



APPROVED: 2/20/2020

MINUTES

Local Planning Agency Meeting

5:50 PM - Thursday, December 5, 2019 - City Hall

CALL TO ORDER: 5:50 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

PRESENT: Vice Chair Karen LeHeup-Smith, Robert R. Morin, Marie Aliberti and
Chairman Michael L. Holland

EXCUSED: Emily Lee

1. CONSIDERATION

1.1 Small Scale Future Land Use Map Amendment to the Comprehensive Plan (2019-CPLUS-12): Property located on the northwest corner of Washington Avenue and Ohio Street

Roland Magyar, Senior Planner, noted that a presentation was provided at the previous Local Planning Agency meeting regarding the proposed amendment with concerns expressed by a resident (Jeremiah Ellsworth). He stated staff researched the concerns as follows: 1) Ownership of the property - Staff researched the property and there was very clear title that the property is owned by Vista Grand Properties, which is owned by Andrew Matella. Mr. Magyar added that Mr. Matella had a title search done which came back unencumbered. 2) Easements over the property - Staff contacted various Lake County departments all of whom stated they had no interest in the property and there are no easements. 3) Flooding on the property - He explained that the County has jurisdiction over Ohio Boulevard and the City has jurisdiction over Washington. He stated that the County has installed swales along Ohio Boulevard to assist with drainage. He explained that whenever development occurs, they will have to meet stormwater regulations that will mitigate any flooding concerns. 4) Adverse possession - Mr. Ellsworth claimed that he had been maintaining the property and was making a claim for adverse possession. Mr. Magyar explained that Florida statute requires that the claimant must have a conflicting title to the property, that they have paid taxes on the property and have openly had possession of the property for seven years. He indicated that Mr. Ellsworth has no claim on the property as he did not do any of the requirements. He stated that staff researched all of Mr. Ellsworth's concerns and determined that none of the claims appear to be valid. He stated staff's recommendation for transmittal to the Commission for consideration.

Member Morin questioned the adverse possession claim and agreed that the adjoining property owners may be affected when the property is developed.

Moved by Member LeHeup-Smith, seconded by Member Aliberti, to transmit FLUM Amendment 2019-CPLUS-12 to City Commission for consideration. Motion carried by the following votes:

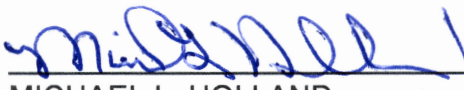
Ayes: Member LeHeup-Smith, Member Morin, Member Aliberti and Chairman Holland

2. ADJOURNMENT: 5:56 P.M.

**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.*



MARY C. MONTEZ
City Clerk



MICHAEL L. HOLLAND
Chairman