AGENDA
TAVARES CITY COUNCIL

SEPTEMBER 16 2015
4:00 P.M.
TAVARES CITY HALL COUNCIL CHAMBERS

I. CALL TO ORDER

II. INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Greg Watts, Liberty Baptist Church

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 Minutes of September 3, 2015 - Deferred

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Proclamation for National Day of the Republic of China (Taiwan) – October 10, 2015 — **Mayor Smith**

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

VII. READING OF ALL ORDINANCES/RESOLUTIONS - GENERAL GOVERNMENT

VIII. CONSENT AGENDA

IX. PUBLIC HEARING – FISCAL YEAR 2015-2016 MILLAGE & BUDGET – 5:05 P.M.

Tab 3) Resolution #2015-11 – Final Millage Rate – FY 2015-16 — **Lori Houghton**

Tab 4) Resolution #2015-12 – Final Budget – FY 2015-2016 — **Lori Houghton**

X. ORDINANCES/RESOLUTIONS

FIRST READING

SECOND READING

Tab 5) Ordinance #2015-14 – Annexation & Rezoning of 2.14 Acres 1912 Lane Park Road – South Side of Lane Park Rd. on Lake Harris — **Jacques Skutt**

Tab 6) Ordinance #2015-15 – Small Scale Future Land Use Amendment – 2.14 Acres – 11912 Lane Park Rd. County Rural to City Commercial — **Jacques Skutt**

Tab 7) Ordinance #2015-16 – Rezoning of The Peninsula 213 Acres - From Planned Development Zoning to Residential Suburban RSF-A City Initiated Rezoning — **Jacques Skutt**

Tab 8) Ordinance #2015-17 – Amendment to Land Development Regulations to Create New Zoning District – RSF-2 for Single Family With 60 feet Lots — **Jacques Skutt**

Tab 9) Ordinance #2015-18 – Amendment to Land Development Regulations – Increasing Allowable Building Height in Commercial Downtown District to 84 Feet — **Jacques Skutt**

Tab 10) Ordinance #2015-19 – Rezoning of 2.28 Acres At the Northeast Corner of Nelson St. and U.S. 441 from RSF-1 (Residential Single Family) to C-2 (Commercial) — **Jacques Skutt**

Tab 11) Ordinance #2015-20 – Small Scale Future Land Use Amendment – 2.28 Acres – Low Density Residential to Commercial Northeast Corner of Nelson Street and U.S. 441 — **Jacques Skutt**

XI. GENERAL GOVERNMENT

Tab 12) Chamber of Commerce Request to Discuss Annual Grant — **Lori Houghton**

Tab 13) Request to Accept Streetlights in Lake Elsie Subdivision — **Lori Houghton**

Tab 14) Approval of Contract with Tavares Police Benevolent Association — **Stoney Lubins**

Tab 15) Approval of Contract with International Association of Firefighters – Tavares Local 3245 — **Richard Keith**

XII. OLD BUSINESS

Tab 16) Follow-Up Discussion on City Assessments — **Bob Williams**

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.

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TAVARES

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AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: September 16, 2015

AGENDA TAB NO. 2

SUBJECT TITLE: Proclamation for National Day of the Republic of China (Taiwan)

OBJECTIVE:

The Mayor will read a proclamation in recognition of National Day of the Republic of China (Taiwan) on October 10, 2015.

SUMMARY:

The Vice Consul of the Taipei Economic & Cultural Office has requested that the Mayor issue a proclamation in observation of National Day of the Republic of China (Taiwan). The City has a Sister City relationship with the City of New Taipei in Taiwan.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient

TAVARES

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PROCLAMATION

WHEREAS, The Republic of China (Taiwan) celebrates its National Day on October 10th, 2015; and

WHEREAS, the city of Tavares maintains and enjoys an International Sister City relationship with New Taipei; and

WHEREAS, The Taipei Economic and Cultural Office in Miami continues the promotion of economic and cultural relations with Tavares, Florida; and

WHEREAS, the United States and Taiwan have maintained a close friendship over the decades encompassing commercial, cultural, and other interactions based on the "Taiwan Relations Act" of 1979; and

WHEREAS, Taiwan's has a meaningful participation in numerous international organizations, including the International Civil Aviation Organization (ICAO) Assembly for which all aviation safety around the world benefits from including Tavares and Taiwan; and

WHEREAS, Taiwan is an important trading partner of the State of Florida, as well as one of the top trading partners in Asia for Florida and the United States;

NOW, THEREFORE, the City Council of the City of Tavares, proclaims October 10th, 2015 the Republic of China (Taiwan) Day and recognizes her achievements and relationship with Tavares; Florida and the United States of America with our admiration and appreciation.

Passed and Adopted this 16th Day of September, 2015.

_____

Kirby Smith, Mayor

AGENDA SUMMARY
TAVARES CITY COUNCIL
September 16, 2015

AGENDA TAB NO. 3

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

OBJECTIVE:

To receive public input and consider the approval of Resolution 2015-11 to adopt the Proposed Operating Millage Rate and the Proposed Voted Debt Service Millage Rate for Fiscal Year 2016

SUMMARY:

The Proposed Budget for the General Fund provides for a Proposed Millage of 6.6166 mills.

The Millage rate is supported 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 less than 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 Proposed General Fund Budget of $15,593,695.
- 5% Pay Increase for all employees
- One new Police Officer at mid-year,
- An overall workers' compensation rate increase of 5%.
- An overall general liability rate increase of 15%.
- The Proposed Budget maintains a similar level of service.

On September 3rd, the City Council approved Resolution 2015-11, approving the tentative millage rate of 6.6166 mills and the tentative voted debt service of .4068 mills.

Newspaper advertisements as required by State of Florida Truth in Millage (TRIM) were published on Sunday, September 13, 2015.

OPTIONS:

1. Take Public input and adopt the Proposed Operating Millage Rate and the Proposed Voted Debt Service Millage rate for Fiscal Year 2016 as reflected in Resolution 2015-11.

2. Take Public input and adopt the Proposed Operating Millage Rate and the Proposed Voted Debt Service Millage Rate for Fiscal Year 2016 as reflected in Resolution Number 2015-11, and any additional changes.

STAFF RECOMMENDATION:

Option 1: Move to take Public input and adopt the Proposed Operating Millage Rate and the Proposed Voted Debt Service Millage rate for Fiscal Year 2016 as reflected in Resolution 2015-11.

FISCAL IMPACT: At this point all budgets are balanced. Changes will require revisions to the Proposed 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 16, 2015

AGENDA TAB NO. 4

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

OBJECTIVE:

To receive public input and consider the approval of Resolution 2015-11 to Adopt the Proposed Final Budget for Fiscal Year 2016

SUMMARY:

The Proposed Budget provides for the following:

- Ad valorem millage rate of 6.6166 mills which is .94% above the rollback rate of 6.5547 mills, and .1117 mills less than 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 Budget for the General Fund Budget of $15,593,695, and
- 5% Pay Increase for all employees
- One new Police Officer at mid-year
- One Full-time and one Part-time employee for the Pavilion
- An overall workers' compensation rate increase of 5%.
- An overall general liability rate increase of 15%.
- The Proposed Budget maintains a similar level of service.

On September 3rd, the City Council approved Resolution 2015-12, approving the Tentative Budget for Fiscal Year 2016 which includes all funds.

Newspaper advertisements as required by State of Florida Truth in Millage (TRIM) were published on Sunday, September 13, 2015.

OPTIONS:

1. Take Public input and adopt the Proposed Operating Budget for Fiscal Year 2016 as reflected in Resolution 2015-12.

2. Take Public input and adopt the Proposed Operating Budget for Fiscal Year 2016 as reflected in Resolution 2015-12, and any additional changes.

STAFF RECOMMENDATION:

Option 1: Move to take Public input and adopt the Proposed Operating Budget for Fiscal Year 2016 as reflected in Resolution 2015-12.

FISCAL IMPACT: At this point all budgets are balanced. Changes will require revisions to the Proposed 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 $37,006,432 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	170,008	-	13,992	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	1,338,089	-	13,484	1,351,573
Grant Fund	151	290,000	-		290,000
Debt Service Fund	201	299,291	-	(8)	299,283
Capital Project Fund	301	-	-		-
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
		$ 39,175,362	$ 19,229	$ (2,188,159)	$ 37,006,432

[1] *Estimated Revenues = anticipated revenue collections* *Test $ 37,006,432*

[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 16, 2015

AGENDA TAB NO. 5 **SECOND READING**

SUBJECT TITLE: **Ordinance 2015-14**
Annexation & Rezoning & Utility Agreement –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 and approval of Utility Agreement.

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 (Agreement Exhibited in Ordinance) 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.

OPTIONS:

1. That City Council moves to approve Ordinance 2015-14 for the annexation, rezoning and Utility Agreement of approximately 2.14 acres of property generally located at the intersection of Lane Park Road and Camp Road.

2. That City Council moves to deny Ordinance 2015-15.

PLANNING & ZONING BOARD RECOMMENDATION:

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

STAFF RECOMMENDATION:

Move to approve Ordinance 2015-14 for the annexation, rezoning and Utility Agreement of approximately 2.14 acres of property generally located at the intersection of Lane Park Road and Camp Road.

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.

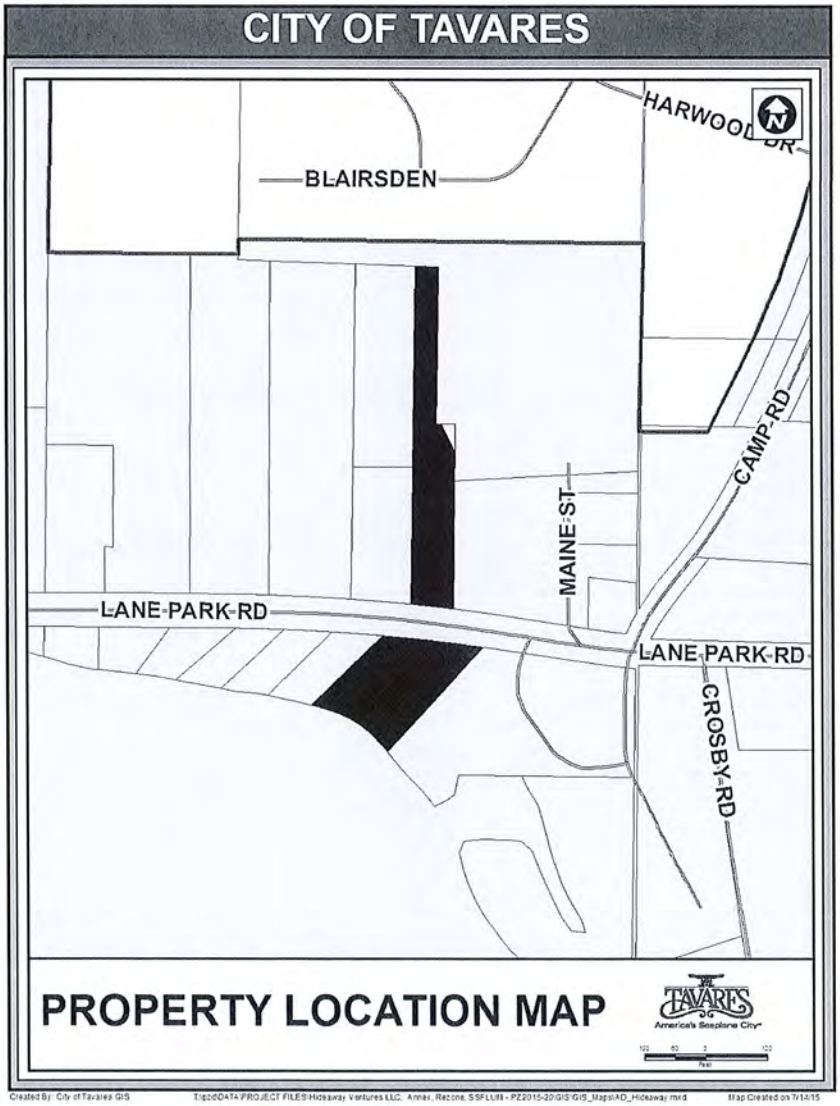
DESCRIPTION (O.R.BOOK 3302 PAGE 1005)
A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA AND BEING A PORTION OF LANE PARK, AS RECORDED IN PLAT BOOK 1, PAGE 39 FILED JULY 7, 1884, IN THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY 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., 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".



Created By: City of Tavares GIS T:\gis\DATA\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

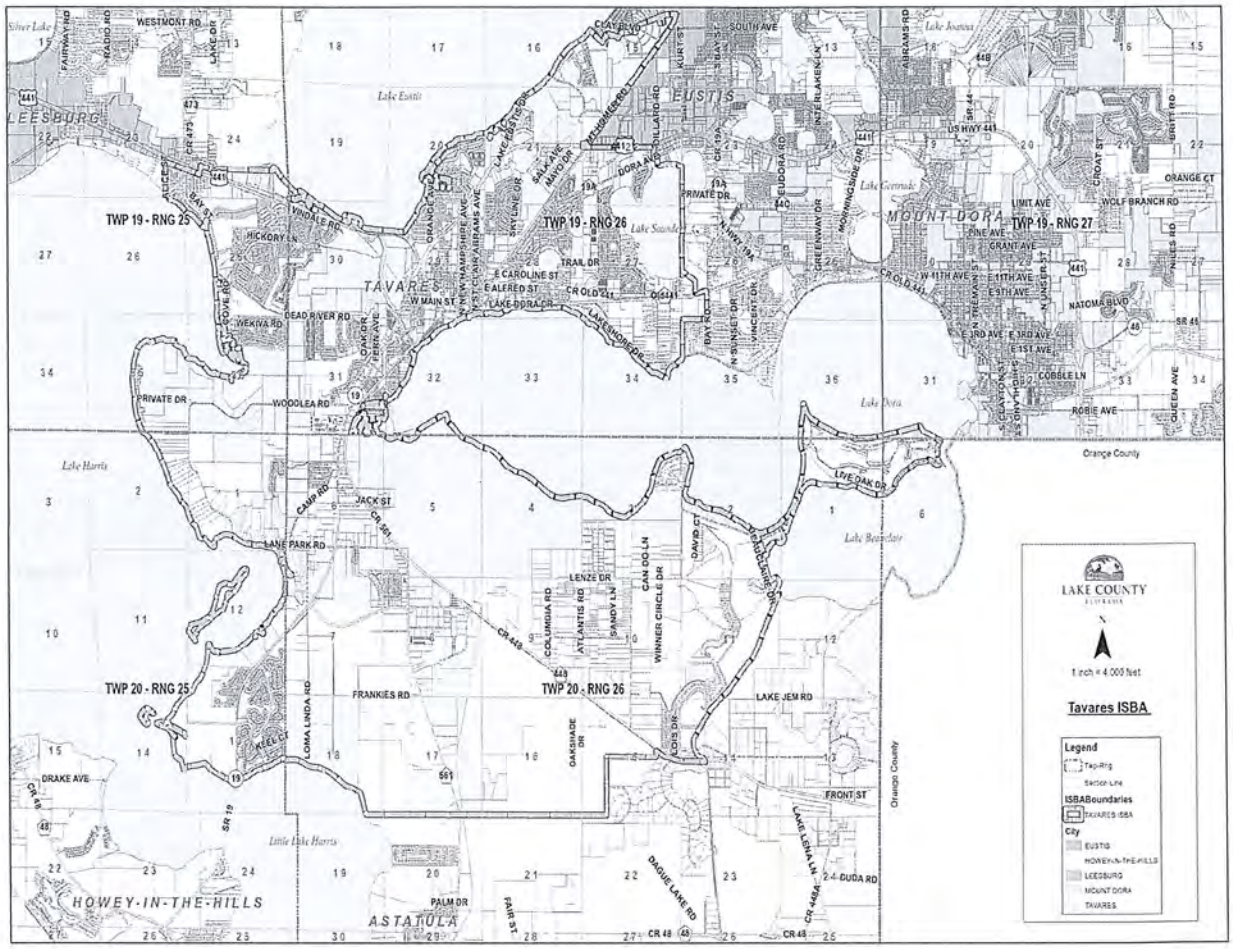


EXHIBIT C
UTILITY AGREEMENT

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., 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".

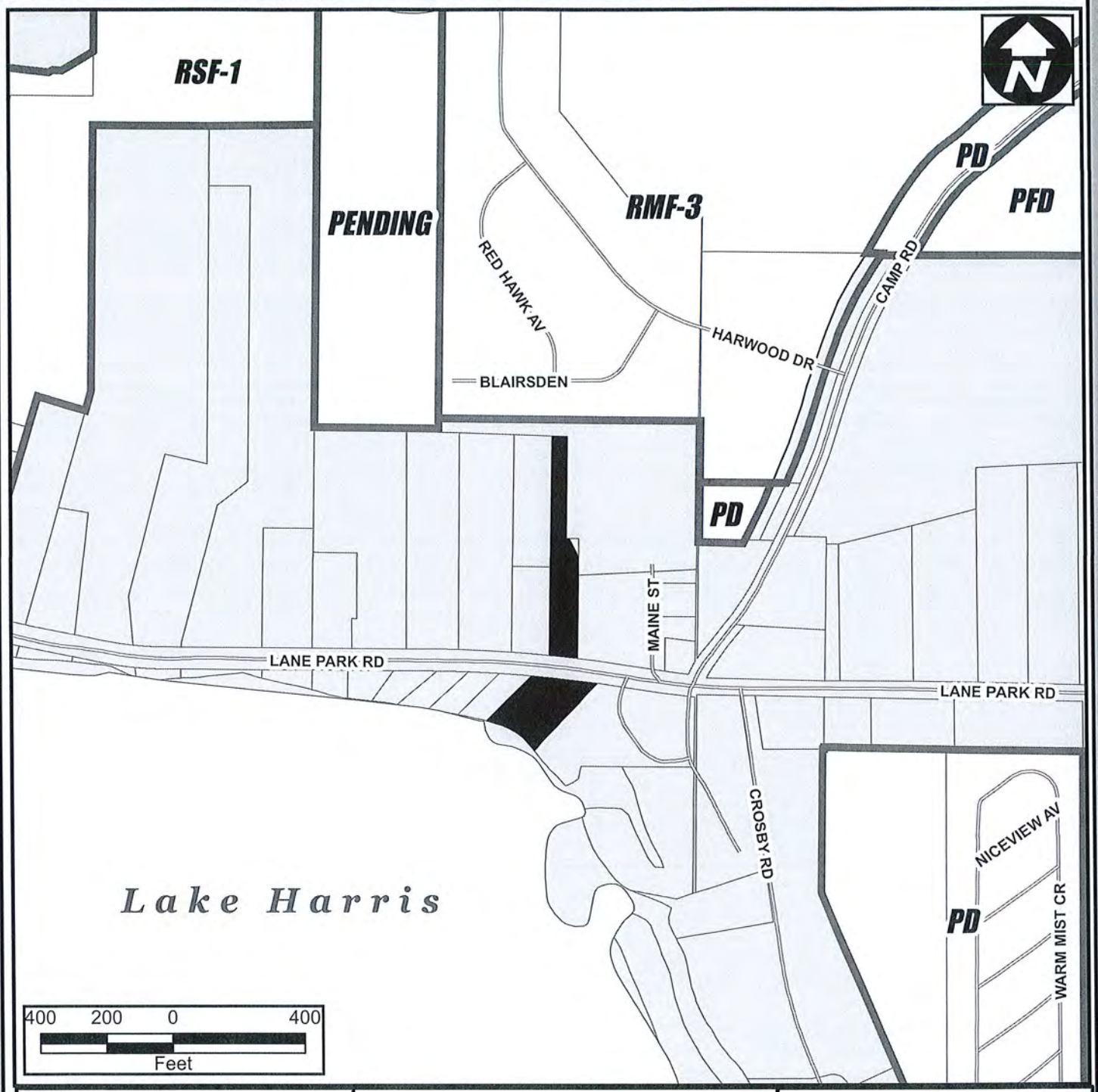
CITY OF TAVARES

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	MAJOR ROADS
ZONING	STREETS
SUBJECT PROPERTY	PARCELS
UNINCORPORATED	CONS/WETLANDS

AGENDA SUMMARY
TAVARES CITY COUNCIL
SEPTEMBER 16, 2015

AGENDA TAB NO. 6 **SECOND 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:

1. That City Council moves to approve Ordinance 2015-15 for the Future Land Use Amendment from County Rural Transition to City Commercial for 2.14 acres of property generally located 400 feet west of the intersection of Lane Park Road and Camp Road.

2. That City Council moves to deny Ordinance 2015-15 for the proposed Future Land Use Map amendment.

PLANNING & ZONING BOARD RECOMMENDATION:

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

STAFF RECOMMENDATION:

Move to approve Ordinance 2015-15 for the Future Land Use Amendment from County Rural Transition to City Commercial for 2.14 acres of property generally located 400 feet west of the intersection of Lane Park Road and Camp Road.

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:

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.

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LESS RIGHT OF WAY FOR LANE PARK ROAD.

NOTES
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3. UNDERGROUND ENCROACHMENTS OR IMPROVEMENTS, IF ANY, NOT LOCATED.
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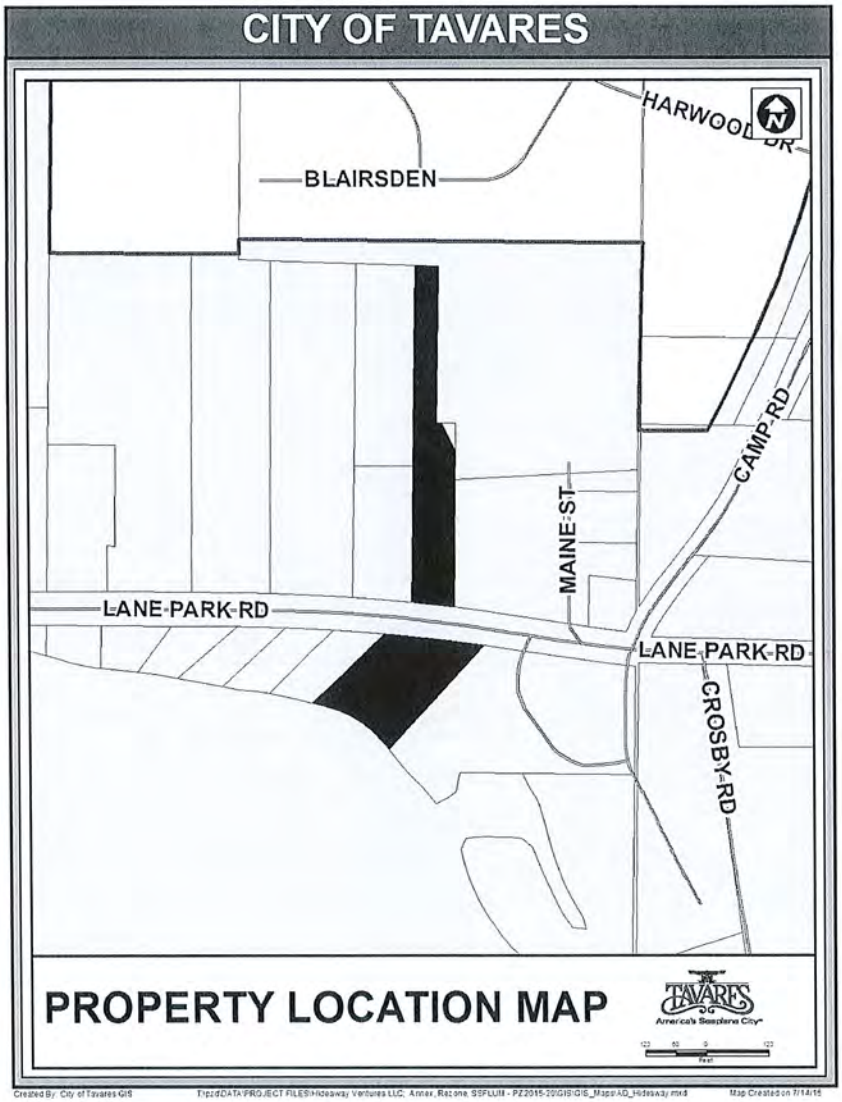
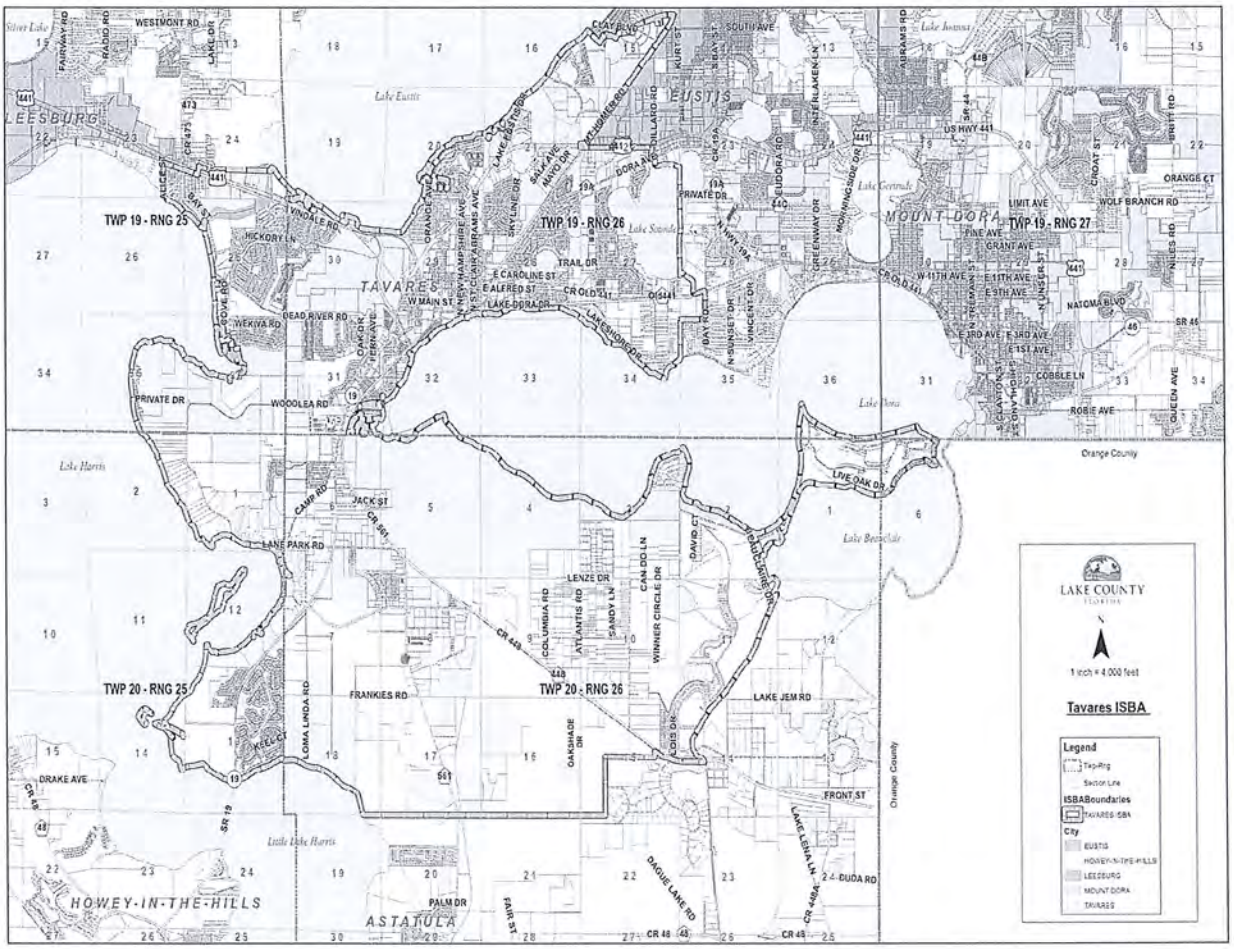
FROM THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, RUN NORTH 202.7 FEET, THENCE RUN WEST 345 FEET TO A POINT ON THE WEST BOUNDARY OF LOUISIANA STREET, ACCORDING TO THE PLAT OF LANE PARK, FILED ON JULY 7, 1884, IN PLAT BOOK 1, PAGE 39, PUBLIC RECORDS OF SUMTER 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".



