AGENDA
TAVARES CITY COUNCIL

MARCH 20, 2013
4:00 P.M.
TAVARES CITY HALL COUNCIL CHAMBERS

I. CALL TO ORDER

II. INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Doug Dykstra, Adventure Christian 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) Minutes of Regular City Council Meeting, March 6, 2013

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Water Conservation Month — Mayor Wolfe

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

VII. READING OF ALL ORDINANCES/RESOLUTIONS

VIII. CONSENT AGENDA

Tab 3) Approval of Plat Amendments for Oak Bend Subdivision — Jacques Skutt

Tab 4) Approval of Air Boss Contract for Sea Plane Fly In — Bill Neron

Tab 5) Approval of Event in Wooton Park "Steamship into the Past: Relive the North and the South" — Bill Neron

IX. ORDINANCES/RESOLUTIONS

FIRST READING

SECOND READING

Tab 6) Ordinance #2013-02 – Rezoning of 518 N. St. Clair Abrams from RMF-2 to Mixed Use — **Jacques Skutt**

Tab 7) Ordinance #2013-03 – Small Scale Future Land Use Amendment – 518 N. St. Clair Abrams – Medium Density Residential to Mixed Use Commercial — **Jacques Skutt**

RESOLUTIONS

X. GENERAL GOVERNMENT

Tab 8) Approval of Police Benevolent Association Collective Bargaining Contract & Memorandum of Agreement — **Stoney Lubins**

Tab 9) Agreement for Phase 2 of Wind Turbine Feasibility Study — **Brad Hayes**

Tab 10) Market City Owned Property on Caroline Street — **Bill Neron**

Tab 11) Dragonboat Fireworks Donation & Agreement — **John Drury**

XI. OLD BUSINESS

XII NEW BUSINESS

XIII. AUDIENCE TO BE HEARD

XIV. REPORTS

Tab 12) City Administrator — **John Drury**

Tab 13) 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.

The Language of Local Government
Definition of Terms

agenda – A list of items to be brought up at a meeting.

annexation – The process by which a municipality, upon meeting certain requirements, expands its corporated limits.

bid – Formal quotation, based on common specifications, for the provision of goods or services. Opened at public for meeting consideration and award.

budget – A comprehensive financial plan to sustain municipal operations during a given year with related explanation

buffer – A strip of land, vegetation and/or opaque wall that sufficiently minimizes the physical or visual intrusion generated by an existing or future use.

call for the question – Term used to end the discussion and vote on the motion.

capital outlay – Expenditures made to acquire fixed assets or additions to them usually made from the general fund or utility fund where the assets are to be used.

conflict of interest – A term used in connection with a public official's relationship to matters of private interest or personal gain and which prohibits participation in the discussion under decision.

consent agenda – A policy of the governing body to approve, in one motion, routine and/or non-controversial items, which can be determined prior to the meeting

contiguous – Sharing a common boundary.

contingency – An appropriation of funds to handle unexpected events and emergencies which occur during the course of the fiscal year.

DCA – Department of Community Affairs

density – The number of families, individuals, dwellings units, or housing structures per unit of land.

development – A physical change, exclusive of new construction and substantial improvement, to improved or unimproved real estate, including, but not limited to mining, dredging, filling, grading, paving, excavating or drilling operations.

easement – An interest in land owned by another that entitles its holder to a specific limited use or enjoyment

emergency measure – An ordinance recognized by the legislative body as requiring immediate passage.

FDOT – Florida Department of Transportation

general fund – The general operating fund of the municipality used to account for all financial resources except those required to be accounted for in a special fund.

impact fees – Set aside fees collected from developers to pay for infrastructure improvements. Monies used as new development further impacts the municipalities.

infrastructure – The facilities and systems shared or used by all citizens such as transportation, water supply, wastewater and solid waste disposal systems.

intergovernmental agreements – Contract between two or more public agencies for the joint exercise of powers common to the agencies.

intergovernmental revenues – Revenues from other governments in the form of grants, entitlements, shared revenues, or payments in lieu of taxes.

line item – A specific item or group of similar items defined by detail in a unique account in the financial records. Revenue, expenditure and justifications are reviewed, anticipated and appropriated at this level.

non-conforming – A use which does not comply with present zoning conditions but which existed lawfully and was created in good faith prior to the enactment of the zoning provisions.

ordinance – An enforceable municipal law, statute or regulation which applies to all citizens within that municipality; penalty provisions may apply.

public hearing – Provides citizens the opportunity to express their position on a specific issue, both pro and con, as mandated by either statute or by order of proper authority after due notice.

PUD – Planned Unit Development

quasi-judicial – A governmental body that hears sworn testimony, obtains evidence and provides for cross examination of witnesses, with the decision based solely on the evidence presented.

quorum – The prescribed number of members of any body that must be present to legally transact business.

request for proposals – RFP – Notice and related information from a municipality requesting proposals for professional services.

resolution – A decision, opinion, policy or directive of a municipality expressed in a formally drafted document and voted upon.

right-of-way – Strip of land owned by a government agency over which the public has right of passage such as streets, parkways, medians, side walks, easements and driveways constructed thereon.

Sunshine Law – Legislation providing that all meetings of public bodies shall be open to the public (a/k/a open public meeting law).

vacate – To annul; to set aside; to cancel or rescind.

variance – Modification from the provisions of a zoning ordinance granted by a legislative body upon submission of an application and a hearing.

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TAVARES

America's Seaplane City™

CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
MARCH 6, 2013
CITY COUNCIL CHAMBERS
4:00 p.m.

COUNCILMEMBERS PRESENT **ABSENT**

Robert Wolfe, Mayor
Kirby Smith, Vice Mayor
Norman Hope, Councilmember
Lori Pfister, Councilmember
Bob Grenier, Councilmember

STAFF PRESENT

John Drury, City Administrator
Robert Q. Williams, City Attorney
Nancy Barnett, City Clerk
Chris Thompson, Public Works Director
Joyce Ross, Communications Director
Bill Neron, Economic Development Director
Tammey Rogers, Community Services Director
Lori Houghton, Finance Director
Richard Keith, Fire Department
Stoney Lubins, Police Department

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Tom Cavanaugh, First Baptist Church of Mt. Dora, gave the invocation and those present recited the pledge of allegiance.

III. APPROVAL OF AGENDA

MOTION

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

IV. APPROVAL OF MINUTES

MOTION

Kirby Smith moved to approve the minutes of February 20, 2013, as submitted, seconded by Bob Grenier. The motion carried unanimously 5-0.

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Proclamation for Florida Surveyor and Mapper's Week

Mayor Wolfe read a proclamation recognizing the week of March 17-23, 2013 as Florida Surveyors & Mappers Week. He presented the proclamation to Michael Straughan of BESH.

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

There were none.

VII READING OF ALL ORDINANCES/RESOLUTIONS

Ms. Barnett read the following by title only:

ORDINANCE 2013-02

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY .45 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF SAINT CLAIR ABRAMS AVENUE AND ESTHER AVENUE FROM RMF-2 (RESIDENTIAL MULTI-FAMILY) TO MU (MIXED USE); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2013-03

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 .45 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF SAINT CLAIR ABRAMS AVENUE AND ESTHER AVENUE; FROM MEDIUM DENSITY RESIDENTIALTO MIXED USE COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2013 – 01

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, AUTHORIZING AND ESTABLISHING A SPECIAL REVENUE FUND TITLED "FREEDOM FLAG MAINTENANCE FUND".

VIII. CONSENT AGENDA

Mayor Wolfe asked if anyone in the audience was opposed to the Consent Agenda.

MOTION

Lori Pfister moved to approve the Consent Agenda, seconded by Norman Hope. The motion carried unanimously 5-0.

IX ORDINANCES/RESOLUTIONS

Mayor Wolfe explained the ordinances were read for first reading only and will be discussed at second reading.

Tab 8) Resolution #2013-01 – Special Revenue Fund for Excess Donations Received for Freedom Flag

Ms. Houghton stated this is a housekeeping measure to formalize the approval by Council at the previous meeting to establish this special revenue fund. It fulfills the GASB 54 reporting requirements. It states that the City Council is authorizing those expenditures related to maintenance, repair, improvement or replacement, for the Freedom Flag or the Freedom Flag roundabout which is the home for the Freedom Flag.

Mayor Wolfe asked for audience comment.

MOTION

Norman Hope moved to approve Resolution #2013-01, seconded by Bob Grenier. The motion carried unanimously 5-0.

X. GENERAL GOVERNMENT

Tab 5) Approval of Engineering & Design for the Royal Harbor Booster Station

Mr. Drury stated he would be giving the summary on this item in the absence of Brad Hayes whose mother had passed away at 101 years old [Virginia Hayes] as he has gone to Massachusetts for her service.

Mr. Drury stated the agreement for engineering services is in the amount of $110,517. He reviewed the decade long problem of low water pressure problems in Royal Harbor. He noted Council commissioned a study of the entire community to isolate and identify the problems and the solution. The study was presented to Council, and Council directed staff to move forward with implementation.

This agreement will include the design, permitting and oversight of the construction project of building a booster pump station. It represents about 12.4% of the anticipated project costs.

MOTION

Kirby Smith moved to approve the agreement with Malcolm Pirnie, seconded by Norman Hope. The motion carried unanimously 5-0.

Tab 10) CDBG Application for Restrooms at Ingraham Park

Ms. Rogers stated this is a request to make application for a grant to construct restrooms at Ingraham Park. The grant has aided in construction of restrooms at Aesop's Park and Summerall Park. The surrounding community has expressed a desire to have the restrooms in lieu of the existing portalets. She said the grant will require an additional $30,000 to be budgeted in the fiscal year 2014 budget which is based on the amount budgeted previously for the other site built restrooms.

MOTION

Kirby Smith moved to approve the application for the CDBG grant, seconded by Norman Hope. The motion carried unanimously 5-0.

Tab 11) Request to Waive Fees for the Use of Stover Field for Fundraiser

Ms. Roger said this was a request from Nilus Hanawalt of the University of Central Florida Business program to be able to utilize the Stover fields to have a home run derby fundraising event have the fee of $100 be waived. All of the proceeds will be donated to a fundraising cause [New Hope for Kids].

Discussion followed regarding the issue of setting a precedent. It was noted that the city has waived fees for some other fundraising events in the past but that these requests will continue to be considered on a case by case basis.

Mr. Hanawalt addressed Council and answered questions.

MOTION

Lori Pfister moved to approve the request to waive the rental fee, seconded by Bob Grenier. The motion carried unanimously 5-0.

Tab 12) Establishment of Fiscal Year 2014 Budget Priorities

Mr. Drury noted that he annually solicits broad budget priorities from Council prior to developing the budget. He reviewed the seven different budgets: general government, Utilities, Garbage Collection, Stormwater, Seaplane & Marina Enterprise, Pavilion on the Lake, and Capital Projects, and the sources of the funding for each.

Mr. Drury noted that the projects that have been undertaken in the city have been considered in two lights: will they help put people back to work and will they help to stimulate the economy and create sustainable jobs. The other question that was asked was whether the projects could create revenues in additional to economic stimulus. He reviewed the investments that have made in the city from various sectors and the leaning of the city government that has also taken place.

Mayor Wolfe asked for Council comment.

Vice Mayor Smith

- Continue the same level of service to the residents
- Pursue the ALS option along with the Tri-City Fire District

Mayor Wolfe

- Provide the same level of service to the residents
- Pursue the ALS option
- Compensation to employees if the revenues support

Councilmember Hope

- Employee COLA and if possible re-instating the merit program
- Finish the Pavilion on the Lake
- Ruby Street Stormwater project and drainage pond
- Public Safety building
- Restrooms in Ingraham Park treated the same as the other parks
- Same level of service to residents
- Public Works complex

Councilmember Grenier

- Pavilion on the Lake – include all the additional revisions presented at the last Council Meeting

Councilmember Pfister

Councilmember Pfister said she has not yet made a list. She asked when the residents would receive a return on their investment noting the impact fees were waived to assist in balancing out the commercial with the residential.

Mr. Drury noted there are national economic issues that are beyond the control of Council. He said the other issues are the independent barometers such as the way that the city is reducing the tax burden on the residents. He discussed the change in the commercial percentage versus residential.

Ms. Pfister said she understood the changes in the commercial however she was concerned that it has cost the residents more money.

Mayor Wolfe said this is a good question and he believed the citizens have reaped the benefits such as the expansion of Wooton Park, the library flooring and the library events, expansion of ball fields; and the growth of the medical facilities near Florida Hospital. Councilmember Pfister

said she has told people that she hopes the residents' reward has been the increase in their property values.

Councilmember Pfister said she had voted against the fire assessment as she did not feel it was a fair equitable distribution. She said she did not think it is fair that the residents and commercial carry the weight and that the not for profits do not participate in the fire assessment. She asked that that issue be re-addressed. Mr. Drury noted the City has approached the County to pay its fair share. He noted this is a good question and he will put together information on the benefits to the residents. He said he had been proud of the fact that Tavares had had the least drop in property values and he had wondered if the Council had not decided to invest itself how the Tavares' property values would have faired.

Councilmember Pfister said she is proud of what the city has done and wants to insure that the benefit to the investors continues to be the basis for everything the city does. Vice Mayor Smith spoke in support. Mayor Wolfe stated to the audience that the public is welcome to contact any of the councilmembers to comment on the budget and that there will be public meetings in the future to allow opportunity to address Council as whole on the budget issues.

Mr. Drury thanked Council for this discussion.

XI. OLD BUSINESS

Vice Mayor Smith asked about the status of the golf cart crossings.

Mr. Drury said the city has been advised that a letter has been sent from the Florida Department of Transportation headquarters but it has not been received as yet. He said it is supposed to allow a crossing at Dead River Road and SR 19 and after that has had some time to be in effect, then FDOT would be willing to reconsider US 441 and St. Clair Abrams. He said he will share the letter when it arrives.

XII. NEW BUSINESS

None

XIII. AUDIENCE TO BE HEARD

None

XIV. REPORTS

Tab 14) City Administrator

Mr. Drury referred to the list of upcoming meetings. He said he had provided a copy of an upcoming events publication.

Economic Development

Mr. Neron noted as of the end of February between April 2010 and the end of February 2012 there have been 5,386 seaplane visits with 252 visits in February which has been the highest month since the base opened.

City Attorney

Attorney Williams said he had taken a walking tour of the Wooton Park area with Mr. Drury recently and it was very impressive to see what has been done and he encouraged others to do that.

Tab 24) City Council

Councilmember Pfister

Councilmember expressed appreciation to Mr. Aldrich and Ms. Rogers for the Senior Shakedown event. She encouraged the seniors in the audience to attend the event the first Monday of the month. She also reminded those present of the senior meals being offered at the Union Congregational church on Mondays and Wednesdays.

Councilmember Hope

Councilmember Hope thanked Ms. Pfister for spearheading the senior events.

Councilmember Grenier

Councilmember Grenier asked if there are any commercial airlines that provide regular seaplane service. Mr. Drury said there are scheduled route airlines in South America and Japan. In terms of unscheduled services, the United States has many of those airlines and the current seaplane operator in Tavares is considering adding that to his services.

