red-line/strike Exhibit A.

Section 2. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 3. That it is the intention of the City Commission of the City of Eustis that the provisions of this Ordinance shall become and be made a part of the Land Development Regulations in the City of Eustis Code of Ordinances and that the sections of this Ordinance may be re-numbered or re-lettered and the word "Ordinance" may be changed to "Section", "Article", or such other appropriate word or phrase to accomplish such intentions.

Section 5. That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 6. That this Ordinance shall become effective immediately on passing.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 4th day of April, 2019.

CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA

_____
Michael L. Holland
Mayor/Commissioner

ATTEST:

_____
Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this___ day of_____2019 by Michael L. Holland, Mayor and Mary C. Montez, City Clerk, who are personally known to me.

_____
Notary Public - State of Florida
My Commission Expires:_____
Notary Serial No:_____

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for use and reliance of the City Commission of the City of Eustis, Florida.

_____ _____
City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Ordinance No. 19-12 is hereby approved, and I hereby certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____
Mary C. Montez, City Clerk

CITY OF EUSTIS NOTICE OF PROPOSED AMENDMENT TO THE CITY OF EUSTIS LAND DEVELOPMENT REGULATIONS

Notice is hereby given that the Eustis Local Planning Agency (LPA) will hold a public hearing for consideration of amendments to the Land Development Regulations via **Ordinance No. 19-12 on Thursday, March 21, 2019 at 5:50 p.m.** Provided the LPA transmits the proposed amendment to the Land Development Regulations to the Eustis City Commission, the first reading of Ordinance No. 19-12 before the City Commission will be on **Thursday, March 21, 2019 at 6:00 p.m.** The second and final reading by the City Commission will be on **Thursday, April 4, 2019 at 6:00 p.m.** or as may be continued at the discretion of the Commission. The proposed amendment to the Land Development Regulations is described as follows:

Ordinance No. 19-12: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending the Land Development Regulations, Chapter 109, Section 109-4: Use Regulations Table to allow mobile vendors in the Central Business District (CBD) with a Conditional Use Permit subject to certain conditions, and to eliminate single-family attached as a permitted use in the Mixed Commercial/Industrial District; providing for codification, severability and an effective date.

All meetings will be held in the City Commission Room at the Eustis City Hall, 10 N. Grove St. Eustis, FL. Interested parties may appear at the meetings to be heard regarding the consideration of the amendment to the Land Development Regulations. If a person decides to appeal any decision made by any board, agency, or commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and that, for such purposes, he/she may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105).

Ordinance No. 19-12 will be available to the general public five (5) working days prior to the hearing between the hours of 8:00 a.m. and 5:00 p.m., at Development Services, 4 N. Grove St, or the City Clerk, City Hall, 10 N. Grove St. For further information, call (352) 483-5460. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at (352) 483-5430, at least 48 hours before the date of the scheduled hearing.

Lori Barnes, AICP, Development Services Director, Eustis, FL

D048545 - March 10, 2019

☐ **PROOF O.K. BY:**_____ ☐ **O.K. WITH CORRECTIONS BY:**_____

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

LF-D048545 (100%)

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City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: DISCUSSION REGARDING COMMISSION ATTENDANCE AT COMMUNITY EVENTS

Introduction:
A Commissioner has requested discussion on which community events are attended by Commissioners and which events are budgeted for attendance.

Recommended Action:
In the annual budget, funds are budgeted for the Commission under Travel and Per Diem. Those funds are allocated as follows:

1. $800 - Attendance at Miscellaneous Events
2. $600 - Chamber breakfasts
3. $600 - Lake County League of Cities
4. $1500 - Lake Legislative Days in Tallahassee
5. $5850 - Florida League of Cities annual conference

Reviewed by:

Ronald Neibert, City Manager	Approved - 29 Mar 2019
Mary Montez, City Clerk	Approved - 29 Mar 2019

City of Eustis
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

Staff Report

TO: Eustis City Commission

FROM: Ronald Neibert, City Manager

DATE: April 4, 2019

RE: DISCUSSION OF LAKE EUSTIS MUSEUM OF ART LEASE

Introduction:
A Commissioner has requested a discussion on the Lake Eustis Museum of Art lease.

Reviewed by: