AGENDA
TAVARES CITY COUNCIL

SEPTEMBER 3 2015
4:00 P.M.
TAVARES CITY HALL COUNCIL CHAMBERS

I. CALL TO ORDER

II. INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Rick Fountain, First Baptist Church of Tavares

III. APPROVAL OF AGENDA

(The City Council Agenda is subject to change at the time of the Tavares City Council Meeting)

IV. APPROVAL OF MINUTES

Tab 1) City Council Regular Meeting & Budget Workshop – August 19, 2015

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Presentation on 2040 Transportation Plan by the MPO — John Drury

Tab 3) City Flags — John Drury

VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS

VII. READING OF ALL ORDINANCES/RESOLUTIONS - GENERAL GOVERNMENT

VIII. CONSENT AGENDA

Tab 4) Acceptance of Justice Assistance Grant to Purchase Golf Cart for Police Department — Stoney Lubins

IX. PUBLIC HEARING – FISCAL YEAR 2014-2015 MILLAGE & BUDGET – READING OF MILLAGE & BUDGET RESOLUTIONS - 5:05 P.M.

Tab 5) Resolution #2015-11 – Tentative Millage Rate – FY 2015-16 — Lori Houghton

Tab 6) Resolution #2015-12 – Tentative Budget – FY 2015-2016 — Lori Houghton

X. ORDINANCES/RESOLUTIONS

FIRST READING

Tab 7) Ordinance #2015-14 – Annexation & Rezoning of 2.14 Acres — Jacques Skutt
1912 Lane Park Road – South Side of Lane Park Rd. on Lake Harris

Tab 8) Ordinance #2015-15 – Small Scale Future Land Use — Jacques Skutt
Amendment – 2.14 Acres – 11912 Lane Park Rd. County
Rural to City Commercial

Tab 9) Ordinance #2015-16 – Rezoning of The Peninsula — Jacques Skutt
213 Acres - From Planned Development Zoning to Residential Suburban RSF-A
City Initiated Rezoning

Tab 10) Ordinance #2015-17 – Amendment to Land Development — Jacques Skutt
Regulations to Create New Zoning District – RSF-2 for Single Family
With 60 feet Lots

Tab 11) Ordinance #2015-18 – Amendment to Land Development — Jacques Skutt
Regulations – Increasing Allowable Building Height in Commercial
Downtown District to 84 Feet

Tab 12) Ordinance #2015-19 – Rezoning of 2.28 Acres for Flowers — Jacques Skutt
Food – RSF-1 (Residential Single Family) to C-2 (Commercial)
Northeast Corner of Nelson St. and U.S. 441

Tab 13) Ordinance #2015-20 – Small Scale Future Land Use — Jacques Skutt
Amendment – 2.28 Acres – Low Density Residential to Commercial
Northeast Corner of Nelson Street and U.S. 441

SECOND READING

RESOLUTIONS

XI. GENERAL GOVERNMENT

Tab 14) Request to Connect to City Sewer from Church of Christ — John Drury

Tab 15) Date for Coven Plaque for Pavilion on the Lake — Tammy Rogers

Tab 16) Process of Property Assessments for Lighting District — Attorney Williams

XII. OLD BUSINESS

XIII. NEW BUSINESS

XIV. AUDIENCE TO BE HEARD

XV. REPORTS

Tab 17) City Administrator **John Drury**

Tab 18) Council Reports **City Councilmembers**

F.S. 286.0105 □If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (352) 253-4546.

CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
AUGUST 19, 2015
CITY COUNCIL CHAMBERS
4:00 p.m.

COUNCILMEMBERS PRESENT **ABSENT**

Kirby Smith, Mayor
Bob Grenier, Vice Mayor
Lori Pfister, Councilmember
Lisa Johnson, Councilmember
Robert Speaks, Councilmember

STAFF PRESENT

John Drury, City Administrator
Nancy Barnett, City Clerk
Robert Q. Williams, City Attorney
Tammey Rogers, Community Services Director
Jacques Skutt, Director of Community Development
Stoney Lubins, Police Chief
Richard Keith, Fire Chief
Bob Tweedie, Economic Development Director
Lori Tucker, Human Resources Director

I. CALL TO ORDER

Mayor Smith called the meeting to order at 4:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Greg Watts, Liberty Baptist Church, gave the invocation and led those present in the Pledge of Allegiance.

Mayor Smith advised that there were hearing devices available by the front door. He asked for those who wished to speak on a specific item in the agenda to please fill out the Request to Speak forms and turn into the Police Chief or City Clerk. He asked that cell phones be muted or turned off.

III. APPROVAL OF AGENDA

Mayor Smith asked if staff had any changes. Mr. Drury requested to add Tab 6A for a Signature Fall Event Request.

MOTION

Robert Speaks moved to add this item to the agenda, seconded by Bob Grenier. The motion carried unanimously 5-0.

Mayor Smith asked if Council had changes to the agenda.

MOTION

Bob Grenier moved to approve the agenda, seconded by Robert Speaks. The motion carried unanimously 5-0.

IV. APPROVAL OF MINUTES

Tab 1) Minutes of August 5, 2015 Regular Council Meeting

MOTION

Robert Speaks moved to approve the minutes of August 5, 2015 as submitted, seconded by Bob Grenier. The motion carried unanimously 5-0.

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Presentation on the Establishment of Future Land Use Designation of County Property located in the Tavares ISBA

Mr. Skutt stated he wished to make a presentation on the planning aspects of the Interlocal Services Boundary Agreement that was passed in the spring. He reviewed the process, noting that the main part of the agreement was establishing the boundary line which represents what the City anticipates being its boundary 20 years from now. Establishing the boundary line required the city to negotiate with Leesburg, Mt. Dora, Astatula, and Lake County (the City of Eustis was satisfied with the existing boundary).

He presented the Future Land Use Map noting that everything that is in color is within the City of Tavares; anything not colored is within the unincorporated part of Lake County. The City's Comprehensive Plan is a requirement by the State and one of the elements is "Future Land Use." Future Land Use is an estimated vision of what the City would anticipate in the long range; i.e. Commercial, Industrial, Residential, Mixed Use, Institutional, Conservation—large designations that are incorporated into the Future Land Use Element. The State uses the Comprehensive Plan as a tool to determine funding, how much to increase roads, schools, etc.

Mr. Skutt said subordinate to the Comprehensive Plan is zoning and Land Development Regulations that adhere to the policies incorporated into the Comprehensive Plan.

Mr. Skutt showed the County's Comprehensive Plan showing County Future Land uses noting they are usually residential and rural. He said before the ISBA was approved, the City could only annex properties that were contiguous to the City's boundary which made it easier to determine Land Uses for annexations. He said under the new rules and regulations, the City can receive requests to annex that are not contiguous. Under the agreement the city is obligated to annex those properties and to assign a City Future Land Use designation. One issue is that the City's

Urban Land Use designation may not be consistent with what the County has envisioned. The planning for these scenarios has not taken place yet. One of the clauses of the ISBA is that the City and the County agree to work together to make sure that a consistent Future Land Use and zoning regulations are determined for the unincorporated parts of the ISBA. The agreement anticipates that that process will take up to three years. After an appropriate plan has been worked out, then the City will enter into a local planning agreement with Lake County which will pre-establish future land uses and zonings for those unincorporated parts of the County that are within the City's ISBA.

Mr. Skutt noted that the staff and the Planning and Zoning Board are sensitive to the concerns of residents living in those areas that are rural in nature. He emphasized that this is a 20 year plan, Tavares is a growing city, and this is an opportunity to plan for growth.

Mr. Drury noted this is about compatible land use zoning. He gave as an example that the city does not want to see residential zoning under the flight path of an airport. He discussed the planning process that had been undertaken with the other Lake County cities and the process that would be followed over the next two years to identify compatible land use zoning. He noted that over the next two years there will be requests to annex into Tavares before this process is complete. He said when that occurs the applicant will go through a process of negotiating with staff, followed by going to the Planning and Zoning Board with an opportunity for public comment. The vote of the P&Z Board will then come to City Council with public discussion. He said Council will be asked to make a decision during this period without the benefit of a comprehensive plan.

Vice Mayor Grenier asked Mr. Drury to comment on discussions with the neighboring cities. Mr. Drury outlined some of the points in the discussions that had taken place.

VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

None.

VII. READING OF ALL ORDINANCES/RESOLUTIONS - None

VIII. CONSENT AGENDA

XI. GENERAL GOVERNMENT

Tab 3) Acceptance of Street Lights for Lake Elsie Subdivision

Ms. Houghton stated this is for consideration of the acceptance of the monthly electric charges for street lights in the Lake Elsie Subdivision. She noted the final plat with dedicated right of way was approved on July 18, 2007. The maintenance bond has been returned to the builder. When the plat was dedicated to the city it did not include the street lights. The Finance Department has received a request from Sentry Management who manages the HOA for the subdivision asking the City to assume the responsibility. The subdivision has 84 lots and is at build out. She said it has been the practice of the city to assume the standard costs of street lights. The cost will be for 27 lights at an approximate monthly cost of $793. The standard cost that the city has typically paid is about $10.00 for a wooden pole. The Lake Elsie poles are at a cost of $21.85 per pole.

Mr. Drury said there are other options that cities choose in the State of Florida on how to handle streetlights in subdivisions. In some cities they do not take over the streetlights. Another option is to consider them as public streets and agree to have the taxpayers share in all streetlights which has been the typical practice of the city. He said Tavares pays about $300,000 a year for streetlights which is about a half mil. He said the third option is to do an assessment for a lighting district.

Vice Mayor Grenier asked if this included repair and maintenance of the lights. Mr. Drury said the city contracts out the maintenance. He said the city does not take over street lights in gated communities.

Denise Laratta, Royal Harbor

Ms. Laratta asked what the statement meant "once the public infrastructure has been accepted by the City Council." Mr. Skutt discussed the two year maintenance bond that is acquired to ensure that everything functions during that period. Ms. Laratta said there could be an option to share in some of the cost of the lights.

Council Discussion

Councilmember Speaks noted that out of the $792 a month, $9.00 comes back to the City in franchise fees. He said it comes to about $401 a year per light. He said the city pays for all of the other subdivision lights other than the gated communities; so therefore, he believed the city should pay for these lights.

Mayor Smith said he had done some research and noticed the different types of lights in the subdivisions. He said the residents in the gated communities pay for their own lights as well as lights in other neighborhoods. He said he would like to have information on a lighting district before he makes a decision. Vice Mayor Grenier said he agreed with Mayor Smith. Councilmember Speaks said he agreed however the issue before Council needed to be decided.

Mr. Drury said he could have the information for the next Council meeting. He said he would have the City Attorney provide information on the legal process to develop assessments.

Attorney Williams noted that the County has street lighting assessments in some of the rural areas (MSTU's). He said it would be a standard Chapter 170 assessment wherein the benefit would have to be determined for each resident and on how it would be collected. He added the City does not currently require streetlights and there is no legal obligation to pay for street lights other than the fact that the city has historically done so and has paid for them out of the General Revenue as a tax revenue benefit.

Councilmember Pfister said she believes that everyone already pays for their street lights out of the millage and she would rather pay for the street lights, but just at the base fee ($10.00). She said she was concerned that if an assessment was done, people might not want street lights which would be a safety issue.

Mayor Smith said he agreed, but Council does not have all the information. Mr. Drury suggested that Council could table the item until the information is provided.

MOTION

Bob Grenier moved to approve the staff recommendation of tabling this item until information can be provided on street lighting assessments on September 3rd and to delay the vote on Lake Elsie until the second meeting in September, seconded by Lori Pfister. The motion carried unanimously 5-0.

Tab 4) Request to Waive Permit Fee for Turkey Trot Event

Mr. Skutt said this is a request from the Golden Triangle YMCA for the permit application fee to be waived for the third annual 5K run to be held November 26. No city services are being requested. The application has been processed. The permit fee for special events outside the Downtown Entertainment District is $250.00. He noted Council has waived the fee in the last two years.

Denise Laratta

Ms. Laratta said she wondered if Council wanted to set an overall policy about what should be waived rather than taking up the issues one at a time.

Mayor Smith asked if the YMCA would be using the Lake County Sheriff. Mr. Skutt confirmed.

MOTION

Robert Speaks moved for the approval of the waiving of the permit fee for the YMCA 5K Run November 26, seconded by Bob Grenier.

Councilmember Pfister said she votes against this request because she has done research into non-profits and is bothered by the high salaries of the Board members. She encouraged those present to look into this before making a donation. Councilmember Speaks said the local YMCA Board of Directors are volunteers.

The motion carried unanimously 4-1 as follows:

Kirby Smith	**Yes**
Bob Grenier	**Yes**
Lisa Johnson	**Yes**
Bob Speaks	**Yes**
Lori Pfister	**No**

Tab 5) Good Citizens Reward Program

Chief Lubins reported that at the last meeting, Council had brought forth the idea of a reward program for drivers similar to a program that had been done in Mt. Dora. He said staff reviewed their program and came up with some logistical, legal, and safety concerns. He said staff feels an alternative would be a "Good Citizen" reward program whereby the Police Department staff would

review incidents throughout the City in which a citizen has done something extraordinary and would provide a certificate and present them before the City Council for recognition. Councilmember Johnson thanked the staff for looking into this. She said when she brought it up, the program in Mt. Dora had been an idea but she had hoped staff would brainstorm as has been done and she appreciated this proposal. She said it is about positive recognition versus negativity.

Mayor Smith spoke in support of this program. He thanked Councilmember Johnson for bringing the idea forth and for the staff recommendation.

MOTION

Robert Speaks moved to approve Option #2 – to institute the City Council Good Citizen Certificate Program, seconded by Lisa Johnson. The motion carried unanimously 5-0.

Tab 6) Discount for Public Schools for Tavares Pavilion on the Lake

Ms. Rogers stated at the last Council Meeting staff had brought forward consideration of a policy to provide a discounted user rate at the pavilion for Tavares Elementary, Middle School, and High Schools. Council requested staff to modify that policy. The modification has been provided in this agenda summary. She discussed the details:

- All public schools in Tavares are eligible for the discount
  - Tavares Elementary, Middle, and High
- Bookings to be scheduled Mon-Thurs only and as the building is available
- 25% discount
- Eligibility listing will be requested from the school principal on an annual basis and will include only those groups, clubs, or organizations that are authorized by the principal
- Interaction with school groups will be "Business as usual"
  - Only Preferred Caterers are used at these events
  - 7-day courtesy hold will be granted at which time a contract and a deposit must be received or date will be released to the public
  - A security deposit and the remaining payment is due in full 60 days prior to event
  - The rental block is as stated, however, additional hours may be purchased
  - Reservations may be made up to one-year in advance

Ms. Rogers noted that Council had also asked for information on the cost to operate the pavilion. She said the Finance Department is preparing this information and will provide at the September 16, 2015 Council Meeting.

Denise Laratta
Ms. Laratta stated anything that can be done to help with fundraisers and publicity for the schools, is a good thing to do as the schools need our help.

MOTION

Lori Pfister moved to approve a policy to allow 25% discount to school principal authorized Tavares public school clubs, groups or organizations Monday to Thursdays as available, no further out than one year, and based on the operational policies of the pavilion with regard to deposit and use of caterers. The motion was seconded by Bob Grenier. The motion carried unanimously 5-0.

Tab 6A) Signature Fall Event Request

Mr. Tweedie said this is a request from the Tavares Waterfront Entertainment District (TWED) for city support to host a signature fall event on October 3, 2015 at Wooton Park.

Staff had previously proposed a fall event and had included some funding in the upcoming budget for 2016. TWED has asked to bring forward an event in 2015 to help the businesses during this in between season. It will be an Oktoberfest themed event which will cost around $20,000 and will include four bands. Estimated attendance is about 4500. The request is for a $5,000 contribution from the city for which they will match the remainder through fundraising and in kind services. They are requesting use of the event pad and closure of a portion of Ruby Street for the event. It is consistent with the city's Special Event policy. they are requesting that it be considered a fully supported city event which means it will include portalets, waste containers, police support, etc. Staff recommends approval.

Mr. Drury said this event is in keeping with the city's Vision Statement. Prior to this event is Rifles, Rails and History and this event will build upon that historic foundation.

Councilmember Johnson said as a business owner, she knows the struggles on the weekends so she would be in favor of this event. She thanked TWED for bringing the proposal forward.

Mayor Smith asked how much of Ruby Street will be closed. Ms. Buigas said it would be the portion between St. Clair and Rockingham and the hope is to have jeeps and vendors on the event pad. Mayor Smith suggested that Main Street should also be closed to help other vendors. Ms. Buigas said this is the first event and they wanted to make sure this one was done correctly. She said with more funding it could be expanded.

Mayor Smith said barricades deter people and he recommended barricading both Ruby Street and Main Street.

Councilmember Pfister thanked TWED for taking ownership in the downtown and coming up with this idea.

MOTION

Lori Pfister moved to approve Option 1 to support the event with $5,000 contribution and categorize it as fully supported, seconded by Bob Grenier. The motion carried unanimously 5-0.

AUDIENCE TO BE HEARD

Betty Burleigh, 214 N. New Hampshire Avenue

(Mayor Smith distributed an article provided by Ms. Burleigh.) Ms. Burleigh said a Tavares resident from Oklahoma had asked about the Oklahoma stone in the County's flagpole base. She said in doing research to answer his question she found the article and she summarized some of the information as follows:

The flagpole base was dedicated on March 5, 1937, Lake County 50th anniversary. The base was designed by Arthur Williams, a Tavares architect. The stones were marked and placed by H. J. Kennell, a Tavares resident from Connecticut and he was assisted by Herman Lund of Astatula. The rocks came from native states or countries of Lake County residents. The Will Rogers stone was the 53rd stone. It was a dark Oklahoma sandstone which came from Will Rogers' ranch in Oologah provided by Dr. A.S. Hawkins of Clermont who was a relative of Rogers. The flagpole base was dedicated at 2:30 p.m. after the parade. The base held three flags: the American flag on the center pole was 40 feet high, and the County flag on the right and the State flag on the left were on 22 foot poles. Lake County was the first County in the nation to have its own flag and it was raised for the first time by Peggy Duncan, daughter of Carl and granddaughter of H.H. Duncan. Another rock of interest, is a grey granite from Gettysburg battlefield with two bullets imbedded in the stone—the Confederate marked with two rings and the Union marked with three rings, and a Massachusetts stone bearing a fossil of a dinosaur track.

Ms. Burleigh said she had looked at the base today and encouraged everyone to look at it.

Sam Chesser, Fox Run Homeowners Association

Mr. Chesser stated Mr. Banta, president of the HOA, could not attend and had asked him to attend and express the HOA's appreciation for the recent paving in the Fox Run Subdivision.

Mayor Smith asked if anyone else in the audience wished to comment.

XI. FISCAL YEAR 2016 BUDGET WORKSHOP

Tab 7) Budget Workshop

Mr. Drury reviewed the three previous workshops held on July 1, July 15, and August 5th which followed the development of budget goals in February. This will be the 4th Budget Workshop. He noted at the July 15th meeting the tentative millage rate was set at 6.6166 and the debt service at.4068. Throughout the process Council has flagged items which have been brought back for discussion. He noted the public has also had questions and those were also reviewed and brought back. In September the two Public Hearings will be held; the first on Thursday September 3rd. The regular meeting will begin at 4:00 and the Public Hearing on the Budget will start at 5:05 p.m. The final hearing will be on Wednesday September 16 with the regular Council Meeting at 4:00 p.m. and the budget hearing at 5:05 p.m. for a final vote on the budget and the millage rate.

Mayor Smith thanked Mr. Drury and Ms. Houghton for addressing some questions on numbers that had been answered and corrected. He said he had one comment. He said as he frequents the downtown businesses he is asked why the Chamber of Commerce is not open on Saturdays

or Sundays. He said the city is giving the Chamber of Commerce $7500 and he asked if the city could hold back this donation until they agree to open year round on Saturdays for least four hours.

Councilmember Speaks said he has also had this concern and when the city agreed to provide funding to the Chamber some years ago, he had asked for feedback on the return for the investment. He said he did not think the city was getting a report. He said that part of the return would be that they would be open on the weekends when the city holds events, to supply information or be available to help guide the public.

Discussion followed with the consensus to provide the $7500 funds to the Chamber contingent on the Chamber being open on some weekend hours.

Councilmember Speaks said he would like the Chamber to attend a Council Meeting and give a report regarding the $7500 donation.

XII. OLD BUSINESS

XIII. NEW BUSINESS

League of Cities – Councilmember Pfister

Councilmember Pfister said she had attended the League of Cities conference and represented the city. She said it was a very informative conference and she had learned a great deal.

XIV. AUDIENCE TO BE HEARD

XV. REPORTS

Tab 14) City Administrator

Mr. Drury said this morning there had been an open house at a new downtown business, the Community Health Centers. He said they are living up to the word "community" in their name. They have brought into their décor, the city's seaplane brand. He said they provide healthcare for children and adults who are uninsured. He said it is all about building community in a city and it is good to see healthcare services come back downtown.

City Clerk

Ms. Barnett announced that on August 17th at noon, the following candidates qualified to be on the ballot for the November 3rd city election:

Seat 2 – Kirby Smith (elected without opposition to Seat 2)

Seat 4 – Gary Koerner, Jamie Stanley, and Robert Wolfe

Community Services

Ms. Rogers said the Community Health Services Company generously donated three bicycles to the city's summer reading program at the library.

City Attorney

Tab 15) City Council

Councilmember Pfister

Vice Mayor Grenier

Vice Mayor Grenier expressed Happy Birthday tomorrow to his father, Bob Grenier, who will be 86 years old.

Councilmember Speaks

Expressed condolences to Chief Keith and his family and also to Chris Thompson and his family

Councilmember Johnson

Noted on Tuesday August 25th there will be an event put on by the Chamber, "Tavares Tapas Tuesday" from 5:00 to 8:00 p.m.

Mayor Smith

Mayor Smith asked about the status of the Clerk's Building. Mr. Tweedie said staff is working through some logistical items with the demolition contract and items regarding utilities that need to be taken care of in advance of demolition. He said it will be a process of about 30 to 45 days once the contract is in place.

Vice Mayor Grenier asked about the historical plaque on the outside wall. Mr. Drury said the plaque will be taken down by the staff and preserved.

Mayor Smith said on this day in 1871, Orville Wright was born and that today is also National Aviation Day due to Wright's accomplishments.

Adjournment

There was no further business and the meeting was adjourned at 5:29 p.m.

Respectfully submitted,

Nancy A. Barnett

Nancy A. Barnett, City Clerk, MMC

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: September 3, 2015

AGENDA TAB NO. 2

SUBJECT TITLE: Presentation on 2040 Transportation Plan by the Lake County Metropolitan Planning Organization

OBJECTIVE:

The Executive Director of the MPO has requested to give a 15 minute overview of the 2040 Transportation Plan for Lake County.

SUMMARY:

T.J. Fish, Executive Director, will make a presentation.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: September 3, 2015

AGENDA TAB NO. 3

SUBJECT TITLE: City Flag

OBJECTIVE:

To view an 18 minute video on the topic of city flag designs.

SUMMARY:

City Council approved the city flag in 2013 with the America's Seaplane City logo. As staff has moved forward to order the city flags an issue has arisen with the reproduction of the flag. The primary issue is that when words are present on a flag, a double-sided flag with a screen in the middle (three sheets of fabric) are required to be sewn together. This affects the cost and flying the flag. Flying a flag with no words (just a symbol) results in one piece of fabric which improves affordability, flying, and is more consistent with traditional flag design.

Staff recommends viewing a TED talk video put on by Roman Mars, who is an authority on the topic of design and speaks on the topic of city flag design. This video focuses on flags and recommendations by the North American Vexillology Association (vexillology is the scientific study of the history, symbolism and usage of flags). Staff will bring back a discussion on the Tavares flag at a future meeting.

OPTIONS:

1. View the video as background information for a future agenda item on the city flag
2. Do not view the video

STAFF RECOMMENDATION:

View the video as background information for a future agenda item on the city flag

FISCAL IMPACT:
n/a

LEGAL SUFFICIENCY:
n/a

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: September 3, 2015

AGENDA TAB NO. 4
SUBJECT TITLE: 2015 Recovery Act Edward Byrne Memorial Justice Assistance Grant Program – Purchase of Golf Cart for the Police Department

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OBJECTIVE:

To accept funding from the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program to purchase a golf cart for the police department.

SUMMARY:

The U.S. Department of Justice will be dispersing 2015 Edward Byrne Memorial Justice Assistance Grant Program funds for FY 2015/2016 through a reimbursable grant. The City of Tavares is currently allotted $3,607.00 to be used for criminal justice purposes. This funding will be used to purchase a golf cart to be used by the police department for downtown events and by the downtown officer.

OPTIONS:

1) To accept the 2015 Recovery Act Edward Byrne Memorial Justice Assistance Grant Program Local funds in the amount of $3,607.00.
2) Do not accept funding from the grant.

STAFF RECOMMENDATION:

Move to accept the 2015 Edward Byrne Memorial Justice Assistance Grant Program Local Solicitation funds for $3,607.00.

FISCAL IMPACT:

100% reimbursable grant with no match requirement.

LEGAL SUFFICIENCY:

This has met legal sufficiency.

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: September 3, 2015

AGENDA TAB NO. 5

SUBJECT TITLE: Public Hearing to Adopt Resolution 2015-11 Adopting the Tentative Millage for FY 2016

OBJECTIVE:

To receive public input and consider the approval of Resolution 2015-11 to adopt the Tentative Millage for Fiscal Year 2016

SUMMARY:

The Tentative Budget for the General Fund provides for a Tentative Millage of 6.6166 mills and is balanced at $15,593,695, with the following assumptions and details:

- Ad valorem millage rate of 6.6166 mills which is .94% above the rollback rate of 6.5547 mills, and .1117 mills over the current millage rate of 6.7283 mills or 1.66% less than the current millage rate.
- An assessed taxable property value of $675,210,640 which is an increase of 6.22% in value (unadjusted for TIF) from the prior year.
- A Fire Assessment at 100% of assessed costs. Rates remain unchanged from the prior year.
- A balanced Tentative General Fund Budget of $15,593,695.
- 5% Pay Increase for all employees
- FRS employer contributions are budgeted at blended rates as rate increases are effective July 1, 2015 (*7.73% Regular Class & 23.31% Senior Management Class*).
- Staffing level increase – One new Police Officer at mid-year,
- New Positions:
  1) General Fund:
     - Police Officer – Police Department mid-year hire
  2) Pavilion Fund:
     - Full-time Pavilion Coordinator
     - Part-time Pavilion Associate
- The Fire Pension contribution rate is budgeted at 19.86%
- The Police Pension contribution rate is budgeted at to 18.10%.
- Health insurance is budgeted at an overall blended increase of 7.8% over prior year premium rates. Employee contributions for HMO will increase 7.5%
- An overall workers' compensation rate increase of 5%.
- An overall general liability rate increase of 15%.

- The Tentative Budget also includes:
  - ✓ A signature fall event
  - ✓ Employee Fitness program
  - ✓ Wooton Park Memorial Plaque
  - ✓ Fire Truck (lease/short-term debt purchase)
  - ✓ Battalion Chief vehicle (lease/short-term debt purchase)
  - ✓ City Hall chiller (lease/short-term debt purchase)
  - ✓ Alfred Street Streetscape – one street of the pair (short-term debt purchase).
- The Tentative Budget maintains a similar level of service.
- The Tentative Budget proposes to maintain an estimated General Fund reserve balance of $1,256,660 or 8.76% of the Tentative Budget excluding one-time lease purchases to be broken out as follows: *(Assumes all revenue budgeted in FY 2016 will be received.)*
  Reserves for unforeseen Emergencies: $1,130,985 (90%)
  Reserves for unforeseen Contingencies: $ 125,665 (10%)

Previously the City Council discussed the proposed Fiscal Year 2016 Budget at the following public meetings:

- July 1th – City Council Budget Workshop – (General Fund Presentation)
- July 15th – City Council Budget Workshop – (Enterprise Funds and Special Revenue Funds Presentation)
- July 15th – City Council sets Maximum Tentative Millage
- August 5th – City Council Budget Workshop – (CIP Presented)
- August 19st – City Council Budget Workshop

A Tentative Budget has been prepared for the City Council based on discussions at the previous City Council Budget Workshops including all subsequent changes.

OPTIONS:

1. Take Public input and approve the Tentative Millage for Fiscal Year 2016 as reflected in Resolution 2015-11.

2. Take Public input and approve the Tentative Millage for Fiscal Year 2016 as reflected in Resolution Number 2015-11, and any additional changes.

STAFF RECOMMENDATION:

Take public input and move to approve the Tentative Millage for Fiscal Year 2016 as reflected in Resolution No. 2015-11.

FISCAL IMPACT: At this point all budgets are balanced. Changes will require revisions to the Tentative Budget.

RESOLUTION 2015 - 11

A RESOLUTION ADOPTING A FINAL MILLAGE RATE OF 6.6166 FOR THE CITY OF TAVARES, FLORIDA, FOR AD VALOREM TAXES FOR FISCAL YEAR 2015-2016; SETTING FORTH THE PERCENT BY WHICH THE MILLAGE RATE IS GREATER THAN THE "ROLLED-BACK" RATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:

WHEREAS, the City of Tavares of Lake County, Florida on September 3, 2015, adopted the 2015-2016 Fiscal Year Tentative Millage Rate following a public hearing as required by Florida Statute 200.065.

WHEREAS, the City of Tavares of Lake County, Florida, following due public notice as required by law, held a second public hearing on September 16, 2015, as required by Florida Statute 200.065 on the 2015-2016 Millage Rate; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation within Lake County has been certified by the County Property Appraiser to the City of Tavares as $675,210,640.

NOW THEREFORE, BE IT RESOLVED by the City of Tavares of Lake County, Florida, that:

1. The City of Tavares Fiscal Year 2015-2016 operating millage rate to be levied is hereby set at 6.6166 mills, which millage rate is greater than the rolled back rate of 6.5547 by .94%.

2. The voted debt service millage rate is set at .4068 mills for Fiscal Year 2015-2016.

3. This Resolution will take effect immediately upon its adoption.

PASSED AND RESOLVED this 16th day of September 2015 by the City Council of the City of Tavares, Florida. Time Adopted:_____.

_____
Kirby Smith, Mayor
Tavares City Council

ATTEST:

_____
Nancy A. Barnett
City Clerk

_____

Approved as to form:
Robert Q. Williams,
City Attorney

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: September 3, 2015

AGENDA TAB NO. 6

SUBJECT TITLE: Public Hearing to Adopt Resolution 2015-12 Adopting the Tentative Budget for FY 2016

OBJECTIVE:

To receive public input and consider the approval of Resolution 2015-12 to adopt the Tentative Budget for Fiscal Year 2016

SUMMARY:

The Tentative Budget for the General Fund is balanced at $15,593,695, and is based on the following assumptions and details:

- Ad valorem millage rate of 6.6166 mills which is .94% above the rollback rate of 6.5547 mills, and .1117 mills over the current millage rate of 6.7283 mills or 1.66% less than the current millage rate.
- An assessed taxable property value of $675,210,640 which is an increase of 6.22% in value (unadjusted for TIF) from the prior year.
- A Fire Assessment at 100% of assessed costs. Rates remain unchanged from the prior year.
- A balanced Tentative General Fund Budget of $15,593,695.
- 5% Pay Increase for all employees
- FRS employer contributions are budgeted at blended rates as rate increases are effective July 1, 2015 (*7.73% Regular Class & 23.31% Senior Management Class*).
- Staffing level increase – One new Police Officer at mid-year,
- New Positions:
  1) General Fund:
     - Police Officer – Police Department mid-year hire
  2) Pavilion Fund:
     - Full-time Pavilion Coordinator
     - Part-time Pavilion Associate
- The Fire Pension contribution rate is budgeted at 19.86%
- The Police Pension contribution rate is budgeted at to 18.10%.
- Health insurance is budgeted at an overall blended increase of 7.8% over prior year premium rates. Employee contributions for HMO will increase 7.5%
- An overall workers' compensation rate increase of 5%.
- An overall general liability rate increase of 15%.

- The Tentative Budget also includes:
  - ✓ A signature fall event
  - ✓ Employee Fitness program
  - ✓ Wooton Park Memorial Plaque
  - ✓ Fire Truck (lease/short-term debt purchase)
  - ✓ Battalion Chief vehicle (lease/short-term debt purchase)
  - ✓ City Hall chiller (lease/short-term debt purchase)
  - ✓ Alfred Street Streetscape – one street of the pair (short-term debt purchase).
- The Tentative Budget maintains a similar level of service.
- The Tentative Budget proposes to maintain an estimated General Fund reserve balance of $1,256,660 or 8.76% of the Tentative Budget excluding one-time lease purchases to be broken out as follows: *(Assumes all revenue budgeted in FY 2016 will be received.)*
  Reserves for unforeseen Emergencies: $1,130,985 (90%)
  Reserves for unforeseen Contingencies: $ 125,665 (10%)

Previously the City Council discussed the proposed Fiscal Year 2016 Budget at the following public meetings:

- July 1th – City Council Budget Workshop – (General Fund Presentation)
- July 15th – City Council Budget Workshop – (Enterprise Funds and Special Revenue Funds Presentation)
- July 15th – City Council sets Maximum Tentative Millage
- August 5th – City Council Budget Workshop – (CIP Presented)
- August 19st – City Council Budget Workshop

A Tentative Budget has been prepared for the City Council based on discussions at the previous City Council Budget Workshops including all subsequent changes.

OPTIONS:

1. Take Public input and approve the Tentative Budget for Fiscal Year 2016 as reflected in Resolution 2015-12.

2. Take Public input and approve the Tentative Budget for Fiscal Year 2016 as reflected in Resolution Number 2015-12, and any additional changes.

STAFF RECOMMENDATION:

Take public input and move to approve the Tentative Budget for Fiscal Year 2016 as reflected in Resolution No. 2015-12.

FISCAL IMPACT: At this point all budgets are balanced. Changes will require revisions to the Tentative Budget.

RESOLUTION 2015 - 12

A RESOLUTION ADOPTING THE FINAL BUDGET FOR THE CITY OF TAVARES, FLORIDA, FOR THE FISCAL YEAR 2015 - 2016.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:

WHEREAS, a public hearing on the proposed 2015-2016 budget was held at the Tavares City Hall Council Chambers in the City of Tavares, Florida, Lake County, Florida on Thursday, September 3rd, 2015 at 5:05 p.m., as required by Florida Statutes 200.065; and

WHEREAS, the general public was given an opportunity to express its views pertaining to the proposed budget, and

WHEREAS, the City Council approved the tentative budget for 2015-2016, and

WHEREAS, a second public hearing on the proposed 2015-2016 budget was held in the Council Chambers at the Tavares City Hall, 201 East Main Street in the City of Tavares, Florida, on Wednesday, September 16, 2015, at 5:05 p.m.,

NOW, THEREFORE, BE IT RESOLVED that the Budget for 2015-2016 fiscal year for the City of Tavares, Florida is hereby adopted by the Tavares City Council in the amount of $37,102,402 at public hearing this 16th day of September, 2015.

Fund Name	Fund Number	Estimated Revenues [1]	Reserve Appropriations [3]	Unappropriated Revenues [2]	Estimated Appropriations/ Expenditures
General Fund	001	$ 15,643,294	$ -	$ (49,599)	$ 15,593,695
Water/Wastewater Utility	401	8,680,658	-	(9,078)	8,671,580
Water/Wastewater Impacts	441	1,102,979	12,021	-	1,115,000
W/WW RR&I Fund	443	300,000	-	(2,800)	297,200
SRF Construction Fund	444	-	-	-	-
W/WW SRF Loan	445	1,802,063	-	-	1,802,063
Sunset View Fund	447	109,852	-	-	109,852
Solid Waste	402	2,770,058	-	(134,090)	2,635,968
Stormwater	403	1,064,973	-	(63,504)	1,001,469
Seaplane Base Fund	405	730,567	-	-	730,567
Pavilion Fund [5]	406	672,647	-	(7,091)	665,556
Police Education	102	1,650	-	-	1,650
Community Redevelopment	105	184,000	-	-	184,000
Police Impacts	110	30,000	-	(20,000)	10,000
Fire Impacts	111	56,000	-	(46,000)	10,000
Forfeiture Fund	112	-	-	-	-
Park Impacts	114	48,000	-	(28,000)	20,000
Freedom Flag Fund	117	-	7,208	-	7,208
Fire Assessment Fund	122	1,619,134	-		1,619,134
Infrastructure Sales Tax	150	1,351,573	-		1,351,573
Grant Fund	151	290,000	-		290,000
Debt Service Fund	201	272,100	-	(8)	272,092
Capital Project Fund	301	-	123,161		123,161
Municipal Police Pension [4]	601	938,000	-	(732,745)	205,255
Firefighter's Pension [4]	602	1,507,800	-	(1,122,537)	385,263
General Employee Pension	603	-		-	-
Mildred Hunter Trust	605	166	-	(150)	16
Woodlea Park Playground Trust	606	133	-	(33)	100
		$ 39,175,647	$ 142,390	$ (2,215,635)	$ 37,102,402

[1] Estimated Revenues = anticipated revenue collections *Test $ 37,102,402*

[2] Negative Reserve Appropriations assumes unappropriated revenues

[3] Positive Reserve Appropriations assumes appropriating (spending) an amount of reserves.

[4] Needs Pension Board approval.

[5] Special Revenue Fund.

This resolution will take effect immediately upon its adoption.

PASSED AND RESOLVED this 16th day of September, 2015, by the City Council of the City of Tavares, Florida. Time Adopted: _____P.M.

_____
Kirby Smith, Mayor
Tavares City Council

ATTEST:

_____
Nancy A. Barnett
City Clerk

_____
Approved as to form:
Robert Q. Williams
City Attorney

AGENDA SUMMARY
TAVARES CITY COUNCIL
SEPTEMBER 3, 2015

AGENDA TAB NO. 7 **FIRST READING**

SUBJECT TITLE: **Ordinance 2015-14**
Annexation & Rezoning –Little Joe's Hideaway-Lane Park Road

OBJECTIVE:

To consider the annexation and rezoning to C-2, Highway Commercial of approximately 2.14 acres of property located generally at the intersection of Lane Park Road and Camp Road.

SUMMARY:

The subject property consists of 3 parcels of property owned by Hideaway Ventures located at the intersection of Lane Park Road and Camp Road. Collectively, the parcels are approximately 2.14 acres in size. Little Joe's Hideaway (bar and grill) is located on the south side of Lane Park Road (two parcels). A parcel across the road on the north side, utilized for parking, is also owned by Hideaway Ventures and is part of this application. The property is within the city's Interlocal Service Boundary Area as established by the newly adopted Interlocal Service Boundary Agreement with Lake County. Under this agreement, the city may annex non-contiguous properties located within the Interlocal Service Boundary Area under the terms and conditions of the agreement. As a condition of annexation, the subject property's owner/developer must enter into a concurrent water and sewer utility agreement to extend utility infrastructure to the subject property and also further provided that the City of Tavares shall not approve any development or issue a final development order in such annexed area unless central water and wastewater shall serve the development. Little Joe's private septic system is failing and they need city wastewater and water utilities to continue to operate and for future expansion.

Hideaway Ventures, the owner of this property, has petitioned for annexation of these lands into the city and is seeking a zoning designation of C-2, Highway Commercial. The existing bar and grill has been in operation for many years and a Highway Commercial zoning designation is the only appropriate zoning that would allow this established use. Since the property is not contiguous to our present city boundary, an agreement to extend and connect to city water and wastewater utilities has also been signed by the applicant. The owner is proposing to continue using and to renovate the existing building as a bar and grill with the possibility of a future expansion. A Small Scale Future Land Use Map amendment to Commercial is concurrently being processed.

The owner has for several years desired to upgrade this business, but the lack of utilities and the inability to annex into the city has been an issue. Our newly adopted ISBA essentially solves these problems, allowing the city to naturally expand its boundaries and utilities in a predictable, planned fashion. Exhibit C to the ordinance is a draft Utility Agreement that will be finalized by the second reading of the Ordinance.

OPTIONS:

No Council action is required at First Reading.

PLANNING & ZONING BOARD RECOMMENDATION:

At its August 20th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2015-14.

STAFF RECOMMENDATION:

At Second Reading, staff will recommend that City Council approves Ordinance 2015-14 and Utility Agreement with Hideaway Ventures.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ORDINANCE 2015-14

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING UNDER THE TERMS AND CONDITIONS OF THE INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN THE CITY OF TAVARES AND LAKE COUNTY APPROXIMATELY 2.14 ACRES NON-CONTIGUOUS PROPERTIES, CONSISTING OF THREE PARCELS OF LAND GENERALLY LOCATED APROXIMATELY 400 FEET WEST OF THE INTERSECTION OF LANE PARK ROAD AND CAMP ROAD, FROM COUNTY AGRICULTURAL TO CITY C-2 (HIGHWAY COMMERCIAL); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owners of the properties described in **Exhibit "A"** have voluntarily petitioned to annex into the City of Tavares, and

WHEREAS, these properties are located within the Interlocal Service Boundary Area attached as **Exhibit "B"** to this ordinance; and

WHEREAS, the City of Tavares may annex non-contiguous properties located within the Interlocal Service Boundary Area under the terms and conditions of the Interlocal Service Boundary Agreement executed between the City of Tavares and Lake County, and

WHEREAS, as a condition of annexation under the Interlocal Service Boundary Agreement, the subject property's owner/developer must enter into a concurrent water and sewer utility agreement at the time of annexation to extend utility infrastructure to the subject property and also further provided that the City of Tavares shall not approve any development or issue a final development order in such annexed area unless central water and wastewater shall serve the development, and

WHEREAS, the owner has signed a utility agreement attached as **Exhibit "C"** to this ordinance which upon acceptance by the City of Tavares will obligate the owner to connect to the City's public water and sewer utility system or to construct the utility infrastructure for water and waste water pursuant to the City's plans and specifications, and

WHEREAS, the owner has requested that the subject property be given a city zoning designation of C-2 (Highway Commercial) upon annexation; and

WHEREAS, the City is concurrently processing an amendment to the City's Comprehensive Plan to re-designate the property from Lake County Rural Transition to City Commercial on the Future Land Use Map 2020; and

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

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

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

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

Section 1. Annexation

The properties legally defined as and depicted in **Exhibit "A"** attached hereto, situated in Lake County, Florida, is hereby incorporated into and made a part of the City of Tavares, Florida, pursuant to the voluntary annexation provisions of Chapter 171, Part II, Florida Statutes.

Section 2. Utility Agreement

That the Utility Agreement attached as **Exhibit "C"** to this ordinance is hereby approved by the City Council of the City of Tavares; and

Section 3. Rezoning

The said properties, as legally defined in **Exhibit "A",** is hereby rezoned from Lake County Agricultural to City C-2 (Highway Commercial), under the specific provisions as established by the City of Tavares Land Development Regulations.

Section 4. Severability.

Upon a determination by a court of competent jurisdiction that a portion of this ordinance is void, unconstitutional, or unenforceable, all remaining portions shall remain in full force and effect.

Section 5. Effective Date.

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

PASSED AND ORDAINED this day of , 2015 by the City Council of the City of Tavares, Florida.

_____

Kirby Smith, Mayor
Tavares City Council

First Reading:

Passed Second Reading:

ATTEST:

_____

Nancy Barnett, City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____

Robert Q. Williams, City Attorney

EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION

LEGAI DESCRIPTION:

THAT PART OF GOVERNMENT LOT 8 IN SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF BLOCK 45, IN LANE PARK, A SUBDIVISION IN LAKE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 39, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, THENCE RUN SOUTH 45° WEST TO THE WATERS OF LAKE HARRIS, SAID LINE BEING HEREBY DESIGNATED AS LINE "A"; THENCE RUN WESTERLY ALONG AND WITH THE WATERS OF LAKE HARRIS TO A POINT 50 FEET WESTERLY OF THE SAID LINE "A" WHEN MEASURED AT A RIGHT ANGLE THERETO; THENCE RUN NORTH 45° EAST AND PARALLEL WITH THE SAID LINE "A" TO A POINT ON THE SOUTH LINE OF BLOCK 45 IN THE SAID LANE PARK; THENCE RUN EAST ALONG THER SOUTH LINE OF THE SAID BLOCK 45 TO THE POINT OF BEGINNING, LESS THE RIGHT OF WAY FOR A COUNTY ROAD.

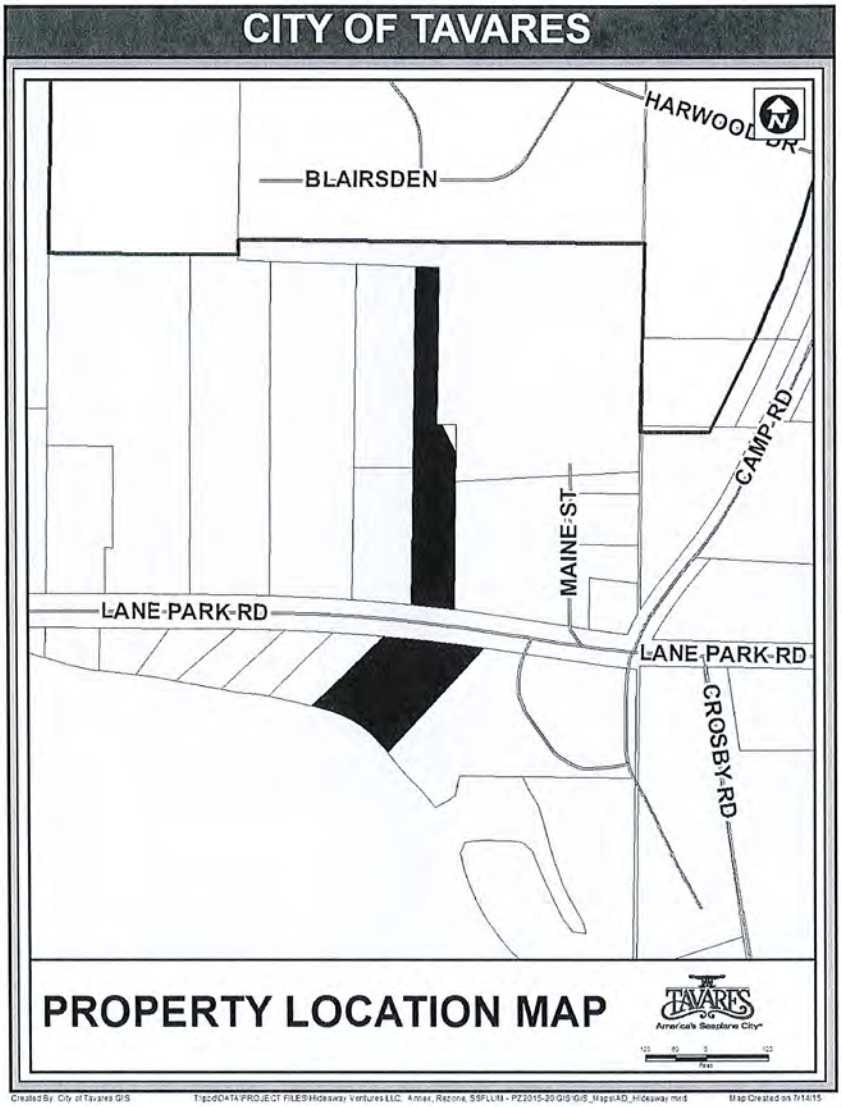
DESCRIPTION (O.R.BOOK 3302 PAGE 1005)
A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA AND BEING A PORTION OF LANE PARK, AS RECORDED IN PLAT BOOK 1, PAGE 39 FILED JULY 7, 1884, IN THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM A 6" ROUND CONCRETE MONUMENT AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 1 RUN THENCE S.00°55'55"W., 1683.00 FEET ALONG A BEARING RELATED TO THE FLORIDA GRID SYSTEM, EAST ZONE AND 83/90; THENCE N.89°17'05"W., 363.00 FEET TO THE NORTHEAST CORNER OF BLOCK 37, LANE PARK, THENCE CONTINUE N.89°17'05"W., 37.00 FEET TO THE POINT OF BEGINNING. THENCE N.00°55'55"E. 13.00 FEET TO THE NORTHEAST CORNER OF THE PROPERTY DESCRIBED IN O.R. BOOK 315, PAGE 148, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE N.87°58'11"W. 46.28 FEET; THENCE S.00°59'24"W., 653.69 FEET; THENCE N.88°45'21"W., 92.04 FEET. THENCE S.45°47'42"W., 257 FEET, MORE OR LESS, TO THE WATERS OF LAKE HARRIS; SAID POINT HEREBY DESIGNATED AS POINT "E"; RETURN TO THE POINT OF BEGINNING AND RUN S.00°55'55"W., 292 FEET TO THE SOUTHWEST CORNER OF PROPERTY DESCRIBED IN O.R. BOOK 314, PAGE 578, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN S.89°17'05"E., 37.00 FEET TO THE SOUTHEAST CORNER OF AFORESAID PROPERTY AND THE WEST RIGHT OF WAY LINE OF LOUISIANA STREET, LANE PARK; THENCE RUN S.00°55'55"W., 348.00 FEET TO THE SOUTHEAST CORNER OF BLOCK 45, LANE PARK; THENCE N.89°17'05"W., 70.98 FEET TO THE NORTHWEST CORNER OF PROPERTY DESCRIBED IN O.R. BOOK 462, PAGE 881, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG THE NORTHWESTERLY LINE OF AFORESAID PROPERTY RUN S.45°55'55"W., 282.00 FEET, MORE OR LESS TO THE WATERS OF LAKE HARRIS; THENCE ALONG SAID WATERS RUN NORTHWESTERLY TO AFOREDESCRIBED POINT "E" TO CLOSE DESCRIPTION LESS AND EXCEPT THAT PORTION OF LAND LYING NORTHEASTERLY OF AN EXISTING MONUMENTED AND OCCUPIED BOUNDARY LINE OF ASA E & FRANCES J. STONE AS SURVEYED BY FARNER & ASSOCIATES.

LESS RIGHT OF WAY FOR LANE PARK ROAD.

NOTES
1. BEARINGS BASED ON THE DESCRIPTION BEARINGS OF S.00°55'55"W ALONG THE EAST LINE OF SUBJECT PROPERTY
2. ABOVEGROUND ENCROACHMENTS, IF ANY, AS SHOWN.
3. UNDERGROUND ENCROACHMENTS OR IMPROVEMENTS, IF ANY, NOT LOCATED.
4. THIS SURVEY IS SUBJECT TO ANY FACTS THAT MIGHT BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
5. PROPERTY SHOWN HEREON LIES IN FLOOD ZONES "X" AND "AE".
6. ADDITIONS OR DELETIONS TO THE SURVEY SHOWN HEREON BY OTHERS THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF SAID SIGNING PARTY.
7. THE RIGHT OF WAY OF LANE PARK ROAD IS SHOWN USING 25 FEET FROM THE EXISTING CENTERLINE. TAX MAP SHOWS 50 FOOT RIGHT OF WAY

Legal Description: (O.R. 2930, PAGE 1677) AS PROVIDED

FROM THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, RUN NORTH 202.7 FEET, THENCE RUN WEST 345 FEET TO A POINT ON THE WEST BOUNDARY OF LOUISIANA STREET, ACCORDING TO THE PLAT OF LANE PARK, FILED ON JULY 7, 1884, IN PLAT BOOK 1, PAGE 39, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, AND THE POINT OF BEGINNING OF THIS DESCRIBED TRACT, RUN THENCE NORTH ALONG SAID WEST BOUNDARY OF LOUISIANA STREET TO THE SOUTHEAST CORNER OF BLOCK 45, ACCORDING TO SAID PLAT LANE PARK, THENCE RUN SOUTH 45' WEST TO THE LOW WATER MARK OF LAKE HARRIS AND A POINT HEREBY DESIGNATED AS POINT "A", THENCE RETURN TO THE POINT OF BEGINNING AND RUN SOUTH 43'16' WEST TO SAID LOW WATER MARK OF LAKE HARRIS, THENCE NORTHWESTERLY ALONG SAID LOW WATER MARK TO INTERSECT THE ABOVE DESIGNATED POINT "A".



Created By: City of Tavares GIS T:\gcdDATA\PROJECT FILES\Hideaway Ventures LLC, Annex, Rezone, SSFLUM - PZ2015-20\GIS\GIS_Maps\AD_Hideaway.mxd Map Created on 7/14/15

EXHIBIT B

INTERLOCAL SERVICE AREA BOUNDARY

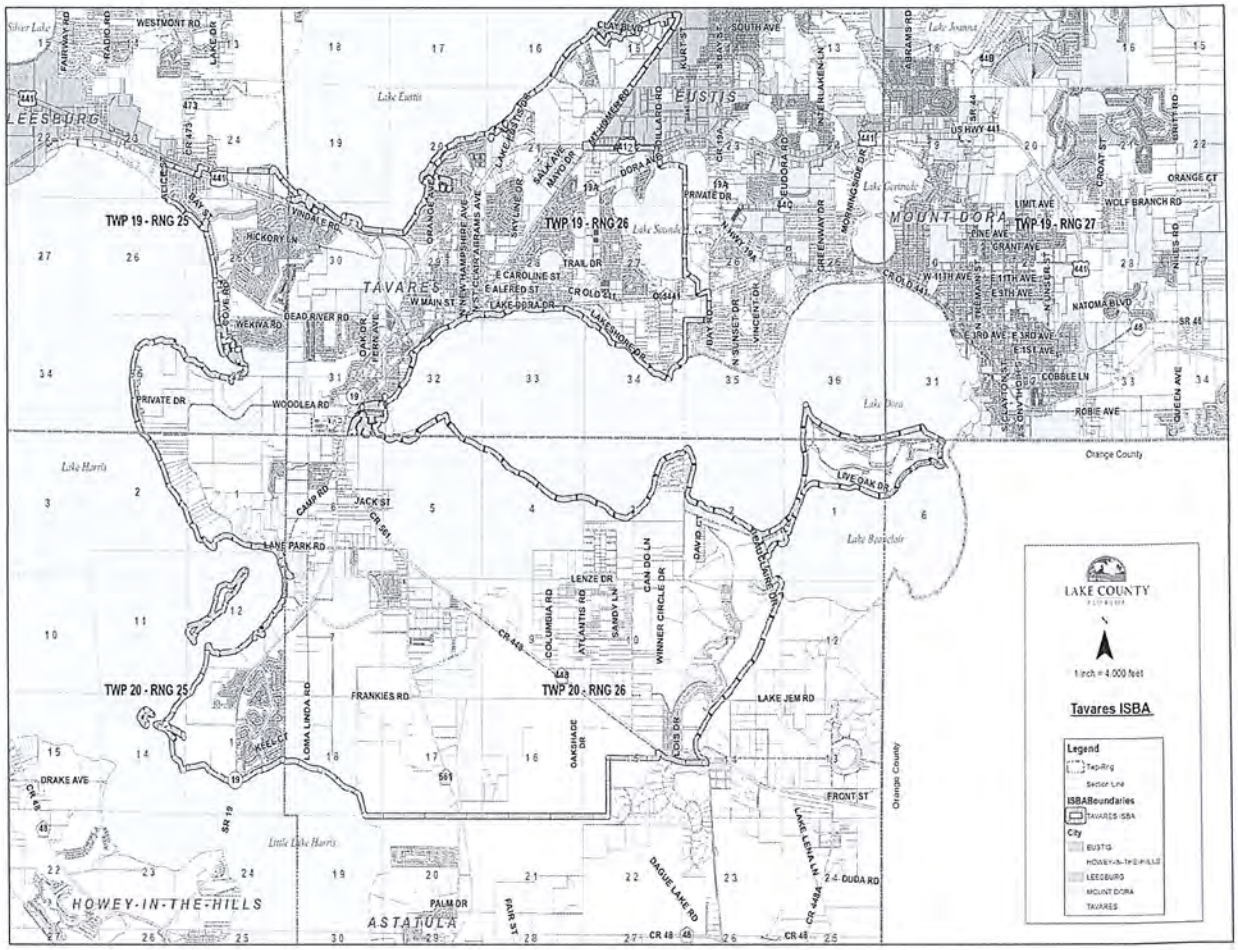


EXHIBIT C
UTILITY AGREEMENT

America's Seaplane City™

UTILITY AGREEMENT

THIS UTILITY AGREEMENT (the "Agreement") is made and entered into as of the ____ day of _____, _____ by and between THE CITY OF TAVARES, FLORIDA, a Florida municipal corporation (hereinafter referred to as the "City"), and _____, a Florida limited liability company, (hereinafter referred to as "Developer").

RECITALS

1. The City owns and operates a central water and wastewater utility within the Interlocal Service Area Boundary Area identified as Exhibit "A" in the Interlocal Service Boundary Agreement between the City of Tavares and Lake County.

2. The Developer owns property, legally described in "Exhibit A" of this Utility Agreement. This property is within the Tavares Interlocal Service Area Boundary. The Developer desires to annex this property into the City of Tavares.

3. A requirement for annexation of non-contiguous properties under the Interlocal Service Boundary Agreement is that properties are either presently served by or capable of being served by public central water and sewer utility service, or the subject owner/developer has entered into a concurrent Water and Sewer Utility Agreement at the time of annexation to extend utility infrastructure to the subject property. The Agreement provides that the City of Tavares may not approve development or issue a final development order in such annexed area unless central water and waste water serves the development.

4. The Developer has agreed to (___) immediately connect to the an existing public water and sewer utility service, or (___) construct the utility infrastructure for water and waste water pursuant to the City's plans and specifications, and it has agreed to pay the entire cost to design, permit, construct, and inspect that construction.

NOW, THEREFORE, in consideration of the mutual covenants, premises and promises hereinafter set forth, the receipt, adequacy and sufficiency of which are hereby acknowledged, the City and the Developer hereby agree as follows:

1. Recitals. The foregoing recitals are true and correct in all respects and are expressly incorporated herein by this reference.

2. Connection or Construction of Capital Lines and Facilities. The City acknowledges that the Developer, at its expense, has agreed either to:

(a). Connect to the City's public water and sewer utility system or some other public central water and sewer service approved by the City within ____ days, or

(b). Design, permit, and construct the following capital infrastructure improvements to wit:

Description of Work: _____

The City hereby acknowledges that it has granted to the Developer the right and license to construct said water and sewer lines, and expressly consents to such construction.

3. Conveyance of Improvements. At the City's option, all of the utility facilities constructed pursuant to this agreement shall be the property of the City. In such instance, the Developer agrees to convey to the City, by bill of sale, all of Developer's right, title and interest in Infrastructure extensions and improvements upon execution of this Agreement. In the event the utility connection improvements are not conveyed to the City, the Developer shall be responsible for all maintenance of said lines and facilities.

4. Documentation from Developer. The Developer shall submit to the City sealed engineered copies of all design drawings, contractor's affidavits, certificates from the project engineer, and a set of as-built drawings for all of the improvements contemplated hereby. The Developer shall also assign to the City all warranties and guarantees that it has on the improvements.

5. Entire Agreement. This Agreement constitutes the entire agreement between the parties with respect to the transactions contemplated herein, and it supersedes all prior understandings or agreements between the parties relating to this Agreement.

6. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

7. Waiver; Modification. The failure by any party to insist upon or enforce any of their rights shall not constitute a waiver thereof and nothing shall constitute a waiver of any party's right to insist upon strict compliance with the terms of this Agreement. Any party may waive the benefit of any provision or condition for its benefit which is contained herein. No oral modification of this Agreement shall be binding upon the parties and any modification must be in writing and signed.

8. Governing Law. This Agreement shall be governed by and construed under the laws of the State of Florida.

9. Application; Affect. If any provision of this Agreement or the application thereof to any party, person or circumstance shall be held or deemed to be invalid or unenforceable to any extent, the remainder of this Agreement and the application of such provisions to other parties, persons, or circumstances shall be affected thereby and shall be enforced to the greatest extent permitted by law.

10. Notices. Any notices which may be permitted or required hereunder shall be in writing and shall be deemed to have been duly given as of the date and time the same are personally delivered, transmitted electronically (i.e. telecopier device) or within three (3) days after depositing with the United States Postal Services, postage prepaid by registered or certified mail, return receipt requested, or within one (1) day after depositing with Federal Express or other overnight delivery service from which a receipt may be obtained, and addressed as follows:

City:	John Drury, City Administrator City of Tavares 201 East Main Street Tavares, Florida 32778 Telephone: (352) 742-6209
Copy to:	Robert Q. Williams, Esquire Williams, Smith & Summers, P.A. 380 West Alfred Street Tavares, Florida 32778-3298 Telephone: (352) 343-6655 Fax: (352) 343-4267
Developer:	_____

11. Attorney's Fees. In the event of any dispute hereunder for of any action to interpret or enforce this Agreement, any provision hereof or any matter arising here from, the prevailing party shall be entitled to recover its reasonable cost, fees, expenses, including but not limited to witness fees, expert fees, consultant fees, attorney, paralegal and legal assistant fees, costs and expenses and other professional fees, costs, and expenses whether suit be brought or not, and whether in settlement, in any declaratory action, at trial or on appeal.

12. Performance. Time is of the essence in the performance of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in form and manner sufficient to bind them as of the date indicated hereinabove.

CITY OF TAVARES

ATTEST:

_____
Nancy Barnett, City Clerk

_____
Kirby Smith, Mayor

Approved as to form and legality by:

This _____ day of _____, 2015.

_____
Robert Q. Williams, Esquire
City Attorney

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in form and manner sufficient to bind them as of the date indicated hereinabove.

Signed, sealed and delivered in the presence of the following witnesses:

DEVELOPER:

_____
Signature of Witness

_____
Printed Name of Witness

By:_____

_____
Signature of Witness

_____
Printed Name of Witness

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2015, by _____, as Manager of _____, a Florida limited liability company, on behalf of the company. He ☐ is personally known to me or ☐ has produced _____ as identification.

(NOTARY SEAL)

_____
Notary Public Signature

_____
(Name typed, printed or stamped)

EXHIBIT "A" OF UTILITY AGREEMENT

LEGAL DESCRIPTION

LEGAI DESCRIPTION:

THAT PART OF GOVERNMENT LOT 8 IN SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF BLOCK 45, IN LANE PARK, A SUBDIVISION IN LAKE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 39, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, THENCE RUN SOUTH 45° WEST TO THE WATERS OF LAKE HARRIS, SAID LINE BEING HEREBY DESIGNATED AS LINE "A"; THENCE RUN WESTERLY ALONG AND WITH THE WATERS OF LAKE HARRIS TO A POINT 50 FEET WESTERLY OF THE SAID LINE "A" WHEN MEASURED AT A RIGHT ANGLE THERETO; THENCE RUN NORTH 45° EAST AND PARALLEL WITH THE SAID LINE "A" TO A POINT ON THE SOUTH LINE OF BLOCK 45 IN THE SAID LANE PARK; THENCE RUN EAST ALONG THER SOUTH LINE OF THE SAID BLOCK 45 TO THE POINT OF BEGINNING, LESS THE RIGHT OF WAY FOR A COUNTY ROAD.

DESCRIPTION (O.R.BOOK 3302 PAGE 1005)
A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA AND BEING A PORTION OF LANE PARK, AS RECORDED IN PLAT BOOK 1, PAGE 39 FILED JULY 7, 1884, IN THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM A 6" ROUND CONCRETE MONUMENT AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 1 RUN THENCE S.00°55'55"W., 1683.00 FEET ALONG A BEARING RELATED TO THE FLORIDA GRID SYSTEM, EAST ZONE AND 83/90; THENCE N.89°17'05"W., 383.00 FEET TO THE NORTHEAST CORNER OF BLOCK 37, LANE PARK, THENCE CONTINUE N.89°17'05"W., 37.00 FEET TO THE POINT OF BEGINNING; THENCE N.00°55'55"E. 13.00 FEET TO THE NORTHEAST CORNER OF THE PROPERTY DESCRIBED IN O.R. BOOK 315, PAGE 148, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE N.87°58'11"W. 46.28 FEET; THENCE S.00°59'24"W., 653.69 FEET; THENCE N.88°45'21"W., 92.04 FEET, THENCE S.45°47'42"W., 257 FEET, MORE OR LESS, TO THE WATERS OF LAKE HARRIS; SAID POINT HEREBY DESIGNATED AS POINT "E"; RETURN TO THE POINT OF BEGINNING AND RUN S.00°55'55"W., 292 FEET TO THE SOUTHWEST CORNER OF PROPERTY DESCRIBED IN O.R. BOOK 314, PAGE 578, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN S.89°17'05"E., 37.00 FEET TO THE SOUTHEAST CORNER OF AFORESAID PROPERTY AND THE WEST RIGHT OF WAY LINE OF LOUISIANA STREET, LANE PARK; THENCE RUN S.00°55'55"W., 346.00 FEET TO THE SOUTHEAST CORNER OF BLOCK 45, LANE PARK; THENCE N.89°17'05"W., 70.98 FEET TO THE NORTHWEST CORNER OF PROPERTY DESCRIBED IN O.R. BOOK 462, PAGE 881, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG THE NORTHWESTERLY LINE OF AFORESAID PROPERTY RUN S.45°55'55"W., 282.00 FEET, MORE OR LESS TO THE WATERS OF LAKE HARRIS; THENCE ALONG SAID WATERS RUN NORTHWESTERLY TO AFOREDESCRIBED POINT "E" TO CLOSE DESCRIPTION LESS AND EXCEPT THAT PORTION OF LAND LYING NORTHEASTERLY OF AN EXISTING MONUMENTED AND OCCUPIED BOUNDARY LINE OF ASA E & FRANCES J. STONE AS SURVEYED BY FARNER & ASSOCIATES.

LESS RIGHT OF WAY FOR LANE PARK ROAD.

NOTES
1. BEARINGS BASED ON THE DESCRIPTION BEARINGS OF S.00°55'55"W ALONG THE EAST LINE OF SUBJECT PROPERTY
2. ABOVEGROUND ENCROACHMENTS, IF ANY, AS SHOWN.
3. UNDERGROUND ENCROACHMENTS OR IMPROVEMENTS, IF ANY, NOT LOCATED.
4. THIS SURVEY IS SUBJECT TO ANY FACTS THAT MIGHT BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
5. PROPERTY SHOWN HEREON LIES IN FLOOD ZONES "X" AND "AE".
6. ADDITIONS OR DELETIONS TO THE SURVEY SHOWN HEREON BY OTHERS THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF SAID SIGNING PARTY.
7. THE RIGHT OF WAY OF LANE PARK ROAD IS SHOWN USING 25 FEET FROM THE EXISTING CENTERLINE. TAX MAP SHOWS 50 FOOT RIGHT OF WAY

Legal Description: (O.R. 2930, PAGE 1677) AS PROVIDED

FROM THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, RUN NORTH 202.7 FEET, THENCE RUN WEST 345 FEET TO A POINT ON THE WEST BOUNDARY OF LOUISIANA STREET, ACCORDING TO THE PLAT OF LANE PARK, FILED ON JULY 7, 1884, IN PLAT BOOK 1, PAGE 39, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, AND THE POINT OF BEGINNING OF THIS DESCRIBED TRACT, RUN THENCE NORTH ALONG SAID WEST BOUNDARY OF LOUISIANA STREET TO THE SOUTHEAST CORNER OF BLOCK 45, ACCORDING TO SAID PLAT LANE PARK, THENCE RUN SOUTH 45' WEST TO THE LOW WATER MARK OF LAKE HARRIS AND A POINT HEREBY DESIGNATED AS POINT "A", THENCE RETURN TO THE POINT OF BEGINNING AND RUN SOUTH 43'16' WEST TO SAID LOW WATER MARK OF LAKE HARRIS, THENCE NORTHWESTERLY ALONG SAID LOW WATER MARK TO INTERSECT THE ABOVE DESIGNATED POINT "A".

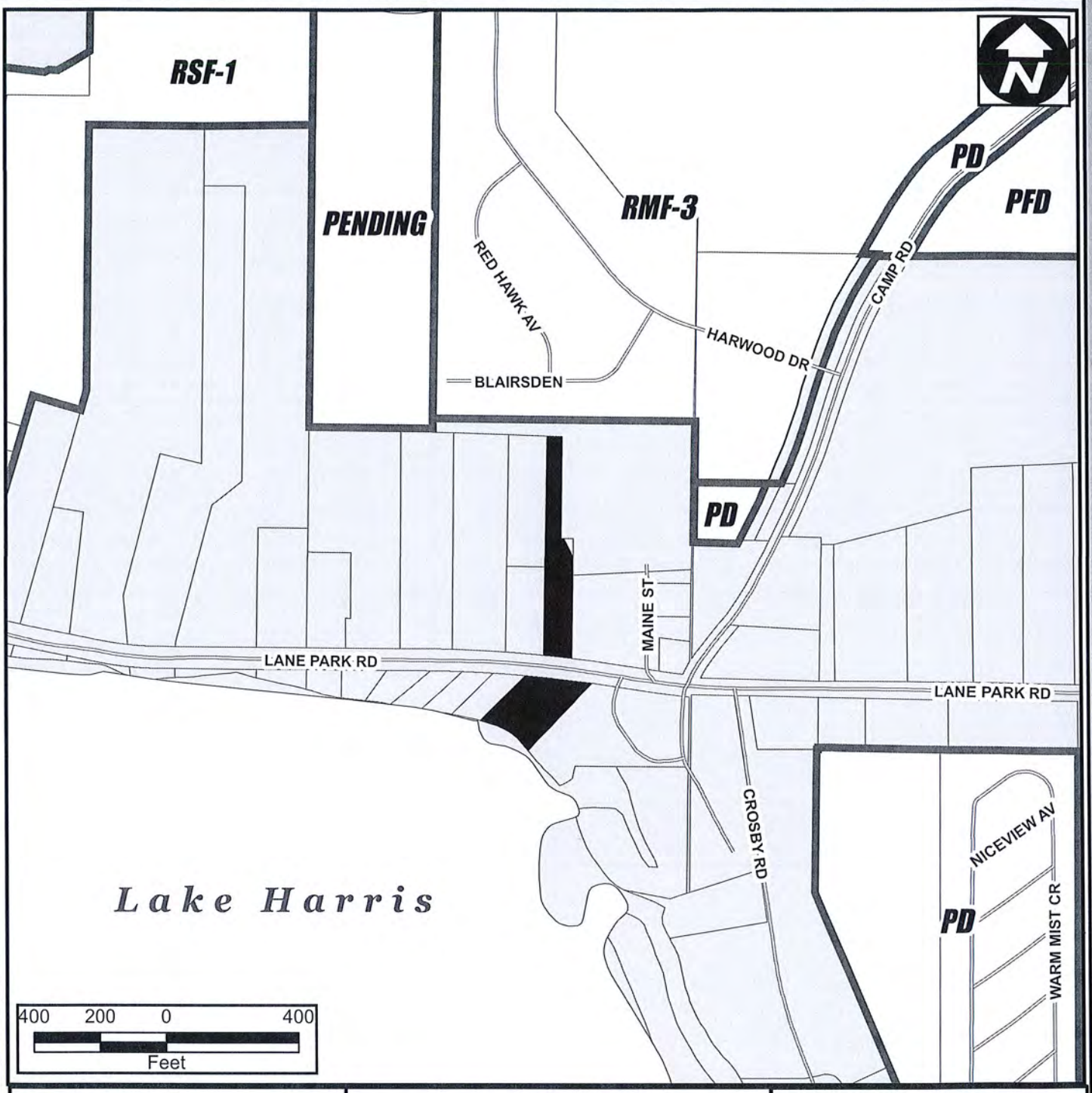
CITY OF TAVARES

PROPERTY LOCATION MAP

TAVARES
America's Seaplane City

80 40 0 80
Feet

CITY OF TAVARES ORDINANCE # 2015-14



RSF-A	Residential Single Family
RSF-1	Residential Single Family
RMF-2	Residential Multi-Family
RMF-3	Residential Multi-Family
RMH-S	Residential Manufactured Home Sub.
RMH-P	Residential Manufactured Home Park
PD	Planned Development District
MU	Mixed Use District
C-1	General Commercial
C-2	Highway Commercial
CD	Commercial Downtown District
I	Industrial District
PFD	Public Facilities District

ZONING MAP

ORDINANCE # 2015-14

Hideaway Ventures, LLC

Current Zoning: Lake County Agriculture District
Proposed Zoning: C-2
02.14 ± Acres

Legend

- CITY BOUNDARY
- ZONING
- SUBJECT PROPERTY
- UNINCORPORATED
- MAJOR ROADS
- STREETS
- PARCELS
- CONS/WETLANDS

AGENDA SUMMARY
TAVARES CITY COUNCIL
SEPTEMBER 3, 2015

AGENDA TAB NO. 8 **FIRST READING**
SUBJECT TITLE: **Ordinance 2015-15**
Small Scale FLUM Amendment – Lane Park Road-Hideaway Ventures

OBJECTIVE:

To consider a Future Land Use Map amendment from County Rural Transition to City Commercial for 2.14 acres of property located generally 400 feet west of the intersection of Lane Park Road and Camp Road.

SUMMARY:

The subject property consists of 3 parcels of property owned by Hideaway Ventures located at the intersection of Lane Park Road and Camp Road. Collectively, the parcels are approximately 2.14 acres in size. Little Joes's Hideaway (bar and grill) is located on the south side of Lane Park Road. A parcel across the road on the north side is also owned by Hideaway Ventures and is utilized for parking. The property is within the city's Interlocal Service Boundary Area as established by the newly adopted Interlocal Service Boundary Agreement with Lake County. Under this agreement, the city may annex non-contiguous properties located within the Interlocal Service Boundary Area under the terms and conditions of the agreement. As a condition of annexation, the subject property's owner/developer must enter into a concurrent water and sewer utility agreement to extend utility infrastructure to the subject property and also further provided that the City of Tavares shall not approve any development or issue a final development order in such annexed area unless central water and wastewater shall serve the development. Little Joe's private septic system is failing and they need city wastewater and water utilities to continue to operate and for future expansion.

Hideaway Ventures, the owner of this property, has petitioned for annexation of these lands into the city. The existing bar and grill has been in operation for many years and a Commercial Future Land Use designation is appropriate for this established use. Since the property is not contiguous to our present city boundary, an agreement to extend and connect to city water and wastewater utilities has also been signed by the applicant. The owner is proposing to continue using and to renovate the existing building as a bar and grill with the possibility of a future expansion.

The owner has for several years desired to upgrade this business, but the lack of utilities and the inability to annex into the city has been an issue. Our newly adopted ISBA essentially solves these problems, allowing the city to naturally expand its boundaries and utilities in a predictable, planned fashion.

Ordinance 2015-15 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan from County Rural Transition to City Commercial.

The subject property (Parcel Alternate Key Numbers 1263395, 1263409 and 3786448) is surrounded by a mixture of single family dwellings, mobile homes, cottages and vacant land. A long established lakefront bar and grill is located on the subject property. An application to annex and rezone this property to a commercial designation is concurrently under consideration.

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated County Rural Transition. With the extension of City wastewater and water utilities down Lane Park Road, more urbanized development is expected. A City Commercial designation is most compatible with the existing use that been established as a neighborhood business for many years. Future development along the Lane Park Corridor, whether ultimately residential, mixed use or commercial will continue to be served by this existing establishment.

Compatibility

Lands surrounding this property are compatible with the existing use and a Commercial Future Land Use designation.

Site Conditions

The property is currently being used as a neighborhood bar and grill. There have been no environmental concerns identified, other than the existing private septic system is failing. This will be remedied by the connection to city wastewater and water utility.

Impact on City Services

The subject property is located in the City's Utility Service Boundary Area. As a condition for annexation and prior to the issuance of any development permits, municipal water and sewer services must be extended to the subject parcel. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

FINDINGS

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A Commercial Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.6.

2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)

OPTIONS:

No Council action required at First Reading.

PLANNING & ZONING BOARD RECOMMENDATION:

At its August 20th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2015-15.

STAFF RECOMMENDATION:

At Second Reading, staff will recommend that City Council approves Ordinance 2015-15.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ORDINANCE 2015-15

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APRROXIMATELY 2.14 ACRES OF NON-CONTIGUOUS PROPERTIES, CONSISTING OF THREE PARCELS OF LAND GENERALLY LOCATED APROXIMATELY 400 FEET WEST OF THE INTERSECTION OF LANE PARK ROAD AND CAMP ROAD, FROM COUNTY RURAL TRANSITION TO CITY COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owners of the properties described in **Exhibit "A"** have voluntarily petitioned to annex into the City of Tavares, and

WHEREAS, these properties are located within the Interlocal Service Boundary Area attached as **Exhibit "B"** to this ordinance; and

WHEREAS, the City of Tavares may annex non-contiguous properties located within the Interlocal Service Boundary Area under the terms and conditions of the Interlocal Service Boundary Agreement executed between the City of Tavares and Lake County, and

WHEREAS, the owner of properties legally described in **Exhibit "A"** and as further detailed in the Location Map attached hereto, is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2020 to change the designation of said properties from Lake County Rural Transition to City of Tavares Commercial; and

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

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

WHEREAS, a Commercial Future Land Use designation is compatible with surrounding future land use designations and the existing land use; and

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

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

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

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

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

Section 1. Future Land Use Amendment

The Comprehensive Plan and Future Land Use Map 2020 of the City of Tavares, Florida, is hereby amended to reflect a designation of Commercial on certain real properties as legally described in **Exhibit "A"** and as shown on the Location Map attached hereto. All provisions of the Comprehensive Plan shall hereby apply to said property.

Section 2. Severability and Conflicts

The provisions of this ordinance are severable and it is the intention of the City Council of Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the decision of such court shall not impair any remaining provisions of this ordinance.

Section 3. Transmittal

The City Administrator is hereby authorized and directed to transmit the adopted Comprehensive Plan amendments to the Florida Department of Economic Opportunity, the East Central Florida Regional Planning Council, the St. Johns River Water Management District, the Department of Environmental Protection, the Florida Department of Transportation, and any other governmental agency in the state of Florida that has filed a written request with the City Council for a copy of the Comprehensive Plan within 10 working days of the adoption of this

Ordinance as specified in the State Land Planning Agency's procedural rules.

Section 4. Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED this _____day of _____, 2015 by the City Council of the City of Tavares, Florida.

_____
Kirby Smith, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

ATTEST:

_____
Nancy A. Barnett, City Clerk

Approved as to form:

_____
Robert Q. Williams, City Attorney

EXHIBIT A

LEGAL DESCRIPTION

LEGAI DESCRIPTION:

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LESS RIGHT OF WAY FOR LANE PARK ROAD.

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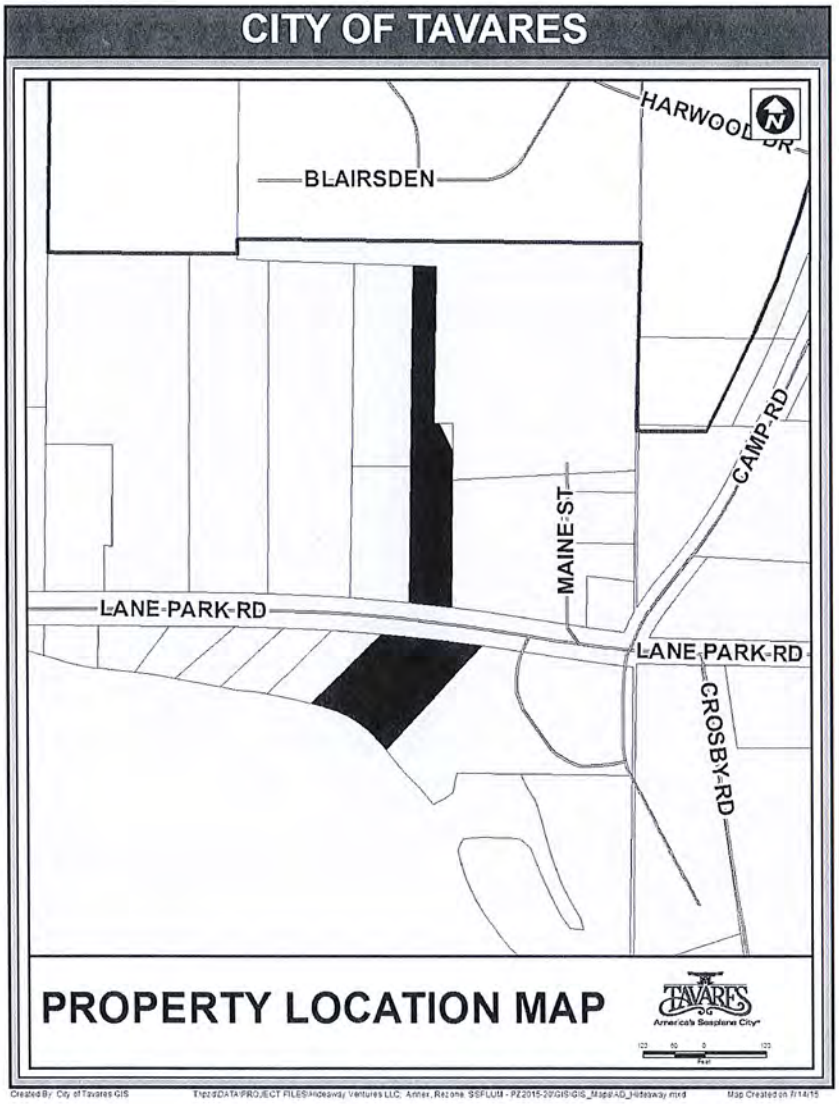
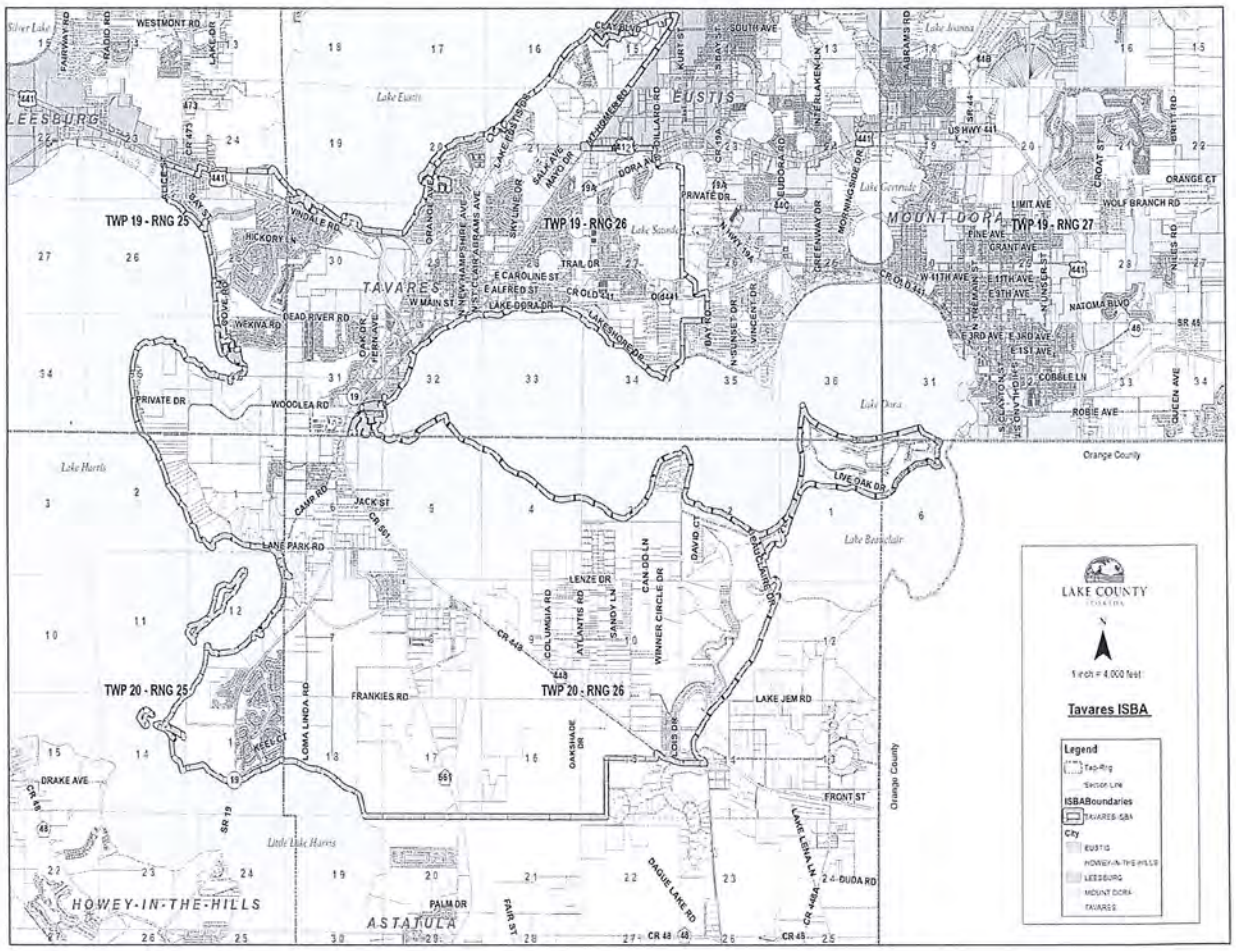


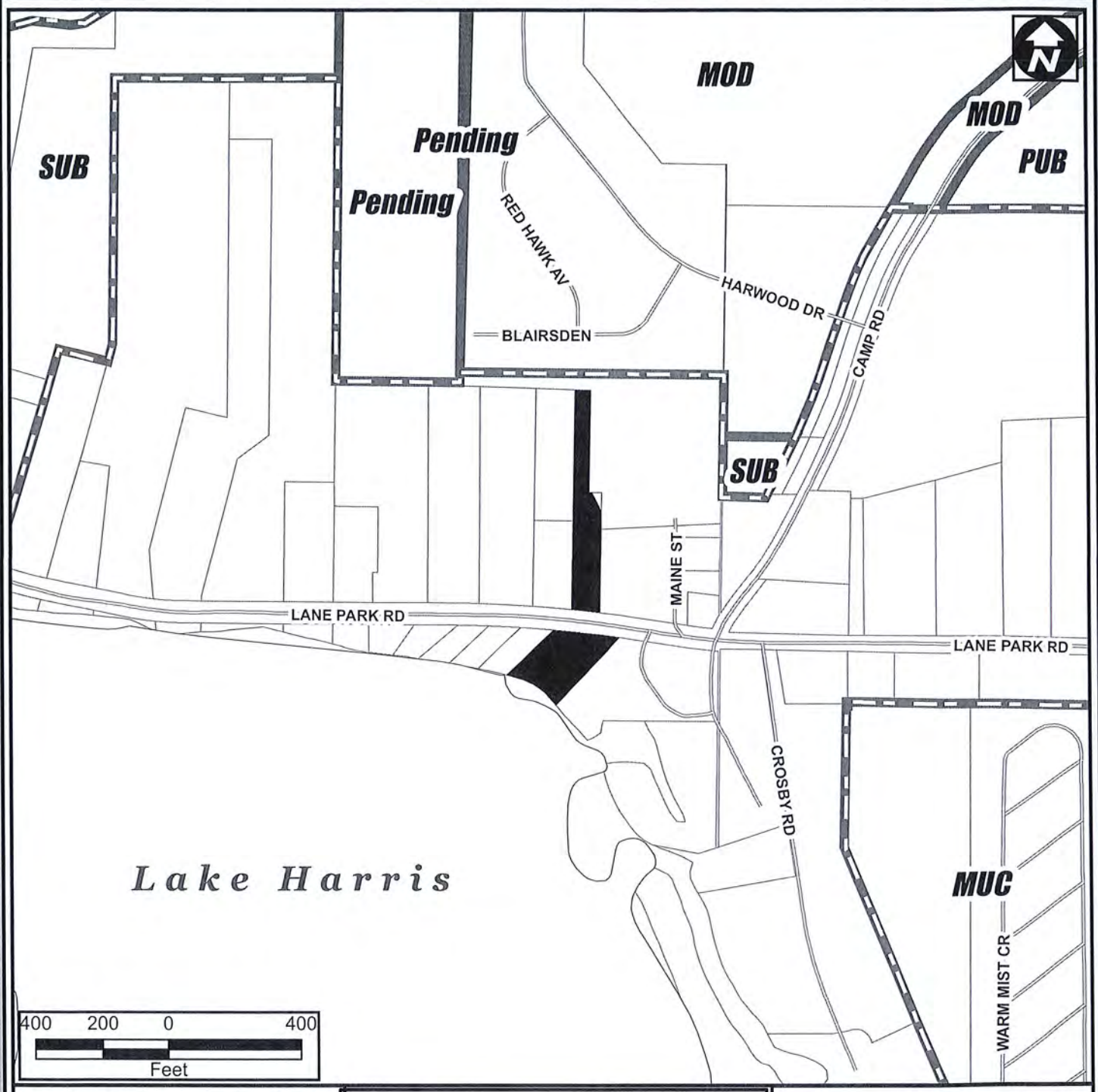
Created By: City of Tavares GIS T:\gis\DATA\PROJECT FILES\Hideaway Ventures LLC, Amer, Rezone SSFLUM - PZ2015-20\GIS\GIS_Map\AD_Hideaway.mxd Map Created on 7/14/15

EXHIBIT B

INTERLOCAL SERVICE BOUNDARY AREA



CITY OF TAVARES ORDINANCE # 2015-15



SUB	Suburban	3.0 DU/Acre
SUB EX	Suburban Expansion	4.0 DU/Acre
LOW	Low Density	5.6 DU/Acre
MOD	Moderate Density	10 DU/Acre
MED	Medium Density	12 DU/Acre
HD	High Density	12-25 DU/Acre
MH	Mobile Home	8.7 DU/Acre
MUN	Mixed Use Neighborhood	12 DU/Acre
MUC	Mixed Use Commercial	25 DU/Acre
COM	Comercial	
CD	Commercial Downtown	25 DU/Acre
IND	Industrial	
PUB	Public Facility/Institutional	
CONS	Westlands & Conservation	

TAVARES
America's Seaplane City

FUTURE LAND USE MAP

ORDINANCE # 2015-15

Hideaway Ventures, LLC

Current FLU: County Rural Transition
Proposed FLU: Commercial

02.14 ± Acres

Legend

- CITY BOUNDARY
- FLU
- SUBJECT PROPERTY
- UNINCORPORATED
- MAJOR ROADS
- STREETS
- CONS/WETLANDS
- PARCELS

Orlando Sentinel

Publication Date: 08/17/2015

Ad Number: 3484952-1
Insertion Number:
Size: 3 x 10.5
Color Type: B&W
Client Name: / PO# Mike Fitzgerald
Advertiser: City of Tavares
Section/Page/Zone: Lake Zone/E003/LAK
Description: ff/ORd 15-14&15-15

This E-Sheet(R) is provided as conclusive evidence that the ad appeared in The Orlando Sentinel on the date and page indicated. You may not create derivative works, or in any way exploit or repurpose any content.

THE ARTS IN LAKE

'Art bra' show to raise funds for mammograms

By Debbie Manis
Staff Writer

Artisans on Fifth, an artists' cooperative gallery shop at in downtown Mount Dora, is accepting entries for its annual "Bra-Vo" — an art-bra fundraiser to help support area women in need with low-cost and free mammograms.

Participants can create an art bra, which will be displayed at the Mount Dora Center for the Arts, 138 E. Fifth Ave. from Oct. 1 through 25.

This year's theme is "Hope for a Lifetime."

This year's bra display form is a half torso available in black or white. There is $25 entry fee. Deadline to submit entries is Sept. 25. Entries and bra display forms are available at Artisans on Fifth, 134 E. Fifth Ave.

"Bra-Vo" 2015 gala will be held from 5 to 9 p.m. Oct. 9 at the center for the arts during Mount Dora Second Friday Art Stroll. There also will be silent and live auctions for some of the "art-bra" entries.

The public can vote online or at the gallery for their favorite entry.

For more information, visit bra-vo.org.

'Mary Poppins'

The Ocala Civic Theatre's Signature season will open with the musical "Mary Poppins" Sept. 3 at the theater, 4337 E. Silver Springs Blvd. in the Appleton Cultural Center.

The hit Broadway version of the classic 1964 Disney movie is based on children's books of P.L. Travers written in the 1930s.

An extra-special nanny and her chimney-sweep chum turn a regimented household upside down in this family musical.

Classic songs include "A Spoonful of Sugar," "Supercalifragilisticexpialidocious" and "Chim Chim Cher-ee."

There will be 26 performances through Oct. 4. Tickets are $25 for adults and $12 for full-time students (student identification required for college students).

Reservations: 352-236-2274 or visit ocalacivictheatre.com.

GeorgeFest button design

The Lake Eustis Area Chamber of Commerce is accepting entries for its 2016 GeorgeFest button design.

Local students and artists are eligible to participate.

Entrants must submit a design for a logo, which will be used for promotional material.

The design must depict the theme "Proud to Be An American" and can be a square, circle or oval shape.

The specifications for the design include 8½-by-11-inch full-color original work, scalable to a 2¼-inch diameter button.

The deadline is 5 p.m. Aug. 31.

Submissions made by anyone younger than 18 must be made with written parental permission.

The public can view and vote for their favorite design at the Lake Eustis Museum of Art, 1 W. Orange Ave., during September.

The winner will be announced Oct. 8 at the chamber's monthly breakfast.

For more information, call the chamber at 352-357-3434 or email communications@eustischamber.org.

Photos for calendar

The Lake County Adopt-a-Lake program is seeking photos of a named Lake County body of water for its 2016 Adopt-a-Lake calendar.

A panel of volunteers will rate the shots and pick the semifinalists; and then the public can vote online for their favorite photo. The top 14 photos will be chosen for the calendar and the top-scoring submission will be featured on the cover.

All photos must include the identification of the body of water, name of the photographer and be shot in landscape (horizontal) format.

Submissions can be emailed to ccatasus@lakecountyfl.gov; delivered on a compact disc to the Water Resource Management Laboratory, 12923 County Landfill Road, Tavares; or mailed on a compact disc to the Adopt-a-Lake Program, Attn: Cathie Catasus, P.O. Box 7800, Tavares, FL 32778.

There is no fee for entering. Entries are limited to five per person.

Deadline is Oct. 2.

For more information, call 352-253-1659.

Adopt-a-Lake calendars will be available for a $5 donation from the county Water Resource Management Laboratory in November. Proceeds benefit the program.

Choose your love story

Sisters of Sound, an all-female a cappella barbershop choral group chapter of Harmony, Inc., will perform a show at 5 p.m. Aug. 29 in the cafeteria at East Ridge Middle School, 13201 Excalibur Road, Clermont.

"Choose Your Own Love Story" show will consist of songs depicting a love story with a twist. The audience will vote to determine the adventures or misadventures in love, lust and happy endings.

Tickets are $12 for adults and $5 for children.

For tickets or more information, email lujoladybug@gmail.com or call 407-230-3758.

Orlando Sentinel, 1898 E. Burleigh Blvd., Tavares, FL 32778, 352-742-5932 or dmanis@tribune.com.

RETIREMENT

Social Security: Delay taking benefits, get more money

By Kimberly Lankford
Kiplinger Consumer News Service

Question: How are Social Security benefits calculated, and how do I find out how much I will get when I retire?

Answer: Your Social Security benefits are based on the number of years you've worked in jobs covered by Social Security, the amount you earned each year and your age when you start taking benefits.

The size of your benefit is based on your 35 highest-paid years when you start to receive benefits. That means if you've already worked for 35 years or more, taking a part-time job for the last few years before you sign up for Social Security won't reduce your benefits.

You can start taking benefits anytime from age 62 to age 70. The older you are when you start, the higher your monthly payouts will be. The "full retirement age" is 66 for people born from 1943 to 1954, then it gradually increases by a few months each year until it reaches 67 for people born in 1960 or later.

The maximum benefit for someone retiring at full retirement age in 2015 is $2,663 per month. If your full retirement age is 66, your payouts will be reduced by 25 percent if you start taking benefits at age 62 instead (your payouts may also be clipped by the "earnings test" if you are working and receiving benefits before your full retirement age).

On the other hand, delaying benefits past your full retirement age will boost your annual benefits by 8 percent for every year you wait until age 70.

You generally need to work for 10 years to qualify for benefits (unless you're receiving benefits through a spouse — see How Spouses Can Maximize Social Security Benefits for more information). The maximum earnings that count toward your benefit are $118,500 in 2015. Payouts are adjusted each year for inflation — the increase was 1.7 percent in 2015.

You can use the Social Security Quick Calculator to estimate your benefits by providing basic information about your earnings and retirement date.

For a more precise figure, use the Social Security Retirement Estimator, which estimates your benefits based on your actual Social Security earnings record (although your payouts may be different if your earnings increase or decrease in the future).

For more information, see our Social Security Special Report and the Social Security Administration publication Understanding the Benefits.

THE CITY OF TAVARES
NOTICE OF PUBLIC HEARING

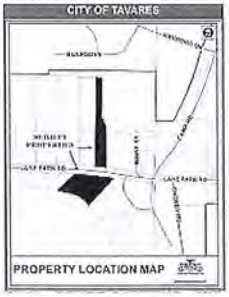
Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2015-14 & Ordinance 2015-15 titled as follows:

ORDINANCE 2015-14

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING UNDER THE TERMS AND CONDITIONS OF THE INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN THE CITY OF TAVARES AND LAKE COUNTY APPROXIMATELY 2.14 ACRES NON-CONTIGUOUS PROPERTIES, CONSISTING OF THREE PARCELS OF LAND GENERALLY LOCATED APROXIMATELY 400 FEET WEST OF THE INTERSECTION OF LANE PARK ROAD AND CAMP ROAD, FROM COUNTY AGRICULTURAL TO CITY C-2 (HIGHWAY COMMERCIAL); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2015-15

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APRROXIMATELY 2.14 ACRES OF NON-CONTIGUOUS PROPERTIES, CONSISTING OF THREE PARCELS OF LAND GENERALLY LOCATED APROXIMATELY 400 FEET WEST OF THE INTERSECTION OF LANE PARK ROAD AND CAMP ROAD, FROM COUNTY RURAL TRANSITION TO CITY COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.



Proposed Ordinance 2015-14 & Ordinance 2015-15 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on August 20, 2015, at 3 p.m.; and
2. Tavares City Council meeting on September 3, 2015, at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on September 16, 2015, at 4 p.m. (Second Reading)

All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2015-14 & Ordinance 2015-15 may be inspected by the public between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and, at the Planning & Zoning Board meeting and City Council Second Reading, be heard with respect to the proposed ordinances. It is City Council policy to limit public discussion of proposed ordinances to the Planning & Zoning Board meeting and City Council Second Reading. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department: City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on this proposed ordinance to Jacques Skutt, Community Development Director, at 742-6404.

NOTICE OF PUBLIC HEARINGS

The Town of Howey-in-the-Hills proposes to adopt the following ordinance:

ORDINANCE NO. 2015-004

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA AMENDING THE LAND DEVELOPMENT CODE BY AMENDING SUBSECTION 2.02.08 IN CHAPTER 2 TO ADD TO THE PERMITTED USES IN THE INSTITUTIONAL 1 (INS-1) ZONING DISTRICT TO INCLUDE SINGLE-FAMILY RESIDENCES; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

The Town Council for the Town of Howey-in-the-Hills will hold the first public hearing for Ordinance 2015-004 on August 24, 2015, at 6:00 P.M. (or as soon thereafter as the matter may be considered). The Planning Board for the Town of Howey-in-the-Hills will hold a public hearing for Ordinance 2015-004 on August 27, 2015, at 6:00 P.M. (or as soon thereafter as the matter may be considered). The Town Council for the Town of Howey-in-the-Hills will hold final public hearing for Ordinance 2015-004 on September 14, 2015, at 6:00 P.M. (or as soon thereafter as the matter may be considered). All public hearings will be held in Town Hall at 101 North Palm Avenue, Howey-in-the-Hills, Florida.

At the final public hearing, the Town Council will approve, approve subject to conditions, or disapprove the ordinance to amend the Land Development Code. Interested parties may appear at any or all of the Town Council meetings or the Planning Board meeting and be heard with respect to the proposed Land Development Code amendment.

This proposed Ordinance is available at the Town Clerk's Office, 101 North Palm Avenue, Howey-in-the-Hills, Florida 34737, for inspection during normal business hours of Mon-Thurs 8:00 a.m. - 5:00 p.m., Fri 8:00 a.m. - 3:30 p.m. Persons with disabilities needing assistance to participate in this proceeding should contact the Town Clerk 48 hours before the meeting.

Persons are advised that if they decide to appeal any decision made at this meeting, they will need a record of the proceeding, and for such purposes, they may need to insure that a verbatim record of the proceeding is made which includes the testimony and evidence upon which the appeal is based, per Section 286.0105 F.S.

Brenda Brasher, MMC
Town of Howey-in-the-Hills
Publish Dates -- August 17, 2015 and September 3, 2015

CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
August 20, 2015

BOARD MEMBERS PRESENT

Gary Santoro, Chairman
Richard Root , Vice Chairman - Absent
Morris Osborn
Norb Thomas
Howard Haynes - Absent
Bill Stomp
Roy Stevenson

LAKE COUNTY SCHOOL BOARD

Dawn McDonald, Senior Planner - Present

STAFF MEMBERS PRESENT

Jacques Skutt, Community Development Director
Mike Fitzgerald, Development Coordinator

CALL TO ORDER

Chairman, Gary Santoro, called the meeting to order at 3:00 p.m. and the Pledge of Allegiance was recited.

APPROVAL OF MINUTES OF June 18, 2015

The minutes were approved with minor correction.

SWEARING IN OF THOSE GIVING TESTIMONY

The oath was given to staff and members of the audience that expressed an interest in speaking on agenda items..

CASES HEARD

1)Ordinance 2015-14 – Hideaway Ventures, LLC – Annexation, Rezoning

Jacques Skutt, Community Development Director provided the following staff report;

The subject property consists of 3 parcels of property owned by Hideaway Ventures located at the intersection of Lane Park Road and Camp Road. Collectively, the parcels are approximately 2.14 acres in size. Little Joe's Hideaway (bar and grill) is located on the south side of Lane Park Road (two parcels). A parcel across the road on the north side, utilized for parking, is also owned by Hideaway Ventures and is part of this application. The property is within the city's Interlocal Service Boundary Area as established by the newly adopted

Interlocal Service Boundary Agreement with Lake County. Under this agreement, the city may annex non-contiguous properties located within the Interlocal Service Boundary Area under the terms and conditions of the agreement. As a condition of annexation, the subject property's owner/developer must enter into a concurrent water and sewer utility agreement to extend utility infrastructure to the subject property and also further provided that the City of Tavares shall not approve any development or issue a final development order in such annexed area unless central water and wastewater shall serve the development. Little Joe's private septic system is failing and they need city wastewater and water utilities to continue to operate and for future expansion.

Hideaway Ventures, the owner of this property, has petitioned for annexation of these lands into the city and is seeking a zoning designation of C-2, Highway Commercial. The existing bar and grill has been in operation for many years and a Highway Commercial zoning designation is the only appropriate zoning that would allow this established use. Since the property is not contiguous to our present city boundary, an agreement to extend and connect to city water and wastewater utilities has also been signed by the applicant. The owner is proposing to continue using and to renovate the existing building as a bar and grill with the possibility of a future expansion. A Small Scale Future Land Use Map amendment to Commercial is concurrently being processed.

The owner has for several years desired to upgrade this business, but the lack of utilities and the inability to annex into the city has been an issue. Our newly adopted ISBA essentially solves these problems, allowing the city to naturally expand its boundaries and utilities in a predictable, planned fashion.

Board member Bill Stomp asked that it be clarified in the Ordinance that the parcel being used for parking is included in the annexation and rezoning.

Board members Gary Santoro and Bill Stomp both discussed the utility plan that would be required and asked if reclaimed water would be included in the plan.

Ted Wicks, engineer and representative for the applicant, stated that he has been working with the City of Tavares Utility Department to design the utilities for that area and that reclaimed water will be included in the design.

MOTION

Mr.Stomp made a motion to recommend approval of Ordinance 2015-14. Mr. Osborn seconded the motion. The motion passed with a vote of 5-0.

2) Ordinance 2015-15 – Hideaway Ventures, LLC – SSFLUM

Jacques Skutt, Community Development Director provided the following staff report;

The subject property consists of 3 parcels of property owned by Hideaway Ventures located at the intersection of Lane Park Road and Camp Road. Collectively, the parcels are approximately 2.14 acres in size. Little Joes's Hideaway (bar and grill) is located on the south side of Lane Park Road. A parcel across the road on the north side is also owned by Hideaway Ventures and is utilized for parking. The property is within the city's Interlocal Service Boundary Area as established by the newly adopted Interlocal Service Boundary Agreement

with Lake County. Under this agreement, the city may annex non-contiguous properties located within the Interlocal Service Boundary Area under the terms and conditions of the agreement. As a condition of annexation, the subject property's owner/developer must enter into a concurrent water and sewer utility agreement to extend utility infrastructure to the subject property and also further provided that the City of Tavares shall not approve any development or issue a final development order in such annexed area unless central water and wastewater shall serve the development. Little Joe's private septic system is failing and they need city wastewater and water utilities to continue to operate and for future expansion.

Hideaway Ventures, the owner of this property, has petitioned for annexation of these lands into the city. The existing bar and grill has been in operation for many years and a Commercial Future Land Use designation is appropriate for this established use. Since the property is not contiguous to our present city boundary, an agreement to extend and connect to city water and wastewater utilities has also been signed by the applicant. The owner is proposing to continue using and to renovate the existing building as a bar and grill with the possibility of a future expansion.

The owner has for several years desired to upgrade this business, but the lack of utilities and the inability to annex into the city has been an issue. Our newly adopted ISBA essentially solves these problems, allowing the city to naturally expand its boundaries and utilities in a predictable, planned fashion.

Ordinance 2015-15 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan from County Rural Transition to City Commercial.

The subject property (Parcel Alternate Key Numbers 1263395, 1263409 and 3786448) is surrounded by a mixture of single family dwellings, mobile homes, cottages and vacant land. A long established lakefront bar and grill is located on the subject property. An application to annex and rezone this property to a commercial designation is concurrently under consideration.

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated County Rural Transition. With the extension of City wastewater and water utilities down Lane Park Road, more urbanized development is expected. A City Commercial designation is most compatible with the existing use that been established as a neighborhood business for many years. Future development along the Lane Park Corridor, whether ultimately residential, mixed use or commercial will continue to be served by this existing establishment.

Compatibility

Lands surrounding this property are compatible with the existing use and a Commercial Future Land Use designation.

Site Conditions

The property is currently being used as a neighborhood bar and grill. There have been no environmental concerns identified, other than the existing private septic system is failing. This will be remedied by the connection to city wastewater and water utility.

Impact on City Services

The subject property is located in the City's Utility Service Boundary Area. As a condition for annexation and prior to the issuance of any development permits, municipal water and sewer services must be extended to the subject parcel. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

FINDINGS

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A Commercial Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.6.

2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)

MOTION

Mr. Osborn made a motion to recommend approval of Ordinance 2015-15. Mr. Thomas seconded the motion. The motion passed with a vote of 5-0.

3) Ordinance 2015-19 – Church Extension Plan Property - Rezoning

Jacques Skutt, Community Development Director provided the following staff report;

The subject parcel of property is located on the northeast corner of Nelson Street and U.S. Highway 441. The property is approximately 2.28 acres in size and is presently owned by Church Extension Plan. A prospective purchaser of the property would like to construct a small wholesale distribution facility for baked goods with a retail sales component. The zoning of the property which is being split off from a larger parcel is shown on the city's zoning map as being half residential and half commercial. Under Section 8-7 of the City's Land Development Regulations, zoning lines shall run either along the center of a street or along a parcel line. From this, it appears that the zoning line has been erroneously drawn on the zoning maps and the property should either be wholly residential or commercial. Since the parcel fronts onto U.S. Highway 441, it is staff's opinion that it is most appropriate for this parcel to be zoned C-2 Highway Commercial. The applicant has requested that this zoning be confirmed through an approved amendment to our zoning map and Land Development Regulations. The owner agrees that there will be no access driveways to the property off Texas Avenue and that frontage along Texas Avenue will be heavily buffered. A concurrent Future Land Use map amendment to the City's Comprehensive Plan has been submitted.

Board member Bill Stomp asked if other properties with dual zoning would also be rezoned.

Jacques Skutt stated that other properties in the area with dual zoning are already developed and are not being considered for rezoning at this time.

Board member Bill Stomp asked about required landscaping and access to US-441. He also questioned the need for access onto Nelson Street.

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
SEPTEMBER 3, 2015

AGENDA TAB NO. 9 **FIRST READING**

SUBJECT TITLE: Ordinance 2015-16
Revocation of Peninsula PUD & Rezoning to RFS-A

OBJECTIVE:

To consider the revocation of PUD Ordinance 93-37 as amended (The Peninsula PUD) and to assign the subject property a zoning designation with the lowest intensity and density consistent with the Comprehensive Plan (RFS-A, Residential Single Family 3/du/acre) with a condition that honors commitments made to properties owners in Phase 1 regarding minimum lot and house sizes on those lands that abut Phase 1.

SUMMARY:

On December 3, 2014, the City of Tavares adopted Ordinance 2014-15, an ordinance that created a time limit for the development of approved planned developments, that provided for the automatic revocation of planned developments that failed to develop within prescribed deadlines and that provided that City Council shall take action to rezone the subject property to the lowest intensity and density zoning designation consistent with the Comprehensive Plan.

The Peninsula PUD was approved in 1993. This Planned Development consisted of 500 homes of varying types. Other than the 18 lakefront lots in Phase 1, the project was not constructed and portions of the land have been sold. The PUD time limit has expired and the original owner (Gorgeous Groves) no longer has unified control over the entire parcel.

City staff has had several meetings with the owner of Gorgeous Groves and they have consented in writing to a City initiated rezoning of the property they own to RFS-A (Residential Single Family 3/du/acre). This is the lowest intensity and density zoning consistent with the existing Comprehensive Plan designation of Suburban. The original PUD provided that all lots adjacent to Phase I of the project, as identified in PUD Ordinance 93-37, would be a minimum of 140 feet wide and 170 feet deep. Furthermore, it stated that all homes built on lots adjacent to Phase I of the project would be at least 3,000 square feet in size (based on area that is heated and air-conditioned under roof). To honor this commitment to home owners in Phase 1, the owner of Gorgeous Groves has requested that this condition be inserted into this rezoning ordinance. Staff concurs with this request and this condition has been added to the ordinance.

The proposed RSF-A zoning for this property, if approved, will not be time limited and any future development of these lands will done in conformity with the requirements of the City's Land Development Regulations for this zoning designation.

OPTIONS:

No Council action is required at First Reading.

PLANNING & ZONING BOARD RECOMMENDATION:

At its August 20th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2015-16.

STAFF RECOMMENDATION:

At Second Reading, staff will recommend that City Council approves Ordinance 2015-16.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ORDINANCE 2015-16

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 213 ACRES OF VACANT UNDEVELOPED PROPERTY GENERALLY LOCATED AT THE WESTERLY END OF WOODLEA ROAD AND EAST OF PENINSULA DRIVE FROM PLANNED DEVELOPMENT TO RFS-A (RESIDENTIAL SINGLE FAMILY) WITH CERTAIN CONDITIONS; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 3, 2014, the City of Tavares adopted Ordinance 2014-15, an ordinance that created a time limit for the development of approved planned developments, that provided for the automatic revocation of planned developments that failed to develop within prescribed deadlines and that provided that City Council shall take action to rezone the subject property to the lowest intensity and density zoning designation consistent with the Comprehensive Plan; and

WHEREAS, the Peninsula PUD, initially approved circa 1993, other than Phase One that is situated on the west side of Peninsula Drive, has not been developed or platted as a subdivision; and

WHEREAS, portions of these undeveloped lands have been sold and the original owner now controls and owns only a part of the original PUD as legally described in **Exhibit "A"** of this Ordinance; and

WHEREAS, the undeveloped portions of the Peninsula PUD have been automatically revoked under Ordinance 2014-15 and City Council, under that ordinance, shall take action to rezone the subject property to the lowest intensity and density zoning designation consistent with the Comprehensive Plan; and

WHEREAS, the owner of that portion of the Peninsula PUD, as legally described in **Exhibit "A",** has consented in writing to a City initiated rezoning of said property to RSF-A (Residential Single Family) which is the lowest intensity and density zoning designation consistent with the existing, applicable Future Land Use designation of Suburban; and

WHEREAS, this consent is conditioned upon honoring a commitment within the original PUD that provided that all lots adjacent to Phase I of the project as identified in PUD Ordinance

93-37 shall be a minimum of 140 feet wide and 170 feet deep. Furthermore, all homes built on lots adjacent to Phase I of the project shall be at least 3,000 square feet in size (based on area that is heated and air-conditioned under roof; and

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

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

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

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

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

Section 1. Rezoning

The said properties, as legally defined in **Exhibit "A"**, attached hereto and made a part herewith, are hereby rezoned from Planned Development to RFS-A (Residential Single Family) with a residual condition that that all lots adjacent to Phase I of the project as identified in PUD Ordinance 93-37 shall be a minimum of 140 feet wide and 170 feet deep. Furthermore, all homes built on lots adjacent to Phase I of the project shall be at least 3,000 square feet in size (based on area that is heated and air-conditioned under roof.

Section 2. Severability.

Upon a determination by a court of competent jurisdiction that a portion of this ordinance is void, unconstitutional, or unenforceable, all remaining portions shall remain in full force and effect.

Section 3. Effective Date.

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

PASSED AND ORDAINED this _____ of _____, 2015, by the City Council of the City of Tavares, Florida.

_____
Kirby Smith, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

_____
Nancy Barnett, City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____
Robert Q. Williams, City Attorney

EXHIBIT "A"

GOVERNMENT LOTS 1, 2, AND 3 AND THE NORTH 1/2 OF GOVERNMENT LOT 4 AND THE NORTH 571 FEET OF GOVERNMENT LOT 6, TOGETHER WITH LOTS 1 THROUGH 9, INCLUSIVE, OF WEBLEY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 22, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, ALL LYING WITHIN SECTION 35, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA. ALSO, LOTS 10 THROUGH 13, INCLUSIVE, OF WEBLEY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 22, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; AND THE SOUTH 1/2 OF GOVERNMENT LOT 5, LESS THE ROAD RIGHT-OF-WAY; AND GOVERNMENT LOT 4 AND THE NORTH 1/4 OF GOVERNMENT LOT 5; AND GOVERNMENT LOT 6, LYING SOUTH OF ROAD, ALL LYING IN SECTION 36, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

LESS:

THAT PART LYING WITHIN A REPLAT OF THE PENINSULA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 36, PAGES 32 THROUGH 34, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA,

AND LESS:

THAT PART CONVEYED IN OFFICIAL RECORDS BOOK 2730, PAGE 1287, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THAT PORTION OF GOVERNMENT LOT NO. 2, IN SECTION 35, TOWNSHIP 19 SOUTH, RANGE 25 EAST, CITY OF TAVARES, LAKE COUNTY, FLORIDA, LYING 75.00 FEET NORTH OF, WHEN MEASURED AT RIGHT ANGLES AND PARALLEL WITH, THE NORTH LINE OF LOT 18 OF A REPLAT OF THE PENINSULA, AS RECORDED IN PLAT BOOK 36, PAGES 32 THROUGH 34, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING BOUNDED ON THE WEST BY THE WATERS OF LAKE HARRIS AND ON THE EAST BY THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 18.

AND,

LESS AND EXCEPT THOSE CERTAIN ENCROACHMENTS OF THE IMPROVEMENTS RELATIVE TO THE SUBDIVISION COMMONLY KNOWN AS THE "PENINSULA" ON THE ABOVE IDENTIFIED PROPERTY, AS SUCH ENCROACHMENTS ARE MORE PARTICULARLY DEPICTED ON THE "EXISTING SURVEY" OR "NEW SURVEY", AS THOSE TERMS ARE DEFINED IN THE AGREEMENT FOR SALE AND PURCHASE OF REAL PROPERTY DATED SEPTEMBER 6, 2005.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A:

THAT PORTION OF SECTIONS 35 AND 36 TOWNSHIP 19 SOUTH, RANGE 25 EAST, AND THAT PORTION OF WEBLEY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 22, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, ALL LYING WITHIN LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 36; THENCE RUN N00°39'25"E ALONG THE EAST LINE OF SAID SECTION 35 A DISTANCE OF 409.00 FEET; THENCE DEPARTING SAID EAST LINE RUN N89°10'45"W A DISTANCE OF 10.18 FEET TO THE WESTERLY AND NORTHERLY RIGHT OF WAY OF LANE PARK/WOODLEA ROAD PER MAINTENANCE MAP DATED SEPTEMBER 15, 2004 AS RECORDED IN MAINTENANCE MAP BOOK 9, PAGES 89 THROUGH 94, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE N89°10'45"W A DISTANCE OF 2321.90 FEET TO THE SOUTHEAST CORNER OF A REPLAT OF THE PENINSULA AS RECORDED IN PLAT BOOK 36, PAGES 32 THROUGH 34, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN ALONG THE EASTERLY LINE OF SAID PLAT THE FOLLOWING EIGHT COURSES: THENCE N10°55"01"W A DISTANCE OF 75.30 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 50.00 FEET TO WHICH A RADIAL LINE BEARS S10°55'01"E; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 160°31'44" AN ARC DISTANCE OF 140.09 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 70°31'44" AN ARC DISTANCE OF 30.77 FEET; THENCE RUN N10°55'01"W A DISTANCE OF 50.08 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 775.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°46'39" AN ARC DISTANCE OF 226.94 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 725.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°31'04" AN ARC DISTANCE OF 19.21 FEET; THENCE RUN N86°23'51"E A DISTANCE OF 125.00 FEET; THENCE RUN N18°21'38"W A DISTANCE OF 30.43 FEET; THENCE DEPARTING SAID EAST LINE RUN N82°45'10"E A DISTANCE OF 40.17 FEET; THENCE RUN N12°57'32"W A DISTANCE OF 140.84 FEET; THENCE RUN N89°45'43"W A DISTANCE OF 55.58 FEET TO THE AFORESAID EAST LINE OF SUBDIVISION; THENCE RUN ALONG SAID EAST LINE THE FOLLOWING SEVEN COURSES: N18°21'38"W A DISTANCE OF 24.50 FEET; THENCE RUN N89°50'46"W A DISTANCE OF 125.00 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO WHICH A RADIAL LINE BEARS S80°43'04"W AND HAVING A RADIUS OF 725.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°00'25" AN ARC DISTANCE OF 88.66 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 775.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°07'27" AN ARC DISTANCE OF 136.94 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 975.00 FEET; THENCE RUN NORTHERLY THROUGH A CENTRAL ANGLE OF 16°14'03" AN ARC DISTANCE OF 276.26 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1025.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°48'01" AN ARC DISTANCE OF 282.66 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 975.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°36'37" AN ARC DISTANCE OF 248.62 FEET; THENCE DEPARTING SAID EAST LINE RUN N88°04'51"E A DISTANCE OF 87.56 FEET; THENCE RUN N00°15'24"E A DISTANCE OF 216.63 FEET; THENCE RUN N02°04'11"W A DISTANCE OF 221.93 FEET; THENCE RUN N88°24'11"W A DISTANCE OF 86.55 FEET TO THE AFORESAID EAST LINE OF SUBDIVISION, SAID POINT BEING ON A NON-TANGENT CURVE TO WHICH A RADIAL LINE BEARS N87°51'04"W AND HAVING A RADIUS OF 725.00 FEET; THENCE RUN ALONG SAID EAST BOUNDARY THE

FOLLOWING FIVE COURSES: NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°04'46" AN ARC DISTANCE OF 64.27 FEET; THENCE RUN N07°13'44"E A DISTANCE OF 117.22 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 70°31'44" AN ARC DISTANCE OF 30.77 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 50.00 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 70°31'44" AN ARC DISTANCE OF 61.55 FEET; THENCE RUN N07°13'44"E A DISTANCE OF 24.69 FEET; THENCE DEPARTING SAID EAST LINE RUN S71°57'15"E A DISTANCE OF 57.01 FEET; THENCE RUN N23°09'55"E A DISTANCE OF 113.13 FEET; THENCE RUN N70°24'13"W A DISTANCE OF 191.79 FEET; THENCE RUN N06°46'44"E A DISTANCE OF 39.32 FEET; THENCE RUN N89°10'45"W A DISTANCE OF 282.00 FEET, MORE OR LESS TO THE WATER'S EDGE OF LAKE HARRIS AND HAVING A TIE WITNESS MONUMENT N89°10'45"W AT A DISTANCE OF 239.78 FEET THAT IS 42± FEET EASTERLY OF LAKE'S EDGE; THENCE RUN NORTHERLY AND EASTERLY ALONG SAID LAKE'S EDGE AND HAVING A TIE LINE FOR THE FOLLOWING 15 COURSES: THENCE RUN FROM SAID TIE WITNESS MONUMENT N03°26'08"E A DISTANCE OF 175.63 FEET; THENCE RUN N23°30'38"E A DISTANCE OF 307.44 FEET; THENCE RUN N29°42'44"E A DISTANCE OF 358.39 FEET; THENCE RUN N72°42'02"E A DISTANCE OF 493.09 FEET; THENCE RUN N82°31'03"E A DISTANCE OF 426.79 FEET; THENCE RUN N83°10'35"E A DISTANCE OF 516.10 FEET; THENCE RUN S57°52'37"E A DISTANCE OF 899.04 FEET; THENCE RUN S47°58'40"E A DISTANCE OF 550.80 FEET; THENCE RUN S86°38'10"E A DISTANCE OF 306.43 FEET; THENCE RUN S44°33'38"E A DISTANCE OF 271.29 FEET; THENCE RUN S78°28'04"E A DISTANCE OF 145.76 FEET; THENCE RUN S44°10'51"E A DISTANCE OF 445.79 FEET; THENCE RUN S20°26'30"E A DISTANCE OF 305.25 FEET; THENCE RUN S07°18'18"E A DISTANCE OF 420.42 FEET; THENCE RUN S42°49'15"E A DISTANCE OF 280.70 FEET TO A TIE WITNESS MONUMENT THAT IS 1034 FEET, MORE OR LESS, S00°39'44"W OF THE EDGE OF LAKE; THENCE RUN FROM THE EDGE OF LAKE S00°39'34"W A DISTANCE OF 1538 FEET, MORE OR LESS, AND HAVING A TIE OF S00°39'37"W A DISTANCE OF 506.84 FEET FROM THE TIE WITNESS MONUMENT TO THE AFORESAID NORTHERLY RIGHT OF WAY OF WOODLEA/LANE PARK ROAD SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY TO WHICH A RADIAL LINE BEARS N17°08'20"E AND HAVING A RADIUS OF 959.28 FEET; THENCE RUN ALONG THE NORTHERLY AND WESTERLY RIGHT OF WAY LINE OF SAID WOODLEA/LANE PARK ROAD THE FOLLOWING 14 COURSES: NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°58'36" AN ARC DISTANCE OF 250.75 FEET; THENCE RUN N88°27'21"W A DISTANCE OF 21.28 FEET; THENCE RUN N01°32'39"E A DISTANCE OF 2.00 FEET; THENCE RUN N88°27'21"W A DISTANCE OF 298.62 FEET; THENCE RUN N01°32'39"E A DISTANCE OF 1.00 FEET; THENCE RUN N88°27'21"W 237.39 FEET; THENCE RUN S01°32'39"W A DISTANCE OF 7.00 FEET; THENCE RUN N88°27'21"W A DISTANCE OF 118.94 FEET; THENCE RUN N01°32'39"E A DISTANCE OF 6.00 FEET; THENCE RUN N88°27'21"W A DISTANCE OF 105.45 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 248.00 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 44°45'32" AN ARC DISTANCE OF 193.74 FEET; THENCE RUN S46°47'07"W A DISTANCE OF 20.81 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 352.21 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 46°09'07" AN ARC DISTANCE OF 283.71 FEET; THENCE RUN S00°38'00"W A DISTANCE OF 577.95 FEET TO THE POINT OF BEGINNING.

LESS THAT PORTION DESCRIBED AS FOLLOWS:

THAT PORTION OF SECTION 36 TOWNSHIP 19 SOUTH, RANGE 25 EAST, AND THAT PORTION OF WEBLEY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 22, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, ALL LYING WITHIN LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 36; THENCE RUN N00°39'25"E ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 36 A DISTANCE OF 1506.84 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE N00°39'25"E ALONG SAID WEST LINE A DISTANCE OF 1132.13 FEET TO THE WEST 1/4 SECTION CORNER OF SAID SECTION 36;

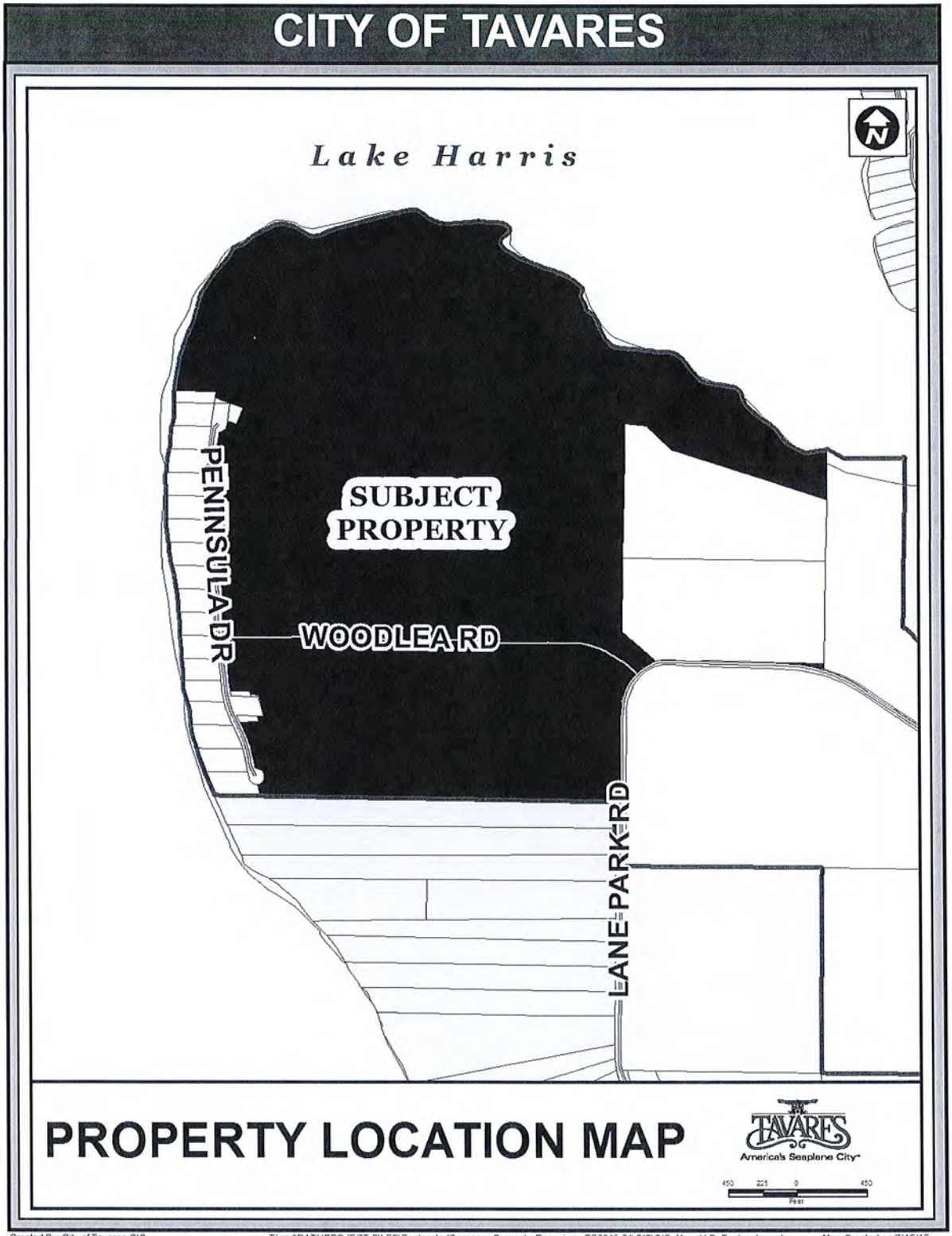
THENCE CONTINUE N00°39'25"E ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 36 A DISTANCE OF 207.51 FEET; THENCE DEPARTING SAID WEST LINE RUN S83°07'31"E A DISTANCE OF 131.38 FEET; THENCE RUN S47°59'34"E A DISTANCE OF 229.39 FEET; THENCE RUN S72°37'08"E A DISTANCE OF 1059.40 FEET TO THE EAST LINE OF GOVERNMENT LOT 5 OF SAID SECTION 36; THENCE RUN S00°39'34"W A DISTANCE OF 1101.70 FEET TO THE NORTHERLY RIGHT OF WAY OF WOODLEA/LANE PARK ROAD PER MAINTENANCE MAP DATED SEPTEMBER 15, 2004 AS RECORDED IN MAINTENANCE MAP BOOK 9, PAGES 89 THROUGH 94, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING SITUATED ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY TO WHICH A RADIAL LINE BEARS N16°29'28"E AND HAVING A RADIUS OF 961.18 FEET; THENCE RUN ALONG THE NORTHERLY AND WESTERLY RIGHT OF WAY LINE OF SAID WOODLEA/LANE PARK ROAD THE FOLLOWING 11 COURSES: NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°56'49" AN ARC DISTANCE OF 250.74 FEET; THENCE RUN N88°27'21"W A DISTANCE OF 21.28 FEET; THENCE RUN N01°32'39"E A DISTANCE OF 2.00 FEET; THENCE RUN N88°27'21"W A DISTANCE OF 298.62 FEET; THENCE RUN N01°32'39"E A DISTANCE OF 1.00 FOOT; THENCE RUN N88°27'21"W A DISTANCE OF 237.39 FEET; THENCE RUN S01°32'39"W A DISTANCE OF 7.00 FEET; THENCE RUN N88°27'21"W A DISTANCE OF 118.94 FEET; THENCE RUN N01°32'39"E A DISTANCE OF 6.00 FEET; THENCE RUN N88°27'21"W A DISTANCE OF 105.45 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 248.00 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°13'39" AN ARC DISTANCE OF 74.57 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE RUN N47°31'04"W A DISTANCE OF 288.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 221.47 ACRES, MORE OR LESS

SUBJECT TO EASEMENTS, RIGHT OF WAYS AND MATTERS OF RECORD

1

Map of Area



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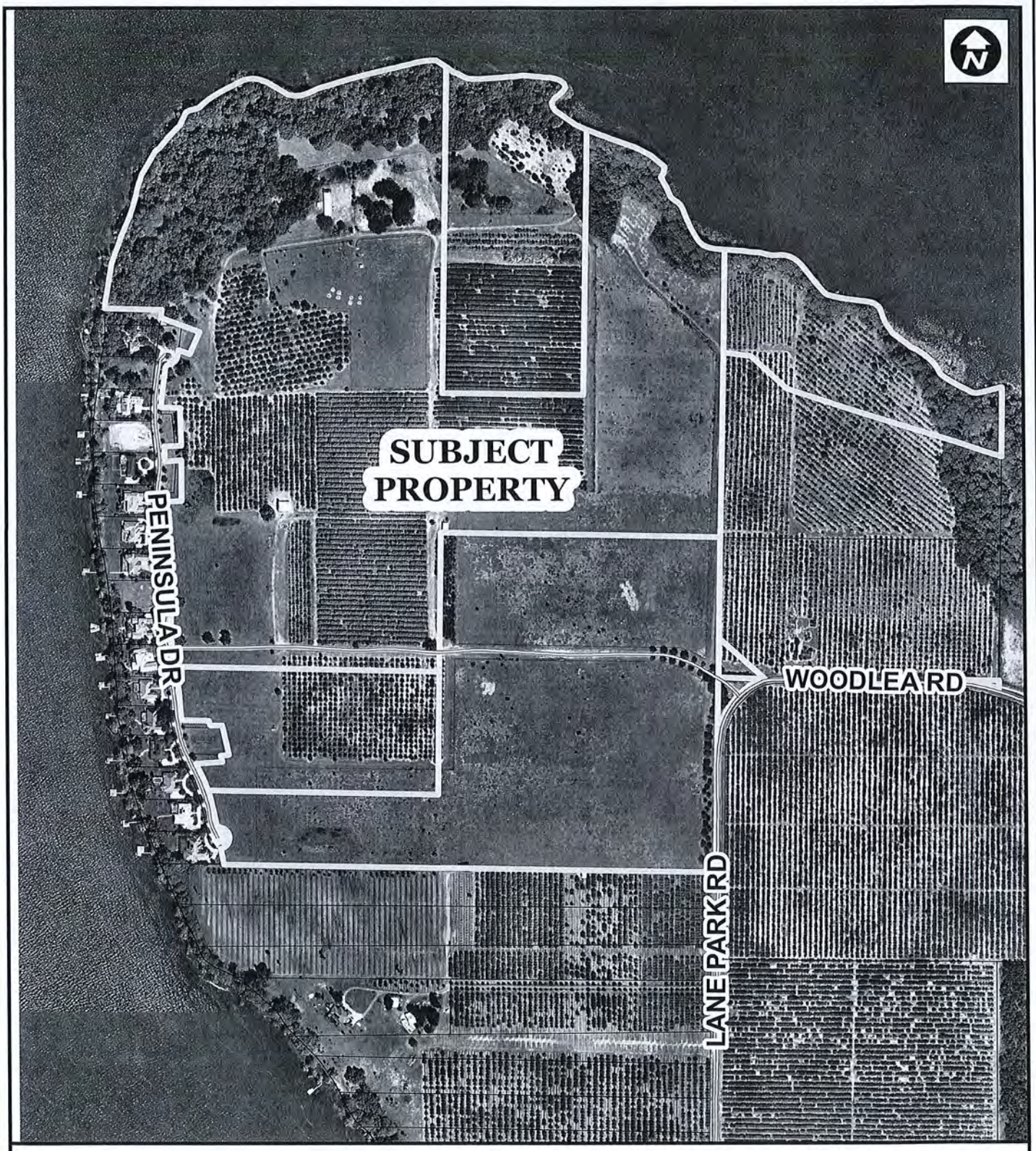
CITY OF TAVARES

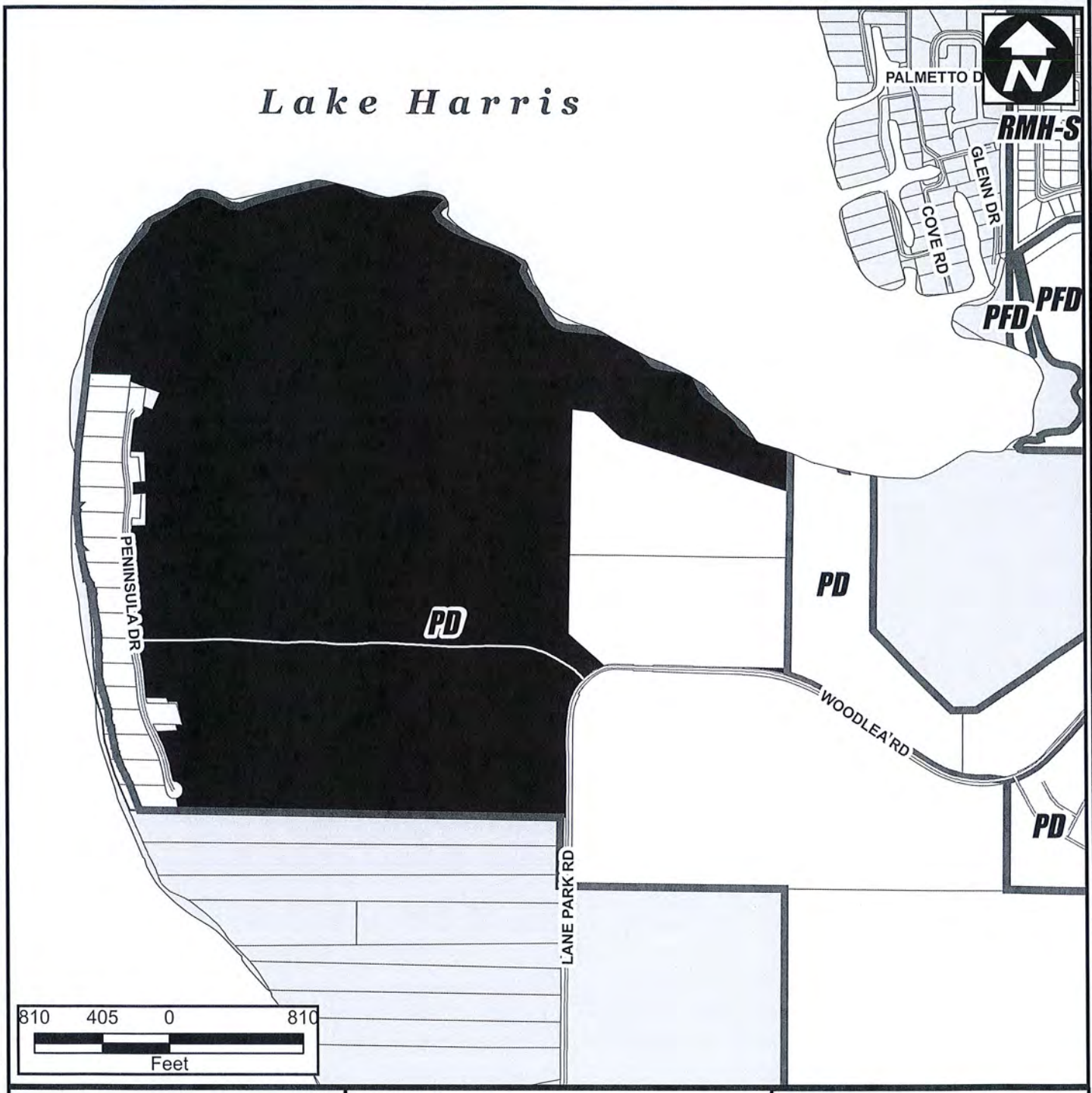


PROPERTY LOCATION MAP

TAVARES
America's Seaplane City

375 187.5 0 375
Feet

CITY OF TAVARES ORDINANCE # 2015-16



RSF-A	Residential Single Family
RSF-1	Residential Single Family
RMF-2	Residential Multi-Family
RMF-3	Residential Multi-Family
RMH-S	Residential Manufactured Home Sub.
RMH-P	Residential Manufactured Home Park
PD	Planned Development District
MU	Mixed Use District
C-1	General Commercial
C-2	Highway Commercial
CD	Commercial Downtown District
I	Industrial District
PFD	Public Facilities District

ZONING MAP

ORDINANCE # 2015-16

Gorgeous Groves, Inc.

Current Zoning: PD
Proposed Zoning: RSF-A

221.47 ± Acres

Legend

- CITY BOUNDARY
- ZONING
- SUBJECT PROPERTY
- UNINCORPORATED
- MAJOR ROADS
- STREETS
- PARCELS
- CONS/WETLANDS

Orlando Sentinel

Publication Date: 08/10/2015

Ad Number: 3484956-1 | Client Name: / PO# Mike Fitzgerald
Insertion Number: | Advertiser: City of Tavares
Size: 3 x 10.5 | Section/Page/Zone: Lake Zone/E002/LAK
Color Type: B&W | Description: ff/ORd 15-16

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THE CITY OF TAVARES
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2015-14 & Ordinance 2015-15 titled as follows:

ORDINANCE 2015-14

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING UNDER THE TERMS AND CONDITIONS OF THE INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN THE CITY OF TAVARES AND LAKE COUNTY APPROXIMATELY 2.14 ACRES NON-CONTIGUOUS PROPERTIES, CONSISTING OF THREE PARCELS OF LAND GENERALLY LOCATED APROXIMATELY 400 FEET WEST OF THE INTERSECTION OF LANE PARK ROAD AND CAMP ROAD, FROM COUNTY AGRICULTURAL TO CITY C-2 (HIGHWAY COMMERCIAL); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2015-15

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APRROXIMATELY 2.14 ACRES OF NON-CONTIGUOUS PROPERTIES, CONSISTING OF THREE PARCELS OF LAND GENERALLY LOCATED APROXIMATELY 400 FEET WEST OF THE INTERSECTION OF LANE PARK ROAD AND CAMP ROAD, FROM COUNTY RURAL TRANSITION TO CITY COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2015-14 & Ordinance 2015-15 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on August 20, 2015, at 3 p.m.; and
2. Tavares City Council meeting on September 3, 2015, at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on September 16, 2015, at 4 p.m. (Second Reading)

All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2015-14 & Ordinance 2015-15 may be inspected by the public between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and, at the Planning & Zoning Board meeting and City Council Second Reading, be heard with respect to the proposed ordinances. It is City Council policy to limit public discussion of proposed ordinances to the Planning & Zoning Board meeting and City Council Second Reading. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department: City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on this proposed ordinance to Jacques Skuill, Community Development Director, at 742-6404.

THE CITY OF TAVARES
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2015-16 titled as follows:

ORDINANCE 2015-16

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 213 ACRES OF VACANT UNDEVELOPED PROPERTY GENERALLY LOCATED AT THE WESTERLY END OF WOODLEA ROAD AND EAST OF PENINSULA DRIVE FROM PLANNED DEVELOPMENT TO RFS-A (RESIDENTIAL SINGLE FAMILY) WITH CERTAIN CONDITIONS; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2015-16 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on August 20, 2015, at 3 p.m.; and
2. Tavares City Council meeting on September 3, 2015, at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on September 16, 2015, at 4 p.m. (Second Reading)

All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2015-16 may be inspected by the public between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and, at the Planning & Zoning Board meeting and City Council Second Reading, be heard with respect to the proposed ordinances. It is City Council policy to limit public discussion of proposed ordinances to the Planning & Zoning Board meeting and City Council Second Reading. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department: City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to

YOUR COMMUNITY IN BRIEF

Naturalist program focuses on saving gopher tortoises

By Debbie Manis
Staff Writer

Carissa Kent, who has been involved in gopher tortoise rescue relocation efforts since 2006 when she formed a partnership with the Humane Society of the United States, developers and volunteers, will present "Saving Gopher Tortoises" at Trout Lake Nature Center's Friday Night Naturalist program.

The event begins at 6 p.m. Friday at the center, 520 E. County Road 44 Bypass in Eustis.

Kent left a career with the Seminole County Sheriff's Office to make rescuing the animals her full-time job. Her group expects to save more than 1,000 tortoises this year.

The program is free, but a donation will be accepted, and snacks will be provided.

For more information, call Eileen Tramontana at 352-357-7536 or email tlnc.director@gmail.com.

Meds, hazardous waste

Lake County's Solid Waste Division in partnership with Lake County Sheriff's Office will conduct an unused-medication and hazardous-waste collection from 9 a.m. to noon Thursday in the parking lot of Sorrento Park, 31535 Church St., for Lake County residents only.

Participants can drop off any unused, unwanted or expired over-the-counter medication. Needles and syringes will not be accepted.

A household-hazardous-waste mobile unit will be on site for people who want to drop off small amounts of unwanted household-hazardous-waste items such as lawn and gardening materials; photo and swimming-pool chemicals; paint, thinners and strippers; cleaning solutions; batteries; antifreeze, waste gas and used motor oil; fluorescent lamps and light bulbs; and small propane tanks.

Not accepted are solvents, infectious, chemical-laboratory and radioactive waste.

Large amounts of hazardous materials can be dropped off at the Central Solid Waste Facility, 13130 County Landfill Road in Tavares.

To schedule a drop-off day, call 352-343-3776.

Dog obedience

The Central Florida Obedience Dog Club will start its obedience classes Aug. 17 at the 448 Community Club Building, 16024 County Road 448, Tavares. Classes will meet Mondays through Sept. 28.

Basic Obedience is 5:30 to 6:30 p.m. Cost is $85.

Beginner Novice is 7 to 8 p.m. Cost is $45.

Preregistration is required, by calling 352-742-4442.

Details: cfodcinc.com.

Meetings

■ Chapter 169 of the Korean War and Korean Service Veterans of Lake will meet at 2 p.m. Saturday in the Admiral King Room at the Eisenhower Recreation Center, 3560 Buena Vista Blvd. in The Villages.

Members of the Tell America team will demonstrate their presentation, which they provide to Lake County high- and middle-school students about the history of the Korean War and the stories of its veterans.

All veterans who served in Korea are invited. Details: 352-753-0139 or cid169.kwva.org.

■ The Peripheral Neuropathy support group will meet at 10 a.m. Saturday in the community room at Osprey Lodge Assisted Living and Memory Care of Tavares, 1761 Nightingale Lane, Tavares.

Details: Jack Koehler, 352-735-2077.

■ The Villages Tea Party will meet at 6:30 p.m. Aug. 17 at the Savannah Recreation Center, 1545 Buena Vista Blvd, The Villages. Sumter County Supervisor of Elections Karen Krauss will speak about the 2016 elections and Chris Hopkins from FreedomWorks will speak about the Grassroots Summit scheduled for Sept. 12 in Kissimmee.

Villages identification is required. Doors open at 6 p.m.

Details: thevillagesteaparty.org or 352-603-1066.

Down on the farm

Uncle Donald's Farm, 2713 Griffin Ave., north of Lady Lake, is offering its "spend a day at the farm" for children ages 6 to 14 from 9:45 a.m. to 3 p.m. Wednesday .

Children can participate in farm activities such as collecting eggs, feeding the animals and brushing the horses. Programs will include nature studies and games.

Participants need to bring a bag lunch.

Cost is $25 a child. Bring a sibling or friend and receive a discount.

For more information or to make a reservation, call 352-753-2882.

Orlando Sentinel, 1898 E. Burleigh Blvd., Tavares, FL 32778, 352-742-5932 or dmanis@tribune.com.

BOAS

Continued from Page E1

control.

I like a garden with places to rest. Chairs and benches, stools and tables provide cozy spots to observe and reflect.

I like a garden abuzz with action. Birds, butterflies and bees fly about. Snakes slither through foliage. Anoles posture from their plant stand posts. From the tiniest insect to broad spider webs, something is always going on in a garden.

I like a garden alive with activity yet peaceful and calm. A floral sanctuary. A world apart.

My gardens — and I have many (too many to take care of, my husband might say) — are all works in progress. One recent morning as I stood looking out the bedroom window I realized how similar my garden style is to the way I live the non-horticultural parts of my life.

Like my diverse range of plants, I have many interests. I could never be a person devoted to one passion anymore than I could plant a garden of a single color. I knew a person a long time ago who had many different plants but all of one hue. It was an all-white garden. Hers was lovely, but it could never be mine. My garden, like my life, is rich in variety.

Like scattered seeds that grow tall and broad, my thoughts tend to ramble and pop up unexpectedly. Yet, with a little attention – a sprinkling of focus - they come together in harmonious union.

If my garden has weeds, so does my house. My home is tidy but far from squeaky clean. Just as I can tolerate a few weeds in the garden, I don't mind some smudges on windows or a bit of crunch underfoot. When things get too bad, I settle in for an intense session. Be it vacuuming, window washing or pulling out stubborn weeds, there's satisfaction gleaned from getting work done.

SHERRY BOAS/CORRESPONDENT

Statues, wildlife, plants and plaques mesh together in a whimsical garden.

My husband's gardens are different than mine. His are utilitarian with edible crops filling containers on waist-high tables for easy access. He plants his rows straight and focuses on production. He tends his no-nonsense garden with dogged determination. He doesn't need benches or whimsical doodads. His priorities center on achieving healthy specimens.

Different though they are, we both love our gardens. More importantly, we appreciate each other's approach to gardening and life. It doesn't matter whether a garden has straight rows or curved beds, vegetables or flowers. It doesn't matter if it is well tended or wild. What does matter is that the work we do yields a satisfying harvest, a crop of contentment, a bouquet of pleasure.

Sherry Boas can be reached at simplyliving@beautifulbamboo.com. Her columns can be found online at OrlandoSentinel.com/lake.

PICKLES

How to reach us: Lake County newsroom contacts

COUNTY EDITOR
JERRY FALLSTROM
jfallstrom@orlandosentinel.com

COMMUNITIES EDITOR
SAL RECCHI
srecchi@orlandosentinel.com

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A Commercial Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.6.

2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 7A)

MOTION

Mr. Stevenson made a motion to recommend approval of Ordinance 2015-20. Mr. Stomp seconded the motion. The motion passed 5-0.

5) Ordinance 2015-16 – Gorgeous Groves (Peninsula Property) - Rezoning

Jacques Skutt, Community Development Director provided the following staff report;

On December 3, 2014, the City of Tavares adopted Ordinance 2014-15, an ordinance that created a time limit for the development of approved planned developments, that provided for the automatic revocation of planned developments that failed to develop within prescribed deadlines and that provided that City Council shall take action to rezone the subject property to the lowest intensity and density zoning designation consistent with the Comprehensive Plan.

The Peninsula PUD was approved in 1993. This Planned Development consisted of 500 homes of varying types. Other than the 18 lakefront lots in Phase 1, the project was not constructed and portions of the land have been sold. The PUD time limit has expired and the original owner (Gorgeous Groves) no longer has unified control over the entire parcel.

City staff has had several meetings with the owner of Gorgeous Groves and they have consented in writing to a City initiated rezoning of the property they own to RFS-A (Residential Single Family 3/du/acre). This is the lowest intensity and density zoning consistent with the existing Comprehensive Plan designation of Suburban. The original PUD provided that all lots adjacent to Phase I of the project, as identified in PUD Ordinance 93-37, would be a minimum of 140 feet wide and 170 feet deep. Furthermore, it stated that all homes built on lots adjacent to Phase I of the project would be at least 3,000 square feet in size (based on area that is heated and air-conditioned under roof). To honor this commitment to home owners in Phase 1, the owner of Gorgeous Groves has requested that this condition be inserted into this rezoning ordinance. Staff concurs with this request and this condition has been added to the ordinance.

The proposed RSF-A zoning for this property, if approved, will not be time limited and any future development of these lands will done in conformity with the requirements of the City's Land Development Regulations for this zoning designation.

Board member Gary Santoro asked Jacques Skutt to define a Planned Development for the audience.

Peter Harrison, resident of Peninsula Dr., asked if Peninsula Dr. could be gated separately.

Mr. Skutt answered that it could be because it is a private road.

Mr. Harrison asked if water and sewer would be available to existing residents and if it would be mandatory to connect.

Mr. Skutt stated that water and sewer would become available in close proximity to Peninsula Dr., but connection would only be mandatory in the case of a failing septic system.

Mr. Harrison asked for confirmation of the number of potential homes.

Mr. Skutt explained that the actual number of homes would be determined by engineering requirements for subdivision construction.

Mr. Harrison asked if homes would face Woodlea Rd.

Mr. Skutt explained that it would be up to the developer to determine if homes would face Woodlea Rd., and any platting of lots would have to be approved by City Council.

Mr. Harrison asked of the HOA's could be combined for unified control.

Mr. Skutt responded that it was a possibility.

Herm Arnold, resident of Peninsula Dr., asked if there would be any limits on the type of homes that could be constructed.

Mr. Skutt explained that there would not be any architectural or design requirements in the RSF-A zoning, and that those requirements are generally stated in Planned Development zoning.

Gary Santoro stated that without specific requirements that the homes would just have to meet Florida Building Code.

Bill Stomp stated that the land value of the Peninsula may dictate the type of homes built there.

Greg Beleveau, representative for the applicant, stated that bigger lots are being proposed near Peninsula Dr. to preserve the integrity of that area. He stated that the rezoning does not change anything about the original approved density.

Board member Morris Osborn asked about access for new homes and what type of buffering would be provided for existing homes.

Mr. Belevveau stated that they did not plan on multiple curb cuts along Woodlea Rd., and buffering would comply with regulations.

Board member Gary Santoro asked if there could be one HOA for all the Peninsula development.

Mr. Skutt stated that it is a possibility.

MOTION

Mr. Stomp made a motion to recommend approval of Ordinance 2015-16. Mr. Thomas seconded the motion. The motion passed 5-0.

6) Ordinance 2015-17 – Land Development Regulation Amendment – Create RSF-2 Zoning District

Jacques Skutt, Community Development Director provided the following staff report;

Other than site specific, time-limited Planned Developments, the only residential zoning district currently specified within the city's Land Development Regulations that allows single family detached development on 60' wide lots is the RMF-2 (Residential Multi-Family) zoning. The RMF-2 zoning allows not only single family detached dwellings but also duplexes and townhomes (subject to certain design criteria). The inherent variation of allowable dwelling types in this zoning lends uncertainty to the rezoning process for neighboring impacted communities when applications are received to rezone to this designation.

Single family detached development on 60' wide lots is a housing industry standard and prevalent in many residential subdivisions within Tavares. Oak Bend, Martin's Grove, Lane Park Ridge and Chelsea Oaks are examples of Planned Development Subdivisions within Tavares that allow single family dwellings on 60' wide lots or less. This proposed ordinance would create a residential zoning district (RSF-2) that would exclusively allow single family dwellings on 60 foot wide and 6,500 square foot lots, and that would otherwise mirror regulations pertaining to the RMF-2 zoning district. The proposed ordinance adds text amendments to the Land Development Regulations to appropriately modify the regulations to accept this new designation. The creation of this new zoning district will simplify and clarify future rezoning requests for developments of this nature.

MOTION

Mr. Stevenson made a motion to recommend approval of Ordinance 2015-17. Mr. Osborn seconded the motion. The motion passed 5-0.

7) Ordinance 2015-18 – Land Development Regulation Amendment – Downtown Building Height

Jacques Skutt, Community Development Director provided the following staff report;

In 2008, through a citizen-driven visioning process, the City of Tavares adopted the Downtown Master Plan. The city has since implemented action strategies necessary to insure that redevelopment in our downtown progresses in a manner specified in the plan.

In the Downtown Core, the plan recommends stepped building envelop forms that gradually increase in height to 84 feet in the middle of the blocks along Main, Maud and Ruby Streets. This stepped building design has been added to Chapter 9, Architectural and Site Design Standards of the City's Land Development Regulations; however the maximum height allowed