Vice Mayor Smith

Vice Mayor Smith commented that Mr. Neron had represented the city in the 5K run. He commended Mr. Aldrich and Ms. Rogers for the baseball opening day. Mr. Drury commented that the National Anthem was sung by Mandy Hutchingson in Tavares who had done an outstanding job.

Vice Mayor Smith commented on the new splash park pad. He noted the city workers had done a phenomenal job of correcting a recent water break.

Vice Mayor Smith stated on this day in history Davy Crockett and Jim Bailey were killed on the last day of the Alamo battle. Councilmember Grenier added that Colonel Travis was also killed.

Mayor Wolfe

Mayor Wolfe thanked Mr. Aldrich for the opening day event and the appearance of the softball fields. He reminded everyone of the No Ducks Left Behind event on Saturday.

Adjournment

There was no further business and the meeting was adjourned at 5:19 pm.

Respectfully submitted,

Nancy A. Barnett

Nancy A. Barnett, C.M.C.
City Clerk

AGENDA SUMMARY
TAVARES CITY COUNCIL
March 20, 2013

AGENDA TAB NO. 2

SUBJECT TITLE: Proclamation for Water Conservation Month 2013

OBJECTIVE:

Council will consider a Proclamation declaring April 2013 as Water Conservation Month and calling upon the citizens and business community to help protect water resources and practice water saving measures.

SUMMARY:

See attached proclamation.

OPTIONS:

1. Declare April as Water Conservation Month.
2. Do not declare April as Water Conservation Month.

STAFF RECOMMENDATION:

Declare April as Water Conservation Month.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

America's Seaplane City™

PROCLAMATION

WHEREAS, water is a basic and essential need of every living creature; and

WHEREAS, the State of Florida, Water Management Districts, and the City of Tavares are working together to increase awareness about the importance of water conservation;

WHEREAS, the City Of Tavares and the State of Florida have designated APRIL, typically a dry month when water demands are most acute, Florida's "WATER CONSERVATION MONTH" to educate citizens about how they can help save Florida's precious water resources; and

WHEREAS, the City Of Tavares has always encouraged and supported water conservation;

WHEREAS, every business, industry, school, and citizen can make a difference when it comes to conserving water; and

WHEREAS, every business, industry, school, and citizen can help by saving water and thus promote a healthy economy and community; and

NOW, THEREFORE, be it resolved that the Tavares City Council of Lake County, Florida, hereby proclaims the month of APRIL 2013 as "WATER CONSERVATION MONTH"

The Tavares City Council of Lake County, Florida, is calling upon each citizen and business to help protect our precious resource by practicing water saving measures and becoming more aware of the need to save water.

Dated this 20th day of March, 2013

Mayor Robert Wolfe _____

Vice Mayor Kirby Smith _____

Councilperson Norm Hope _____

Councilperson Robert Grenier_____

Councilperson Lori Pfister _____

AGENDA SUMMARY
TAVARES CITY COUNCIL
MARCH 20, 2013

AGENDA TAB NO. 3 **CONSENT**
SUBJECT TITLE: OAK BEND SUBDIVISION – MINOR SUBDIVISION AMENDMENT

OBJECTIVE:

To approve a minor subdivision amendment to Oak Bend Subdivision located on SR 19.

SUMMARY:

In 2010, City Council approved an amendment to the Planned Development Ordinance governing Oak Bend.Subdivision that substituted 96 townhome lots for 53 single family lots. D.R. Horton, the owner and developer of this subdivision, has submitted a revised plat of the subdivision that incorporates this change. The amended plat has been reviewed by staff for compliance with the City's Land Development Regulations. Prior to recording the plat, the City's Attorney and Surveyor must sign the plat confirming compliance with all applicable laws.

OPTIONS:

1. That City Council moves to approve the amended plat of Oak Bend Subdivision subject to final review and approval by the City Attorney and Surveyor.
2. That City Council denies the proposed amended plat for Oak Bend.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve the amended plat for Oak Bend Subdivision.

FISCAL IMPACT:

No fiscal impact.

LEGAL SUFFICIENCY:

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

OAK BEND REPLAT

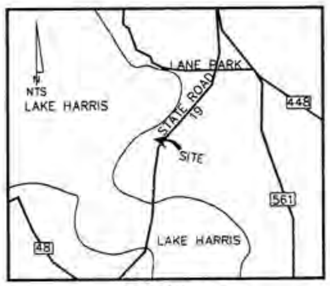
A REPLAT OF LOTS 112 THROUGH 207 AND TRACTS R-1, R-2, R-3, P-2, P-4, LA-6 & LA-8, OAK BEND SUBDIVISION, PLAT BOOK 61, PAGES 45 THROUGH 48.
SECTION 13, TOWNSHIP 20 SOUTH, RANGE 25 EAST,
CITY OF TAVARES, LAKE COUNTY, FLORIDA

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF OAK BEND AS RECORDED IN PLAT BOOK 61, PAGES 45 THROUGH 48, PUBLIC RECORDS OF LAKE COUNTY FLORIDA, LYING IN GOVERNMENT LOT 3 IN SECTION 13, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A PERMANENT REFERENCE MONUMENT MARKING THE POINT OF INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 19 AND THE NORTH LINE OF THE SOUTH 810.00 FEET OF GOVERNMENT LOT 3 IN SECTION 13, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, AS SHOWN ON SAID PLAT OF OAK BEND; THENCE N88°06'01"W, ALONG SAID NORTH LINE, A DISTANCE OF 7.03 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE N88°06'01"W, ALONG SAID NORTH LINE, A DISTANCE OF 1095.84 FEET TO THE POINT OF INTERSECTION OF SAID NORTH LINE AND THE EASTERLY LINE OF TRACT B-1 AS SHOWN ON SAID PLAT OF OAK BEND; THENCE NORTHERLY, ALONG SAID EASTERLY LINE, THE FOLLOWING 13 COURSES AND DISTANCES: N02°30'24"E, 10.71 FEET; N11°45'15"W, 78.15 FEET; N11°54'50"W, 115.08 FEET; N49°20'59"E, 11.40 FEET; N11°54'50"W, 29.88 FEET; N10°23'16"W, 70.60 FEET; N38°03'36"E, 44.27 FEET; N01°10'56"W, 34.07 FEET; N35°32'56"E, 29.60 FEET; N71°55'00"E, 38.95 FEET; N35°28'48"E, 84.69 FEET; N04°57'22"E, 122.73 FEET; N07°10'55"E, 86.19 FEET TO A POINT ON THE SOUTHERLY LINE OF TRACT P-3 AS SHOWN ON SAID PLAT OF OAK BEND; THENCE S80°59'32"E, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 122.66 FEET TO A POINT ON THE RIGHT-OF-WAY LINE OF THE CUL-DE-SAC OF UMBRELLA COURT, AS SHOWN ON SAID PLAT, SAID POINT BEING A POINT ON A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 54.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 58°12'50", A DISTANCE OF 54.87 FEET (CHORD = 52.54 FEET, CHORD BEARING = S58°59'36"E) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S88°06'01"E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID UMBRELLA COURT, A DISTANCE OF 778.01 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 107°09'44", A DISTANCE OF 46.76 FEET (CHORD = 40.23 FEET, CHORD BEARING = S34°31'31"E) TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 3091.90 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF GRASSY KNOLL DRIVE, THROUGH A CENTRAL ANGLE OF 03°14'38", A DISTANCE OF 175.06 FEET (CHORD = 175.03 FEET, CHORD BEARING = S17°26'10"W) TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 76°05'08", A DISTANCE OF 33.20 FEET (CHORD = 30.81 FEET, CHORD BEARING = S53°51'25"W) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N88°06'01"W, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF BLACK DOG COURT, A DISTANCE OF 187.95 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE AND THE RIGHT-OF-WAY LINE OF THE CUL-DE-SAC OF BLACK DOG COURT, THROUGH A CENTRAL ANGLE OF 74°35'03", A DISTANCE OF 32.54 FEET (CHORD = 30.29 FEET, CHORD BEARING = N50°48'30"W) TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 54.00 FEET; THENCE NORTHERLY, WESTERLY, SOUTHERLY AND EASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 254°35'03", A DISTANCE OF 239.94 FEET (CHORD = 85.92 FEET, CHORD BEARING = S39°11'30"W) TO THE POINT OF TANGENCY OF SAID CURVE AS SHOWN ON SAID PLAT OF OAK BEND; THENCE S88°06'01"E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF BLACK DOG COURT, A DISTANCE OF 241.08 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 102°01'41", A DISTANCE OF 44.52 FEET (CHORD = 38.86 FEET, CHORD BEARING = S37°05'11"E) TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 3091.90 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF GRASSY KNOLL DRIVE, THROUGH A CENTRAL ANGLE OF 02°24'09", A DISTANCE OF 129.65 FEET (CHORD = 129.64 FEET, CHORD BEARING = S12°43'35"W) TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 75.00 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 80°22'29", A DISTANCE OF 105.21 FEET (CHORD = 96.79 FEET, CHORD BEARING = S51°42'45"W) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N88°06'01"W, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID GRASSY KNOLL DRIVE, A DISTANCE OF 503.25 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 225.00 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 33°15'57", A DISTANCE OF 130.64 FEET (CHORD = 128.81 FEET, CHORD BEARING = N71°28'02"W) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N54°50'04"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 198.38 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE AND THE RIGHT-OF-WAY LINE OF THE CUL-DE-SAC OF GRASSY KNOLL DRIVE, THROUGH A CENTRAL ANGLE OF 74°30'29", A DISTANCE OF 32.51 FEET (CHORD = 30.27 FEET, CHORD BEARING = N17°30'15"W) TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 54.00 FEET; THENCE NORTHERLY, WESTERLY, SOUTHERLY AND EASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 254°35'01", A DISTANCE OF 239.94 FEET (CHORD = 85.92 FEET, CHORD BEARING = S72°27'29"W) TO THE POINT OF TANGENCY OF SAID CURVE AS SHOWN ON SAID PLAT OF OAK BEND; THENCE S54°50'04"E, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF GRASSY KNOLL DRIVE, A DISTANCE OF 274.50 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 275.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 31°23'26", A DISTANCE OF 150.66 FEET (CHORD = 148.79 FEET, CHORD BEARING = S70°31'48"E); THENCE S01°53'59"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 10.01 FEET TO A POINT ON A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 285.00 FEET WITH A RADIAL BEARING OF N03°42'34"E FROM SAID POINT; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE 01°48'35", A DISTANCE OF 9.00 FEET (CHORD = 9.00 FEET, CHORD BEARING = S87°11'44"E) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S88°06'01"E, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 56.00 FEET; THENCE N01°53'59"E, 10.00 FEET; THENCE S88°06'01"E, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 447.25 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 125.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 25°03'49", A DISTANCE OF 54.68 FEET (CHORD = 54.25 FEET, CHORD BEARING = N79°22'05"E); THENCE LEAVING SAID RIGHT-OF-WAY LINE, RUN ALONG THE NORTHERLY LINES OF TRACT R-3 AS SHOWN ON AFORESAID PLAT OF OAK BEND, THE FOLLOWING 5 COURSES AND DISTANCES: S36°07'23"E, 16.50 FEET; S01°53'59"W, 10.91 FEET; S60°57'38"E, 30.01 FEET; N29°02'22"E, 30.00 FEET; S60°57'38"E, 131.67 FEET TO A POINT ON THE WESTERLY LINE OF TRACT LA-1 OF SAID PLAT OF OAK BEND; THENCE S08°01'28"W, ALONG SAID WESTERLY LINE, A DISTANCE OF 51.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 13.20 ACRES, MORE OR LESS.



LOCATION MAP

NOTICE:

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EASEMENT DEDICATION

LOT LINE EASEMENTS: EASEMENTS OF TEN (10) FEET IN WIDTH ALONG EACH FRONT LOT LINE AND FIVE (5) FEET IN WIDTH ALONG EACH SIDE AND REAR LOT LINE ARE HEREBY CREATED AND PROVIDED FOR THE PURPOSE OF ACCOMMODATING OVERHEAD, SURFACE AND UNDERGROUND UTILITIES AND DRAINAGE. WHERE AN AREA GREATER THAN ONE LOT IS USED AS A BUILDING SITE, THE OUTSIDE BOUNDARY OF SAID SITE SHALL BE SUBJECT TO THE LOT LINE EASEMENTS.

NOTES:

1. ALL AREAS FOR LANDSCAPE FEATURES BEING TRACTS LA-6 AND TRACT LA-8, DRAINAGE AND UTILITY EASEMENTS AS DESCRIBED IN THE EASEMENT DEDICATION AND NOTE 2 BELOW, RECREATION/OPEN AREAS BEING TRACTS R-1, R-2 AND R-3, AND DRAINAGE RETENTION POND AREAS BEING TRACTS P-2 AND P-4, ARE TO BE OWNED AND MAINTAINED BY THE OAK BEND RESIDENTS ASSOCIATION, INC.

2. ALL PLATTED UTILITY EASEMENTS (SEE EASEMENT DEDICATION ABOVE) SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.

CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF FLORIDA: SS
COUNTY OF LAKE:

D.R. HORTON, INC., A FLORIDA CORPORATION, BY ITS DULY ELECTED VICE PRESIDENT, DONNA POPE, ACTING BY AND WITH AUTHORITY OF ITS BOARD OF DIRECTORS CERTIFIES OWNERSHIP BY SAID CORPORATION OF "OAK BEND REPLAT" SHOWN AND DESCRIBED HEREON, AND DO HEREBY DEDICATE AND SET APART ALL OF THE REAR AND SIDE LOT LINE UTILITY AND DRAINAGE EASEMENTS, TOGETHER WITH ALL OTHER EASEMENTS SHOWN AND DESCRIBED ON THIS PLAT, FOR THE USES AND PURPOSES SPECIFIED HEREON.

IN WITNESS WHEREOF, THE UNDERSIGNED CORPORATION HAS CAUSED THE PRESENTS TO BE EXECUTED BY ITS PRESIDENT AND ATTESTED BY ITS SECRETARY, THIS ____ DAY OF ____ A.D., 20____

BY: ____
DONNA POPE, VICE PRESIDENT

WITNESS: ____ (SIGNATURE) ____ (PRINT NAME)

WITNESS: ____ (SIGNATURE) ____ (PRINT NAME)

STATE OF FLORIDA: SS
COUNTY OF LAKE:

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED DONNA POPE, VICE PRESIDENT OF D.R. HORTON INC., A FLORIDA CORPORATION, TO ME KNOWN TO BE THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE OF DEDICATION, AND SHE DULY ACKNOWLEDGED BEFORE ME THAT SHE EXECUTED SAME, AS SUCH OFFICER, FOR AND IN BEHALF OF SAID CORPORATION. WITNESS MY HAND AND OFFICIAL SEAT AT ____ COUNTY, FLORIDA, THIS ____ DAY OF ____ A.D., 20____

(SEAL)

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES: ____

CERTIFICATE OF APPROVAL OF THE TAVARES CITY COUNCIL

STATE OF FLORIDA: SS
COUNTY OF LAKE:

IT IS HEREBY CERTIFIED THAT THIS PLAT HAS BEEN OFFICIALLY APPROVED FOR RECORD BY THE CITY COUNCIL OF TAVARES, FLORIDA,THIS ____ DAY OF ____ A.D. 20__

APPROVED:

PLANNING DIRECTOR ____ MAYOR, CITY OF TAVARES ____

CITY CLERK ____ CITY ATTORNEY ____

CERTIFICATE OF APPROVAL OF COUNTY CLERK

STATE OF FLORIDA: SS
COUNTY OF LAKE:

I, ____ COUNTY CLERK OF LAKE COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND THAT IT COMPLIES IN FORM WITH ALL THE REQUIREMENTS OF THE STATUTES OF FLORIDA PERTAINING TO MAPS AND PLATS, AND THAT THIS PLAT HAS BEEN FILED FOR RECORD IN PLAT BOOK ____ PAGES ____ PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THIS ____ DAY OF ____ A.D., 20____

CLERK
LAKE COUNTY, FLORIDA

BY: ____
DEPUTY CLERK

STATEMENT OF REVIEWER

PURSUANT TO SECTION 177.081, FLORIDA STATUTE, I HAVE REVIEWED THIS PLAT FOR CONFORMITY TO CHAPTER 177 FLORIDA STATUTES AND FIND THAT SAID PLAT COMPLIES WITH THE TECHNICAL REQUIREMENTS OF THAT CHAPTER, PROVIDED HOWEVER, THAT MY REVIEW DOES NOT INCLUDE FIELD VERIFICATION OF ANY OF THE COORDINATES, POINTS OR MEASUREMENTS SHOWN ON THIS PLAT.

____ DATE: ____
JAMES M. STRAUGHAN
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5309

CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, THAT I, THE UNDERSIGNED LICENSED AND REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED, THAT THE SURVEY WAS MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION, THAT THE SURVEY DATA COMPLIES WITH ALL REQUIREMENTS OF CHAPTER 177, PART 1, PLATTING, FLORIDA STATUTES AND THE CITY OF TAVARES LAND DEVELOPMENT REGULATIONS, AS AMENDED, AND THAT THE PERMANENT REFERENCE MONUMENTS (PRM'S) WERE INSTALLED ON 1/25/2013. THE PERMANENT CONTROL POINTS (PCP'S) INSTALLATION DATE WILL BE CERTIFIED BY A RECORDED AFFIDAVIT (WITHIN ONE YEAR OF THE RECORDING OF THIS PLAT OR PRIOR TO THE RELEASE OF THE IMPROVEMENT BOND). THE LOT CORNERS HAVE BEEN INSTALLED.

____ DATE OF CERTIFICATION
LEO MILLS, JR.
STATE OF FLORIDA
REGISTERED LAND SURVEYOR NO. 3313

Leo Mills & Associates, Inc.
SURVEYING - LAND PLANNING
820 8TH AVENUE, PALMETTO, FL 34221
22 NORTH POLK AVENUE, ARCADIA, FL 34266

PLAT BOOK ____, PAGE _____
SHEET 2 OF 4 SHEETS

OAK BEND REPLAT

A REPLAT OF LOTS 112 THROUGH 207 AND TRACTS R-1, R-2, R-3, P-2, P-4, LA-6 & LA-8, OAK BEND SUBDIVISION, PLAT BOOK 61, PAGES 45 THROUGH 48,
SECTION 13, TOWNSHIP 20 SOUTH, RANGE 25 EAST,
CITY OF TAVARES, LAKE COUNTY, FLORIDA

NOTICE:

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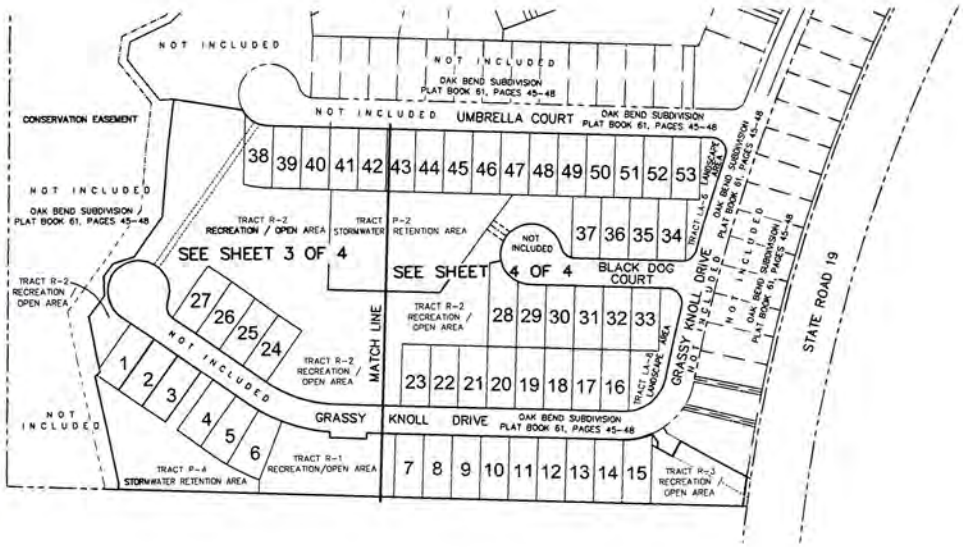
SCALE: 1" = 100'

0 100 200
GRAPHIC SCALE IN FEET

KEY MAP



Leo Mills & Associates, Inc.
LICENSED BUSINESS #803
SURVEYING - LAND PLANNING
620 8TH AVENUE
PALMETTO, FL 34221
22 NORTH POLK AVENUE
ARCADIA, FL 34266

OAK BEND REPLAT

PLAT BOOK ____, PAGE ____
SHEET 3 OF 4 SHEETS

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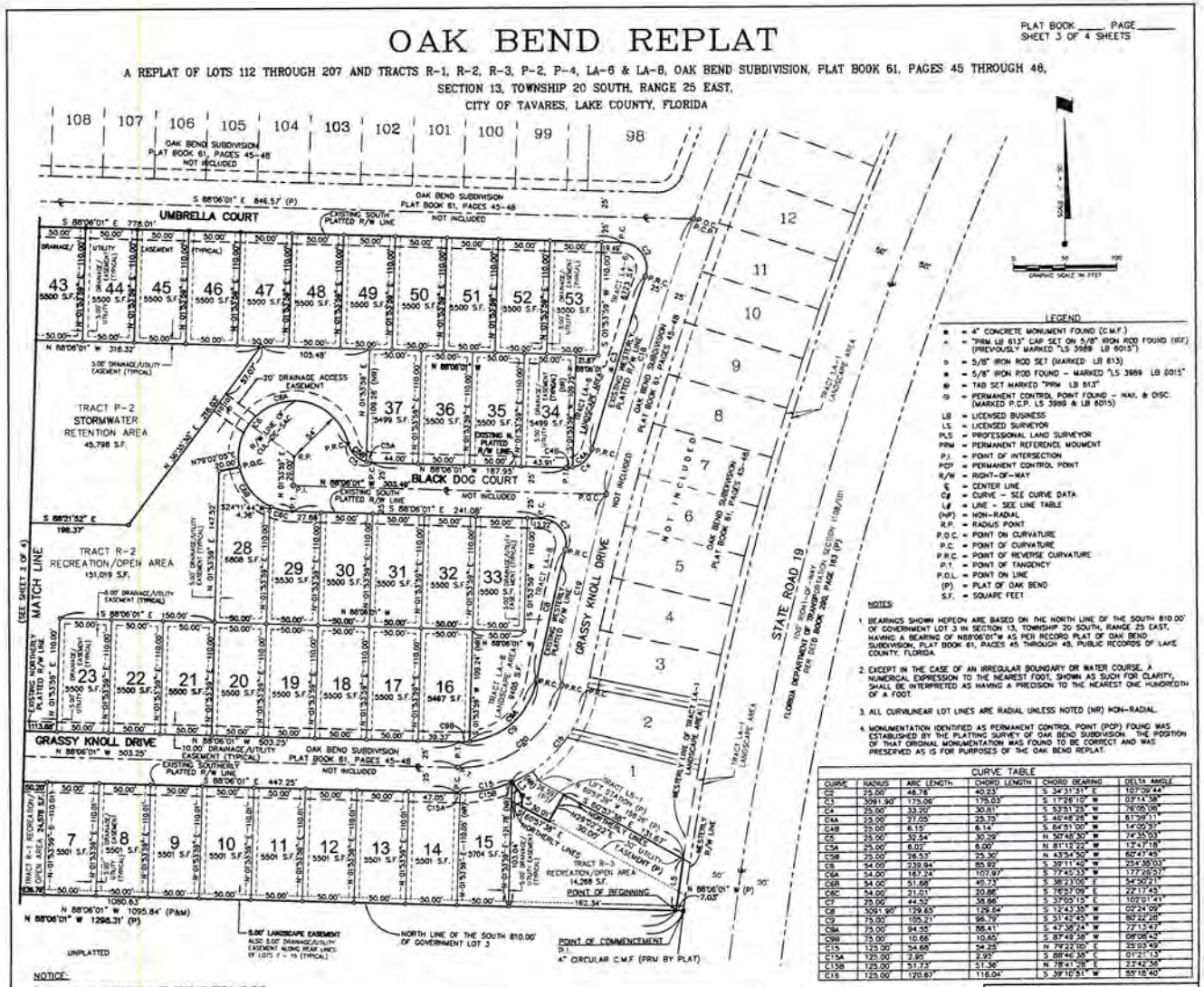

LEGEND

- ■ = 4" CONCRETE MONUMENT FOUND (C.M.F.)
- ▲ = "PRM LB 613" CAP SET ON 5/8" IRON ROD FOUND (IRF) (PREVIOUSLY MARKED "LS 3989 LB 6015")
- ○ = 5/8" IRON ROD SET (MARKED LB 613)
- ● = 5/8" IRON ROD FOUND – MARKED "LS 3989 LB 6015"
- ⊕ = TAB SET MARKED "PRM LB 613"
- ⊗ = PERMANENT CONTROL POINT FOUND – NAIL & DISC (MARKED P.C.P. LS 3989 & LB 6015)
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- LS = LICENSED SURVEYOR
- PLS = PROFESSIONAL LAND SURVEYOR
- PRM = PERMANENT REFERENCE MOUMENT
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- PCP = PERMANENT CONTROL POINT
- R/W = RIGHT-OF-WAY
- ℄ = CENTER LINE
- C# = CURVE – SEE CURVE DATA
- L# = LINE – SEE LINE TABLE
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- R.P. = RADIUS POINT
- P.O.C. = POINT ON CURVATURE
- P.C. = POINT OF CURVATURE
- P.R.C. = POINT OF REVERSE CURVATURE
- P.T. = POINT OF TANGENCY
- P.O.L. = POINT ON LINE
- (P) = PLAT OF OAK BEND
- S.F. = SQUARE FEET

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE SOUTH 810.00' OF GOVERNMENT LOT 3 IN SECTION 13, TOWNSHIP 20 SOUTH, RANGE 25 EAST, HAVING A BEARING OF N88°06'01"W AS PER RECORD PLAT OF OAK BEND SUBDIVISION, PLAT BOOK 61, PAGES 45 THROUGH 48, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
2. EXCEPT IN THE CASE OF AN IRREGULAR BOUNDARY OR WATER COURSE, A NUMERICAL EXPRESSION TO THE NEAREST FOOT, SHOWN AS SUCH FOR CLARITY, SHALL BE INTERPRETED AS HAVING A PRECISION TO THE NEAREST ONE HUNDREDTH OF A FOOT.
3. ALL CURVILINEAR LOT LINES ARE RADIAL UNLESS NOTED (NR) NON-RADIAL.
4. MONUMENTATION IDENTIFIED AS PERMANENT CONTROL POINT (PCP) FOUND WAS ESTABLISHED BY THE PLATTING SURVEY OF OAK BEND SUBDIVISION. THE POSITION OF THAT ORIGINAL MONUMENTATION WAS FOUND TO BE CORRECT AND WAS PRESERVED AS IS FOR PURPOSES OF THE OAK BEND REPLAT.

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C2	25.00'	46.78'	40.23'	S 34°31'31" E	107°39'44"
C3	3091.90'	175.06'	175.03'	S 17°26'10" W	03°14'38"
C4	25.00'	33.20'	30.81'	S 53°51'25" W	76°06'06"
C4A	25.00'	27.05'	25.73'	S 46°48'26" W	61°99'11"
C4B	25.00'	6.15'	6.14'	S 84°51'00" W	14°05'37"
C5	25.00'	32.54'	30.29'	N 50°48'30" W	74°35'03"
C5A	25.00'	6.02'	6.00'	N 81°12'22" W	13°47'18"
C5B	25.00'	26.53'	25.30'	N 43°34'50" W	60°47'45"
C6	54.00'	239.94'	85.92'	S 39°11'40" W	254°35'03"
C6A	54.00'	167.24'	107.97'	S 77°45'33" W	177°26'57"
C6B	54.00'	51.68'	49.73'	S 38°33'00" E	54°50'21"
C6C	54.00'	31.01'	30.66'	S 76°57'09" E	22°17'45"
C7	25.00'	44.52'	38.66'	S 37°05'15" E	102°01'41"
C8	3091.90'	129.65'	129.64'	S 12°43'35" W	02°24'09"
C9	75.00'	105.21'	96.79'	S 31°43'45" W	80°22'28"
C9A	75.00'	94.95'	88.41'	S 47°38'24" W	72°13'47"
C9B	75.00'	10.66'	10.60'	S 87°49'38" W	08°08'42"
C15	125.00'	54.68'	54.25'	N 79°22'00" E	25°03'49"
C15A	125.00'	2.95'	2.95'	S 88°46'38" E	01°21'13"
C15B	125.00'	51.73'	51.36'	N 78°41'28" E	23°42'36"
C16	125.00'	120.67'	116.04'	S 39°10'31" W	55°18'40"

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LINE TABLE

LINE	BEARING	DISTANCE
L3	S 36°07'23" E	16.60'
L4	S 01°53'39" W	10.91'
L5	S 08°01'28" W	51.04'

CURVE TABLE (CONTINUED)

C18	3066.90'	280.71'	280.62'	S 17°42'23" W	05°14'39"
C19	3066.90'	190.51'	190.48'	S 13°18'17" W	03°33'33"
C20	100.00'	140.28'	129.06'	S 51°42'45" W	80°22'28"

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OAK BEND REPLAT

PLAT BOOK ____, PAGE ____
SHEET 4 OF 4 SHEETS

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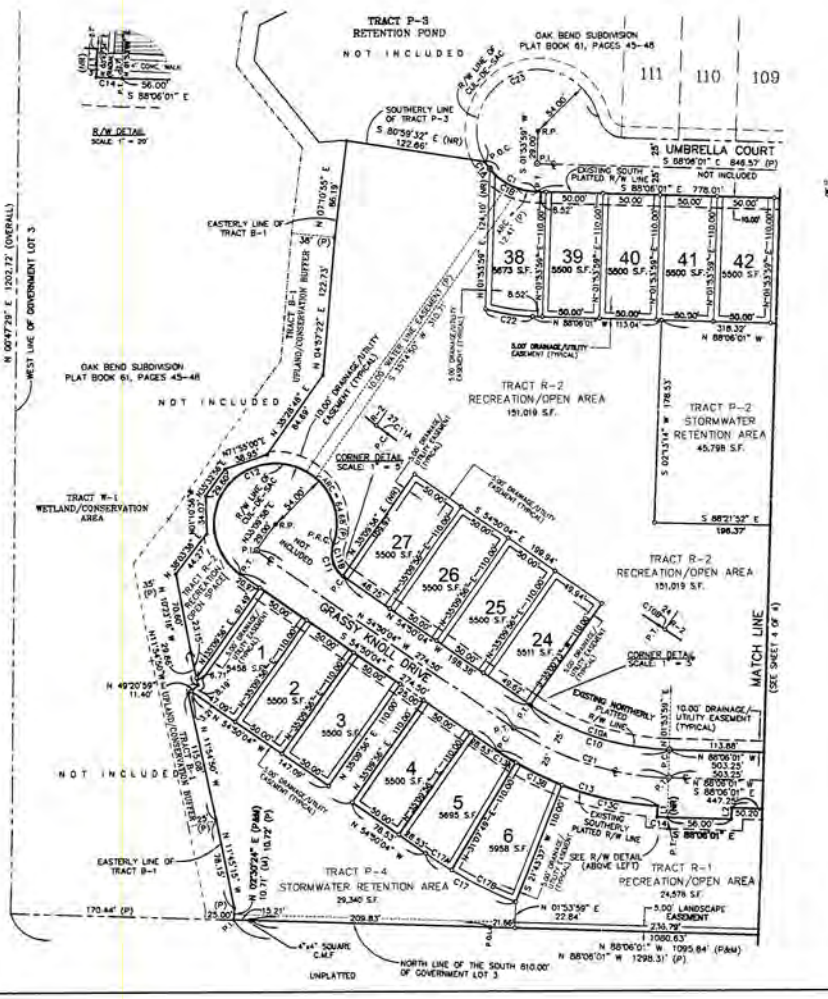

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CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	54.00'	54.87'	52.54'	S 58°59'36" E	58°12'50"
C1A	54.00'	7.56'	7.55'	S 53°53'49" W	08°01'13"
C1B	54.00'	47.31'	45.81'	S 83°00'14" W	50°11'33"
C10	225.00'	130.84'	128.81'	N 71°28'02" W	33°15'57"
C10A	225.00'	130.01'	128.21'	S 71°32'49" E	33°08'24"
C10B	225.00'	0.83'	0.83'	N 54°54'50" W	00°09'33"
C11	25.00'	32.53'	30.22'	N 12°30'15" W	74°30'29"
C11A	25.00'	1.25'	1.25'	N 53°19'33" W	02°51'55"
C11B	25.00'	31.28'	29.28'	N 16°04'18" W	71°38'34"
C12	54.00'	239.94'	85.92'	S 72°27'29" W	254°35'01"
C13	275.00'	150.56'	148.79'	S 70°31'48" E	31°23'28"
C13A	275.00'	19.37'	19.38'	S 56°51'07" E	04°02'06"
C13B	275.00'	45.13'	45.08'	S 63°34'17" E	09°24'12"
C13C	275.00'	86.16'	85.81'	S 77°14'56" E	17°57'06"
C14	285.00'	9.00'	9.00'	S 87°11'44" E	01°48'35"
C15	125.00'	54.68'	54.25'	N 79°22'05" E	25°03'49"
C15A	125.00'	2.93'	2.93'	N 88°48'37" W	01°21'13"
C15B	125.00'	51.73'	51.36'	S 78°41'28" W	23°42'36"
C16	125.00'	120.67'	116.04'	S 39°10'51" W	55°16'40"
C17	385.00'	90.30'	90.09'	N 61°33'14" W	13°26'19"
C17A	385.00'	27.12'	27.11'	N 56°51'07" W	04°02'07"
C17B	385.00'	63.19'	63.11'	N 63°34'17" W	09°24'12"
C18	3066.90'	280.71'	280.62'	S 17°42'23" W	05°14'39"
C19	3066.90'	190.51'	190.48'	S 13°18'13" W	03°33'33"
C20	100.00'	140.28'	129.06'	S 51°42'45" W	80°22'26"
C21	250.00'	145.15'	143.12'	N 71°28'02" W	33°15'57"
C22	164.00'	41.94'	41.82'	N 80°46'08" W	14°39'09"
C23	54.00'	185.06'	106.90'	N 66°18'04" E	196°22'31"

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 01°53'59" W	10.01'
L2	N 01°53'59" E	10.00'

Leo Mills & Associates, Inc.
LICENSED BUSINESS #613
SURVEYING – LAND PLANNING
620 8TH AVENUE
PALMETTO, FL 34221
22 NORTH POLK AVENUE
ARCADIA, FL 34266

SUBDIVISION BOND

Bond No. 41262895

KNOW ALL MEN BY THESE PRESENTS, that we D.R. Horton, Inc.

5850 T.G. Lee Blvd., Suite 600, Orlando, FL 32822

as Principal, and Platte River Insurance Company

authorized to do business in the State of FL, as Surety, are held and firmly bound unto

City of Tavares

as Obligee, in the penal sum of Thirty Six Thousand Nine Hundred Sixteen Dollars and No Cents

($ 36,916.00) DOLLARS, lawful money of the United States of America, for the payment of which well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, D.R. Horton, Inc.

has agreed to construct in Oak Bend

the following improvements: Potable, Sanitary Sewer

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall construct, or have constructed, the improvements herein described and shall save the Obligee harmless from any loss, cost or damage by reason of its failure to complete said work, then this obligation shall be null and void; otherwise to remain in full force and effect.

Signed, sealed and dated this 28th day of February, 2013.

D.R. Horton, Inc.

Principal

By: Mahon

Platte River Insurance Company

By: Anett E. Cardinale

Attorney-in-Fact

Anett E. Cardinale
& Florida Licensed Resident Agent

S-3689/GEEF 2/98

C/O WILLIS OF FLORIDA
3000 BAYPORT DRIVE, #300
TAMPA, FL 33607
INQUIRIES: (813) 281-2095

41262895

PLATTE RIVER INSURANCE COMPANY
POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That the **PLATTE RIVER INSURANCE COMPANY**, a corporation of the State of Nebraska, having its principal offices in the City of Middleton, Wisconsin, does make, constitute and appoint

ANETT E CARDINALE; DAVID H CARR; CAROL H HERMES; MARGARET A GINEM
LINDA HORN

its true and lawful Attorney(s)-in-fact, to make, execute, seal and deliver for and on its behalf, as surety, and as its act and deed, any and all bonds, undertakings and contracts of suretyship, provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of

ALL WRITTEN INSTRUMENTS IN AN AMOUNT NOT TO EXCEED: $5,000,000.00

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of **PLATTE RIVER INSURANCE COMPANY** at a meeting duly called and held on the 8th day of January, 2002.

"RESOLVED, that the President, and Vice-President, the Secretary or Treasurer, acting individually or otherwise, be and they hereby are granted the power and authorization to appoint by a Power of Attorney for the purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, one or more vice-presidents, assistant secretaries and attorney(s)-in-fact, each appointee to have the powers and duties usual to such offices to the business of the Corporation; the signature of such officers and the seal of the Corporation may be affixed to such power of attorney or to any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Corporation in the future with respect to any bond or undertaking or other writing obligatory in the nature thereof to which it is attached. Any such appointment may be revoked, for cause, or without cause, by any of said officers, at any time."

IN WITNESS WHEREOF, the **PLATTE RIVER INSURANCE COMPANY** has caused these presents to be signed by its officer undersigned and its corporate seal to be hereto affixed duly attested, this 2nd day of May, 2011.

Attest:

Richard W. Allen III
President
Surety & Fidelity Operations

PLATTE RIVER INSURANCE COMPANY CORPORATE SEAL NEBRASKA

PLATTE RIVER INSURANCE COMPANY

David F. Pauly
CEO & President

STATE OF WISCONSIN
COUNTY OF DANE } S.S.:

On the 2nd day of May, 2011 before me personally came David F. Pauly, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Dane, State of Wisconsin; that he is President of **PLATTE RIVER INSURANCE COMPANY**, the corporation described herein and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

STATE OF WISCONSIN DANIEL W. KRUEGER NOTARY PUBLIC

Daniel W. Krueger
Notary Public, Dane Co., WI
My Commission Is Permanent

STATE OF WISCONSIN
COUNTY OF DANE } S.S.:

CERTIFICATE

I, the undersigned, duly elected to the office stated below, now the incumbent in **PLATTE RIVER INSURANCE COMPANY**, a Nebraska Corporation, authorized to make this certificate, **DO HEREBY CERTIFY** that the foregoing attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolution of the Board of Directors, set forth in the Power of Attorney is now in force.

Signed and sealed at the City of Middleton, State of Wisconsin this 28th day of February, 2013.

PLATTE RIVER INSURANCE COMPANY CORPORATE SEAL NEBRASKA

Alan S. Ogilvie
Secretary

THIS DOCUMENT IS NOT VALID UNLESS PRINTED ON GREEN SHADED BACKGROUND WITH A RED SERIAL NUMBER IN THE UPPER RIGHT HAND CORNER. IF YOU HAVE ANY QUESTIONS CONCERNING THE AUTHENTICITY OF THIS DOCUMENT CALL 800-475-4450.

PR-POA (5-11)

First American Title Insurance Company
2233 Lee Road
Winter Park, FL 32789
Phone: (407)691-5200
Fax: (407)691-5300

CERTIFICATE OF TITLE INFORMATION FOR THE FILING OF A SUBDIVISION PLAT IN the City of Tavares, Lake County, Florida

FATIC File No.: 2037-2884895

A search of the Public Records of Lake County, Florida, through February 21, 2013 at 8:00 a.m. reveals the following with respect to the legal description of the property set out on the subdivision plat of OAK BEND REPLAT (not yet recorded), said legal description attached hereto as Exhibit "A", and made a part hereof:

A. The last deed of record was dated October 31, 2012 and recorded November 7, 2012 in Official Records Book 4236, Page 1833 and dated April 18, 2008 and recorded April 29, 2008 in Official Records Book 3618, Page 2439, Public Records of Lake County, Florida.

B. The record title holder is D.R. Horton, Inc., a Delaware corporation (as to Lots 112 through 207) and Oak Bend Residents' Association, Inc., a Florida nonprofit corporation (as to Tracts R-1, R-2, R-3, P-2, P-4, LA-6 & LA-8) .

C. The name(s) of the record title holder coincides with the name(s) shown as owner(s) on the unrecorded plat of OAK BEND REPLAT .

D. Unsatisfied mortgages or liens encumbering said property are as follows:

NONE

E. Underlying rights of way, easements or plats affecting said property are as follows:

1. Easement executed by the Trustees of the Internal Improvement Fund in favor of State Road Department of Florida recorded October 13, 1949 in Deed Book 290, Page 163.

2. Non-Exclusive Utilities Easement in favor of Charles Edison Harris and Jeanne D. Harris, recorded January 8, 1987 in Book 904, Page 123.

3. Grant of Easement in favor of Comcast SCH Holdings, LLC, recorded March 15, 2007 in Book 3390, Page 476.

4. Memorandum of Agreement by and between Oak Bend Properties, LLC and Comcast SCH Holdings, LLC, recorded March 15, 2007 in Book 3390, Page 479.

5. Plat of OAK BEND, recorded May 23, 2007 in Plat Book 61, Pages 45 through 48, inclusive.

F. Other information regarding said property includes:

1. Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Oak Bend, recorded April 29, 2008 in Book 3618, Page 2365; First Amendment to Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Oak Bend, recorded October 13, 2008 in Book 3689, Page 372.

2. Deed - Minerals, Resources and Groundwater (With Rights of Ingress and Egress and Springing Surface Water) executed by D.R. Horton, Inc., a Delaware corporation to DRH Energy, Inc., a Colorado corporation, recorded November 7, 2012 in Book 4236, Page 1844.

G. 2012 Ad valorem taxes on said property are UNPAID for Tax Parcel I. D. Number 1320250100-000-11200; 1320250100-000-11300; 1320250100-000-11400; 1320250100-000-11500; 1320250100-000-11600; 1320250100-000-11700; 1320250100-000-11800; 1320250100-000-11900; 1320250100-000-12000; 1320250100-000-12100; 1320250100-000-12200; 1320250100-000-12300; 1320250100-000-12400; 1320250100-000-12500; 1320250100-000-12600; 1320250100-000-12700; 1320250100-000-12800; 1320250100-000-12900; 1320250100-000-13000; 1320250100-000-13100; 1320250100-000-13200; 1320250100-000-13300; 1320250100-000-13500; 1320250100-000-13600; 1320250100-000-13700; 1320250100-000-13800; 1320250100-000-13900; 1320250100-000-14000; 1320250100-000-14100; 1320250100-000-14200; 1320250100-000-14300; 1320250100-000-14400; 1320250100-000-14600; 1320250100-000-14700; 1320250100-000-14800; 1320250100-000-14900; 1320250100-000-15000; 1320250100-000-15100; 1320250100-000-15200; 1320250100-000-15300; 1320250100-000-15400; 1320250100-000-15500; 1320250100-000-15600; 1320250100-000-15700; 1320250100-000-15800; 1320250100-000-15900; 1320250100-000-16000; 1320250100-000-16100; 1320250100-000-16200; 1320250100-000-16300; 1320250100-000-16400; 1320250100-000-16500; 1320250100-000-16600; 1320250100-000-16700; 1320250100-000-16800; 1320250100-000-16900; 1320250100-000-17000; 1320250100-000-17100; 1320250100-000-17200; 1320250100-000-17300; 1320250100-000-17400; 1320250100-000-17500; 1320250100-000-17600; 1320250100-000-17700; 1320250100-000-17800; 1320250100-000-17900; 1320250100-000-18000; 1320250100-000-18100; 1320250100-000-18200; 1320250100-000-18300; 1320250100-000-18400; 1320250100-000-18500; 1320250100-000-18600; 1320250100-000-18700; 1320250100-000-18800; 1320250100-000-18900; 1320250100-000-19000; 1320250100-000-19100; 1320250100-000-19200; 1320250100-000-19300; 1320250100-000-19400; 1320250100-000-19500; 1320250100-000-19600; 1320250100-000-19700; 1320250100-000-19800; 1320250100-000-19900; 1320250100-000-20000; 1320250100-000-20100; 1320250100-000-20200; 1320250100-000-20300; 1320250100-000-20400; 1320250100-000-20500; 1320250100-000-20600; 1320250100-000-20700; and NO TAX DUE for 1320250100-B01-00000..

CERTIFICATE OF TITLE INFORMATION FOR THE FILING
OF A SUBDIVISION PLAT IN
the City of Tavares, Lake County, Florida

This certificate is made for the purpose of furnishing the information required for the filing of the above referenced subdivision plat in accordance with the provisions of Chapter 177.041 of the Florida Statutes and the requirements of the City of Tavares and Lake County Land Development Code. It has been prepared expressly for the appropriate governing body as defined by Chapter 177.071 (FS) and it is not to be relied upon by any other group or person for any other purpose.

First American Title Insurance Company

By:_____
Larry P. Deal, Authorized Signatory

Exhibit "A"

A PARCEL OF LAND BEING A PORTION OF OAK BEND AS RECORDED IN PLAT BOOK 61, PAGES 45 THROUGH 48, PUBLIC RECORDS OF LAKE COUNTY FLORIDA, LYING IN GOVERNMENT LOT 3 IN SECTION 13, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A PERMANENT REFERENCE MONUMENT MARKING THE POINT OF INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 19 AND THE NORTH LINE OF THE SOUTH 810.00 FEET OF GOVERNMENT LOT 3 IN SECTION 13, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, AS SHOWN ON SAID PLAT OF OAK BEND; THENCE N88°06'01"W, ALONG SAID NORTH LINE, A DISTANCE OF 7.03 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE N88°06'01"W, ALONG SAID NORTH LINE, A DISTANCE OF 1095.84 FEET TO THE POINT OF INTERSECTION OF SAID NORTH LINE AND THE EASTERLY LINE OF TRACT B-1 AS SHOWN ON SAID PLAT OF OAK BEND; THENCE NORTHERLY, ALONG SAID EASTERLY LINE, THE FOLLOWING 13 COURSES AND DISTANCES: N02°30'24"E, 10.71 FEET; N11°45'15"W, 78.15 FEET; N11°54'50"W, 115.08 FEET; N49°20'59"E, 11.40 FEET; N11°54'50"W, 29.86 FEET; N10°23'16"W, 70.60 FEET; N38°03'36"E, 44.27 FEET; N01°10'56"W, 34.07 FEET; N35°32'56"E, 29.60 FEET; N71°55'00"E, 38.95 FEET; N35°28'48"E, 84.69 FEET; N04°57'22"E, 122.73 FEET; N07°10'55"E, 86.19 FEET TO A POINT ON THE SOUTHERLY LINE OF TRACT P-3 AS SHOWN ON SAID PLAT OF OAK BEND; THENCE S80°59'32"E, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 122.66 FEET TO A POINT ON THE RIGHT-OF-WAY LINE OF THE CUL-DE-SAC OF UMBRELLA COURT, AS SHOWN ON SAID PLAT, SAID POINT BEING A POINT ON A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 54.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 58°12'50", A DISTANCE OF 54.87 FEET (CHORD = 52.54 FEET, CHORD BEARING = S58°59'36"E) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S88°06'01"E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID UMBRELLA COURT, A DISTANCE OF 778.01 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 107°09'44", A DISTANCE OF 46.76 FEET (CHORD = 40.23 FEET, CHORD BEARING = S34°31'31"E) TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 3091.90 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF GRASSY KNOLL DRIVE, THROUGH A CENTRAL ANGLE OF 03°14'38", A DISTANCE OF 175.06 FEET (CHORD = 175.03 FEET, CHORD BEARING = S17°26'10"W) TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 76°05'08", A DISTANCE OF 33.20 FEET (CHORD = 30.81 FEET, CHORD BEARING = S53°51'25"W) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N88°06'01"W, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF BLACK DOG COURT, A DISTANCE OF 187.95 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE AND THE RIGHT-OF-WAY LINE OF THE CUL-DE-SAC OF BLACK DOG COURT, THROUGH A CENTRAL ANGLE OF 74°35'03", A DISTANCE OF 32.54 FEET (CHORD = 30.29 FEET, CHORD BEARING = N50°48'30"W) TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 54.00 FEET; THENCE NORTHERLY, WESTERLY, SOUTHERLY AND EASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 254°35'03", A DISTANCE OF 239.94 FEET (CHORD = 85.92 FEET, CHORD BEARING = S39°11'30"W) TO THE POINT OF TANGENCY OF SAID CURVE AS SHOWN ON SAID PLAT OF OAK BEND; THENCE S88°06'01"E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF BLACK DOG COURT, A DISTANCE OF 241.08 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 102°01'41", A DISTANCE OF 44.52 FEET (CHORD = 38.86 FEET, CHORD BEARING = S37°05'11"E) TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 3091.90 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF GRASSY KNOLL DRIVE, THROUGH A CENTRAL ANGLE OF 02°24'09", A DISTANCE OF 129.65 FEET (CHORD = 129.64 FEET, CHORD BEARING = S12°43'35"W) TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 75.00 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 80°22'29", A DISTANCE OF 105.21 FEET (CHORD = 96.79 FEET, CHORD BEARING = S51°42'45"W) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N88°06'01"W, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID GRASSY KNOLL DRIVE, A DISTANCE OF 503.25 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 225.00 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 33°15'57", A DISTANCE OF 130.64 FEET (CHORD = 128.81 FEET, CHORD BEARING = N71°28'02"W) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N54°50'04"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 198.38

FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE AND THE RIGHT-OF-WAY LINE OF THE CUL-DE-SAC OF GRASSY KNOLL DRIVE, THROUGH A CENTRAL ANGLE OF 74°30'29", A DISTANCE OF 32.51 FEET (CHORD = 30.27 FEET, CHORD BEARING = N17°30'15"W) TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 54.00 FEET; THENCE NORTHERLY, WESTERLY, SOUTHERLY AND EASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 254°35'01", A DISTANCE OF 239.94 FEET (CHORD = 85.92 FEET, CHORD BEARING = S72°27'29"W) TO THE POINT OF TANGENCY OF SAID CURVE AS SHOWN ON SAID PLAT OF OAK BEND; THENCE S54°50'04"E, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF GRASSY KNOLL DRIVE, A DISTANCE OF 274.50 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 275.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 31°23'26", A DISTANCE OF 150.66 FEET (CHORD = 148.79 FEET, CHORD BEARING = S70°31'46"E); THENCE S01°53'59"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 10.01 FEET TO A POINT ON A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 285.00 FEET WITH A RADIAL BEARING OF N03°42'34"E FROM SAID POINT; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE 01°48'35", A DISTANCE OF 9.00 FEET (CHORD = 9.00 FEET, CHORD BEARING = S87°11'44"E) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S88°06'01"E, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 56.00 FEET; THENCE N01°53'59"E, 10.00 FEET; THENCE S88°06'01"E, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 447.25 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 125.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 25°03'49", A DISTANCE OF 54.68 FEET (CHORD = 54.25 FEET, CHORD BEARING = N79°22'05"E); THENCE LEAVING SAID RIGHT-OF-WAY LINE, RUN ALONG THE NORTHERLY LINES OF TRACT R-3 AS SHOWN ON AFORESAID PLAT OF OAK BEND, THE FOLLOWING 5 COURSES AND DISTANCES: S36°07'23"E, 16.60 FEET; S01°53'59"W, 10.91 FEET; S60°57'38"E, 30.01 FEET; N29°02'22"E, 30.00 FEET; S60°57'38"E, 131.67 FEET TO A POINT ON THE WESTERLY LINE OF TRACT LA-1 OF SAID PLAT OF OAK BEND; THENCE S08°01'28"W, ALONG SAID WESTERLY LINE, A DISTANCE OF 51.04 FEET TO THE POINT OF BEGINNING.

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: March 20, 2013

AGENDA TAB NO: 4

SUBJECT TITLE: Approval of Agreement relating to Air Boss for the Seaplane Fly-In

OBJECTIVE:

To have City Council approve the attached Agreement relating to having an Air Boss for the Seaplane Fly-In on April 20, 2013 at Wooton Park for a total estimated expenses of $1,500.

SUMMARY:

In 2012, the City of Tavares hosted its first Seaplane Fly-In at Wooton Park on April 21, 2012. Now, the City will host both a fall and a spring fly-in. The estimated cost for an Air Boss is $1,500.00. This will cover the cost of the expenses for the professional "Air Boss" to direct the fly-in activities, contests and proof of Air Boss operations insurance.

City expenses would be covered by 2012 - 2013 CRA-TIF revenues and have been included in the City's approved 2012-13 budget.

Staff is requesting that Council approve the attached Agreement to have an Air Boss for the Seaplane Fly-In on April 20, 2013.

OPTIONS:

1. To approve the attached Agreement to have an Air Boss for the Seaplane Fly-In on April 20, 2013.

2. To not approve the attached Agreement to have an Air Boss for the Seaplane Fly-In on April 20, 2013.

STAFF RECOMMENDATION:

Staff recommends that the Council moves to approve the attached Agreement to have an Air Boss for the Seaplane Fly-In on April 20, 2013.

FISCAL IMPACT:

The estimated City out-of-pocket expenditures of $1,500 will be covered by 2012– 13 CRA – TIF revenues contained in the City approved 2012/13 budget.

LEGAL CONSIDERATIONS:

The City Attorney has reviewed and approved the attached Agreement.

AGREEMENT

THIS AGREEMENT is made this _____ day of _____, 2013, between the City of Tavares, Florida (hereinafter referred to as "the City") and Air Boss Solutions, LLC (hereinafter referred to as "Vendor").

RECITALS

1. The City desires to enter into an agreement with Vendor for the provision of Air Boss services at the Seaplane Fly-In at Wooton Park.

2. Vendor desires to enter into an agreement with the City to provide said services, and further agrees to be bound by the terms and conditions of this Agreement.

THEREFORE, in consideration of the foregoing recitals and for other good and valuable consideration, receipt of which is hereby acknowledged, the City and Vendor hereby covenant and agree as follows:

1. The Vendor agrees to provide Air Boss services at the Seaplane Fly-In at Wooton Park. Air Boss services include coordinating the event's competitions, pilot briefings, all related safety guidance and working with the City on event ideas and development.

2. The Seaplane Fly-In at Wooton Park is to be held on the Tavares Waterfront on April 20, 2013.

3. In addition to providing the Seaplane Fly-In Air Boss services as described in Paragraph 1, Vendor shall be responsible for the following:

   a. Provide all necessary equipment related to providing Air Boss services.

b. Employ a Qualified "Air Boss" (as that phrase is generally understood) to supervise the Seaplane Fly-In.

c. Provide insurance as agreed to and approved by the City's Risk Manager as described in Attachment A to this Agreement. Vendor shall provide the City with the Certificate of Insurance as described in Attachment A at least fifteen (15) days prior to the event.

4. In exchange for the Vendor's obligations, the City shall pay Vendor ONE THOUSAND FIVE HUNDRED DOLLARS ($1,500). The City shall make the payment in the amount of ONE THOUSAND AND FIVE HUNDRED DOLLARS ($1,500) on April 20, 2013.

5. Vendor agrees to indemnify the City and hold it harmless from any claims or damages (including attorney's fees) that it may incur by reason of the operation of the Seaplane Fly-In services provided by Vendor.

6. The parties agree that if Vendor violates the terms and conditions of this Agreement, or violates any other applicable state, county or municipal ordinances, the City shall have the option to immediately terminate this Agreement.

7. Vendor shall be responsible for obtaining any and all necessary licenses, health certificates, permits, or other documents required to provide Air Boss services.

8. Vendor shall not be permitted to sublet or assign any part of the Air Boss services as set forth in this Agreement without first obtaining the written consent of the City.

9. Should Vendor breach the terms of this agreement, causing the City

to employ an attorney for the enforcement of the provisions hereof, or for the collection of damages as a result of a breach, then the City's attorney's fees and court costs shall be paid by the Vendor.

Dated this __ day of _____, 2013.

CITY	VENDOR
_____	_____
John Drury, City Administrator City of Tavares, Florida	Air Boss Solutions, LLC By: Jon Pawelkop, Owner
Attest:	
	Attest:
_____	_____

EXHIBIT A
SEAPLANE FLY-IN AGREEMENT
AIR BOSS SOLUTIONS, INC.
EVENT DATE: APRIL 20, 2013

INSURANCE REQUIREMENTS

i. $1M airport liability, combined single limit each occurence ($1M bodily injury per person, to include passengers and bystanders) and property damage

ii. $2M airport liability aggregate

iii. The City of Tavares is added additional insured with endorsement, and certificateholder

iv. Waiver of subrogation in favor of the City of Tavares

v. In-force certificate of insurance must be provided on a standard Acord form, with accompanying endorsement attached (refer to Item viii), **no later than 15 days prior to the event.**

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: March 20, 2013

AGENDA TAB NUMBER: 5

SUBJECT TITLE: APPROVAL OF "STEAM INTO THE PAST: RELIVE THE NORTH AND THE SOUTH" EVENT

OBJECTIVE:

To have City Council consider and approve the attached event application for the "Steam Into the Past: Relive the North and the South" Civil War encampment and parade event to be held at Wooton Park on September 27 – 29, 2013.

SUMMARY:

This proposed new event sponsored and organized by Focus Magazine/Heather Graham will feature a Civil War encampment, parade and other related activities at Wooton Park.

The event is proposed to be family friendly and such events in other locations have been successful in attracting people to the event area.

The City of Tavares will be providing limited staff support and services to this event as outlined in the Event application.

Since the event requires limited street closings for the parade, the event application has to be approved by City Council.

OPTIONS:

1. That the City Council approves the event application and limited street closures reflected in the attached Event Application.
2. That the City Council not approve the street closures.

RECOMMENDATION

Staff recommends that the City Council approve the event application and the limited street closures reflected in the attached Event Application.

FISCAL IMPACT:

The fiscal impact will be the provision of the in-kind services provided by the City as requested in the attached Event Application fiscal impact sheet.

LEGAL SUFFICIENCY:

All options are legally sufficient.

March 4, 2013

Dear Mayor Wolfe and City Council,

I am requesting your permission and City support to hold a special event at Wooton Park for a three day weekend from September 27th-29th (see attached Special Event Permit Application).

As we all know, we are blessed to have the #2 Steam Locomotive – Orange Blossom Cannonball call Tavares home. The amazing history of this engine, particularly its appearance in the award-winning miniseries "North and South" has inspired me to put together a North and South themed event, complete with an encampment of hundreds of Civil War re-enactors.

A basic schedule of events would include the living history encampment throughout the park, drills, *demonstrations, a parade, a ladies tea, a formal Ball, and a Sunday morning church service. We would* bring in period specific vendors (sutlers) and utilize a large event tent, on the event pad for the Ball on Saturday night.

In lieu of a traditional battle between the troops, we would have "raids" on the train throughout the weekend. We are also in talks to have steamboat participation and even Marine Landing units, to incorporate the waterfront.

The park would be open to the public for them to walk through and experience the living history. The event would be supported by sponsorships from local businesses, which are already showing support of this proposed event.

I am requesting in-kind support from the City, in the form of: use of Wooton Park, portable restrooms, trash receptacles, the stage, and possibly some barricades.

I believe this to be a unique event, which will promote the amazing venue downtown Tavares has to offer. I feel the public will be attracted to attend and will provide a boost to the downtown businesses.

I look forward to making this event a recurring, annual success for Tavares.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Heather D. Graham

Heather Graham

heather@lakecountyfocus.com

321-377-8953

America's Seaplane City

SPECIAL EVENT
PERMIT APPLICATION

City of Tavares
201 E. Main Street, Tavares, FL 32778
Phone: (352) 742-6213 Fax: (352) 742-6087

Date Received March 4/13 **Permit Number**_____

Use this form for any event where the anticipated attendance exceeds 300 people per day.
Examples of Special Events include, but are not limited to: Parades, Festivals, Carnivals, Runs/Races/Walks, Art Shows, Concerts, Special Musical Presentations, Street Dances, Photography Shoots, Contests/Competition/Sporting Events and Fireworks Displays.

Council approval is required for Special Events involving street closings, City co-sponsorship or has a crowd attendance in excess of 2,000 people per day.

Completed application with all necessary attachments is required thirty (30) days prior to the actual event (sixty (60) days if Council approval is required). For information call (352) 742-6213.

Organization: FOCUS Magazine / Heather Graham

Name/Nature of Event: Steam into the past: Relive the North and South

Event Category (See attached City Event Policy). Circle appropriate event category:

(1) City Organized (2) Full City Supported (3) Limited City Supported (4) Non-City Supported

Webpage: _____

Location of event (Attach Site Plan): Wooton Park

	Set-Up Time	Actual Event Times	Take Down Time
Date: 9/26	noon to 9	___ to ___	___ to ___
Date: 9/27 - 28	all day/night	___ to ___	___ to ___
Date: 9/29	___ to ___	___ to ___	noon to 5pm

Has this event been held in the past? NO If so, when was the last event? _____

Individual Contact for Activity/Event: Heather Graham Email Address: heather@lakecountyfocus.com

Cell Phone: 321.377.8953 Office Phone —

Address: 415 B East Alfred St. Tavares Fax: _____

Major Sponsor(s): FOCUS magazine

Promoter(s): _____ Cell Phone or Contact #: _____
(If different from "Individual Contact")

Email Address: _____

Items 1-3 marked yes require City Council approval.

	Yes	No
1. **Crowd:** Is anticipated crowd size 2,000 or more? Actual anticipated number: 2000	✓	
2. **Streets/Traffic**: Will any street(s) or sidewalk(s) be closed? (If yes, provide location on site plan.) Signs, barricades and traffic control plans will be the responsibility of the applicant and will be required in conjunction with City of Tavares Police Department, Department of Transportation and Emergency Services review and approval.	✓	
3. **Noise:** Will there be amplified music or entertainment? If yes, please attach type(s) of entertainment and time(s) of performance(s). Indicate stage location(s) on site plan.	✓	
4. **Fireworks:** Is this a public _____ or private _____ display? Applicant must comply with State Law F.S. 791: and NFPA 1123 and obtain any applicable Lake County permit.		✓
5. **Banners, Signs, etc.**: Will exterior banners, balloons, signs or other types of advertising techniques be used? Temporary signs may only be placed in accordance with the Sign Ordinance.	✓	
6. **Alcoholic Beverages:** Will alcoholic beverages be sold ✓ or consumed ✓ on the premises? (If yes, please check one or both.) A copy of the Florida Beverages Commission permit is required at the time of application and prior to event approval. Permit Holder: _____ unknown yet (only @ private event-Ball) Division of Alcoholic Beverages and Tobacco: (407) 245-0785.	✓	
7. **Security:** Will private security be provided to protect exhibits, equipment or facilities brought on-site for the event? Name of Company: _____		✓
8. **Private Property:** Does the applicant own the property where the event is to be held? If not, please attach a letter of permission from the property owner.		✓
9. **Public Safety:** Will Police and Emergency Services Personnel be requested? (Based on responses to questions, certain Public Safety personnel may be required i.e., Police, First aid, Paramedics, emergency services, fire, etc.) Once staffing needs are determined, applicant will be required to provide copies of its contracts detailing obligated public safety personnel staff necessary to assist with the event.		✓
10. **Tents/Canopies:** Will tents or canopies be used? If yes, indicate on site plan the tent size, location and type of surface on which the tent(s) will be installed and intended use of each tent.	✓	
11. **Air Conditioning Units/Power Generators:** Will exterior air conditioning units or power generating equipment be operated from vehicles or trailers? If yes, indicate location of equipment on site plan.	✓	
12. **Food/Cooking:** Will food be cooked ✓ catered _____ on-site during this event? Indicate on site plan the location of vendors and cooking equipment to be used. (Appropriately rated fire extinguishers required.) The applicant is responsible for obtaining required food permits from the Florida Department of Business and Professional Regulation-Division of Hotel and Restaurant Management- 850-787-1395.	✓	

	Yes	No
13. **Sanitary Facilities:** Will temporary sanitary facilities be provided? If yes, indicate location on site plan.	☑	☐
14. **Trash:** Will additional refuse containers/dumpsters be provided?	☑	☐
15. **Insurance Requirement:** (Events on City property or City co-sponsored). Please provide the City of Tavares with a Certificate of Insurance for property and liability coverage of the event, naming the City as additional insured.		
16. **Request for Use of City Services, Staff or Equipment:** Will you be requesting the use of any City services, assistance from any City staff, or use of any City owned equipment? Please note that this request must be approved by the City Administrator and the applicant may incur a cost for the use of these.	☑	☐

Indicate your needs by checking the appropriate box.

- ☑ Trash Pickup $85/hr
- ☑ Trash Containers $10/day/each
- ☑ Stage (4'x8') $95/day
- ☐ First Aid Station $30/hr
- ☐ Police/Security $30/hr (6 hour minimum)
- ☐ Generator $50/day
- ☐ Light Tower $100/day
- ☑ Custodial (Restroom Cleaning) $30/hr
- ☐ Bleachers $600/day/each
- ☑ Fencing/Barricades $30.00 per 8 linear feet/day
- ☑ Port-a-Let (Regular) $85.00/day/each
- ☑ Port-a-Let (Handicap) $150.00/day/each
- ☑ Wash Station $75.00/day/each
- ☐ Other _____

DURING REVIEW BY VARIOUS CITY DEPARTMENTS, ADDITIONAL CONDITIONS MAY BE IMPOSED. THIS PERMIT IS VALID ONLY FOR THE TIME INDICATED ON THIS PERMIT. IN THE EVENT THAT THE APPLICANT FAILS TO FULFILL THE REQUIREMENT(S) AS SET FORTH IN THIS PERMIT OR FAILS TO OBTAIN PROPER AUTHORIZATION TO PROCEED, IF CONDITIONS HAVE CHANGED, OR THE EXPECTED OUTCOMES, IMPACTS, OR SPECIFICATIONS, INCLUDING BUT NOT LIMITED TO TIME AND ACTIVITIES, THE PERMIT MAY BE CANCELLED BY THE CITY ADMINISTRATOR AND THE ACTIVITY SHALL CEASE IMMEDIATELY.

I, the undersigned, will indemnify, defend and hold harmless, the City of Tavares, its agents, employees, officers and any and all other associates, from and against any and all actions, in law or in equity, from liability or claims for damages, demands or judgments to any person or property which may result now or in the future from the conduct of this event.

The undersigned has read and voluntarily signed the release and waiver of liability and Indemnity Agreement, and further agrees that no oral representations, statements, or inducements apart from the foregoing written agreement have been made.

Heather D Graham 3/4/2013

Signature of Applicant Date

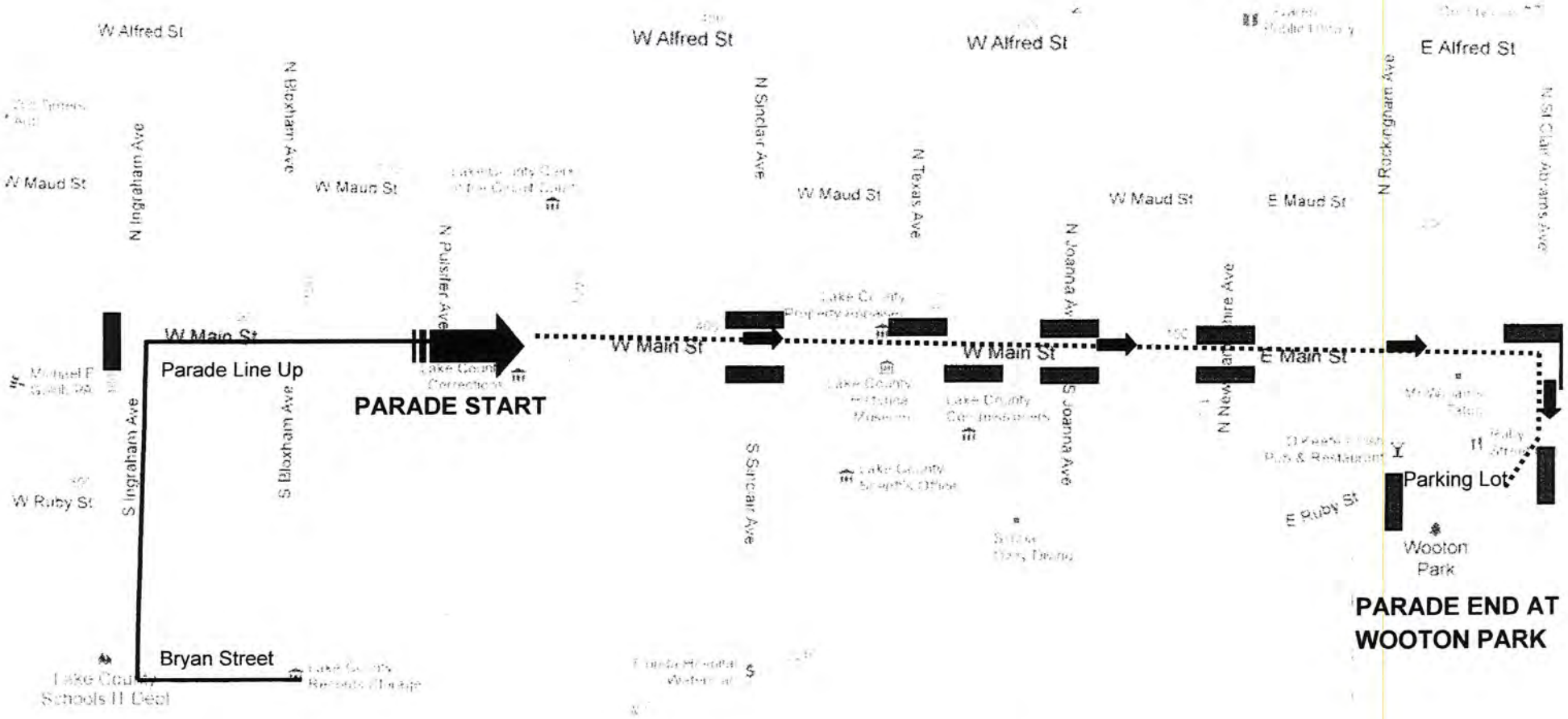
Comments: _____

_____ _____

City Administrator Date

Comments: _____

Living History
Encampment
throughout Park
Suttles/
Vendors
New Hampshire Avenue
Nottingham Avenue



Parade Route Description: Parade will start at the catwalk crossing over Main Street by the County Courthouse. The parade line up will start there on Main Street and turn down Ingraham Ave south to Bryan Street. Parade will go straight down Main Street, turning right on Ruby Street and end in the Wooton Park Parking Lot.

Barricades

NORTH & SOUTH EVENT

EVENT ITEM COST				
Item	Cost Each	Delivery Fee	Number of Items	Cost
8' Barricades	$ 12.00		40	$ 480
4'x8' Stage	$ 70.00	$ 25.00	0	$ -
Portalet - Regular	$ 85.00		10	$ 850
Portalet - Handicap	$ 150.00		5	$ 750
Wash Station	$ 75.00		3	$ 225
Portable Generator	$ 50.00		0	$ -
Bleachers	$ 600.00		2	$ 1,200
Garbage Bins	$ 10.00		50	$ 500
Item	Cost Per Hour	Delivery Fee	Number of Hours	Cost
Garbage Pick Up	$ 85.00		1	$ 85
Restroom Cleaning Service	$ 30.00		1	$ 30
Light Tower	$ 150.00		0	$ -
			TOTAL COST FOR EVENT ITEMS:	***$ 4,120.00***

EVENT PERSONNEL COST				
Personnel	Cost Per Hour	Misc Fees	Number of Hours	Cost
Police Officer	$ 30.00			$ -
Firefighter w/ First Aid Unit	$ 30.00			$ -
				$ -
				$ -
			TOTAL COST FOR EVENT PERSONNEL:	***$ -***

TOTAL ESTIMATE COST:	**$ 4,120.00**

AGENDA SUMMARY
TAVARES CITY COUNCIL
MARCH 20, 2013

AGENDA TAB NO. 6 **SECOND READING**

SUBJECT TITLE: **Ordinance 2013-02**
518 North St. Clair Abrams Avenue-Rezoning

OBJECTIVE:

To consider the rezoning of approximately .45 acres of property (518 North St. Clair Abrams Avenue) located on the southeast corner of St. Clair Abrams and Esther Avenues from RMF-2 (Residential Multi-Family) to MU (Mixed Use).

SUMMARY:

The subject property, 518 North St. Clair Abrams Avenue, is located on the southeast corner of St. Clair Abrams and Esther Avenues. The property is approximately .45 acres in size (150'x130') and is owned by Capital Legacy, LLC. The owner has completely refurbished the existing 4,000 square foot home located on the site. The property is for sale and the owner has received inquires questioning if the building may be utilized as a professional office. Because of the size of the lot and dwelling, its access to a rear alleyway and its location on St. Clair Abrams which is one of the main gateway roads to our downtown, an office use on this property would seem to be a viable alternative to a residential use. A Mixed Use zoning designation would allow both residential and office uses. This property is only one block north of the Alfred/Caroline Street one-way pairing. As the reconstruction of these roads is completed, the recommendation of our Downtown Master Plan is to rezone all properties along these streets to Mixed Use. The Master Plan is essentially a form based document that recommends a graduated decrease in the density and intensity of uses as one transitions from our downtown waterfront to our north downtown residential neighborhood. St. Clair Abrams Avenue and Sinclair Avenues are recognized as Regional Connecting Roads characterized with extensive streetscaping including on-street parking. Sinclair Avenue is zoned Mixed Use. It would be logical to similarly allow mixed uses on St. Clair Abrams Avenue, provided that these are compatible with existing residential uses on this street. There are several vacant and deteriorated dwellings along this road that are candidates for refurbishing or reconstruction. A Mixed Use zoning may present more options to developers and spur increased investment in these properties.

If the rezoning is approved, any non-residential uses on this property would require an approved site plan demonstrating compliance with all city development regulations including adequate parking, landscaping and buffering.

OPTIONS:

1. That City Council moves to approve Ordinance 2013-02
2. That City Council denies the proposed rezoning.

PLANNING & ZONING BOARD RECOMMENDATION:

At its February 21st meeting, the Planning & Zoning Board voted 6-1 to recommend approval.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2013-02.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY:

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

ORDINANCE 2013-02

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY .45 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF SAINT CLAIR ABRAMS AVENUE AND ESTHER AVENUE FROM RMF-2 (RESIDENTIAL MULTI-FAMILY) TO MU (MIXED USE); 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 RMF-2 (Residential Multi-Family) to MU (Mixed Use); 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 Medium Density Residential to Mixed Use 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 RMF-2 (Residential Multi-Family) to MU (Mixed Use), 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 _____, 2013 by the City Council of the City of Tavares, Florida.