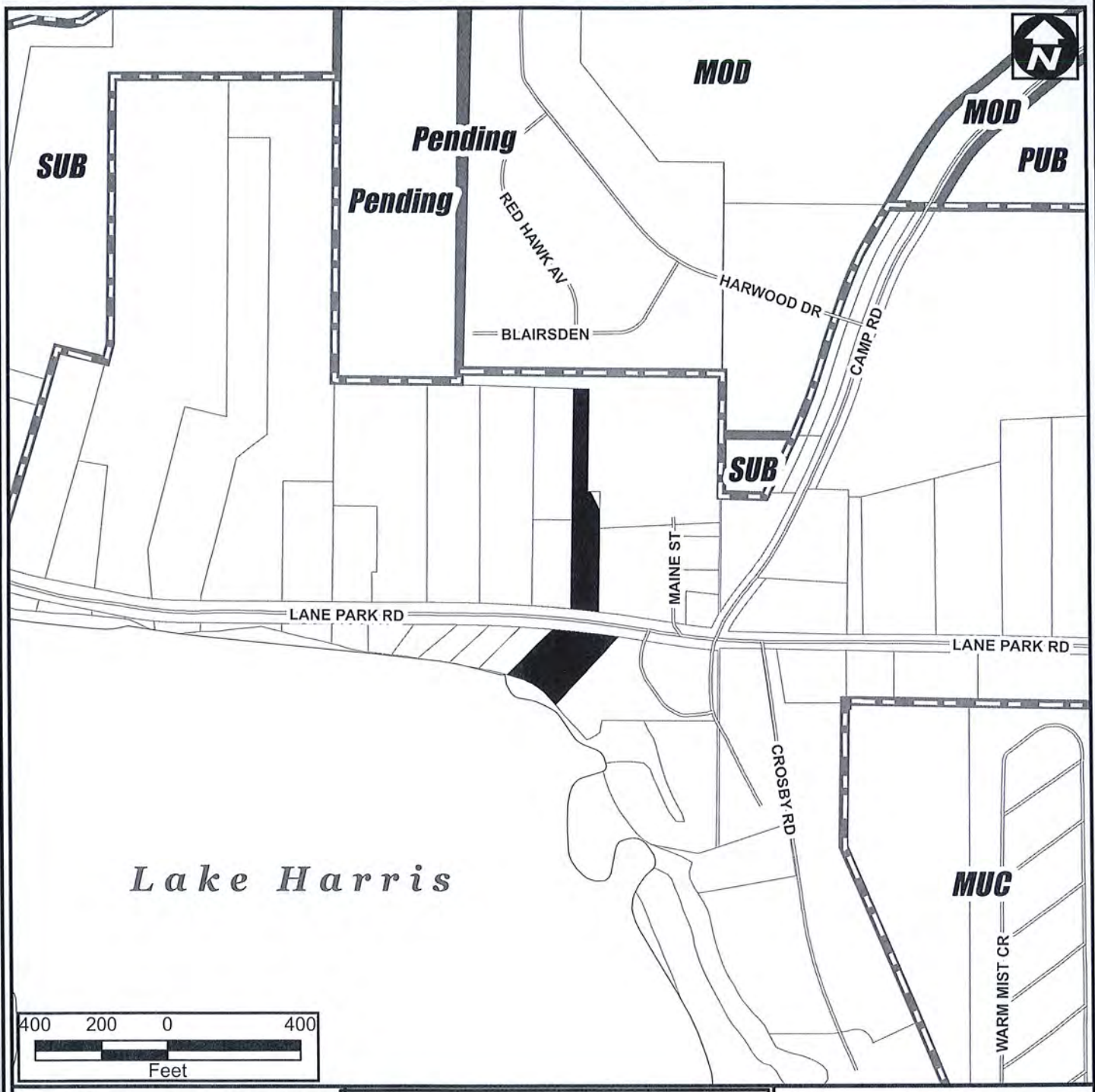
Created By: City of Tavares GIS T:\pzd\DATA\PROJECT FILES\Hideaway Ventures LLC, Annex, Rezone, SSFLUM - PZ2015-20\GIS\GIS_Maps\AD_Hideaway.mxd Map Created on 7/14/15

EXHIBIT B

INTERLOCAL SERVICE 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
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Client Name: / PO# Mike Fitzgerald
Advertiser: City of Tavares
Section/Page/Zone: Lake Zone/E003/LAK
Description: ff/ORd 15-14&15-15

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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 8 1/2-by-11-inch full-color original work, scalable to a 2 1/4-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 352-253-4659.

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 Skult, 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 16, 2015

AGENDA TAB NO. 7 **SECOND 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 be done in conformity with the requirements of the City's Land Development Regulations for this zoning designation.

OPTIONS:

1 Move to approve Ordinance 2015-16, 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.

2. Move to deny the proposed city initiated rezoning.

PLANNING & ZONING BOARD RECOMMENDATION:

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

STAFF RECOMMENDATION:

Move to approve Ordinance 2015-16, 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.

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:

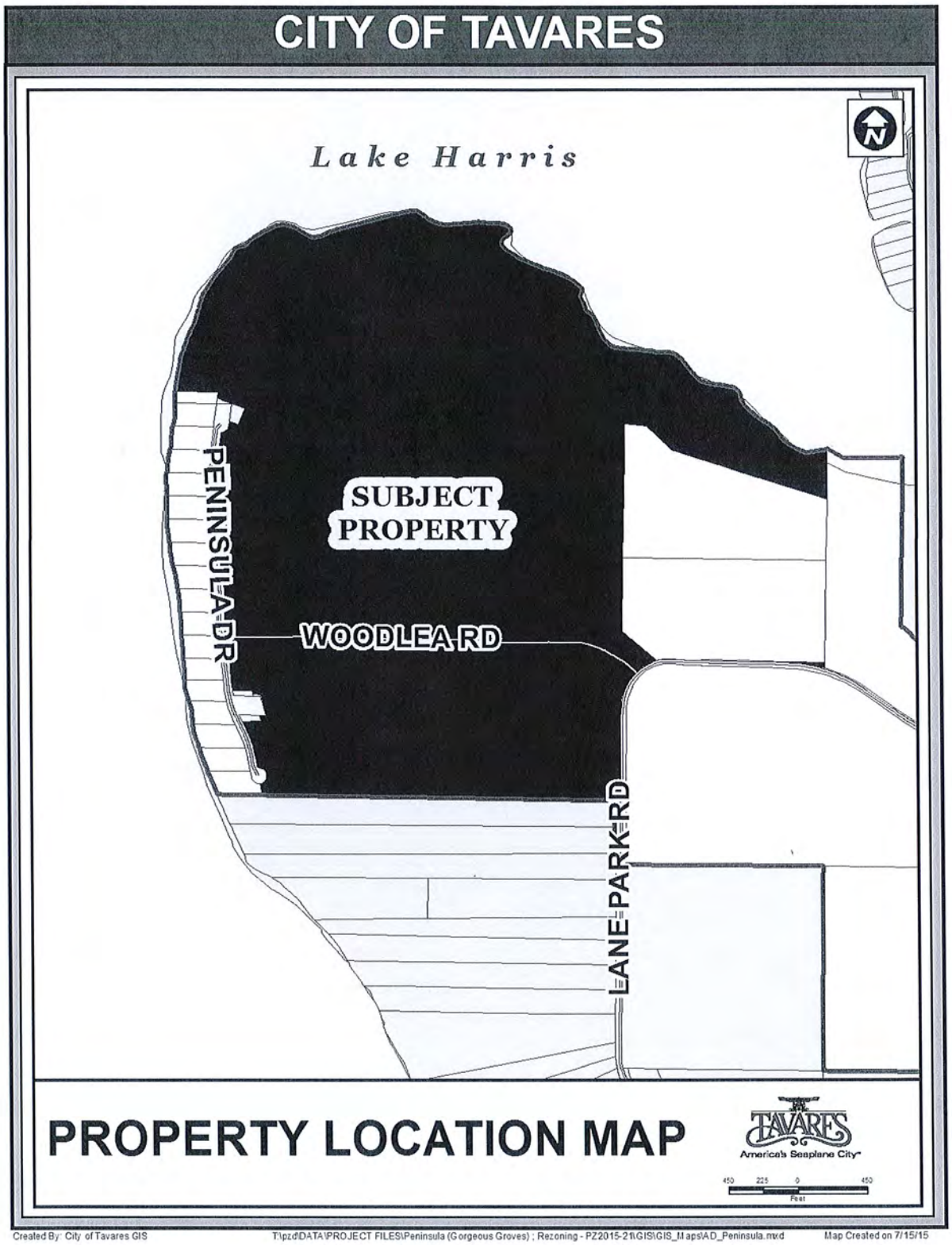
COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 36; THENCE RUN N00°39'25"E ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 36 A DISTANCE OF 1506.84 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE N00°39'25"E ALONG SAID WEST LINE A DISTANCE OF 1132.13 FEET TO THE WEST 1/4 SECTION CORNER OF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

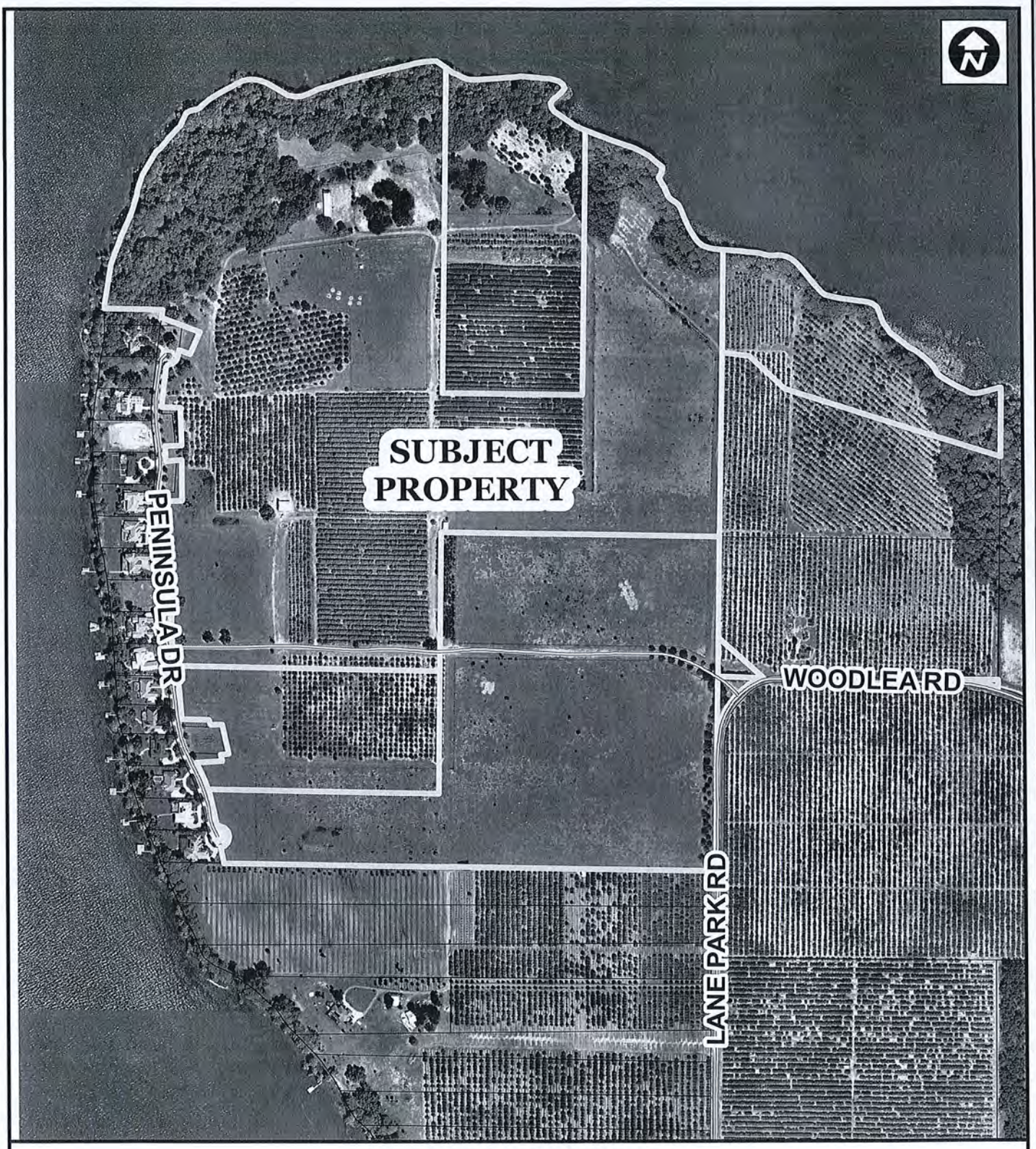
SUBJECT TO EASEMENTS, RIGHT OF WAYS AND MATTERS OF RECORD

Map of Area



Created By: City of Tavares GIS T:\pzd\DATA\PROJECT FILES\Peninsula (Gorgeous Groves) ; Rezoning - PZ2015-21\GIS\GIS_Maps\AD_Peninsula.mxd Map Created on 7/15/15

