



AGENDA

City Commission Meeting

6:00 PM – Thursday, August 03, 2023 – City Hall

INVOCATION: MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE: COMMISSIONER WILLIE HAWKINS

CALL TO ORDER

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

1. AGENDA UPDATE

2. APPROVAL OF MINUTES

2.1 Approval of Minutes

July 6, 2023 City Commission Meeting

July 10, 2023 City Commission Workshop

3. PRESENTATIONS

3.1 Presentation on the Live Local Act

4. APPOINTMENTS

4.1 Appointment to Eustis Housing Authority (EHA): Nicie Allen Parks

5. AUDIENCE TO BE HEARD

6. CONSENT AGENDA

6.1 Resolution Number 23-55: Award of Bid Number 009-23 and Approving a Purchase in Excess of \$50,000 for the McDonald Avenue Gravity Sewer Main Project

6.2 Resolution Number 23-57: Gravesite Openings and Closings Contractor

6.3 Resolution Number 23-67: Approving Multiple Annual Purchases in Excess of \$50,000 for Sewer Rehabilitation Services

6.4 Resolution Number 23-68: Approval of purchase in excess of \$50,000 to procure (3) 2024 XL Mavericks

6.5 Historic Preservation Board Annual Report

7. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

7.1 Resolution Number 23-54: Preliminary Subdivision Plat for Hidden Cove 43-lot Subdivision on Lakeview Avenue (Alternate Key Number 1216044)

7.2 Resolution Number 23-62: Building Fee Schedule Amended for Permit Fees

7.3 Resolution Number: 23-66: School Resource Officer 2023-2024

7.4 **SECOND READING**

Ordinance Number 23-04: Second Reading Fire Pension Modification

7.5 FIRST READING

Ordinance Number 23-15

Ordinance Numbers 23-15, 23-16, and 23-17: EXPLANATION OF ORDINANCES FOR ANNEXATION OF PARCELS with ALTERNATE KEY 1213177

Ordinance Number 23-15 – Voluntary Annexation

Ordinance Number 23-16 – Comprehensive Plan Amendment

Ordinance Number 23-17 – Design District Assignment

7.6 FIRST READING

Ordinance Number 23-16: Comprehensive Plan Amendment

Explanation of Ordinances for Annexation, Assignment of Future Land Use and Design District for a Parcel with Alternate Keys 1213177

7.7 FIRST READING

Ordinance Number 23-17: Design District

Explanation of Ordinances for Annexation, Assignment of Future Land Use and Design District for a Parcel with Alternate Key 1213177

7.8 FIRST READING

Ordinance Number 23-18

Ordinance Numbers 23-18, 23-19, and 23-20: EXPLANATION OF ORDINANCES FOR ANNEXATION OF PARCELS with ALTERNATE KEYS 2666820, 3384297, 3884298, 3884439, AND 3884441

Ordinance Number 23-18 – Voluntary Annexation

Ordinance Number 23-19 – Comprehensive Plan Amendment

Ordinance Number 23-20 – Design District Assignment

7.9 FIRST READING

Ordinance Number 23-19: Comprehensive Plan Amendment

Explanation of Ordinances for Annexation, Assignment of Future Land Use and Design District for Parcels with Alternate Keys 2666820, 3384297, 3884298, 3884439, AND 3884441

7.10 FIRST READING

Ordinance Number 23-20: Design District

Explanation of Ordinances for Annexation, Assignment of Future Land Use and Design District for Parcels with Alternate Keys 2666820, 3384297, 3884298, 3884439, AND 3884441

7.11 FIRST READING

Ordinance Number 23-21: First Reading Conditional Use Permit for a School in the Central Business District (CBD) Future Land Use District Located at 50 W. Orange Avenue

8. OTHER BUSINESS

9. FUTURE AGENDA ITEMS

10. COMMENTS

10.1 City Commission

10.2 City Manager

10.3 City Attorney

10.4 Mayor

11. ADJOURNMENT

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

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

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



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: Christine Halloran, City Clerk

DATE: August 3, 2023

RE: Approval of Minutes

Introduction:

This item is for consideration of the minutes of the July 6, 2023 City Commission Meeting and July 10, 2023 City Commission Workshop.

Recommended Action:

Approval of the minutes as submitted.

Prepared By:

Mary Montez, Deputy City Clerk

Reviewed By:

Christine Halloran, City Clerk



MINUTES

City Commission Meeting

6:00 PM – Thursday, July 06, 2023 – City Hall

INVOCATION: PASTOR DANN RAGAN, LIFEPOINTE CHURCH

PLEDGE OF ALLEGIANCE: COMMISSIONER GARY ASHCRAFT

CALL TO ORDER: 6:01 P.M.

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

PRESENT: Commissioner Gary Ashcraft, Commissioner Nan Cobb, Commissioner Willie Hawkins, Vice Mayor Emily Lee and Mayor Michael Holland

1. AGENDA UPDATE

Tom Carrino, City Manager, indicated that staff is requesting to move Item 5.2 Resolution Number 23-54 to July 20, 2023, at the request of the applicant.

Commissioner Hawkins requested the item be moved to the August 3, 2023, meeting instead of July 20, 2023, so he could be present.

It was a consensus of the Commission to move Resolution Number 23-54 to the August 3, 2023, meeting.

Mr. Carrino explained for the audience that the resolution pertains to the Hidden Cove development. He then stated that the applicant is requesting to postpone Ordinances 23-18, 23-19 and 23-20 to August 3rd.

It was a consensus of the Commission to move the ordinances to August 3rd.

2. APPROVAL OF MINUTES

2.1 Approval of Minutes

May 18, 2023 City Commission Meeting

June 1, 2023 City Commission Meeting

June 15, 2023 City Commission Meeting

Motion made by Commissioner Hawkins, Seconded by Vice Mayor Lee to approve the Minutes as submitted. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

3. PRESENTATIONS

3.1 Certificate of Recognition for Amare Williams

Mayor Holland presented a certificate of recognition to Amare Williams in honor of his accomplishments at the Florida state finals in running.

3.2 Proclamation: Parks and Recreation Month

Mayor Holland presented Craig Dolan, Parks and Recreation Director, with a Proclamation to recognize July as Parks and Recreation month in the City of Eustis. He noted all of the programming that the department does for the community.

Mr. Dolan thanked the City Commission and highlighted the new ADA accessible kayak launch which would open that month.

3.3 Public Risk Management Safety Award

Tia O'Neil, Public Risk Management of Florida, and Amy Cooper, World Risk Management, presented the Public Risk Management Safety Award to Finance Director Mike Sheppard, representing the City, for its improvement in safety with a 27% decrease in workers compensation claims.

3.4 Update from Eustis High School

Sonya White, FBLA Advisor at Eustis High School (EHS) and Freshman Class Sponsor, presented an update on the EHS programs. She highlighted the students who competed in FBLA at the state level and thanked the City for its support. She noted that there were two students who qualified for nationals but could not attend due to lack of funding. Ms. White commented on how they are encouraging the students to serve the community and presented their 2023-2024 Wish List, including the following: Color Laser Jet Printer, Business Ties, Dress Pants (Girls and Boys), White button-down long sleeve dress Shirts (Boys and Girls), and Blue or Black Skirts (any size). She added they also accept gift cards to allow the students to purchase their own dress clothes, as well as monetary donations to support the District and State Competition and National Conference. She emphasized their efforts to get the students to read more. She explained what she teaches in her class and how that helps the students in the business world. She pointed out ways to donate by mail, in-person or online. She added that they also need people to volunteer as mentors or guest speakers.

Mayor Holland encouraged her to keep the Commission informed and expressed concern that there were students who couldn't attend nationals due to lack of funding. He indicated that the Commission would be happy to assist finding sponsors when needed.

3.5 Eustis Police Department /Altumint School Zone Cameras

Mayor Holland complimented Chief Capri and the department for their handling of a recent critical incident. Chief Capri complimented the department personnel and their relationship with the other agencies in the County.

Police Chief Craig Capri introduced a presentation to be provided by Altumint regarding school zone cameras and newly adopted legislation.

Jason Norton, representing Altumint, explained their program is funded by the violators and never at the cost of the City. He cited the newly enacted statute HB 657 which became effective the previous Saturday. He explained that, under the new statute, the violator must be going a minimum of ten miles per hour over the speed limit. The fine is \$100 but does not result in any points against the driver's license and does not effect their insurance. He added that enforcement is allowed only before school with the flashing lights, during school while students are present and right after school when the flashing lights are on. He noted that the program also includes a public information campaign which provides that in the first 30 days they will only get a warning ticket and not a fine.

Mr. Norton then cited specific statistics involving pedestrian/vehicle accidents and the incidence in fatalities based on vehicle speed. He indicated they did some testing when school was in session and 30% of the drivers were breaking the speed limit at ten miles per hour or more. He then presented some additional statistics regarding volume and speeds. He cited the benefit of the program providing additional speed enforcement around the schools without additional cost to the City or increasing personnel.

Chief Capri expressed support for the program and emphasized it would enforce the speed limit during school hours at no cost to the tax payer.

The Commission expressed concern regarding the speeding outside of the school zone hours with Mr. Norton explaining the statistics and indicating what pertains to school hours. He confirmed that the law only allows them to do the camera enforcement during school hours.

The Commission then asked about the speeding on Bates Avenue with Chief Capri indicating they can conduct additional speed studies and they can look at expanding the program.

CONSENSUS: It was a consensus of the Commission for staff to bring back the program for formal approval.

4. AUDIENCE TO BE HEARD: None

5. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

5.1 Resolution Number 23-18 (Re-Hearing): Estes Reserve Subdivision Preliminary Subdivision Plat Approval

Sasha Garcia, City Attorney, announced Resolution Number 23-18: A Resolution of the City Commission of the City of Eustis, Florida; approving a preliminary subdivision plat for Estes Reserve Subdivision, an 18-lot single family residential subdivision, on approximately 4.7 acres of property located north of Bates Avenue/Lake Lincoln Lane, on the west side of Estes Road (Alternate Key Number 3862867).

Jeff Richardson, Deputy Director of Development Services, presented the applicant's request for Resolution Number 23-18 (Re-hearing) for approval of the Preliminary Subdivision Plat for Estes Reserve. He provided a history of the request. He noted that the Preliminary Subdivision Plat was intended to be advertised for the May 18th City Commission agenda, however, deadlines were missed and proper notice could not be met, thus the request was rescheduled for the June 1, 2023, City Commission Agenda.

Mr. Richardson explained that on June 1, 2023, the City Commission heard the request and voted to not approve the request due to outstanding questions and concerns. He indicated that on June 20, 2023, staff requested that the City Commission consider rehearing of the request for Preliminary Subdivision Plat approval. At that time, the Commission granted their approval to return the Preliminary Subdivision plat to an advertised and noticed City Commission meeting for consideration.

Mr. Richardson provided an overview of staff's analysis of the latest application resulting in approximately 3.83 du with a future land use of Suburban Residential and design district of Suburban Neighborhood. He indicated approximately 60% of the existing trees are being removed with about 40% of the canopy being replaced. He stated staff's recommendation for approval noting that the plat is consistent with the Comprehensive Plan and Land Development Regulations and the density is consistent with the land use classification as well as previous developments in the immediate vicinity.

Attorney Garcia opened the public hearing at 6:43 p.m.

The following individuals expressed opposition to Resolution 23-18: 1) Charles Sweat; 2) Tammy Pena; 3) Kim Reed; and 4) Cindy Newton.

Attorney Garcia closed the public hearing at 6:55 p.m.

McGregor Love, land use attorney and applicant representative, responded to some of the public comments. He commented on the objectivity of the regulations required for preliminary plats. He stated, for the record, the fence around the retention pond is not required and will be addressed at final engineering and confirmed that it needs to not be fenced in order to be counted toward open space. He added that, due to the grade, it will not need to be fenced and, if fenced, the project would not receive final engineering approval.

Christopher Germano, Germano Engineering, explained that the engineering design will work out the particulars for the retention pond. He stated they will be proposing to have no fence with a 4:1 slope in order to meet the intent of the open space. He further explained what would trigger the requirement for a fence around the pond.

Mr. Carrino further explained the intent of the code is that, if the slope is slight enough so that the residents can utilize the area to recreate, then a fence is not required.

The Commission asked about the possibility of them providing the requested fence in order to be a "good neighbor".

Mr. Love responded that they have preserved the northern buffer where all the trees are. He explained they felt the natural barrier would be better than a white PVC fence. He indicated their intention of doing that on the north side rather than the south. He stated it is approximately 25 to 30 feet in width.

Mr. Carrino confirmed that more trees would have to be removed in order to put in a barrier fence.

Mr. Love explained they have worked closely with their landscape architect Tim Green to minimize grading in that area to preserve and protect the trees.

Motion made by Commissioner Ashcraft, Seconded by Commissioner Cobb, to approve Resolution Number 23-18. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

5.2 Resolution Number 23-54: Preliminary Subdivision Plat for Hidden Cove 43-LOT Subdivision on Lakeview Avenue (Alternate Key Number 1216044)

This item was postponed at the request of the applicant with the Commission deferring the resolution to August 3, 2023, so that all Commissioners could be present.

5.3 SECOND READING

Ordinance Number 23-10: Conditional Use Permit for an Accessory Dwelling Unit at 527 Hill Street

Attorney Garcia read Ordinance Number 23-10 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, approving a conditional use permit for an accessory dwelling unit to an existing single-family residence in the Suburban Residential (SR) future land use district on approximately 0.2 acres located at 527 Hill Street.

Mr. Richardson explained that the Commission had requested a change to the ordinance regarding the size of the structure and reducing it to 84 square feet.

Mr. Carrino further explained that the applicant is being allowed to have surface parking with a storage area rather than building another garage which is allowed in other districts.

Attorney Garcia opened the public hearing at 7:05 p.m. There being no public comment, the hearing was closed at 7:05 p.m.

Motion made by Commissioner Cobb, Seconded by Commissioner Hawkins, to adopt Ordinance Number 23-10 on final reading. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

5.4 FIRST READING

Explanation of Ordinances for Annexation of Parcels with Alternate Keys 1444756, 2585153, and 2535628 (Ordinance Numbers 23-12, 12-13 and 12-14)

Ordinance Number 23-12: Voluntary Annexation – 18900 State Road 44

Attorney Garcia read Ordinance Number 23-12 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 10.98 acres of real property at Alternate Key Numbers 1444756, 2585153 and 2535628, generally located at 18900 State Road 44, east of Lake Joanna and north of Loch Leven.

Mr. Richardson presented Ordinances 23-12, 23-13 and 23-14 for the annexation, future land use designation and design district assignment for properties located at 18900 State Road 44 and adjacent property with Alternate Key Numbers 1444756, 2535628 & 2585153. He cited the property owner and applicant for the annexation of the 10.98 acres. He reviewed the site location and staff's evaluation of the request. He stated that the future land use designation is going from Lake County Urban Low to Mixed Commercial Residential in the City and the design district designation would be Suburban Neighborhood. He indicated staff's recommendation for approval.

Attorney Garcia opened the public hearing at 7:11 p.m. There being no public comment, the hearing was closed at 7:11 p.m.

Motion made by Vice Mayor Lee, Seconded by Commissioner Hawkins, to approve Ordinance Number 23-12 on first reading. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

5.5 FIRST READING

Ordinance Number 23-13: Comprehensive Plan Amendment – 18900 State Road 44

Attorney Garcia read Ordinance Number 23-13 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending the City of Eustis Comprehensive Plan pursuant to 163.3187 F.S.; changing the future land use designation of approximately 10.98 acres of recently annexed real property at Alternate Key Numbers 1444756, 2585153 and 2535628, generally located at 18900 State Road 44, east of Lake Joanna and north of Loch Leven, from Urban Low in Lake County to Mixed Commercial Residential in the City of Eustis.

Attorney Garcia opened the public hearing at 7:12 p.m. There being no public comment, hearing was closed at 7:12 p.m.

Motion made by Commissioner Hawkins, Seconded by Vice Mayor Lee, to approve Ordinance Number 23-13 on first reading. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

5.6 FIRST READING

Ordinance Number 23-14: Design District – 18900 State Road 44

Attorney Garcia read Ordinance Number 23-14 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Neighborhood design district designation to approximately 10.98 acres of recently annexed real property at Alternate Key Numbers 1444756, 2585153 and 2535628, generally located at 18900 State Road 44, east of Lake Joanna and north of Loch Leven.

Attorney Garcia opened the public hearing at 7:13 p.m. There being no public comment, the hearing was closed at 7:13 p.m.

Motion made by Vice Mayor Lee, Seconded by Commissioner Hawkins, to approve Ordinance Number 23-14 on first reading. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

5.7, 5.8 and 5.9 FIRST READING

Explanation of Ordinances for Annexation of Parcels with Alternate Keys 2666820, 3884298, 3884439, and 3884441 (Ordinance Numbers 23-18, 23-19 and 23-20)

Ordinance Numbers 23-18, 23-19 and 23-20 were postponed to August 3, 2023, at the request of the applicant.

6. FUTURE AGENDA ITEMS

See Comments - City Commission

7. COMMENTS

7.1 City Commission

Commissioner Hawkins announced there would be a special needs community event on October 4th at the Community Building. He explained the intent is to assist the Police Department in getting to know those residents with special needs. He then announced the City would hold an event on October 21, 2023 in conjunction with City Eustis High School. He stated it would be at the Community Center and would be to raise money for all high school athletics. He cited the various activities and announced that Thomas McClary, a Eustis High School graduate and founder of the Commodores, would be the headliner.

Mayor Holland announced that the goal for the event is to raise a minimum of \$60,000 to support the high school athletic programs. He cited the number of recent EHS athletes that have gone to state competitions.

Commissioner Ashcraft reported on the recent MPO meeting and their work on the Sun Trail, Coast to Coast Trail and the North Hills Trail. He complimented City staff on the Hometown

Celebration event and fireworks. He especially cited the historical tent and noted the number of boats on Lake Eustis to watch the fireworks.

Commissioner Cobb clarified, under Ordinance 23-11, she had misspoke when she stated that the property was for sale; however, it is not for sale. She thanked the Lake County Sheriff's Kids Charities and others for their support of the Cassia Community Backpack Event. She noted they raised \$2,000 in three days. She announced that the Sheriff's Kids Charities Project Kid Connect backpack giveaway event would be held at the Clermont substation on July 15th. She noted that the children the backpacks are for must be in attendance. She asked that Chief Capri provide a code enforcement update.

Craig Capri, Police Chief, reported they have collected since November 2022 over \$234,000 in fines. He cited various fines collected including a case to go before the Code Enforcement Board the following week.

Commissioner Cobb complimented City staff for their work on the Independence Day "Hometown Celebration".

Commissioner Hawkins complimented the Eustis Fire Department staff on their excellent handling of a sequence of recent fires. It was noted that the City department also responds to a large number of calls for locations in the County.

Vice Mayor Lee concurred with the other Commissioners comments on the events. She then noted that the Commission is often asked to meet with different groups to hear their concerns. She indicated her willingness to attend those meetings in order to hear all sides. She emphasized that the Commissioners must meet the rules of the Sunshine Law and they cannot attend to provide their comments but only to hear the residents' comments.

7.2 City Manager

Mr. Carrino complimented both the Police and Fire departments for their great work. He commented on the Hometown Celebration and noted that Public Works produced the images in the sign shop and fabricated frames for the historical tent. He cited the participation also by Parks and Recreation. He stated that while Events takes the lead, it really is a team effort.

Mr. Carrino then stated that, at the Commission's request, staff has scheduled a Commission and merchants meeting to update merchants on various special events, the master plan, pedestrian improvement project as well as other information. He indicated the meeting is scheduled for 10:30 a.m. on Monday, July 10th in the Commission Room.

Mr. Carrino asked the Commission to check their calendars to schedule some public meetings regarding the master plan. He suggested the meetings be held on August 15th and 16th. He noted the consultants would also want to meet with them individually. He confirmed that any meeting where more than one Commissioner may attend would be noticed.

Mr. Carrino stated that they are also working on the strategic plan process and would provide more information on that.

7.3 City Attorney

Attorney Garcia asked to schedule a shade meeting at 5:00 p.m. on Tuesday, July 11th prior to the budget workshop regarding the SpenceTF matter.

7.4 Mayor

Mayor Holland thanked staff and the citizens of Eustis for the Hometown Celebration. He noted that the City was celebrating its 140th birthday and it was also the 247th birthday of the United States.

Mayor Holland expressed pride in the Eustis Police Department and thanked Al Latimer for his work in economic development. He apologized for the exchange with the City resident. He stated that the purpose of the meeting is not for the Commission or City staff to be beat up on. He cited what the Commissioners and staff do for the City.

Vice Mayor Lee thanked Mayor Holland for his service to the City.

8. ADJOURNMENT: 7:34 P.M.

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

CHRISTINE HALLORAN
City Clerk

MICHAEL L. HOLLAND
Mayor/Commissioner



MINUTES

City Commission Workshop: Downtown Merchants

10:30 AM – Monday, July 10, 2023 – City Hall

CALL TO ORDER: 10:30 A.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

PRESENT: Commissioner Gary Ashcraft, Commissioner Nan Cobb, Commissioner Willie Hawkins, Vice Mayor Emily Lee and Mayor Michael Holland

1. WORKSHOP ITEM WITH DISCUSSION, PUBLIC INPUT AND DIRECTION

Mayor Holland thanked everyone for attending and explained the purpose of the workshop is to hear from the downtown merchants. He further explained that it was being held as a formal Commission meeting due to Sunshine Law requirements. He asked that everyone in the audience introduce themselves and explain what they do for the City or which business they represent.

The following individuals introduced themselves and explained their affiliation: 1) Rick Gierok, Public Works Director; 2) Frank Bartle, Third Generation Estate Jewelers; 3) Jerry Cobb, President of the Eustis Chamber of Commerce and owner of Cobb's Triangle Tractor along with his wife Nan Cobb; 4) Carolyn Maimone, broker associate for Fierce Realty; 5) Calvin Gentry, Downtown Eustis Classic Car Show; 6) Sandy Johnson, Great Pizza Company and officer for Eustis Business Alliance; 7) Christina Patterson, co-owner of Backfin Seafood Restaurant; 8) Brenda Barko, Lollygaggers; 9) Darrell Day, owner of Mystic Ice Cream along with his wife Lisa; 10) Bob O'Day, Humane Society Thrift Store; 11) Al Latimer, Economic Development Director; 12) Christine Guiffre, Events Assistant; 13) Miranda Muir, Events and Tourism Manager; 14) Carl Saenger, Events team member; 15) John Fahning, Captain and Road Patrol Commander with the EPD; 16) Mike Lane, Development Services Director; 17) Cheryl Roberts, Owner/broker with John Roberts Realty and Appraisals; 18) Melina de la Paz, Sol de Mexico Mexican Restaurant; 19) Eric Martin, Code Enforcement Supervisor; 20) Craig Dolan, Parks and Recreation Director; 21) George Asbate, Mega Properties; 22) Ryan Benaglio, Hickory Hill broker associate and representing Pam Rivas, owner of several downtown businesses; 23) Michael Swanson, Fire Chief; 24) Jonathan Sanders, Terri's Eustis Flower Shop and Magnolia Wine Bar; 25) Sean Jenness, Peddler's Wagon; 26) Bill Howe, Human Resources Director; 27) Lloyd Griswold, lifelong resident; 28) Ann Ivey, Library Director; and 29) Eric Blamick, Edward Jones Investments.

Mayor Holland reminded everyone to come to the microphone to speak due to the meeting being recorded.

1.1 Car Show Discussion

Tom Carrino, City Manager, reiterated the use of the microphone and explained it is not for amplification but for recording purposes. He also asked that each person identify themselves when they approach the mic. He then cited some of the agenda items and noted that Calvin Gentry had previously given a presentation to the Commission regarding the monthly car shows. He cited discussion at a budget workshop regarding City expenses pertaining to the car show. He explained that is why the Commission

wanted to hear from the downtown businesses regarding their feelings about the show and how it affects their business.

Mr. Carrino then stated that there are two specific forms of direct support that the City provides for the car show. The first is payment for the port-a-potties which is estimated at \$5,000 for the next fiscal year and the second is marketing support which is the design and production of posters for the car show which is estimated at \$1,500 for the next year. Therefore, the Commission wanted to hear from the downtown businesses about the car show. He commented on the possibility of having a discussion about organizing the downtown merchants. He noted previous organizations including Eustis Main Street and the Eustis Business Alliance; however, there has not been a coordinated association in recent years.

Mayor Holland opened the floor to public comment and stated the Commission is interested in hearing from the business owners as to whether or not it is beneficial to the businesses. He added they also were wondering if the car show could be moved to the Saturday after First Fridays to reduce the costs.

Sandy Johnson, owner of The Great Pizza Company, commented on the history of her business related to the car show and businesses benefitting from the crowd. She thanked the Eustis Police Department for their efforts at the most recent car show. She noted Eustis Business Alliance (EBA) inactivity in recent years and expressed interest in exploring the future of the Alliance with possible reorganization and membership options. She indicated that they have no additional funds to use towards the car show so they still need the City's assistance.

Christina ?? noted she provides support to the car show along with Sandy Johnson. She expressed interest in staying involved and bringing business to the area. She commented that her business is located further down so they may not be impacted as much. She expressed interest in continuing to support the car show.

Brenda Barko, Lollygaggers, thanked the City Commission for its support of businesses. She indicated they have not been in the area long enough to have an opinion on the car show. She stated she has not noticed a difference on car show nights from other nights.

The Commission asked if the City has any statistics from the Placer software for those days with Mr. Carrino asking Mr. Latimer to retrieve that information.

Darrell O'Day, Mystic Ice Cream, thanked the City Commission. He stated that his patrons double with the car show. He commented on his involvement with the Chamber of Commerce and indicated that a business needs to look at how engaged they each are with an event. He suggested they consider coupling the event with another event such as a high school band concert or other event.

The Commission questioned if there is a difference in the types of businesses and their patron flow.

Calvin Gentry explained their process of registration for the car show. He indicated they direct the car show attendees and registrants to the local vendors. He expressed interest in seeing more businesses stay open during the car show. He noted Backfin as an example of being welcoming to the patrons. He commented on his and Ms. Johnson's efforts to get other businesses to be a sponsor to the show.

The Commission asked about splitting the set-up of the show between the downtown area and the park to expand the show throughout the downtown.

Mr. Gentry expressed support for that while noting the difficulty in getting people across the street. He thanked the Police Department for their assistance with the last show. He commented on how well known the show has become and stated that other car shows are being scheduled around the Eustis show.

The Commission asked about the prizes for the registrants and questioned whether or not there is a registration fee.

Mr. Gentry responded they give away seven \$50 bills at the end of the night. He explained that each registrant is given a door prize ticket when they register. He stated that the show sponsors provide the funding for the prizes noting they currently have sixteen sponsors. He confirmed there is no charge for registration.

Mr. Carrino asked about potentially shifting to a different Saturday such as the Saturday that follows first Friday which would reduce costs.

Mr. Gentry responded that Leesburg holds their car show on the first Saturday, another city holds theirs on the second Saturday, third Saturday is the Villages and the fourth Saturday is Eustis. He expressed concern regarding moving the date due to possible lack of participation. He explained that the participants have certain days they go to certain shows and they don't go anywhere else. He stated they have established the fourth Saturday as the date for their show. He indicated he could make an announcement at the next show and see what the response is.

The Commission asked for a show of hands from any businesses that experience a loss of business during the car show. It was suggested that the car show could be re-oriented to create less congestion for the businesses. It was also suggested that the businesses offer "pop-up" style businesses on the sidewalks during the event.

Mr. Gentry cited various issues including possible damage to grass if the cars are parked elsewhere and with early set-up of cars on the street. He expressed support for the "pop up" businesses on the sidewalks. He explained the difficulty in stopping the participants from arriving early and indicated he would continue to help with any issues.

The Commission questioned how many parking spots are in front of the Chamber of Commerce with Mr. Gierok indicating it is only 25 or 30. The Commission further asked why some businesses are closed and who is most affected by the show.

Melissa Ripple, Paws and Effects, stated she has experienced some loss of business due to the show but noted things have been better. She cited the need for better organization and requested they provide an email list. She expressed support for reorganizing the Eustis Business Alliance. She noted that she is open during the car show; however, she does not receive business from them and loses business as her regular customers make a point not to schedule appointments for those days.

Mr. Carrino noted they did put out some "customer parking only" signs during the last car show. He indicated they were put up early and then taken down after the car show started. He asked if that seemed to help.

Frank Bartle asked about the funding for the car show with Sandy Johnson indicating the funds come from the sponsorships. She stated the car show just pays for itself.

Mr. Bartle commented on his previous work with putting on shows and noted he had promoted car shows and that he never had a car show that didn't charge a parking fee. Every show turned a profit or it was discontinued. He questioned how many members are in the EBA with Ms. Johnson indicating she is the sole current member.

Mr. Bartle noted he previously was part of a downtown business and professional association and it had 70 members. He indicated that the \$600 per year sponsorship fee is a lot. He suggested also bringing in car dealerships and recommended bringing in more corporate sponsorships. He further suggested increasing the cash prizes to make them more appealing. He stated the event has to make money and expressed concern about the City paying for the port-o-lets. He indicated that Mr. Gentry should be compensated for his work on the show. He commented on the possibility of the City taking over the show. He expressed support for the businesses doing more to participate. He noted that he can't stay open late due to security issues.

Mayor Holland thanked everyone for speaking. He cited the need to revitalize the Downtown Business Alliance and for the businesses to work together to make it happen. He commented on the anticipated improvements to the downtown within the next five to six years.

1.2 Events Update

Miranda Muir, Events and Tourism Manager, thanked the City Commission, Event staff, City staff and local businesses for their support of the City's events. She provided an update on the remaining events for the year including the following: Summer Showdown in Ferran Park which will feature the Southern Outlaw Drag Boat races in combination with the End of Summer Back to School Bash, First Fridays, Veterans Day Memorial tribute to those veterans deceased since 9/11 including the Phantom Airborne Brigade parachute drop and parade, Light Up Eustis November 24th, and Snowflakes by the Lake with snow every Friday night through New Year's. She stated Georgefest 2024 will be February 17th through 24th.

1.3 Downtown Street Trees Update

Mr. Carrino provided the tree update. He noted that the canopy lights had been left up year-round at the request of the downtown business owners. He explained that the canopy lights would come down for tree trimming and trunk lights would be updated. He reported the canopy lights will go back up in October/November.

1.4 Waterman Site/Master Plan Update

Mr. Carrino reported that a request for qualifications was issued for the downtown former Waterman site. He stated that a consultant has been hired to prepare a downtown master plan to encompass all of the downtown not just those three blocks. He explained that the public, businesses and other stakeholders will be consulted and noted that the consultant will perform a market study to see what is realistic and what the market will support. He indicated that the plan is to have the first meetings in August with the exact dates to be scheduled. He noted additional meetings will be done one on one. He indicated additional information regarding the meetings will be forthcoming.

Mayor Holland encouraged the business owners and public to be involved with those meetings and commented on the importance of doing the project right.

1.5 UCF Incubator Update

Mr. Carrino stated the City has partnered with Mega Properties, UCF, and Lake County to create a UCF incubator in downtown Eustis. He stated the cost will be approximately \$200,000 per year with Lake County funding \$150,000 and Eustis funding the remainder. He explained that UCF will help with the basics of entrepreneurship and cited how they can help established businesses and attracting new businesses to the area.

Pam Rivas and George Asbate provided an update on the planned September opening.

Mr. Carrino added that the location is the former Lake Mechanical office building.

Ms. Rivas announced that One Million Cups, which is part of the Kaufman Foundation, would meet every Wednesday morning. She explained it is a place for entrepreneurs to present their ideas and get feedback. She indicated it is a nationwide event and would be promoted on the Kaufman Foundation website. She cited various organizations that would also be participating. She then noted some tenants that will also be in the facility including the Small Business Development Center.

Ms. Rivas confirmed there would be no charge for participation in the One Million Cups program. She announced there would be an introduction to the program on July 19th at Foxtail at 9:00 a.m. She noted that this will be the first One Million Cups in Lake County. She added that there is one in Orlando and a second one in Ocala.

1.6 State Road 19 Pedestrian Improvement Project Update

Rick Gierok, Public Works Director, reviewed the history of the project since 2018 and explained it will run from SR 452 to the Eustis Police Department. He explained the project was initiated due to pedestrian safety and cited new pedestrian crossings for Magnolia both on Bay Street and Grove Street. He explained that FDOT has broken the project into three smaller projects with the first being fast tracked as a safety concern. The first step will be the installation of rectangular rapid flashing beacons. He explained how those would work and where they would be located. He stated that should begin in the fall and further explained the project would include resurfacing, changing some curb lines and raising the intersections on Grove at Magnolia and Clifford and on Bay at Clifford, McDonald and Magnolia. He indicated they will also have textured crosswalks, landscaping and different lighting. He commented on some drainage issues that will also be addressed. He indicated the estimated cost is \$6 million and expected to take 18 months. He anticipated actual construction starting in early 2024. He provided a list of some additional details and how it will reduce the speed of traffic. He added that there will be some reduction in parking due to sight distances.

Mr. Carrino stated staff has worked with DOT on the parking issues in order to preserve as many spaces as possible while still protecting the pedestrians.

1.7 Other Business

Mayor Holland thanked everyone for attending and encouraged Ms. Johnson, Al Latimer and others to get together to try and re-organize the Business Alliance. He noted the Sunshine Law and encouraged anyone with questions to contact the Commissioners individually.

2. ADJOURNMENT: 11:44 A.M.

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

CHRISTINE HALLORAN
City Clerk

MICHAEL L. HOLLAND
Mayor/Commissioner



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: August 3, 2023

RE: Eustis Housing Authority Appointment – Nicie Allen Parks

Introduction:

This item is for consideration of the appointment of Nicie Allen Parks to the Eustis Housing Authority (EHA) for a four-year term expiring in August 3, 2027.

Background:

The EHA has a vacant position formally held by J. Melendez who resigned effective August 19, 2019.

Horace Jones, Executive Director of the EHA, contacted the City of Eustis in late June regarding an individual interested in serving on the board. Nicie Allen Parks submitted her application on July 12, 2023, and the application process was completed on July 18, 2023. The City Commission has before you the appointment of Ms. Parks for a full four-year term.

Recommended Action:

Appointment of Nicie Allen Parks to a four-year term to the Eustis Housing Authority as recommended by EHA Executive Director Horace Jones and the Eustis Housing Authority.

Prepared By:

Christine Halloran, City Clerk

Reviewed By:

Tom Carrino, City Manager

CITY OF EUSTIS

109-A East Orange Avenue

P.O. Drawer 68

Eustis, FL 32727-0068

Website - www.eustis.org

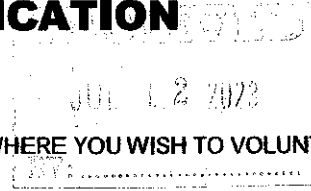
E-Mail - personnel@ci.eustis.fl.us

Phone - 352-483-5472

FAX - 352-483-0492

VOLUNTEER/COMMUNITY SERVICES APPLICATION

Date: 7/11/23



PLEASE LIST THE TYPE OF WORK THAT INTERESTS YOU AND THE DEPARTMENT(S) WHERE YOU WISH TO VOLUNTEER

- 1. Housing Authority Board (Eustis)
- 2. _____
- 3. _____
- 4. _____

NAME: Nicie Allen Parks Telephone #: (352) 455-9647

PRESENT ADDRESS: 1110 South Street Eustis FL 32720
Street/P.O. Box City State Zip

How long have you lived at this address? Approx. 22/yr E-Mail Address: Nicie-Parks@yahoo.com

Have you filed an application here before? Yes No If yes, when? Many years ago

Have you ever worked for the City of Eustis? Yes No If yes, when? n/a

Are you currently employed? Yes No May we contact you at work? Yes No

What number can we reach or leave a message for you during the day? Phone #: (352) 455-9647

Are you available: Full Time Part Time Temporary

When are you able to volunteer? Nights Weekends Other

Do you possess a valid Fla. Driver's License or I.D.? Yes No

Are you legally eligible for employment in the United States of America? Yes No

Have you ever been convicted, pled guilty or no contest to, had prosecution deferred or adjudication withheld on a felony or first degree misdemeanor in any jurisdiction? Yes No If yes, when: n/a

Explain: n/a
(Nature, severity and date of offense in relation to the position for which you are volunteering are considered.)

Do you have any criminal charges pending? Yes No If yes, explain: n/a

Are you able, physically or otherwise, to perform the job functions of the position for which you are volunteering? Yes No If no, please explain: n/a

Please list the names of friends or relatives working for the City and their relationship to you: n/a

EQUAL OPPORTUNITY EMPLOYER

EMPLOYMENT RECORD: Please list your four most recent employers including full, part time, temporary and volunteer positions, beginning with the most recent.

Name & Address of Organization:

Lake County Board Of County
Commissioners

From 1979 to 2009
Month/Year Month/Year

Job Title: Community Dev. Manager

Supervisor's E-mail: n/a

Describe the work you did: Housing & Community Development; including Home purchase, home repair, insurance management/Coordination, etc.

Reason for leaving: Retired After 30 Years

Name & Address of Organization:

From _____ to _____
Month/Year Month/Year

Job Title: _____

Supervisor's E-mail: _____

Describe the work you did: _____

Reason for leaving: _____

Name & Address of Organization:

n/a

From _____ to _____
Month/Year Month/Year

Job Title: _____

Supervisor's E-mail: _____

Describe the work you did: _____

Reason for leaving: _____

Name & Address of Organization:

n/a

From _____ to _____
Month/Year Month/Year

Job Title: _____

Supervisor's E-mail: _____

Describe the work you did: _____

Reason for leaving: _____

EDUCATION AND SPECIALIZED TRAINING:

Circle Highest Grade Completed

GRAMMAR AND HIGH SCHOOL:

1 2 3 4 5 6 7 8 9 10 11 12 GED

COLLEGE:

13 14 15 16

GRADUATE:

17 18 19 20

Item 4.1

Please provide your educational background including the diploma, degree or certification received, as well as any technical or specialized training:

Name of High School(s): <u>Umatilla High</u>	City and State: <u>Umatilla, FL</u>		
Name of College: <u>Lake Sumter C.C.</u>	City and State: <u>Leesburg, FL</u>	Major: <u>Business</u>	Degree Received: <u>Admin. & Management</u>
Name of Graduate School: <u>Florida State Univ.</u>	City and State: <u>Tallahassee, FL</u>	Major: <u>Certified Public Manager</u>	Degree Received: <u>Associate In Science Business</u>
Other Trade, Technical, Etc:	City and State:	Major:	Degree Received:
Foreign Language Skills:		<input type="checkbox"/> Read	<input type="checkbox"/> Write <input type="checkbox"/> Speak

OTHER PROFESSIONAL MEMBERSHIPS OR SKILLS:

Please list any special qualifications not covered elsewhere in this application including computer skills, such as Word & Excel; typing, including words per minute typed; and any professional or civic memberships.

- Word
- Excel
- Excellent telephone etiquette
- Office Equipment
- Typing / Advanced
-

REFERENCES:

Please list at least three (3) references who are not related to you. (Please provide complete addresses including Street, City, State and Zip.)

Name <u>Mrs. Bettye Coney</u>	Phone # (352) <u>787-5167</u>	Name <u>Dr. Geneva Wilson-King</u>	Phone # (407) <u>536-5125</u>
Address (Street, City, State, Zip) <u>P.O. Box 1058, Leesburg, FL 34748</u>		Address (Street, City, State, Zip) <u>Lake Mary, FL 32746</u>	
E-mail Address <u>betsconey@AOL.com</u>		E-mail Address <u>drwilsonking@drwilsonking.com</u>	
Employer <u>Retired</u>	Phone #	Employer <u>n/a</u>	Phone #
Occupation <u>Retired Educator</u>		Occupation <u>Doctor/Md</u>	
Name <u>Mrs. Chloe W. Bonds</u>	Phone # (352) <u>669-5159</u>	Name	Phone #
Address (Street, City, State, Zip) <u>P.O. Box 492, Umatilla, FL 32184</u>		Address (Street, City, State, Zip)	
E-mail Address <u>Wormack</u>		E-mail Address	
Employer <u>Lake County Supervisor of Elections</u>	Phone #	Employer	Phone #
Occupation		Occupation	

HOURS AVAILABLE TO VOLUNTEER:

What days and hours are you available for work?

Monday - Friday (some Saturdays/Sundays)
8:00 - 5:00 pm (beyond 5:00 when necessary)

CERTIFICATE OF APPLICANT:

I certify that the answers given on this application are true and complete to the best of my knowledge. I agree to inform the City of any additional information relating to questions raised on the application, which occur subsequent to my completion of the application. I realize that misrepresentation of facts or the failure to update any information relating to questions on the application may be cause for rejection of this application or dismissal from volunteer/community services.

I authorize the City of Eustis to make any inquiries it desires concerning me. I authorize schools, references and my prior employers to provide my records, reason for leaving and all other information they may have concerning me to the City of Eustis. I release the City of Eustis and all other parties from any and all liabilities or claims for any damage that may result therefrom.

I understand that this application is not and is not intended to be a contract for employment.

SIGNATURE OF APPLICANT: [Handwritten Signature] Date: 7/11/23

CONSENT OF PARENT OR LEGAL GUARDIAN

(All Volunteers Under 18 Years of Age Must Have Parent or Legal Guardian Complete This Section)

I the undersigned, the parent or legal guardian of n/a, choose to permit n/a to participate as a volunteer for the City of Eustis. I understand that my child's or ward's services are being offered on a voluntary basis without anticipation of any financial remuneration and I agree to the terms and conditions as stated above.

I further authorize the City to perform a fingerprint criminal history background check through state and federal law enforcement agencies and/or criminal history checks through consumer reporting agencies, who may also provide information to the City on out-of-state or nation-wide criminal histories. I understand that final approval to volunteer is contingent upon the results of the criminal history check.

Signature of Parent or Legal Guardian: n/a Date: n/a

EUSTIS HOUSING AUTHORITY (EHA)

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

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

<p>HORACE J. JONES, <u>Executive Director</u> 1000 Wall Street, #60</p> <p>357-4851 (Work) 357-8081 (Fax)</p>	<p>MARJORIE BUCKNER 2209 Bates Avenue PH: 352-357-4586</p> <p>Appointed 10/17/2019 Expires 10/31/2023</p>
<p>FAYE WEAVER 1518 Jefferson Drive, Mount Dora</p> <p>Appointed 11/7/2013 Reappointed: 5/6/2021 Expires: 5/31/2025</p>	<p>DR. HUGH BROCKINGTON II P. O. Box 1998, Umatilla FL 32784 827 Edgewater Circle, Eustis FL 32726</p> <p>(352) 267-7806</p> <p>Appointed 1/6/2017 Reappointed 3/16/2017, 1/7/2021 Expires 1/17/2025</p>
<p>VACANT (Resident Member)</p> <p>Appointed: 1/18/2018 (J. Melendez) Reappointed: 1/3/2019 (Res eff. 8/19/19) Expires: 10/31/2022</p>	<p>RONNIE BUGGS 614 Park St. Eustis, FL 32726 (352) 702-7191</p> <p>Reappointed: 4/7/2022 to 4/7/2026 Appointed: 4/18/2019 Expire: 9/17/2021</p>

Board Attorney – Scott Gerken



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: AUGUST 3, 2023

RE: RESOLUTION NUMBER 23-55: AWARD OF BID NUMBER 009-23 AND APPROVING A PURCHASE IN EXCESS OF \$50,000 FOR THE MCDONALD AVENUE GRAVITY SEWER MAIN PROJECT

Introduction:

Resolution Number 23-55 authorizes the award of Bid Number 009-23 to Bulldog Sitework LLC, Lady Lake, Florida with a base bid of \$226,007.91 for the McDonald Avenue Gravity Sewer Main Project and authorizes the City Manager to execute all agreements with Bulldog Sitework to complete this project.

Background:

There is a gravity sewer main near McDonald Avenue that has been an ongoing maintenance issue. This gravity sewer main is not properly pitched and has therefore had repeated issues with grease build-up. The main is also located in an area where there is a possibility for future development. This project will re-route the sewer main so it will not interfere with possible future developments and will correct the pitch to prevent future maintenance issues.

The contractor will supply all labor, materials, equipment, supplies and incidentals necessary to complete the installation and restoration per the approved construction plans, City of Eustis specifications and Florida Department of Transportation (FDOT) specifications to include the following:

- Installing a new manhole and eight-inch gravity sewer main
- Restoring the project site
- Maintaining sewer flow for the existing connections
- Core boring the existing manhole at SR19/Bay St and McDonald Ave in FDOT traffic lane
- Compaction testing and restoring of City of Eustis and FDOT roadways and rights-of-way, per City of Eustis and FDOT specifications
- Dewatering
- Maintenance of traffic and pedestrians
- Repairing driveways that are open cut, per City of Eustis specifications
- Air testing and lamp testing of new sewer main
- Mandrel testing and televising of the new main
- Providing all labor and material for capping of the old sewer main
- As-Built drawing will include separations between the sewer main and other utilities
- Submittal of shop drawings

Three bids were received by licensed underground utility & excavation contractors during the July 19, 2023 bid opening for the project. The total base bids from the three contractors ranged from a low of \$226,007.91 to a high of \$569,530.38. City staff is confident that they received competitive pricing and reasonable bids. Bulldog Sitework LLC submitted the lowest total base bid of \$226,007.91. In reviewing Bulldog Sitework's bid package, no deficiencies were noted.

Recommended Action:

Staff recommends approval of Resolution Number 23-55.

Policy Implications:

Not applicable.

Alternatives:

1. Approve Resolution Number 23-55
2. Deny Resolution Number 23-55

Discussion of Alternatives:

1. Alternative 1 approves the Resolution.

Advantages:

- Eliminate maintenance issues with the gravity sewer main.
- Gravity sewer main will not conflict with possible future development in the area.

Disadvantages:

- Fiscal impact of the project.

2. Alternative 2 denies the Resolution.

Advantages:

- The City would not expend \$226,007.91.

Disadvantages:

- Continued maintenance issues with the gravity sewer main.
- Gravity sewer main may conflict with possible future development in the area.

Budget/Staff Impact:

The funds for this project were included in the approved Capital Improvement Budget in account number 042-8600-533-66-81.

Prepared By:

Melissa Fuller, Environmental Compliance Supervisor

Reviewed By:

Paul Shepherd, Water Superintendent

Greg Dobbins, Deputy Director Water/Wastewater

Rick Gierok, P.E., Director of Public Works/City Engineer

Attachment(s):

Resolution Number 23-55

Available Upon Request

Bids from Bid #009-23

RESOLUTION NUMBER 23-55

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, AUTHORIZING AWARD OF BID NUMBER 009-23 TO BULLDOG SITEWORK LLC, APPROVING A PURCHASE IN EXCESS OF \$50,000 FOR THE MCDONALD AVENUE GRAVITY SEWER MAIN PROJECT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL AGREEMENTS AND CONTRACTS ASSOCIATED WITH THE AWARD.

WHEREAS, the City’s approved Capital Improvement Budget for fiscal years 2021-2022 and 2022-2023 include funds for the McDonald Avenue Gravity Sewer Main Project; and

WHEREAS, this project will reroute the gravity sewer main to avoid interference with possible future developments and correct the pitch to prevent future maintenance issues; and

WHEREAS, the City of Eustis, Florida, advertised invitations to bid (City of Eustis Bid #009-23) for the McDonald Avenue Gravity Sewer Main Project in accordance with City purchasing policies; and

WHEREAS, the City received and opened three (3) individual responses to said Invitation to Bid, on Wednesday, July 19, 2023; and

WHEREAS, Bulldog Sitework LLC, Lady Lake, Florida is the lowest responsive, responsible bidder for the construction plans and possesses the required qualifications to perform the construction services necessary and to provide products and equipment as noted in the design specifications.

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

- (1) The City Commission hereby authorizes the award of Bid No. 009-23 to Bulldog Sitework LLC, Lady Lake, Florida, in the amount of \$226,007.91, for the McDonald Avenue Gravity Sewer Main Project; and
- (2) The City Commission hereby authorizes the City Manager to execute all agreements and contracts associated with the approved purchase; and
- (3) That this resolution shall become effective immediately upon passing.

DONE AND RESOLVED, this 3rd day of August, 2023, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

ATTEST

Michael L. Holland
Mayor/Commissioner

Christine Halloran
City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by means of physical presence, this 3rd day of August, 2023, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

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

Date

City Attorney's Office

CERTIFICATE OF POSTING

The foregoing Resolution Number 23-55 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Date

Christine Halloran
City Clerk



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: August 3, 2023

RE: Resolution Number 23-57 - Gravesite Openings and Closings Contractor

Introduction:

Resolution Number 23-57 authorizes a contract for the services of an independent gravesite preparation company for the opening and closing of burial sites.

Background:

The City advertised RFQ #005-23 on May 26th, 2023, asking for Statements of Interest in bidding on a contract for the opening and closing of the graves at Greenwood Cemetery. The proposed project includes services related to grave openings including coordination with the City and funeral home, for sod removal, excavation of the gravesite, placement of the vault, and the restoration of gravesite with sod. The Company will also erect a tent over the casket and set up chairs. The area of service is the Greenwood Cemetery located 220 Haselton St, Eustis, FL.

One response was received from Atlas Concrete Products from Orlando, Florida. They are a family owned and operated company that has been in service since 1949, serving the Central Florida area. They manufacture their own vaults at their shop's location at 6452 East Colonial Drive, Orlando.

Atlas Concrete Products has all the equipment necessary to be able to provide the services needed:

- Backhoe for digging the graves
- Cribbing
- Vault Carries
- Set-up Equipment: Tent, Chairs, Lowering Device, Grass Replacement

On November 3rd, 2022, Commission approved Ordinance Number 22-22 which provided a rate increase for cemetery lot prices and related services. The increased prices allow the City to seek a third-party contractor to assist with the required opening and closing operations.

Recommended Action:

Staff recommends accepting the services of Atlas Concrete Products.

Policy Implications:

N/A

Budget/Staff Impact:

The Finance Department will establish a revenue account for the fees that will be generated by individual customers. The expenses for services rendered will be issued from Public Works "Other Contractual Services" account #001-4920-517-3034. The revenue is collected in account 001-0000-343-80-10.

Prepared By:

Sally Mayer, Administrative Assistant

Reviewed By:

Rick Gierok, P.E., Director of Public Works

RESOLUTION NUMBER 23-57

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, AUTHORIZES A CONTRACT FOR THE SERVICES OF AN INDEPENDENT GRAVESITE PREPARATION COMPANY; AND AUTHORIZES THE CITY MANAGER TO EXECUTE ALL RELATED AGREEMENTS.

WHEREAS, the City Commission approved Ordinance Number 22-22 which provided a rate increase for cemetery lot prices and related services; and

WHEREAS, Eustis Finance Department shall establish a revenue account for the fees generated by individual customers; and

WHEREAS, the increased revenue allows the City to seek a third-party contractor to assist with the required opening and closing operations.; and

WHEREAS, Atlas Concrete Products of Orlando, Florida submitted a proposal to serve as the provider of these services; and

WHEREAS, funds received will be collected in Account 001-0000-343-80-10 Cemetery Opening and Closings and services rendered will be paid from Account #001-4920-517-3034, "Other Contractual Services".

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

- (1) The City Commission hereby awards RFQ #005-23 to Atlas Concrete Products from Orlando, Florida; and
- (2) Authorizes the City Finance Director to create a revenue account for the fees generated by Greenwood Cemetery customers; and
- (3) Authorizes the use of these funds for payments related to the Gravesite Opening and Closing Contractor; and
- (4) That this resolution shall become effective immediately upon passing.

DONE AND RESOLVED, this 3rd day of August, 2023, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by means of physical presence, this 3rd day of August, 2023, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

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

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 23-57 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: AUGUST 3, 2023

RE: RESOLUTION NUMBER 23-67: APPROVING MULTIPLE ANNUAL PURCHASES
IN EXCESS OF \$50,000 FOR SEWER REHABILITATION SERVICES

Introduction:

Resolution Number 23-67 authorizes multiple annual purchases in excess of \$50,000 for sewer rehabilitation services, which are essential to the daily operations of the Water Department.

Background:

The Water Department requires sewer rehabilitation services on an as-needed basis, in order to maintain the City's sewer system. The City has utilized American-In-Line Inspections to provide sewer rehabilitation services since April 2017. American-In-Line was the contracted supplier, following Contract #007-17 and Amendment #3. Resolution Number 22-72, dated October 6, 2022 approved multiple annual purchases in excess of \$50,000 with American In-Line for these services. The City's contract with American In-Line expired April 28, 2023.

American In-Line is now the contracted supplier, through a piggyback contract with the City of South Daytona, Florida, which expires April 11, 2026. The estimated cost based on previous years' purchases for sewer rehabilitation services is over \$50,000 and is included in the approved budget for the 2022-2023 fiscal year.

Recommended Action:

Staff recommends approval of Resolution Number 23-67.

Policy Implications:

Not applicable.

Alternatives:

1. Approve Resolution Number 23-67
2. Deny Resolution Number 23-67

Discussion of Alternatives:

1. Alternative 1 approves the Resolution.

Advantages:

- Minimize repeated issues with the City's sewer system.

- City employees can proceed with uninterrupted sewer maintenance processes.

Disadvantages:

- Fiscal impact of the project.

2. Alternative 2 denies the Resolution.

Advantages:

- The City would not expend the funds.

Disadvantages:

- Continued issues with the City's sewer system.
- Interruptions in day-to-day processes due to sewer backups and other sewer issues.

Budget/Staff Impact:

The funds for these services were included in the approved Capital Improvement Budget in account numbers 042-8600-537-68-01 and 042-8600-535-66-84.

Prepared By:

Melissa Fuller, Environmental Compliance Supervisor

Reviewed By:

Paul Shepherd, Water Superintendent

Greg Dobbins, Deputy Director Water/Wastewater

Rick Gierok, P.E., Director of Public Works/City Engineer

Attachment(s):

Resolution Number 23-67

Available Upon Request

City of South Daytona Contract #23-B-005

RESOLUTION NUMBER 23-67

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, APPROVING MULTIPLE ANNUAL PURCHASES IN EXCESS OF \$50,000 FOR SEWER REHABILITATION SERVICES, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL AGREEMENTS ASSOCIATED WITH THIS PIGGYBACK CONTRACT.

WHEREAS, sewer rehabilitation services are essential to maintain the City’s sewer system and minimize sewer backups and other sewer issues; and

WHEREAS, the City’s approved Capital Improvement Budget for fiscal year 2022-2023 includes funds for sewer rehabilitation services; and

WHEREAS, the Water Department has a need for sewer rehabilitation services which require multiple annual purchases in excess of \$50,000; and

WHEREAS, American In-Line is the contracted supplier, through a piggyback contract with the City of South Daytona, Florida; and

WHEREAS, the City of Eustis Purchasing Ordinance requires that the City Commission approve any purchase in excess of \$50,000.

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

- (1) The City Commission hereby authorizes multiple purchases in excess of \$50,000 for sewer rehabilitation services; and
- (2) The City Commission hereby authorizes the City Manager to execute all agreements associated with the piggyback contract; and
- (3) That this resolution shall become effective immediately upon passing.

DONE AND RESOLVED, this 3rd day of August, 2023, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA

ATTEST

Michael L. Holland
Mayor/Commissioner

Christine Halloran
City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by means of physical presence, this 3rd day of August, 2023, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

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

Date

City Attorney's Office

CERTIFICATE OF POSTING

The foregoing Resolution Number 23-67 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Date

Christine Halloran
City Clerk



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: AUGUST 3, 2023

RE: RESOLUTION NUMBER 23-68 APPROVAL OF PURCHASE IN EXCESS OF \$50,000 TO PROCURE THREE 2024 XL MAVERICKS UTILIZING THE SOURCEWELL CONTRACT NUMBER 091521-NAF AND 060920-NAF AWARDED TO ALAN JAY FLEET SALES.

Introduction:

Resolution Number 23-68 approves a purchase in excess of \$50,000 for the replacement of three-meter reading vehicles.

Recommended Action:

Staff recommends approval of Resolution Number 23-68.

Background:

Currently the City has staffing for three-meter readers. Their vehicles must be reliable and they are used 5 days a week, with one being used on evenings and weekends for emergency disconnects and reconnects.

The current vehicles are Nissan Frontiers'. The vehicle miles are stop and go miles with an average mileage of 71,219. These vehicles are the first step in our billing process, and without reliable vehicles the bills will not be sent to customers in a timely manner. A schedule is maintained to provide the customer the same time each month for the billing of a cycle which helps smooth the billing and the receipts of payments. This process assists the customers in determining when they will receive and pay their bills.

The current vehicles will be nine years old when we receive delivery in 2024. We currently have four (4) 2015 Nissan Frontiers in the meter reading department. Due do the reduction in our workforce the department has gone from four to three-meter readers.

We will be purchasing three 2024 Ford Maverick Hybrid's with fuel savings for inside city driving estimated at 40 mpg and 33 mpg highway. Currently the Frontiers' fuel usage is 19 mpg city and 23 mpg highway. The 2024 Frontiers' gets 21 mpg city and 28 mpg highway. The increase miles per gallon doubles with the purchasing of the Maverick.

The SourceWell contracted price of the Maverick is \$27,375 compared to the Frontier price of \$31,853, and both prices include the bedliner. The total cost of the purchase will be \$82,125, which is budgeted in 040-3130-536-60-64, \$60,000 was originally budgeted and \$22,125 was transferred from salary and wages savings. Once the vehicles arrive the cost of light bars, tool boxes, seat covers, floor liners and Lenovo laptop holders will run an additional \$7,890 for a total cost of \$90,015.

Once the City takes possession the four Nissan Frontiers, they will be transferred to the Public Works Department to be added to their fleet, but if they are not needed then they will go to auction to be disposed of.

Alternatives:

- 1) Approve Resolution 23-68 and authorize the purchase of three Ford Maverick Hybrids.
- 2) Reject Resolution 23-68 and reject the purchase of the three Ford Maverick Hybrids.

Discussion of Alternatives:

- 1) Alternative 1 approves the payment.

Advantages:

- The cost of the Maverick's is \$13,434.
- The inside city mpg will increase from 19 to 40 from the replacement vehicle.
- The inside city mpg on a new Frontier is 21 compared to 40 inside city.

Disadvantages:

- None

- 2) Alternative 2 rejects the purchase of new vehicles.

Advantages:

- None

Disadvantages:

- Loss of fuel efficiency.
- Repairs to the old Frontiers will continue as they continue to deteriorate.
- Other mid-size trucks are more expensive than the Maverick.

Budget Impact:

The approved FY22-23 Water and Sewer Fund budgets include the cost of two Mavericks. A transfer from savings in salary and wages due from staffing loss will cover the balance. Next years' budget for FY23-24 will be reduced by \$51,000, since the entire fleet will be in place.

Prepared by:

Mike Sheppard, Finance Director

Reviewed by:

Nelly Harnisch, Deputy Finance Director

RESOLUTION NUMBER 23-68

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AUTHORIZING A PURCHASE IN EXCESS OF \$50,000 TO PROCURE THREE 2024 XL MAVERICKS UTILIZING THE SOURCEWELL CONTRACT NUMBER 091521-NAF AND 060920-NAF AWARDED TO ALAN JAY FLEET SALES.

WHEREAS, the City's approved FY 2022/23 Budget included the purchase of three (3) meter-readers vehicles in the amount of \$82,125; and

WHEREAS, the City Commission must approve any purchase exceeding \$50,000; and

WHEREAS, the Meter Reading Department current vehicles have reached their useful life and reliability to allow for normal duties to be performed and are getting to be too costly to maintain; and

WHEREAS, the City will utilize the Sourcewell contract number 091521-NAF and 060920-NAF awarded to Alan Jay Fleet Sales out of Sebring, FL, to purchase three Ford Mavericks in the amount of \$82,125, consistent with City purchasing requirements.

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

- (1) That the City Manager and/or her designee is hereby authorized to approve a purchase in excess of \$50,000 for the procurement of three 2024 Ford Mavericks (hybrid) in the total amount of \$82,125 utilizing the Sourcewell contract number 091521-NAF and 060920-NAF awarded to Alan Jay Fleet Sales out of Sebring, FL; and
- (2) That the Purchasing Department is hereby authorized to complete the transaction in accordance with this resolution.

DONE AND RESOLVED, this 3rd day of August 2023, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

**CITY COMMISSION OF THE CITY
OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me 3rd day of August 2023, by Michael L. Holland, Mayor, and Christine Halloran City Clerk, who are personally known to me.

Notary Public - State of Florida

My Commission Expires: _____

Notary Serial No: _____

CITY ATTORNEY'S OFFICE

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

City Attorney's Office

Date:

CERTIFICATE OF POSTING

The foregoing Resolution Number 23-68 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk



City of Eustis

Development Services Department

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

TO: EUSTIS CITY COMMISSION
 FROM: TOM CARRINO, CITY MANAGER
 DATE: AUGUST 3, 2023 (OTHER BUSINESS)
 RE: HISTORIC PRESERVATION ANNUAL REPORT

Introduction:

The purpose of this item is to provide the City Commission with an annual report as required by Section 46-59 of the Code of Ordinances.

Recommended Action:

Acceptance of Historic Preservation Board Annual Report.

Background:

On September 7, 1995, the City adopted Ordinance Number 95-27 establishing a historic preservation program within the City. The ordinance is now codified as Chapter 46 of the Eustis Code of Ordinances. Section 46-59 states that, "The board shall annually make a report to the city commission of its activities." Pursuant to that requirement, the Eustis Historic Preservation Board offers the following regarding its activities for the period beginning October 1, 2021 and ending April 30, 2023. This report is covering an extended period of time since there has been a lapse in time since the previous report, which ended on September 30, 2021.

Summary of Regular Historic Preservation Activities:

Activity	Number Reviewed/ Attended	Number Submitted / Under Review	Number Approved	Number Denied
New Local Landmark Designations	0	0	0	0
National Register Proposals:	0	0	0	0
Certificates of Appropriateness (COAs):	12	4	6	2
Administrative COAs:	5	0	5	0
Ad Valorem Tax Exemption Projects:	0	0	0	0
Historic Preservation Board Meetings:	7	n/a	n/a	n/a
Workshops Attended by Board Members:	0	n/a	n/a	n/a

Other Historic Preservation Activities:

Staff, with the assistance of Christine Dalton, a local planner, and Eustis resident, applied for the FY 2022-2023 FL Small Matching Grant for the City of Eustis Historic and Architectural Survey to conduct a survey to determine historic buildings in the City that are now over 50-years old (since the last survey). Eustis placed 39 out of a total of 51 submittals and the overall score received was 85.4, but was not awarded the grant. The Board requested that staff apply again during the next grant cycle, which was done, but the staff withdrew the application when information arose that the previous grant was actually awarded. Currently, the RFP for this grant work to be completed has been awarded to a consultant team, and the contract will be signed soon, and the work done.

For Historic Preservation Month in May 2022, a Proclamation was presented by the Eustis City Commission, proclaiming it to be historic preservation month, and honoring the importance of historic preservation. The City's social media also featured some posts during May 2022 pertaining to historic preservation.

For historic preservation month this May, an event was worked on to educate the Board and the general public on historic preservation, but due to time restraints and logistics, this event will take place at a later time.

Planned Activities for Next Reporting Period:

- Review certificates of appropriateness and local landmark designation requests as needed.
- Monitor grant opportunities for utilizing the information collected by the historic and architectural survey, depending on the results of the survey, but such as additional public education on historic sites or opportunities for new local landmark designations or national register proposals
- Look for grant opportunities for additional signage and public outreach efforts to make the public aware of the existence of the historic districts and what that means for them
- Conduct historic preservation education and research as staff availability allows, with offerings to the Board for training and education.
 - Focus on a mid-century modern component and the post-war years

Alternatives

1. Accept the Historic Preservation Annual Report
2. Do not accept the Historic Preservation Annual Report and provide other directions to staff.

Discussion of Alternatives

1. Alternative 1 accepts the report as presented.

Advantages:

- The requirements of Section 46-59 of the Code of Ordinances will be met.

Disadvantages:

- None.

2. Alternative 2 does not accept the report as presented.

Advantages:

- Any necessary changes to the report could be made.

Disadvantages:

- The requirements of Section 46-59 of the Code of Ordinances will not be met, and the HPB must submit a revised report.

Budget and Staff Impact

There is no budget or staff impact related to this item other than acknowledgment of the receipt of the non-matching grant, which is \$50,000 in which the City does not need to provide a match (as a result of being a Certified Local Government (CLG) in good standing), for the City of Eustis Historic and Architectural Survey to conduct a survey to determine historic buildings in the City that are now over 50-years old (since the last survey).

Prepared By:

Heather Croney, Senior Planner

Reviewed By:

Historic Preservation Board, approved during July 12, 2023 HPB meeting

ORDINANCE NO. 95-07

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, AMENDING CHAPTER 21, "TAXATION", OF THE CITY OF EUSTIS CODE OF ORDINANCES, BY CREATING CHAPTER 21, ARTICLE V, SECTION 21-15, TO GRANT ECONOMIC AD VALOREM TAX EXEMPTIONS FOR QUALIFYING IMPROVEMENTS TO HISTORIC PROPERTIES DESIGNATED BY THE CITY OF EUSTIS AND OTHER QUALIFYING IMPROVEMENTS TO ELIGIBLE PROPERTIES; PROVIDING THAT THE TAX EXEMPTION MAY BE GRANTED TO AN APPLICANT FOR A PERIOD OF AT LEAST ONE YEAR BUT NOT TO EXCEED TEN (10) YEARS; PROVIDING FOR PROCEDURES FOR EXEMPTION APPLICATION AND APPROVAL; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION ACCORDING TO LAW.

BOOK 1365 PAGE 0233

PURPOSE AND INTENT: It is the intent of this Ordinance to accomplish the following purposes:

1. Encourage and promote an awareness of the importance and value of historic preservation; and
2. Provide a positive financial incentive for properties owners of historic properties to seek designation as a Eustis historic landmark; and
3. Encourage restoration, rehabilitation and renovation of designated historic structures in the City of Eustis; and
4. Stabilize and improve property values; and
5. Enhance the property tax base of the City of Eustis by encouraging improvement to designated historic structures; and
6. Improve the appearance of designated historic landmarks and communities and in so doing enhance their appeal as places to live, work and/or visit.

RECORDED
RECORD VERIFIED
LAKESIDE
MAY 30 10 40 AM '95
CLERK OF COURT

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS THAT LIMITED AD VALOREM TAX EXEMPTION FOR QUALIFYING IMPROVEMENTS TO HISTORIC PROPERTIES DESIGNATED BY THE CITY OF EUSTIS IS CREATED WITH THE FOLLOWING CRITERIA:

Section 1. Article V, Section 21-15, of the City of Eustis Code of Ordinances is created to read as follows:

SEC. 21-15. Tax Exemptions for Qualifying Improvements to Historic Properties Designated by the City of Eustis and Other Eligible Properties.

1. Application Required. Any person, firm or corporation that desires an ad valorem tax exemption for the improvement of a historical property must file with the City of Eustis a written application on a form prescribed by the Department of State, Division of Historical Resources. The application must be completed in full and contain all information required. The exemption shall take effect on the January 1 following substantial completion of the improvement. Note also that a pre-construction application must also be completed and approved prior to beginning construction.
2. Application. Application for the ad valorem tax exemption shall be made on the appropriate form obtained from the City of Eustis Historic Preservation Office. The application form shall be completed in full and returned to that office. The form shall contain all of the information required in the tax exemption form approved by the Division of Historical Resources, Florida Department of State, and promulgated in accordance with Rule 1A-38, F.A.C. and shall also contain such information as

may be deemed necessary by the Eustis Historical Preservation Office including, but not limited to, documentation of the cost of the qualifying improvements. Such costs shall be a minimum of 25% of the costs of the assessed valuation of the applicant property. Application forms, summaries of deadlines and application procedures shall be maintained by the Historic Preservation Office and shall be made available to the public.

3. Applicant. The applicant shall be the owner of record of a qualifying property, or the authorized agent of the owner.

4. Application Review - City of Eustis. Application for tax exemption shall be reviewed for completeness by the City Office of Historic Preservation. After the City Historic Preservation Office has determined the application to be complete it shall be forwarded to the City Commission of the City of Eustis for consideration. The City Commission after any required public notice shall take one of three actions: (1) The Commission may approve the application for transmittal and forward it to the State of Florida Division of Historical Resources for review and determination; (2) the City Commission may disapprove the application as not meeting the criteria as established by this Ordinance and state laws; or (3) the City Commission may postpone action on the application requiring additional information. BOOK 1366 PAGE 0234

5. Application Review - State of Florida. The State of Florida Department of State Division of Historic Resources is herewith designated as the official agency for review of applications for exemption. The Division shall recommend that the City of Eustis City Commission grant or deny the exemption. Such review shall be conducted in accordance with rules adopted by the Department of State Division of Historic Resources and in accordance with F.S. 196.1997(6).

6. Time Limits for Exemption. Any ad valorem tax exemption for improvements to historic places granted pursuant to this Ordinance shall not exceed ten (10) years from the date it goes into effect. This time limit remains in effect regardless of any change in authority of the City Commission to grant such exemptions or any change in ownership of the property. In order for the exemption to remain in effect, however, the historic character of the property and improvements which qualified the property for exemption must be maintained over the period for which the exemption is granted.

7. Application Approval. The City Commission of the City of Eustis may approve an application for Ad Valorem Tax Exemption for Improvement to a Historic Property by majority vote. Such vote shall be taken on a resolution written to include:

- A. The name and address of the property owner; and
- B. The address of the property for which the tax exemption is being sought; and
- C. A vicinity map of the area around the property for which the exemption is being sought and on which the site is identified; and
- D. A legal description of the property with a map or survey conforming to the legal description; and
- E. The period of time for which the exemption will remain in effect; and
- F. The date on which the exemption will expire; and
- G. A statement of the recommendation made to the City by the Department of State Division of Historic Resources; and

- H. A statement as to which of the criteria in Section 14 (Eligibility) is being met by the property; and
- I. A finding by the City Commission that the application meets all requirements of F.S. 196.1997.

8. Type and Location of Properties. Property being considered for ad valorem tax exemption pursuant to the Ordinance must meet the State criteria as put forth in the Florida Statutes at 196.1997(11).

BOOK 1365 PAGE 0235

9. Limitations for Exemption. Exemptions granted pursuant to this legislation apply only to taxes levied by the City of Eustis. These exemptions do not apply to taxes levied for the payment of bonds or to taxes authorized by a vote of the electors pursuant to S.9(b) or S.12, Art. VII of the State constitution. Qualifying property shall be exempt from that portion of ad valorem taxation levied by the City of Eustis on one hundred percent (100%) of the increase in assessed value resulting from the qualified improvement.

10. Qualifications for Exemption. This exemption applies only to improvements to real property. In order for property to qualify for the exemption, any such improvements must be made on or after the day this Ordinance authorizing ad valorem tax exemption for historic properties is adopted.

11. Covenant Required. Any property owner wishing to qualify for a property tax exemption pursuant to this legislation shall be required to enter into a covenant with the City of Eustis. This covenant shall, among other things, guarantee that the property shall be maintained during the period within which the exemption is in effect and shall incorporate the statutory requirements found at F.S. 196.1997(7). Department of State Form No. HR3E111292 may be submitted to fulfill this request.

12. Property Appraiser Certification. The City Commission of the City of Eustis shall cause the City Clerk to deliver a copy of all approved applications for historic preservation ad valorem tax exemption to the Lake County Property Appraiser. The Property Appraiser shall then be required to, on a yearly basis, report to the City of Eustis totals of the taxable value of all property within the City and totals of the exempted value of all property within the City of Eustis pursuant to the requirements of F.S. 196.1997(9) and F.S. 193.122.

13. Public Notice. Consideration by the Eustis City Commission of all applications for tax exemption for improvement to a historic property shall be done in a public hearing. Such public hearing shall be conducted only after publication and posting as required by law.

14. Eligibility. Property within the City of Eustis shall be considered eligible for application for tax exemption for improvement to historic property provided that at the time the exemption is granted it meets one of the following:

- A. The property is individually listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended;
- B. Is a contributing property to a "National Register District";
- C. Is duly designated as a historic landmark, or a contributing property to a historic district, pursuant to the provisions of an ordinance of the City of Eustis;
- D. Meets the requirements of either 1, 2, or 3 above and the Division of Historic Resources has certified to the City of Eustis that the property for which the exemption is being requested satisfies these requirements.

15. Criteria for Improvement Qualification. In order for a proposed improvement to a historic property to qualify the property for an exemption, the improvement must:

BOOK 1365 PAGE 0236

- A. Be consistent with the United States Secretary of Interior's standards for rehabilitation; and
- B. Be determined by the State Division of Historical Resources to meet the criteria established by rule by the Department of State as outlined as 1A-38 Florida Administrative Code.

Section 2. It is the intention of the City Commission of the City of Eustis that the provisions of this Ordinance shall become and be made a part of the City of Eustis Code of Ordinances and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Section", "Article", or such other appropriate word or phrase to accomplish such intentions.

Section 3. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, sentences, clauses or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. This Ordinance shall become effective immediately on passing.

Section 6. This Ordinance shall be published in accordance with the requirements of law.

PASSED, ORDAINED, AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this the 20th day of April, 1995.

CITY COMMISSION OF THE CITY OF EUSTIS

Milton J. Weston
Milton J. Weston, Mayor-Commissioner

ATTEST:

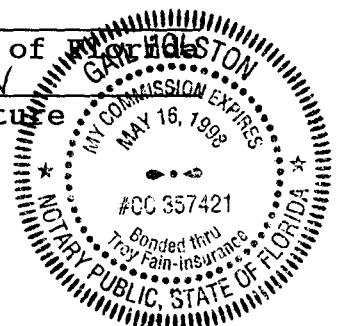
Jim R. Myers Jr.
Jim R. Myers Jr., City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 20th day of April, 1995, by **MILTON J. WESTON**, Mayor, and **JIM R. MYERS, JR.**, Finance Director/City Clerk, of the City of Eustis, Florida, who are personally known to me.

Gail Holston
Notary Public, State of Florida
GAIL HOLSTON
Printed Notary Signature



My Commission Expires:
Notary Serial No.:

CERTIFICATE OF POSTING

The foregoing Ordinance 95-07 is hereby approved, and I hereby certify that I published the same by Posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Community Center; all within the Corporate Limits of the City of Eustis, Lake County, Florida.



Jim R. Myers, Jr., City Clerk

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



Lewis W. Stone, City Attorney

BOOK 1365 PAGE 0237

April 20 1995
Date

95 54160

ORDINANCE NO. 95-27

BOOK 1387 PAGE 1836

REC 101.00
TF 13.00

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; ADOPTED IN ACCORDANCE WITH FLORIDA STATUTES 196.1997, RELATING TO HISTORIC PROPERTIES AND PRESERVATION; CREATING THE EUSTIS HISTORIC PRESERVATION BOARD; ENUMERATING POWERS AND DUTIES OF THE EUSTIS HISTORIC PRESERVATION BOARD; STATING PURPOSE AND DECLARING PUBLIC POLICY; PROVIDING DEFINITIONS; DIRECTING DESIGNATION OF HISTORIC LANDMARKS, LANDMARK SITES AND DISTRICTS; PROVIDING EXCEPTIONS TO CERTIFICATE OF APPROPRIATENESS; PROVIDING PROCEDURES FOR APPEAL OF DECISION ON AN APPLICATION FOR CERTIFICATE OF APPROPRIATENESS; ESTABLISHING PROVISIONS FOR APPROVAL OF CHANGES TO POTENTIAL LANDMARKS AND LANDMARK SITES; PROVIDING FOR MAINTENANCE AND REPAIR OF HISTORIC LANDMARKS, LANDMARK SITES AND DISTRICTS; PROVIDING PENALTIES; PROVIDING CIVIL REMEDIES; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR CONSTRUCTION WITH OTHER LAWS, PROVIDING FOR SEVERABILITY; PROVIDING PROCEDURES FOR THE REVIEW AND SALE OF 50 YEAR OLD SURPLUS BUILDINGS; PROVIDING FOR REPORTING; PROVIDING FOR AN EFFECTIVE DATE.

RECORDED
 RECORDED VERIFIED
 LAKE COUNTY FL
 SEP 25 11 00 AM '95
 CLERK OF DISTRICT COURT

WHEREAS, significant rehabilitation of historic buildings has occurred in Eustis and has made a major contribution to the vitality of the City; and

WHEREAS, Eustis contains buildings and areas that illustrate its development and its role in the growth of the State of Florida; and

WHEREAS, the City of Eustis became actively involved in historic preservation with the creation of the Eustis Historical Museum and Preservation Society, Inc.; and

WHEREAS, many buildings and areas in the United States having historic, architectural, archaeological, aesthetic or cultural interest and value have been neglected, altered, destroyed notwithstanding the feasibility and desirability of preserving and continuing the existence of such buildings and areas and without proper consideration of the irreplaceable loss to the public; and

WHEREAS, structures of architectural, historic, cultural or aesthetic importance enhance the quality of life of the City of Eustis, serve as lessons of the past and examples of quality for today, and contribute to the tourist economy of the City; and

WHEREAS, the Federal and State governments and other Florida cities have passed laws to protect and preserve landmarks and historic districts, and the National Historic Preservation Act was amended in 1980 to establish a Certified Local Government program creating a new federal-state-local partnership to encourage the efforts by cities to protect and preserve their landmarks and historic districts;

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS THAT:

SECTION 1 - ESTABLISHED

There is hereby established a Eustis Historic Preservation Board (Hereinafter referred to as the Board) in order to carry forward the purposes of the National Historic Preservation Act, as amended in 1980

(Pub. Law 96-515); and such other purposes as may be created by ordinance or law.

SECTION 2 - MEMBERSHIP

BOOK 1387 PAGE 1837

- (a) The Board shall consist of five members and one (1) alternate. In any meeting, where the Development Services Division determines that a Board member will not be present for a meeting, the alternate will be called. Of the first members appointed, three (3) shall be appointed for two (2) years and two (2) shall be appointed for three (3) years, but thereafter all appointments shall be for three (3) years or until their successors are qualified and appointed. No board member shall serve more than two consecutive terms. Each member of the Board shall be a resident of the City of Eustis during his or her entire term. A member of the Board may be removed during his or her term by the Mayor, with the approval of the City Commission.
- (b) To meet the requirements of the Certified Local Government program, as provided in the National Historic Preservation Act, as amended in 1980 (Pub. Law 96-515), and to carry out its responsibilities under this Chapter, the membership of the Board shall include, to the extent available, three persons who are educated or who practice in one of the disciplines of architecture, history, architectural history, planning, archaeology or related disciplines. Whenever an individual is nominated to the Board, the Mayor and the City Commission shall consider the professional qualifications of the individual to ensure that the requirements of the Certified Local Government program are met. Members of the Board shall be appointed by the Mayor, subject to confirmation by the City Commission. When a vacancy occurs on the Board, it shall be filled as quickly as possible with due consideration to the qualifications of any candidate. No position shall remain unfilled on the Board for a period exceeding sixty (60) days.

SECTION 3 - POWERS AND DUTIES

The Board shall have the following powers and duties, which shall be complimentary to and carried out in accordance with, the responsibility of the State Historic Preservation Officer as described in 36 C.F.R. 61.4(b), as may be amended from time to time:

- (a) To meet at regular intervals but not less than four (4) times per year.
- (b) To conduct an ongoing survey and inventory of historic buildings, areas, and archaeological sites in the City of Eustis, which shall be compatible with the Florida Master Site File, and to plan for their preservation; copies of the final works products of such survey and inventory shall be forwarded to the State Preservation Office;
- (c) To identify potential landmarks and potential landmark sites and to make recommendations to the City Commission as to whether those potential landmarks, and landmark sites should be officially designated as landmark and landmark sites;
- (d) To recommend that the City Commission designate specified areas as historic districts and to identify which structures should be considered to be contributing structures;
- (e) To maintain and update a detailed inventory of the designated historic districts, landmarks, and landmark sites within the City of Eustis and a detailed inventory of potential landmarks and landmark sites, which inventories shall be open to the public for review;
- (f) To develop specific guidelines for the alteration, construction, relocation or removal of designated property;

- (g) To promulgate standards for architectural review which are consistent with standards for rehabilitation which have been or may be established from time to time by the United States Secretary of the Interior;
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- (h) To approve or deny applications for certificate of appropriateness for alteration, construction, demolition, relocation or removal of landmarks, landmark sites, and property in historic districts;
- (i) To work with and advise the federal and state governments and other departments or boards of city government;
- (j) To advise and assist property owners and other persons and groups including neighborhood organizations on physical and financial aspects of preservation, renovation, rehabilitation, and reuse and to advise and assist property owners in becoming eligible for federal and state tax incentives;
- (k) To cooperate with and enlist the assistance of persons, organizations, corporations, foundations, and public agencies in matters involving historic preservation, renovation, rehabilitation and reuse;
- (l) To initiate plans for the preservation and rehabilitation of individual historic buildings;
- (m) To undertake public information programs including the preparation of publications and the placing of historic markers;
- (n) To make recommendations to the City Commission concerning the acquisition of or acceptance of development rights, facade easements, the imposition of other restrictions and the negotiation of historical property contracts for the purposes of historic preservation;
- (o) To review buildings which are owned by the City and which are at least fifty (50) years old and considered for surplus by the City to determine their historical or architectural significance prior to sale by the City and to make recommendations concerning the disposition of properties considered to have historical or architectural significance;
- (p) To review proposed capital improvement projects of the City and its independent agencies, or their agents or contractors, costing in excess of fifty thousand dollars (\$50,000.00) in a historic district or affecting a designated landmark or landmark site. Such review shall be made annually during the City Commission's normal budgetary process, and the Board shall advise the Commission of any concerns or objections that it may have about such projects. Capital Improvement Projects for the maintenance of existing facilities are exempted from this requirement;
- (q) To conduct public hearings to consider historic preservation issues, the designation of landmarks, landmark sites, and historic districts, applications for certificate of appropriateness and nominations to the National Register of Historic Places;
- (r) To make such rules and regulations as it deems necessary for the administration of ordinances for which it is responsible; and
- (s) To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or to the implementation of the purpose of this ordinance.
- (t) Subject to City Commission approval, to seek professional services and expertise when deemed necessary.

SECTION 4 - REVIEW AUTHORITY - NATIONAL REGISTER OF HISTORIC PLACES PROCEDURES

Upon application by the property owner or designated agent for the nomination of local property to the National Register of Historic Places, or in extraordinary circumstances, upon application by the City Commission for the nomination of local property to the National Register of Historic Places and with respect to the National Register of Historic Places, the Board shall have the following authority:

- (a) The Board shall review all nominations of local property to the National Register of Historic Places pursuant to the regulations established by the State Historic Preservation Officer. The Board shall request the Mayor or his designee to render written opinions as to whether each property should be nominated to the National Register. Following the notice and hearing requirements contained herein, and after notifying the applicant and property owner thirty (30) days prior to the public hearing, the Board shall review the nomination. The Board may seek expert advice while reviewing the nomination, subject to budgetary restrictions of the Development Services Division. The Board shall forward to the State Historic Preservation Officer its recommendation on the nomination and the recommendations of the local official.
- (b) In the development of the Certified Local Government Program, as provided in the National Historic Preservation Act, as amended in 1980 (Pub. Law 96-515), the City Commission may ask the Board to perform such other responsibilities as may be delegated to the City from time to time pursuant to the National Historic Preservation Act.

SECTION 5 - PUBLIC HEARINGS AND RECORDS

The Board shall promulgate appropriate rules providing for the establishment and maintenance of a record of all Board meetings and public hearings. A verbatim transcript of the record is not required but the Board shall establish the record in sufficient degree to disclose the factual basis for its determinations and recommendations. The Board shall prepare and maintain for public inspection a written annual report of its historic preservation activities, cases, decisions and qualifications of its members.

SECTION 6 - ORGANIZATION

- (a) The Board shall annually elect a chairperson, one or more vice chairpersons as provided in its rules and a secretary from among its members. The officers shall have such duties of chairing the meetings and other responsibilities as are assigned to them by the rules of the Board.
- (b) The Board may, from time to time, authorize the establishment of task forces to carry out specialized and detailed projects within the scope of its purposes; any task force may include persons who are not members of the Board.
- (c) The Development Services Division shall furnish the Board with administrative support, including fiscal support, subject to budgetary approval by the City Commission.

SECTION 7 - DECLARATION OF PUBLIC POLICY AND PURPOSE

The City Commission finds and declares as follows:

- (a) The City Commission declares as a matter of public policy that the preservation, protection, enhancement, perpetuation and use of landmarks, landmark sites, and historic districts is a public necessity because they have a special historic, architectural, archaeological, aesthetic or cultural interest and value and thus serve as visible reminders of the history and heritage of this city, state and nation. The City Commission finds that this ordinance benefits the residents and property owners of Eustis and

declares as a matter of public policy that this ordinance is required in the interest of the health, prosperity, safety, welfare and economic well-being of the people. **BOOK 1387 PAGE 1840**

- (b) The purpose of this ordinance is to:
- (1) Effect and accomplish the preservation, enhancement, protection, perpetuation and use of landmarks, landmark sites and historic districts having a special historic, architectural, archaeological, aesthetic or cultural interest and value to this city, state and nation;
 - (2) Safeguard the City's historic, aesthetic, and cultural heritage as embodied and reflected in such landmarks, landmark sites, and districts;
 - (3) Promote the use of historic districts, landmarks, and landmark sites for the education, pleasure and welfare of the people of the City;
 - (4) Foster civic pride in the value of notable accomplishments of the past;
 - (5) Strengthen the economy of the City;
 - (6) Protect and enhance the City's resources to residents, tourists and visitors and serve as a support and stimulus to business and industry; and
 - (7) Enhance the visual and aesthetic character, diversity and interest of the City.

SECTION 8 - DEFINITIONS

As used in this ordinance, the following terms shall mean:

- (a) Alteration means any act that changes the exterior features of a building or structure.
- (b) Certificate of appropriateness means a written document approved by the Eustis Historic Preservation Board allowing an applicant to proceed with approved alteration, demolition, relocation or new construction of a designated landmark, landmark site or property in a historic district, following a determination of the proposal's suitability to applicable criteria.
- (c) Certified local government means government meeting the requirements of the National Historic Preservation Act Amendments of 1980 (P.L. 96-515) and implementing regulations of the United States Department of the Interior and the State of Florida. A government that becomes certified will review all nominations to the National Register within its jurisdiction before review at the state and federal levels.
- (d) City means the City of Eustis.
- (e) City Commission means the City Commission of the City of Eustis.
- (f) Board means the Eustis Historic Preservation Board.
- (g) Contributing structure means a building or structure which is at least fifty (50) years old and which is within the boundaries of a designated historic district and which contributes to the historic or architectural character of the district and which is identified by the City Commission in its designation of the historic district.
- (h) Decision or recommendation means, when referring to the Board, the executive action taken by the Board on an application for a designation or a certificate of appropriateness regardless of

whether that decision or recommendation is immediately reduced to writing.

- (i) Demolition means any act that destroys in whole or in part a landmark, a building or structure on a landmark site or a contributing structure in a historic district.
- (j) Development Services Division means the Development Services Division of the City of Eustis. **BOOK 1387 PAGE 1841**
- (k) Historic district means an area which meets at least two of the criteria contained in Section 11(J) 1-8, and has at least fifty percent (50%) of its structures identified as contributing structures, and has been so designated by the City Commission.
- (l) Historic Preservation office means the Historic Preservation office of the City of Eustis.
- (m) Historic Preservation officer means the Historic Preservation officer of the City of Eustis.
- (n) Landmark means a building or structure which is at least fifty (50) years old and meets at least two of the criteria contained in Florida Administrative Code Section 10(J)1-7 and has been so designated by the City Commission and has significant archaeological or architectural features or the location of a historical event.
- (o) Landmark site means: 1) a parcel of real property containing either an improvement, landscape feature or archaeological site, or a historically related complex of improvements, landscape features or archaeological sites that are at least fifty (50) years old and meet at least two (2) of the criteria contained in Sec. 10(J)1-7; or 2) the site of a historic event without any architectural or landscape features.
- (p) Majority for the purpose of this ordinance means a simple majority consisting of over half of the members present and voting if a quorum is established.
- (q) Potential landmark means a building or structure which is identified by the Board as being a building or structure which may be a landmark or a building or structure which is nominated to be designated as a landmark pursuant to Florida Administrative Code Section 10(J)1-7.
- (r) Potential landmark site means a parcel of real property which may be a landmark site and which is nominated for designation as a landmark site pursuant to Florida Administrative Code Section 10(J)1-7.
- (s) Quorum means a majority of the membership of the Eustis Historic Preservation Board.
- (t) Significant architectural feature means an architectural feature of a landmark, landmark site or historic district which contributes significantly to identifying a landmark, landmark site or historic district.
- (u) Undue economic hardship means an onerous and excessive financial burden that would be placed upon a property owner by the denial of a certificate of appropriateness or a similar burden which would be placed on a property owner by conditions which the Board seeks to place on the granting of a certificate.

SECTION 9 - DESIGNATION OF LANDMARKS, LANDMARK SITES AND HISTORIC DISTRICTS

Upon application by the owner or designated agent, extraordinary circumstances, or the formation of a task force for a district, the City Commission may by ordinance designate landmarks, landmark sites and

historic districts located within the City of Eustis. Each designation of a landmark shall include a designation of a landmark site and each designation of a historic district shall include an identification of the contributing structures within the historic district. Each designation of a historic district shall set forth the design guidelines that apply to the historic district and the actions that would require a certificate of appropriateness. Any actions affecting a landmark or landmark site that would require a certificate of appropriateness shall be reviewed for consistency with the Secretary of the Interiors Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. Except where noted in this ordinance to the contrary, the vote of a majority shall be required for decisions involving designation of landmarks, landmark sites and historic districts. When an owner objects to an application involving designation of the owner's property as a landmark, landmark site, or inclusion within a historic district, recommendation of approval by the Board and approval of the City Commission shall require a majority vote plus one vote.

SECTION 10 - DESIGNATION PROCEDURES AND APPLICATION REQUIREMENTS

The following procedures shall be followed with respect to the designation of landmarks and landmark sites:

- (a) Consideration by the Board of the designation of a landmark or landmark site shall be initiated by the filing of an application for designation by the property owner or his authorized agent or by the City Commission in extraordinary circumstances.
- (b) The applicant shall complete an application form provided by the Eustis Historic Preservation Board which shall, to the extent possible, include:
 - (1) A written description of the architectural, historical, or archaeological significance of the proposed landmark or landmark site specifically addressing and documenting the criteria set forth in 10(J)1-7 of this ordinance.
 - (2) Date of construction of the structures on the property.
 - (3) Photographs of the property;
 - (4) Legal description and map of the property to be designated as a landmark, or landmark site; and
 - (5) The names and addresses of all owners of real property in the City of Eustis within three hundred fifty (350) feet of the boundaries of the land upon which the designation of a landmark or a landmark site is requested and the real estate assessment numbers for each property within three hundred fifty (350) feet of the boundaries of the land upon which the designation of a landmark or landmark site is requested.
- (c) Consideration of the designation of a landmark or landmark site already listed on the National Register as of January 1, 1990, may be initiated by the filing of a copy of the nomination forms, including all maps and photographs, already approved by the State Historic Preservation office and the National Park Service.
- (d) The Development Services Division shall determine when an application is complete and may request additional information when such application is determined to be incomplete. The Development Services Division shall review the application for designation and forward its findings and recommendations to the Board prior to the public hearing. At the time an application for designation of a landmark or landmark site is forwarded to the Board, the property, buildings and structures referred to in the application shall be considered potential landmarks or landmark sites.

- (e) The Board shall hold a public hearing on the proposed designation of a landmark or landmark site within forty-five (45) days of the filing of a completed application.
- (f) Notice of the time and place of the public hearing which is required to be held with respect to the proposed designation of a landmark, or landmark site, shall be posted by the Development Services Division at least fourteen (14) days in advance of the hearing, by United States mail, to the owner of the property proposed to be designated, to the applicant, and to all owners of real property in the City of Eustis within three hundred fifty feet of the boundaries of the land upon which the designation is requested. For the purpose of notice requirements to the owner and adjoining owners, the names and addresses of owners shall be deemed to be those on the current tax records in the Office of the Property Appraiser. The failure of any adjoining owner required by this section to be notified by mail to receive the notice shall not invalidate or otherwise have any effect upon a public hearing or action taken by the Board or City Commission on application for designation. All notices required by this section shall state clearly the boundaries of a proposed landmark or landmark site.
- (g) Notice of a public hearing shall be published once in a newspaper of general circulation in the City not less than fourteen (14) days in advance of the date of the hearing. The published notice shall be in a form prescribed by the Board and placed by the Development Services Division at the applicant's expense. The Development Services Division shall file proof of publication with the Board prior to the public hearing.
- (h) The applicant for a proposed designation shall post signs at intervals of not more than two hundred feet along all street sides of land upon which an application for proposed designation is made within five (5) working days after filing of a completed application. The signs shall be in the form required by the Board and shall be posted in full view of the public. Where the land does not have frontage on a public street, the signs shall be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the land upon which the designation is sought, or at such other locations and at such intervals, as determined by the Development Services Division as will ensure that the signs will be seen by as many persons as possible. The signs shall be maintained by the applicant until such time as the advisory recommendation has been made by the Board. The signs shall be removed by the applicant within ten (10) days after final action by the City Commission.
- (i) Within thirty (30) days following the close of the public hearing or within sixty (60) days if the Board votes to defer, the Board shall determine whether, based upon the evidence, the nominated landmark, or landmark site, does or does not meet the criteria for designation. Such a determination shall be made by advisory recommendation of the Board and shall be accompanied by a report stating the findings of the Board concerning the relationship between the nominated landmark or landmark site and the National Register of Historic Places criteria for designation set forth below. At least two of the criteria must be met.
- (1) Its value as a significant reminder of the cultural, historical, architectural, or archaeological heritage of the city, state or nation.
 - (2) Its location is the site of a significant local, state, or national event.
 - (3) It is identified with a person or persons who significantly contributed to the development of the city, state or nation.

- (4) It is identified as the work of a master builder, designer, or architect whose individual work has influenced the development of the city, state or nation.
 - (5) Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance.
 - (6) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.
 - (7) Its suitability for preservation or restoration.
- (j) The Board shall be responsible for considering and making an advisory recommendation to the City Commission with respect to each proposed designation of landmarks or landmark sites and shall notify the applicant and the property owner within ten (10) days of its recommendation. The Board is authorized to prescribe procedural and administrative rules it deems necessary or appropriate to administer this function. The Board shall promulgate appropriate rules providing for the establishment and maintenance of a record of applications for designation of landmarks or landmark sites considered by the Board. A verbatim transcript of the record is not required by the Board but the Board shall establish the record in sufficient degree to disclose the factual basis for its recommendation with respect to each application.
- (k) Upon approval of the application for designation of the landmark or landmark site by the Board, the City Attorney shall prepare an ordinance on behalf of the Board and shall present the ordinance to the City Commission for approval or disapproval. The City Commission shall make its determination in the same manner as provided in State law for the adoption of such an ordinance. The City Commission shall consider the same criteria set forth in Florida Administrative Code Section 10(J)1-7.
- (l) The Director of Development Services shall notify the applicant and subject property owner of the final decision relating to the property within seven (7) days of the City Commission's action and shall cause the designation of a property as a landmark or landmark site to be recorded in the official records of Lake County, Florida, at the expense of the applicant for such designation. The City Clerk shall also notify the Property Appraiser's office of the designation.
- (m) When a designation is made, the Director of Development Services shall enter the designation as an overlay to the land use map in accordance with State law.
- (n) Whenever the City Commission has denied an application for designation no further application shall be filed for the same designation for a period of one (1) year from the date of such City Commission denial. The time limit stated herein may be waived by the Commission when this action is deemed necessary in the best interests of the City.
- (o) The designation of any landmark or landmark site may be amended or rescinded through the same procedure utilized for the original designation, by the filing of an application for rescission or amendment of designation utilizing the procedure hereinabove set forth. Any Board recommendation to amend or rescind a prior designation shall be based upon new evidence and negative evaluation according to the same criteria used for designation in existence at the time of such application for revision or amendment.
- (p) In extraordinary circumstances, the City Commission may, by majority vote plus one (1), without notice to the owner, recommend the designation of a building, structure or site as a potential

landmark and/or a potential landmark site. In any such recommendation for designation, the City Commission shall at its next scheduled meeting, and in no event later than forty-five (45) days, complete the application described in this ordinance and schedule the public hearing required. In the event, the owner of the potential landmark or potential landmark site objects to the recommended designation and provides written notice of such objection to the Board, the Board must complete its review of the application within ninety (90) days of receipt of the City Commission's original recommendation for designation as a potential landmark or potential landmark site.

SECTION 11 - DESIGNATION PROCEDURES AND APPLICATION REQUIREMENTS FOR HISTORIC DISTRICTS

The following procedures shall be followed with respect to the designation of historic districts:

- (a) Consideration by the Board of the designation of a historic district may be initiated by the filing of an application for designation with the Board by a property owner within the proposed district or his authorized agent, providing such application is accompanied by a petition containing the name, address, phone number, and signature of at least thirty percent (30%) of the property owners within the proposed district according to the latest available tax rolls from the county Property Appraiser's office. Consideration may also be initiated by request of the City Commission, in extraordinary circumstances.
- (b) After obtaining an application for nomination of a historic district but prior to its submittal to the Historic Preservation Board for review, the applicant shall organize a task force within the proposed Historic District. This task force shall be comprised of a minimum of ten percent (10%) of the owners of real property within the proposed district. It shall be the role of this task force to develop design guidelines which shall be included as part of the application package for designation of a historic district. These design guidelines shall be used to review any proposed work within the proposed historic district which requires a certificate of appropriateness. If the district is approved, all recommendations made by the Historic Preservation Board shall include consideration as to whether the proposed work is consistent with the design guidelines.
- (c) The applicant shall complete an application form provided by the Eustis Historic Preservation Board which shall, to the extent possible, include:
 - (1) A written description of the architectural, historical, or archaeological significance of the structures, sites, and buildings in the proposed historic district specifically addressing and documenting the criteria set forth in subsection (j) of this section;
 - (2) An identification of all buildings, structures and sites within the proposed historic district and the proposed classification of each as contributing or non-contributing with an explanation of the criteria utilized for the proposed classification;
 - (3) A physical description of the proposed historic district, accompanied by photographs of buildings, structures and sites within the district indicating examples of contributing and non-contributing structures within the district;
 - (4) A statement of recommended boundaries for the proposed historic district and a justification for those boundaries, along with a map showing the recommended boundaries;

- (5) The names and addresses of all owners of real property in the City of Eustis within the boundaries of the land upon which the designation of the historic district is requested and the real estate assessment numbers for the property within the boundaries of the land upon which the designation is requested.
- (d) The Development Services Division shall determine when an application is complete and may request additional information when such application is determined to be incomplete. The Development Services Division shall review the application for designation and forward its findings and recommendations to the Board prior to the public hearing.
- (e) The Board shall hold a public hearing on the proposed designation within ninety (90) days of the filing of a completed application. The Board shall hold at least one workshop at which the proposed district will be explained and discussed. A quorum is not necessary to conduct the workshop.
- (f) Notice of the time and place of the public hearing which is required to be held with respect to the proposed designation of a historic district, shall be posted by the Development Services Division at least forty-five (45) days in advance of the hearing, by United States mail, to all owners of real property in the City of Eustis within the boundaries of the proposed historic district. For the purpose of notice requirements to owners, the names and addresses of owners shall be deemed to be those on the current tax records in the Office of the Property Appraiser. All notices required by this section shall state clearly the boundaries of a proposed historic district.
- (g) The notice referred to in subsection (f) above shall include the following information and documents:
- (1) The notice shall state that the creation of a historic district will impose design review on certain permitted activities.
 - (2) The notice shall state that the ordinance creating the historic district will contain requirements that must be met in order to alter, renovate or demolish a structure or building within the district. These requirements may relate to density, siting, building materials and architectural features as well as other matters.
 - (3) The notice shall state that a list of contributing and non-contributing structures has been compiled and that contributing structures will be identified in the ordinance creating the historic district.
 - (4) The notice shall state that the design guidelines for reviewing certain permitted activities will be discussed and voted on by the Board at the public hearing.
 - (5) The notice shall state that if the district is created the owners shall be required to obtain a certificate of appropriateness before certain work is done on the property.
 - (6) The notice shall state that the application for creating the historic district is on file with the Board and that the Board shall have on file all information submitted by the Development Services Division, including recommendations.
 - (7) The notice shall state the time, date, and place of any workshops scheduled by the Board. However, nothing herein shall prohibit the Board from holding other workshops with published notice.
- (h) Notice of a public hearing shall also be published once in a newspaper of general circulation in the City not less than

fourteen (14) days in advance of the date of the hearing. The published notice shall be in a form prescribed by the Board and placed by the Development Services Division at the Development Services Division's expense. The Development Services Division shall file proof of publication with the Board prior to the public hearing.

