



AGENDA

City Commission Meeting

6:00 PM – Thursday, September 19, 2024 – City Hall

Invocation: Moment of Silence

Pledge of Allegiance: Vice Mayor Emily Lee

Call to Order

Acknowledge of Quorum and Proper Notice

1. Agenda Update

2. Approval of Minutes

2.1 Approval of Minutes

July 11, 2024 City Commission Budget Workshop

3. Swearing-In of Interim Commissioner for Seat #4

3.1 Swearing-in of Interim Commissioner for Seat #4 – Christine Cruz

4. Presentations

4.1 Introduction of Eustis Heights Elementary School Principal, Dr. Juanita McCall, by Lake County Schools Superintendent, Diane Kornegay

4.2 Presentation of Duke Energy Grant Award

4.3 Department Update: Code Enforcement

5. Audience to be Heard

6. Consent Agenda

6.1 Resolution Number 24-75: Approving a Purchase in Excess of \$50,000 for a Public Utilities Crane Truck

7. Ordinances, Public Hearings, & Quasi Judicial Hearings

7.1 Resolution Number 24-66: Final Millage Rate for the Fiscal Year 2024/25

7.2 Resolution Number 24-67: Adopting a Final Budget for the fiscal year 2024/25

7.3 **SECOND READING**

Explanation of Ordinances for Annexation of a Parcel with Alternate Key 1734193:

Ordinance Number 24-26 – Voluntary Annexation

Ordinance Number 24- 27 – Comprehensive Plan Amendment

Ordinance Number 24- 28 – Design District Assignment

Ordinance Number 24-26: Voluntary Annexation of a Parcel with Alternate Key 1734193

7.4 SECOND READING

Ordinance Number 24-27: Comprehensive Plan Amendment - Assignment of Future Land Use of a Parcel with Alternate Key Number 1734193

7.5 SECOND READING

Ordinance Number 24-28: Design District Assignment of a Parcel with Alternate Key 1734193

7.6 SECOND READING

Ordinance Number 24-31: Second Reading - Annual Update of the 5-year Capital Improvements Schedule of the Comprehensive Plan Fiscal Year 2025-29

7.7 SECOND READING

Explanation of Ordinances for Annexation of Parcel with Alternate Key 1064309:
Ordinance Number 24-32 – Voluntary Annexation
Ordinance Number 24-33 – Comprehensive Plan Amendment
Ordinance Number 24-34 – Design District Assignment

Ordinance Number 24-32: Voluntary Annexation Parcel with Alternate Key 1064309

7.8 SECOND READING

Ordinance Number 24-33: Comprehensive Plan Amendment - Assignment of Future Land Use for Annexation of Parcel with Alternate Key 1064309

7.9 SECOND READING

Ordinance Number 24-34: Assignment of Design District for Parcel with Alternate Key Number 1064309

7.10 FIRST READING

Ordinance Number 24-38: Conditional Use Permit for an Accessory Dwelling Unit at 514 East Washington Avenue

8. Other Business

8.1 Discussion on Reconsideration of Resolution Number 24-57: Preliminary Subdivision Plat Approval for the Grove at Pine Meadows

9. Future Agenda Items and Comments

9.1 City Commission

9.2 City Manager

9.3 City Attorney

9.4 Mayor

10. 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.



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: September 19, 2024

RE: Approval of Minutes

July 11, 2024 City Commission Budget Workshop

Introduction:

This item is for consideration of the minutes of the Eustis City Commission.

Recommended Action:

Approval of the minutes as submitted.

Prepared By:

Mary C. Montez, Deputy City Clerk

Reviewed By:

Christine Halloran, City Clerk



MINUTES

City Commission Budget Workshop

5:00 PM – Thursday, July 11, 2024 – City Hall

CALL TO ORDER: 5:00 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

1. WORKSHOP ITEM WITH DISCUSSION AND DIRECTION

1.1 IT

Tom Carrino, City Manager, announced they would begin with IT (Information Technologies) who would highlight the state mandates and security items.

Greg Barron, IT Manager, explained the state mandated that the City implement the NIST (National Institute of Standards and Technology) protocols which necessitate a number of new security measures. He added that the mandate also requires new infrastructure including information event monitoring which records anything that happens. He indicated he also wants to implement access controls so if someone plugs in a non-authorized computer they only have "guest" access. He noted the need to implement new endpoint software and cited tests they held with Homeland Security with Sentinel One. He commented on the City's landline phone system and stated that it will no longer be upgradable for new licenses or phones as of December 2024; however, they will be supported through 2029. He indicated that is inadequate due to the City needing to purchase new phones for new employees. He stated he is looking at a hosted system, such as Lumen, as it has redundancy to provide service even if the internet goes out or any segment goes out they will still have phones and internet. He cited the large cost for the phones.

Mr. Barron stated that the City was supposed to upgrade to Office 365; however, they are still waiting for an agreement between CDW and Microsoft. He indicated he would prefer to upgrade to Microsoft 365 but that would cost an additional \$25,000. He explained that would allow the City to have mobile device management for all of the cell phones and to manage short cuts, updates and emails for the City phones. He noted that the City would save some money as they would be dropping the WatchGuard multifactor and go to the Microsoft platform. He cited the ability to have a password manager and indicated he was considering a federal DOD password manager to save passwords. He cited other security measures recommended through Homeland Security that would prevent the City's passwords winding up on the dark web.

Commissioner Hawkins asked about protections for the City's computer systems against ransomware. Mr. Barron explained there is cybersecurity insurance; however, the state passed a bill that does not allow them to pay anyone. He explained that the City has cloud stored backups and City processes can be back online within 48 hours as long as they didn't destroy the hardware.

The Commission commented that most of what is being requested is mandated w Barron explaining that all of the notes from the Homeland Security audit were put into the budget. They questioned if there is a way to save money on some of the requirements.

Mr. Barron indicated that much of their software is purchased as a service to save up to 60%. He noted his intent to go to voice over the internet for the phone system which will be able to use any internet connection. He said that at City Hall they will have five connections.

Mr. Carrino noted they will be adding a Network Administrator to help support the existing team effective October 1, 2024.

1.2 Water Customer Service

Lori Carr, Finance Director, reviewed the Utilities - Water Customer Service (WCS) budget under Enterprise Funds. She noted significant increases due to IT expenses. She explained that the IT increases are split 75% to the General Fund and 25% to Utilities. She stated that the Collections Division was added the previous year and indicated it has been very successful.

Commissioner Ashcraft asked about possibly increasing deposits based on credit scores.

Nichole Jenkins, WCS Manager, responded noting that when the water rate increase is considered they will also be looking at the other fees including cut off fees and deposits. She added that they have conducted an extensive review of other area cities. She stated they have gotten a clarification regarding owners versus renters and stated they do not charge owners for a tenant's bill.

Commissioner Ashcraft asked about the credit card processing fees with Mr. Carrino responding that the credit card fees will be incorporated into the utility rate study.

Commissioner Hawkins asked about paperless billing options with Ms. Jenkins responding that all customers have the option to subscribe on the website to paperless billing.

Ms. Carr noted the funding for the night drop box will be removed from the budget due to it being purchased in the current year. She added that the bill printing and folding machines are being replaced and the current equipment will be passed on to the backflow department.

Commissioner Hawkins asked about the A/C system at WCS and IT with Ms. Jenkins explaining a portion was repaired, not replaced. She confirmed it is currently working but she was not sure about the server room.

Ms. Carr reported that the air for the server room is budgeted to be replaced for \$10,000. She indicated the vehicle for meter reading was already purchased so it would be removed from the budget.

Commissioner Hawkins asked about the funds budgeted for City of Leesburg advertising with Greg Dobbins responding that is required by St. Johns to advertise water conservation.

Commissioner Hawkins asked if the City provides the backflow list to vendors with Dobbins confirming the City provides a list of addresses that need inspecting but not names.

Vice Mayor Lee asked if the City gets a percentage of revenue for the backflow testing.

Mr. Dobbins responded negatively and explained that the City sends letters to the property owners reminding them that their backflow preventer needs to be tested and it provides a list of certified companies that they can get do the inspection. He stated that some of the companies may contact the City for an address list.

Commissioner Hawkins asked why a company would just show up at a resident's home and state they are there to test their backflow preventer with Mr. Dobbins responding that probably they had tested the person's device previously and put them on a list for regular service.

The Commission questioned why the City doesn't receive a percentage of the charges the company gets from the home owners with Mr. Dobbins indicating the City gets the assurance that the backflow preventers are being tested.

The Commission expressed concern regarding the City providing the address lists to the companies and not receiving anything from it. Mr. Carrino indicated that the request from the companies qualifies as a public records request which the City has to respond to.

Mr. Gierok expressed opposition to charging the companies due to a possible conflict of interest. Discussion was held regarding whether or not it would be legal for the City to charge the companies.

1.3 Public Works

Rick Gierok, Public Works Director, reviewed the General Fund expenditures for Maintenance, Building Maintenance, Cemetery, Park Maintenance and Custodial as follows: 1) \$10,000 for vehicle lift repairs; 2) \$20,000 for lift for larger vehicles; 3) Budget for various buildings maintenance; 4) Vegetation maintenance on lakefront; 5) Floating dock maintenance; 6) Cemetery tractor; 7) \$20,000 for America in Bloom projects; 8) New position for Horticulturist to be funded 50% in the General Fund and 50% in Street Improvement Fund; 9) Increase in Overtime of \$5,000 to assist with events; 10) \$100,000 for third party land maintenance contract obtained through RFQ funded \$100,000 under Park Maintenance and \$75,000 under Street Improvement Fund; and 11) \$20,000 increase for Lakewalk floating dock repair.

The Commission asked if there is a Citywide contract for the cell phones with Mr. Carrino indicating that the phones are handled by each department; however, different departments have different service providers due to different needs and coverage in various areas throughout the City. He explained that it has been discussed in the past to try and get everyone on the same service and discussed the issues with that. He stated that Tryon is doing some auditing to make the City more efficient and decided they didn't want to get into that due to the complexity.

Mike Swanson, Fire Chief, explained the Fire Department has to have two services due to dropped calls from one side of the City to the other.

Discussion was held regarding how the City might be able to reduce costs by limiting the providers used.

Mr. Gierok continued his review of the Park Maintenance and Custodial budgets as follows: 1) \$25,000 for fertilizing; 2) \$25,000 for replanting within the City; and 3) Increase in Overtime for \$1,000 to assist with driving for Parks and Recreation and to cover locking City facilities.

Discussion was held regarding the possibility of switching the City rental facilities to self-locking doors with Chief Capri also suggesting that police officers could have a checklist and go around to lock each of the rental facilities and parks at night. He commented on how that would save overtime costs.

Discussion was held regarding the amount to budget for the overtime with an agreement to reduce it to \$1500.

Revenue Funds - Street Improvement 13 Fund

Mr. Gierok reviewed the Street Improvement Revenue Fund with the following highlights: 1) Promoting Chris Helme, the current administrative assistant, to Senior Admin. and hiring a second assistant.; 2) Increase to Operating Supplies to \$2000; and 3) Laptop computer for new assistant.

Commissioner Hawkins asked how many departments have subscriptions to the Orlando Sentinel and the Daily Commercial. He expressed concern regarding the cumulative cost.

Mr. Carrino indicated that the City has reduced the number of subscriptions over the past few years.

4110 Public Land Maintenance

Mr. Gierok indicated that is where the other half of the horticulturist is budgeted. He cited the following changes: 1) Repairs and maintenance reduced \$20,000; 2) Addition of \$10,000 for ornamental plants for various locations; and 3) Replacement of zero turn lawn mower.

Commissioner Hawkins asked about the \$7,000 for temporary labor with Jobey Jones explaining how they have used temps and indicating it could possibly be reduced due to the new positions added. Discussion was held regarding retaining the amount due to the possibility of needing assistance following a hurricane. It was a consensus to retain the budgeted amount.

4120 Lighting and Control

Mr. Gierok explained that is actually the City's sign shop and commented on all they do throughout the City and the state requirements for the signs to be regularly inspected and kept up. He cited the improved equipment for doing the signage; therefore, some of the departments are also budgeting for supplies to do specialty signs. He explained how much the City is saving by doing that.

The Commission questioned the negative \$55,000 for the CRA streetlights with Mr. Gierok indicating the CRA pays for the streetlight expenses for the CRA.

Mayor Holland asked about adding some street lights in the Police Department parking lot.

Mr. Gierok indicated he would look at the issue to see if additional lights are needed. He then cited the additional lighting for SR 19 which is being done by FDOT but the operating cost will be charged to the City.

4130 Street Maintenance

Mr. Gierok indicated that the overall budget for the Street Maintenance Fund is underfunded approximately \$550,000. He cited numerous cuts to the budget his department has made due to that. He explained that some staff were promoted and made salaried and those are the individuals that work the events which reduces overtime. He noted the \$300,000 budgeted for State Road 19.

Commissioner Ashcraft commented on the lack of lighting at the cloverleaf.

Commissioner Hawkins expressed concern regarding the maintenance agreement with FDOT. He asked about the possibility of renegotiating the agreement with Mr. Gierok indicating that he and the City Manager have had numerous discussions with FDOT.

Mr. Gierok indicated they would be having the contractor submit a hard bid for the project. He stated the scope would include all the way from Umatilla to Mount Dora down SR 19 including street sweeping.

Commissioner Hawkins asked what is the average cost for a maintenance employee with Mr. Gierok estimating it would be approximately \$50,000 including benefits. Commissioner Hawkins then asked if it would be advantageous to hire four people to do that maintenance with Mr. Gierok responding that four people couldn't keep up with that much work.

Commissioner Ashcraft asked if it could be done jointly with Mr. Carrino responding he did not think FDOT would agree to that.

Further discussion was held regarding different ideas on how to reduce the maintenance cost for SR 19.

Mr. Gierok suggested that they allow FDOT to continue doing Hwy. 19 and the City take over maintenance of the cloverleaf at 441/19. He indicated he has funding to upgrade the landscaping and FDOT could match that and then the City could have an agreement to maintain the cloverleaf.

Mr. Carrino commented on the project for the islands and what is being done by FDOT. He questioned whether or not the City will have to do the maintenance after the project is done.

The Commission confirmed that FDOT will be contributing \$100,000 towards the project in addition to the City's \$300,000 with Mr. Gierok explaining his expectations that FDOT would only mow once a month and it really would need two to three times per month depending on the time of year.

Discussion was held regarding whether or not to keep the same contractor with Mr. Gierok asking that he be allowed to negotiate with the current contractor and then, if necessary, going back out to bid.

The Commission asked if they could get another \$50,000 out of FDOT with Mr. Gierok indicating he could try.

Discussion was held regarding only doing a portion of the area to see how it goes and thereby reducing the budgeted amount and then coming back if that isn't sufficient. Mr. Gierok indicated that once the City takes on the responsibility, there would be no going back.

RECESS: 6:31 P.M. RECONVENE: 6:47 P.M.

4140 - Lawn Mowing

Mr. Gierok indicated the budget is primarily the same as the previous year; however, they increased the funding for diesel by \$10,000 due to the increased cost for diesel.

4150 - Tree Service

Mr. Gierok explained that is for the City's tree contractor who is Tip Top. He indicated the company's owner passed away so they are working through that. He stated they do the dangerous work but the City's construction crew does some of the other work.

8600 - Capital Outlay

Mr. Gierok cited the \$250,000 budgeted for the US 441/SR 19 cloverleaf improvements. He added that FDOT said that, if the City picks up the MOA, they are willing to put in \$350,000 if the City does the design. That would be with the understanding that the City picks up the maintenance.

049-3700 - Stormwater Fund

Mr. Gierok stated there were no changes in the administration budget. He explained that the \$20,000 under Professional Services is for the City's consultant who assists with preparation of the City's MS4 permit from DEP. He indicated that is a four-year permit that covers citywide.

3710 - Street Sweeper and Drainage Maintenance

Mr. Gierok stated that budget has gone up approximately \$50,000 and covers approximately 50% of the new position. He noted they also added \$3,000 for dumping fees. He explained the City has been picking up more of the large items rather than waiting for Waste Management.

3720 - Retrofit Projects and Stormwater Manage

Mr. Gierok explained the Eustis Street and Gottsche Avenue project for \$25,000. He noted the purchase for a new street sweeper for \$400,000.

The Commission asked if the City is still doing the street sweeping for Umatilla with Jobey Jones responding affirmatively noting the City hasn't done it in two or three months as the City's sweeper has been down. Discussion was held regarding the status of the current sweeper and how the City handles broken down equipment and vehicles.

1.4 Utilities

Mr. Gierok began with the Engineering Division and highlighted the following budget items: 1) Hiring of a second project manager; 2) Movement of the Buyer position to Purchasing; 3) \$350,000 for the pavement assessment study; 4) Promotion of his current administrative assistant to serve as lead over all of their department assistants; 5) Reduction in Office Supplies due to receiving the furniture from the outside source thanks to Commissioner Hawkins; 6) Funding for licensing renewals and training; 7) Replacement of surveying equipment for \$5,500; and 8) Additional AutoCad software user licenses.

Mr. Gierok introduced the following personnel that were present: Greg Dobbins, Max Brundage, Paul Shepherd, and Olivia Kilgore. He commented on how well she performed with inputting the budget. He noted they have submitted an approximately

\$900,000 grant that was just done and which Ms. Kilgore was instrumental in completing.

040-3140 Environmental Protection

Greg Dobbins, Deputy Director for Utilities, reviewed the Environmental Protection budget highlighting the following items: 1) Addition of \$10,000 for NPDES outreach; 2) Removal of FOG/ Industrial pretreatment software which was already purchased; 3) \$3,000 for lift station backflows; 4) Purchase of environmental compliance vehicle for \$35,000; and 5) \$21,000 for backflow software upgrade.

3300 Water Service

Mr. Dobbins explained they have made some changes and stated that Water Distribution has historically also covered sewer piping. He explained that is being change. He explained the reasons for the changes citing a report that must be prepared that will be easier to do with the changes. He explained some of the increases due to increased charges to the City that occurred after the previous year's budget was in place. He also cited required PFAS sampling and explained the issues pertaining to that. He stated they are beginning the required sampling and then they will have five years to establish a treatment program.

Mr. Dobbins reviewed the Water Administration budget highlighting the following items: 1) Increase in Water Bills due to additional accounts; and 2) Explained lease payments to railroad for areas where pipes cross the railroad tracks.

3310 Water Treatment

Mr. Dobbins cited the following Water Treatment budget items: 1) \$80,000 under Professional Services for PFAS engineering services; 2) \$10,450 under Other Contractual Services for the PFAS sampling; 3) Increase in electrical costs for the four water plants; 4) Addition of diesel tank cleaning under Repair and Maintenance; 5) Additional funding under Operating Supplies for various items and 6) Addition of \$6,000 for swing check valve replacement.

Commissioner Hawkins asked about the increase in electrical costs for the water plants and questioned whether or not that would be reduced if they went with the solar array with Mr. Gierok responding that it would. He explained that it would reduce for the eastern water and wastewater plants but not the others.

Discussion was held regarding the solar proposal and whether or not it could be done for the other plants as well with Mr. Gierok explaining it works for the eastern plants because they can put it on the pond but there is no pond at the western plants.

3320 Water Distribution

Mr. Dobbins cited the items moved over to Collections. He then highlighted the following items: 1) \$3,800 for chainsaw purchase; 2) Water pumps; 3) Sewer router; and 4) Purchase of a test pump, tripod and winch.

3330 Ground Maintenance

Mr. Dobbins cited the following items: 1) Increasing funding for uniforms and gas; 2) Repairs to various equipment such as mowers, hedge trimmers, etc.; and 3) Purchase of additional lawn mower.

3360 Eastern Water System

Mr. Dobbins reviewed the following budget items: 1) Additions under Professional Services for an a/c service agreement, service for high service pump, meter calibrations and \$20,000 for the CUP report which is due every ten years; 2) PFAS sampling under Other Contractual Services; and 3) Decrease in Comcast and increase in electrical costs for the Eastern Water Plant and Heathrow Water Plant.

Discussion was held regarding the utility rate study with Mr. Gierok explaining that any of the major capital such as bringing on White Rose were pushed out three years.

Mr. Dobbins continued the division review as follows: 1) Increase in chlorine due to higher cost; and 2) \$10,000 under Capital for hydro tank sensors.

040-3500 Wastewater Administration

Mr. Dobbins began reviewing the Wastewater Department highlighting the following budget items: 1) Decrease in permit renewal of \$55,000; 2) Increase in Professional Services of \$35,000; 3) Increase in uniforms; and 4) Capital Outlay - \$11,000 for copy machine and \$6,000 for server upgrade.

3510 Lift Stations

Mr. Dobbins reviewed the lift station budget as follows: 1) \$10,000 under Professional Services for generator services; 2) Increase in FOG chemicals of \$6,000; 3) \$5,000 increase in natural gas; and 4) \$5,000 increase for tools.

3520 Wastewater Treatment

Mr. Dobbins highlighted the following items under Wastewater Treatment: 1) Addition of a new position for wastewater treatment; 2) Increase for the SCADA contract; 3) Increase in electric; 4) \$15,000 increase in plant maintenance; 5) Chlorine increases; 6) Addition of Allmax software renewal for \$5,000; 7) Removal of CDL classes and licensing; and 8) \$20,000 for diffusers.

3530 Laboratory

Mr. Dobbins reviewed the following Laboratory budget items: 1) Increase in lab supplies; and 2) \$46,000 under Capital for the Laboratory Information Management System software.

3540 Disposal

Mr. Dobbins indicated the diesel tank project was removed and there are no capital items under Disposal.

3550 Sludge Disposal

Mr. Dobbins highlighted the following items: 1) \$7,000 reduction for an electrical job already completed; 2) \$11,400 increase for polymer; and 3) \$15,000 for the belt press pump replacement.

3560 Eastern WW Plant

Mr. Dobbins cited the following items: 1) Increased chemical costs; 2) Omission of repairs for blower maintenance that was completed in the current year; and 3) \$23,500 under Capital for the purchase of a side-by-side UTV for the plant.

3570 Collections

Mr. Dobbins explained this would be a new section in the budget and highlighted the following: 1) Various transfers from the other funds to create the new line items; and 2) \$20,000 for inventory.

3580 Eastern Lift Station

Mr. Dobbins reviewed the following items: 1) Small increase for utilities; 2) Increase in chemical supplies for \$3,000; and 3) Increase for vehicle maintenance.

Mr. Carrino commented that the City has made a small amount of adjustments for the size of the budget. For a \$26 million budget, they made approximately \$18,000 in adjustments. He stated that staff will need to summarize all of the changes and discussion will need to be held regarding the millage rate. He added that the draft budget is based on maintaining the current millage rate and noted that public hearings will be held on that. He indicated that the CRA budget will need to be taken to the CRA Board. He stated there are currently no conflicts with the County or School Board regarding public hearing dates.

Commissioner Hawkins asked when they should talk about residential rehab funding to be paid to the LCAA with Mr. Carrino confirming that would be in the CRA budget.

Mr. Carrino thanked the Commission and staff for all the work put into the draft budget. He noted that, while the City is adding a few new positions, it still runs very lean. He confirmed that some of the budget could change based on collective bargaining. He stated that what is currently proposed is a 5% increase plus a prorated \$1,000 bonus.

Lori Carr, Finance Director, indicated they are also still waiting on State Revenue figures.

Mayor Holland thanked staff for their hard work and questioned how long the utility workshop is expected to last with Mr. Gierok responding that will depend on the types of questions asked. He indicated he would make sure the Commission has hard copies of all the information. He added that the consultants will be present to answer questions.

2. ADJOURNMENT: 7:42 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



City of Eustis

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

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: September 19, 2024

RE: Swearing-in of Interim Commissioner for Seat #4 – Christine Cruz

Introduction:

City Clerk, Christine Halloran, will administer the Oath of Office to the Interim Commissioner for Seat #4, Christine Cruz. Following the oath, the Commissioner will assume her seat on the dais.

Prepared By:

Christine Halloran, City Clerk

Reviewed By:

Tom Carrino, City Manager



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: SEPTEMBER 19, 2024

RE: Resolution Number 24-75: Approving a Purchase in Excess of \$50,000 for a Public Utilities Crane Truck

Introduction:

Resolution Number 24-75 approves an expenditure in excess of \$50,000 for a replacement crane truck that is essential when extracting submersible pumps from lift stations to perform pump maintenance and replacement in the Wastewater division of Public Utilities, and authorizes the City Manager to execute all agreements associated with the purchase.

Background:

The approved fiscal year 2023-2024 budget includes funds for the purchase of a replacement crane truck for Public Utilities. The new crane truck is replacing an unreliable, timeworn truck that has been scheduled for replacement.

The vehicle was chosen from a provided list of 2024 models. Pricing was quoted following the Florida Sheriff’s Association bids. The vehicle is to be purchased from Palmetto Ford of Miami through the Florida Sheriff’s Association Cooperative Purchasing Program.

<u>Replacement Vehicle</u>	<u>Price</u>
2024 F600 regular cab 4x4 with 30ft crane	\$181,877

Recommended Action:

Staff recommends approval of Resolution Number 24-75.

Policy Implications:

Not applicable.

Budget/Staff Impact:

The funds were included in the approved Fiscal Year 2023-2024 budget for the purchase of this vehicle. The total cost of the vehicle is \$181,877, which falls within our budget.

042-8600-535-66-49	Crane Truck	\$200,000
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Prepared By:

Amanda Armento – Sr. Staff Assistant, Wastewater Department

Reviewed By:

Max Brundage, Wastewater Superintendent

Greg Dobbins, Deputy Director of Public Utilities

Olivia Kilgore, Water Department Administration Assistant

Attachments:

Resolution Number 24-75

Available Upon Request

Quotes

RESOLUTION NUMBER 24-75

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, APPROVING A PURCHASE IN EXCESS OF \$50,000 FOR A PUBLIC UTILITIES CRANE TRUCK.

WHEREAS, a replacement crane truck is needed in Public Utilities for specialized critical operations; and

WHEREAS, the City’s approved 2023-2024 budget includes funds for the purchase of a replacement vehicle; and

WHEREAS, the City of Eustis Purchasing Department obtained quotes in accordance with the City’s purchasing policies through utilizing piggyback options on government contracts; and

WHEREAS, the vehicle will be purchased from Palmetto Ford of Miami through the Florida Sheriff’s Association Cooperative Purchasing Program; 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 a purchase in excess of \$50,000 for a replacement vehicle for Public Utilities; 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 19th day of September 2024, 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 19th day of September 2024, 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

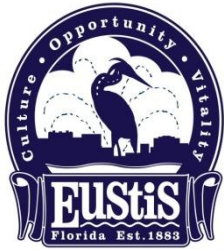
This document has been reviewed and approved as to form and legal content, for use and reliance of the City Commission of the City of Eustis, Florida.

City Attorney’s Office Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 24-75 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: September 19, 2024
 Re: Resolution Number 24-66: Final Millage Rate for the Fiscal Year 2024/25

Introduction

Resolution Number 24-66 establishes the FINAL millage rate for FY 2024/25 as **7.5810** mills.

Recommended Action

Staff recommends approval of Resolution Number 24-66.

Background

Florida State Statutes require each taxing authority to set a millage rate annually for property taxation following required public hearings. The City Commission set the tentative rate of 7.5810 mills at the September 5, 2024, Commission meeting. The required advertising appeared in a local newspaper on September 16th, 2024.

The current millage rate of 7.5810 has been consistent over the past eleven years.

Since last year, the adjusted tax roll (before new construction and annexation) increased by \$123,337,922, from \$1,499,362,895 to \$1,622,700,817. This year's total tax value revenue of \$12,669,864 represents an increase of 7.78%.

Based on that valuation, the Commission may consider any of the following options in setting a millage rate for the FY 2024/25 Fiscal Year:

1. Adopt the Current Millage Rate of 7.5810 mills. This rate would generate revenues sufficient to cover annual increases in City operating costs and allow for continuing current service levels. This rate can be approved with a two-thirds vote of the Commission (at least four commissioners) and has been advertised as a tax increase. This proposed millage rate is greater than the Roll-Back Rate and represents an increase of 7.78%.
2. Adopt the Roll-Back Rate of 7.0340 mills. This rate approximates prior year tax revenues less allowances for new construction, additions, deletions, annexations, and improvements. This rate can be approved with a majority vote of the

Commission (at least three commissioners) and would not result in a tax increase. However, this would result in a revenue decrease of \$914,182 for the City resulting in the need to take funds from Fund Balance or make reductions in services.

3. Some other millage rate between 7.0340 and 7.5810. Any rate other than 7.0340 would be considered a tax increase. Any rate other than 7.5810 would result in reduced revenue for the City.
4. Any rate over 7.5810 up to 8.1776 would result in the City being required, at its own expense, to mail a revised TRIM notice to each taxpayer and could possibly result in the City not meeting the State mandated TRIM deadlines.

Staff recommends adopting the FY 2024/25 millage rate at the current rate of 7.5810. This rate would support the revenue assumptions of the proposed budget. State Law allows for a rate reduction during the final public hearing in September. An increase to the proposed rate of 7.5810, per Florida Statutes 200.065, requires first-class mail notice to all taxpayers of the City since TRIM notices have already been mailed. This would likely result in the City failing to adopt the final millage and budget in time to meet the State-mandated deadlines in September. This could result in the forfeiture of all Ad-Valorem revenue.

Adopting the current rate of 7.5810 mills, the city's share of a home assessed with a taxable value of \$200,000, with homestead exemptions of \$50,000, would equate to an annual tax of \$1,137, or about \$3.12 per day, per Eustis taxpayer. This amount provides Police, Fire, Library, Parks & Recreation, Finance, Administration, Development Services, Human Resources, and Public Works department services. Using the same scenario, the Roll-Back Rate of 7.0340 mills would equate to an annual tax of \$1,055 or about \$2.89 per day per Eustis taxpayer. The difference of \$82 equates to a daily savings of \$0.22 and could possibly result in a reduction of services.

While the City of Eustis has the highest stand-alone millage rate in the County, the City uses the Functional Millage Rate for comparison with other municipalities. The Functional Rate adds the transfers from the enterprise funds to the general fund, as well as the Fire Assessment Fees. As of this writing, the information for Leesburg, Mount Dora and Tavares is as follows:

Functional Millage Rate
Fiscal Year September 30, 2024/25
Millage Rate Comparison Northern Area Cities with One Billion in Property Values
Includes Millage Rate for Transfer and Fire Assessment

Taxing Authority	2024 Taxable Value as Reported October 1	Taxable Value Per 1,000	Rank	Rank	Transfer to the General Fund	Millage Rate Needed to accommodate Fire Assessment Fees	Fire Assessment	Millage Value of Fire Assessment	Total Functional Millage	Rank	
			Highest to Lowest	Lowest to Highest						Lowest to Highest	
Leesburg	3,518,513,293	3,518,513	1	3.4752	1	9,950,133	2.8279	3,262,240	0.9272	7.2303	1
Eustis	1,671,265,493	1,671,265	4	7.5810	4	2,300,000	1.3762	-	-	8.9572	2
Mount Dora	1,981,312,586	1,981,313	2	6.6000	2	5,872,269	2.9638	1,976,844	0.9977	10.5616	3
* Tavares	1,731,865,984	1,731,866	3	7.4101	3	4,214,237	2.4334	1,988,917	1.1484	10.9919	4

* Tavares did not respond for the total estimated revenues for Fire Assessment Fees. Increases from the past two years averaged 2.5%.

As evidenced, the City of Eustis is number two in the lowest to highest ranking of Functional Millage Rate and is nearly the best in the area for cities our size. The City has maintained lower transfers, which help keep rates low for our residents and the cost of fire service is included in our millage rate.

The Proposed FINAL Budget that will be presented immediately following the adoption of the FINAL Millage Rate was prepared with revenue estimates based on the current millage rate of 7.5810.

State Law requires two public hearings on the millage rate and budget. The first public hearing is on September 5, 2024, and the second is scheduled for September 19, 2024. The new fiscal year begins on October 1, 2024.

Alternatives

1. Set the FINAL millage rate at the current rate of **7.5810** mills.
2. Set the FINAL millage rate at the Roll-Back rate of **7.0340** mills.
3. Set the FINAL millage rate at rate between **7.0340** and **8.1776** know that notification to all Eustis residents would be required for any tentative rate adopted over **7.5810** mills and that State mandated deadlines may not be met resulting in a loss of all ad valorem revenues.

Budget and Staff Impact

Staff has prepared the FY 2024/25 budget using the current millage rate of 7.5810, resulting in an estimated increase in property taxes of \$1,303,194 compared to the FY 2023/24 proposed tax estimates. If the millage rate is set lower than the 7.5810 proposed, it will require a reduction in Fund Balance or a reduction in proposed General Fund expenditures to balance the budget.

Prepared By:

Lori Carr, Finance Director

Reviewed By:

Mari Leisen, Deputy Finance Director

RESOLUTION NUMBER 24-66

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, ADOPTING THE FINAL MILLAGE LEVY OF AD VALOREM TAXES FOR THE CITY OF EUSTIS, LAKE COUNTY, FOR THE FISCAL YEAR 2024/25, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 19th, 2024, the City of Eustis, Lake County, Florida, held a public hearing on the FY 2024/25 FINAL Millage Rate, as required by Florida Statute 200.065; and

WHEREAS, the City of Eustis of Lake County, Florida, adopted the FY 2024/25 FINAL Millage Rate following the public hearing; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation within the City of Eustis, Lake County, Florida, has been certified by the Lake County Property Appraiser to the City of Eustis as \$1,671,265,493.

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

SECTION 1

That the FY 2024/25 FINAL operating millage rate is 7.5810 mills, which is greater than the rolled-back rate of 7.0340 mills and increases taxes by 7.78%.

SECTION 2

That this Resolution shall take effect immediately upon its adoption.

DONE AND RESOLVED this 19th day of September 2024, in the regular session of the City Commission of the City of Eustis, Lake County, Florida. Time Adopted _____

**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 19th day of September 2024 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 24-66 is hereby approved. 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

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

To: Eustis City Commission
 From: Tom Carrino, City Manager
 Date: September 19, 2024
 Re: Resolution Number 24-67: Adopting a Final Budget For the Fiscal Year 2024/25

Introduction

Resolution Number 24-67 adopts the FINAL Budget for FY 2024/25 after the required public hearing.

Recommended Action

Staff recommends approval of Resolution Number 24-67.

Background

Florida State Statutes require each taxing authority to adopt tentative and final budgets annually. The law also requires that the local governments hold a public hearing before adopting each of those budgets. The public hearings and adoption of the budget take place after the public hearing and adoption of the millage rate. The City has advertised the adoption of the final budget and the notice of tax increase prior to this final public hearing per State law.

The FY 2024/25 budget has been prepared based on Commission directives authorized at the budget workshops held in July 2024. Based on those directives, the budget was prepared using the current millage rate of 7.5810. The budget has been prepared in compliance with the requirements of the City Charter and appropriate State Statutes and is consistent with the provisions of the City's Financial Policies adopted in 2015.

The General Fund Budget contains more expenditures than revenue for FY 2024/25. This is due to several one-time capital projects being budgeted in FY 2024/25. The budget also includes funding for employee compensation increases, insurance increases, and the Capital Improvement Plan funding. The City has posted the budget on the City website as State Law requires, and a copy will be provided to the Commission after the final adoption.

Alternatives

1. Adopt Resolution Number 24-67 and approve the budget presented as FINAL.
2. Direct staff to make specific changes to the budget and immediately adopt the revised version as FINAL during the hearing.

Community Input

There will be sufficient time for input at the public hearing held before the FINAL budget is adopted. Sufficient time was allotted for input at all the preceding budget and millage-related Commission workshops and meetings.

Budget and Staff Impact

As presented, there are budgeted revenues and expenditures citywide of \$67,573,947 and \$66,588,362, respectively, estimated reserves of \$66,618,499, and fund balances totaling \$119,728,556 at the end of September 30, 2025.

Prepared By:

Lori Carr, Finance Director

Reviewed By:

Mari Leisen, Deputy Finance Director

RESOLUTION NUMBER 24-67

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR 2024/25, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 19th, 2024, the City of Eustis, Lake County, Florida, held a public hearing as required by Florida Statute 200.065; and

WHEREAS, the City of Eustis of Lake County, Florida, set forth the appropriations and revenue estimates for the Final Budget for the FY 2024/25 for \$119,728,556.

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

SECTION 1

That the FY 2024/25 FINAL Budget is hereby adopted in the total revenue and expenditures in the amount of \$67,573,947 and \$66,588,362, respectively, with an estimated ending reserve balance of \$66,618,499 and a fund balance totaling \$119,728,556 as more particularly outlined in "EXHIBIT A," attached hereto and made a part hereof.

SECTION 2

That this Resolution shall take effect immediately upon its adoption.

DONE AND RESOLVED this 19th day of September 2024, in the regular session of the City Commission of the City of Eustis, Lake County, Florida.

Time Adopted_____.

**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 19th day of September 2024 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 24-67 is hereby approved. 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

**CITY OF EUSTIS
PROPOSED BUDGET
ALL FUNDS BUDGET SUMMARY
FISCAL YEAR 2024-2025**

Fund No.	Fund Name	Est. Beginning Fund		Less:		Estimated Available Fund Balance	Available Fund Balance
		Balance	Revenues	Expenditures	Reserves		
001	General	17,975,135	26,553,523	27,148,773	6,025,972	11,353,913	17,379,885
006	Library Contribution	28,089	2,210	5,700	27,926	(3,327)	24,599
010	Sales Tax Revenue	1,272,031	6,240,225	6,492,300	-	1,019,956	1,019,956
011	Law Enforcement Education	54,129	61,600	59,325	-	56,404	56,404
012	Police Forfeiture	39,185	30,950	13,900	-	56,235	56,235
013	Street Improvement	752,012	2,167,000	2,702,980	675,745	(459,713)	216,032
014	Community Redevelopment	1,859,784	4,128,809	3,824,423	945,856	1,218,314	2,164,170
020	Building Services	2,081,343	1,215,200	886,667	221,667	2,188,209	2,409,876
040	Water & Sewer Revenue	21,081,937	15,526,125	15,754,728	3,612,716	17,240,618	20,853,334
041	Reclaimed Water Projects	171,039	1,800	-	-	172,839	172,839
042	Water & Sewer R&R	20,430,927	2,475,000	3,049,600	-	19,856,327	19,856,327
049	Stormwater Utility Revenue	709,824	926,000	1,224,281	306,070	105,473	411,543
059	Fire Prevention Capacity Exp. Trust	246,138	44,000	51,400	-	238,738	238,738
060	Greenwood Cemetery Trust	263,863	18,275	43,860	-	238,278	238,278
061	Police Pension	25,023,145	3,685,000	1,900,000	26,808,145	-	26,808,145
062	Fire Pension	14,652,032	2,970,000	1,250,000	16,372,032	-	16,372,032
063	Parks & Recreation Capacity Exp. Trust	327,921	96,500	181,225	243,196	-	243,196
064	Law Enforcement Capacity Exp. Trust	247,765	43,300	1,065	290,000	-	290,000
065	Water Impact Trust	5,307,560	231,000	323,000	5,215,560	-	5,215,560
066	Sewer Impact Trust	6,121,340	848,800	1,265,755	5,731,448	(27,063)	5,704,385
068	Economic Development Trust	(17,744)	260,880	388,280	-	(145,144)	(145,144)
069	Library Capacity Exp. Trust	115,516	47,750	21,100	142,166	-	142,166
						-	
	GRAND TOTAL	118,742,971	67,573,947	66,588,362	66,618,499	53,110,057	119,728,556



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: September 19, 2024

RE: **SECOND READING**

Explanation of Ordinances for Annexation of Parcels with Alternate Key 1734193:
 Ordinance Number 24-26 – Voluntary Annexation
 Ordinance Number 24- 27 – Comprehensive Plan Amendment
 Ordinance Number 24- 28 – Design District Assignment

Ordinance Number 24-26

Introduction:

Ordinance Number 24-26 provides for the voluntary annexation of approximately 0.25 acres of land located at the end of Blaine Street (unimproved), south of the intersection of Blaine Street and Maine Avenue, on the west side of Blaine. (Alternate Key Number 1734193). Provided the annexation of the subject property is approved, via Ordinance Number 24-27, Ordinance Number 24-28 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 24-28 would assign the subject property a design district designation of Suburban Neighborhood. If Ordinance Number 24-26 is denied, then there can be no consideration of Ordinance Numbers 24-27 and 24-28.

Background:

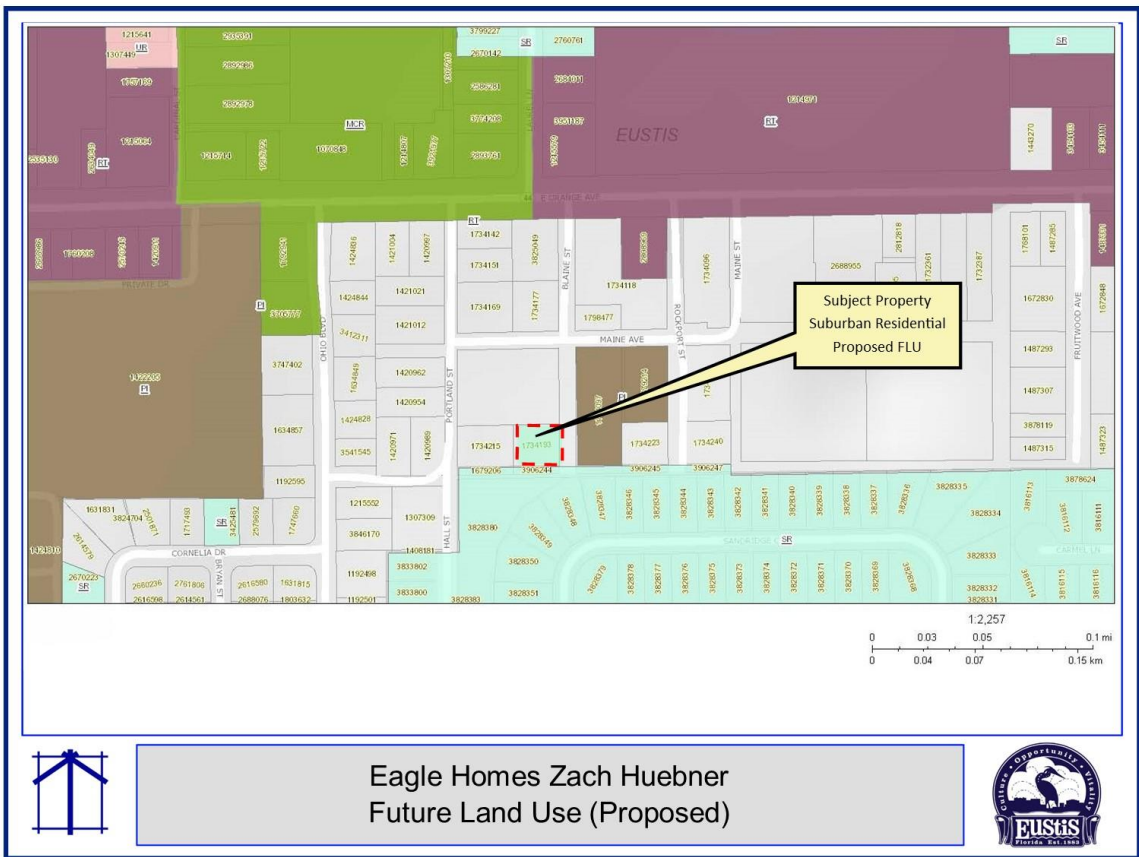
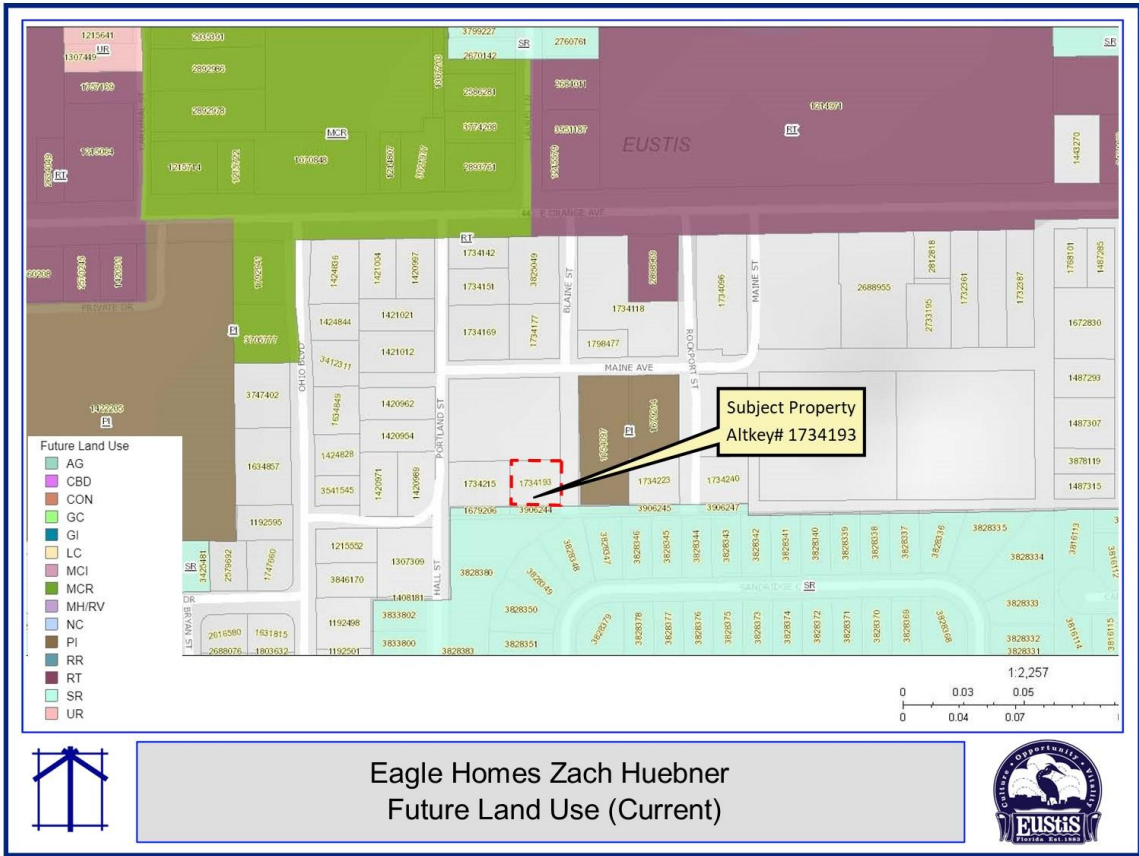
1. The site contains approximately 0.25 acres (11,000 sq.ft.) and is located within the Eustis Joint Planning Area with alternate key number 1734193. The lot has a lot frontage of 100 feet and a lot depth of 110 feet. *Source: Lake County Property Appraisers' Office Property Record Card Data.*
2. The proposed annexation property is within an enclave area of the City and is contiguous to the City boundaries represented on the Location map, herein.
3. The site has a Lake County land use designation of Urban Low, but approval of Ordinance Number 24-27 would change the land use designation to Suburban Residential (SR) in the City of Eustis.
4. This request was heard by the LPA on June 6, 2024, and the Comprehensive Plan Future Land Use assignment was transmitted to the City Commission for Consideration.
5. On June 6, 2024, the City Commission decided to table the consideration of Ordinance Numbers 24-26, 24-27, and 24-28 until the applicant addressed the question of the unpaved Blaine Street and how the property will be accessed.
6. The applicant provided a letter stating that they will inform future owners of the property that the City has no intention of paving the road right-of-way to this parcel.

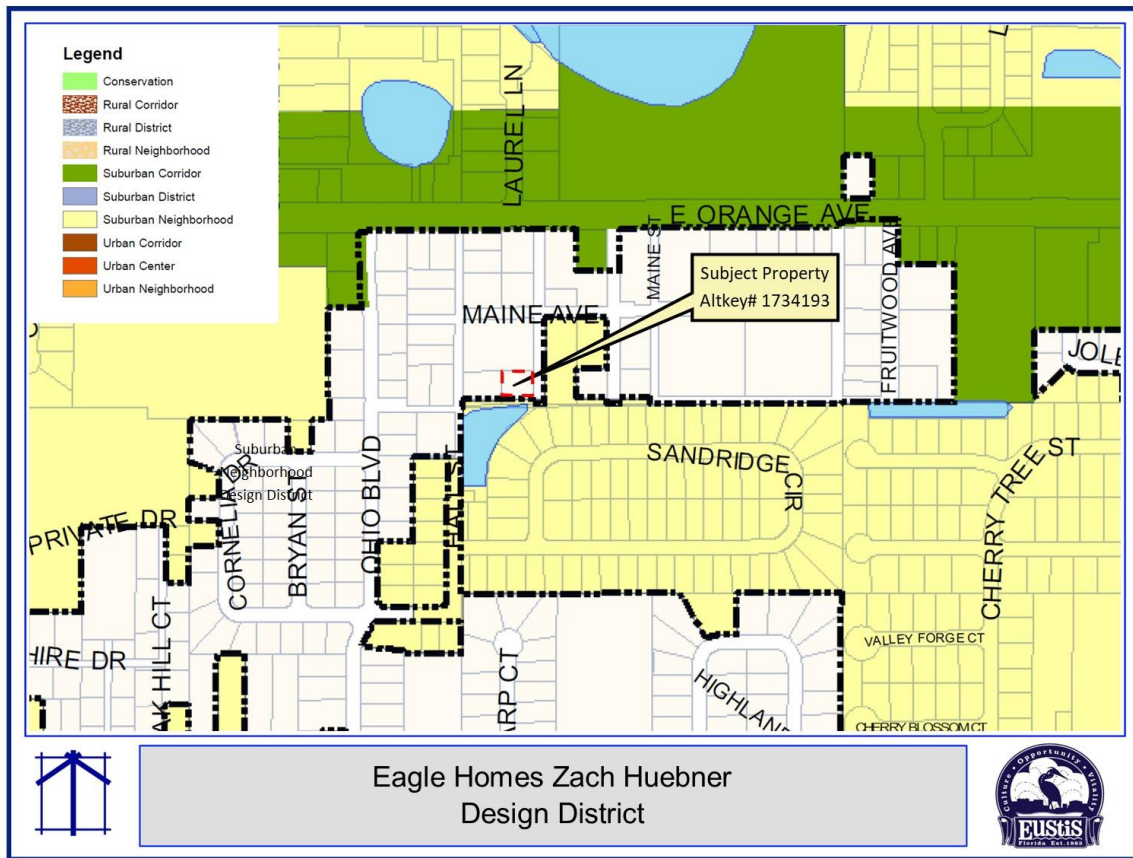


Eagle Homes Zach Huebner
Aerial Location

Surrounding properties have the following land use designations:

Location	Existing Use		Future Land Use	Design District
Subject Property	Vacant		Urban Low (Lake County)	N/A
North	Single-Family		Urban Low (Lake County)	N/A
South	Vacant	Single-Family	Suburban Residential	Suburban Neighborhood
East	Church		Public/ Institutional PI	Suburban Neighborhood
West	Single-Family		Urban Low (Lake County)	N/A





Applicant’s Request

The applicant is Eagle Homes/Zach Huebner and the property owner is Dennis Martin. They 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 four (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 24-26)

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. responsibility for extension/ construction of the drive access and utilities including the water and sewer system will remain with owner of the property.

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 on the southern and eastern boundaries, and the owner petitioned for annexation.

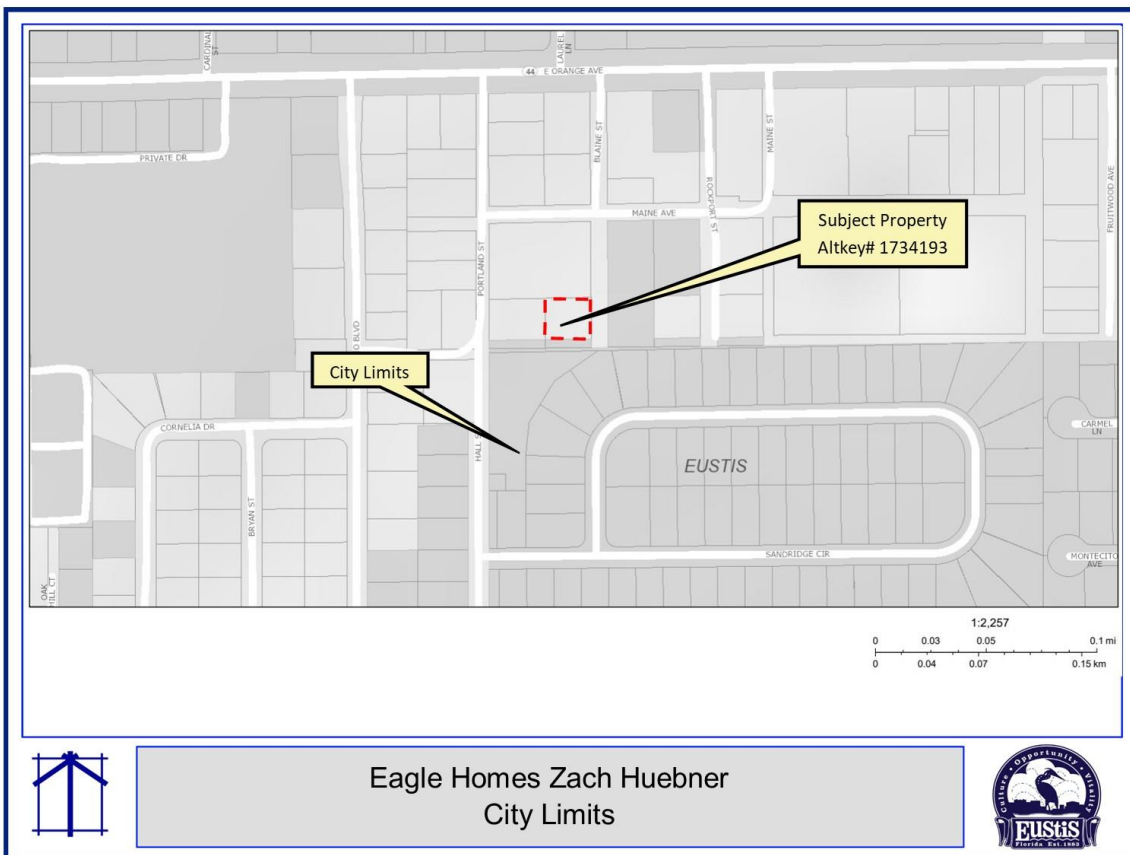
3. Florida Statutes Voluntary Annexation - Chapter 171.044(2):

“...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 May 28, 2024, and again on June 3, 2024.

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 property is 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 May 15, 2024, via email and by Certified Mail, for the scheduled dates for LPA and City Commission public hearing.

Analysis of Comprehensive Plan/Future Land Use Request **(2024-CPLUS-05) Ordinance Number 24-27)**

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 property is located in an enclave area and the City 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 property is located in an enclave area and the City will be requiring city services, in order to develop.

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 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 and sewer facilities are available from north and south side of the property, water service may be provided to the property. The responsibility for extending/constructing the sewer system and driveway access (paving the road is not mandatory) will remain with the owner of the property.

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. City water and sewer facilities are available from north and south side of the property, water service may be provided to the property. The responsibility for extending/constructing the sewer system and driveway access (paving the road is not mandatory) will remain with the owner of the property.

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 subject property is an existing residential lot.

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 Land Development Regulations have provisions to protect natural resources and 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.

c. ***City water and sewer facilities are available from north and south side of the property, water service may be provided to the property. The responsibility for extending/constructing the sewer system and driveway access (paving the road is not mandatory) will remain with the owner of the property.***

d. 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, the access through Maine Avenue is available from north side of the property, the responsibility for construction of the driving access to the subject property will remain with the property owner.

e. 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-efficient and water-efficient appliances.

f. 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.

g. 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.

h. 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 of the site and is not positioned to front primary or secondary corridors that would encourage commercial development.

i. 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 consist 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.

c. Potable Water & Sanitary Sewer:

City water and sewer facilities are available from north and south side of the property, water service may be provided to the property. The responsibility for extending/constructing the sewer system and driveway access (paving the road is not mandatory) will remain with the owner of the property.

e. 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.

f. 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.

g. 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.

h. 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 to this 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.

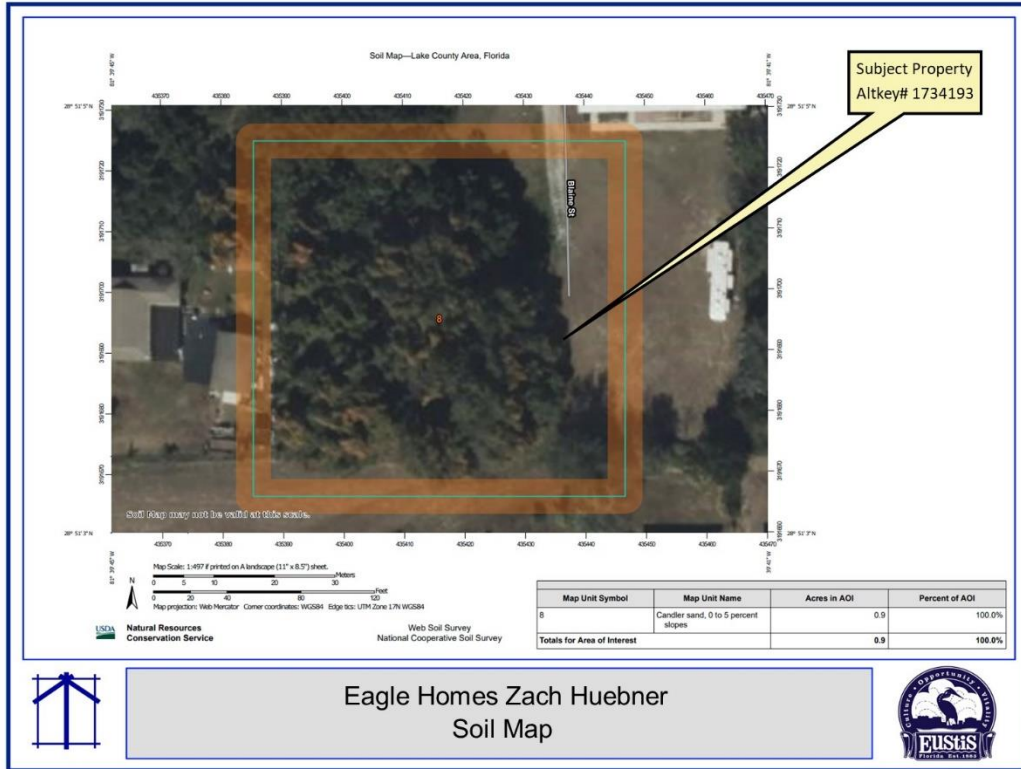
d. Soil and topography:

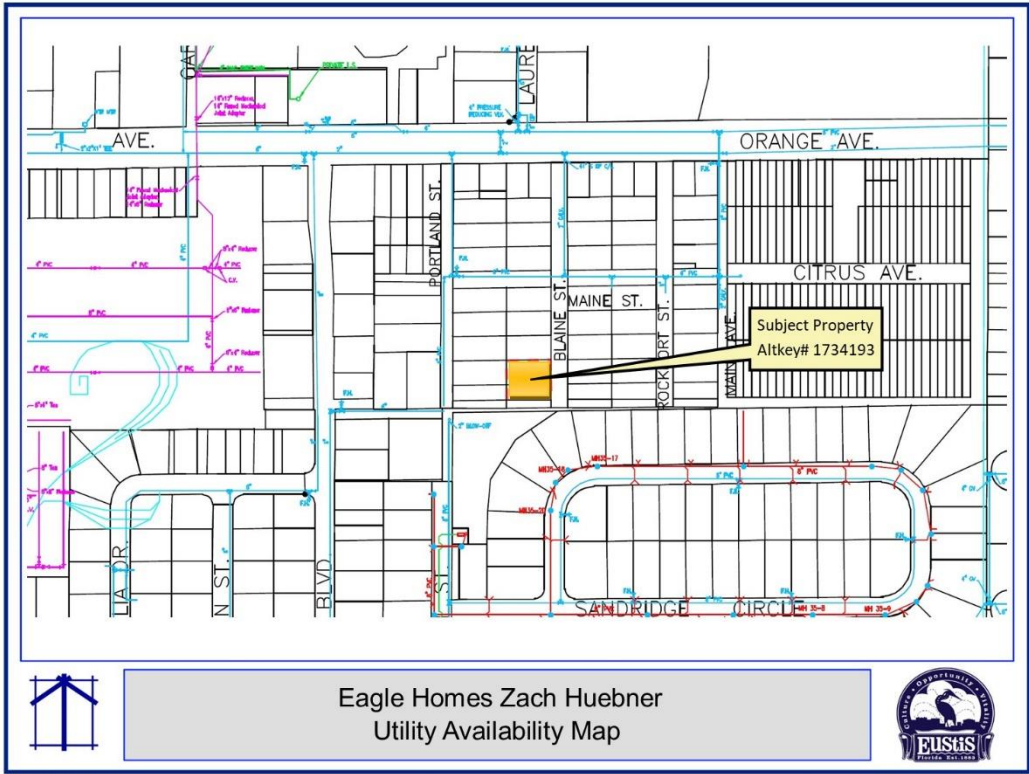
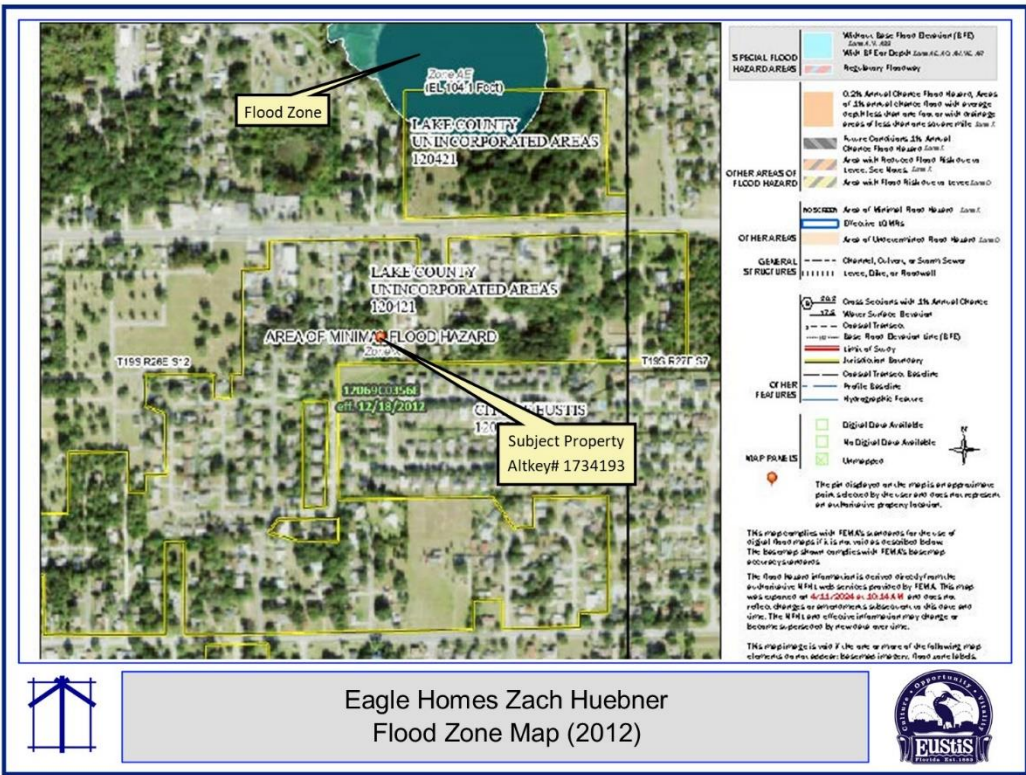
The site soils are primarily Candler sands.

Candler fine sand, 0 to 5 percent slopes – This nearly level to gently sloping, excessively drained soil is in the deep, sandy uplands. Slopes are nearly smooth to convex. The areas are mostly irregular in shape and range from about 15 to 300 acres. Typically, the surface layer is very dark grayish brown fine sand about 6 inches thick. The underlying layers are fine sand to a depth of 82 inches or more. The upper 10 inches is pale brown, the next 12 inches is light yellowish brown, the next 29 inches is yellow, the next 13 inches is very pale brown and has thin bands of brownish yellow loamy sand lamellae. Included with this soil in mapping are small areas of Apopka, Arredondo, Chipley, and Tavares soils. Also included are small areas of excessively drained soils that have a sandy texture to 80 inches or more. These excessively drained soils do not have thin bands of lamellae. A few areas of Candler soils that have slopes of 5 to 8 percent are included. Total included areas are 15 percent or less. This Candler soil has low available water capacity. Permeability is rapid. Natural fertility of the soil is low. Organic matter content of the surface layer is low to very low. Surface runoff is very slow. The

water table is at a depth of more than 72 inches. (Source: Florida Department of Environmental Protection)

Item 7.3





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 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 homes, 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 west, 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 and 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 and sewer facilities are available from north and south side of the property, water service may be provided to the property. The responsibility for extending/constructing the sewer system and driveway access (paving the road is not mandatory) will remain with the owner of the property.

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 in 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 demand 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 facilities are available from north and south side of the property, water service may be provided to the property. The responsibility for extending/constructing the sewer system and driveway access (paving the road is not mandatory) will remain with the owner of the property.

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 therefore, 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.

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 24-28**):

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 the 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 24-26, 24-27, and 24-28.

Policy Implications:

None

Alternatives:

1. Approve Ordinance Numbers 24-26 (Annexation), 24-27 (Comp. Plan Amendment), and 24-28 (Design District Designation).
2. Deny Ordinance Numbers 24-26, 24-27, and 24-28.

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

ORDINANCE NUMBER 24-26

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 0.25 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1734193, END OF BLAINE STREET (UNIMPROVED), SOUTH OF THE INTERSECTION OF BLAINE STREET AND MAINE AVENUE, ON THE WEST SIDE OF BLAINE.

WHEREAS, Eagle Homes/Zach Huebner made an application for voluntary annexation of approximately 0.25 acres of real property located at the end of Blaine Street (unimproved), south of the intersection of Blaine Street and Maine Avenue, on the west side of Blaine, more particularly described as:

Alternate Key Number: 1734193

Parcel Number: 12-19-26-4100-004-00400

Legal Description:

RICHARD'S ADD LOT 4, LOT 5--LESS S 20 FT--BLK 4 PB 1 PG 36 ORB 2766 PG 1792

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

WHEREAS, the subject property is reasonably compact and contiguous; 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 September 05, 2024, the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

WHEREAS, on September 19, 2024, 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 0.25 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 19th day of September 2024.

**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 19th day of September 2024, 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 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

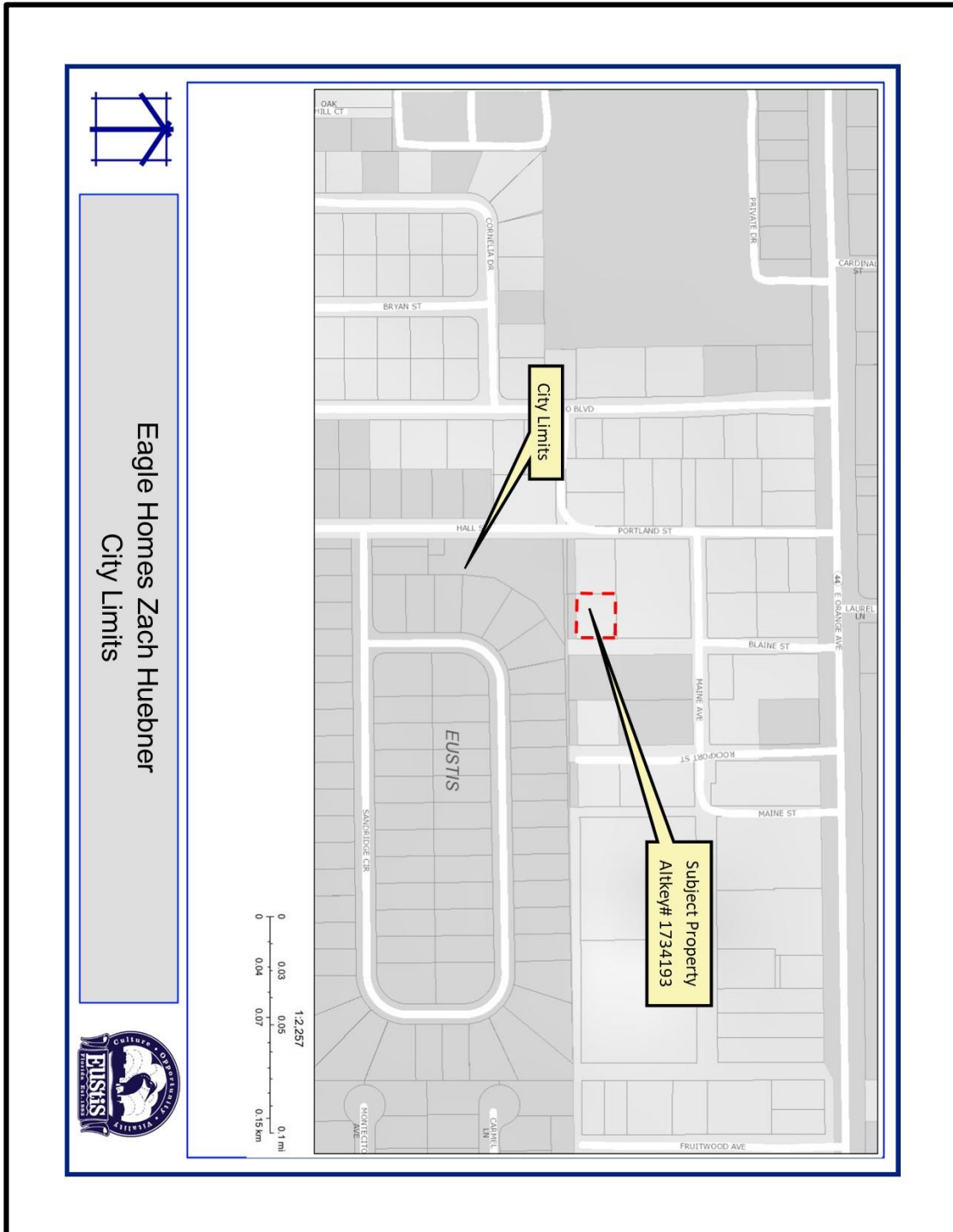
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-26 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



ORDINANCE NUMBER 24-27

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 0.25 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1734193, END OF BLAINE STREET (UNIMPROVED), SOUTH OF THE INTERSECTION OF BLAINE STREET AND MAINE AVENUE, ON THE WEST SIDE OF BLAINE, 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, 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 Chapter 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 0.25 acres of real property at Lake County Property Appraiser’s Alternate Key Number 1734193, at end of Blaine Street (unimproved), south of the intersection of Blaine Street and Maine Avenue, on the west side of Blaine, and more particularly described herein; and

WHEREAS, on September 05, 2024, the Local Planning Agency held a Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

WHEREAS, on September 05, 2024, the City Commission held the 1st Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

WHEREAS, on September 19, 2024, the City Commission held the 2nd Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation;

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 within the City of Eustis:

Alternate Key Number: 1734193

Parcel Number: 12-19-26-4100-004-00400

Legal Description:

RICHARD'S ADD LOT 4, LOT 5--LESS S 20 FT--BLK 4 PB 1 PG 36 ORB 2766 PG 1792

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

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

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 19th day of September, 2024.

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 ____ day of _____, 2024, 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 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

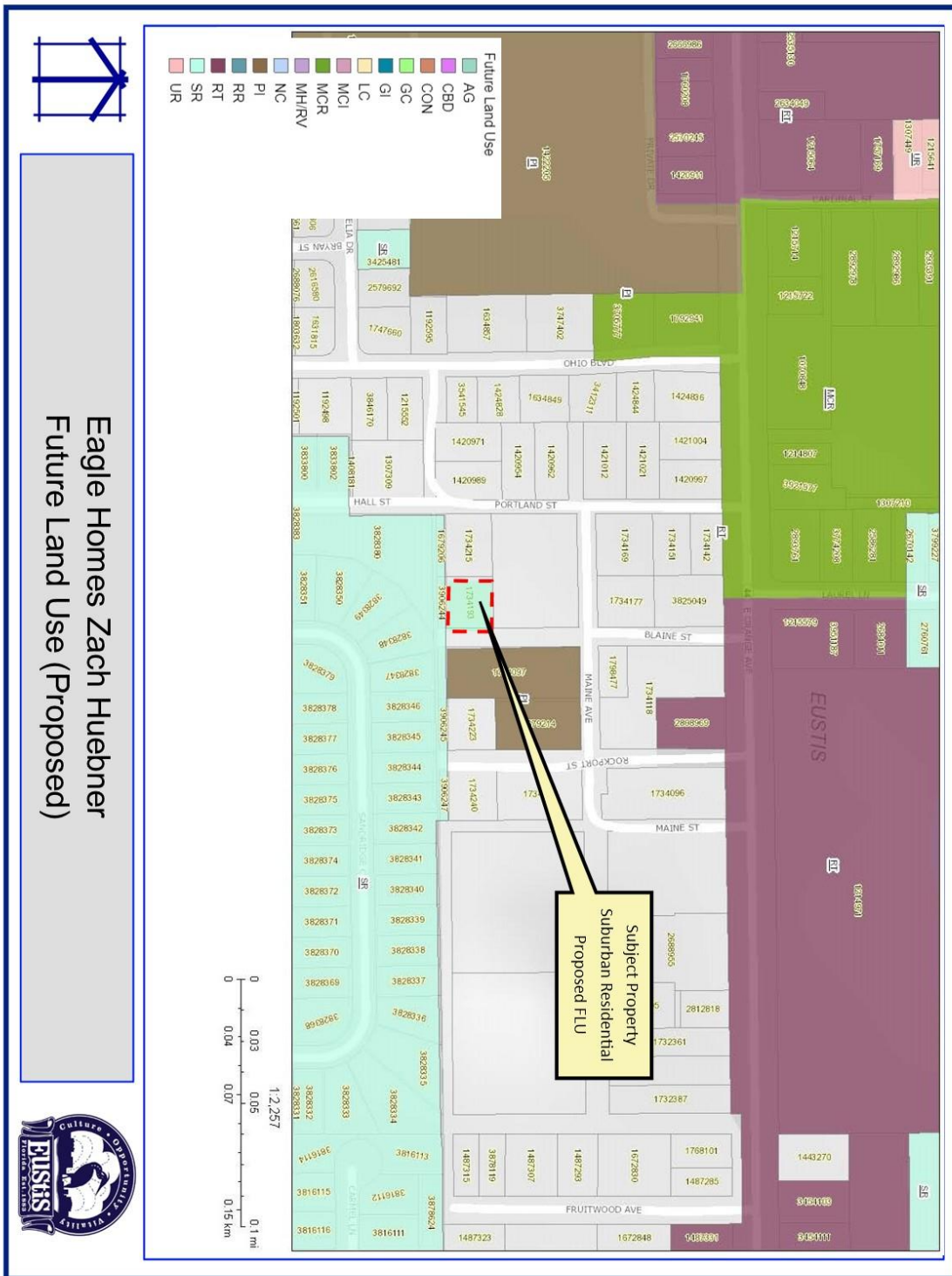
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-27 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



ORDINANCE NUMBER 24-28

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.25 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1734193, ON END OF BLAINE STREET (UNIMPROVED), SOUTH OF THE INTERSECTION OF BLAINE STREET AND MAINE AVENUE, ON THE WEST SIDE OF BLAINE.

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 0.25 acres of recently annexed real property further described below, and;

WHEREAS, on September 05, 2024, the City Commission held the 1st Public Hearing to consider the Design District Amendment contained herein; and

WHEREAS, on September 19, 2024, 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 HEREBY ORDAINS:

Section 1. Design District Designation

That the Design District Designation of the real property described below and shown on Exhibit A shall be Suburban Neighborhood:

Alternate Key Number: 1734193
Parcel Number: 12-19-26-4100-004-00400

Legal Description:
RICHARD'S ADD LOT 4, LOT 5--LESS S 20 FT--BLK 4 PB 1 PG 36 ORB 2766 PG 1792

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

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 annexation of the subject property through approval of Ordinance Number 24-28.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 19th day of September, 2024.

**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 ____ day of _____, 2024, 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 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

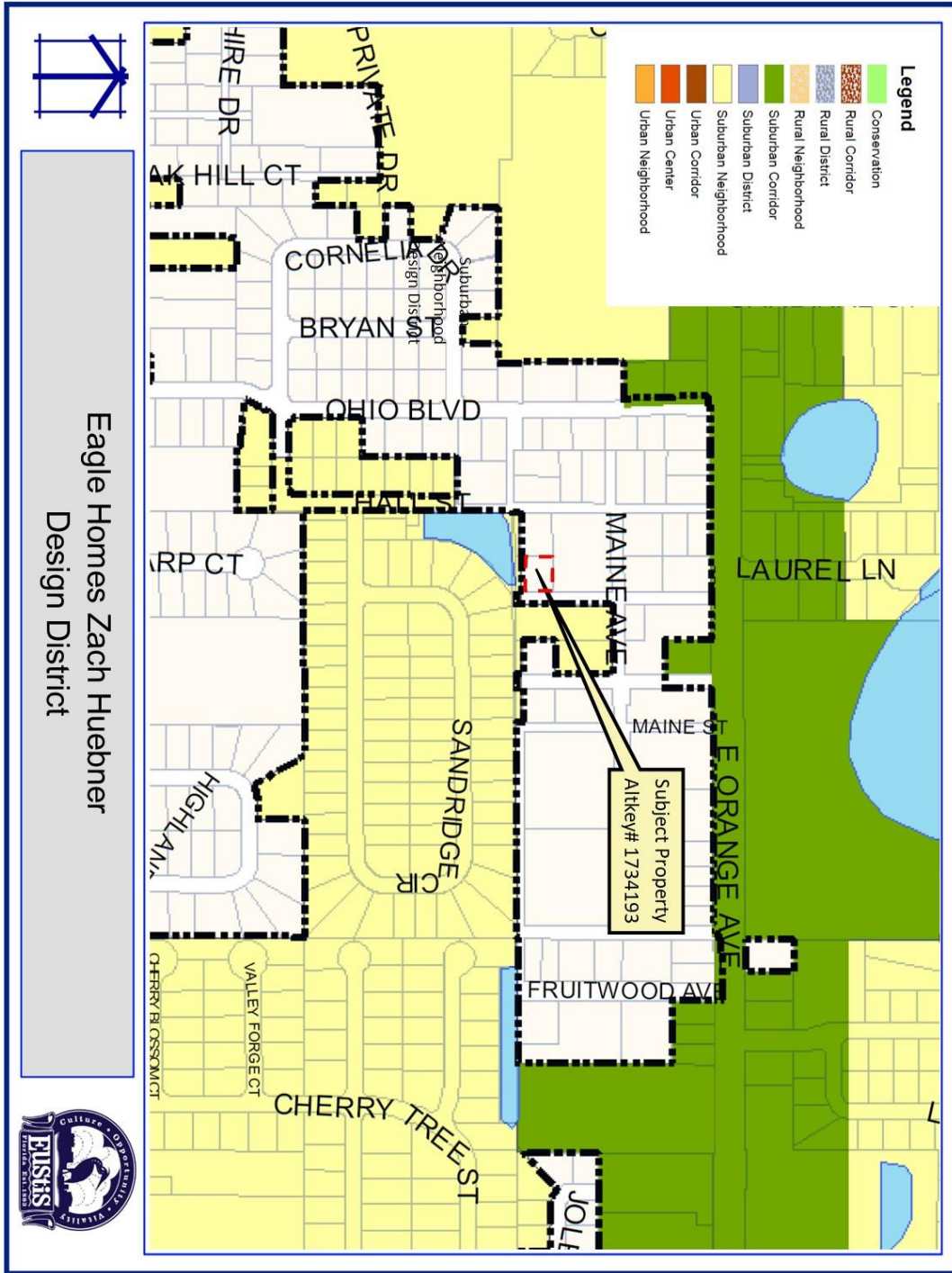
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-28 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





City of Eustis

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

TO: EUSTIS CITY COMMISSION
FROM: TOM CARRINO, CITY MANAGER
DATE: SEPTEMBER 19, 2024
RE: **SECOND READING**

ORDINANCE NUMBER 24-31: ANNUAL UPDATE OF THE FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE OF THE COMPREHENSIVE PLAN FISCAL YEAR 2025-29

Introduction:

This report seeks acceptance of the City of Eustis Five Year Capital Improvement Plan (CIP) FY2025-2029. Ordinance Number 24-31 approves the FY2025-29 annual update of the Five-Year Capital Improvements Schedule of the Comprehensive Plan under F.S. 163.3177(3)5(b).

Background:

The Five-Year CIP identifies five years of capital improvement needs for the City of Eustis. The plan includes major capital projects and acquisitions of over \$25,000 with a useful life of five or more years. It also includes repair and maintenance projects when the cost meets the budget threshold.

Department Directors provided updated information on projects previously submitted for the CIP as well as new project needs and evaluated those projects based on current economic conditions, requirements of the Comprehensive Plan, requirements to implement the City's Strategic Plan, the need to expand City service levels and the need to meet renewal and replacement demands on existing infrastructure. Department Directors reviewed the CIP submittals and prioritized the projects based on the following criteria:

1. Risk
 - a. Eliminates a current or future safety concern;
 - b. Addresses a hazardous condition;
 - c. Replaces or updates equipment or facilities that are not efficient or functionally serving their intended purpose;
 - d. Meets pending compliance requirements from other agencies;
 - e. Maintains City assets at a level adequate to protect the City's investment and minimize future maintenance and replacement costs (This would include Comprehensive Plan service level deficiencies).
2. Return on Investment
 - a. Highly visible projects;

- b. The benefit of the project outweighs the cost of the project within a short period.
 - c. Project has the potential to generate economic development.
3. Level of Service Maintenance
- a. Projects that need to be completed to maintain the City's desired service levels.
4. Improved Level of Service
- a. Projects that provide a new service or improve the current level of service based on increased demand.

The Finance Department used a conservative approach to forecast capital revenue by analyzing collections for the past five years for trends and economic fluctuations. Based on that analysis, the anticipated revenue and expenditures are as follows:

- Sales Tax Fund, CRA, Street Improvement, Stormwater, Stormwater Utility, Law Enforcement Capital Expansion, Fire Prevention and Water & Sewer revenue projections include a 3% annual increase for FY24/25 and 5% expense increase in 24/25, due to inflation.
- Stormwater, Water & Sewer revenue projections include a 3% increase per year for FY25/29 due to new construction developments, and 2.5% of the annual water and sewer rates increase.
- Going forward, expenditure projections include a 5% annual increase for all funds for FY25/29 due to inflation projected easing.

Some of the major projects included in the plan are the following:

- Public Safety Combined Complex (PW Dept. - Facilities) - \$13,250,000
- North Shore Bridge Construction (PE Dept) - \$5,100,000
- Aquatic Center Renovation (Parks & Rec Dept) - \$3,200,000
- Street Resurfacing City-wide (PW Dept - Transportation) - \$2,449,079
- Vehicle Replacements (Police Dept) - \$1,675,000
- Process & Clarification Tank Rehabilitation (PW Dept-Wastewater) - \$1,520,000
- FDOT Landscape Maintenance (PW Dept - Transportation) - \$1,500,000
- Rosenwald 7 Blocks Sewer (PW Dept - Wastewater) - \$1,450,000
- Building Improvements (PW Dept - Facilities) - \$1,234,500
- Heathrow WTP Ground Storage Tank (PW Dept - Water) - \$1,080,000
- Water Meter Rebuild (PW Dept - Water) - \$1,020,000
- Pumper Engine Replacement (Fire Dept) - \$904,400 (lease)
- Infiltration & Intrusion (PW Dept - Wastewater) - \$890,000
- Bates Ave Plant Generator Overhaul (PW Dept - Wastewater) - \$880,000
- Fire Engine (Fire Dept) - \$750,000
- Master Lift Station Upgrade (PW Dept - Wastewater) - \$720,000
- Eastern Tertiary Filter (PW Dept - Wastewater) - \$660,000
- New Water Meter Service Sets (PW Dept - Water Impact) - \$630,000
- Sewer Cleaning Tank (PW Dept - Wastewater) - \$570,000
- Ferran Park Seawall (Parks & Rec. Dept) - \$550,000

- Corey Roll Field Improvements (Parks & Rec. Dept) - \$530,000
- Sidewalk Replacements City-wide (PW Dept - Transportation) - \$520,000
- Unimproved Roads Engineering Design (PW Dept - Transportation) - \$500,000
- Equipment (Police Dept) - \$490,000
- Lift Station Emergency Generator Replace (PW Dept - Wastewater) - \$475,000
- Camera Vehicle (PW Dept - Wastewater) - \$450,000
- CR44 Force Main (PW Dept - Wastewater) - \$420,000
- Signalization Camera (PW Dept - Transportation) - \$420,000
- Cornelia Dr. Second Connection Point (PW Dept - Water) - \$410,000
- Rosenwald 7 Blocks Watermain (PW Dept - Water) - \$400,000
- Dump Truck Replacement (PW Dept - Transportation) - \$400,000
- Laurel Oak Rd. Water Main Replacement (PW Dept - Water) - \$400,000
- Stormwater Camera (PW Dept - Stormwater) - \$400,000
- Street Sweeper (PW Dept - Stormwater) - \$400,000
- Mobility New Sidewalks (PW Dept - Transportation) - \$330,000

The CIP process occurs annually, enabling the city to assess projects in light of evolving circumstances and changing focal points. The plan underwent thorough examination by city staff and the City Commission. The final Plan is now put forth for approval.

The cumulative CIP amount for the upcoming five years stands at \$75,179,525. The capital projects scheduled for FY2024/25 will be incorporated as part of the FY2024/25 Annual Budget scheduled for approval on September 19, 2024.

Recommended Action

Staff recommends approval of Ordinance Number 24-31.

Alternatives

1. Approve Ordinance Number 24-31
2. Deny Ordinance Number 24-31

Community Input

Staff properly advertised the Ordinance and invited public input during the September 19th, 2024 meeting.

Budget/Staff Impact

There is no specific staff or budget impact associated with approval of the Ordinance other than the budgetary impact of the Plan itself. The Plan is included in the final FY2024/25 Annual Budget adopted by the Commission at the September 19th, 2024, meeting.

Prepared By:

Lori Carr, Finance Director

Reviewed By:

Mike Sheppard, Deputy Finance Director

Attachment: City of Eustis Capital Improvement Plan book FY2025-2029 will be provided at the meeting.

ORDINANCE NUMBER 24-31

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING THE ANNUAL UPDATE OF THE FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE OF THE COMPREHENSIVE PLAN UNDER FLORIDA STATUTES 163.3177(3)5(b); PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, Florida Statutes 163.3177(3)(b) requires the City to undertake an annual review of the Capital Improvements Element and update the Five-Year Capital Improvement Schedule by Ordinance; and

WHEREAS, the City Commission has reviewed and accepted the Five-Year Capital Improvement Plan for Fiscal Year 2025 through the Fiscal Year 2029;

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

Section 1.

The Capital Improvement Plan for Fiscal Year 2025 through the Fiscal Year 2029 is hereby adopted as the annual update of the Five-Year Capital Improvement Schedule in the Capital Improvement Element based on the Comprehensive Plan requirements.

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 5.

That this Ordinance shall become effective immediately on passing.

PASSED, ORDAINED, AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 19th day of September 2024.

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

Michael L. Holland
Mayor/Commissioner

ATTEST:

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: September 19, 2024

RE: **SECOND READING**

Explanation of Ordinances for Annexation of Parcel with Alternate Key 1064309:
 Ordinance Number 24-32 – Voluntary Annexation
 Ordinance Number 24-33 – Comprehensive Plan Amendment
 Ordinance Number 24-34 – Design District Assignment

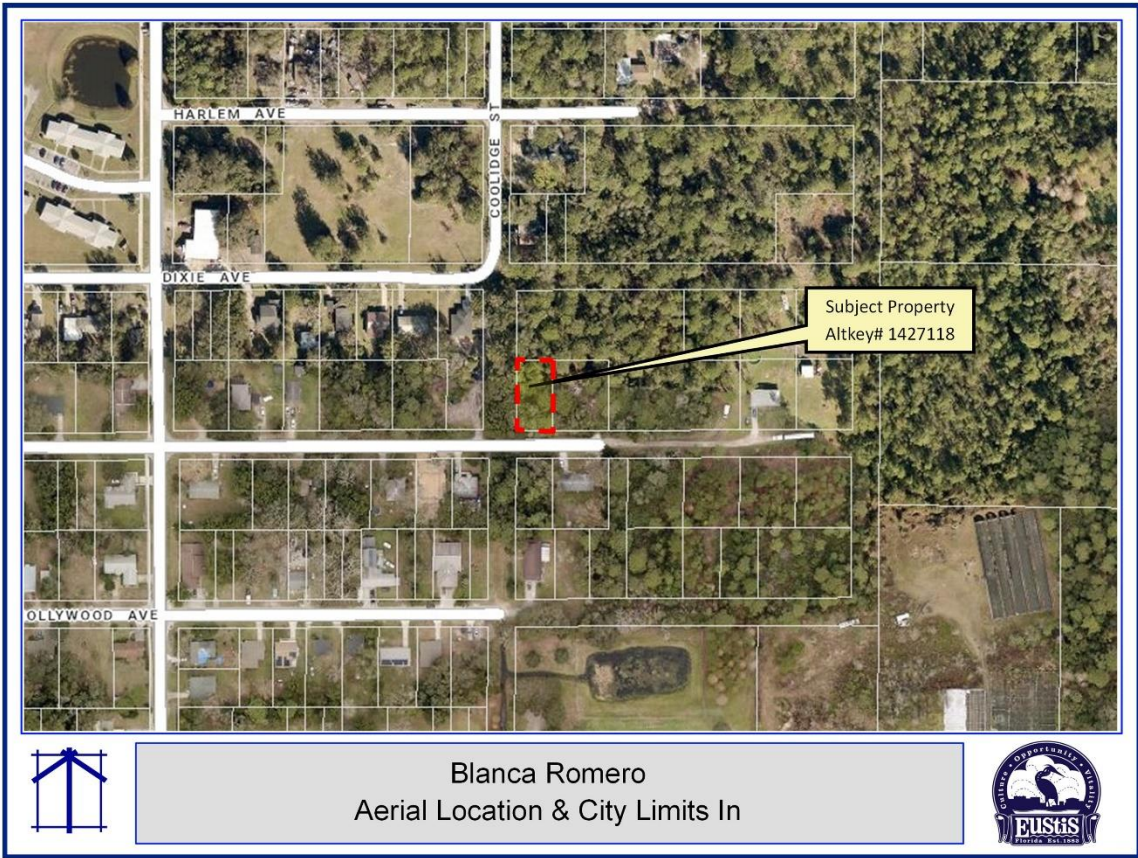
Ordinance Number 24-32: Voluntary Annexation Parcel with Alternate Key 1064309

Introduction:

Ordinance Number 24-32 provides for the voluntary annexation of approximately 0.19 acres of land located at Coolidge Street and Suanee Avenue, on the north side of Suanee Ave. (Alternate Key Number 1427118). Provided the annexation of the subject property is approved, via Ordinance Number 24-32, Ordinance Number 24-33 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 24-34 would assign the subject property a design district designation of Suburban Neighborhood. If Ordinance Number 24-32 is denied, then there can be no consideration of Ordinance Numbers 24-33 and 24-34.

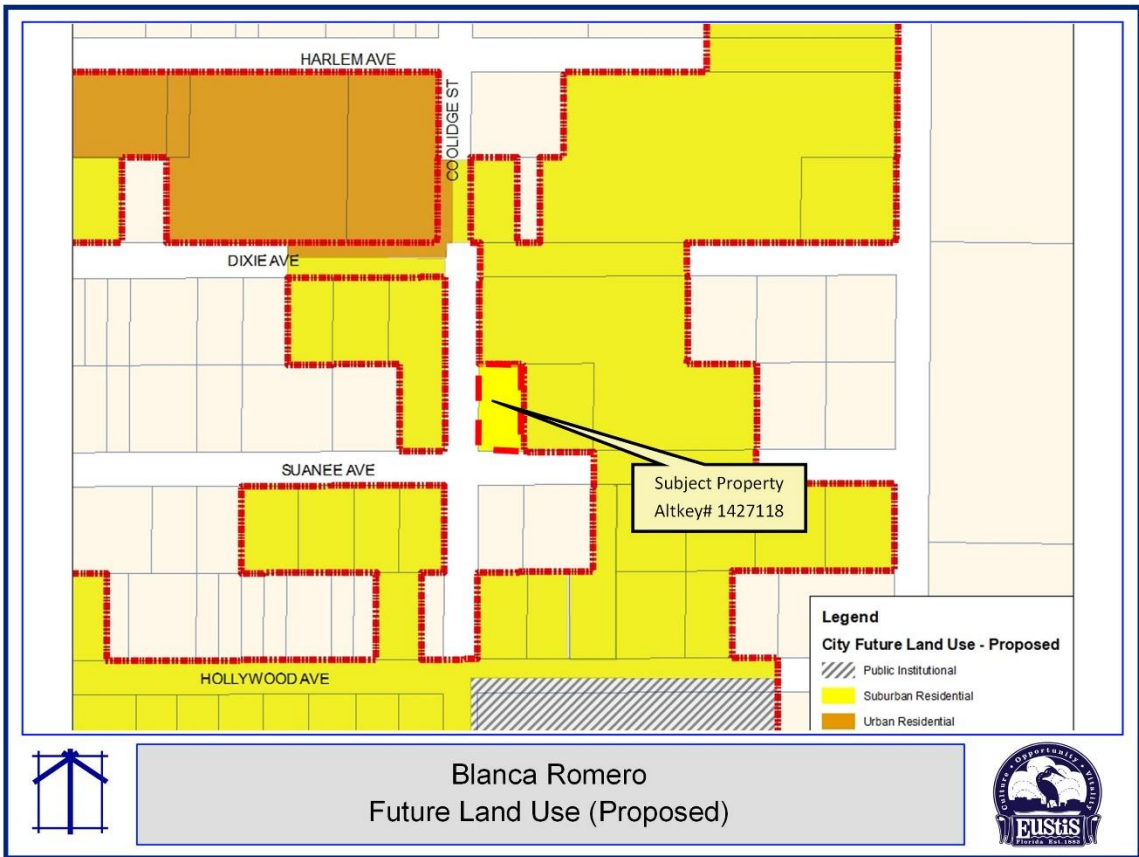
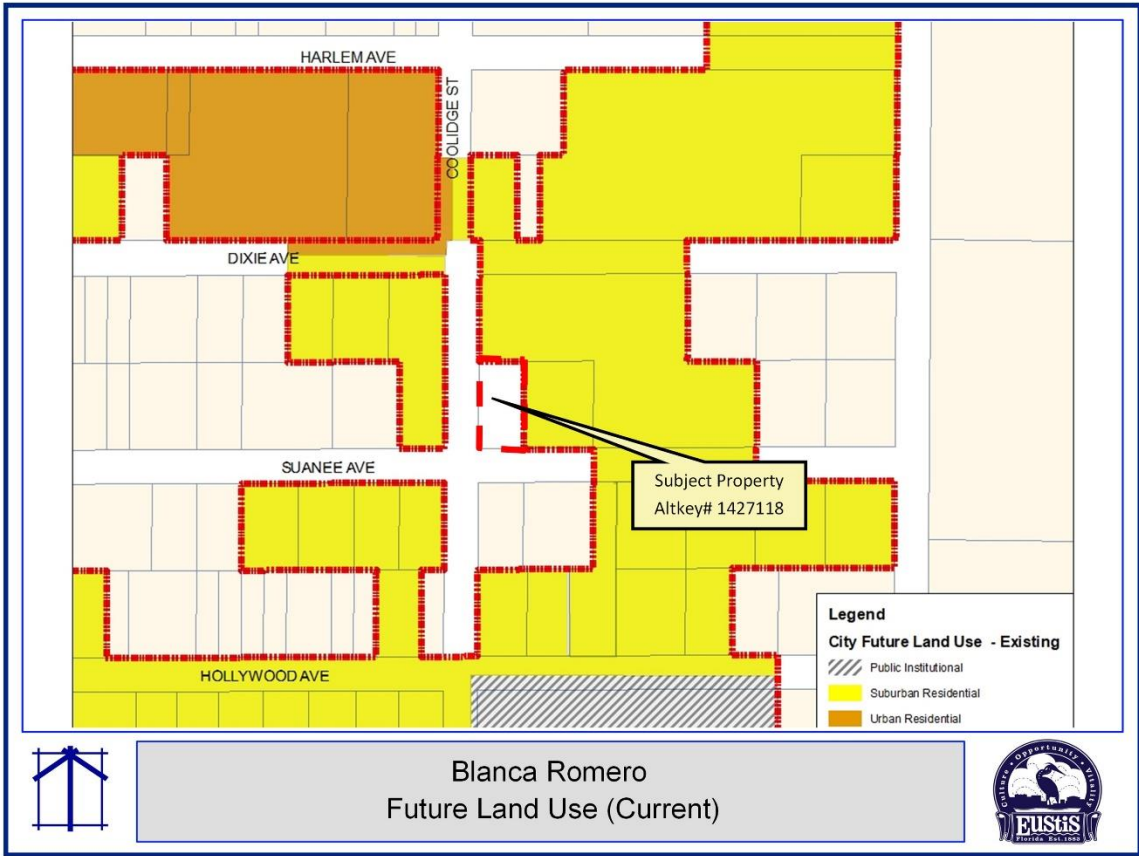
Background:

1. The site contains approximately 0.19 acres and is located within the Eustis Joint Planning Area. The property to be annexed is 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 property is within an enclave area of the City and is contiguous to the City boundaries represented on the Location map, herein.
3. The site has a Lake County land use designation of Urban Low, but approval of Ordinance Number 24-33 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	Vacant	Suburban Residential	Suburban Neighborhood
South	Single-Family	Urban Low (Lake County)	N/A
East	Vacant	Suburban Residential	Suburban Neighborhood
West	Vacant	Urban Low (Lake County)	N/A



Applicant's Request

The applicant and property owner, Blanca Romero, wishes 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 24-32)

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 on the Northern and eastern boundaries, and the owner petitioned for annexation.

3. Florida Statutes Voluntary Annexation - Chapter 171.044(2):

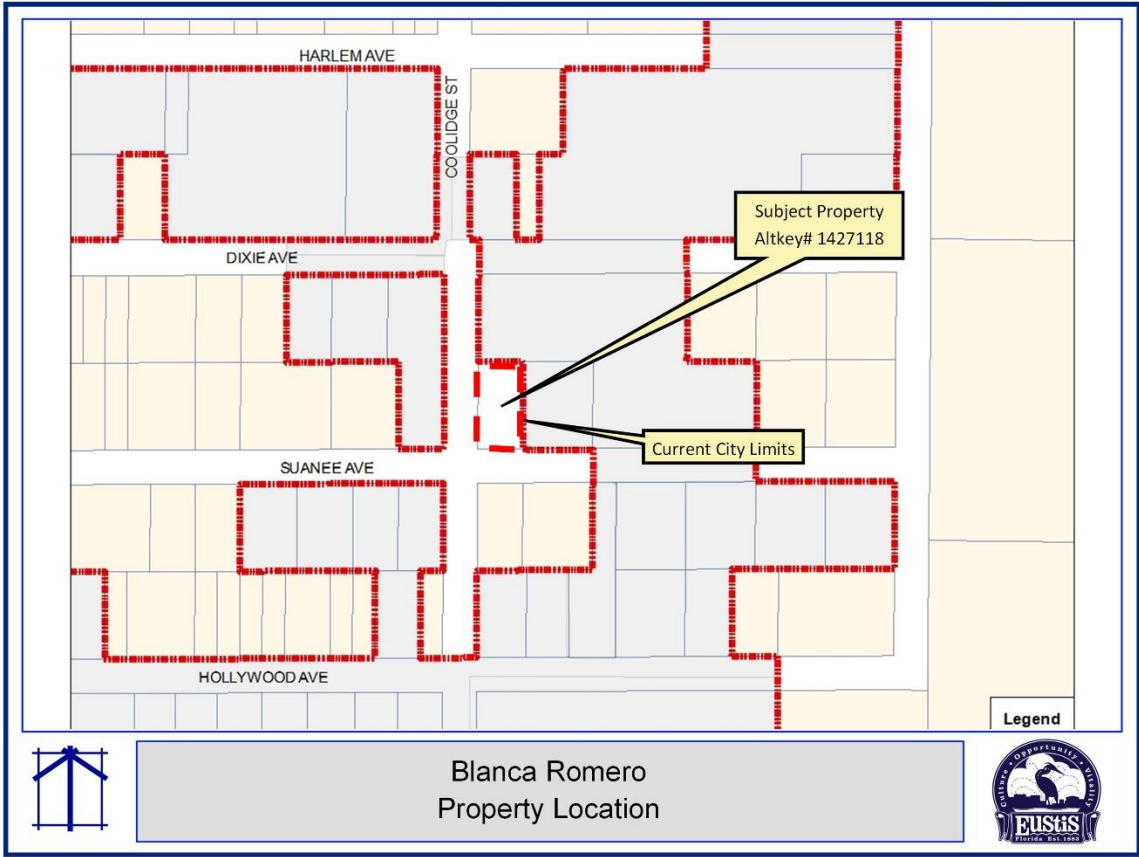
“...Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town...”

The department published notice of this annexation in the Daily Commercial following the established requirements on August 26, 2024, and again on September 1, 2024.

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 property is 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 August 16, 2024, via email and by Certified Mail.

Analysis of Comprehensive Plan/Future Land Use Request **(2024-CPLUS-10) Ordinance Number 24-33)**

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 property is 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 property is located in an enclave area and will be requiring city services in order to develop. The underlying lot within the proposed annexation that will be subject to the Suburban Residential Future land Use was 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 property was 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.

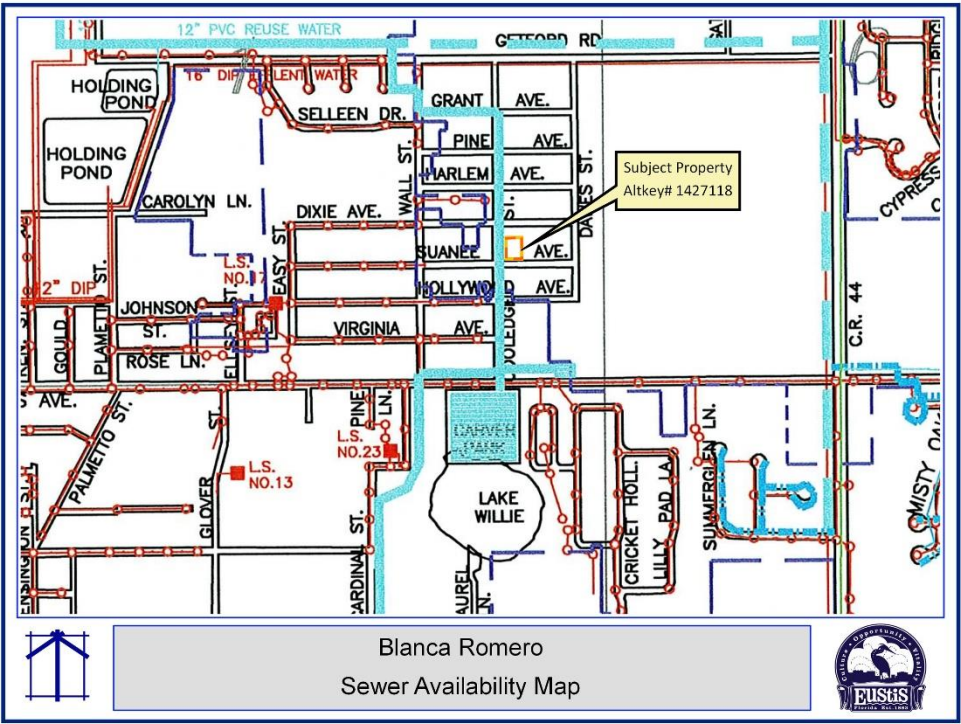
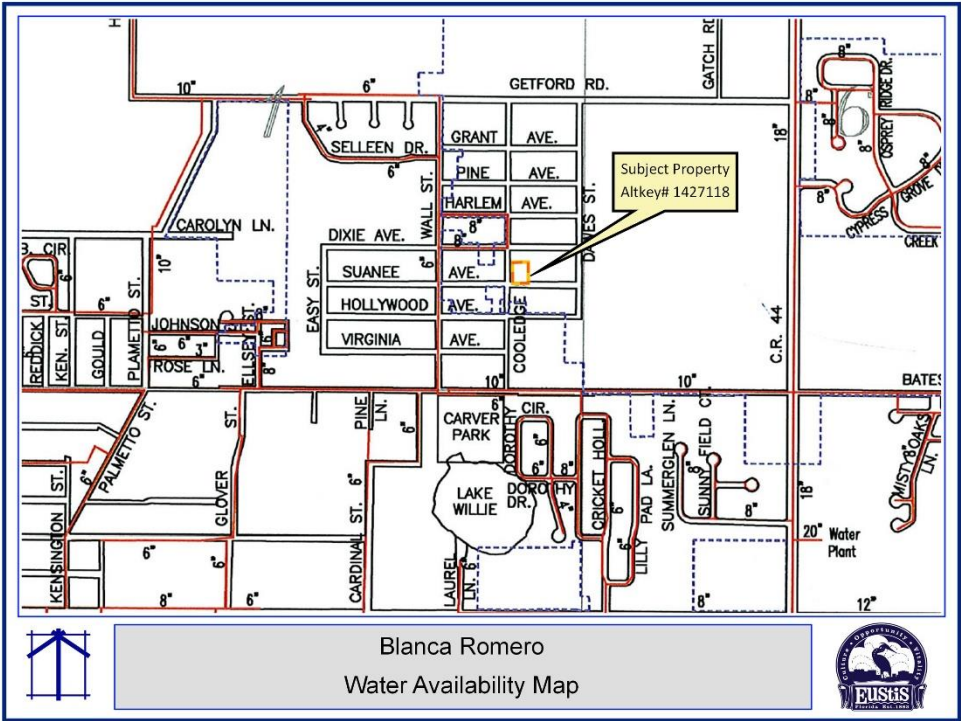
This indicator does not apply. This site and adjacent areas do not support active agricultural or silvicultural activities. The site is within an existing developed and further developing area.

6. Public Facilities:

Fails to maximize the use of existing public facilities and services.

This indicator does not apply. City water will be 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 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.



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 emergency response, and general government.

This indicator does not apply. Adequate capacity will be available to serve the existing and future development. 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.

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 property is an existing residential lot.

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 Land

Development Regulations have provisions to protect natural resources 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 will be 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-efficient 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 of the site and 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 new 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 will be 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:

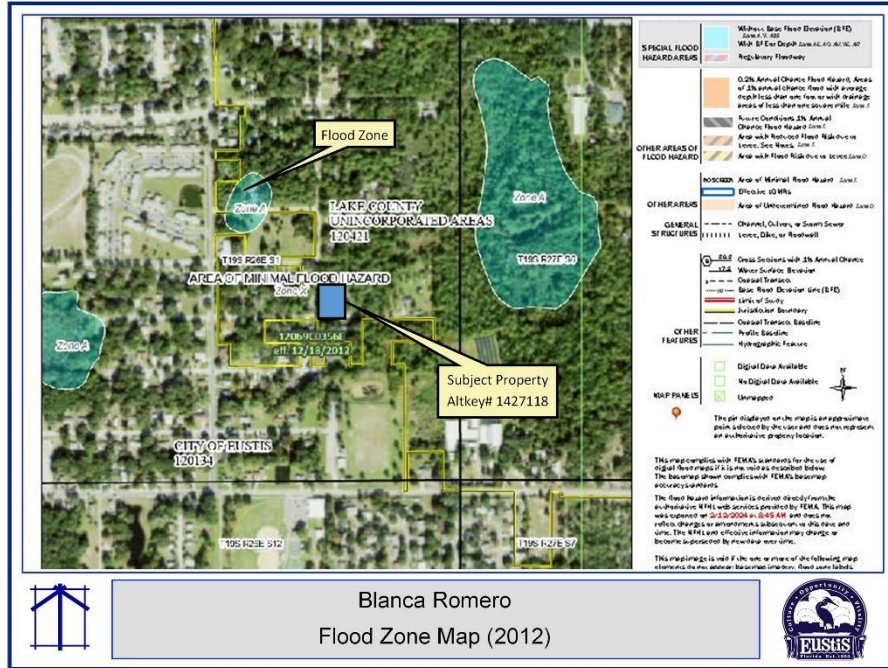
The site may be within a recharge area, and a site-specific geotechnical and hydrologic study will be needed to determine the site-specific impact at the time of development. Source: Lake County Comprehensive Plan 2030 Floridian Aquifer Recharge Map.

b. Historical or archaeological sites:

The City does not have any record of Florida Master Site Files related to 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 south and west, 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 and 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 will be available. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity will be available. 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.

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 in 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 will be available and in close proximity to the site. Adequate capacity will be 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 therefore, 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 24-34):

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 redistricting. The proposed Design District is not in conflict with the public interest and reflects the purpose and intent of the regulations.

I. 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 24-32, 24-33, and 24-34.

Policy Implications:

None

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, Deputy Director, Development Services

Reviewed By:

Mike Lane, AICP, Development Services Director

ORDINANCE NUMBER 24-32

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 0.19 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1427118, ON COOLIDGE STREET AND SUANEE AVENUE, ON NORTH SIDE OF SUANEE AVENUE.

WHEREAS, Blanca Romero. made an application for voluntary annexation of approximately 0.19 acres of real property located on Coolidge Street and Suanee Avenue, on the north side of Suanee Ave., more particularly described as:

Alternate Key Number: 1427118

Parcel Number: 01-19-26-0600-011-01900

Legal Description: ROSENWALD GARDENS PB 5 PG 61 LOTS 19,20 BLK 11
ORB 5850 PG 857

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

WHEREAS, the subject property is reasonably compact and contiguous; 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 September 5, 2024, the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

WHEREAS, on September 19, 2024, 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 0.19 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 19th day of September, 2024.

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 19th day of September, 2024, 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 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

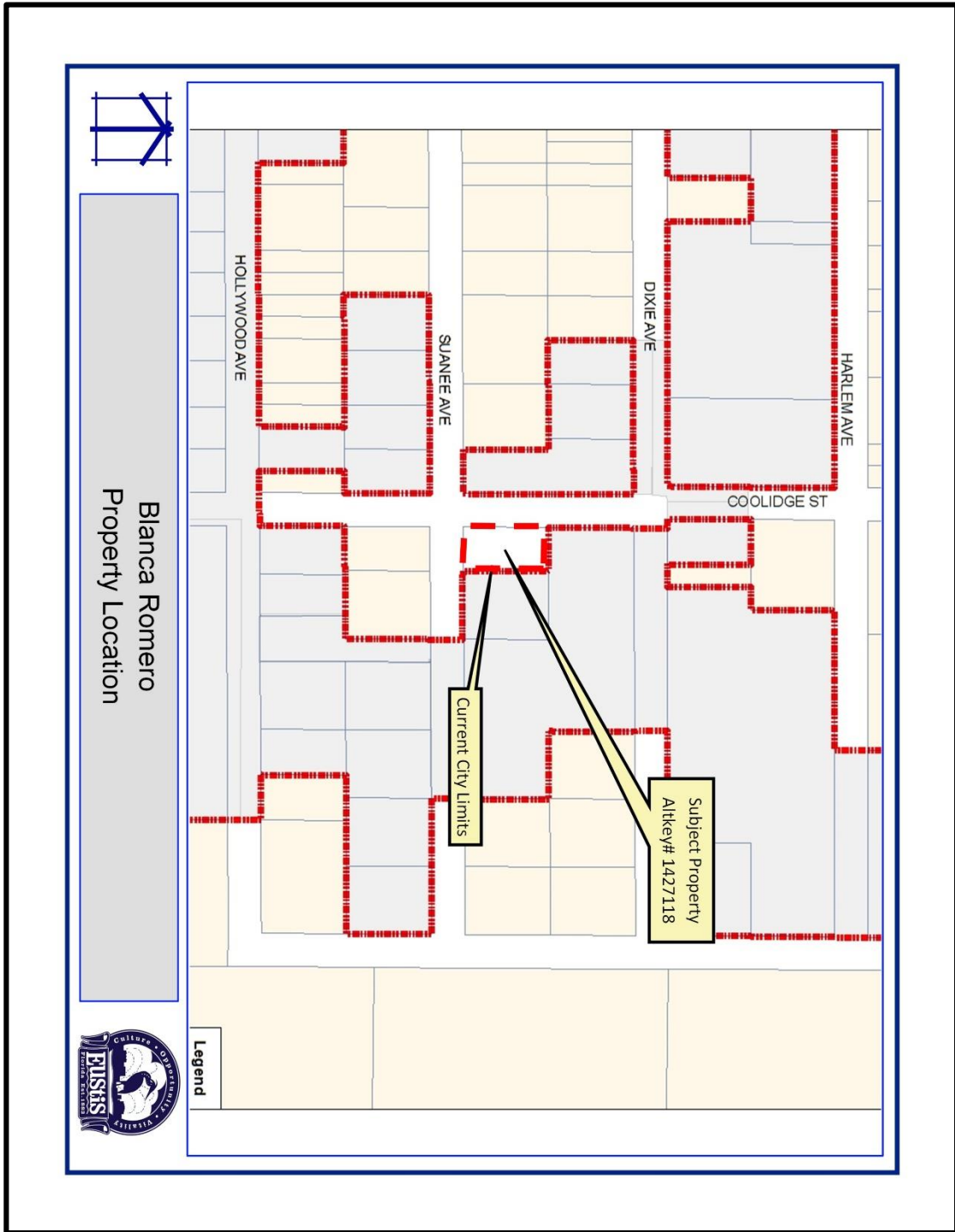
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-32 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



ORDINANCE NUMBER 24-16

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 0.19 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1427118, ON COOLIDGE STREET AND SUANEE AVENUE, ON NORTH SIDE OF SUANEE 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, 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 Chapter 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 0.19 acres of real property at Lake County Property Appraiser’s Alternate Key Number 1427118, on Coolidge Street and Suanee Avenue, on the north side of Suanee Avenue, and more particularly described herein; and

WHEREAS, on September 5, 2024, the Local Planning Agency held a Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

WHEREAS, on September 5, 2024, the City Commission held the 1st Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

WHEREAS, on September 19, 2024, the City Commission held the 2nd Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation;

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 within the City of Eustis:

- Alternate Key Number: 1427118
- Parcel Number: 01-19-26-0600-011-01900
- Legal Description: ROSENWALD GARDENS PB 5 PG 61 LOTS 19,20 BLK 11

ORB 5850 PG 857

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

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

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 19th day of September, 2024.

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 ____ day of _____, 2024, 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 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

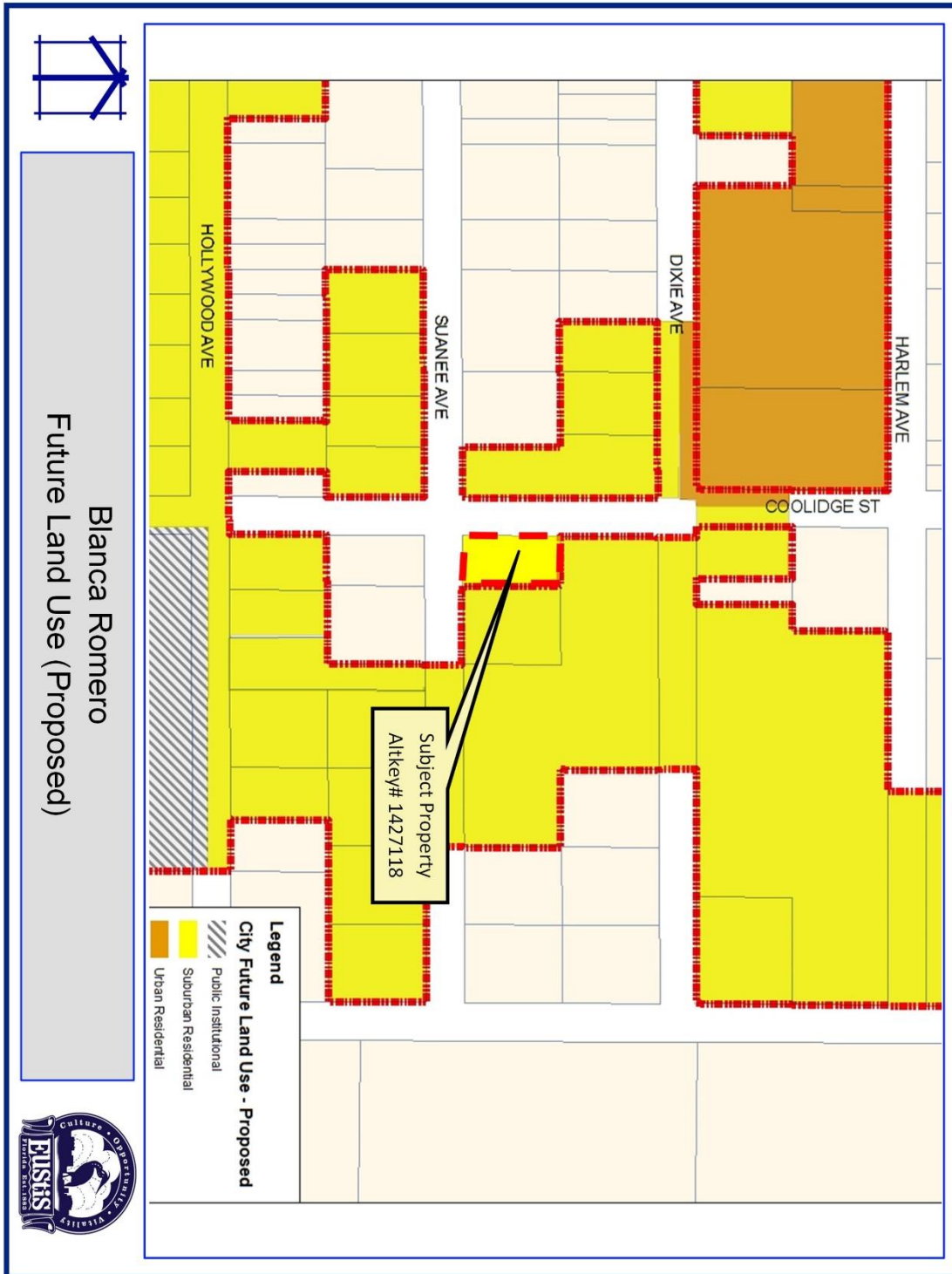
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-33 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



ORDINANCE NUMBER 24-34

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.19 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1427118, ON COOLIDGE STREET AND SUANEE AVENUE, ON NORTH SIDE OF SUANEE 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 0.19 acres of recently annexed real property further described below, and;

WHEREAS, on September 5, 2024, the City Commission held the 1st Public Hearing to consider the Design District Amendment contained herein; and

WHEREAS, on September 19, 2024, 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 HEREBY ORDAINS:

Section 1. Design District Designation

That the Design District Designation of the real property described below and shown on Exhibit A shall be Suburban Residential:

Alternate Key Number: 1427118
Parcel Number: 01-19-26-0600-011-01900
Legal Description: ROSENWALD GARDENS PB 5 PG 61 LOTS 19,20
BLK 11 ORB 5850 PG 857

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

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 annexation of the subject property through approval of Ordinance Number 24-34.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 19th day of September, 2024.

**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 ____ day of _____, 2024, 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 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

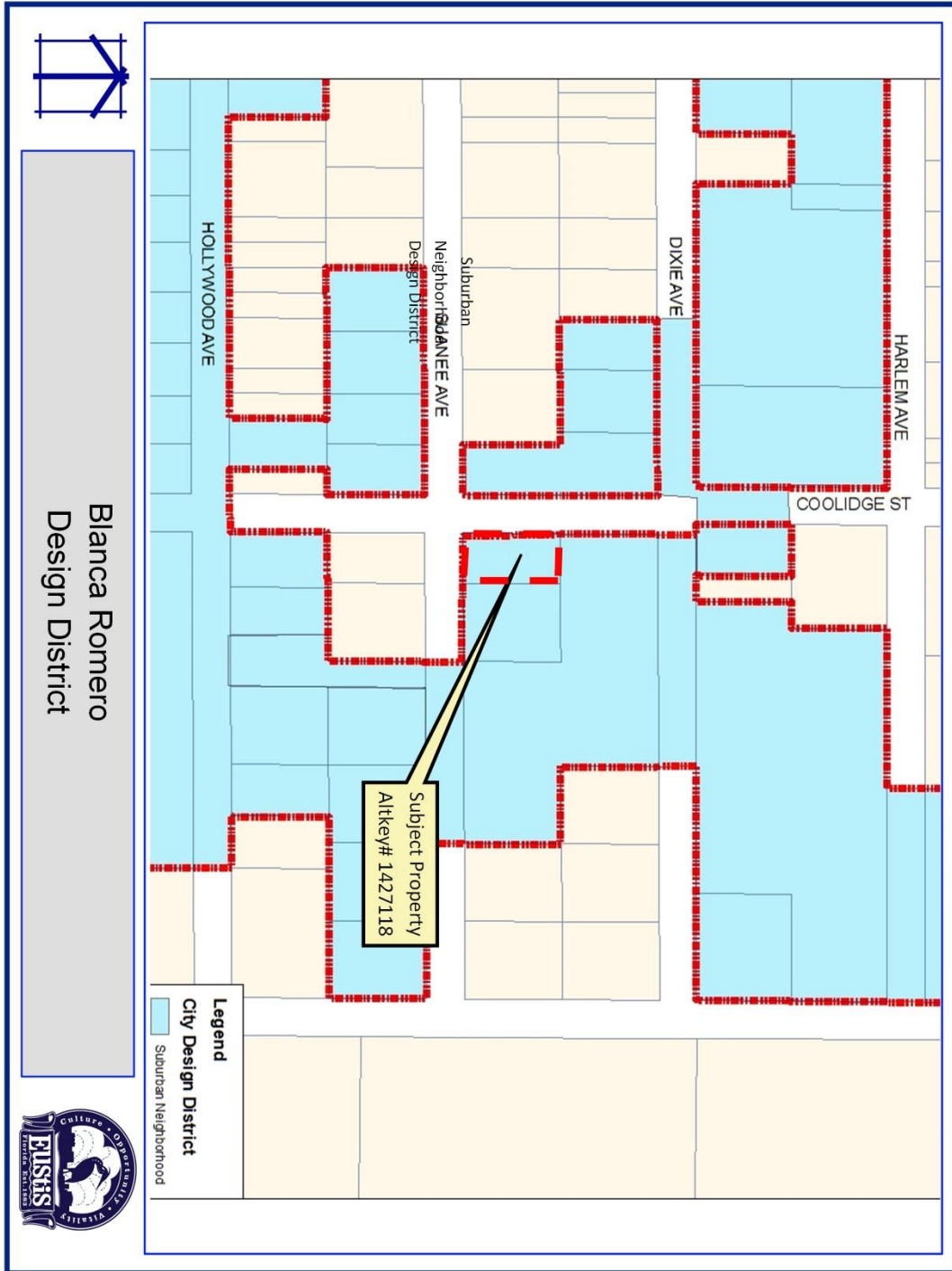
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-34 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





City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: September 19, 2024

RE: **FIRST READING**

Ordinance Number 24-38: Conditional Use Permit for an Accessory Dwelling Unit at 514 East Washington Avenue

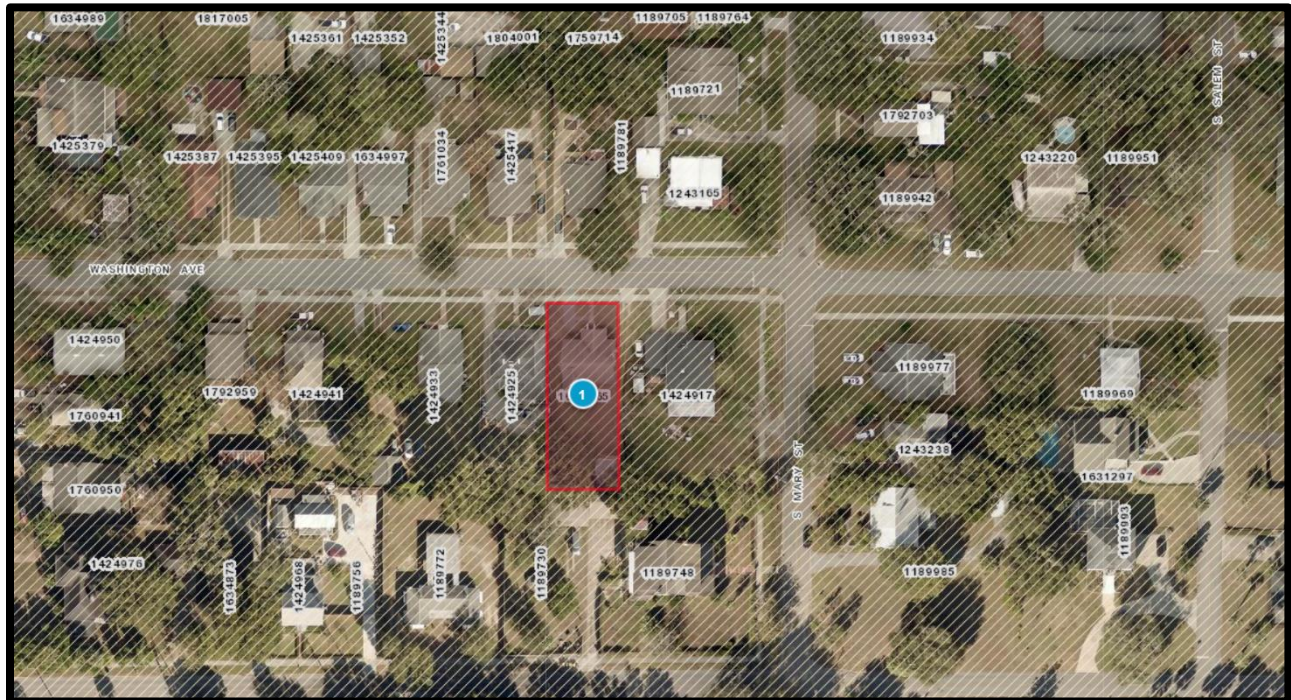
Introduction:

Ordinance Number 24-38 approves a Conditional Use Permit for an accessory dwelling unit to an existing single-family residence in the Suburban Residential (SR) land use district for property located at 514 East Washington Avenue (Alternate Key Number 1634865).

Background:

Pertinent Site Information:

- a. The subject property at 514 East Washington Avenue (Alternate Key Number 1634865) comprises about 0.2 acres.



- b. The subject property currently contains a two-story 1,134 square-foot single-family residence built in 1924, a detached garage, and a screened porch. The

Property Record Card from Lake County Property Appraisers' office's website attached for reference.

- c. The site and surrounding properties' land use are Suburban Residential (SR), and also in the Washington Avenue Historic District.
- d. The subject property and all properties immediately adjacent to it are in the Urban Neighborhood design district.
- e. A Code Enforcement Violation (Violation ID 23-00911) is open on this property for work being done without a permit, which includes converting detached garage into a habitable space; known alterations include installation of a window on the east side, a kitchenette and bathroom facilities.

Proposed Development:

Andrew Bennett of Blue Jay Properties, LLC, the owner of 514 East Washington Avenue, is requesting Conditional Use approval to convert the detached garage to an accessory dwelling unit, including modification of windows and doors within the Washington Avenue Historic District. The applicant received approval for a Certificate of Appropriateness (COA), 2024-COA-07, from the Historic Preservation Board (HPB) during their meeting on July 10, 2024. The application for a Certificate of Appropriateness (see attached for complete information) states:

- Existing 350 sq. ft. building will remain
- 7'x14' of front would remain storage.
- Remainder to serve as efficiency apartment.
- Small window to be added to the left side of the garage.
- Designated parking area may be added.
- Existing features include AC/heat, electrical service, insulation, finished drywall, an exterior door on the right side, a small window on the right side of the garage, a metal garage door at the front, and water supply.

Applicant's Request:

The applicant requests approval to permit the conversion of the detached garage structure to an accessory dwelling unit in the Suburban Residential land use district.

Analysis and Summary:

The primary contact person for this application is Andrew Bennett, who is the owner/applicant (Blue Jay Properties, LLC). The owner began work on this property without any prior permits or approvals. As a result of a member of the public contacting Code Enforcement to inquire about work being done at the property that they did not think was permitted, Code Enforcement investigated and issued a violation notice along with options for correction of the violation, which is Violation 23-00911 (attached for reference).

This property is in the Washington Avenue Historic District, so the first step to remedy the violation was a Certificate of Appropriateness (COA) application for approval by the Historic Preservation Board (HPB), which was submitted on April 17, 2024, and approved by the HPB during their July 10, 2024, meeting. The associated COA application, backup documentation, staff report, and approval letter are attached for reference.

The proposed work is generally consistent with the overall property and the surrounding properties nearby. The existing structures will remain, but renovations will be done internally to

the detached garage along with the addition of some features of the structure. The applicant proposes to convert a portion of the existing detached garage into an accessory dwelling unit with the remaining 7 x 14-foot area as open storage. Other improvements include things such as bathroom facilities, kitchenette, and an additional exterior window, as well as a designated parking area. Pre-existing items include AC/heat, exterior door, small window and water supply (see approved Certificate of Appropriateness).

The City's Land Development Regulations Section 109-4, Use Regulations Table, require conditional use approval for accessory dwelling units in the Suburban Residential land use district. As a result, a Conditional Use application request was received to seek this required approval to bring the property into compliance. A Building Permit application will also be required for the proposed work, which can theoretically receive approval by Planning upon approval of a Conditional Use for an accessory dwelling unit on this property.

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 an ADU is generally consistent with the goals and objectives of the City's Comprehensive Plan, which has provisions for providing affordable housing and varieties of housing types, which an ADU can do. This ADU would be in an area of other residential development. The exterior appearance would not be a great variation as it is currently other than general maintenance and upkeep type of improvements, per the information that has been submitted, and is attached for reference.

Per Section 110-5.8, Garages, (full code section text is below) a garage is required for all single-family dwellings, and should any property owner enclose or reduce the size of any existing garage or carport below the square footage requirements of this section, then the owner shall mitigate the loss of the garage by providing for on-site parking and outside storage. If in a designated historic district, in an urban design district, or on a legal lot of record that is below the minimum suburban standard, or if enclosing a carport, then the owner may designate two on-site parking spaces at least 9 feet x 18 feet each in the driveway area or on the residential lot behind the building frontage; and provide outside storage by either constructing a storage shed with minimum dimensions of 10 feet x 10 feet in accordance with the Land Development Regulations for accessory structures or by providing outside access to a designated, separated storage area within the enclosed garage or carport (minimum dimensions 12 feet x 7 feet).

The property has a storage shed on the property that will meet the requirements for storage to be provided, and there is a driveway on the property that can be utilized for parking.

Compatibility:

Per the Lake County Property Appraiser records (property record card attached for reference), the existing 1,134-square-foot primary residence was originally constructed in 1924, the 432-square-foot detached garage was constructed in 1923. County and City records indicate the use of the structures continue to be as they were initially constructed to be utilized until recent work was being done on the property.

Surrounding land uses have not changed considerably over the years and are primarily residential.

The single accessory dwelling unit use will not generate sufficient traffic to require a traffic study.

Noise should not be an issue as the primary use will be accessory residential occupying a small space.

The Impervious surface ratio (ISR) maximum for the SR land use is 40%. All structures on this site are previously existing and no new structures or impervious surface area are proposed. Pursuant to Eustis LDR [Sec. 94-176. – Definitions](#), “Impervious areas means those hard surfaced areas which either prevent or retard the entry of water into the soil mantle, as it entered under natural conditions prior to development, and/or cause water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions prior to development. Common impervious surfaces include but are not limited to rooftops, sidewalks, walkways, patio areas, driveways, parking lots, storage areas, and other surfaces which similarly impact the natural infiltration or runoff patterns which existed prior to development.”

The impervious surface ratio (ISR) is the relationship between the total impervious surface area on a site and the gross land area. The ISR is calculated by dividing the square footage of the area of all impervious surfaces on the site by the square footage of the gross land area.

Applicable Policies and Codes:

The standards of review must show the conditional use is consistent with the City’s Comprehensive Plan, Land Development Regulations (LDR), and City Codes. Accordingly, staff has reviewed this conditional use request with consideration of the following.

The Comprehensive Plan: The Suburban Residential (SR) land use applies to residential areas which are typically adjacent to other residential development. The purpose is to provide for residential neighborhoods with fewer street connections and more bicycle and pedestrian-friendly circulation patterns, with limited retail and service businesses while maintaining residential character or compatibility.

Pursuant to Eustis LDR Section 94-176. – Definitions, “Impervious areas means those hard-surfaced areas which either prevent or retard the entry of water into the soil mantle, as it entered under natural conditions prior to development, and/or cause water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions prior to development. Common impervious surfaces include but are not limited to rooftops, sidewalks, walkways, patio areas, driveways, parking lots, storage areas, and other surfaces which similarly impact the natural infiltration or runoff patterns which existed prior to development.”

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 an accessory apartment as a conditional use within the SR land use district.

Sec. 110-5.8. Garages

(a) *Garages.* All single-family dwellings, including mobile homes, duplexes, triplexes, row houses, and the like, constructed after the effective date of this section, shall possess a garage as follows:

(1) Minimum size 300 square feet (12 feet x 18 feet for automobile parking and 12 feet x 7 feet for storage).

(2) Equipped with an operational overhead door with minimum dimensions of 9 feet x 7 feet, which door, when closed, conceals the interior of the garage.

(b) Should any property owner enclose or reduce the size of any existing garage or carport below the square footage requirements of this section, then the owner shall mitigate the loss of the garage by providing for on-site parking and outside storage as follows:

(1) Construct a new garage on the property sufficient to meet the square footage requirements of this section; or

(2) If in a designated historic district, in an urban design district, or on a legal lot of record that is below the minimum suburban standard, or if enclosing a carport, then the owner may take the following actions in lieu of replacing the garage:

a. Designate two on-site parking spaces at least 9 feet x 18 feet each in the driveway area or on the residential lot behind the building frontage; and

b. Provide outside storage by either constructing a storage shed with minimum dimensions of 10 feet x 10 feet in accordance with the Land Development Regulations for accessory structures or by providing outside access to a designated, separated storage area within the enclosed garage or carport (minimum dimensions 12 feet x 7 feet).

(Ord. No. 16-31, § 1.e.(Exh. A), 12-15-2016)

Recommended Action:

Based on review, staff finds the request for a Conditional Use Permit to accommodate an accessory dwelling unit consistent with applicable code, and recommends adoption of Ordinance 24-38.

Policy Implications:

None.

Alternatives:

1. Approve Ordinance Number 24-38.
2. Deny Ordinance Number 24-38.

Budget/Staff Impact:

None

Prepared By:

Kyle Wilkes, Senior Planner

Reviewed By:

Jeff Richardson, AICP, Deputy Director, Development Services

Attachments:

Proposed Ordinance Number 24-38

Maps to show General Location, Future Land Use, and Design District

Property Record Card for Subject Property

Relevant Correspondence with Property Owner, Blue Jay Properties, LLC

Certificate of Appropriateness 2024-COA-07 Approval and Attachments

Washington Avenue Historic District Boundaries Map

ORDINANCE NUMBER 24-38

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 514 EAST WASHINGTON AVENUE.

WHEREAS, Blue Jay Properties, LLC, property owner, has applied for a Conditional Use Permit for a detached garage to be converted to a free-standing accessory dwelling unit at 514 East Washington Avenue; and

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

WHEREAS, an accessory dwelling unit is permitted as a Conditional Use in the Suburban Residential 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 September 19, 2024, the City Commission held the 1st Public Hearing to consider the Conditional Use Permit; and

WHEREAS, on October 3, 2024, 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: That the proposed use is desirable at the particular location.

1. That the proposed conditional use will not have an undue adverse effect upon nearby property.
2. That such use will not be detrimental to the health, safety, or general welfare of the citizens residing in the area.
3. 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 an accessory dwelling unit on approximately 0.2 acres located at 514 East Washington Avenue, more particularly described as:

EUSTIS, MAYER'S SUB LOT 3 PB 3 PG 24 ORB 6017 PG 1312

ALTERNATE KEY NUMBER: 1634865

PARCEL NUMBER: 11-19-26-0700-000-00300

Section 2. That the conditions of approval require that the accessory use 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. Payment of water and sewer impact fees is required as a condition of approval.

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 3rd day of October 2024.

**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 October 2024 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 24-38 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

Maps to show General Location, Future Land Use, and Design District

Eustis

Subject Properties



Eustis Elementary School

Lake Dot

Lake Gracie

General Location

Alt Key #1634865
Eustis, FL



DATE: 8/9/2024

FIGURE: N/A

N/A



0 0.05 0.1 0.19 Miles



Subject Properties



General Location

Alt Key #1634865
Eustis, FL



DATE: 8/9/2024

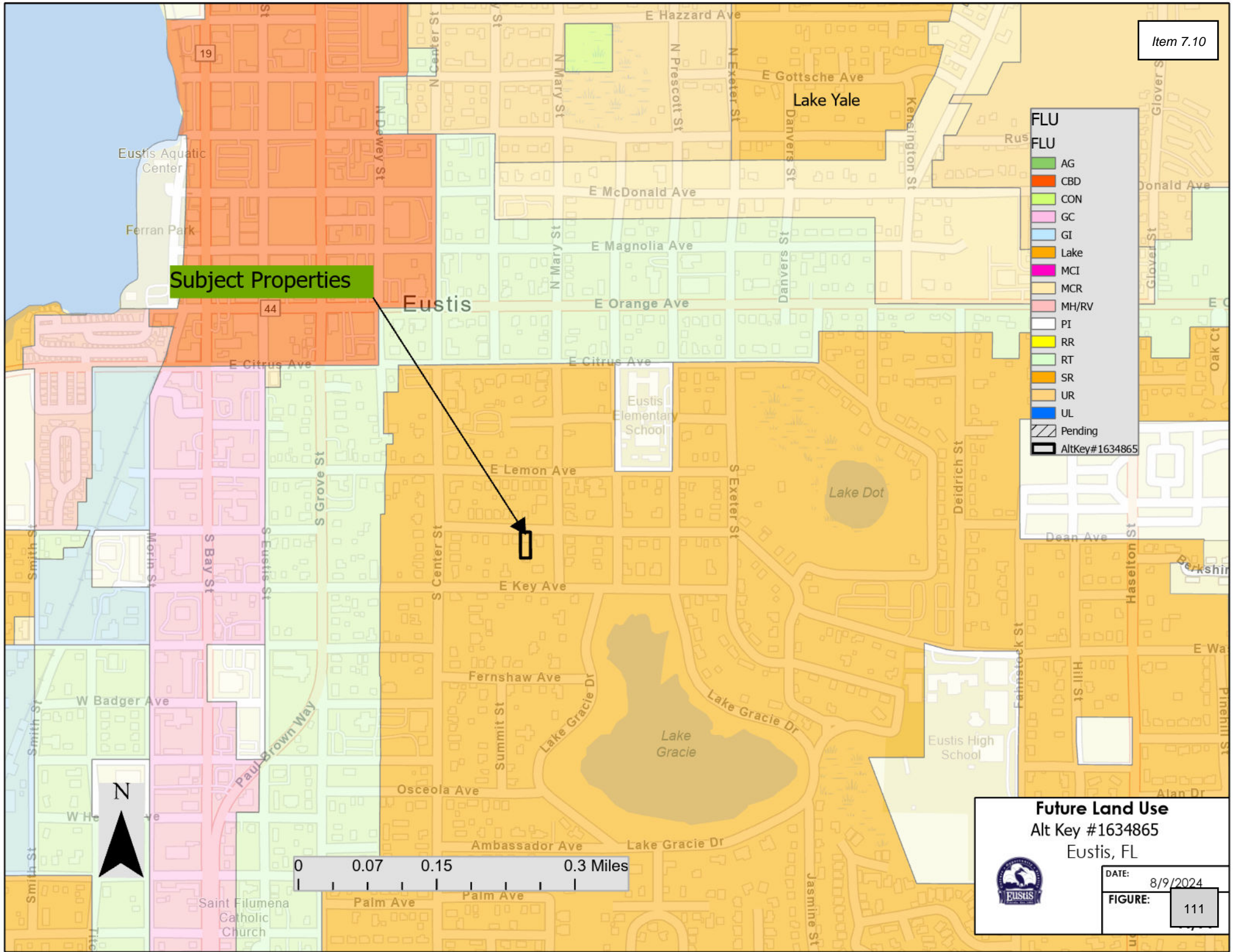
FIGURE: N/A

N/A




Subject Properties

- FLU
- FLU
- AG
- CBD
- CON
- GC
- GI
- Lake
- MCI
- MCR
- MH/RV
- PI
- RR
- RT
- SR
- UR
- UL
- Pending
- AltKey#1634865



Future Land Use
 Alt Key #1634865
 Eustis, FL

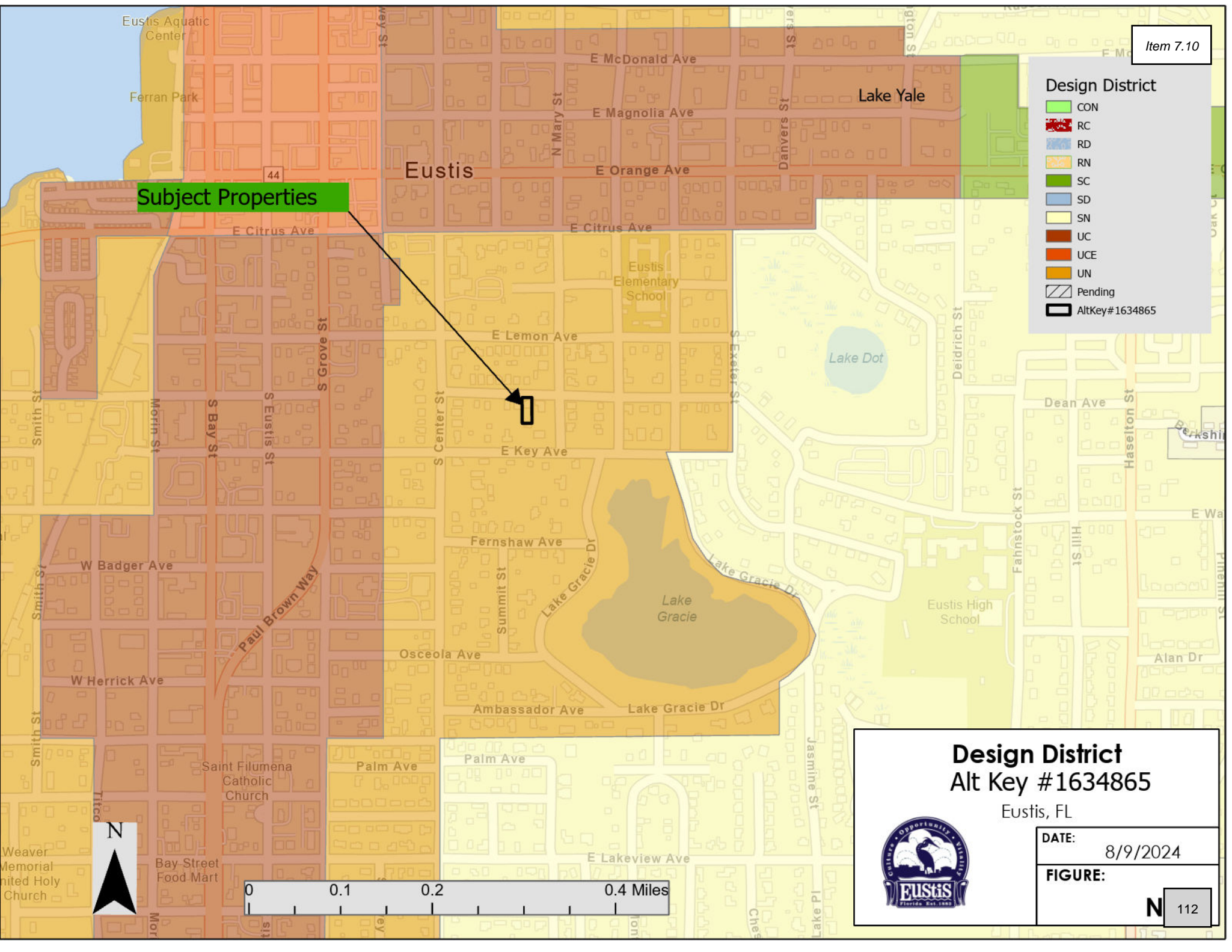
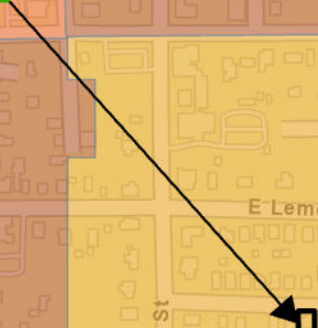
DATE: 8/9/2024
 FIGURE: 111



Design District

- CON
- RC
- RD
- RN
- SC
- SD
- SN
- UC
- UCE
- UN
- Pending
- AltKey#1634865

Subject Properties



Design District Alt Key #1634865

Eustis, FL



DATE: 8/9/2024

FIGURE:



Property Record Card for Subject Property

PROPERTY RECORD CARD

General Information

Name:	BLUE JAY PROPERTIES LLC	Alternate Key:	1634865
Mailing Address:	32100 BLUEGILL DR TAVARES, FL 32778 Update Mailing Address	Parcel Number: 📍	11-19-26-0700-000-00300
		Millage Group and City:	000E Eustis
		2023 Total Certified Millage Rate:	20.0014
		Trash/Recycling/Water/Info:	My Public Services Map 📍
Property Location:	514 WASHINGTON AVE EUSTIS FL, 32726	Property Name:	-- Submit Property Name 📍
		School Information:	School Locator & Bus Stop Map 📍 School Boundary Maps 📍
Property Description:	EUSTIS, MAYER'S SUB LOT 3 PB 3 PG 24 ORB 6017 PG 1312		
<small>NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.</small>			