CITY OF TAVARES

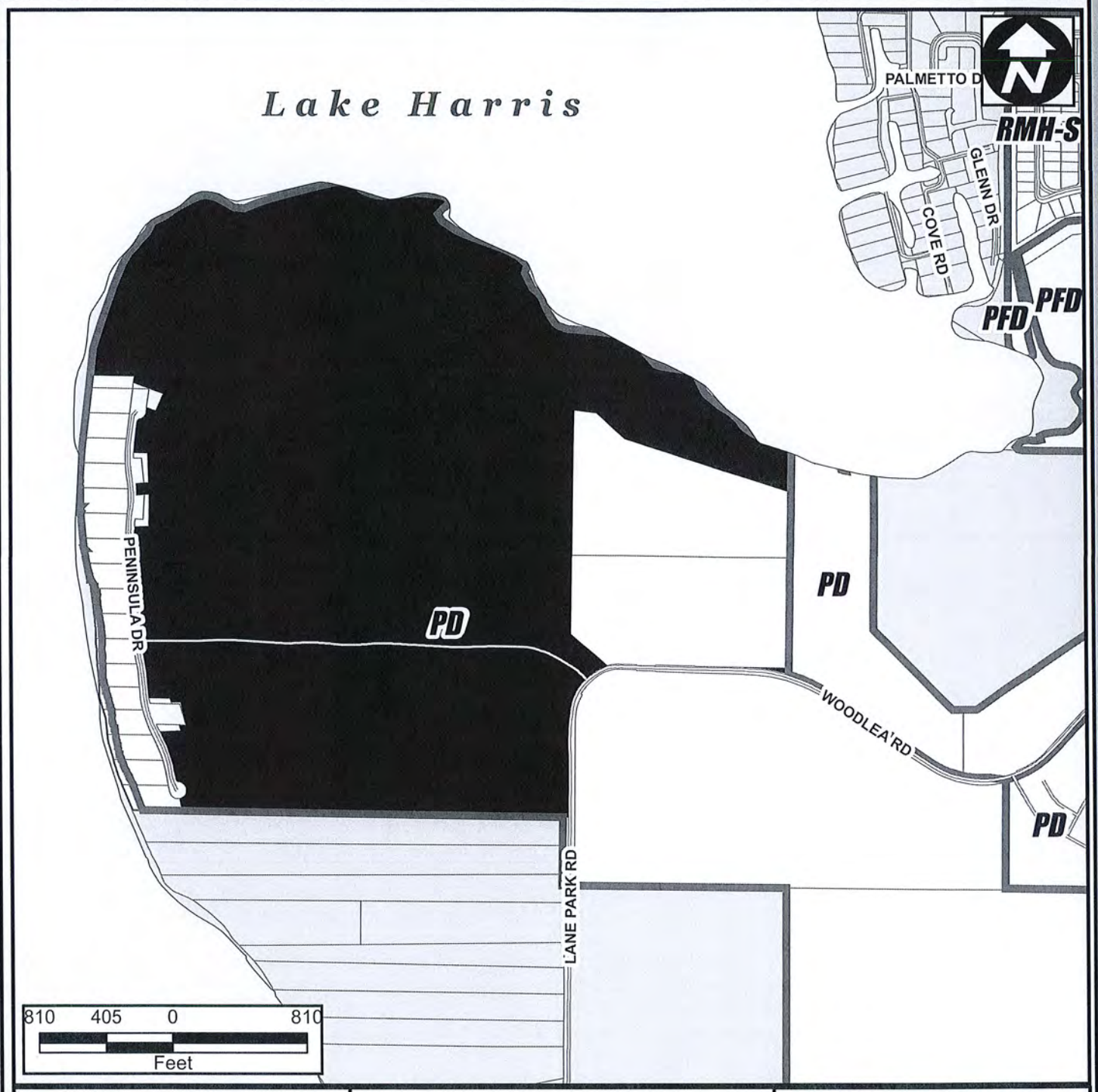


PROPERTY LOCATION MAP

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
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/E002/LAK
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 Skutt, 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: cfodeine.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 cidb69kwva.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

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~~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

AGENDA SUMMARY
TAVARES CITY COUNCIL
SEPTEMBER 16, 2015

AGENDA TAB NO. 8

SUBJECT TITLE: **Ordinance 2015-17** **SECOND READING**
Amendment to Land Development Regulations
Creation of New Zoning District- RSF-2

OBJECTIVE:

To consider an amendment to the Land Development Regulations that will create a new residential zoning district (RSF-2) that allows exclusively single family detached dwellings on 60' wide lots.

SUMMARY:

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.

OPTIONS:

1. **That City Council moves to approve Ordinance 2015-17 to create a new residential zoning district (RSF-2) that allows exclusively single family detached dwellings on 60' wide lots.**

2. **That City Council denies the proposed amendment to the Land Development Regulations.**

PLANNING & ZONING BOARD RECOMMENDATION:

At its August 20th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2015-17.

STAFF RECOMMENDATION:

Move to approve Ordinance 2015-17 to create a new residential zoning district (RSF-2) that allows exclusively single family detached dwellings on 60' wide lots.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ORDINANCE 2015-17

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS BY ADDING A NEW ZONING DESIGNATION TO BE IDENTIFIED AS RSF-2 (RESIDENTIAL SINGLE FAMLY 5.6 DWELLING UNITS PER ACRE) THAT MATCHES THE REGULATIONS PERTAINING TO THE EXISTING RMF-2 (RESIDENTIAL MULTI-FAMILY) ZONING DESIGNATION WITH THE EXCEPTION THAT TWO-FAMILY DWELLINGS, DUPLEXES AND TOWNHOMES ARE EXCLUDED AS A PERMITTED USE; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 7, 2005, the City of Tavares adopted the Land Development Regulations, specifying therein zoning designations including the RMF-2 (Residential Multi-Family) zoning; and

WHEREAS, the Land Development Regulations provides development specifications including allowable uses to be applied and permitted within the RMF-2 zoning designation; and

WHEREAS, the minimum lot width and size within the RMF-2 zoning designation is 60 feet and 6,500 square feet respectively; and

WHEREAS, the RMF-2 zoning district allows, single family and two family dwellings, duplexes and townhomes (subject to certain design criteria); and

WHEREAS, the existing Land Development Regulations does not presently include a zoning designation that exclusively allows single family detached development on a 60 foot wide, 6,500 square foot lot; and

WHEREAS, the present RMF-2 zoning designation, by allowing a variation of dwelling types, lends uncertainty to the rezoning process for neighboring impacted communities; and

WHEREAS, single family detached developments on 60 foot wide lots is a housing industry standard and prevalent in residential subdivisions within Tavares; and

WHEREAS, the creation and addition of a zoning designation into the Land Development Regulations that exclusively allows single family dwellings on 60 foot wide and 6,500 square foot sized lots will simplify and clarify rezoning requests for developments of this nature; and

WHEREAS, the City of Tavares has determined these changes are appropriate and in the best interest of the community; therefore;

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

That the City of Tavares Land Development Regulations be hereby amended as follows:

Section 1. Text Amendment to Regulations.

Section 8-3 (A)

A) Zoning Districts. Consistent with the *City's Comprehensive Plan Future Land Use Map* and related policies, all land and water areas located within the incorporated territory of the City of Tavares shall be designated for use and development based on the following zoning districts. Such districts shall be reflected on the *Official Zoning Atlas* by the following zoning district symbols:

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

Section 8-11(D) (1) (h)

(f) One (1) and only one (1) accessory structure may be located in front yards in RSF-A, RSF-1, RSF-2, RMF-2 and RMF-3 if the lot is used only for one (1) single-family dwelling and the accessory structure meets the following criteria:

1. Lots shall be one (1) acre or larger in area.

2. The accessory structure shall be set back at least one hundred feet (100') from the front property line.

3. The accessory structure shall meet the side setback requirements of the principal structure of the district it is located in.

Section 8-12 (A) (6)

(5) Fences in Residential Districts. The following provisions shall apply to fences and walls in the residential districts (RSF-A, RSF-1, RSF-2, RMF-2, RMF-3, RMH-S, RMH-P, MU Residential and Residential Planned Development) in the City:

(a) All walls, fences or hedges hereafter located, erected, constructed, reconstructed or altered shall not be more than six feet (6') in height. If the fence wall or hedge is located forward of the front façade of the principle structure to a right-or-way it shall not be more than four feet (4') in height.

(b) Fences located forward of the front façade as specified above must be decorative in nature and shall not exceed seventy-five percent (75%) opacity. Such fences may be picket fences, split rail fences, wrought iron fences, and the like. In no case shall wire fabricated fences such as chain link, chain link with vinyl inserts, field fence, chicken wire fence, barbed wire fence and other similar fences be considered decorative.

(c) Where lots in a platted residential subdivision abut a public right-of-way, all visible fences shall be of the same material and design in order to provide a uniform appearance to the roadway. Said requirement shall be provided in the Conditions, Covenants and Restrictions for said subdivision as a condition of approval of the associated final plat.

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Table 8-1 Future Land Use/Zoning Matrix

FLU Zoning	SUB Suburban Density Residential (3 du/ac)	LOW Low Density Residential (5.6 du/ac)	MOD Moderate Density Residential (10 du/ac)	MED Medium Density Residential (12 du/ac)	HD High Density Residential (12-25 du/ac)	MH Mobile Home Density Residential (8.7 du/ac)	MUN Mixed Use Neighborhood (12 du/ac)	MUC Mixed Use Commercial (25 du/ac)	COM Commercial (10 du/ac)	CD Commercial Downtown (25 du/ac)	IND Industrial	PUB Public Facilities
RSF-A (3 du/ac)	C	C	C	C			C	C				
RSF-1 (5.6 du/ac)		C	C	C			C	C				
RSF-2 (12 du/ac)		C	C	C			C	C				
RMF-2 (12 du/ac)		C	C	C	C		C	C				
RMF-3 12-25 du/ac			C	C	C		C	C				
RMH-P 8.7 du/ac						C						
RMH-S 8.7 du/ac						C						
PD	C	C	C	C	C	C	C	C	C	C	C	C
MU (12 du/ac)							C	C				
C-2 12-25 du/ac									C			
C-1									C			
CD 12-25 du/ac										C		
I											C	
PFD	C	C	C	C	C	C	C	C	C	C	C	C

2

3

Table 8-2 Permitted and Special Uses (30)

AND USE	ZONING													
	RSF-A	RSF-1	RSF-2	RMF-2	RMF-3	RMH-P	RMH-S	PD	MU	CD	C-1	C-2	I	PFD
GRICULTURE														
itrus Groves	P	P	P	P	P	P	P		P	P	P	P	P	
'holesale plant production, wholesale ırseries, and greenhouses.													P	
oarding and keeping of horses and cattle	P (7)													
ESIDENTIAL														
ngle-family Dwelling	P	P	P	P		P(28)	P(28)	(1)	P					
wo-family Dwellings, Duplexes				P(23)	P(23)			(1)(23)	P(23)					
ownhomes				P (24)	P (24)			(1)(24)	P (24)	P (24)				
ultiple-family Dwelling (3 or more tached dwelling units)					P(25)			(1)(25)	P(25)	P(25)				
anufactured/Mobile Home Dwellings						P	P							
avel Trailer and Motor Home Dwellings						P (4)								
ncillary Apartments								(1)(2)	P(2)	P (2)				
uest Apartments	P (3)		P(3)	P (3)					P					
oarding and Rooming Houses	P (21)	P (21)	P(21)	P (21)	P (21)	P (21)	P (21)		P (21)					
roup Home / Community Residential ome ıax. 6 residents)	S (5)	S (5)	P(5)	P (5)	P (5)	S (5)	S (5)		S (5)					
roup Home / Community Residential ome or more residents)			S(6)	S (6)	S (6)		S (6)		S (6)					
ursing Home					P			(1)	P					
dult Congregate Living Facilities					P (26)			(1)	P (26)					
dult Activity Center	P(27)	P(27)	P(27)	P(27)	P	P	P	1	P	P	P	P		
UBLIC/SEMIPUBLIC, INSTITUTIONAL														
ıblic and Private Schools lementary through High School)	S	S	S	S	S	S	S	(1)	S	S	S	S	S	S
ommunity Colleges, Colleges or niversities or College annexes								(1)		S		S	S	S
braries								(1)	S	S	S	P		P
ommunity Centers	S	S	S	S	S	S	S	(1)	S	S	P	P	P	P
ommunity Shelters	S	S	S	S	S	S	S		S	S				P
overnment Facility								(1)						P
hurches and other places of Worship, th attendant educational and recreational cilities	S	S	S	S	S	S	S	(1)	S	S	P	P		
ospitals								(1)				P	P	
edical Clinics and Emergency eatments Centers								(1)				P	P	
edical Care Facility, outpatient only								(1)			S	P	P	
ECREATIONAL, CULTURAL AND IVIC USES														
ommunity recreation buildings, utility ıildings, recreation facilities or areas for se of subdivision or park residents.	S	S	S	S	S	P	P	(1)						
ommunity Boat Docks and Boat Houses	S	S	S	S	S	S	S	(1)						
ivate docks and Boathouses	P (10)	P (10)	P(10)	P (10)	P (10)	P (10)	P (10)	(1)		S	S	S		
ivate Clubs and Lodges, Community enters, Civic and Social rganization facilities								(1)	P(11)	P	P	P	P	(1)