- (i) The applicant for a proposed designation shall post signs within five (5) working days after filing of a completed application, which signs shall be in the form required by the Board and shall be posted in full view of the public. The sign or signs shall be posted on the boundaries of the proposed historic district at each public right-of-way intersecting the boundary of the proposed historic district, or at such other locations and at such intervals, as determined by the Development Services Division, as will ensure that the signs will be seen by as many persons as possible. The signs shall be maintained by the applicant until such time as the advisory recommendation has been made by the Board. The signs shall be removed by the applicant within ten (10) days after final action by the City Commission.
- (j) At the close of the public hearing, the Board shall determine whether, based upon the evidence, the proposed historic district does or does not meet the criteria for designation. Such a determination shall be made by a report stating the findings of the Board concerning the relationship between the proposed historic district and the National Register of Historic Places criteria for designation set forth below. At least two of the criteria must be met.
 - (1) Its value as a significant reminder of the cultural, historical, architectural, or archaeological heritage of the city, state or nation.
 - (2) Its location is the site of a significant local,, state or national event.
 - (3) It is identified with a person or persons who significantly contributed to the development of the city, state or nation.
 - (4) It is identified as the work of a master builder, designer, or architect whose individual work has influenced the development of the city, state or nation.
 - (5) Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance.
 - (6) It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction, or use of indigenous materials.
 - (7) Its character is a geographically definable area or neighborhood possessing a significant concentration, or continuity of sites, buildings, objects or structures united in past events, or united in culture, architectural style, or aesthetically by plan or physical development.
 - (8) Its suitability for preservation or restoration.
- (k) At the close of the public hearing, the Board shall also adopt the design guidelines it will recommend to apply to the proposed historic district and shall identify what actions to be taken on property within the proposed historic district would require a certificate of appropriateness.
- (l) Upon approval of the application for designation of a historic district by the Board, the City Attorney shall prepare an ordinance on behalf of the Board and shall present the ordinance to the City Commission for approval or disapproval. The City Commission shall follow regular procedures for ordinance adoption

and shall consider the same criteria set forth in subsection (j). Any ordinance designating a historic district shall set forth the design guidelines that apply to the historic district and the actions that would require a certificate of appropriateness.

- (m) Approval by the City Commission upon second and final reading of the ordinance designating the District shall not become effective until an affirmative vote of a majority of the property owners voting by certified ballots has been received. A vote of disapproval by a majority of the property owners voting by certified ballot shall cause the ordinance to become null and void.

Following the second reading and approval by the City Commission of Eustis of the ordinance designating the proposed district and its rules, the City Clerk shall send a copy of the Ordinance and a certified ballot to the property owners as listed in the last property tax roll available from the Lake County Property Assessor's Office. The certified ballot shall be of the following form:

Do you as a property owner of property located within the proposed Historic District as designated in Ordinance No. _____:

_____ approve of the designation of the District and its rules?; or

_____ disapprove of the designation of the District and its rules?

The certified ballots shall be mailed to property owners by certified mail within ten (10) days following the second affirmative vote of the City Commission on the designating ordinance and must be returned by the property owner to the City Clerk of the City of Eustis within ten (10) days of receipt by certified mail. Delivery to the last known address according to the last property tax roll of the Lake County Property Assessor's Office shall constitute receipt by the property owner of the certified ballot. Ballots lost in the mail, lost by the property owner or other, or misdirected by the Postal Service are not the responsibility of the City and shall not constitute grounds for finding the balloting procedure invalid.

Thirty days following the sending of the certified ballots or following the receipt of the returned certified ballots of the property owners, the City Clerk or his/her designee and Mayor (or in the Mayor's absence, the Vice Mayor) shall count the ballots and prepare a ballot certificate that will be presented at the next scheduled City Commission Meeting to be considered for final Certification of the Ballot by vote of the City Commission. Upon the vote of the City Commission, the Ballot shall be certified as approved or disapproved. "Certified Approved" shall mean that a majority of the property owners voting voted in the affirmative for the designation of the chairperson of the Historic District and its rules and that the ordinance creating the District shall become effective upon the certifying vote of the City Commission. "Certified Disapproved" shall mean that a majority of the property owners voting voted in the negative for the designation of the Historic District and its rules and that the ordinance creating the District shall become null and void upon the certifying vote of the City Commission.

The City Clerk shall notify by certified mail all property owners of the proposed Historic District, the Historic Board, and the Property Appraiser's Office of the results of the Certified Ballot.

Upon the Certification of the Ballot affirming the creation of the District, the City Clerk shall cause the designating ordinance and the Ballot Certification to be recorded in the Official Records of Lake County, Florida, at the expense of the applicant for the designation.

- (n) When a historic district designation is certified by ballot, the Director of Development Services shall enter the approved

designation as an overlay on the land use map in accordance with law.

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- (o) Whenever the City Commission has denied an application for the designation of a historic district no further application shall be filed for the same historic district designation for a period of one (1) year from the date of such City Commission denial.
- (p) The designation of any historic district may be amended or rescinded through the same procedure utilized for the original designation, by the filing of an application for rescission or amendment of designation utilizing the procedure hereinabove set forth. Any Board recommendation to amend or rescind a prior designation shall be based upon new evidence and evaluation according to the criteria used for historic district designation in existence at the time of such application for rescission or amendment.

SECTION 12 - APPROVAL OF CHANGES TO LANDMARKS, LANDMARK SITES, AND PROPERTY IN HISTORIC DISTRICTS; APPLICATION PROCEDURES

Procedures with respect to changes to historic landmarks, landmark sites, and property in historic districts shall be as follows:

- (a) The ordinance designating a landmark or landmark site or historic district shall designate those activities that require the issuance of a certificate of appropriateness. Nothing in this section shall be construed to require a certificate of appropriateness for the demolition of a non-contributing structure in a historic district or for routine maintenance activity within established rights-of-way or easements by governmental and/or utility entities.
- (b) Whenever any alteration, new construction, demolition, except demolition of a non-contributing structure in a historic district, or relocation as specified in subsection (a) is undertaken on a landmark, landmark site, or property in a historic district without a certificate of appropriateness whether or not a building permit is required, the City Building Official or Director or Development Services is authorized to issue a notice of violation to stop all work.
- (c) The City of Eustis and each independent agency of the City of Eustis or their agents or contractors shall be required to advise the Board of construction of non-capital improvement projects within a historic district or affecting a landmark or landmark site including, but not limited to, the construction of streets, sidewalks and curbs, drainage, water and sewer projects, new street lighting, new public utility poles, construction of utilities, building, and other similar public improvements, which cost in excess of fifty thousand dollars (\$50,000.00) except emergency actions that must be undertaken to protect the health, safety and welfare of the public. Capital Improvement Projects for the maintenance of existing facilities is exempted from this requirement.

The City of Eustis shall provide the Board with a list of proposed capital improvement projects of the City and its independent agencies, or their agents or contractors, for the maintenance of existing facilities costing in excess of fifty thousand dollars (\$50,000.00) in a historic district or affecting a designated landmark or landmark site. Such list shall be provided to the Board annually during the City Commission's budgetary process, and the Board shall advise the City Commission of any concerns or objections that it may have about such projects.

- (d) A certificate of appropriateness shall be in addition to any other building permits required by law, provided that a certificate of appropriateness shall not be required for issuance of a permit to a contractor who is in possession of an order from the City to proceed with demolition, emergency action or boarding up of an

unsafe structure. Any conditions contained in the certificate of appropriateness shall be included as a requirement to any building permit for which the certificate of appropriateness was issued. There shall be no application fee required for a certificate of appropriateness.

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- (e) Any work, including ordinary repairs and maintenance, which is not referred to in subsection (a), may be undertaken without a certificate of appropriateness.
- (f) The City Building Official shall forward to the Board each application for a certificate of appropriateness that would authorize an alteration, new construction, demolition or relocation affecting a landmark, landmark site, or a property in a historic district. The applicant shall complete an application form provided by the Development Services Division accompanied by the plans, elevations and specifications thereof so far as they relate to the proposed appearance, color, texture of materials and architectural design of the exterior, (including the front, sides, rear and roof of the building, alterations or addition or of any out building, party wall, courtyard, fence or other accessory structure thereof). The Development Services Division shall determine when an application is complete and may request additional information when such application is determined to be incomplete. The Development Services Division shall review the application and forward its recommendations and findings to the Board prior to the public hearing. Nothing in this subsection shall preclude a pre-application conference between the Board and the applicant at the applicant's request.
- (g) The Board shall be responsible for considering and passing upon applications for a certificate of appropriateness, and all certificates shall be issued by the Board and signed by the Chairman thereof. The Board is authorized to prescribe procedural and administrative rules it deems necessary or appropriate to administer this function. The Board shall promulgate appropriate rules providing for the establishment and maintenance of a record of applications for a certificate of appropriateness considered by the Board. A verbatim transcript of the record is not required but the Board shall establish the record in sufficient degree to disclose the factual basis for its determination with respect to each application.
- (h) The Board shall hold a public hearing on each application for a certificate of appropriateness at its next regular meeting, after a completed application has been filed with the Development Services Division at least fourteen (14) calendar days before the meeting. The Board shall make a decision on each application within thirty (30) days after the hearing provided that the Board may extend the time for decision an additional thirty (30) days when the application is for relocation, new construction, or demolition. Upon mutual consent between the Board and the applicant, any decision on a certificate may be deferred for an additional thirty (30) days.
- (i) Notice of the time and place of the public hearing which is required to be held with respect to an application for a certificate of appropriateness, shall be posted, by the Development Services Division, by United States mail to the applicant and the owner of the designated property, at least seven (7) days in advance of the hearing. For the purpose of notice requirements to the owner, the name and address of the owner shall be deemed to be those on the current tax records in the Office of the Property Appraiser or that which has been provided to the Board by the property owner or his designated agent.
- (j) The applicant for a certificate of appropriateness shall post signs at intervals of not more than two hundred feet along all street sides of land upon which the request for a certificate of appropriateness is made within five (5) working days after the filing of a completed application. The signs shall be eight and

one-half inches wide, eleven inches in height and light blue and shall be posted in full view of the public. Where the land does not have frontage on a public street, the signs shall be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the land upon which the application for a certificate of appropriateness has been filed, or at such other locations and at such intervals, as determined by the Development Services Division, as will ensure that the signs will be seen by as many persons as possible. The signs shall be maintained by the applicant until a final determination has been made by the Board on the application for a certificate of appropriateness. If the signs are not posted within the time requirements, the public hearing notice will be deemed inadequate and no action shall be taken until proper posting is accomplished. The signs shall be removed by the applicant within ten (10) days after final action by the Board.

- (k) The Board shall approve, approve with conditions, approve the withdrawal of, or deny each application, based on the criteria contained in this section. Notice of the decision of the Board shall be sent by regular mail to the applicant and the owner of the property within fourteen (14) days of the meeting when the decision was made by the Board. In the case of a denial of an application, the Board shall state the reasons for such a denial in writing and transmit the written statement to the applicant and the owner of the designated property. The written statement shall also contain recommendations to the applicant concerning changes, if any, in the proposed action that would cause the Board to reconsider its denial. If the Board fails to act on an application within the specified time period, the application shall be deemed approved.
- (l) In considering an application for a certificate of appropriateness for alteration, new construction, demolition, or relocation, the Board shall be guided by the following general standards:
- (1) The effect of the proposed work on the landmark, landmark site or property within a historic district upon which such work is to be done;
 - (2) The relationship between such work and other structures on the landmark site or other property in the historic district;
 - (3) The extent to which the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture and materials of the landmark or the property will be affected;
 - (4) Whether the plans may be carried out by the applicant within a reasonable period of time;
- (m) Applications for certificates of appropriateness for alterations, shall be considered by the Board in accordance with the following additional guidelines, which are based on the United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings:
- (1) Every reasonable effort shall be made to use a property for its originally intended purpose, or to provide a compatible use for a property that requires minimal alteration of the building structure, or site.
 - (2) The distinguishing original qualities or character of a building, structure, or site shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided when reasonably possible.
 - (3) Each building, structure, and site shall be recognized as a product of its own time. An alteration which has no

- historical basis and which seeks to create an earlier appearance shall be discouraged.
- (4) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
 - (5) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site, shall be treated with sensitivity.
 - (6) Deteriorated architectural features shall be repaired rather than replaced, wherever reasonably possible. In the event replacement is necessary, the new material shall match the material being replaced in composition, design, color, texture, and other visual qualities. However, technologically advanced materials shall be considered and used as replacement alternatives. Repair or replacement of missing architectural features shall be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
 - (7) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall be not undertaken.
 - (8) Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any acquisition, protection, stabilization, preservation, rehabilitation, restoration, or reconstruction project.
- (n) In considering an application for certificate of appropriateness for new construction, the Board shall consider the following additional guidelines:
- (1) Height. The height of any proposed alteration or construction shall be compatible with the style and character of the landmark and with surrounding structures in a historic district.
 - (2) Proportions of windows and doors. The proportions and relationships between doors and windows shall be compatible with the architectural style and character of the landmark and with surrounding structures in a historic district.
 - (3) Relationship of building masses, setbacks and spaces. The relationship of a structure within a historic district to the open space between it and adjoining structures shall be compatible.
 - (4) Roof shape. The design of the roof shall be compatible with the architectural style and character of the landmark and surrounding structures in a historic district.
 - (5) Landscaping. Landscaping shall be compatible with the architectural character and appearance of the landmark and of surrounding structures and landscapes in a historic district.
 - (6) Scale. The scale of the structure after alteration, construction, or partial demolition shall be compatible with its architectural style and character and with surrounding structures in a historic district.

- (7) Directional expression. Facades in historic districts shall blend with other structures with regard to directional expression. Structures in a historic district shall be compatible with the dominant horizontal or vertical expression of surrounding structures. The directional expression of a landmark after alteration, construction, or partial demolition shall be compatible with its original architectural style and character.
- (8) Architectural details. Architectural details including materials and textures shall be treated so as to make a landmark compatible with its original architectural style and character and to preserve and enhance the architectural style or character of a landmark or historic district. The Board will give recommendations as to appropriate colors for any landmark or historic district.
- (9) Impact on archaeological sites. New construction shall be undertaken in such a manner as to preserve the integrity of archaeological sites and landmark sites.
- (o) In considering an application for a certificate of appropriateness for demolition, the Board may delay such demolition for up to ninety (90) days and shall consider the following additional standards:
- (1) The historic or architectural significance of the building or structure;
 - (2) The importance of the building or structure to the ambiance of the historic district;
 - (3) The difficulty or the impossibility of reproducing such a building or structure because of its design, texture, material, detail or unique location;
 - (4) Whether the building or structure is one of the last remaining examples of its kind in the neighborhood, the county or the region;
 - (5) Whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what effect those plans on the character of the surrounding area would be;
 - (6) The difficulty or the impossibility of saving the building or structure from collapse;
 - (7) Whether the building or structure is capable of earning reasonable economic return on its value;
 - (8) Whether there are other feasible alternatives to demolition;
 - (9) Whether the property no longer contributes to a historic district or no longer has significance as a historic, architectural or archaeological landmark; and
 - (10) Whether it would be undue economic hardship to deny the property owner the right to demolish the building or structure. The Board may request assistance from interested individuals and organizations in seeking an alternative to demolition. The Board may require applicants to submit such additional information as the Board deems necessary to be used in making its determination. The Board shall not deny a request for a certificate of appropriateness for demolition without also considering said request as a request for a certificate for relocation.
- (p) When an applicant seeks to obtain a certificate of appropriateness of the relocation of a landmark, a building or structure on a landmark site, or a building or structure in a historic district,

or wishes to relocate a building or structure to a landmark site or to a property in a historic district, the Board shall also consider the following:

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- (1) The contribution the building or structure makes to its present setting;
 - (2) Whether there are definite plans for the site to be vacated;
 - (3) Whether the building or structure can be moved without significant damage to its physical integrity; and
 - (4) The compatibility of the building or structure with the proposed site and adjacent properties.
- (q) In any instance where an undue economic hardship, as defined in this ordinance, is claimed by a property owner, the property owner may submit to the Board any or all of the following information before the Board makes a decision on the application for certificate of appropriateness:
- (1) An estimate of the cost of the proposed construction, alteration, demolition, or removal;
 - (2) A report from a licensed engineer, contractor or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;
 - (3) The estimated market value of the property in its current condition; after completion of the proposed construction, alteration, demolition, or removal; and, in the case of a proposed demolition, after renovation of the existing property for continued use;
 - (4) In the case of a proposed demolition, an estimate from an architect, developer, licensed contractor, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property;
 - (5) The amount paid for the property, the date of purchase, and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer;
 - (6) The annual gross income from the property for the previous two (2) years; itemized operating and maintenance expenses for the previous two (2) years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;
 - (7) The remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two (2) years;
 - (8) All appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing, or ownership of the property;
 - (9) Any listing of the property for sale or rent, price asked, and offers received, if any within the previous two (2) years;
 - (10) The assessed value of the property according to the two most recent assessments;
 - (11) The real estate taxes for the previous two (2) years;

- (12) The form of ownership or operation of the property, whether sole proprietorship, for profit or not for-profit corporation, limited partnership, joint venture, or other;
- (13) Any other information considered necessary by the Board to a determination as to whether the property does yield or may yield a reasonable return to the property owner.

The Board may require that the property owner furnish such additional information as the Board believes is relevant to the Board's determination of any alleged undue economic hardship. No decision of the Board shall result in undue economic hardship for the property owner. In any case where undue economic hardship is claimed, the Board shall make two specific findings. First, the Board shall determine if the owner would be entitled to a certificate of appropriateness without consideration of undue economic hardship. Second, the Board shall determine whether the owner demonstrated an undue economic hardship. The Board shall hold a hearing on both matters at the same time; except that, any property owner, may request a separate hearing on each.

- (r) When a certificate of appropriateness has been applied for in connection with the replacement of roof covering, windows or doors, the Board shall allow the property owner's original design plans when the Board's design guidelines will result in a cost in excess of twenty percent of the property owner's original plans. The owner shall be required to show to the Board's satisfaction that the work to be performed will be in accordance with the original roof lines and conform to the original door and window openings of the structure and the replacement of windows, doors, or roof materials with the less expensive alternative will achieve a savings in excess of twenty percent (20%) over historically compatible materials otherwise required under this ordinance.
- (s) All work performed pursuant to the issuance of a certificate of appropriateness shall conform to the requirements of such certificate. It shall be the duty of the City Building Official to inspect from time to time any work being performed pursuant to such certificate to assure such compliance. In the event work is not performed in accordance with such certificate, the City Building Official shall issue a notice of violation to stop all work and all work shall cease. No additional work shall be undertaken as long as such notice shall continue in effect.
- (t) Any certificate of appropriateness which has been approved pursuant to the provision of this section shall expire twelve (12) months from the date of issuance if the work authorized is not commenced within this period. Further, such certificate shall expire if the work authorized is not completed within three (3) years of the date of issuance, unless otherwise extended by the Board.
- (u) In any case where the City Building Official or the Code Enforcement Officer determines that there are emergency conditions dangerous to life, health or property affecting a landmark, a landmark site, or a property in a historic district, either official may order the remedying of these conditions in accordance with other applicable laws or regulations without the approval of the Board or issuance of a required certificate of appropriateness. This section specifically includes those structures that have been defined to be unsafe pursuant to applicable City housing and building codes. The City Building Official or the Code Enforcement Officer shall promptly notify the Chairman of the Board of the action being taken.
- (v) When a landmark, building or structure on a landmark site or building or structure within a historic district, or any portion of said building or structure, has been destroyed or damaged by an act of God, the building or structure may be reconstructed to its pre-existing condition. This provision shall not be construed so

as to waive any portion of the zoning code or the building, fire, health or safety codes of the City of Eustis.

SECTION 13 - EXCEPTIONS TO CERTIFICATE OF APPROPRIATENESS **BOOK 1387 PAGE 1856**

- (a) The Board shall prepare a list of routine alterations that may receive immediate approval from the Development Services Division without a public hearing when an applicant complies with the design guidelines of the Board. These routine alterations include but are not limited to the following:
- (1) Repair of cornices using existing materials and duplicating the original design.
 - (2) Decks at the ground level and not visible from any street and which do not require alterations to any structure.
 - (3) Installation of new doors which are compatible in size and style with the original.
 - (4) Installation of fencing located behind any street facade.
 - (5) The painting of any material or surfaces other than unpainted masonry, stone, brick, terra-cotta and concrete in a color appropriate to the architectural style or period of original construction.
 - (6) The replacement of front porch columns with ones matching the original in style, size and material.
 - (7) The replacement of a roof with one of the same material and color.
 - (8) The repair of wooden siding with wood which duplicates the original appearance.
 - (9) Installation of skylights not visible from any street front.
 - (10) The replacement of windows with ones compatible in size, and style with the original.
- (b) Board approval is not required for the repair and maintenance of any exterior building features when such work exactly reproduces the existing design and is executed in the existing material. Any staff decision may be appealed by the applicant to the Board.
- (c) A certificate of appropriateness will not be required for general, occasional maintenance of any historic building, structures or sites or any structure within a historic district. General occasional maintenance will include, but not be limited to, lawn and landscaping care and minor repair that restores or maintains the historic site or current character of the building or structure. A certificate of appropriateness will not be required for any interior alteration, construction, reconstruction, restoration, renovation or demolition, except when involving an architecturally significant feature that was a significant element in the designation as a historic building, contributing structure, or landmark.
- (d) Any city staff decision regarding routine alterations can be appealed by the applicant to the Board.
- (e) Any exterior alteration or new construction which is not visible from any street or roadway may receive immediate approval from the Development Services Division without a public hearing when an applicant complies with the design guidelines of the Board. Any staff decision may be appealed by the applicant to the Board.
- (f) The ordinance designating a landmark or landmark site or historic district may designate additional exceptions to a certificate of appropriateness.

- (g) In any instance where a certificate of appropriateness for demolition has been denied, the applicant may reapply upon the expiration of twelve (12) months from the date of the initial decision of the Board denying the certificate of appropriateness whether or not the applicant appeals the initial decision.
- (h) City capital projects approved by the City Commission and noticed to the Board, do not require a certificate of appropriateness.

SECTION 14 - APPEAL OF THE DECISION ON AN APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

The determination by the Board approving or denying an application for a certificate of appropriateness shall, on the date it is issued, be appealable to the City Commission. Notice of appeal shall be filed within thirty (30) days of the date of the decision. Any decision by the City Commission regarding a certificate of appropriateness may be reviewed by writ of certiorari to the Circuit Court of Lake County, Florida.

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SECTION 15 - APPROVAL OF CHANGES TO POTENTIAL LANDMARKS AND POTENTIAL LANDMARK SITES; APPLICATION PROCEDURES

- (a) A certificate of appropriateness shall be required for any renovation or alteration to an exterior feature or demolition of a potential landmark or potential landmark site. For the purposes of granting of a certificate, a potential landmark shall be treated as a landmark, and a potential landmark site shall be treated as a landmark site. All procedures and requirements set forth in Section 12 shall be followed with respect to the granting of a certificate for potential landmarks and potential landmark sites.
- (b) A certificate shall not be required if the City Commission does not designate a potential landmark or potential landmark site as a landmark or landmark site.

SECTION 16 - MAINTENANCE AND REPAIR OF LANDMARKS, LANDMARK SITES, AND PROPERTY IN HISTORIC DISTRICTS

The following shall apply to maintenance and repair to landmarks, landmark sites, and contributing structures in historic districts.

- (a) The owner, lessee, or other person in physical control of a landmark, landmark site or contributing structure in a historic district shall comply with all applicable codes, laws and regulations governing the maintenance and safety of property, including, but not limited to, the Health and Safety, Housing and Building Codes of the City of Eustis. It is the intent of this section to preserve from deliberate or inadvertent neglect of the exterior features of a building designated as a landmark or contributing structure to a historic district, and the interior portions thereof when such maintenance is necessary to prevent deterioration and decay of the exterior. All such buildings shall be preserved against such decay and deterioration and shall be free from structural defects through prompt correction of any of the following defects:
- (1) Facades which may fall and injure members of the public or property.
 - (2) Deteriorated or inadequate foundation, defective or deteriorated flooring or floor supports, deteriorated walls or other vertical structural supports.
 - (3) Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split, or buckle due to defective material or deterioration.

- (4) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors including broken windows or doors.

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- (5) Defective or insufficient weather protection for exterior wall covering, including lack of paint or weathering due to lack of paint or other protective covering.
- (6) Any fault or defect in the building which renders it not properly watertight or structurally unsafe.
- (7) Any fault or defect in the building rendering such structure an unsafe structure as defined under the provisions of the City of Eustis Code of Ordinances.
- (b) In addition, where the landmark is an archaeological site, the owner shall be required to maintain his property in such a manner so as not to adversely affect the archaeological integrity of the site.
- (c) It shall be the joint responsibility of the City Building Official and the Code Enforcement Officer to enforce the provisions of this section, and the divisions may refer violations to the City Code Enforcement Board for enforcement proceedings, pursuant to City Code of Ordinances, concerning any building or structure designated hereunder, so that the building or structure shall be preserved in accordance with the purposes of this ordinance.

SECTION 17 - CIVIL REMEDIES

In addition to the penalties established pursuant to City Codes, any person who violates any provision of this ordinance shall forfeit and pay to the City civil penalties equal to the fair market value of any property demolished, destroyed, or relocated in violation of this ordinance or the cost to repair or rehabilitate any property that is altered in violation of this ordinance. Fair market value shall be construed to mean the value of the property prior to its demolition, destruction, or relocation. In lieu of monetary penalty, any person altering or relocating property in violation of the provisions of this ordinance may be required to repair or restore any such property or to return it to its former location and condition.

SECTION 18 - INJUNCTIVE RELIEF

In addition to any other remedies provided in this ordinance, the City may seek injunctive relief in the appropriate court to enforce the provisions of the ordinance.

SECTION 19 - REPORTING

The Eustis Historic Preservation Board shall within six (6) months of its initial organizational meeting and no less than annually thereafter make a report to the City Commission of its activities.

SECTION 20 - CONSTRUCTION WITH OTHER LAWS

Whenever a provision of this ordinance conflicts with a provision of the City Code of Ordinances, the provision that is more conducive to protection of public safety, health and welfare shall prevail. Provided, however, in the event a structure that has been designated as a landmark or contributing to a historic district under the provisions of this ordinance is declared to be an unsafe structure or condemned, except emergency action, the Code Enforcement Officer shall notify the Board at the same time the owner or other responsible party is notified and no demolition of the structure shall commence until the Board has responded to the notification. Such response shall be made within sixty (60) days of such notification by the City Code Enforcement Officer. If the Board requests that the structure not be demolished, then the Board shall advise the Code Enforcement Officer as to what actions will be taken to correct the unsafe conditions and when such actions will be taken in order to avoid the necessity of the City proceeding with

abatement action. Notwithstanding, if the indicated actions are not taken within the time indicated in the Board's response, and in the opinion of the Code Enforcement Officer no such action will taken with a reasonable time, no further notice shall be required to the Board prior to the Code Enforcement Officer proceeding with abatement action. However, such abatement action shall include demolition of the structure only when the Board, at the request of the Code Enforcement Officer, determines that demolition is an appropriate action and that other abatement action is not economically feasible or practical. The Board shall give a recommendation within thirty (30) days of being requested by the Code Enforcement Officer. If the Board fails to give a recommendation within thirty (30) days, the Code Enforcement Officer shall be allowed to take whatever action he or she deems appropriate.

SECTION 21 - SEVERABILITY

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Should any section, phrase, sentence, provision, or portion of this ordinance be declared by any Court of Competent Jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional.

SECTION 22 - EFFECTIVE DATE

This ordinance shall become effective ten (10) days after its passage, approval and publication by posting according to law.

PASSED, ORDAINED, AND APPROVED in Regular Session of the City Commission of the City of Eustis, Lake County, Florida, this 7th day of September, 1995.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Milton Weston
Milton Weston, Mayor-Commissioner

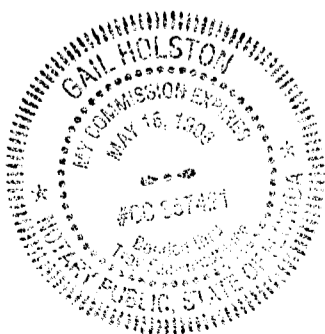
ATTEST:

Jim R. Myers, Jr.
Jim R. Myers, Jr., City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

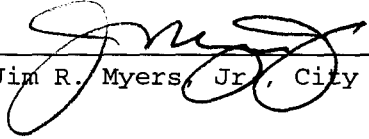
The foregoing instrument was acknowledged before me this 7th day of September, 1995, by Milton Weston, Mayor, and Jim R. Myers, Jr., Finance Director/City Clerk, who are personally known to me.



Gail Holston
Notary Public - State of Florida
My Commission Expires: May 16, 1998
Notary Serial No.: # CC 357421

CERTIFICATE OF POSTING

The foregoing Ordinance No. 95-27 is hereby approved, and I hereby certified that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Community Center, all within the corporate limits of the City of Eustis, Lake County Florida.

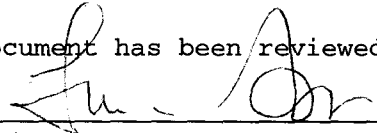


Jim R. Myers, Jr., City Clerk

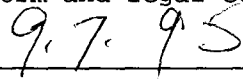
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CITY ATTORNEY'S OFFICE

This document has been reviewed and approved as to form and legal content.



City Attorney's Office



Date

ORDINANCE 97-33

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, DESIGNATING PROPERTY LOCATED IN THE VICINITY OF WASHINGTON AVENUE IN THE CITY OF EUSTIS AS A HISTORIC DISTRICT; ESTABLISHING BOUNDARIES FOR SUCH HISTORIC DISTRICT; IDENTIFYING CONTRIBUTING STRUCTURES WITHIN THE DISTRICT; ESTABLISHING DESIGN GUIDELINES FOR THE ALTERATION, CONSTRUCTION, RELOCATION, REMOVAL OR DEMOLITION OF PROPERTIES WITHIN THE DISTRICT; IDENTIFYING ACTIONS REGARDING PROPERTIES WITHIN THE DISTRICT WHICH WOULD REQUIRE A CERTIFICATE OF APPROPRIATENESS FROM THE EUSTIS HISTORIC PRESERVATION BOARD; PROVIDING FOR CIVIL REMEDIES INCLUDING MONETARY PENALTIES AND INJUNCTIVE RELIEF; PROVIDING FOR CONSTRUCTION WITH OTHER LAWS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION AS PROVIDED BY LAW.

REC. 53.00
 TF 7.00
 FEB 11 8 39 AM '98
 RECORDED
 RECORD VERIFIED
 LAKE COUNTY, FL

WHEREAS, the City of Eustis contains historic structures, buildings, and areas which illustrate its role in the development and growth of the State of Florida; and

WHEREAS, it is the City's desire to preserve these historic structures, buildings, and areas for the benefit of the residents of the City and posterity; and

WHEREAS, structures of architectural, historical, cultural, or aesthetic importance enhance the quality of life within the City and serve as lessons of the past and examples of quality for today and contribute to the tourist economy of the City; and

WHEREAS, upon request of an applicant and a task force consisting of at least ten percent of the owners of real property within the proposed District, and the Petition of at least thirty percent of the property owners with the proposed District, the Eustis Historic Preservation Board has recommended that the area bounded as described on attached Exhibit "A" be designated as a Historic District pursuant to Ordinance 95-27 of the City of Eustis; and

WHEREAS, owners of real property within the proposed District organized a committee and have worked amongst themselves and with the Eustis Historic Preservation Board in the formulation and drafting of Restrictions on their properties.

NOW, THEREFORE, the Commission of the City of Eustis, Florida, hereby ordains as follows:

Section 1 - Establishment of Historic District. The City Commission finds that the area located within the City of Eustis and bounded approximately by Lemon Avenue to the North, Washington Avenue to the Southeast, Key Avenue to the South, and Center Street to the West and more particularly described as set forth in attached Exhibit "A" is:

- A. Valuable as a significant reminder of the cultural, historical and architectural heritage of the City of Eustis; and
- B. Contains buildings and structures which are suitable for preservation and restoration.

The City Commission further finds that: a task force consisting of at least ten (10) percent of the owners of real property within the proposed District was organized to develop design guidelines for the District; at least thirty (30) percent of the property owners within the proposed District executed a Petition that accompanied the application; and the Eustis Historic Preservation Board conducted a workshop and public hearing and following the workshop, such Board recommended approval of the District.

Therefore, pursuant to Ordinance 95-27 of the City of Eustis, such area is hereby designated to be a historic district to be known as the "Washington Avenue Historic District".

RETURN TO
 Gail Holston
 City of Eustis
 PO Drawer 68
 Eustis, FL 32727

(R)

Section 2 - Contributing Structures. The following structures are found to be "contributing structures" as defined in Ordinance 95-27 §8(g) to the Historic District: See attached Exhibit "B".

Section 3 - Design Guidelines and Actions Requiring a Certificate of Appropriateness for Washington Avenue Historic District.

A. **Purpose.** The purpose for these design guidelines is to ensure that all maintenance, alterations, additions, relocations, or demolitions of structures in the Washington Avenue Historic District ("District") is in accordance with the character of the district. These design guidelines also ensure that new construction on property located within the district is in accordance with the character of the district.

B. **Relationship to City Historic Protection Ordinance.** The design standards are intended to implement the intent of the City of Eustis' Historic Protection Ordinance 95-27.

C. **Building and/or Altering Historic Structures: Certificate of Appropriateness.**

i. Except as otherwise set forth herein, no exterior portion of any building or other structure shall be erected, altered, restored, moved or demolished within the District until after an application for a Certificate of Appropriateness as to the proposed changes to exterior features has been submitted to and approved by the Eustis Historic Preservation Board ("Board").

ii. The granting of a Certificate of Appropriateness for the alteration, new construction, demolition or relocation of any structure within the District shall be guided by the standards set forth in Section 12(1)(m)(n)(o) & (p) of Ordinance 95-27.

iii. A Certificate of Appropriateness shall be issued by the Board prior to the issuance of a building permit (or other permit granted for the purpose of constructing or altering structures) and such certificate shall be deemed granted if signed by the Chairman of the Board.

iv. In granting a Certificate, the Board shall not consider interior arrangement and shall take no action under this Section except for the purpose of preventing the construction, reconstruction, alteration, restoration, moving or demolition of buildings, structures, appurtenant fixtures or natural features in the District which would be incongruous with the historical, architectural or cultural aspects of the District.

v. Procedures for obtaining a Certificate of Appropriateness are as specified in Section 12, of Ordinance 95-27.

vi. Individual applications for Certificates of Appropriateness shall be reviewed with consideration to the specific design characteristics of the subject property's architectural style.

D. **Non-Contributing Structures.** Alterations and additions to non-contributing structures shall be reviewed for their appropriateness in respect to the design, massing and scale of the existing non-contributing structure. The demolition of non-contributing structures is exempt from the requirement of a Certificate of Appropriateness.

E. **Standards for Existing Structures.** In determining whether a Certificate of Appropriateness should be granted and under what conditions, the Board shall be guided by the following design standards for existing structures:

i. **Facades.**

a. **Wood** - Existing wood siding, trim and details in good condition or repairable shall be retained. Deteriorated wood shall be replaced with wood to match the existing wood in size, shape and texture.

Sandblasting wood siding, trim or detailing or the use of any abrasive, corrosive or damaging technique is prohibited.

b. **Masonry** - Existing masonry in good condition or repairable shall be retained. Repair or replacement shall be made with materials duplicating the existing masonry in color, composition and texture. No aluminum, vinyl or other man-made type siding materials shall be used to replace or cover masonry, trim or details. Sandblasting masonry, trim or detailing or the use of any abrasive, corrosive or damaging technique such as would cause disintegrating mortar, cracks in the mortar joints, loose bricks, damp walls or damaged plaster work is prohibited. Repointing shall duplicate the existing mortar joints in size, composition, texture, color and structural strength.

c. **Aluminum or vinyl siding or other simulated wall cladding** - The replacement or addition of aluminum or vinyl siding or other simulated wall cladding shall be reviewed to determine that the proposed size, shape, color, orientation and texture of such cladding is appropriate to the structure's architectural style. Such cladding shall not obscure architectural details unique to the structure's architectural style.

ii. **Roofs**. The original roof shape of principal and accessory buildings shall be retained. Original roofing material that is in good condition or repairable shall be retained. Deteriorated roofing material shall be replaced with new material that is similar to the original roof in composition, size, shape and texture. Architectural features that give the roof its character, such as dormers, cornices, towers, decorative brackets, eaves, chimneys, parapets and exposed rafter ends shall be retained and replicated. New features such as skylights, shall be flush with the roof and shall not be installed on roofs visible from a public right-of-way.

iii. **Windows**. Windows, frames, glass, muntins, mullions, sills, lintels and pediments in good condition or repairable and in character with the style and period of the buildings shall be retained. If windows or window details are determined to be unrepairable, they shall be replaced, on principal facades, with new windows matching the original in material, size and muntin and mullion proportion and configuration.

When replacing existing windows that are inappropriate to the style and period of the buildings, they shall be replaced with new windows that are appropriate to the style and period of the building. Windows shall be relocated, enlarged, reduced or introduced into a facade only when the alteration is appropriate to the style of the building.

iv. **Shutters**. Shutters in good condition or repairable and in character with the style and period of the building shall be retained. Missing shutters shall be replaced with shutters of similar material to match the existing. All replacement shutters shall be similar to the original in size, configuration and style, shall fit the window openings and shall not overlap on the surface of the wall.

v. **Doors**. Doors and door details, frames, lintels, fan lights, sidelights, pediments and transoms, in good condition or repairable that are in character with the style and period of the building shall be retained. If doors and door details are found to be unrepairable, they shall be replaced, on principal facades, with new doors and door details in character with the structure in material, size and configuration. Only when the change is appropriate to the style and period of the building, shall doors be relocated, enlarged, reduced or introduced. Doors with modern designs, flush or sliding glass doors, or any type of door which is inappropriate or inconsistent with the style or period of the structure shall be prohibited.

vi. **Porches**. Porches and porch features that are in good condition or repairable and are in character with the style and period of the building shall be retained. Porches and porch features shall be repaired so they match the existing in materials, size and configuration.

Replacement of existing porches with a design or materials not in character with the style and period of the building shall be

prohibited. New porch elements, such as balusters and columns, shall be compatible with the style and period of the building. Porches on principal facades shall not be enclosed with solid materials such as wood, aluminum, vinyl, fiberglass or masonry. Porches on non-principal facades may be enclosed. The new materials shall be installed so as not to conceal or damage historic architectural elements. New screening or glass on a porch shall be transparent so the details of the front wall are visible. The use of glass to enclose a porch shall be allowed if the Historic Preservation Board determines that such enclosure will not detract from the architectural integrity of the structure. Enclosures with glass shall consist of solid glass and will not include windows. The framing members for enclosures shall be of a design and scale that is in character with the style and period of the building.

vii. **Site improvements.** Chain link fences visible from a public right-of-way or park shall be prohibited. Replacement of drives, walks, patios, decks, stairs, fences and walls with no change in the size or configuration and using the same materials, shall not be reviewed by the Board.

viii. **Other.** Any other request requiring a building permit and determined by the Historic Preservation Officer or designee to have an impact on a structure in the District shall be reviewed by the Board using the most closely analogous standards of this ordinance.

F. **Standards for Additions to Existing Structures.** In determining whether a Certificate of Appropriateness should be granted and under what conditions, the Board shall be guided by the following standards for additions to existing structures:

i. **Facades.**

a. **Wood** - Any and all additions to wood sided structures shall be of wood and match the existing siding in size, shape, color, orientation and texture.

b. **Masonry** - Any and all additions to stuccoed structures shall be of stucco to match the existing in color, composition and texture.

Any and all additions to brick structures shall be clad with brick and shall match the existing color, pattern and mortar.

Any and all additions to concrete block structures shall be of matching concrete block and shall have mortar joints that match the existing.

c. **Aluminum or vinyl siding or other simulated wall cladding** - Any and all additions to structures sided with aluminum or vinyl siding or other simulated wall cladding shall be clad with materials to match the existing in size, shape, color, orientation and texture.

d. **Facades with a combination of materials** - Any and all additions to structures with a combination of cladding materials shall be sided using one or more of the existing cladding materials in a manner that is in character with the style and period of the structure.

ii. **Roofs.** Roofs on additions shall be a similar shape, material and pitch as the existing structure. A flat or low pitched roof that is not visible from the ground may have a different material than the rest of the existing roof. Shed roof additions shall be allowed on the rear of any building, when said additions are not visible from a public right-of-way.

iii. **Windows.** Windows on additions shall have the same orientation and be of a similar size to the original windows of the principal facade except if the addition is on the same plane as the existing principal facade, then the windows of the addition shall match the original windows in orientation, size, materials and configuration.

iv. **Porches.** Porch additions shall have a roof type that is either similar to the existing roof or is in character with the style and period of the building. The porch addition's structural system must be similar to the existing structural system or in character with the style and period of the building.

v. **Scale, massing and height.** Any and all additions to existing structures shall be of similar scale, massing and height to the existing structure.

vi. **Other.** Any other request requiring a building permit determined by the Historic Preservation Officer or designee to have an impact on a structure in the District shall be reviewed by the Board using the most closely analogous standards of this ordinance.

G. **Standards for New Construction.** In determining whether a Certificate of Appropriateness should be granted and under what conditions, the Board shall be guided by the following standards for new construction:

i. **Height.** The maximum height of new buildings shall be consistent with applicable City development regulations.

ii. **Scale and Massing.** The scale and massing of new structures and their architectural elements shall be similar to the contributing structures in the District.

iii. **Proportion of Doors and Windows.** Doors and windows on new structures shall be similar in placement, size and configuration to door and window patterns on contributing structures in the District.

iv. **Setback.** Minimum setbacks for new structures shall be consistent with applicable development regulations. Maximum setbacks shall be no greater than the contributing structures with the District.

v. **Orientation.** At least one entrance of each new structure shall be oriented towards the front of lot line or street side lot line. The front door to a new building shall be articulated on the principal facade with covered porches, stoops, pediments, door surrounds or other architectural forms. The front and street side exterior walls on residential structures shall each contain a minimum of 15% of transparent or translucent materials on each story below the roof line.

vi. **Materials.** The materials and textures on new structures shall be similar to materials and textures of contributing structures in the District.

vii. **Roof Shapes.** Roof shapes, pitches and materials on new buildings shall be similar to the roof shapes, pitches and materials of contributing structures in the District.

viii. **Styles.** If a historic style influences new construction, that style must already exist or have existed in the District.

ix. **Site Improvements.** Chain link fences visible from a public right-of-way or park shall be prohibited.

x. **Other.** Any other request requiring a building permit determined by the Historic Preservation Officer or designee to have an impact on the exterior of a structure in the District shall be reviewed by the Historic Preservation Officer using the most closely analogous standards of this ordinance.

H. **Ordinary Maintenance.**

i. The owner of a structure within the District shall not permit such structure to fall into a state of disrepair which may result in the deterioration of any exterior appurtenance or architectural feature so as to produce or tend to produce, in the judgment of the Board, a detrimental

effect upon the character of the District as a whole or the life and character of the structure in question, including but not limited to:

- a. The deterioration of exterior walls or other vertical supports;
- b. The deterioration of roofs or other horizontal members;
- c. The deterioration of existing chimneys;
- d. The deterioration or crumbling of exterior plaster or mortar;
- e. The ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors;
- f. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition(s).

ii. Nothing in Sections 3C or 3H shall be construed to prevent the ordinary maintenance or repair of any exterior feature in the District which does not involve a change in design, material or other appearance thereof.

iii. Nothing in Sections 3C or 3H shall prevent the construction, reconstruction, alteration, restoration or demolition of any such feature which the Building Inspector or similar official shall certify is required for the safety of the public because of an unsafe or dangerous condition.

I. Demolition or Relocation.

Requests for demolition or relocation of contributing structures shall be reviewed by the Board consistent with the requirements specified in Sections 12(o) (p) of the Eustis City Ordinance 95-27.

J. Economic Hardship.

The claim of economic hardship by a property owner within the District shall be reviewed consistent with the requirements specified in Section 12 (q) of the Eustis City Ordinance 95-27.

K. Appeals.

The determination by the Board approving or denying an Application for Certificate of Appropriateness shall, on the date it is issued, be appealable to the City Commission. Notice of Appeal shall be filed with the City Clerk within thirty days from the date of the decision or the appeal shall be waived. Any decision by the City Commission regarding a Certificate of Appropriateness may be reviewed by applying for a Writ of Certiorari to the Circuit Court of Lake County, Florida within thirty days of the issuance of a decision by the City Commission.

Section 4. Remedies.

A. Civil Penalties. In addition to any other penalty established pursuant to the Code of the City of Eustis and Ordinance 95-27, any person who violates a provision of this ordinance shall forfeit and pay to the City a civil penalty equal to the fair market value of any property demolished, destroyed, or relocated in violation of this ordinance or the costs to repair or rehabilitate any property that is altered in violation of this ordinance. Fair market value shall be construed to mean the value of the property prior to its demolition, destruction or relocation. Such penalties shall be issued by the Board after a hearing with appeal to the City Commission as set forth in Section 3K above.

B. Injunctive Relief. In lieu of or in addition to a monetary penalty, any person altering or relocating property in violation of the provisions of this ordinance may be prohibited from taking actions in violation of this ordinance through injunctive relief, required to repair or

restore any property, or required to return any property to its former location and condition. The City of Eustis may specifically seek injunctive relief in the appropriate court to enforce these provisions.

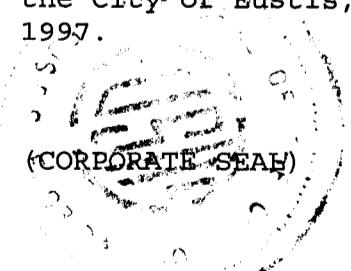
Section 5. Effective Date. This ordinance shall become effective upon its passage, approval, and publication by posting according to law. Notwithstanding this fact, this ordinance shall not become effective until an affirmative vote of a majority of property owners owning property within the proposed district as set forth in Ordinance 95-27 §11(m) has been received. Upon certification of the ballot affirming the creation of the District, the City Clerk shall cause this ordinance and a certificate certifying compliance with the provisions of Ordinance 95-27 to be recorded in the Official Records of Lake County, Florida. This ordinance shall be effective as of that date.

Section 6. Construction with other Laws. Whenever a provision of this ordinance conflicts with a provision of the City Code of Ordinances, the provision that is more conducive to the protection of public safety, health, and welfare shall prevail. Provided, however, in the event a structure that has been designated as a contributing structure to the District is declared to be in an unsafe structure or condemned, except in an emergency situation, a City Code Enforcement Officer shall notify the Board at the same time the owner or other responsible party is notified and no demolition of the structure shall commence until the Board has responded to the notification. The Board shall respond within sixty days of such notification by the City Code Enforcement Officer. If the Board requests that the structure not be demolished, then the Board shall advise the Code Enforcement Officer as to what actions shall be taken to correct the unsafe conditions and when such actions will be taken in order to avoid the necessity of the City proceeding with abatement action. Notwithstanding the above, if the indicated actions as set forth by the Board are not taken within the time indicated by the Board and, in the opinion of the Code Enforcement Officer, no such action will be taken within a responsible time, no further notice shall be required to the Board prior to the Code Enforcement Office proceeding with such abatement action. However, such abatement action shall include demolition of the structure only when the Board, at the request of the Code Enforcement Officer, determines demolition is an appropriate action and that other abatement action is not economically feasible or practical. The Board shall give a recommendation within thirty days of being requested by the Code Enforcement Officer. If the Board fails to give a recommendation within thirty days, the Code Enforcement Officer shall be allowed to take whatever action he or she deems appropriate to safeguard the public, safety, health and welfare of the residents of the City of Eustis.

Section 7. Severability. Should any action, phrase, sentence, provision or portion of this ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not effect the validity as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 8. Repeal of Conflicting Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED, ORDAINED, AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this the 4th day of December, 1997.



CITY COMMISSION OF THE CITY OF EUSTIS
Gwendolyn M. Manning
Gwendolyn M. Manning, Mayor-Commissioner

ATTEST:
Jim R. Myers, Jr.
Jim R. Myers, Jr., City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 4th day of December, 1997, by **GWENDOLYN M. MANNING** and **JIM R. MYERS, JR.**, the Mayor and Finance Director/City Clerk, of the City of Eustis, Florida, who are personally known to me.

Gail Holston
Notary Public. State of Florida
GAIL HOLSTON #CC357421 Expires May 16, 1998
Printed Notary Signature



Gail Holston
MY COMMISSION # CC357421 EXPIRES
May 16, 1998
BONDED THRU TROY FAIN INSURANCE, INC.

CERTIFICATE OF POSTING

The foregoing Ordinance 97-33 is hereby approved, and I hereby certify that I published the same by Posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Community Center; all within the Corporate Limits of the City of Eustis, Lake County, Florida.

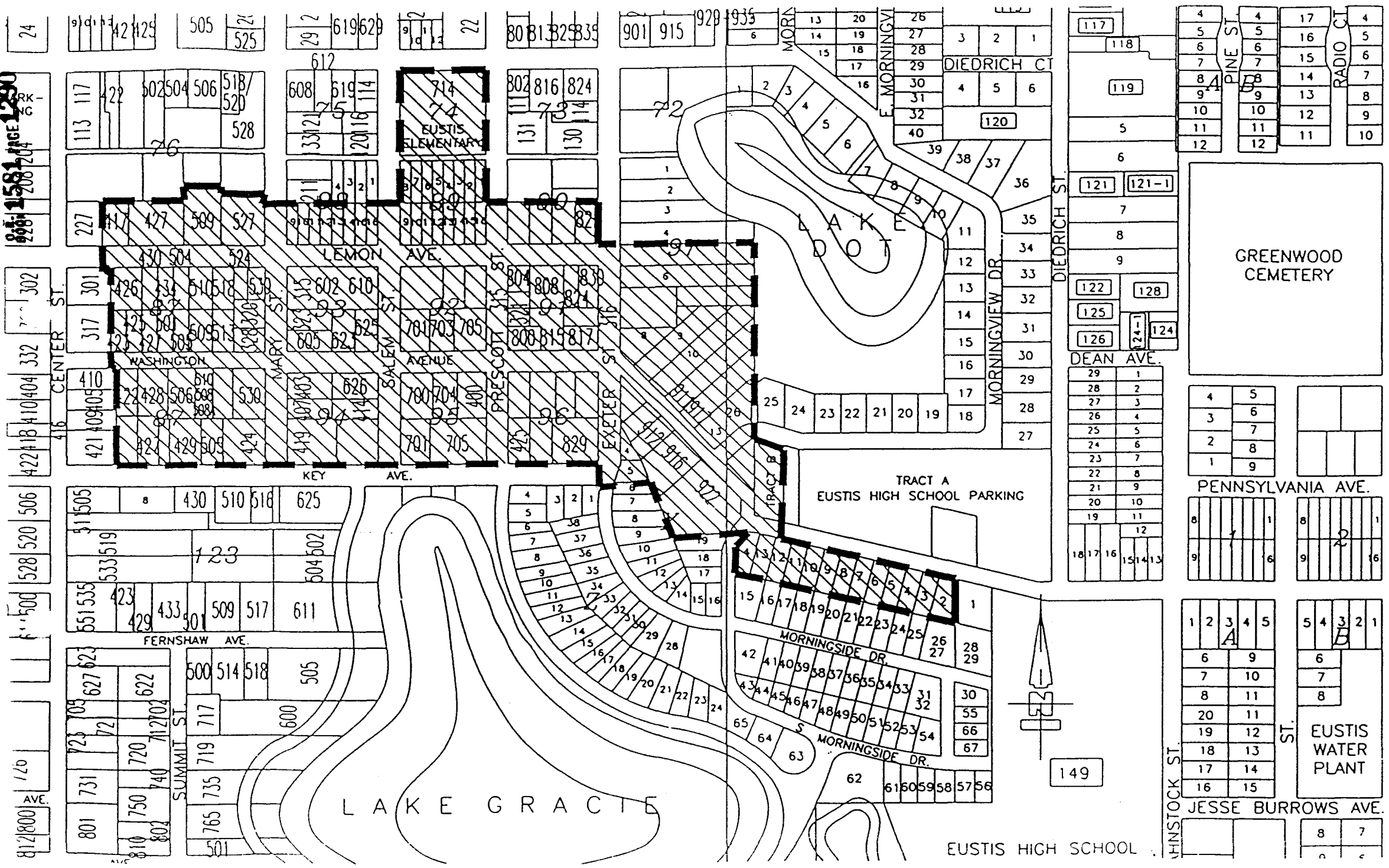
Jim R. Myers, Jr.
Jim R. Myers, Jr., City Clerk

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

Lewis W. Stone
Lewis W. Stone, City Attorney

12-8-97
Date

988-1581 PAGE 1290
206204



Item 6.5

MEMO: Legibility of writing,
typing or printing unsatisfactory in
this document when microfilmed.

EXHIBIT
"A"

ORDINANCE #97-33 - EXHIBIT "B"

WASHINGTON AVENUE HISTORIC DISTRICT

<u>RECORD #</u>	<u>PHOTO #</u>	<u>PARCEL #</u>	<u>ADDRESS</u>	<u>TYPE</u>
319	15-18	27	422 Washington Ave.	FV
333	16-8	6	423 "	FV
332	16-7	7	425 "	FV
331	16-6	8	427 "	C
320	15-19	26	428 "	FV
330	16-5	9	501 "	C
329	16-4	10	505 "	C
321	15-20	25	506 "	C
328	16-3	11	509 "	C
322	15-21	24	508A & B/510 "	FV
327	16-2	14	513 "	C
323	15-22	23	514 "	C
289	14-9	22	530 "	MV
294	14-14	49	605 "	P
		50	623 "	FV
298	14-18	52	626 "	DC
		51	625 "	NC
		60	700 "	NC
		44	701 "	NC
		45	703 "	NC
		59	704 "	NC
		46	705 "	NC
		58	706 "	NC
		36	801 "	CR
		68	806 "	P
326	15-24A	38	815 "	FV
324	15-23	66	824 "	FC
325	15-24	65	826 "	B
305	15-2	40	817 "	FV
306	15-3	64	832 828 <i>g</i>	FV
		78		V
		72		V
			911 "	C
		80	917 "	B
		84	912 "	FV
		83	916 "	B
		82	922 "	FV
81	5-3	88	1006 "	DC
		89		NC
		90	1178 "	FV
		91		NC

ORDINANCE #97-33 - EXHIBIT "B"

83	5-5	92	1032 "	FV
		93	1016 "	FV
82	5-4	94	1014 "	B
80	5-2	95	1005 "	FV
256	13-1	96	417 Lemon St.	FV
		5	426 "	NC
255	12-24	97	421 "	CR
236	12-3	4	430 "	CR
237	12-4	3	434 "	FV
238	12-5	2	504 "	FV
254	12-23	98	509 "	CR
239	12-6	1	510 "	M
240	12-7	13	518 "	FV
241	12-8	16	524 "	FV
253	12-22	99	527 "	FV
242	12-9	21	530 "	FV
		100		GR
243	12-10	47	602 "	GR
		101		M
245	12-13	43	708 "	CR
246	12-14	42	712 "	FV
247	12-15	41	730 "	FV
248	12-16	34	804 "	FV
		102	805 "	FV
249	12-17	33	808 "	FV
252	12-21	103	813 "	GR
251	12-20	104	821 "	GR
250	12-18	32	824 "	FV
		105	825 "	NC
		31	830 "	C
		28	427 Key Avenue	NC
265	13-10	29	429 "	CR
		20		V
		12	505 "	FV
		18	507 "	FV
		57		V
		61	701 "	NC
		62	703 "	NC
		63	705 "	NC
		69		NC
264	13-9	70	815 "	FV
		71	829 "	NC
290	14-10	19	424 Mary St.	DC

ORDINANCE #97-33 - EXHIBIT "B"

291	14-11	56	419 "	DC
292	14-12	54	407 "	FV
293	14-13	55	403 "	FV
288	14-8	15	328 "	M
287	14-7	17	320 "	DC
295	14-15	48	323 "	CR
		53	414 Salem St.	CR
301	14-22	37	321 Prescott St.	CR
302	14-23	35	315 "	FV
303	14-24	75	214 Exeter St.	FV
		77		V
		79	239 "	FV
		30	310 "	C
304	15-1	39	316 "	FV
		76		V
		85		V
		86		V
		81	550 Morningside	NC

- FV - Frame Vernacular
- C - Craftsman
- MV - Masonry Vernacular
- P - Prairie
- DC - Dutch Colonial
- CR - Colonial Revival
- FC - French Colonial
- B - Bungalow
- M - Mission
- GR - Gothic Revival
- NC - Non-contributing structure
- V - Vacant land

NOTE: Parcels 73, 74 & 87 were deleted from district.

CERTIFICATION OF BALLOT

O.R. BOOK 1581 PAGE 1294

We, the undersigned Mayor and City Clerk of the City of Eustis, Lake County, Florida, did meet this 12th day of January, 1998 in accordance with the provisions of Ordinance 95-27 for the purpose of counting the ballots cast by property owners in connection with establishing the Historical District as defined in Ordinance 97-33.

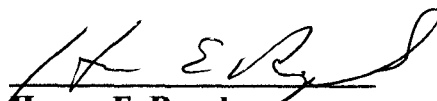
Be it known that as a result of the count of the ballots cast, the result is as following:

RESULTS:

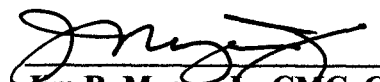
SUBJECT: ORDINANCE 97-33

- 19 For Approval
- 16 For Disapproval
- 13 Irregularities

It is hereby recommended, that the City Commission of the City of Eustis, Lake County, Florida X Certify Approved ___ Certify Disapproved, the ballot related to the adoption of Ordinance 97-33.



 Homer E. Royals
 Mayor/ Commissioner

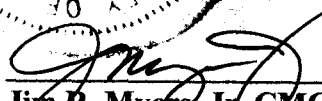


 Jim R. Myers, Jr. CMC, CGFM
 City Clerk

CERTIFICATION:

Ordinance 97-33 is hereby X Certified Approved ___ Certified Disapproved by the following vote: _____ Aye _____ Nay , this the 15th day of January, 1998.





 Jim R. Myers, Jr. CMC, CGFM
 City Clerk



 Homer E. Royals
 Mayor/ Commissioner

ORDINANCE 03-73

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; DESIGNATING THE EUSTIS DOWNTOWN MAIN STREET DEVELOPMENT AREA; ESTABLISHING DEVELOPMENT GUIDELINES FOR THE EUSTIS MAIN STREET DEVELOPMENT AREA; PROVIDING FOR ADOPTION OF THE EUSTIS MAIN STREET DESIGN GUIDELINES; PROVIDING FOR FILING OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION BY POSTING ACCORDING TO LAW.

WHEREAS, the City of Eustis possesses natural beauty in the form of lakes and waterways, as well as distinctive historical properties and structures having unique architectural features; and

WHEREAS, the City Commission desires to maintain the city's unique natural and architectural beauty and to promote development of the Downtown Business District; and

WHEREAS, improving the aesthetic appeal of the city and particularly city's downtown area, benefits the public health, safety and welfare by maintaining and increasing property values within the Downtown Business District area by encouraging customers to visit businesses located within said area; and

WHEREAS, buildings not conforming to the current architectural and design style of the majority of buildings now located within the Eustis Downtown Business District are contrary to the image that the City Commission desires to foster within the City's downtown area; and

WHEREAS, the City of Eustis desires to adopt a common plan for development, building and maintenance of buildings within the Eustis Downtown Business District.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF EUSTIS.

Section 1. Chapter 46 of the Code of Ordinances is amended to create Article V., to be entitled Eustis Main Street Development Area, which shall read as follows:

Article V. Eustis Main Street Development Area

Sec. 46-265 Short Title

This Article shall be known and may be cited as the "City of Eustis Main Street Development Area."

Sec. 46-266 Eustis Main Street Development Area Defined

That area of the City of Eustis consisting of the six full blocks and 3 partial blocks of the downtown core to include that land North of Citrus Street, West of Center Street, South of Bates Street and East of the Lake Eustis Shore Line shall be designated as the Eustis Main Street Development Area.

Sec. 46.267 Guidelines for Eustis Downtown Business District

There is hereby adopted by the city those certain guidelines known as Eustis Main Street Design Guidelines, established by the City of Eustis Commission, which are incorporated by reference as fully as

if set forth in this section. A copy of the guidelines shall be kept on file in the office of the city clerk.

Sec. 46.268 Development for Eustis Downtown Business District

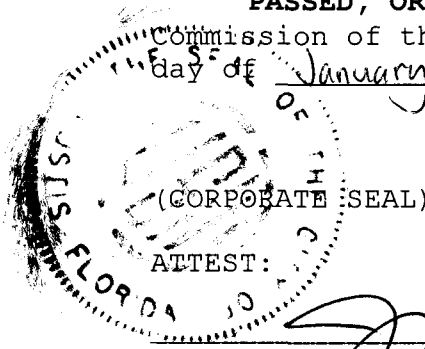
All development requests within the City of Eustis Downtown Business District for the construction of a building or building façade shall submit its plans for advisory comment to the Eustis Historic Preservation Board prior to City Staff review for compliance.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 3. Should any section, phrase, sentence, provision or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 4. This Ordinance shall become effective upon its passage, adoption, approval and publication according to the law.

PASSED, ORDAINED and APPROVED in Regular Session of the City Commission of the City of Eustis, Lake County, Florida, this 15th day of January, 2004.



CITY COMMISSION OF THE CITY OF EUSTIS

Evelyn H. Smith
Evelyn H. Smith, Mayor-Commissioner

Jim R. Myers, Jr.
Jim R. Myers, Jr., City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 15th day of January, 2004, by **EVELYN H. SMITH** and **JIM R. MYERS, JR.**, the Mayor and Finance Director/City Clerk, of the City of Eustis, Florida, who are personally known to me.



Judy Roberts
Notary Public. State of Florida

Judy Roberts
Printed Notary Signature

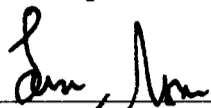
CERTIFICATE OF POSTING

The foregoing Ordinance 03-73 is hereby approved, and I hereby certify that I published the same by Posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Senior Service Center; all within the Corporate Limits of the City of Eustis, Lake County, Florida.

Jim R. Myers, Jr.
Jim R. Myers, Jr., City Clerk

CITY ATTORNEY'S OFFICE

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



Lewis W. Stone, City Attorney

1/15/04

Date

Eustis Main Street Design Guidelines

Section 1

(A) The following guidelines and review process shall be applicable to the central business district.

Section 2

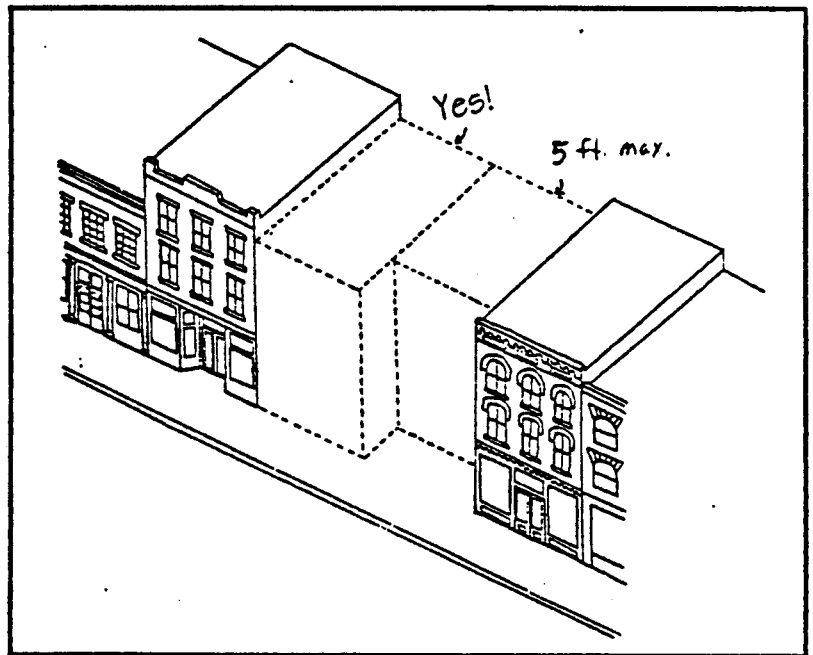
DESIGN REVIEW

Section 3.

STREETWALL ALIGNMENT

(A) Building facades of the new building shall have a maximum setback of 5 feet. On corner lots, new construction shall be build out to both sidewalks or to the maximum allowable setback.

(B) Exceptions can be granted in the design review process, on a case-by-case basis depending on the intended use and architectural design of the building.

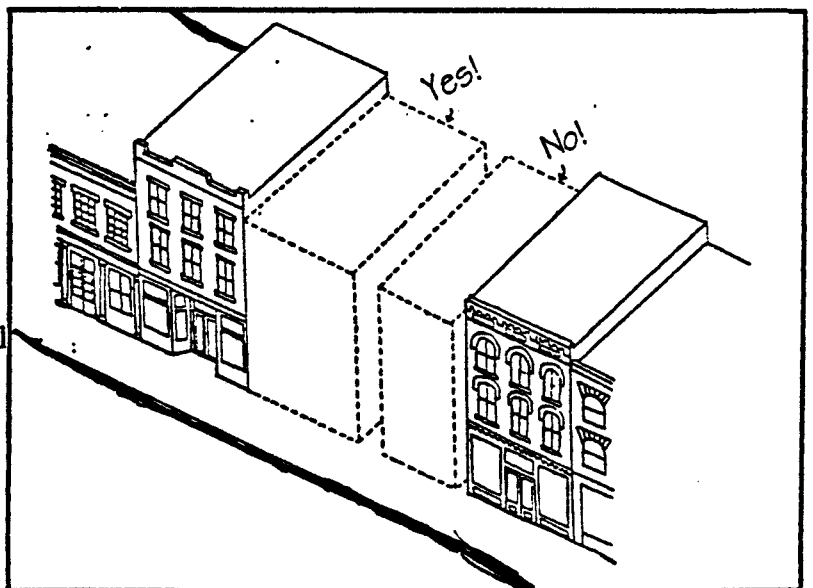


Section 4.

INFILL BUILDINGS

(A) Building construction shall extend the full width of the lot. Gaps between new construction and existing buildings shall be avoided unless meeting the 10 feet required by code.

(B) Where the property owner has several vacant adjacent lots, the infill building should be built adjacent to an existing structure or on the corner lot.



Section 5.

FORM AND PROPORTION

New construction shall have massing and configuration similar to buildings in the traditional center of the district (Magnolia Avenue between Grove and Bay Streets.) Factors which effect a building's mass are height, width and roof lines.

(A) HEIGHT

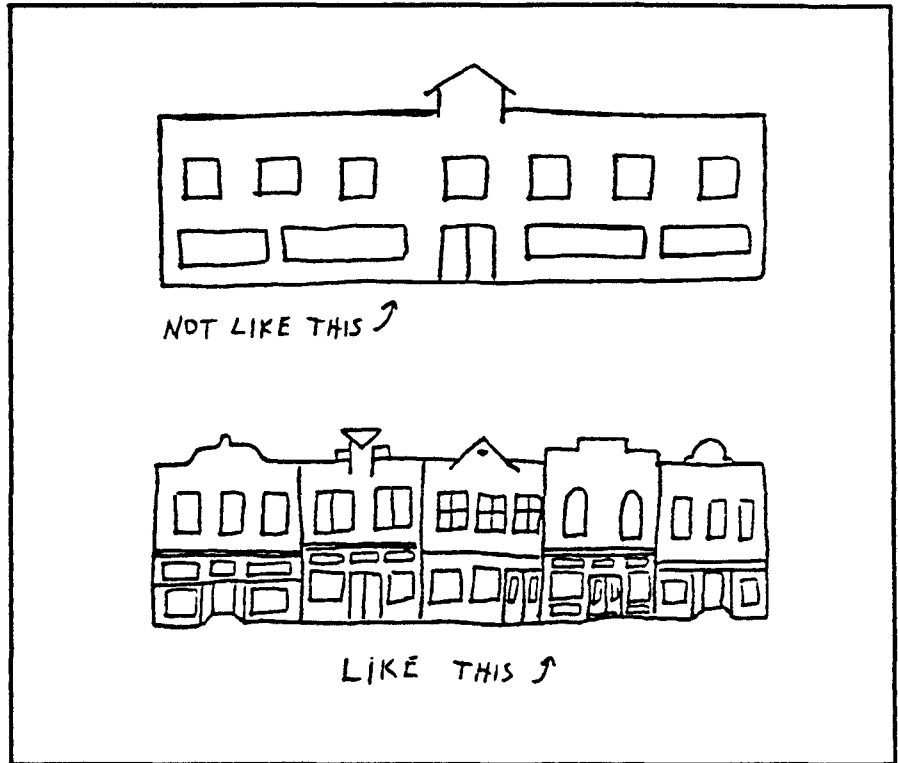
New buildings shall be at least two stories in height and shall provide a street facade wall at least 28 feet in height.

(B) WIDTH

Where new buildings will exceed the historical 30 to 40 feet in width, the facade shall be visually subdivided into proportional bays, similar in scale to the adjacent buildings. This can be done by varying roof heights, or applying vertical divisions, materials and detailing to the facade.

(C) PROPORTION

New construction and facade rehabilitation shall maintain horizontal and vertical spacing of elements similar to other buildings on the block.

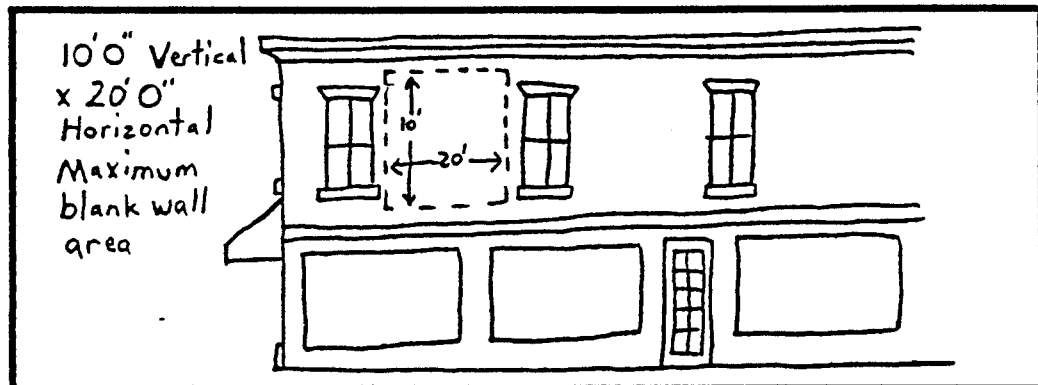


Section 6.

DETAIL FEATURES

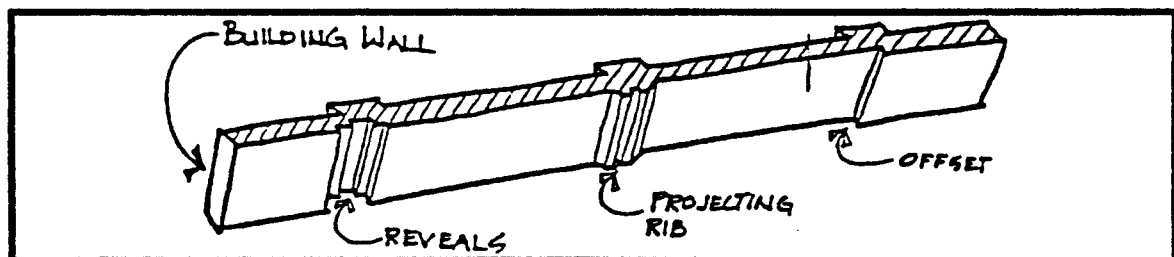
(A) The design elements in the following standards shall be integral parts of the building's exterior facade and shall be integrated into the buildings overall architectural style. These elements shall not consist solely of applied graphics or paint and shall apply to all facades visible from the public right-of-way.

(B) Blank wall areas shall not exceed ten feet in vertical direction nor 20 feet in horizontal direction of any facade. Control and expansion joints within this area shall constitute blank wall area unless used as a decorative pattern and spaced at intervals of six feet or less. Relief and reveal work depth must be a minimum of one-half inch.



(C) Building facades shall include a repeating pattern and shall include no less than three of the design elements listed below. At least one of these elements shall repeat horizontally. All design elements shall repeat at intervals of no more than 30 feet, either horizontally or vertically.

1. Color change;
2. Texture change;
3. Material module change;
4. Expression of architectural or structural bays, through a change in plane of no less than 12 inches in width, such as a reveal, an offset, or a projecting rib.



5. Architectural banding
6. Building setbacks or projections, a minimum of three feet in width on upper level(s) or,
7. Pattern change

Section 7.

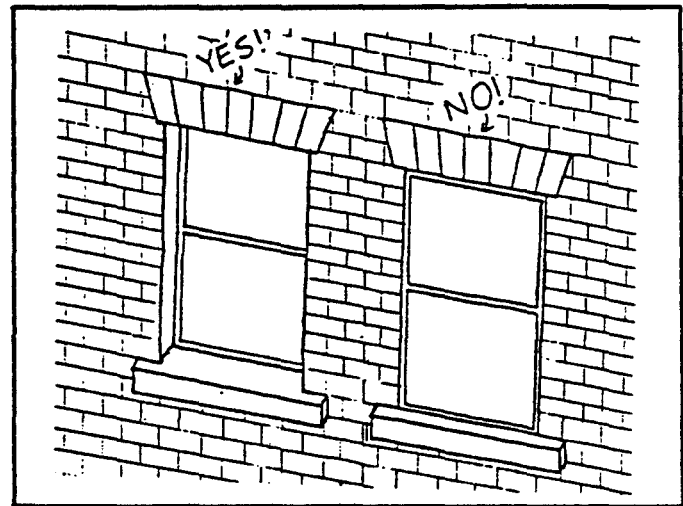
WINDOWS

(A) Upper Story:

The openings above the first floor shall appear as “punched” openings within a solid wall, rather than as windows separated only by their frames or curtain wall as in the storefront. A solid wall must appear to be the structural element.



(B) Care should be taken to ensure proportions are similar to the openings of the other buildings within that block



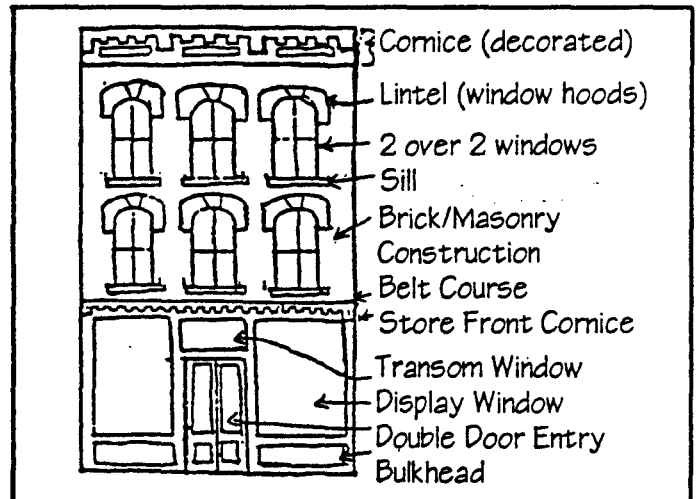
(C) Where windows are not appropriate for the intended use, such as theaters, halls, etc., faux windows shall be constructed as to maintain the rhythm of the exterior facades and street wall. First floor windows shall resemble storefront windows and shall retain the 80% coverage required. The Interior backdrop shall be two to three feet back allowing for use as a display window for products, murals, etc.

Second, third and fourth floor windows shall be made to resemble the existing window designs and rhythm in the surrounding historic building stock

(D) Storefront Configurations:

New and existing storefronts shall include the basic features of a historic storefront. There should be a belt course separating the upper stories from the first floor; there should be a bulkhead; the first floor should maintain 80%-90% glass. Window signage should not exceed more than 5% of the storefront window area.

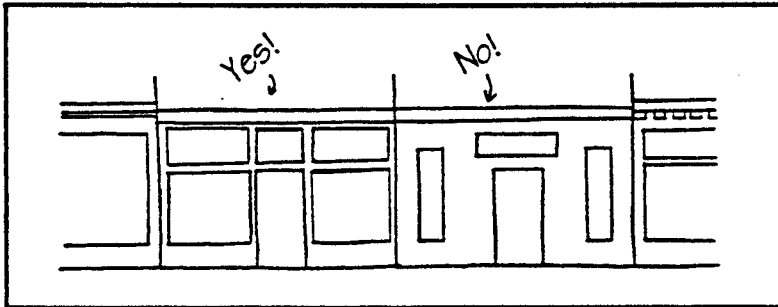
Recessed entries and transoms are encouraged as historical elements.



Section 8.

Window and Door Openings

(A) Storefront components shall be designed to be consistent with existing historical storefront designs. The storefront shall contain a 80-90% glass area. Wood is strongly recommended for windows, doors and frames. Metal windows and doors finished in baked enamel are permitted. Unfinished metal or raw aluminum windows and doors should be avoided. Flush or snap-in muntins in windows should be avoided.



(B) Window openings should be spaced as to maintain the surrounding rhythm of the downtown facades.



Section 9.

SIGNS AND AWNINGS

(A) Wall signs shall not exceed the height of the building cornice

(B) On street facades signs and display ads shall not exceed 10% of each main floor facade area.

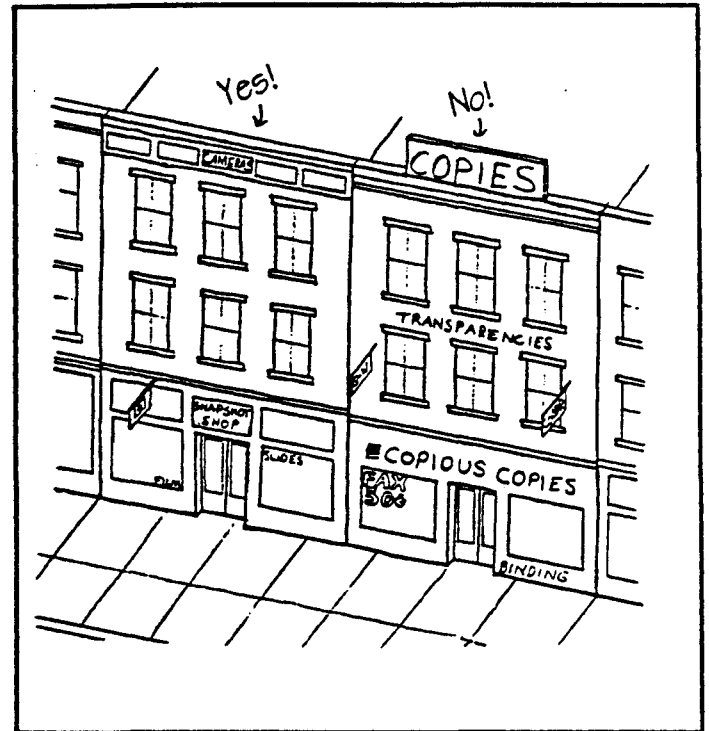
(C) Wall signs should be flush-mounted or painted directly upon the flat surface of the building.

(D) Wall signs shall be placed in traditional locations in order to fit within architectural features, for example:

- above transoms
- on cornice fascia boards
- below cornices

(E) Brackets for projecting signs shall be located under the second floor window sills or a maximum of 15 feet from the street level. Projecting signs shall be no larger than 9 sq. ft..

(F) The use of sign symbols, logos, and cut-outs, particularly in projecting signs, is encouraged.



(G) Signage permanently painted on glass is encouraged when under 5% of glass area.

(H) Sign materials should be compatible with materials used in the building. Painted wood and metal are particularly encouraged because these materials convey durability. Individual letters, affixed directly to a sign frieze and back-lit or not, may be used.

(I) Signs shall be directly or indirectly illuminated, or shall have separately back-lit letters. Internally illuminated signs are prohibited. Neon may be used in building interiors. The use of neon on building exteriors is usually inappropriate.

(J) Spot lighting to draw attention to signs and architectural details is encouraged. Light spillage on adjacent properties is prohibited.

(K) Sign designs based upon designs in use earlier than the architectural style of the building are discouraged. Signs should be in the same style as the building.

(L) The use of the following are prohibited in the Central Business District:

- Internally lit and/or plastic awnings, with or without signs
- Internally lit signs
- Flashing signs
- Pedestal signs and pole mounted signs
- Ground mounted signs
- Mass-produced blow molded plastic signs
- Portable trailer signs
- Historically incompatible canopies, awnings, and imitation mansard roofs made of metal, rough-sawn wood, plastic, shakes, or asphalt roofing.

Section 10.

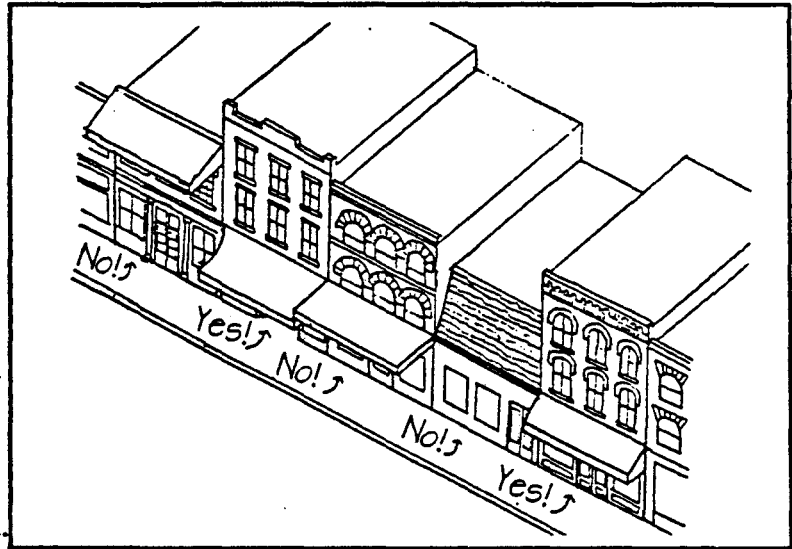
AWNINGS

(A) Fabric awnings are encouraged

*awnings shall fit storefront openings or individual window openings.

*If possible, top edges of awnings shall be mounted to align with the transom or with the framing above the main display window.

(B) The use of awning valances for signs is encouraged.



Section 11.

ROOF FORMS

(A) Roof lines of new construction shall be similar to those in adjacent buildings. Exotic roof shapes tend to disrupt the rhythm of the streetscape and must be avoided. Gable roof shapes are acceptable if parapet walls hide the end wall and water drainage is contained within the property. When original roof lines have been altered inappropriately, it is preferable to restore the original shape if feasible.



(B) Where new buildings will exceed the historical 30 to 40 feet in width, the roofline shall be visually broken with cornices similar in scale to the existing historic building stock.



Section 12.

MATERIALS

(A) Appropriate rehabilitation and new-construction materials for all exposed surfaces shall include at least one of the following:

- Brick
- Stone
- Split-faced Concrete Block
- Stucco

(B) Detailing materials:

- Cast and molded metals
- Wood (treated pine, mahogany, and Cyprus is best for ext. applications)
- Fiberglass replications
- Gypsum detailing
- Structural glass when replicating a pre 1940 storefront design
- Architecturally Detailed Exterior Insulation Finish System (commonly known as Dryvit)

(C) The following materials are prohibited for visible surfaces:

- Wood, vinyl or aluminum siding
- Wood, asphalt or fiberglass shingles
- Structural ribbed metal panels
- Corrugated metal panels
- Plywood sheathing
- Plastic sheathing
- Structural glass, unless used to replicate a pre-1940 store front design
- Reflective or moderate to high grade tinted glass

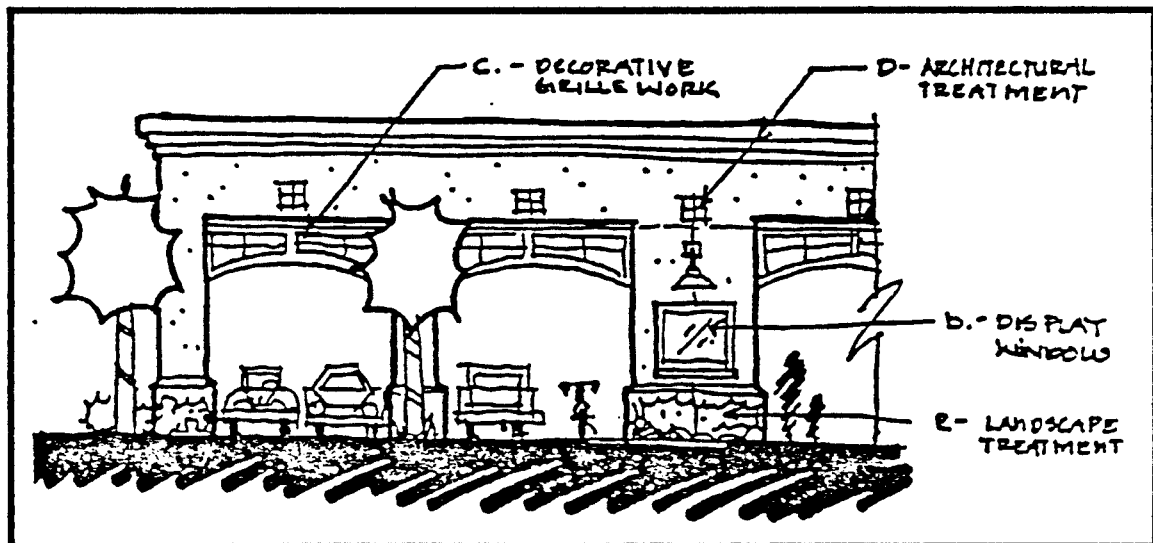
(D) Appropriate colors for exterior materials are colors found in natural materials such as browns, grays, deep reds and deep greens.

Section 13.**PARKING STRUCTURE STANDARDS**

Wherever practical, structured parking facilities shall be designed with retail, office or other permitted uses at the street level. Where this is not possible, the structure shall have an architecturally articulated facade designed to screen the parking areas of the structure, to encourage pedestrian scale activity, and to provide for urban open space. Where automobile access is provided, two smaller openings are preferable to one large one.

A minimum of 60 percent of any primary facade of a parking structure or covered parking facility shall incorporate two (2) of the following:

- (a.) transparent windows, with clear or lightly-tinted glass, where pedestrian oriented businesses are located along the facade of the parking structure;
- (b.) display windows;
- (c.) decorative metal grille-work or similar detailing which provides texture and partially and/or fully covers the parking structure opening(s);
- (d.) art or architectural treatment such as sculpture, mosaic, relief work or similar features;
- or,
- (e.) vertical trellis or other landscaping or pedestrian plaza area.

Section 14.**VENDING MACHINES**

- (A) No vending machines dispensing food or drink items shall be permitted on the exterior of any structure.
- (B) No newspaper or publication distribution racks, containers or dispensers shall be permitted on the exterior of any structure except those multi-unit kiosks specifically placed at locations designated by The City of Eustis for public distribution.

Section 15.**PAY PHONES**

- (A) Pay phones are not permitted on the exterior of any structure.

Section 15.**STREETSCAPE DESIGN STANDARDS.**

Whenever sidewalks or other facilities are replaced, new walking surfaces, street furniture, street trees, landscaping, lighting fixtures in the public right-of-way must be consistent with the approved streetscape plan. At least one tree of three-inch (3") caliper size must be planted for each twenty-five (25) feet of lot frontage or any fraction over twenty-five (25) feet. As an alternative, one tree of four-inch (4") caliper size may be planted for each thirty-five (35) feet of lot frontage or for any fraction of thirty-five (35) feet. Existing trees in the streetscape frontage may be included to meet this requirement.

Section 16.**STORMWATER RETENTION**

Whenever stormwater retention ponds are necessary within the CBD, they shall be designed as a naturally occurring pond in a neighborhood park. This can include a contoured shoreline and attractive vegetation and landscaping. The design shall also include urban landscape features such as decorative walkways, benches, trash receptacles and lighting. Additional water features, such as fountains, should be included. Fencing detracts from the setting and shall be avoided.

CITY COMMISSION
CITY OF EUSTIS
OFFICE OF THE CITY MANAGER
AGENDA ITEM COVER SHEET

DATE: October 10, 2003

MEETING DATE: October 16, 2003

TO: Michael G. Stearman, City Manager

Quasi-Judicial Public Hearing

REVIEWED BY:

Resolution Ordinance

SUBMITTED BY: Jo Fields, Administrative Assistant

Consideration Other:

SUBJECT: Ordinance 03-73 - Establishing Development Guidelines for the Eustis Downtown Business District

RECOMMENDATION/REQUIRED ACTION: Adopt Ordinance 03-73

BACKGROUND SUMMARY: The Commission wishes to establish development guidelines for the Eustis Downtown Business District as proposed by Eustis Main Street officials

Fiscal Impact:

Fiscal Year Impact: \$ Capital Operating Other:

Account Number:

Affected Parties Notified of Meeting Not Required

Date(s) Advertised: Newspaper: Orlando Sentinel Not Required

Attachments (List): Ordinance #03-73, with attachments (guidelines, as prepared and proposed by Eustis Main Street)

STAFF APPROVAL:

City Manager: 

DATE:

10-10-03

City Clerk/Finance Director: _____

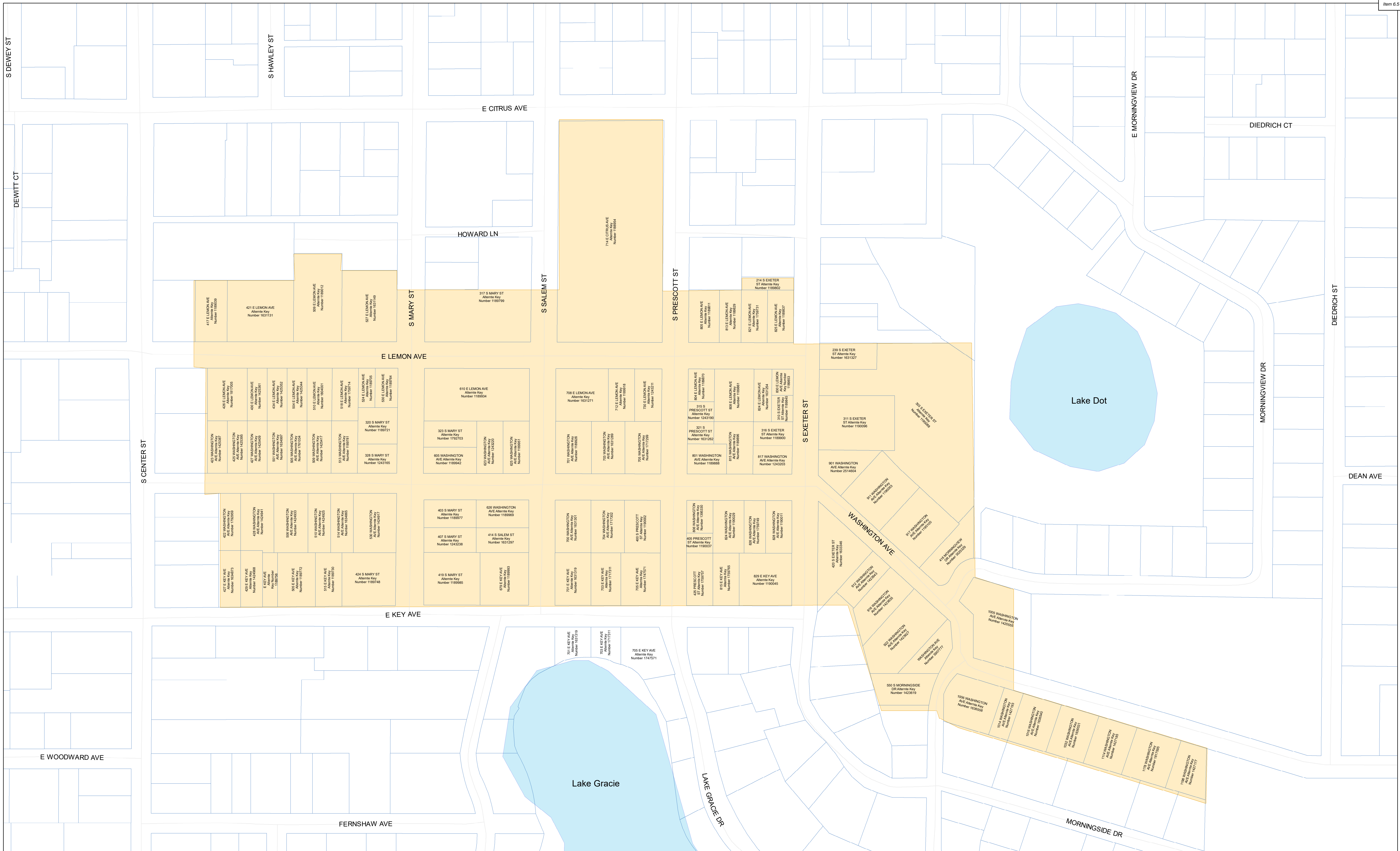
COMMISSION ACTION TAKEN:

Approved Disapproved Continued/Deferred Until: _____

Other: _____ Special Instructions: _____

From: City Clerk's Office

By: _____

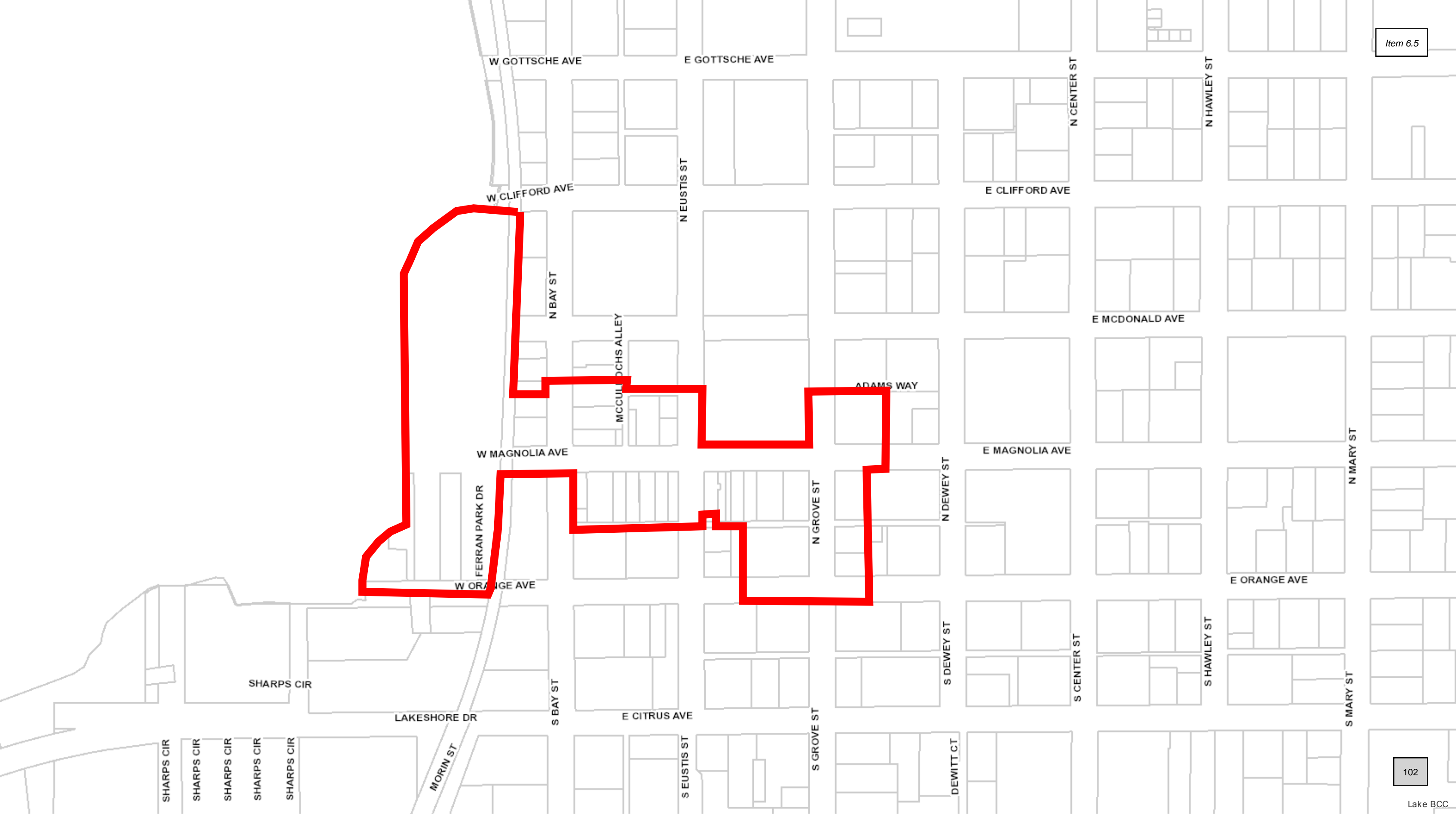


Washington Avenue Historic District

Prepared by the City of Eustis Development Services Department - Washington Street Historic District Boundary Established by Ordinance Number 97-33



1 inch = 100 feet





City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: AUGUST 3, 2023

RE: RESOLUTION NUMBER 23-54: PRELIMINARY SUBDIVISION PLAT FOR HIDDEN COVE COVE 43-LOT SUBDIVISION ON LAKEVIEW AVENUE (ALTERNATE KEY NUMBER 1216044)

Introduction:

Resolution Number 23-54 approves a preliminary subdivision plat for the Hidden Cove preliminary subdivision plat with 43-lot detached single-family residential lots on approximately 14 acres located on the south side of East Lakeview Avenue, west of Fahnstock Street (Lake County Property Appraisers' Alternate Key Number 1216044).

This item was previously on the City Commission meeting agenda for July 6, 2023, but was continued until August 3, 2023, due to the applicant, property owner, and their team not being able to be present for the meeting on July 6.



Recommended Action:

The administration recommends approval of Resolution Number 23-54.

Background:

Pertinent Site Information:

- a. The subject property comprises about 13.18 acres, which is currently vacant other than being wooded with several trees on site.
- b. The site is within the Suburban Residential (SR) land use district, which allows single-family detached residential homes.
- c. The property is within the Suburban Neighborhood Design District.
- d. The site and surrounding properties' land use, design district designations, and existing uses are shown below:

Location	Existing Use	Future Land Use	Design District
Site	Undeveloped Wooded Property	Suburban Residential (SR)	Suburban Neighborhood
North	Single Family Residential	Suburban Residential (SR)	Suburban Neighborhood
South	Single Family Residential	Suburban Residential (SR)	Suburban Neighborhood
East	Single Family Residential	Suburban Residential (SR)	Suburban Neighborhood
West	Undeveloped Wooded Property	Suburban Residential (SR)	Suburban Neighborhood

Proposed Development:

The proposed development is 43 house lot type (conforming with the Suburban Neighborhood design district and Section 110-4.2, House lot type) lots for single-family detached residences. The minimum lot dimensions will be 55 feet by 120 feet. Exhibit A shows the subdivision layout and other basic information, including the following development characteristics:

Subdivision Component	Code	Provided
Gross Area	n/a	13.18 acres / 574,264 square feet
Net Area (gross area less wetlands, water bodies)	n/a	12.97 acres
Lot Typology	House Lot	43 lots, each minimum 55' by 120'

Density	5 dwelling units/acre maximum (66 dwelling units max permitted here)	3.32 dwelling units/acre
Open Space	25% minimum (3.30 ac)	33.6% (4.43 ac)
Park Space	0.5 acres for 25-49 lots	1.68 acres
Landscape Buffers	15-24 feet adjacent to public r/w	15 feet along Lakeview Avenue

Waivers:

No waivers are requested and this proposed preliminary subdivision plat is meeting all City requirements in the Code of Ordinances and Land Development Regulations as well as the Florida Statutes at this time.