_____
Robert Wolfe, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

_____
Nancy Barnett, City Clerk

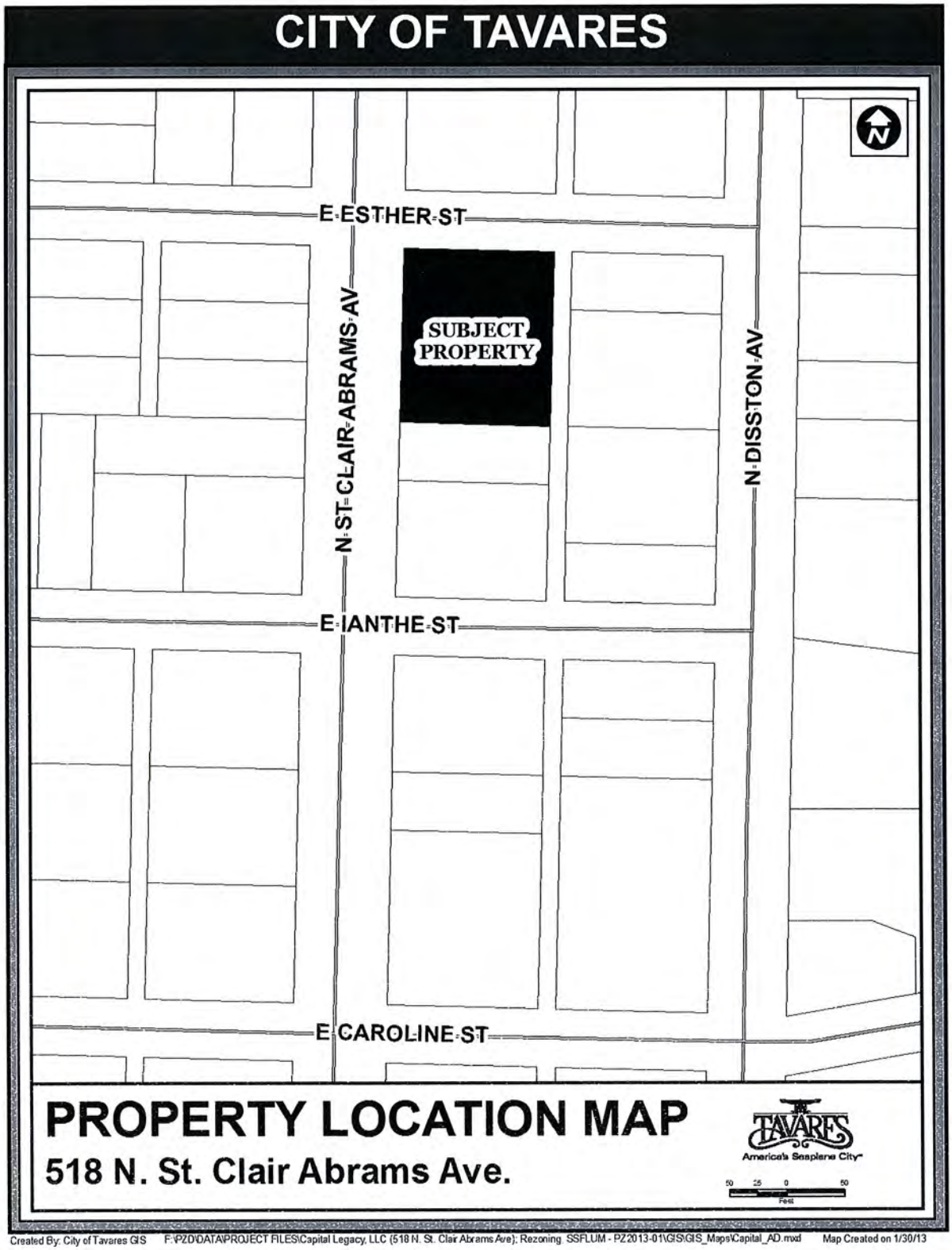
APPROVED AS TO FORM AND LEGALITY:

_____
Robert Q. Williams, City Attorney

EXHIBIT A

LEGAL DESCRIPTION: *(ORB 4139, PG 44)*

LOTS A, B, AND C, BLOCK 30, TOWN OF TAVARES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.


CITY OF TAVARES
E ESTHER ST
N ST CLAIR ABRAMS AV
SUBJECT PROPERTY
N DISSTON AV
E IANTHE ST
E CAROLINE ST
PROPERTY LOCATION MAP
518 N. St. Clair Abrams Ave.
TAVARES
America's Sesquicentennial City
50 25 0 50
Feet
Created By: City of Tavares GIS F:\PZD\DATA\PROJECT FILES\Capital Legacy, LLC (518 N. St. Clair Abrams Ave); Rezoning SSFLUM - PZ2013-01\GIS\GIS_Maps\Capital_AD.mxd Map Created on 1/30/13

1

CITY OF TAVARES ORDINANCE # 2013-02

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 Seaplane City

ZONING MAP

ORDINANCE # 2013-02

518 N. St. Clair Abrams Ave.

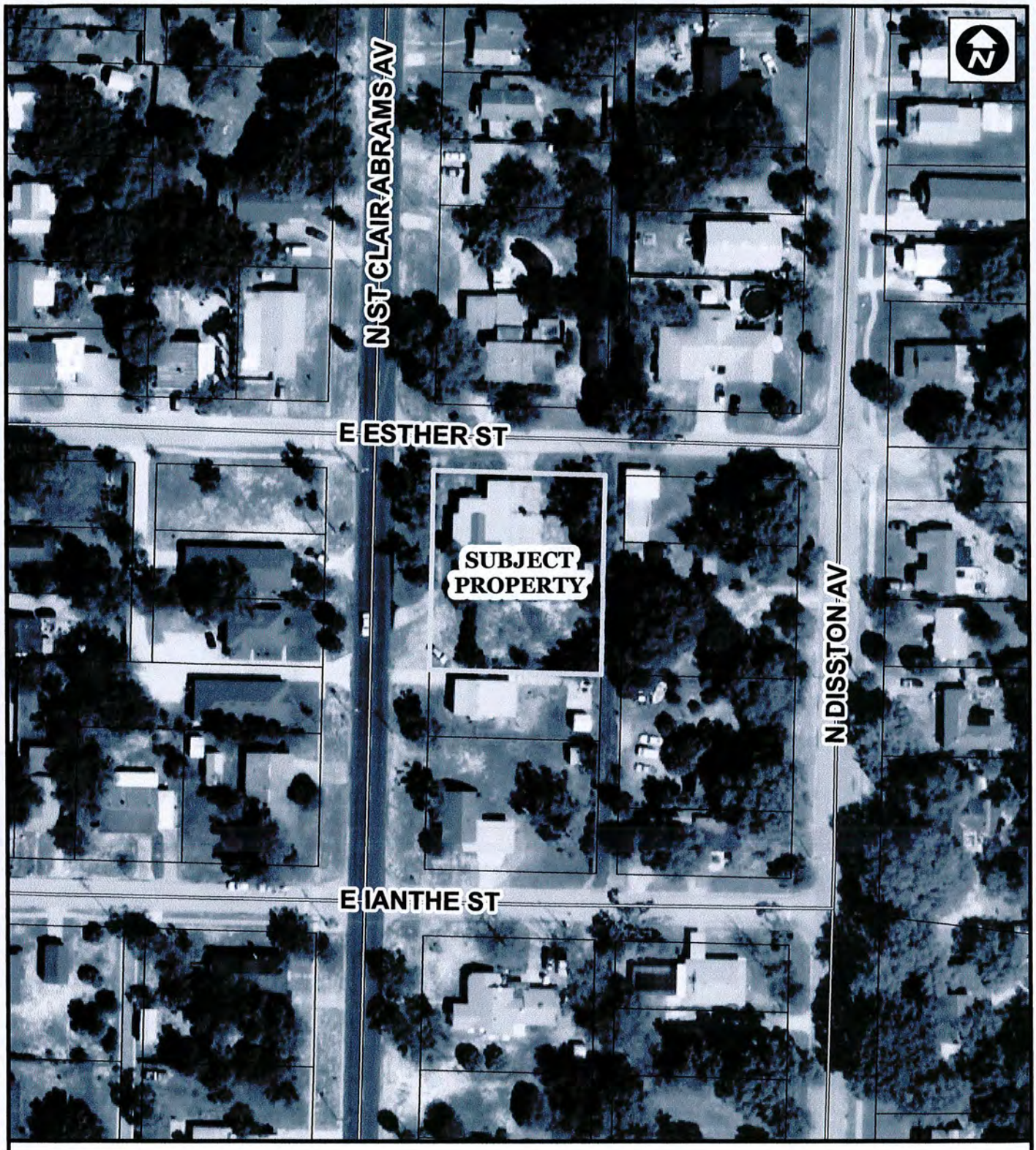
Current Zoning: RMF-2
Proposed Zoning: MU
0.45 ± Acres

Legend

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

DRAFTED BY: CITY OF TAVARES GIS F:\PZD\DATA\PROJECT FILES\Capital Legacy, LLC (518 N. St. Clair Abrams Ave); Rezoning, SSFLUM - PZ2013-01\GIS\GIS_Maps\ZONE_PT.mxd MAP CREATED ON 1/30/13

CITY OF TAVARES



PROPERTY LOCATION MAP

TAVARES
America's Seaplane City™

50 25 0 50
Feet

Created By: City of Tavares GIS F:\PZD\DATA\PROJECT FILES\Capital Legacy, LLC (518 N. St. Clair Abrams Ave); Rezoning, SSFLUM - PZ2013-01\GIS\GIS_Maps\Capital_AD.mxd Map Created on 1/30/13

AGENDA SUMMARY
TAVARES CITY COUNCIL
MARCH 20, 2013

AGENDA TAB NO. 7 **SECOND READING**

SUBJECT TITLE: **Ordinance 2013-03**
Small Scale FLUM Amendment- Capital Legacy, LLC
518 North St. Clair Abrams Avenue

OBJECTIVE:

To consider a Future Land Use Map amendment for approximately .45 acres of property (518 North St. Clair Abrams Avenue) located on the southeast corner of St. Clair Abrams and Esther Avenues from Medium Density Residential to Mixed Use Commercial.

SUMMARY:

Ordinance 2013-03 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Number 1685915) is .45 acres in size, located on the southeast corner of St. Clair Abrams and Esther Avenues. An application to rezone this property to Mixed Use is concurrently under consideration. This ordinance would amend the current Future Land Use Designation from Medium Density Residential to Mixed Use Commercial.

Future Land Use Amendment/Compatibility

St. Clair Abrams Avenue is one of the main gateway roads into our city's downtown. Sinclair Avenue, the city's other westerly gateway road is already designated Mixed Use. With the reconstruction of Alfred and Caroline Streets as one-way pairs, our Downtown Master Plan anticipates that properties along these streets also will be redeveloped with mixed uses such as professional offices, live/work buildings and small, low-density residential apartments. Highway 441 is and will continue to remain intensely commercial. As the Alfred Street one-way pairing nears completion, staff will initiate rezoning and Future Land Use Amendments consistent with our Downtown Redevelopment Master Plan. A Mixed Use Commercial designation for the subject property is most compatible with the city's future vision for this corridor.

Site Conditions

The owner desires to have the option of utilizing the existing home located on the property as a professional office. A site plan demonstrating compliance with all city regulations including applicable state and federal environmental laws must be approved prior to the issuance of permits for any non-residential use.

Impact on City Services

The subject property is connected to municipal water and sewer utilities. 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. It is anticipated that this amendment will not implicate any significant increase on Levels of Service.

FINDINGS

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

1. A Mixed Use 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)

OPTIONS:

1. That City Council moves to approve Ordinance 2013-03.
2. That City Council moves to deny the proposed Future Land Use map amendment.

PLANNING & ZONING BOARD RECOMMENDATION:

At its February 21st meeting, the Planning & Zoning Board voted 6-1 to recommend approval.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2013-03.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ORDINANCE 2013-03

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 .45 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF SAINT CLAIR ABRAMS AVENUE AND ESTHER AVENUE; FROM MEDIUM DENSITY RESIDENTIALTO MIXED USE COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property described in Exhibit "A" attached hereto, is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2020 to change the designation of said property from Medium Density Residential to Mixed Use Commercial; and

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

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

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

WHEREAS, the City desires to encourage mixed uses in this particular area of the City; and

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

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

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

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

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

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

Section 1. Future Land Use Amendment

The Comprehensive Plan and Future Land Use Map 2020 of the City of Tavares, Florida, is hereby amended to reflect a re-designation from Medium Density Residential to Mixed Use Commercial on certain real property as legally described in Exhibit "A". All provisions of the Comprehensive Plan shall hereby apply to said property.

Section 2. Severability and Conflicts

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

Section 3. Transmittal

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

Section 4. Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order

determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED this _____day of _____, 2013 by the City Council of the City of Tavares, Florida.

_____
Robert Wolfe, 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: *(ORB 4139, PG 44)*

LOTS A, B, AND C, BLOCK 30, TOWN OF TAVARES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 64, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

CITY OF TAVARES

PROPERTY LOCATION MAP

518 N. St. Clair Abrams Ave.

Created By: City of Tavares GIS F:\PZD\DATA\PROJECT FILES\Capital Legacy, LLC (518 N. St. Clair Abrams Ave); Rezoning, SSFLUM - PZ2013-01\GIS\GIS_Maps\Capital_AD.mxd Map Created on 1/30/13

1

CITY OF TAVARES ORDINANCE # 2013-03

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	

FUTURE LAND USE MAP

ORDINANCE # 2013-03

518 N. St. Clair Abrams Ave.

Current FLU: MED
Proposed FLU: MUC

0.45 ± Acres

Legend

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

DRAFTED BY: CITY OF TAVARES GIS F:\PZD\DATA\PROJECT FILES\Capital Legacy, LLC (518 N. St. Clair Abrams Ave); Rezoning, SSFLUM - PZ2013-01\GIS\GIS_Maps\FLU_PT.mxd MAP CREATED ON 1/30/13

Orlando Sentinel

Publication Date: 02/11/2013

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PUBLIC HEARING NOTICE
COMPREHENSIVE PLAN TEXT AMENDMENT

The Board of County Commissioners of Lake County, Florida, proposes to ADOPT the following ordinance to the Florida Department of Economic Opportunity, Division of Community Planning and Development:

**ORDINANCE 2012-
LPA#12/11-1**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, TO ADOPT AN AMENDMENT TO THE LAKE COUNTY 2030 COMPREHENSIVE PLAN AMENDING FUTURE LAND USE ELEMENT POLICY I-1.4.4, *RURAL FUTURE LAND USE CATEGORY,* TO ALLOW UP TO A 30 PERCENT IMPERVIOUS SURFACE RATIO FOR USES IN RURAL SUPPORT CORRIDORS AS CURRENTLY ALLOWED FOR AGRICULTURAL, CIVIC AND RECREATIONAL USES IN ALL RURAL FUTURE LAND USE CATEGORIES; AMENDING FUTURE LAND USE ELEMENT POLICY I-1.4.7.2, *RURAL SUPPORT CORRIDORS,* TO INCREASE THE MAXIMUM BUILDING SIZE FROM 5,000 SQUARE FEET TO 10,000 SQUARE FEET FOR ALL USES WITHIN ALL RURAL SUPPORT CORRIDORS; PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Public hearings on the ordinance will be held on February 26, 2013 before the Board of County Commissioners at 9:00 a.m. or as soon thereafter, in the County Commission Chambers, 2nd Floor, Round Administration Building, 315 West Main Street, Tavares, Florida.

The proposed ordinance amending the 2030 Comprehensive Plan and the staff report concerning the proposed amendment shall be available for review at the Department of Growth Management, Planning and Community Design Division, Administration Building, 315 West Main Street, Tavares, Florida, between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if any person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at this public hearing, 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.

Persons with disabilities needing assistance to participate in any of these proceedings should contact the Department of Facilities Development and Management at (352) 343-9760 at least 48 hours in advance of the public hearing.

Lake County Board of County Commissioners
Department of Growth Management
Planning & Community Design Div.
352-343-9672 (Brian T. Sheahan, AICP, Manager)

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 2013-02 & Ordinance 2013-03 titled as follows:

ORDINANCE 2013-02

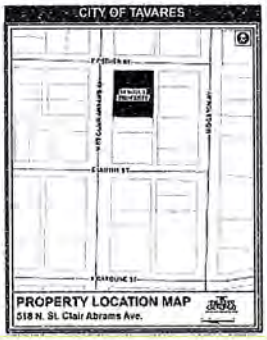
AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY .45 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF SAINT CLAIR ABRAMS AVENUE AND ESTHER AVENUE FROM RMF-2 (RESIDENTIAL MULTI-FAMILY) TO MU (MIXED USE); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2013-03

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 .45 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF SAINT CLAIR ABRAMS AVENUE AND ESTHER AVENUE; FROM MEDIUM DENSITY RESIDENTIAL TO MIXED USE COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2013-02 & Ordinance 2013-03 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on February 21, 2013 at 3 p.m., and
2. Tavares City Council meeting on March 6, 2013 at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on March 20, 2013 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 2013-02 & Ordinance 2013-03 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meeting 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 (352) 742-6404

YOUR COMMUNITY IN BRIEF

Benefit spotlights heart health, hospital foundation

By Debbie Manis
Staff Writer

Gator Harley-Davidson, 1745 U.S. Highway 441, Leesburg, will host its annual Red Hot Benefit for the Heart from 10 a.m. to 3 p.m. Saturday.

The event will benefit Leesburg Regional Medical Center Foundation.

Florida Heart & Vascular Multi-specialty Group will provide educational information on heart health.

Festivities include music by the Enajyram band, free food and beverages, silent auction and vendors.

Relectrocycle LLC will collect unwanted electronics between 11 a.m. and 2 p.m. Community members can turn in old computers and satellite dishes, cellphones, printers, lithium ion batteries and other types of electronic equipment. For a list of acceptable items, visit gatorharley.com and click on "events."

Details: 352-787-8050.

Meet the author

Author Mary Breu will talk about her book "Last Letters from Attu" at 2 p.m. today in the second floor meeting room of Lady Lake Public Library, 225 W. Guava St.

The book is about Breu's great-aunt, Etta Jones, an Alaska pioneer and Japanese prisoner of war. Jones, who was a teacher and nurse, spent 39 months in Japanese POW sites after the Japanese invaded the tiny island of Attu, Alaska, on June 7, 1942.

The public is welcome at the free event. Details: 352-753-2957.

Tea at the Inn

The next Tea at the Inn will be at 2 p.m. Tuesday at Lakeside Inn, 100 N. Alexander St., Mount Dora. Weddings' cultural influences and traditions will be discussed, and wedding dresses will be presented.

Cost is $25. Reservations: 352-383-4101.

Library happenings

Tavares Public Library, 314 N. New Hampshire Ave., has the following events:

■ Coffee at the Library from 10 to 11 a.m. Thursday at the Tavares Civic Center, 100 E. Caroline St. Participants can drink coffee provided by Bean Together Artisan Roasted Coffee, a Tavares-based coffee vendor of certified organic, single-origin, whole bean and custom ground Arabica coffee.

■ The annual free winter carnival will be from 1 to 3 p.m. Feb. 23 at Ridge Park behind the library. It includes caricatures, games, face painting, moonwalk, monster trucks and prizes.

■ The chess club meets at 1 p.m. the second Saturday of every month in the Youth Department.

Details: 352-742-6204.

Empty bowls

Cassia Cowpokes 4-H Club will present Empty Bowls, designed to raise money to fight hunger, from 4 to 7 p.m. Saturday at Cassia Community Club, 29245 E. State Road 44 between Eustis and DeLand. Funds will benefit Lake Cares Food Pantry in Mount Dora.

People can buy a handmade ceramic bowl to eat soup and keep the bowl as a reminder of world hunger.

The cost is $10 a person, which includes a bowl, soup, bread and water.

There also will be live bluegrass music.

Jewelry sale fundraiser

Florida Hospital Waterman Auxiliary is having a fundraising jewelry sale from 7 a.m. to 4 p.m. today and Tuesday downstairs across from the hospital cafeteria, 1000 Waterman Way (off U.S. Highway 441), Tavares. All items are $5. The public is welcome. Proceeds will benefit the auxiliary.

Power Squadron

Members of the Harris Chain Sail & Power Squadron will offer free vessel inspections from noon to 3 p.m. Sunday at Tavares Recreation Park (Buzzard Beach) by Lake Eustis on U.S. Highway 441, Tavares. If the boat passes the inspection, the owner is given an annual sticker to place on the vessel.

The squadron will have its general meeting Feb. 19 at Trout Lake Nature Center, County Road 44 Bypass east of State Road 19, Eustis. A social is at 6:30 p.m. and the meeting at 7. Dave Hepting will speak about his adventures sailing from the United States to Bermuda.

Details: harrischain.org.

Winefest

Lakeridge Winery & Vineyards will have the 23rd annual Winefest this weekend at the winery, 19239 U.S. Highway 27 north of Clermont.

The three-day outdoor event will include an arts and crafts show featuring jewelry, wood crafts, paintings, winery tours, wine tastings and live music.

Wine, beer and a variety of food and soft drinks will be available for purchase. There will be plenty of seating, but patrons can bring lawn chairs or blankets.

Hours are 10 a.m. to 5 p.m. Friday and Saturday, and 11 a.m. to 5 p.m. Sunday.

Admission is a $2 donation at the gate, which will benefit the South Lake County Scholarship Fund. Parking is free.

Details: 352-394-8627 or lakeridgewinery.com.

Orlando Sentinel, 1898 E. Burleigh Blvd., Tavares, FL 32778-4366, fax 352-742-5938 or dmanis@tribune.com.

THE ARTS IN LAKE

Guitarist Kottke is coming

Guitarist Leo Kottke, well-known for his finger-picking skills and melodic acoustic compositions, will perform at 8 p.m. Feb. 23 at the Mount Dora Community Building, 520 N. Baker St.

The 67-year-old musician, also known for his signature vocals and quirky lyrics, has been performing for more than four decades and has recorded more than three dozen albums. His musical mastery mixes folk, rock, jazz and bluegrass on his six- and 12-stringed guitars.

Tickets are $35 and available at the Mount Dora Area Chamber of Commerce, 341 N. Alexander St.

Details: 352-383-2165.

Bay Street Players productions planned

The Bay Street Players will take on two plays about long-term relationships and keeping in touch the old fashioned way by mail in honor of Valentine's Day.

A.R. Gurney's "Love Letters" will be presented Tuesday, and Bill Corbett and Kira Obolensky's "Hate Mail" on Wednesday at the State Theatre, 109 N. Bay St., downtown Eustis.

"Love Letters" recalls a deep-rooted love between two lifelong friends, Melissa Gardner and Andrew Makepeace Ladd III, traced through their letters from childhood to their golden years. The two-person comic drama tells the story of their bittersweet relationship and what is left unsaid in their letters. Ben and Stephanie Adams, husband and wife, will portray the two friends.

"Hate Mail" tells the story of Preston played by Ryan Smith, a spoiled rich kid who meets his match in Dahlia, played by Mariah Lester, an angst-filled artist. Their worlds collide when Preston sends a complaint letter that gets Dahlia fired from her job, and then there's no turning back.

Both performances are at 7:30 p.m. Tickets are $10 or $15 for both performances.

Reservations: 352-357-7777 or baystreetplayers.org.

Gospel Choir Showcase

Celebrate Black History Month by listening to an evening of soulful music at the Leesburg Center for the Arts, 429 W. Magnolia St.

Gospel Choir Showcase will feature the Christian Worship Center choir and an exhibit from the Leesburg African-American Museum at 7 p.m. Friday.

Please turn to ARTS, D4

PICKLES

How to reach us: Lake County newsroom contacts

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LakeSentinel.com

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1-800-359-5053

CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
FEBRUARY 21, 2013

BOARD MEMBERS PRESENT

John Adams, Chairman
Morris Osborn
Sam Grist
Richard Root
Gary Santoro
Norb Thomas
John Tanner

LAKE COUNTY SCHOOL BOARD

Debbie Stivender, Boardmember - Absent
Dawn McDonald, Senior Planner

STAFF MEMBERS PRESENT

Jacques Skutt, Community Development Director
Alisha (Sullivan) Maraviglia, Senior Planner
Mike Fitzgerald, Development Coordinator

CALL TO ORDER

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

APPROVAL OF MINUTES OF NOVEMBER 15, 2012

The minutes were approved as read.

OLD BUSINESS

None.

SWEARING IN OF THOSE GIVING TESTIMONY

Bob Williams, Attorney, gave the oath to staff and those members of the audience who indicated they would be giving testimony.

CASES TO BE HEARD

1) Ordinance 2013-02 – 518 N. St. Clair Abrams – Rezoning

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

Ordinance 2013-02 proposes the rezoning of 518 North St. Clair Abrams Avenue. This property is located on the southeast corner of St. Clair Abrams and Esther Avenues. The property is approximately .45 acres in size (150'x130') and is owned by Capital Legacy, LLC.

The owner has completely refurbished the existing 4,000 square foot home located on the site. The property is for sale and the owner has received inquires questioning if the building may be utilized as a professional office. Because of the size of the lot and dwelling, its access to a rear alleyway and its location on St. Clair Abrams which is one of the main gateway roads to our downtown, an office use on this property would be appropriate. A Mixed Use zoning designation would allow both residential and office uses. This property is only one block north of the Alfred/Caroline Street one-way pairing. As the reconstruction of these roads is completed, the recommendation of our Downtown Master Plan is to rezone all properties along these streets to Mixed Use. It would be logical to extend the Mixed Use zoning along St. Clair Abrams. Sinclair Avenue, our similarly westerly gateway road, is presently zoned as Mixed Use.

If the rezoning is approved, any non-residential uses on this property would require an approved site plan demonstrating compliance with all city development regulations including adequate parking and landscaping.

Chairman Adams asked if there was anyone in the audience who would like to make a comment.

Mr. Alan Tidmore, 503 St. Clair Abrams Avenue and 209 E. Ianthe Street, addressed the board. He asked the board to consider leaving the property residential.

Chairman Adams turned the discussion over to the Planning & Zoning Board.

Boardmember Tanner asked for an explanation for the reason there is approximately two blocks of residentially zoned property between the subject property an other property zoned Mixed Use.

Mr. Skutt confirmed that there are two blocks of residential between the subject property and other mixed use properties.

Boardmember Santoro commented that this application might serve as a type of experiment.

Mr. Skutt agreed saying that this rezoning might be the first of a trend of rezonings from Residential to Mixed Use.

Boardmember Osborne stated that he had been to the site and found the subject property to be surrounded by other single family homes. Based on that observation he expressed concern that this type of zoning might considered spot zoning.

Boardmember Root asked why the property owner present to explain his opposition to the rezoning. Mr. Tidmore explained that he and his family lived in the neighborhood and would not like to see the neighborhood change.

In response to a question regarding property value, Mr. Tidmore explained that he owned commercial property on Burleigh Blvd. and did not want this area to become commercial.

In response to another question, Mr. Skutt explained that single family homes were permitted in the Mixed Use Zoning District.

In response to a question about taxable value, Attorney Williams explained that properties were generally assessed based on the current use with some exceptions such as agriculture property under some specific conditions.

Chairman Adams asked for a motion.

MOTION

Sam Grist moved to recommend approval of Ordinance 2013-03. The motion was seconded by Gary Santoro. The motion carried 6-1 as follows:

John Adams, Chairman - Yes
Morris Osborn - No
Sam Grist - Yes
Richard Root - Yes
Gary Santoro - Yes
Norb Thomas - Yes
John Tanner - Yes

2) Ordinance 2012-03 – 518 N. St. Clair Abrams – SSFLUM

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

Ordinance 2013-03 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Number 1685915) is .45 acres in size, located on the southeast corner of St. Clair Abrams and Esther Avenues. An application to rezone this property to Mixed Use is concurrently under consideration. This ordinance would amend the current Future Land Use Designation from Medium Density Residential to Mixed Use Commercial.

Future Land Use Amendment/Compatibility

St. Clair Abrams Avenue is one of the main gateway roads into our city's downtown. Sinclair Avenue, the city's other westerly gateway road is already designated Mixed Use. With the reconstruction of Alfred and Caroline Streets as one-way pairs, our Downtown Master Plan anticipates that properties along these streets also will be redeveloped with mixed uses such as professional offices, live/work buildings and small, low-density residential apartments. Highway 441 is and will continue to remain intensely commercial. The Master Plan recommends that while the perimeter of the rectangle formed by these four corridors may develop commercially, the interior residential neighborhoods, which includes the High School, be preserved. As the Alfred Street one-way pairing nears completion, staff will initiate rezoning and Future Land Use Amendments consistent with our Downtown Redevelopment Master Plan. A Mixed Use Commercial designation for the subject property is most compatible with the city's future vision for this corridor.

Site Conditions

The owner desires to have the option of utilizing the existing home located on the property as a professional office. A site plan demonstrating compliance with all city regulations including applicable state and federal environmental laws must be approved prior to the issuance of permits for any non-residential use.

Impact on City Services

The subject property is connected to municipal water and sewer utilities. 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. It is anticipated that this amendment will not implicate any significant increase on Levels of Service.

FINDINGS

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

1. A Mixed Use 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)

Staff recommended that the Planning and zoning Board move to recommend approval of Ordinance 2013-03.

Chairman Adams asked if there was anyone in the audience who would like to make a comment.

There were no audience comments.

MOTION

John Tanner moved to recommend approval of Ordinance 2013-03. The motion was seconded by Norb Thomas. The motion carried 6-1 as follows:

John Adams, Chairman - Yes
Morris Osborn - No
Sam Grist - Yes
Richard Root - Yes
Gary Santoro - Yes
Norb Thomas - Yes
John Tanner - Yes

OTHER BUSINESS

There was no other business.

ADJOURNMENT

There was no further business and the meeting adjourned at approximately 3:24 p.m.

Respectfully submitted,

_____

Alisha Maraviglia
Senior Planner

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TAVARES

America's Seaplane City™