	RSF-A	RSF-1	RSF-2	RMF-2	RMF-3	RMH-P	RMH-S	PD	MU	CD	C-1	C-2	I	PFD
arks, play grounds, recreational eas and recreational or community ructures owned and maintained by ıy private non-profit or for-profit ssociation								(1)		S	S	P	P	
ublic Parks, Play grounds and ecreation Areas								(1)						P
eneral Cultural Uses								(1)	P (11)	P	P	P	P	P
uditoriums, stadiums, arenas, and xpositions								(1)				S	S	P
ealth or Fitness uses								(1)	P (11)	P	P	P		
amily / General Entertainment uses								(1)		P	P	P	P	
USINESS AND COMMERCIAL USES														
usiness and Professional office uses								(1)	P (11)	P	P	P	P	
anks and Financial Institutions								(1)		P	P	P		
rocery Stores								(1)				P		
onvenience Store (not including gas/fuel ales)								(1)	S (11)	P	P	P	P	
onvenience Store (including gas/fuel ales)								(1)				P	P	
etail, General Business, or Personal ervice								(1)	P (11)	P	P	P		
etail, General Business, or Personal ervice > 50K sq ft. – single use								(1)				P		
ersonal Service or Specialty Shop with ıht retail								(1)	P (11)					
etail plant nursery								(1)				P	P	
edical/Dental/Optical Supplies Stores								(1)		P	P	P		
edical and Dental/Optical Laboratories								(1)			S	P		
estaurant / Food Service / Food Retail								(1) (20)	P (11) (20)	P (20)	P (20)	P (20)	P (20)	
ar-Beer and Wine										P		P		
ar										P		P		
dult Entertainment Establishments													S (22)	
hild Care Centers	P (8)	P (8)	P(8)	P (8)	P (8)	P (8)	P (8)	(1)	S (9)	S (9)	S (9)	S (9)		
usiness and Technical Trade Schools								(1)		P	P	P	P	
ocational and Industrial Trade Schools												S	P	
nimal hospital, veterinary clinic or animal oarding with boarding of animals in ompletely enclosed buildings.								(1)	S		P	P	P	
et Stores that may include retail, ooming services, and boarding of omestic animals										P (29)	P (29)	P (29)		
aundromats/Dry Cleaning (self service)								(1)	S (11)	P	P	P		
aundry/Dry Cleaners without drive-rough pickup (no on-site processing, not elf service)								(1)	S (11)	P	P	P		
aundry/Dry Cleaners with ive-through pick-up o on-site processing, ot self service)								(1)			P	P		
aundry/Dry Cleaners with on-site ocessing								(1)				P	P	
utomobile/Truck, boat, motorcycle, creational vehicles sales & rental												S (12)	P (12)	
utomobile/Truck Parts Sales												P	P	
utomobile/Truck/Motorcycle/Boat repair & ervice												P (13)	P (13)	
ar Wash												P	P	

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	RSF-A	RSF-1	RSF-2	RMF-2	RMF-3	RMH-P	RMH-S	PD	MU	CD	C-1	C-2	I	PFD
IDUSTRIAL USES														
anufacturing, fabricating, processing, ackaging, storage, and sales / distribution ses													P (12-16) (18) (20) (22)	
ini-warehouse, personal storage facilities limate controlled, internal entrance only)												S	P	
etail accessory establishments (only for e sale of goods manufactured on site)													P	
'holesale Stores												P	P	
esearch Laboratory													P	
adio and Television stations and ansmitters, but no radio or television wer												P	P	
'recking Yards (including automotive ehicle wrecking yards) and junk yards													S	
'uck Stop													S	
obile home sales yards												S	P	
uel storage yards, coal, coke or wood ards.													S (15)	
UBLIC UTILITY USES														
efuse Transfer Stations													P	P
ewage Treatment Facilities, local													P	P
'ater withdrawal operations, local													P	P
as and water metering stations													P	P
'ireless Communications Towers, ntennas and Equipment Facilities								(1) (16)		S (16)	S (16)	S (16)	S (16)	P (16
ODGING														
otel, Motel and Motor Court ccommodations								(1) (18)		P(18)		P(18)	S (18)	
ed and Breakfast Accommodations	S (19)	S (19)	S(19)	S (19)					P (19)					
ourist Resort								(1)						
ISCELLANEOUS														
ome Owners Association/Park Business ffice	P	P	P	P	P	P	P							
ommunity Storage Areas for use of ubdivision and park residents for storage boats, boat trailers and recreation ehicles.		S	S	S	S	S	S							
ublic parking lots and parking garages, ther rental or free parking.										S	S	P	P	P
ansportation terminals including bus ations, railroad stations or other mass ansit systems													P	P
rports and heliports												S	S	P
uneral Homes										P (17)	S (17)	P (17)		
emeteries and mausoleums														P

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11
12

1

Table 8-3 Development Standards

RSF-2 RESIDENTIAL SINGLE FAMILY	
Maximum Residential Density	12 units per acre
Minimum Lot Requirements	Width 60 feet Area 6500 sq. ft. Corner lots are required to have 15% greater width than the minimum required by the district, unless the width provided is greater than one hundred feet (100'). Water front lots are required to have a minimum of seventy-five feet in width at the mean-high-water-line.
Maximum Impervious Surface Area	60% No more than thirty (35%) percent of the front yard may be covered by impervious surface.
Minimum Yard Requirements	Front yard 25 ft. Side 7.5 ft. Rear 20 ft. Adjacent to federal, state highway or county secondary highway right-of-ways - 25 ft. Natural Water bodies (from MHWL) - 50 feet Wetlands - 25 feet Side yards of corner lots which face the same street as an adjacent interior lot shall be at least one-half (1/2) of the front yard required for the house on the adjacent interior lot. In no case shall the setback be less than twelve-and-one-half feet (12-1/2').
Maximum Height of Structures	35 feet
Minimum Off-street Parking Requirements	See Chapter 20 Off Street Parking Requirements In All Zoning Districts
Landscape Buffer Requirements	See Chapter 11 Landscape Buffer Requirements In All Zoning Districts
Open Space and Recreation Requirements	See Chapter 23 Open Space and Recreation requirements in all Residential Districts

Commercial Architectural and Site Design Requirements	See Chapter 9 Overlay Zoning District Requirements for all Non-Residential Development
Additional Requirements	See notes: 1, 5, 6

Table 11-B Required Buffer Type abutting a Right-of-Way

Development Zoning District	Abutting Right-Of-Way			
	Local Road	Collector Road	Arterial Road	Railroad
RSF-A, RSF-1 Front yards facing road Rear or side yards facing road	B D or E	B E	D or E E	A A
RFS-2, RMF-2, RMH-P, RMH-S Front yards facing road Rear or side yards facing road	B D or E	B E	D or E E	A A
RMF-3 Front yards facing road Rear or side yards facing road	B D or E	D or E E	D or E E	A A
C-1, C-2 Front or side facing road Rear facing road	B E	B E	C E	A A
CD **(Cross reference Chapter 9 Overlay Districts. The most restrictive buffers shall apply.)**	None	None	C	A
I If property across roadway is zoned or intended for non-residential uses. If property across roadway is zoned or intended for residential uses.	B E	B E	C E	A C
MU, PD	(1)	(1)	(1)	A
PFD Front or side facing road Rear facing road	B D or E	B D or E	C D or E	A A

Table 11-C Required Buffer Type abutting Contiguous Zone

Development Zoning District (3)	Contiguous Zoning District								
	RSF-A RSF-1	RSF-2 RMF-2 RMH-S RMH-P	RMF-3	CD	C-1 C-2	I	MU PD	PFD	Property containing other than City zoning
RSF-A RSF-1	None	A	A	B	D or E	A	(1)	A	(2)
RFS-2 RMF-2 RMH-S RMH-P	C	None	B	B	D or E	D or E	(1)	D or E	(2)
RMF-3	E	B	B	B	D or E	D or E	(1)	D or E	(2)
CD	B	B	B	None	A	B	(1)	B	(2)
C-1 C-2	E	D or E	D or E	A	A	A	(1)	B	(2)
I	E	E	E	B	A	None	(1)	D or E	(2)
MU PD	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(2)
PFD	E	D or E	D or E	B	B	B	(1)	A	(2)

Section 2. Severability and Conflicts

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

Section 3. Effective Date

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

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

_____

Kirby Smith, Mayor
Tavares City Council

First Reading: _____

Second Reading: _____

ATTEST:

_____
Nancy A. Barnett, City Clerk

Approved as to form:

_____
Robert Q. Williams, City Attorney

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Danny Len, Mount Dora
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New 1-866-291-3265
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Pre Owned 888-331-4617
New 877-269-7213
Call Chris

INDEPENDENT

Central Florida Exports
Fruitland Park
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Call Byron

Car Spot of Central FL
Pre-owned 888-479-6160

J & M Affordable Auto Inc.
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Pre-Owned 888-391-8879
Call Internet Department

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Leesburg
Pre-Owned 877-798-4001
Call Randy

Rios Motors, Tavares
Pre-Owned 888-619-8939
Call Joe

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Leesburg
Pre-Owned 888-220-2616
Call Stan

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SELECTION COMMITTEE MEETING
AUGUST 12, 2015, 10:00 A.M.
LAKE EMS REQUEST FOR PROPOSALS (RFP) 15-0624R
LAKE EMS HRIS SYSTEM
2761 West Old Hwy 441
Administrative Conference Room A
Mount Dora, Florida 32757

All interested citizens are welcome to attend. Persons with disabilities who need assistance should contact Lake EMS at (352) 383-4554, 48 hours in advance of the scheduled meeting. Elected official and appointed board members may be in attendance.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by above named Committee with respect to any matter considered during any meeting of such Committee, he or she will need a record of the proceedings, and that, for such purposes, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Bryan Andrews
Chief Administrative Officer
352-383-4554

LAK3491137 8/10/2015

Public Hearing Notices

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 2015-17 titled as follows:

ORDINANCE 2015-17

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS BY ADDING A NEW ZONING DESIGNATION TO BE IDENTIFIED AS RSF-3 (RESIDENTIAL SINGLE FAMILY 5.6 DWELLING UNITS PER ACRE) THAT MATCHES THE REGULATIONS PERTAINING TO THE EXISTING RMF-2 (RESIDENTIAL MULTI-FAMILY) ZONING DESIGNATION WITH THE EXCEPTION THAT TWO-FAMILY DWELLINGS, DUPLEXES AND TOWNHOMES ARE EXCLUDED AS A PERMITTED USE; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

Proposed Ordinance 2015-17 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 2015-17 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.

LAK3483483 8/10/2015

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 2015-18 titled as follows:

ORDINANCE 2015-18

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS BY AMENDING TABLE 8-3, DEVELOPMENT STANDARDS FOR THE DOWNTOWN COMMERCIAL DISTRICT, BY INCREASING THE MAXIMUM HEIGHT OF STRUCTURES TO EIGHTY FOUR FEET; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

Proposed Ordinance 2015-18 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 2015-18 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.

LAK3483? 8/10/2015

Foreclosure Sales

IN THE CIRCUIT COURT OF THE 5TH JUDICIAL CIRCUIT IN AND FOR LAKE COUNTY, FLORIDA
CASE NO.: 2015-CA-689

SEACOAST NATIONAL BANK, Successor by merger of BankFIRST 50 E. Kindred Street, Suite 203 Stuart, Florida 34994,
Plaintiff,
v.
FINISH LINE PAINT & BODY, LLC 39317 Highway 561 Tavares, Florida 32778; GARY LASTER 11401 Lake Minneola Shores Clermont, Florida 34715; LASTER'S AUTO PAINT & BODY, INC.; UNKNOWN TENANT #1 39317 Highway 561 Tavares, Florida 32778; UNKNOWN TENANT #2 39317 Highway 561 Tavares, Florida 32778,
Defendants.