Analysis of Request According to Applicable Policies and Codes:

Comprehensive Plan - Future Land Use Element Appendix; Land Development Regulations Section 109-2.3, 109-3, 109-4: Suburban Residential (SR) This designation is provided to accommodate the majority of residential development within the City. General Range of Uses: This designation is intended to provide for a mix of single-family detached, patio home, and townhouse dwellings in a suburban atmosphere and may also include ACLF, parks and recreation facilities, and schools. Apartments may be permitted through the PUD process. Public and utility services and facilities that are 2 acres or less in size are also permitted. Maximum Density/Intensity: Suburban Residential lands may be developed up to a maximum density of 5 dwelling units per net buildable acre. The maximum density may be exceeded through an affordable housing density bonus as provided in the Special Provisions. Maximum Impervious Surface Area 40%; Minimum open space required 25% or 35% if environmental analysis finds Wekiva-related vegetative species.

The preliminary subdivision plat provides for single-family detached homes at a maximum density of 3.32 dwelling units per acre in a Suburban Residential land use district, which permits up to 5 dwelling units per acre.

The preliminary subdivision plat is consistent with the Comprehensive Plan and Land Development Regulations, and provides for roadway, sidewalks, and maximum on-site impervious coverage of 5.27 acres equating to a 40% impervious surface area (maximum 40%).

The environmental report by Ray and Associates submitted for the project stated that a review of the USFWS IPaC resource list has determined there are “No Critical Habitats At This Location”. The subject project does not propose development of any identified “higher value habitats”.

No Bald Eagle Nests were observed on the subject site. A review of the Bald Eagle Nest Location data base maintained by the Florida Wildlife Commission (FWC) does not identify any Bald Eagle Nest location within 1/4 Mile of the subject site.

Within the Conclusions and Recommendations of the Environmental Report, it is stated: “The subject site is within the City limits of Eustis. The Project Site is bounded on the north, south, and east by medium density housing, and upland mixed coniferous forest to the west. The site runs adjacent to East Lakeview Ave to the north. The site is not connected to any large or regionally significant natural habitat, and borders West Crooked Lake to the southwest.

Property Owner is proposing to develop the subject site compatible with surrounding development patterns.

After a review of available information, field investigations, consultation with regulatory agencies, and analysis of the subject site it is the conclusion of Ray and Associates that the subject site should be approved and allow development as proposed provided there is demonstration of compliance with Federal, State and Local environmental regulations.”

The proposed plan is consistent with the Suburban Residential land use per the Future Land Use Element Appendix of the Comprehensive Plan and the Land Development Regulations.

- b. Land Development Regulations – Design Districts Section 109-5.5 Suburban development patterns: Intent. The suburban development pattern relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. The street layout, comprised of streets with fewer vehicular connections, helps t

reduce cut-through traffic and establishes distinct boundaries for residential communities/subdivisions. Nonresidential uses are primarily located on corridors, districts and a mix of uses is prominent in centers. Each land use provides for pedestrian and bicycle connections.

The subdivision layout meets the intent of the Suburban Neighborhood development district. One subdivision entrance is provided on Lakeview Avenue, and there's an emergency fire access on the south side of the subdivision. Sidewalks are provided throughout the subdivision and there is an existing 5' sidewalk along the entrance at Lakeview Avenue.

- . Land Development Regulations – Building Lot Types – Section 110-4.2 House Lot
Minimum house lot requirements in Suburban design districts include the following: Width of 55 feet; Depth of 120 feet; Square Footage of 6,600 feet

Minimum setback requirements for House Lots in Suburban design districts include the following: Street setback of 25 feet; Common lot setback of 5 feet; Rear setback of 10 feet.

The subdivision plat proposes House Lot typologies. Under Section 109-5.6, the Suburban Neighborhood Design District, Estate Lots, House Lots, and Duplex lots are permitted.

The lot type in an area with nearby community service and shopping uses will provide housing options for a niche market (those pursuing home ownership versus apartment living yet seeking access to amenities). Providing diverse housing options is consistent with the goals and objectives of the Comprehensive Plan Housing Element in meeting projected demand and accommodating the needs of the various household types and income groups characteristic of the city and planning area. (HOUSING GOAL HSG 1 & OBJECTIVE: HSG 1.1).

- d. Land Development Regulations – Chapter 115 General Building and Site Design Standards

Section 115-3.2. (a), (b) and (c) address suburban districts and residential compatibility as follows:

Sec. 115-3.2. - Suburban districts.

(a) *Suburban residential compatibility.* The maximum residential density permitted within any suburban design district shall be consistent with the maximum density of the applicable land use district assigned to each property.

The maximum residential density of the Suburban Residential future land use district is 5 dwelling units per acre, the subdivision proposes a density of 3.32 dwelling units per acre.

(b) When any suburban design district abuts an existing development in a suburban district, and proposed new residential lots will share a common boundary with existing or platted lots:

- (1) The width of the new lots may be no more than 150 percent of the width of the existing or platted lots, unless:

(a) The existing or platted lots are non-conforming to the suburban design district standards;

(b) Central sewer service is not available.

(c) When any suburban design district abuts a rural design district, and proposed new residential lots will share a common boundary with existing or platted lots:

(1) The width of the new lots may be no less than 75 percent of the width of the existing or platted lots; unless:

(a) A landscape buffer (10 to 15 feet wide) is provided between the new lots and existing or platted lots; or

(b) Park space as permitted by Section 115-8.3. is provided between the new lots and existing or platted lots.

The surrounding properties are all within a suburban design district.

Section 115-4.2.1. (and Comprehensive Plan Policies FLU 5.2.1 and 5.2.9) includes general site design criteria to respect the natural topography of the site and follow the outlined four-step design process. Compliance as is demonstrated as follows:

Sec. 115-4.2.1. - All districts.

(a) General site design criteria. Proposed development plans must be organized into three components: 1) wetlands and water bodies; (2) open space; and (3) developed areas. The plan design must respect the natural topography of the site and generally follow the four-step design process described below:

(1) Step 1 - Delineate open space areas as outlined below: a. Create or add to a larger contiguous off-site network of interconnected open space, particularly existing habitats and opportunities for restoring native habitats. b. Create connected and integrated open space within the development to the maximum extent practicable based on the context-sensitive site design standards and priorities below: 1. Protect listed species. 2. Create/enhance connectivity. 3. Protect native habitat. 4. Restore native habitat.

The proposed subdivision plan provides for 1.68 acres of open space and park space in Tract C, which is along the eastern side of the project as well as pedestrian connections that provide an opportunity to create contiguous interconnected open space as parcels develop/redevelop along Lakeview Avenue. Attention was given to providing for tree preservation, to the extent possible.

The plan provides for the retention of native trees that would remain viable post-development, and the landscape plan provides for the planting of new native species.

(2) Step 2 - Define development areas in such a way as to preserve the function, purpose and integrity of the natural features of the land, the on-site natural resources, and the environmental systems to the maximum extent practicable.

The engineer designed the site to match the existing grade as much as possible.

(3) Step 3 - Align streets and trails to avoid or at least minimize adverse impacts on designated open space. The streets and trails shall provide external and internal connectivity and the street layout of subsequent phases shall be coordinated with the street system of previous phases.

The site is currently wooded and does not provide functional open space. The street layout and greenway have been designed to provide both external and internal connectivity. Subsequent phases are not proposed, but the street layout is designed to accommodate connectivity to the north or west should a future development occur.

(4) Step 4 - Lots lines and building placement should be added as the last step in the design process.

Sections 115-7, 8, and 9 outline standards for transportation, parks, and landscaping. A trip generation statement and request for an exemption from a tier 1 traffic analysis (TIA) were prepared by Griffey Engineering for the subdivision and submitted for review by the city's transportation consultant, Kimley-Horn. The traffic impact is de-minimis and exempt from a full TIA.

Recommended Action:

Staff recommends approval of the Preliminary Subdivision Plat for the Hidden Cove Subdivision. The minimum required 55 feet wide by 120 feet deep House Lot is consistent with the Suburban Residential Future Land Use and the Suburban Neighborhood Design District. While the City is experiencing much growth and urbanizing in some areas, the majority of other residential development in the City is consistent with the proposed lot size and density. This proposed subdivision also meets or exceeds all other requirements in the City's Land Development Regulations and Comprehensive Plan.

Policy Implications:

If approved, the City would be showing support for development that meets the codes and ordinances set in place. This would show consistency, fairness, and predictability for future potential development.

If denied, City would be denying something that is meeting all requirements, which would set a precedent for future developers to be unsure of what the City is looking for in applications if they do not approve something meeting the Code.

Community Input:

The department has properly advertised the Resolution in the newspaper; notified surrounding properties within 500 feet, and posted the property. To date, there have been a few correspondences with members of the public in opposition to this proposed subdivision, and a couple has also conveyed support for the project.

Community members have expressed opposition with regard to property values, safety, security, traffic, lot sizes, rental potential, and density.

Florida Statutes 760.23 state that It is unlawful to discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, national origin, sex, disability, familial status, or religion.

The City of Eustis does not regulate rentals, whether short or long-term or price point. The City staff do not require the submittal of nor review subdivisions with consideration of price points, home styles, home sizes, or rental or ownership statuses.

The City of Eustis Police and Fire services will serve new development and can handle the additional developed area to be serviced.

Griffey Engineering, Inc. reviewed the traffic for this proposed subdivision with 43 single-family detached dwelling units and requested an exemption for a Tier 1 Traffic Analysis, which was reviewed, and no concerns were found by Kimley-Horn, who serves as the City's traffic review consultant. Traffic studies are completed and reviewed with consideration of standards from the Institute of Transportation Engineers (ITE), Trip Generation, 11th Edition. In general, standards are also put in place by Lake Sumter Metropolitan Planning Organization and Lake County as well as the Florida Department of Transportation for traffic study reviews.

The proposed lots in this subdivision meet the minimum requirements per the City of Eustis Land Development Regulations (LDR), which the Commission may consider amending if they wish to attract and receive different development than such as this.

The proposed density is less than the maximum permitted in the Suburban Residential (SR) land use, per the City's Comprehensive Plan and LDRs. If designed differently, the density would allow as many as 66 dwelling units on this property, but the applicant is only proposing 43 dwelling units.

The community has also expressed concerns regarding aesthetics and additional users of the lake. These items are not part of what the City can consider generally in their review.

Some community members express concerns about tree removal, but the proposed plan is saving a number of existing trees, and planting more new trees than required by the City's codes.

As listed in Section 163.3177(6)(i), Florida Statutes, a local government may adopt its own property rights element or use the following statement of rights:

The following rights shall be considered in local decision-making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

Amongst community members in support of this development, comments have been made such as this being a great, fitting location, and being good for property values. Some also state they don't see it as being high density whereas others feel it is high density.

Budget/Staff Impact:

There would be no direct cost to the City associated with the action other than providing standard City services to the development. There would be no additional staff time beyond the normal plan review process and building inspection.

Prepared By:

Heather Croney, Senior Planner

RESOLUTION NUMBER 23-54

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING A PRELIMINARY SUBDIVISION PLAT FOR HIDDEN COVE SUBDIVISION, A 43-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION, ON APPROXIMATELY 14 ACRES OF PROPERTY LOCATED ON THE SOUTH SIDE OF EAST LAKEVIEW AVENUE, WEST OF FAHNSTOCK STREET (ALTERNATE KEY NUMBER 1216044).

WHEREAS, Thomas Zahn, on behalf of Lake RC, LLC, has made an application for Preliminary Subdivision Plat approval for a 43-lot, single-family residential subdivision on approximately 14 acres located on the south side of East Lakeview Avenue, west of Fahnstock Street, more particularly described as follows:

Parcel Alternate Key Number: 1216044

Parcel Identification Number: 13-19-26-0002-000-00800

BEG AT A PT ON S SIDE OF LAKEVIEW AVE 725.55 FT S & 713.02 FT E OF NW COR OF SEC, RUN S 1046.1 FT, S 57 DEG 09 MIN W 397.34 FT, N 89DEG 38MIN E 755.35 FT, N 45 FT, E TO W SIDE OF LOT 2 CROOKED LAKE HEIGHTS 1ST ADD SUB N 972.2 FT, W PARALLEL TO LAKEVIEW AVE 120 FT, N 240.6 FT TO LAKEVIEW AVE, W 335.78 FT TO POB ORB 5942 PG 1356.

WHEREAS, the property described above has a Land Use Designation of Suburban Residential (SR) and a Design District Designation of Suburban Neighborhood; and

WHEREAS, detached single-family uses are permitted in the Suburban Residential (SR) land use designation; and

WHEREAS, the proposed preliminary subdivision plat as submitted is generally consistent with the City's Comprehensive Plan and Land Development Regulations; and

WHEREAS, the City Commission finds that approval of the requested preliminary subdivision plat is in the best interests of the public health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE EUSTIS CITY COMMISSION AS FOLLOWS:

SECTION 1. That the Hidden Cove Preliminary Subdivision Plat for a 43-lot single-family residential subdivision located on the south side of East Lakeview Avenue, west of Fahnstock Street, attached hereto as Exhibit "A", is hereby approved:

SECTION 2. That the Preliminary Subdivision Plat shall be subject to the owner/developer complying with the following conditions:

- a) Submit the Final Engineering and Construction Plans and Final Plat complying with all requirements of the Eustis Land Development Regulations, Eustis Engineering Design

Standards Manual, Florida Statutes, and the provisions of this resolution within one year of the approval of this resolution.

- b) Develop the property in accordance with the approved Preliminary Subdivision Plat as referenced in Section 1 and attached hereto as Exhibit "A".
- c) Obtain and provide copies of all applicable permits from other jurisdictional agencies.

DONE AND RESOLVED this 3rd day of August 2023 in a regular session of the City Commission of the City of Eustis, Florida.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 3rd day of August 2023, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

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

City Attorney's Office

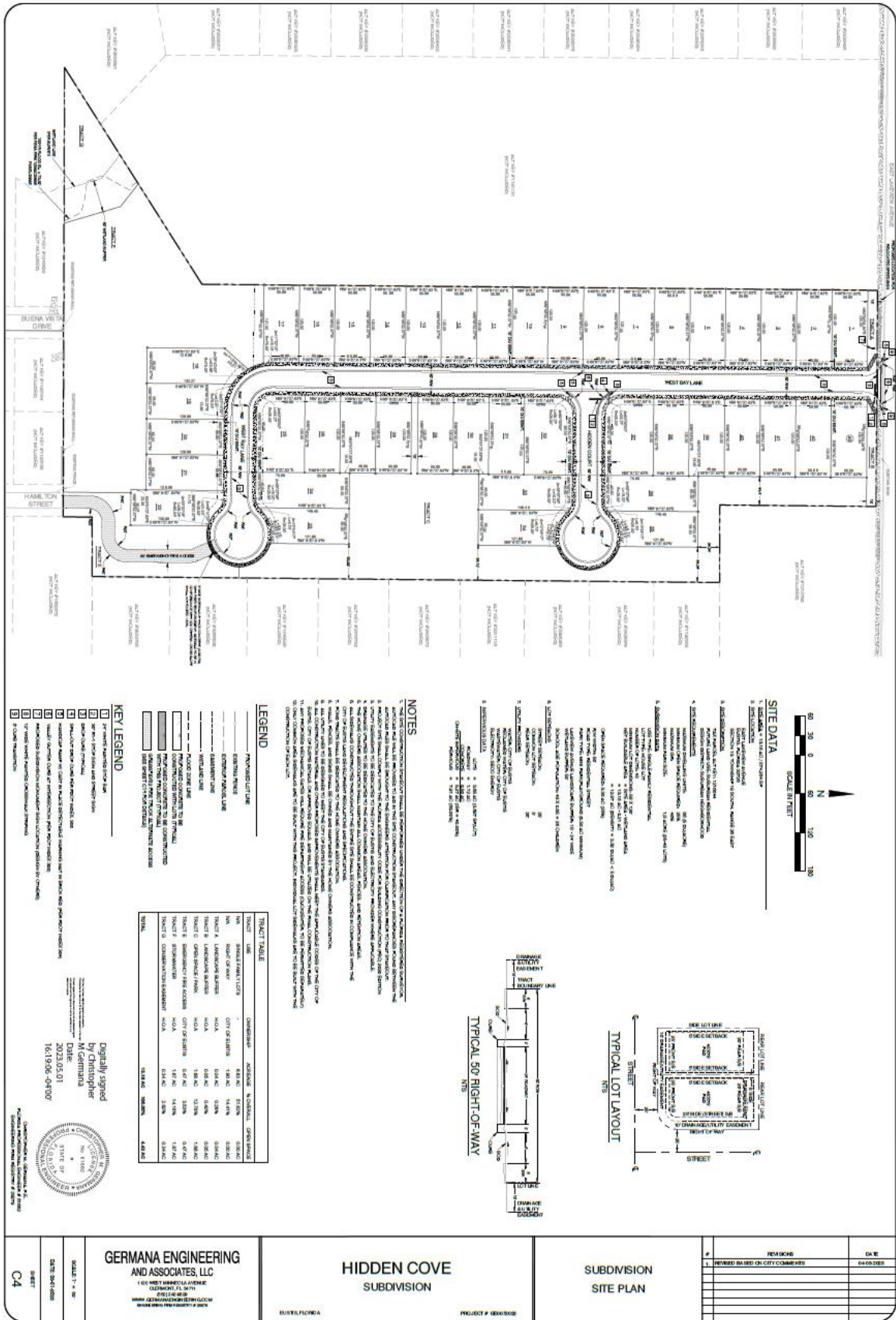
Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 23-54 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

EXHIBIT A



SITE DATA

1. TOTAL AREA: 10.00 ACRES
2. TOTAL LOT AREA: 10.00 ACRES
3. TOTAL LOT AREA: 10.00 ACRES
4. TOTAL LOT AREA: 10.00 ACRES
5. TOTAL LOT AREA: 10.00 ACRES
6. TOTAL LOT AREA: 10.00 ACRES
7. TOTAL LOT AREA: 10.00 ACRES
8. TOTAL LOT AREA: 10.00 ACRES
9. TOTAL LOT AREA: 10.00 ACRES
10. TOTAL LOT AREA: 10.00 ACRES

NOTES

1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE SPECIFIED.
 2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD OR TO THE CENTERLINE OF THE LOT UNLESS OTHERWISE SPECIFIED.
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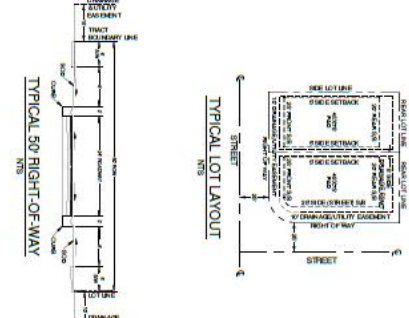
LEGEND

- 1. PROPOSED LOT LINE
- 2. EXISTING LOT LINE
- 3. EXISTING ROAD
- 4. EXISTING SIDEWALK
- 5. EXISTING UTILITY
- 6. EXISTING EASEMENT
- 7. EXISTING SETBACK
- 8. EXISTING CURB
- 9. EXISTING DRIVE
- 10. EXISTING DRIVEWAY
- 11. EXISTING DRIVEWAY
- 12. EXISTING DRIVEWAY
- 13. EXISTING DRIVEWAY
- 14. EXISTING DRIVEWAY
- 15. EXISTING DRIVEWAY
- 16. EXISTING DRIVEWAY
- 17. EXISTING DRIVEWAY
- 18. EXISTING DRIVEWAY
- 19. EXISTING DRIVEWAY
- 20. EXISTING DRIVEWAY

KEY LEGEND

- 1. 1" = 100'
- 2. 1" = 100'
- 3. 1" = 100'
- 4. 1" = 100'
- 5. 1" = 100'
- 6. 1" = 100'
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- 17. 1" = 100'
- 18. 1" = 100'
- 19. 1" = 100'
- 20. 1" = 100'

Digitally signed
 by Christopher
 M. Germina
 DN: cn=Christopher M. Germina,
 o=GERMINA ENGINEERING AND ASSOCIATES, LLC,
 email=cmg@germina.com,
 2023.05.01
 16:19:06 -0400



TRACT #	TRACT NAME	OWNER	ADDRESS	SECTION	TOWNSHIP	COUNTY
1	TRACT 1	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
2	TRACT 2	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
3	TRACT 3	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
4	TRACT 4	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
5	TRACT 5	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
6	TRACT 6	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
7	TRACT 7	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
8	TRACT 8	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
9	TRACT 9	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
10	TRACT 10	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
11	TRACT 11	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
12	TRACT 12	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
13	TRACT 13	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
14	TRACT 14	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
15	TRACT 15	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
16	TRACT 16	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
17	TRACT 17	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
18	TRACT 18	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
19	TRACT 19	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11
20	TRACT 20	GERMINA ENGINEERING AND ASSOCIATES, LLC	1100 N. W. 11th St.	11	11	11

<p>GERMINA ENGINEERING AND ASSOCIATES, LLC 1100 N. W. 11th St. MIAMI, FL 33136 TEL: 305.441.4000 WWW.GERMINA.COM</p>	<p>HIDDEN COVE SUBDIVISION</p>	<p>SUBDIVISION SITE PLAN</p>	<p>DATE: 2023.05.01</p>
			<p>REVISIONS:</p>

Name of Subdivision	Lots or units	Acres in size		Units Per Acre
West Crooked Lake	20	9.71		2.059732
Lakeview Place Subdivision	11	3.66		3.005464
Crippen's Crooked View Tract	30	10.2		2.941176
Crooked Lake Heights	7	2.25		3.111111
Addn to Banks Subdivision	15	2.53		5.928854
El Cerito	55	19.5		2.820513

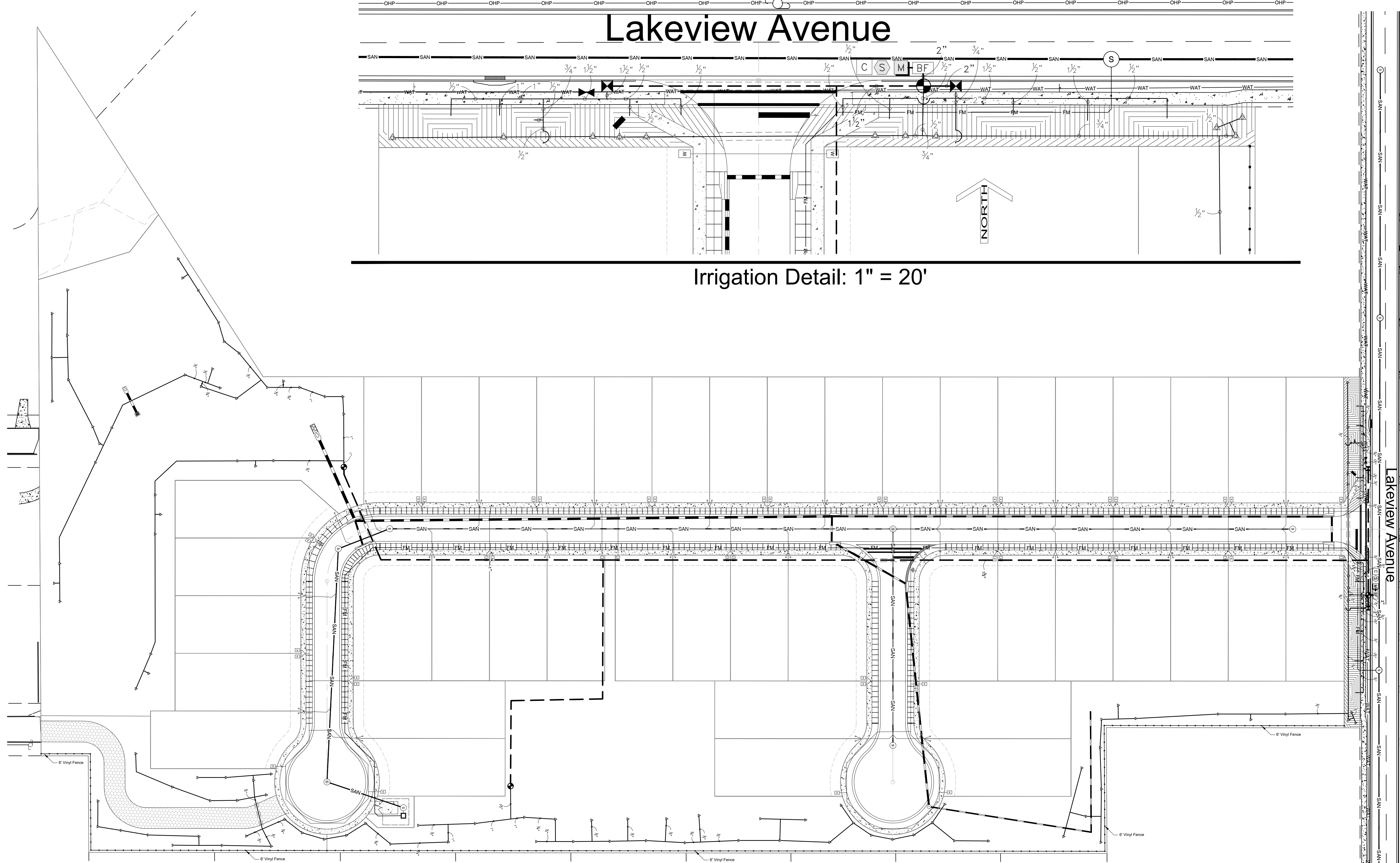
138

Average 138 47.85 2.884013

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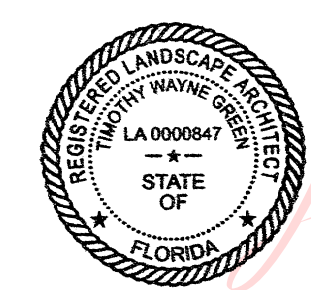
Irrigation Detail: 1" = 20'

IRRIGATION SCHEDULE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	PSI	SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY
	Rain Bird 1800-1400 FIPT Fixed flow rate 0.25 GPM - 2.0 GPM, full circle bubbler, 1/2in. FIPT.	114	30		Rain Bird PESBR-PRS-D 1in., 1-1/2in., 2in. Durable Chlorine-Resistant Valves for Reclaimed Water Applications. With Scrubber Mechanism Technology, Purple Flow Control Handle, and Pressure Regulator Module.	3
	Rain Bird XZC-100-PRB-COM Wide Flow Drip Control Kit for Commercial Applications. 1in. Ball Valve with 1in. PESB Valve and 1in. Pressure Regulating 40psi Quick-Check Basket Filter. 0.3 GPM-20 GPM	2			Febco 765 1-1/2" Pressure Vacuum Breaker, brass with ball valve SOV. Install 12in. above highest downstream outlet and the highest point in the downstream piping.	1
	Rain Bird XFD-09-12-NP XFD On-Surface Pressure Compensating Landscape Dripline. 0.9 4,534 l.f. GPH emitters at 12" O.C. Dripline laterals spaced at 12" apart, with emitters offset for triangular pattern. UV Resistant. Specify XF insert fittings.	4,534 l.f.			Rain Bird ESPLXME2-LXMM 12 Station Traditionally-Wired, Commercial Controller. Indoor/Outdoor, Plastic Wall-Mount Enclosure. Install in LXMM Powder Coated, Metal Wall-Mounted Cabinet.	1
	Rain Bird WR2-RFC Wireless Rain and Freeze Sensor Combo, includes 1 receiver and 1 rain/freeze sensor transmitter.	1			Water Meter 1-1/2"	1
	Irrigation Lateral Line: PVC Class 160 SDR 26	4,076 l.f.			Irrigation Mainline: PVC Schedule 40	1,487 l.f.
	Pipe Sleeve: PVC Schedule 80	198.4 l.f.				

IRRIGATION NOTES:

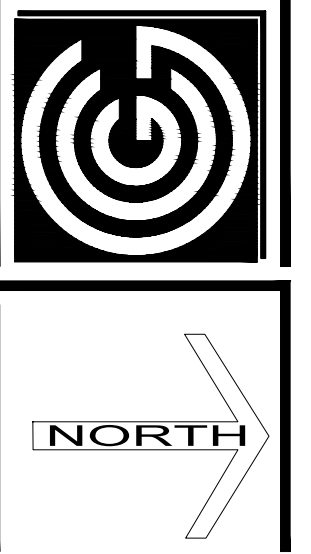
PIPE ROUTING AND VALVE LOCATIONS AND SLEEVE LOCATIONS ARE DIAGRAMMATICAL ONLY. ALL PIPES AND EQUIPMENT ARE TO BE WITHIN THE LANDSCAPED AREA OF THE PROPERTY. IRRIGATION CONTRACTOR IS TO AVOID ANY CONFLICT WITH THE TREE AND SHRUB PLANTINGS. ALL HEADS TO HAVE RECLAIMED WATER USE INDICATORS. ALL PIPES SHALL BE PURPLE IN COLOR TO DENOTE USE OF RECLAIMED WATER. ALL PAVEMENT CROSSINGS ARE TO BE MADE IN SLEEVES THAT ARE TWO PIPE SIZES LARGER THAN THE CROSSING. NO IRRIGATION HEADS TO BE LOCATED WITHIN 24" OF ANY BUILDING. EXACT LOCATION OF UNDERGROUND UTILITIES SHOULD BE VERIFIED PRIOR TO CONSTRUCTION. A RAIN SENSOR IS TO BE INSTALLED AS SPECIFIED. SEPARATE IRRIGATION METER WILL BE PROVIDED SYSTEM TO BE CONVERTED TO REUSE WHEN MADE AVAILABLE TO THE SITE. DRIP IRRIGATION TO BE INSTALLED ACCORDING TO MANUFACTURER'S RECOMMENDATIONS.



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Timothy W Green
Date: 2023.04.20
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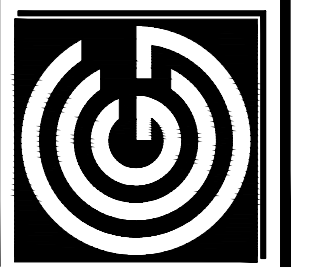
Irrigation Plan and Irrigation Detail

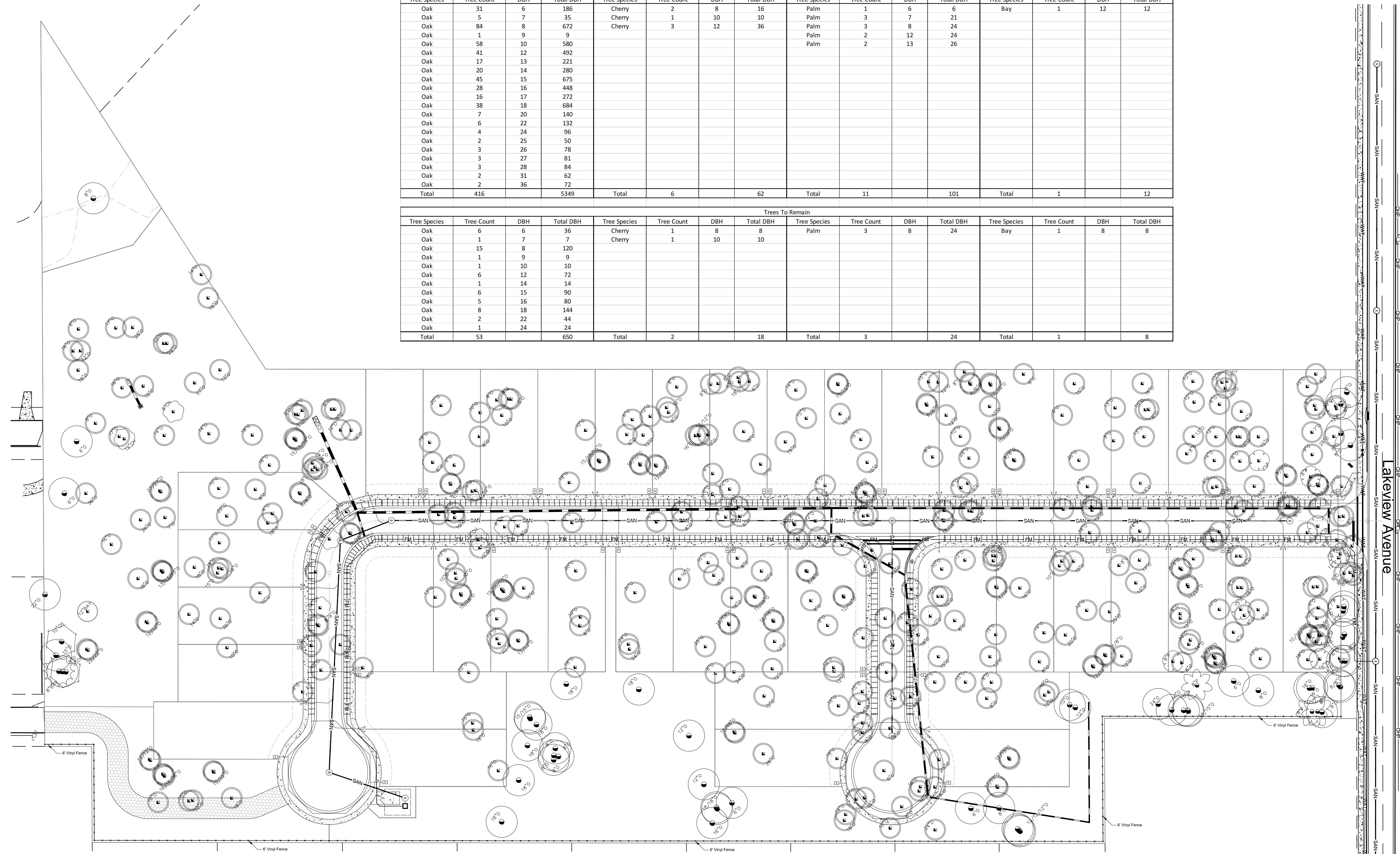
Hidden Cove
Eustis, Florida



Drawing Number: 1658-02
Originated From: 1658-01
Date: April 20, 2023
Scale: 1" = 50'
Drawn By: FAH
Layout: 24"x36"

Green Consulting Group, Inc.
Landscape Architecture ■ Land Planning ■ Development Assistance
4070 United Avenue, Mount Dora, Florida 32757
352-357-9241 ■ Fax 352-357-9278 ■ LC26000288



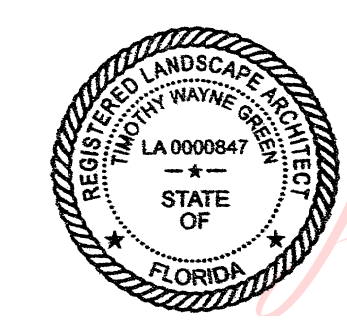


To Be Removed															
Tree Species	Tree Count	DBH	Total DBH	Tree Species	Tree Count	DBH	Total DBH	Tree Species	Tree Count	DBH	Total DBH	Tree Species	Tree Count	DBH	Total DBH
Oak	31	6	186	Cherry	2	8	16	Palm	1	6	6	Bay	1	12	12
Oak	5	7	35	Cherry	1	10	10	Palm	3	7	21				
Oak	84	8	672	Cherry	3	12	36	Palm	3	8	24				
Oak	1	9	9					Palm	2	12	24				
Oak	58	10	580					Palm	2	13	26				
Oak	41	12	492												
Oak	17	13	221												
Oak	20	14	280												
Oak	45	15	675												
Oak	28	16	448												
Oak	16	17	272												
Oak	38	18	684												
Oak	7	20	140												
Oak	6	22	132												
Oak	4	24	96												
Oak	2	25	50												
Oak	3	26	78												
Oak	3	27	81												
Oak	3	28	84												
Oak	2	31	62												
Oak	2	36	72												
Total	416		5349	Total	6		62	Total	11		101	Total	1		12

Trees To Remain															
Tree Species	Tree Count	DBH	Total DBH	Tree Species	Tree Count	DBH	Total DBH	Tree Species	Tree Count	DBH	Total DBH	Tree Species	Tree Count	DBH	Total DBH
Oak	6	6	36	Cherry	1	8	8	Palm	3	8	24	Bay	1	8	8
Oak	1	7	7	Cherry	1	10	10								
Oak	15	8	120												
Oak	1	9	9												
Oak	1	10	10												
Oak	6	12	72												
Oak	1	14	14												
Oak	6	15	90												
Oak	5	16	80												
Oak	8	18	144												
Oak	2	22	44												
Oak	1	24	24												
Total	53		650	Total	2		18	Total	3		24	Total	1		8

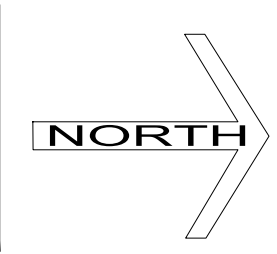
PLANT SCHEDULE

TO BE REMOVED									TREES TO REMAIN								
QTY	COMMON NAME	BOTANICAL NAME	CONT	CAL	SIZE	SPACING	REMARKS		QTY	COMMON NAME	BOTANICAL NAME	CONT	CAL	SIZE	SPACING	REMARKS	
1	Sweet Bay	Laurus nobilis	Existing	As labeled	Existing	As Shown			1	Sweet Bay	Laurus nobilis	Existing	As labeled	Existing	As Shown		
6	Carolina Laurel Cherry	Prunus caroliniana	Existing	As labeled	Existing	As Shown			2	Carolina Laurel Cherry	Prunus caroliniana	Existing	As labeled	Existing	As Shown		
416	Oak	Quercus spp	Existing	As labeled	Existing	As Shown	Native		53	Oak	Quercus spp	Existing	As labeled	Existing	As Shown	Native	
11	Cabbage Palmetto	Sabal palmetto	Existing	As labeled	Existing	As Shown	Native		3	Cabbage Palmetto	Sabal palmetto	Existing	As labeled	Existing	As Shown	Native	



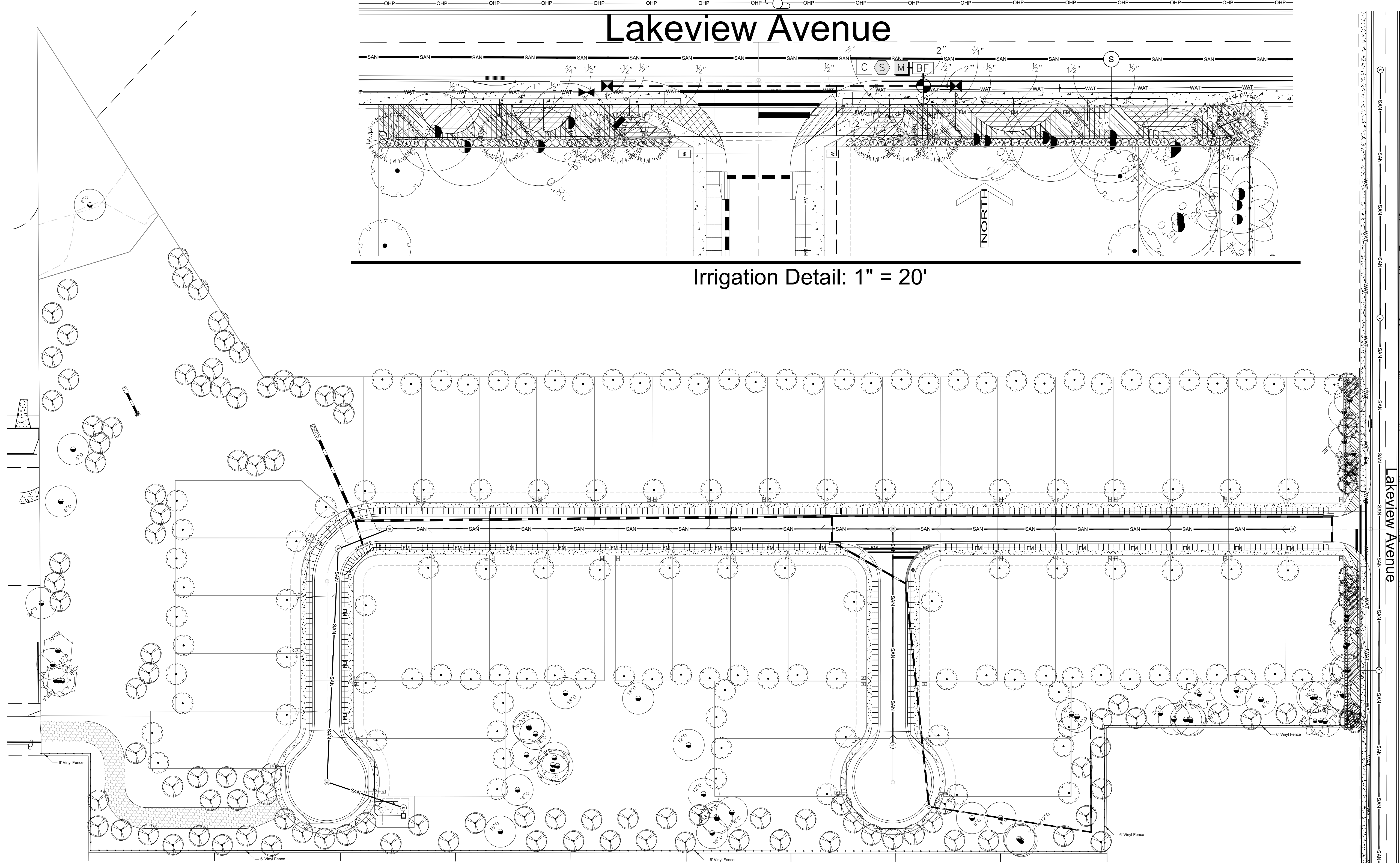
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Tree Removal Plan
Hidden Cove
Eustis, Florida



Drawing Number: 1658-02
Originated From: 1658-01
Date: April 20, 2023
Scale: 1" = 50'
Drawn By: PAH
Layout: 24"x36"

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Irrigation Detail: 1" = 20'

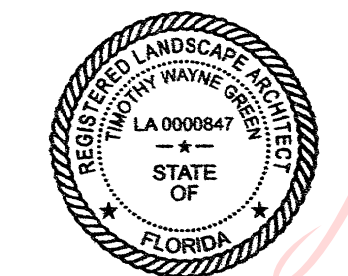
PLANT SCHEDULE

CANOPY TREES	QTY	COMMON NAME	BOTANICAL NAME	CONT	CAL	SIZE	SPACING	REMARKS
	104	Live Oak	Quercus virginiana	30 gal	2" DBH	12"	As Shown	Native
LOT TREES	QTY	COMMON NAME	BOTANICAL NAME	CONT	CAL	SIZE	SPACING	REMARKS
	129	Live Oak	Quercus virginiana	30 gal	2" DBH	12"	As Shown	Native
TREES TO REMAIN	QTY	COMMON NAME	BOTANICAL NAME	CONT	CAL	SIZE	SPACING	REMARKS
	1	Sweet Bay	Laurus nobilis	Existing	As labeled	Existing	As Shown	
	2	Carolina Laurel Cherry	Prunus caroliniana	Existing	As labeled	Existing	As Shown	
	53	Oak	Quercus spp	Existing	As labeled	Existing	As Shown	Native
	3	Cabbage Palmetto	Sabal palmetto	Existing	As labeled	Existing	As Shown	Native
UNDERSTORY TREES	QTY	COMMON NAME	BOTANICAL NAME	CONT	CAL	SIZE	SPACING	REMARKS
	11	Dahoon Holly	Ilex cassine	15 gal	1.5" DBH	7"	As Shown	Native

UNDERSTORY TREES	QTY	COMMON NAME	BOTANICAL NAME	CONT	CAL	SIZE	SPACING	REMARKS
	11	Dahoon Holly	Ilex cassine	15 gal	1.5" DBH	7"	As Shown	Native
SHRUBS	QTY	COMMON NAME	BOTANICAL NAME	CONT	HEIGHT	WIDTH	SPACING	REMARKS
	91	Podocarpus	Podocarpus macrophyllus	5 gal	36"	24"	As Shown	Non Native
SHRUB AREAS	QTY	COMMON NAME	BOTANICAL NAME	CONT	HEIGHT	WIDTH	SPACING	REMARKS
	341	Dwarf Yaupon Holly	Ilex vomitoria 'Nana'	3 gal	12"	12"	30" o.c.	Native
GROUND COVERS	QTY	COMMON NAME	BOTANICAL NAME	CONT	HEIGHT	WIDTH	SPACING	REMARKS
	764	Dwarf Confederate Jasmine	Trachelospermum asiaticum	1 gal			18" o.c.	Non Native

LANDSCAPE NOTES

ALL PLANTS HAVE MODERATE OR HIGH DROUGHT TOLERANCE.
 DBH IS MEASURED FOUR (4) FEET ABOVE THE GROUND.
 ALL PLANTS ARE TO BE FLORIDA #1 OR BETTER.
 AN AUTOMATIC IRRIGATION SYSTEM WILL BE PROVIDED FOR ALL LANDSCAPED AREAS.
 ALL SOD IS TO BE BAHIA.
 ALL PLANTING AREAS ARE TO RECEIVE A MINIMUM OF 3" OF MULCH.

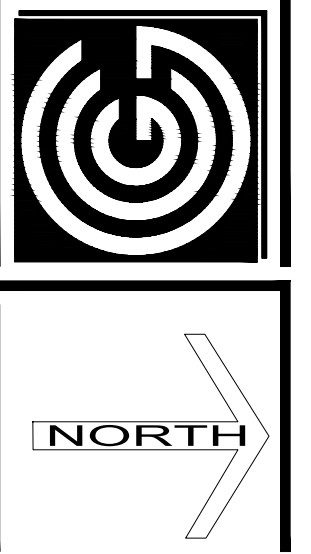


Digitally signed by
 Timothy W Green
 Date: 2023.04.20
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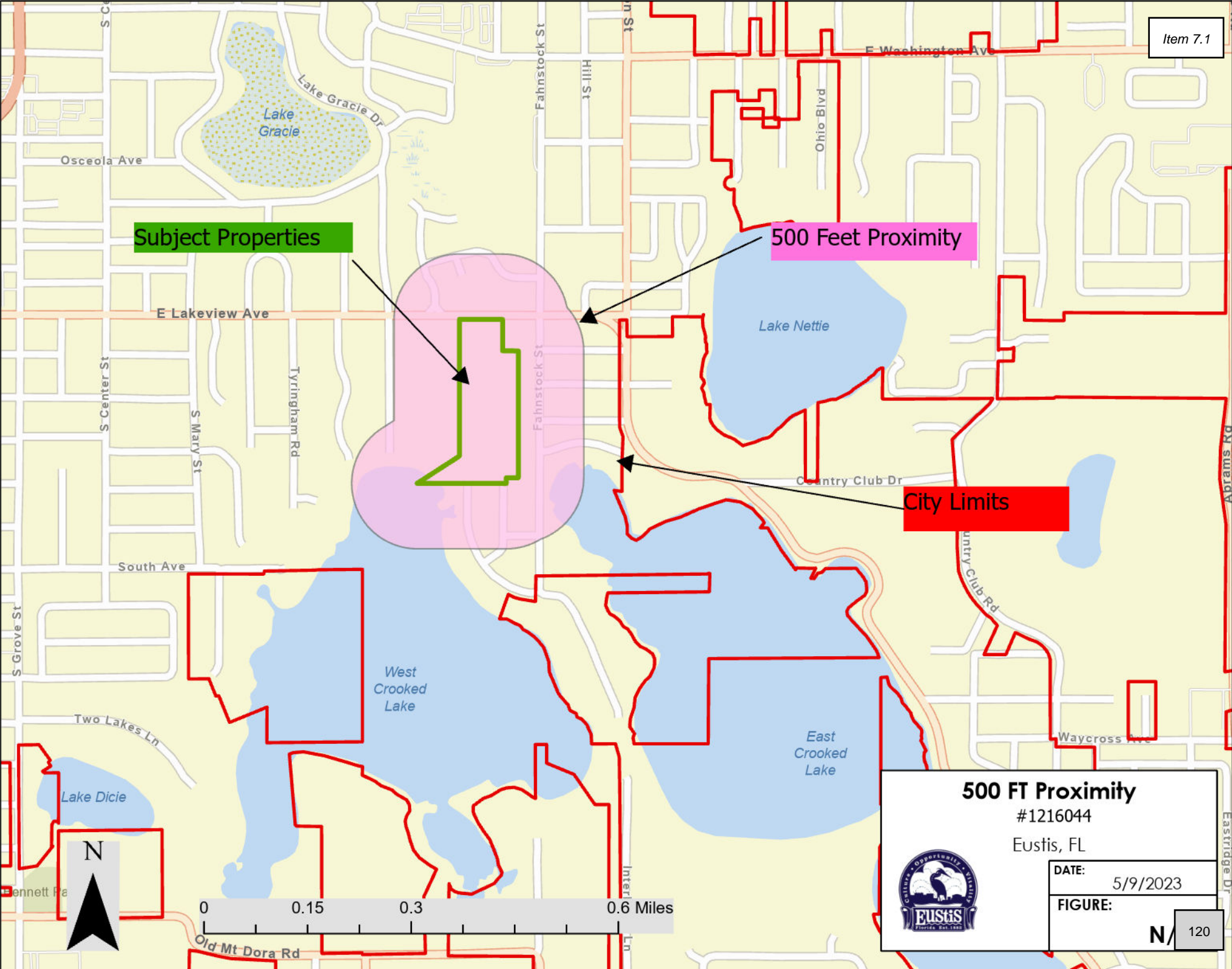
Landscape Plan and Landscape Detail

Hidden Cove
 Eustis, Florida

Green Consulting Group, Inc.
 Landscape Architecture ■ Land Planning ■ Development Assistance
 4070 United Avenue, Mount Dora, Florida 32757
 352-357-9241 ■ Fax 352-357-9278 ■ LC26000288



Drawing Number: 1658-02
 Originated From: 1658-01
 Date: April 20, 2023
 Scale: 1" = 50'
 Drawn By: FAH
 Layout: 24"x36"



Subject Properties


500 Feet Proximity

City Limits

500 FT Proximity
 #1216044
 Eustis, FL

DATE: 5/9/2023

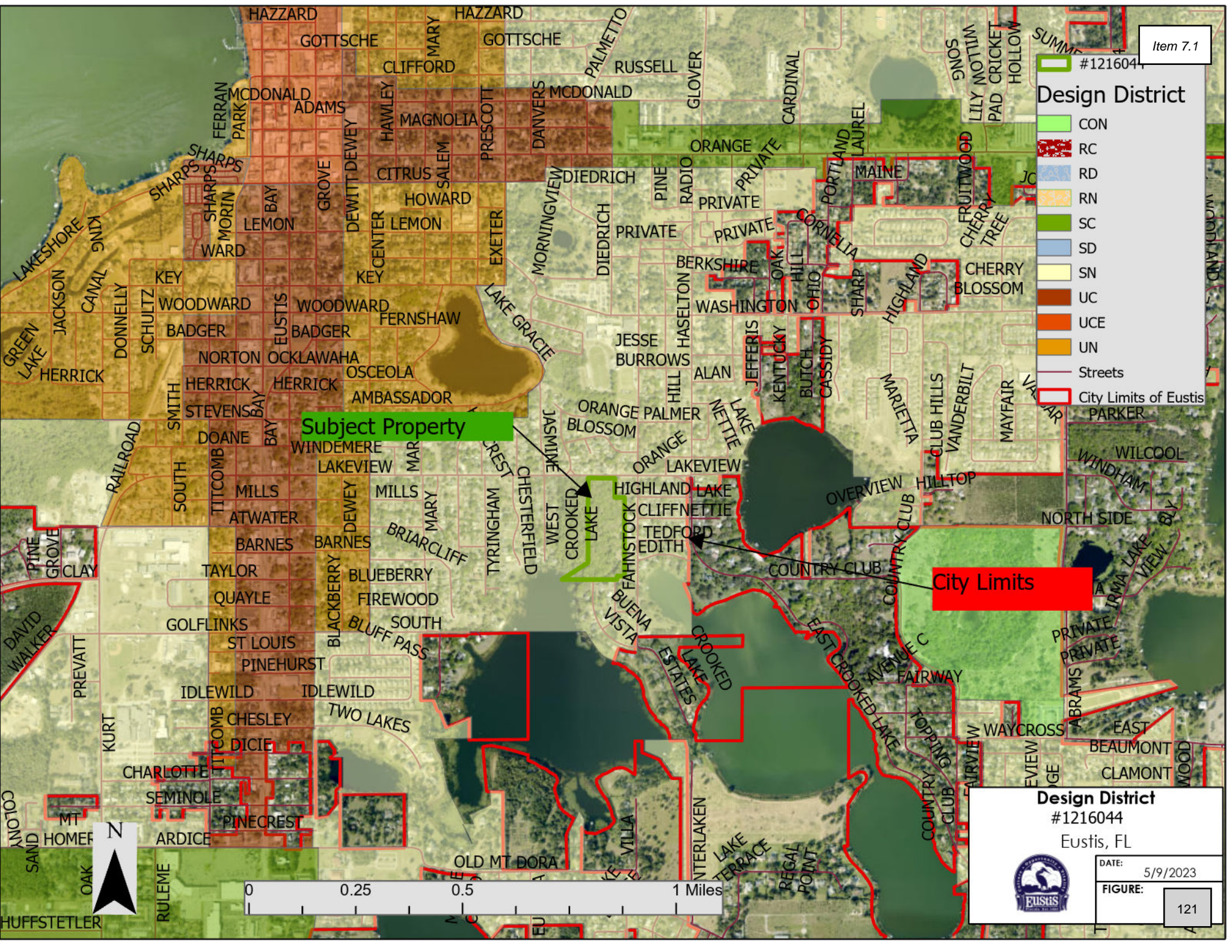
FIGURE: N/120



#1216044

Design District

- CON
- RC
- RD
- RN
- SC
- SD
- SN
- UC
- UCE
- UN
- Streets
- City Limits of Eustis PARKER



Subject Property

City Limits

Design District

#1216044

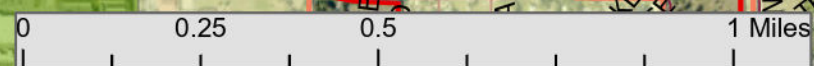
Eustis, FL



DATE: 5/9/2023

FIGURE:

121



Item 7.1

#121604

Design District

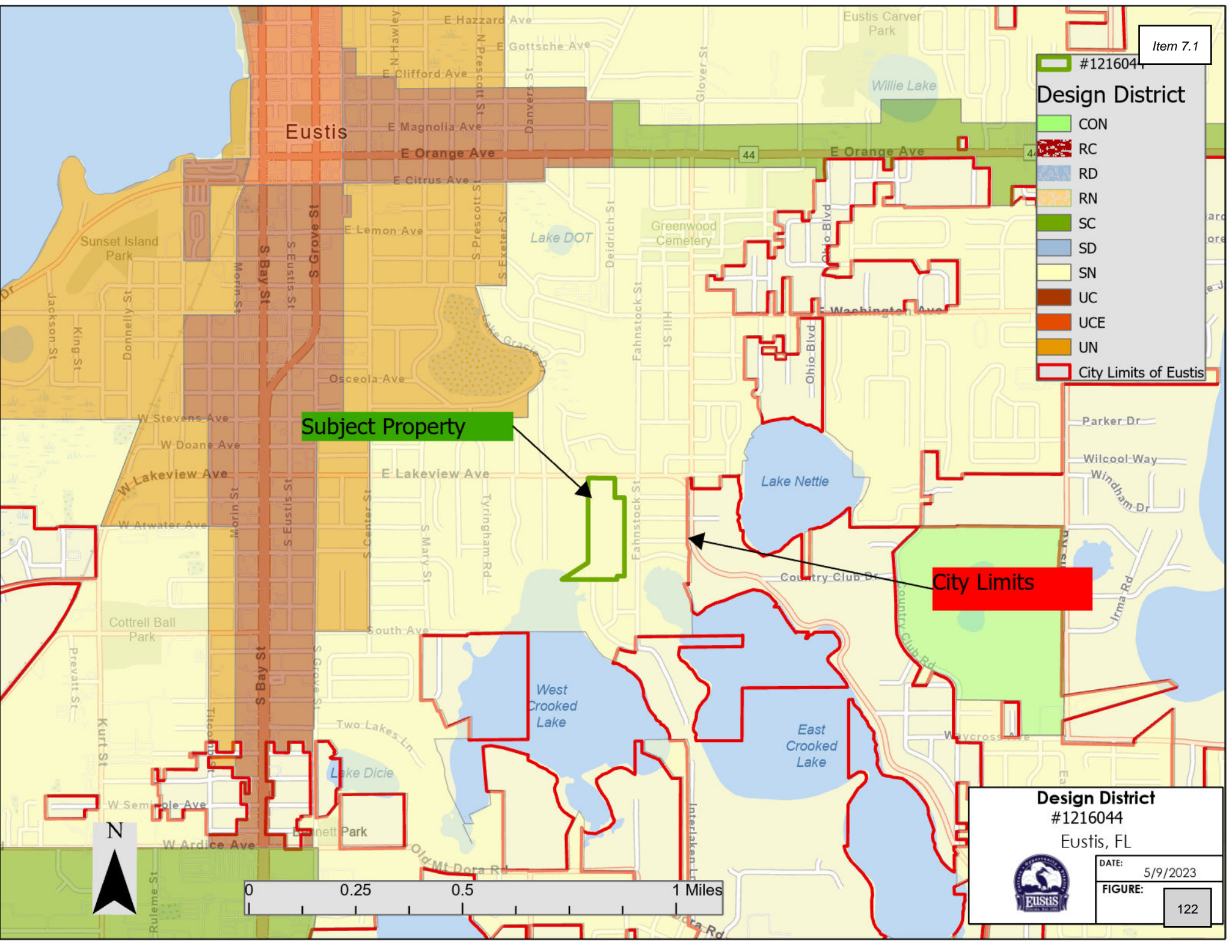
- CON
- RC
- RD
- RN
- SC
- SD
- SN
- UC
- UCE
- UN
- City Limits of Eustis

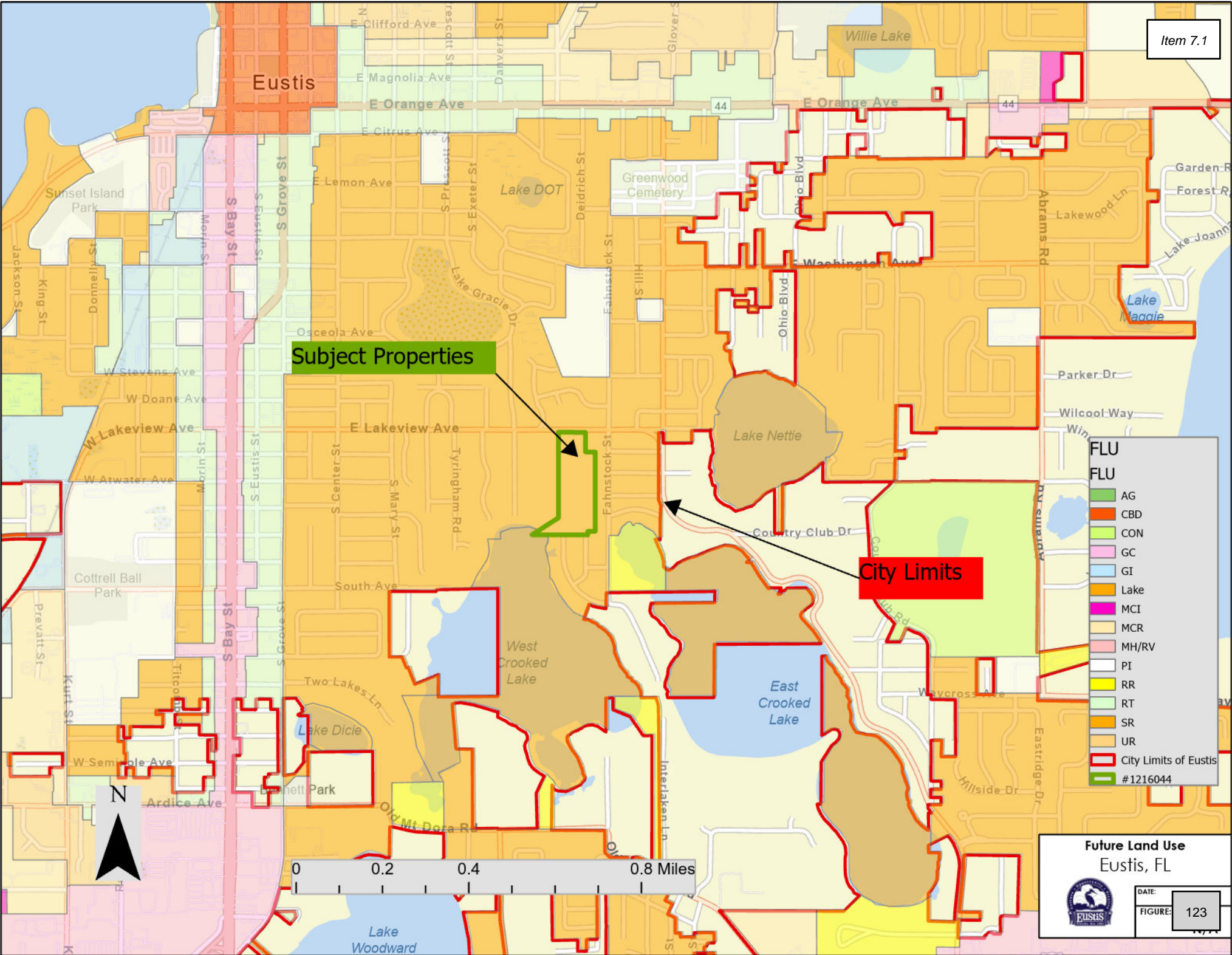
Subject Property

City Limits

Design District
#1216044
Eustis, FL

DATE: 5/9/2023
FIGURE: 122




Subject Properties

City Limits

- FLU
- FLU
- AG
- CBD
- CON
- GC
- GI
- Lake
- MCI
- MCR
- MH/RV
- PI
- RR
- RT
- SR
- UR
- City Limits of Eustis
- # 1216044

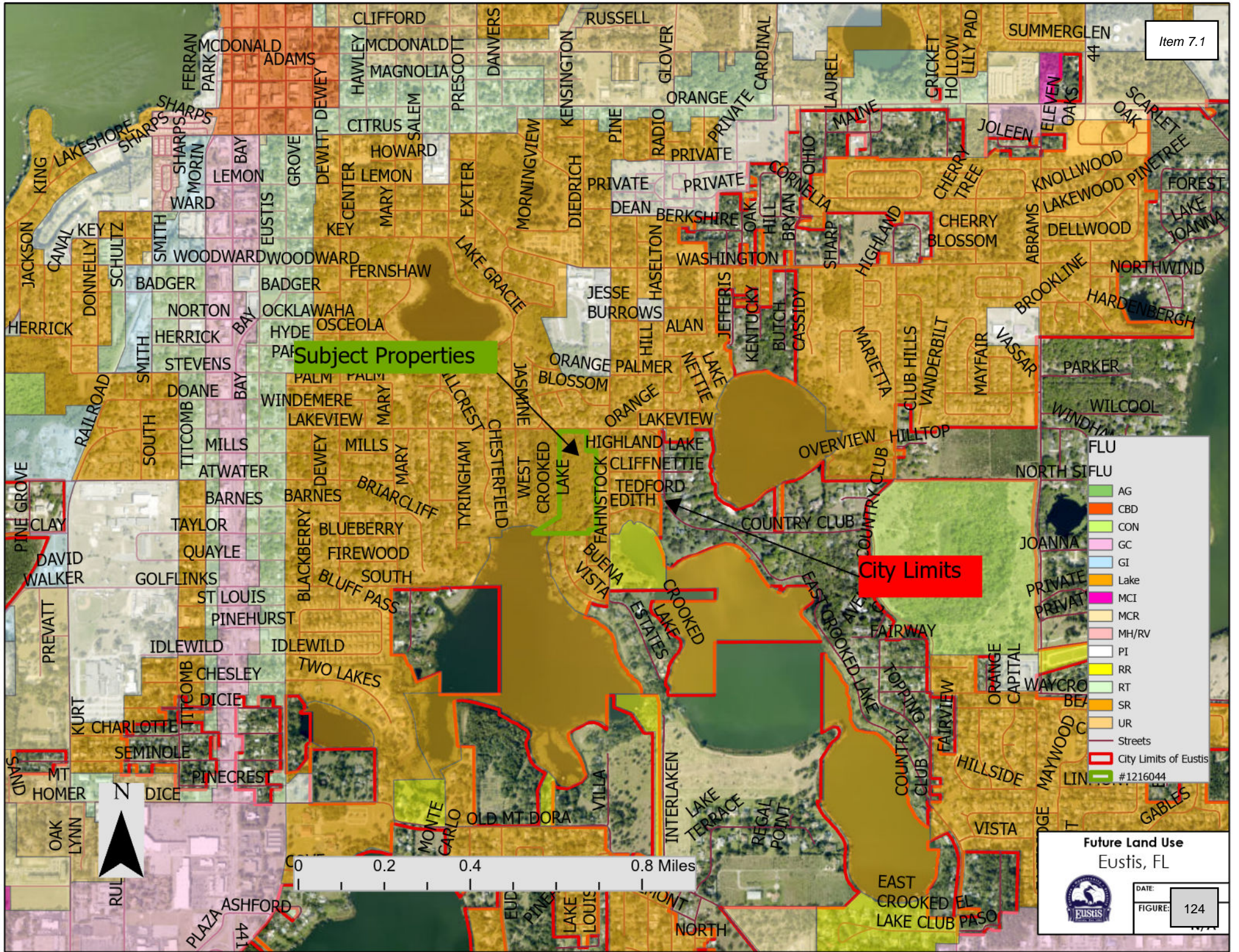
Future Land Use
Eustis, FL



DATE:

FIGURE: 123





Subject Properties

City Limits

Future Land Use
Eustis, FL



DATE: _____
FIGURE: 124


Eustis

Subject Properties

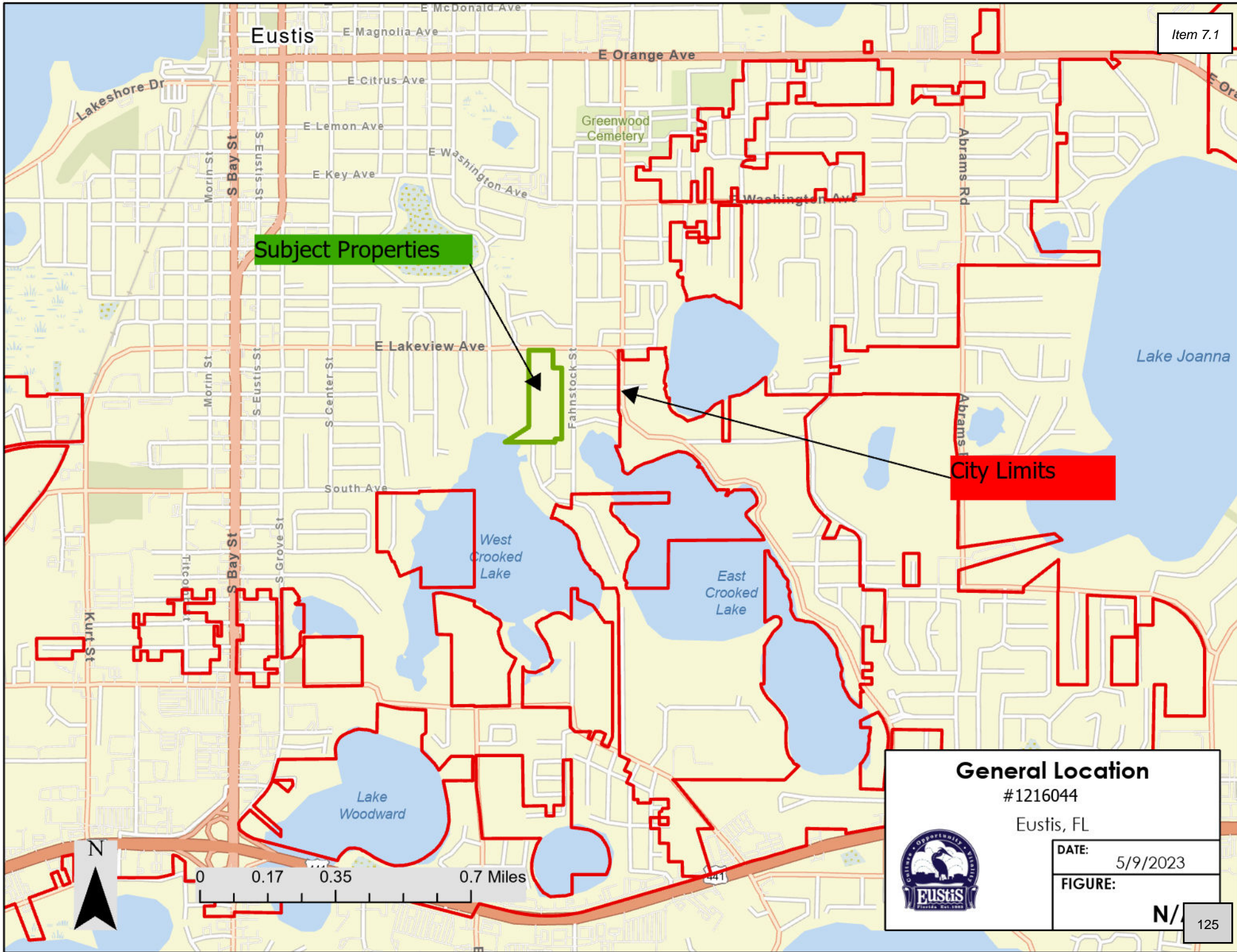
City Limits

General Location
 #1216044
 Eustis, FL

DATE:	5/9/2023
FIGURE:	N/A



0 0.17 0.35 0.7 Miles



Subject Properties

City Limits

General Location

#1216044

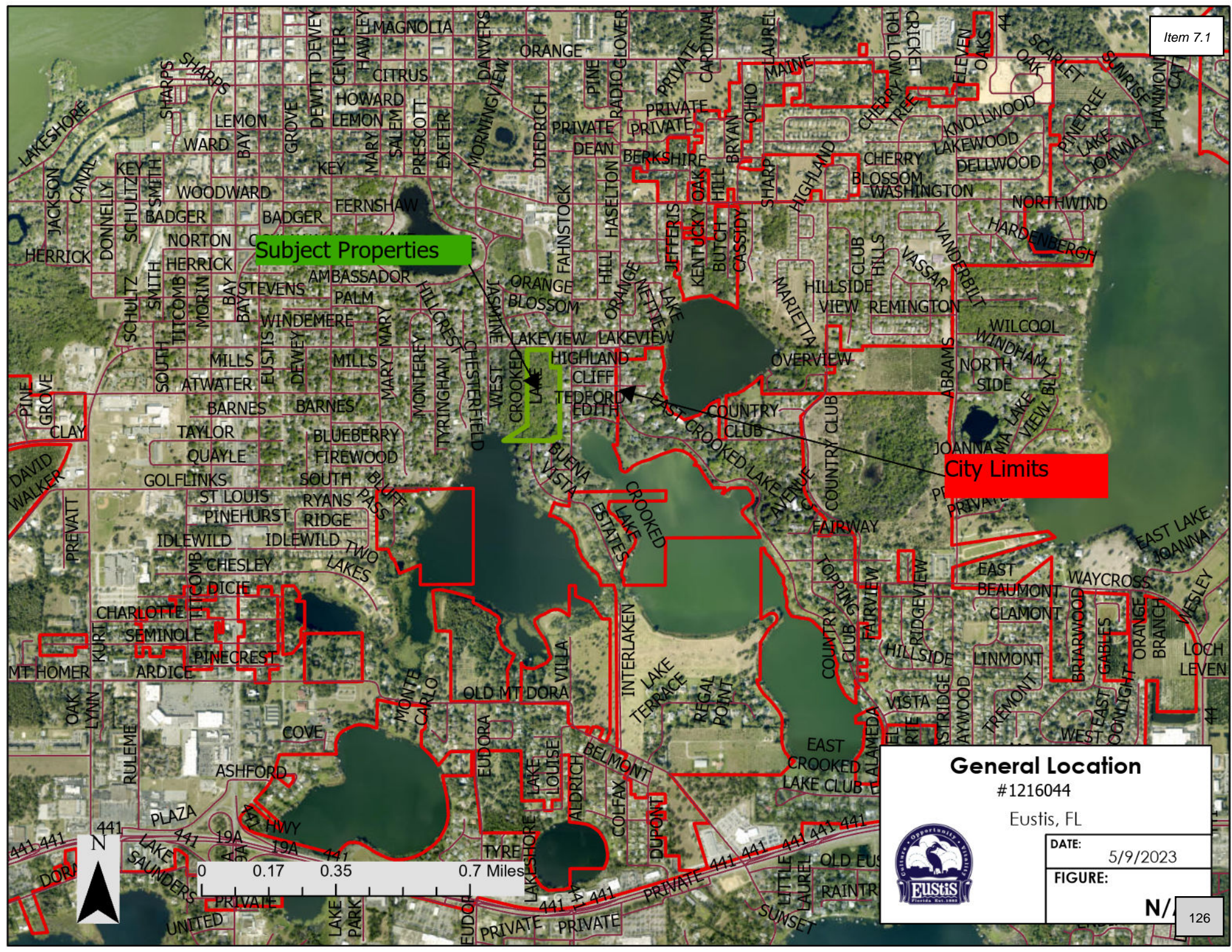
Eustis, FL

DATE: 5/9/2023

FIGURE:



N



HIDDEN COVE SUBDIVISION PRELIMINARY PLAT PLANS

PROJECT TEAM

CIVIL ENGINEERING

GERMANA ENGINEERING AND ASSOCIATES, LLC.
CONTACT: CHRISTOPHER M. GERMANA, PE
1120 WEST MINNEOLA AVENUE
CLERMONT, FLORIDA 34711
(352) 242-9329

SURVEYING

SHANNON SURVEYING, INC.
CONTACT: JAMES R. SHANNON JR., PLS
499 NORTH S.R. 434 - SUITE 2045
ALTAMONTE SPRINGS, FLORIDA 32714
(407) 774-8372

OWNER/DEVELOPER

LAKE RC LLC.
CONTACT: THOMAS ZAHN
128 NORTH EUSTIS STREET, SUITE 101
EUSTIS, FLORIDA 32726
(352) 989-6000

GEOTECHNICAL ENGINEERING

G.E.O. ENGINEERING & SCIENCES, INC.
CONTACT: ED MIGUENS, PE
250 S RONALD REAGAN BLVD #114
LONGWOOD, FLORIDA 32750
(407) 379-9510

GENERAL NOTE

THE PLANS WERE PREPARED ACCORDING TO AVAILABLE INFORMATION BASED ON THE CONDITIONS AS THEY EXISTED AT THE TIME OF PLAN PREPARATION. THE CONDITIONS OF THE PROPERTY MAY HAVE CHANGED SINCE PROJECT DESIGN. THE CONTRACTOR SHALL VERIFY AND CONFIRM ALL EXISTING CONDITIONS AND SHALL CONTACT THE PROJECT ENGINEER IMMEDIATELY IF CONDITIONS HAVE CHANGED FROM WHEN THE PLANS WERE PREPARED.

ACCESSIBILITY NOTE

THE SITE SHALL COMPLY WITH THE FLORIDA BUILDING CODE (FBC) 2020 ACCESSIBILITY CODE.

PROPERTY LEGAL DESCRIPTION (PER SURVEY)

THAT PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 19 SOUTH, RANGE 26 EAST, IN THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF THE SAID SECTION 13, RUN SOUTH 725.55 FEET TO A POINT ON THE SOUTH LINE OF THE RIGHT-OF-WAY OF LAKEVIEW AVENUE; THENCE RUN EAST ALONG THE SOUTH LINE OF THE SAID RIGHT-OF-WAY 713.02 FEET FOR A POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, RUN SOUTH 1046.1 FEET; THENCE RUN S 57°09' W, 397.34 FEET; THENCE RUN N 89°38' E ALONG THE NORTH LINE OF EL CERITO SUBDIVISION, ACCORDING TO THE REVISED PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGE 26, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, A DISTANCE OF 922.35 FEET TO THE WEST LINE OF THE RIGHT-OF-WAY OF FAHNSTOCK STREET; THENCE RUN N 00°06' E ALONG THE WEST LINE OF THE SAID RIGHT-OF-WAY 1015 FEET, TO A POINT 240.6 FEET SOUTH OF THE SOUTH LINE OF THE RIGHT-OF-WAY OF LAKEVIEW AVENUE; THENCE RUN WEST AND PARALLEL WITH THE SOUTH LINE OF THE RIGHT-OF-WAY OF LAKEVIEW AVENUE 255 FEET; THENCE RUN N 00°06' E AND PARALLEL WITH THE WEST LINE OF THE RIGHT-OF-WAY OF FAHNSTOCK STREET 240.6 FEET TO THE SOUTH LINE OF THE RIGHT-OF-WAY OF LAKEVIEW AVENUE; THENCE RUN WEST ALONG THE SOUTH LINE OF THE SAID RIGHT-OF-WAY 335.78 FEET TO THE POINT OF BEGINNING.

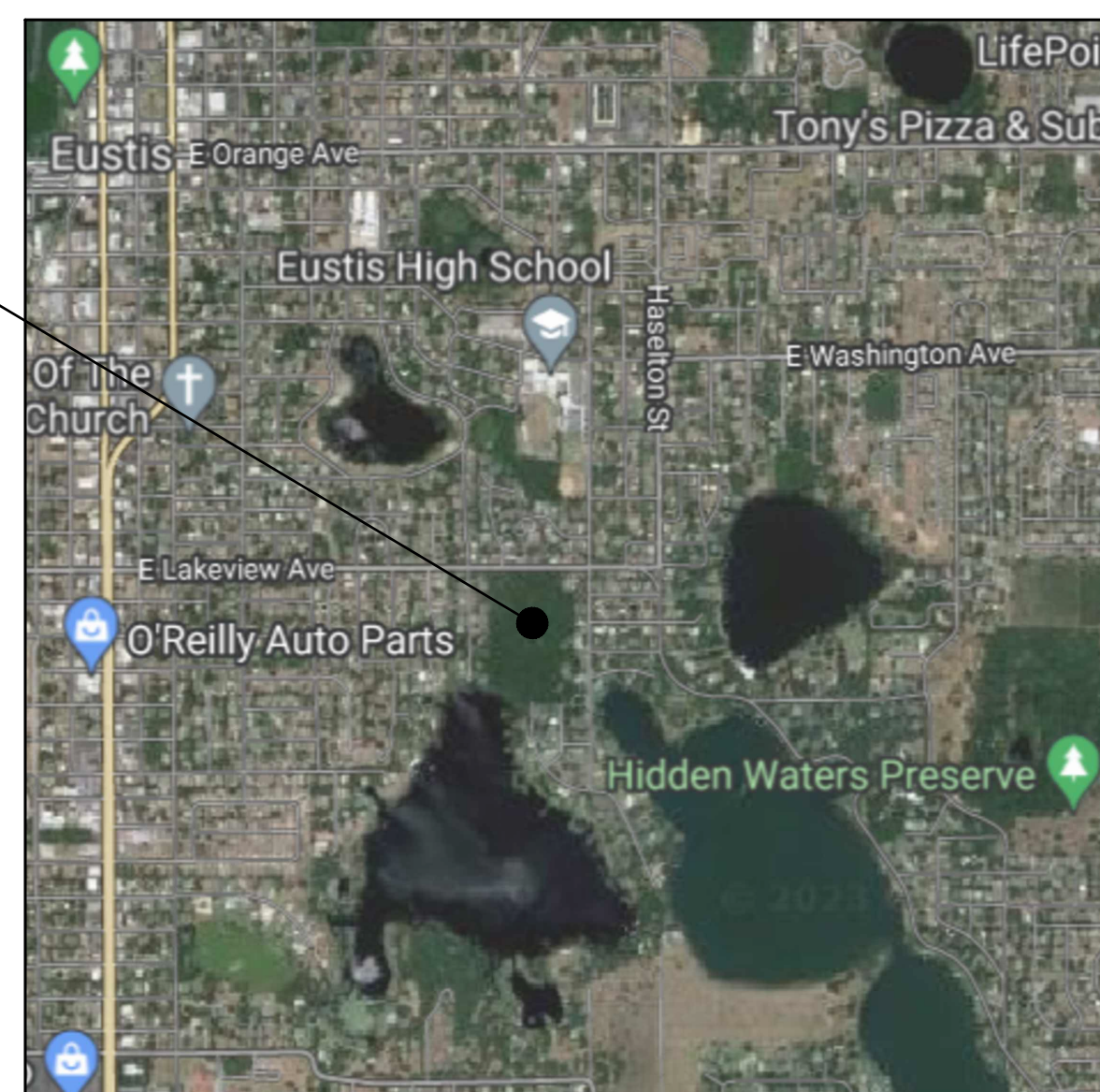
LESS THAT PART THEREOF DESCRIBED AS CROOKED LAKE HEIGHTS, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 23, PAGE 16, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

ALSO LESS THAT PART THEREOF DESCRIBED AS CROOKED LAKE HEIGHTS FIRST ADDITION, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 30, PAGE 68, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

ALSO LESS THAT PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 19 SOUTH, RANGE 26 EAST, IN THE CITY OF EUSTIS, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF LOT 9 IN EL CERITO, A SUBDIVISION IN THE CITY OF EUSTIS, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 47, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, AND RUN NORTH ALONG THE WEST LINE OF THE RIGHT-OF-WAY OF FAHNSTOCK AVENUE A DISTANCE OF 45 FEET; THENCE WEST AND PARALLEL WITH THE NORTH LINES OF LOTS 9 AND 18 IN SAID EL CERITO TO THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 18; THENCE SOUTH ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 18 A DISTANCE OF 45 FEET TO THE NORTHWEST CORNER OF SAID LOT 18; THENCE EAST ALONG THE NORTH LINES OF SAID LOTS 9 AND 18 TO THE POINT OF BEGINNING.

VICINITY MAP

PROJECT SITE



**EAST LAKEVIEW AVENUE
EUSTIS, FLORIDA 32726
SECTION 13, TOWNSHIP 19 SOUTH, RANGE 26 EAST**

SHEET LIST

- C1 COVER SHEET
- C2 CONSTRUCTION NOTES
- C3 DEMOLITION PLAN
- C4 SUBDIVISION SITE PLAN
- C5 SUBDIVISION GRADING AND DRAINAGE PLAN
- C6 SUBDIVISION UTILITY PLAN
- C7 STORMWATER POLLUTION PREVENTION PLAN
- C8 WEST BAY LANE PLAN AND PROFILE -0+12 TO 10+00
- C9 WEST BAY LANE PLAN AND PROFILE 10+00 TO 12+50
- C10 HIDDEN COURT PLAN AND PROFILE 0+00 TO 2+75
- C11 WEST BAY LANE CROSS SECTIONS 1+00 TO 9+00
- C12 WEST BAY LANE CROSS SECTIONS 9+50 TO 11+60
- C13 HIDDEN COURT CROSS SECTIONS 0+00 TO 2+75
- C14 CONSTRUCTION DETAILS
- C15 CITY OF EUSTIS CONSTRUCTION DETAILS

DATUM NOTE

ELEVATIONS SHOWN ON THE PLAN SET ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988

PERMIT NOTE

SEPARATE PERMITS ARE REQUIRED FOR THE FOLLOWING (IF APPLICABLE):

- CONSTRUCTION TRAILERS
- LIFT STATIONS
- RETAINING WALLS
- ACCESS GATES
- GENERATORS
- AWNINGS
- ETC.
- DUMPSTER ENCLOSURES
- SIGNS
- ENTRY WALL FEATURES
- SITE LIGHTING
- FENCES
- WALK-IN COOLERS

FIRE NOTE

SITE TO CONFORM TO FLORIDA FIRE PREVENTION CODE 7TH EDITION (2020)

SEPARATE PERMITS ARE REQUIRED FOR THE FOLLOWING (IF APPLICABLE):

- FIRE SPRINKLERS
- FIRE ALARM MONITORING
- DUMPSTER ENCLOSURE
- FIRE ALARMS
- FIRE UNDERGROUND

CALL 48 HOURS BEFORE YOU DIG

811

IT'S THE LAW!
DIAL 811

Know what's below.
Call before you dig.

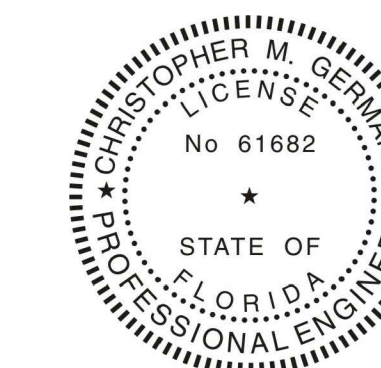
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

GERMANA ENGINEERING AND ASSOCIATES, LLC

ENGINEERING FIRM REGISTRY NUMBER: 29279
1120 WEST MINNEOLA AVENUE
CLERMONT, FLORIDA 34711
PHONE: (352) 242-9329
WWW.GERMANAENGINEERING.COM

This item has been digitally signed and sealed by Christopher M. Germana, PE on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Digitally signed
by Christopher
M Germana
Date: 2023.05.01
16:14:28 -04'00'



CHRISTOPHER M. GERMANA, P.E.
FLORIDA PROFESSIONAL ENGINEER # 61682
ENGINEERING FIRM REGISTRY # 29279

ISSUE DATE: 03-01-2023

EXISTING UTILITIES

THE LOCATIONS OF ALL EXISTING UTILITIES SHOWN ON THE PLANS HAVE BEEN DETERMINED FROM THE BEST INFORMATION AVAILABLE AND ARE GIVEN THE CONVENIENCE OF THE CONTRACTOR. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THEIR ACCURACY. PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITY, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE VARIOUS UTILITIES AND TO MAKE THE NECESSARY ARRANGEMENTS FOR ANY RELOCATIONS TO THESE UTILITIES WITH THE OWNER OF THE UTILITY. THE CONTRACTOR SHALL EXERCISE CAUTION WHEN CROSSING AN UNDERGROUND UTILITY, WHETHER SHOWN ON THE PLAN OR LOCATED BY THE UTILITY COMPANY. ALL UTILITIES THAT INTERFERE WITH THE PROPOSED CONSTRUCTION SHALL BE RELOCATED BY THE RESPECTIVE UTILITY COMPANY AND THE CONTRACTOR SHALL COOPERATE WITH THEM DURING RELOCATION OPERATIONS. ANY DELAY OR INCONVENIENCE CAUSED TO THE CONTRACTOR BY THE RELOCATION OF VARIOUS UTILITIES SHALL BE INCIDENTAL TO THE CONTRACT, AND NO EXTRA COMPENSATION WILL BE ALLOWED.

DRAINAGE SYSTEMS

THE CONTRACTOR SHALL PERFORM ALL WORK PERTAINING TO DRAINAGE INCLUDING EXCAVATION OF STORMWATER POND PRIOR TO THE COMMENCEMENT OF OTHER WORK INCLUDED IN THESE PLANS. THE DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE CONTRACTOR DURING THE COURSE OF THIS CONTRACT. THE CONTRACTOR SHALL INCLUDE FUNDS IN THE DRAINAGE COSTS OF THE CONTRACT TO OPERATE AND MAINTAIN THE DRAINAGE SYSTEMS DURING THE WORK PROCESS.

PERMITS AND PERMIT REQUIREMENTS

THE CONTRACTOR SHALL OBTAIN FROM THE OWNER COPIES OF ALL REGULATORY AND LOCAL AGENCY PERMITS. THE CONTRACTOR SHALL BE EXPECTED TO REVIEW AND ABIDE BY ALL THE REQUIREMENTS AND LIMITATIONS SET FORTH IN THE PERMITS. A COPY OF THE PERMIT SHALL BE KEPT ON THE JOB AT ALL TIMES.

LAYOUT AND CONTROL

UNLESS OTHERWISE NOTED ON THE PLANS, THE CONTRACTOR SHALL PROVIDE FOR THE LAYOUT OF ALL THE WORK TO BE CONSTRUCTED. BENCHMARK INFORMATION SHALL BE PROVIDED TO THE CONTRACTOR BY THE OWNER OR OWNER'S SURVEYOR. ANY DISCREPANCIES BETWEEN FIELD MEASUREMENTS AND CONSTRUCTION PLAN INFORMATION SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER IMMEDIATELY.

QUALITY CONTROL TESTING REQUIREMENTS

ALL TESTING RESULTS SHALL BE PROVIDED TO THE OWNER/OPERATOR AND THE ENGINEER. TESTING REQUIREMENTS ARE TO BE IN ACCORDANCE WITH THE OWNER/OPERATOR'S SPECIFICATIONS AND REQUIREMENTS. ALL TEST RESULTS SHALL BE PROVIDED (PASSING AND FAILING) ON A REGULAR AND IMMEDIATE BASIS. CONTRACTOR SHALL PROVIDE TESTING SERVICES THROUGH A FLORIDA LICENSED GEOTECHNICAL ENGINEERING FIRM ACCEPTABLE TO THE OWNER AND THE ENGINEER. CONTRACTOR TO SUBMIT TESTING FIRM TO OWNER FOR APPROVAL PRIOR TO COMMENCING TESTING.

SHOP DRAWINGS

SHOP DRAWINGS AND CERTIFICATIONS FOR ALL STORM DRAINAGE, WATER SYSTEM, SEWER SYSTEM, AND PAVING SYSTEM MATERIALS AND STRUCTURES ARE REQUIRED. THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS TO THE ENGINEER FOR APPROVAL PRIOR TO ORDERING THE MATERIALS REQUIRED FOR CONSTRUCTION.

EARTHWORK QUANTITIES

THE CONTRACTOR SHALL PERFORM HIS OWN INVESTIGATIONS AND CALCULATIONS AS NECESSARY TO ASSURE HIMSELF OF EARTHWORK QUANTITIES. THERE IS NO IMPLICATION THAT EARTHWORK BALANCES, AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY IMPORT FILL NEEDED, OR FOR REMOVAL AND DISPOSAL OF EXCESS MATERIALS. PURSUANT TO LAND DEVELOPMENT REGULATIONS (LDR) SECTION 6.06.01(F), SOIL REMOVAL FROM THE SITE SHALL NOT EXCEED 200% OF THE VOLUME AREA OF THE NEEDED RETENTION/DETENTION VOLUME REQUIRED.

EROSION CONTROL

EROSION AND SILTRATION CONTROL MEASURES ARE TO BE PROVIDED AND INSTALLED PRIOR TO COMMENCEMENT OF CONSTRUCTION. THESE MEASURES ARE TO BE INSPECTED BY THE CONTRACTOR ON A REGULAR BASIS AND ARE TO BE MAINTAINED OR REPAIRED ON AN IMMEDIATE BASIS AS REQUIRED. REFER TO WATER MANAGEMENT DISTRICT PERMIT FOR ADDITIONAL REQUIREMENTS FOR EROSION CONTROL AND SURFACE DRAINAGE. ALL AREAS DISTURBED DURING CONSTRUCTION SHALL BE STABILIZED WITH SOD WITHIN 7 DAYS OF COMPLETION OF CONSTRUCTION. SOD SHALL BE THE SAME VARIETY OF EXISTING SOD

LIMITS OF DISTURBANCE

AT NO TIME SHALL THE CONTRACTOR DISTURB SURROUNDING PROPERTIES OR TRAVEL ON SURROUNDING PROPERTIES WITHOUT WRITTEN CONSENT FROM THE PROPERTY OWNER. REPAIR OR RECONSTRUCTION OF DAMAGED AREAS ON SURROUNDING PROPERTIES SHALL BE PERFORMED BY THE CONTRACTOR ON AN IMMEDIATE BASIS. ALL COSTS FOR REPAIRS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND NO EXTRA COMPENSATION SHALL BE PROVIDED. GRADING AND/OR CLEARING ON PROPERTIES OTHER THAN SHOWN ON THE APPROVED PLANS IS PROHIBITED.

TREE REMOVAL

THE CONTRACTOR SHALL NOTIFY THE OWNER AND THE ENGINEER WHEN ALL WORK IS LAID OUT (SURVEY STAKED), SO THAT A DETERMINATION MAY BE MADE OF SPECIFIC TREES TO BE REMOVED. NO TREES ON THE CONSTRUCTION PLANS AS BEING SAVED SHALL BE REMOVED WITHOUT PERMISSION FROM THE OWNER AND ENGINEER.

CLEARING AND GRUBBING

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEARING AND GRUBBING FOR SITE CONSTRUCTION INCLUDING CLEARING FOR PAVING, UTILITIES, DRAINAGE FACILITIES AND BUILDING CONSTRUCTION. ALL AREAS TO BE CLEARED SHALL BE FIELD STAKED AND REVIEWED BY THE OWNER AND ENGINEER PRIOR TO ANY CONSTRUCTION.

AS-BUILTS

THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AS-BUILT SURVEYS FOR ALL APPLICABLE UTILITIES.

MATERIAL STORAGE/DEBRIS REMOVAL

1. NO COMBUSTIBLE BUILDING MATERIALS MAY BE ACCUMULATED ON THE SITE AND NO CONSTRUCTION WORK INVOLVING COMBUSTIBLE MATERIALS MAY BEGIN UNTIL INSTALLATION OF ALL REQUIRED WATER MAINS AND FIRE HYDRANTS HAVE BEEN COMPLETED, DEP APPROVAL RECEIVED FOR THE WATER MAINS, AND THE HYDRANTS ARE IN OPERATION. CONSTRUCTION WORK INVOLVING NON-COMBUSTIBLE MATERIALS, SUCH AS CONCRETE, MASONRY AND STEEL MAY BEGIN PRIOR TO THE FIRE HYDRANTS BEING OPERATIONAL.
2. ALL MATERIALS EXCAVATED SHALL REMAIN THE PROPERTY OF THE OWNER AND SHALL BE STOCKPILED AT ON-SITE LOCATIONS AS SPECIFIED BY THE OWNER. MATERIALS SHALL BE STOCKPILED SEPARATELY AS TO USABLE (NON-ORGANIC) FILL STOCKPILES AND ORGANIC (MUCK) STOCKPILES IF MUCK IS ENCOUNTERED. CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL UNSUITABLE FILL MATERIALS FROM THE SITE. ALL CLAY ENCOUNTERED SHALL BE EXCAVATED OUT AND REPLACED WITH CLEAN GRANULAR FILL MATERIALS.

FILL MATERIAL

ALL MATERIALS SHALL CONTAIN NO MUCK, STUMPS, ROOTS, BRUSH, VEGETATIVE MATTER, RUBBISH OR OTHER MATERIAL THAT WILL NOT COMPACT INTO A SUITABLE AND ENDURING BACKFILL. FILL SHALL BE CLEAN, NON-ORGANIC, GRANULAR MATERIAL WITH NOT MORE THAN 10% PASSING THE NO. 200 SIEVE.

COMPACTION

FILL MATERIALS PLACED UNDER ROADWAYS SHALL BE COMPACTED TO AT LEAST 98% OF THE MAXIMUM DENSITY AS SPECIFIED IN AASHTO T-180. ALL OTHER FILL AREAS ARE TO BE COMPACTED TO AT LEAST 95% MAXIMUM DENSITY AS SPECIFIED IN AASHTO T-180. FILL MATERIALS SHALL BE PLACED AND COMPACTED IN A MAXIMUM OF 12" LIFTS. THE CONTRACTOR SHALL PROVIDE THE ENGINEER AND OWNER WITH ALL (PASSING AND FAILING) TESTING RESULTS. RESULTS SHALL BE PROVIDED ON A TIMELY AND REGULAR BASIS PRIOR TO CONTRACTOR'S PAY REQUEST SUBMITTAL FOR THE AFFECTED WORK.

GENERAL DESIGN INTENT

ALL PAVING SURFACES IN INTERSECTIONS AND ADJACENT SECTIONS SHALL BE GRADED TO DRAIN POSITIVELY IN THE DIRECTION SHOWN BY THE FLOW ARROWS ON THE PLANS AND TO PROVIDE A SMOOTHLY TRANSITIONED DRIVING SURFACE FOR VEHICLES WITH NO SHARP BREAKS IN GRADE, AND NO UNUSUALLY STEEP OR REVERSE CROSS SLOPES. APPROACHES TO INTERSECTIONS AND ENTRANCE AND EXIT GRADES TO INTERSECTIONS WILL HAVE TO BE STAKED IN THE FIELD AT DIFFERENT GRADES THAN THE CENTERLINE GRADES TO ACCOMPLISH THE PURPOSES OUTLINED. IN ADDITION, THE STANDARD CROWN WILL HAVE TO BE CHANGED IN ORDER TO DRAIN POSITIVELY IN THE AREA OF INTERSECTIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ACCOMPLISH THE ABOVE AND THE ENGINEER SHALL BE CONSULTED SO THAT HE MAY MAKE ANY AND ALL REQUIRED INTERPRETATIONS OF THE PLANS OR GIVE SUPPLEMENTARY INSTRUCTION TO ACCOMPLISH THE INTENT OF THE PLANS.

MATERIALS/CONSTRUCTION SPECIFICATIONS

MATERIALS AND CONSTRUCTION METHODS FOR THE ROADWAY CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION LATEST EDITION.

PAVEMENT SECTION REQUIREMENTS

CONSTRUCTION OF ROADWAY, SUBGRADE PREPARATION, AND PAVEMENT INSTALLATION SHALL CONFORM TO FDOT STANDARDS AND SOILS REPORT RECOMMENDATIONS UNLESS OTHERWISE NOTED IN THE CONSTRUCTION DOCUMENTS.

SIDEWALKS

SIDEWALKS ARE TO BE CONSTRUCTED IN THE AREA AS SHOWN ON THE CONSTRUCTION PLANS. SIDEWALK SHALL BE CONSTRUCTED OF 4 INCHES OF CONCRETE WITH A 28 DAY COMPRESSION STRENGTH OF 2500 PSI. JOINTS SHALL BE EITHER TOOLED OR SAWCUT AT A DISTANCE OF 5' LENGTHS. HANDICAPPED RAMPS SHALL BE PROVIDED AT ALL INTERSECTIONS AND BE IN ACCORDANCE WITH STATE REGULATIONS FOR HANDICAP ACCESSIBILITY.

PAVEMENT MARKINGS/SIGNAGE

PAVEMENT MARKINGS AND SIGNAGE SHALL BE PROVIDED AS SHOWN ON THE CONSTRUCTION PLANS AND SHALL MEET THE REQUIREMENTS OF THE OWNER/OPERATOR. SIGNAGE SHALL BE IN CONFORMANCE WITH MUTCD (LATEST EDITION). A 48-HOUR PAVEMENT CURING TIME WILL BE PROVIDED PRIOR TO APPLICATION OF THE PAVEMENT MARKINGS. REFLECTIVE PAVEMENT MARKINGS SHALL BE INSTALLED IN ACCORDANCE WITH FDOT INDEX NO. 17352.

TRAFFIC CONTROL

WHERE APPLICABLE A MOT PLAN SHALL BE SUBMITTED TO THE ENGINEER PRIOR TO COMMENCEMENT OF WORK. A MINIMUM OF 2-WAY, ONE LANE TRAFFIC SHALL BE MAINTAINED IN THE WORK SITE AREA. ALL CONSTRUCTION WARNING SIGNAGE SHALL BE IN PLACE PRIOR TO COMMENCEMENT OF CONSTRUCTION AND BE MAINTAINED THROUGHOUT CONSTRUCTION. ACCESS SHALL BE CONTINUOUSLY MAINTAINED FOR ALL PROPERTY OWNERS SURROUNDING THE WORK SITE AREA. LIGHTED WARNING DEVICES ARE TO BE OPERATIONAL PRIOR TO DUSK EACH NIGHT DURING CONSTRUCTION.

CURBING

CURBING SHALL BE CONSTRUCTED WHERE NOTED ON THE CONSTRUCTION PLANS. CONCRETE FOR CURBS SHALL BE DEPARTMENT OF TRANSPORTATION CLASS '1' CONCRETE WITH A 28 DAY COMPRESSION STRENGTH OF 2500 PSI. ALL CURBS SHALL HAVE SAW CUT CONTRACTION JOINTS AND SHALL BE CONSTRUCTED AT INTERVALS NOT TO EXCEED 10'-0" ON CENTER. CONSTRUCTION OF CURBS SHALL BE IN CONFORMANCE WITH FDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION SECTION 520 AND DETAILS PROVIDED ON THE CONSTRUCTION PLANS.