Land Data

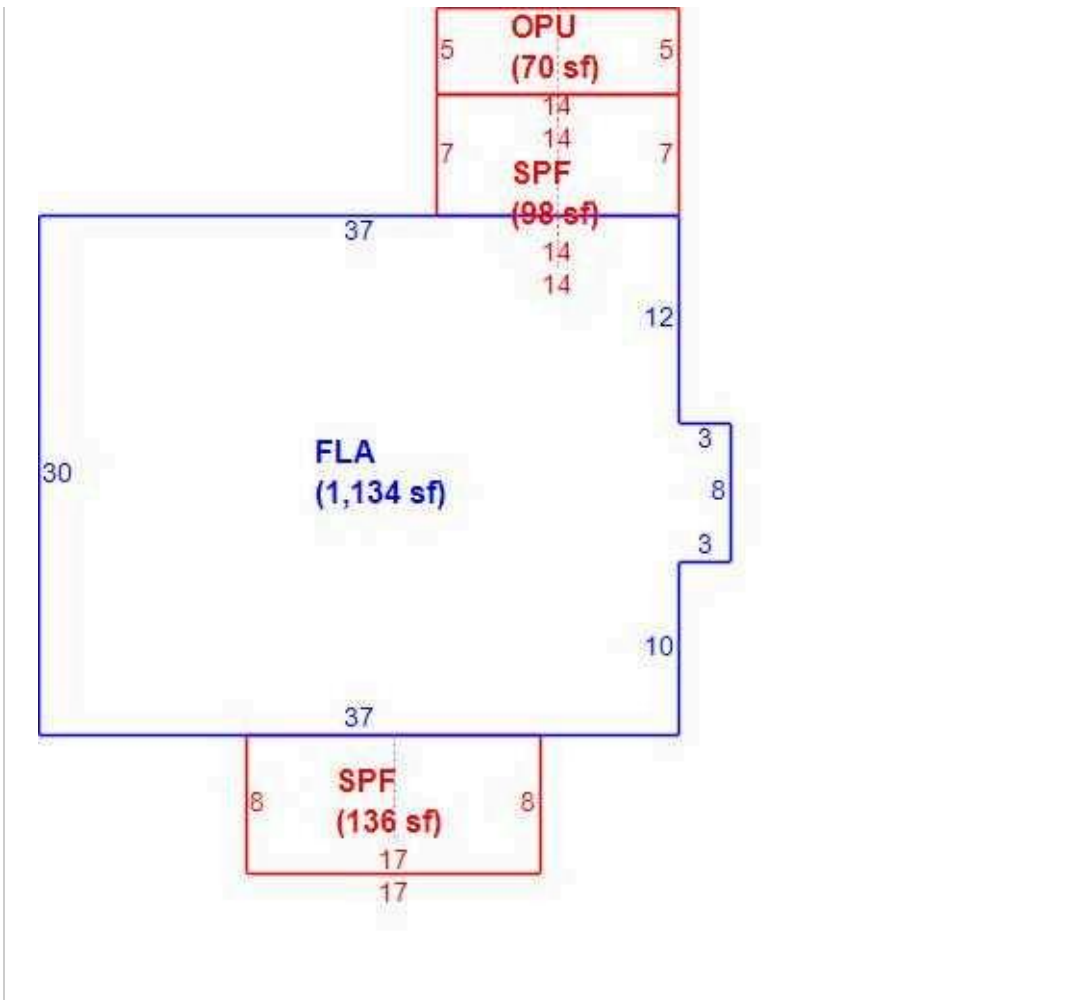
Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class	Value	Land Value
1	SINGLE FAMILY (0100)	57	157		8949.000	FD		\$26,998.00	\$26,998.00

[Click here for Zoning Info](#) [📍](#)
[FEMA Flood Map](#)

Residential Building(s)

Building 1

Residential	Building Value: \$95,444.00		
Summary			
Year Built: 1924	Total Living Area: 1134 📍	Central A/C: Yes	Fireplaces: 1
Bedrooms: 3	Full Bathrooms: 1	Half Bathrooms: 0	
Incorrect Bedroom, Bath, or other information? 📍			
Section(s)			
Section Type	Ext. Wall Type	No. Stories	Floor Area
FINISHED LIVING AREA (FLA)	Wood (01)	1.00	1134
OPEN PORCH UNFINISHED (OPU)		1.00	70
SCREEN PORCH FINISHED (SPF)		1.00	234
View Larger / Print / Save			



Miscellaneous Improvements

No.	Type	No. Units	Unit Type	Year	Depreciated Value
1	DETACHED GARAGE (DGF1)	432	SF	1923	\$3,888.00

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description above and/or recorded and indexed with the Clerk of Court. [Follow this link to search all documents by owner's name.](#)

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
6017 / 1312	08/2022	Warranty Deed	Qualified	Improved	\$85,000.00
5996 / 1671	07/2022	Probate Order	Unqualified	Improved	\$0.00
3572 / 654	01/2008	Warranty Deed	Unqualified	Improved	\$100.00
3567 / 387	12/2007	Probate Order	Unqualified	Improved	\$0.00
3572 / 738	12/2007	Quit Claim Deed	Unqualified	Improved	\$0.00
3572 / 739	12/2007	Quit Claim Deed	Unqualified	Improved	\$0.00
491 / 607	01/1973	Warranty Deed	Unqualified	Improved	\$18,000.00

[Click here to search for mortgages, liens, and other legal documents.](#)

Values and Estimated Ad Valorem Taxes


Values shown below are 2024 WORKING VALUES that are subject to change until certified.

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
---------------	--------------	----------------	---------------	---------	-----------------

LAKE COUNTY BCC GENERAL FUND	\$126,330	\$126,330	\$126,330	5.0364	\$636.25
SCHOOL BOARD STATE	\$126,330	\$126,330	\$126,330	3.2080	\$405.27
SCHOOL BOARD LOCAL	\$126,330	\$126,330	\$126,330	2.9980	\$378.74
LAKE COUNTY WATER AUTHORITY	\$126,330	\$126,330	\$126,330	0.2940	\$37.14
NORTH LAKE HOSPITAL DIST	\$126,330	\$126,330	\$126,330	0.1500	\$18.95
ST JOHNS RIVER FL WATER MGMT DIST	\$126,330	\$126,330	\$126,330	0.1793	\$22.65
CITY OF EUSTIS	\$126,330	\$126,330	\$126,330	7.5810	\$957.71
LAKE COUNTY MSTU AMBULANCE	\$126,330	\$126,330	\$126,330	0.4629	\$58.48
LAKE COUNTY VOTED DEBT SERVICE	\$126,330	\$126,330	\$126,330	0.0918	\$11.60
				Total:	Total:
				20.0014	\$2,526.79

Exemptions Information

This property is benefitting from the following exemptions with a checkmark ✓

Homestead Exemption (first exemption up to \$25,000)	Learn More View the Law
Additional Homestead Exemption (up to an additional \$25,000)	Learn More View the Law
Limited Income Senior Exemption (applied to county millage - up to \$50,000)	Learn More View the Law
Limited Income Senior Exemption (applied to city millage - up to \$25,000) 	Learn More View the Law
Limited Income Senior 25 Year Residency (county millage only-exemption amount varies)	Learn More View the Law
Widow / Widower Exemption (up to \$5,000)	Learn More View the Law
Blind Exemption (up to \$500)	Learn More View the Law
Disability Exemption (up to \$5,000)	Learn More View the Law
Total and Permanent Disability Exemption (amount varies)	Learn More View the Law
Veteran's Disability Exemption (\$5,000)	Learn More View the Law
Veteran's Total and Permanent Disability Exemption (amount varies)	Learn More View the Law
Veteran's Combat Related Disability Exemption (amount varies)	Learn More View the Law
Deployed Servicemember Exemption (amount varies)	Learn More View the Law
First Responder Total and Permanent Disability Exemption (amount varies)	Learn More View the Law
Surviving Spouse of First Responder Exemption (amount varies)	Learn More View the Law
Conservation Exemption (amount varies)	Learn More View the Law
Tangible Personal Property Exemption (up to \$25,000)	Learn More View the Law
Religious, Charitable, Institutional, and Organizational Exemptions (amount varies)	Learn More View the Law
Economic Development Exemption	Learn More View the Law
Government Exemption (amount varies)	Learn More View the Law

NOTE: Information on this Property Record Card is compiled and used by the Lake County Property Appraiser for the sole purpose of ad valorem property tax assessment administration in accordance with the Florida Constitution, Statutes, and Administrative Code. The Lake County Property Appraiser makes no representations or warranties regarding the completeness and accuracy of the data herein, its use or interpretation, the fee or beneficial/equitable title ownership or encumbrances of the property, and assumes no liability associated with its use or misuse. See the posted [Site Notice](#).

Copyright © 2014 Lake County Property Appraiser. All rights reserved.
Property data updated nightly.

Site Notice

Relevant Correspondence with Property Owner, Blue Jay Properties, LLC



City of Eustis

Code Enforcement Department

P.O. Drawer 68

Eustis, Florida 32727-0068 (352) 483-5464

June 17, 2024

Blue Jay Properties LLC
32100 Blue Gill Drive
Tavares, FL 32778

Re: Code Enforcement Case No. 23-00911
514 EAST WASHINGTON AVE, EUSTIS, FL

Dear Property Owner:

Enclosed is a copy of an Affidavit of Non-Compliance for the above referenced case. The violation was not brought into compliance by June 9, 2024, the date set by the Code Enforcement Board, and a penalty is accruing at the rate of \$250 per day effective June 10, 2024 and will continue to accrue until the violation(s) is cleared.

Also enclosed is a Notice of Hearing scheduled for 3:00 P.M. on August 12, 2024 at 10 North Grove Street, Eustis, FL in the City Commission Room for Certification of Non-Compliance and Assessment of Fines. At the Hearing, the Board will consider whether to impose the accrued fines for the period of non-compliance. If an Order Imposing Fine/Lien is certified, the Order is subject to recording in the public records of Lake County, Florida constituting a lien against the subject property and any other property owned by the violator(s).

To stop accrual of the daily fine, the property must be brought into compliance. If compliance is not met and the accrued fine is not paid within three (3) months of the date of recording the Order Imposing Fine/Lien, the property may be subject to foreclosure proceedings and sold to enforce the lien.

If you have any questions regarding this process or how to bring the property into compliance, please contact the Code Enforcement Department at (352) 483-5464.

Sincerely,

Eric Martin
Code Enforcement Supervisor

Enc.: Affidavit of Non-Compliance - copy
Notice of Hearing – original



City of Eustis

Code Enforcement Department

Item 7.10

P.O. Drawer 68

Eustis, Florida 32727-0068

(352) 483-5464

February 21, 2024

Case #23-00911

Blue Jay Properties LLC
32100 Blue Gill Drive
Tavares, FL 32778

Certified Mail #7021 1970 0001 7460 5963
POSTED OR HAND DELIVERED ON FEBRUARY 21, 2024

RE: Notice of Violation/Hearing for property located at:

514 EAST WASHINGTON AVE, EUSTIS, FL

Alternate Key #1634865

Parcel No. 11-19-26-0700-000-00300

Legal Description: EUSTIS, MAYER'S SUB LOT 3 PB 3 PG 24 ORB 6017 PG 1312

Dear Property Owner:

YOU ARE HEREBY NOTIFIED that the property identified above has been found in violation of the following City code(s): You are hereby directed to take immediate action(s) to remedy the violation(s) by the Compliance Date listed in this Notice.

Section 118-2 FBC, Section 105.1 Permits Required: Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

Section 46-227 Procedures for granting Certificate of Appropriateness: (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 noncontributing structure in an 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 or demolition, except demolition of a noncontributing structure in an historic district, or relocation as specified in subsection (a) of this section is undertaken on a landmark, landmark site or property in an 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.

Ordinance 97-33, Section 3 – Design Guidelines and Actions Requiring a Certificate of Appropriateness for Washington Avenue Historic District.

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 an approved by the Eustis Historic Board ("Board").

Section 110-5.8(b) Garages: b. Should any property owner enclose or reduce the size of any existing garage or carport below the square footage requirements of this section, then the owner shall mitigate the loss of the garage by providing for on-site parking and outside storage as follows:

1. Construct a new garage on the property sufficient to meet the square footage requirements of this section; or

2. If in a designated historic district, in an Urban design district, or on a legal lot of record that is below the minimum suburban standard, or if enclosing a carport, then the owner may take the following actions in lieu of replacing the garage:

(a) Designate two on-site parking spaces at least 9' x 18' each in the driveway area or on the residential lot behind the building frontage; and

(b) Provide outside storage by either constructing a storage shed with minimum dimensions of 10' x 10' in accordance with the Land Development Regulations for accessory structures or by providing outside access to a designated, separated storage area within the enclosed garage or carport (minimum dimensions 12' x 7').

Violation: *Detached garage enclosed and converted into a habitable space without a building permit, or Certificate of Appropriateness. Known alterations include installation of a window on the east side of the building, a kitchenette and bathroom facilities.*

Corrective Actions Required: Obtain a Certificate of Appropriateness and a building permit for garage alterations from the Eustis Building Department.

Note: If the existing garage has reduced in size below the square footage requirements (minimum of 300 sq. ft.) additional on site parking and outside storage may be required in accordance with Sec. 110-5.8(b) of the City's Land Development Regulations.

Notice: Failure to comply by **March 4, 2024** will result in the case going before the Eustis Code Enforcement Board or Special Magistrate on **Monday, March 11, 2024 at 3:00 P.M. in the City Commission Chambers located in City Hall at 10 N. Grove Street.** At the Hearing, the Board or Special Magistrate will order compliance by a specified date and may impose a fine not to exceed \$250 per day for every day the property is in violation past the date specified for compliance.

If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Code Enforcement Board or Special Magistrate even if the violation has been corrected prior to the Board Hearing.

It is the responsibility of the property owner or violator to notify the code inspector when the property is ready to be re-inspected. To request a re-inspection or if you have any questions about what is required to bring the property into compliance, please call (352) 483-5464 or email codeenforcement@ci.eustis.fl.us.

Sincerely,



Joseph Rittenhouse
Code Enforcement Officer

cc: File



**CODE ENFORCEMENT BOARD
CITY OF EUSTIS
STATE OF FLORIDA**

CASE #23-00911

IN THE MATTER OF: BLUE JAY PROPERTIES LLC
32100 BLUE GILL DRIVE
TAVARES, FL 32778

NOTICE OF HEARING

CERTIFICATION OF NON-COMPLIANCE / ASSESSMENT OF FINE / ORDER OF ABATEMENT

YOU ARE HEREBY NOTIFIED OF THE EUSTIS CODE ENFORCEMENT BOARD OR SPECIAL MAGISTRATE HEARING, MONDAY, AUGUST 12, 2024, 2024 AT 3:00 P.M.

**EUSTIS CITY HALL
COMMISSION ROOM
10 NORTH GROVE STREET
EUSTIS, FLORIDA**

On the 11th day of March, 2024 at a Violation Hearing before the Code Enforcement Board , an Order was entered requiring compliance by you in accordance with provision(s) of the City of Eustis Code of Ordinances. Compliance was ordered by a certain date and a daily fine was imposed for non-compliance of that Order. A copy of that Order was furnished by U. S. Mail.

The Code Enforcement Officer of the City of Eustis has informed the Code Enforcement Board or Special Magistrate that the terms of that Order have not been fulfilled or were not fulfilled by the specified date given by the Board or Magistrate.

Accordingly, the Code Enforcement Board or Special Magistrate has set this matter to be heard for the specific purpose of certification of period of non-compliance, assessment of fine accrued to date, as certified to the Board or Magistrate and violation abatement in accordance with Florida Statute 162.08(5). This Hearing is limited to the purpose stated above.

If you allege that you complied with the Order of the Board or Magistrate, within the time set forth, or that the violation has been corrected after the date set forth in that Order, it is imperative that you attend this Hearing and present evidence and/or testimony on your behalf.

CERTIFICATE OF SERVICE

I, Alex Thomas, hereby certify that a copy of this notice was furnished by U. S. Mail to the above named individual(s) at 32100 Blue Gill Drive, Tavares, FL 32778 this 17th day of June, 2024.



CITY OF EUSTIS, FL - CODE ENFORCEMENT
AFFIDAVIT OF NON-COMPLIANCE

Case # 23-00911

For: BLUE JAY PROPERTIES LLC
32100 BLUE GILL DRIVE
TAVARES, FL 32778

I, Eric Martin, Code Enforcement Supervisor for the City of Eustis, FL who, after being duly sworn, deposes and states:

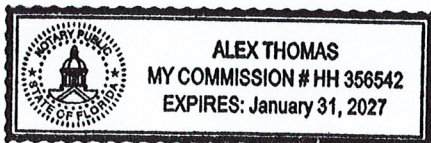
1. That on March 11, 2024, the Code Enforcement Board held a public hearing and issued an Order of Enforcement.
2. That pursuant to said Order, Respondent was to have taken certain corrective action by or before June 9, 2024.
3. That a re-inspection was made on June 11, 2024.
4. That the re-inspection revealed that the corrective actions ordered by the Board on March 11, 2024 have not been taken.
5. That a true copy of the Code Enforcement Hearing Notice was furnished by U. S. Mail to 32100 Blue Gill Drive, Tavares, FL 32778.

Eric Martin, Code Enforcement Supervisor

State of Florida)
) SS
County of Lake)

Sworn to and subscribed before me
this 17th day of June, 2024 by the affiant,
who is personally known to me.

Notary Public



Certificate of Appropriateness 2024-COA-07 Approval and Attachments



CITY OF EUSTIS HISTORIC PRESERVATION BOARD
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS (COA)
 4 N. Grove St., P.O. Drawer 68, Eustis, FL 32727-0068
 Phone: (352) 483-5460 Email: planner@eustis.org

PLEASE SELECT ALL THAT APPLY TO YOUR PROPERTY:

- Local Landmark/Site Eustis Main Street Area
 Washington Avenue Historic District

ADDRESS OF PROPERTY: 514 Washington Ave

Property Owner

Print Name: Andrew Bennett
 Mailing Address: 32100 Bluegill dr Tavares
 Phone: 352 409 4005 Fax: _____
 Email: Trekkersdaddy@gmail

Applicant/Agent (if different from property owner)

Print Name: _____
 Mailing Address: _____
 Phone: _____ Fax: _____
 Email: _____

I certify that all information contained in this application is true and accurate to the best of my knowledge.

Applicant/Owner: [Signature] Date: 4/17/24

Incomplete applications will not be reviewed and will be returned to you for more information. You are encouraged to contact Development Services, at (352) 483-5460, to make sure your application is complete.

Description of Proposed Work: (Check all that apply)

- Alteration Demolition Relocation New Construction

Completely describe the entire scope of work: all changes proposed on the exterior of the building, where on the property the work will occur, how the work will be accomplished, and the types of materials to be used. For large projects, an itemized list is recommended. Attach additional pages if necessary. Please include any additional information as may be applicable to your request including such as photos, drawings, samples of materials, and producing brochures.

OFFICIAL USE ONLY

Date Received: 04/17/2024
 File No.: 2024-COA-07

Historic Preservation Board Meeting Date: 07/10/2024
 Was a COA issued? Yes X No _____

Administrative Approval

Application Approved: _____ Approved with Conditions: _____ Application Denied: _____

Conditions/Reasons: _____

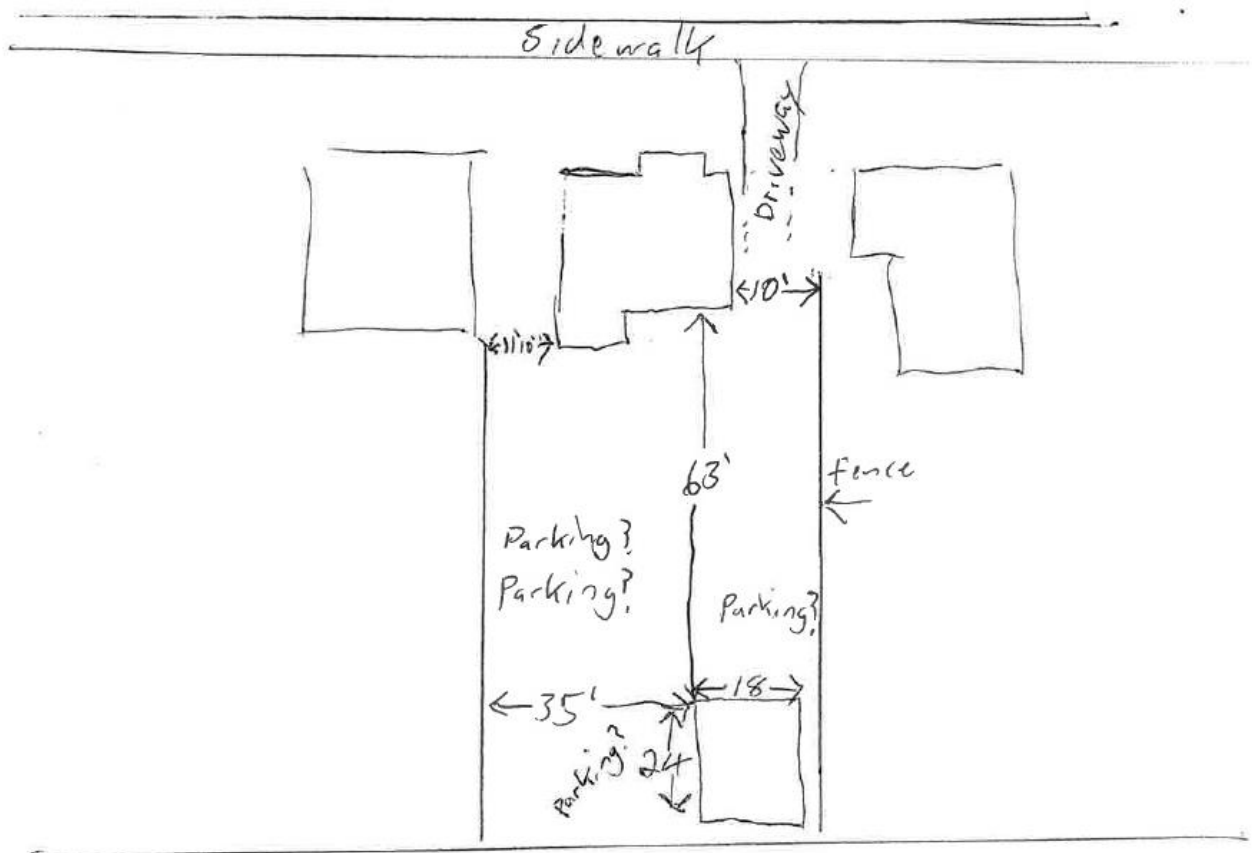
Signed: _____ Date: _____

514 Washington ave Eustis proposed conditional use of detached garage building as an efficiency apartment.

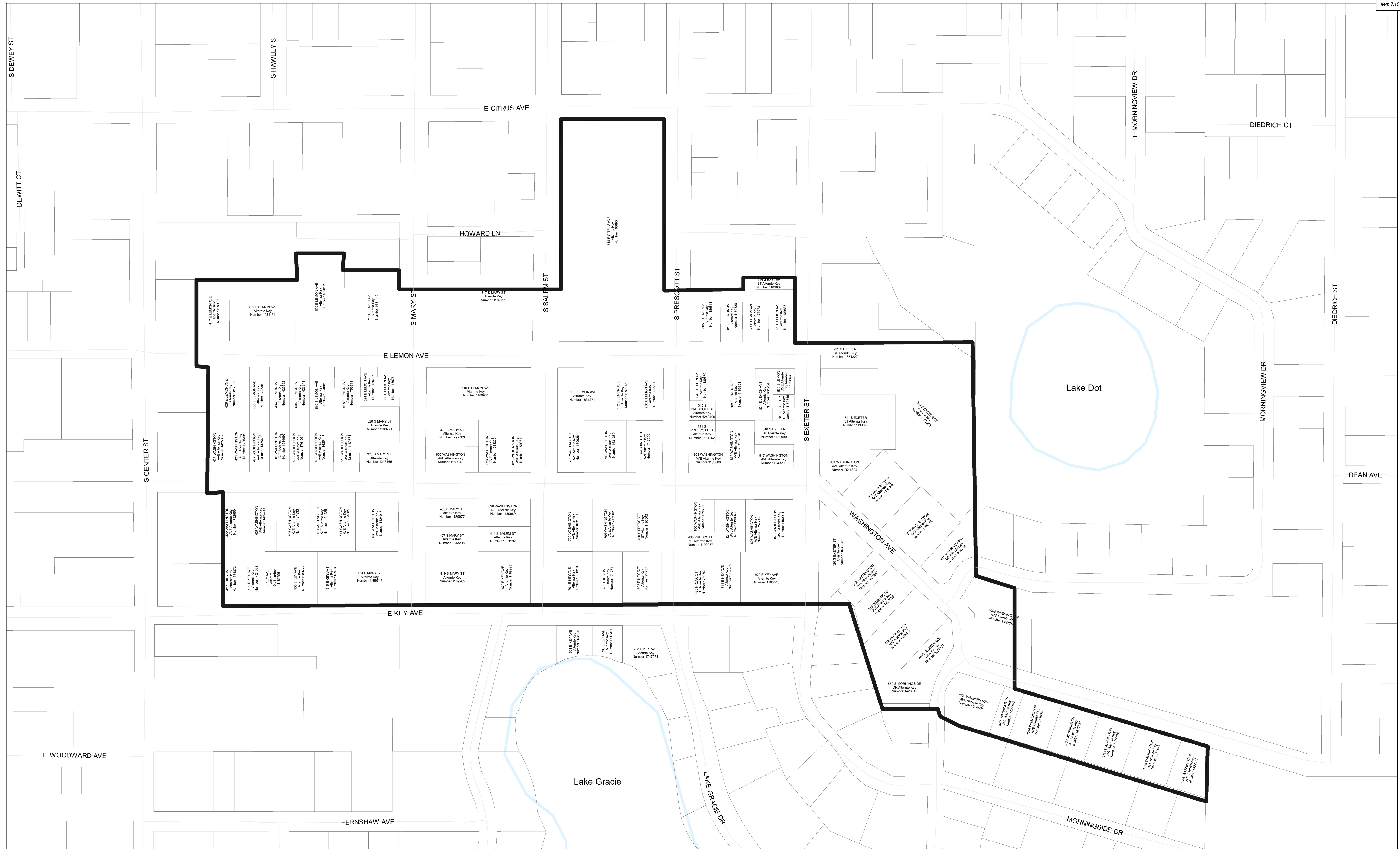
There is a 350 sf building at the rear of the property behind the main house. There is already a metal garage door on it. We would keep the front 7'x14' of it as outside storage. The remaining area would be used as an efficiency apartment. A standard 2x4 constructed wall divides the spaces already. It has drywall on the inside, insulation and OSB on the garage storage side. There is a steel exterior door from proposed apartment to the storage area. There is plenty of space behind the main house for extra parking and a driveway that already goes back there.