NOTICE OF SALE
PURSUANT TO CHAPTER 45

Notice is hereby given pursuant to an Order of Final Judgment of Foreclosure dated July 15, 2015, and entered in Civil Action Case No. 2015-CA-689 of the Circuit Court of the Fifth Judicial Circuit, in and for Lake County, Florida in which the Clerk of this Court will sell to the highest and best bidder for cash at Lake County Courthouse, 550 W. Main Street, Tavares, Florida 32778-7800 at 11:00 a.m. on the 3 day of September 2015, the following described property as set forth in the Order of Final Judgment of Foreclosure, to wit:

EXHIBIT "A"

That part of the Northwest 1/4 of the Southwest 1/4 of Section 5, Township 20 South, Range 26 East, Lake County, Florida, bounded and described as follows:

From the Southwest corner of the Northwest 1/4 of the Southwest 1/4 of Section 5, Township 20 South, Range 26 East, Lake County, Florida, run thence East along the South line of the said Northwest 1/4 of the Southwest 1/4 of Section 5, a distance of 692.94 feet to a point on the Southwesterly right of way line of State Road No. 561, thence North 39o35'45" West, along said Southwesterly right of way line, a distance of 583.42 feet to a Point of Beginning, continue thence North 39o35'45" West along said Southwesterly right of way line, 195.40 feet, more or less, to a point that is 265 feet Southeast of the intersection of the West line of the Northwest 1/4 of the South-west 1/4 of said Section 5 and the aforesaid Southwesterly line of the right of way of State Road No. 561, thence run Southwesterly in a straight line to a point on the West line of said Northwest 1/4 of the Southwest 1/4 that is 208.00 feet North of the aforesaid Southwest corner of the Northwest 1/4 of the Southwest 1/4 of said Section 5, thence East parallel with the aforesaid South line of the Northwest 1/4 of the Southwest 1/4 of Section 5, a distance of 208.00 feet, thence run North 79o59'15" East, 97.32 feet, thence North 41o05'55" West, 150.65 feet, thence North 31o58'08" East, 139.04 feet to the Point of Beginning.

Dated this 16 day of July, 2015

NEIL KELLY
Clerk of Circuit Court

(Court Seal)
By: /s/ D. MATTSON
Deputy Clerk

PLAINTIFF'S ATTORNEY
POHL & SHORT, P.A.
280 W. Canton Ave., Suite 410
Winter Park, FL 32789

LAK3483? 08/03, 10, 2015

Miscellaneous Legals

NOTICE OF PUBLIC MEETING
Lake County Local Mitigation Strategy Working Group Meeting
August 24, 2015, 10:00 a.m.
Lake County Emergency Communications and Operations Center
Second Floor, Training Rooms A&B
425 West Alfred Street
Tavares, Florida 32778

The purpose of the Local Mitigation Strategy (LMS) is to reduce or eliminate long-term risk to human life and property from disasters. The LMS Task Force consists of a variety of municipal and community partners within Lake County who provide direction and guidance on the update of the mitigation strategy and projects sent to our State and Federal partners for funding consideration. More information on the Lake County Local Mitigation Strategy can be found here: http://www.lakecountyfl.gov/departments/public_safety/emergency_management/local_mitigation_strategy.aspx

All interested citizens are welcome to attend. Free public parking is available at the eight-story parking garage on North Sinclair Avenue. There is an elevator in the lobby to accommodate persons with disabilities. If further assistance is needed, please contact the Division of Facilities Management at (352) 343-9760, at least 48 hours in advance of the scheduled meeting.

Spencer Kostus
Disaster Assistance Specialist
352-343-9105

LAK3483? 8/10/15

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 2015-19 & Ordinance 2015-20 titled as follows:

ORDINANCE 2015-19

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 2.28 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF NELSON STREET AND U.S. HWY 441 FROM A MIX OF RSF-1 (RESIDENTIAL SINGLE FAMILY) AND C-2 HIGHWAY COMMERCIAL TO C-2 HIGHWAY COMMERCIAL; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2015-20

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 APPROXIMATELY 2.28 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF NELSON STREET AND U.S. HWY 441 FROM A MIX OF LOW DENSITY RESIDENTIAL AND COMMERCIAL TO WHOLLY COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2015-19 & Ordinance 2015-20 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 2015-19 & Ordinance 2015-20 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,

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

AGENDA SUMMARY
TAVARES CITY COUNCIL
SEPTEMBER 16, 2015

AGENDA TAB NO. 9 **SECOND READING**

SUBJECT TITLE: Ordinance 2015-18
Amendment to City's Land Development Regulations
Increase of Maximum Building Height in Commercial Downtown

OBJECTIVE:

To consider an amendment to the city's Land Development Regulations that increases the maximum allowable building height in the Commercial Downtown District to 84 feet to correspond with the recommendation of the City's adopted Downtown Master Plan.

SUMMARY:

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 in the Commercial Downtown zoning district was not simultaneously increased from the current 60 foot maximum to 84 feet. The County's Downtown Parking Garage is 78 feet in height and the County Courthouse was approved for a height of 120 feet. This proposed amendment in maximum height is consistent with existing buildings in our downtown.

This proposed ordinance serves to implement an action strategy of the Downtown Master Plan by increasing the maximum allowable building height in the Commercial Downtown District to 84 feet.

OPTIONS:

1. **That City Council moves to approve Ordinance 2015-18 to increase the maximum allowable building height in the Commercial Downtown District to 84 feet to correspond with the recommendation of the City's adopted Downtown Master Plan.**
2. **That City Council moves to deny the proposed amendment to the maximum height within the Commercial Downtown District.**

PLANNING & ZONING BOARD RECOMMENDATION:

At its August 20th meeting, the Planning & Zoning Board voted 4-1 to recommend approval of Ordinance 2015-18. The Board requested confirmation from the Fire Chief that he was in agreement with the proposed increase in height. The Fire Chief has responded that this increase does impact the City's ability to fight fires (e-mail attached).

STAFF RECOMMENDATION:

Move to approve Ordinance 2015-18 to increase the maximum allowable building height in the Commercial Downtown District to 84 feet to correspond with the recommendation of the City's adopted Downtown Master Plan.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

Good afternoon, Jacques;

Thanks for the inquiry.

For the fire service in general, any height of building that exceeds our ability to control fire and effect rescue from ground ladders is considered a "high rise". 60', or 84', would both be "high-rises" to us. As you know, though, high rise construction has its own fire and life safety codes that provide for a higher degree of protection. High rises receive extra protection, such as automatic sprinkler systems throughout, a pump to boost sprinkler system flow rates and pressures, rated occupancy separations, increases in rated wall and ceiling protection levels, and protected exit stairwells.

All that being said, we're fine with increasing the maximum height of our downtown buildings to 84 feet (without making additional purchases of equipment for the Fire Department).

Thank you for checking with us, and please thank the members of the Planning and Zoning Board for asking this very important question.

Richard Keith

ORDINANCE 2015-18

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS BY AMENDING TABLE 8-3, DEVELOPMENT STANDARDS FOR THE COMMERCIAL DOWNTOWN DISTRICT, BY INCREASING THE MAXIMUM HEIGHT OF STRUCTURES TO EIGHTY FOUR FEET; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 7, 2005, the City of Tavares adopted the Land Development Regulations, specifying therein permitted and special uses allowed within established zoning districts; and

WHEREAS, Table 8-3, Development Standards for the Commercial Downtown District, specifies that the maximum allowable height of structures within this district is 60 feet; and

WHEREAS, the Downtown Master Plan, adopted by Tavares City Council in 2008, envisions and encourages high intensity and density development within the downtown core with building heights up to a maximum of 84 feet; and

WHEREAS, the City of Tavares desires to amend the Land Development Regulations to be in conformity with the adopted Downtown Master Plan and has determined this change is appropriate and in the best interest of the community; therefore;

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

Section 1. Text Amendments

That the City of Tavares Land Development Regulations, Table 8-3, Development Standards for the CD (Commercial Downtown) District be hereby amended as follows:

1
2

CD COMMERCIAL DOWNTOWN DISTRICT	
Maximum Residential Density	Multi-Family 12 – 25 units per acre
Minimum Lot Requirements	Commercial/Office/Multi-Family A lot may be of any size, both area or width, subject to the lot meeting minimum standards for setbacks, buffer requirements, off-street parking and loading, stormwater and other requirements.
Maximum Impervious Surface Area	90%
Minimum Yard Requirements	Adjacent to federal, state highway or county secondary highway right-of-ways - 25 ft. Setback from right-of-way on property located adjacent to all other roads - 10 ft. Setback from Main Street for buildings up to 30 feet in height - Front 0 ft. Internal Side 0 ft. Street Side 7.5 ft Rear 10 ft. • For alternative design standards see Chapter 9 Setback from Main Street for buildings in which the vertical wall is 30 ft. and higher – Front 20 ft. Internal Side 10 ft. Street Side 20 ft. Setbacks from Ruby Street – Front 10 ft. Internal Side 0 ft. Street Side 7.5 ft. Rear 10 ft. • For alternative design standards see Chapter 9 Setback from Ruby Street for buildings in which the vertical wall is 30 ft. and higher – Front 30 ft. Internal Side 10 ft. Street Side 20 ft. Rear Side 10 ft.

	Setbacks from S. Joanna Ave., S. New Hampshire Ave., S. Rockingham Ave., St. Clair Abrams Ave., and N. Disston Ave. – Front 10 ft. Internal Side 0 ft. Street Side 7.5 ft. Rear 10 ft. Setbacks from S. Joanna Ave., S. New Hampshire Ave., S. Rockingham Ave., St. Clair Abrams Ave., and N. Disston Ave. for buildings in which the vertical wall is 30 ft. and higher – Front 20 ft. Internal Side 10 ft. Street Side 20 ft. Natural Water bodies (from MHWL) 50 ft. Wetlands 25 ft.
Maximum Height of Structures	~~60~~ 84 feet
Minimum Off-street Parking Requirements	See Chapter 20 Off Street Parking Requirements In All Zoning Districts
Landscape Buffer Requirements	See Chapter 11 Landscape Buffer Requirements In All Zoning Districts
Open Space and Recreation Requirements	See Chapter 23 Open Space and Recreation requirements in all Residential Districts
Commercial Architectural and Site Design Requirements	See Chapter 9 Overlay Zoning District Requirements for all Non-Residential Development
Additional Requirements	See notes: 1, 2, 5, 6, 8

Section 2. Severability and Conflicts

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

Section 3. Effective Date

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

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

_____
Kirby Smith, Mayor
Tavares City Council

First Reading: _____

Second Reading: _____

ATTEST:

_____
Nancy A. Barnett, City Clerk

Approved as to form:

_____
Robert Q. Williams, City Attorney

Orlando Sentinel

Publication Date: 08/10/2015

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SELECTION COMMITTEE MEETING, AUGUST 12, 2015, 10:00 A.M.
LAKE EMS REQUEST FOR PROPOSALS (RFP) 15-0024R
LAKE EMS HRIS SYSTEM
2761 West Old Hwy. 441
Administrative Conference Room A
Mount Dora, Florida 32757

All interested citizens are welcome to attend. Persons with disabilities who need assistance should contact Lake EMS at (352) 383-4554, 48 hours in advance of the scheduled meeting. Elected official and appointed board members may be in attendance.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by above named Committee with respect to any matter considered during any meeting of such Committee, he or she will need a record of the proceedings, and that, for such purposes, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Bryan Andrews
Chief Administrative Officer
352-383-4554

LAK[illegible] 8/10/2015

Public Hearing Notices

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 2015-17 titled as follows:

ORDINANCE 2015-17

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS BY ADDING A NEW ZONING DESIGNATION TO BE IDENTIFIED AS RSF-3 (RESIDENTIAL SINGLE FAMILY 5.6 DWELLING UNITS PER ACRE) THAT MATCHES THE REGULATIONS PERTAINING TO THE EXISTING RMF-2 (RESIDENTIAL MULTI-FAMILY) ZONING DESIGNATION WITH THE EXCEPTION THAT TWO-FAMILY DWELLINGS, DUPLEXES AND TOWNHOMES ARE EXCLUDED AS A PERMITTED USE; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

Proposed Ordinance 2015-17 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 2015-17 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 Hearings: 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.

LAK[illegible] 8/10/2015

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 2015-18 titled as follows:

ORDINANCE 2015-18

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS BY AMENDING TABLE 6-3, DEVELOPMENT STANDARDS FOR THE COMMERCIAL DOWNTOWN DISTRICT, BY INCREASING THE MAXIMUM HEIGHT OF STRUCTURES TO EIGHTY FOUR FEET; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

Proposed Ordinance 2015-18 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 2015-18 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.

LAK[illegible] 8/10/2015

Foreclosure Sales

IN THE CIRCUIT COURT OF THE 5TH JUDICIAL CIRCUIT IN AND FOR LAKE COUNTY, FLORIDA
CASE NO.: 2015-CA-689

SEACOAST NATIONAL BANK, Successor by merger of BankFIRST 50 E. Kindred Street, Suite 203 Stuart, Florida 34994,
Plaintiff,
v.
FINISH LINE PAINT & BODY, LLC 29317 Highway 561 Tavares, Florida 32778; GARY LASTER 11407 Lake Minneola Shores Clermont, Florida 34715; LASTER'S AUTO PAINT & BODY, INC.; UNKNOWN TENANT #1 29317 Highway 561 Tavares, Florida 32778; UNKNOWN TENANT #2 29317 Highway 561 Tavares, Florida 32778,
Defendants.

NOTICE OF SALE
PURSUANT TO CHAPTER 45

Notice is hereby given pursuant to an Order of Final Judgment of Foreclosure dated July 15, 2015, and entered in Civil Action Case No. 2015-CA-689 of the Circuit Court of the Fifth Judicial Circuit, in and for Lake County, Florida in which the Clerk of this Court will sell to the highest and best bidder for cash at Lake County Courthouse, 550 W. Main Street, Tavares, Florida 32778-7800 at 11:00 a.m. on the 3 day of September 2015, the following described property as set forth in the Order of Final Judgment of Foreclosure, to wit:

EXHIBIT "A"

That part of the Northwest 1/4 of the Southwest 1/4 of Section 5, Township 20 South, Range 26 East, Lake County, Florida, bounded and described as follows:

From the Southwest corner of the Northwest 1/4 of the Southwest 1/4 of Section 5, Township 20 South, Range 26 East, Lake County, Florida, run thence East along the South line of the said Northwest 1/4 of the Southwest 1/4 of Section 5, a distance of 692.94 feet to a point on the Southwesterly right of way line of State Road No. 561, thence North 29035'45" West, along said Southwesterly right of way line, a distance of 383.42 feet to a Point of Beginning, continue thence North 29035'45" West along said Southwesterly right of way line, 195.40 feet, more or less, to a point that is 265 feet Southeast of the intersection of the West line of the Northwest 1/4 of the South-west 1/4 of said Section 5 and the aforesaid Southwesterly line of the right of way of State Road No. 561, thence run Southwesterly in a straight line to a point on the West line of said Northwest 1/4 of the Southwest 1/4 that is 208.00 feet North of the aforesaid Southwest corner of the Northwest 1/4 of the Southwest 1/4 of said Section 5, thence East parallel with the aforesaid South line of the Northwest 1/4 of the Southwest 1/4 of Section 5, a distance of 208.00 feet, thence run North 79059'15" East, 97.32 feet, thence North 41005'55" West, 150.65 feet, thence North 31016'08" East, 139.04 feet to the Point of Beginning.

Dated this 15 day of July, 2015.

NEIL KELLY
Clerk of Circuit Court
(Court Seal)
By: /s/ D. MATTSON
Deputy Clerk

PLAINTIFF'S ATTORNEY
POHL & SHORT, P.A.
280 W. Canton Ave., Suite 410
Winter Park, FL 32789

LAK[illegible] 08/03, 10, 2015

Miscellaneous Legals

NOTICE OF PUBLIC MEETING
Lake County Local Mitigation Strategy Working Group Meeting
August 24, 2015, 10:00 a.m.
Lake County Emergency Communications and Operations Center
Second Floor, Training Rooms A&B
425 West Alfred Street
Tavares, Florida 32778

The purpose of the Local Mitigation Strategy (LMS) is to reduce or eliminate long-term risk to human life and property from disasters. The LMS Task Force consists of a variety of municipal and community partners within Lake County who provide direction and guidance on the update of the mitigation strategy and projects sent to our State and Federal partners for funding consideration. More information on the Lake County Local Mitigation Strategy can be found here: http://www.lakecountyfl.gov/departments/public_safety/emergency_management/local_mitigation_strategy.aspx

All interested citizens are welcome to attend. Free public parking is available at the eight-story parking garage on North Sinclair Avenue. There is an elevator in the lobby to accommodate persons with disabilities. If further assistance is needed, please contact the Division of Facilities Management at (352) 343-9760, at least 48 hours in advance of the scheduled meeting.

Spencer Kostus
Disaster Assistance Specialist
352-343-9[illegible]

LAK[illegible] 8/10/15

THE CITY OF TAVARES NOTICE OF PUBLIC HEARING

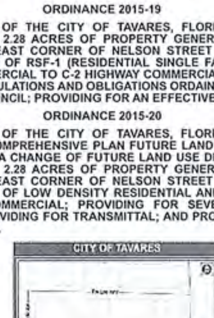
Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2015-19 & Ordinance 2015-20 titled as follows:

ORDINANCE 2015-19

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 2.28 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF NELSON STREET AND U.S. HWY 441 FROM A MIX OF RSF-1 (RESIDENTIAL SINGLE FAMILY) AND C-2 HIGHWAY COMMERCIAL TO C-2 HIGHWAY COMMERCIAL; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2015-20

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 APPROXIMATELY 2.28 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF NELSON STREET AND U.S. HWY 441 FROM A MIX OF LOW DENSITY RESIDENTIAL AND COMMERCIAL TO WHOLLY COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.



Proposed Ordinance 2015-19 & Ordinance 2015-20 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 2015-19 & Ordinance 2015-20 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,

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

in the Commercial Downtown zoning district was not simultaneously increased from the current 60 foot maximum to 84 feet.

This proposed ordinance serves to implement an action strategy of the Downtown Master Plan by increasing the maximum allowable building height in the Commercial Downtown District to 84 feet.

Board members Bill Stomp and Gary Santoro asked if this change had been reviewed by the City of Tavares Fire Department and whether or not the height change would place a hardship on the department's resources.

Mr. Skutt stated that he would meet with the Fire Department to discuss the proposed change.

MOTION

Mr. Osborn made a motion to recommend approval of Ordinance 2015-18. Mr. Thomas seconded the motion. The motion passed 4-1.

There was no further business and the meeting adjourned at approximately 3:55 p.m.

Respectfully submitted,

_____

Michael Fitzgerald, Development Coordinator

AGENDA SUMMARY
TAVARES CITY COUNCIL
SEPTEMBER 16, 2015

AGENDA TAB NO. 10 **SECOND READING**

SUBJECT TITLE: **Ordinance 2015-19**
Rezoning of NE Corner of Nelson Street & U.S. 441 to C-2 (Highway Commercial)

OBJECTIVE:

To consider the rezoning of approximately 2.28 acres of property located on the northeast corner of Nelson Street and U.S. HWY 441 from a mix of RSF-1 and C-2 to wholly C-2.

SUMMARY:

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 (continuous hedge with trees on berm or continuous hedge with trees and wall). A concurrent Future Land Use map amendment to the City's Comprehensive Plan has been submitted.

OPTIONS:

1. **Move to approve Ordinance 2015-19 for the rezoning of approximately 2.28 acres of property located on the northeast corner of Nelson Street and U.S. HWY 441 from a mix of RSF-1 and C-2 to wholly C-2.**

2. **Move to deny the proposed rezoning.**

PLANNING & ZONING BOARD RECOMMENDATION:

At its August 20th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2015-19.

STAFF RECOMMENDATION:

Moves to approve Ordinance 2015-19 for the rezoning of approximately 2.28 acres of property located on the northeast corner of Nelson Street and U.S. HWY 441 from a mix of RSF-1 and C-2 to wholly C-2.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY:

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

ORDINANCE 2015-19

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 2.28 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF NELSON STREET AND U.S. HWY 441 FROM A MIX OF RSF-1 (RESIDENTIAL SINGLE FAMILY) AND C-2 HIGHWAY COMMERCIAL TO 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 owner of property described in Exhibit "A" attached hereto, is requesting to rezone said property from a mix of RSF-1 (Residential Single Family) and C-2 (Highway Commercial) to C-2 (Highway Commercial); and

WHEREAS, in accordance with Section 8-7 of the City's Land Development Regulations, zoning boundary lines shall run along the center of streets or along parcel lines; and

WHEREAS, there appears to be a zoning line on the City's current zoning map that erroneously bisects Parcel Alt Key Number #3693698, essentially zoning the parcel both RSF-1 and C-2; and

WHEREAS, the applicant desires to develop the southerly 2.28 acres of this parcel that fronts on Highway U.S. HWY 441 into a wholesale/retail facility; and

WHEREAS, to accommodate this use, a C-2, Commercial Highway zoning must be established on the property prior to development, 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 is concurrently processing an amendment to the City's Comprehensive Plan to re-designate the property from Low Density Residential and Commercial to wholly Commercial on the Future Land Use Map 2020; 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. Rezoning

The said property, as legally defined in Exhibit "A", attached hereto and made a part herewith, is hereby rezoned from a mix of RSF-1 (Residential Single Family) and C-2 (Highway Commercial) to C-2 (Highway Commercial), under the specific provisions as established by the City of Tavares Land Development Regulations.

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:

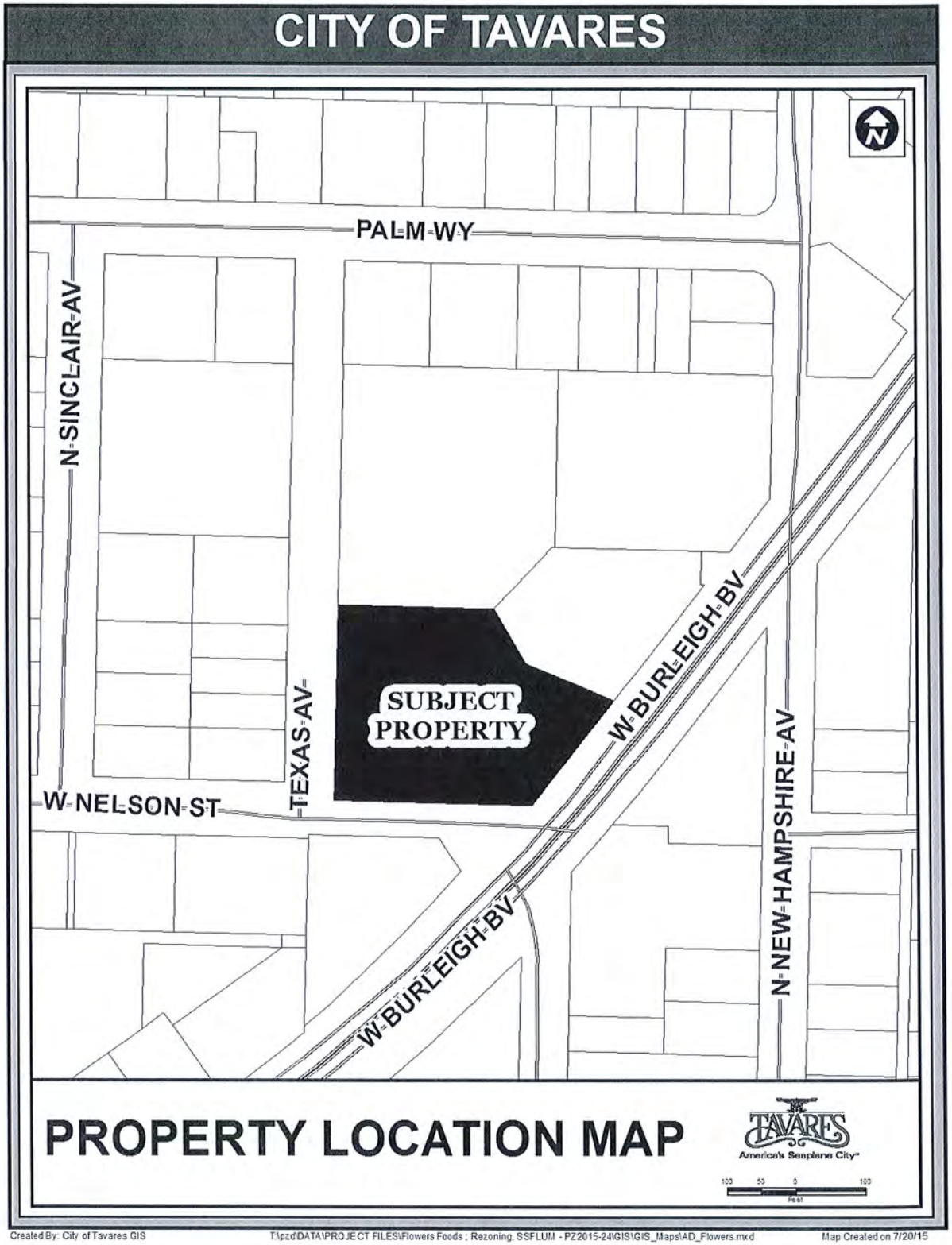
_____

Robert Q. Williams, City Attorney

EXHIBIT A

THAT PART OF THE SOUTH 283.74 FEET OF BLOCK 108 AND THE SOUTH 283.74 FEET OF BLOCK 109 AND THE SOUTH 283.74 FEET OF THAT PART OF VACATED JOANNA AVENUE LYING BETWEEN BLOCKS 108 AND 109, ACCORDING TO THE OFFICIAL MAP OF TAVARES, AS RECORDED IN PLAT BOOK 1, PAGE 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING WITHIN THE FOLLOWING DESCRIBED PROPERTY:

ALL OF BLOCK 109, ACCORDING TO THE OFFICIAL MAP OF TAVARES, AS RECORDED IN PLAT BOOK 1, PAGE 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA;
AND
THAT PART OF BLOCK 108, ACCORDING TO THE OFFICIAL MAP OF TAVARES, AS RECORDED IN PLAT BOOK 1, PAGE 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING NORTH AND WEST OF RIGHT-OF-WAY OF U.S. HIGHWAY 441, TOGETHER WITH THAT PART OF VACATED JOANNA AVENUE LYING BETWEEN BLOCKS 108 AND 109; LESS THE NORTH 255 FEET AND LESS: BEGIN ON THE WEST LINE OF SAID BLOCK 108 AT A POINT 25 FEET NORTHERLY FROM THE INTERSECTION OF SAID BLOCK LINE WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 19, (AS SHOWN ON THE "STATE OF FLORIDA, STATE ROAD DEPARTMENT RIGHT OF WAY MAP, SECTION 1109-106, DATED 10-12-54" AS RECORDED IN ROAD MAP BOOK 2, PAGES 142 THROUGH 145, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA) AND RUN SOUTHERLY ALONG SAID BLOCK LINE 25 FEET TO THE SAID INTERSECTION, THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE 30 FEET, THENCE WESTERLY ALONG A STRAIGHT LINE TO THE POINT OF BEGINNING;
LESS: THOSE PORTIONS OF BLOCKS 108 AND 109 AND VACATED JOANNA AVENUE, ACCORDING TO THE MAP OF TAVARES, AS RECORDED IN PLAT BOOK 1, PAGE 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE SOUTH LINE OF THE NORTH 255.00 FEET OF SAID BLOCK 108 WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 19 THENCE RUN SOUTH 37°51'29" WEST ALONG THE SAID NORTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 275.00 FEET, THENCE DEPARTING SAID RIGHT-OF-WAY LINE RUN NORTH 67°14'27" WEST A DISTANCE OF 150.00 FEET; THENCE RUN NORTH 29°32'36" WEST A DISTANCE OF 90.00 FEET, THENCE RUN NORTH 43°54'42" EAST A DISTANCE OF 120.26 FEET TO THE WESTERLY EXTENSION OF THE ABOVE SAID SOUTH LINE OF THE NORTH 255.00 FEET OF BLOCK 108, THENCE RUN SOUTH 88°46'44" EAST ALONG SAID SOUTH LINE AND WESTERLY EXTENSION THEREOF, A DISTANCE OF 268.22 FEET TO THE POINT OF BEGINNING.