R/W RESTORATION

ALL AREAS WITHIN THE RIGHT-OF-WAYS SHALL BE FINISH GRADED WITH A SMOOTH TRANSITION INTO EXISTING GROUND. ALL SWALES SHALL BE STABILIZED IMMEDIATELY AFTER FINAL GRADING. ALL DISTURBED AREAS SHALL BE RAKED CLEAN OF ALL LIMEROCK AND ROCKS AND SODDED AFTER FINAL GRADING IN ACCORDANCE WITH THE CONSTRUCTION PLANS PRIOR TO FINAL INSPECTION. ALL GRASSING (SOD) SHALL BE MAINTAINED BY THE CONTRACTOR UNTIL FINAL ACCEPTANCE BY THE OWNER/OPERATOR.

SITE ACCESS

ALL ACCESS TO THE JOB SITE FOR CONSTRUCTION AND RELATED ACTIVITIES SHALL BE BY EXISTING STREETS AND ROADS.

LANDSCAPING

PROVIDE MINIMUM 5' SEPARATION FROM UTILITIES AND TREES WITH INVASIVE ROOT SYSTEMS.

WATER PIPE MATERIALS

WATER SYSTEM SHOP DRAWINGS SHALL BE SUBMITTED TO THE ENGINEER AND SHALL MEET CITY OF EUSTS SPECIFICATIONS. POLYVINYL CHLORIDE PLASTIC PIPE (PVC) 4" THROUGH 12" SHALL BE MANUFACTURED IN ACCORDANCE WITH ANSI/AWWA C900 (LATEST EDITION) AND SHALL HAVE A MINIMUM WORKING PRESSURE OF 150 PSI AND A DR (DIMENSION RATIO) OF 18. ALL PVC PIPE SHALL BEAR THE NSF LOGO FOR POTABLE WATER. JOINTS SHALL BE OF THE PUSH-ON TYPE AND COUPLINGS CONFORMING TO ASTM D3139, DR18 PIPE. DUCTILE IRON PIPE (DIP) SHALL BE STANDARD PRESSURE CLASS 350 IN SIZES 4" THROUGH 12" AND CONFORM TO ANSI/AWWA C150/A21.50 (LATEST EDITION). ALL DUCTILE IRON PIPE SHALL HAVE A STANDARD THICKNESS OF CEMENT MORTAR LINING AS SPECIFIED IN ANSI/AWWA C104/A21.4 (LATEST EDITION). PIPE JOINTS SHALL BE OF THE PUSH-ON RUBBER GASKET TYPE CONFORMING TO ANSI/AWWA C111/A21.11 (LATEST EDITION). PIPE DETECTOR WITH LOCATOR WIRE SHALL BE INSTALLED ON ALL WATER MAINS PER DETAIL. PIPE SIZES GREATER THAN 12" SHALL BE SEPARATELY SPECIFIED ON THE PLANS; WITH THICKNESS CLASSES TO BE SHOWN BASED ON WORKING PRESSURES, PIPE DEPTH AND TRENCH CONDITIONS. FITTINGS FOR DUCTILE IRON PIPE AND PVC C-900 PIPE SHALL BE DUCTILE IRON AND SHALL CONFORM TO ANSI/AWWA C153/A21.10 (LATEST EDITION) AND SHALL BE CEMENT LINED IN CONFORMANCE WITH ANSI/AWWA C104/A21.4 (LATEST EDITION). POLYETHYLENE WRAP USED FOR CORROSION PREVENTION ON DUCTILE IRON PIPE SHALL CONFORM TO THE REQUIREMENTS OF ANSI/ASTM D1248. THE MINIMUM NOMINAL THICKNESS SHALL BE 0.008 IN. (8 MILS). INSTALLATION OF POLY WRAP SHALL BE IN ACCORDANCE WITH AWWA C105. TRANSMISSION MAIN SHALL BE DIP RATED FOR 250 PSI.

VALVES

GATE VALVES SHALL BE RESILIENT SEAT AND SHALL CONFORM TO ANSI/AWWA C509.87 WITH WRENCH NUT, EXTENSION STEMS AND OTHER APPURTENANCES AS REQUIRED. MANUFACTURER'S CERTIFICATION OF THE VALVES COMPLIANCE WITH AWWA SPECIFICATION C509 AND TESTS LISTED THEREIN WILL BE REQUIRED. VALVES SHALL BE CLOW, DRESSER, KENNEDY, AMERICAN.

AIR RELEASE VALVES

AIR RELEASE VALVES SHALL BE PLACED AT HIGH POINTS OF THE TRANSMISSION MAIN TO PERMIT ESCAPE OF TRAPPED AIR. THE VALVE SIZE, LOCATION AND METHOD OF INSTALLATION SHALL BE INDICATED ON THE DRAWINGS, OR AS DIRECTED BY THE ENGINEER. AIR RELEASE VALVES SHALL BE CRISPN PRESSURE AIR VALVE TYPE.

WATER SERVICES

UNLESS OTHERWISE NOTED IN THE PLANS, THE UTILITY COMPANY SHALL PROVIDE AND INSTALL WATER METERS. CONTRACTOR SHALL CONSTRUCT WATER SERVICE THROUGH THE CURB STOP AND SET METER BOXES TO FINISHED GRADE AS SHOWN ON THE WATER SYSTEM DETAIL SHEET. POLYETHYLENE (PE) PRESSURE PIPE FOR WATER SERVICES 1/2" THROUGH 3" SHALL CONFORM TO AWWA C901.88, MIN. 200 PSI. AND SHALL BE PHILLIPS DRISCO CTS 5100 (DR-9) ASTM D-2737, 200 PSI. ALL SERVICES SHALL INCLUDE THE FOLLOWING: LOCKING CURB STOPS, WYE BRANCHES, UNIONS AS REQUIRED, PE SERVICE PIPE AND CORPORATION STOPS. THE SERVICE SHALL BE COMPLETE THROUGH THE CURB STOP AS SHOWN ON THE DETAIL SHEET, AND SHALL BE OF THE TYPE REQUIRED FOR COMPATIBILITY WITH THE SERVICE LINES SPECIFIED, AND FITTINGS SHALL BE MANUFACTURED BY FORD. WHERE APPLICABLE - UNLESS OTHERWISE NOTED IN PLANS, UTILITY COMPANY SHALL PROVIDE AND INSTALL IRRIGATION METERS. WHERE RECLAIM SERVICE IS NOT PROVIDED, CONTRACTOR SHALL CONSTRUCT IRRIGATION SERVICE THROUGH THE CURB STOP AND SET NEW BOXES TO FINISHED GRADE AS SHOWN ON THE WATER SYSTEM DETAIL SHEET.

PIPE INSTALLATION

PIPE INSTALLATION OF PVC WATER MAIN SHALL BE IN CONFORMANCE WITH ASTM D2774 (LATEST EDITION). INSTALLATION OF DUCTILE IRON PIPE WATER MAIN SHALL BE IN CONFORMANCE WITH AWWA C600.87. COMPACTED BACKFILL SHALL BE TO 98% MAXIMUM DENSITY AS DETERMINED BY AASHTO T-180 UNDER ALL PAVEMENTS WITH 12" MAXIMUM LIFT THICKNESS. OTHER COMPACTION OF BACKFILL SHALL BE TO 95% MAXIMUM DENSITY AS DETERMINED BY AASHTO T-180 WITH 12" MAXIMUM LIFT THICKNESS. SEE PIPE TRENCHING DETAILS. MINIMUM COVER OVER ALL PIPE SHALL BE 36" FROM TOP OF PIPE TO FINISHED GRADE. SEE PLAN AND PROFILE SHEETS FOR REQUIRED DEPTH. WATER MAINS ARE TO BE INSTALLED SO AS TO PROVIDE A MINIMUM VERTICAL CLEARANCE OF 18" OR A MINIMUM HORIZONTAL CLEARANCE OF 10' FROM ALL OTHER UTILITIES. IF THE MINIMUM CLEARANCE CAN NOT BE ACHIEVED, THEN DUCTILE IRON WATER MAIN SHALL BE SPECIFIED 10 FEET EITHER SIDE OF THE CROSSING. HORIZONTAL AND VERTICAL MINIMUM SEPARATION DISTANCE REQUIREMENTS BETWEEN WATER MAIN AND ALL OTHER UTILITIES SHALL COMPLY WITH 62-555.314 (1), (2), (3) AND (4), FAC. ALL WATER MAINS SHALL BE INSTALLED WITH CONCRETE THRUST BLOCKS. ALL PLUGS, CAPS, TEES, BENDS, FIRE HYDRANTS, VALVES, ETC. SHALL BE MECHANICAL JOINT FITTINGS.

SCHEDULING

THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING SCHEDULE OF WORK TO BE COMPLETED INCLUDING DATES FOR ELECTRICAL, COMMUNICATION, WALLS, FENCES, UTILITIES, LANDSCAPING, IRRIGATION, HARDSCAPING, ROADWAY, MASS GRADING, WELL INSTALLATION, WASTEWATER SYSTEM, ETC. (IF APPLICABLE)

DATE															
REVISIONS															
#															

CONSTRUCTION NOTES

HIDDEN COVE SUBDIVISION

GERMANA ENGINEERING AND ASSOCIATES, LLC
1120 WEST MINNEOLA AVENUE
CLERMONT, FL 34711
WWW.GERMANAENGINEERING.COM
ENGINEERING FIRM REGISTRY # 29279

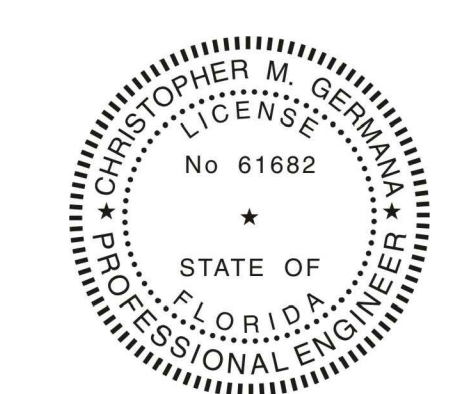
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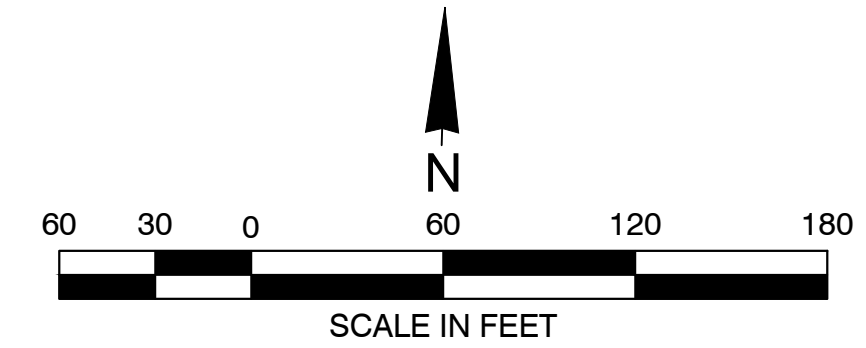
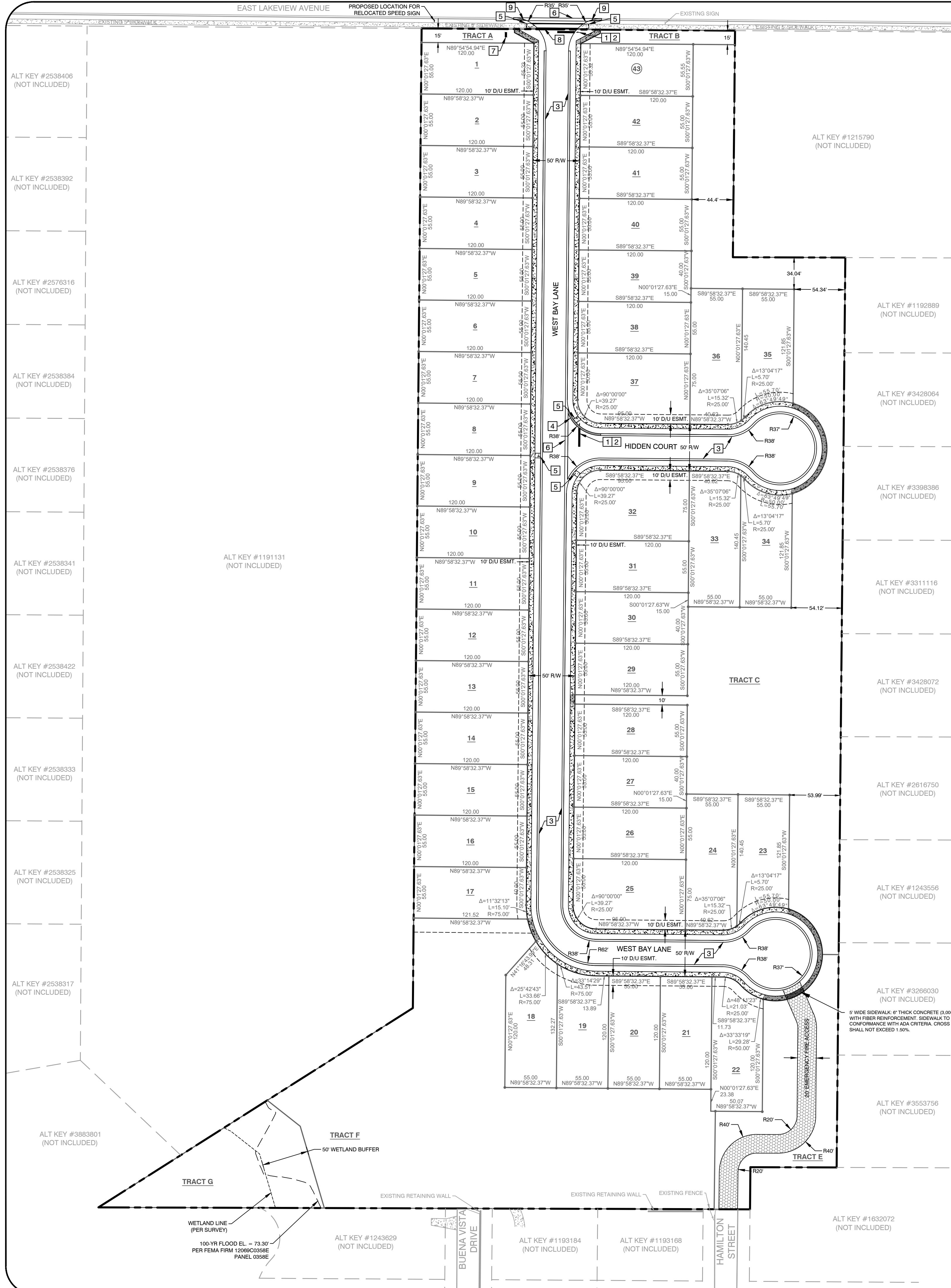
SHEET
C2

This item has been digitally signed and sealed by Christopher M. Germana, PE on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Digitally signed by Christopher M Germana
Date: 2023.05.01 16:18:01 -04'00'



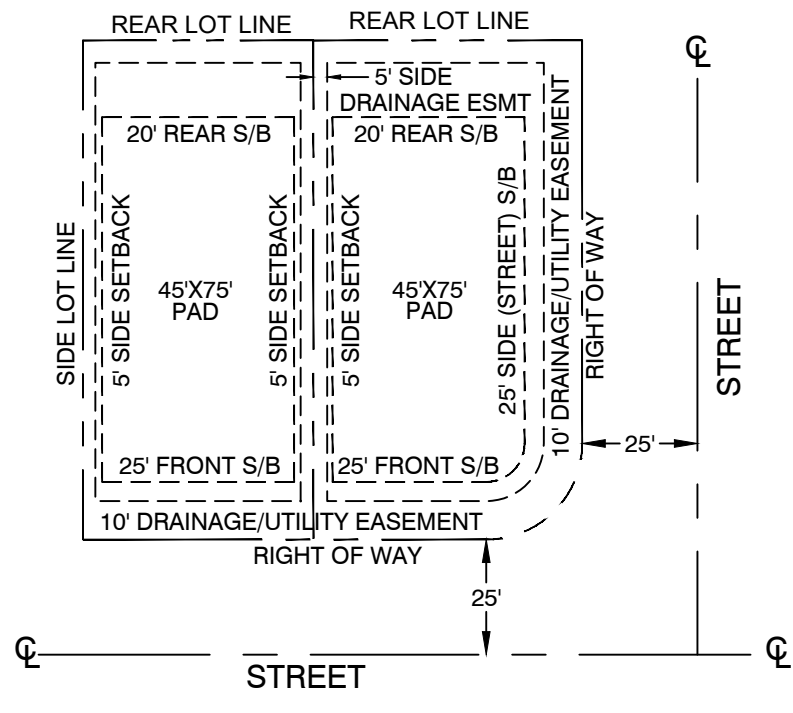
CHRISTOPHER M. GERMANA, P.E.
FLORIDA PROFESSIONAL ENGINEER # 61682
ENGINEERING FIRM REGISTRY # 29279



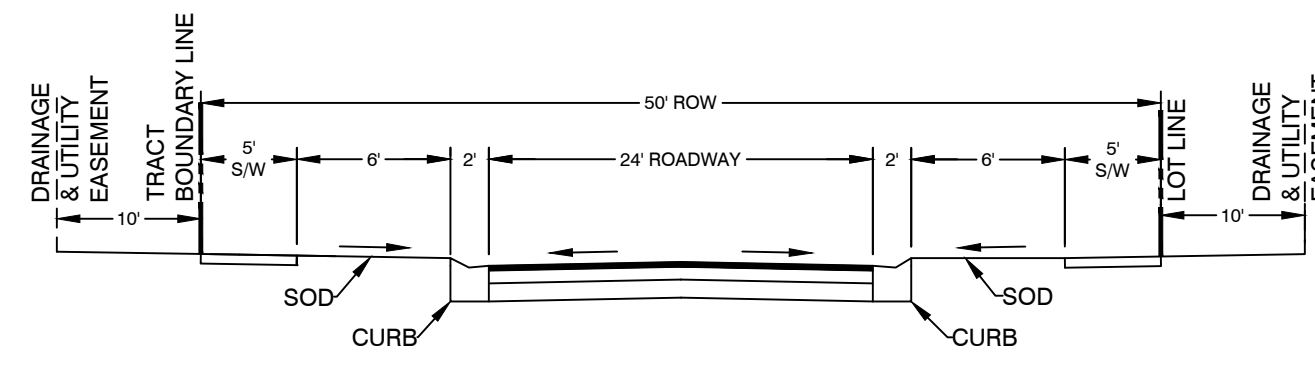
SITE DATA

- SITE AREA** = 13.18 AC / 574,264 SF
- SITE LOCATION**
EAST LAKEVIEW AVENUE
EUSTIS, FLORIDA 32726
SECTION 13, TOWNSHIP 19 SOUTH, RANGE 26 EAST
- SITE DESCRIPTION**
TAX PARCEL ALT KEY: 1216044
FUTURE LAND USE: SUBURBAN RESIDENTIAL
DESIGN DISTRICT: SUBURBAN NEIGHBORHOOD
- SITE REQUIREMENTS**
MAXIMUM DWELLING UNITS: 66 (5 DU/ACRE)
MINIMUM OPEN SPACE REQUIRED: 25%
MAXIMUM ISR: 40%
MINIMUM PARK SIZE: 1/2 ACRE (25-49 LOTS)
- SUBDIVISION DATA**
USE TYPE: SINGLE-FAMILY RESIDENTIAL
LOT TYPE: HOUSE LOT
NUMBER OF LOTS: 43
MINIMUM LOT DIMENSIONS: 55' X 120'
NET BUILDABLE AREA = SITE AREA - WETLAND AREA
= 13.18 AC - 0.21 AC
= 12.97 AC (DENSITY = 3.32 DU/AC < 5 DU/AC)

OPEN SPACE REQUIRED: 3.30 AC (25%)
R/W WIDTH: 50'
ROAD TYPE: RESIDENTIAL STREET
PARK TYPE: MINI PARK/PLAYGROUND (0.50 AC MINIMUM)
LAKEVIEW AVENUE LANDSCAPE BUFFER: 15' - 24' WIDE
WETLAND BUFFER: 50'
SCHOOL AGE POPULATION: 43 X 0.65 = 28 CHILDREN
- LOT SETBACKS**
STREET SETBACK: 25'
COMMON LOT SETBACK: 5'
REAR SETBACK: 20'
- UTILITY PROVIDERS**
WATER: CITY OF EUSTIS
RECLAIMED WATER: CITY OF EUSTIS
WASTEWATER: CITY OF EUSTIS
ELECTRICITY: SECO ENERGY
- IMPERVIOUS DATA**
LOTS = 3.65 AC (3,697 SF/LOT)
ROADWAY = 1.12 AC
CONCRETE = 0.50 AC
ON-SITE IMPERVIOUS = 5.27 AC (ISR = 40.00%)
PERVIOUS = 7.91 AC (60.00%)



TYPICAL LOT LAYOUT
NTS



TYPICAL 50' RIGHT-OF-WAY
NTS

NOTES

- THE SITE CONSTRUCTION STAKEOUT SHALL BE PERFORMED UNDER THE DIRECTION OF A FLORIDA REGISTERED SURVEYOR. AUTOCAD FILE WILL BE PROVIDED TO AID IN THE SITE CONSTRUCTION STAKEOUT. ANY DISCREPANCIES FOUND BETWEEN THE AUTOCAD FILES SHALL BE BROUGHT TO THE ENGINEERS ATTENTION FOR CLARIFICATION PRIOR TO THAT STAKEOUT.
- PROJECT SITE SHALL COMPLY WITH THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION (FBC) 2020 EDITION
- UTILITY EASEMENTS TO BE DEDICATED TO THE CITY OF EUSTIS AND ELECTRICITY PROVIDER WHERE APPLICABLE.
- DRAINAGE UTILITIES TO BE DEDICATED TO THE HOME OWNERS ASSOCIATION.
- THE HOME OWNERS ASSOCIATION SHALL MAINTAIN ALL COMMON AREAS, FENCES, AND RETENTION AREAS.
- ALL SIDEWALKS CONSTRUCTED THROUGHOUT THE ENTIRE SITE SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE CITY OF EUSTIS LAND DEVELOPMENT REGULATIONS AND SPECIFICATIONS.
- POND TRACTS SHALL BE DEDICATED TO THE HOME OWNERS ASSOCIATION.
- WALLS, FENCES, AND SIGNS SHALL BE OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION.
- ALL UTILITY LINES TO BE DESIGNED TO MEET THE CITY OF EUSTIS STANDARDS.
- ALL CONSTRUCTION MATERIAL AND OTHER PROPOSED IMPROVEMENTS SHALL MEET THE APPLICABLE CODES OF THE CITY OF EUSTIS, CITY OF EUSTIS DETAILS, OR APPROVED EQUALS, AND WILL BE UTILIZED ON THE FINAL CONSTRUCTION PLANS.
- ANY PROPOSED MECHANICAL GATES WILL REQUIRE FIRE DEPARTMENT ACCESS (CLICKCENTER, TO BE PERMITTED SEPARATELY)
- ONLY COMMON AREA SIDEWALKS ARE TO BE BUILT WITH THIS PROJECT. INDIVIDUAL LOT SIDEWALKS ARE TO BE BUILT WITH THE CONSTRUCTION OF EACH LOT.

LEGEND

- PROPOSED LOT LINE
- EXISTING FENCE
- - - EXTERIOR PARCEL LINE
- - - EASEMENT LINE
- - - WETLAND LINE
- - - FLOOD ZONE LINE
- ▭ PROPOSED CONCRETE TO BE CONSTRUCTED WITH LOTS (TYPICAL)
- ▭ PROPOSED CONCRETE TO BE CONSTRUCTED WITH THIS PROJECT (TYPICAL)
- ▭ GRASSPAVE2 FIRE TRUCK ALTERNATE ACCESS (SEE SHEET C14 FOR DETAILS)

TRACT TABLE

TRACT	USE	OWNERSHIP	ACREAGE	% OVERALL	OPEN SPACE
N/A	SINGLE FAMILY LOTS	-	6.83 AC	51.82%	0.00 AC
N/A	RIGHT OF WAY	CITY OF EUSTIS	1.90 AC	14.41%	0.00 AC
TRACT A	LANDSCAPE BUFFER	H.O.A.	0.04 AC	0.28%	0.04 AC
TRACT B	LANDSCAPE BUFFER	H.O.A.	0.05 AC	0.40%	0.05 AC
TRACT C	OPEN SPACE / PARK	H.O.A.	1.68 AC	12.78%	1.68 AC
TRACT E	EMERGENCY FIRE ACCESS	CITY OF EUSTIS	0.47 AC	3.53%	0.47 AC
TRACT F	STORMWATER	H.O.A.	1.87 AC	14.16%	1.87 AC
TRACT G	CONSERVATION EASEMENT	H.O.A.	0.34 AC	2.62%	0.34 AC
TOTAL			13.18 AC	100.00%	4.43 AC

KEY LEGEND

- 24" WHITE PAINTED STOP BAR
- 30" R1-1 STOP SIGN AND STREET SIGN
- DROP CURB (TYPICAL)
- SPILL-OUT DROP CURB PER FDOT INDEX, 300
- HANDICAP RAMP W/ CAST IN PLACE DETECTABLE WARNING MAT IN BRICK RED (PER FDOT INDEX 304)
- VALLEY GUTTER CURB AT INTERSECTION (PER FDOT INDEX 300)
- PROPOSED SUBDIVISION MONUMENT SIGN LOCATION (DESIGN BY OTHERS)
- 12" WIDE WHITE PAINTED CROSSWALK STRIPING
- 6" CURB TRANSITION

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by Christopher
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Date:
2023.05.01
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CHRISTOPHER M. GERMANA, P.E.
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ENGINEERING FIRM REGISTRY # 29279

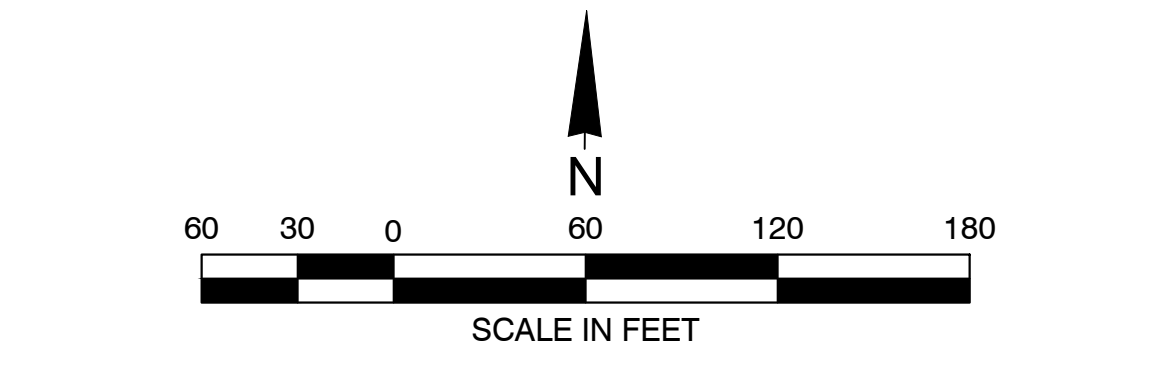
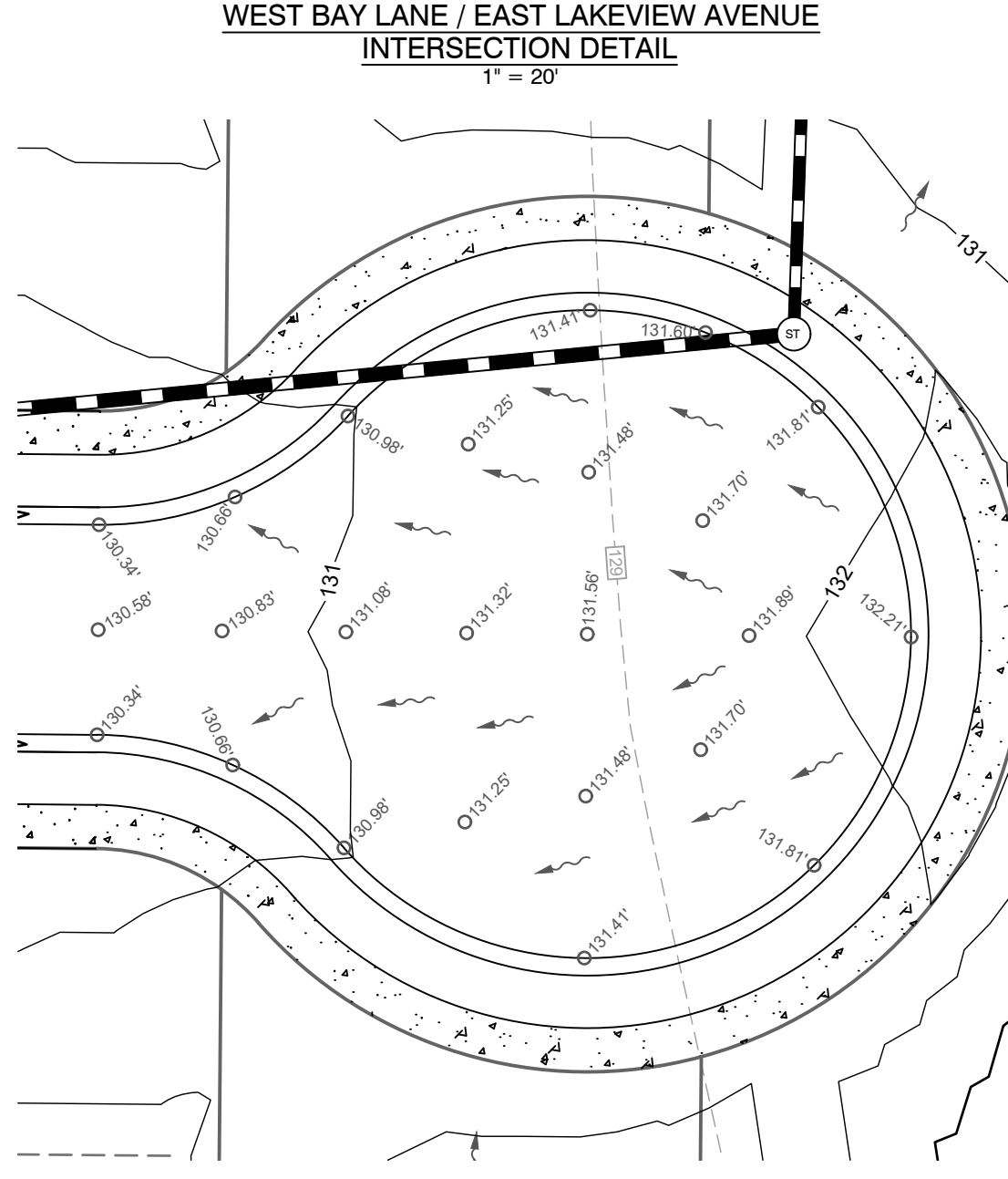
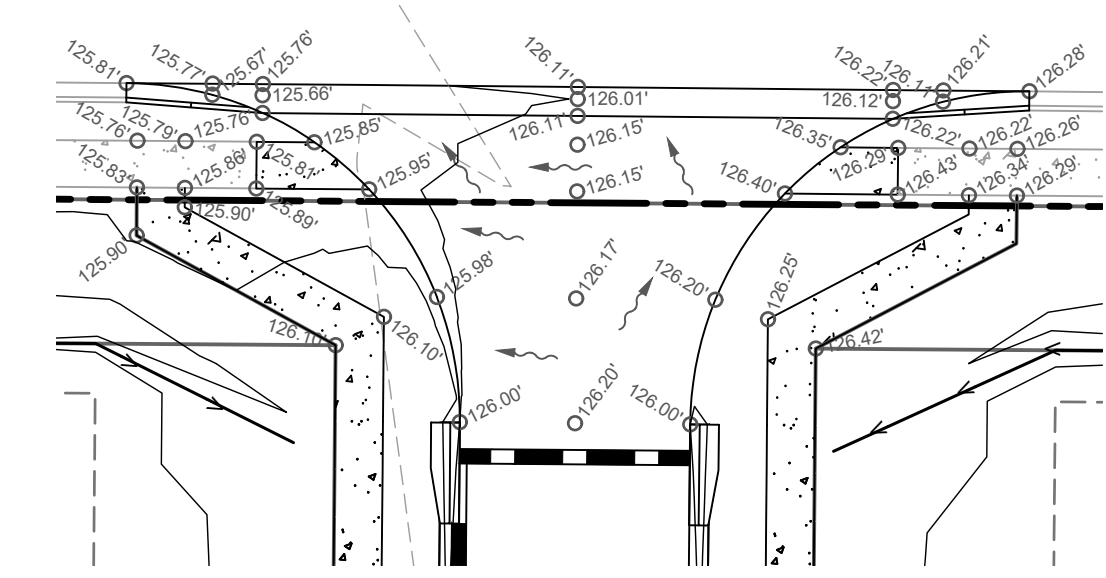
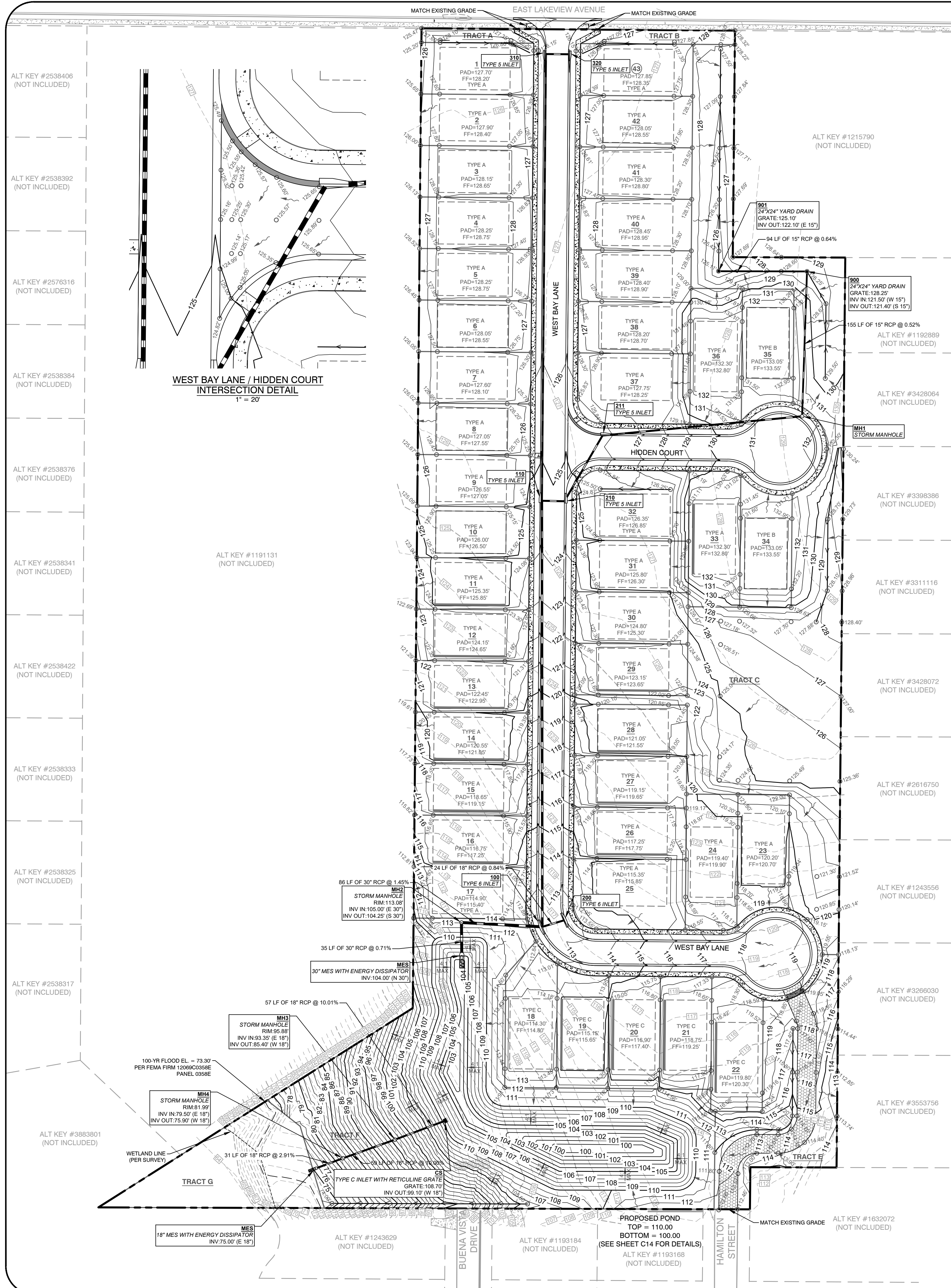
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04-03-2023 <td>1. REVISED BASED ON CITY COMMENTS</td>	1. REVISED BASED ON CITY COMMENTS

SUBDIVISION
SITE PLAN

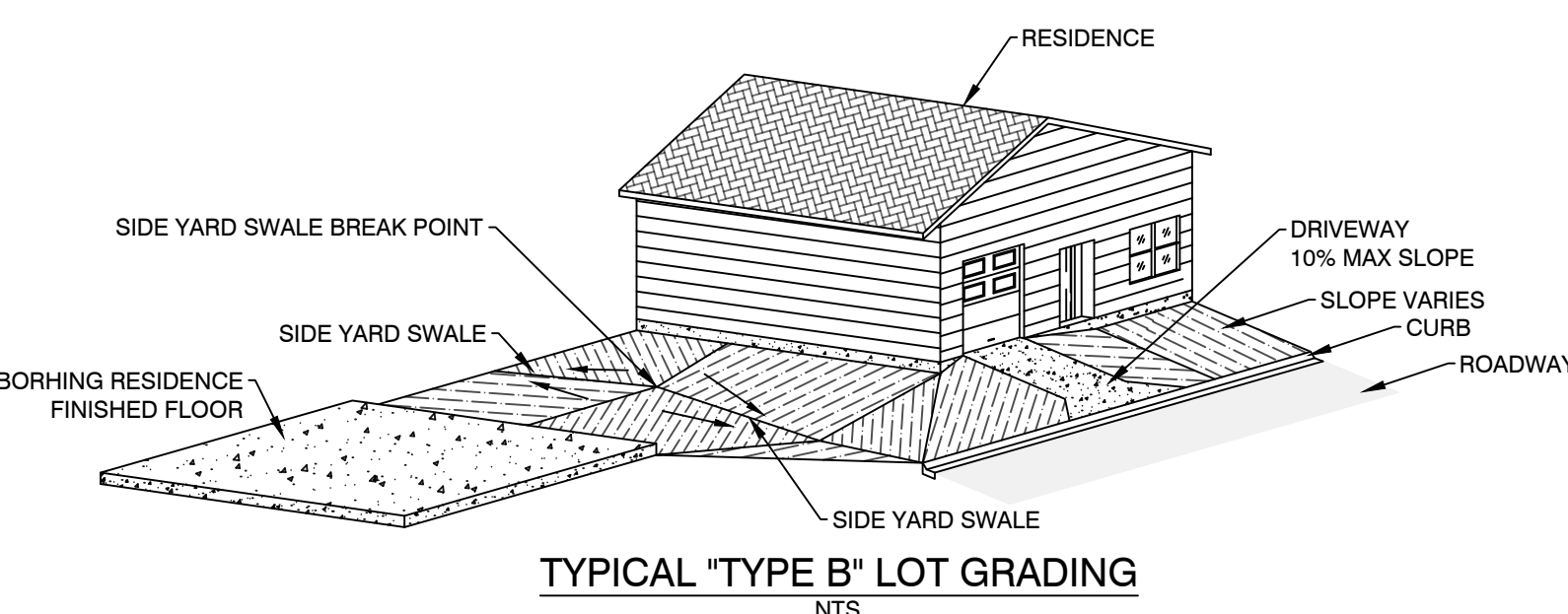
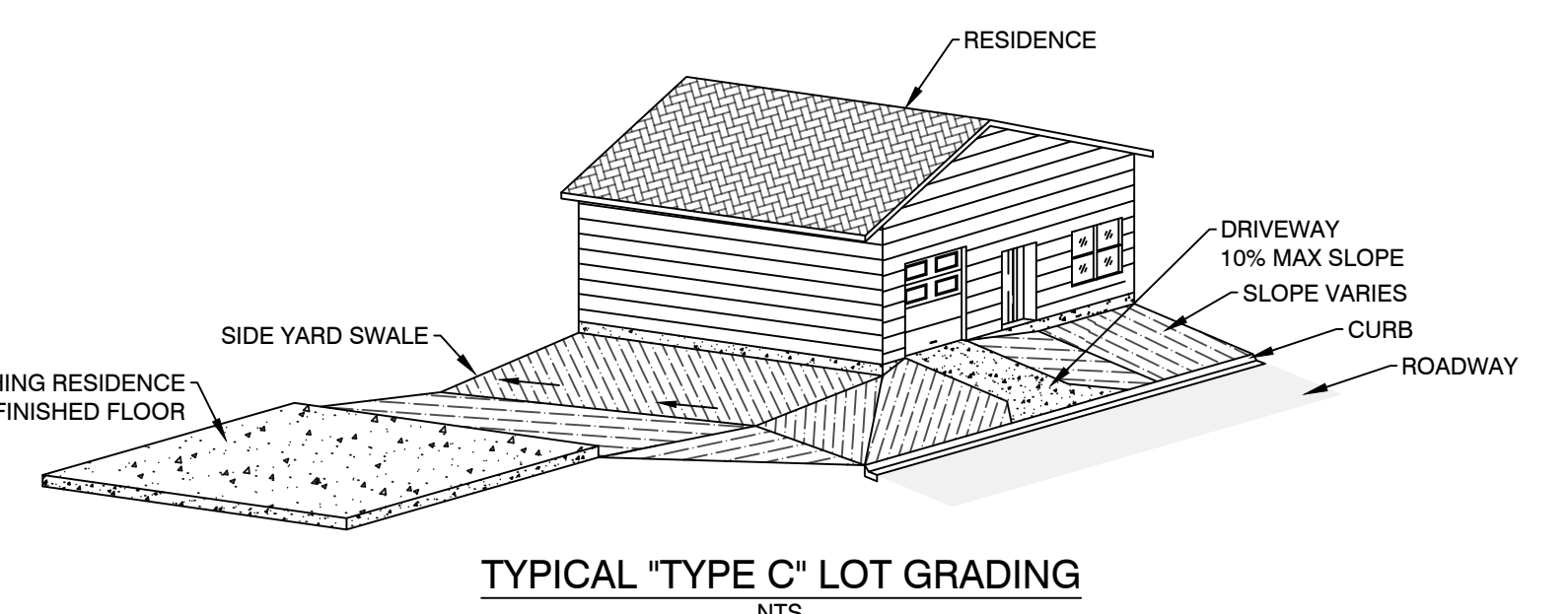
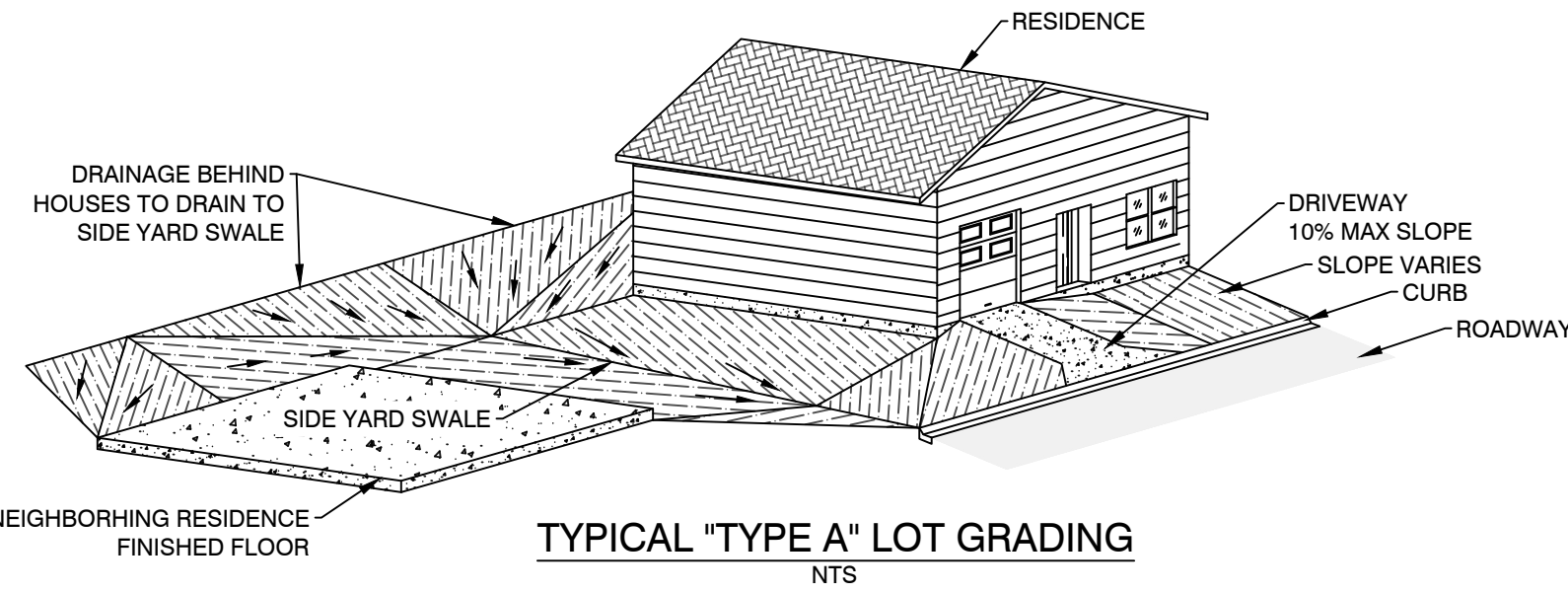
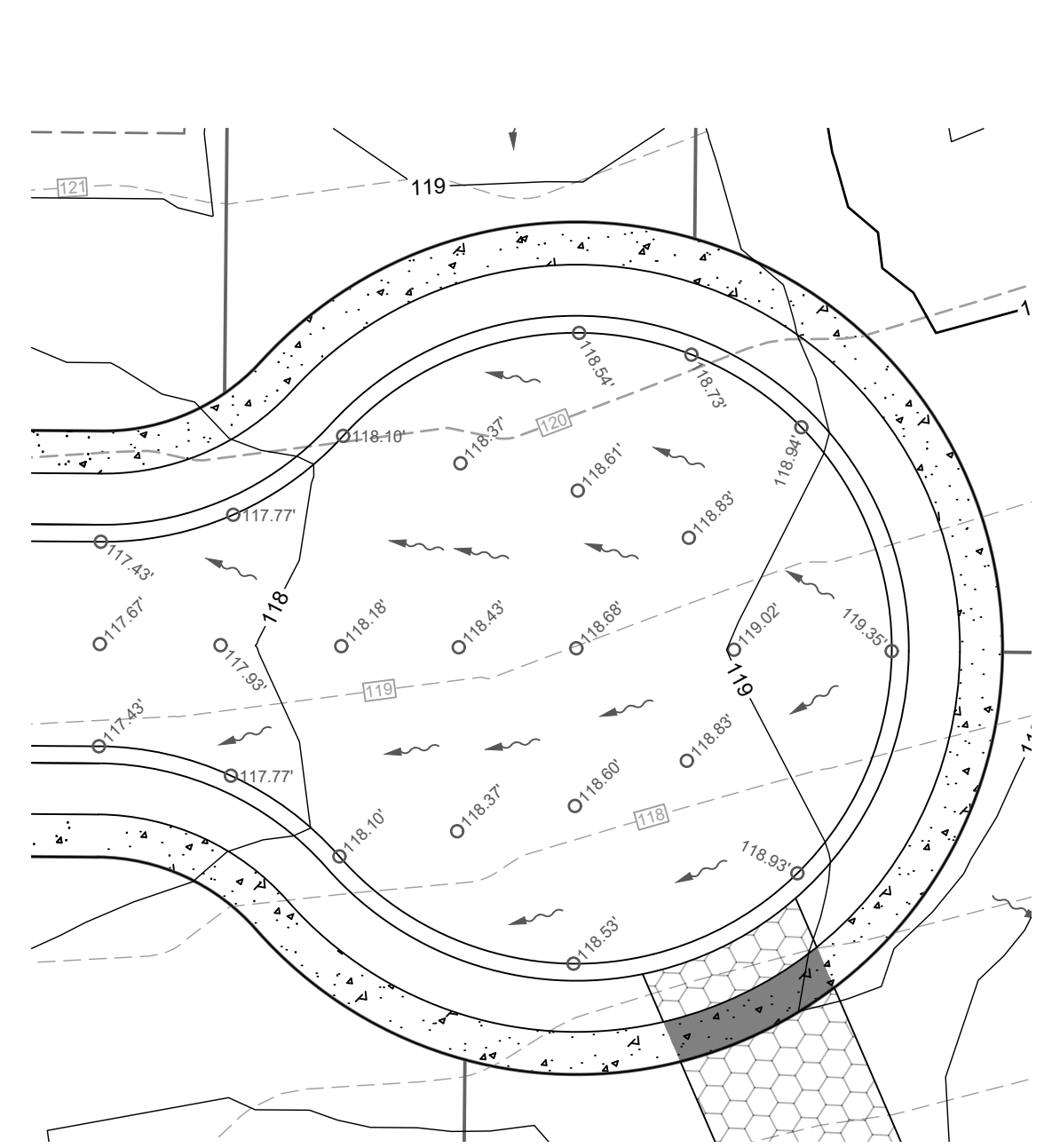
HIDDEN COVE
SUBDIVISION

**GERMANA ENGINEERING
AND ASSOCIATES, LLC**
1120 WEST MINNEOLA AVENUE
CLERMONT, FL 34711
WWW.GERMANAENGINEERING.COM
ENGINEERING FIRM REGISTRY # 29279

SCALE: 1" = 60'
DATE: 03-01-2023
SHEET C4



****CAUTION****
EXISTING UNDERGROUND AND OVERHEAD UTILITIES ARE LOCATED WITHIN THE PROJECT AREA. THE LOCATION OF THE EXISTING UTILITIES SHOWN IN THESE PLANS IS FOR REFERENCE INFORMATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.



LEGEND

- PROPOSED 75' X 45' BUILDING PAD
- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED SPOT ELEVATION
- PROPOSED STORMWATER PIPE
- PROJECT PROPERTY LINE
- EXTERIOR PARCEL LINE
- EXISTING CONCRETE
- PROPOSED CONCRETE
- EXISTING FENCE
- PROPOSED SWALE
- STEM WALL ANTICIPATED (DESIGNED BY OTHERS)
- WETLAND LINE
- FLOOD ZONE LINE

NOTES

1. EARTHWORK AS PROPOSED WILL BE BALANCED ON SITE WITH NO EXPORT OR IMPORT OF SOIL NEEDED.

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Date: 2023.05.01
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CHRISTOPHER M. GERMANA, P.E.
FLORIDA PROFESSIONAL ENGINEER # 61682
ENGINEERING FIRM REGISTRY # 29279

DATE	REVISIONS
04-03-2023 <td>1. REVISED BASED ON CITY COMMENTS</td>	1. REVISED BASED ON CITY COMMENTS

SUBDIVISION GRADING AND DRAINAGE PLAN

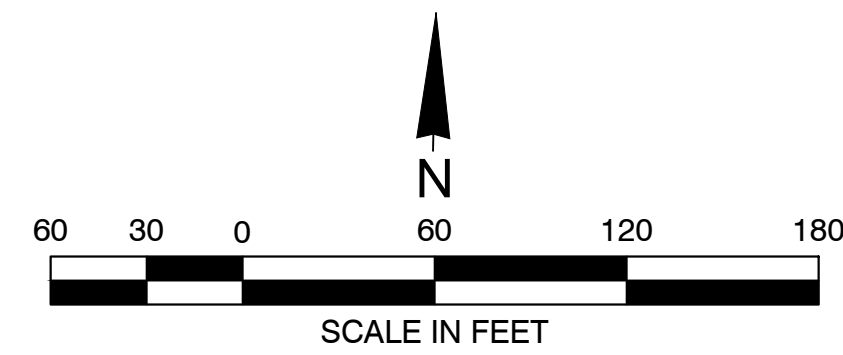
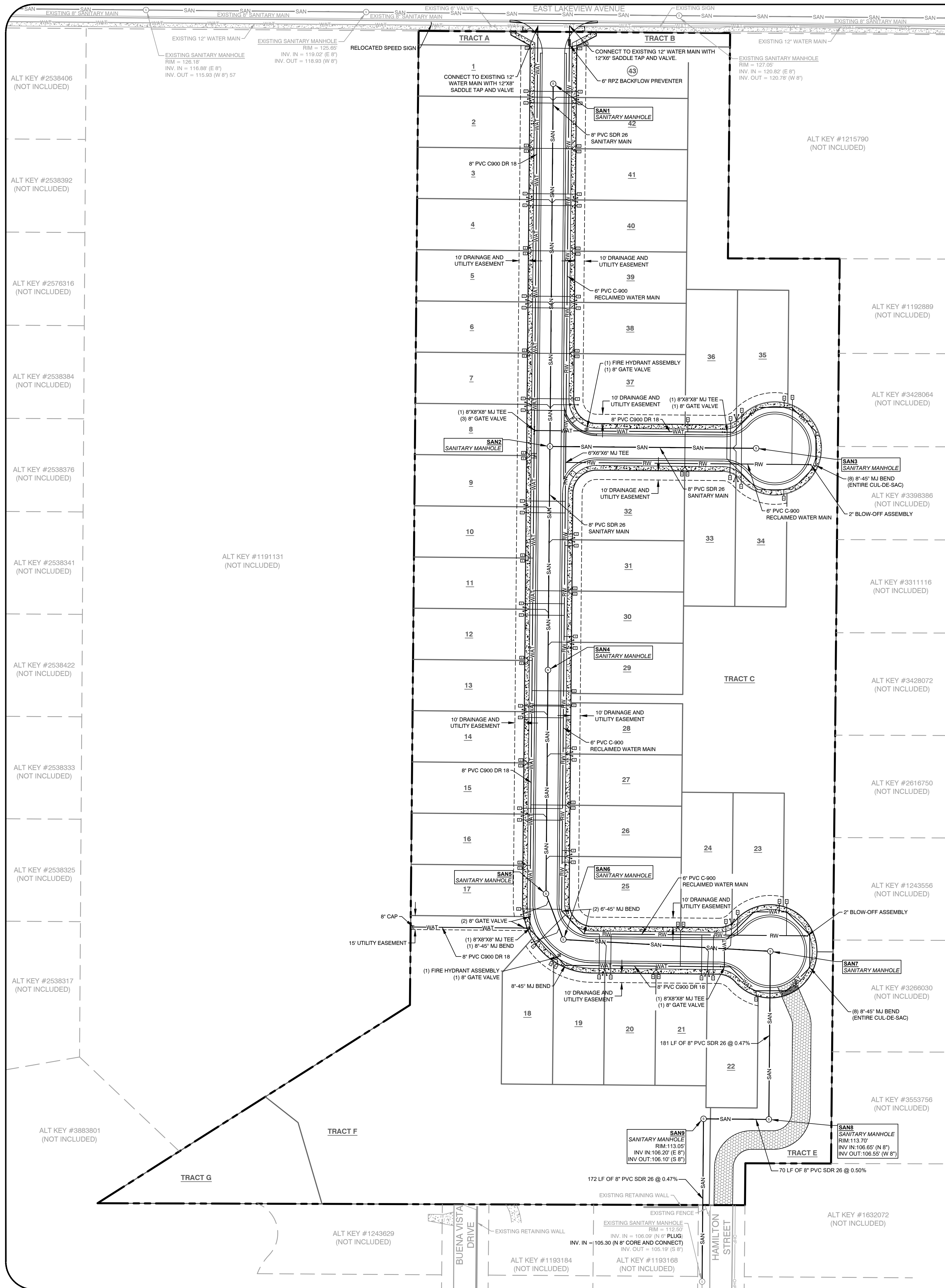
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1120 WEST MINNEOLA AVENUE
CLERMONT, FL 34711
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SCALE: 1" = 60'
DATE: 03-01-2023
SHEET C5

PROJECT # GE072022

EUSTIS, FLORIDA



NOTES

1. ALL ON-SITE UTILITIES TO BE OWNED AND MAINTAINED BY THE CITY OF EUSTIS.
2. EXISTING UTILITIES ARE SHOWN FOR INFORMATION ONLY. IT IS THE CONTRACTORS RESPONSIBILITY TO LOCATE THE EXACT LOCATION AND DEPTH OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION. DAMAGE TO EXISTING UTILITIES IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE REPAIRED AT THE CONTRACTORS OWN EXPENSE.
3. ALL UTILITY CONSTRUCTION TO CONFORM TO THE CITY OF EUSTIS CONSTRUCTION STANDARDS.
4. THE MINIMUM FIRE FLOW AND FLOW DURATION REQUIREMENTS FOR ONE- AND TWO-FAMILY DWELLINGS HAVING A FIRE FLOW AREA THAT DOES NOT EXCEED 5000FT² SHALL BE 1000 GPM FOR 1 HOUR, (NFPA 18.4.5.1.1)
5. NEWLY INSTALLED FIRE HYDRANTS MUST BE FLOW TESTED AND SHALL BE WITNESSED (FEE APPLIES) BY LAKE COUNTY FIRE INSPECTOR PRIOR TO APPROVAL OF FINAL PLAT AND ANY BUILDING PERMITS.
6. FIRE PROTECTION WATER SUPPLY WILL BE AVAILABLE PRIOR TO AND DURING CONSTRUCTION.

LEGEND

- | | | | |
|--|------------------------------------|--|-------------------------------------|
| | PROPOSED FIRE HYDRANT ASSEMBLY | | EXTERIOR PARCEL LINE |
| | PROPOSED WATER SERVICE (TYPICAL) | | EXISTING CONCRETE |
| | EXISTING WATER MAIN | | PROPOSED CONCRETE |
| | PROPOSED WATER MAIN | | PROJECT PROPERTY LINE |
| | PROPOSED RECLAIM SERVICE (TYPICAL) | | EXISTING FENCE |
| | PROPOSED RECLAIMED WATER MAIN | | PROPOSED SANITARY SERVICE (TYPICAL) |
| | EXISTING OVERHEAD POWER LINE | | EXISTING SANITARY MAIN |
| | PROPOSED EASEMENT | | PROPOSED SANITARY MAIN |

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DATE
04-03-2023

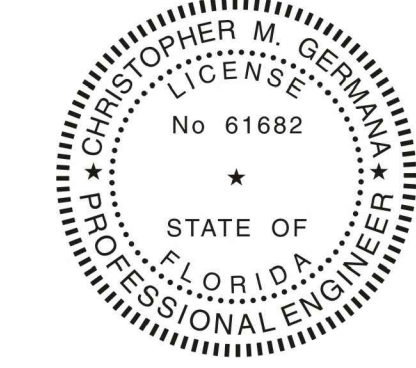
#	REVISIONS BASED ON CITY COMMENTS
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**HIDDEN COVE
SUBDIVISION**

**GERMANA ENGINEERING
AND ASSOCIATES, LLC**
 1120 WEST MINNEOLA AVENUE
 CLEMONT, FL 34711
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DATE: 03-01-2023
SHEET C6

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CHRISTOPHER M. GERMANA, P.E.
 FLORIDA PROFESSIONAL ENGINEER # 61682
 ENGINEERING FIRM REGISTRY # 29279

PROJECT # GE072022

EUSTIS, FLORIDA

DATE	04-03-2023
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STORMWATER POLLUTION PREVENTION PLAN

HIDDEN COVE SUBDIVISION

PROJECT # GE072022
EUSTIS, FLORIDA

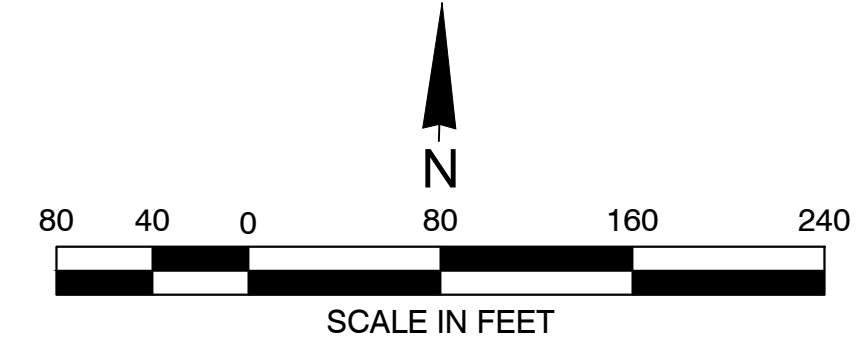
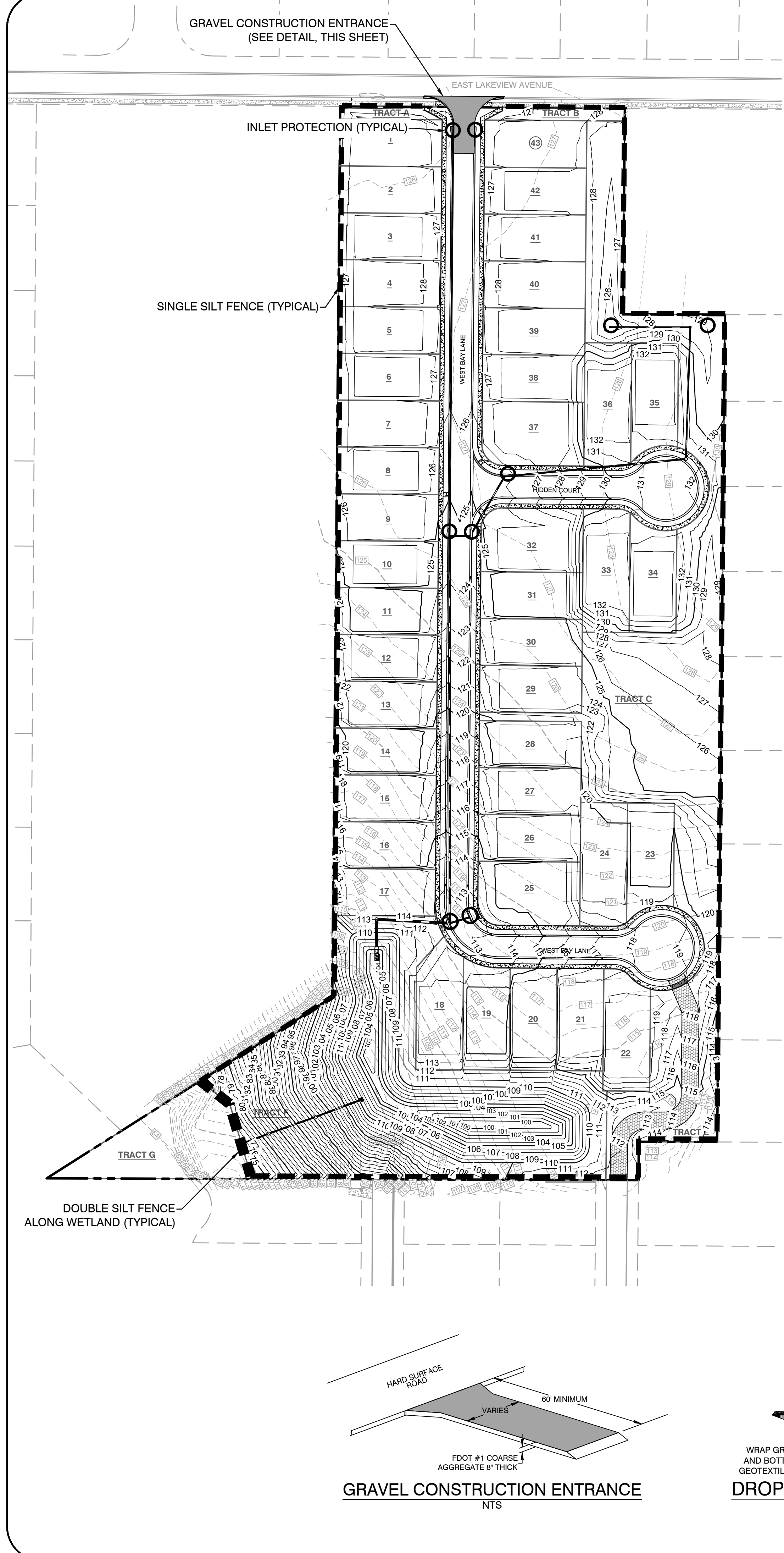
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CLERMONT, FL 34711
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SCALE: 1" = 80'

DATE: 03-01-2023

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C7



LEGEND

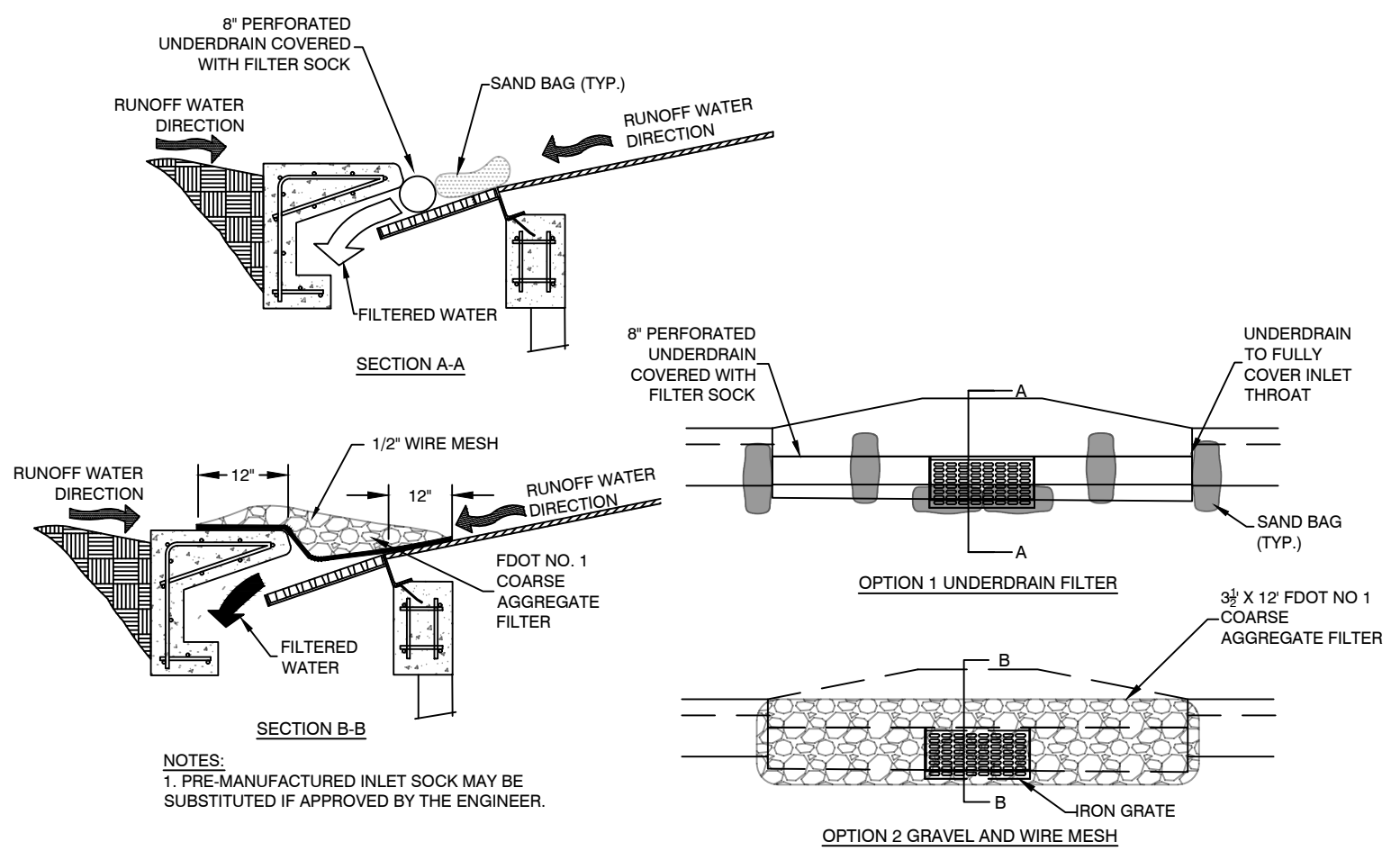
- PROPOSED INLET PROTECTION
- PROPOSED SILT FENCE
- PROPOSED STORMWATER LINE
- PROJECT PROPERTY LINE
- EXTERIOR PARCEL LINE
- EXISTING CONCRETE
- PROPOSED CONCRETE
- EXISTING FENCE

CONSTRUCTION SEQUENCE

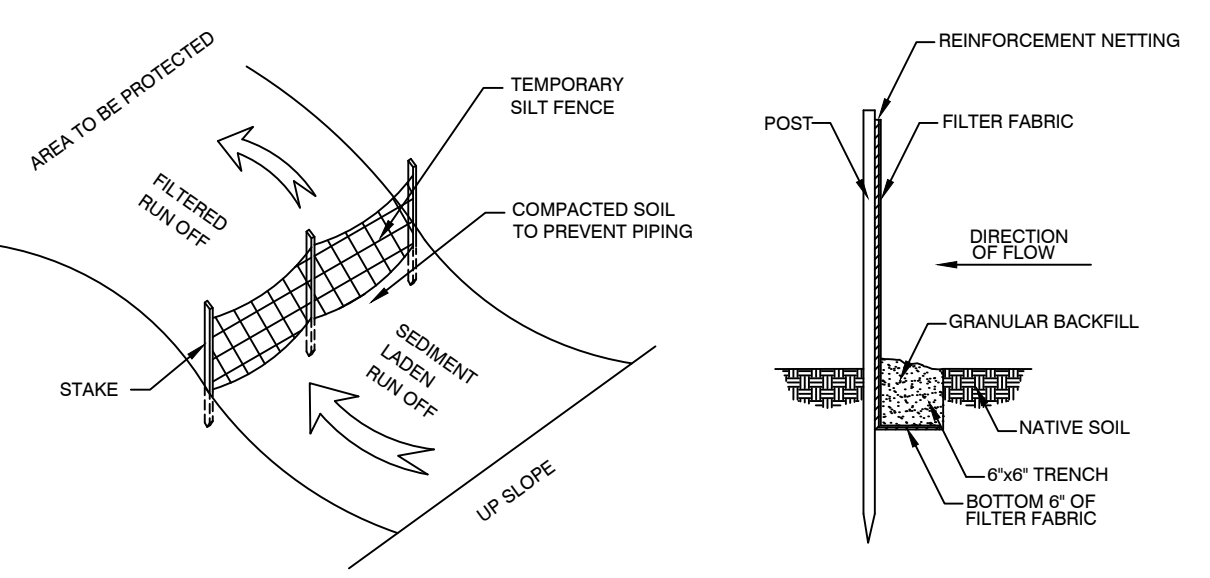
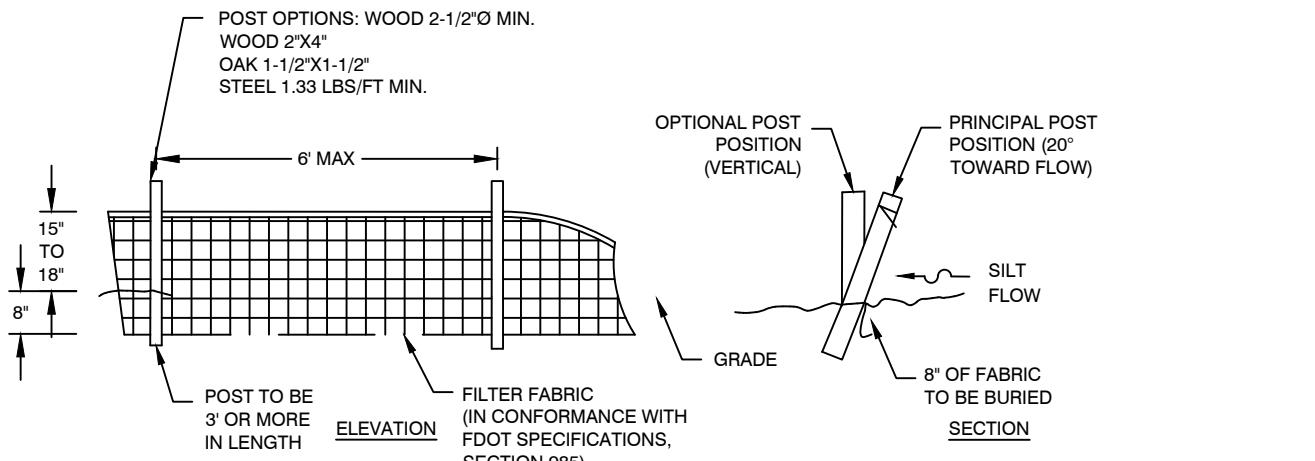
1. INSTALL SEDIMENT CONTROL MEASURES
2. ROUGH GRADE SITE & STOCKPILE TOPSOIL
3. TEMPORARY VEGETATION
4. INSTALL STORM WATER MANAGEMENT MEASURES
5. INSTALL ROAD & PARKING BASE
6. SURFACE ROADS & PARKING
7. FINAL GRADING
8. PERMANENT VEGETATION
9. INSTALLING LANDSCAPING
10. PERFORM CONTINUING MAINTENANCE

NOTES

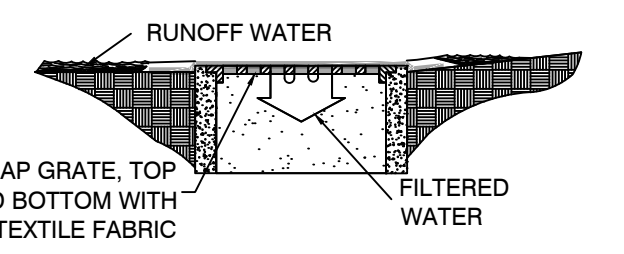
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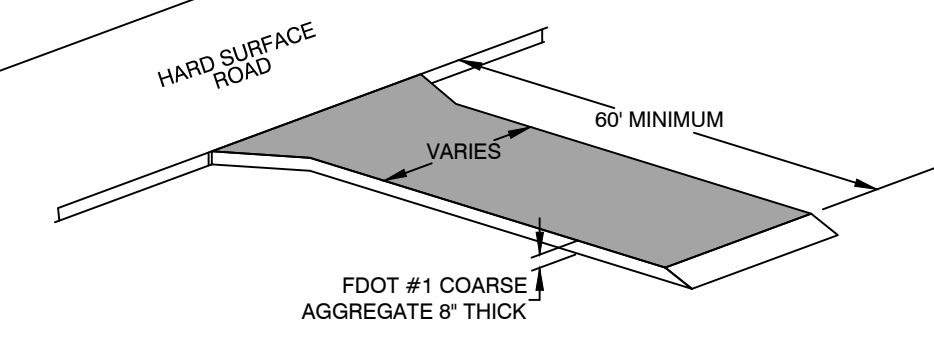
CURB INLET PROTECTION NTS



SILT FENCE NTS



DROP INLET PROTECTION NTS



GRAVEL CONSTRUCTION ENTRANCE NTS

EROSION CONTROL NOTES

- STORMWATER POLLUTION PREVENTION PLAN**
1. ATTENTION IS DRAWN TO THE FACT THAT THIS PROJECT IS PERMITTED UNDER THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GENERIC PERMIT FOR STORMWATER DISCHARGE FROM LARGE AREA CONSTRUCTION ACTIVITIES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO BE FAMILIAR WITH THE REQUIREMENTS OF THIS PERMIT, AND TO UNDERTAKE ANY MEASURES NECESSARY TO COMPLY WITH SAID REQUIREMENTS.
 2. IT MAY BE NECESSARY, DUE TO WEATHER CONDITIONS, PHASING OF CONSTRUCTION ACTIVITIES, QUANTITY AND TYPE OF MATERIALS, ETC., TO TAKE ADDITIONAL MEASURES TO COMPLY WITH THE N.P.D.E.S. PERMIT THAT ARE NOT OUTLINED IN THESE PLANS. THE CONTRACTOR IS FULLY RESPONSIBLE FOR IMPLEMENTATION OF WHATEVER MEASURES ARE NECESSARY TO PREVENT THE DISCHARGE OF POLLUTANTS, INCLUDING BUT NOT LIMITED TO TURBID WATER RUNOFF, AND FUGITIVE AIRBORNE PARTICULATE POLLUTANTS.
 3. THE CONTRACTOR IS FURTHER ADVISED THAT A SEPARATE STORMWATER POLLUTION PREVENTION PLAN (S.W.P.P.P.) HAS BEEN PREPARED FOR THIS PROJECT AND IS HEREBY MADE PART OF THE CONSTRUCTION DOCUMENTS.
 4. THIS INFORMATION REPRESENTS THE MINIMUM AMOUNT OF EROSION AND SEDIMENT CONTROL MEASURES. IN THE OPINION OF THE ENGINEER, THAT MAY BE NECESSARY FOR ANY ADDITIONAL MEASURES OR PRACTICES THAT MAY BE NECESSARY TO CONTROL EROSION, TURBID DISCHARGE, FUGITIVE PARTICULATES, ETC. TO FULLY COMPLY WITH ALL GOVERNMENTAL RULES AND/OR PERMIT REQUIREMENTS.

- GENERAL NOTES**
1. THE FOLLOWING LIST REPRESENTS A BASIC EROSION AND SEDIMENT CONTROL PROGRAM WHICH IS TO BE IMPLEMENTED TO HELP PREVENT OFF-SITE SEDIMENTATION DURING AND AFTER CONSTRUCTION OF THE PROJECT.
 2. TEMPORARY EROSION CONTROL TO BE UTILIZED DURING CONSTRUCTION AT AREAS DESIGNATED BY THE ENGINEER OR AREAS ON SITE WHERE UNSTABILIZED GRADES MAY CAUSE EROSION PROBLEMS. EROSION CONTROL MAY BE REMOVED AFTER UPSLOPE AREA HAS BEEN STABILIZED BY SOD, OR COMPACTED AS DETERMINED BY THE ENGINEER.
 3. PERMANENT EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AT THE EARLIEST PRACTICAL TIME CONSISTENT WITH GOOD CONSTRUCTION PRACTICES. ONE OF THE FIRST CONSTRUCTION ACTIVITIES SHOULD BE THE PLACEMENT OF PERMANENT AND TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES AROUND THE PERIMETER OF THE PROJECT OR THE INITIAL WORK AREA TO PROTECT THE PROJECT, ADJACENT PROPERTIES AND WATER RESOURCES.
 4. TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE COORDINATED WITH PERMANENT MEASURES TO ASSURE ECONOMICAL, EFFECTIVE, AND CONTINUOUS CONTROL THROUGHOUT THE CONSTRUCTION PHASE. TEMPORARY MEASURES SHALL NOT BE CONSTRUCTED FOR EXPEDIENCY IN LIEU OF PERMANENT MEASURES.
 5. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE ADEQUATELY MAINTAINED TO PERFORM THEIR INTENDED FUNCTION DURING CONSTRUCTION OF THE PROJECT.
 6. NECESSARY REPAIRS TO BARRIERS OR REPLACEMENT OF BARRIERS SHALL BE ACCOMPLISHED PROMPTLY.
 7. SEDIMENT DEPOSITS SHOULD BE REMOVED AFTER EACH RAINFALL. THEY MUST BE REMOVED WHEN THE LEVEL OF DEPOSITION REACHES APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER.
 8. MATERIAL FROM SEDIMENT TRAPS SHALL NOT BE STOCKPILED OR DISPOSED OF IN A MANNER WHICH MAKES THEM READILY SUSCEPTIBLE TO BEING WASHED INTO ANY WATER COURSE BY RUNOFF OR HIGH WATER.
 9. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE BARRIERS ARE NO LONGER REQUIRED SHALL BE DRESSED TO CONFORM TO THE EXISTING GRADE, PREPARED, AND SEEDED.

- SEDIMENT FENCE**
1. THE SEDIMENT BARRIER UTILIZES STANDARDS STRENGTH OR EXTRA STRENGTH SYNTHETIC FILTER FABRICS. IT IS DESIGNED FOR SITUATIONS IN WHICH ONLY SHEET OR OVERLAND FLOWS ARE EXPECTED.
 2. THE HEIGHT OF A SEDIMENT FENCE SHALL NOT EXCEED 36-INCHES (HIGHER FENCES MAY IMPOUND VOLUMES OF WATER SUFFICIENT TO CAUSE FAILURE OF THE STRUCTURE).
 3. THE FILTER FABRIC SHALL BE PURCHASED IN A CONTINUOUS ROLL, CUT TO THE LENGTH OF THE BARRIER TO AVOID THE USE OF JOINTS. WHEN JOINTS ARE NECESSARY, FILTER CLOTH SHALL BE SPUNCE TOGETHER ONLY AT A SUPPORT POST, WITH A MINIMUM INCH OVERLAP, AND SECURELY SEALED.
 4. POSTS SHALL BE SPACED A MAXIMUM OF 10 FEET APART AT THE BARRIER LOCATION AND DRIVEN SECURELY INTO THE GROUND (MINIMUM 12 INCHES), WHEN EXTRA STRENGTH FABRIC IS USED WITHOUT THE WIRE SUPPORT FENCE, POST SPACING SHALL NOT EXCEED 6 FEET.
 5. A TRENCH SHALL BE EXCAVATED APPROXIMATELY 4 INCHES WIDE AND 4 INCHES DEEP ALONG THE LINE OF POSTS AND UPSLOPE FROM THE BARRIER.
 6. WHEN STANDARD STRENGTH FILTER FABRIC IS USED, A WIRE MESH SUPPORT FENCE SHALL BE FASTENED SECURELY TO THE UPSLOPE SIDE OF THE POSTS USING HEAVY DUTY WIRE STAPLES AT LEAST 1-INCH LONG. THE WIRES, OR HOOD RINGS, THE WIRE SHALL EXTEND INTO THE TRENCH A MINIMUM OF 2 INCHES AND SHALL NOT EXTEND MORE THAN 36 INCHES ABOVE THE ORIGINAL GROUND SURFACE.
 7. THE STANDARD STRENGTH FILTER FABRIC SHALL BE STAPLED OR WIRED TO THE FENCE, AND 8-INCHES OF THE FABRIC SHALL BE EXTENDED INTO THE TRENCH. THE FABRIC SHALL NOT EXTEND MORE THAN 36 INCHES ABOVE THE ORIGINAL GROUND SURFACE. FILTER FABRIC SHALL NOT BE STAPLED TO EXISTING TREES.
 8. WHEN EXTRA STRENGTH FILTER FABRIC AND CLOSURE POST SPACING ARE USED, THE WIRE MESH SUPPORT FENCE MAY BE ELIMINATED IN SUCH A CASE, THE FILTER FABRIC IS STAPLED OR WIRED DIRECTLY TO THE POSTS WITH ALL OTHER PROVISION OF ITEM NO. 6, APPLYING.
 9. THE TRENCH SHALL BE BACKFILLED AND SOIL COMPACTED OVER THE FILTER FABRIC.

- SEDIMENT FENCE MAINTENANCE**
1. SEDIMENT BARRIERS SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. ANY REQUIRED REPAIRS SHALL BE MADE IMMEDIATELY.
 2. SHOULD A BARRIER ON A SEDIMENT FENCE OR FILTER BARRIER DECOMPOSE OR BECOME INEFFECTIVE PRIOR TO THE END OF THE EXPECTED USABLE LIFE AND THE BARRIER IS STILL NECESSARY, THE FABRIC SHALL BE REPLACED PROMPTLY.
 3. SEDIMENT DEPOSITS SHOULD BE REMOVED AFTER EACH STORM EVENT. THEY MUST BE REMOVED WHEN DEPOSITS REACH APPROXIMATELY ONE-THIRD THE HEIGHT OF THE BARRIER.
 4. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SEDIMENT FENCE OR FILTER BARRIER IS NO LONGER REQUIRED SHALL BE DRESSED TO CONFORM WITH THE EXISTING GRADE, PREPARED, AND SEEDED.

- DITCH BARRIERS**
1. STRAW BALES SHALL BE PLACED IN A SINGLE ROW, LENGTHWISE, ORIENTED PERPENDICULAR TO THE CONTOUR, WITH ENDS OF ADJACENT BALES TIGHTLY ABUTTING ONE ANOTHER.
 2. THE REMAINING STEPS FOR INSTALLING A STRAW BALE BARRIER FOR SHEET FLOW APPLICATIONS APPLY HERE, WITH THE FOLLOWING ADDITION.
 3. THE STRAW BALES SHALL BE INSTALLED SUCH THAT UNDERCUTTING BENEATH THE BALES IS MINIMIZED BY THE USE OF ROCK CHECK DAMS PLACED ADJACENT TO THE STRAW BALES.
 4. THE BARRIER SHALL BE EXTENDED TO SUCH A LENGTH THAT THE BOTTOMS OF THE END BALES ARE HIGHER IN ELEVATION THAN THE TOP OF THE LOWEST MIDDLE BALES TO ASSURE THAT SEDIMENT LADEN RUNOFF WILL FLOW EITHER THROUGH OR OVER THE BARRIER BUT NOT AROUND IT.

- DITCH BARRIER MAINTENANCE**
1. STRAW BALES SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL.
 2. CLOSE ATTENTION SHALL BE PAID TO THE REPAIR OF DAMAGED BALES, END RUNS, AND UNDERCUTTING BENEATH BALES.
 3. NECESSARY REPAIRS TO BARRIERS OR REPLACEMENT OF BALES SHALL BE ACCOMPLISHED PROMPTLY.
 4. SEDIMENT DEPOSITS SHOULD BE REMOVED AFTER EACH RAINFALL. THEY MUST BE REMOVED WHEN THE LEVEL OF DEPOSITION REACHES APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER.
 5. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE STRAW BALE BARRIER IS NO LONGER REQUIRED SHALL BE DRESSED TO CONFORM TO THE EXISTING GRADE, PREPARED, AND SEEDED.

- TIMING OF SEDIMENT CONTROL PRACTICES**
1. SEDIMENT CONTROL PRACTICES SHALL BE FUNCTIONAL THROUGHOUT EARTH DISTURBING ACTIVITY.
 2. SETTLING FACILITIES, PERIMETER CONTROLS, AND OTHER PRACTICES INTENDED TO TRAP SEDIMENT SHALL BE IMPLEMENTED AS THE FIRST STEP OF GRADING AND WITHIN SEVEN DAYS FROM THE START OF GRUBBING. THEY SHALL CONTINUE TO FUNCTION UNTIL THE UPSLOPE DEVELOPMENT AREA IS RE-STABILIZED.
- STABILIZATION OF NON-STRUCTURAL PRACTICES**
1. CONTROL PRACTICES SHALL PRESERVE EXISTING VEGETATION WHERE ATTAINABLE AND DISTURBED AREAS SHALL BE RE-VEGETATED AS SOON AS IT IS PRACTICAL AFTER GRADING OR CONSTRUCTION.
 2. PERMANENT OR TEMPORARY SOIL STABILIZATION SHALL BE APPLIED TO DENUDED AREAS WITHIN FOURTEEN DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE, AND SHALL ALSO BE APPLIED WITHIN SEVEN DAYS TO DENUDED AREAS WHICH MAY NOT BE AT FINAL GRADE, WHERE CONSTRUCTION ACTIVITIES HAVE PERMANENTLY OR TEMPORARILY CEASED.

- MAINTENANCE**
- TEMPORARY EROSION CONTROL FEATURES SHALL BE ACCEPTABLY MAINTAINED AND SHALL BE REMOVED OR REPAIRED BY THE CONTRACTOR AT NO COST TO THE OWNER. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE SPECIFICATIONS.
- SEDIMENT BARRIERS**
- SHEET FLOW RUNOFF FROM DENUDED AREAS SHALL BE INTERCEPTED BY SEDIMENT BARRIERS. SEDIMENT BARRIERS SUCH AS A SEDIMENT FENCE OR OVERSPILLS TO SETTLING FACILITIES SHALL PROTECT ADJACENT PROPERTIES AND WATER RESOURCES FROM SEDIMENT TRANSPORTED BY SHEET FLOW.
- STOCKPILES**
- ALL SOIL STOCKPILES SHALL BE PROTECTED FROM EROSION BY PERIMETER CONTROL DEVICES SUCH AS STRAW BALE DIKES OR FILTER FABRIC FENCES, AND THESE PERIMETER CONTROL DEVICES SHALL BE MAINTAINED THROUGHOUT THE LIFE OF THE PROJECT.
- INLET PROTECTION**
- ALL STORM SEWER INLETS WHICH ACCEPT WATER RUNOFF FROM THE DEVELOPMENT AREA SHALL BE PROTECTED SO THAT SEDIMENT LADEN WATER WILL NOT ENTER THE STORM SYSTEM WITHOUT FIRST BEING PONDED AND FILTERED.
- CONSTRUCTION ACCESS ROUTES**
- MEASURES SHALL BE TAKEN TO PREVENT SOIL TRANSPORT ONTO SURFACES OR PUBLIC ROADS WHERE RUNOFF IS NOT CHECKED.
- PERMANENT VEGETATION**
- PERMANENT VEGETATION SHALL NOT BE CONSIDERED ESTABLISHED UNTIL GROUND COVER IS ACHIEVED WHICH, IN THE OPINION OF THE ENGINEER, PROVIDES ADEQUATE COVER AND IS MATURE ENOUGH TO CONTROL SOIL EROSION SATISFACTORILY AND TO SURVIVE ADVERSE WEATHER CONDITIONS.

- INSPECTION SCHEDULE**
1. DIRECTION STABLE AND STRUCTURAL PROTECTION - INSPECT EVERY 7 DAYS OR AFTER EACH RAINSTORM PRODUCING RUNOFF. REPAIR AS REQUIRED.
 2. INLET PROTECTION - INSPECT FOR SEDIMENT ACCUMULATION AFTER EACH RAINFALL AND DAILY DURING CONTINUED RAINFALL. REPAIR OR REPLACE WHEN WATER FLOW IS RESTRICTED BY SEDIMENT.
 3. VEGETATIVE PLANTING - INSPECT AFTER SPROUTING OCCURS AND REPLANT BARE AREAS. INSPECT ESTABLISHED COVER EVERY 15 DAYS FOR DAMAGE. REPLANT AS REQUIRED. MAINTAIN ESTABLISHED COVER AT MAXIMUM 6" HEIGHT. IRRIGATE AS REQUIRED DURING DRY PERIODS TO MAINTAIN LIVE VEGETATION.

EROSION CONTROL SUMMARY

EROSION CONTROL DESIGNER: **GERMANA ENGINEERING AND ASSOCIATES, LLC.**
CONTACT: CHRISTOPHER M. GERMANA, PE
1120 WEST MINNEOLA AVENUE
CLERMONT, FLORIDA 34711
(352) 242-9329

OWNER/DEVELOPER: **LAKE RC LLC.**
CONTACT: THOMAS ZAHN
128 NORTH EUSTIS STREET, SUITE 101
EUSTIS, FLORIDA 32726
(352) 989-6000

AREA ADJACENT TO SITE: THE PROJECT SITE IS BORDERED BY LAKEVIEW AVENUE AND SINGLE-FAMILY RESIDENTIAL TO THE NORTH, SINGLE-FAMILY RESIDENTIAL TO THE EAST AND SOUTH, WEST CROOKED LAKE TO THE SOUTHWEST, AND VACANT LAND TO THE WEST.

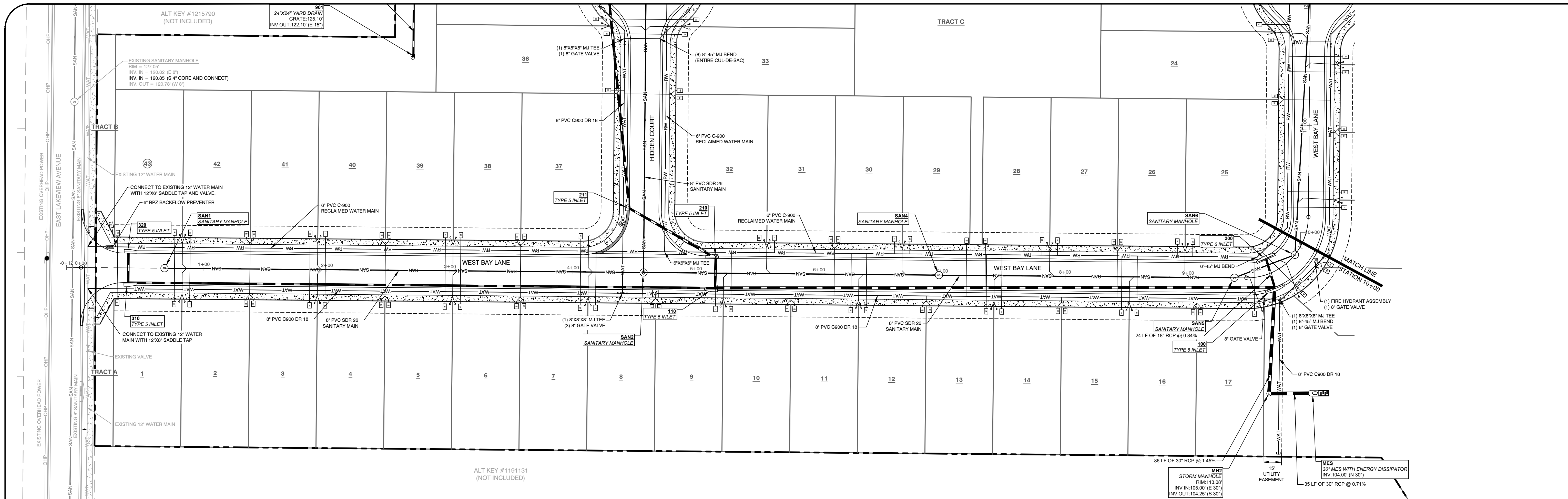
EROSION CONTROL MEASURES: EROSION AND RUNOFF WILL BE CONTROLLED BY CONSTRUCTION ENTRANCE, SILT FENCE AND INLET PROTECTION AS NEEDED.

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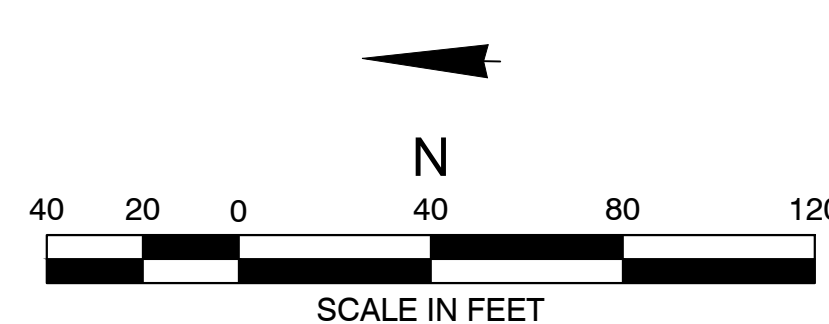
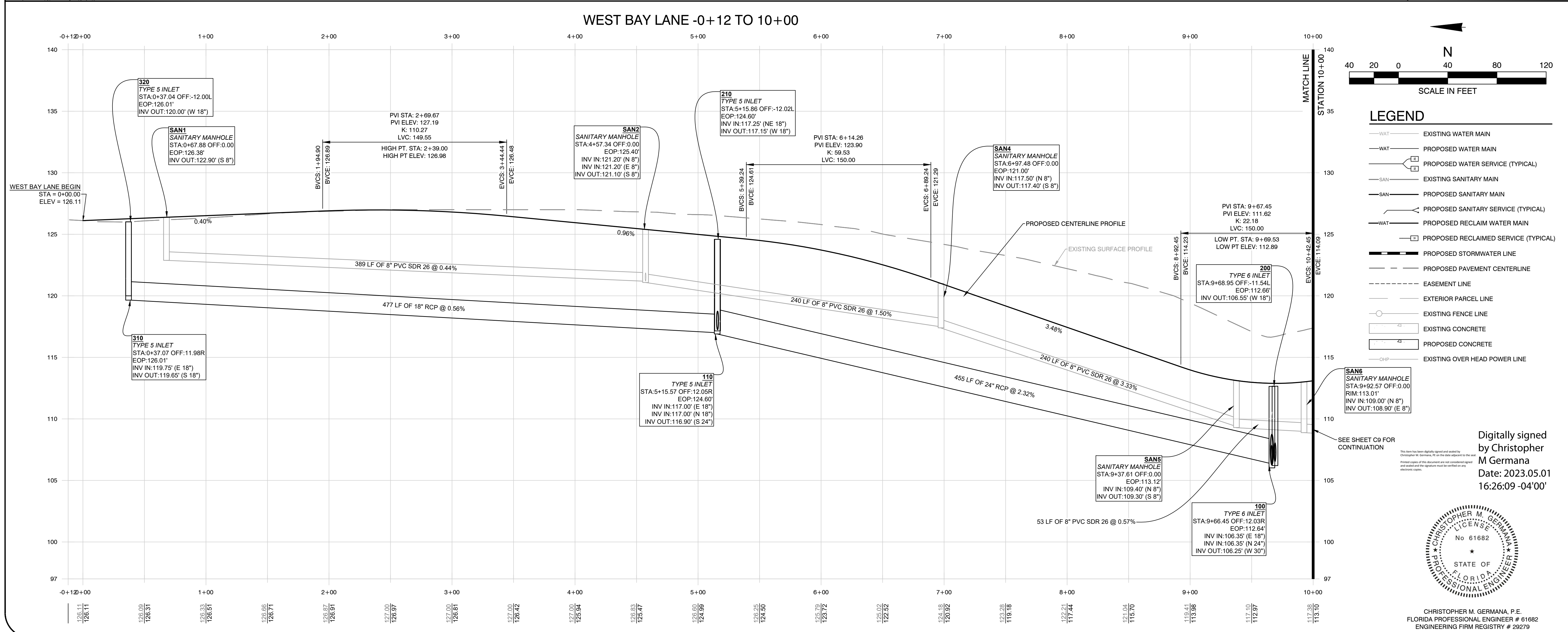


CHRISTOPHER M. GERMANA, P.E.
FLORIDA PROFESSIONAL ENGINEER # 61682
ENGINEERING FIRM REGISTRY # 29279



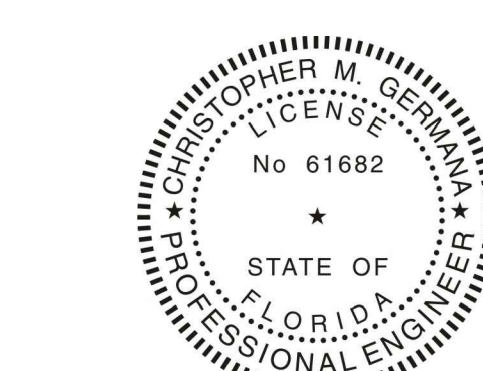
#	REVISIONS	DATE
1.	REVISED BASED ON CITY COMMENTS	04-03-2023

WEST BAY LANE
PLAN AND PROFILE
-0+12 TO 10+00



LEGEND

- WAT — EXISTING WATER MAIN
- WAT — PROPOSED WATER MAIN
- WAT — PROPOSED WATER SERVICE (TYPICAL)
- SAN — EXISTING SANITARY MAIN
- SAN — PROPOSED SANITARY MAIN
- SAN — PROPOSED SANITARY SERVICE (TYPICAL)
- WAT — PROPOSED RECLAIM WATER MAIN
- WAT — PROPOSED RECLAIM SERVICE (TYPICAL)
- — PROPOSED STORMWATER LINE
- — PROPOSED PAVEMENT CENTERLINE
- — EASEMENT LINE
- — EXTERIOR PARCEL LINE
- — EXISTING FENCE LINE
- — EXISTING CONCRETE
- — PROPOSED CONCRETE
- OHP — EXISTING OVER HEAD POWER LINE



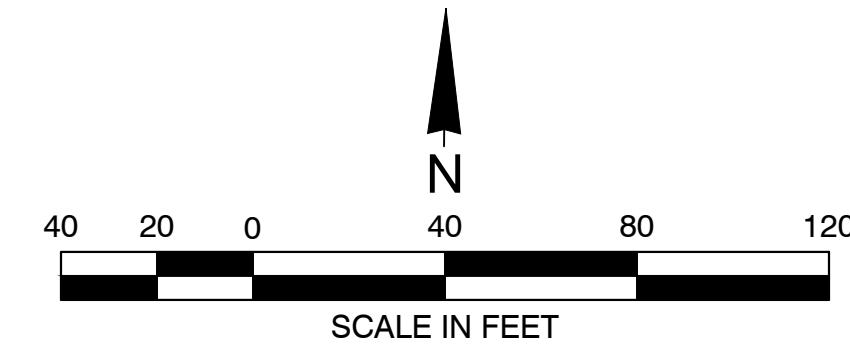
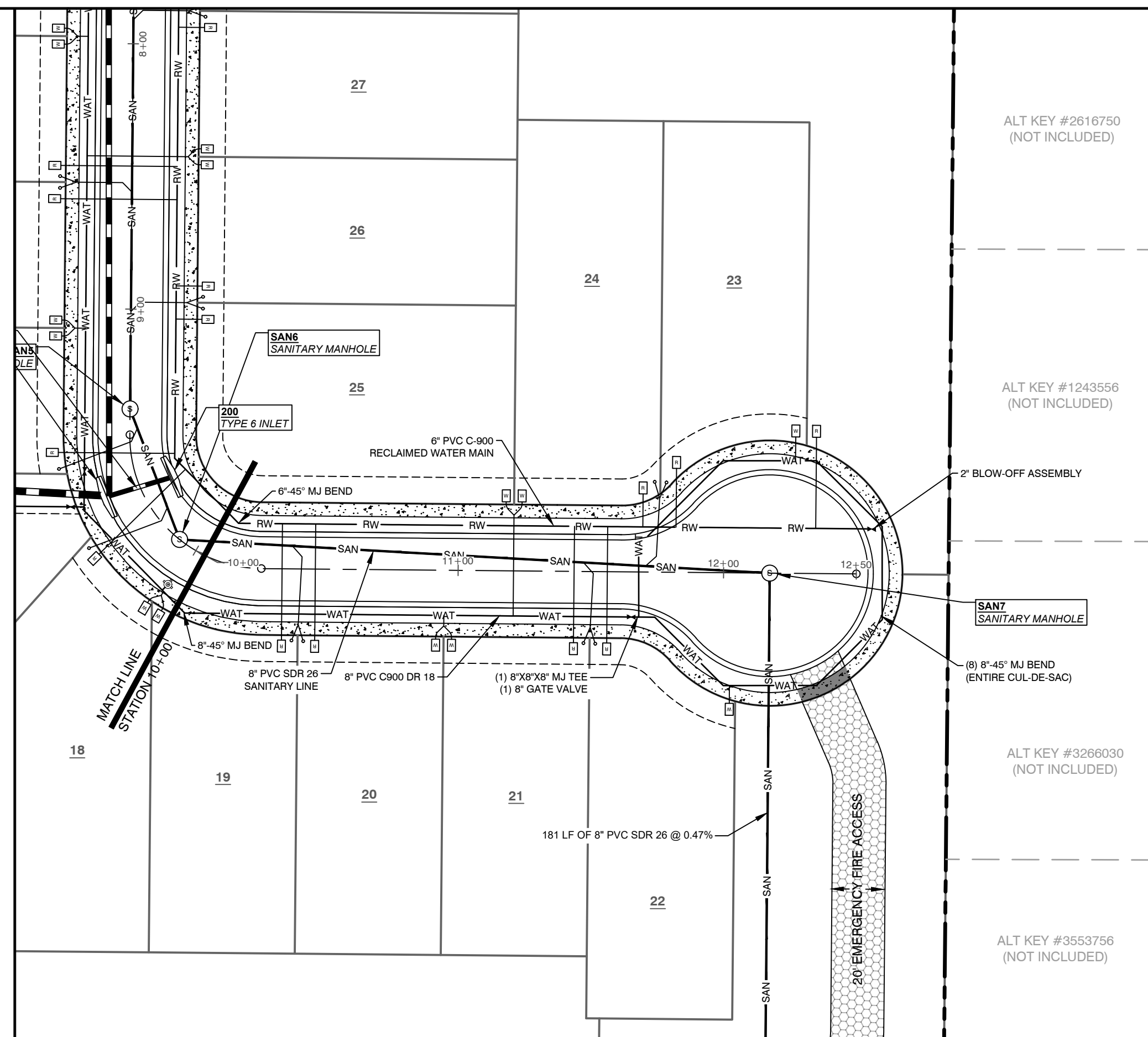
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HIDDEN COVE
SUBDIVISION

PROJECT # GE072022
EUSTIS, FLORIDA

GERMANA ENGINEERING AND ASSOCIATES, LLC
1120 WEST MINNIEA AVENUE
CLERMONT, FL 34711
WWW.GERMANAENGINEERING.COM
ENGINEERING FIRM REGISTRY # 29279

SCALE: 1" = 40'
DATE: 03-01-2023
SHEET C8



LEGEND

- WAT — EXISTING WATER MAIN
- WAT — PROPOSED WATER MAIN
- WAT — PROPOSED WATER SERVICE (TYPICAL)
- SAN — EXISTING SANITARY MAIN
- SAN — PROPOSED SANITARY MAIN
- SAN — PROPOSED SANITARY SERVICE (TYPICAL)
- WAT — PROPOSED RECLAIM WATER MAIN
- WAT — PROPOSED RECLAIMED SERVICE (TYPICAL)
- — PROPOSED STORMWATER LINE
- — PROPOSED PAVEMENT CENTERLINE
- — EASEMENT LINE
- — EXTERIOR PARCEL LINE
- — EXISTING FENCE LINE
- — EXISTING CONCRETE
- — PROPOSED CONCRETE

REVISIONS	DATE
1. REVISED BASED ON CITY COMMENTS	04-03-2023

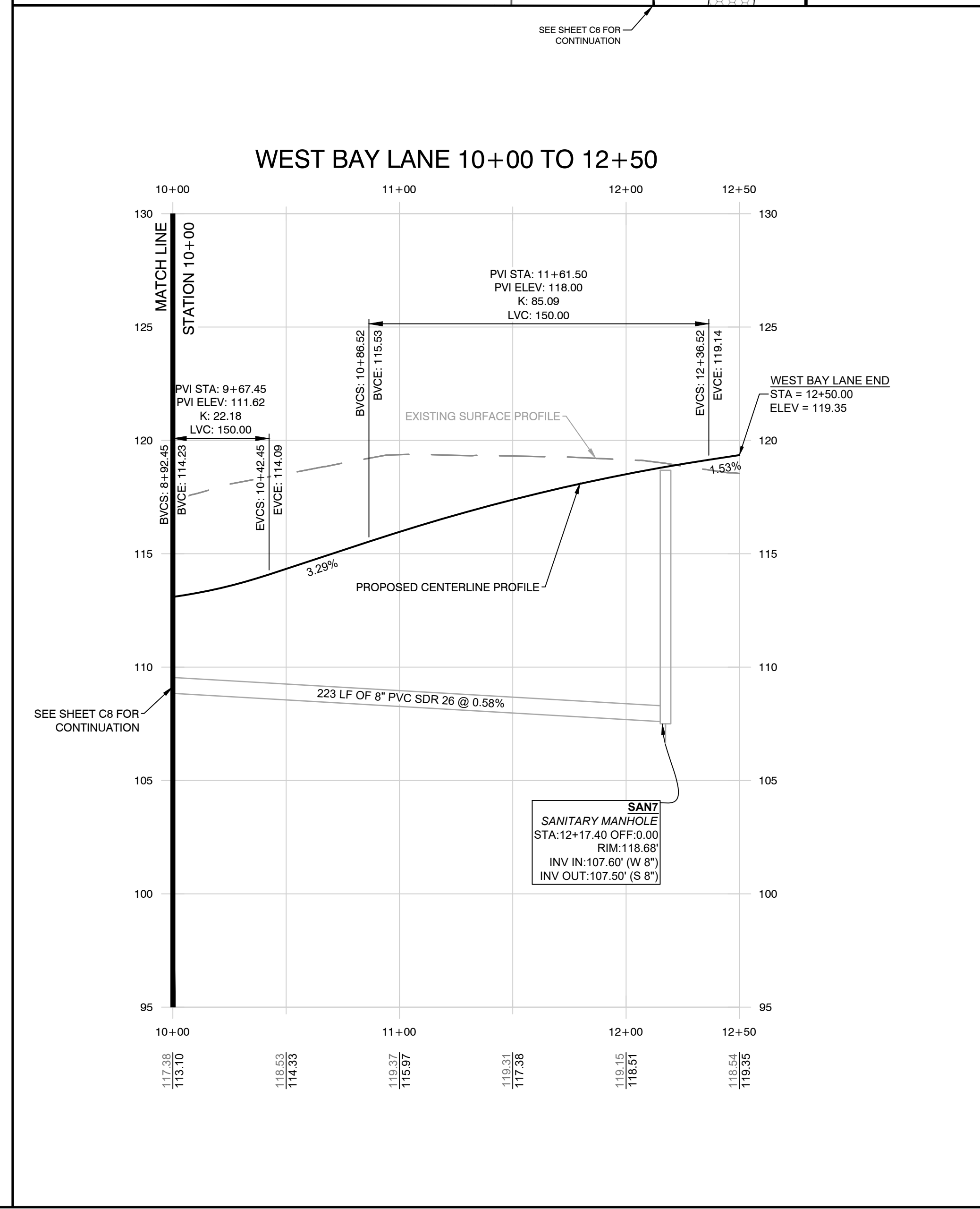
**WEST BAY LANE
PLAN AND PROFILE
10+00 TO 12+50**

**HIDDEN COVE
SUBDIVISION**

**GERMANA ENGINEERING
AND ASSOCIATES, LLC**
1120 WEST MINNIEOLA AVENUE
CLERMONT, FL 34711
WWW.GERMANAENGINEERING.COM
ENGINEERING FIRM REGISTRY # 29279

SCALE: 1" = 40'
DATE: 03-01-2023

SHEET
C9

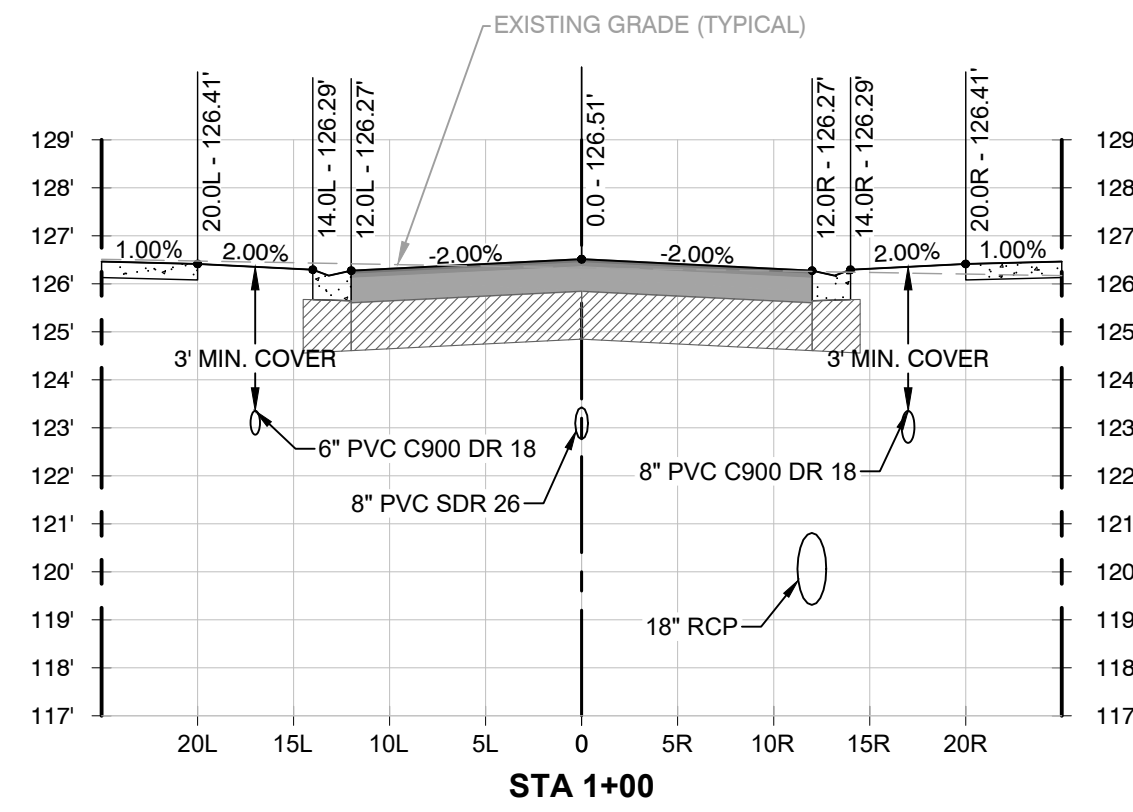


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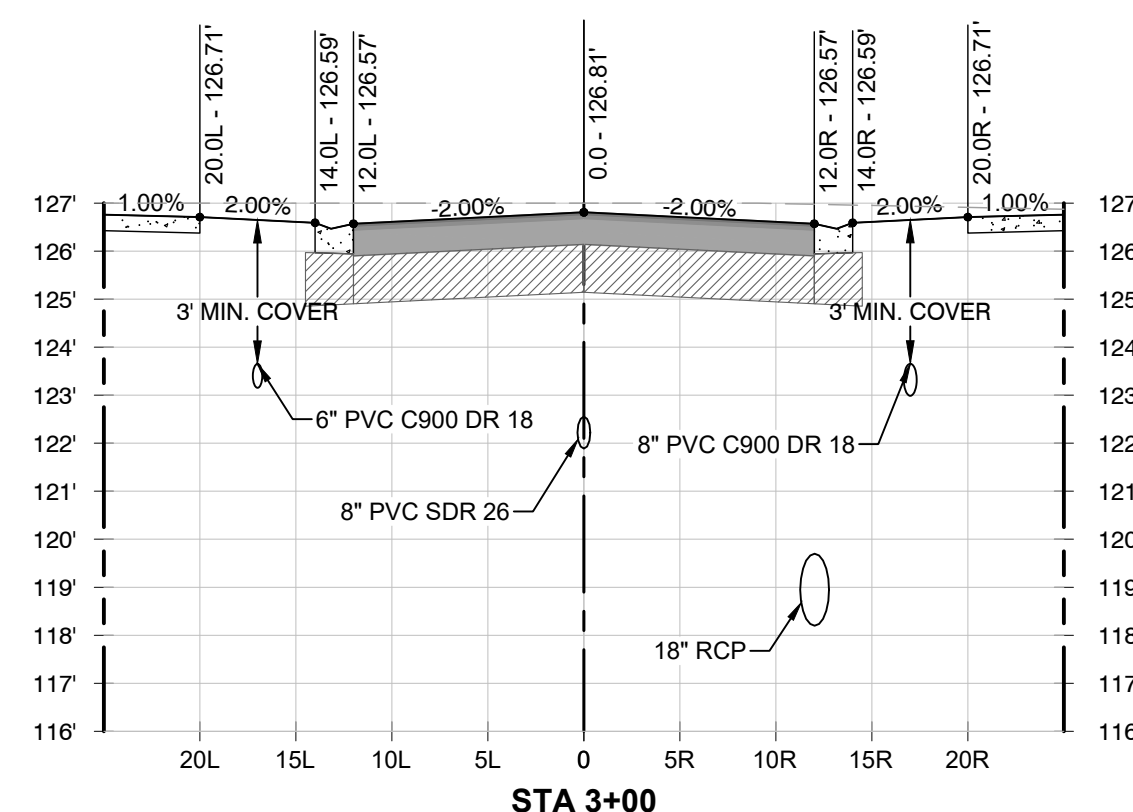
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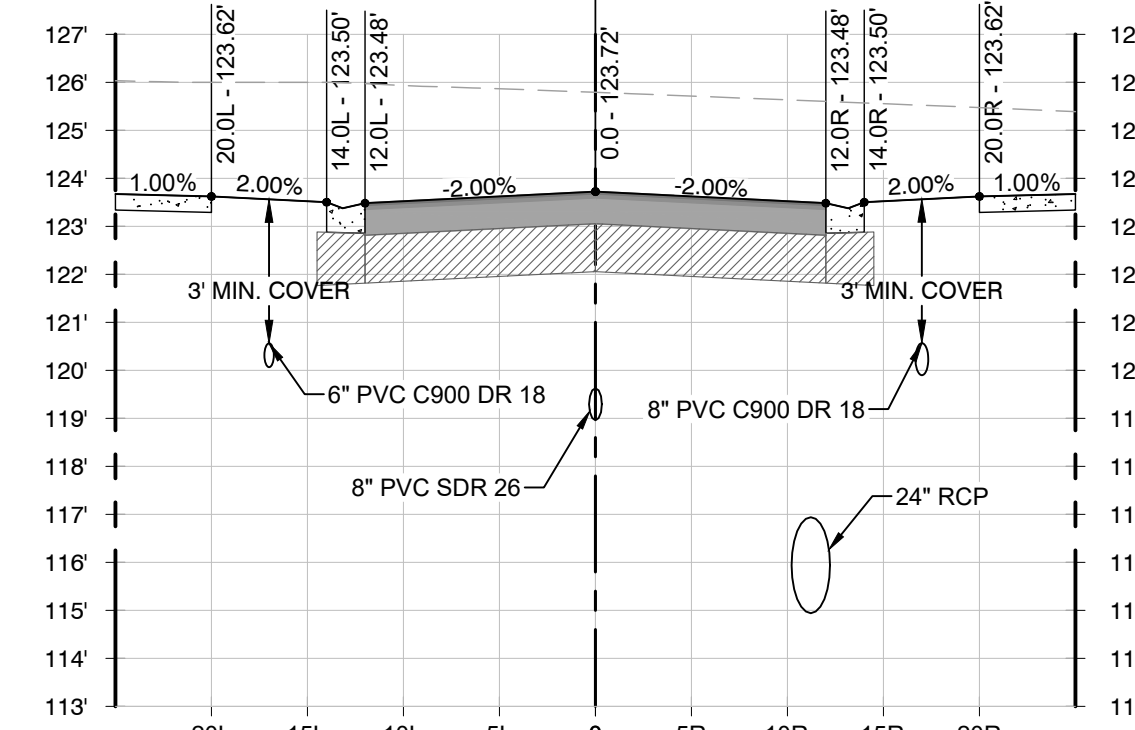
CHRISTOPHER M. GERMANA, P.E.
FLORIDA PROFESSIONAL ENGINEER # 61682
ENGINEERING FIRM REGISTRY # 29279



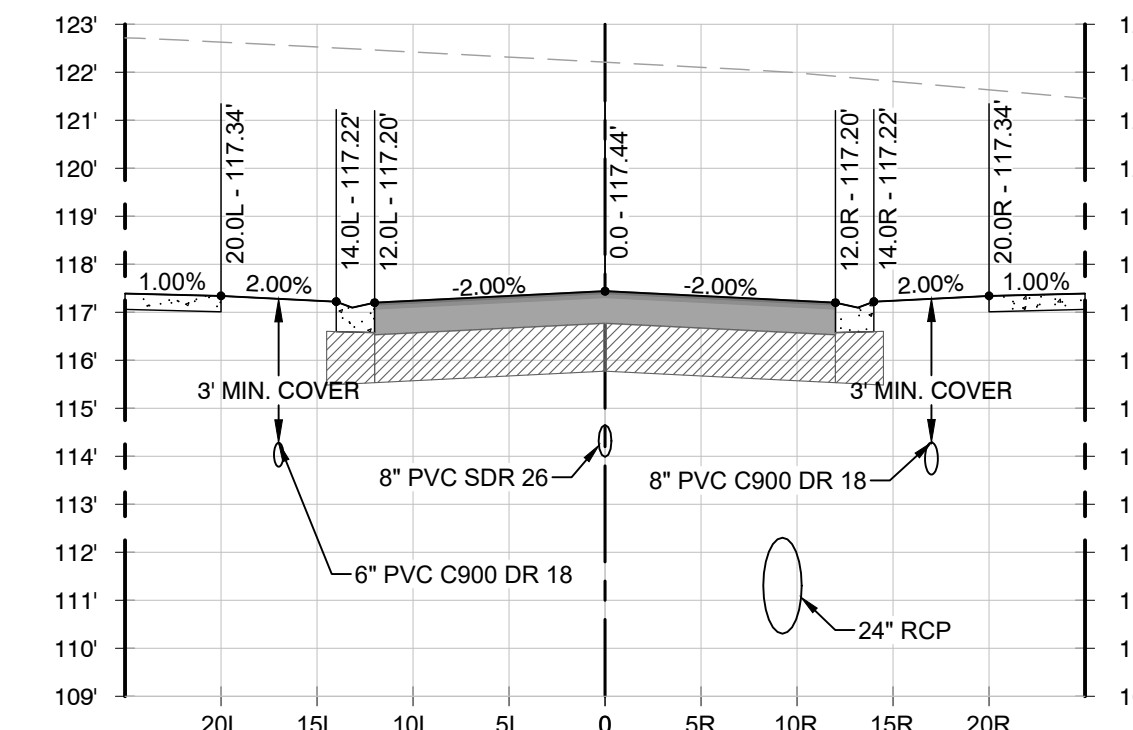
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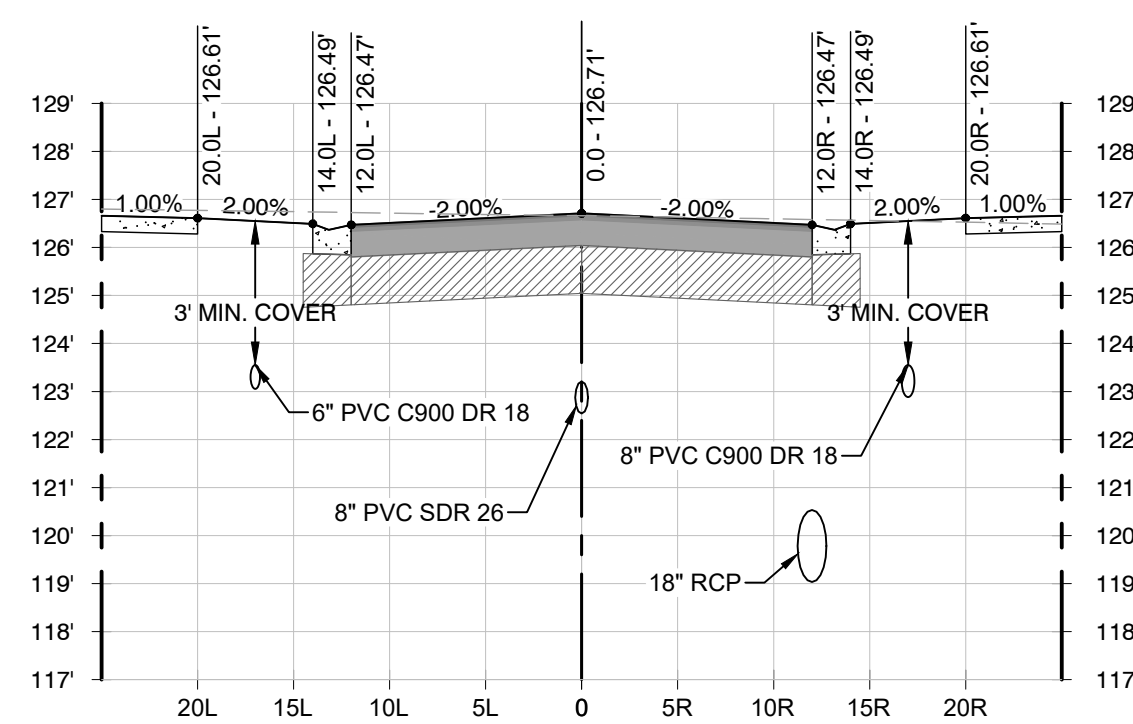
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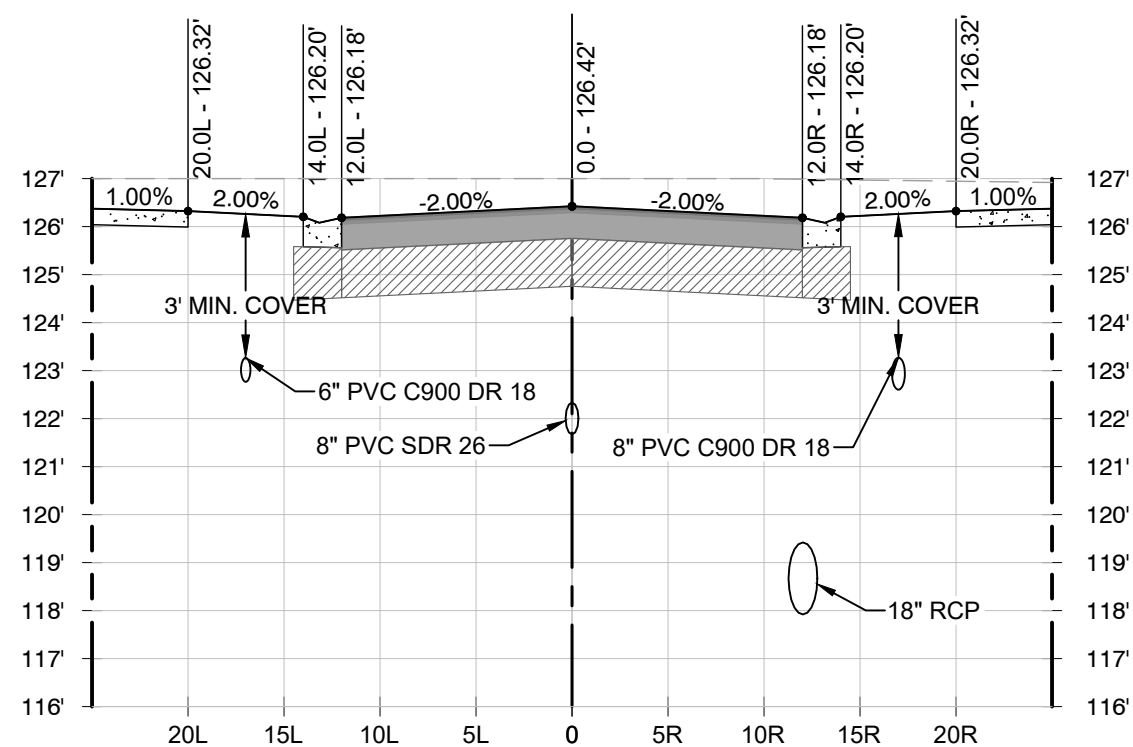
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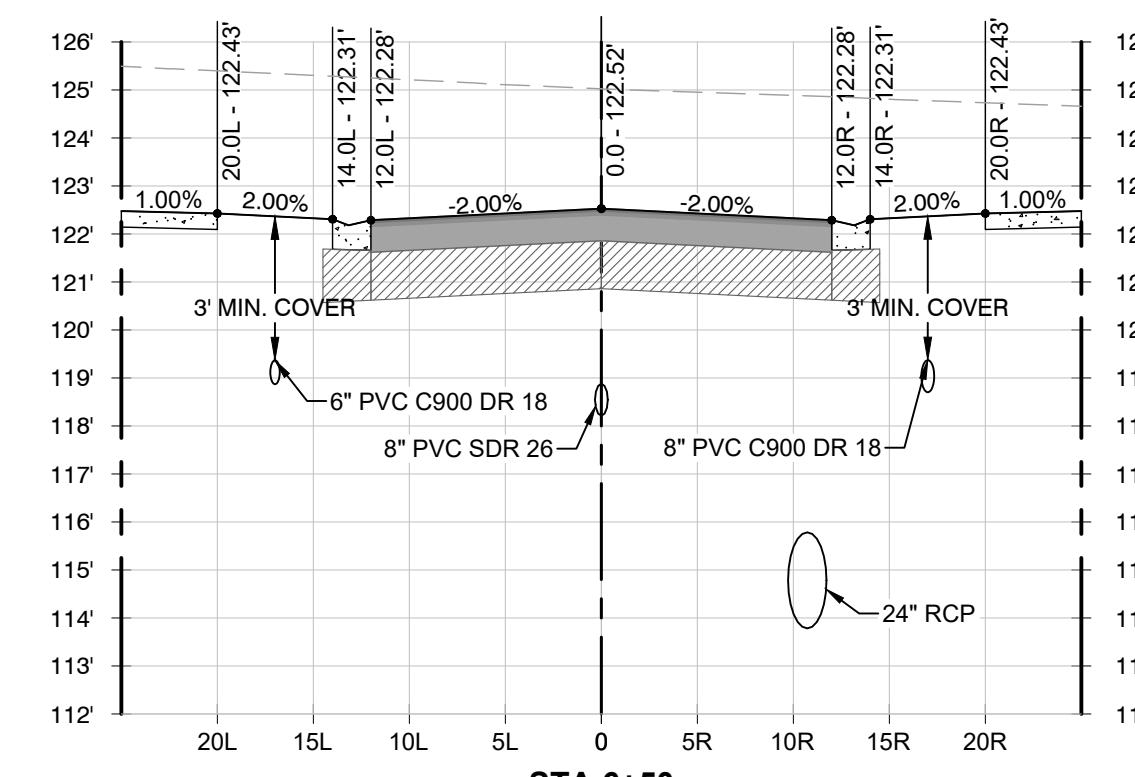
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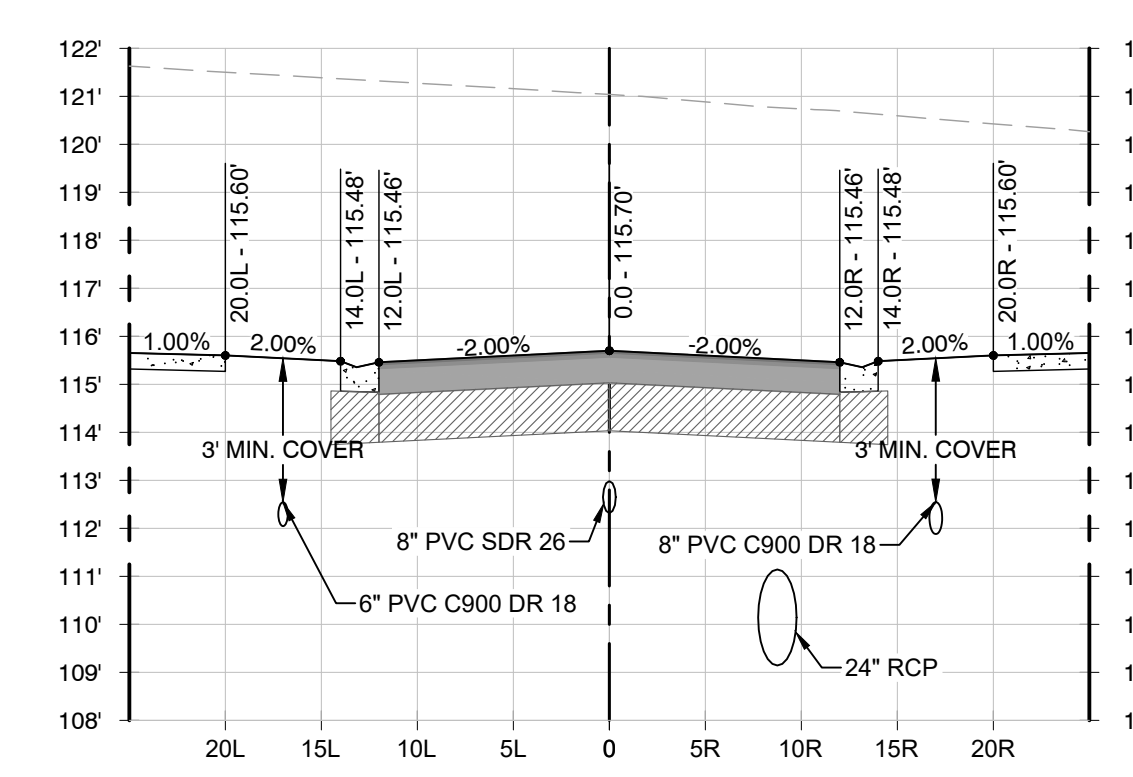
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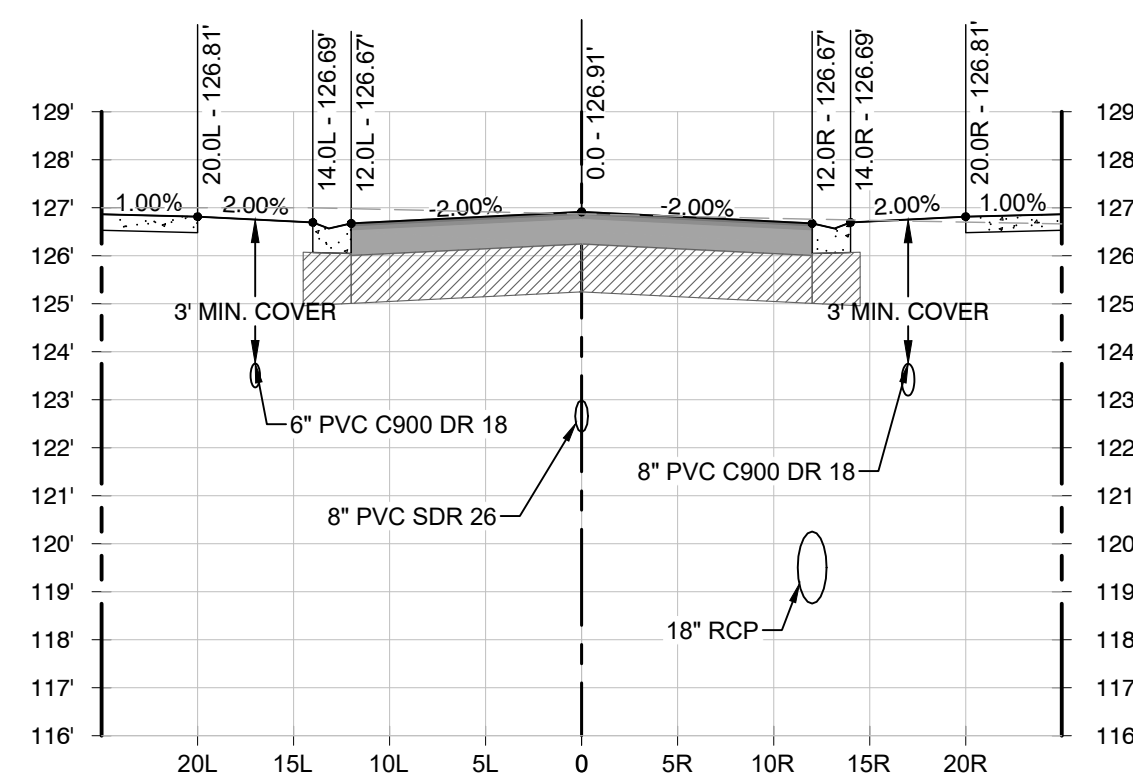
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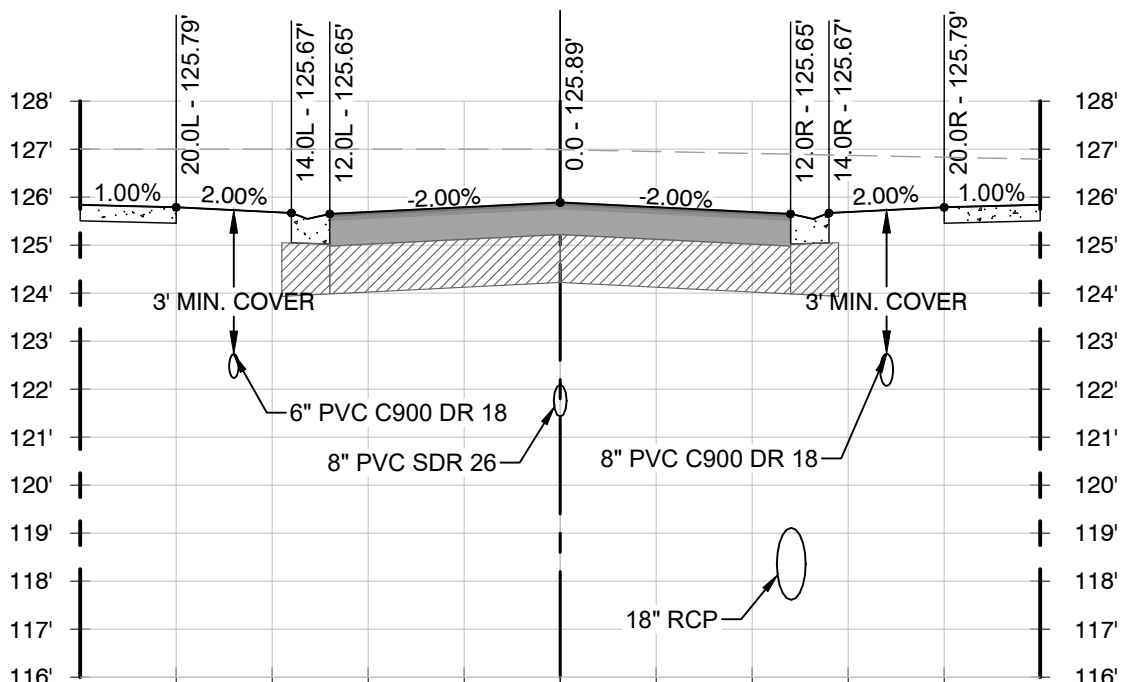
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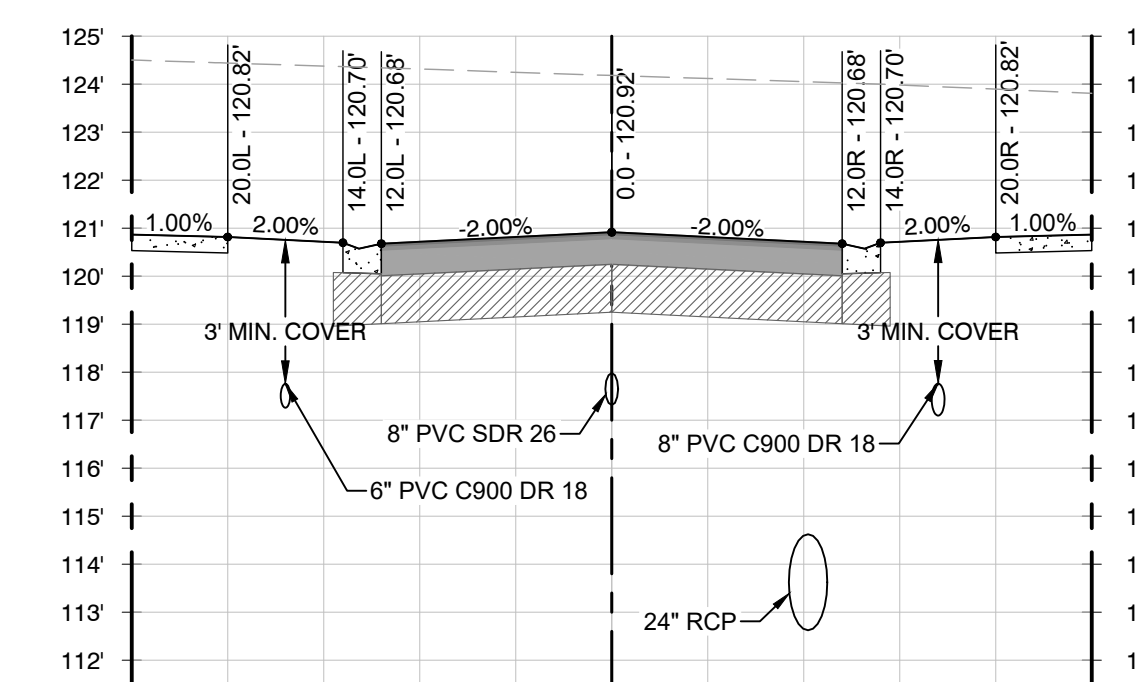
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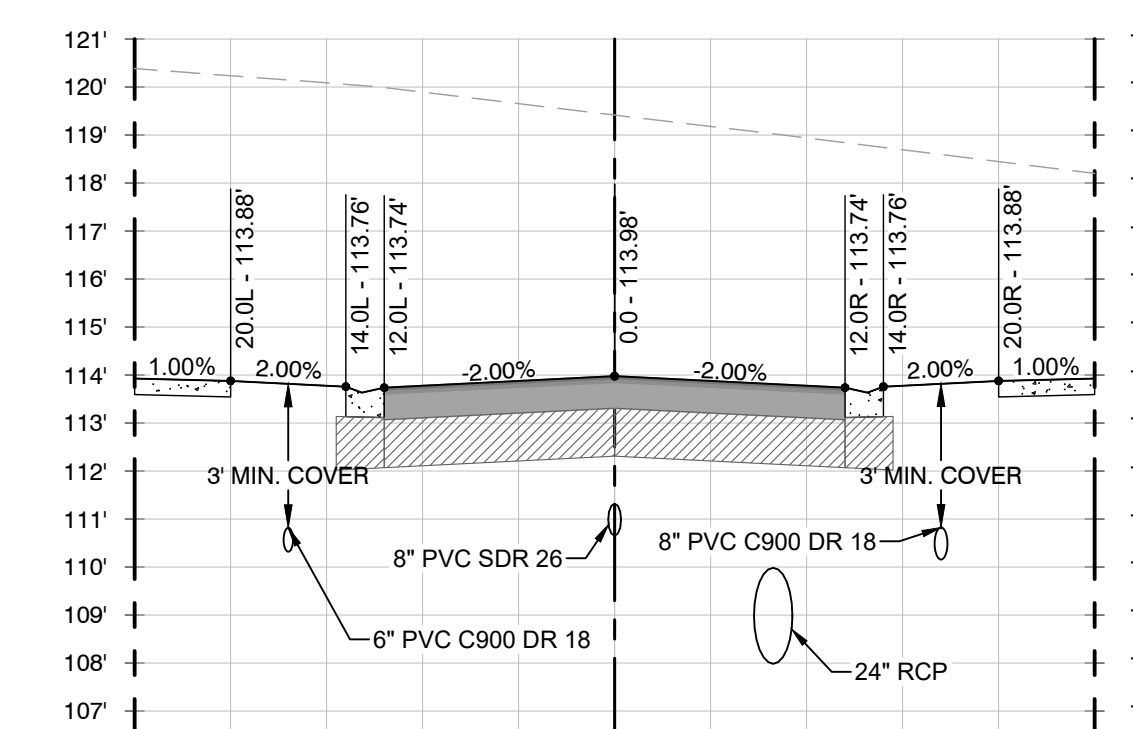
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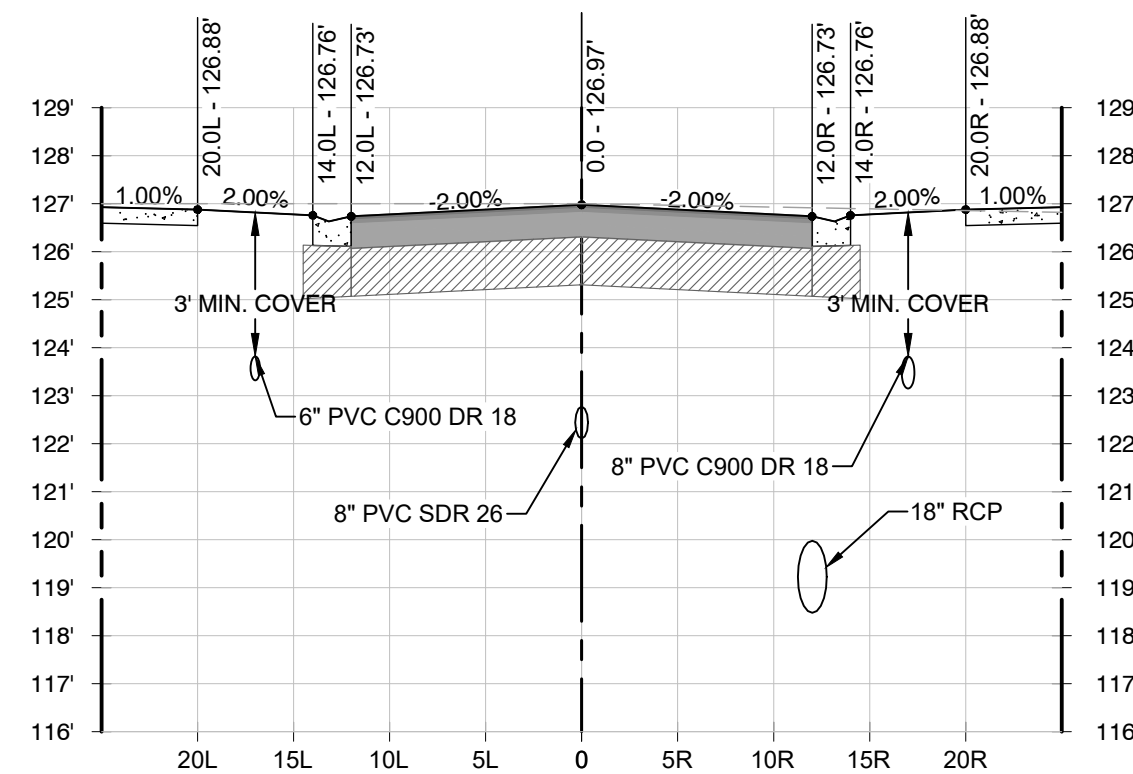
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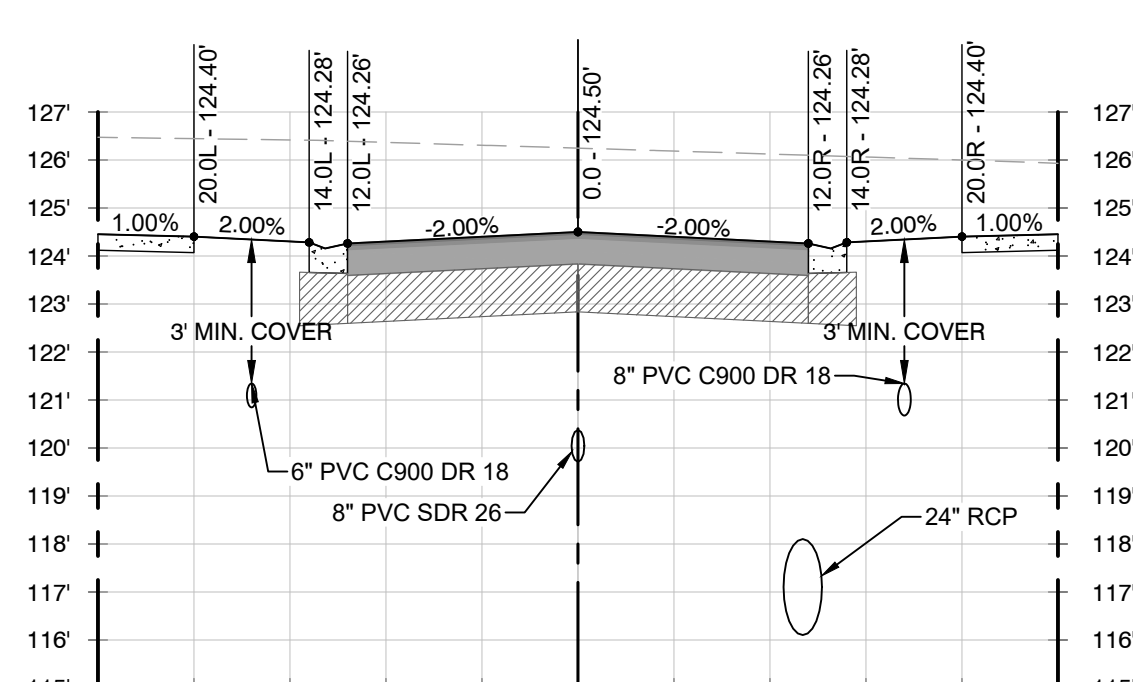
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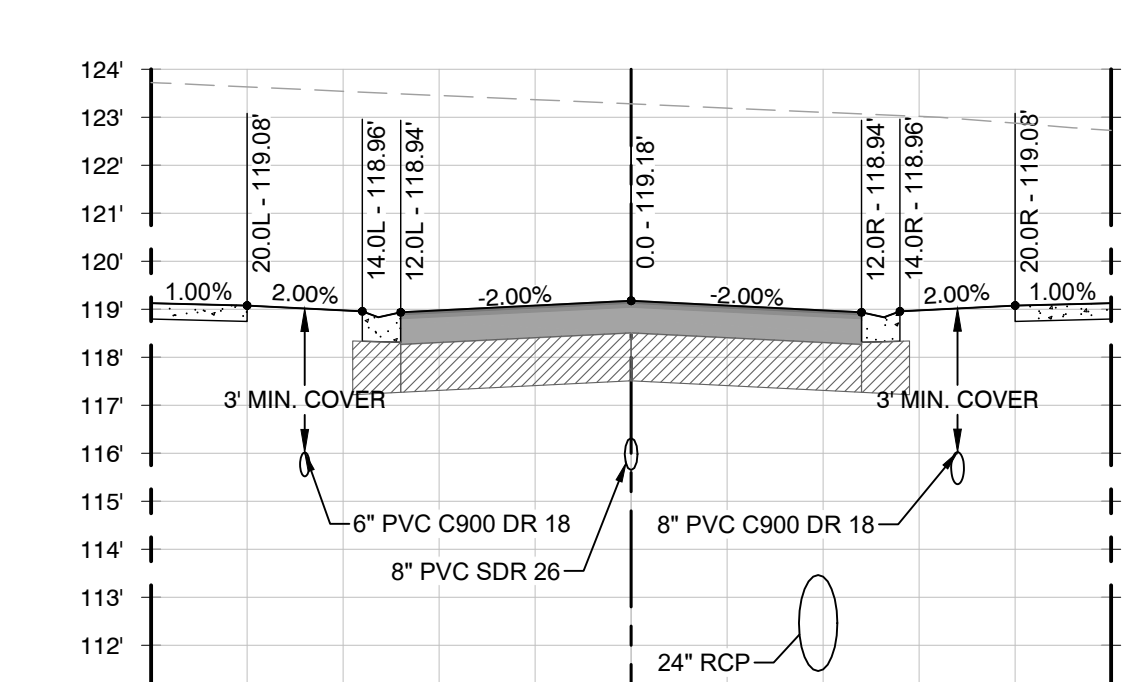
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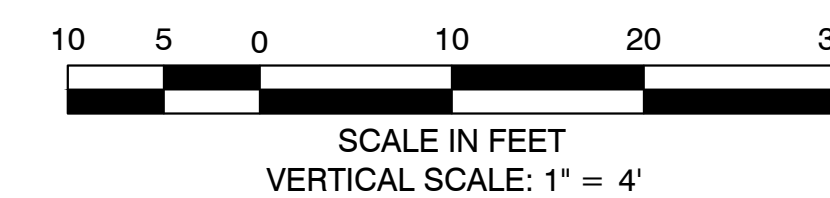
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STA 5+50

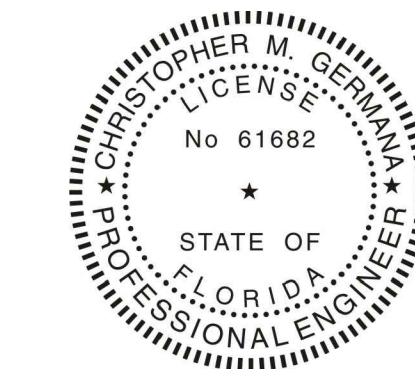


STA 7+50



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CHRISTOPHER M. GERMANA, P.E.
 FLORIDA PROFESSIONAL ENGINEER # 61682
 ENGINEERING FIRM REGISTRY # 29279

#	REVISIONS	DATE

WEST BAY LANE
 CROSS SECTIONS
 1+00 TO 9+00

HIDDEN COVE
 SUBDIVISION

PROJECT # GE072022

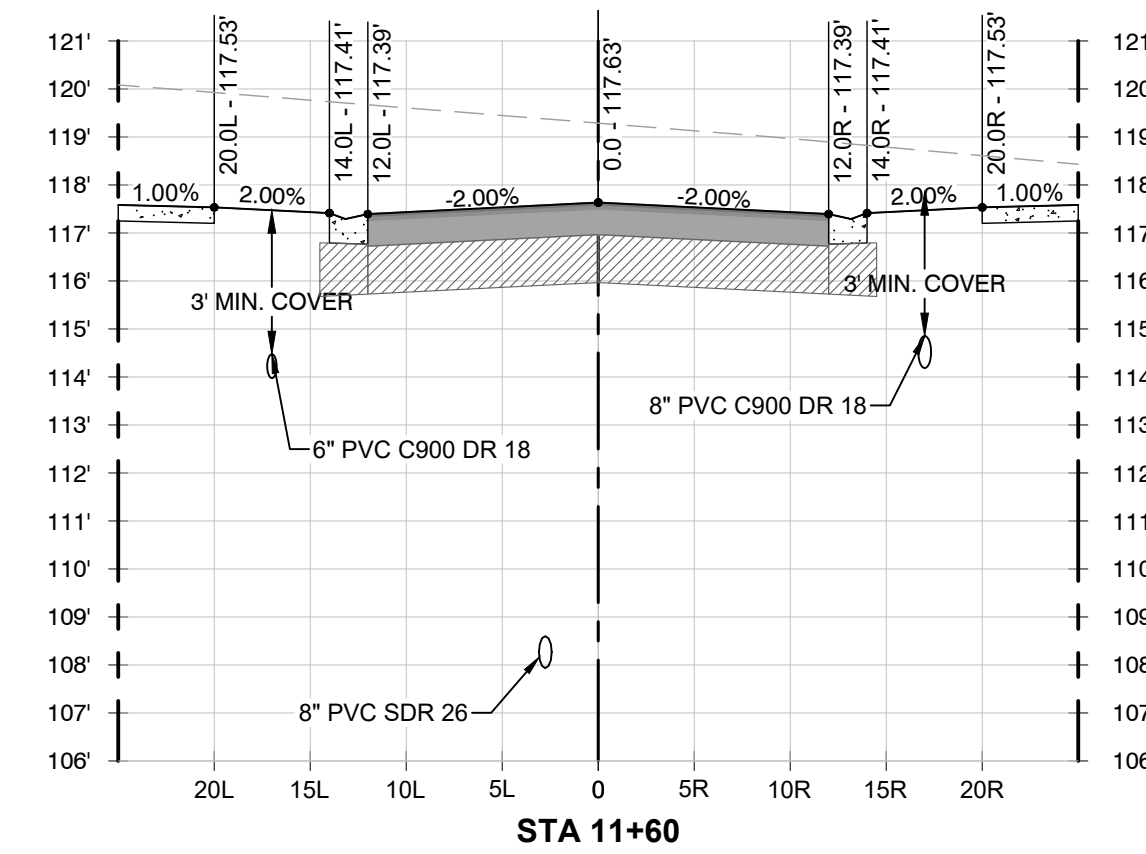
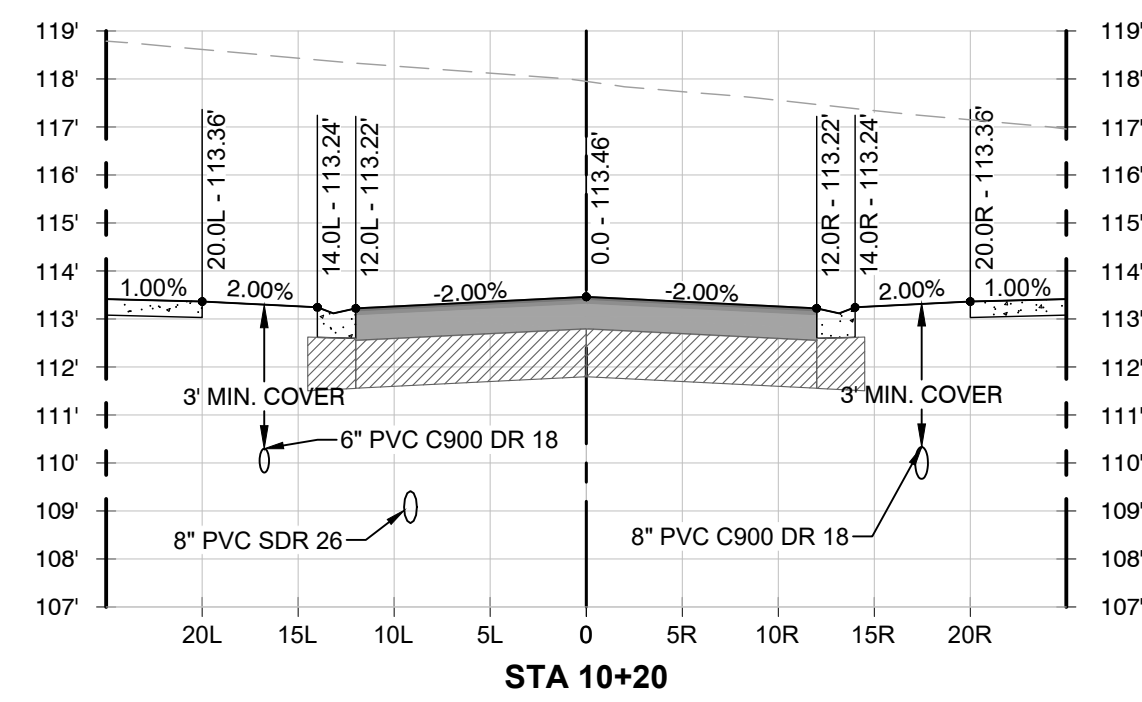
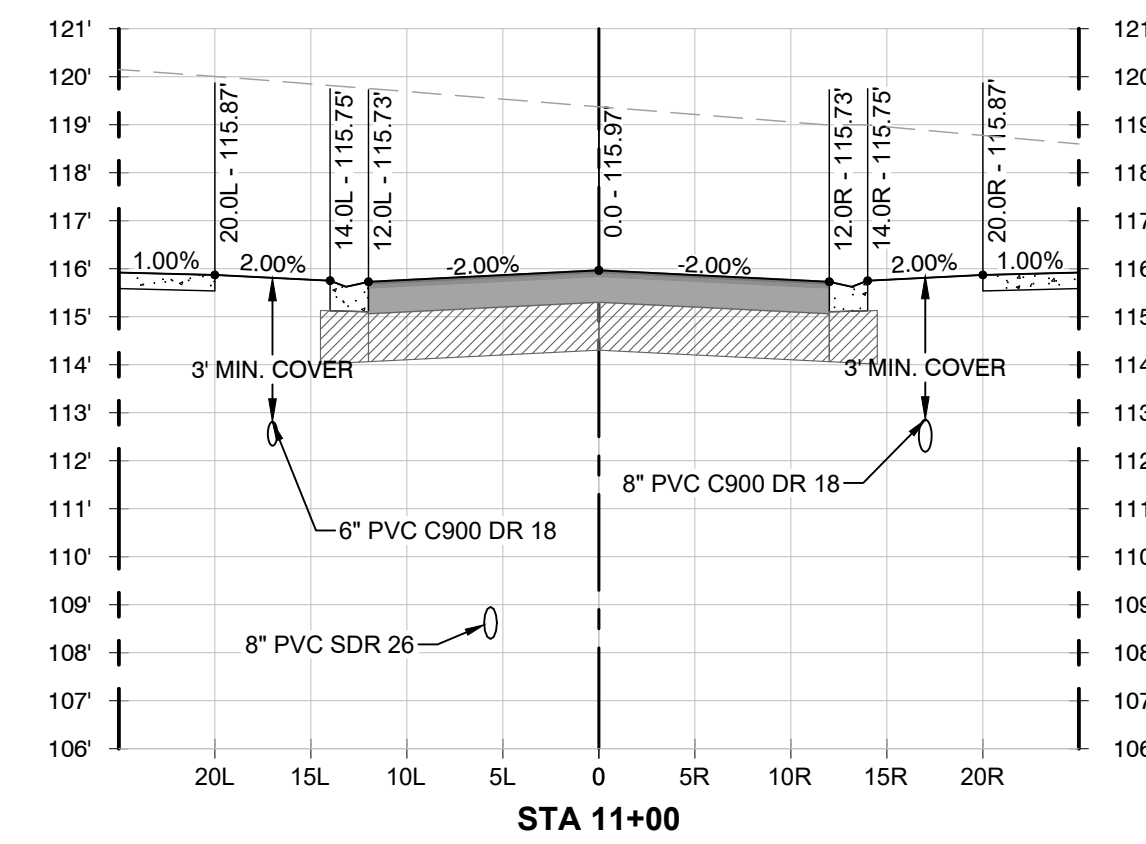
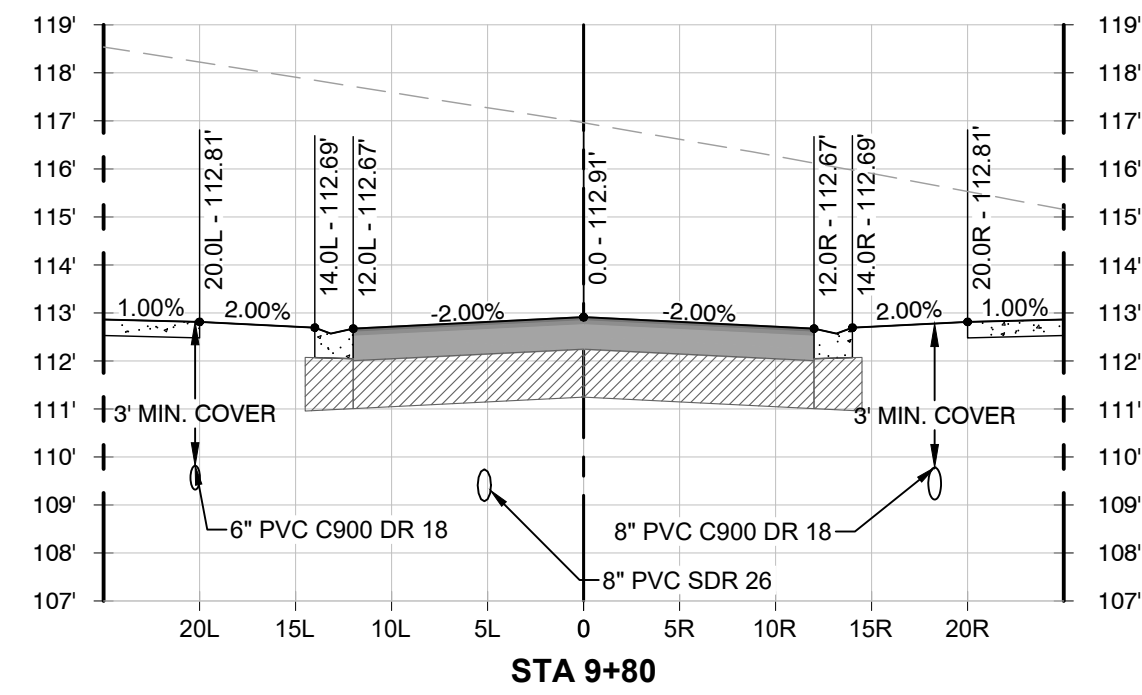
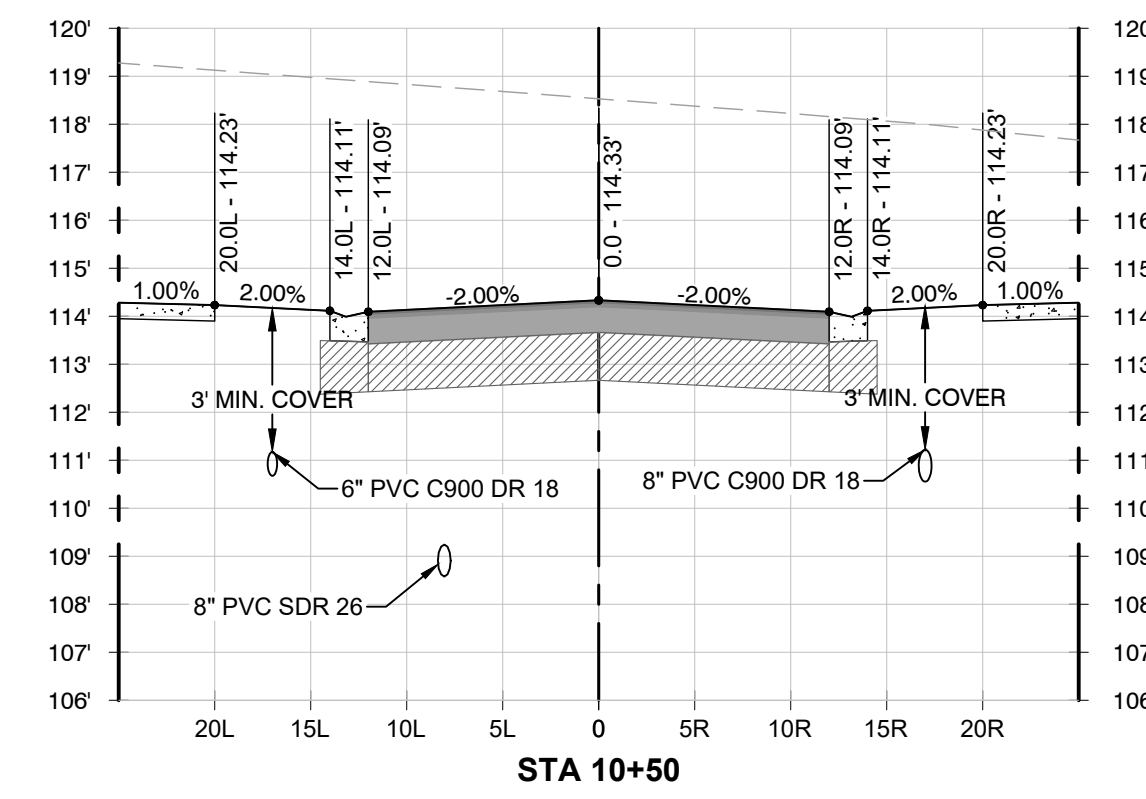
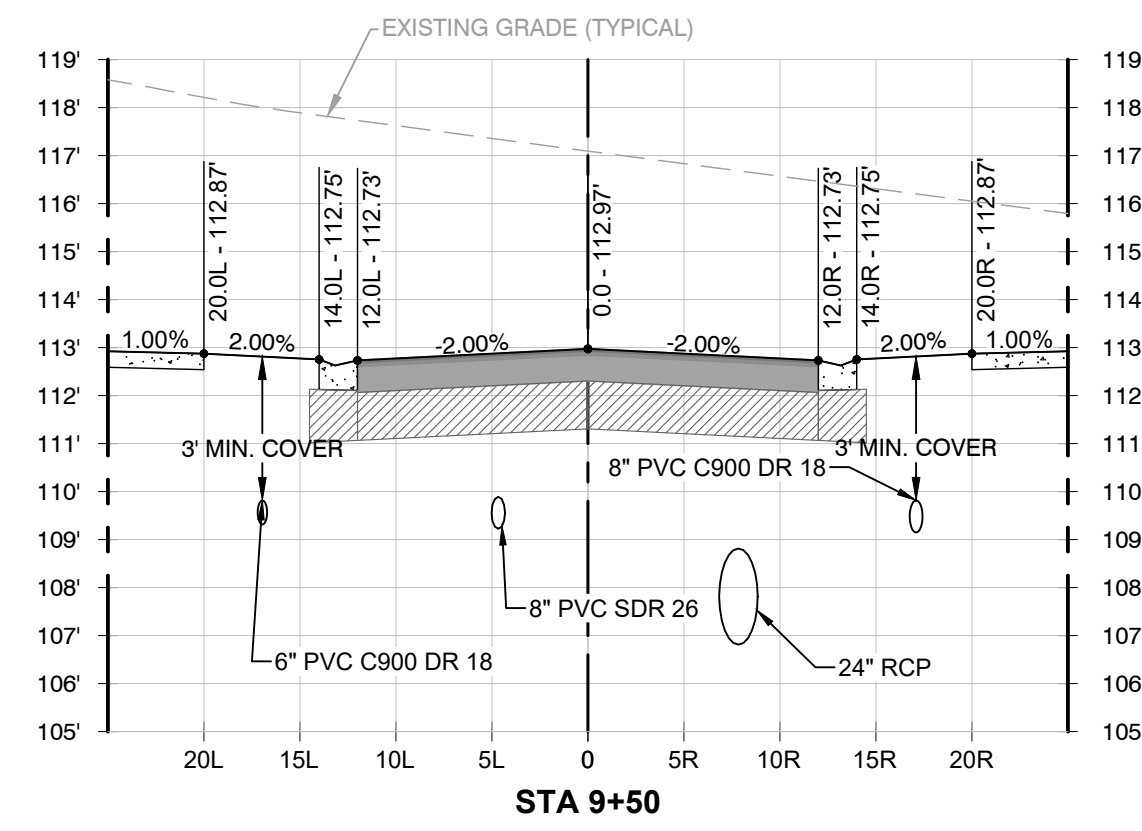
EUSTIS, FLORIDA

GERMANA ENGINEERING
 AND ASSOCIATES, LLC
 1120 WEST MINNEOLA AVENUE
 CLEMONT, FL 34711
 WWW.GERMANAENGINEERING.COM
 ENGINEERING FIRM REGISTRY # 29279

SCALE: NTS

DATE: 03-01-2023

SHEET
 C11



#	REVISIONS	DATE

**WEST BAY LANE
CROSS SECTIONS
9+50 TO 11+60**

**HIDDEN COVE
SUBDIVISION**

**GERMANA ENGINEERING
AND ASSOCIATES, LLC**
1120 WEST MINNIEOLA AVENUE
CLERMONT, FL 34711
WWW.GERMANAENGINEERING.COM
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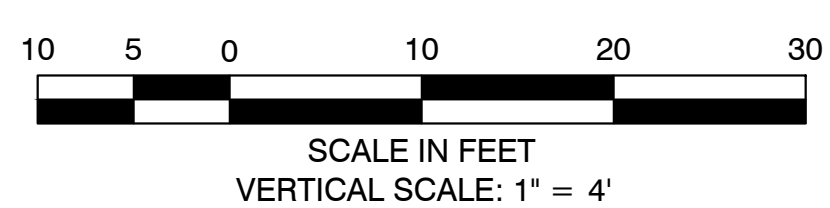
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SHEET
C12

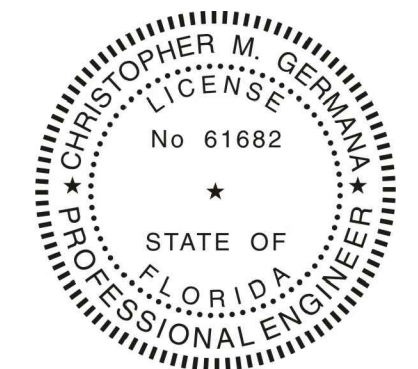
PROJECT # GE072022

EUSTIS, FLORIDA

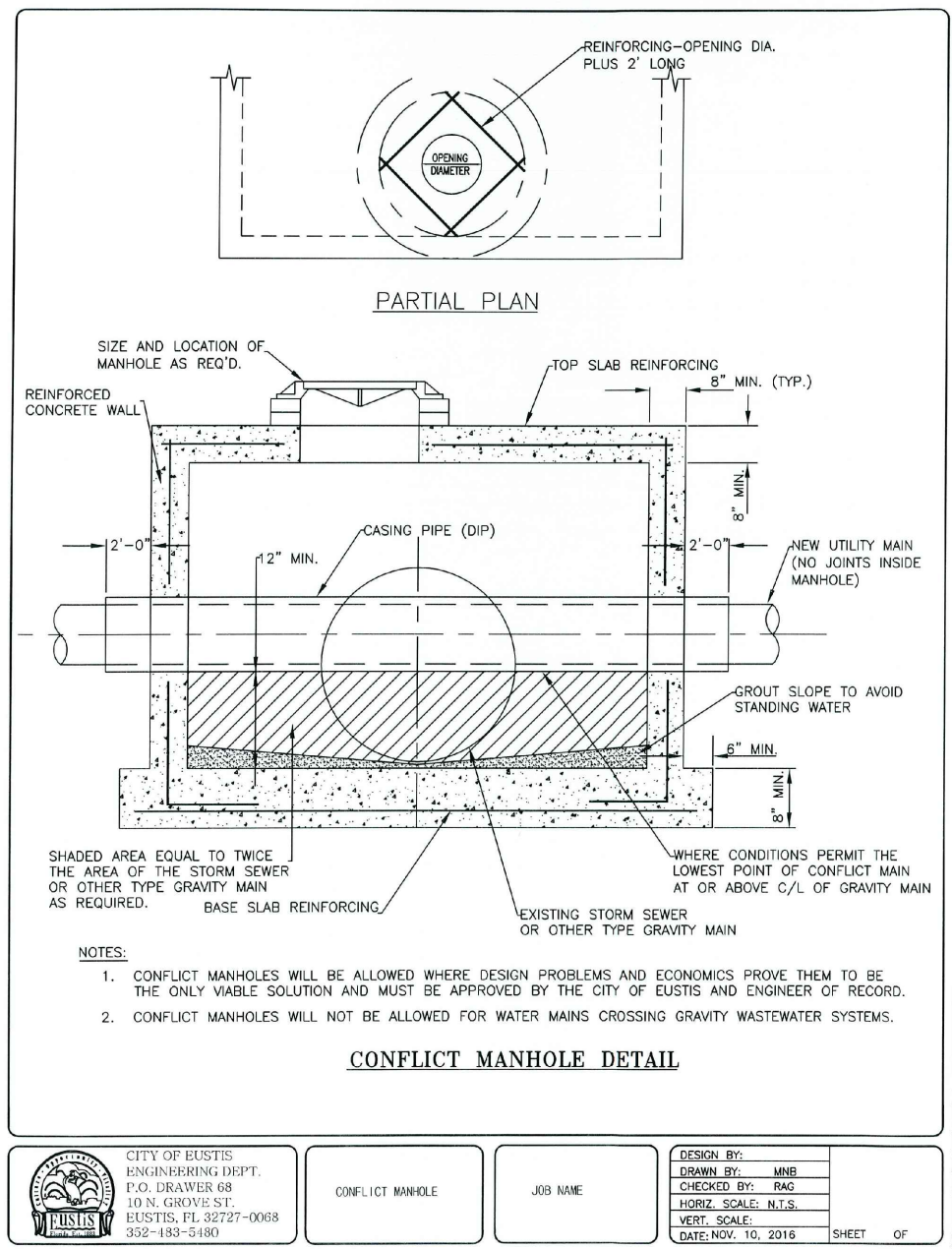


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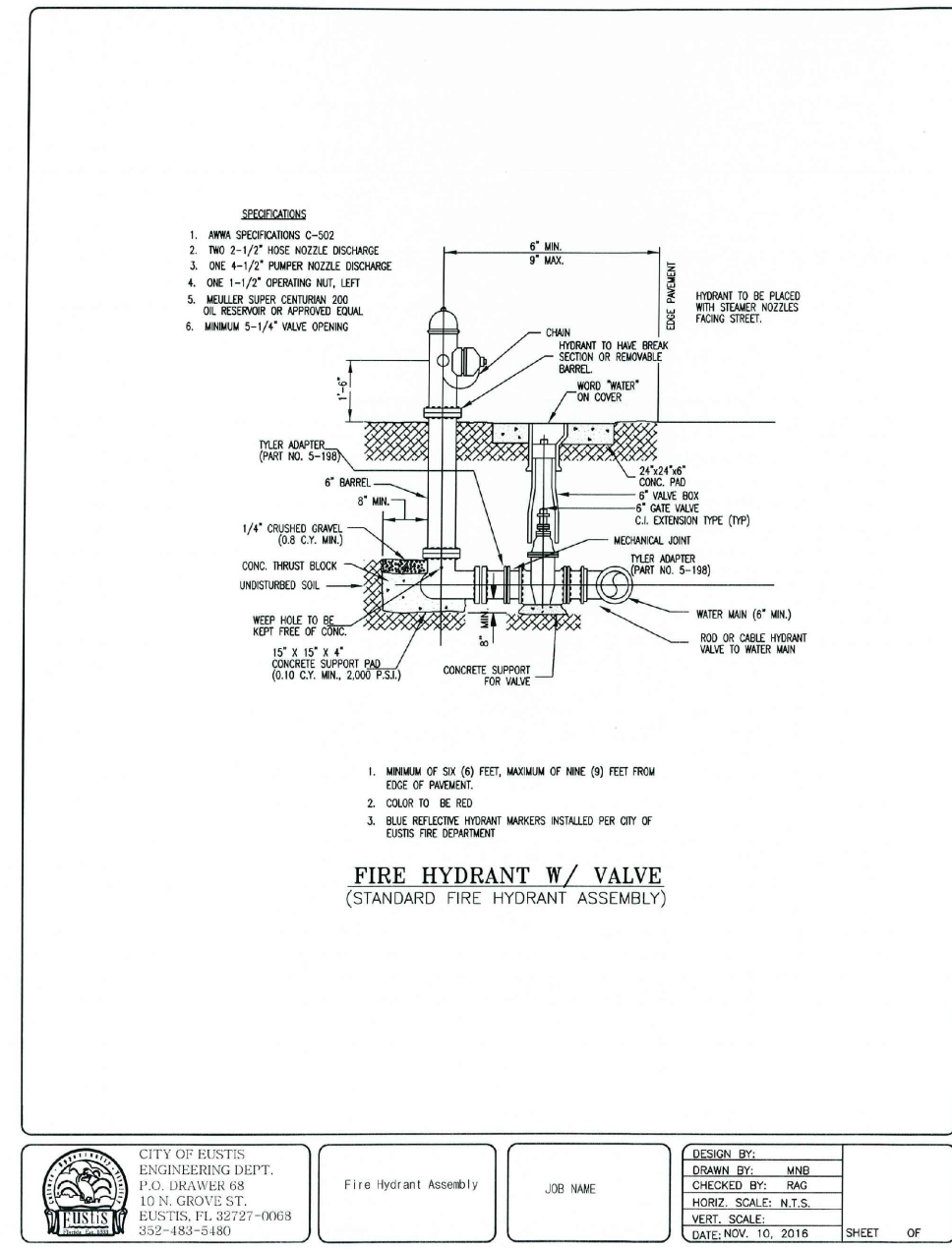
CHRISTOPHER M. GERMANA, P.E.
FLORIDA PROFESSIONAL ENGINEER # 61682
ENGINEERING FIRM REGISTRY # 29279



CITY OF EUSTIS
ENGINEERING DEPT.
P.O. BOX 618
100 N. GORRY ST.
EUSTIS, FL 32727-0068
352-483-3480

DESIGN BY: J.M.G.
CHECKED BY: J.M.G.
DATE: NOV. 10, 2016

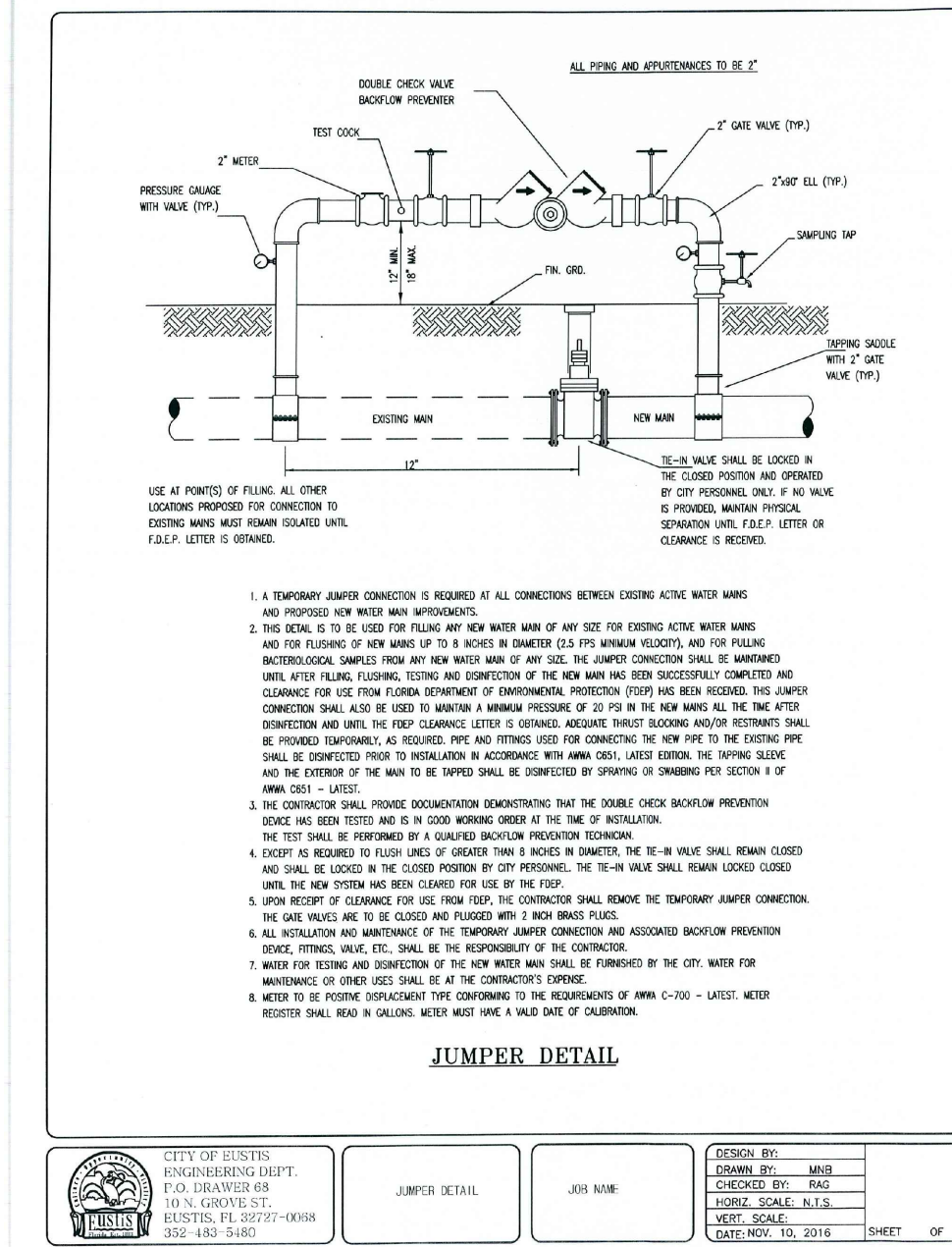
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SHEET: 07



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100 N. GORRY ST.
EUSTIS, FL 32727-0068
352-483-3480

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DATE: NOV. 10, 2016

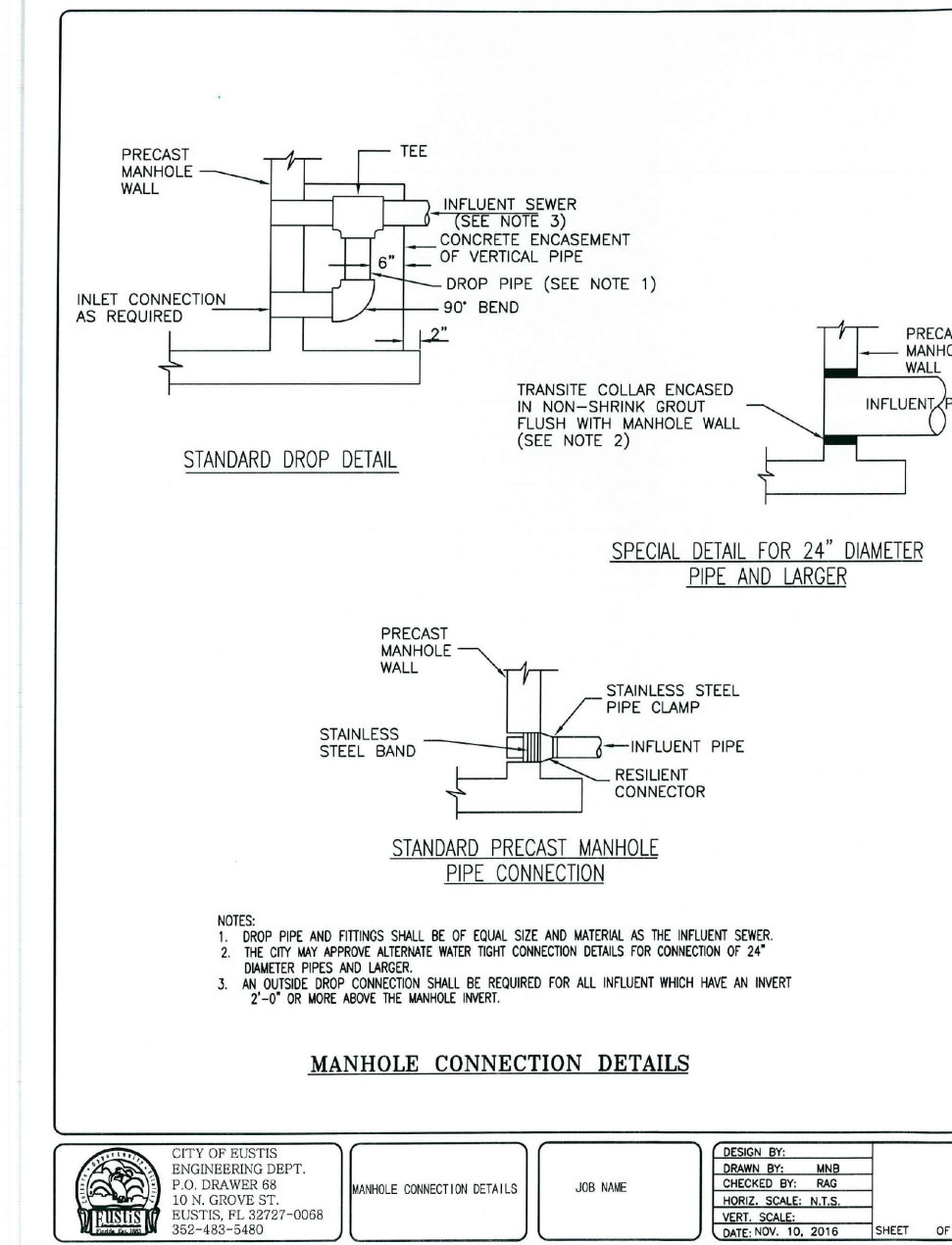
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SHEET: 07



CITY OF EUSTIS
ENGINEERING DEPT.
P.O. BOX 618
100 N. GORRY ST.
EUSTIS, FL 32727-0068
352-483-3480

DESIGN BY: J.M.G.
CHECKED BY: J.M.G.
DATE: NOV. 10, 2016

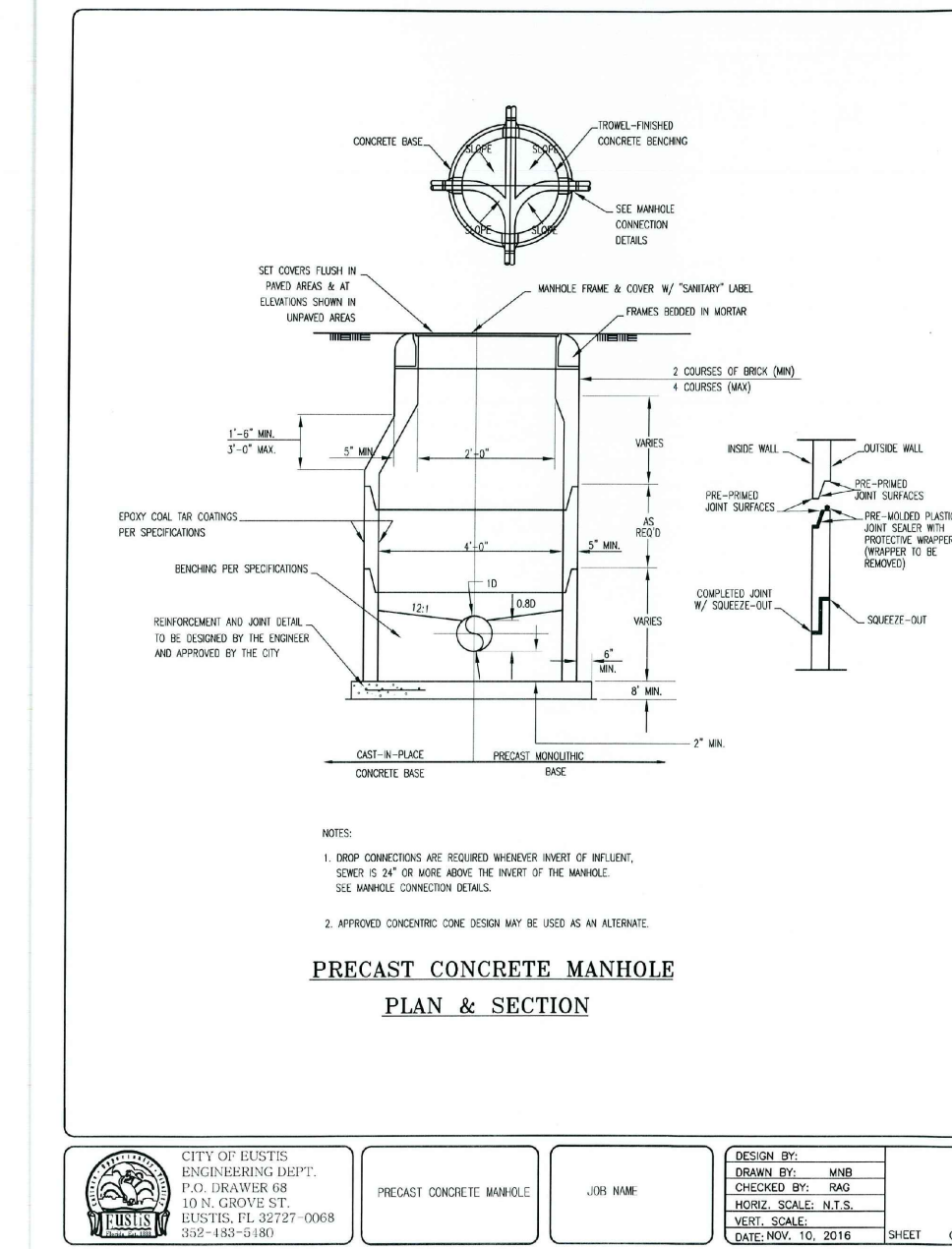
PROJECT: JUMPER DETAIL
JOB NAME: [Blank]
SHEET: 07



CITY OF EUSTIS
ENGINEERING DEPT.
P.O. BOX 618
100 N. GORRY ST.
EUSTIS, FL 32727-0068
352-483-3480

DESIGN BY: J.M.G.
CHECKED BY: J.M.G.
DATE: NOV. 10, 2016

PROJECT: MANHOLE CONNECTION DETAILS
JOB NAME: [Blank]
SHEET: 07



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DESIGN BY: J.M.G.
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DATE: NOV. 10, 2016

PROJECT: PRECAST CONCRETE MANHOLE
JOB NAME: [Blank]
SHEET: 07

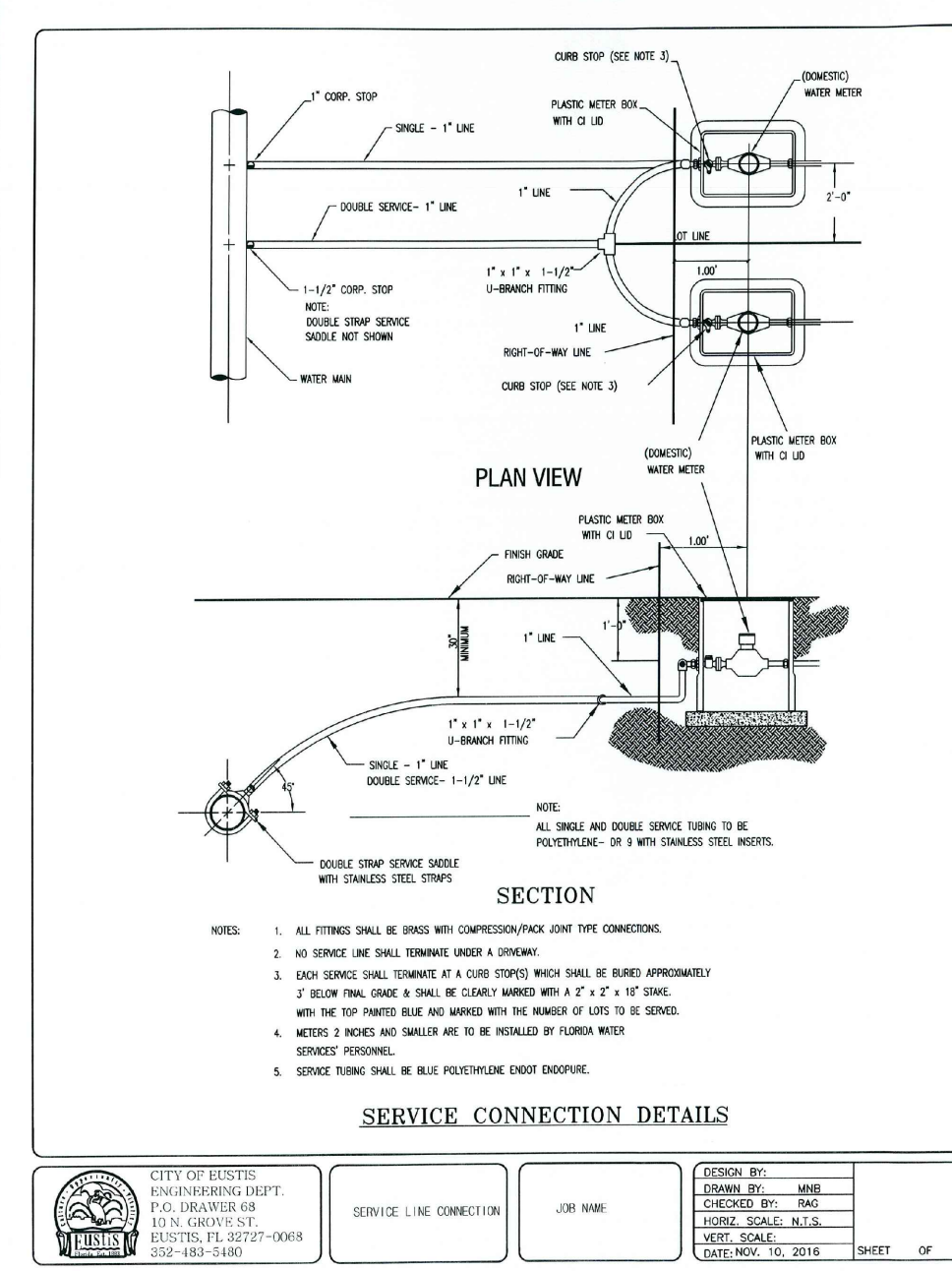
PIPE RESTRAINT LENGTHS

PIPE SIZE (INCHES)	PIPE RESTRAINT LENGTHS (FT) - EACH SIDE OF FITTING											
	4	6	8	10	12	14	16	18	20	24		
11-1/2" BEND	2	3	4	5	6	7	8	9	10	11	12	
20-1/2" BEND	4	6	8	10	12	14	16	18	20	24	30	
30" BEND	8	12	16	20	24	28	32	36	40	48	60	
42" BEND	12	18	24	30	36	42	48	54	60	72	90	

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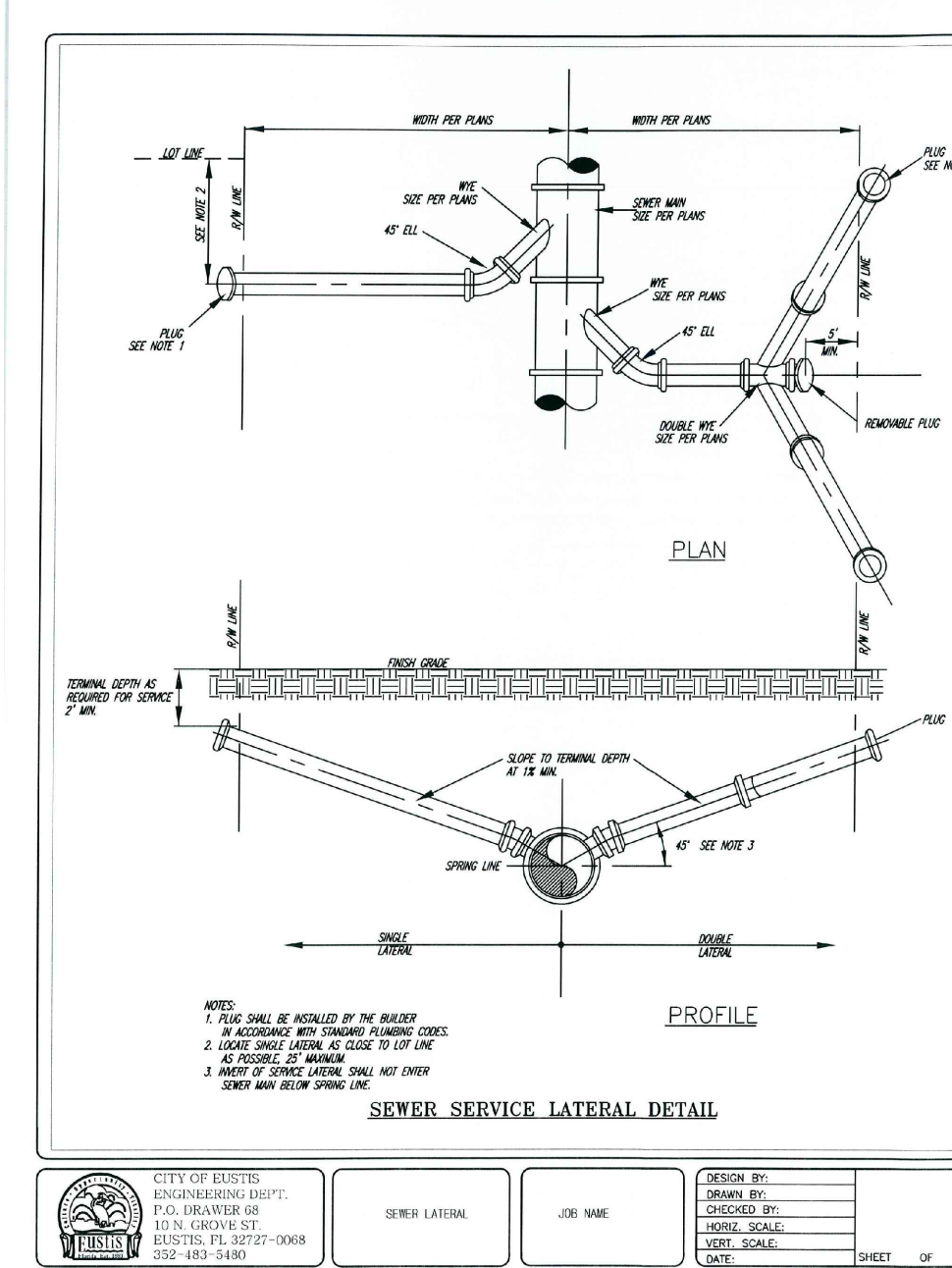
PROJECT: PIPE RESTRAINT LENGTHS
JOB NAME: [Blank]
SHEET: 07



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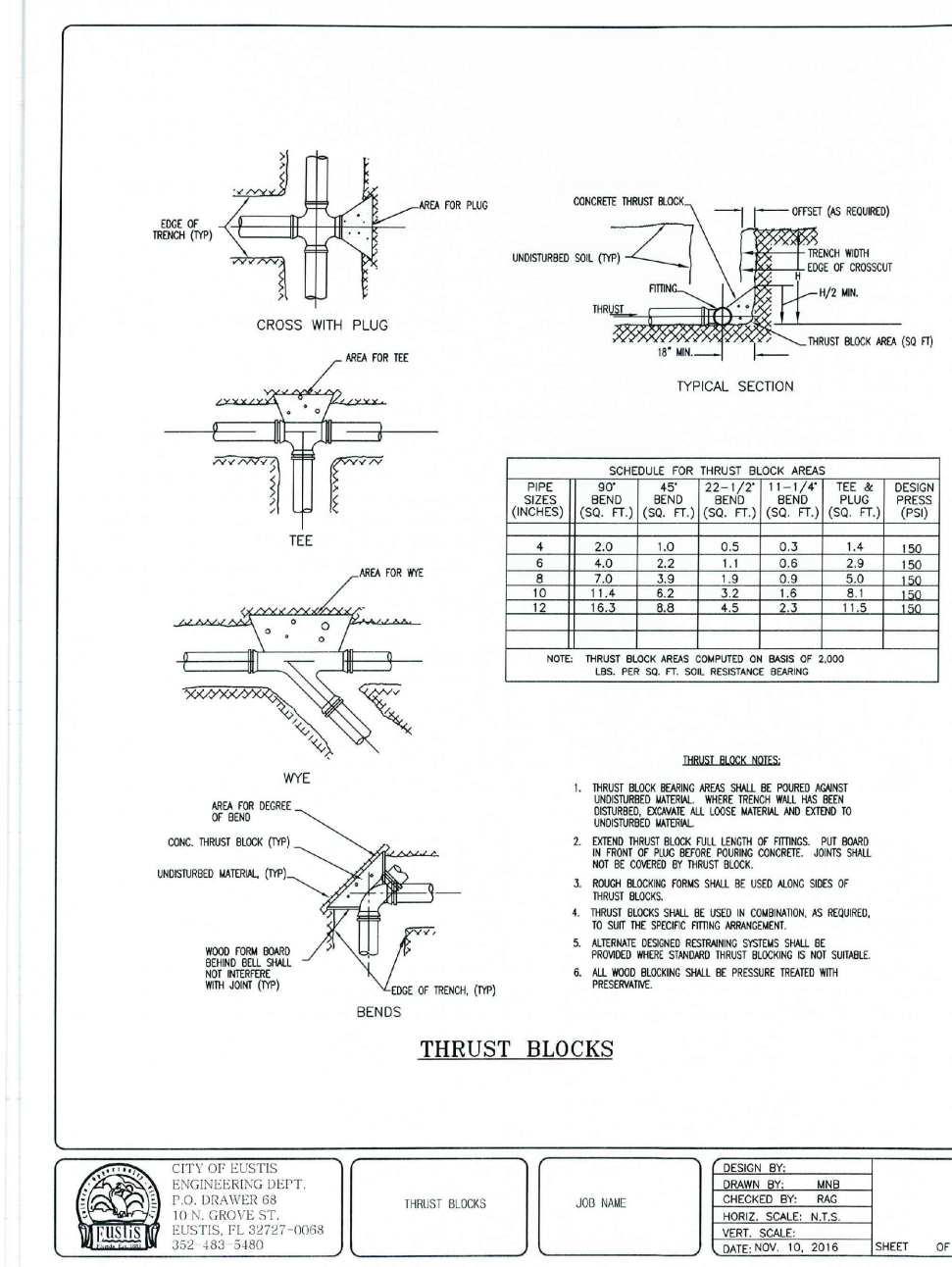
PROJECT: SERVICE LINE CONNECTION
JOB NAME: [Blank]
SHEET: 07



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100 N. GORRY ST.
EUSTIS, FL 32727-0068
352-483-3480

DESIGN BY: J.M.G.
CHECKED BY: J.M.G.
DATE: NOV. 10, 2016

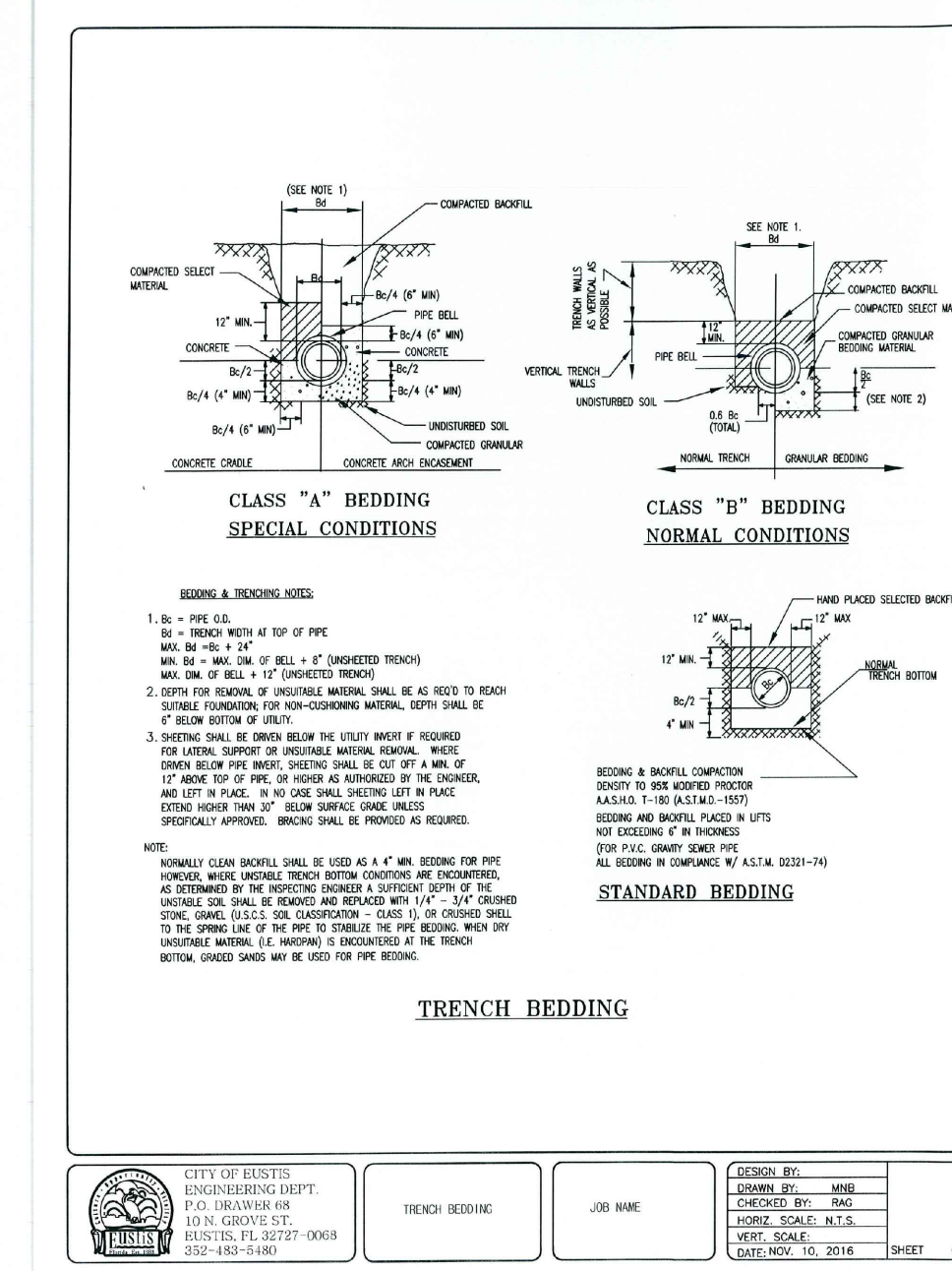
PROJECT: SEWER LATERAL
JOB NAME: [Blank]
SHEET: 07



CITY OF EUSTIS
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100 N. GORRY ST.
EUSTIS, FL 32727-0068
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DESIGN BY: J.M.G.
CHECKED BY: J.M.G.
DATE: NOV. 10, 2016

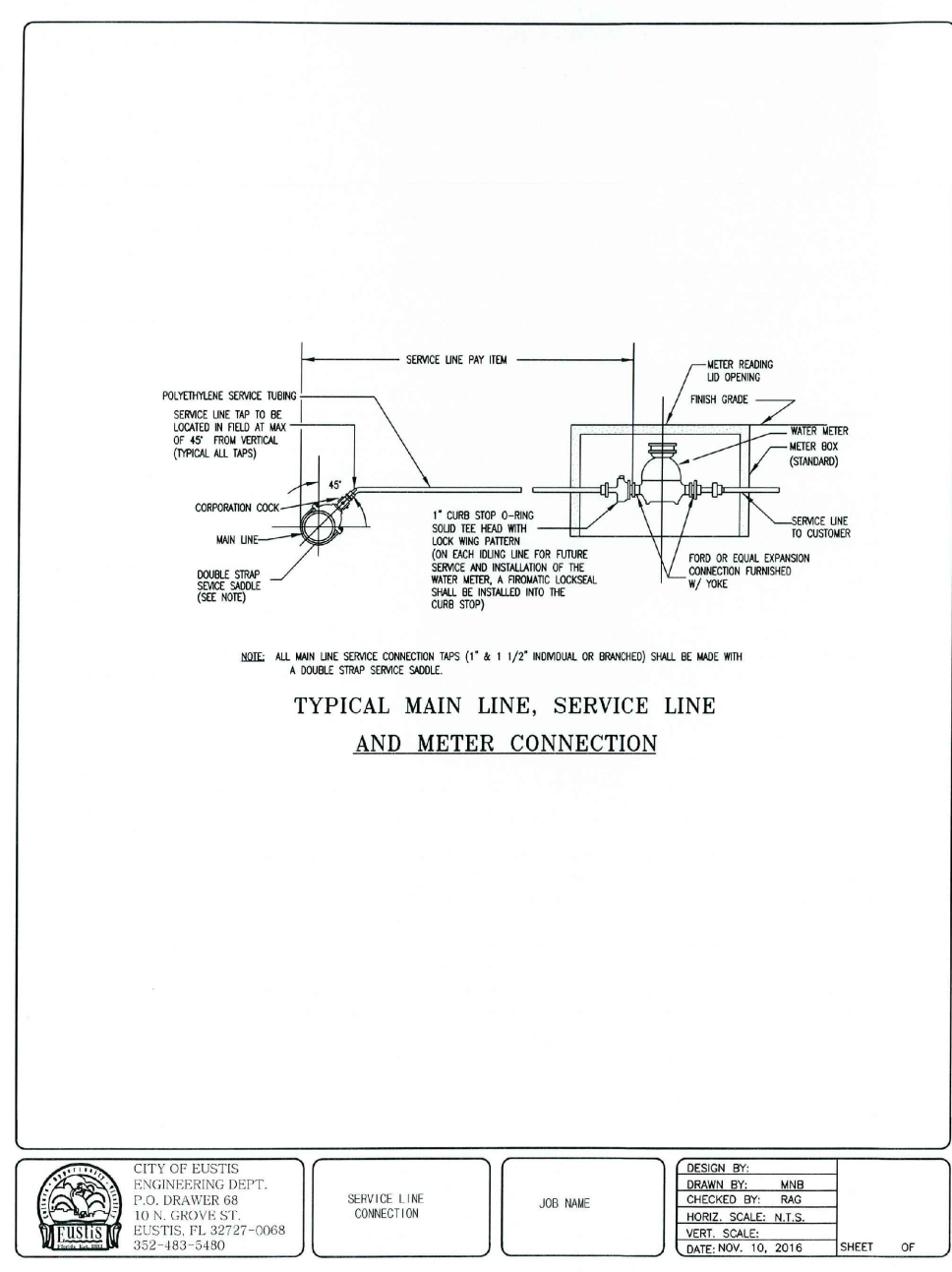
PROJECT: THRUST BLOCKS
JOB NAME: [Blank]
SHEET: 07



CITY OF EUSTIS
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100 N. GORRY ST.
EUSTIS, FL 32727-0068
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DESIGN BY: J.M.G.
CHECKED BY: J.M.G.
DATE: NOV. 10, 2016

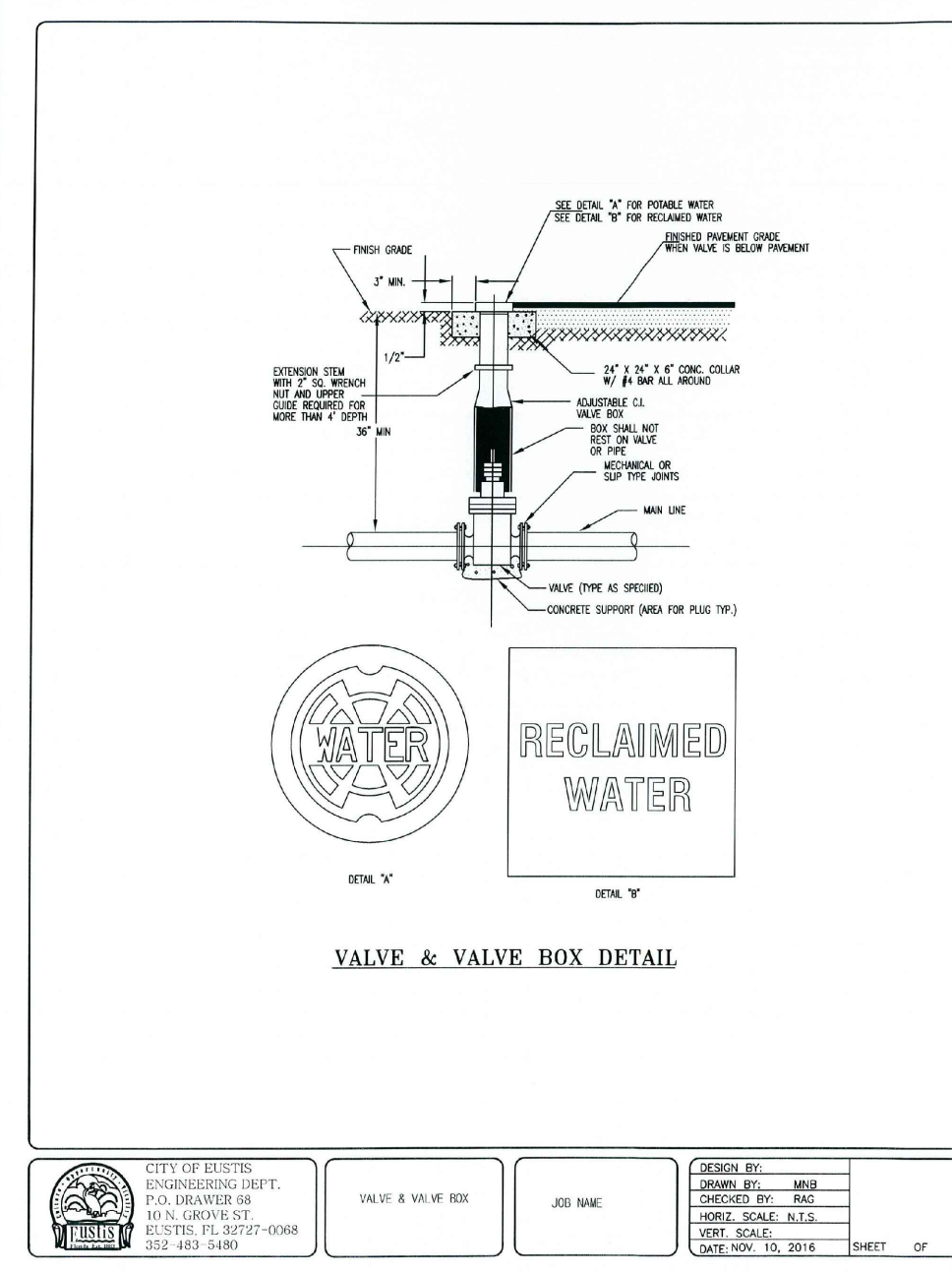
PROJECT: TRENCH BEDDING
JOB NAME: [Blank]
SHEET: 07



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P.O. BOX 618
100 N. GORRY ST.
EUSTIS, FL 32727-0068
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DESIGN BY: J.M.G.
CHECKED BY: J.M.G.
DATE: NOV. 10, 2016

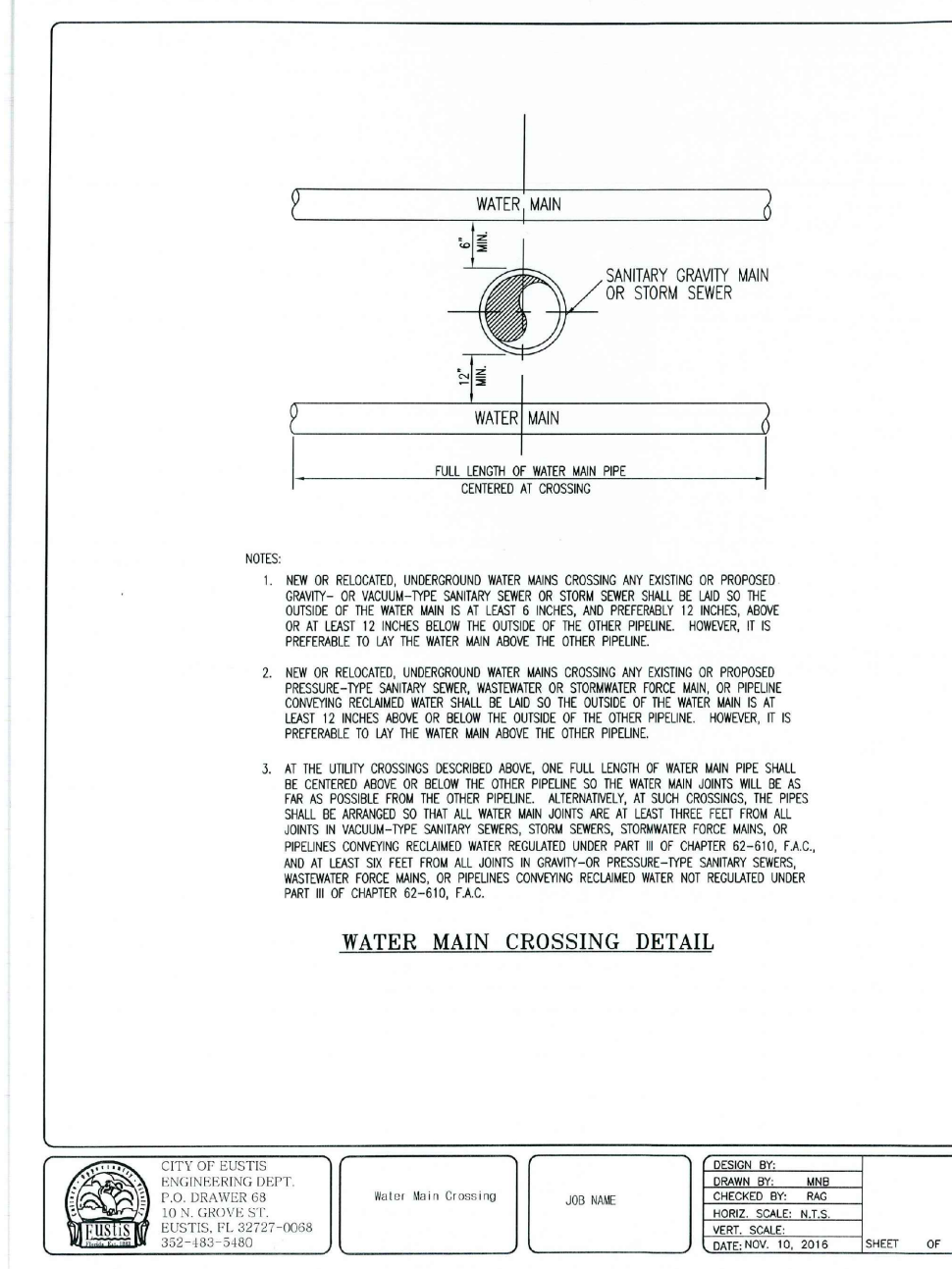
PROJECT: TYPICAL MAIN LINE CONNECTION
JOB NAME: [Blank]
SHEET: 07



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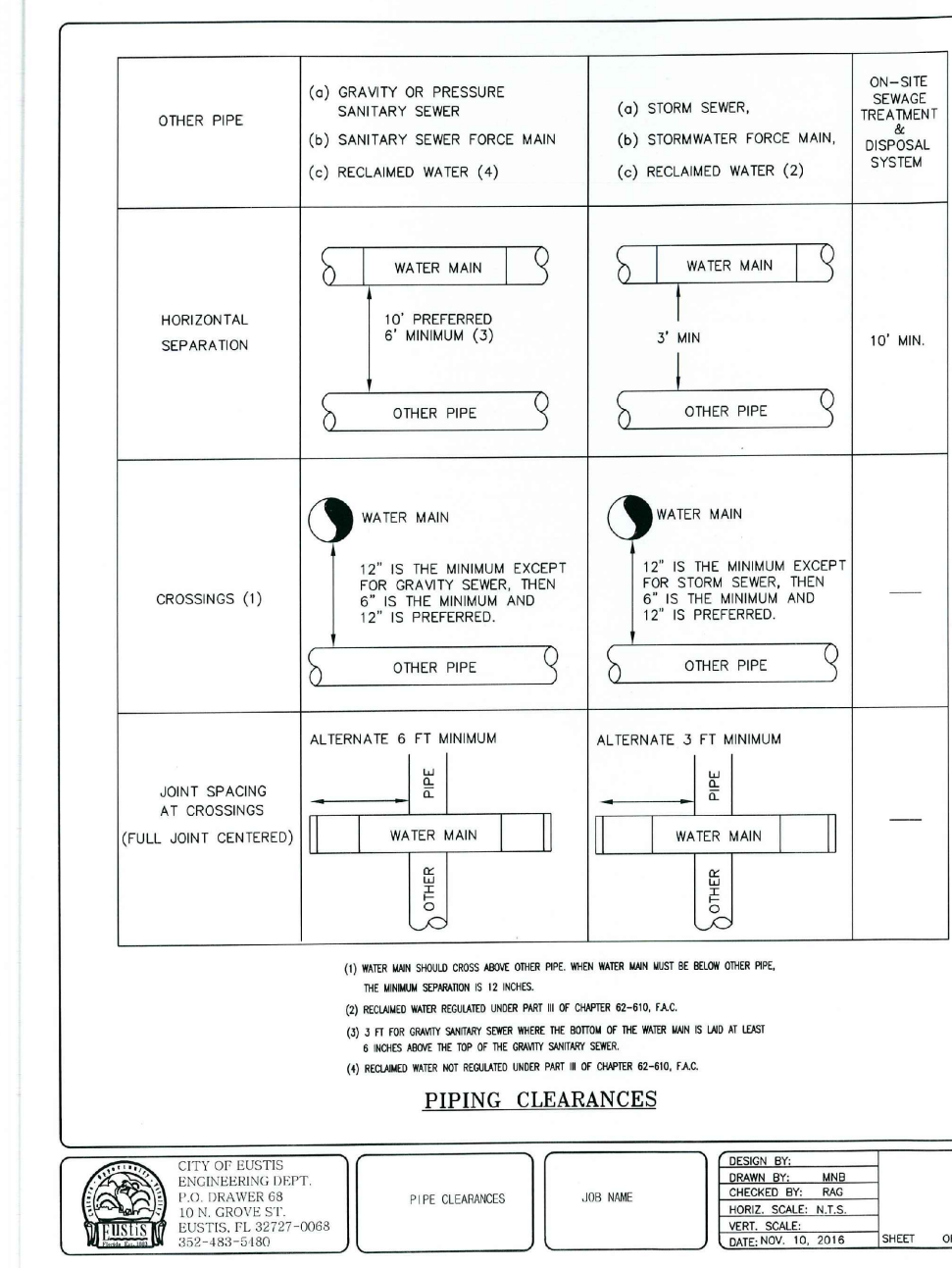
PROJECT: VALVE & VALVE BOX
JOB NAME: [Blank]
SHEET: 07



CITY OF EUSTIS
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P.O. BOX 618
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EUSTIS, FL 32727-0068
352-483-3480

DESIGN BY: J.M.G.
CHECKED BY: J.M.G.
DATE: NOV. 10, 2016

PROJECT: WATER MAIN CROSSING
JOB NAME: [Blank]
SHEET: 07



CITY OF EUSTIS
ENGINEERING DEPT.
P.O. BOX 618
100 N. GORRY ST.
EUSTIS, FL 32727-0068
352-483-3480

DESIGN BY: J.M.G.
CHECKED BY: J.M.G.
DATE: NOV. 10, 2016

PROJECT: PIPING CLEARANCES
JOB NAME: [Blank]
SHEET: 07



CITY OF EUSTIS
ENGINEERING DEPT.
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100 N. GORRY ST.
EUSTIS, FL 32727-0068
352-483-3480

DESIGN BY: J.M.G.
CHECKED BY: J.M.G.
DATE: NOV. 10, 2016

PROJECT: ON-SITE SEWAGE TREATMENT DISPOSAL SYSTEM
JOB NAME: [Blank]
SHEET: 07

PROJECT # GE072022

**HIDDEN COVE
SUBDIVISION**

**CITY OF EUSTIS
CONSTRUCTION DETAILS**

#	REVISIONS	DATE

SCALE: NTS
DATE: 03-01-2023
SHEET
C15

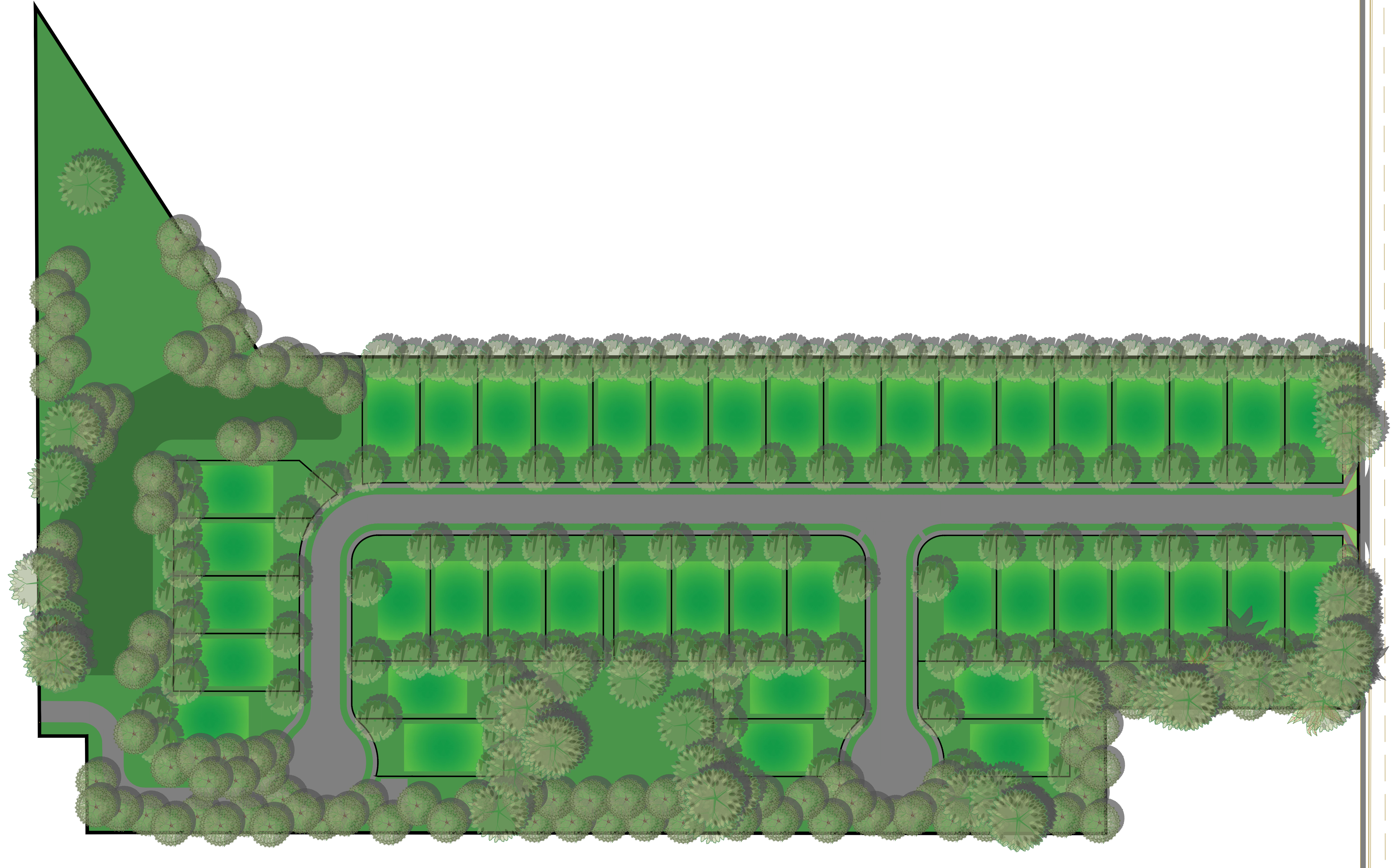
GERMANA ENGINEERING AND ASSOCIATES, LLC
1120 WEST MINNEOLA AVENUE
CLEMONT, FL 34711
WWW.GERMANAENGINEERING.COM
ENGINEERING FIRM REGISTRY # 28279

EUSTIS, FLORIDA

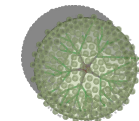

Digitally signed by Christopher M Germana
Date: 2023.05.01 16:30:28 -04'00'

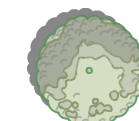

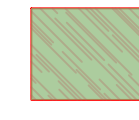



CHRISTOPHER M. GERMANA, P.E.
FLORIDA PROFESSIONAL ENGINEER # 61682
ENGINEERING FIRM REGISTRY # 29279

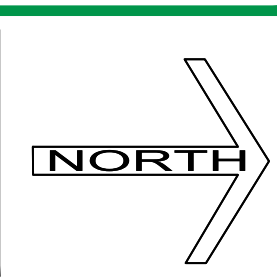


PLANT SCHEDULE

<u>CANOPY TREES</u>	<u>QTY</u>	<u>COMMON NAME</u>	<u>BOTANICAL NAME</u>	<u>CONT</u>	<u>CAL</u>	<u>SIZE</u>	<u>SPACING</u>	<u>REMARKS</u>
	104	Live Oak	Quercus virginiana	30 gal	2" DBH	12"	As Shown	Native
<u>LOT TREES</u>	<u>QTY</u>	<u>COMMON NAME</u>	<u>BOTANICAL NAME</u>	<u>CONT</u>	<u>CAL</u>	<u>SIZE</u>	<u>SPACING</u>	<u>REMARKS</u>
	129	Live Oak	Quercus virginiana	30 gal	2" DBH	12"	As Shown	Native
<u>TREES TO REMAIN</u>	<u>QTY</u>	<u>COMMON NAME</u>	<u>BOTANICAL NAME</u>	<u>CONT</u>	<u>CAL</u>	<u>SIZE</u>	<u>SPACING</u>	<u>REMARKS</u>
	1	Sweet Bay	Laurus nobilis	Existing	As labeled	Existing	As Shown	
	2	Carolina Laurel Cherry	Prunus caroliniana	Existing	As labeled	Existing	As Shown	
	53	Oak	Quercus spp	Existing	As labeled	Existing	As Shown	Native
	3	Cabbage Palmetto	Sabal palmetto	Existing	As labeled	Existing	As Shown	Native

<u>UNDERSTORY TREES</u>	<u>QTY</u>	<u>COMMON NAME</u>	<u>BOTANICAL NAME</u>	<u>CONT</u>	<u>CAL</u>	<u>SIZE</u>	<u>SPACING</u>	<u>REMARKS</u>
	11	Dahoon Holly	Ilex cassine	15 gal	1.5"DBH	7"	As Shown	Native
<u>SHRUBS</u>	<u>QTY</u>	<u>COMMON NAME</u>	<u>BOTANICAL NAME</u>	<u>CONT</u>	<u>HEIGHT</u>	<u>WIDTH</u>	<u>SPACING</u>	<u>REMARKS</u>
	91	Podocarpus	Podocarpus macrophyllus	5 gal	36"	24"	As Shown	Non Native
<u>SHRUB AREAS</u>	<u>QTY</u>	<u>COMMON NAME</u>	<u>BOTANICAL NAME</u>	<u>CONT</u>	<u>HEIGHT</u>	<u>WIDTH</u>	<u>SPACING</u>	<u>REMARKS</u>
	341	Dwarf Yaupon Holly	Ilex vomitoria 'Nana'	3 gal	12"	12"	30" o.c.	Native
<u>GROUND COVERS</u>	<u>QTY</u>	<u>COMMON NAME</u>	<u>BOTANICAL NAME</u>	<u>CONT</u>	<u>HEIGHT</u>	<u>WIDTH</u>	<u>SPACING</u>	<u>REMARKS</u>
	764	Dwarf Confederate Jasmine	Trachelospermum asiaticum	1 gal			18" o.c.	Non Native

Green Consulting Group, Inc.
 Landscape Architecture ■ Land Planning ■ Development Assistance
 4070 United Avenue, Mount Dora, Florida 32757
 352-357-9241 ■ Fax 352-357-9278 ■ LC26000288



Drawing Number: 1658-02
 Originated From: 1658-01
 Date: April 18, 2023
 Scale: 1" = 50'
 Drawn By: FAH
 Layout: 24"x36"

Landscape Render
Hidden Cove
 Eustis, Florida



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: August 3, 2023

RE: RESOLUTION 23-62: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; ESTABLISHING AN AMENDED SCHEDULE OF FEES RELATED TO BUILDING PERMIT FEES TO ACCOUNT FOR PRIVATE ENGINEERING INSPECTIONS FIRMS TO PROVIDE PRIVATE SERVICES IN THE CITY AND TO REMOVE FEES FOR FENCES AND CHANGE OF USE PROJECTS AND PROVIDING FOR AN EFFECTIVE DATE.

Introduction:

Florida Statute 553.791 allows for private provider services for plans review and inspections for building construction. If an owner or contractor retains a private provider for purposes of plans review or building inspection services, the local jurisdiction **must reduce the permit fee by the amount of cost savings realized by the local enforcement agency for not having to perform such services**. Such reduction may be calculated on a flat fee or percentage basis, or any other reasonable means by which a local enforcement agency assesses the cost for its plans review or inspection services. The local jurisdiction may not charge fees for building inspections if the fee owner or contractor hires a private provider to perform such services; however, the local jurisdiction may charge a reasonable administrative fee, which shall be based on the cost that is actually incurred, including the labor cost of the personnel providing the service, by the local jurisdiction or attributable to the local jurisdiction for the clerical and supervisory assistance required, or both.

Any consideration of a reduction of fees on the City's Building and Inspection Fee Schedule will require the approval of the City Commission.

Background:

The City's Building Official, Matt Adair, CBO, has received notice from the developer of Pine Meadows Reserve Subdivision that they intend to use a private provider for plans review and inspections for their subdivision.

Matt has reviewed fees and processes from other local communities and determined that the City will still be involved and responsible for holding the permits and making other inspections (not covered by the Florida Statutes) including but not limited to the following:

1. Planning and Zoning review
2. Planning and zoning field inspections (includes driveway, sidewalk, setbacks, landscaping, parks, etc.)
3. Development Site Inspections/Preliminary and post site/tree survey
4. Floodplain Administration (includes plan review and field inspections to verify setbacks and elevations)
5. Drainage
6. Impact fee verification
7. Verification of address for 911 purposes

8. Certificates of Occupancy/Certificates of Completion (includes the review of all inspections, review of final survey, and the review of density test and other engineering reports)
9. Retention of permit documents (residential permits are retained for 10 years/Commercial permits are retained for perpetuity of the building)
10. Sewer and water connections on the public service side.

It is Matt's recommendation that the City adjust the Building and Inspection Fee Schedule to include an overall 13% reduction in the permit fees for the private plan review and inspections activity. He asserts this fee fairly reduces the plans review and inspections component while capturing the administrative costs for the associated services that the City will still incur with each permit.

Please see the surrounding jurisdictions page which shares how these entities address these fees.

Additionally, the Development Services Department staff see this revision as an opportunity to remove the fees for several obsolete purposes like fences and change-of-use matters.

Recommended Action:

Approve Resolution Number 23-62 amending the City's Schedule of Fees.

Budget/Staff Impact:

This process will not adversely impact the budget since it's only a minor reduction in the overall permit fees.

Prepared By:

Mike Lane, AICP, Director, Development Services

RESOLUTION NUMBER 23-62

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; ESTABLISHING AN AMENDED SCHEDULE OF FEES RELATED TO BUILDING PERMIT FEES TO ACCOUNT FOR PRIVATE ENGINEERING INSPECTIONS FIRMS TO PROVIDE PRIVATE SERVICES IN THE CITY AND TO REMOVE FEES FOR FENCES AND CHANGE OF USE PROJECTS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, building permit and inspection fees are assessed to ensure a uniform and equal treatment of plan reviews by the City's building permit review process; and

WHEREAS, the City assesses fees to pay for staff time, benefits, operational overhead, and other related costs associated with building permit review and inspection; and

WHEREAS, the City Commission finds it necessary to periodically revise and update building permit and inspection fees.

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

Section 1: That pursuant to Section 102-10 of the Land Development Regulations, the City Commission hereby adopts the attached fee schedule

Section 2: That the amended schedule of fees contained herein shall account for fees associated with private engineering and building inspections firms who provide these private services in the City, and remove fees for fences and change of use projects.

Section 3: That all Ordinances and Resolutions or parts of Ordinances or Resolutions in conflict herewith are hereby repealed.

Section 4: That this resolution shall become effective immediately upon passing.

DONE AND RESOLVED this 3rd day of August, 2023, in regular session of the City Commission of the City of Eustis, Florida.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 3rd day of August, 2023, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

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

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 23-62 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

CITY OF EUSTIS BUILDING PERMIT & INSPECTIONS FEE SCHEDULE Effective Date: August 3, 2023 per Resolution No. 23-62	
When calculating permit fees, include Florida State Surcharge (1.5% for Florida Building Surcharge & 1.5% for <u>Florida Recovery Fund</u>) (\$4.00 minimum). These fees will be added to the permit cost.	
RESIDENTIAL PERMITS	PERMIT FEE
Plan Review Fee (Residential - any new construction, residential)	\$250.00 <i>(Payment must be made prior to plan review)</i>
Plan Review Fee (All-Other)	1/2 of Building Permit Fee <i>(Payment must be made prior to plan review)</i>
Building - Residential	\$60.00 + \$7 per \$1,000 of construction cost up to \$250,000, and from \$250,001 up to \$8 per \$1,000. Cost to be determined by the most recent edition of the International Code Council's Building Valuation Data, or actual construction cost, whichever is greater.
Early Start, Residential	\$100.00 ^o <i>(Contractor proceeds at own risk; work may not be covered; not eligible for inspection until complete building permit is issued)</i>
COMMERCIAL PERMITS	PERMIT FEE
Plans Review Fee (Commercial)	1/2 of Building Permit Fee <i>(Payment must be made prior to plan review)</i>
Commercial Building/Multi-Family (any new constructed commercial, industrial, manufacturing buildings, Interior Build-outs, etc.)	\$60.00 + \$7 per \$1,000 of construction cost up to \$250,000, and from \$250,001 up to \$8 per \$1,000. Cost to be determined by the most recent edition of the International Code Council's Building Valuation Data, or actual construction cost, whichever is greater.
Commercial work not listed	\$60 + \$7 per \$1,000 of construction cost
Site Development	2% of Construction Cost, No State Fees

Early-Start-Permit, Commercial ۞	\$200.00 ۞
۞	۞(Contractor proceeds at own risk; work may not be covered; not eligible for inspection until complete building permit is issued)۞
MOBILE-HOME-PERMIT ۞	PERMIT-FEE ۞
Manufacturer Homes (HUD), Modular Homes & Modular Buildings (DCA) ۞	\$240.00 -- includes setup, electric, plumbing & mechanical -- Add \$60.00 for gas connection, if applicable ۞
۞	۞
TRADE-PERMIT ۞	PERMIT-FEE ۞
ELECTRICAL ۞	۞
....Minimum Fee ۞	\$60.00 ۞
....Residential -- Single Family & Duplex ۞	\$60.00 per service + \$0.20 per amp per service ۞
....Commercial and all other Structures ۞	\$60.00 per service + \$0.30 per amp per service ۞
....Temporary Service ۞	\$60.00 per service ۞
....Fire Alarms ۞	\$60.00 + Applicable Fire Fees ۞
....All Other Electric ۞	\$60.00 + \$7 per \$1000 of construction costs ۞
MECHANICAL (Heating, Ventilation and Air Conditioning) ۞	۞
....Minimum Fee ۞	\$60.00 ۞
....Per Ton or Fraction thereof ۞	\$5.00 per Ton ۞
....Duct Openings ۞	N/A ۞
....Forced ventilation, per duct opening ۞	N/A ۞
....All other Mechanical ۞	\$60.00 + \$7 per \$1000 of construction costs ۞
PLUMBING ۞	۞
....Minimum Fee ۞	\$60.00 ۞
....Fixture and appliances ۞	\$2.00 each ۞
....Coin Operated Laundries ۞	\$5.00 per washing unit ۞
....Wells -- Irrigation Only -- ۞	۞

2" Diameter, or less	\$100 + \$60.00 electric fee ۞
2-1/2" through 4" Diameter	\$200.00 + \$60.00 electric fee ۞
4-1/2" and larger Diameter	\$300.00 + \$60.00 electric fee ۞
SPRINKLER SYSTEMS ۞	۞
....Lawn Sprinklers (Connected to City Water) ۞	\$60.00 + \$7 per \$1,000 of construction cost ۞
....Fire Sprinklers ۞	\$60.00 + Applicable Fire Fees ۞
GAS ۞	\$60.00 + \$2.00 per outlet ۞
۞	۞
SWIMMING POOL PERMITS ۞	PERMIT-FEE ۞
Swimming Pools (Residential & Commercial) ۞	\$60.00 + \$7 per \$1,000 of construction cost + \$60.00 for electric fee. ۞
SIGN PERMITS ۞	PERMIT-FEE ۞
Engineered -- Free Standing ۞	\$60.00 + \$7 per \$1000 of construction cost + \$70. electric fee, if applicable ۞
Engineered -- Building Mounted (greater than 32 SF and/or greater than 1-1/2 in projection) -- Requires Building Official Plan Review ۞	\$40.00 + \$60 electric fee, if applicable ۞
Non-Engineered -- Building Mounted (less than 32 SF and less than 1-1/2 in projection) -- Only Planning Dept. Plan Review ۞	\$25.00 + \$60 electric fee, if applicable ۞
Sign Panel Replacement (Face Change Only) or Signs Painted on Walls or Awnings (separate awning permit required for new awnings) without associated electrical ۞	\$15.00 ۞
MISCELLANEOUS PERMITS ۞	PERMIT-FEE ۞
Alterations, Repairs and Remodels (Plan Review Fees Apply) ۞	
Screen Enclosures, Aluminum Patio Covers, Aluminum Carports, Manufactured Home Roof Overs ۞	\$60.00 + \$7 per \$1,000 of construction cost up to \$250,000, and from \$250,001 up to \$8 per \$1,000. -- Cost to be determined by the most recent edition of the International Code Council's Building Valuation Data, or actual construction cost, whichever is greater ۞
Seawalls, Docks, Boathouses ۞	
Paving (all types of material) ۞	

Any type of building, structure, alteration or addition not listed above or qualifying for general permit below (administration cost).	\$60.00 + \$7 per \$1,000 of construction cost up to \$250,000, and from \$250,001 up to \$8 per \$1,000. Cost to be determined by the most recent edition of the International Code Council's Building Valuation Data, or actual construction cost, whichever is greater.
FENCE (does not include utility structures) - Cost of project	~
\$0 - \$999.99	\$25.00
\$1,000.00 - \$1,999.99	\$40.00
\$2,000 and up	\$60.00 + \$7 per \$1000 of construction cost
DRIVEWAYS	~
Residential	\$60.00 Initial - \$15.00 each additional
Commercial	\$60.00 Initial - \$25.00 each additional
UTILITY BUILDINGS	~
120 sq. ft. or less	No Permit Required
121 - 199 Sq. Ft.	\$50.00
200 Sq. Ft. and up	\$60.00 + \$7 per \$1000 of Construction Cost.
RE-INSPECTIONS	~
Each re-inspection/visit	\$50.00
ADMINISTRATION-COST	PERMIT-FEE
Change of Primary Contractor or Subcontractor	\$50.00
Re-submittal of construction plans	1st resubmittal no charge, \$50.00 each additional
Modification of plans after initial submittal per trade	\$50.00
Permit Amendments (other than Contractor change)	\$25.00
Master Plan Filing	\$50.00
Pre-Power Approval forms for 1st 60 days	\$50.00
Temporary / Conditional Certificate of Occupancy	\$100.00

Replace Building Permit Card	\$5.00
Change of Use/Occupancy (inspection required) (Plan Review Fee Applies)	\$100.00
Impact fee calculation/Collection	\$100.00
Contractor Registration	No Charge
Special Inspections (After Hours) (One Hour Minimum)	\$100.00 per Hour
General Permit for Jobs not covered on Fee Schedule, Job evaluation cost below \$1,000 with Building Official Approval	\$25.00
Extension of permit (Written request received before Permit Expires and upon approval of Building Official)	10% of Original permit Fee, Minimum of \$50.00
PERMIT RENEWAL (Percentage of Original Permit Fee)	~
No Inspections Conducted	100%
Slab Approved	80%
Lintel Approved	60%
Rough/Framing Approved	40%
Insulation Approved	20%
Final Inspection Only Needed	10%
MOVING AN EXISTING BUILDING OR STRUCTURE	~
To Outside City Limits	\$100 + Expenses incurred to any City Dept.
Within or into City Limits (City Commission Approval Required)	\$200 + Expenses incurred to any City Dept.
On Same Lot	\$100 + Expenses incurred to any City Dept.
DEMOLITION	\$100 + Expenses incurred to any City Dept.
WORKING WITHOUT PERMITS	FEE IMPOSED
If any person commences work on a building or structure before obtaining the necessary permits, they shall be subject to a penalty as specified.	\$150.00 or double the permit fee, whichever is greater

USE OF A PRIVATE PROVIDER -- PLANS REVIEW AND INSPECTION SERVICES ^a	PERMIT FEE ^a
Reduction of a fee for the use of a private provider for plans review and inspection services ^a	The total permit and review fee will be reduced overall by 13 percent ^a

**Exhibit A
CITY OF EUSTIS**

Item 7.2

BUILDING PERMIT & INSPECTIONS FEE SCHEDULE

Effective Date: August 3, 2023 per Resolution No. 23-62

When calculating permit fees, include Florida State Surcharge (1.5% for Florida Building Surcharge & 1.5% for Florida Recovery Fund) (\$4.00 minimum). These fees will be added to the permit cost.

RESIDENTIAL PERMITS	PERMIT FEE
Plan Review Fee, (Residential - any new construction, residential)	\$250.00 <i>(Payment must be made prior to plan review)</i>
Plan Review Fee (All Other)	1/2 of Building Permit Fee <i>(Payment must be made prior to plan review)</i>
Building - Residential	\$60.00 + \$7 per \$1,000 of construction cost up to \$250,000, and from \$250,001 up; \$8 per \$1,000. Cost to be determined by the most recent edition of the International Code Council's Building Valuation Data, or actual construction cost, whichever is greater.
Early Start, Residential	\$100.00 (Contractor proceeds at own risk; work may not be covered; not eligible for inspection until complete building permit is issued)
COMMERCIAL PERMITS	PERMIT FEE
Plans Review Fee (Commercial)	1/2 of Building Permit Fee <i>(Payment must be made prior to plan review)</i>
Commercial Building/Multi-Family (any new constructed commercial, industrial, manufacturing buildings, Interior Build-outs, etc.)	\$60.00+\$7 per \$1,000 of construction cost up to \$250,000, and from \$250,001 up; \$8 per \$1,000. Cost to be determined by the most recent edition of the International Code Council's Building Valuation Data, or actual construction cost, whichever is greater.
Commercial work not listed	\$60 + \$7 per \$1,000 of construction cost
Site Development	2% of Construction Cost, No State Fees

Early Start Permit, Commercial	\$200.00 (Contractor proceeds at own risk; work may not be covered; not eligible for inspection until complete building permit is issued)
MOBILE HOME PERMITS	PERMIT FEE
Manufacturer Homes (HUD), Modular Homes & Modular Buildings (DCA)	\$240.00 - includes setup, electric, plumbing & mechanical. Add \$60.00 for gas connection, if applicable
TRADE PERMITS	PERMIT FEE
ELECTRICAL	
Minimum Fee	\$60.00
Residential - Single Family & Duplex	\$60.00 per service + \$0.20 per amp per service
Commercial and all other Structures	\$60.00 per service + \$0.30 per amp per service
Temporary Service	\$60.00 per service
Fire Alarms	\$60.00 + Applicable Fire Fees
All Other Electric	\$60.00 + \$7 per \$1000 of construction costs
MECHANICAL (Heating, Ventilation and Air Conditioning)	
Minimum Fee	\$60.00
Per Ton or Fraction thereof	\$5.00 per Ton
Duct Openings	N/A
Forced ventilation, per duct opening	N/A
All other Mechanical	\$60.00 + \$7 per \$1000 of construction costs.
PLUMBING	
Minimum Fee	\$60.00
Fixture and appliances	\$2.00 each
Coin Operated Laundries	\$5.00 per washing unit
Wells - Irrigation Only -	

2" Diameter, or less	\$100 + \$60.00 electric fee
2-1/2" through 4" Diameter	\$200.00 + \$60.00 electric fee
4-1/2" and larger Diameter	\$300.00 + \$60.00 electric fee
SPRINKLER SYSTEMS	
Lawn Sprinklers (Connected to City Water)	\$60.00 + \$7 per \$1,000 of construction cost.
Fire Sprinklers	\$60.00 + Applicable Fire Fees
GAS	\$60.00 + \$2.00 per outlet
SWIMMING POOL PERMITS	PERMIT FEE
Swimming Pools (Residential & Commercial)	\$60.00 + \$7 per \$1,000 of construction cost + \$60.00 for electric fee.
SIGN PERMITS	PERMIT FEE
Engineered - Free Standing	\$60.00 + \$7 per \$1000 of construction cost + \$70. electric fee, if applicable
Engineered - Building Mounted (greater than 32 SF and/or greater than 1-1/2 in projection) Requires Building Official Plan Review.	\$40.00 + \$60 electric fee, if applicable
Non-Engineered - Building Mounted (less than 32 SF and less than 1-1/2 in projection) Only Planning Dept. Plan Review	\$25.00 + \$60 electric fee, if applicable
Sign Panel Replacement (Face Change Only) or Signs Painted on Walls or Awnings (separate awning permit required for new awnings) without associated electrical	\$15.00
MISCELLANEOUS PERMITS	PERMIT FEE
Alterations, Repairs and Remodels (Plan Review Fees Apply)	\$60.00 + \$7 per \$1,000 of construction cost up to \$250,000, and from \$250,001 up; \$8 per \$1,000. Cost to be determined by the most recent edition of the International Code Council's Building Valuation Data, or actual construction cost, whichever is greater.
Screen Enclosures, Aluminum Patio Covers, Aluminum Carports, Manufactured Home Roof Overs	
Seawalls, Docks, Boathouses	
Paving (all types of material)	

Any type of building, structure, alteration or addition not listed above or qualifying for general permit below (administration cost).	\$60.00 + \$7 per \$1,000 of construction cost up to \$250,000, and from \$250,000 per \$1,000. Cost to be determined by the most recent edition of the International Code Council's Building Valuation Data, or actual construction cost, whichever is greater.
<u>FENCE (does not include utility structures) Cost of project</u>	
<u>\$0 - \$999.99</u>	<u>\$25.00</u>
<u>\$1,000.00 - \$1,999.99</u>	<u>\$40.00</u>
<u>\$2,000 and up</u>	<u>\$60.00 + \$7. per \$1000 of construction cost.</u>
DRIVEWAYS	
Residential	\$60.00 Initial - \$15.00 each additional
Commercial	\$60.00 Initial - \$25.00 each additional
UTILITY BUILDINGS	
120 sq.ft. or less	No Permit Required
121 - 199 Sq. Ft.	\$50.00
200 Sq. Ft. and up	\$60.00 + \$7 per \$1000 of Construction Cost.
RE-INSPECTIONS	
Each re-inspection/visit	\$50.00
ADMINISTRATION COST	PERMIT FEE
Change of Primary Contractor or Subcontractor	\$50.00
Re-submittal of construction plans	1st resubmittal no charge, \$50.00 each additional
Modification of plans after initial submittal per trade	\$50.00
Permit Amendments (other than Contractor change)	\$25.00
Master Plan Filing	\$50.00
Pre-Power Approval forms for 1st 60 days	\$50.00
Temporary / Conditional Certificate of Occupancy	\$100.00

Replace Building Permit Card	\$5.00
Change of Use/Occupancy (inspection required) (Plan Review Fee Applies)	\$100.00
Impact fee calculation/Collection	\$100.00
Contractor Registration	No Charge
Special Inspections (After Hours) (One Hour Minimum)	\$100.00 per Hour
General Permit for Jobs not covered on Fee Schedule, Job evaluation cost below \$1,000 with Building Official Approval	\$25.00
Extension of permit - (Written request received before Permit Expires and upon approval of Building Official)	10% of Original permit Fee, Minimum of \$50.00
PERMIT RENEWAL (Percentage of Original Permit Fee)	
No Inspections Conducted	100%
Slab Approved	80%
Lintel Approved	60%
Rough/Framing Approved	40%
Insulation Approved	20%
Final Inspection Only Needed	10%
MOVING AN EXISTING BUILDING OR STRUCTURE	
To Outside City Limits	\$100 + Expenses incurred to any City Dept.
Within or into City Limits (City Commission Approval Required)	\$200 + Expenses incurred to any City Dept.
On Same Lot	\$100 + Expenses incurred to any City Dept.
DEMOLITION	\$100 + Expenses incurred to any City Dept.
WORKING WITHOUT PERMITS	FEE IMPOSED
If any person commences work on a building or structure before obtaining the necessary permits, they shall be subject to a penalty as specified.	\$150.00 or double the permit fee, whichever is greater

USE OF A PRIVATE PROVIDER - PLANS REVIEW AND INSPECTION SERVICES

PERMIT FEE

Reduction of a fee for the use of a private provider for plans review and inspection services

The total permit and review fee will be reduced overall by 13 percent.

Here's How the Surrounding Jurisdictions Address This Fee:

Lake County: Provides for a percentage reduction of 31% for inspections; 5% reduction for plans review; 5% reduction for electronic residential and commercial permitting

Mount Dora: Provides for a percentage reduction of 13%

Lady Lake: Fee reduction not found in their fee schedule

Tavares: Fee reduction of 0.25% based on 1% valuated rate (25%)

Marion County: Discretion of the Building Official

Seminole County: Provides for a reduction of 45% for residential and 60% for Commercial



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager
Craig Capri, Chief of Police

DATE: August 3, 2023

RE: Resolution Number 23-66 School Resource Officer (SRO)

Introduction:

Resolution Number 23-66 authorizes the Mayor and the Chief of Police to accept and utilize funds in the amount of Two Hundred Forty-One Thousand Five Hundred Eight-One (\$241,581.00) Dollars for services of the three (3) SROs provided pursuant to the terms of this Agreement. Such compensation shall be invoiced to the SCHOOL BOARD by the LAW ENFORCEMENT AGENCY in equal quarterly installments (September, November, February, and May) commencing on the 1st day of September 2023. Invoices shall be paid by the SCHOOL BOARD within fifteen (15) days of receipt. In the event that The Board of County Commissioners of Lake County, Florida, agrees to pay for any or all of the police officers assigned to the schools pursuant to this Agreement, then the LAW ENFORCEMENT AGENCY agrees that the SCHOOL BOARD may assign its obligation to pay under this section to The Board of County Commissioners of Lake County, Florida. The agreement will strengthen community relations in and around the City of Eustis by allowing Eustis Police Officers to interact with students, parents, school administration, and a host of other people while simply safeguarding our schools within the City.

Recommended Action:

The administration recommends approval of Resolution Number 23-66.

Background:

The School Board of Lake County, Florida has agreements with many municipal police agencies within Lake County, Florida where the Lake County Sheriff's Office does not employ their School Resource Deputies. All the agreements are standard with only the amount being paid by the school board is different due to salary ranges from other municipal agencies.

In previous years, the Eustis Police Department had School Resource Officers in our local schools; however, they were replaced by Lake County Deputies due to funding abilities of the City of Eustis.

A sense of community interaction and trust was lost when City of Eustis Police Officers were removed from the schools. Having Eustis Police Officers in our schools gives us the ability to earn trust and build positive relationships, while working on strengthening our community.

Community Input:

There has been no specific community input associated with this resolution.

Budget/ Staff Impact:

The SCHOOL BOARD will pay the **City of Eustis** the sum of Two Hundred Forty-One Thousand Five Hundred Eight-One (\$241,581.00) Dollars for services of the three (3) SROs provided pursuant to the terms of this Agreement. Such compensation shall be invoiced to the SCHOOL BOARD by the LAW ENFORCEMENT AGENCY in equal quarterly installments (September, November, February, and May) commencing on the 1st day of September 2023. Invoices shall be paid by the SCHOOL BOARD within fifteen (15) days of receipt. The police department's general fund will be needed to cover any differences for two months' salary.

Prepared By:

Captain Jonathan Fahning, Eustis Police Department
Christine Halloran, City Clerk

Reviewed By:

Craig A. Capri, Chief of Police
Tom Carrino, City Manager

RESOLUTION NUMBER 23-66

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING AN AGREEMENT WITH THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA, PERTAINING TO THE PROVISION OF SCHOOL RESOURCE OFFICERS FOR 2023-2024.

WHEREAS, it has been shown that the presence of law enforcement personnel, known as School Resource Officers, enhances the safety and security of students on school campuses as well promotes positive relationships between youth and law enforcement; and

WHEREAS, the School Board of Lake County (School Board) is seeking three School Resource Officers (SROs) to interact with students during the regular class schedule and at extra-curricular school activities so as to provide additional security to students, school personnel, the school community and school property; and

WHEREAS, the City of Eustis is willing to place three City of Eustis Police Officers – one each at Eustis Middle School, Eustis High School Curtright Campus and Eustis High School Main Campus;

NOW, THEREFORE, BE IT RESOLVED, by the City Commission of the City of Eustis that the attached Interlocal Agreement with the School Board of Lake County is hereby approved for a one-year term to begin August 10, 2023 and run through the last day of school for students in May 2024.

DONE AND RESOLVED this 3rd day of August, 2023, in regular session of the City Commission of the City of Eustis, Florida.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

**AGREEMENT BETWEEN THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA,
AND THE CITY OF EUSTIS, FOR
SCHOOL RESOURCE OFFICER PROGRAM [2023-2024]**

This **AGREEMENT** is entered into by and between the **City of Eustis**, a Florida municipal corporation, hereinafter referred to as “LAW ENFORCEMENT AGENCY” and the **School Board of Lake County, Florida**, a political subdivision of the State of Florida, hereinafter referred to as “SCHOOL BOARD”.

WITNESSETH:

WHEREAS, the SCHOOL BOARD is seeking three (3) School Resource Officers (SROs) to interact with students during the regular class schedule and at extra-curricular school activities so as to provide additional security to students, school personnel, the school community and school property; and

WHEREAS, the LAW ENFORCEMENT AGENCY is willing to place three (3) **City of Eustis** Police Officers at **Eustis Middle (1), Eustis High – Curtwright (1), Eustis High – Main (1)** for the purpose of carrying out this school program.

NOW, THEREFORE, in and for consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree that the LAW ENFORCEMENT AGENCY will provide three (3) sworn **City of Eustis** Police Officers who are certified pursuant to Section 943.10(1) *Florida Statutes* to the SCHOOL BOARD to act as SROs at the three (3) designated schools under the terms and conditions of this Agreement.

1. Term of Agreement. The term of this Agreement shall be for the next school year, beginning the 10th day of August 2023 through the last day of school for students in May 2024.

2. Compensation. The SCHOOL BOARD will pay the **City of Eustis** the sum of Two Hundred Forty-One Thousand Five Hundred Eighty-One (\$241,581.00) Dollars for services of the three (3) SROs provided pursuant to the terms of this Agreement. Such compensation shall be invoiced to the SCHOOL BOARD by the LAW ENFORCEMENT AGENCY in equal quarterly installments (September, November, February, and May) commencing on the 1st day of September 2023. Invoices shall be paid by the SCHOOL BOARD within fifteen (15) days of receipt. In the

event that The Board of County Commissioners of Lake County, Florida, agrees to pay for any or all of the police officers assigned to the schools pursuant to this Agreement, then the LAW ENFORCEMENT AGENCY agrees that the SCHOOL BOARD may assign its obligation to pay under this section to The Board of County Commissioners of Lake County, Florida.

3. Scope. The LAW ENFORCEMENT AGENCY shall assign an SRO for three (3) designated schools. The SROs shall interact with students and provide security at the three (3) designated schools. In addition, the SROs shall have the duties and responsibilities listed in Exhibit “A” attached hereto.

4. Background Investigations. The LAW ENFORCEMENT AGENCY represents and warrants to the SCHOOL BOARD that the LAW ENFORCEMENT AGENCY has read and is familiar with Sections 1012.32, 1012.465, 1012.467 and 1012.468, *Florida Statutes* regarding background investigations. The LAW ENFORCEMENT AGENCY covenants to comply with all requirements of the above-cited statutes and shall provide SCHOOL BOARD with proof of compliance upon request. The LAW ENFORCEMENT AGENCY agrees, to the extent permitted by law and only to the extent permitted by 768.28, *Florida Statutes*, to indemnify and hold harmless the SCHOOL BOARD, it’s officers, agents and employees from any liability in the form of physical injury, death, or property damage resulting from the LAW ENFORCEMENT AGENCY’s failure to comply with the requirements of this paragraph or Florida Statute Sections, 1012.32, 1012.465, 1012.467 and 1012.468, *Florida Statutes*. Any claim against the LAW ENFORCEMENT AGENCY by the SCHOOL BOARD under the preceding sentence shall not include punitive damages or any interest for the period before judgment. Additionally, the LAW ENFORCEMENT AGENCY shall not be liable pursuant to this indemnity to pay a claim or judgment by any one person which exceeds the sum of \$200,000 or any claim or judgment, or portions thereof, which, when totaled with all other claims or judgments paid by the LAW ENFORCEMENT AGENCY arising out of the incident or occurrence, exceeds the sum of \$300,000. Further, nothing in this paragraph shall be construed as an admission of liability on behalf of the LAW ENFORCEMENT AGENCY.

5. Assignment of Officers. The LAW ENFORCEMENT AGENCY shall determine which SROs will be assigned under this Agreement and will also determine the particular school to which the SRO will be assigned to. The LAW ENFORCEMENT AGENCY shall provide a

notice of the assigned SROs to the school principals of the three (3) designated school. In the event that the principal of the school where the SRO is assigned believes that the particular SRO is not effectively performing his/her duties and responsibilities, the principal shall notify the SRO in writing. If the situation is not corrected within three (3) working days, the principal shall contact the SRO's immediate supervisor and the Superintendent's designee in writing and provide a copy of said notice to each of them. If the situation is not resolved to the mutual satisfaction of both the SRO's immediate supervisor and the Superintendent's designee within ten (10) days, or if, during the same contract period, the principal determines for a second time that the SRO is not effectively performing his/her duties and responsibilities, then the Principal shall recommend to the Superintendent that the SRO be removed from the program at his/her school, and shall state the reasons as well as the efforts to resolve the problems in writing. The Superintendent, or his/her designee, shall review the request and, if approved, shall provide written notification to the LAW ENFORCEMENT AGENCY who shall transfer the SRO or take other appropriate action within ten (10) business days. In the event the principal considers the SRO's conduct to present a threat to the safety or well-being of the students or staff, the principal will immediately notify the Superintendent and the LAW ENFORCEMENT AGENCY. Upon receipt of such notification, the LAW ENFORCEMENT AGENCY shall take appropriate action.

6. Dismissal/Replacement/Absence.

The LAW ENFORCEMENT AGENCY may dismiss or reassign SROs with or without cause. In the event of the resignation, dismissal, or reassignment of an SRO, or in the case of long-term absences by an SRO, the LAW ENFORCEMENT AGENCY shall provide a temporary replacement for the SRO as soon as practical.

7. Leaves/Coverage.

The Chief of Police or another designated scheduling officer will approve vacations, sick leaves, and other leaves of absence for the SRO. The SRO will communicate approved vacation, sick leaves, trainings or any other leave that impacts SRO presence in schools with the SCHOOL BOARD'S Safety and Security Specialist.

LAW ENFORCEMENT AGENCY shall provide coverage of an SRO during any time in which the SRO will be off campus of the school to include, but not be limited to vacations, sick leaves, other leaves of absence or due to other related assignments.

8. Hours of Assignment. The SROs will be stationed at the three (3) designated schools for eighty (80) hours per two-week period, Monday through Friday, as assigned and scheduled by the respective school principal and as approved by the LAW ENFORCEMENT AGENCY.

9. Additional Hours of Assignment. Additional hours of assignment during a two-week period may be made with prior approval of the LAW ENFORCEMENT AGENCY, if requested by the respective school principal. If the additional hours worked require that overtime be paid to the SROs, the SCHOOL BOARD will reimburse the LAW ENFORCEMENT AGENCY for overtime paid at the SRO's existing pay rate.

10. Off Campus Assignments. Upon the request of the respective school principal and with the prior approval of the LAW ENFORCEMENT AGENCY, an SRO's duties may occasionally include his/her assignment at school functions and activities that are held off campus.

11. Reassignment in Emergency Situations. Nothing in this Agreement shall prevent or interfere with the ability of the LAW ENFORCEMENT AGENCY to temporarily withdraw an assigned SRO from his/her post at the three (3) designated schools to respond to emergency situations as determined in the sole judgment and discretion of the LAW ENFORCEMENT AGENCY.

12. Supervising Authority. During the term of this Agreement, the SROs assigned shall remain employees of the LAW ENFORCEMENT, under the authority of the chain of command of the LAW ENFORCEMENT AGENCY and subject to all other rules and regulations of the LAW ENFORCEMENT AGENCY. The SROs will report to their respective school principal for assignment of duties and work schedules, including the extracurricular activities during the regular school day for up to eighty (80) hours for each officer per two-week period. Each SRO shall remain, at all times, an employee of the LAW ENFORCEMENT AGENCY. Workers Compensation coverage, as required by law, will be provided for the officer by the LAW ENFORCEMENT AGENCY.

13. Salary and Benefits. The LAW ENFORCEMENT AGENCY will provide the salary and benefits to each SRO assigned, including uniforms and equipment and any applicable overtime pay as agreed to above.

14. Vehicle. The LAW ENFORCEMENT AGENCY will provide vehicles for SROs if or when determined necessary by the LAW ENFORCEMENT AGENCY.

15. Threats to School Safety.

A. Pursuant to Section 1006.13(4), *Florida Statutes*, any acts that pose a threat to school safety, whether committed by a student or adult, shall be reported to the School Principal, or his or her designee, who shall report the acts to the SRO and the School Board’s School Safety Specialist.

B. If requested by the School Principal, or his or her designee, the SRO, or other appropriate law enforcement officers, shall assist in the investigation of the acts that pose a threat to school safety; upon conclusion of the investigation, the SRO shall report the findings of the investigation to the School Board’s School Safety Specialist to properly document the disposition of the incident. Additionally, the School Principal, or his or her designee, shall consult with SRO concerning appropriate delinquent acts and crimes.

16. Termination of Agreement. This Agreement may be terminated by either party upon thirty (30) days written notice. Notice shall be deemed given as of the date of deposit of such written NOTICE in the course of transmission in the United States Postal Service and addressed as follows:

SCHOOL BOARD:

Superintendent of Schools
School Board of Lake County
201 West Burleigh Boulevard
Tavares, FL 32778

LAW ENFORCEMENT
AGENCY:

Chief of Police
City of Eustis Police Department
51 East Norton Avenue
Eustis, FL 32726

Upon termination pursuant to this subsection, payment will be made by the SCHOOL BOARD or reimbursement made by the LAW ENFORCEMENT AGENCY based on a pro rata charge for services for that portion of the school year covered by this Agreement prior to termination.

17. Entire Agreement. This Agreement embodies the entire agreement and understanding between the parties with respect to the subject matter hereto and supersedes all prior Agreements, representations and understandings either oral, written or otherwise relating thereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the respective dates under each signature.

“SCHOOL BOARD”

**THE SCHOOL BOARD OF LAKE COUNTY,
FLORIDA**

By: _____
Marc Dodd, Chairperson

Date: _____

Approved as to form:

Attest: _____
Diane S. Kornegay, Superintendent

School Board Attorney

**“LAW ENFORCEMENT AGENCY”
CITY OF EUSTIS**

By: _____
Michael Holland, Mayor

Date: _____

Approved as to form:

Attest: _____

Sasha Garcia,
City Attorney

EXHIBIT "A"

In addition to the routine duties and responsibilities of the SROs, the SROs shall have the following specific duties and responsibilities:

1. Each SRO shall at all times perform his/her duties in accordance with City of Eustis Police Department's standard operating procedures.
2. The SROs shall serve as resource instructors providing programs in crime prevention that encourage students to become responsible citizens.
3. The SROs shall also assist the orderly flow of traffic on school grounds.
4. Each SRO shall maintain all law enforcement powers, duties, and responsibilities inclusive of his/her position as City of Eustis Police Officers while assigned to the SRO program.
5. Each SRO shall be responsible to his/her agency in all matters relating to employment, however, activities conducted by the SROs which are part of the regular school instruction program shall be under the direction of the principal or his/her designee.
6. Each SRO shall be at his/her school during normal school hours of operation and shall utilize the school's computer-based management system to sign in and out to verify attendance. During times that the SROs are unable to be on campus or need to leave campus, those times will be coordinated with the principal or his/her designee and each SRO's supervisor. The SRO supervisor will assure that the School has a replacement SRO on campus.
7. The SROs shall perform such duties as directed by his/her agency when school is not in session. The principal or his/her designee shall advise the Officers' supervisor of the school's calendar.
8. The SROs may contact students during school hours in conjunction with a criminal investigation so long as such contact does not interfere with or impede the orderly operation of the school or the rights of the individual students.
9. All student record information will be maintained in accordance with the provisions of Florida Statutes.
10. The SROs shall interface with students between class breaks, during lunch periods, before and after school and at school activities at which the SROs are in attendance. The SROs will not be assigned to a permanent school related duty post so as not to establish predictable patterns.
11. In the interest of maintaining a safe and orderly school environment, student and campus supervision is of critical importance. The SROs shall take a prominent role in supervision responsibilities, which shall be coordinated with and agreed to by the SROs and the designated school principal. While school is in session, the SROs shall be present on and around the school campus except as permitted in paragraph 6 of this Exhibit A.

12. The SROs will serve as a referral resource for students, faculty and parents to community agencies.

13. The SROs will serve as a Law Enforcement resource to school administration and the district manager of security services.

14. The SROs will serve as the mandated sworn law enforcement officer on the school Behavior Threat Assessment (BTA) team; and accordingly will complete the required Comprehensive Threat Assessment Guidelines (CSTAG) training in accordance with 6A-1.0018, F.A.C. and 1006.07, Florida Statutes.

15. The SROs shall be familiar and offer support with the plans and strategies for the prevention and control of dangerous situations at the school.

16. The SROs will coordinate activities with the school administration and the school guidance department in an effort to identify those students who exhibit indications of early delinquent behavior.

17. The SROs shall attend meetings of school faculty and requested administrative meetings during school hours on a regular basis.

18. The SROs shall not act as a school disciplinarian, as disciplining students is a school responsibility. However, the principal shall contact the SROs for any violations of the law, and the SROs shall determine whether law enforcement action is appropriate.

19. The SROs shall take law enforcement action as necessary and as permitted under Florida law and shall inform the school principal of such action unless it would impede a criminal investigation, under such circumstances as practical. The SROs shall take appropriate law enforcement action against intruders and unwanted guests who may appear at the school and related school functions, to the extent that the SROs may do so under the authority of law. Whenever practical, the SROs shall advise the principal before requesting additional law enforcement assistance on campus.

20. The SROs shall be informed by school personnel of any situation occurring on school grounds that would appear to be a violation of the law of criminal nature.

21. The SROs shall maintain detailed accurate records of his/her activities, and provide a written monthly report to the LAW ENFORCEMENT AGENCY who shall provide such information to the Safe Schools Department of the SCHOOL BOARD.

22. The SROs and school administration shall work together to keep each other informed during the course of all criminal investigations as permitted by law and as practical. This provision shall not be interpreted so as to interfere with or impede the SROs' law enforcement duties, obligations and/or powers.

23. The SROs shall work with school administration when determining whether an arrest should be made, or if there is an alternative solution to the incident which would still be in compliance with Florida law. The final decision on whether arrest is appropriate will lie with the

attending SRO or other law enforcement officer on scene at the incident. This provision shall not be interpreted so as to interfere with or impede the SROs' law enforcement duties, obligations or powers.

24. The SROs shall affect a physical arrest for felonies committed on school grounds, particularly those that are "Zero Tolerance", as permitted by law.

25. The SROs shall give assistance to other law enforcement officers and government agencies in matters regarding his/her school assignment, whenever necessary.

26. The parties shall comply with the provisions of the Family Educational Rights and Privacy Act ("FERPA").



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER


DATE: AUGUST 3, 2023




RE: SECOND READING ORDINANCE NUMBER 23-04 AMENDING CHAPTER 70, PENSIONS AND RETIREMENT, ARTICLE III, MUNICIPAL FIRE OFFICERS' PENSION AND RETIREMENT SYSTEM; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

Introduction:

This is the second reading for Ordinance Number 23-04 amending the Eustis Code of Ordinances, Chapter 70, Pensions and Retirement, Article III, City of Eustis Municipal Firefighters' Pension and Retirement System, Sections 70-62(b) Contributions, 70-67(a) Monthly Retirement Income for Firefighters, and 70-71(b)(1) defines the change in firefighters' disability benefits. Exhibit A to Ordinance 23-04 has all the changes underlined for the new wording and strikethrough for deletions. Below is the e-mail from the State of Florida, Division of Retirement approving the changes.

Eustis Municipal Firefighters' Pension Trust Fund: Impact Statement dated 03/17/2023, PlanID=0219

 Beckendorf, Douglas <Douglas.Beckendorf@dms.fl.gov>
To: Sheppard, Mike
Cc: local_ret

 Reply  Reply All  Forward 

Thu 4/27/2023 10:20 A

Caution: This email originated from outside of your organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This email will serve as verification of receipt of the Impact Statement dated 03/17/2023 for the Eustis Municipal Firefighters' Pension Trust Fund with cover letter dated 04/21/2023.

Douglas E. Beckendorf, A.S.A., E.A.
Actuary, Division of Retirement
Governor Ron DeSantis, State of Florida
(850) 778-4605 (office) | (850) 410-2172 (fax)
We Serve Those Who Serve Florida



Recommended Action:

Staff recommends approval of Ordinance Number 23-04 on its second and final reading.

Background:

The City negotiated a new Collective Bargaining Agreement with the International Association of Firefighters (IAFF) Local 4731. The negotiations resulted in amendments to the current Collective Bargaining Agreement. Negotiations have concluded, the terms were approved by IAFF Local 4731 membership, and the terms were approved via Resolution 23-14 by the Eustis City Commission on February 2, 2023. Certain provisions of the agreement call for

changes to Chapter 70 Article III of the Eustis Code of Ordinances described in Exhibit A of Ordinance 23-04.

The pension changes approved by Resolution 23-14 and proposed in Ordinance 23-04 are described below:

- Bargaining unit members will contribute between 4% and 7.5% of their annual compensation to the Firefighters' Pension and Retirement System, based on the member paying 16% of the City's required contribution. The member's contribution will be 5.5% in FY 2022/23, after ratification. The member's contribution shall increase or decrease no more than 1% of their annual compensation for any fiscal year.
- Bargaining unit members hired after the date of ratification of this agreement will receive a 3% multiplier of average final compensation times years of service. Bargaining unit members hired prior to ratification of this agreement will retain the 4% multiplier.
- Bargaining unit members' base disability pension rate will be 45%, and increased by 2% each full year of the member's service, up to the maximum rate of service of 65%. The disability pension rate for a disability resulting from malicious or intentional acts against the bargaining unit member on duty or from active firefighting, or from a non-preventable traffic crash shall remain at 65%.

The Fire Pension Board met on Wednesday February 8, 2023. They were informed of the pension changes and the need for an impact statement regarding the changes as part of the process.

Upon City approval of the attached Ordinance and receipt of the impact statement, both documents were forwarded to the Municipal Fire Officers' and Firefighters' Retirement Trust Funds Office, Division of Retirement for their comments and approval. They were reviewed and approved by the state, Ordinance 23-04 is now brought back to Eustis City Commission for the second reading.

Alternatives:

- Approve Ordinance Number 23-04
- Deny Ordinance Number 23-04.

Discussion of Alternatives:

Alternative 1 approves the Ordinance.

Advantages:

- The agreement was mutually negotiated.
- The ordinance will comply with the provision described in Resolution 23-14, which was approved on February 2, 2023.

Disadvantages:

- The denial of Ordinance 23-04 would be negated and new negotiations with the bargaining unit would be necessary.

Alternative 2 denies the Ordinance 23-04

Advantages:

- None noted.

Disadvantages:

- Negotiations would be resumed which may lead to an impasse and arbitration, which can be time consuming and costly.

Community Input:

Staff has properly advertised the ordinance, and there will be an opportunity for public input at the public hearing.

Budget/Staff Impact:

There may be an immaterial administrative cost associated with establishment of the defined contribution plan per Chapter 175, F.S.; however, adjustments to the budget were defined in Resolution 23-14.

Prepared By:

Mike Sheppard, Finance Director

Attachments:

Ordinance 23-04

Exhibit A Changes to City of Eustis Code of Ordinance Article III Attached to Resolution.

ORDINANCE NUMBER 23-04

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA AMENDING CHAPTER 70, PENSIONS AND RETIREMENT, ARTICLE III, MUNICIPAL FIREFIGHTERS' PENSION AND RETIREMENT SYSTEM, SECTIONS 70-62(b), 70-67(a) AND 70-70-71(b)(1), OF THE CODE OF ORDINANCES OF THE CITY OF EUSTIS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Eustis firefighters are presently provided pension benefits pursuant to Article III Chapter 70, Eustis Code of Ordinances, which establishes a plan intended to meet or exceed the minimum benefits and minimum standards set out Chapter 175, Florida Statutes; and

WHEREAS, the City Commission desires to amend and restate its "local-law" pension plan to maintain benefits for firefighters', to clarify the provisions of the plan, and to incorporate changes in Federal and State law since the last adoption of the Municipal Firefighters' Pension and Retirement System; and

WHEREAS, the proposed changes have been approved and ratified and signed by the IAFF Collective Bargaining Agreement on January 24, 2023; and

WHEREAS, the proposed changes have been approved and ratified by the City Commission of the City of Eustis by Resolution Number 23-14 on February 2, 2023; and

WHEREAS, the State of Florida, Division of Retirement, has completed the review and approved the changes.

NOW, THEREFORE, BE IT ORDAINED THAT:

Section 1. Chapter 70, PENSIONS AND RETIREMENT, Article III, MUNICIPAL FIREFIGHTERS' PENSION AND RETIREMENT SYSTEM, Sections 70-62(b), 70-67(a) and 70-71(b)(1), inclusive, of the Code of Ordinances of the City of Eustis, are hereby amended and restated to be known as the CITY OF EUSTIS FIREFIGHTERS' PENSION AND RETIREMENT SYSTEM, as set forth in Exhibit A attached hereto and made a part hereof.

Section 2. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 3. That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 4. That this ordinance shall become effective immediately upon passing.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Lake County, Florida, this 3rd day of August, 2023.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by physical presence, this 3rd day of August, 2023, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida, but I have not performed an independent title examination as to the accuracy of the legal description.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 23-04 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Exhibit A
Changes to City of Eustis Code of Ordinance
Article III City of Eustis Municipal FIREFIGHTERS' Pension and Retirement System

Sec. 70-62. Contributions.

- (b) *Contributions by firefighters to the firefighters' pension trust fund.* Each member of the system shall be required to make regular contributions to the fund. The city shall pay into the firefighters' pension trust fund said between four percent and seven and one-half percent of their annual compensation to the firefighters' pension and retirement system. The members contribution percentage shall be calculated based on the members paying 16 percent of the city's contribution percentage as determined by the pension and retirement system's actuary as of October 1 of each year, subject to the following limitations: (a) for the remainder of fiscal year 2022-2023 the bargaining unit members contributions shall be five and one-half percent of their annual compensation, and (b) the bargaining unit members contribution shall increase or decrease no more than one percent of their annual compensation for any fiscal year, the salary of each firefighter who is a member of the fire department and eligible for inclusion in the firefighters' pension trust fund, ~~which four percent~~ shall be deducted by the city from the compensation due to the firefighter as described above ranging between a minimum of four percent and no more than seven and one-half percent. No firefighter shall have any right to the money so paid into the firefighters' pension trust fund except as provided by law and the firefighters' pension trust fund. Member contributions withheld by the city on behalf of the member shall be deposited with the board immediately after each pay period. The contributions made by each member to the fund shall be designated as employer contributions pursuant to § 414(h) of the Code. Such designation is contingent upon the contributions being excluded from the members' gross income for Federal Income Tax purposes. For all other purposes of the system, such contributions shall be considered to be member contributions.

Sec. 70-67. Monthly retirement income for firefighters.

- (a) *Normal retirement benefit.* A member retiring hereunder on or after his normal retirement date shall receive a monthly benefit which shall commence on the first day of the month coinciding with or next following his retirement and be continued thereafter during member's lifetime, ceasing upon death, but with 120 monthly payments guaranteed in any event. The amount of monthly retirement income payable to a firefighter of the city who is currently employed as of or is first hired after January 6, 2004, who retires on or after his or her normal retirement date shall be in an amount equal to the number of years of credited service multiplied by four percent of his or her average final compensation. The amount of monthly retirement income payable to a firefighter of the city who is eligible to participate in the firefighters' pension trust fund but who is not employed as of January 6, 2004, shall be 2.5 percent of his or her average final compensation for years of service prior to October 1, 1998, and by three percent of his or her average final compensation for years of service after October 1, 1998. Provided however, that should a firefighter of the city who has previously been employed by the city as a firefighter and who has left the city's employment prior to January 6, 2004, subsequently be rehired by the city after January 6, 2004, as a

firefighter, then such firefighter shall receive on his or her normal retirement date a monthly retirement income equal to 2.5 percent of his or her average final compensation for years of service prior to October 1, 1998, 3.0 percent of his or her average final compensation for years of service between October 1, 1998, and January 6, 2004, and 4.0 percent of his or her average final compensation for years of service after January 6, 2004; as of January 24, 2023 all bargaining unit members hired will receive a 3% percent multiplier of average compensation times credited service. All members hired before this date will retain their current benefits. Provided however, in no event may a firefighter receiving benefits from the firefighters' pension trust fund receive a monthly retirement income in excess of 100 percent of such firefighter's average final compensation.

Sec. 70-71. Firefighter disability benefits.

(b) *Calculation and payment of benefit.*

- (1) ~~The benefit payable to a firefighter who retires from the city due to total and permanent disability as a direct result of a disability commencing prior to his normal retirement date is the monthly income payable for ten years certain and life for which, if the firefighter's disability occurred in the line of duty, his monthly benefit shall be the accrued retirement benefit, but shall not be less than 65 percent of his average monthly salary at the time of disability. If the disability is other than in the line of duty, the firefighter's monthly benefit shall be the accrued normal retirement benefit, but shall not be less than 25 percent of his average monthly salary at the time of disability.~~
- (1) The Firefighters' Pension and Retirement System shall be amended to provide that the bargaining unit members' base disability pension rate will be 45%, and increased by 2% each full year of the member's service, up to the maximum rate of service of 65%. The disability pension rate for a disability resulting from malicious or intentional acts against the bargaining unit member on duty or from active firefighting, or from a non-preventable traffic crash shall remain at 65%.



City of Eustis

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

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: August 3, 2023

RE: Postponement of Hearings for Ordinance Numbers 23-15, 23-16, and 23-17 for Eichelberger/Novack

The noticing procedures and timelines for the referenced Ordinances were not properly met.

The applicant and their representative were notified by City Staff, on August 19, 2023, of the signposting and abutting property owner mailing deadlines. The applicant and their representative were provided the deadline of Monday, August 24, 2023. Materials for the mailing were provided and the applicant and their representative were notified that the signs were ready to pick up and post on August 19, 2023. The applicant or their representative failed to proceed until Wednesday, August 26, 2023, failing to meet the minimum 10-day notice timeframe.

Due to the failure to meet the City's 10-day notice timeframe, it is recommended that the hearing for the proposed Ordinances be postponed until September 7, 2023, to allow for re-notification.



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: August 3, 2023

RE: **FIRST READING**

ORDINANCE NUMBERS 23-15, 23-16, AND 23-17: EXPLANATION OF ORDINANCES FOR ANNEXATION OF PARCELS WITH ALTERNATE KEY 1213177

Ordinance Number 23-15 – Voluntary Annexation

Ordinance Number 23-16 – Comprehensive Plan Amendment

Ordinance Number 23-17 – Design District Assignment

Introduction:

Ordinance Number 23-15 provides for the voluntary annexation of approximately 4.63 acres of land located northeast corner of CR 44 at the intersection with South Fishcamp Road (Alternate Key Number 1213177). Provided the annexation of the subject property is approved, via Ordinance Number 23-15, Ordinance Number 23-16 would change the future land use designation from Urban Low in Lake County to Mixed Commercial Residential (MCR) in the City of Eustis, and Ordinance Number 23-17 would assign the subject property a design district designation of Suburban Corridor. If Ordinance Number 23-15 is denied, then there can be no consideration of Ordinance Numbers 23-16 and 23-17.

Background:

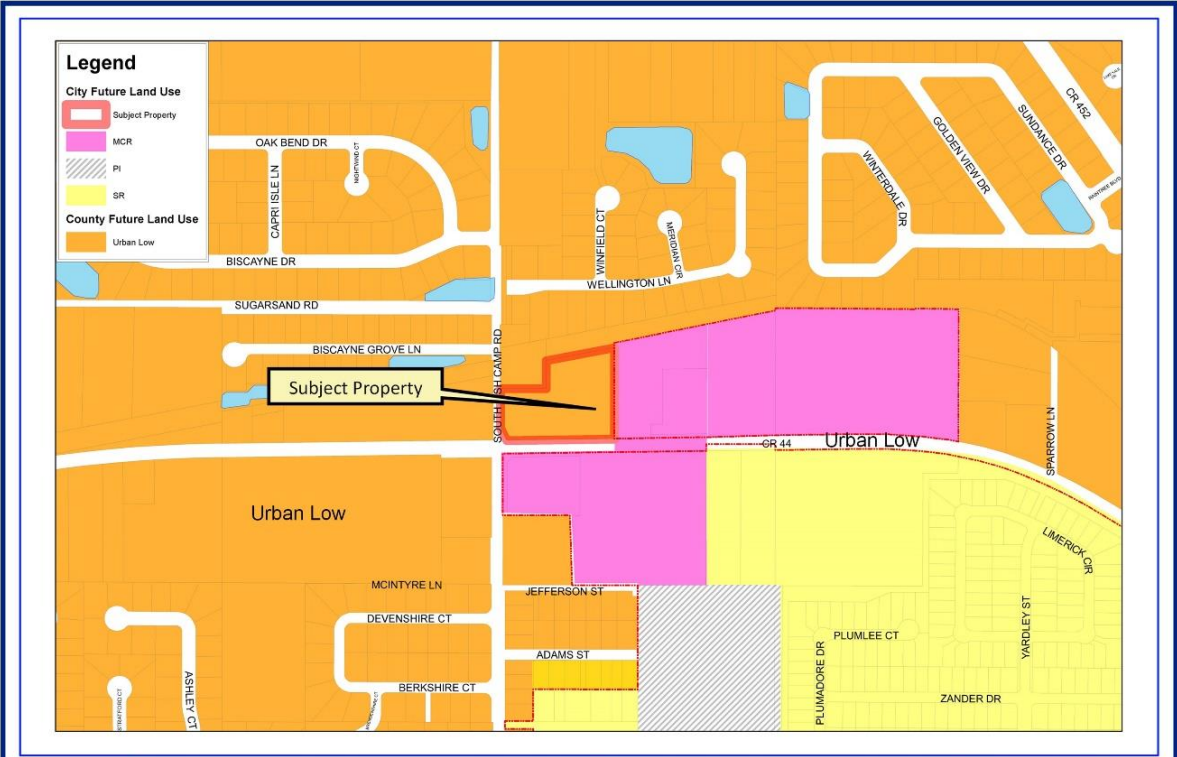
1. The site contains approximately 4.63 acres and is located at the northeast corner of the intersection of CR 44 and South Fishcamp Road within the Eustis Joint Planning Area.
2. The proposed annexation properties are contiguous to the City boundaries, directly on the eastern boundary of the property and across CR 44.
3. The site has a Lake County land use designation of Urban Low, but approval of Ordinance Number 23-16 would change the land use designation to Mixed Commercial Residential (MCR) in the City of Eustis.

Eichelberger (Novack and Sons, Inc)
Aerial Location

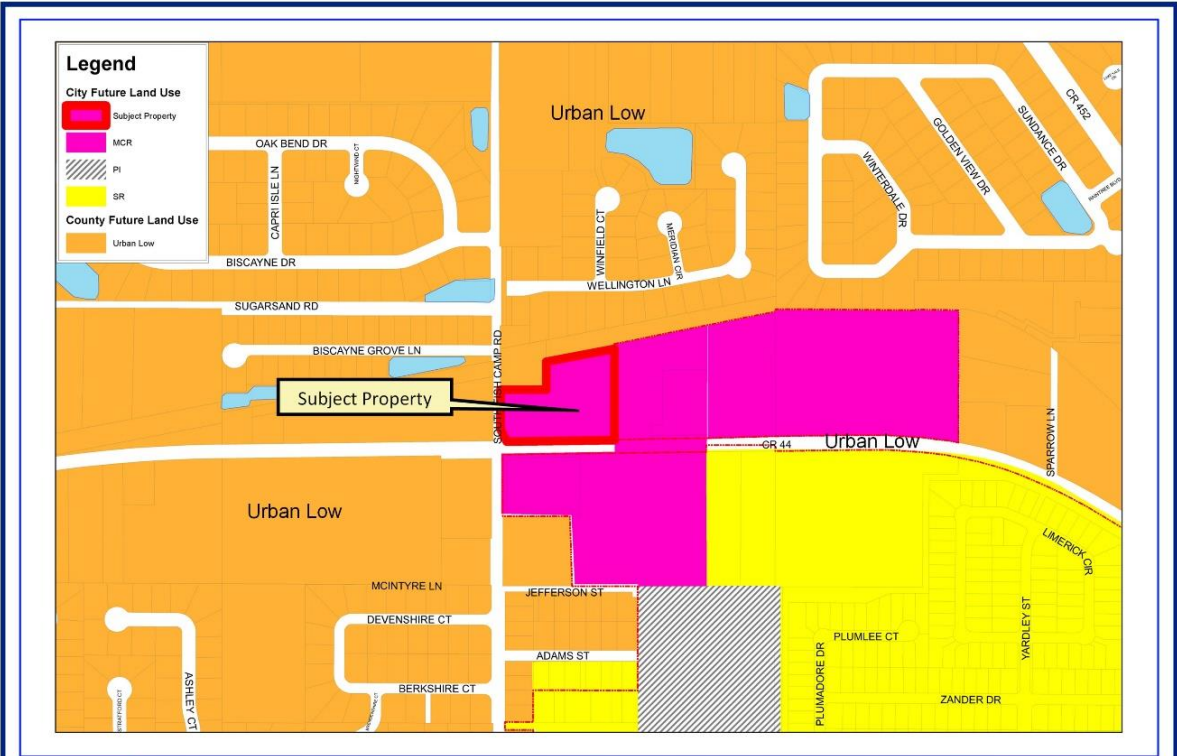
Eichelberger (Novack and Sons, Inc)
Location

Surrounding properties have the following land use designations:

Location	Existing Use	Future Land Use	Design District
Site	Vacant	Urban Low (Lake County)	N/A
North	Single-Family	Urban Low (Lake County)	N/A
South	Commercial / Vacant	Mixed Commercial Residential (MCR)	Suburban Corridor
East	Commercial / Vacant	Mixed Commercial Residential (MCR)	Suburban Corridor
West	Single-Family	Urban Low (Lake County)	N/A



Eichelberger (Novack and Sons, Inc)
Future Land Use (Current)



Eichelberger (Novack and Sons, Inc)
Future Land Use (Proposed)



Applicant's Request

The applicant LPG Urban and Regional Planners, on behalf of Novack and Sons, Inc. and property owners Richard and Cindy Eichelberger., wishes to annex the referenced property, change the future land use to Mixed Commercial Residential (MCR), and assign a design district of Suburban Corridor.

The current Lake County future land use designation for the subject property is Urban Low. The Lake County land use designation allows for residential uses of up to 4 dwelling units per net buildable acre.

The property owner has requested the City of Eustis Mixed Commercial Residential future land use designation with the annexation. The MCR future land use provides for a mix of commercial and residential uses up to twelve (12) dwelling units per acre.

Analysis of Annexation Request (Ordinance Number 23-15)

4. Resolution Number 87-34 – Joint Planning Area Agreement with Lake County:

“The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law.....The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area.”

The subject property is located within the Eustis-Lake County Joint Planning Area. Urban services of adequate capacity are available to serve future development, consistent with the requested Suburban Residential future land use designation.

5. Florida Statutes Voluntary Annexation - Chapter 171.044(1):

“The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.”

The Eustis-Lake County Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject property lies within that planning area; it is contiguous to the City limits on the eastern and southern boundaries, and the owner has petitioned for voluntary annexation.

6. Florida Statutes Voluntary Annexation - Chapter 171.044(2):

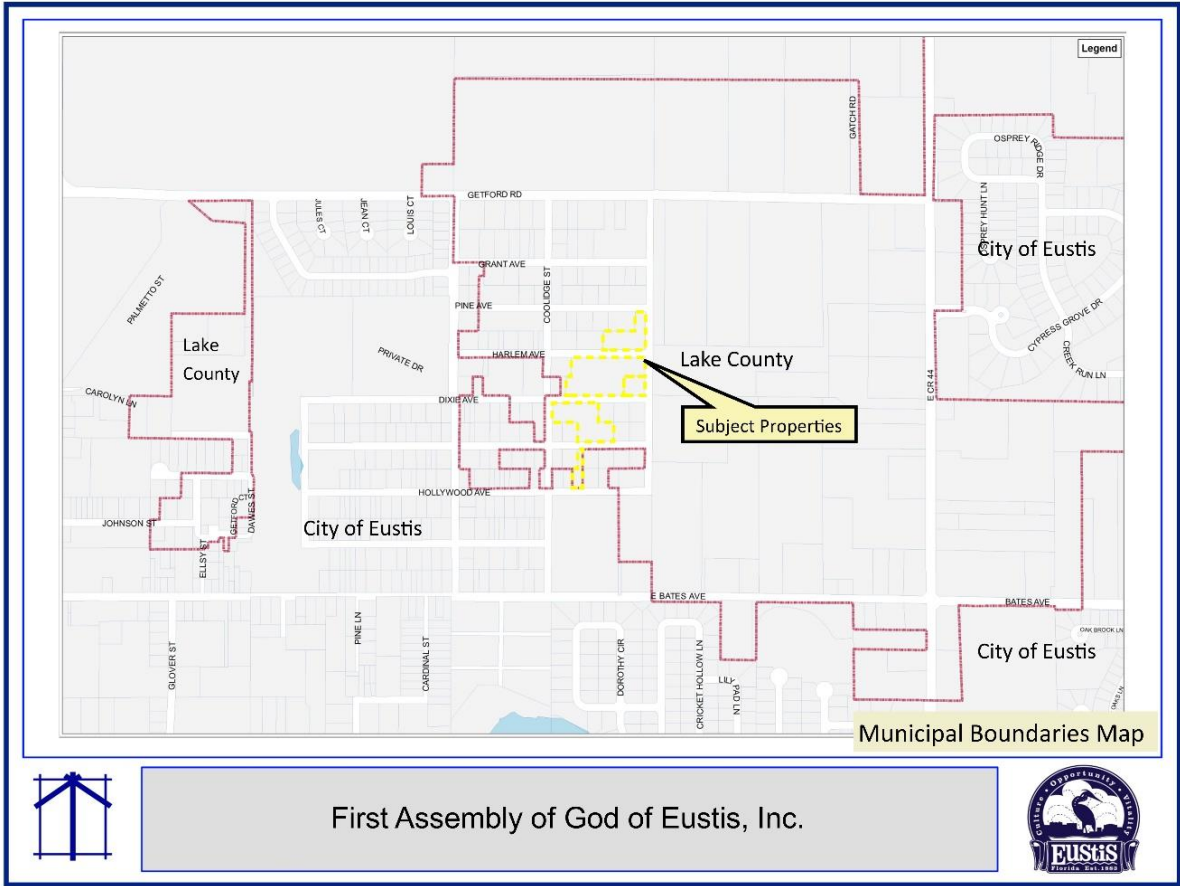
“...Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town...”

The department published notice of this annexation in the Daily Commercial following the established requirements on July 21, 2023, and again on JULY 28, 2023.

7. Florida Statutes Voluntary Annexation - Chapter 171.044(5):

“Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.”

Annexation of the subject property does not create an enclave as defined by the Florida Statutes. The subject properties are a continuous and logical extension of the city boundary.



8. Florida Statutes Voluntary Annexation - Chapter 171.044(6):

“Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located...”

The department provided notice to the Lake County Board of County Commissioners on July 14, 2023, via email and by Certified Mail on June 17 2023.

Analysis of Comprehensive Plan/Future Land Use Request (**Ordinance Number 23-16**)

In accordance with the Florida Statutes Chapter 163.3177.9.:

Discourage Urban Sprawl:

Primary Indicators of Sprawl:

The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

Low-Intensity Development:

Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

This indicator does not apply. The requested future land use will provide for a higher density (12 du/acre) and the MCR designation allows for commercial or mixed-use opportunities.

Urban Development in Rural Areas:

Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

This indicator does not apply. The area has established commercial development and is situated as a suburban commercial and urbanizing area.

Strip or Isolated Development:

Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

This indicator does not apply. The area is an already established suburban commercial area/intersection with similar land uses directly adjacent.

Natural Resources Protection:

Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

This indicator does not apply. The subject property is not subject to floodplain impact and does not contain wetland areas. The Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.

Agricultural Area Protection:

Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

This indicator does not apply. This site and adjacent areas do not support active agricultural or silvicultural activities. The site is within an existing developed and further developing area.

Public Facilities:

Fails to maximize the use of existing public facilities and services.

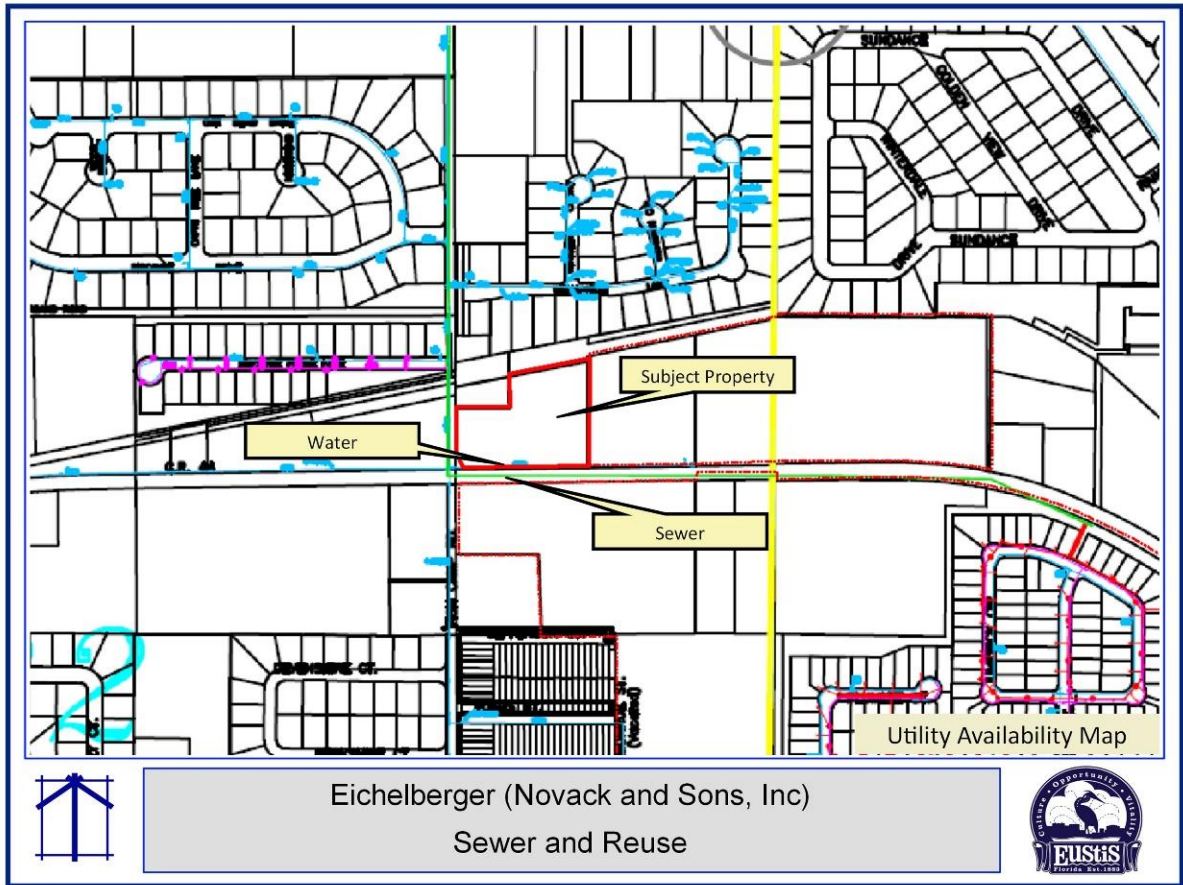
This indicator does not apply. City water is available to serve the property. Development of this parcel will maximize the use and efficiency of the City water services. City Sewer is available with adequate capacity to serve the property and will be addressed via the site development process.