The only change I made that is visible from outside is the small window on the left side of garage. The only other proposed changes that could affect the exterior visual appearance of the home would be designated rear parking.

Pre existing items of the rear garage building are these: AC/heat, electrical service, insulation, finished drywall, exterior door on right side, small window to the right of right side exterior door, metal garage door on front, water supply.



Washington Avenue Historic District Boundaries Map



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: September 19, 2024

Re: Discussion on Reconsideration of Resolution Number 24-57: Preliminary Subdivision Plat Approval for the Grove at Pine Meadows

Introduction:

On July 18, 2024, the City Commission voted 4 to 0 to deny Resolution Number 24-57: Preliminary Subdivision Plat Approval for the Grove at Pine Meadows. The developer has submitted a Request for Relief under Section 70.51, Florida Statutes, including a request for the Eustis City Commission to reconsider approval of the preliminary plat.

Recommended Action:

The City Manager and City Attorney support a discussion reconsidering the resolution per the City Commission Rules of Order.

Background:

On July 18, 2024, the City Commission voted 4 to 0 to deny Resolution Number 24-57: Preliminary Subdivision Plat Approval for the Grove at Pine Meadows. On August 15, 2024, the City received a Request for Relief under Section 70.51, Florida Statutes from the developer's attorney. In response to the Request for Relief, representatives of the City met with representatives of the property owner and developer on August 26, 2024. At that meeting, the developer agreed to hold a Community Meeting related to the project, which is scheduled for Tuesday, September 17, 2024 at 5:15 p.m. at the Eustis City Commission Chambers. The developer also requested that the Eustis City Commission discuss a reconsideration of the preliminary plat approval at the September 19 City Commission meeting.

Per the City Commission Rules of Order (Attached):

Section 10(e) states: *"No item shall be placed on an agenda which is substantially similar to an item voted upon by the Commission within the last nine months unless three or more Commissioners agree. During other business at a regular Commission meeting, the Commission shall discuss and vote on whether such an agenda item should be formally reconsidered by the Commission on a future agenda."*

Based on the applicant's continued interest in moving forward, the Request for Relief, the willingness to hold a Community Meeting, and the provision in the City Commission Rules of Order, the City Manager and the City Attorney felt it was appropriate to place a discussion item on the agenda for September 19, 2024.

The developer's Community Meeting for the project has been scheduled for 5:15 pm on Tuesday, September 17 at the Eustis City Commission Chambers.

Prepared by:

Tom Carrino, City Manager

Attachments:

City Commission Rules of Order

RESOLUTION NO. 19-49

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, RESCINDING AND REPLACING RESOLUTION NO. 15-44 IN ITS ENTIRETY AND ADOPTING RULES OF ORDER FOR CITY COMMISSION MEETINGS; PROVIDING FOR THE REPEAL OF ALL OTHER CONFLICTING RESOLUTIONS OR POLICIES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Eustis believes that it is in the best interest of the Commission, staff, and citizens of Eustis to provide clear direction for the conduct of City Commission meetings; and

WHEREAS, the City Commission has determined the need to formalize the process to be utilized for the appointment of an Interim Commissioner and that said process should be incorporated into the Commission’s current Rules of Order;

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

- 1) That the City Commission Rules of Order, attached as Exhibit A, and as amended, will serve as guidelines for the effective operation of the business meetings of the City Commission; and
- 2) That any provisions of this Resolution may be suspended for good cause by the affirmative vote of at least three Commissioners and that the good cause shall be stated on the record; and
- 3) That if the City Commission fails to strictly abide by any provision of this Resolution, such failure shall not invalidate action taken by the City Commission or staff; and
- 4) That any Resolutions, parts of Resolutions, or Policies in conflict herewith are hereby repealed; and
- 5) That this Resolution shall take effect upon adoption.

DONE AND RESOLVED this 16th day of May, 2019, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA



(Handwritten signature)

 Michael L. Holland
 Mayor/Commissioner

ATTEST:

Mary C. Montez
Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 17th day of May, 2019, by Michael L. Holland, Mayor, and Mary Montez, City Clerk, who are personally known to me.



Serita Hill
Notary Public – State of Florida
My Commission Expires: Aug 20, 2020
Notary Serial No: GG019203

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.

[Signature]
City Attorney’s Office

5/16/19
Date

CERTIFICATE OF POSTING

The foregoing Resolution No. 19-49 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 & Recreation office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Mary C. Montez
Mary C. Montez, City Clerk

Resolution No. 19-49 Exhibit A**City Commission Rules of Order****1. City Commission Meetings.**

- (a) The regular meetings of the City Commission shall be held at least once each month of the year at the hour of 6:00 p.m. Any regular meeting falling upon a legal holiday or other date in which a majority of the Commission does not wish to hold a meeting shall be cancelled. As stated in the Charter, the City Commission will not meet less frequently than once each month. A scheduled of meetings shall be adopted annually at the organizational meeting in January. The City Manager, assisted by the City Clerk, is responsible for preparing the agendas and the respective ordinances, resolutions, and reports for each meeting.
- (b) The goal of the City Commission is to complete regular business meetings within two hours. In the event a meeting approaches the two hour goal, the Mayor shall confirm the Commission's desire to continue the meeting beyond two hours. The Commission may elect to end the meeting by majority vote and, in that event, the remaining agenda items would then be placed on the next regularly scheduled business meeting agenda unless the Commission directs otherwise.

2. Special Meetings and Notice.

- (a) Special meetings may be called by the Mayor or City Manager provided that at least forty-eight (48) hours written notice be given to the City Manager and City Clerk. The notice shall specify the date, time and place of the special meeting and the business to be transacted. No other business, other than as recited in the notice, shall be transacted at such special meeting.
- (b) The City Clerk shall be responsible for causing the notice to be delivered to each individual Commission Member at least twenty-four (24) hours prior to the meeting, and to give notice in compliance with state and local requirements.

3. Emergency Meetings.

An emergency meeting may be called by the Mayor or City Manager, providing such notice has been provided to the other members of the Commission, the City Manager, the City Clerk, the media and public as is practical under the circumstances. An emergency, necessitating such a meeting, is a perceived immediate threat to the health, safety or welfare of the community and as otherwise defined by Florida law. Emergency meetings shall be subject to the two hour goal the same as regular business meetings.

4. Workshops.

- (a) Workshops may be scheduled by the City Manager or by a majority of Commission Members. Workshops are opportunities for Commissioners to discuss issues and provide policy guidance to staff. The public may comment at workshops provided such comments are limited to three minutes per person. No formal votes may be held at

workshops, but non-binding “straw polls” may be used to express the intentions of the Commission.

Workshops may be held at any time agreeable to Commissioners, but staff will strive to hold workshop seminars at the conclusion of Regular Meetings whenever possible.

- (b) Workshops are required to be properly noticed. The City Clerk shall be responsible for noticing the workshop in accordance with state and local requirements.

5. Quorum.

- (a) A quorum for the transaction of business shall consist of three (3) Commission members.
- (b) If no quorum is present the meeting shall be adjourned and all agenda items will be added to the agenda of the next scheduled meeting.

6. Cancellation of Meeting.

Whenever a commission meeting is cancelled after the agenda for that meeting has been distributed or published, the items on that agenda shall be automatically postponed to the next regular or special regular meeting of the City Commission.

7. Closed Meetings or Sessions.

- (a) All meetings of the City Commission shall be open to the public; provided, however, the City Commission may hold meetings or sessions closed to the public as provided for by state or local regulations.

8. Presiding Officers.

- (a) Whenever the term "Presiding Officer" is used, it shall mean the Mayor, and if the Mayor is absent, it shall apply equally to the Vice-Mayor, and if the Vice-Mayor is also absent, to the temporary presiding officer elected pursuant to this section. For quasi-judicial matters, the City Attorney may serve as the Presiding Officer upon request.
- (b) The Mayor shall preside at all meetings of the Commission.
- (c) During the absence of the Mayor, the Vice-Mayor shall preside at the meetings and study sessions.
- (d) In the absence of the Mayor and the Vice-Mayor, the City Clerk shall call the Commission to order, whereupon a temporary meeting presiding officer shall be elected by the majority vote of Commission Members present as their first order of business. Upon the arrival of the Mayor or the Vice-Mayor, the temporary presiding officer shall relinquish the chair at the conclusion of the item of business then before the Commission.

- (e) The Presiding Officer may move, second, debate, and vote and shall not be deprived of any of the rights and privileges of a Commission Member. The Presiding Officer or such person as he or she may designate may verbally summarize the item to be voted upon immediately after it has been moved and seconded and may restate each question immediately prior to calling for the vote. After a Motion is made and there is a second, the Commission may discuss the matter. A Commissioner may speak only if recognized by the Mayor. The Mayor may close the discussion once the Mayor deems it appropriate and shall then ask the clerk for a Roll Call vote. Following the vote, the Presiding Officer shall announce whether the question carried or was defeated.

If there is no second to a Motion made, the Mayor may note that the Motion died for lack of a second and may request that an alternative Motion be made.

The Presiding Officer shall maintain order and decorum at all meetings. He or she shall decide all questions of order and procedure subject, with the counsel, if necessary, of the City Attorney.

9. Decorum of Members.

- (a) Every member, previous to his or her speaking, shall address the Presiding Officer and shall not begin to speak until recognized and named by the Presiding Officer. He or she shall confine comments to the question under debate and will refrain from impugning the motives of any other member's argument or vote.
- (b) A member, when called to order by the Presiding Officer, shall thereupon discontinue speaking.

10. Presentation of Agenda Items, Revisions, Additions and Deletions.

- (a) In order to facilitate the orderly conduct of business, staff shall prepare an agenda for each Commission meeting. An "agenda" shall consist of an agenda summary sheet listing items to be considered at a meeting.
- (b) Subject to these rules, items of business may be placed on a regular meeting agenda by any Commissioner, the City Manager or the City Attorney. Except as provided in Section 3, Emergency Meetings, staff shall not change the agenda after 5:00 p.m. on the Friday before the Commission meeting; however, supplemental information may be added as necessary.
- (c) When a Commission Member wishes to place an item on the regular meeting agenda, the item shall be presented to the City Manager's office no later than 10 days preceding the Commission meeting so that the information may be included as part of the regular agenda which will be distributed to the members preceding the meeting.

An item may be added to the agenda at a meeting if the majority of the Commission approves, but such items should generally be of a ministerial nature.

- (d) Any agenda item which has been noticed to the public can only be removed from the agenda with the approval of the City Commission. If the Commission agrees to remove an item from the agenda, the Presiding Officer shall first give the public an opportunity to speak on the item.
- (e) No item shall be placed on an agenda which is substantially similar to an item voted upon by the Commission within the last nine months unless three or more Commissioners agree. During other business at a regular Commission meeting, the Commission shall discuss and vote on whether such an agenda item should be formally reconsidered by the Commission on a future agenda.

11. Order of Business.

At any regular or special meeting, the Commission shall proceed to transact the business before it in the following order as applicable on a meeting by meeting basis:

- (1) Invocation
- (2) Pledge of Allegiance;
- (3) Call to order;
- (4) Acknowledgement of quorum present and proper notice given;
- (5) Agenda update;
- (6) Approval of minutes;
- (7) Presentations;
- (8) Audience to be heard;
- (9) Consent Agenda;
- (10) Ordinances, Public Hearings and Quasi-Judicial Hearings;
- (11) Other business;
- (12) Future Agenda Items;
- (13) Comments:
 - (a) City Commission
 - (b) City Manager
 - (c) City Attorney
 - (d) Mayor
- (14) Adjournment.

12. Public Request to Address Commission.

- (a) It is the policy of the Commission to permit and encourage input and comments by members of the public on all matters which may come before the Commission for action other than those items strictly of ministerial nature such as approval of minutes and issuance of ceremonial proclamations. Input and comments by the public can be made during the Audience Participation segment of the meeting or on specific items on the meeting agenda. While input and comments by the public are encouraged, the Commissioners shall not engage in debate with members of the public. Clarifying questions by a Commissioner regarding comments or input by a member of the public are permitted after being acknowledged and given the floor by the Mayor. The presiding officer may limit public comment to three minutes per person.
- (b) No person shall address the Commission without first securing the recognition of the Mayor or Presiding Officer by requesting permission to speak. The normal time allowed for individual comments shall be three minutes, but may be extended by the

Presiding Officer. The Presiding Officer shall strive to provide equal opportunity for individuals to address the Commission at the appropriate times during the meeting. Each person addressing the Commission shall complete a "Request to Speak" card available from the City Clerk which shall include the individual's name, whether or not they are a City resident, the issue upon which they wish to speak and the name of any organization they may be representing. The card shall be submitted to the City Clerk either prior to addressing the Commission or before the end of the meeting.

- (c) Each person desiring to address the Commission shall approach the podium, state his or her name for the record, state the subject, state whom he or she is representing if he or she represents an organization or other persons, and complete their remarks within the normal time limitation unless further time is granted by the Presiding Officer. All remarks shall be addressed to the Commission as a whole and not to any member thereof. Questions asked of Commission Members or City staff shall be rhetorical in nature and not directed to individuals. The Presiding Officer shall ensure that public input and comments are related directly to the agenda item then under discussion. Comments and input during the Audience Participation segment may be on any topic.
- d) Organized groups of individuals may be directed by the Presiding Officer to select a single spokesman to address the Commission on behalf of the group or organization.
- (e) Exemptions from public input
The following are situations which are exempt from the public input requirement:
 - 1) Emergency situations affecting the public health, welfare or safety if compliance with the speaking requirements would cause an unreasonable delay in the Commission's ability to act;
 - 2) When the Commission is acting in a quasi-judicial capacity with respect to the rights or interests of a person at which time the statutory rules for quasi-judicial proceedings shall apply;
 - 3) At any meeting of the Commission which is exempt from the Sunshine or Open Meetings Law (FSS 286.011)

13. Voting.

- (a) When the Clerk has commenced to call roll of the Commission for the taking of a vote, all debate on the question before the Commission shall be deemed concluded. During the taking of the vote a member shall be permitted to briefly explain his or her vote and shall respond to the calling of his or her name by the Clerk by answering "Aye" or "Nay" as the case may be.
- (b) The Clerk shall call the roll alphabetically by last name on a rotating basis so that every Commission Member shall have the opportunity to speak first on an issue at one time or another, provided the Presiding Officer shall always be the last to voice his or her vote. The list shall be rotated at each regular meeting of the Commission.
- (c) Unless otherwise specified by these rules, all ordinances, resolutions or motions shall be passed by the affirmative vote of no less than a majority of Commission Members present.
- (d) A roll call vote shall be required for the following:

- (1) All resolutions.
 - (2) All ordinances.
 - (3) All motions to create an office or a position of employment or to spend any money.
- (e) The Presiding Officer may utilize a voice vote for the approval of minutes or other matters where a roll call vote is not required by law; provided, however, that a roll call vote shall be taken upon the timely request of any Commission Member.
 - (f) A vote lacking the required number of affirmative votes shall constitute defeat of a Motion.
 - (g) A Commission Member may change his or her vote only if a timely request to do so is made prior to the announcement of the vote by the Presiding Officer.
 - (h) Unless otherwise provided for by statute, if a Commission Member present has reason to think a conflict of interest may exist on a particular matter, he or she shall, after consultation with the City Attorney, so state the nature of his or her disqualification in the open Commission meeting. A Commission Member who so announces a conflict of interest in any matter may remain seated during the debate or may leave. However, he or she shall not vote or otherwise participate on such matter. A Commission Member stating such disqualification shall not be counted as a part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter. The City Clerk and City Attorney shall assist the disqualified Commissioner in filing the necessary documentation (Form 8B – Memorandum of Voting Conflict) which will then be incorporated into the official minutes of the meeting.
 - (i) Where lack of a quorum occurs during the course of a convened meeting resulting from the temporary absence of a Commission Member, the minutes shall be so noted, and the matter under consideration shall be considered as having been postponed until the next regular meeting. The meeting may continue after the postponement has been announced by the Presiding Officer and the member breaking the quorum has resumed his or her presence, otherwise the Presiding Officer shall declare the meeting adjourned after such announcement.
 - (j) The Presiding Officer should announce the vote upon every matter upon which a vote is taken.
 - (k) On workshops and other matters not requiring a vote, the Commission may take a straw poll of matters not requiring a vote to provide staff with clear direction on what the majority of the Commission desires for future action by staff.

14. General Procedures.

- (a) At the commencement of each meeting, the mayor may, in the mayor's discretion, make any of the following announcements when the mayor calls the meeting to order:
 - (1) Please turn off all cell phones;

- (2) If you are commenting this evening, please fill out a card with your contact information which the City Clerk can provide to you;
 - (3) Should there be any comments, please approach the podium, state your name, whether or not you are a City resident, and direct your comments to the Commission (not individual commissioners or other members of the public); and/or,
 - (4) Observe general rules of decorum and civility (speak one at time, avoid personal attacks, avoid profanity and shouting, speak only to the issue at hand).
- (b) For Legislative Ordinances (not quasi-judicial matters and ordinances), after an ordinance's title is read, the appropriate staff member shall present to the Commission information regarding the proposed action after which the Commission may question the staff further regarding the issue at hand. Once all Commission questions are addressed, the City Attorney shall ask whether any member of the public has any comment. If there is public comment, the Mayor and Commission shall listen to the public comment. The Mayor may limit public comment on legislative ordinances to three minutes. During public comment Commissioners may ask questions of those commenting, but shall not debate the matter with the party commenting. After public comment is closed, the Commission can then discuss the matter in the order recognized by the Mayor. If there is no public comment or after public comment is made, the Mayor may then ask for a Motion from the Commission. After a Motion is made and there is a second, the Commission may further discuss the matter. A Commissioner may speak only if recognized by the Mayor, and the Mayor shall strive to ensure all Commissioners have equal opportunity to speak to each issue. The Mayor may close the discussion once the Mayor deems it appropriate and shall then ask the Clerk for a Roll Call vote.
- If there is no second to a Motion made, the Mayor may note that the Motion died for lack of a second and may request that an alternative Motion be made.
- (c) For quasi-judicial matters, the Commission shall follow the procedures set forth in section 102-25 of the Land Development Regulations.

15. Minutes and Documents.

- (a) Minutes of all regular and special meetings shall be electronically recorded. Such minutes shall be maintained in the office of the City Clerk. The minutes shall reflect:
 - (1) The date, time and place of the meeting or session;
 - (2) The members recorded as either present or absent;
 - (3) A general description of all matters proposed, discussed or decided; and
 - (4) Record of any votes taken.

- (b) A Commission Member may request, through the Presiding Officer, the privilege of having his or her comments or written statement entered into the minutes concerning any matter pending before the Commission.
- (c) Such minutes may be revised at any time by the Clerk to correct spelling, numbering and other such technical defects. Prior to approval, any member may, through the Presiding Officer, request amending or correcting the minutes. If objection is made by any Commission Member to such amendment or correction, a majority vote of the Commission shall be necessary for adoption of the correction or amendment.
- (d) The City Clerk's office is not required to prepare verbatim transcripts or parts of any minutes of City Commission meetings unless the City Commission, by majority vote, directs verbatim transcripts for any parts of any minutes it deems necessary and proper for conduct of internal affairs of the City or when required for closed meetings.
- (e) The Mayor shall sign all ordinances, resolutions and other documents requiring his or her signature. If the Mayor is unavailable to do so, the Vice-Mayor shall be permitted to sign all ordinances, resolutions and other documents requiring the Mayor's signature in his or her absence.

16. Failure to observe procedures.

These rules are adopted to expedite the transaction of the business of the Commission in an orderly fashion and are deemed to be procedural only. The failure to strictly observe such rules by the Commission shall not affect the jurisdiction of the Commission or invalidate any action taken at a meeting that is otherwise held in conformity with law.

17. Disruption of Meetings.

No person shall interrupt, disturb or disrupt any regular or special meeting or study session of the Commission. Upon direction of the Presiding Officer, any such person shall leave the Commission Chambers and the City Hall. Any Commissioner may request that the City Manager provide a uniformed law enforcement officer for any regular or special meeting or study session of the Commission.

18. Amendment of Rules.

These rules may be amended by the affirmative vote of no less than three (3) Commission members.

19. Commission Policies.

- a) The Commission may from time to time consider the adoption of certain written guidelines to provide policy guidance to City staff.
- b) The Commission shall approve such policy guidelines by resolution.
- c) Such guidelines shall constitute general guidance to the City staff and shall not have the force and effect of law, but shall serve as a statement of desired outcome in a particular area or situation.

- d) The members of the City staff charged with implementation or monitoring of a policy once adopted, and in any event the City Manager, shall endeavor to function in accordance with the written guidelines unless circumstances otherwise dictate.
- e) In the event the member of the City staff charged with implementation or monitoring of a policy determines that the policy is no longer feasible or desirable, either in whole or in part, such member shall bring the matter to the attention of the City Manager, who shall make recommendations to the City Commission regarding the matter.
- f) Written policies, once adopted by the City Commission, shall remain in force until rescinded by resolution of the City Commission.

20. Filling of commission vacancies

In the event that a vacancy occurs on the Commission due to resignation, death or other unforeseen circumstance, pursuant to the City Charter, the Commission is tasked with appointing a replacement who shall serve until the next regular election. To facilitate this task, the following procedure is hereby adopted:

- a) Upon declaration of a vacancy by the Mayor, the Commission shall direct the City Clerk to advertise the vacancy and set a deadline for submittal of applications for appointment. At the same time, the Commission shall select a date for a special meeting at which applicants will be interviewed by the Commission and a selection will be made. In the event that an agreement on an interim commissioner cannot be made at that meeting, the Commission has the option of re-opening the application period to receive additional applications.
- b) The qualifications for appointment shall be the same as for a candidate for election to the Commission. Those qualifications are as follows: 1) Applicant must be a registered elector of the city of Eustis; and 2) Applicant must have resided within City limits for no less than one year immediately prior to application. The one year may include the time before and after annexation if the property has been recently annexed into the City.
- c) Process to be used for election of the interim commissioner:
 - 1) The Mayor will open the floor to nominations. Nominations will be accepted until no further nominations are offered.
 - 2) Once it appears that no further nominations are forthcoming, the Mayor will ask for a motion to close the nominations. The motion must be seconded and a roll call vote will be taken.
 - 3) The City Clerk will then conduct a roll call vote on each nominee in alphabetical order. The alphabetical order is intended to negate the possible advantage for whomever was nominated first. If there is a tie between nominees receiving the most votes, a second vote will be taken on only the tied nominees. If there is still a tie after a second vote is taken, the Commission will discuss the applicants and whether to re-open the application period.
- d) Once one nominee has received the majority of the votes, the nominee will be formally appointed via resolution.
- e) Once the resolution has passed, the City Clerk will administer the Oath of Office and the interim commissioner shall assume their seat on the dais.