Created By: City of Tavares GIS T:\pzd\DATA\PROJECT FILES\Flowers Foods ; Rezoning, SSFLUM - PZ2015-24\GIS\GIS_Maps\AD_Flowers.mxd Map Created on 7/20/15

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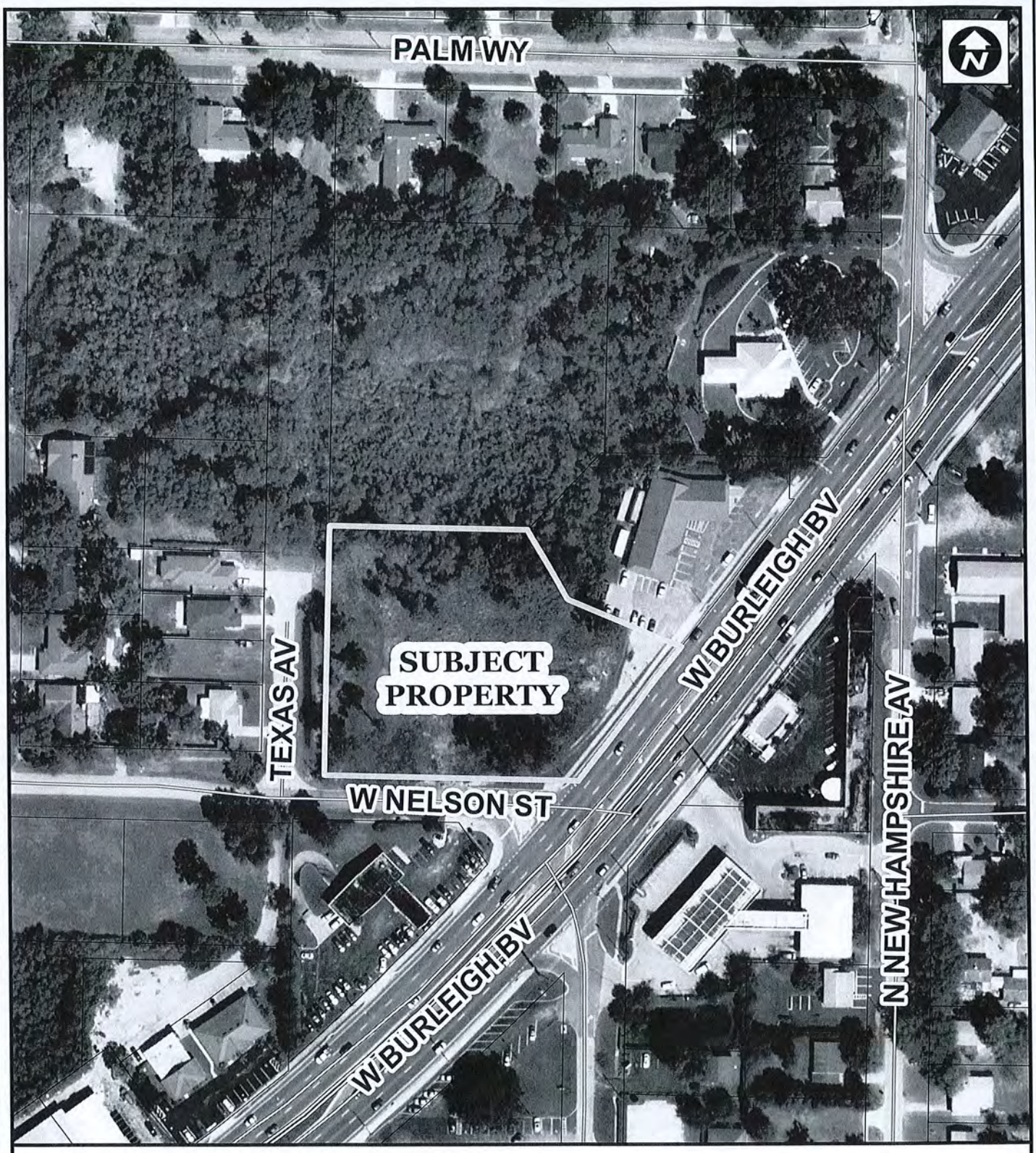
CITY OF TAVARES

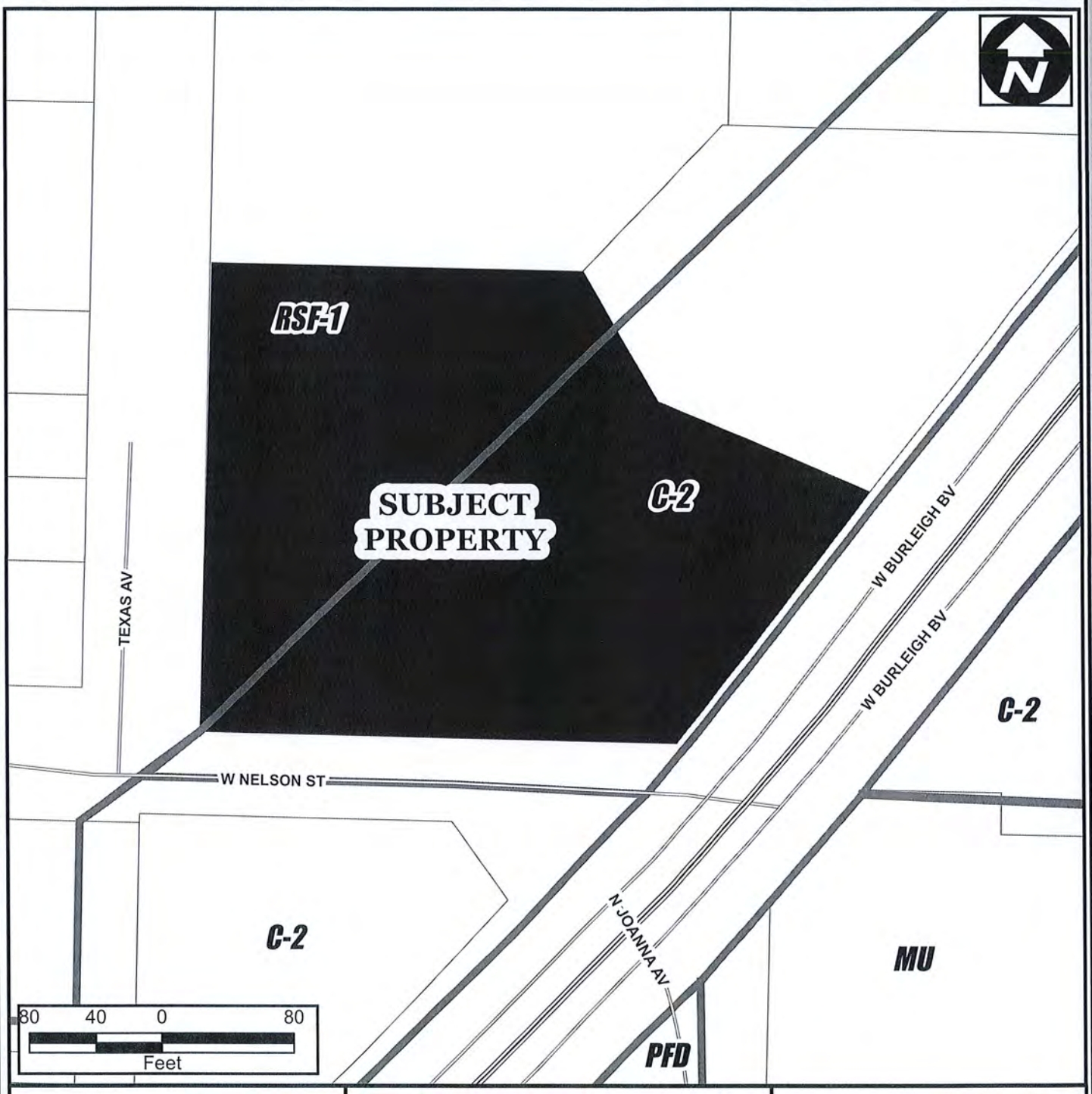


PROPERTY LOCATION MAP

TAVARES
America's Seaplane City

90 45 0 90
Feet

CITY OF TAVARES ORDINANCE # 2015-19



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

TAVARES America's Sunshine City

ZONING MAP

ORDINANCE # 2015-19

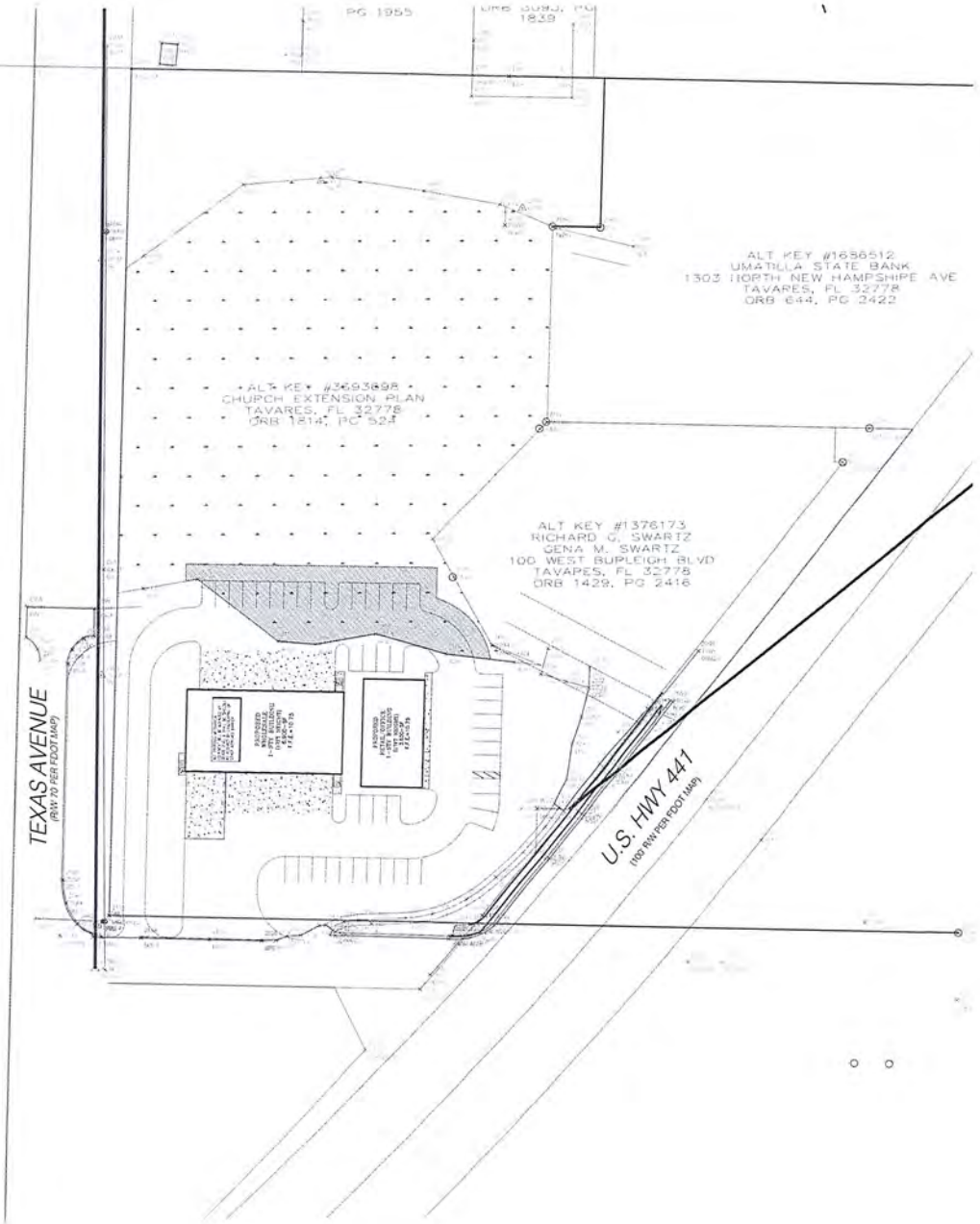
Current Zoning: RSF-1 & C-2
Proposed Zoning: C-2

02.28 ± Acres

Legend

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

PRELIMINARY



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TAVARES

America's Seaplane City™