Cost Effectiveness and Efficiency of Public Facilities:

Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water

sanitary sewer, stormwater management, law enforcement, education, health care, emergency response, and general government.

This indicator does not apply. Adequate capacity is available to serve the existing and future development.



Separation of Urban and Rural:

Fails to provide a clear separation between rural and urban uses.

This indicator does not apply. No nearby properties contain active agricultural activities or use. The surrounding area is developed or has development entitlements attached to the land. These developments have densities and intensities that are clearly suburban uses.

Infill and Redevelopment:

Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

This indicator does not apply. This property will promote infill development by allowing access to public facilities.

Functional Mix of Uses:

Fails to encourage a functional mix of uses.

This indicator does not apply. The site is surrounded by single-family and existing commercial development on the adjacent properties, which is consistent with permitted uses in the area.

Accessibility among Uses:

Results in poor accessibility among linked or related land uses.

This indicator does not apply. The Land Development Regulations include provisions to provide adequate access and linkage between related uses. City Departments will ensure compliance with these standards at the time of development review.

Open Space:

Results in the loss of significant amounts of functional open space.

This indicator does not apply. The site does not contain functional open space and is not connected to regionally significant open space. The subject properties are existing residential lots.

Urban Sprawl:

The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

Direction of Growth:

Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

The site is adjacent to existing urban/suburban development patterns and is a logical infill of the urban development boundary. The Comprehensive Plan and Land Development Regulations have provisions to protect natural resources and ecosystems at the time of site plan approval.

Efficient and Cost-Effective Services:

Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

Water and Sewer service is available. The development of the property will further encourage the efficient provision of services.

Walkable and Connected Communities:

Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

At the time of development, the site must meet the City's Land Development Regulations including the creation of streets and street connections where they do not currently exist.

Water and Energy Conservation:

Promotes the conservation of water and energy.

The development of the site must meet City development and Florida Building Code standards that will require energy and water-efficient appliances.

Agricultural Preservation:

Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Not applicable; this site and adjacent areas do not support active agricultural or silvicultural activities. The site is within an existing developed residential area.

Open Space:

Preserves open space and natural lands and provides for public open space and recreation needs.

This is not applicable. The site does not provide functional open space or natural areas on a regional basis.

Balance of Land Uses:

Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

The proposed land use is consistent with the surrounding area. The land use proposed would allow for opportunities for development types to support the surrounding area.

Urban Form Densities and Intensities:

Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Not applicable.

In Accordance with Comprehensive Plan Future Land Use Element Appendix:

All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site-specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the Map #1: 2035 Future Land Use Map by changing the land use designation assigned to a parcel of property shall also be reviewed to determine and assess any significant impacts to the policy structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

Major Categories of Plan Policies:

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the major categories of Plan policies as follows:

General Public Facilities/Services:

Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the site.

property. The facilities and services required for analysis include emergency services and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

1. Emergency Services Analysis:

Eustis Emergency Services already provide emergency response to other properties in the area. Any development consistent with the proposed future land use designation would not have a significant negative impact on the operations of Eustis emergency services.

2. Parks & Recreation:

In 2010, the City prepared a Park Inventory and Level of Service Demand and Capacity analysis as part of the Comprehensive Plan Evaluation and Appraisal Report. The results show that a surplus of park area exists up to and beyond the City's population of 20,015. The current population is approximately 24,500. Pursuant to Comprehensive Plan policies and Land Development Regulations, residential development will be required to provide on-site park amenities.

3. Potable Water & Sanitary Sewer:

Water and sewer are available to the subject property. Both the water and sewer systems have adequate capacity to serve the development of the property.

4. Schools:

The proposed change should not negatively impact schools. At the time of development application verification of capacity will be required from Lake County Schools.

5. Solid Waste:

The City contracts with Waste Management for the hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in the delivery of services.

6. Stormwater:

The Comprehensive Plan and Land Development Regulations include the level of service standards to which new development must adhere. Projects designed to meet these standards will not negatively affect the existing facilities and services.

7. Transportation Network Analysis:

This potential annexation and the subsequent development of the property will not add additional impacts as the parcels being annexed include existing platted lots.

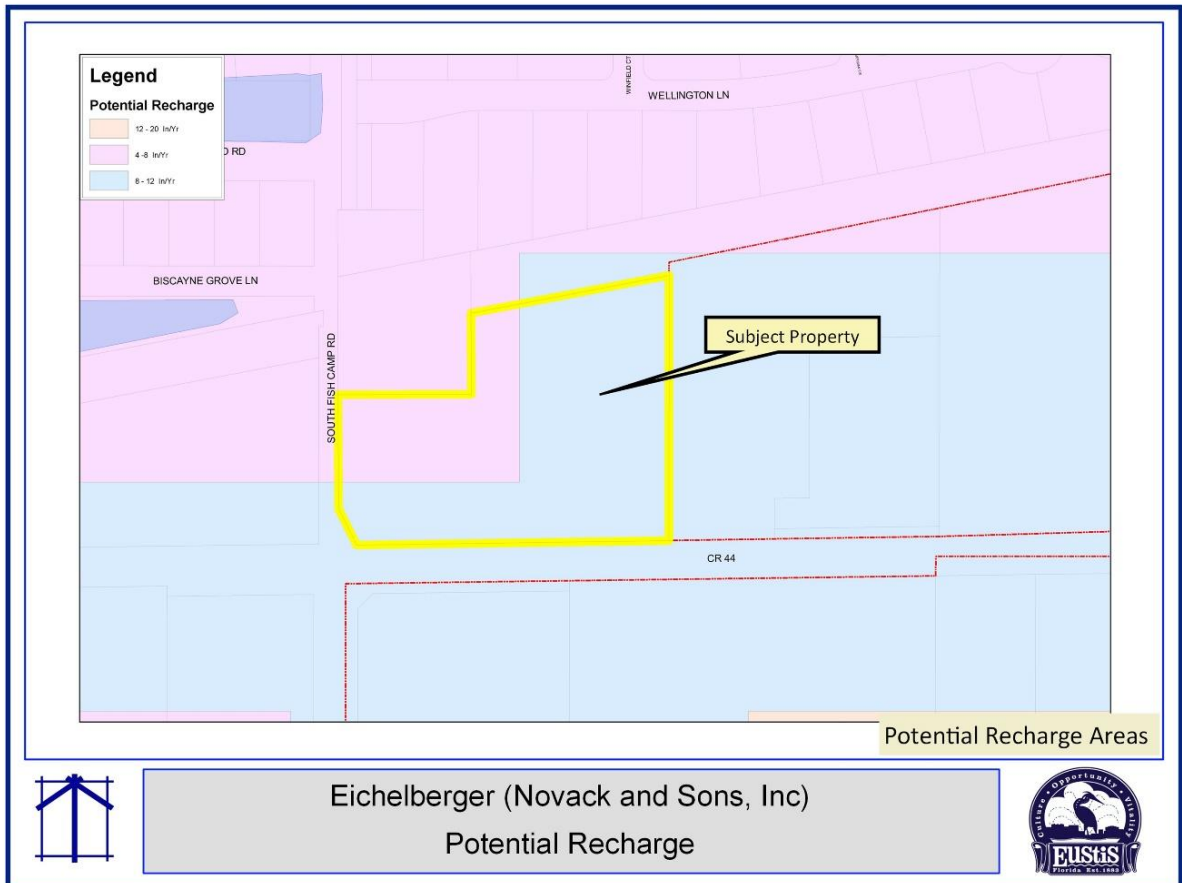
8. Natural Resources/Natural Features:

The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan. Specifically, each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued

natural functioning of flood plains; and 4) the suitability of the soil and topography for development proposed.

9. Groundwater recharge areas:

The site may be within a recharge area, and a site-specific geotechnical and hydrologic study will be needed to determine the site-specific impact at the time of development. Source: Lake County Comprehensive Plan 2030 Floridian Aquifer Recharge Map.



10. Historical or archaeological sites:

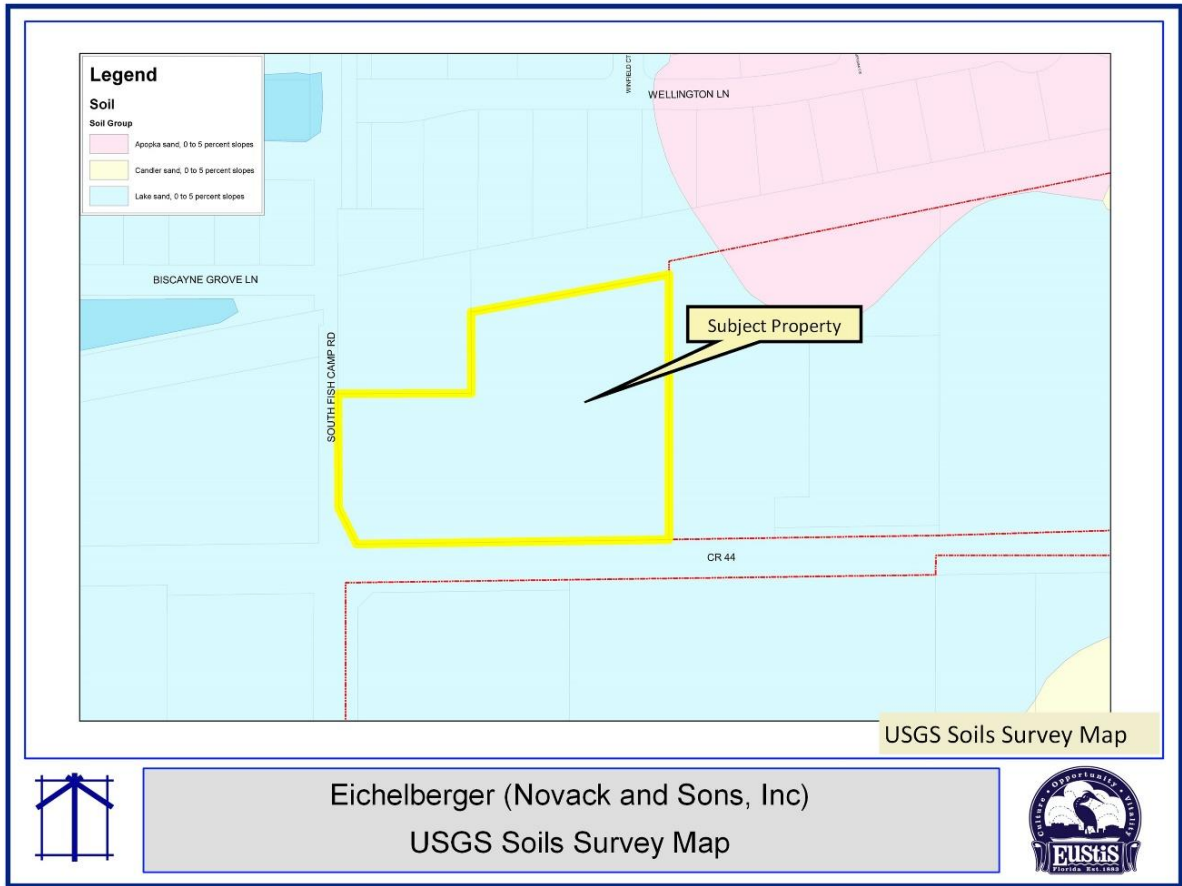
The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist.

11. Flood zones:

The subject property is not impacted by a 100-year flood zone area. Source - Lake County GIS - 2012 Flood Zones.

12. Soil and topography:

The soil on the site is mainly made up of Lake sands. The Lake series is composed of highly drained, quickly to very quickly permeable soils that were created in large deposits of sand..



13. Comprehensive Plan Review:

Additional criteria and standards are also included in the Plan that describes when, where, and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the compatibility of the use, intensity, location, and timing of the proposed amendment.

Existing Land Use According to the Lake County Comprehensive Plan:

The existing Lake County future land use designation of the property is Urban Low, which provides for residential uses at up to 4 dwelling units per acre as well as supporting commercial and institutional uses.

Proposed Land Use According to the Eustis Comprehensive Plan:

The Mixed Use Commercial Residential (MCR) land use designation is intended to regulate the character and scale of commercial uses so as to minimize their impacts on adjacent roadways and to promote their compatibility with adjacent or nearby residential uses.

General Range of Uses: *This category accommodates a mix of residential, commercial, office, institutional, and schools. Public and utility services that are 5 acres or less in size are also permitted.*

Maximum Density: *Residential densities may not exceed 12 dwelling units per net buildable acre.*

Intensity Range: *up to 2.5 FAR subject to restrictions in Section 109-3 of the Land Development Regulations.*

Mix Requirements: *There are proportional requirements and limitations regarding the amount of residential and non-residential uses allowable in an area designated MCR. For the mixed land use category MCR, the city establishes, and shall monitor on a citywide basis, a mix of uses as follows:*

Residential: 15% - 25% of total MCR Acreage

Commercial/Office: 75% - 85% of total MCR acreage

Comparison of Lake County Development Conditions

The land use designations of residential properties within the City of Eustis in the surrounding area are generally Mixed Commercial Residential (MCR) with a maximum density of 12 dwelling units per acre (du/ac) and allow for commercial development consistent with the General Commercial uses of the Comprehensive Plan and the Land Development Regulations.

The surrounding properties, immediately adjacent to the north and west, are unincorporated areas that are designated Urban Low with a maximum density of 4 dwelling units per net buildable acre.

Proposed Residential Land Uses.

The City shall limit these uses adjacent to incompatible commercial or industrial lands unless sufficient mitigation, such as buffering and setbacks is provided and available, which lessens the impact to the proposed residences.

This area is predominantly residential in nature with commercial uses at the major intersection of Fish Camp Road and County Road 44, the proposed Future Land Use will allow commercial and residential uses.

Proposed Non-Residential Land Uses.

The City shall generally not permit new industrial uses to be located adjacent to existing or planned residentially designated areas.

Not applicable.

14. Transportation:

Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.

The use of the land will be evaluated at the time of development. The proposed land use is consistent with the existing designation to the east and south .

15. Water Supply:

Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

City water service and other services are available. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.

In Accordance with Chapter 102-16(f), Land Development Regulations

Standards for Review:

In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

1. *Consistent with Comprehensive Plan:*

Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan.

2. *In Conflict with Land Development Regulations:*

Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

The proposed amendment is not in conflict with the Land Development Regulations. At the time of development, there will be further review for compliance.

3. *Inconsistent with Surrounding Uses:*

Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The existing land uses in the immediate area are residential and the proposed use of the land is continued residential.

4. *Changed Conditions:*

Whether there have been changed conditions that justify an amendment.

The applicant wishes to annex the property into the City limits of Eustis. Assignment of a City of Eustis future land use designation is required. Upon annexation, the subject property will have a full array of municipal services, including central water. These changed conditions warrant a change in the land use designation.

5. *Demand on Public Facilities:*

Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

City water and sewer services are available and, in close proximity to Adequate capacity is available to serve future development consistent with the requested Suburban Residential future land use designation.

Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.

6. *Impact on Environment:*

Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

The site contains no apparent natural resources and is not connected to significant open space.

7. *Orderly Development Pattern:*

Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

The site is contiguous to the City limits. The development patterns already exist in the area and the future building on the previously platted lots will not cause incompatibilities with those development patterns.

8. *Public Interest and Intent of Regulations:*

Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

The purpose and intent of the Land Development Regulations is as follows:

“The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the City's Comprehensive Plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small-town community character and lifestyle.”

The requested designation of MCR land use will provide for orderly growth and development. This designation would advance the public interest by potentially providing additional housing and commercial opportunities, and the application of the LDRs to future development will ensure consistency with the community character and lifestyle of the city.

9. *Other Matters:*

Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

No other matters.

Analysis of Design District Request (**Ordinance Number 23-17**):

Form-Based Code:

The City's Land Development Regulations is a form-based code. Design districts are unique to form-based codes. Lake County still uses traditional Euclidean zoning, so there are no design districts for parcels in unincorporated Lake County. When a parcel annexes into the City of Eustis, the City must assign a consistent design district that follows the urban, suburban, and rural transect

1. *Standards for Review:*

The Land Development Regulations include the following standards for review of an amendment to the Design District Map. In approving a change in the designation, the City Commission shall consider: Whether the amendment is in conflict with any applicable provisions of the Code.

2. *Section 102-17(a) "...Section 109-3 Design Districts:*

identifies the definition, structure, and form of each design district. The assignment of design district must follow the district pattern and intent."

The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Corridor). The Suburban development pattern and intent, and the Suburban Corridor definition, structure, and form description are stated below. The assignment of a Suburban Corridor design district designation is appropriate due to the established and proposed development patterns in the area.

3. *Sec. 109-3.4. Suburban development pattern intent statements:*

Intent. Suburban development pattern relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. The street layout, comprised of streets with fewer vehicular connections, helps to reduce cut-through traffic and establishes distinct boundaries for residential communities/subdivisions. Each land use provides for pedestrian and bicycle connections.

Design districts – Suburban Corridor

a. Definition. Linear concentrations of typically commercial uses, predominately auto-oriented uses. The parcel size ranges from large areas of depth to shallow in nature, compatible with the adjacent neighborhoods.

b. Structure. The street system is designed to accommodate the density, intensity, and form of suburban development and provides functional connections that link neighborhoods to shopping areas.

c. Form: Predominately single-use areas that may include a mix of uses, retail, and residential.

The Suburban development patterns statement above indicates that residential uses are primarily located on streets with fewer vehicle connections. A Suburban

Corridor designation follows the district pattern and intent outlined in the Development Regulations and is consistent with the existing transect in the area.

4. **Section 102-17(a)**

The following guidelines must be followed when proposing the reassignment of the design district:

Compatible intensities should face across streets. Changes in design districts should occur along rear alleys or lanes or along conservation edges.

Reassignment is not being proposed; a Eustis design district designation must be assigned to annexed property; the proposed design district is compatible with the adjacent and facing design districts.

5. **Consistent with Comprehensive Plan:**

Whether the proposed amendment is consistent with all elements of the comprehensive plan.

The requested amendment is consistent with the Future Land Use element (including Policy FLU 1.2.4, Development Patterns, and FLU 1.3.2. Maintain Residential Compatibility), as well as all other elements of the Comprehensive Plan.

6. **Consistent with Surrounding Uses:**

Whether, and the extent to which, the proposed design district is consistent with existing and proposed land uses.

The Suburban Corridor definition, structure, and form are compatible with the existing uses and any proposed uses permitted under the Suburban Residential future land use designation.

7. **Changed Conditions:**

Whether there have been changed conditions that justify amending the design district.

The subject property is proposed for annexation and a design district assignment is necessary. The conditions have changed from land located in unincorporated Lake County without central services to a site within the City of Eustis with municipal services.

8. **Public Facilities.**

Whether, and the extent to which, the proposed redistricting would result in demands on public facilities, and whether, or to the extent to which, the proposed change would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

A redistricting is not proposed. Assigning a design district to an annexation property will not change the demand impact on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond that already anticipated. Also, see the analysis of public facilities in the above sections of this report.

9. *Impact on the Environment:*

Whether, and the extent to which, the redistricting would result in significant impacts on the natural environment.

The proposed Design District designation for this property does not change the development potential of the parcel. Design Districts control the form and function of any development that does occur. The Future Land Use designation controls the density, intensity, and minimum open space permitted on the site, so the Design District amendment would not result in additional impacts on the natural environment. As building permit approval must be obtained before development can begin, the Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.

10. *Property Values:*

Whether, and the extent to which, the proposed redistricting would affect the property values in the area.

Redistricting is not being proposed; a Eustis design district designation must be assigned to the annexed property. This request should not affect property values, because the proposed Design District designation is consistent with the surrounding development patterns and design districts.

11. *Orderly Development Pattern:*

Whether, and the extent to which, the proposed redistricting would result in an orderly and logical development pattern.

The request is the assignment of a design district to an annexation parcel, not redistricting. However, the proposed Design District designation is consistent with the suburban development pattern identified in Section 109-5.5 of the Land Development Regulations. Assignment of the requested designation will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.

12. *Public Interest and Intent of Regulations:*

Whether the proposed redistricting would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

The request is the assignment of a design district to an annexation parcel, not redistricting. The proposed Design District is not in conflict with the public interest and reflects the purpose and intent of the regulations.

13. *Other Matters:*

Any other matters that may be deemed appropriate by the city commission, in review and consideration of the proposed redistricting.

The request is the assignment of a design district to an annexation parcel, not redistricting. The City's Land Development Regulations are a form-based code. The Design District designations define the development form, but not the types of land use, densities, intensities, or required open space. The districts, therefore, must be consistent and follow the urban, suburban, and rural transects. This request assigns a Suburban Corridor design district designation to an annexation parcel, which is consistent with the existing transect.

Applicable Policies and Codes

1. Resolution Number 87-34

Joint Planning Area Agreement with Lake County: “The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law..... The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area.”

Florida Statutes Chapter 171.044: Voluntary Annexation:

- a. “The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.”
- b. “Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.”

2. Comprehensive Plan – Mixed Commercial Residential (MCR)

This land use designation is intended to regulate the character and scale of commercial uses so as to minimize their impacts on adjacent roadways and to promote their compatibility with adjacent or nearby residential uses.

General Range of Uses: This category accommodates a mix of residential, commercial, office, institutional, and schools. Public and utility services that are 5 acres or less in size are also permitted.

Maximum Density: Residential densities may not exceed 12 dwelling units per net buildable acre.

Intensity Range: up to 2.5 FAR subject to restrictions in Section 109-3 of the Land Development Regulations.

Mix Requirements: There are proportional requirements and limitations regarding the amount of residential and non-residential uses allowable in an area designated MCR. For the mixed land use category MCR, the city establishes, and shall monitor on a citywide basis, a mix of uses as follows:

Residential: 15% - 25% of total MCR acreage
 Commercial/Office: 75% - 85% of total MCR
 acreage

The composition and mix for each proposed development will be determined on a case-by-case basis during the development review process. Specific uses permitted will be monitored by the city to ensure continuity and compatibility with adjacent land uses. Individual properties may develop residentially or commercially, provided that all applicable criteria set forth herein are met.

Special Provisions:

Future amendments to designate areas as MCR shall be permitted only along arterial and collector roads and in certain neighborhoods that meet the following conditions:

- a. where the arterial road frontage is generally undeveloped, residential development may be feasible and will be encouraged;
- b. strip commercial development shall be minimized, including actions that would extend or expand existing strip development;
- c. the arterial road frontage contains an existing mix of viable commercial and residential uses;
- d. the clustering of viable commercial businesses within or adjacent to residential neighborhoods is determined to not have a detrimental visual or operational impact on such adjacent or nearby residential uses;
- e. Developments within the Wekiva Protection Overlay that include longleaf pine, sand hill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.

Land Development Regulations Section 109-5.5(b)(1): The Suburban Corridor Design District has predominately residential uses with some neighborhood-scale commercial services with interconnected trails, bikeways, and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

Land Development Regulations Section 109-3 (Table 1) and Section 109-2.6: Suburban Residential land use has a maximum density of 5 units to one acre. The Suburban Residential designation is intended to regulate the character and scale of allowed uses so as to minimize their impacts on adjacent roadways and promote their compatibility with adjacent or nearby land uses.

Recommended Action:

Development Services recommends approval of Ordinance Numbers 23-15, 23-16, and 23-17.

Policy Implications:

None

Alternatives:

1. Approve Ordinance Numbers 23-15 (Annexation), 23-16 (Comp. Plan Amendment), and 23-17 (Design District Designation).
2. Deny Ordinance Numbers 23-15, 23-16, and 23-17.

Budget/Staff Impact:

There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

Prepared By:

Jeff Richardson, AICP, Deputy Development Services Director

Reviewed By:

Mike Lane, AICP, Development Services Director

Heather Croney, Senior Planner

ORDINANCE NUMBER 23-15

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 4.63 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBERS 1213177, GENERALLY LOCATED AT THE NORTHEAST CORNER OF CR 44 AT THE INTERSECTION WITH SOUTH FISHCAMP ROAD.

WHEREAS, Richard and Cindy Eichelberger, as the legal owners of record, have authorized Adam Novack, Novack and Sons, Inc, to make an application for voluntary annexation of approximately 4.63 acres of real property located at the northeast corner of CR 44 at the intersection with South Fishcamp Road, more particularly described as:

Parcel Alternate Keys: 1213177

Parcel Identification Number: 32-18-26-0001-000-01200

Legal Description:

BEG ON CENTERLINE OF HWY ON W LINE OF SE 1/4 OF NE 1/4, RUN N 292.12 FT, E 219.78 FT, N TO RR, NE ALONG RR TO PT 549.5 FT E OF W LINE OF SE 1/4 OF NE 1/4, S TO HWY, W TO POB--LESS RD R/W & LESS BEG AT INTERSECTION OF N R/W LINE OF CR 44 & E'LY R/W LINE OF SOUTH FISHCAMP RD, RUN N 89-14-43 E 30 FT ALONG SAID N R/W LINE OF CR 44, N 26-40-57 W 66.72 FT TO E'LY R/W LINE OF SAID S FISHCAMP RD, S 0-02-25 W 60 FT FOR POB FOR ADDITIONAL RD R/W-- ORB 490 PG 374 ORB 1014 PG 258 ORB 1662 PG 813 ORB 4399 PG 404

(The foregoing legal description were copied directly from Lake County Property Appraiser records submitted by the applicant and have not been verified for accuracy); and

WHEREAS, the subject property is reasonably compact and contiguous and continues the incorporation of enclave properties; and

WHEREAS, the annexation of this property will not result in the creation of enclaves; and

WHEREAS, the subject property is located within the City of Eustis Planning Area, and water service is available to the property; and

WHEREAS, on August 3, 2023, the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

WHEREAS, on August 17, 2023, the City Commission held the 2nd Public Hearing to consider the voluntary annexation of the property contained herein

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

SECTION 1.

That pursuant to, and under the authority of, Florida Statute 171.044, the City of Eustis, Lake County, Florida, does hereby annex and amend the municipal boundaries to include approximately 5.8 acres of real property, as described above.

A map depicting the location of the annexed property described above is attached hereto as Exhibit "A".

SECTION 2.

That the Director of Development Services shall be authorized to amend the City of Eustis Boundary Map to incorporate the change described in Section 1.

SECTION 3.

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4.

That upon final passage and adoption, the City Clerk is hereby directed to file a copy hereof with the Clerk of the Circuit Court, the County Manager for Lake County, Florida, and the Department of State for the State of Florida within 7 days after the adoption of such ordinances.

SECTION 5.

That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 6.

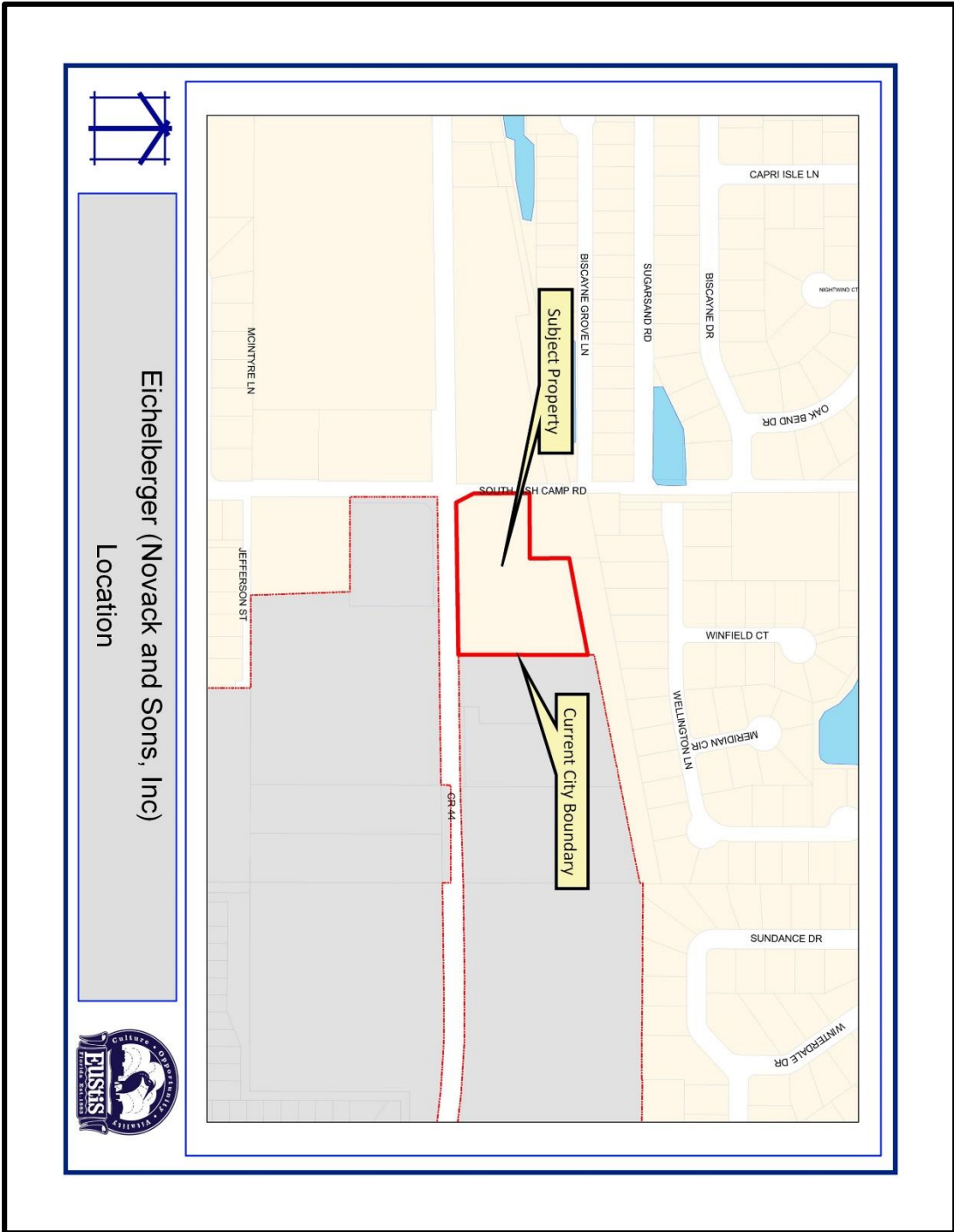
That this Ordinance shall become effective upon passing.

SECTION 7.

That the property annexed in this Ordinance is subject to the Future Land Use Element of the Lake County Comprehensive Plan until the City adopts the Comprehensive Plan Amendment to include the annexed parcel in the City Comprehensive Plan.

EXHIBIT "A"

GENERAL LOCATION MAP





Subject Properties



Eichelberger (Novack and Sons, Inc)
Aerial Location





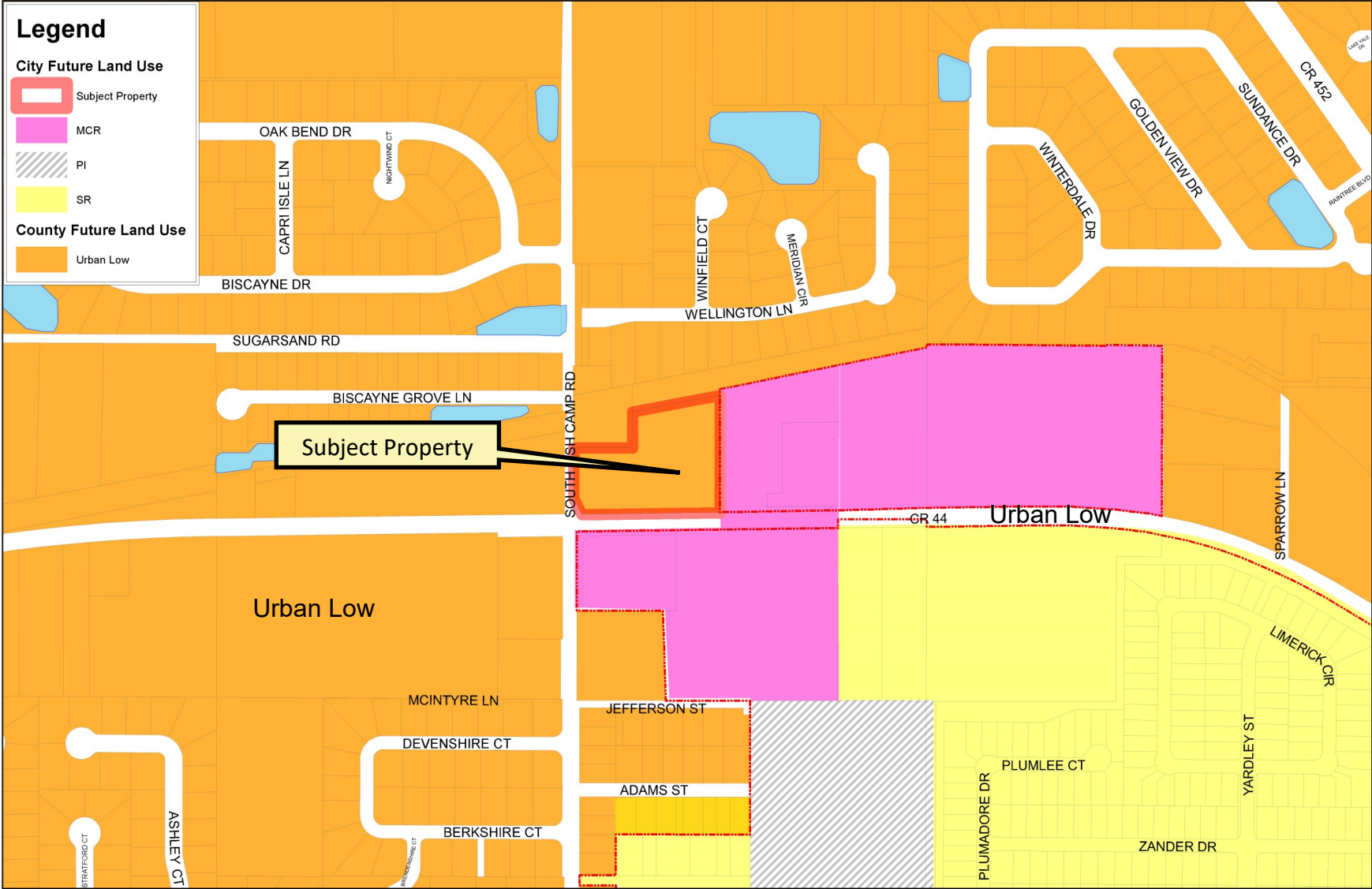
Eichelberger (Novack and Sons, Inc)
Location





Eichelberger (Novack and Sons, Inc)
Underlying Platted Lots





Subject Property

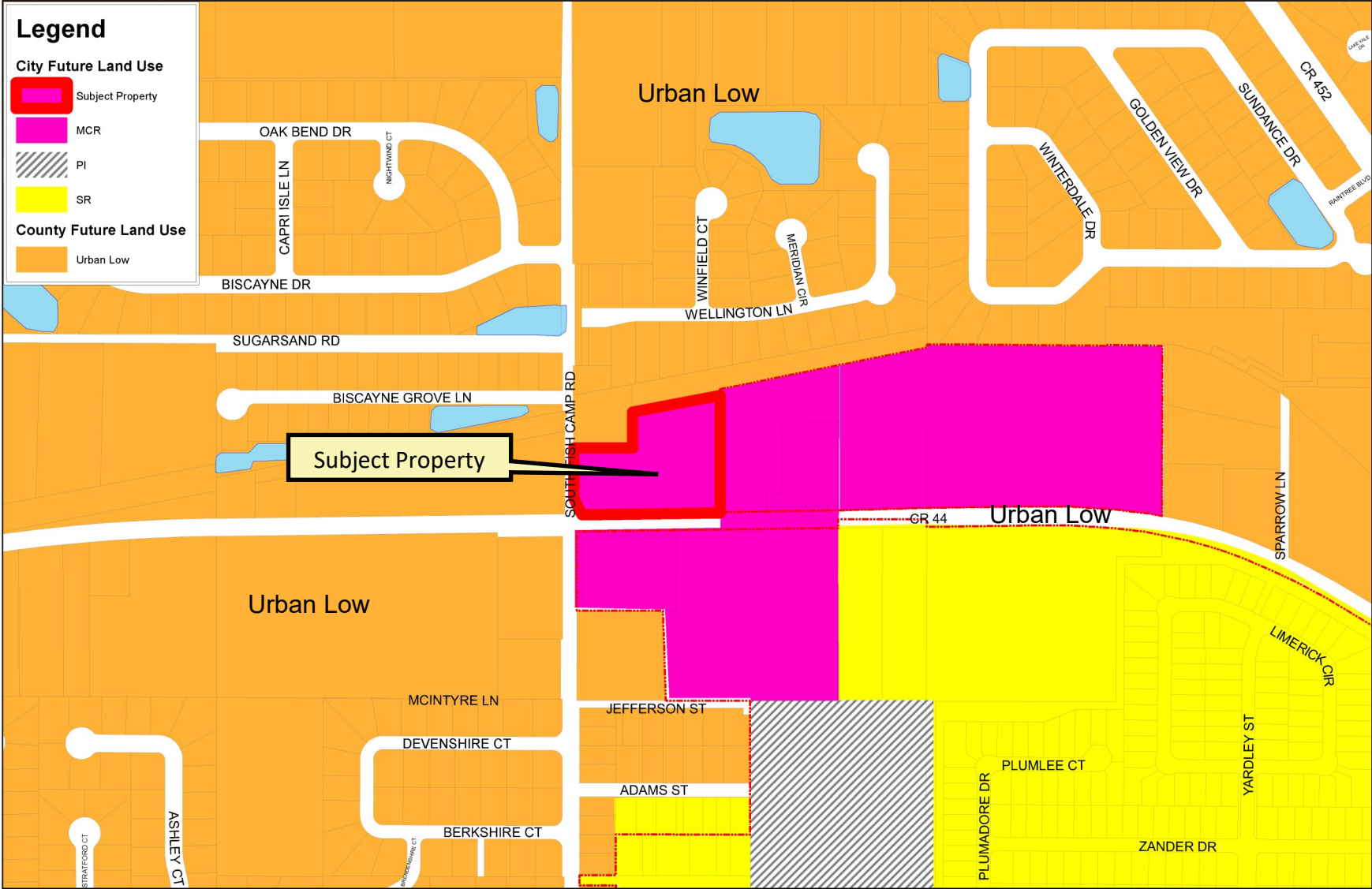
Urban Low

Urban Low



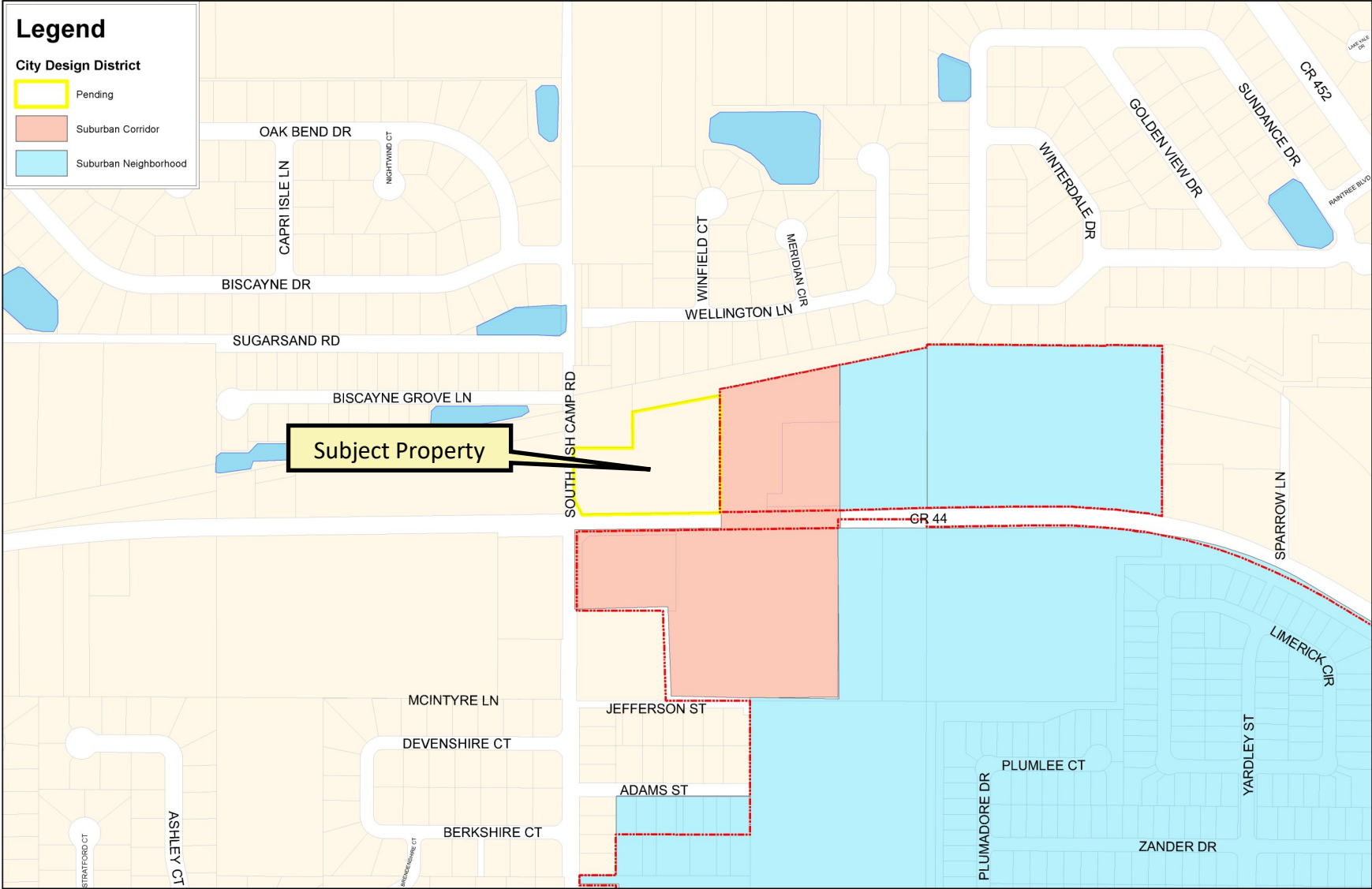
Eichelberger (Novack and Sons, Inc)
 Future Land Use (Current)





Eichelberger (Novack and Sons, Inc)
 Future Land Use (Proposed)





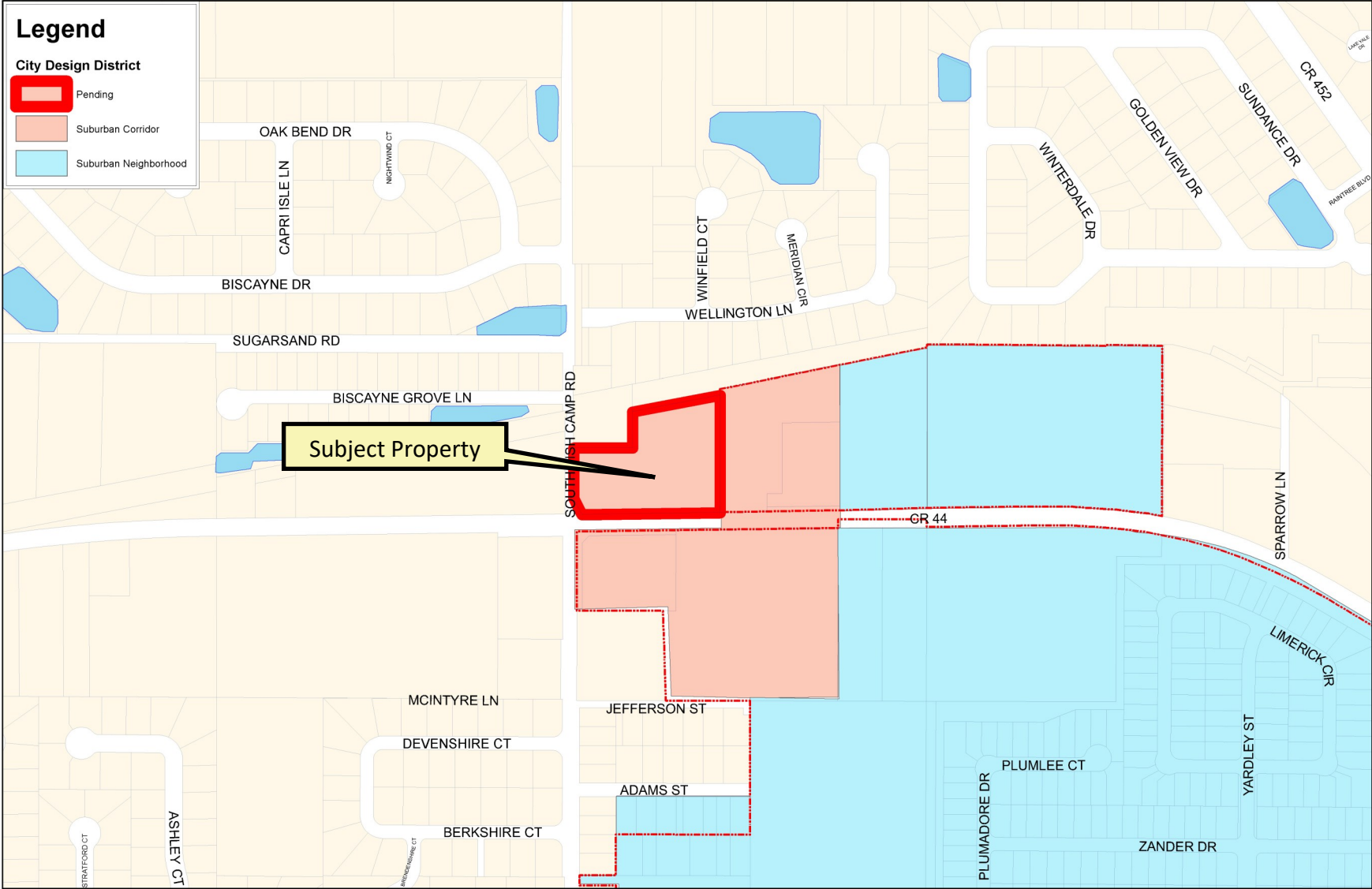
Eichelberger (Novack and Sons, Inc)
Design District (Before)



Legend

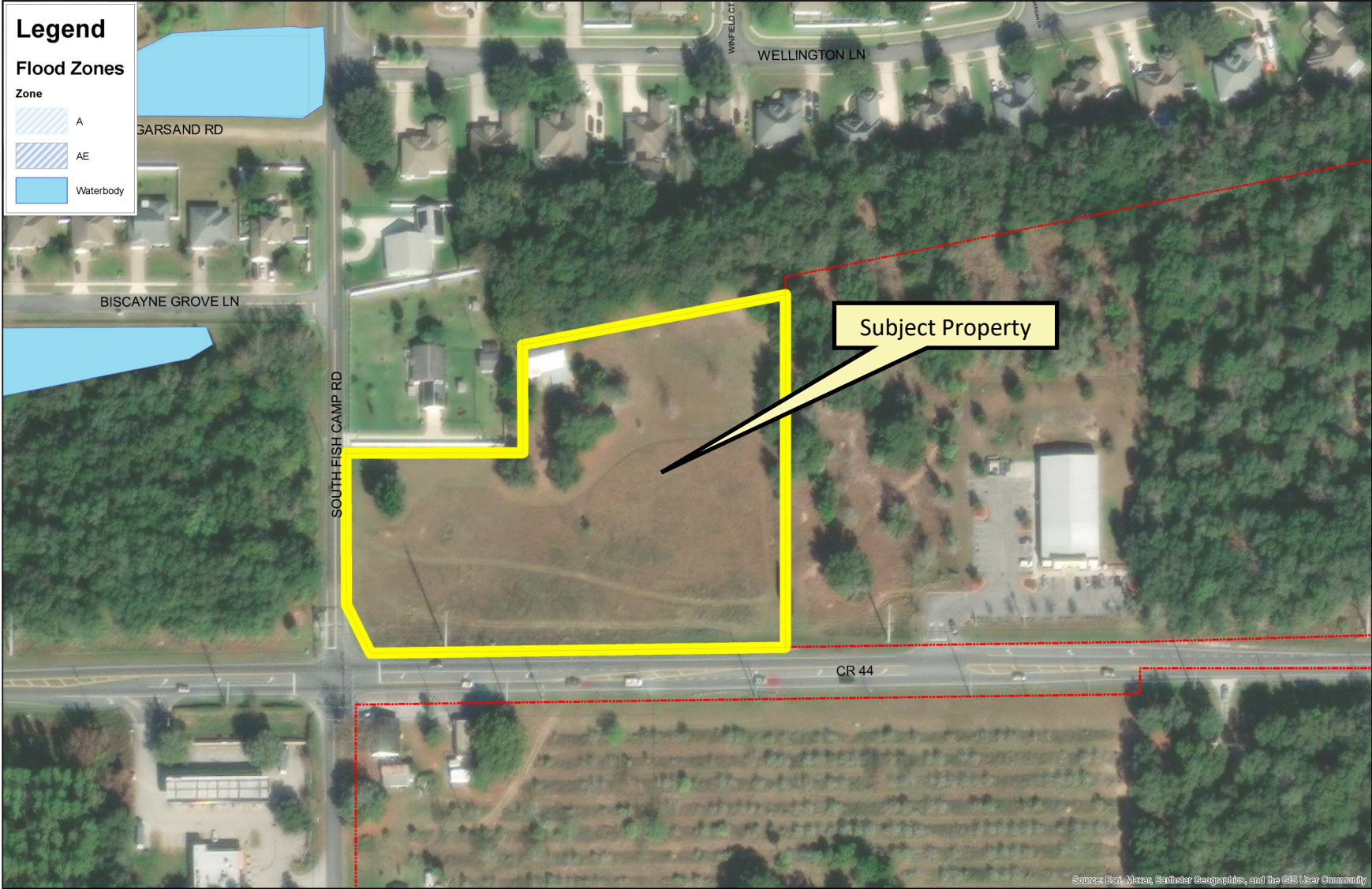
City Design District

- Pending
- Suburban Corridor
- Suburban Neighborhood



Eichelberger (Novack and Sons, Inc)
Design District (After)





Eichelberger (Novack and Sons, Inc)
Wetland / Flood Zone Map



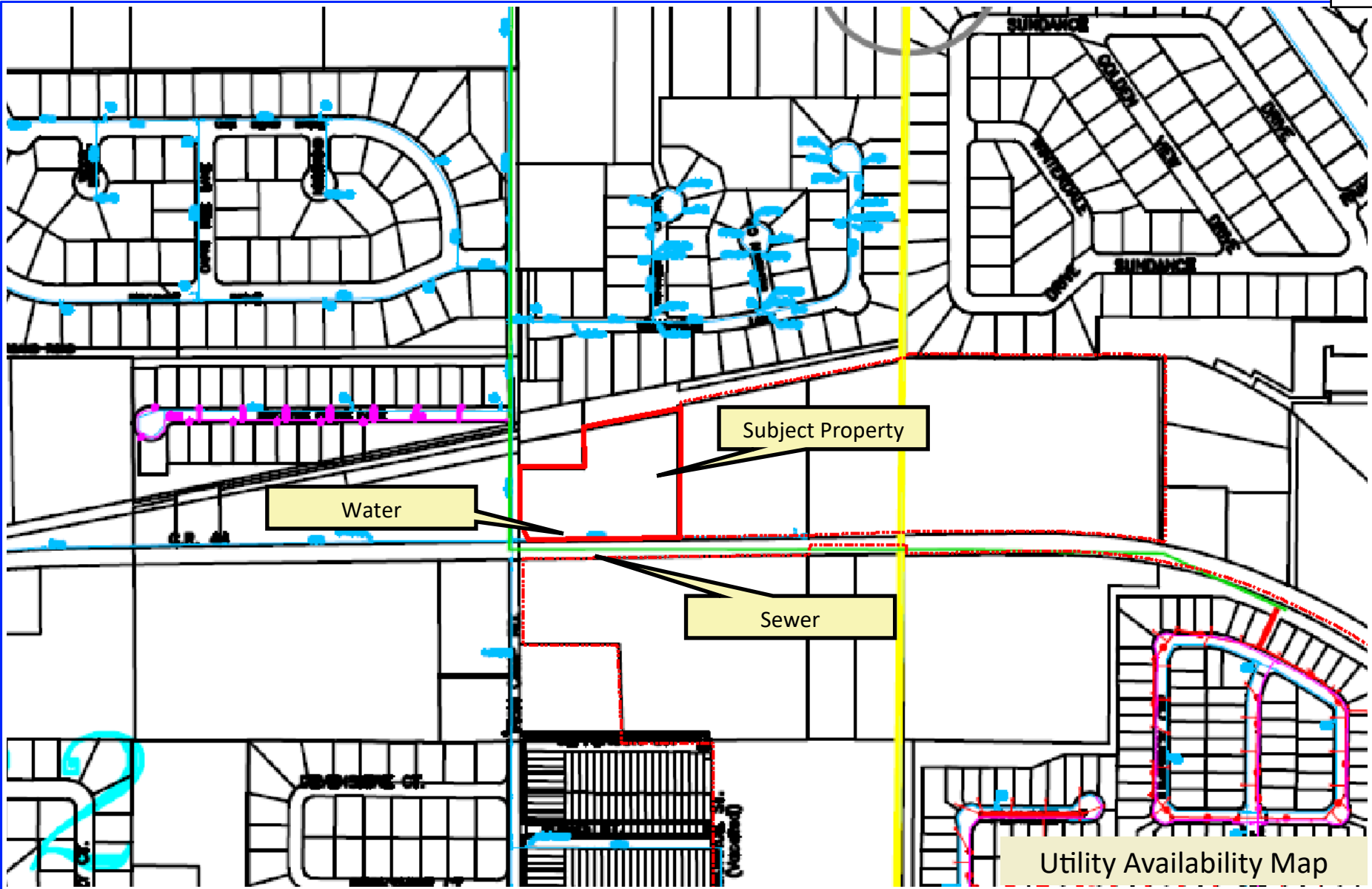


Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



Eichelberger (Novack and Sons, Inc)
Wetland / Flood Zone Map





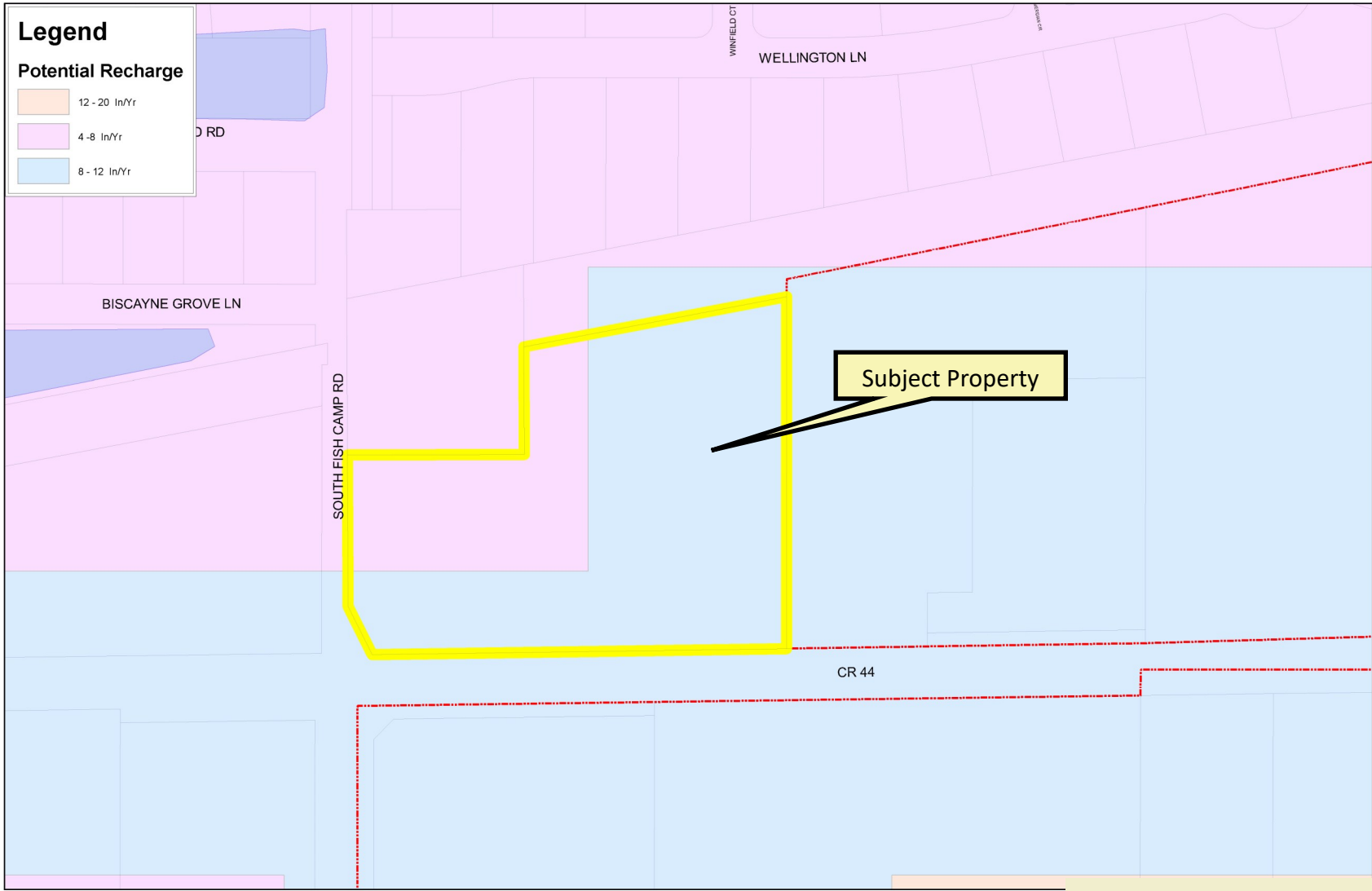
Eichelberger (Novack and Sons, Inc)
Sewer and Reuse



Legend

Potential Recharge

- 12 - 20 In/Yr
- 4 - 8 In/Yr
- 8 - 12 In/Yr

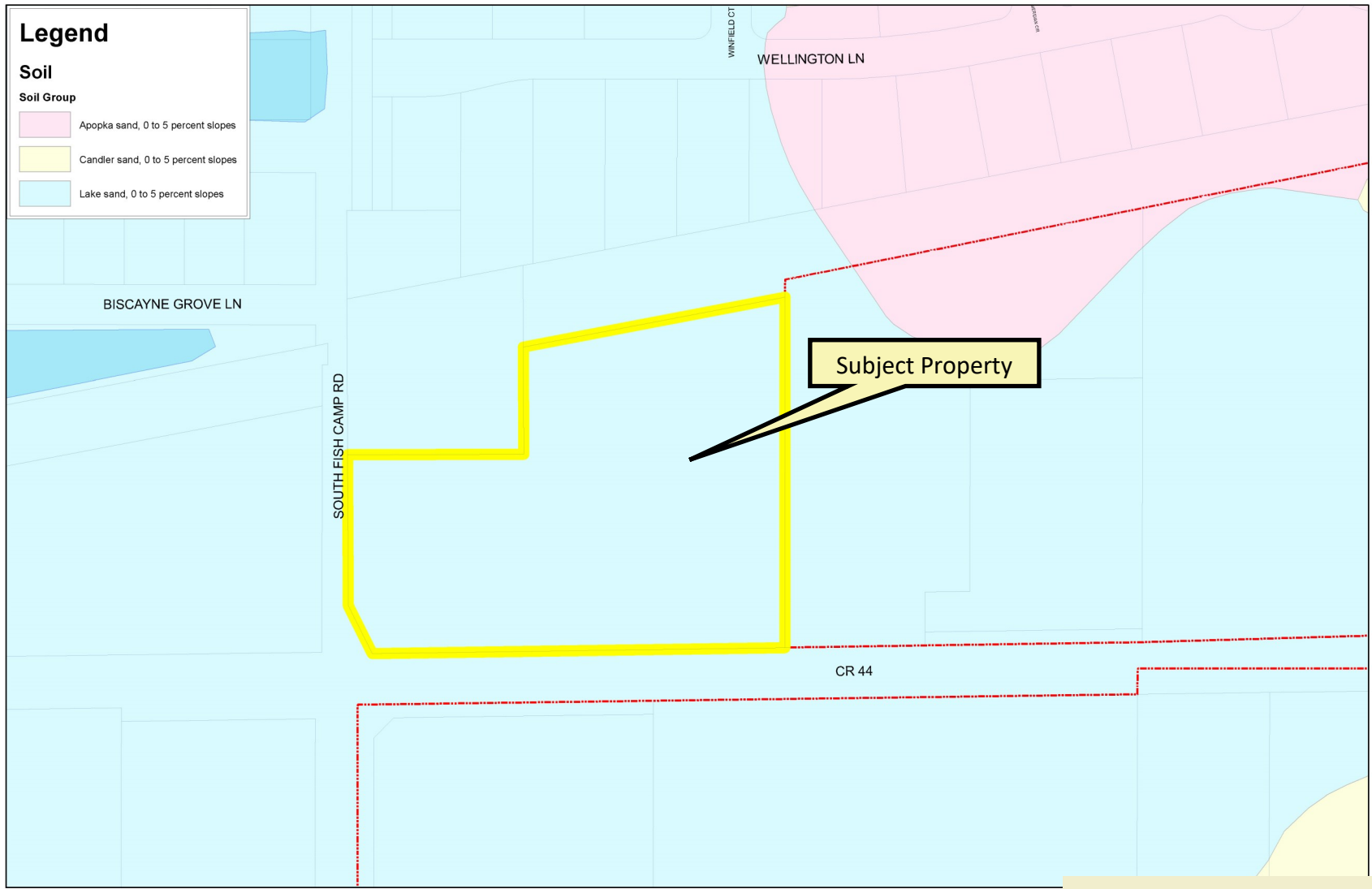


Potential Recharge Areas



Eichelberger (Novack and Sons, Inc)
Potential Recharge





USGS Soils Survey Map



Eichelberger (Novack and Sons, Inc)
USGS Soils Survey Map





Eichelberger (Novack and Sons, Inc)
Municipal Boundaries





City of Eustis

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

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: August 3, 2023

RE: Postponement of Hearings for Ordinance Numbers 23-15, 23-16, and 23-17 for Eichelberger/Novack

The noticing procedures and timelines for the referenced Ordinances were not properly met.

The applicant and their representative were notified by City Staff, on August 19, 2023, of the signposting and abutting property owner mailing deadlines. The applicant and their representative were provided the deadline of Monday, August 24, 2023. Materials for the mailing were provided and the applicant and their representative were notified that the signs were ready to pick up and post on August 19, 2023. The applicant or their representative failed to proceed until Wednesday, August 26, 2023, failing to meet the minimum 10-day notice timeframe.

Due to the failure to meet the City's 10-day notice timeframe, it is recommended that the hearing for the proposed Ordinances be postponed until September 7, 2023, to allow for re-notification.

ORDINANCE NUMBER 23-16

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187 F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 4.63 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1213177, GENERALLY LOCATED AT THE NORTHEAST CORNER OF CR 44 AT THE INTERSECTION WITH SOUTH FISHCAMP ROAD, FROM URBAN LOW IN LAKE COUNTY TO MIXED COMMERCIAL RESIDENTIAL IN THE CITY OF EUSTIS.

WHEREAS, on November 4, 2010, the Eustis City Commission adopted the City of Eustis Comprehensive Plan 2010-2035 through Ordinance Number 10-11; and

WHEREAS, the State of Florida Department of Community Affairs found the City of Eustis Comprehensive Plan 2010-2035 In Compliance pursuant to Sections 163.3184, 163.3187, and 163.3189 Florida Statutes; and

WHEREAS, the City of Eustis periodically amends its Comprehensive Plan in accordance with Chapters 163.3187 and 163.3191, Florida Statutes; and

WHEREAS, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 4.63 acres of real property located at the northeast corner of CR 44 at the intersection with South Fishcamp Road. (Alternate Key Number 1213177), and more particularly described herein as Exhibit "A"; and

WHEREAS, on August 3, 2023, the Local Planning Agency held a Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in the designation; and

WHEREAS, on August 3, 2023, the City Commission held the 1st Adoption Public Hearing to accept the Local Planning Agency's recommendation to adopt the Small-Scale Future Land Use Amendment contained herein; and

WHEREAS, on August 17, 2023, the City Commission held the 2nd Adoption Public Hearing to consider the adoption of the Small-Scale Future Land Use Amendment contained herein as Exhibit "B";

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

SECTION 1.

Land Use Designation: That the Future Land Use Designation of the real property as described below shall be changed from Urban Low in Lake County to Mixed Commercial Residential (MCR) within the City of Eustis:

Parcel Alternate Keys: 1213177

Parcel Identification Number: 32-18-26-0001-000-01200

Legal Description:

BEG ON CENTERLINE OF HWY ON W LINE OF SE 1/4 OF NE 1/4, RUN N 292.12 FT, E 219.78 FT, N TO RR, NE ALONG RR TO PT 549.5 FT E OF W LINE OF SE 1/4 OF NE 1/4, S TO HWY, W TO POB--LESS RD R/W & LESS BEG AT INTERSECTION OF N R/W LINE OF CR 44 & E'LY R/W LINE OF SOUTH FISHCAMP RD, RUN N 89-14-43 E 30 FT ALONG SAID N R/W LINE OF CR 44, N 26-40-57 W 66.72 FT TO E'LY R/W LINE OF SAID S FISHCAMP RD, S 0-02-25 W 60 FT FOR POB FOR ADDITIONAL RD R/W-- ORB 490 PG 374 ORB 1014 PG 258 ORB 1662 PG 813 ORB 4399 PG 404.

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy); and

SECTION 2.

Map Amendment and Notification: That the Director of Development Services shall be authorized to amend the Future Land Use Map of the Comprehensive Plan to incorporate the change described in Section 1 and provide appropriate notification in accordance with Florida Statutes.

SECTION 3.

Conflict: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4.

Severability: That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 5.

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

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 17th day of August 2023.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 17th day of August 2023, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

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

City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 23-16 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

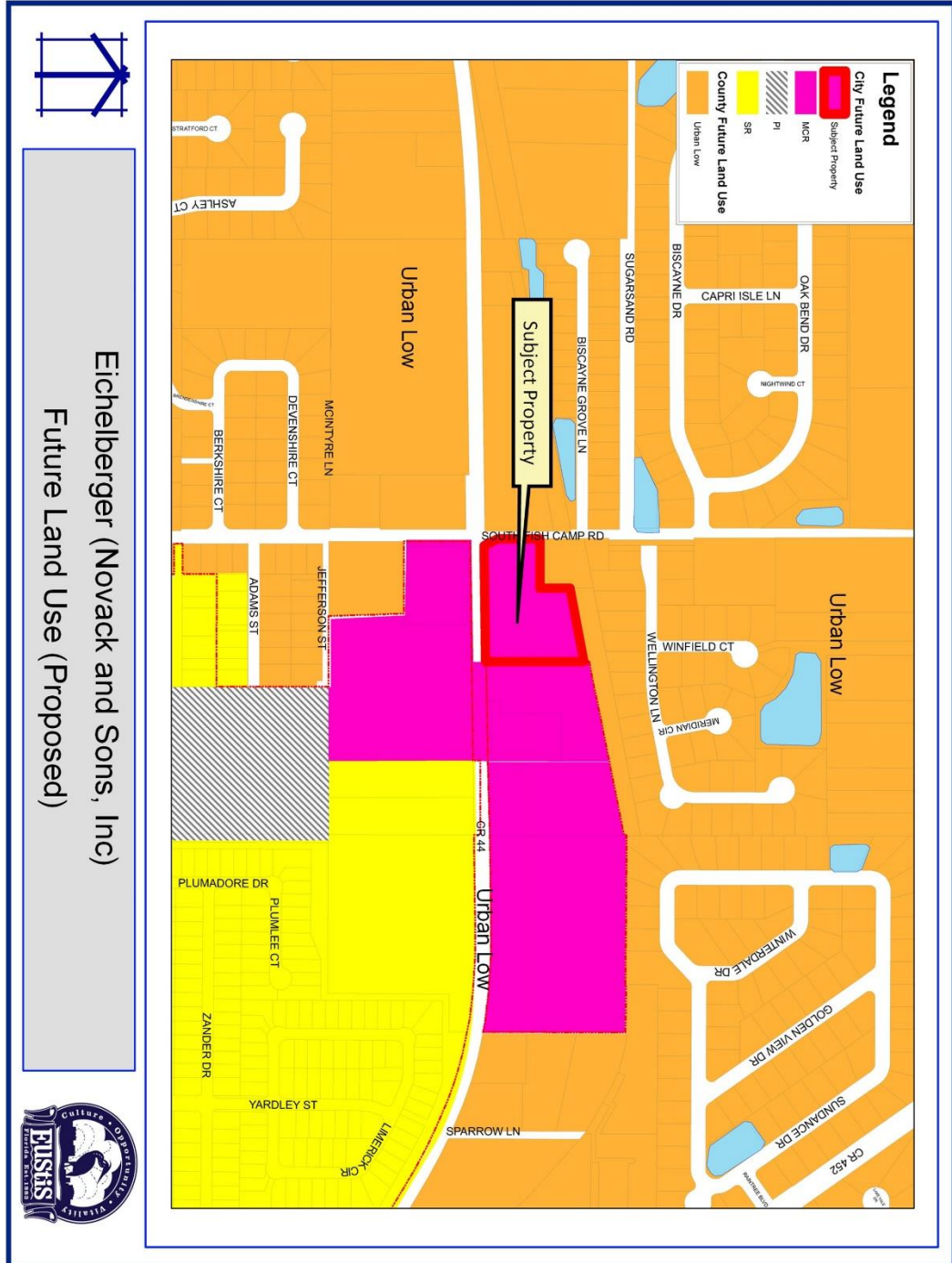
EXHIBIT "A"

Legal Description:

BEG ON CENTERLINE OF HWY ON W LINE OF SE 1/4 OF NE 1/4, RUN N 292.12 FT, E 219.78 FT, N TO RR, NE ALONG RR TO PT 549.5 FT E OF W LINE OF SE 1/4 OF NE 1/4, S TO HWY, W TO POB--LESS RD R/W & LESS BEG AT INTERSECTION OF N R/W LINE OF CR 44 & E'LY R/W LINE OF SOUTH FISHCAMP RD, RUN N 89-14-43 E 30 FT ALONG SAID N R/W LINE OF CR 44, N 26-40-57 W 66.72 FT TO E'LY R/W LINE OF SAID S FISHCAMP RD, S 0-02-25 W 60 FT FOR POB FOR ADDITIONAL RD R/W-- ORB 490 PG 374 ORB 1014 PG 258 ORB 1662 PG 813 ORB 4399 PG 404.

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

EXHIBIT "B"





City of Eustis

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

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: August 3, 2023

RE: Postponement of Hearings for Ordinance Numbers 23-15, 23-16, and 23-17 for Eichelberger/Novack

The noticing procedures and timelines for the referenced Ordinances were not properly met.

The applicant and their representative were notified by City Staff, on August 19, 2023, of the signposting and abutting property owner mailing deadlines. The applicant and their representative were provided the deadline of Monday, August 24, 2023. Materials for the mailing were provided and the applicant and their representative were notified that the signs were ready to pick up and post on August 19, 2023. The applicant or their representative failed to proceed until Wednesday, August 26, 2023, failing to meet the minimum 10-day notice timeframe.

Due to the failure to meet the City's 10-day notice timeframe, it is recommended that the hearing for the proposed Ordinances be postponed until September 7, 2023, to allow for re-notification.

ORDINANCE NUMBER 23-17

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN CORRIDOR DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 4.63 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBER 1213177, GENERALLY LOCATED THE NORTHEAST CORNER OF CR 44 AT THE INTERSECTION WITH SOUTH FISHCAMP ROAD

WHEREAS, the City of Eustis desires to amend the Design District Map of the Land Development Regulations adopted under Ordinance Number 09-33 to assign a Design District designation of Suburban Corridor to approximately 4.63 acres of recently annexed real property further described below, and

WHEREAS, on August 3, 2023, the City Commission held the 1st Public Hearing to consider the Design District Amendment contained herein; and

WHEREAS, on August 17, 2023, the City Commission held the 2nd Public Hearing to consider the adoption of the Design District Amendment contained herein;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS, FLORIDA, HEREBY ORDAINS:

Section 1. Design District Designation

That the Design District Designation of the real property described below, and more specifically in Exhibit "A", and shown on the map in Exhibit "B", shall be Suburban Corridor:

Parcel Alternate Keys: 1213177

Parcel Identification Number: 32-18-26-0001-000-01200

Section 2. Map Amendment

That the Director of Development Services shall be authorized to amend the Design District Map to incorporate the change described in Section 1.

Section 3. Conflict

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. Severability

That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

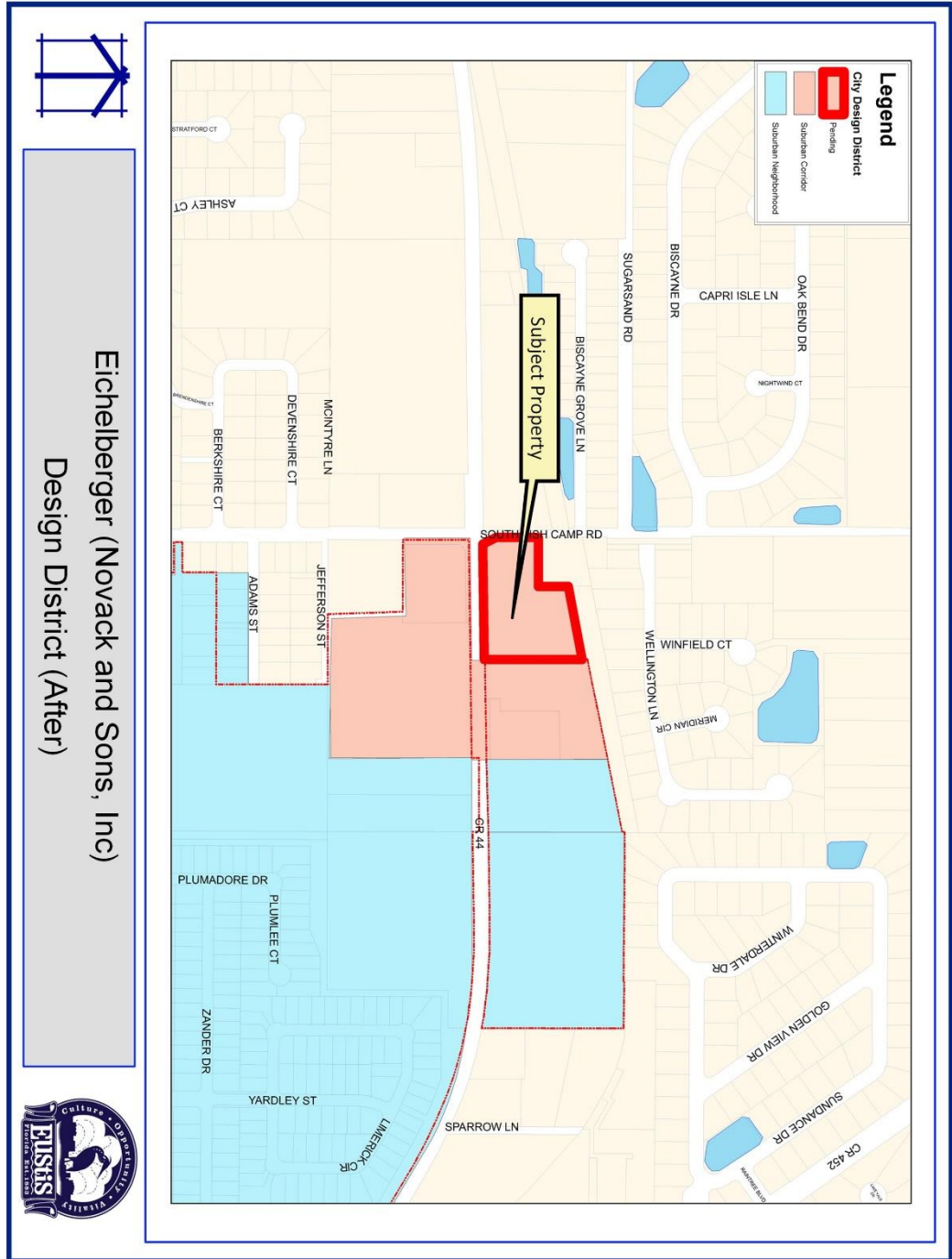
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(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

EXHIBIT "B"



Eichelberger (Novack and Sons, Inc)
Design District (After)



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: July 6, 2023

RE: **FIRST READING**

ORDINANCE NUMBERS 23-18, 23-19, AND 23-20: EXPLANATION OF ORDINANCES FOR ANNEXATION OF PARCELS WITH ALTERNATE KEYS 2666820, 3384297, 3884298, 3884439, AND 3884441

Ordinance Number 23-18 – Voluntary Annexation

Ordinance Number 23-19 – Comprehensive Plan Amendment

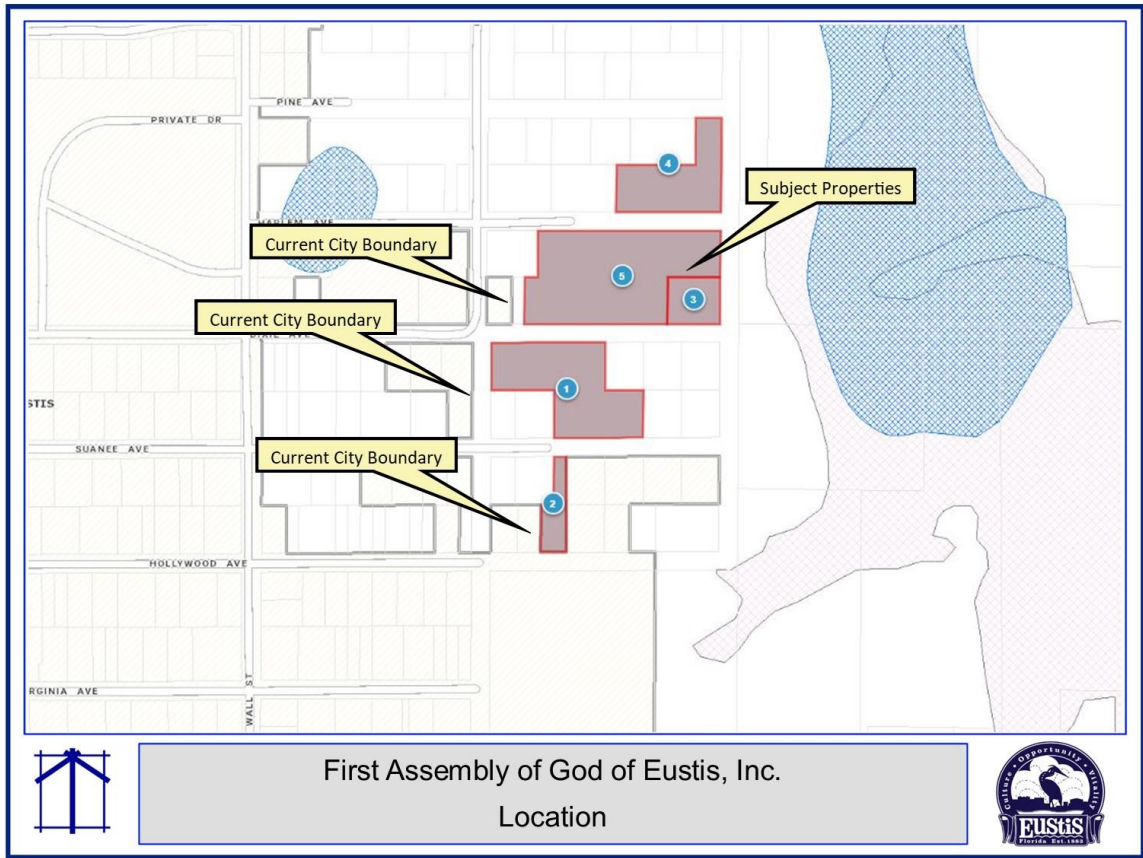
Ordinance Number 23-20 – Design District Assignment

Introduction:

Ordinance Number 23-18 provides for the voluntary annexation of approximately 5.8 acres of land located east of Coolidge Street south of the unimproved portion of Pine Avenue and north of the unimproved portion of Hollywood Avenue (Alternate Key Numbers 2666820, 3884297, 3884298, 3884439, and 3884441). Provided the annexation of the subject property is approved, via Ordinance Number 23-18, Ordinance Number 23-19 would change the future land use designation from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis, and Ordinance Number 23-20 would assign the subject property a design district designation of Suburban Neighborhood. If Ordinance Number 23-18 is denied, then there can be no consideration of Ordinance Numbers 23-19 and 23-20.

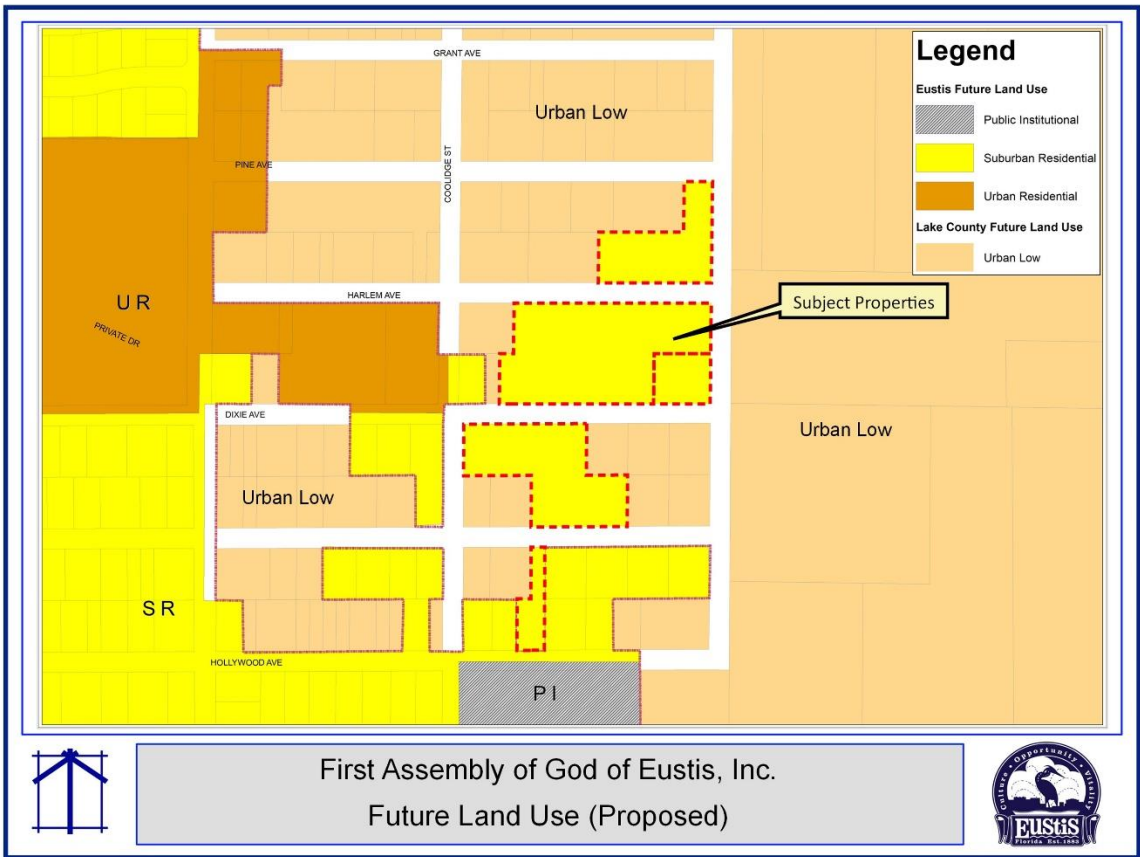
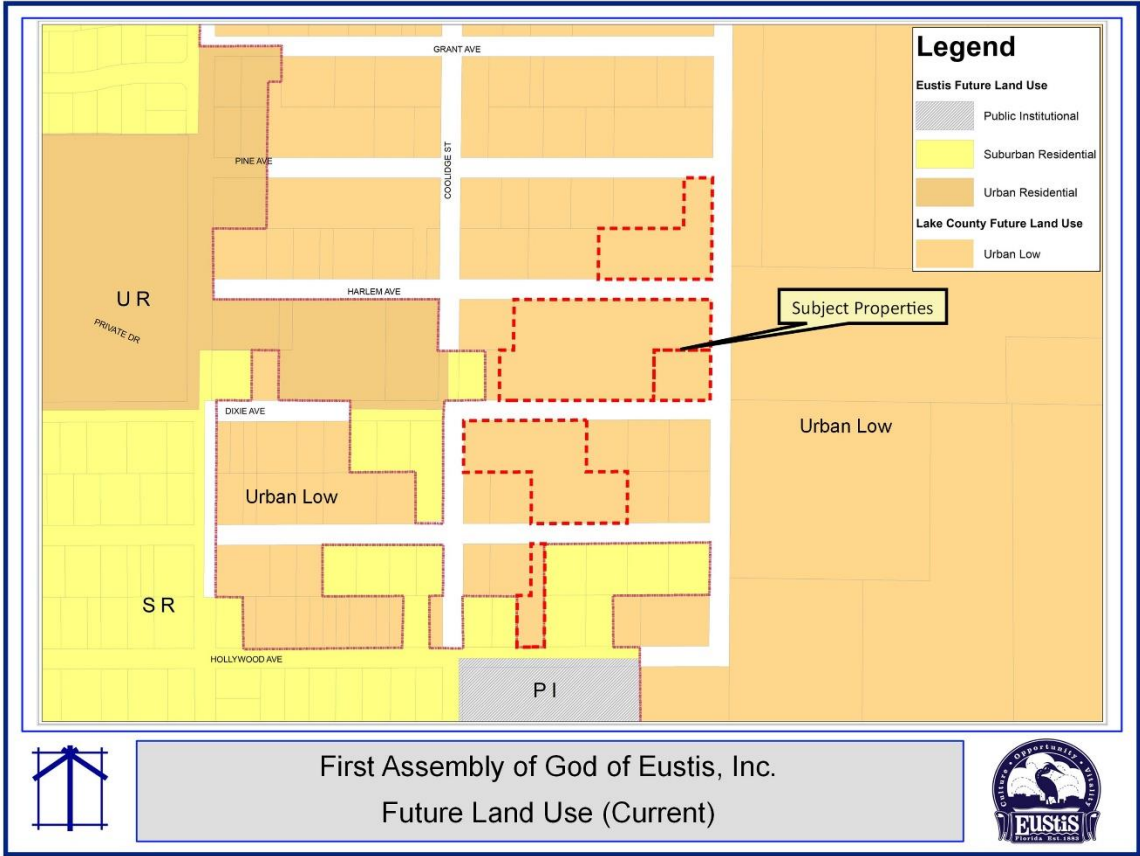
Background:

1. The site contains approximately 5.8 acres and is located within the Eustis Joint Planning Area. The properties to be annexed are a portion of the Rosenwald Gardens subdivision and a subsequent partial replat dating back to 1954. *Source: Lake County Property Appraisers' Office Property Record Card Data.*
2. The proposed annexation properties are within an enclave area of the City and are contiguous to the City boundaries at several points represented on the Location map, herein.
3. The site has a Lake County land use designation of Urban Low, but approval of Ordinance Number 23-19 would change the land use designation to Suburban Residential (SR) in the City of Eustis.



Surrounding properties have the following land use designations:

Location	Existing Use	Future Land Use	Design District
Site	Vacant	Urban Low (Lake County)	N/A
North	Single-Family/ Vacant	Urban Low (Lake County)	N/A
South	Single-Family / Vacant	Suburban Residential	Suburban Neighborhood
East	Vacant	Lake County Urban Low	N/A
West	Single-Family	Suburban Residential	Suburban Neighborhood



Applicant's Request

The applicant and property owners, First Assembly of God of Eustis, Inc., wish to annex the referenced property, change the future land use to Suburban Residential (SR), and assign a design district of Suburban Neighborhood.

The current Lake County future land use designation for the subject property is Urban Low. The Lake County land use designation allows for residential uses of up to 4 dwelling units per net buildable acre.

The property owner has requested the City of Eustis Suburban Residential future land use designation with the annexation. The SR future land use provides for residential uses up to five (5) dwelling units per acre.

Analysis of Annexation Request (**Ordinance Number 23-18**)

1. Resolution Number 87-34 – Joint Planning Area Agreement with Lake County:

“The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law.....The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area.”

The subject property is located within the Eustis-Lake County Joint Planning Area. Urban services of adequate capacity are available to serve future development, consistent with the requested Suburban Residential future land use designation.

2. Florida Statutes Voluntary Annexation - Chapter 171.044(1):

“The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.”

The Eustis-Lake County Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject property lies within that planning area; the property is part of a partial enclave, it is contiguous to the City limits at several points on the western and southern boundaries, and the owner petitioned for annexation.

3. Florida Statutes Voluntary Annexation - Chapter 171.044(2):

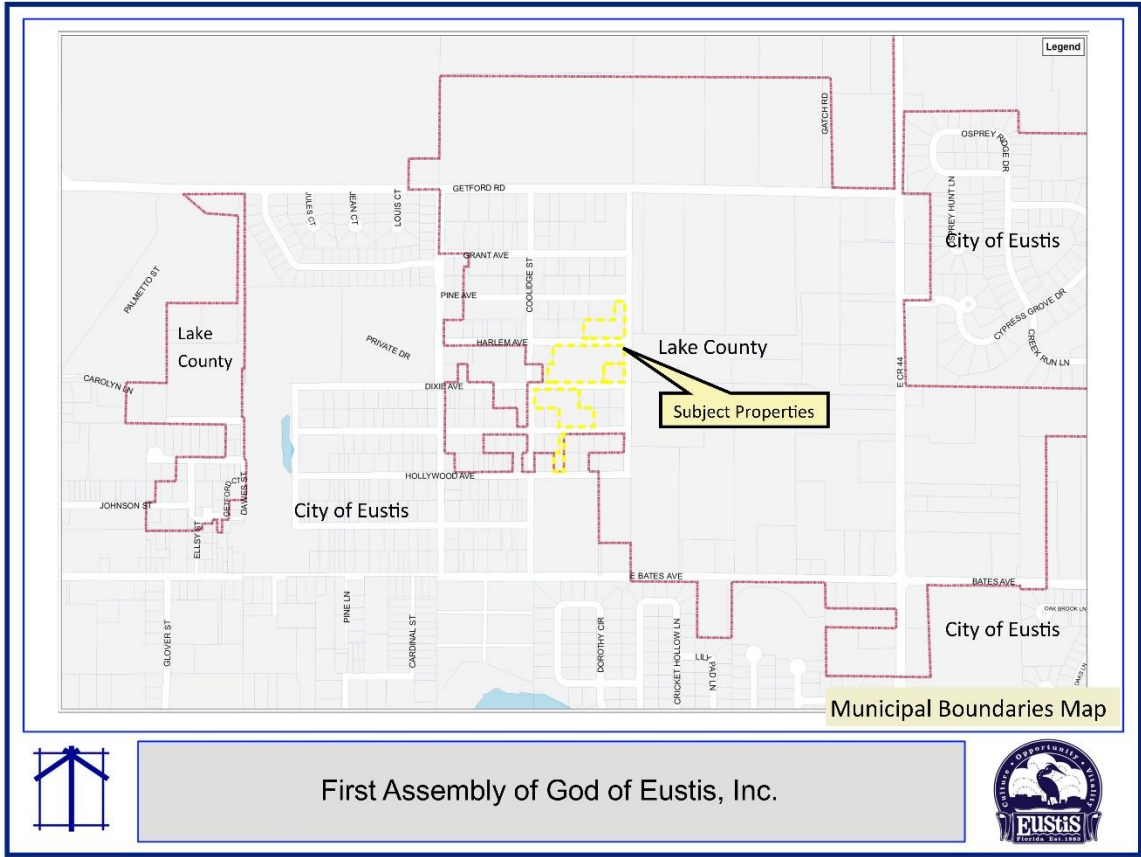
“...Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town...”

The department published notice of this annexation in the Daily Commercial following the established requirements on June 26, 2023, and again on June 30, 2023.

4. Florida Statutes Voluntary Annexation - Chapter 171.044(5):

“Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.”

Annexation of the subject property does not create an enclave as defined by the Florida Statutes. The subject properties are included in a portion of the city that can be considered a partial or open enclave.



5. Florida Statutes Voluntary Annexation - Chapter 171.044(6):

“Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located...”

The department provided notice to the Lake County Board of County Commissioners on June 16, 2023, via email and by Certified Mail on June 16, 2023.

Analysis of Comprehensive Plan/Future Land Use Request (**Ordinance Number 23-19**)

In accordance with the Florida Statutes Chapter 163.3177.9.:

Discourage Urban Sprawl:

Primary Indicators of Sprawl:

The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

Review of Indicators

1. Low Intensity Development:

Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

This indicator does not apply. The requested future land use will provide for a higher density (5 du/acre) and the SR designation allows the infill of development types similar to the existing patterns at similar densities.

2. Urban Development in Rural Areas:

Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

This indicator does not apply. The subject properties are located in an enclave area and will be requiring city services in order to develop.

3. Strip or Isolated Development:

Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

This indicator does not apply. The subject properties are located in an enclave area and will be requiring city services in order to develop. The underlying lots within the proposed annexation are that will be subject to the Suburban Residential Future land Use were platted in the early to mid-1950s.

4. Natural Resources Protection:

Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

This indicator does not apply. The subject property is not subject to floodplain impact, and does not contain wetland areas. The subject properties were originally platted in the 1950s as part of the Rosenwald Gardens subdivision. The Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.

5. Agricultural Area Protection:

Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

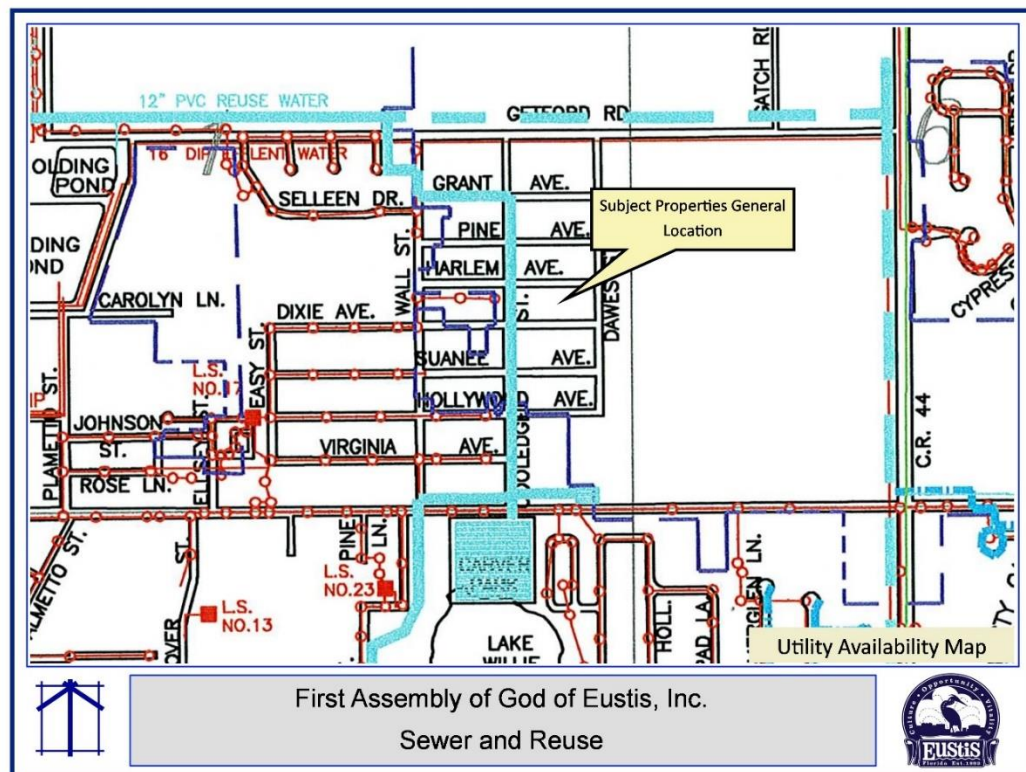
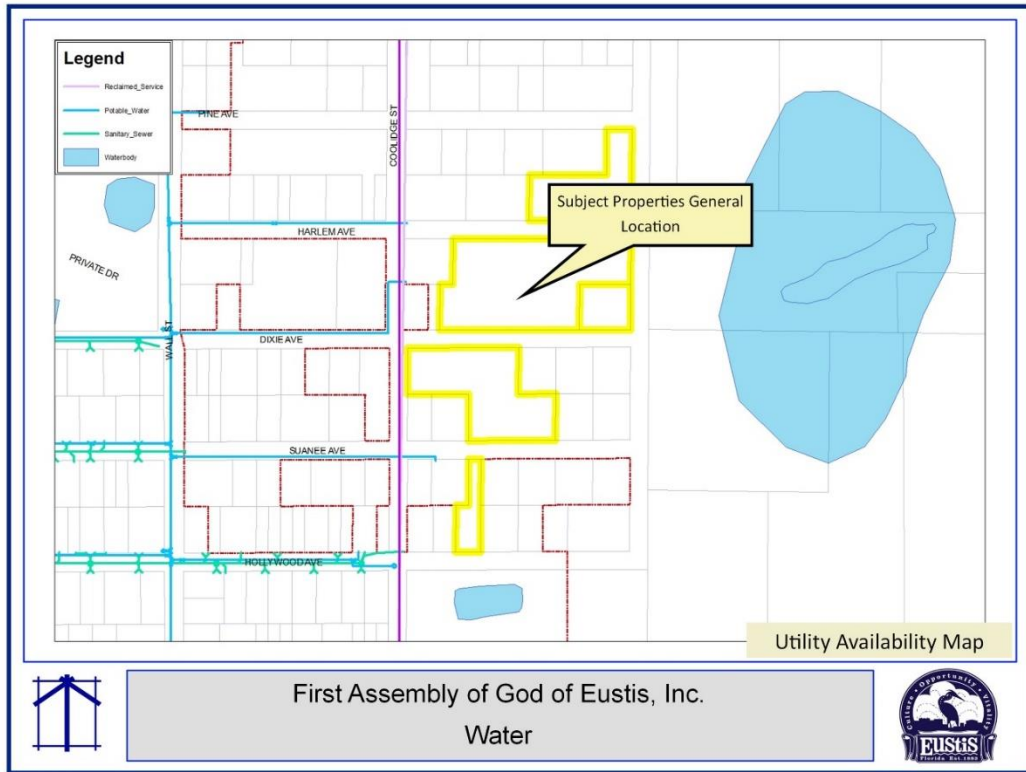
This indicator does not apply. This site and adjacent areas do not support active agricultural or silvicultural activities. The site is within an existing developed and further developing area.

6. Public Facilities:

Fails to maximize the use of existing public facilities and services.

This indicator does not apply. City water is available to serve the property. Development of this parcel will maximize the use and efficiency of the City water services. City Sewer is available with adequate capacity to serve the property and will be addressed via the site development process. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes extensive water and sewer sy

improvements. This work includes not only line improvements and extensions overall improvements to the water distribution and sewer collection systems. Improvements will also include streets, stormwater systems, and sidewalks.



7. Cost Effectiveness and Efficiency of Public Facilities:

Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

This indicator does not apply. Adequate capacity is available to serve the existing and future development.

8. Separation of Urban and Rural:

Fails to provide a clear separation between rural and urban uses.

This indicator does not apply. No nearby properties contain active agricultural activities or use. The surrounding area is developed or has development entitlements attached to the land. These developments have densities and intensities that are clearly suburban uses.

9. Infill and Redevelopment:

Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

This indicator does not apply. This property will promote infill development by allowing access to public facilities.

10. Functional Mix of Uses:

Fails to encourage a functional mix of uses.

This indicator does not apply. The site is surrounded by single-family development on the adjacent properties, which is consistent with permitted uses in the area.

11. Accessibility among Uses:

Results in poor accessibility among linked or related land uses.

This indicator does not apply. The Land Development Regulations include provisions to provide adequate access and linkage between related uses. City Departments will ensure compliance with these standards at the time of development review.

12. Open Space:

Results in the loss of significant amounts of functional open space.

This indicator does not apply. The site does not contain functional open space and is not connected to regionally significant open space. The subject properties are existing residential lots.

13. Urban Sprawl:

The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

a. Direction of Growth:

Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

The site is adjacent to existing urban/suburban development patterns and is a logical infill of the urban development boundary. The Comprehensive Plan and

Development Regulations have provisions to protect natural resource ecosystems at the time of site plan approval.

b. Efficient and Cost-Effective Services:

Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

Water and Sewer service is available. The development of the property will further encourage the efficient provision of services. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems. Improvements will also include streets, stormwater systems, and sidewalks.

c. Walkable and Connected Communities:

Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

At the time of development, the site must meet the City's Land Development Regulations including the creation of streets and street connections where they do not currently exist. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes street improvements and sidewalks.

d. Water and Energy Conservation:

Promotes the conservation of water and energy.

The development of the site must meet City development and Florida Building Code standards that will require energy and water-efficient appliances.

e. Agricultural Preservation:

Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Not applicable; this site and adjacent areas do not support active agricultural or silvicultural activities. The site is within an existing developed residential area.

f. Open Space:

Preserves open space and natural lands and provides for public open space and recreation needs.

This is not applicable. The site does not provide functional open space or natural areas on a regional basis.

g. Balance of Land Uses:

Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

The proposed land use is consistent with the surrounding area the site is not positioned to front primary or secondary corridors that would encourage commercial development.

h. Urban Form Densities and Intensities:

Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides

for an innovative development pattern such as transit-oriented developments or ne as defined in s. 163.3164.

Not applicable.

In Accordance with Comprehensive Plan Future Land Use Element Appendix:

All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the Map #1: 2035 Future Land Use Map by changing the land use designation assigned to a parcel of property shall also be reviewed to determine and assess any significant impacts to the policy structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

Major Categories of Plan Policies:

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the major categories of Plan policies as follows:

1. General Public Facilities/Services:

Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The facilities and services required for analysis include emergency services, parks and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

a. Emergency Services Analysis:

Eustis Emergency Services already provide emergency response to other properties in the area. Any development consistent with the Suburban Residential future land use designation would not have a significant negative impact on the operations of Eustis emergency services.

b. Parks & Recreation:

In 2010, the City prepared a Park Inventory and Level of Service Demand and Capacity analysis as part of the Comprehensive Plan Evaluation and Appraisal Report. The results show that a surplus of park area exists up to and beyond the City's population of 20,015. The current population is approximately 24,500. Pursuant to Comprehensive Plan policies and Land Development Regulations, residential development will be required to provide on-site park amenities.

c. Potable Water & Sanitary Sewer:

Water and sewer are available to the subject property. Both the water and sewer systems have adequate capacity to serve the development of the property. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems.

d. Schools:

The proposed change should not negatively impact schools. At the time of development application verification of capacity will be required from Lake County Schools.

e. Solid Waste:

The City contracts with Waste Management for the hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in the delivery of services.

f. Stormwater:

The Comprehensive Plan and Land Development Regulations include the level of service standards to which new development must adhere. Projects designed to meet these standards will not negatively affect the existing facilities and services. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes improvements and additions to address stormwater management for the vicinity.

g. Transportation Network Analysis:

This potential annexation and the subsequent development of the property will not add additional impacts as the parcels being annexed include existing platted lots.

2. Natural Resources/Natural Features:

The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan. Specifically, each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued natural functioning of flood plains; and 4) the suitability of the soil and topography to the development proposed.

a. Groundwater recharge areas:

The site may be within a recharge area, and a site-specific geotechnical and hydrologic study will be needed to determine the site-specific impact at the time of development. Source: Lake County Comprehensive Plan 2030 Floridian Aquifer Recharge Map.

b. Historical or archaeological sites:

The City does not have any record of Florida Master Site Files related property and no known historical or cultural resources exist.

c. Flood zones:

The subject property is not impacted by a 100-year flood zone area. Source - Lake County GIS - 2012 Flood Zones.

d. Soil and topography:

The site soils are primarily Myakka sands. These sands are all typically moderately to poorly drained soils.

3. Comprehensive Plan Review:

Additional criteria and standards are also included in the Plan that describe when, where, and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the compatibility of the use, intensity, location, and timing of the proposed amendment.

Existing Land Use According to the Lake County Comprehensive Plan:

The existing Lake County future land use designation of the property is Urban Low, which provides for residential uses at up to 4 dwelling units per acre as well as supporting commercial and institutional uses.

Proposed Land Use According to the Eustis Comprehensive Plan:

The Suburban Residential (SR) land use designation is provided to accommodate the majority of residential development within the City. The general range of uses include: a mix of single family detached, patio home, and townhouse dwellings in a suburban atmosphere and may also include ACLF, parks and recreation facilities, and schools. Apartments may be permitted through the PUD process. Public and utility services and facilities that are 2 acres or less in size are also permitted. Suburban Residential lands may be developed up to a maximum density of 5 dwelling units per net buildable acre.

Comparison of Lake County Development Conditions

The land use designations of residential properties within the City of Eustis in the surrounding area are generally Suburban Residential (SR) with a maximum density of 5 dwelling units per acre (du/ac).

The surrounding properties, immediately adjacent to the north and east, are unincorporated areas are designated Urban low with a maximum density of 4 dwelling units per net buildable acre.

Proposed Residential Land Uses.

The City shall limit these uses adjacent to incompatible commercial or industrial lands unless sufficient mitigation, such as buffering and setbacks is provided and available, which lessens the impact to the proposed residences.

This area is predominantly residential in nature the proposed use of the land will continue to be residential.

Proposed Non-Residential Land Uses.

The City shall generally not permit new industrial uses to be located adjacent to existing or planned residentially designated areas.

Not applicable.

1. Transportation:

Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.

The use of the land is already residential in nature and was previously platted the increase in traffic should be negligible.

2. Water Supply:

Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

City water service and other services are available. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.

In Accordance with Chapter 102-16(f), Land Development Regulations

Standards for Review:

In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

a. *Consistent with Comprehensive Plan:*

Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan.

b. *In Conflict with Land Development Regulations:*

Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

The proposed amendment is not in conflict with the Land Development Regulations. At the time of development, there will be further review for compliance.

c. *Inconsistent with Surrounding Uses:*

Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The existing land uses in the immediate area are residential and the proposed use of the land is continued residential.

d. *Changed Conditions:*

Whether there have been changed conditions that justify an amendment.

The applicant wishes to annex the property into the City limits of Eustis. Assignment of a City of Eustis future land use designation is required. Upon annexation, the subject property will have a full array of municipal services, including central water. These changed conditions warrant a change in the land use designation.

e. *Demand on Public Facilities:*

Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

City water and sewer services are available and, in close proximity to the site. Adequate capacity is available to serve future development consistent with the requested Suburban Residential future land use designation. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems. Improvements will also include streets, stormwater systems, and sidewalks.

Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.

f. *Impact on Environment:*

Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

The site contains no apparent natural resources and is not connected to significant open space.

g. *Orderly Development Pattern:*

Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

The site is contiguous to the City limits. The development patterns already exist in the area and the future building on the previously platted lots will not cause incompatibilities with those development patterns.

h. Public Interest and Intent of Regulations:

Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

The purpose and intent of the Land Development Regulations is as follows:

“The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the City's Comprehensive Plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small-town community character and lifestyle.”

The requested designation of SR land use will provide for orderly growth and development. This designation would advance the public interest by potentially providing additional housing, and the application of the LDRs to future development will ensure consistency with the community character and lifestyle of the city.

i. Other Matters:

Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

No other matters.

Analysis of Design District Request (**Ordinance Number 23-20**):

Form-Based Code:

The City's Land Development Regulations is a form-based code. Design districts are unique to form-based codes. Lake County still uses traditional Euclidean zoning, so there are no design districts for parcels in unincorporated Lake County. When a parcel annexes into the City of Eustis, the City must assign a consistent design district that follows the urban, suburban, and rural transect

1. Standards for Review:

The Land Development Regulations include the following standards for review of an amendment to the Design District Map. In approving a change in the designation, the City Commission shall consider: Whether the amendment is in conflict with any applicable provisions of the Code.

a. Section 102-17(a) "...Section 109-3 Design Districts:

identifies the definition, structure, and form of each design district. The assignment of design district must follow the district pattern and intent.”

The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Neighborhood). The Suburban development pattern and intent, and the Suburban neighborhood definition, structure, and form description are stated below. The assignment of a Suburban Neighborhood design district designation is appropriate due to the established and proposed development patterns in the area.

b. *Sec. 109-3.4. Suburban development pattern intent statements:*

Intent. Suburban development pattern...relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. The street layout, comprised of streets with fewer vehicular connections, helps to reduce cut-through traffic and establishes distinct boundaries for residential communities/subdivisions. Each land use provides for pedestrian and bicycle connections.

Design districts – Suburban Neighborhood

a. Definition. Predominately residential uses with some neighborhood-scale commercial services.

b. Structure. Interconnected trails, bikeways, and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

c. Form. Mix of detached residential uses with some neighborhood-supporting retail, parks and civic spaces as focal points in the neighborhoods.

The Suburban development patterns statement above indicates that residential uses are primarily located on streets with fewer vehicle connections. A Suburban Neighborhood designation follows the district pattern and intent outlined in the Land Development Regulations and is consistent with the existing transect in the area.

c. **Section 102-17(a)**

The following guidelines must be followed when proposing the reassignment of the design district:

Compatible intensities should face across streets. Changes in design districts should occur along rear alleys or lanes or along conservation edges.

Reassignment is not being proposed; a Eustis design district designation must be assigned to annexed property; the proposed design district is compatible with the surrounding design districts.

d. *Consistent with Comprehensive Plan:*

Whether the proposed amendment is consistent with all elements of the comprehensive plan.

The requested amendment is consistent with the Future Land Use element (including Policy FLU 1.2.4, Development Patterns, and FLU 1.3.2. Maintain Residential Compatibility), as well as all other elements of the Comprehensive Plan.

e. *Consistent with Surrounding Uses:*

Whether, and the extent to which, the proposed design district is consistent with existing and proposed land uses.

The Suburban Neighborhood definition, structure, and form are compatible with the existing uses and any proposed uses permitted under the Suburban Residential future land use designation.

f. **Changed Conditions:**

Whether there have been changed conditions that justify amending the design district.

The subject property is proposed for annexation and a design district assignment is necessary. The conditions have changed from land located in unincorporated Lake County without central services to a site within the City of Eustis with municipal services.

g. Public Facilities.

Whether, and the extent to which, the proposed redistricting would result in demands on public facilities, and whether, or to the extent to which, the proposed change would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

A redistricting is not proposed. Assigning a design district to an annexation property will not change the demand impact on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond that already anticipated. Also, see the analysis of public facilities in the above sections of this report.

h. Impact on Environment:

Whether, and the extent to which, the redistricting would result in significant impacts on the natural environment.

The proposed Design District designation for this property does not change the development potential of the parcel. Design Districts control the form and function of any development that does occur. The Future Land Use designation controls the density, intensity, and minimum open space permitted on the site, so the Design District amendment would not result in additional impacts on the natural environment. As building permit approval must be obtained before development can begin, the Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.

i. Property Values:

Whether, and the extent to which, the proposed redistricting would affect the property values in the area.

Redistricting is not being proposed; a Eustis design district designation must be assigned to the annexed property. This request should not affect property values, because the proposed Design District designation is consistent with the surrounding development patterns and design districts.

j. Orderly Development Pattern:

Whether, and the extent to which, the proposed redistricting would result in an orderly and logical development pattern.

The request is the assignment of a design district to an annexation parcel, not redistricting. However, the proposed Design District designation is consistent with the suburban development pattern identified in Section 109-5.5 of the Land Development Regulations. Assignment of the requested designation will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.

k. *Public Interest and Intent of Regulations:*

Whether the proposed redistricting would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

The request is the assignment of a design district to an annexation parcel, not redistricting. The proposed Design District is not in conflict with the public interest and reflects the purpose and intent of the regulations.

l. *Other Matters:*

Any other matters that may be deemed appropriate by the city commission, in review and consideration of the proposed redistricting.

The request is the assignment of a design district to an annexation parcel, not redistricting. The City's Land Development Regulations are a form-based code. The Design District designations define the development form, but not the types of land use, densities, intensities, or required open space. The districts, therefore, must be consistent and follow the urban, suburban, and rural transects. This request assigns a Suburban Neighborhood design district designation to an annexation parcel, which is consistent with the existing transect.

Applicable Policies and Codes

1. Resolution Number 87-34

Joint Planning Area Agreement with Lake County: "The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law..... The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area."

2. Florida Statutes Chapter 171.044: Voluntary Annexation:

- a. "The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality."
- b. "Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves."

3. Comprehensive Plan – Suburban Residential (SR)

This designation is provided to accommodate the majority of residential development within the City.

General Range of Uses: This designation is intended to provide for a mix of single-family detached, patio home, and townhouse dwellings in a suburban atmosphere and may also include ACLF, parks and recreation facilities, and schools. Apartments may be permitted through the PUD process. Public and utility services and facilities that are 2 acres or less in size are also permitted.

Maximum Density/Intensity: Suburban Residential lands may be developed up to a maximum density of 5 dwelling units per net buildable acre. The maximum density may be exceeded through an affordable housing density bonus as provided in the Special Provisions below.

Special Provisions:

- (1) Density bonuses are permitted for the provision of affordable housing, including opportunities for a bonus increase between 5-15 percent in density in the Suburban Residential (SR) classification where at least 20 percent of the dwelling units are affordable to families having incomes less than 80 percent of the Orlando Metropolitan Statistical Area median, or where at least 50 percent of the dwelling units are affordable to families having incomes less than 120 percent of the Orlando Metropolitan Statistical Area median. Affordability is based on a housing cost-to-family income factor of 30 percent. A density bonus may also be allowed for energy conservation or green certification as provided for in the LDRs. The combined density bonus for affordable housing and energy conservation/green certification is limited to a total increase of 15%.
 - (2) Permit the placement of residential units manufactured off site which otherwise meet all applicable federal and state regulations and standards, provided that:
 - a. all such housing is attached to foundations as in the case of conventional site-built construction; and
 - b. all such housing otherwise meets applicable lot, yard, and related residential classification as set forth in the Land Development Regulations.
 - (3) Developments within the Wekiva Protection Overlay that include longleaf pine, sand hill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.
4. Land Development Regulations Section 109-5.5(b)(1): The Suburban Neighborhood Design District has predominately residential uses with some neighborhood-scale commercial services with interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.
 5. Land Development Regulations Section 109-3 (Table 1) and Section 109-2.6: Suburban Residential land use has a maximum density of 5 units to one acre. The Suburban Residential designation is intended to regulate the character and scale of allowed uses so as to minimize their impacts on adjacent roadways and promote their compatibility with adjacent or nearby land uses.

Recommended Action:

Development Services recommends approval of Ordinance Numbers 23-18, 23-19, and 23-20.

Policy Implications:

None

Alternatives:

1. Approve Ordinance Numbers 23-18 (Annexation), 23-19 (Comp. Plan Amendment), and 23-20 (Design District Designation).
2. Deny Ordinance Numbers 23-18, 23-19, and 23-20.

Budget/Staff Impact:

There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

Prepared By:

Jeff Richardson, AICP, Deputy Development Services Director

Reviewed By:

Mike Lane, AICP, Development Services Director

Heather Croney, Senior Planner

ORDINANCE NUMBER 23-18

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 5.8 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBERS 2666820, 3884297, 3884298, 3884439, AND 3884441 GENERALLY LOCATED EAST OF COOLIDGE STREET SOUTH OF THE UNIMPROVED PORTION OF PINE AVENUE AND NORTH OF THE UNIMPROVED PORTION OF HOLLYWOOD AVENUE.

WHEREAS, The First Assembly of God of Eustis, Inc, as the legal owners of record, have made an application for voluntary annexation of approximately 5.8 acres of real property located east of Coolidge Street south of the unimproved portion of Pine Avenue and north of the unimproved portion of Hollywood Avenue, more particularly described as:

Parcel Alternate Keys: 2666820, 3884297, 3884298, 3884439, AND 3884441

Parcel Identification Number: 01-19-26-1000-00G-01900, 01-19-26-1000-00F-01700, 01-19-26-1000-00G-00500, 01-19-26-0600-010-00600 and 01-19-26-0600-011-00100

Legal Description:

Parcel 1

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 19, 20, 21, 22BLK G PB 12 PG 84 ORB 5400 PG 897

Parcel 2

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 BLK F PB 12 PG 84 ORB 4933 PGS 1841 1846

Parcel 3

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 5, 6, 7, 8, 9, 10,11, 12, 13, 14, 15, 16, 17, 18, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 BLKG PB 12 PG 84 ORB 4933 PGS 1841 1846

Parcel 4

ROSENWALD GARDENS LOTS 6, 23, 24 BLK 10 PB 5 PG 61 ORB 4933PGS 1841 1846

Parcel 5

ROSENWALD GARDENS LOTS 1 TO 9 INCL, LOTS 24 TO 30 INCL BLK11 PB 5 PG 61 ORB 4933 PGS 1841 1846

(The foregoing legal descriptions were copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy); and

WHEREAS, the subject property is reasonably compact and contiguous and continues the incorporation of enclave properties; and

WHEREAS, the annexation of this property will not result in the creation of enclaves; and

WHEREAS, the subject property is located within the City of Eustis Planning Area, and water service is available to the property; and

WHEREAS, on August 3, 2023, the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

WHEREAS, on August 17, 2023, the City Commission held the 2nd Public Hearing to consider the voluntary annexation of the property contained herein

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

SECTION 1.

That pursuant to, and under the authority of, Florida Statute 171.044, the City of Eustis, Lake County, Florida, does hereby annex and amend the municipal boundaries to include approximately 5.8 acres of real property, as described above.

A map depicting the location of the annexed property described above is attached hereto as Exhibit "A".

SECTION 2.

That the Director of Development Services shall be authorized to amend the City of Eustis Boundary Map to incorporate the change described in Section 1.

SECTION 3.

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4.

That upon final passage and adoption, the City Clerk is hereby directed to file a copy hereof with the Clerk of the Circuit Court, the County Manager for Lake County, Florida, and the Department of State for the State of Florida within 7 days after the adoption of such ordinances.

SECTION 5.

That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 6.

That this Ordinance shall become effective upon passing.

SECTION 7.

That the property annexed in this Ordinance is subject to the Future Land Use Element of the Lake County Comprehensive Plan until the City adopts the Comprehensive Plan Amendment to include the annexed parcel in the City Comprehensive Plan.

PASSED, ORDAINED, AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 17th day of August 2023.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 17th day of August 2023, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the Eustis City Commission but I have not performed an independent title examination as to the accuracy of the legal description.

City Attorney's Office

Date

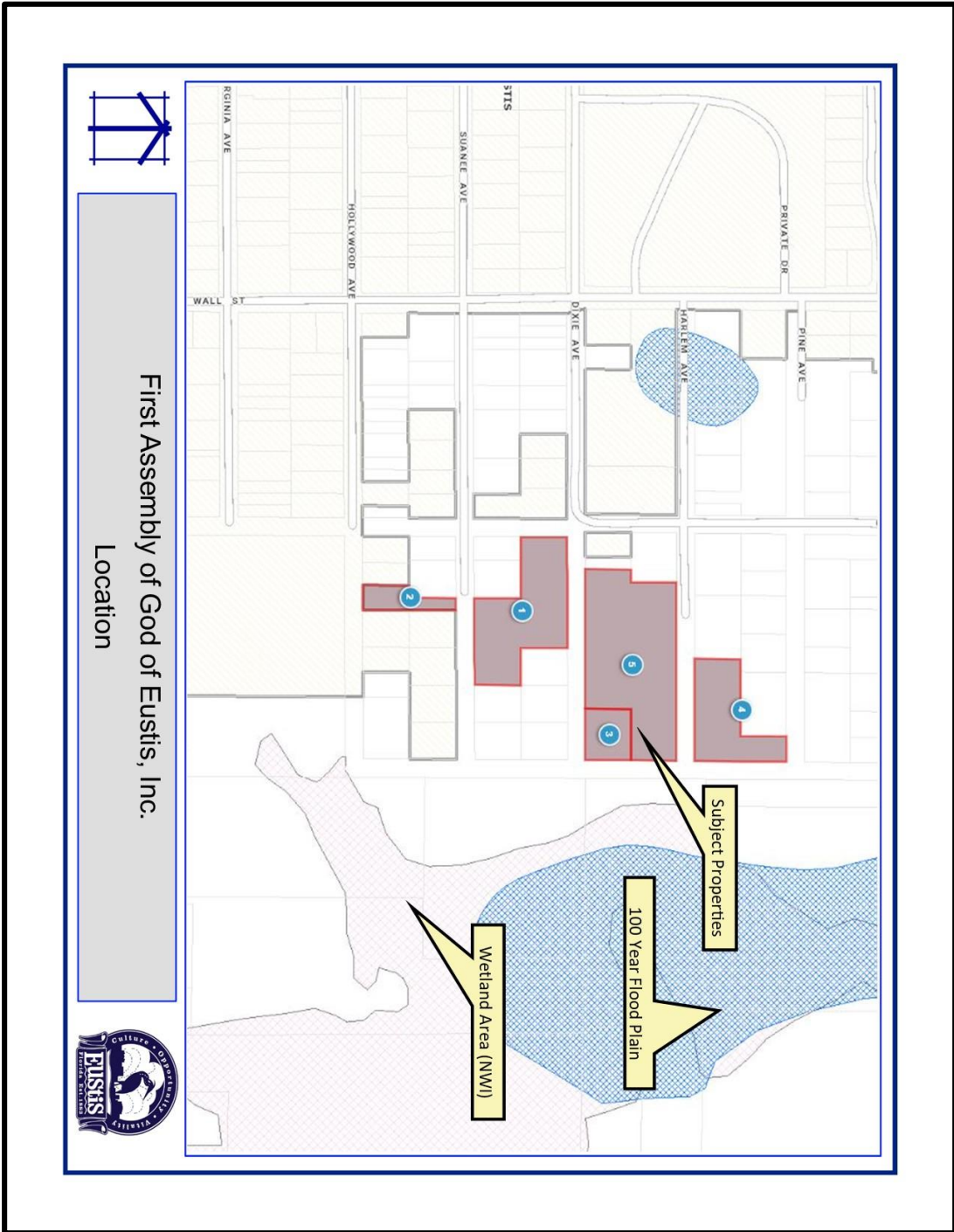
CERTIFICATE OF POSTING

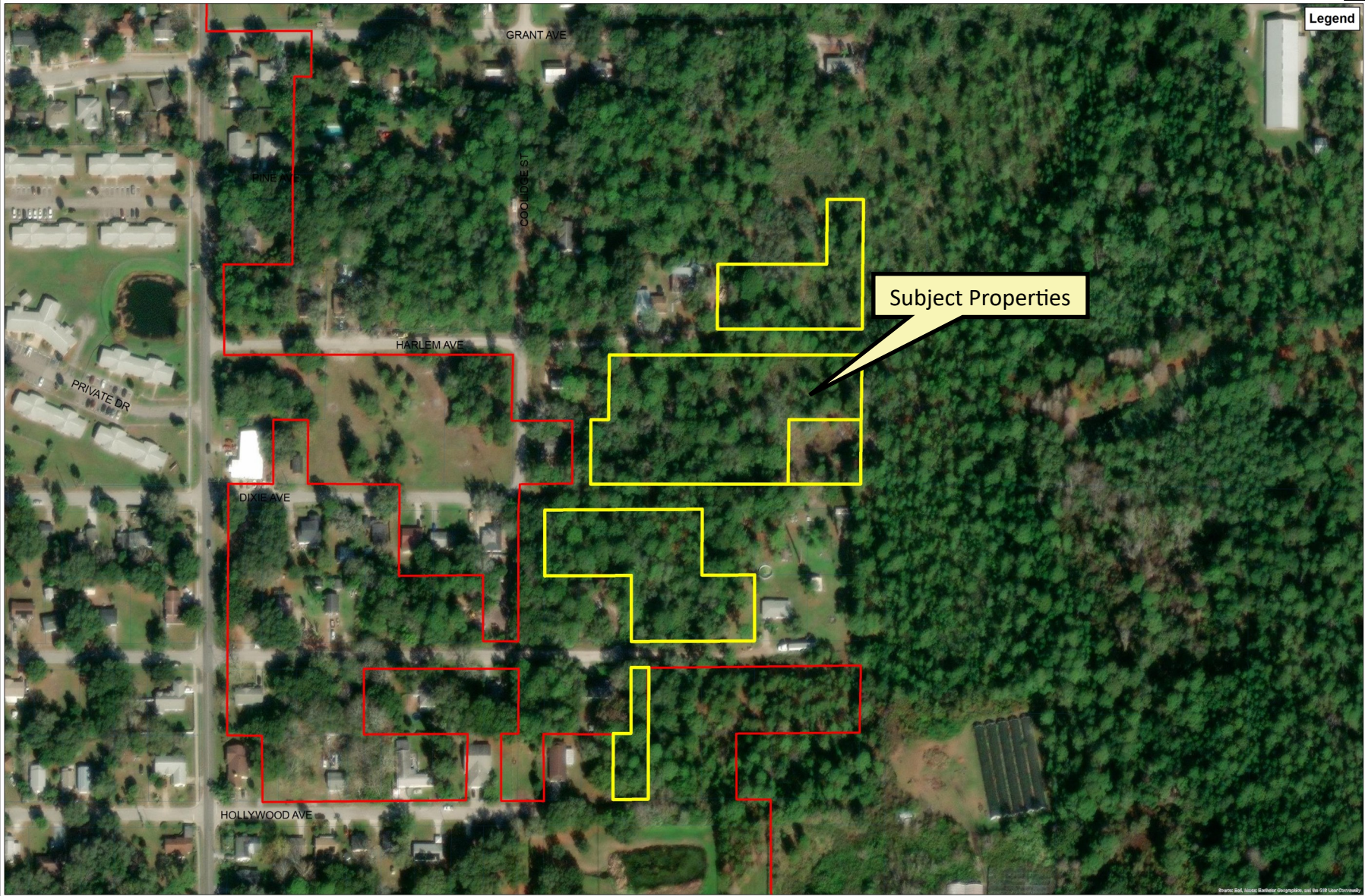
The foregoing Ordinance Number 23-18 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

EXHIBIT "A"

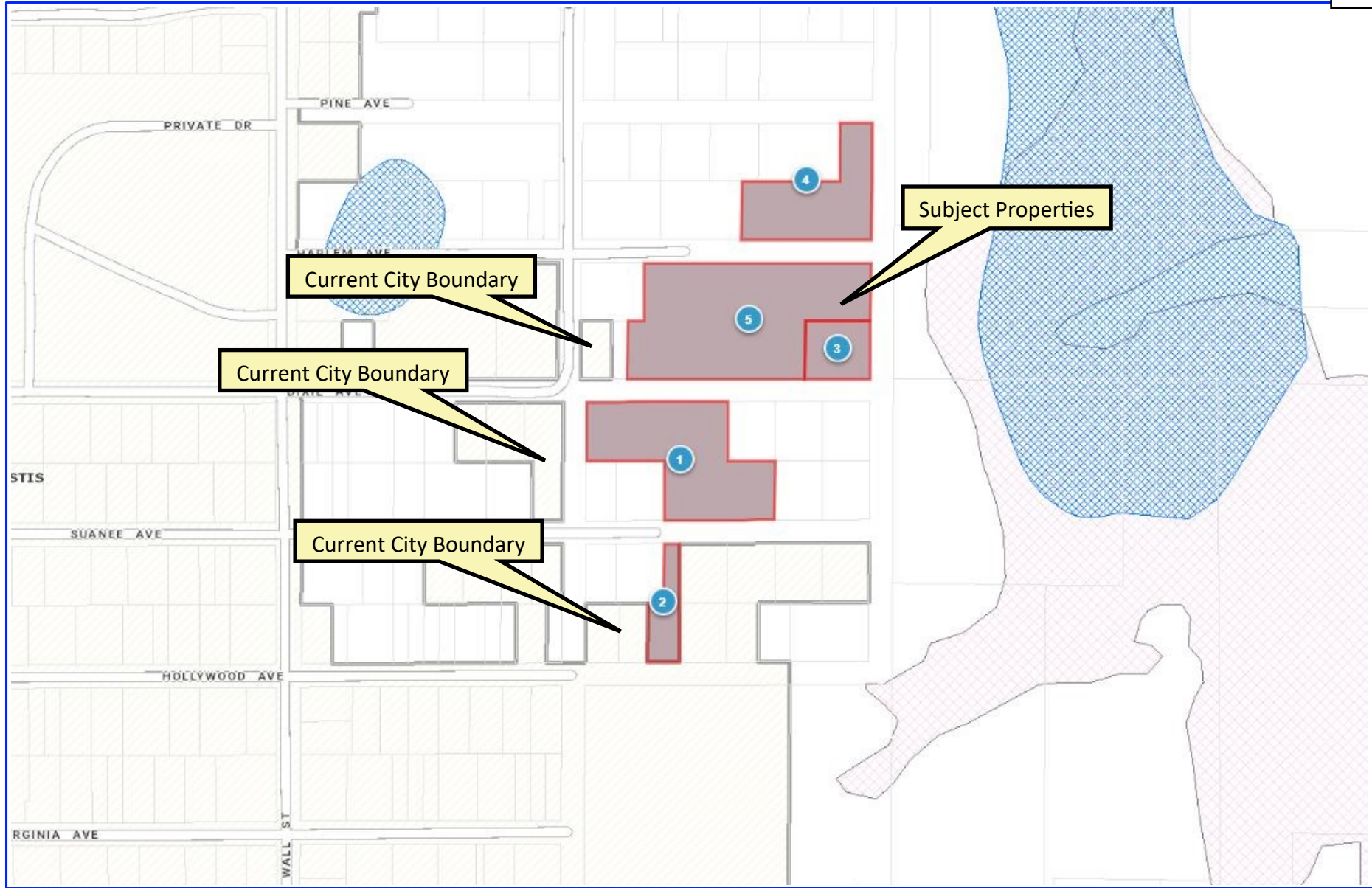
GENERAL LOCATION MAP





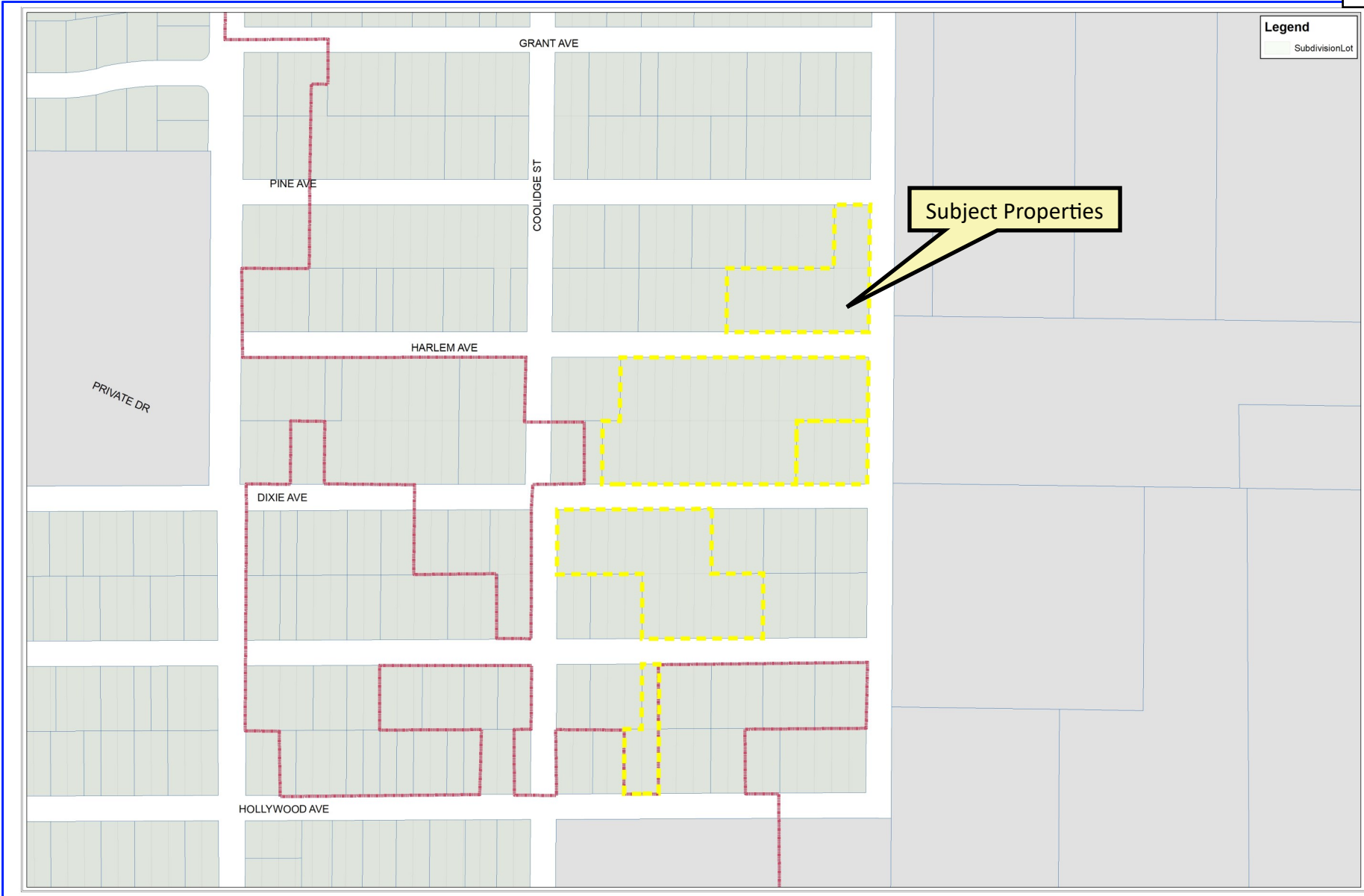
First Assembly of God of Eustis, Inc.
Aerial Location





First Assembly of God of Eustis, Inc.
Location





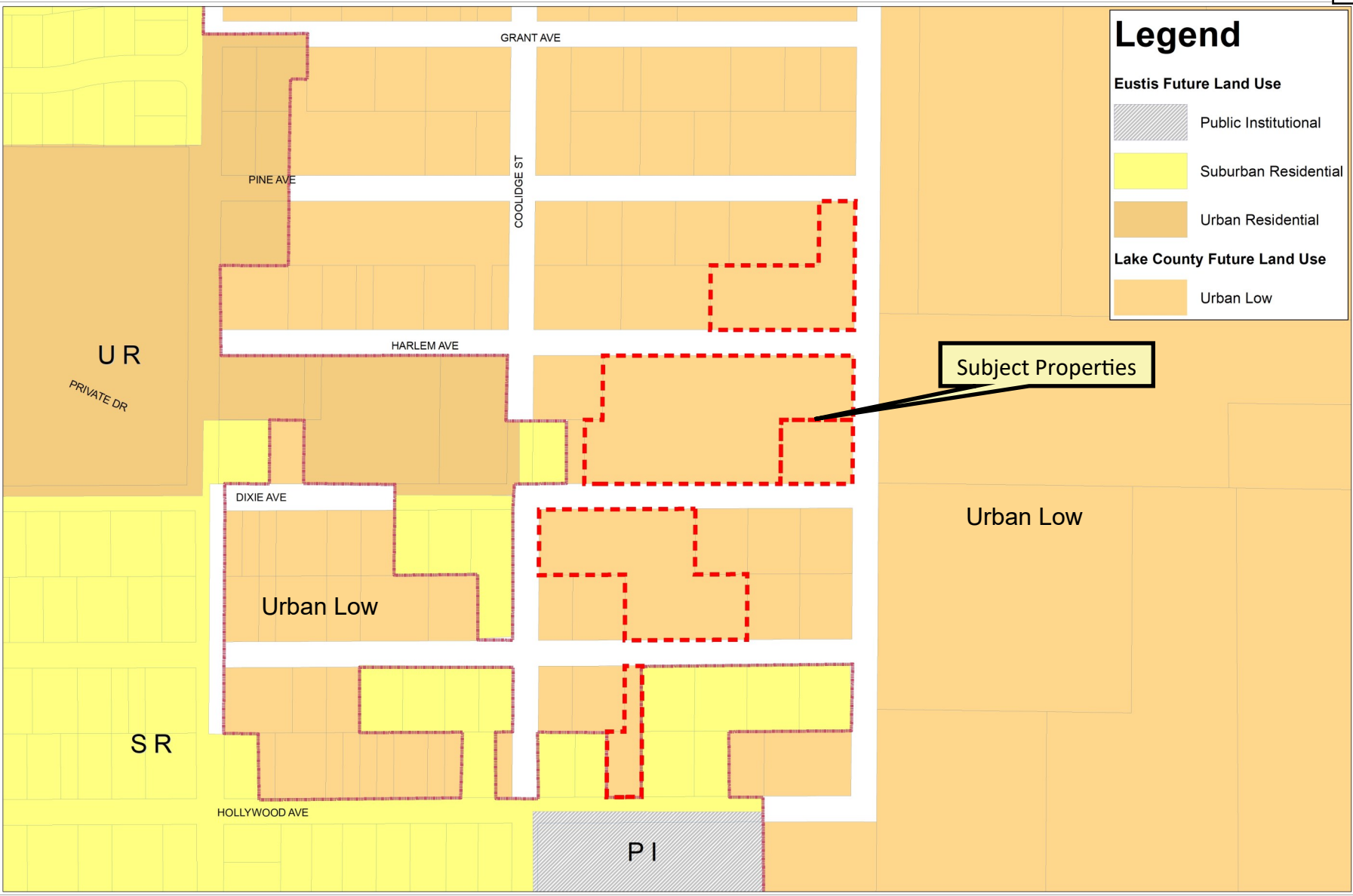
Subject Properties

Legend
SubdivisionLot



First Assembly of God of Eustis, Inc.
Underlying Platted Lots





Legend

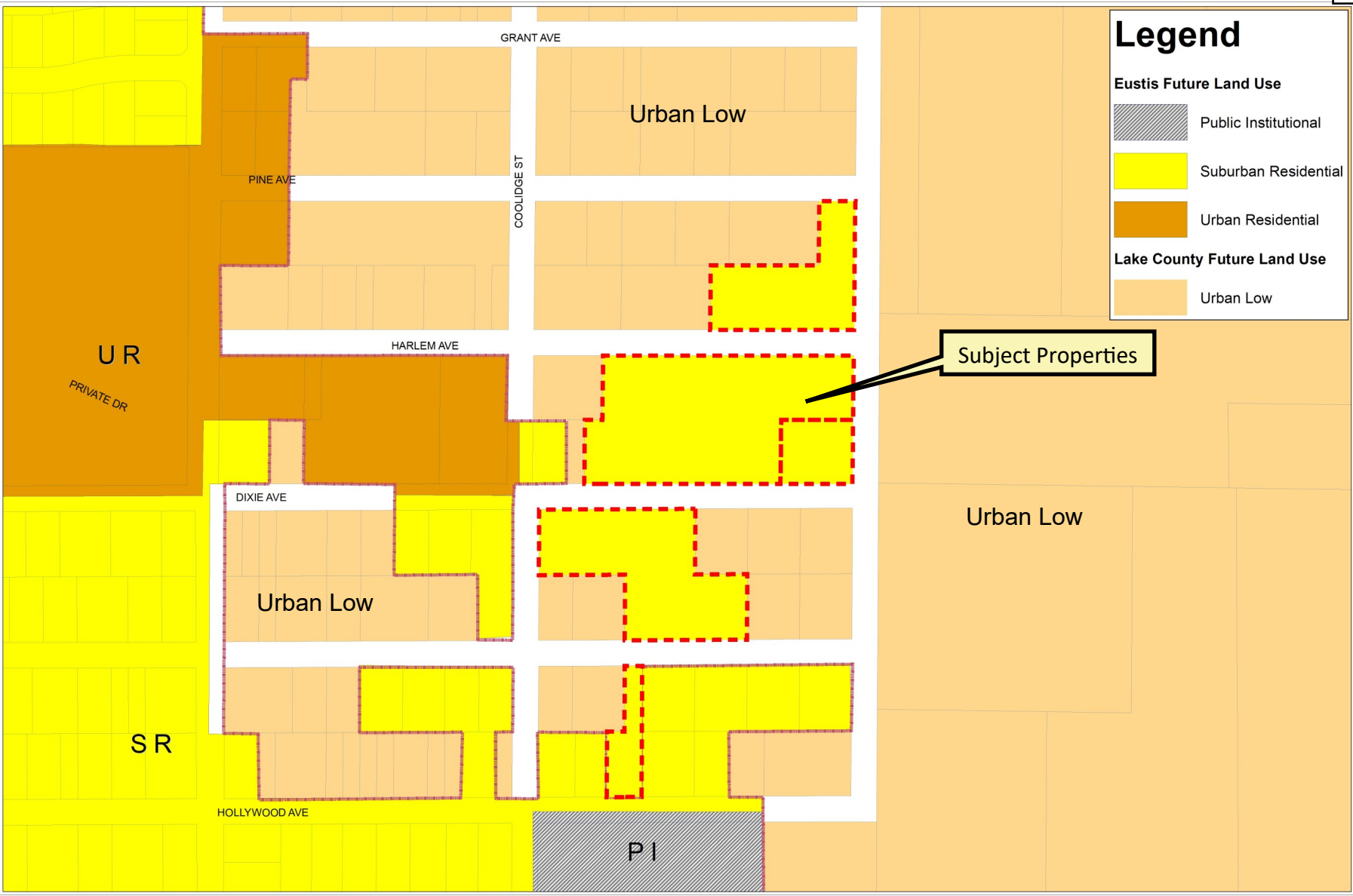
- Eustis Future Land Use**
- Public Institutional
 - Suburban Residential
 - Urban Residential
- Lake County Future Land Use**
- Urban Low

Subject Properties



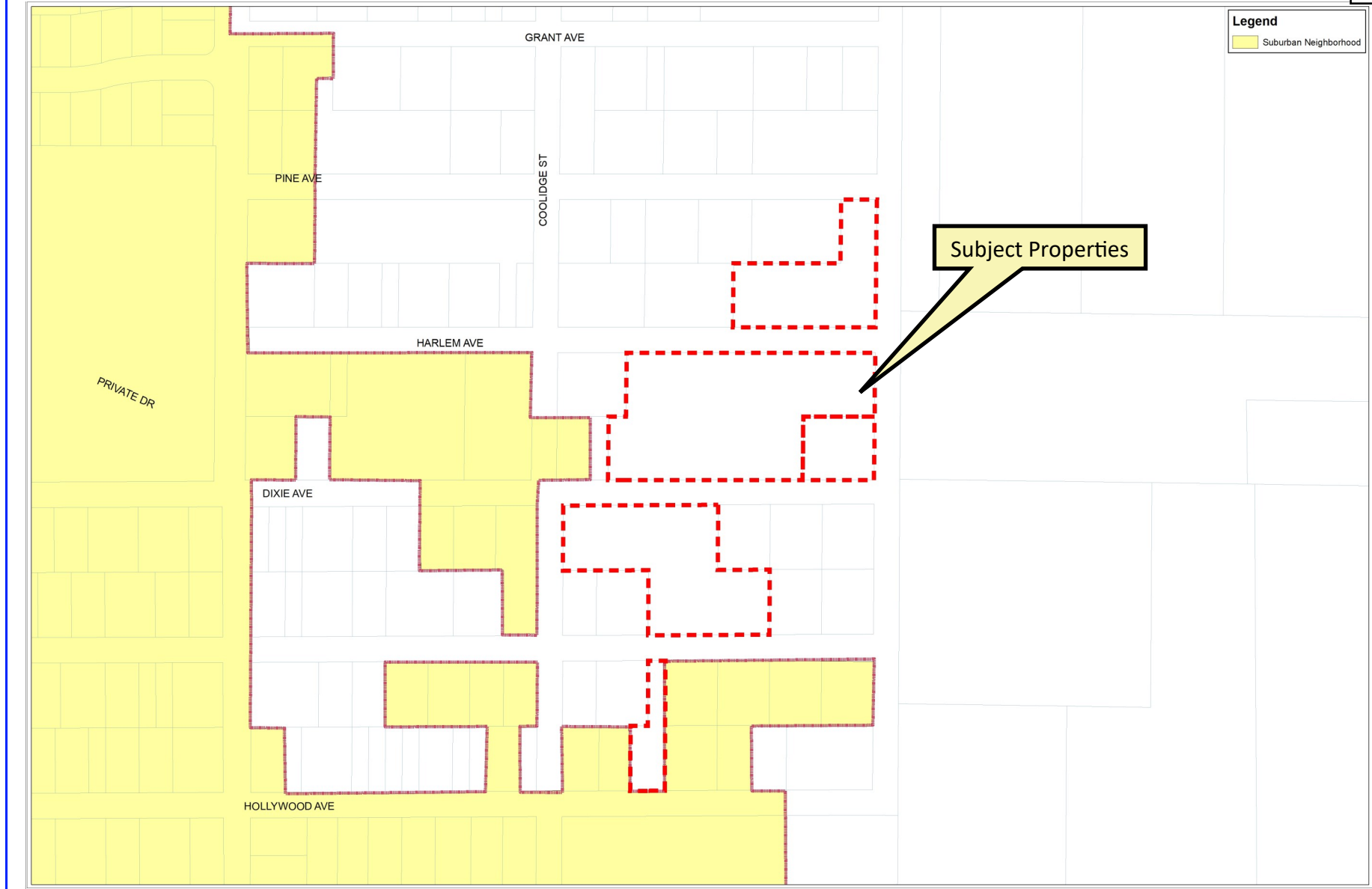
First Assembly of God of Eustis, Inc.
 Future Land Use (Current)





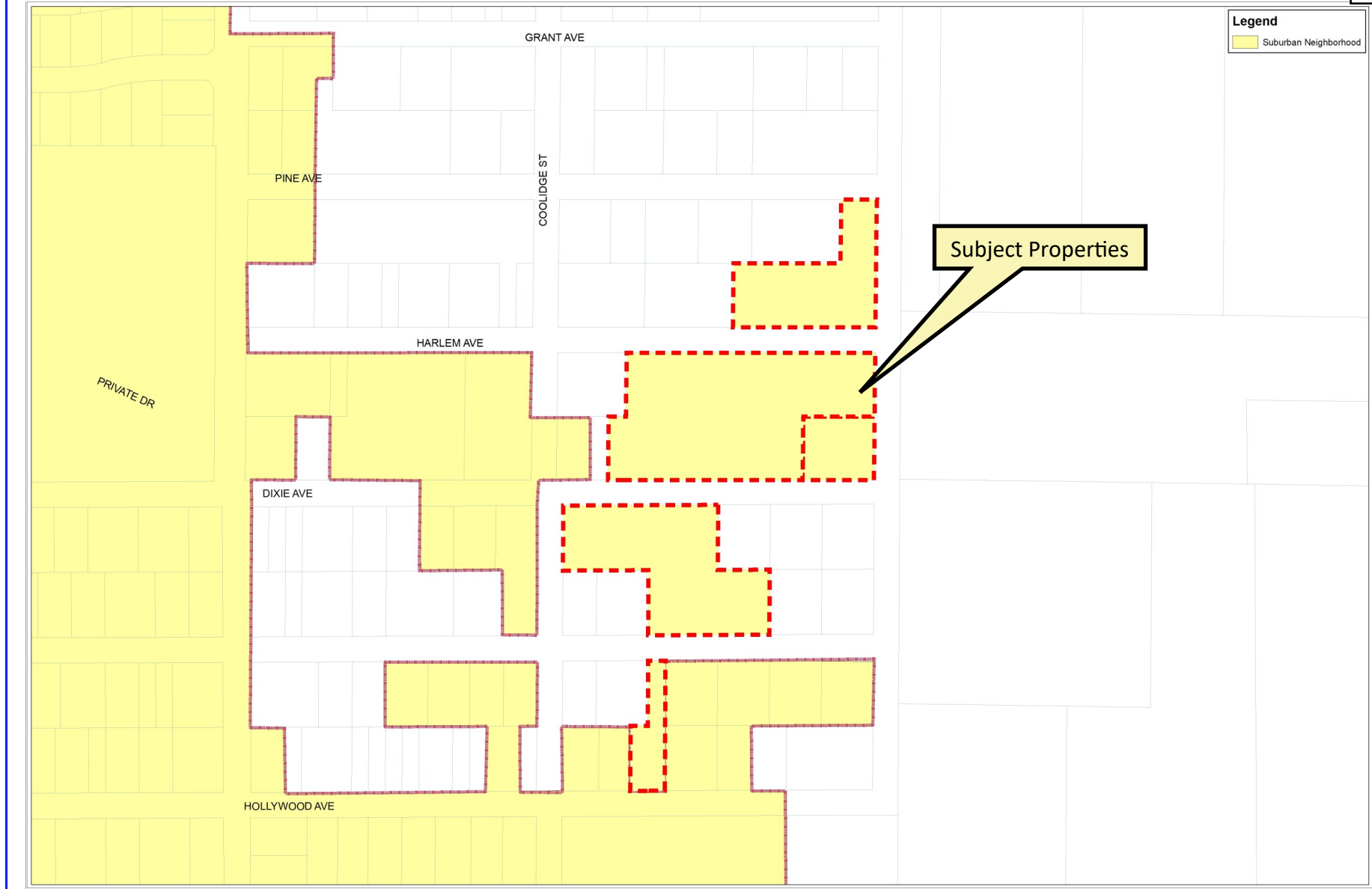
First Assembly of God of Eustis, Inc.
 Future Land Use (Proposed)





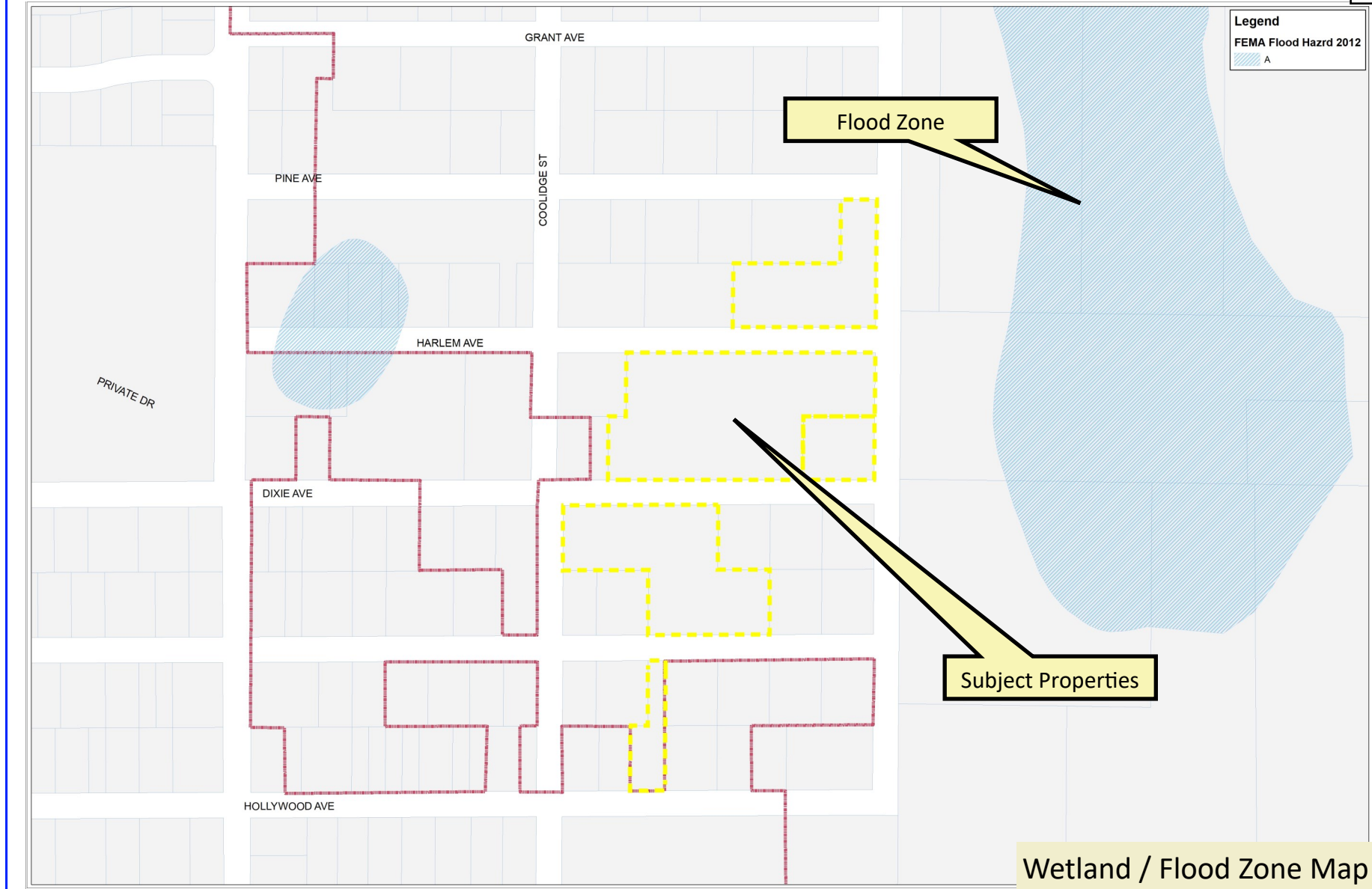
First Assembly of God of Eustis, Inc.
Design District (Before)





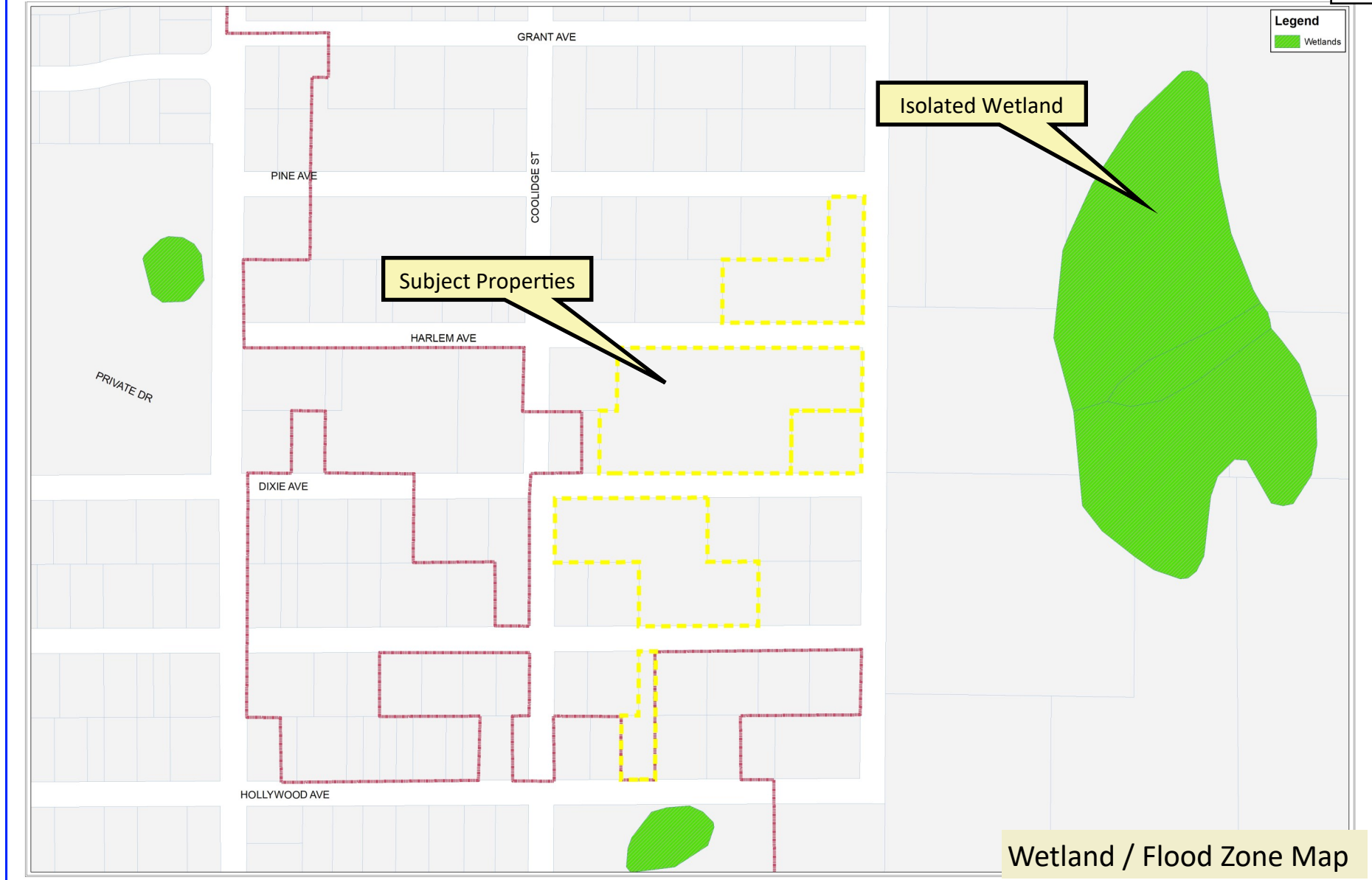
First Assembly of God of Eustis, Inc.
Design District (After)





First Assembly of God of Eustis, Inc.





Wetland / Flood Zone Map

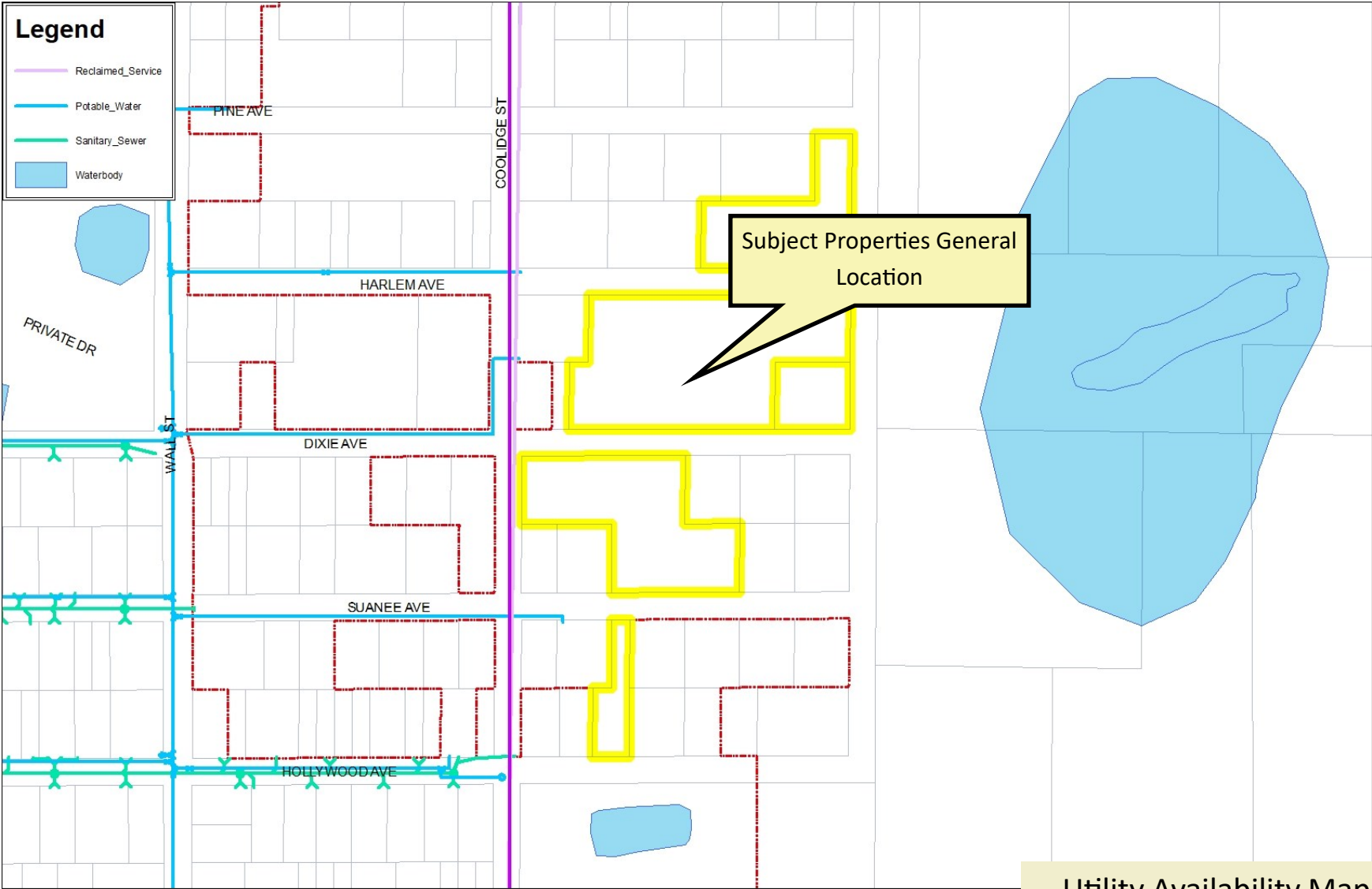


First Assembly of God of Eustis, Inc.



Legend

- Reclaimed_Service
- Potable_Water
- Sanitary_Sewer
- Waterbody

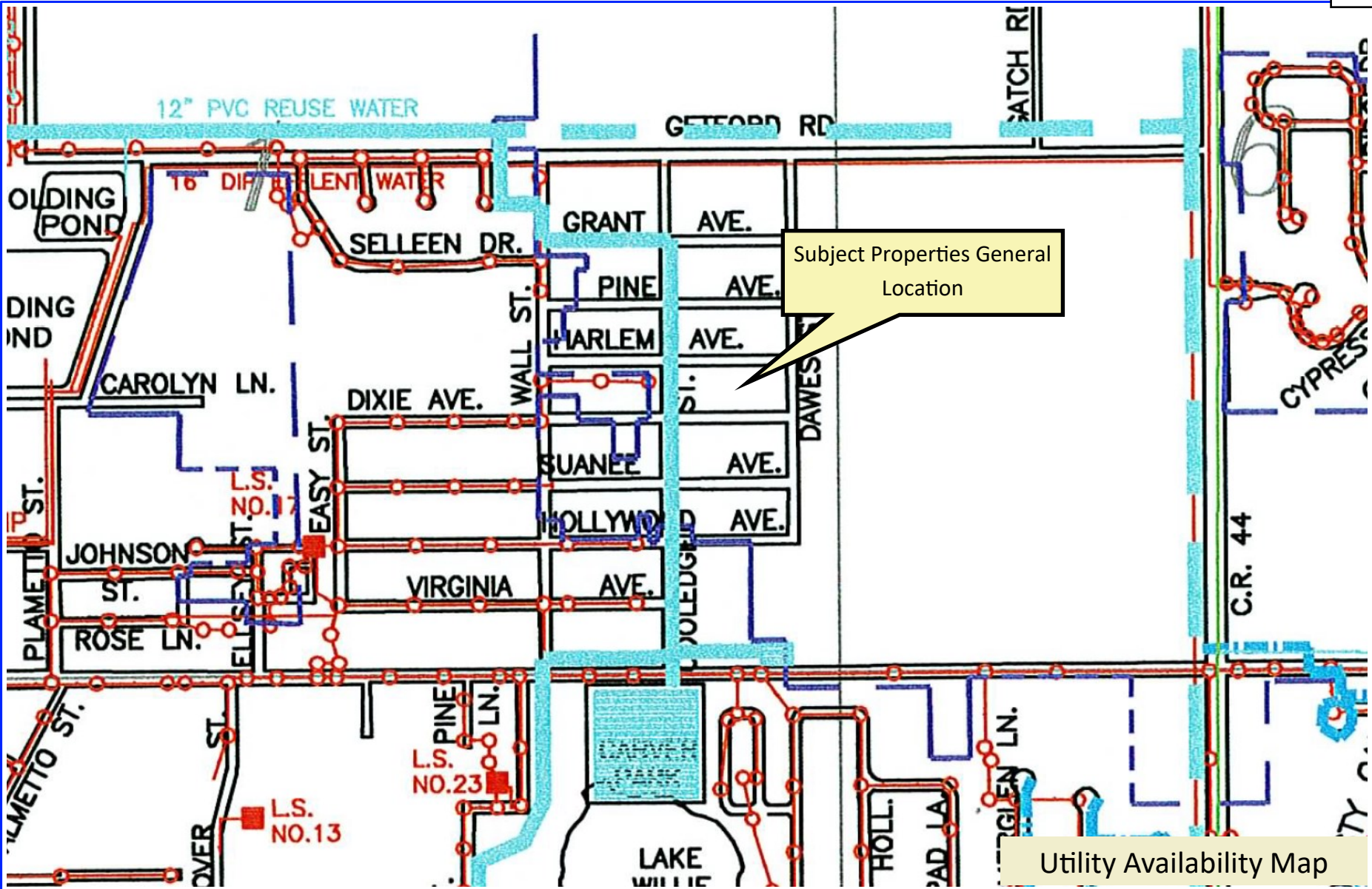


Utility Availability Map



First Assembly of God of Eustis, Inc.
Water



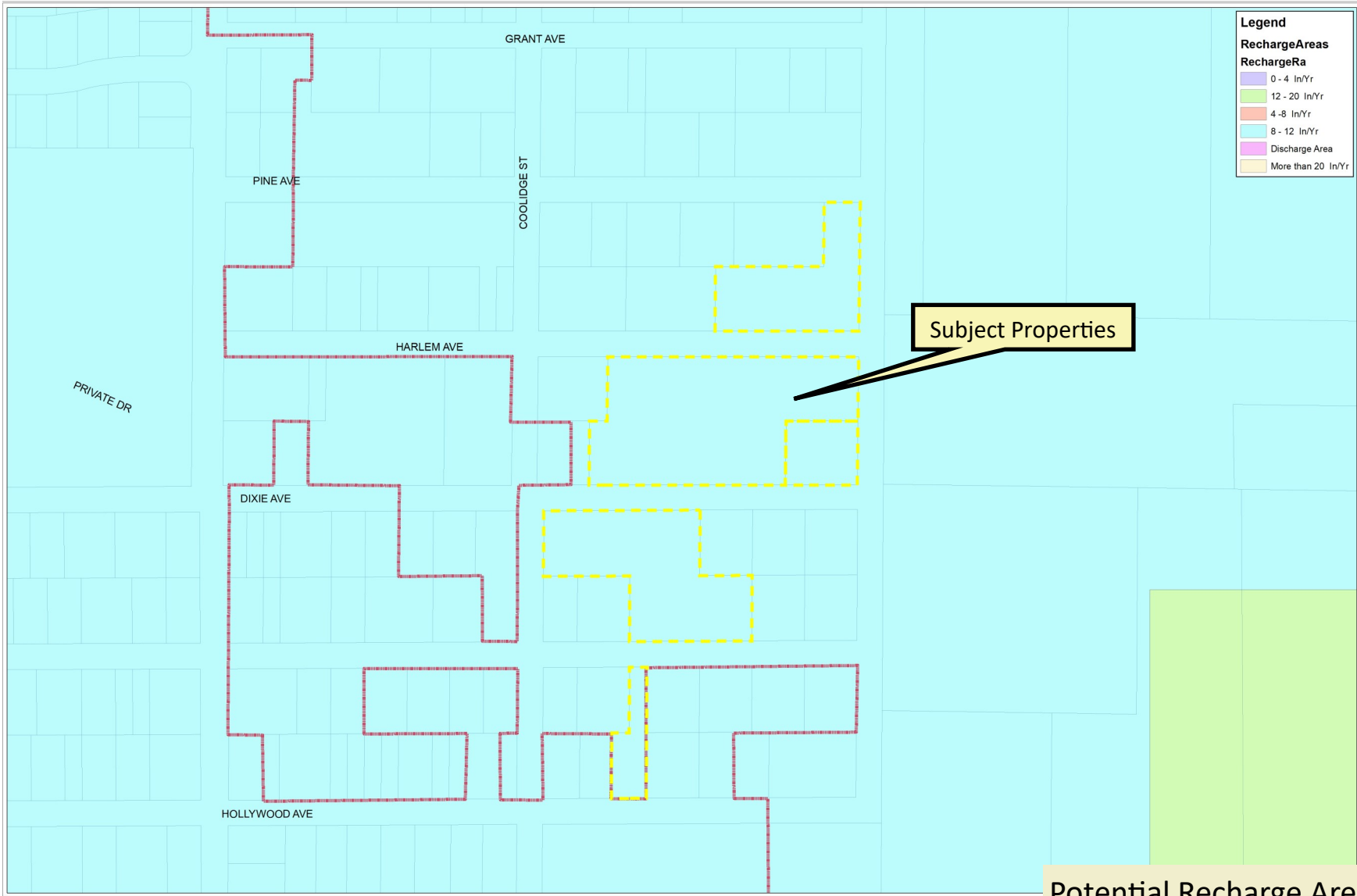


Utility Availability Map



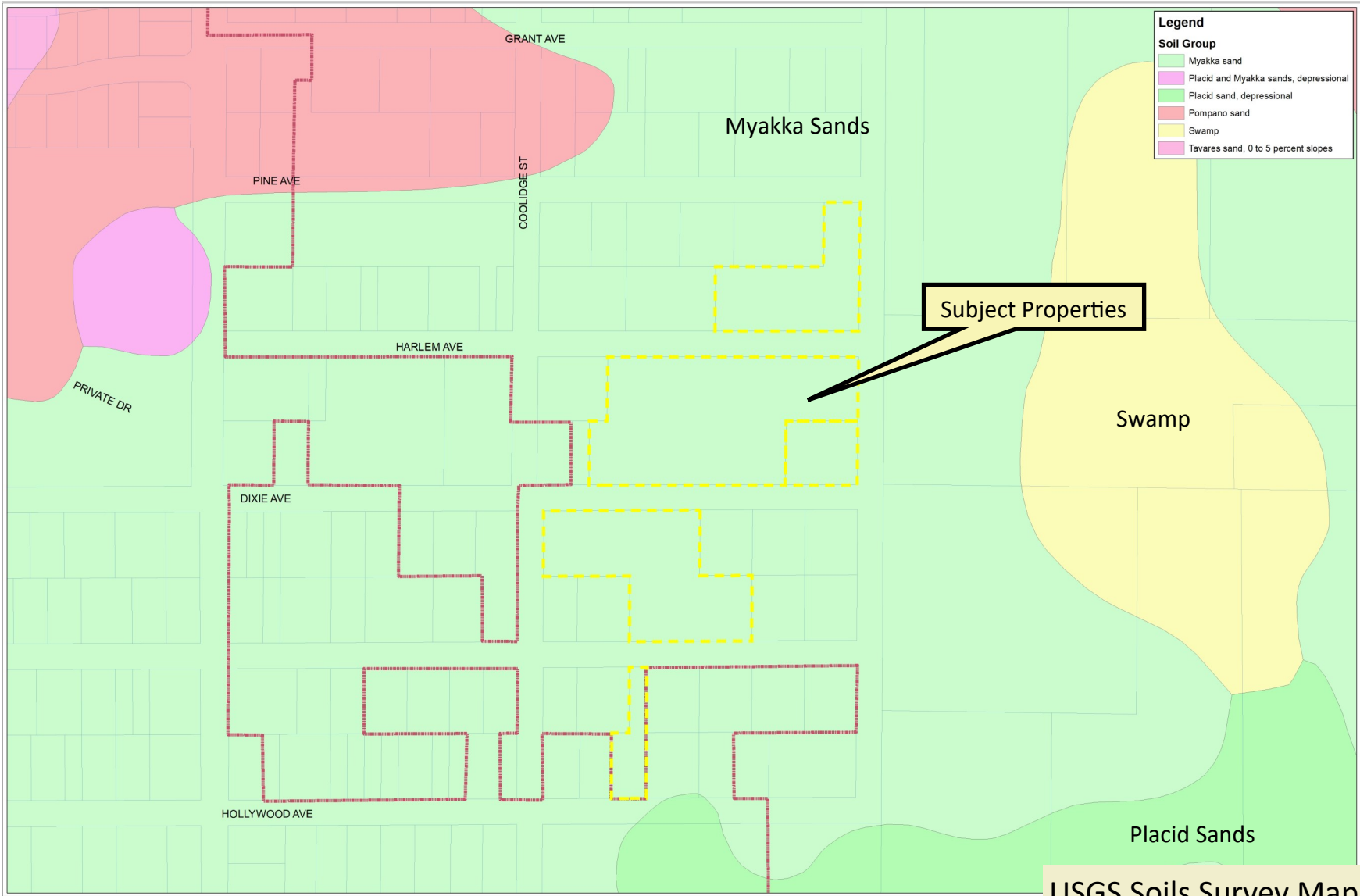
First Assembly of God of Eustis, Inc.
Sewer and Reuse





First Assembly of God of Eustis, Inc.
Potential Recharge





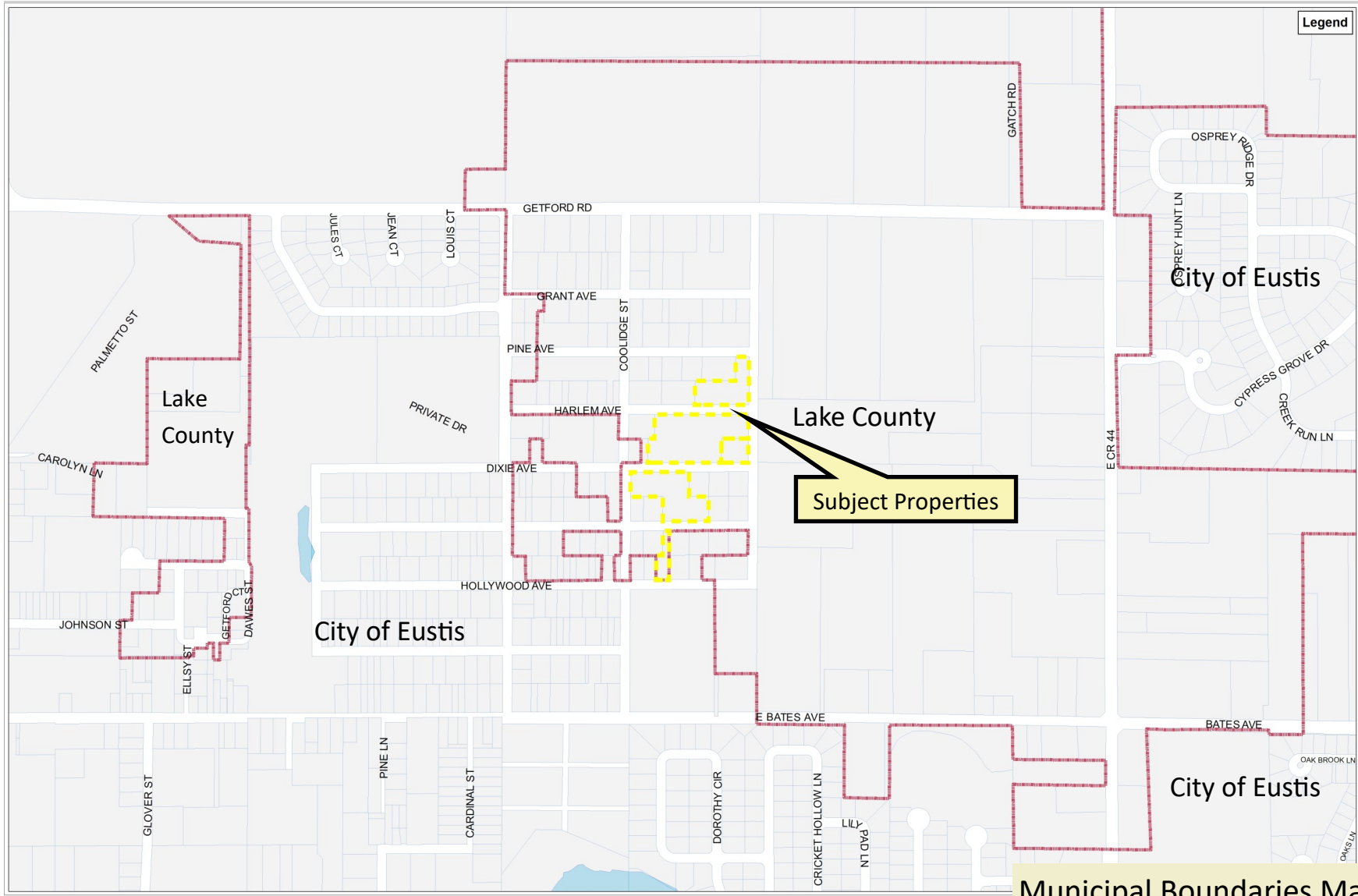
Subject Properties

USGS Soils Survey Map



First Assembly of God of Eustis, Inc.
USGS Soils Survey Map





Municipal Boundaries Map



First Assembly of God of Eustis, Inc.



ORDINANCE NUMBER 23-19

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187 F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 5.8 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBERS 2666820, 3884297, 3884298, 3884439, AND 3884441 GENERALLY LOCATED EAST OF COOLIDGE STREET SOUTH OF THE UNIMPROVED PORTION OF PINE AVENUE AND NORTH OF THE UNIMPROVED PORTION OF HOLLYWOOD AVENUE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL IN THE CITY OF EUSTIS.

WHEREAS, on November 4, 2010, the Eustis City Commission adopted the City of Eustis Comprehensive Plan 2010-2035 through Ordinance Number 10-11; and

WHEREAS, the State of Florida Department of Community Affairs found the City of Eustis Comprehensive Plan 2010-2035 In Compliance pursuant to Sections 163.3184, 163.3187, and 163.3189 Florida Statutes; and

WHEREAS, the City of Eustis periodically amends its Comprehensive Plan in accordance with Chapters 163.3187 and 163.3191, Florida Statutes; and

WHEREAS, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 5.8 acres of real property located east of Coolidge Street south of the unimproved portion of Pine Avenue and north of the unimproved portion of Hollywood Avenue (Alternate Key Numbers 2666820, 3884298, 3884439, AND 3884441), and more particularly described herein as Exhibit "A"; and

WHEREAS, on August 3, 2023, the Local Planning Agency held a Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in the designation; and

WHEREAS, on August 3, 2023, the City Commission held the 1st Adoption Public Hearing to accept the Local Planning Agency's recommendation to adopt the Small-Scale Future Land Use Amendment contained herein; and

WHEREAS, on August 17, 2023, the City Commission held the 2nd Adoption Public Hearing to consider the adoption of the Small-Scale Future Land Use Amendment contained herein as Exhibit "B";

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

SECTION 1.

Land Use Designation: That the Future Land Use Designation of the real property as described below shall be changed from Urban Low in Lake County to Suburban Residential (SR) within the City of Eustis:

Parcel Alternate Keys: 2666820, 3884297, 3884298, 3884439, AND 3884441

Parcel Identification Number: 01-19-26-1000-00G-01900, 01-19-26-1000-00F-01700, 01-19-26-1000-00G-00500, 01-19-26-0600-010-00600 and 01-19-26-0600-011-00100

Legal Description:

Parcel 1

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 19, 20, 21, 22BLK G PB 12 PG 84 ORB 5400 PG 897

Parcel 2

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 BLK F PB 12 PG 84 ORB 4933 PGS 1841 1846

Parcel 3

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 5, 6, 7, 8, 9, 10,11, 12, 13, 14, 15, 16, 17, 18, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 BLKG PB 12 PG 84 ORB 4933 PGS 1841 1846

Parcel 4

ROSENWALD GARDENS LOTS 6, 23, 24 BLK 10 PB 5 PG 61 ORB 4933PGS 1841 1846

Parcel 5

ROSENWALD GARDENS LOTS 1 TO 9 INCL, LOTS 24 TO 30 INCL BLK11 PB 5 PG 61 ORB 4933 PGS 1841 1846

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy); and

SECTION 2.

Map Amendment and Notification: That the Director of Development Services shall be authorized to amend the Future Land Use Map of the Comprehensive Plan to incorporate the change described in Section 1 and provide appropriate notification in accordance with Florida Statutes.

SECTION 3.

Conflict: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4.

Severability: That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 5.

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

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 17th day of August 2023.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 17th day of August 2023, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

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

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 23-19 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

EXHIBIT "A"**LEGAL DESCRIPTION:**

Parcel 1

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 19, 20, 21, 22BLK G
PB 12 PG 84 ORB 5400 PG 897

Parcel 2

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 17, 18, 19, 20, 21, 22,
23, 24, 25, 26 BLK F PB 12 PG 84 ORB 4933 PGS 1841 1846

Parcel 3

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 5, 6, 7, 8, 9, 10,11,
12, 13, 14, 15, 16, 17, 18, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 BLKG PB
12 PG 84 ORB 4933 PGS 1841 1846

Parcel 4

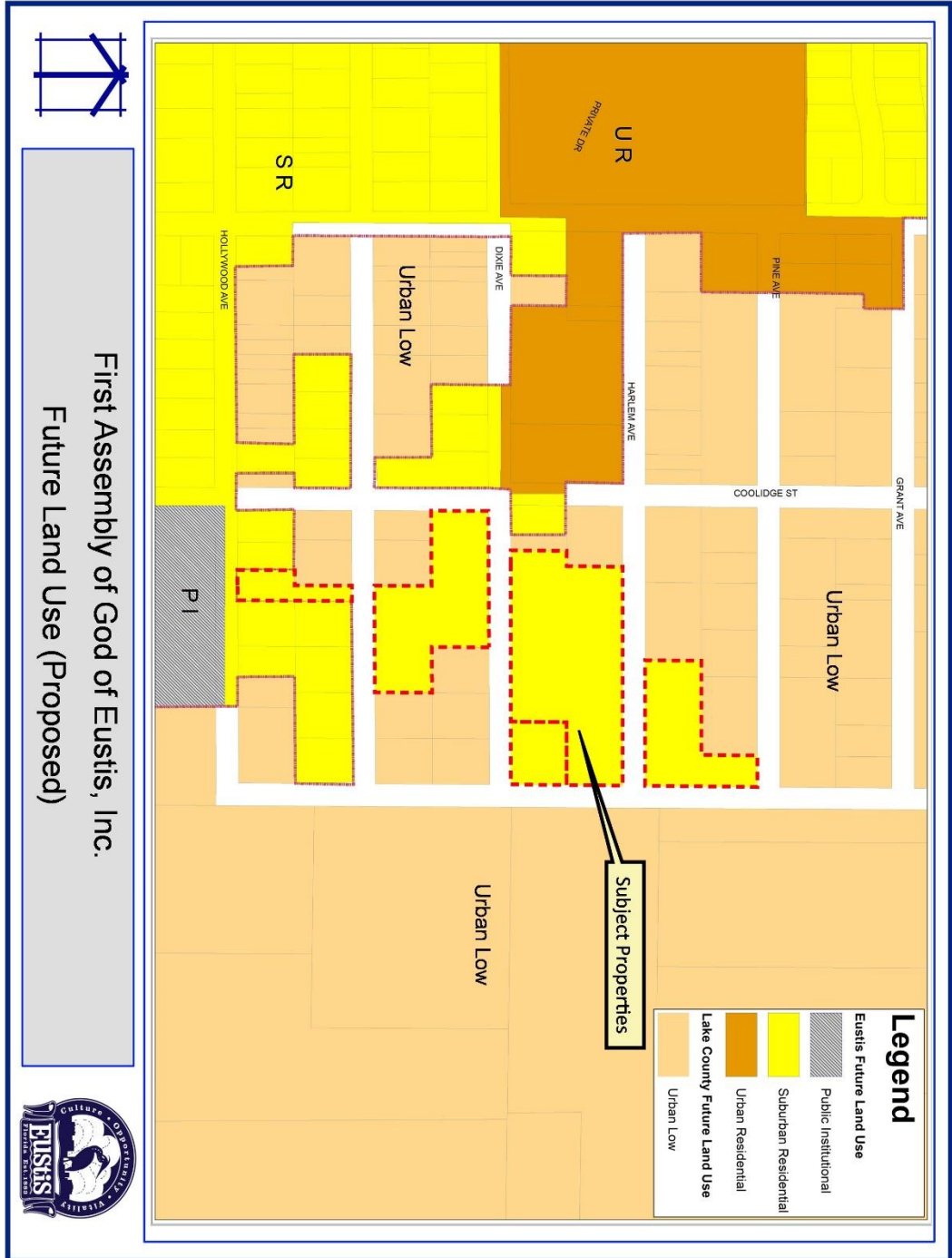
ROSENWALD GARDENS LOTS 6, 23, 24 BLK 10 PB 5 PG 61 ORB 4933PGS
1841 1846

Parcel 5

ROSENWALD GARDENS LOTS 1 TO 9 INCL, LOTS 24 TO 30 INCL BLK11
PB 5 PG 61 ORB 4933 PGS 1841 1846

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

EXHIBIT "B"



ORDINANCE NUMBER 23-20

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 5.8 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBERS 2666820, 3884297, 3884298, 3884439, AND 3884441 GENERALLY LOCATED EAST OF COOLIDGE STREET SOUTH OF THE UNIMPROVED PORTION OF PINE AVENUE AND NORTH OF THE UNIMPROVED PORTION OF HOLLYWOOD AVENUE

WHEREAS, the City of Eustis desires to amend the Design District Map of the Land Development Regulations adopted under Ordinance Number 09-33 to assign a Design District designation of Suburban Neighborhood to approximately 5.8 acres of recently annexed real property further described below, and

WHEREAS, on August 3, 2023, the City Commission held the 1st Public Hearing to consider the Design District Amendment contained herein; and

WHEREAS, on August 17, 2023, the City Commission held the 2nd Public Hearing to consider the adoption of the Design District Amendment contained herein;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS, FLORIDA, HEREBY ORDAINS:

Section 1. Design District Designation

That the Design District Designation of the real property described below, and more specifically in Exhibit "A", and shown in Exhibit "B", shall be Suburban Neighborhood:

Parcel Alternate Keys: 2666820, 3884297, 3884298, 3884439, AND 3884441
Parcel Identification Number: 01-19-26-1000-00G-01900, 01-19-26-1000-00F-01700, 01-19-26-1000-00G-00500, 01-19-26-0600-010-00600 and 01-19-26-0600-011-00100

Legal Description:

Parcel 1
ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 19, 20, 21,
22BLK G PB 12 PG 84 ORB 5400 PG 897

Parcel 2

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 17, 18, 19, 20,
21, 22, 23, 24, 25, 26 BLK F PB 12 PG 84 ORB 4933 PGS 1841 1846

Parcel 3
ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 5, 6, 7, 8, 9,
10,11, 12, 13, 14, 15, 16, 17, 18, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33
BLKG PB 12 PG 84 ORB 4933 PGS 1841 1846

Parcel 4
ROSENWALD GARDENS LOTS 6, 23, 24 BLK 10 PB 5 PG 61 ORB
4933PGS 1841 1846

Parcel 5
ROSENWALD GARDENS LOTS 1 TO 9 INCL, LOTS 24 TO 30 INCL
BLK11 PB 5 PG 61 ORB 4933 PGS 1841 1846

(The foregoing legal description was copied directly from Lake County
Property Appraiser records submitted by the applicant and has not been
verified for accuracy); and

Section 2. Map Amendment

That the Director of Development Services shall be authorized to amend
the Design District Map to incorporate the change described in Section 1.

Section 3. Conflict

That all Ordinances or parts of Ordinances in conflict herewith are hereby
repealed.

Section 4. Severability

That should any section, phrase, sentence, provision, or portion of this
Ordinance be declared by any court of competent jurisdiction to be
unconstitutional or invalid, such decision shall not affect the validity of the
Ordinance as a whole, or any part thereof, other than the part so declared to
be unconstitutional or invalid.

Section 5. Effective Date

That this Ordinance shall become effective upon the annexation of the
subject property through approval of Ordinance Number 23-18.

EXHIBIT "A"

LEGAL DESCRIPTION:

Parcel 1
ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 19, 20, 21,
22BLK G PB 12 PG 84 ORB 5400 PG 897

Parcel 2

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 17, 18, 19, 20,
21, 22, 23, 24, 25, 26 BLK F PB 12 PG 84 ORB 4933 PGS 1841 1846

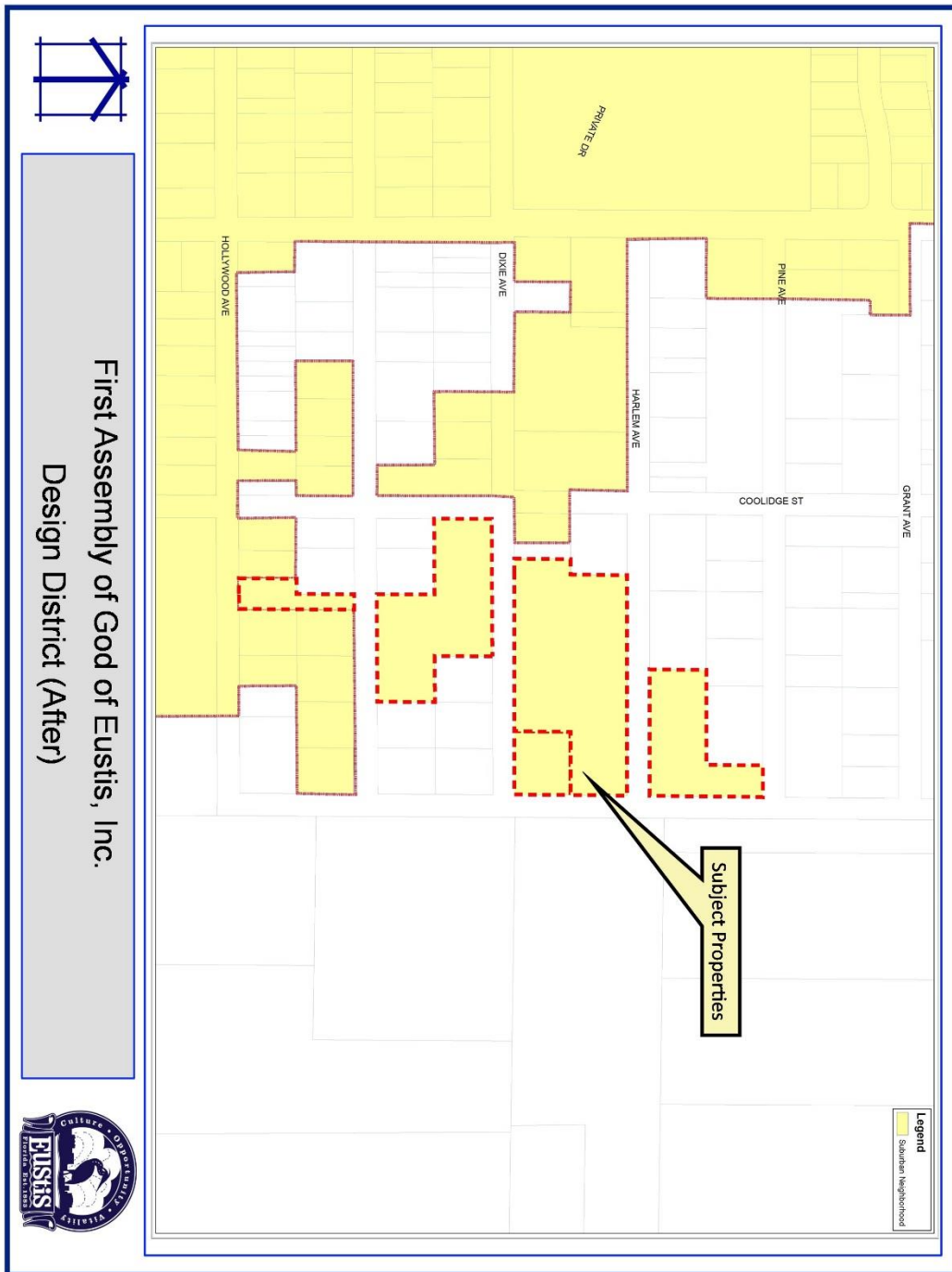
Parcel 3
ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 5, 6, 7, 8, 9,
10,11, 12, 13, 14, 15, 16, 17, 18, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33
BLKG PB 12 PG 84 ORB 4933 PGS 1841 1846

Parcel 4
ROSENWALD GARDENS LOTS 6, 23, 24 BLK 10 PB 5 PG 61 ORB
4933PGS 1841 1846

Parcel 5
ROSENWALD GARDENS LOTS 1 TO 9 INCL, LOTS 24 TO 30 INCL
BLK11 PB 5 PG 61 ORB 4933 PGS 1841 1846

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

EXHIBIT "B"





City of Eustis

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

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: August 3, 2023

RE: Ordinance Number 23-21: **FIRST READING** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING A CONDITIONAL USE PERMIT FOR A SCHOOL IN THE CENTRAL BUSINESS DISTRICT (CBD) FUTURE LAND USE DISTRICT LOCATED AT 50 W. ORANGE AVENUE.

Introduction:

Ordinance Number 23-21 approves a Conditional Use Permit for allowance of a school in the Central Business District (CBD) future land use district for property located at 50 West Orange Avenue, Unit 2 (Alternate Key Number 1188432).

Background:

- a. The site is developed with a commercial building of 2,747 square feet, within the Central Business District (CBD). The site is surrounded by three different future land uses: Public/Institutional (P/I) to the north, which is Ferran Park, Mobile Home/Recreational Vehicle (MH/RV) to the west as Sharp’s Mobile Home Park, and the Central Business District (CBD) which is to the east including this property. There are also three adjacent Design Districts: Urban Neighborhood (UN) to the north, Urban Corridor (UC) to the south, and Urban Center (UCE) to the east including this property.



Applicant's Request:

The applicant requests a Conditional Use Permit to allow a school within Unit 2 of the building located at 50 W. Orange Avenue and in the Central Business District (CBD) future land use district.

Analysis:

The standards of review must show the conditional use is consistent with the City's Comprehensive Plan, Land Development Regulations and City Code. Accordingly, staff has reviewed this conditional use request with consideration of the following:

Section 109-4 (Use Regulations Table) allows a mixed use area encompassing downtown Eustis where a combination of commercial, institutional, office and residential uses are allowed. Those uses which require conditional use permit approval in the Central Business District (CBD) land use district include hospitals, wireless communications towers and all schools.

The standards of review must show the conditional use is consistent with the City's Comprehensive Plan, Land Development Regulations, and City Codes, which are shown below.

This request for allowance of a school in the Central Business District (CBD) is generally consistent with the goals and objectives of the City's Comprehensive Plan, which has schools identified in the General Range of Uses within the Central Business District. The exterior appearance would not vary as it was previously occupied as the ModPod location.

Additional Applicable Policies and Codes:

Staff has reviewed this conditional use request with consideration of the following.

The Comprehensive Plan: The Central Business District (CBD) land use applies to a combination of commercial, institutional, office and residential uses. The purpose is designed to support this mixed use area at comparatively high densities. As previously stated, the category accommodates the mixture of uses including commercial, residential, institutional, industrial, office and schools.

Section 102-30 (Conditional Uses) of the Land Development Regulations (LDRs) provides for uses that are generally compatible with the use characteristics of a future land use district, but which require individual review of:

"Location, design, intensity, configuration, and public facility impact in order to determine the appropriateness of the use of any particular site in the district and their compatibility with adjacent uses."

The Conditional Use review allows the City Commission to attach conditions, limitations, and requirements to a conditional use permit to prevent or minimize adverse effects upon other properties in the neighborhood. These conditions can include limitations on size, intensity of use, bulk and location, landscaping, lighting, provision of adequate ingress and egress, duration of the permit, and hours of operation.

Section 109-4 (Use Regulations Table) allows a school as a conditional use within the CBD land use district.

Policy Implications:

Approval or denial of this waiver request to grant approval of a conditional use to permit a school at 50 West Orange Avenue (within Unit 2) could set a precedent for the review of similar requests in

the future; however, this could be an opportunity as well to show flexibility and also offer a variety of options within the CBD.

Alternatives:

1. Approve Ordinance Number 23-21.
2. Deny Ordinance Number 23-21.

Discussion of Alternatives:

Alternative 1 approves Ordinance Number 23-21.

Advantages:

1. The project may move forward with site modifications.
2. A new private school will be available in Eustis.
3. The structure will be occupied and maintained.
4. The proposed use will be compatible with the surrounding uses as the type of activity proposed should be low impact.

Disadvantages:

1. Approval of a private school in the area could prompt other requests for other types of schools in this area, which could change the character of the area.

Alternative 2 denies Resolution Number 23-21.

Advantages:

1. No private school will exist in this plaza, primarily occupied by more business oriented tenants.

Disadvantages:

The City could lose the opportunity of having a new private school in the city limits.

Community Input:

The department has properly advertised the Ordinance in the newspaper; notified surrounding properties within 500 feet, and posted the property. To date, there has been no opposition received to the proposed development, nor any feedback at all related to this Conditional Use request.

Budget/Staff Impact:

There would be no direct cost to the City associated with the action other than providing standard City services to the development. There would be no additional staff time beyond the normal plan review process and building inspection.

Conclusion:

Staff recommends approval of the conditional use request based upon the above discussion which outlines that the proposed use will be compatible with the surrounding uses because of its location, no change to the existing building, which will not affect the intensity of the property or tax the capacity of any public facilities. Upon approval of this request, the planning department would still expect to see a sign permit application and a Business Tax Receipt (BTR) for this unit from the applicant, as well as, allowing the Building Official and Fire Marshal to determine if this application is considered a change-of-use and review whether this use will increase the unit's occupancy load.

Prepared By:

Mike Lane, AICP , Director, Development Services Department

Attachment:

Proposed Ordinance Number 23-21

ORDINANCE NUMBER 23-21

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING A CONDITIONAL USE PERMIT FOR A SCHOOL IN THE CENTRAL BUSINESS DISTRICT (CBD) FUTURE LAND USE DISTRICT LOCATED AT 50 W. ORANGE AVENUE.

WHEREAS, Sharon Swann, representative and tenant for Orange Avenue Holdings, LLC, property owner, has applied for a Conditional Use Permit for a school to utilize Unit 2 of the plaza located at 50 West Orange Avenue; and

WHEREAS, the subject property has a Land Use Designation of Central Business District (CBD) and a Design District Designation of Urban Center; and

WHEREAS, a school is permitted as a Conditional Use in the Central Business Land Use District; and

WHEREAS, the request for a Conditional Use Permit was properly Noticed for a Quasi-Judicial Public Hearing before the City Commission; and

WHEREAS, on August 3, 2023, the City Commission held the 1st Public Hearing to consider the Conditional Use Permit; and

WHEREAS, on August 17, 2023, the City Commission held the 2nd Public Hearing to consider the Conditional Use Permit; and

WHEREAS, the proposed conditional use is consistent with the City’s Land Development Regulations, Comprehensive Plan, and Code of Ordinances; and

WHEREAS, the applicant has presented evidence to establish the following:

1. That the proposed use is desirable at the particular location;
2. That the proposed conditional use will not have an undue adverse effect on nearby property;
3. That such use will not be detrimental to the health, safety, or general welfare of the citizens residing in the area;
4. That the proposed conditional use is compatible with the existing or planned character of the neighborhood in which it would be located;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

Section 1. That a Conditional Use Permit is granted for a school in Unit 2 at the plaza located at 50 West Orange Avenue, more particularly described as:

EUSTIS, LOTS 15, 16 BLK 59 W OF RR, E 33 FT OF N 66 FT OF STREET ON WEST PB 1 PG 79 ORB 5628 PG 1014.

ALTERNATE KEY NUMBER: 1188431
 PARCEL NUMBER: 11-19-26-0100-059-01500

Section 2. That the conditions of approval require that the school meets all applicable provisions of the Land Development Regulations and the City Code of Ordinances

and complies with the following specific conditions and limitations:

1. Obtain a sign permit for the wall sign on the building.
2. Obtain a Business Tax Receipt (BTR) for this activity/use; and
3. Allow the Building Official and the Fire Marshal to determine if a change of use permit is necessary for this unit (of the plaza).

Section 3. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 5. That this Ordinance shall become effective immediately upon passing.

PASSED, ORDAINED, AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 17th day of August 2023.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 17th day of August, 2023 by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

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

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 23-21 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk