# AGENDA
# City Commission Meeting

**6:00 PM – Thursday, September 04, 2025 – City Hall**

**Invocation: Jim Shelly, St. Mary of the Lakes Catholic Church**

**Pledge of Allegiance: Commissioner George Asbate**

**Call to Order**

**Acknowledge of Quorum and Proper Notice**

**1. Agenda Update**

**2. Approval of Minutes**

**2.1** July 17, 2025 City Commission Meeting

August 7, 2025 City Commission Meeting

**3. Presentations**

**3.1** Recognition of Sergeant Phil Livingston

**3.2** Fire Department: Lifesaving Crews

**3.3** Update from Mike Goman

**4. Appointments**

**4.1** Appointment Confirmation for Police Officers' Pension and Retirement System Board of Trustees

**5. Audience to be Heard**

**6. Consent Agenda**

**6.1** Resolution Number 25-68: Memorandum of Agreement with Florida Department of Corrections – Cooperative Law Enforcement with EPD

**7. Ordinances, Public Hearings, & Quasi Judicial Hearings**

**7.1** Resolution Number 25-55: 2025-SP-06 Huddle Commercial Tract Site Plan with Waiver for Drive-Through for Alternate Key Numbers 2612533, 2612517, and 2612525

**7.2** Resolution Number 25-59: Tentative millage rate for the fiscal year 2025/26.

**7.3** Resolution Number 25-60: Adopting a Tentative Budget for the Fiscal Year 2025/26

**7.4** Resolution Number 25-69: Consideration for Reduction of Fine for 926 N. Bay Street

**7.5** Resolution Number 25-70: Consideration for Reduction of Fine for 67 Glover Street

**7.6** Resolution Number 25-71: Consideration for Reduction of Fine for 600 Ellsy Street

**7.7** **SECOND READING**

Ordinance 25-09: Proposed LDR Amendments for Changes in the Use Regulations Table, adding Master Planning requirements for properties over 300 acres in all Design Districts and providing Subdivision Regulations and Design Guidelines for Suburban Residential (SR) Properties

**7.8** **Explanation of Ordinance Numbers 25-20, 25-21, 25-22, 25-23, 25-24, and 25-25**

Ordinance Number 25-20 – Voluntary Annexation
Ordinance Number 25-21 – Comprehensive Plan Amendment
Ordinance Number 25-22 – Design District Assignment

**SECOND READING**

Ordinance Number 25-20: Voluntary Annexation of Parcel with Alternate Key Number 1040141

**7.9** **SECOND READING**

Ordinance Number 25-21: Future Land Use Map Assignment
Ordinances for Annexation Parcels Alternate Key Number 1040141

**7.10** **SECOND READING**

Ordinance Number 25-22: Design District Assignment
Ordinances for Annexation Parcels Alternate Key Number 1040141

**7.11** **Ordinance Numbers 25-23, 25-24, and 25-25 for Parcels with Alternate Key Number 3959037**

Ordinance Number 25-23 – Voluntary Annexation
Ordinance Number 25-24 – Comprehensive Plan Amendment
Ordinance Number 25-25 – Design District Assignment

**SECOND READING**

Ordinance Number 25-23: Voluntary Annexation of Parcels with Alternate Key Number 3959037

**7.12** **SECOND READING**

Ordinance Number 25-24: Future Land Use Map Assignment for Annexation of Parcel with Alternate Key Number 3959037

**7.13** **SECOND READING**

Ordinance Number 25-25: Design District Assignment
for Annexation of Parcel with Alternate Key Number 3959037

**7.14** **SECOND READING**

Ordinance Number 25-26: Annual update of the Five-Year Capital Improvements schedule of the Comprehensive Plan fiscal year 2026-30

**7.15 Explanation of Ordinances 25-03, 25-04 and 25-05 for Annexation, Future Land Use Designation and Design District of Parcels with Alternate Keys Numbers 1097070 and 1094712**

**FIRST READING**

Ordinance Number 25-03: Annexation of Parcels with Alternate Keys Numbers 1097070 and 1094712

**7.16 FIRST READING**

Ordinance Number 25-04: Changing the Future Land Use Designation of Recently Annexed Real Property for Parcels with Alternate Keys 1097070 and 1094712

**7.17 FIRST READING**

Ordinance Number 25-05: Assigning the Rural Neighborhood Design District Designation to Recently Annexed Real Property for Parcels with Alternate Keys 1097070 and 1094712

## 8. Other Business

8.1 Discussion for an Economic and Cultural Advisory Committee

## 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 4, 2025

RE: July 17, 2025 City Commission Meeting
August 7, 2025 City Commission Meeting

**Introduction:**
This item is for consideration of the minutes of the Eustis City Commission meetings.

**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 Meeting

**6:00 PM – Thursday, July 17, 2025 – City Hall**

**Invocation: Jay Kowalski, FUMC Eustis**

**Pledge of Allegiance: Vice Mayor Gary Ashcraft**

**Call to Order: 6:37 p.m.**

**Acknowledge of Quorum and Proper Notice**

PRESENT: Vice Mayor Gary Ashcraft, Commissioner Michael Holland, Commissioner Emily Lee, Commissioner George Asbate and Mayor Willie L. Hawkins

## 1. Agenda Update

Tom Carrino, City Manager, indicated that 5.2 on the Consent Agenda is an annexation agreement for utility services. He explained that an updated version of the agreement was provided to the Commission which matches the new template.

## 2. Approval of Minutes

2.1 June 19, 2025 City Commission Workshop
June 19, 2025 City Commission Meeting

Motion made by Commissioner Lee, Seconded by Commissioner Holland, to approve the Minutes. The motion passed on the following vote:

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

## 3. Presentations

3.1 Trails Update

Mike Stevens, Chairman for the Florida Greenways and Trails Council, treasurer for the Florida Greenways and Trails Foundation and Chairman for Friends of Lake County Trails, provided an update on both the local and state level regarding trails and funding for trails. He reported on the November 2024 bond referendum that was approved for conservation and trails. He explained that 50% of the funds will be used for trails which should provide $25 million in Lake County in the next two years to use for purchase of the land and right of way. He stated that, compared to Seminole, Volusia and Orange Counties, Lake County is 25 years behind in development of trails.

Mr. Stevens reported on efforts in 2023 to get two trails on the state priority list - the North Lake River to Hills Trail and the Wekiva Trail. He explained the development of the state's five year plan and increases in funding. He provided an overview of the tentative routes for the North Lake River to Hills Trail and the Wekiva Trail.

Mr. Stevens stated the biggest priority for the state is the Coast to Coast Trail, which goes from St. Pete across the state to Titusville, which is 85% done. He indicated that the second state priority is the St. Johns River to Hills Loop. He provided an overview of that trail and what has

been completed. He stated the third priority is the Heart of Florida Loop, a 250 mile loop noted that the North Lake River to Hills Trail will connect to that. He cited the loop trail around Lake Apopka and the progress on that.

The Commission asked about the local trail being on the state priority list with Mr. Stevens stating it means it will be eligible for funding, and they will have to apply for the funding as it is competitive. He explained that Sun Trail wants the entities to "have skin in the game". He commented on the intergovernmental agreement for the feasibility money which was budgeted last year. He reviewed the status of various segments of the trails. He stated they are currently working on a feasibility study for the segment running from Tavares through Eustis to Umatilla. He reported they have met with the Director of Florida Rails to Trails Conservancy and CSX is willing to discuss purchase of the railroad ROW. He continued a review of the progress on the Wekiva Trail and where it will connect. He cited issues with the purchase of CSX property.

The Commission asked about timelines with Mr. Stevens responding Seminole, Volusia and Orange County used their Sales Tax Revenue to build their trails and were able to budget $1 to $2 million into trails every year. He commented on the difficulty in raising funds in Lake County for trails. He explained why they worked so hard to get the Lake County trails included in Sun Trails so that it made them eligible for funding. He stated the biggest thing the cities can do is get together and get the feasibility study done. He expressed concern about getting the railroad to agree to selling the property and raising the necessary funding. He indicated they need to get conceptual ideas of where the trail will get into downtown Eustis and Tavares. He commented on a meeting with the hospital administration and their desire to tie into the trail. He stated it could be 20 years in the future, or it could be 5. He emphasized the need to get the feasibility study completed and indicated that would take about one year. He explained the process following that.

The Commission asked what they could do to make their trail more attractive to the state with Mr. Steven responding the following: 1) Get the feasibility study done as soon as possible; 2) Get the City and residents on board; and 3) Provide letters of support from the community, the MPO and the County. He commented further on how the projects get moved up on the unfunded priority list.

Mr. Carrino asked about estimates for the cost of the Wekiva railroad right-of-way with Mr. Stevens estimating that cost at $20 to $25 million. He noted that is probably twice as long as what Lake County needs so they will probably need about $10 million.

Mr. Carrino stated he wanted to set expectations and emphasized the need for partners including the state, Lake County, Tavares and Umatilla in order to get the railroad right-of-way.

Mr. Stevens commented on missed opportunities including the sidewalk from Eustis and Umatilla, and how they tried to get FDOT to make it wider for use as a trail. He suggested that the City try to focus on the plan to make sure they take advantage of opportunities for local trails that could eventually be connected to the regional trails.

Commissioner Asbate asked staff to keep trails in mind when developers come in with proposals.

Mr. Carrino commented on the need to get the feasibility study completed. He stated it will help when they can identify where the trail actually is going. He confirmed that the current fiscal year was the first year they budgeted for the study. He noted there is an existing interlocal agreement regarding the trail. He stated they have informed Lake County that it is a priority and indicated the County needs to be the lead agency.

3.2 Residential Rehabilitation Program Update

Derek Blue, Lake Community Action Agency (LCAA), reported on the City's home improvement program they administer for the City. He cited the focus of the program to address health and safety concerns, provide energy efficiency improvement and provide cosmetic enhancements. He listed some of the specific types of improvements that were undertaken and provided some before and after photographs showing the improvements.

Tim Bridges, LCAA Director of Program Operations, noted that LCAA has been in the City for 58 years. He provided an overview of the amount of funding they have spent within the City of Eustis. He emphasized that the improvements are provided to the residents at no cost. He stated that of the $302,000 in CRA funds contributed to the program, only $29,970 went to the LCAA for program support fees. He reported they completed 14 homes outside of the CRA totaling $119,000 and 17 homes within the CRA. He explained their pre-qualification process. He noted they have six homes on the waiting list inside the CRA and another ten outside the CRA.

Mr. Blue explained the $4,000 program support fee and what it covers. He noted that the homeowners receive both CRA funds and LCAA weatherization funds. He also commented on the homeowner education program and the warranty on the homes.

Mr. Bridges reviewed the LCAA financial impact on the City from 2002 to 2025 including water bills paid to the City, rent paid to the City, utilities paid for residents, rental assistance for residents and education assistance to residents. He stated that the total of the LCAA contribution to the City was over $1 million.

Mr. Blue introduced two of their participants to make comments on their participation in the program.

Sandra Purdue, resident, commented on her status as a single parent and expressed her appreciation.

Lewis Armstrong, resident since 2021, explained he and his wife bought their house, but his health issues limited his ability to work and make repairs. He expressed appreciation for the assistance.

The Commission asked about other non-profit agencies paying rent to the City.

Mr. Carrino explained that LCAA gets credit toward a higher match from the federal government. He indicated that the rent is higher but a portion of it is rebated back to them.

The Commission discussed the amount of rent with the possibility of the issue being discussed in the future.

Mr. Bridges reviewed the history of the program and noted that, due to the success of the program within Mount Dora and Eustis, they now have a program with the City of Leesburg. He commented on the number of contractors they have involved in the program and the requirements for the contractors.

Commissioner Lee asked about their homeowner education program with Mr. Bridges explaining that the contractors work with them as they are making the improvements and explain how to manage the homes.

Mr. Bruce explained how they walk the homeowner through maintenance of the home. He commented on how they encourage the older residents to obtain assistance with their children

or other family members to help with maintenance. He noted they sit down with them and discuss how not to get back into the same situation with a deteriorating house.

Mr. Bridge explained they also have pamphlets they provide on different topics with Commissioner Lee commenting she would like to see them offer actual classes for the homeowners.

Mayor Hawkins asked Juliette Jones to address the Commission.

Juliette Jones stated she has been trying to get assistance from the CRA for years but she was told she is out of the district. She explained the house needs to be gutted. She cited her roof problems and noted it also has a lot of mold that is making her sick.

Mayor Hawkins explained he wanted her to speak in order to show that the need is also outside of the CRA district. He commented on the possibility of working with Habitat to expand the program outside of the CRA.

Vice Mayor Ashcraft expressed agreement for expanding the program outside the CRA.

Mr. Bridges stated that in Leesburg they cooperate with both the City and Habitat for Humanity on their program.

Commissioner Lee asked if Ms. Jones would have qualified for LCAA's other program with Mr. Bridges responding that she had received services previously from a federal program and had not completed the 15 years required since then.

Discussion was held regarding a joint program with LCAA and Habitat for Humanity to assist residents outside the CRA district.

Mr. Carrino reported there is approximately $50,000 left in the rehab program from a previous year and the Commission added $50,000 during the budget process. He noted that $30,000 was added as well as one other house. He indicated that the City has spent approximately $125,000 in the current fiscal year and they are out of funding for the current year. He stated they would not be able to take on anything else until after October 1st. He asked if the Commission wants to wait until October 1st to continue the program or if they want to add more money to the program.

The Commission discussed increasing the budget for the next fiscal year and whether or not to add more funds to the current year. It was noted that there is $377,000 left over in the CRA current budget.

The Commission asked how much it would take for the home remaining on the wait list with Mr. Bridges stating they won't know for sure until they get the shingles off. Mr. Blue stated that it costs approximately $12,500 per house.

Mayor Hawkins asked, if the City can provide additional funding, could LCAA reduce their fees by $2,000 and Mr. Blue responded affirmatively.

Mr. Blue confirmed there is more to be done for the home than just the roof.

Mr. Carrino indicated that it would require CRA approval; however, if he has a consensus of the Commission, he has the authority to proceed and then bring it back for after-the-fact approval.

CONSENSUS: It was a consensus of the Commission to approve an additional $12,500 for the housing rehabilitation program in the current fiscal year.

## 4. Audience to be Heard

Craig Capri, Police Chief, announced there will be four amateur fighters from Eustis that will be boxing on August 28th in Orlando at a national tournament. He noted they have two female fighters from Eustis High School and then two male fighters from Eustis. He indicated they will be wearing the City of Eustis and Eustis Police Department logos on their uniforms.

Ariana Varela addressed the Commission regarding the boxing program and what it has taught her regarding discipline and self-respect. She noted that she used to have problems in school but now she is making straight A's.

Chief Capri commented on the Double R&O Boxing Club located on Grove Street and the benefits of the boxing program for the youth as well as adults. He thanked everyone for their support.

Debbie Weinert, Tavares resident, addressed the Commission regarding the Dolly Parton Imagination Library. She reported on their recent activities and noted she started with 18 children and closed the month of June with 1,055 children receiving books. She added that there are no children from Eustis involved with her program and commented on her desire to have Eustis involved. She provided a history of the program began by Dolly Parton. She provided an overview of the books provided to the students and how they teach the parents to engage with the children. She asked if she could be put on a future agenda to provide a presentation. She noted that it costs her $36 per child per year to receive a book a month and provided a breakdown on the use of those funds. She confirmed that her program is a 501(c)(3).

Chief Capri stated he would donate $1,000 to the program and Mayor Hawkins asked the Finance Director to provide whatever is left of his funds to the program.

Commissioner Holland stated he would like to see her come back with a full presentation. He noted that she has met with the Library Director and indicated he would like to see a partnership.

Ms. Weinert commented she would like to get some of the businesses involved as well.

Bryan Broomfield, representing St. James AME Church, stated that every year they have their annual Shelly Ware King family and friends day. He stated they would be holding a worship service on Sunday, July 27th, at 11:00 a.m. with a fellowship day on Saturday, July 26th, 10 a.m. to 2 p.m. He invited all of the Commissioners to attend. He noted that police and firefighters also attend the celebration.

## 5. Consent Agenda

5.1 Resolution Number 25-51: Eustis Police Department Armored Personnel Carrier Donation

5.2 Resolution Number 25-52: Annexation Agreement and Developer's Agreement To Provide Water Service Outside the City Limits for 2218 Getford Road

Motion made by Commissioner Holland, Seconded by Commissioner Lee., to approve the Consent Agenda. The motion passed on the following vote:

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

## 6. Ordinances, Public Hearings, & Quasi Judicial Hearings

6.1 Resolution Number 25-47: Approving a Site Plan with Waivers for a Self-Storage Facility at 36640 South Fish Camp Drive (Alternate Key 1213177)

Sasha Garcia, City Attorney, read Resolution Number 25-47 by title: A Resolution of the City Commission of the City of Eustis, Florida; approving a site plan with waivers for a self-storage facility on approximately 4.63 +/- acres located at 36640 S. Fishcamp Road (Alternate Key Number 1213177).

Kyle Wilkes, Senior Planner, reviewed the proposed site plan and explained the requested waivers as follows:1) Waiver To Section 115-9.3.2 (a) (2) & (3) Suburban Design District Standards to allow for understory trees in lieu of canopy trees (due to utility line constraints); 2) Waiver To Section 115-6.1.2 Metal Buildings to allow metal buildings with insulated stucco board panels for the sides of the building facing the road; 3) Waiver to Section 110-4.13 Commercial Building Lot to allow for the primary structures to exceed the 75' maximum setback due to circulation and operational needs of the self-storage; and 4) Waiver to Section 110-4.13 Commercial Building Lot to waive the frontage buildout and design standards to meet fenestration and architectural requirements along CR 44 as self-storage buildings do not provide street-facing windows or transparent features.

Mr. Wilkes provided an overview of the site location, future land use (mixed commercial residential) and design district (suburban corridor). He explained the project breakdown as follows: Office – 1,200 sq ft., RV/Boat Storage – 11,160 sq. ft., and Mini-Warehouse – 17,400 sq. ft. for a total of 29,760 sq. ft. He stated staff recommends approval of the Site Plan with Waivers and indicated it is generally consistent with the Land Development Regulations and does not negatively impact the health, safety, or welfare of the surrounding community.

Mayor Hawkins questioned the setback with Mr. Wilkes explaining the setback is typically from the primary structure and there isn't really a primary structure. He indicated the applicant wants to be further back from Fishcamp Road. He confirmed that this application was in the queue prior to any changes.

The Commission confirmed that the structure will be closer to the northern property with Mr. Carrino indicating on the north is the CSX right-of-way which is approximately 100 feet. It was noted that it would be closest to the home on the northwest corner. Mr. Wilkes confirmed that the request was advertised, and no comments had been received from that homeowner.

Attorney Garcia opened the public hearing at 8:02 p.m.

Deirdre Lewis expressed opposition to the storage facility in the subject location. She noted that a storage facility was just completed in the area.

Tander Kilbow, addressed the Commission on behalf of the Novaks, and explained they are not shifting the structure closer to the home. He added that in addition to the buffer they will be installing a six foot masonry wall along that same property line. He indicated the site plan submitted indicates where the structure will be located.

Mr. Wilkes explained that the 75' setback is a maximum, not a minimum.

John Cook, representing the builder, stated the setback would be an additional 50 feet back. He added the proposed office is 127.5 feet from CR 44. He explained that they would be single-story self-storage buildings, not multi-story. He indicated there would be landscape buffer all around the property. He stated that in addition to the masonry wall would be the landscape buffer and a swale plus 50 feet of parking lot, another 10 feet and then the

office. He emphasized that it is not a 24-hour facility. Additionally, he stated they are not proposing any site lighting but there would be some wall packs on the building. If it is a concern, they can avoid any light going into the adjacent residence. He confirmed that the entrance would be off of Fish Camp.

The Commission discussed what else could go on the site and what would be the least impactful. They confirmed the notices were sent out and no comments were received.

There being no further public comment, the hearing was closed at 8:11 p.m.

Motion made by Commissioner Holland, Seconded by Mayor Hawkins for discussion, to approve Resolution Number 25-47.

The Commission asked to see renderings of how the facility would look with renderings being provided. Discussion was held regarding the number of units, the location of the operations office, fence and landscape buffer, the type of fencing and location of the entrance.

Mr. Novak confirmed they are Lark Shed and noted they are Eustis residents. He commented on how well they have maintained their Leesburg location.

Mr. Carrino explained that, under the City's new regulations, the self-storage would not have been allowed; however, the application was grandfathered due to their application being submitted prior to adoption. He noted the need to determine the impact of Senate Bill 180.

Attorney Garcia stated that she has done another review of the Senate Bill and her opinion stands.

The motion to approve Resolution Number 25-47 passed on the following vote:

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

6.2 Resolution Number 25-54: Establishes the Proposed Millage Rate for FY2025/26

Attorney Garcia read Resolution Number 25-54 by title: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, providing for the proposed millage rate of 7.5810 mils for the Fiscal Year 2025/26 annual budget for the City of Eustis, Lake County, providing for an effective date.

Lori Carr, Finance Director, explained the budget and millage rate approval process. She stated that the approval sets the tentative rate and may be changed. She explained how that could be done. She stated resolution sets the millage that will go on the TRIM notices to be mailed by the Property Appraiser. She indicated that the preliminary budget is based on the millage rate of 7.5810. She reported that the City's property tax increased by 9.33% which was a 1.8% drop over the prior year. She added that new construction revenue had also dropped significantly from the prior year.

Ms. Carr indicated that health insurance costs have increased by 5.5%. She stated that the Property and Casualty Insurance is projected to increase by 14% but the final figure will not be known until August or September. She added that some state revenues still have not been received and cited a number of new positions added to the General Fund.

Ms. Carr then reviewed the preliminary revenues and expenses stating that the preliminary revenues are $28.2 million, and preliminary expenses are $29.8 million with a preliminary shortfall of $1.6 million. She explained that it is not uncommon to fund CIP projects through reserves. She stated the plan is to fund those at $920,000. She cited recurring operating

capital of $310,300 leaving a revised shortfall of $371,000, which is based on the 7.5810 millage rate.

Mr. Carrino stated they have a responsibility to present to the Commission a balanced budget. He indicated that he and staff would be working to close that shortfall and stated that it is not best practice to fund the recurring capital from reserves. He indicated they will be working to cut $680,000 from the budget.

Vice Mayor Ashcraft stated they have had the same millage rate for ten years and most of those years they have had a surplus, why do they not have a surplus this year.

Mr. Carrino responded that generally there is a surplus with the actual expenses. The last fiscal year closed was FY23-24 and they had a $1.9 million surplus of revenues over expenses. He stated they expect to again have a surplus; however, they can't assume that until the year closes out. He cited various reasons why there will most likely be a surplus after year-end.

Ms. Carr noted they are required to present a balanced budget with Vice Mayor Ashcraft responding that the charter says they don't have to present a balanced budget as long as they have over $1 million in reserves. He noted the City has $20 million in reserves.

Mr. Carrino explained that state law says they have to present a balanced budget, and the charter allows them to use reserves to do that.

Ms. Carr provided an overview of the various millage rates including what would require a majority vote of four. She provided an explanation of the impact on a $250,000 home from the different levels of millage. She stated that the City budgets the property tax revenues at 95%.

Attorney Garcia opened the public hearing at 8:32 p.m. There being no public comment, the hearing was closed at 8:32 p.m.

Motion made by Commissioner Holland, Seconded by Commissioner Lee, to approve Resolution Number 25-54. The motion passed on the following vote:

Voting Yea: Commissioner Holland, Commissioner Lee, Mayor Hawkins
Voting Nay: Vice Mayor Ashcraft, Commissioner Asbate

6.3 Resolution Number 25-56: Authorizing Recording of Lien on a Delinquent Utility Account

Attorney Garcia read Resolution Number 25-56 by title: A Resolution of the City Commission of the City of Eustis, Lake County, Florida; approving the recording of water, wastewater, stormwater, irrigation, reclaimed water and/or residential garbage services liens; repealing all resolutions or parts of resolutions in conflict herewith; and providing for an effective date.

Nichole Jenkins, Water Customer Service Manager, reviewed the proposed utility lien and stated staff's recommendation for approval to record that lien. She explained the circumstances surrounding the utility account.

The Commission asked about a possible leak on the property with Ms. Jenkins explaining that there is a leak; however, the account has been past due for longer than the leak has existed.

The Commission asked how they can see if the usage is due to use or a leak with Ms. Jenkins explaining how they can do an hour-by-hour polling.

The Commission asked when the doctor's note was provided with Ms. Jenkins responding that the water was cut off on May 20th and on May 21st the note was provided. They turned the water back on after receiving the note. She stated that the customer is the owner of record

and there are several tax certificates on the property. She noted the owners are no longer communicating with the department. She stated staff suspects they are filling their pool and forgetting to turn off the water hose.

The Commission asks how they determined that with Ms. Jenkins explaining the field supervisor went out and walked around the home with someone who represented themselves as the customer's fiancé. That individual stated that the kids like to fill the pool.

The Commission asked if they are asking to authorize lien but keep the water on with Ms. Jenkins stating they are asking for authorization to record the lien and disconnect the water because the City's bond says they cannot give free water. The collection ordinance requires a ten day demand to remove the meter and a ten day demand to put a lien on the property.

The Commission asked about the tax deed certificate and if the City does a title search or knows if there is a mortgage.

Attorney Garcia explained that the utility lien is not extinguished through foreclosure. She stated that the County's lien and the City's lien would have the same weight. She confirmed that they could not leave the water on.

Attorney Garcia opened the public hearing at 8:41 p.m. There being no public comment, the hearing was closed at 8:41 p.m.

Motion made by Commissioner Holland, Seconded by Vice Mayor Ashcraft, to approve Resolution Number 25-56. The motion passed on the following vote:

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

RECESS: 8:41 p.m. RECONVENE: 8:48 p.m.

6.4 Resolution Number 25-57: Compliance with SB 180 (Ch. 2025-190, Laws of Florida)

Attorney Garcia read Resolution Number 25-57 by title: A Resolution of the City Commission of the City of Eustis, Lake County, Florida, declaring a temporary suspension of certain land development regulation activities to ensure compliance with Chapter 2025-190, Laws of Florida (SB 180); directing staff to identify and repeal conflicting ordinances and resolutions and to prepare amendments to the City Code of Ordinances and Land Development Regulations so as to conform with State Law; providing for conflicts; providing for severability; and providing for an effective date.

Attorney Garcia explained the Senate Bill concerns streamlining the storm permitting process to ensure that local governments are prepared to respond following a natural disaster. She stated the bill prohibits counties and municipalities that were listed in the federal disaster declaration for hurricanes Debbie, Helene and Milton from proposing or adopting the following items: 1) A moratorium on construction, re-construction or redevelopment of any property damaged by the hurricane; 2) More restrictive or burdensome amendments to local government Comprehensive Plan or Land Development Regulations; and 3) More restrictive or burdensome procedures concerning review, approval or issuance of a site plan, development permit or development order. For those cities, that is retroactive to August 1, 2024, and active through October 1, 2027. She said that Eustis and Lake County are under the scope of the full three years. She acknowledged that it is quite restrictive on Home Rule and ties to both current development and future development. She noted that a lot of cities are unhappy with it. She added that a couple of municipalities have since passed ordinances that apply a moratorium on changes to the LDR's and they have already received notice from

developers. She indicated that a number want to challenge this in court; however, it is in until either a change in the legislation or a court finds that it is an unconstitutional act.

Attorney Garcia stated that the legislation provides an avenue for private property owners or business owners to sue the government in the event that the legislation is violated. She indicated that they cannot even change the code to make the structures more resilient to hurricanes and storms. She stated they have to leave everything as is. She suggested that they could bring back the City's ordinance but to revise it to indicate that it would not be in effect until either the statutory period expires, there is a change in the legislation, or a court strikes down the provision. That would be a way to get it into the code but make it known that it would not be enforced and the City is not trying to violate any restriction put on it by the state. It would provide notice for the future, and it would already be in place if a change occurs. She stated that would mean the ordinance will have to be re-advertised and amended to change the effective date. She explained the need for the resolution.

Mr. Carrino asked if the City would be required to go to the back date and review everything that's been approved since then and reconsider those such as the self-storage ordinance.

Attorney Garcia responded that they would need to look at any legislation that was enacted since August 2024 and that affected the LDR's to make them more restrictive.

The Commission asked what is considered "more restrictive" and who determines that with Attorney Garcia responding the legislature did not specify that. She stated the code must basically remain as it was in 2023. She explained they did not want any changes since the storms enacted that would create more restrictions. She indicated that if a private property owner wants to voluntarily follow any restrictions they can, but the City can't enforce them. She added that it does not apply to annexations.

Vice Mayor Ashcraft suggested waiting and seeing what happens before they do anything. He expressed opposition to the legislation but noted he understood the intent.

Commissioner Lee asked if they waited it out could it open the City up to a lawsuit.

Attorney Garcia emphasized that they will have to undertake the audit to determine if there could be a possible violation. She stated that any changes would have to come back to the Commission. She explained the resolution will put the public on notice that they are aware of the legislation, allowing them time to do the analysis and bring back any necessary changes. She further explained her recommendation for changing the ordinance's effective date to protect the City. She indicated she did not believe the City had that many ordinances that would be affected.

Mr. Carrino stated that primarily they have made changes to the table of uses. He provided an example of someone wanting to place self-storage in MCR which under the changes would not be allowed but under the state legislation it would have to be allowed.

Attorney Garcia indicated they would conduct the audit to determine what needs to be changed. She noted medical marijuana is under separate legislation and they would have to look at that to determine if it would be affected.

Attorney Garcia opened the public hearing at 9:01 p.m. There being no public comment, the hearing was closed at 9:01 p.m.

Motion made by Commissioner Holland, Seconded by Commissioner Lee, to approve Resolution Number 25-57.

The Commission discussed waiting to see if any further changes were made by the legis with Attorney Garcia explaining the resolution would impose a temporary suspension to allow staff to conduct the analysis and bring back a report regarding any changes and to republish the LDR ordinance with an amendment that states the ordinance is not enforceable until the expiration of the statutory period, change in legislation or if the court strikes down the bill. She stated that by making those changes, if the bill is no longer valid in six months, the ordinance will already be in place. She noted other municipalities that are already considering legislation. She stated her recommendation for approval of the resolution and for the ordinance to be brought back as recommended.

Voting Yea: Commissioner Holland, Commissioner Lee, Mayor Hawkins
Voting Nay: Vice Mayor Ashcraft, Commissioner Asbate

6.5 Resolution Number 25-58: Administrative Approvals of Final Plats and Replats (SB 784, Ch. 2025-164, Laws of Florida)

Attorney Garcia read Resolution Number 25-58 by title: A Resolution of the City Commission of the City of Eustis, Lake County, Florida, designating an administrative authority for the review and final administrative approval of final plats and replats pursuant to Chapter 2025-164, Laws of Florida (SB 784); incorporating the statutory definition of “Administrative Authority”; delegating such authority to the Development Services Director or other eligible designee as determined by the City Manager; establishing review procedures and appeal rights; directing staff to prepare conforming amendments; providing for conflicts, severability, and an effective date.

Attorney Garcia explained Senate Bill 784, which was enacted on June 20, 2025, and states the legislation streamlines the subdivision-platting process for local governments within the Hurricane Milton disaster area by requiring an "administrative authority" to approve or deny final plats and replats, pursuant to Chapters 177.071 and 177.111, Florida Statutes. She stated that preliminary plats would still go before the Commission and, as long as there are no significant changes from the preliminary plat, the final plat will go through just the administrative process. She confirmed that any changes from the code or waivers would have to come to the Commission. She stated it eliminates the approval of the final plat by resolution and noted that it would also tighten the timeline.

Attorney Garcia then reviewed the requirements included in the resolution as follows: 1) Requires completeness notices within seven days of plat or replat submittal; 2) Mandates a written decision within the timeframe stated in that notice without requesting or requiring any extension from the applicant; 3) Specifies that any denial must identify each area of non-compliance with pinpoint citations to the controlling statute, ordinance, or technical standard; 4) Provides a fifteen-day administrative appeal to the City Commission with a forty-five-day decision window; and 5) Directs staff to present conforming LDR amendments to the Commission by October 31, 2025.

Attorney Garcia opened the public hearing at 9:09 p.m. There being no public comment, the hearing was closed at 9:09 p.m.

Motion made by Vice Mayor Ashcraft, Seconded by Commissioner Holland, to approve Resolution Number 25-58. The motion passed on the following vote:

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

6.6 Explanation of Ordinance Numbers 25-10, 25-11 and 25-12 for Annexation of Parc
with Alternate Key Numbers 3957568, 3957567, and 3450680

***SECOND READING***

Ordinance Number 25-10: Voluntary Annexation of Parcels with Alternate Key Numbers 3957568, 3957567, and 3450680

Attorney Garcia read Ordinance Number 25-10 by title on final reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 0.60 acres of real property at Lake County Property Appraiser's Alternate Key Numbers 3957568, 3957567, and 3450680, located on the west side of State Road 19, along Ruth Avenue.

Attorney Garcia opened the public hearing at 9:11 p.m. There being no public comment, the hearing was closed at 9:11 p.m.

Motion made by Commissioner Holland, Seconded by Vice Mayor Ashcraft, to adopt Ordinance 25-10 on final reading. The motion passed on the following vote:

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

**6.7 SECOND READING**

Ordinance Number 25-11: Comprehensive Plan Amendment for Recently Annexed Parcels with Alternate Key Numbers 3957568, 3957567, and 3450680

Attorney Garcia read Ordinance Number 25-11 by title on final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending the City of Eustis Comprehensive Plan pursuant to 163.3187 F.S.; changing the Future Land Use designation of approximately 0.60 acres of recently annexed real property at Alternate Key Numbers 3957568, 3957567, and 3450680, generally located on the west side of State Road 19 along Ruth Avenue, from Urban Low in Lake County to Suburban Residential in the City of Eustis.

Attorney Garcia opened the public hearing at 9:12 p.m. There being no public comment, the hearing was closed at 9:12 p.m.

Motion made by Commissioner Holland, Seconded by Vice Mayor Ashcraft, to adopt Ordinance Number 25-11 on final reading. The motion passed on the following vote:

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

**6.8 SECOND READING**

Ordinance Number 25-12: Design District Assignment for Recently Annexed Parcels with Alternate Key Numbers 3957568, 3957567, and 3450680

Attorney Garcia read Ordinance Number 25-12 by title on final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Corridor design district designation to approximately 0.60 acres of recently annexed real property at Alternate Key Numbers 3957568, 3957567, and 3450680, generally located on the west side of State Road 19 along Ruth Avenue.

Attorney Garcia opened the public hearing at 9:12 p.m. There being no public comment, the hearing was closed at 9:13 p.m.

Motion made by Commissioner Lee, Seconded by Commissioner Holland, to adopt Ordinance Number 25-12 on final reading. The motion passed on the following vote:

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

6.9 Explanation of Ordinance Numbers 25-13, 25-24 and 25-15 for Annexation of Parcels with Alternate Key Numbers 3862860 and 1193532

**FIRST READING**

Ordinance Number 25-13: Voluntary Annexation of Parcels with Alternate Key Numbers 3862860 and 1193532

Attorney Garcia read Ordinance Number 25-13 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida; voluntarily annexing approximately 6.18 acres of real property at Lake County Property Appraiser's Alternate Key Numbers 3862860 and 1193532, located east of Palmetto Street, north of Hollywood Avenue, and northwest of Dawes Street.

Jeff Richardson, Deputy Development Services Director, reviewed the proposed annexation, the proposed future land use designation of Urban Residential and design district designation of Suburban Neighborhood. He provided an overview of the site, staff's analysis of the request and stated staff's recommendation for approval.

Attorney Garcia opened the public hearing at 9:19 p.m. There being no public comment, the hearing was closed at 9:19 p.m.

Motion made by Commissioner Holland, Seconded by Vice Mayor Ashcraft, to approve Ordinance Number 25-13 on first reading. The motion passed on the following vote:

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

**6.10 FIRST READING**

Ordinance Number 25-14: Comprehensive Plan Amendment for Recently Annexed Parcels with Alternate Key Numbers 3862860 and 1193532

Attorney Garcia read Ordinance Number 25-14 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending the City of Eustis Comprehensive Plan pursuant to 163.3187 F.S.; changing the future land use designation of approximately 6.18 acres of recently annexed real property at Alternate Key Numbers 3862860 and 1193532, located east of Palmetto Street, north of Hollywood Avenue, and northwest of Dawes Street, from Urban Medium in Lake County to Urban Residential in the City of Eustis.

Attorney Garcia opened the public hearing at 9:20 p.m. There being no public comment, the hearing was closed at 9:20 p.m.

Motion made by Commissioner Holland, Seconded by Commissioner Lee, to approve Ordinance Number 25-14 on first reading. The motion passed on the following vote:

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

**6.11 FIRST READING**

Ordinance Number 25-15: Design District Assignment for Recently Annexed Parcels with Alternate Key Numbers 3862860 and 1193532

Attorney Garcia read Ordinance Number 25-15 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Neighborhood design district designation to approximately 6.18 acres of recently annexed real property at Alternate Key Numbers 3862860 and 1193532, located east of Palmetto Street, north of Hollywood Avenue, and northwest of Dawes Street.

Attorney Garcia opened the public hearing at 9:21 p.m. There being no public comment, the hearing was closed at 9:21 p.m.

Motion made by Commissioner Holland, Seconded by Vice Mayor Ashcraft, to approve Ordinance Number 25-15 on first reading. The motion passed on the following vote:

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

6.12 Explanation of Ordinance Numbers 25-16, 25-17 and 25-18 for Annexation of Parcels with Alternate Key Numbers 2704365, 1214041, and 3803090

**FIRST READING**

Ordinance Number 25-16: Voluntary Annexation of Parcels with Alternate Key Numbers 2704365, 1214041, and 3803090

Not heard as item was tabled by Local Planning Agency.

**6.13 FIRST READING**

Ordinance Number 25-17: Comprehensive Plan Amendment for Recently Annexed Parcels with Alternate Key Numbers 2704365, 1214041, and 3803090

Not heard as item was tabled by Local Planning Agency.

**6.14 FIRST READING**

Ordinance Number 25-18: Design District Assignment for Recently Annexed Parcels with Alternate Key Numbers 2704365, 1214041, and 3803090

Not heard as item was tabled by Local Planning Agency.

## 7. Other Business

7.1 Stormwater and Open Space Discussion

Mr. Carrino stated that previously approved state legislation is requiring St. John's to be stricter when it comes to stormwater quality. He indicated that the City's code states that the City must defer to St. John's regulations. They are being required to improve how stormwater gets done with low impact development and stormwater quality. He stated his interpretation of Senate Bill 180 is that St. John's is not included in the mandate to not be more restrictive or burdensome. He summarized his interpretation that St. John's is required by state law to become more restrictive on stormwater and the City's code says they follow St. John's.

Vice Mayor Ashcraft explained that his desire is to find a way to prevent some of the stormwater issues.

Mr. Carrino stated that if the facilities meet St. John's requirements then they can't do anything with them, and he did not think they can be more restrictive under Senate Bill 180.

Vice Mayor Ashcraft had slides presented of various stormwater retention areas and asked if there are other ways to handle it.

Mr. Carrino stated that changes are coming from St. John's, and they don't know what those will be.

Daniel Milan, City Engineer for Public Works, explained the intended purpose to treat runoff water in the pond before it goes to a recharge area. He said though they are not aesthetically pleasing they have a function.

## 8. Future Agenda Items and Comments

### 8.1 City Commission

Commissioner Holland congratulated Abel Berry from Advent Health Waterman on being promoted to CFO of Florida Hospital Orlando. He noted a going away reception would be held on July 22nd.

Commissioner Lee commented she received a compliment about the City's Planning Department with Mayor Hawkins noting he also heard that compliment.

Vice Mayor Ashcraft noted his work on developing a Japanese Arts and Culture Festival and announced he has been invited to attend a meeting on Aug 15th at 11 a.m. in Miami. He asked to be reimbursed for his travel expenses.

CONSENSUS: It was a consensus of the Commission for the City to cover Vice Mayor Ashcraft's travel expenses for the meeting.

Vice Mayor Ashcraft announced that Pat Davis is in hospice care. He commented on her vast volunteer work in the area over the years. He stated a ceremony would be held on Friday on the boardwalk to recognize her years of service. He invited the Commission and others to attend. He then complimented Parks & Recreation on their involvement in an interlocal event. He announced they had won the event.

Sam Brinson, Parks & Recreation Director, explained the event noting they took approximately 35 children and indicated they would be posting information out on Facebook.

Mayor Hawkins noted that the Parks & Recreation kids had done a cleanup at Ferran Park as well.

Vice Mayor Ashcraft announced that Bill Gay had passed away. He commented on Mr. Gay's dedication to the Eustis community. He then announced his vacation dates and noted he would not answer his phone but would have access to email.

Commissioner Asbate expressed his condolences to Bill Gay's family and commented on all his contributions.

### 8.2 City Manager

Mr. Carrino announced that the City had received a request for information from Florida DOGE related to revenues and expenses. He thanked the Finance Department for their hard work on that request. He announced that a workshop was scheduled for 9:00 a.m. the next day. He apologized that the title work on the community building has still not been received. He recommended moving forward with the workshop.

Discussion was held regarding the purpose of the workshop with Mayor Hawkins stating intent was to solidify what the Commission wants on the three blocks. It was noted they would also discuss the community building site.

It was a consensus to proceed with the workshop the following day.

Mr. Carrino stated they still need to review the other funds and the CIP. He asked if they want to hold additional budget workshops or review the provided material and provide staff feedback. He noted that the CIP does need to be completed fairly quickly. He stated his preference to schedule at least one more workshop.

Following discussion, Mr. Carrino stated he would do a Doodle poll to get a workshop scheduled.

Mr. Carrino commented on recent media coverage. He explained they have done some stories based on old videos and meeting minutes without getting the most up-to-date information. He stated that he and Marissa Cella have been working with the media outlets to insure they have the most current and accurate information.

### 8.3 City Attorney

Attorney Garcia provided to the Commissioners a summary of the changes made by the legislature that affect the City.

### 8.4 Mayor

Mayor Hawkins complimented staff and the Chamber on the 4th of July celebration and cited the large turnout. He commented on the issue of drainage on Orange Avenue and what is causing it. He complimented the Police and Fire Departments on their responses to recent tragic events. He commented on the recent Music Festival and the good responses he has heard. He expressed sympathy on the passing of Bill Gay. He announced Alvin Jackson would have a book signing on July 27th at Carver Park and noted his previous position with the City.

## 9. Adjournment: 9:45 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<br>City Clerk | WILLIE L. HAWKINS<br>Mayor/Commissioner |

# MINUTES
# City Commission Meeting

**6:00 PM – Thursday, August 21, 2025 – City Hall**

**Invocation: Pastor Renee Hill, WIN 1 Ministries**

**Pledge of Allegiance: Commissioner Emily Lee**

**Call to Order: 6:04 p.m.**

**Acknowledge of Quorum and Proper Notice**

PRESENT: Commissioner Emily Lee, Commissioner George Asbate, Vice Mayor Gary Ashcraft, Commissioner Michael Holland and Mayor Willie L. Hawkins

**1. Agenda Update**

**2. Approval of Minutes**

June 17, 2025 City Commission Meeting

August 7, 2025 City Commission Meeting

Motion made by Commissioner Holland, Seconded by Commissioner Lee, to approve the Minutes. The motion passed on the following vote:

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

**3. Presentations**

3.1 Presentation by Representative Nan Cobb and Senator Keith Truenow

Representative Nan Cobb presented the City of Eustis with a check for $2,078,978 from the State of Florida for the Coolidge and Northshore public works projects. Also present were her legislative aide Tristan Raimundo, District Aide Faith Ramnanan and Senator Keith Truenow's aide Eric Raimundo.

Representative Cobb also presented a check for $500,000 to Trout Lake Nature Center for their education complex project.

Eileen Tramontana, Executive Director, reported the Nature Center is finishing Phase 2 of the project and announced their upcoming fundraiser Jungle Feast.

Mayor Hawkins complimented the staff of Continental Strategies for their efforts on behalf of the City.

3.2 Eustis Police Department Badge Pinning Ceremony

Police Chief Craig Capri administered the Oath of Office to the following new officers for the Eustis Police Department who were then pinned by their family members: Nicolas Smith, Chantal Murray, Bryan Rego, Kevin Eichenlaub and Kayla Maznaritz.

3.3 Eustis Police Department Promotion of Wayne Perry, Jr to Corporal

Chief Capri recognized Senior Officer Wayne Perry, Jr., who has worked at Eustis Police Department since September 12, 2016, on his promotion to Corporal.

3.4 Eustis Police Department Acknowledgement of Graduation

Chief Capri acknowledged Sergeant Arnold who successfully completed and graduated from the Florida Leadership Academy, Class 60. He commented on the department's interest in leadership and noted the program prepares first-line supervisors in criminal justice organizations to exemplify the character and integrity expected of criminal justice professionals and to examine the various components necessary to being an efficient leader.

Introduction by Eustis Heights Elementary School Principal

Mayor Hawkins thanked Lake County Tax Collector David Jordan for attending the meeting. He introduced Dr. Juanita McCall, Eustis Heights Elementary School Principal.

Dr. Juanita McCall introduced her Assistant Principals Stephanie Bence and Courtney Franklin. She provided a brief background on herself as a graduate of the Lake County school system. She cited her desire to get more involved in the community and to work with the City.

Mayor Hawkins commented on the City's efforts to assist with tutoring and reading at the school and encouraged others to volunteer.

3.5 Presentation by Continental Strategy

Ashley Spicola, representing Continental Strategy, noted she provided a handout to the Commission with a recap of the 2025 legislative session.

Commissioner Holland thanked Ms. Spicola for herself and the rest of Continental Strategy keeping in touch throughout the session.

Mr. Carrino thanked Ms. Spicola for their assistance in obtaining access to the legislature with Ms. Spicola commenting on how important it is for the Commissioners and staff to go to Tallahassee to meet with legislative members.

Commissioner Asbate asked them to keep an eye on FDOT and Duke Energy and cited issues with work they've done in the City.

Ms. Spicola indicated she would reach out to the City Manager to discuss that.

3.6 Fire Department ISO Rating Presentation

Fire Chief Mike Swanson presented to Deputy Chief Shawn Kelleher a Certificate of Appreciation for the work he did on the City's ISO.

Deputy Chief Kelleher announced that the City's rating went up 4 points to a score of 88.77. He indicated that is close to an ISO 1. He explained they are currently in the top 10% of fire departments in the nation. Once they achieve the ISO 1, they will be in the top 1% in the nation. He provided an overview of their recent evaluation and commented on those areas where they can improve. He explained that where they are missing the most is in staffing. He explained they need more personnel on the ladder truck to get additional points. He reviewed the department's long-term strategic plan and cited the need for two additional stations - one in the southeast quadrant and one in the northwest quadrant.

Mayor Hawkins asked how the ISO affects insurance rates with Deputy Chief Kelleher responding that the City's ISO provides a 3% reduction in insurance rates for taxpayers.

The Commission complimented Chief Swanson and Deputy Chief Kelleher on their effort on the department.

3.7 Presentation by Florida Department of Transportation (FDOT)

Philip Maggio, FDOT D5 Leesburg Operations Engineer, provided an overview and history of the FDOT SR19 project from N. Stevens Avenue to CR 452. He stated the goals of the project were to encourage safe driving speeds and enhance connectivity and safety for pedestrians. He cited specific enhancements including rectangular flashing beacons (RRFB), raised crosswalks, and lighting improvements.

Rohan McDonald, FDOT D5 Leesburg Operations Construction Engineer, provided a project update as follows: 1) Raised intersections - 80% complete; 2) RRFB's - 80% complete with wiring and power service needed to complete the installations; 3) Bulb-outs - 90% complete; 4) Signal upgrades - 50% complete; 5) Curb - 90% complete, still need to complete the Orange and Bay intersection; 6) Landscaping - Palm trees installed, ground cover to follow; 7) Drainage - 98%, S-407 left to complete at Bay and Orange; and 8) ADA ramps - ongoing at all intersections including brick paver areas.

Mr. McDonald and Mr. Maggio explained what the S-407 would consist of as part of the drainage system.

The Commission asked if any irrigation system had been put in the bulb-outs to irrigate the landscaping with Mr. Maggio responding negatively. He confirmed that what is being planted are Florida-friendly plants.

Mr. McDonald noted there are still brick pavers to be completed at Bay Street and Magnolia. It was noted that they are 3,000 short on the brick pavers so the contractor was directed to get more.

Mr. McDonald commented on the implementation of a dedicated special cleaning team. He added that the project will be mechanically swept twice per week. He estimated a completion date of October 2025.

The Commission expressed concern regarding the difficulty for trucks attempting to make a right turn on Grove Street off of Orange Avenue.

Mr. Maggio indicated they would look at the intersection to see what can be done.

The Commission asked the purpose of the bulb-outs at the intersections with Mr. MacDonald responding that the purpose of the bulb-outs is to protect pedestrians when accessing their cars. He confirmed that is part of FDOT and federal design standards.

Mr. McDonald explained the type of palm tree was intentionally chosen to be less than 10" wide with an 8' clear height in order to not interfere with sight lines. He added that the landscape plans are being adjusted to remove any conflicts with the existing power lines/lighting. He noted they have met with Duke Energy to address any issues.

The Commission asked about maintenance on the palm trees with Mr. MacDonald responding they will be maintained by the department.

Commissioner Asbate noted there are palm trees in the median south of the Police Department that have a number of dead fronds.

Mr. Maggio indicated they will look at it; however, a number were installed by the City and the City is responsible for those. He commented on their efforts to improve any landscaping in

their areas. He stated their maintenance crew has been going through town cleaning up cloverleaf and doing other maintenance.

Mayor Hawkins noted that Duke Energy will also being doing landscaping and asked if they had discussed that with them with Mr. Maggio explaining they discussed any conflicts. He noted they had provided landscaping plans to them for their review to determine utility line locations.

Commissioner Lee asked about the left turn from Magnolia onto Bay Street with Mr. Maggio explaining they have shortened that bulb out on the north and south end to resolve that issue.

Vice Mayor Ashcraft thanked FDOT for all of their cooperation and their assistance in resolving issues as they have arisen.

Commissioner Lee asked if what they are doing will resolve the flooding at Orange and Bay with Mr. Maggio responding negatively as it is the lake that controls the outfall. He explained what they are doing with the French drain and larger box to make sure they don't put any additional water into the system.

Mr. McDonald reviewed additional questions and answers that have arisen as follows: 1) Will new signals be timed better - Lake County will deploy any timing adjustments to the signals. 2) Are the contractors considering the business access aprons when doing lane closures - Access to businesses should be maintained at all times. Recent events have been addressed with the contractor.

Mr. McDonald provided contact information for project issues.

Commissioner Asbate asked about parking for disabled customers for Bay Pharmacy with Mr. Maggio explaining they shortened up the bulb-out on the north and south end to keep additional parking and facilitate people going in and out of the parking lot.

## 4. Appointments

4.1 Appointment to the Code Enforcement Board (CEB) - Alternate

Motion made by Commissioner Holland, Seconded by Vice Mayor Ashcraft, to reappoint Christine Cruz as an alternate to the Code Enforcement Board. The motion passed on the following vote:

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

## 5. Audience to be Heard

Daniel DiVenanzo commented on the 84th birthday celebration at the Eustis Waterfront Grill for Barbara Dunlinger who was a grant writer for many years. He also noted the upcoming birthdays of Judy Merry, Merry Jewelers, David Porter, Porter's Cameras, and George Warren, Bay Pharmacy. He announced that his building is for sale at $1.25 million. He emphasized he is not going anywhere and has additional vacant property he plans to develop. He stated that Counter Impressions will be leaving the City. He expressed concern regarding FDOT putting a light pole stanchion in the middle of the sidewalk and the incomplete handicap ramp at the NE corner of Orange and Grove. He asked about when the parking study will be completed.

Eileen Tramontana expressed concern regarding the landscaping proposed by FDOT. She stated that is not xeriscaping and noted issues with soil compaction and planting of cabbage palms. She commented on various safety and drainage concerns due to the FDOT project.

Vance Jochim, Fiscal Rangers.com, commented on the upcoming millage and budget hearings. He encouraged the use of AI to fill positions and commented on the use of technology to reduce staffing. He also encouraged the City to plan for the possible elimination of property taxes. He commented on DOGE auditing various cities and counties and recommended the City monitor that situation. He commented on the use of bulb-outs to slow down traffic.

George Warren, Bay Pharmacy, cited various issues created by the project. He thanked FDOT and the City for the presentation. He stated his desire for responsible growth.

Dr. Renee Hill, Senior Pastor for WIN1 Ministries and Lead Chaplain for the Eustis Police Department, thanked EPD for sending her for training in Boca Raton for Law Enforcement Training for Chaplaincy. She also thanked EPD officers for directing traffic on food pantry distribution days. She stated that in 2024-2025 the ministry has provided food for over 86,000 people in the City of Eustis and surrounding areas and won the award for Agency of the Year.

Chris Lancaster commented on FDOT's selection of jasmine and peanut plants which are not Florida natives and stated those may not be the best plants. He commented that people can use the truck route around Eustis to avoid the FDOT project.

Russel Ronaldson commented on his trailer use in Eustis. He acknowledged the truck route; and stated if you're going west to Tavares, the route is out of the way. He expressed further concerns regarding the effect of the project on businesses and the safety for pedestrians.

## 6. Ordinances, Public Hearings, & Quasi-Judicial Hearings

### 6.1 SECOND READING

Ordinance Number 25-19: Conditional Sign Permit for Orlando Health Master Sign Plan

Sasha Garcia, City Attorney, read Ordinance Number 25-19 by title on final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, approving a conditional sign permit for additional signage on the campus of the Orlando Health Emergency Room Facility located at 15719 U.S. Highway 441.

Commissioner Asbate commented on the developer's commitment to use only City of Eustis in their identification. He noted that is not included in the documentation.

Attorney Garcia explained she did have a discussion with their attorney, and they want clarification for the Commission's expectations and whether it meant the Commission wants to review their marketing materials. She stated they were very clear that they would use Eustis as their location.

Discussion was held regarding whether or not the City should have something in writing committing to that with Attorney Garcia affirming that she would be satisfied with it being noted in the minutes.

Tom Carrino, City Manager, stated there were some concerns expressed about placing conditions on the conditional use permit; however, they have committed to using the Eustis brand.

Attorney Garcia stated that they have confirmed they will not reference Mount Dora and expressed concern regarding anything further.

The Commission asked if Eustis was referenced on any of their signage.

Jeff Richardson, Deputy Development Services Director, explained the sign permit process.

Further discussion was held regarding other entities that did not utilize the Eustis location are located in City limits.

Rebecca Wilson, representing Orlando Health, stated that the monument sign does state Eustis and that is part of what is being approved. She stated their concern was whether or not the City wanted to see their marketing materials. She assured them that Orlando Health agrees that it is proud to be located in Eustis and all signage will indicate that.

Further discussion was held regarding the facility's mailing address, and the Commission welcomed them to the City.

Attorney Garcia confirmed that the ordinance only extends to the signage.

Attorney Garcia opened the public hearing at 7:33 p.m. There being no public comment, the hearing was closed at 7:33 p.m.

Motion made by Commissioner Holland, Seconded by Vice Mayor Ashcraft, to adopt Ordinance Number 25-19 on final reading. The motion passed on the following vote:

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

6.2 Explanation of Ordinance Numbers 25-20, 25-21, and 25-22 for Annexation, Future Land Use Designation and Design District Designation for Parcel with Alternate Key Number 1040141

**SECOND READING**

Ordinance Number 25-20: Voluntary Annexation of Parcel with Alternate Key Number 1040141

Attorney Garcia read Ordinance Number 25-20 by title on second reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 10 acres of real property at Lake County Property Appraiser's Alternate Key Number 1040141, located on the east side of the intersection of County Road 44 and County Road 44A.

Mr. Richardson indicated there was no additional presentation; however, the applicant was present to answer questions.

The Commission questioned what could go on the site if it remains in the County with Mr. Richardson responding that it is designated Urban Low in Lake County. He indicated that the site is located at a major County intersection and stated his belief that they still have commercial location criteria that would make it allowable. He stated he was unsure of the range of scale. He added that the residential density under Urban Low is up to 4 units per acre.

Mr. Carrino noted that discussion was held regarding the Lake County PUD on the site which would go away if it is annexed. He asked that, if it stays in the County, what would be allowed under that PUD agreement.

Mr. Richardson responded that on several of the tracts they could put up to 20 single family, up to 20 multi-family, as well as a bed and breakfast in one of the existing structures. He indicated that, if annexed, there is a lot of acreage that could be commercial, and it would depend on what the applicant chooses to do.

Further discussion was held regarding what might be placed on the site if it stays in Lake County and whether or not the PUD would still be intact with Attorney Garcia opining that the PUD would still be in effect.

Mr. Carrino pointed out that if they went to the County for site plan or development appro and they wanted sewer and water from the City, they would have to again apply for annexation to obtain sewer and water. The Commission would have to determine if they wanted to provide utilities to contiguous property without annexation.

Attorney Garcia explained the City's existing annexation agreement does have a built-in contingency that would allow the Commission to deny annexation to a contiguous site and still provide utility service.

The Commission asked Mr. Richardson to look up the Lake County Urban Low designation and what would be allowed.

Travis Sawchuk, applicant, provided a presentation regarding the proposed development. He stated he spoke with the County Commission Chairman who indicated that the PUD is null and void as there are five new owners of the property that was subject to the agreement. He stated the overlay there is commercial in the county. He commented on why he submitted his application to the City and cited the number of new homes coming to the area and the need for commercial uses to serve those homes. He indicated that his proposal would create a service center with multiple commercial uses. He explained how the proposal would help disburse the coming traffic from the new homes. He emphasized the amount of proposed buffering between the development and the housing. He added that they are considering the development to be a low density business park and commented on the existing heritage oaks and other trees that would remain. He noted that they were proposing to have a walkway between the business development and the existing residential. He commented on the amount of residential property already approved for the north and west side with 700 homes under construction. He stated the service center would help disburse the concurrency issues for the area. He explained his vision for how the plaza would be constructed and how it would help disperse the traffic.

Mr. Sawchuk commented on how the HOA fence is falling down and hasn't been addressed. He added that one person put up a new fence, they took down his fence and just threw it on his property without any notice. He clarified that the ingress/egress would be on 44 so they should not have an impact on Clear Lake. He emphasized that everything will be done compliant with City codes and commented on how he wants it to look. He agreed to sign something that says there would not be a gas station on the site. He provided an overview with possible site features.

The Commission questioned why he didn't have the presentation at the first reading with Mr. Sawchuk apologizing and commenting on how he wants to be part of the City of Eustis.

Attorney Garcia confirmed they cannot restrict the development any further than what the code already allows.

Mr. Sawchuk commented on how the development would benefit the adjoining residential development, support property values, additional tree plantings and how the business center would be built around them.

The Commission asked about the delivery trucks with Mr. Sawchuk indicating the larger trucks would not fit the way it is being designed.

Mr. Richardson reported on his review of the County's Urban Low designation. He stated that their code describes quite a few things and discusses neighborhood commercial centers and convenience centers with the difference being based on size. He added that the County is not based on future land use, but on the zoning. He stated that neighborhood convenience

commercial centers go up to 5,000 sq. ft. and neighborhood commercial centers go up to 15,000 sq. ft.

The Commission confirmed they could apply to the County for rezoning.

Attorney Garcia opened the public hearing at 8:11 p.m.

Donald Doyle noted that Ordinance Number 25-23 shows the wrong property owner. He expressed opposition to some things stated at the August 7th meeting including people dumping on the applicant's property. He indicated that Lake County Planning & Zoning stated that the PUD currently applies to the site and is binding on the new owners. He provided a handout to the Commission which reviewed the conditions within the PUD agreement and provided further comments.

Trena Marquez expressed opposition to the development and commented on the impact on Clear Lake. She expressed support for the property being developed under the existing PUD.

Peter Dempsey expressed concern that the proposed development would adversely affect his neighborhood and cited the issues with lighting, noise, odors, potential toxic accidents, increased traffic and effect on property values.

Jeff West expressed opposition to the development and encouraged the Commission to slow development. He cited the poor condition of the roads and expressed concern regarding more development around the Trout Lake Nature Center.

There being no further public comment, Attorney Garcia closed the public hearing at 8:23 p.m.

Attorney Garcia acknowledged that there is concern regarding whether or not the PUD and the overlay is still valid and that if the Commission acts, it cannot be brought back until after nine months. She suggested tabling to allow staff and her to further research the PUD.

Discussion was held regarding the possibility of tabling the ordinance.

Attorney Garcia explained that if the property is annexed, the PUD would go away, and the City's code would prevail.

Mr. Sawchuk commented on the amount of buffering between his property and the residential development as well as a new fence and the lack of impact on the residences.

Attorney Garcia further explained to Mr. Sawchuk that if a vote is taken and his request is denied it cannot be brought back for nine months. She explained the benefit to postponing the final consideration with Mr. Sawchuk expressing agreement with the postponement.

Commissioner Holland suggested he consider scheduling a community meeting with the residents.

Mr. Carrino confirmed they are discussing tabling second reading.

Attorney Garcia indicated it would be tabled to the date certain of September 4th with Mr. Sawchuk confirming his agreement.

Motion made by Commissioner Holland, Seconded by Commissioner Lee, to table second reading of Ordinances 25-20, 25-21 and 25-22 to the date certain of September 4th. The motion passed on the following vote:

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

**6.3 SECOND READING**

Ordinance Number 25-21: Future Land Use Map Assignment for Parcels Alternate Key Number 1040141

Second reading was postponed to September 4, 2025.

**6.4 SECOND READING**

Ordinance Number 25-22: Design District Assignment for Parcels Alternate Key Number 1040141

Second reading was postponed to September 4, 2025.

6.5 Explanation of Ordinances Numbers 25-23, 25-24, and 25-25 for Annexation, Future Land Use Designation and Design District Designation for Parcel with Alternate Key Number 3959037

**SECOND READING**

Ordinance Number 25-23: Voluntary Annexation of Parcels with Alternate Key Number 3959037

Attorney Garcia confirmed that Ordinances 25-23, 25-24 and 25-25 have the same property owner. She advised that these should also be postponed to September 4, 2025.

Motion made by Commissioner Lee, Seconded by Commissioner Holland, to postpone second reading of Ordinances 25-23, 25-24 and 25-25 to September 4, 2025. The motion passed on the following vote:

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

**6.6 SECOND READING**

Ordinance Number 25-24: Future Land Use Map Assignment for Parcel with Alternate Key Number 3959037

Second reading was postponed to September 4, 2025.

**6.7 SECOND READING**

Ordinance Number 25-25: Design District Assignment for Parcel with Alternate Key Number 3959037

Second reading was postponed to September 4, 2025.

RECESS: 8:33 p.m. RECONVENE: 8:38 p.m.

**6.8 FIRST READING**

Ordinance Number 25-26: Annual update of the Five-Year Capital Improvements schedule of the Comprehensive Plan fiscal year 2026-30

Attorney Garcia read Ordinance Number 25-26 by title on first reading: 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)(b); providing for conflicting ordinances, severability, and effective date.

Lori Carr, Finance Director, explained the purpose is to approve the Five-Year Capital Improvement Program. She explained what is a capital improvement and what is considered when they evaluate and prioritize projects. She cited the major projects included for FY25 - FY30. She noted the percentage of funding by type including debt service.

Mr. Carrino explained that what they actually approve is the upcoming fiscal year with the rest being primarily a planning tool.

The Commission asked if during the budget year money can be moved from the CIP to the General Fund with Mr. Carrino responding negatively. He indicated that for projects funded through the General Fund they can; however, projects funded through Sales Tax or Utility Funds cannot be re-budgeted.

Ms. Carr explained those are designated Special Revenue Funds due to the revenue being derived from a specific source for a specific reason and those funds can only be used for those purposes.

Attorney Garcia opened the public hearing at 8:45 p.m. There being no public comment, the hearing was closed at 8:45 p.m.

Motion made by Commissioner Holland, Seconded by Vice Mayor Ashcraft, to approve Ordinance Number 25-26 on first reading. The motion passed on the following vote:

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

## 7. Other Business

7.1 City Manager's Performance Evaluation

Mr. Carrino explained this is not the actual City Manager's evaluation it is a procedural item for the Commission to approve the form and process to be used. He further explained that, in the past, what occurred is a series of one-on-one meetings between himself and each Commissioner for them to provide him feedback and then there would be the public performance evaluation sometime in September.

CONSENSUS: It was a consensus of the Commission to continue with what has been done in the past.

The Commission asked who else they evaluate with Mr. Carrino responding that all of the employees report to him. He indicated they have hiring discretion on the City Manager and City Attorney.

Attorney Garcia explained that the City Charter only requires the City Manager to have an annual evaluation.

Mr. Carrino stated that he does performance evaluations on all staff members.

Attorney Garcia confirmed that the Charter does not provide for an annual evaluation of the City Attorney with Commissioner Holland explaining that any board he has sat on did conduct an evaluation of their attorney.

Discussion was held regarding whether or not the Commission should conduct an evaluation of the City Attorney.

Attorney Garcia indicated that if they wanted to amend the Charter to require the annual evaluation it would require a Charter amendment. It was determined they were not asking to amend the Charter.

CONSENSUS: It was a consensus of the Commission for staff to contact other agencies get a copy of an appropriate evaluation form for the City Attorney.

## 8. Future Agenda Items, Comments and Board/Committee Reports

### 8.1 City Commission

Commissioner Holland expressed appreciation for the Eustis High School Pep Rally, noted upcoming football games and encouraged the public to support the students. He stated that the Eustis High School band is celebrating their 100th anniversary. He commented on the possibility of allowing them to hold a concert following the Georgefest parade. He noted they are the second oldest marching band in the State of Florida.

Commissioner Lee asked about when Richard Levey would come before the Commission with Mr. Carrino responding that he would be attending the September 4th meeting.

Commissioner Lee and Commissioner Asbate indicated that the previous request was for a workshop with Mr. Carrino explaining that Dr. Levey indicated it would be better for him to initially come before them at a regular meeting.

Mr. Carrino stated he had a lengthy discussion with Dr. Levey and this was his recommended approach. Dr. Levey had said that, if they asked him at this moment what they should be doing regarding the downtown, he would not be ready to answer that question. Dr. Levey felt it would be better for him to come before them, tell them about himself and share his background.

Discussion was held regarding an initial presentation versus a workshop and/or individual meetings.

CONSENSUS: It was a consensus of the Commission to have Dr. Levey come at 5:30 p.m. on September 4th.

Vice Mayor Ashcraft left the meeting at 8:58 p.m.

Attorney Garcia advised the Commission not to have individual meetings with Dr. Levey until a contract is in place.

Commissioner Asbate referenced a Winter Garden ordinance and asked that the City consider a similar ordinance which would ban all electrical lines from being above ground and require all electrical lines to be underground. He also asked them to consider limiting the number of rentals within any residential development. He also expressed support for an impact fee for the development of trails and increasing impact fees in general.

### 8.2 City Manager

Mr. Carrino reported they are working with Raftelus regarding the possible increase of the impact fees and for a utility rate study. He noted they are running into a time crunch regarding the impact fees due to state legislation that will be going into effect. If they want to increase impact fees without the limits of the new legislation, it must be approved by the end of September as there is a 90-day advertising period to inform everyone that it is happening and it must be concluded by January 1st.

Mr. Carrino asked about Commission availability for a special meeting for adoption of the impact fees. He stated they are looking at Monday, September 29th. He noted that there would be a joint meeting with the County regarding the comprehensive plan and land use that afternoon. He stated his preference for the special meeting at 6:00 p.m. on either Monday, September 29th or Tuesday, September 30th.

Commissioner Asbate asked if that would allow the City to collect an impact fee that could used for trails with Mr. Carrino responding that, while they have discussed a mobility impact fee, however, that is not something they have been working on for the City. He indicated that would have to come back to the Commission.

Commissioner Asbate stated that the City needs to figure out how to fund some of those items.

Mr. Carrino stated that staff did attend a workshop with Lake County regarding impact fees. He explained that the City has not traditionally charged impact fees but left that to the County. He indicated that the City has the ability to charge an impact fee and a mobility fee which would be for transportation infrastructure other than roads. He explained that Raftelis was contracted to look at existing impact fees such as police, fire and utilities, which is what they are trying to get done before the end of September. He stated they would have to come back to the Commission regarding transportation and mobility and indicated staff would start working on that, but it would be a separate item.

Attorney Garcia indicated they would need a full Commission to consider the second reading of the impact fee ordinance because it would require a super majority to go over a 50% increase.

Mr. Carrino confirmed that first reading would be heard at a regular meeting, but the second reading would be at the special meeting. He confirmed that a workshop would be held prior to each of those meetings.

CONSENSUS: It was a consensus to tentatively schedule the special meeting at 6:00 p.m. on Monday, September 29th with Mr. Carrino to confirm that date with Commissioner Lee and Vice Mayor Ashcraft.

**8.3 City Attorney: None**

**8.4 Mayor**

Mayor Hawkins expressed appreciation for the Eustis High School Pep Rally.

**9. Adjournment: 9:07 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<br>City Clerk | WILLIE L. HAWKINS<br>Mayor/Commissioner |

City of Eustis – City Clerk
P. O. Drawer 68
10 North Grove Street
Eustis, Florida 32727

**Board Reappointment/Resignation Form**

Please check the appropriate box below for the Board which you are seeking reappointment. Then, fill in the remaining information and sign/date below.

- ☐ Code Enforcement Board
- ☐ Historic Preservation Board
- ☐ Library Board of Trustees
- ☐ Fire Pension Board
- ☒ Police Pension Board
- ☐ Eustis Housing Authority

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☐ I no longer wish to serve on the above Board. Effective:

☒ I request to seek reappointment to the above Board.

Name: GARY WINHEIM
Address: [redacted]
Contact Number: [redacted]
Email Address: [redacted]

Date: 06/13/2025
Signature: GWinheim

**Please return completed form to cityclerk@eustis.org. You will be notified when your appointment will be added to an upcoming City Commission Meeting Agenda for consideration.**

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 4, 2025

RE: Appointment Confirmation for Police Officers' Pension and Retirement System Board of Trustees

**Introduction:**
At the Eustis Police Pension Plan meeting on Wednesday, August 13, 2025, the Board approved Mr. Gary Winheim as the 5th trustee. The motion to approve Mr. Winheim passed unanimously. On August 26, 2025, Amanda Kish, Administrator for Resource Centers, formally notified Eustis City Clerk of the Board's approval of Mr. Winheim. Upon receipt of the fifth person's name, the Eustis City Commission shall, as a ministerial duty, appoint such person to the board.

**Background:**
Seats 1 and 2 are the City Commission-appointed seats held by Ken Birkhofer and Diane Thomas (both appointed by the City Commission on August 7, 2025). Seats 3 and 4 are appointed by the members of the Police Union. Those seats are currently held by Chris Fiedler and Chris Horst. Seat 5 is appointed by the other four members of the board and confirmed by the Eustis City Commission. That seat is currently held by Gary Winheim.

Per Chapter 70-115. Board of Trustees, the membership of the board shall consist of five members serving in numbered seats. Seats 1 and 2 must be legal residents of the city and must be appointed by the Eustis City Commission for two-year terms. Seat 1 shall be appointed in November of each year ending in an odd number and Seat 2 shall be appointed in November of each year ending in an even number. Seats 3 and 4 must be held by full-time police officers defined in F.S. § 185.02(16) who are elected by a majority of the active police officers who are members of such plan for two-year terms. Seat 3 shall be elected in November of each year ending in an odd number and Seat 4 shall be elected in November of each year ending in an even number, Seat 5 shall be chosen by a majority of the previous four members, and such person's name shall be submitted to the Eustis City Commission. The board shall establish and administer the nominating and election procedures for each election and shall meet at least quarterly each year.

**Recommended Action:**
Staff recommend the City Commission consider confirmation of the appointment of Gary Winheim for Seat 5 as designated by the four other members of the Board.

**Policy Implications:**
See Sec. 70-115 of the Code of Ordinances and Ordinance Number 24-30.

**Budget/Staff Impact:**
Not applicable.

**Business Impact Estimate:**
Not applicable.

**Prepared By:**
Christine Halloran, City Clerk

**Reviewed By:**
Tom Carrino, City Manager

# *Eustis Police Officers' Retirement System*

August 26, 2025,

Christine Halloran

10 N. Grove Street

Eustis FL 32726

Dear Mrs. Christine McKenzie,

At the Eustis Police Pension Plan meeting on Wednesday, August 13th the Board approved Mr. Winheim as the 5th trustee. The motion to approve Mr. Winheim as the 5th trustee was passed unanimously.

If you have any questions, please do not hesitate to contact me directly at 561-579-0972 or amandacas2214@gmail.com. .

Sincerely,



Plan Administrator,

Amanda Kish

# CITY OF EUSTIS
## MUNICIPAL POLICE OFFICERS' PENSION AND RETIREMENT SYSTEM TRUSTEES (EPPB)
## TWO-YEAR TERMS - MEETINGS QUARTERLY

| | |
|---|---|
| **Seat #1**<br>**City Appointed in November in odd numbered year**<br><br>**Kenneth Birkhofer**<br><br>51 E. Norton Avenue, Eustis, FL 32726<br>Phone: (352) 483-5400<br>City Email: KenBirkhofer@eustis.org<br><br>Appointed: 06/03/2021<br>Term Expiration: 03/31/2023<br>Reappointed: 05/04/2023<br>Term Expiration: 03/31/2025<br>Reappointed: 08/07/2025<br>Term Expiration: 11/30/2025 | **Seat #4**<br>**Elected in November in even numbered years**<br><br>**Chris Fiedler**<br><br>51 E. Norton Avenue, Eustis, FL 32726<br>Phone: (352) 483-5400<br>City Email: cfiedler@eustis.org<br><br>Former: Term Expiration: 05/12/2025<br>Elected: January 2025<br>Term Expiration: 11/30/2026<br><br>Former:<br>Ken Toler<br>Term Expiration: 05/12/2023 (stepped down) |
| **Seat #2**<br>**City appointed in November in even numbered year**<br><br>**Diane Thomas**<br>**Secretary**<br><br>1026 Woodward Oaks Circle, Eustis, FL 32726<br>City Email: ThomasD@eustis.org<br><br>Initial Appt: 04/18/2019<br>Reappointed: 05/20/2021<br>Term Expiration: 01/31/2023<br>Reappointed: 03/2/2023<br>Term Expiration: 01/31/2025<br>Reappointed: 08/07/2025<br>Term Expiration: 11/30/2026 | **Seat #5:**<br>**Joint Position, 5th Trustee – Confirmed**<br>***Appt by 4 other members and confirmed by Eustis City Commission***<br><br>**Gary Winheim**<br>**Chairman**<br><br>51 E. Norton Avenue, Eustis, FL 32726<br>Phone: (352)-483-5400<br>City Email: GaryWinheim@eustis.org<br><br>Reappointed: 02/08/23<br>Term Expiration: 02/08/2025<br>Reappointed (by EPPB): 08/13/2025<br>Confirmed by City Commission: 9/4/2025 TBD<br>Term Expiration: 02/08/2027 |

| | |
|---|---|
| **Seat #3**<br>**Elected in November in odd numbered years**<br><br>**Chris Horst**<br><br>51 E. Norton Avenue, Eustis, FL 32726<br>Phone: (352) 483-5400<br>Email: chorst@eustis.org<br><br>Elected: 1/7/2025<br>Term Expiration: 11/30/2025 | **Board Attorney**<br>Cynthia O'Donnell<br>Stone & Gerken, P.A.<br>4850 North Hwy 19A, Mount Dora, FL 32757<br>(352) 357-0330<br><br>Administrator: Amanda Kish, Resource Centers<br>Email: amanda@resourcecenters.com |

**Ordinance Number 24-30**
**Exhibit A**

Sec 70-115. Board of Trustees. (a) The sole and exclusive administration of and responsibility for the proper operation of the system and for making effective the provisions of this ordinance is hereby vested in a board of trustees defined elsewhere herein as the board. The board is hereby designated as the plan administrator, provided that it may delegate plan administration duties to a third-party plan administrator in its discretion. (b) The membership of the board shall consist of five members serving in numbered seats. Seats 1 and 2 must be legal residents of the city and must be appointed by the Eustis City Commission for two (2) year terms. Seat 1 shall be appointed in November of each year ending in an odd number and Seat 2 shall be appointed in November of each year ending in an even number. Seats 3 and 4 must be held by full-time police officers defined in F.S. § 185.02(16) who are elected by a majority of the active police officers who are members of such plan for two (2) year terms. Seat 3 shall be elected in November of each year ending in an odd number and Seat 4 shall be elected in November of each year ending in an even number. Seat 5 shall be chosen by a majority of the previous four members as provided herein, and such person's name shall be submitted to the Eustis City Commission. Upon receipt of the fifth person's name, the Eustis City Commission shall, as a ministerial duty, appoint such person to the board. The member holding Seat 5 shall have the same rights as each of the other four members and shall serve as trustee for a period of two (2) years Each member may succeed himself or herself as a trustee so long as the member otherwise meets the requirements of that seat. In the event that any seat becomes vacant, a successor member who meets the requirements of that seat shall be appointed or elected in the manner required for that seat and shall serve for the remaining term of that seat. The board shall establish and administer the nominating and election procedures for each election. The board shall meet at least quarterly each year. The board shall be a legal entity with, in addition to other powers and responsibilities contained herein, the power to bring and defend lawsuits of every kind, nature, and description. (c) The trustees shall, by a majority vote, elect a chairman and a secretary. If the board has not appointed an administrator, the secretary of the board shall keep a complete minute book of the actions, proceedings, or hearings of the board. The trustees shall not receive any compensation as such, but may receive expenses and per diem as provided by law. (d) Each trustee shall be entitled to one vote on the board. Three affirmative votes shall be necessary for any decision by the trustees at any meeting of the board. A trustee shall abstain from voting as the result of a conflict of interest and shall comply with the provisions of F.S. § 112.3143. 81 Item 6.3 Ordinance Number 24-30: Police Pension Trustee Terms Page 4 of 5 (e) The board shall engage such actuarial, accounting, legal, and other services as shall be required to transact the business of the system. The compensation of all persons engaged by the board and all other expenses of the board necessary for the operation of the system shall be paid from the fund at such rates and in such amounts as the board shall agree. In the event the board chooses to use the city's legal counsel, actuary or other professional, technical or other advisors, it shall do so only under terms and conditions acceptable to the board. (f) The duties and responsibilities of the board shall include, but not necessarily be limited to, the following: (1) To construe the provisions of the system and determine all questions arising thereunder. (2) To determine all questions relating to eligibility and membership. (3) To determine and certify the amount of all retirement allowances or other benefits hereunder. (4) To establish uniform rules and procedures to be followed for administrative purposes, benefit applications and all matters required to administer the system. (5) To distribute to members, at regular intervals, information concerning the system. (6) To receive and process all applications for benefits. (7) To authorize all payments whatsoever from the fund, and to notify the custodian, in writing, of approved benefit payments and other expenditures arising through operation of the system and fund. (8) To have performed actuarial studies and valuations, at least as often as required by law, and make recommendations regarding any and all changes in the provisions of the system. (9) To perform such other duties as are required to prudently administer the system. (g) Claims procedures. (1) The board shall establish administrative claims procedures to be utilized in processing written requests ("claims"), on matters which affect the substantial rights of any person ("claimant"), including members, retirees, beneficiaries, or any person affected by a decision of the board. 82 Item 6.3

*Ordinance Number 24-30: Police Pension Trustee Terms*

**Exhibit A [redlined version]**
**Sec 70-115. Board of Trustees.**

(a) The sole and exclusive administration of and responsibility for the proper operation of the system and for making effective the provisions of this ordinance is hereby vested in a board of trustees defined elsewhere herein as the board. The board is hereby designated as the plan administrator, provided that it may delegate plan administration duties to a third-party plan administrator in its discretion.

(b) The membership of the board shall consist of five members serving in numbered seats. Seats 1 and 2, two of whom, unless otherwise prohibited by la•N, _must be legal residents of the city and must be appointed by the Eustis City Commission for two (2) year terms. Seat 1 shall be appointed in November of each year ending in an odd number and Seat 2 shall be appointed in November of each year ending in an even number. Seats 3 and 4, and t\vo of whom must be held by full-time police officers defined in F.S. § 185.02(16) who are elected by a majority of the active police officers who are members of such plan for two (2) year terms. Seat 3 shall be elected in November of each year ending in an odd number and Seat 4 shall be elected in November of each year ending in an even number. Seat 5 The fifth member shall be chosen by a majority of the previous four members as provided herein, and such person's name shall be submitted to the Eustis City Commission. Upon receipt of the fifth person's name, the Eustis City Commission shall, as a ministerial duty, appoint such person to the board. The member holding Seat 5fifth member shall have the same rights as each of the other four members, and shall serve as trustee for a period of two @ years, and may succeed himself or herself in office. Each resident member shall serve as trustee for a period of *t*\•*Jo* years, unless sooner replaced by the go)Jerning body at whose pleasure he or she serves, and may succeed himself or herself as a trustee. Each police officer member shall serve as trustee for a period of t\•.·o years, unless he or she sooner leaves the employment of the municipality as a police officer, whereupon a successor shall be chosen in the same manner as an original appointment. Each police officer may succeed himself or herself in office. Each member may succeed himself or herself as a trustee so long as the member otherwise meets the requirements of that seat. In the event that any seat becomes vacant. a successor member who meets the requirements of that seat shall be appointed or elected in the manner required for that seat and shall serve for the remaining term of that seat. The board shall establish and administer the nominating and election procedures for each election. The board shall meet at least quarterly each year. The board shall be a legal entity with, in addition to other powers and responsibilities contained herein, the power to bring and defend lawsuits of every kind, nature, and description.

(c) The trustees shall, by a majority vote, elect a chairman and a secretary. If the board has not appointed an administrator, T!he secretary of the board shall keep a complete minute book of the actions, proceedings, or hearings of the board. The



trustees shall not receive any compensation as such, but may receive expenses and per diem as provided by law.

(d) Each trustee shall be entitled to one vote on the board. Three affirmative votes shall be necessary for any decision by the trustees at any meeting of the board. A trustee shall abstain from voting as the result of a conflict of interest and shall comply with the provisions of F.S. § 112.3143.

(e) The board shall engage such actuarial, accounting, legal, and other services as shall be required to transact the business of the system. The compensation of all persons engaged by the board and all other expenses of the board necessary for the operation of the system shall be paid from the fund at such rates and in such amounts as the board shall agree. In the event the board chooses to use the city's legal counsel, actuary or other professional, technical or other advisors, it shall do so only under terms and conditions acceptable to the board.

(f) The duties and responsibilities of the board shall include, but not necessarily be limited to, the following:

(1) To construe the provisions of the system and determine all questions arising thereunder.

(2) To determine all questions relating to eligibility and membership.
(3) To determine and certify the amount of all retirement allowances or other benefits hereunder.
(4) To establish uniform rules and procedures to be followed for administrative purposes, benefit applications and all matters required to administer the system.
(5) To distribute to members, at regular intervals, information concerning the system.
(6) To receive and process all applications for benefits.
(7) To authorize all payments whatsoever from the fund, and to notify the custodian, in writing, of approved benefit payments and other expenditures arising through operation of the system and fund.
(8) To have performed actuarial studies and valuations, at least as often as required by law, and make recommendations regarding any and all changes in the provisions of the system.
(9) To perform such other duties as are required to prudently administer the system.
Ordinance Number 24-30: Police Pension Trustee Terms
Page 4 of 5
{g) *Claims procedures.*
(1) The board shall establish administrative claims procedures to be utilized in processing written requests {"claims"), on matters which affect the substantial rights of any person {"claimant"), including members, retirees, beneficiaries, or any person affected by a decision of the board.
(2) The board shall have the power to subpoena and require the attendance of witnesses and the production of documents for discovery prior to and at any proceedings provided for in the board's claims procedures. The claimant may request in writing the issuance of subpoenas by the board. A reasonable fee may be charged for the issuance of any subpoenas not to exceed the fees set forth in Florida Statutes.
Ordinance Number 24-30: Police Pension Trustee Terms

**History… OLD**
**EPPB**
**Sec. 70-115. - Board of trustees.**

(a) The sole and exclusive administration of and responsibility for the proper operation of the system and for making effective the provisions of this ordinance is hereby vested in a board of trustees defined elsewhere herein as the board. The board is hereby designated as the plan administrator, provided that it may delegate plan administration duties to a third-party plan administrator in its discretion.

(b) The membership of the board shall consist of five members, two of whom, unless otherwise prohibited by law, must be legal residents of the city and must be appointed by the Eustis City Commission, and two of whom must be full-time police officers defined in F.S. § 185.02(16) who are elected by a majority of the active police officers who are members of such plan. The fifth member shall be chosen by a majority of the previous four members as provided herein, and such person's name shall be submitted to Eustis City Commission. Upon receipt of the fifth person's name, the Eustis City Commission shall, as a ministerial duty, appoint such person to the board. The fifth member shall have the same rights as each of the other four members, shall serve as trustee for a period of two years, and may succeed himself or herself in office. Each resident member shall serve as trustee for a period of two years, unless sooner replaced by the governing body at whose pleasure he or she serves, and may succeed himself or herself as a trustee. Each police officer member shall serve as trustee for a period of two years, unless he or she sooner leaves the employment of the municipality as a police officer, whereupon a successor shall be chosen in the same manner as an original appointment. Each police officer may succeed himself or herself in office. The board shall establish and administer the nominating and election procedures for each election. The board shall meet at least quarterly each year. The board shall be a legal entity with, in addition to other powers and responsibilities contained herein, the power to bring and defend lawsuits of every kind, nature, and description.

(c) The trustees shall, by a majority vote, elect a chairman and a secretary. The secretary of the board shall keep a complete minute book of the actions, proceedings, or hearings of the board. The trustees shall not receive any compensation as such, but may receive expenses and per diem as provided by law.

(d) Each trustee shall be entitled to one vote on the board. Three affirmative votes shall be necessary for any decision by the trustees at any meeting of the board. A trustee shall abstain from voting as the result of a conflict of interest and shall comply with the provisions of F.S. § 112.3143.

(e) The board shall engage such actuarial, accounting, legal, and other services as shall be required to transact the business of the system. The compensation of all persons engaged by the board and all other expenses of the board necessary for the operation of the system shall be paid from the fund at such rates and in such amounts as the board shall agree. In the event the board chooses to use the city's legal counsel, actuary or other professional, technical or other advisors, it shall do so only under terms and conditions acceptable to the board.

(f) The duties and responsibilities of the board shall include, but not necessarily be limited to, the following:

(1) To construe the provisions of the system and determine all questions arising thereunder.
(2) To determine all questions relating to eligibility and membership.
(3) To determine and certify the amount of all retirement allowances or other benefits hereunder.
(4) To establish uniform rules and procedures to be followed for administrative purposes, benefit applications and all matters required to administer the system.
(5) To distribute to members, at regular intervals, information concerning the system.
(6) To receive and process all applications for benefits.
(7) To authorize all payments whatsoever from the fund, and to notify the custodian, in writing, of approved benefit payments and other expenditures arising through operation of the system and fund.
(8) To have performed actuarial studies and valuations, at least as often as required by law, and make recommendations regarding any and all changes in the provisions of the system.
(9) To perform such other duties as are required to prudently administer the system.

(Ord. No. 18-15 , § 1, 10-18-2018)

Select Year: 2024 Go

# The 2024 Florida Statutes (including 2025 Special Session C)



**185.05 Board of trustees; members; terms of office; meetings; legal entity; costs; attorney's fees.**—For any municipality, chapter plan, local law municipality, or local law plan under this chapter:

(1) In each municipality described in s. 185.03 there is hereby created a board of trustees of the municipal police officers' retirement trust fund, which shall be solely responsible for administering the trust fund. Effective October 1, 1986, and thereafter:

(a) The membership of the board of trustees for chapter plans consists of five members, two of whom, unless otherwise prohibited by law, must be legal residents of the municipality and must be appointed by the legislative body of the municipality, and two of whom must be police officers as defined in s. 185.02 who are elected by a majority of the active police officers who are members of such plan. With respect to any chapter plan or local law plan that, on January 1, 1997, allowed retired police officers to vote in such elections, retirees may continue to vote in such elections. The fifth member shall be chosen by a majority of the previous four members, and such person's name shall be submitted to the legislative body of the municipality. Upon receipt of the fifth person's name, the legislative body shall, as a ministerial duty, appoint such person to the board of trustees. The fifth member shall have the same rights as each of the other four members appointed or elected, shall serve as trustee for a period of 2 years, and may succeed himself or herself in office. Each resident member shall serve as trustee for a period of 2 years, unless sooner replaced by the legislative body at whose pleasure the member serves, and may succeed himself or herself as a trustee. Each police officer member shall serve as trustee for a period of 2 years, unless he or she sooner leaves the employment of the municipality as a police officer, whereupon a successor shall be chosen in the same manner as an original appointment. Each police officer may succeed himself or herself in office. The terms of office of the appointed and elected members of the board of trustees may be amended by municipal ordinance or special act of the Legislature to extend the terms from 2 years to 4 years. The length of the terms of office shall be the same for all board members.

(b) The membership of boards of trustees for local law plans is as follows:

1. If a municipality has a pension plan for police officers only, the provisions of paragraph (a) shall apply.

2. If a municipality has a pension plan for police officers and firefighters, the provisions of paragraph (a) apply, except that one member of the board shall be a police officer and one member shall be a firefighter as defined in s. 175.032, respectively, elected by a majority of the active firefighters and police officers who are members of the plan.

3. Any board of trustees operating a local law plan on July 1, 1999, which is combined with a plan for general employees shall hold an election of the police officers, or police officers and firefighters if included, to determine whether a plan is to be established for police officers only, or for police officers and firefighters where included. Based on the election results, a new board shall be established as provided in subparagraph 1. or subparagraph 2., as appropriate. The municipality shall enact an ordinance to implement the new board by October 1, 1999. The newly established board shall take whatever action is necessary to determine the amount of assets which is attributable to police officers, or police officers and firefighters where included. Such assets shall include all employer, employee, and state contributions made by or on behalf of police officers, or police officers and firefighters where included, and any investment income derived from such contributions. All such moneys shall be transferred into the newly established retirement plan, as directed by the board.

With respect to any board of trustees operating a local law plan on June 30, 1986, this paragraph does not pe the reduction of the membership percentage of police officers or police officers and firefighters. However, for the sole purpose of changing municipal representation, a municipality may by ordinance change the municipal representation on the board of trustees operating a local law plan by ordinance, only if such change does not reduce the membership percentage of police officers, or police officers and firefighters, or the membership percentage of the municipal representation.

(c) Whenever the active police officer membership of a closed chapter plan or closed local law plan as provided in s. 185.38 falls below 10, an active police officer member seat may be held by either a retired police officer or an active police officer member of the plan who is elected by the active and retired members of the plan. If there are no active or retired police officers remaining in the plan or capable of serving, the remaining board members may elect an individual to serve in the active police officer member seat. Upon receipt of such person's name, the legislative body of the municipality shall, as a ministerial duty, appoint such person to the board of trustees. This paragraph applies only to those plans that are closed to new members under s. 185.38(2), and does not apply to any other municipality having a chapter or local law plan.

(d) If the chapter plan or local law plan with an active membership of 10 or more is closed to new members, the member seats may be held by either a retiree, as defined in s. 185.02, or an active police officer of the plan who has been elected by the active police officers. A closed plan means a plan that is closed to new members but continues to operate, pursuant to s. 185.38(2), for participants who elect to remain in the existing plan. This paragraph applies only to those plans that are closed to new members pursuant to s. 185.38(2) and does not apply to any other municipality that has a chapter plan or a local law plan.

(2) The trustees shall by majority vote elect from its members a chair and a secretary. The secretary of the board shall keep a complete minute book of the actions, proceedings, or hearings of the board. The trustees shall not receive any compensation as such, but may receive expenses and per diem as provided by Florida law.

(3) The board of trustees shall meet at least quarterly each year.

(4) Each board of trustees shall be a legal entity that shall have, in addition to other powers and responsibilities contained herein, the power to bring and defend lawsuits of every kind, nature, and description.

(5) In any judicial proceeding or administrative proceeding under chapter 120 brought under or pursuant to the provisions of this chapter, the prevailing party shall be entitled to recover the costs thereof, together with reasonable attorney's fees.

(6) The board of trustees may, upon written request by the retiree of the plan, or by a dependent, if authorized by the retiree or the retiree's beneficiary, authorize the plan administrator to withhold from the monthly retirement payment funds necessary to pay for the benefits being received through the governmental entity from which the employee retired, to pay the certified bargaining agent of the governmental entity, and to make any payments for child support or alimony. Upon the written request of the retiree of the plan, the board of trustees may also authorize the plan administrator to withhold from the retirement payment those funds necessary to pay for premiums for accident, health, and long-term care insurance for the retiree and the retiree's spouse and dependents. A retirement plan does not incur liability for participation in this permissive program if its actions are taken in good faith.

(7) The provisions of this section may not be altered by a participating municipality operating a chapter or local law plan under this chapter.

(8)(a) The board of trustees shall:

1. Provide a detailed accounting report of its expenses for each fiscal year to the plan sponsor and the Department of Management Services and make the report available to each member of the plan and post the report on the board's website, if the board has a website. The report must include all administrative expenses that, for purposes of this subsection, are expenses relating to any legal counsel, actuary, plan administrator, and all other consultants, and all travel and other expenses paid to or on behalf of the members of the board of trustees or anyone else on behalf of the plan.

2. Operate under an administrative expense budget for each fiscal year, provide a copy of the budget to the plan sponsor, and make available a copy of the budget to plan members before the beginning of the fiscal year. If

the board of trustees amends the administrative expense budget, the board must provide a copy of the amended budget to the plan sponsor and make available a copy of the amended budget to plan members.

(b) Notwithstanding s. 185.35(2) and (3), a local law plan created by special act before May 27, 1939, must comply with the provisions of this subsection.

**History.**—s. 2, ch. 28230, 1953; s. 2, ch. 59-320; s. 2, ch. 61-119; s. 4, ch. 86-42; s. 41, ch. 93-193; s. 940, ch. 95-147; s. 45, ch. 99-1; s. 6, ch. 2002-66; s. 8, ch. 2004-21; s. 10, ch. 2009-97; s. 9, ch. 2011-216; s. 10, ch. 2015-39.

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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 4, 2025

RE: Resolution Number 25-68: Memorandum of Agreement with Florida Department of Corrections – Cooperative Law Enforcement with EPD

**Introduction**
The Florida Department of Corrections (DOC) has provided the City of Eustis Police Department with a standard-form Memorandum of Agreement (MOA) for cooperative law enforcement activities. The MOA outlines mutual responsibilities for offender monitoring, information sharing, and joint enforcement actions involving offenders under DOC supervision in Lake County.

**Recommendation**
Staff recommends that the City Commission adopt Resolution Number 25-68 and authorize the Chief of Police to execute the MOA with the Florida Department of Corrections. Legal review found the agreement to be substantially in standard form for such DOC cooperative agreements, with no unusual financial or liability risks identified. Operational commitments, such as assisting with warrant service and joint offender monitoring, are consistent with typical municipal practice.

**Fiscal Impact**
There is no direct cost or revenue impact anticipated; each party is responsible for its own costs under the agreement.

**Business Impact Estimate**
Not applicable.

**Attachments**
Resolution Number 25-68
Exhibit A – Memorandum of Agreement with the Florida Department of Corrections

**Prepared By**
Sasha Garcia, City Attorney

**Reviewed By**
Tom Carrino, City Manager

# RESOLUTION NUMBER 25-68

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF CORRECTIONS RELATED TO COOPERATIVE LAW ENFORCEMENT EFFORTS BETWEEN THE EUSTIS POLICE DEPARTMENT AND THE DEPARTMENT.**

**WHEREAS**, the Florida Department of Corrections has proposed a Memorandum of Agreement (MOA) with the City of Eustis Police Department for cooperative efforts to improve criminal justice and offender reentry services in Lake County; and

**WHEREAS**, said MOA outlines respective responsibilities for warrant service, offender monitoring, information sharing, and joint operations between the parties; and

**WHEREAS**, the Eustis Police Department has determined that participation in the MOA is in the best interest of public safety and is consistent with standard cooperative agreements in Florida.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA:**

**Section 1.** The foregoing recitals are adopted and incorporated herein as findings of the City Commission.

**Section 2.** The City Commission approves the MOA with the Florida Department of Corrections, attached hereto as Exhibit A.

**Section 3.** The City Commission authorizes the Chief of Police to execute the MOA on behalf of the City.

**Section 4.** This Resolution shall become effective immediately upon adoption.

**PASSED, ORDAINED, AND ADOPTED** in Regular Session of the City Commission of the City of Eustis, Florida, this 4th day of September 2025.

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

_____

Willie L. Hawkins
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 4th day of September 2025 by Willie L. Hawkins, Mayor/Commissioner, 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 reliance and use by the Eustis City Commission.

_____ _____
City Attorney's Office Date

## CERTIFICATE OF POSTING

The foregoing Resolution Number 25-68 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

**MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE FLORIDA DEPARTMENT OF CORRECTIONS**

**AND**

**EUSTIS POLICE DEPARTMENT**

This Memorandum of Agreement ("Agreement") is between the Florida Department of Corrections ("Department") and the Eustis Police Department ("Agency"), located in Lake County, Florida, which are the parties hereto.

**WITNESSETH**

WHEREAS, the Department is responsible for the inmates and for the operation of, and supervisory and protective care, custody, and control of, all buildings, grounds, property, and matters connected with the correctional system in accordance with Section 945.04, Florida Statutes (F.S.);

WHEREAS, the Department and the Agency are governmental offices entering into this Agreement in Region III, Circuit 5;

WHEREAS, the diverse responsibilities and services provided by the Department and the Agency are integral to the administration of criminal justice and offender reentry in Lake County, Florida;

WHEREAS, the Department and the Agency recognize that providing offenders with reentry assistance, as appropriate, is an anti-crime measure that reduces victimization, recidivism, and state spending on corrections;

WHEREAS, the Department and the Agency agree that offenders may face challenges to successful reentry, and can have difficulty identifying support services in their community prior to release;

WHEREAS, the Department and the Agency share the common goal of promoting public safety for the citizens of Lake County, Florida, by reducing crime and recidivism by offenders under community supervision in the county through the efficient administration of policing and correctional services;

WHEREAS, the Department and the Agency recognize that the effective performance of their respective duties and the quality of the administration of this Agreement are dependent upon the efficient interaction of their offices and the mutual exchange of information and records; and

WHEREAS, the Department and the Agency recognize that a team problem-solving approach will more effectively address the issues facing their respective offices and that each could benefit from the other due to the variety of their collective perspectives, experiences, and available resources.

NOW THEREFORE, subject to controlling law, rules, regulations, or to other governing policies and procedures, and in consideration of the mutual promises expressed herein, the parties agree as follows:

## I. AGREEMENT TERM AND RENEWAL

A. Agreement Term

This Agreement shall begin on March 10, 2026, or the date it is signed by both parties, whichever is later, and shall end on March 9, 2031. In the event this Agreement is signed by the parties on different dates, the latter date shall control.

B. Agreement Renewal

The Department has the option to renew this Agreement for up to an additional five (5) year period beyond the initial Agreement term, in whole or in part, upon written agreement of both parties, and upon the same terms and conditions contained herein. Exercise of the renewal option shall be conditioned, at a minimum, upon the Agency's performance of the Agreement. The Department, if it desires to exercise the renewal option, will provide written notice to the Agency no later than 30 calendar days prior to the Agreement expiration date.

## II. SCOPE OF AGREEMENT

A. Definitions

The capitalized terms used in this Agreement, unless the context otherwise clearly requires a different construction and interpretation, have the following meanings:

1. **Agreement Administrator:** The Department employee, or designee, who is responsible for maintaining the official Agreement file, drafting and processing all amendments, maintaining records of all formal correspondence between the parties regarding the administration of this Agreement, and terminating the Agreement, if necessary.

2. **Agreement Manager:** The Department or Agency employee, or their designee, who is responsible for enforcing the performance of the Agreement terms and conditions and shall serve as liaisons between each party and the other.

B. Overview

The parties agree to work together to improve the administration of criminal justice and reentry services in Lake County, Florida, by:

1. Improving the efficiency of the interaction of their offices;

2. Facilitating the exchange of information and records between the parties collected and maintained by each; and

3. Wherever pertinent, utilizing a team problem-solving approach to address the issues facing their respective offices and the criminal justice system.

Each party will retain responsibility for its personnel, and its fiscal and general administrative services utilized in support of this Agreement.

The parties agree to support and participate in this Agreement and its endeavors, objectives, and goals, which are directed only towards offenders under the supervision of the Department.

C. Responsibilities of the Department

The Department agrees, as resources allow, to perform the following duties in support of this Agreement:

1. Dedicate certain officers and resources to identify dangerous at-risk offenders under supervision;

2. Exchange with the Agency the following current information on absconders and offenders under the Department's supervision: addresses, offenses, conditions of supervision, and criminal histories;

3. Make initial contact with supervised offenders unless the situation dictates a warrantless arrest where the probation officer needs assistance from the Agency's officers, or other law enforcement agency officers, in arresting and transporting the offender to the county jail;

4. Compile and disseminate to Agreement participants pertinent reports on the status of targeted offenders;

5. Participate in Agency ride-alongs, to familiarize the Agency with the whereabouts, descriptions, and conditions of supervision of its community control offenders, sexual predators, sexual offenders, and high-risk offenders and to ensure that all violations are communicated to the supervising officers for notification to the applicable sentencing authority. All Department officers who volunteer for Agency ride-alongs must have received current mandatory use-of-force training, in accordance with Department Procedure 302.313 "Use of Force in Community Corrections." Probation officers with less than six (6) months' experience will be accompanied by a supervisor, senior officer, or specialist;

6. Provide violation warrants, or a probable cause affidavit, to the Agency to conduct a warrantless arrest to expedite the arrest process for an active warrant and assist the Agency, as necessary, in serving those warrants;

7. Conduct administrative searches, in accordance with Department Procedure 302.311 "Plain View Observations, Walk Through Visual Inspections, Searches, and Warrantless Arrests," to ensure that offenders are in compliance with their terms of supervision; and

8. Provide briefings to Agency's officers, in accordance with Rule 33-302.105, Florida Administrative Code (F.A.C.), and with Department Procedure 302.311 "Plain View Observations, Walk Through Visual Inspections, Searches, and Warrantless Arrests," on participation in warrantless arrests.

9. The Department will not participate in law enforcement activities where no Department offender is involved.

D. Responsibilities of the Agency

The Agency agrees, at its sole discretion and as resources allow, to perform the following duties in support of this Agreement:

1. Exchange with the Department current information and documentation on absconders and offenders under the supervision of the Department;

2. Assist probation officers on field visits to offender residences and places of employment, as necessary, to execute a warrant or warrantless arrest;

3. Assist probation officers in serving violation of supervision and absconder warrants.

4. Provide safety for probation officers, while they conduct administrative searches to ensure the offender's compliance with the terms of supervision, by controlling the offender, family members, or others present during the search, and may transport the offender to the county jail if warranted;

5. Assist in identifying, receipting, and securing any property seized during a search conducted by the Department;

6. Advise the Department of any violations of supervision that an offender commits in the presence of the Agency's officer(s), and may conduct a warrantless arrest upon confirmation with the Department that a violation has occurred;

7. Assist the Department in transporting and arresting absconders or offenders within the jurisdiction of Lake County, Florida, or as otherwise permitted by law if the offender is found to violate supervision;

8. Conduct surveillance on high-risk offenders, as permitted by law, to locate an offender to conduct an arrest;

9. Provide the opportunity for Department officers to participate in Agency ride-alongs, to become familiar with the whereabouts, descriptions, and specified conditions of supervision of community control offenders, sexual predators, sexual offenders, and high-risk offenders, to ensure that all violations are communicated to the assigned supervising officer(s) for notification to the appropriate sentencing authority; and

10. Assist the Department's officers with monitoring the offender's compliance with supervision sanctions, by conducting a warrantless arrest if an offender is observed violating the terms or conditions of supervision in the community.

E. Joint Responsibilities

The parties mutually agree, as resources allow, to perform the following duties in support of this Agreement:

1. To further enhance public safety, each party agrees to commit its available resources to apprehend probationers, parolees, conditional releasees, and any other offenders under the supervision of the Department who have violated supervision terms established by the applicable sentencing authority.

2. Because a successful reentry strategy provides safer Florida communities, each party agrees that its available resources must be coordinated to provide offenders and ex-offenders the skills and support systems needed to successfully reintegrate into their communities.

3. Each party agrees to provide a designee to attend and serve as its representative at Agreement meetings, and meetings will be regularly held to discuss issues and methods to better achieve the goals of the Agreement.

4. The parties agree to exchange information as to their respective duties, responsibilities, and roles within the criminal justice system and offender reentry, their required interaction with, and reliance on, the other party, and their goals and objectives to maximize the use of resources and personnel to ensure successful offender reentry.

5. The parties agree to the extent allowable by law, rule, or regulation, to provide an immediate exchange of information regarding offenders, including suspected violations of supervision.

6. To maximize the use of resources and personnel, the parties agree to identify common, shared, or related duties, responsibilities, and goals and to coordinate the delivery of services to eliminate duplicity of effort and unnecessary cost.

7. The parties agree to discuss and establish Agreement-related policies and procedures for sharing or pooling resources and equipment to assist in improving the delivery and quality of their services.

8. The parties agree to review Agreement-related policies and procedures for communicating the initiatives and directives of the Agreement to their respective personnel for action and implementation.

9. The parties agree to discuss, formulate, and implement plans to educate the public about the duties and responsibilities of their respective offices.

## III. FINANCIAL OBLIGATIONS

The parties acknowledge that this Agreement does not create financial obligations between the parties. If costs are incurred as a result of either, or both of the parties performing their duties or responsibilities under this Agreement, each party agrees to be responsible for their own costs.

## IV. AGREEMENT MANAGEMENT

A. Agreement Administrator

The title, address, and telephone number of the Agreement Administrator are:

Contract Administrator
Bureau of Procurement
Florida Department of Corrections
501 South Calhoun Street
Tallahassee, Florida 32399-2500
Telephone: (850) 717-3700
Email: ContractAdmin@fdc.myflorida.com

B. Agreement Managers

The parties have identified the following individuals as Agreement Managers.

**FOR THE DEPARTMENT**
Jeffrey King
Circuit Administrator, Circuit 5
4416 S. Highway 301
Bushnell, Florida 33513
Telephone: (352) 609-6105
Email: Jeffrey.King@fdc.myflorida.com

**FOR THE AGENCY**
Craig Capri, Chief
Eustis Police Department
51 East Norton Avenue
Eustis, Florida 32726
Telephone: (352) 483-5400
Email: capric@ci.eustis.fl.us

## V. REVIEW AND MODIFICATION

Upon request of either party, both parties will review this Agreement in order to determine whether its terms and conditions are still appropriate. The parties agree to renegotiate the terms and conditions hereof if it is mutually determined that significant changes in this Agreement are necessary. There are no obligations for either party to agree to amend the Agreement terms.

Upon execution of this Agreement, with the exception of changes to Section **IV. AGREEMENT MANAGEMENT**, modifications shall be valid only through execution of a formal written amendment to the Agreement. Any changes in the information contained in Section **IV. AGREEMENT MANAGEMENT**, may be provided to the other party, in writing, and a copy of the written notification shall be maintained in the official Agreement record.

## VI. TERMINATION

A. Termination at Will

This Agreement may be terminated at any time upon the mutual consent of both parties, or unilaterally by either party upon no less than 30 calendar days' written notice. Notice shall be delivered by express mail or other method whereby a receipt of delivery may be obtained.

B. Termination for Cause

This Agreement may be terminated with 24 hours' written notice by the Department or the Agency for any failure of either party to comply with the terms of this Agreement or any applicable Florida law.

C. Termination for Unauthorized Employment of Transport

Violation of the provisions of the Immigration and Nationality Act related to Unauthorized Employment in Section 274A (8 U.S.C. 1324a) or Transport in Section 274 (8 U.S.C. 1324) shall be grounds for unilateral cancellation of this Agreement.

## VII. OTHER CONDITIONS

A. Public Records Law

The Agency agrees to (a) keep and maintain public records required by the Department in order to perform the service; (b) upon request from the Department's custodian of public

records, provide the Department with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law; (c) ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the Agreement term and following completion of the Agreement if the Agency does not transfer the records to the Department; and (d) upon completion of the Agreement, transfer, at no cost, to the Department all public records in possession of the Agency or keep and maintain public records required by the Department to perform the service. If the Agency transfers all public records to the Department upon completion of the Agreement, the Agency shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Agency keeps and maintains public records upon completion of the Agreement, the Agency shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the Department, upon request from the Department's custodian of public records, in a format that is compatible with the information technology systems of the Department. Pursuant to §287.058(1)(c), F.S., the Department is allowed to unilaterally cancel the Agreement for refusal by the Agency to allow public access to all documents, papers, letters, or other material made or received by the Agency in conjunction with this Agreement, unless the records are exempt from §24(a) of Art. I of the State Constitution and §119.071 F.S.

**If the Agency has questions regarding the application of Chapter 119, Florida Statutes, to the Agency's duty to provide public records relating to this Agreement, contact the custodian of public records at:**

**Florida Department of Corrections**
**ATTN: Public Records Unit**
**501 South Calhoun Street**
**Tallahassee, Florida 32399-2500**
**Telephone: (850) 717-9774**
**Fax: (850) 922-4355**
**Website:**
**https://floridadoc.govqa.us/WEBAPP/_rs/(S(mxurvkhn004wtw1eymm15f4x))/SupportHome.aspx**

B. Sovereign Immunity

The Department and the Agency are State agencies or political subdivisions as defined in Section 768.28, F.S., and agree to be fully responsible for acts and omissions of their own agents or employees to the extent permitted by law. Nothing herein serves as a waiver of sovereign immunity by either party to which sovereign immunity may be applicable. Further, nothing herein constitutes consent by a state agency or political subdivision of the State of Florida to be sued by third parties in any matter arising out of this Agreement.

C. Confidentiality

The Agency shall ensure all staff assigned to this Agreement maintain confidentiality with reference to individuals receiving services in accordance with applicable local, State, and federal laws, rules, and regulations. The Department and the Agency agree that all information

and records obtained in the course of providing services under this Agreement shall be subject to confidentiality and disclosure provisions of applicable federal and State statutes, and regulations adopted pursuant thereto.

The parties agree to keep all personnel information of the other party (i.e., staff telephone numbers, addresses, etc.) strictly confidential and shall not disclose said information to any person, unless released in writing, by the other party.

D. Independent Contractor Status

The Agency is an independent contractor in the performance of its duties and responsibilities under this Agreement. The Department will neither have nor exercise any control or direction over the methods by which the Agency shall perform its work and functions other than as provided herein. This Agreement is not a partnership or a joint venture between the parties.

E. Disputes

Any dispute arising from the terms of this Agreement shall be resolved informally by the Agreement Managers. Any dispute that cannot be resolved informally shall be reduced to writing and delivered to the Assistant Secretary of Community Corrections. The Assistant Secretary of Community Corrections shall decide the dispute, reduce the decision to writing, and deliver a copy to the Agency, the Agreement Manager, and the Agreement Administrator.

F. Notices

All notices required or permitted by this Agreement shall be given, in writing, and by hand-delivery or email, to the respective addresses of the parties as set forth in Section IV. AGREEMENT MANAGEMENT. All notices by hand-delivery shall be deemed received on the date of delivery, and all notices by email shall be deemed received when they are transmitted and not returned as undelivered or undeliverable if sent on a business day between the hours of 8 a.m. and 5 p.m. All notices by email transmitted after 5 p.m. shall be deemed received on the following business day unless the Agreement specifies otherwise. Either party may change the names, addresses, or telephone numbers set forth in Section IV. AGREEMENT MANAGEMENT, by written notice given to the other party as provided above.

G. Prison Rape Elimination Act

The Agency shall comply with the national standards to prevent, detect, and respond to prison rape under the Prison Rape Elimination Act (PREA), Federal Rule 28 C.F.R. Part 115. The Agency's staff who will enter the secured perimeter shall also comply with all Department policies and procedures that relate to PREA (see Procedure 602.053) and immediately report any suspected/reported PREA violations as advised of and agreed to in the NI1-127 form to the Agreement Manager for the Department verbally and follow up with a written notification to the Agreement Manager within 24 hours of learning about the suspected PREA violation.

H. No Third-Party Beneficiaries

Except as otherwise expressly provided herein, neither this Agreement, nor any amendment, addendum, or exhibit attached hereto, nor term, provision, or clause contained therein, shall be construed as being for the benefit of or providing a benefit to, any party not a signatory hereto.

I. Cooperation with Inspector General

In accordance with Section 20.055(5), F.S., the Agency understands and will comply with its duty to cooperate with the Inspector General in any investigation, audit, inspection, review, or hearing.

J. Force Majeure

Neither party shall be liable for loss or damage suffered as a result of any unforeseeable delay or failure in performance under this Agreement or interruption of performance resulting directly or indirectly from acts of God, fire, explosions, earthquakes, floods, water, wind, lightning, civil or military authority, acts of public enemy, war, riots, civil disturbances, insurrections, pandemics, strikes, or labor disputes.

K. Americans with Disabilities Act

The Agency shall comply with the Americans with Disabilities Act. In the event of the Agency's noncompliance with the nondiscrimination clauses, the Americans with Disabilities Act, or with any other such rules, regulations, or orders, this Agreement may be canceled, terminated, or suspended, in whole or in part, and the Agency may be declared ineligible for further Agreements.

L. Cooperation with the Florida Senate and the Florida House of Representatives

In accordance with Section 287.058(7) F.S., the Agency agrees to disclose any requested information, relevant to the performance of this Agreement, to members or staff of the Florida Senate or the Florida House of Representatives, as required by the Florida Legislature. The Agency is strictly prohibited from enforcing any nondisclosure clauses conflictive with this requirement.

**REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK**

IN WITNESS THEREOF, the parties hereto have caused this Agreement to be executed by their undersigned officials as duly authorized.

**AGENCY:**
**EUSTIS POLICE DEPARTMENT**

SIGNED BY: _____

NAME: _____

TITLE: _____

DATE: _____

FEID# _____

**FLORIDA DEPARTMENT OF CORRECTIONS**

SIGNED BY: _____

NAME: J. Olyn Long

TITLE: Procurement Director

DATE: _____

**Approved as to form and legality, subject to execution.**

SIGNED BY: _____

NAME: Kristen Clemons

TITLE: Deputy General Counsel

DATE: _____

**Firm Representing:** _____

**Contractor/Vendor Employee Name:** _____
(Print)

## FLORIDA DEPARTMENT OF CORRECTIONS

## SECURITY REQUIREMENTS FOR CONTRACTORS

**944.47 Introduction, removal, or possession of contraband; penalty.**

(1)(a) Except through regular channels as authorized by the officer in charge of the correctional institution, it is unlawful to introduce into or upon the grounds of any state correctional institution, or to take or attempt to take or send or attempt to send therefrom, any of the following articles which are hereby declared to be contraband for the purposes of this section, to wit:

1. Any written or recorded communication or any currency or coin given or transmitted, or intended to be given or transmitted, to any inmate of any state correctional institution.

2. Any article of food or clothing given or transmitted, or intended to be given or transmitted, to any inmate of any state correctional institution.

3. Any intoxicating beverage or beverage which causes or may cause an intoxicating effect.

4. Any controlled substance as defined in section 893.02(4), marijuana as defined in section 381.986, hemp as defined in section 581.217, industrial hemp as defined in section 1004.4473, or any prescription or nonprescription drug having a hypnotic, stimulating, or depressing effect.

5. Any firearm or weapon of any kind or any explosive substance.

6. Any cellular telephone or other portable communication device intentionally and unlawfully introduced inside the secure perimeter of any state correctional institution without prior authorization or consent from the officer in charge of such correctional institution. As used in this subparagraph, the term "portable communication device" means any device carried, worn, or stored which is designed or intended to receive or transmit verbal or written messages, access, or store data, or connect electronically to the Internet or any other electronic device and which allows communications in any form. Such devices include, but are not limited to, portable two-way pagers, hand-held radios, cellular telephones, Blackberry-type devices, personal digital assistants or PDA's, laptop computers, or any components of these devices which are intended to be used to assemble such devices. The term also includes any new technology that is developed for similar purposes. Excluded from this definition is any device having communication capabilities which has been approved or issued by the department for investigative or institutional security purposes or for conducting other state business.

7. Any vapor-generating electronic device as defined in section 386.203, intentionally and unlawfully introduced inside the secure perimeter of any state correctional institution.

(b) It is unlawful to transmit or attempt to transmit to, or cause or attempt to cause to be transmitted to or received by, any inmate of any state correctional institution any article or thing declared by this

subsection to be contraband, at any place which is outside the grounds of such institution, except through regular channels as authorized by the officer in charge of such correctional institution.

(c) It is unlawful for any inmate of any state correctional institution or any person while upon the grounds of any state correctional institution to be in actual or constructive possession of any article or thing declared by this section to be contraband, except as authorized by the officer in charge of such correctional institution.

(2)(a) A person who violates this section as it pertains to an article of contraband described in subparagraph (1)(a)1., subparagraph (1)(a)2., or subparagraph (1)(a)6. commits a felony of the third degree, punishable as provided in section 775.082, section 775.083, or section 775.084. A person who violates this section as it pertains to an article of contraband described in subparagraph (1)(a)7. commits a misdemeanor of the first degree, punishable as provided in section 775.082 or section 775.083. Otherwise, a violation of this section is a felony of the second degree, punishable as provided in section 775.082, section 775.083, or section 775.084.

(b) A violation of this section by an employee, as defined in section 944.115(2)(b), who uses or attempts to use the powers, rights, privileges, duties, or position of her or his employment in the commission of the violation is ranked one level above the ranking specified in section 921.0022 or section 921.0023 for the offense committed.

**In addition to the statutory requirements, these are additional security guidelines:**

(1) Absolutely, no transactions between contract personnel and inmates are permitted. This includes, but is not limited to, giving or receiving cigarettes, stamps, or letters.

(2) No communication with inmates, verbal or otherwise, is permitted without the authorization of the officer-in-charge.

(3) Keep all keys in your pockets. Do not leave keys in the ignition locks of motor vehicles. All vehicles must be locked, and windows rolled up when parked on state property. Wheel-locking devices may also be required.

(4) Establish with the Institutional Warden and/or Chief of Security where construction vehicles should be parked and staging area for materials storage.

(5) Obtain formal identification (driver's license or non-driver's license obtained from the Department of Highway Safety and Motor Vehicles). This identification must be presented each time you enter or depart the institution.

(6) Strict tool control will be enforced at all times. Tools within the correctional institution are classified as Class AA, A, or B.

(a) Class AA tools are defined as any tool that can be utilized to cut chain link fence fiber or razor wire rapidly and effectively.

(b) Class A tools are defined as those tools which, in their present form, are most likely to be used in an escape or to do bodily harm to staff or inmates.

(c) Class B tools are defined as tools of a less hazardous nature. Every tool is to be geographically controlled and accounted for at all times.

(d) At the end of the workday, toolboxes will be removed from the compound or to a secure area as

directed by security staff. You must have two copies of the correct inventory with each toolbox; one copy will be used and retained by security staff who will search and ensure a proper inventory of tools each time the toolbox is brought into the facility, the other copy will remain with the toolbox at all times. Tools should be kept to a minimum (only those tools necessary to complete your job). All lost tools must be reported to the Chief of Security (Colonel or Major) **immediately**. No inmate will be allowed to leave the area until the lost tool is recovered.

(7) Prior approval must be obtained from the Chief of Security before bringing any powder-activated tools onto the compound. Strict accountability of all powder loads and spent cartridges is required.

(8) All construction materials will be delivered into the compound on trucks entering through the sallyport gate. As the security check of vehicles is an intensive and time-consuming (10-15 minutes) process, the contractor is requested to minimize the number of deliveries.

(9) Control end-of-day construction materials and debris. Construction materials and debris can be used as weapons or as a means of escape. Construction material will be stored in locations agreed to by security staff, and debris will be removed to a designated location. Arrange for security staff to inspect the project area before construction personnel leave. This will aid you in assuring that necessary security measures are accomplished.

(10) Coordinate with the Warden and Chief of Security regarding any shutdown of existing systems (gas, water, electricity, electronics, sewage, etc.). Obtain institutional approval before shutting down any existing utility system. Arrange for alternative service (if required) and expeditious re-establishment of the shutdown system.

(11) With the intent of maintaining security upon the institution's grounds, a background check will be made upon all persons employed by the contractor or who work on the project. **The Department, represented by the institution's Warden, reserves the right to reject any person whom it determines may be a threat to the security of the institution.**

_____
**Contractor/Vendor Signature**

_____ _____
**Date** **FDC Staff Witness Signature**

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

TO: EUSTIS CITY COMMISSION

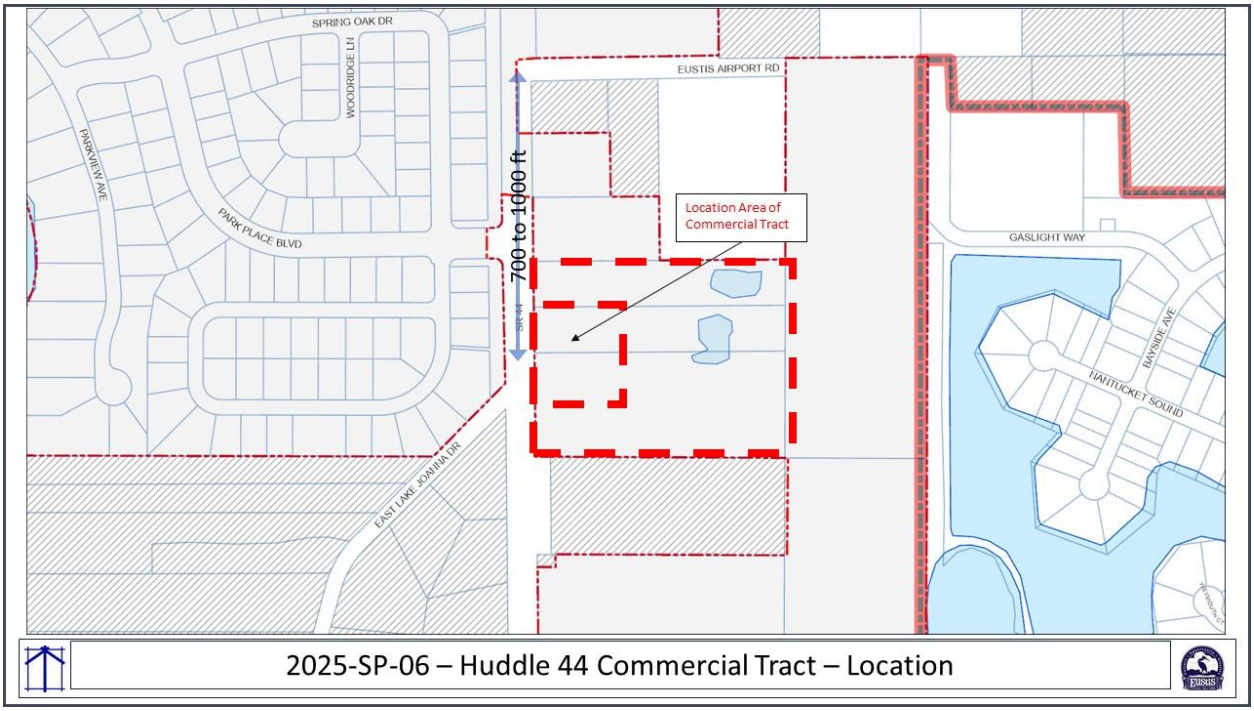
FROM: Tom Carrino, City Manager

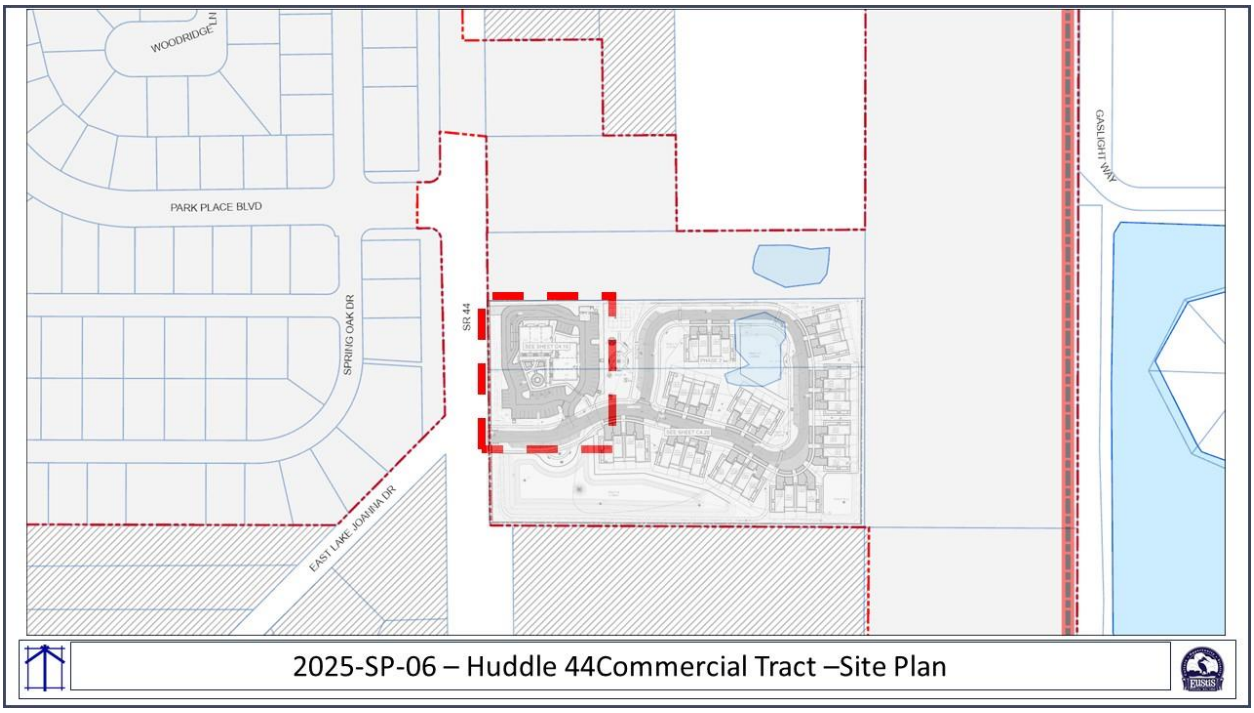
DATE: August 19, 2025

RE: Resolution 25-55: Site Plan Approval with Waivers for Commercial Building and Restaurant with Drive-Through Located on the Future Commercial Tract of the Huddle Place Subdivision on the East Side of SR 44B, Just Over 700 Feet South Of Eustis Airport Rd (Alternate Key Numbers 2612533, 2612517, and 2612525)

**Introduction:**

Resolution 25-55 approves a Site Plan with Waivers (2025-SP-06) for a commercial building designed with a restaurant with a covered drive-through lane on approximately 1.55 acres of land, located along the east side of SR 44 (SR44B), approximately 700 feet south of Eustis Airport Road and across SR 44B from East Lake Joanna Drive (Alternate Key Numbers 2612533, 2612517, and 2612525).






**Background:**

a) The subject property is about 1.55 acres in size and is currently vacant.
b) The site is a future commercial tract of the Huddle Place Townhomes subdivision, which is currently under construction.
c) The site is within the Mixed Commercial Residential (MCR) land use district, which allows for a variety of commercial uses, including restaurants.
d) The property is within the Suburban Neighborhood. The project utilizes the Commercial building lot type.
e) The site and surrounding properties' land use, design district designations, and existing uses are shown below:

| Location | Existing Use | Future Land Use | Design District |
|---|---|---|---|
| **Site** | Single Family Residential and Vacant | Mixed Commercial Residential (MCR) | Suburban Neighborhood |
| **North** | Undeveloped | Mixed Commercial Residential (MCR) | Suburban Neighborhood |
| **South** | Church | Lake County Urban Low | N/A |
| **East** | Airport | Mixed Commercial Residential (MCR) | Suburban Neighborhood |
| **West** | Single Family Residential Subdivision | Suburban Residential (SR) | Suburban Neighborhood |

The proposed site plan (2025-SP-06) includes an 8,793 +/- square foot building with potential for multiple tenants. The end unit, closest to SR 44B, is designed for a restaurant with a covered drive-through lane. The property fronts on two streets: SR 44B on the west and the internal subdivision street, tentatively named Huddle Loop, on the south. Entrance to the commercial parcel is designed to be from Huddle Loop with an emergency vehicle ingress/egress on the north side of the commercial parcel connecting to SR 44B. The applicant requests a waiver of the drive-through location criteria.

Waivers:

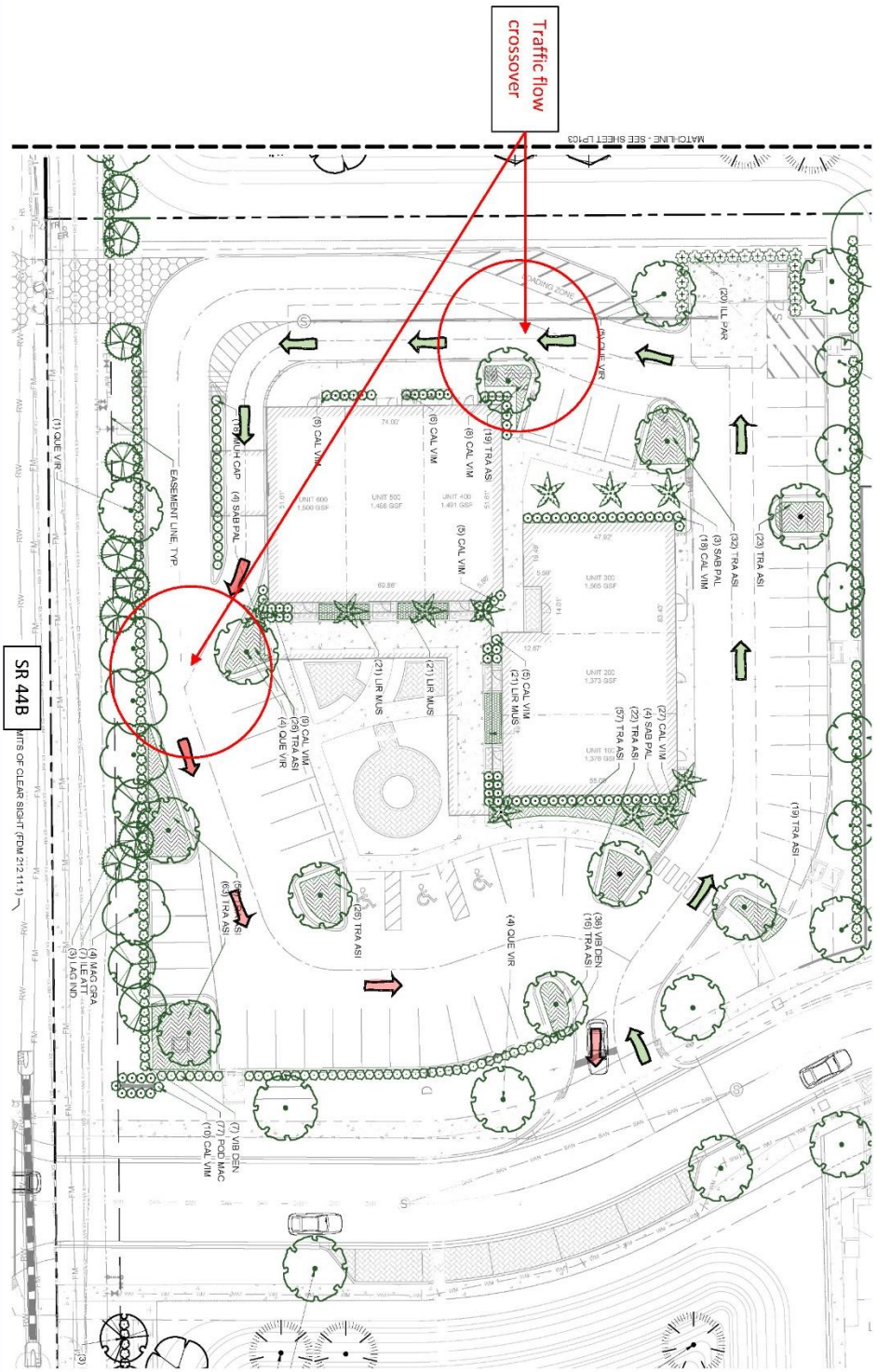
a) Waiver to Section 115-6.1.3 regarding drive-through facilities to be located along the side and rear of the building. The applicant proposed to locate drive-through lanes along the front of the building.

Considerations/Waiver Review:

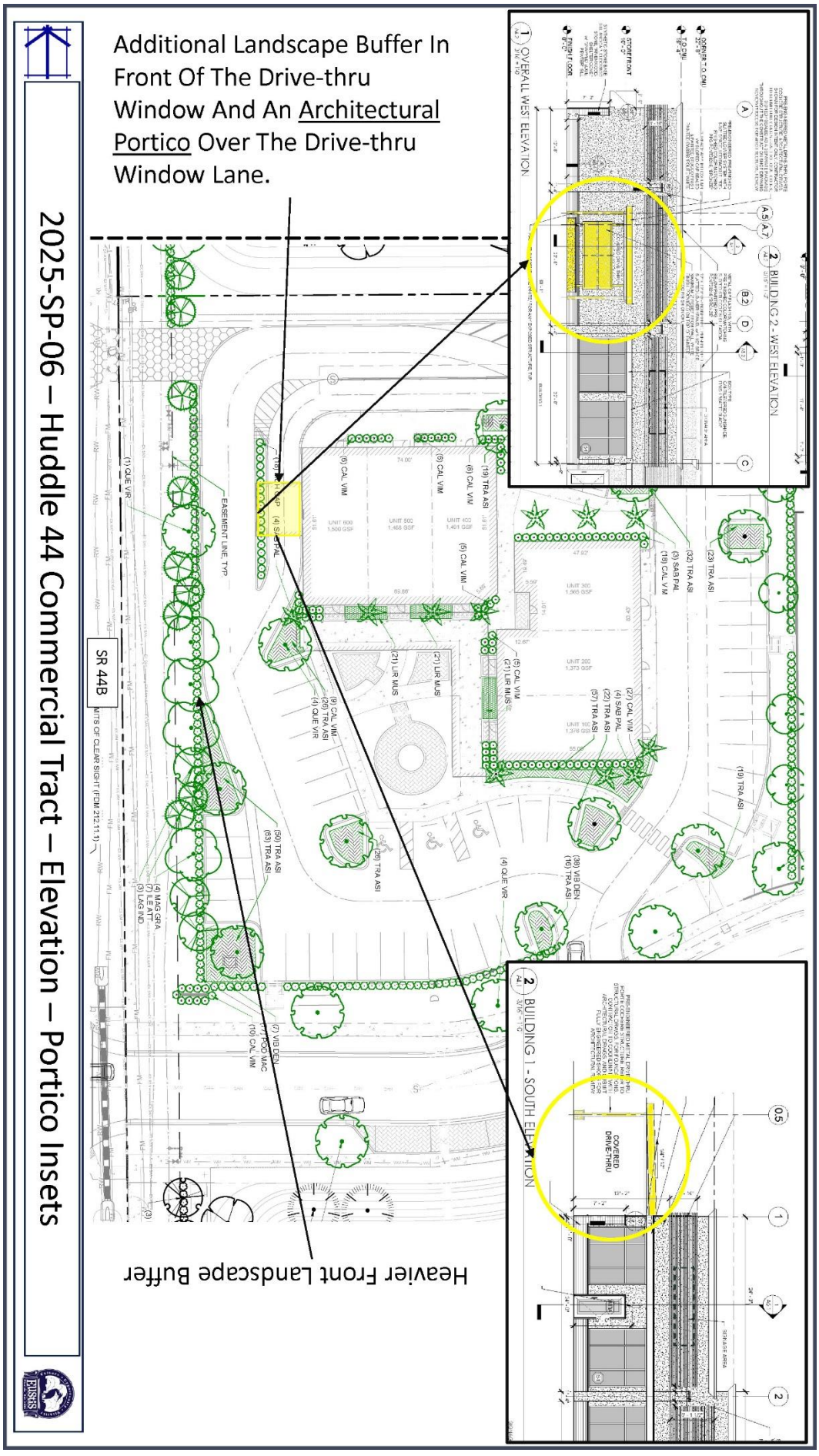
Drive-through Facilities: Section 115-6.1.3 states that drive-through facilities are to be located along the side and rear of the building. The drive-through window, lane, and order board in this site plan will be located on the SR 44B side of the building. The building is designed with appropriate window fenestration, including the portion of the building with the drive-through, when taken as a whole. The proposed drive-through is single lane, accessing from the internal parking lot circulation on the east and north side of the building and circulating back into parking lot traffic.

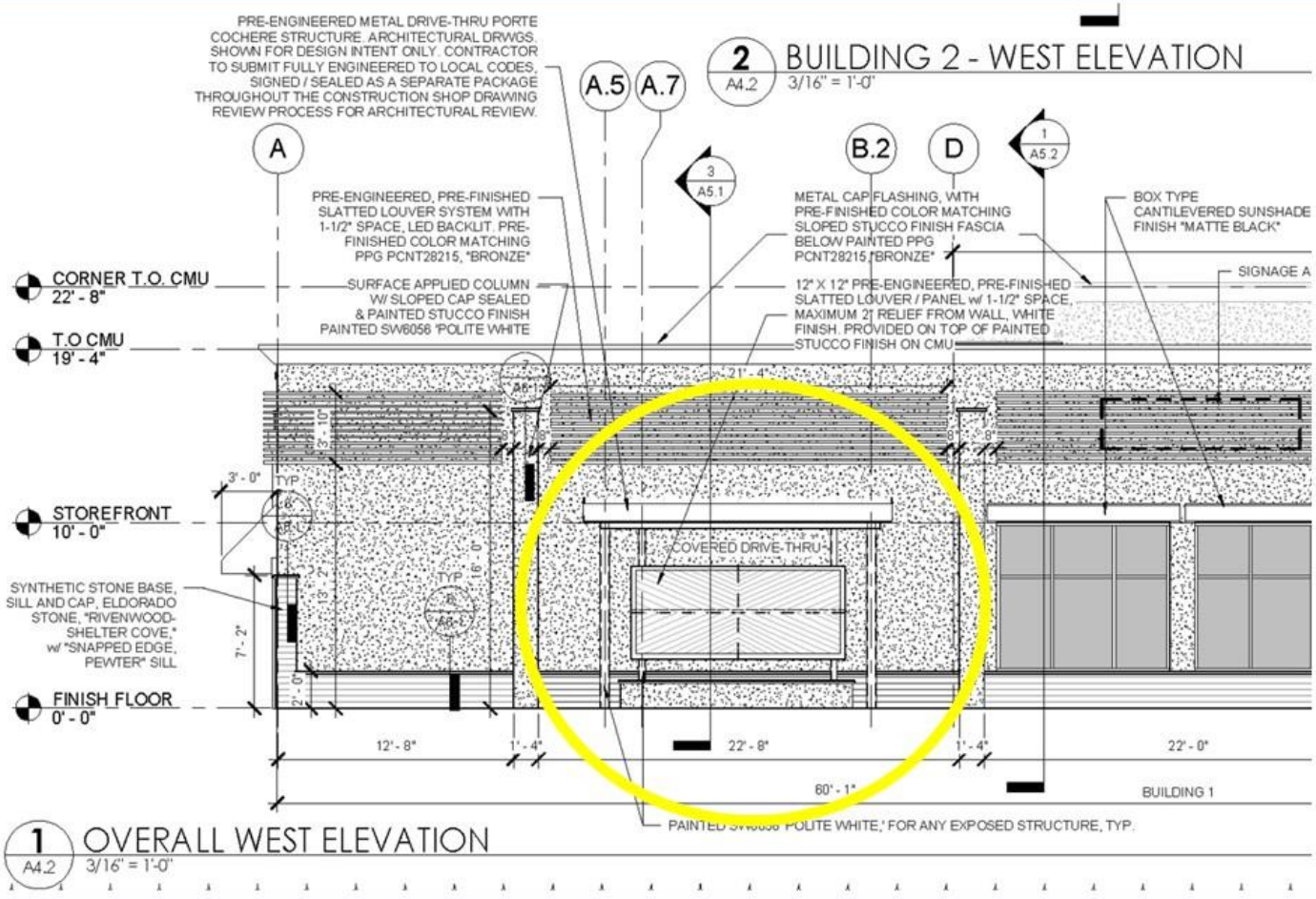
The proposed elevations for the drive-through include covering the drive-through window and lane with a porte-cochere and an architectural menu board incorporated into the supports for the porte-cochere. Landscaping is proposed to be enhanced along the SR 44B frontage to minimize the visual impact of the drive-through.

# 2025-SP-06 – Huddle 44 Commercial Tract – Drive-thru Circulation

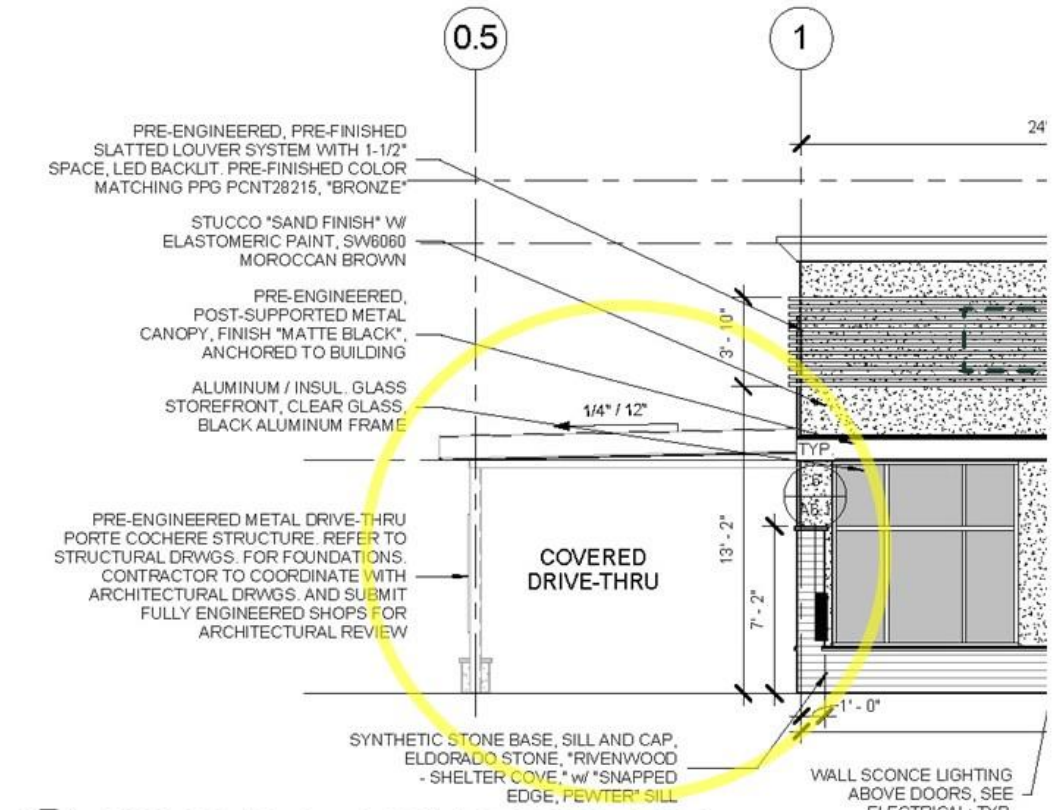


# 2025-SP-06 – Huddle 44 Commercial Tract – Elevation – Portico Insets






2025-SP-06 – Huddle 44 Commercial Tract –Site Plan – Drive-thru from West




2025-SP-06 – Huddle 44 Commercial Tract – Drive-thru from South

**Recommended Action:**
The City of Eustis Development Review Committee has reviewed the proposed site plan and has found the proposed plan compliant with the City Land Development Regulations, with the exception of the requested waivers. Staff recommends approval of the proposed preliminary site plan with waivers.

**Policy Implications:**
None

**Alternatives:**
Approve Resolution Number 25-55
Deny Resolution Number 25-55

**Budget/Staff Impact:**
None

**Business Impact Estimate:**
A Business Impact Estimate is not required under the exemption in 163.041(4) (c). It is enacted to implement development orders and development permits, as those terms are defined in s. 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243.

**Prepared By:**
Jeff Richardson, AICP, Development Services Deputy Director

**Reviewed By:**
Mike Lane, AICP, Development Services Director

**RESOLUTION NUMBER 25-55**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING A PRELIMINARY SITE PLAN APPROVAL WITH WAIVERS FOR A 8,793 SQUARE FOOT COMMERCIAL BUILDING WITH RESTAURANT WITH DRIVE THROUGH ON APPROXIMATELY 1.55 ACRES LOCATED ON THE EAST SIDE OF SR 44, JUST OVER 700 FEET SOUTH OF EUSTIS AIRPORT RD PART OF PROPERY IDENTIFIED BY ALTERNATE KEY NUMBERS 2612533, 2612517 AND 2612525.**

**WHEREAS**, Charles C Hiott, P.E., Halff Engineering Consultants has made an application, on behalf of Huddle 44, LLC and Danelle Hoffer for site plan approval to permit a restaurant with a drive-through, on approximately 1.55 acres located at 19040 SR 44, on the east side of SR 44, just over 700 feet south of Eustis Airport Road (Alternate Key Numbers 2612533 and 2612517), more particularly described as:

Alternate Key Number: 2612533, 2612517, and 2612525

Parcel Identification Number: 08-19-27-0004-000-04300, 08-19-27-0004-000-03800, and 08-19-27-0004-000-04200

Legal Description:

PARCEL 1:

FROM THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4, SECTION 8, TOWNSHIP 19 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA, RUN THENCE NORTH 89 DEGREES 24'EAST 870 FEET, MORE OR LESS, TO THE WEST LINE OF PARCEL "A" AS DESCRIBED IN OFFICIAL RECORDS BOOK 314, PAGE 630, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, RUN THENCE NORTH 0 DEGREES 36' WEST ALONG SAID WEST LINE 350.4 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 0 DEGREES 36' WEST ALONG SAID WEST LINE 150 FEET, THENCE SOUTH 88 DEGREES 43'45" WEST 880.3 FEET TO THE CENTER LINE OF STATE ROAD NO. 44-B, THENCE SOUTH 1 DEGREES 28' 30" EAST ALONG SAID CENTER LINE OF STATE ROAD NO. 44-B 150 FEET, THENCE NORTH 88 DEGREES 43' 45" EAST 870.47 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, LESS THE RIGHT OF WAY FOR STATE ROAD NO. 44-B.

PARCEL 2:

THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4, SECTION 8, TOWNSHIP 19 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA, RUN THENCE NORTH 89 DEGREES 24' EAST 870 FEET, MORE OR LESS, TO THE WEST LINE OF PARCEL "A" AS DESCRIBED IN OFFICIAL RECORDS BOOK 314, PAGE 630, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, RUN THENCE NORTH 0 DEGREES 36' WEST ALONG SAID WEST LINE 350.4 FEET; THENCE SOUTH 88 DEGREES 43'45" WEST 875.47 FEET, MORE OR LESS, TO THE CENTER LINE OF STATE ROAD NO. S-44-B; THENCE SOUTH 1 DEGREES 28'30" EAST ALONG SAID CENTER LINE 340 FEET TO THE POINT OF BEGINNING. LESS RIGHT OF WAY OF STATE ROAD NO. S-44-B

AND

FROM THE SOUTHWEST CORNER OF THE SE 1/4, SECTION 8, TOWNSHIP 19 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA, RUN THENCE NORTH 89 DEGREES 24' EAST 870 FEET, MORE OR LESS, TO THE WEST LINE OF PARCEL "A" AS DESCRIBED IN OFFICIAL RECORDS BOOK 314, PAGE 630, PUBLIC RECORDS OF LAKE COUNTY,

FLORIDA, RUN THENCE NORTH 0 DEGREES 36' WEST ALONG SAID WEST LINE 500.4 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 0 DEGREES 36' WEST ALONG SAID WEST LINE 150 FEET, THENCE SOUTH 88 DEGREES 43' 45" WEST 880.3 FEET TO THE CENTER LINE OF STATE ROAD NO. S-44-B, THENCE SOUTH 1 DEGREES 28' 30" EAST ALONG SAID CENTER LINE OF STATE ROAD NO. S-44-B 150 FEET, THENCE NORTH 88 DEGREES 43' 45" EAST 825.47 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, LESS THE RIGHT OF WAY FOR STATE ROAD NO. S-44-B.

(Legal Description copied from Applicant submitted survey. The legal description has not been verified for accuracy or completeness)

**WHEREAS,** the property described above has a Land Use Designation of Mixed Commercial/Residential (MCR) and a Design District Designation of Suburban Neighborhood; and

**WHEREAS**, a restaurant with a drive-through is a permitted use in the Mixed Commercial/Residential (MCR) land use designation; and

**WHEREAS,** the proposed site plan as submitted is generally consistent with the City's Comprehensive Plan and Land Development Regulations; and

**WHEREAS,** the proposed waivers to the Land Development Regulations meet the general intent of the regulations; do not jeopardize the health, safety, or welfare of the public; and include appropriate mitigation; and

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

**SECTION 1.**

That the Preliminary Site Plan for the restaurant with a drive-through, and attached hereto as Exhibit A, is hereby approved with the following waivers:

1. Waiver to allow a restaurant drive-through and drive-through traffic lanes to be located fronting State Road 44B;
2. Shall substantially comply with building elevations dated October 24, 2024, and submitted May 21, 2025 (Exhibit B)
3. Drive-through window and lane shall be screened by an enhanced landscape buffer along SR 44B and by a landscaped island as depicted in the landscape plan dated March 2025 (Exhibit C).

**SECTION 2.**

That the Site Plan Approval shall be subject to the owner/developer complying with the following conditions:

a. Submitting for Site Development Permit approval within one year, and developing the property in accordance with the approved Site Plan as referenced in Section 1 and attached hereto as Exhibit A.

b. Obtaining and providing copies of all applicable permits from other jurisdictional agencies, before closing the Site Development Permit and issuance of the certificate of occupancy.
c. Meeting applicable concurrency requirements before approval of a final development order.

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

**Section 4.**
That this Resolution shall become effective upon filing.

**DONE AND RESOLVED** this 4th day of September, 2025, in regular session of the City Commission of the City of Eustis, Florida.

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

_____
Willie L. Hawkins
Mayor/Commissioner

**ATTEST:**

_____
Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**

STATE OF FLORIDA

COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 4th day of September, 2025, by Willie L. Hawkins, 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, but I have not performed an independent title examination as to the accuracy of the Legal Description.

City Attorney's Office

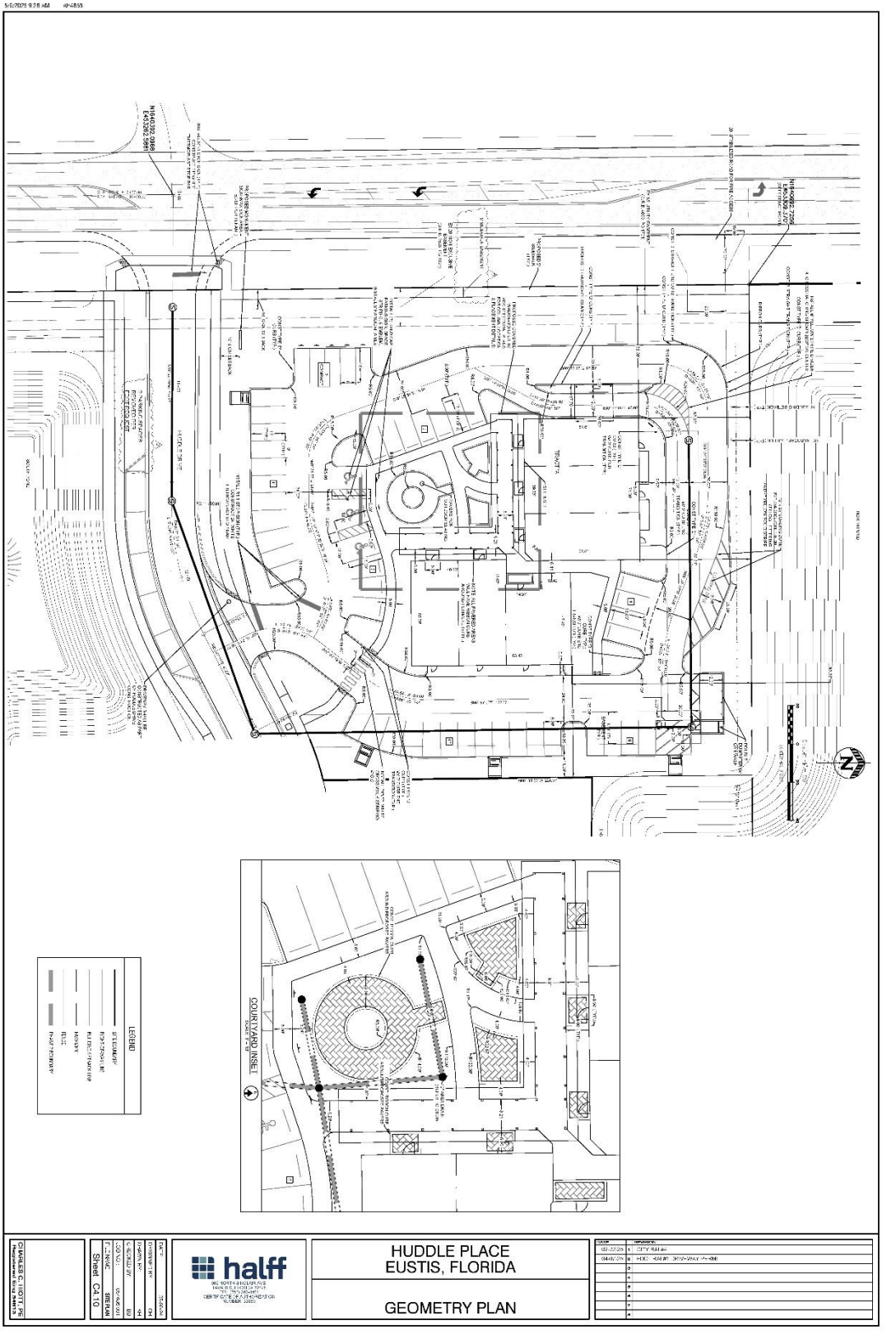
Date

## CERTIFICATE OF POSTING

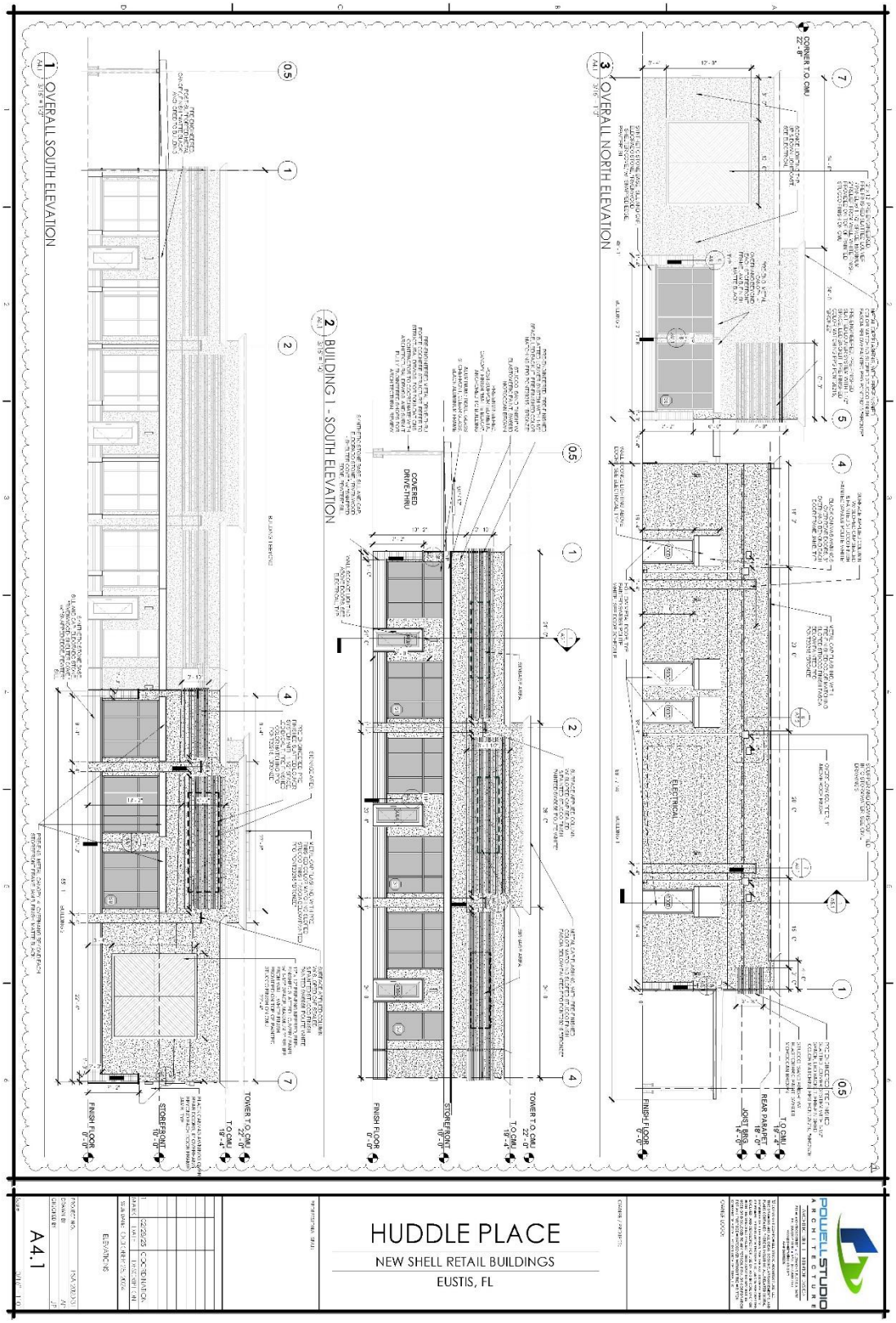
The foregoing Resolution Number 25-55 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

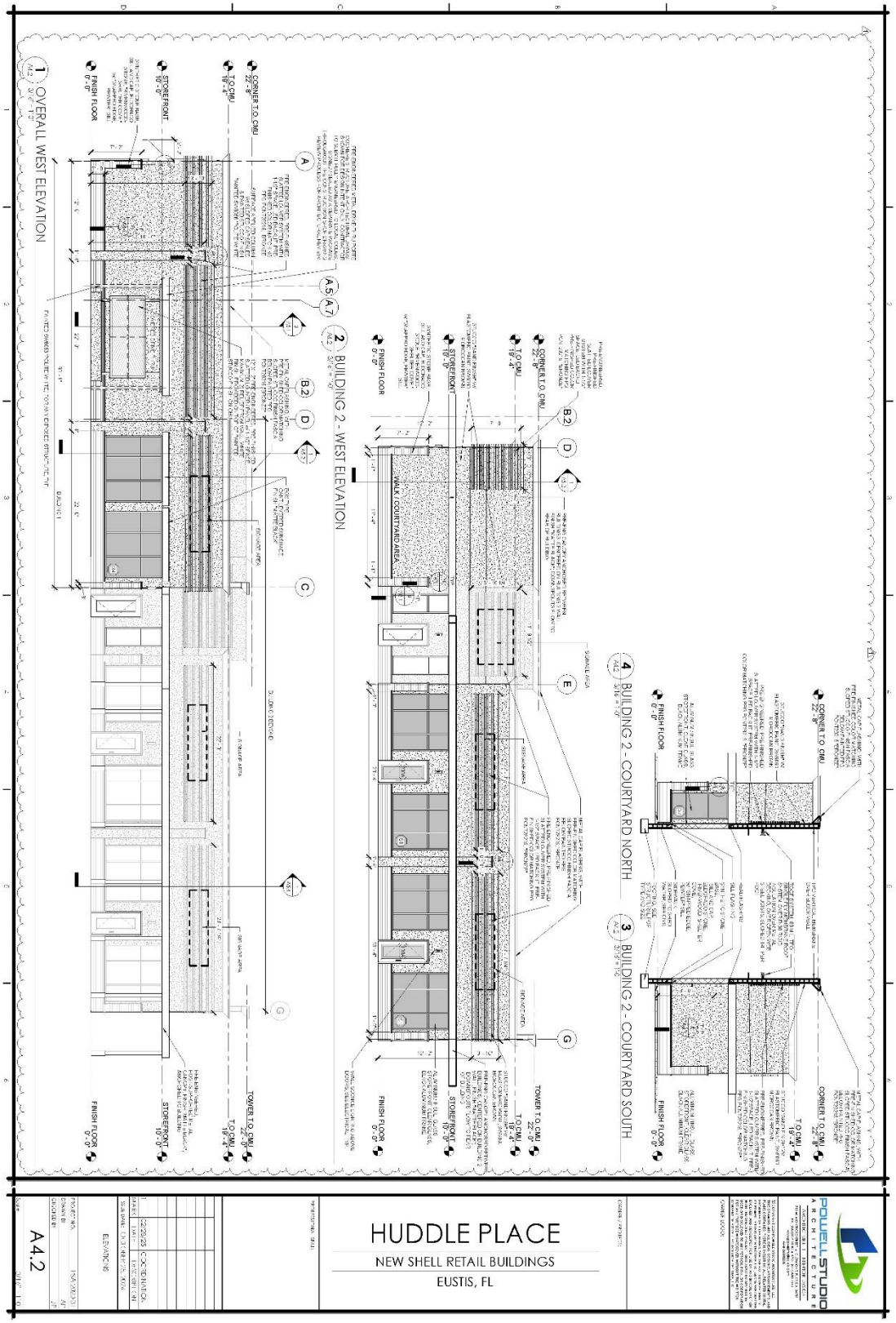
# EXHIBIT A: SITE PLAN



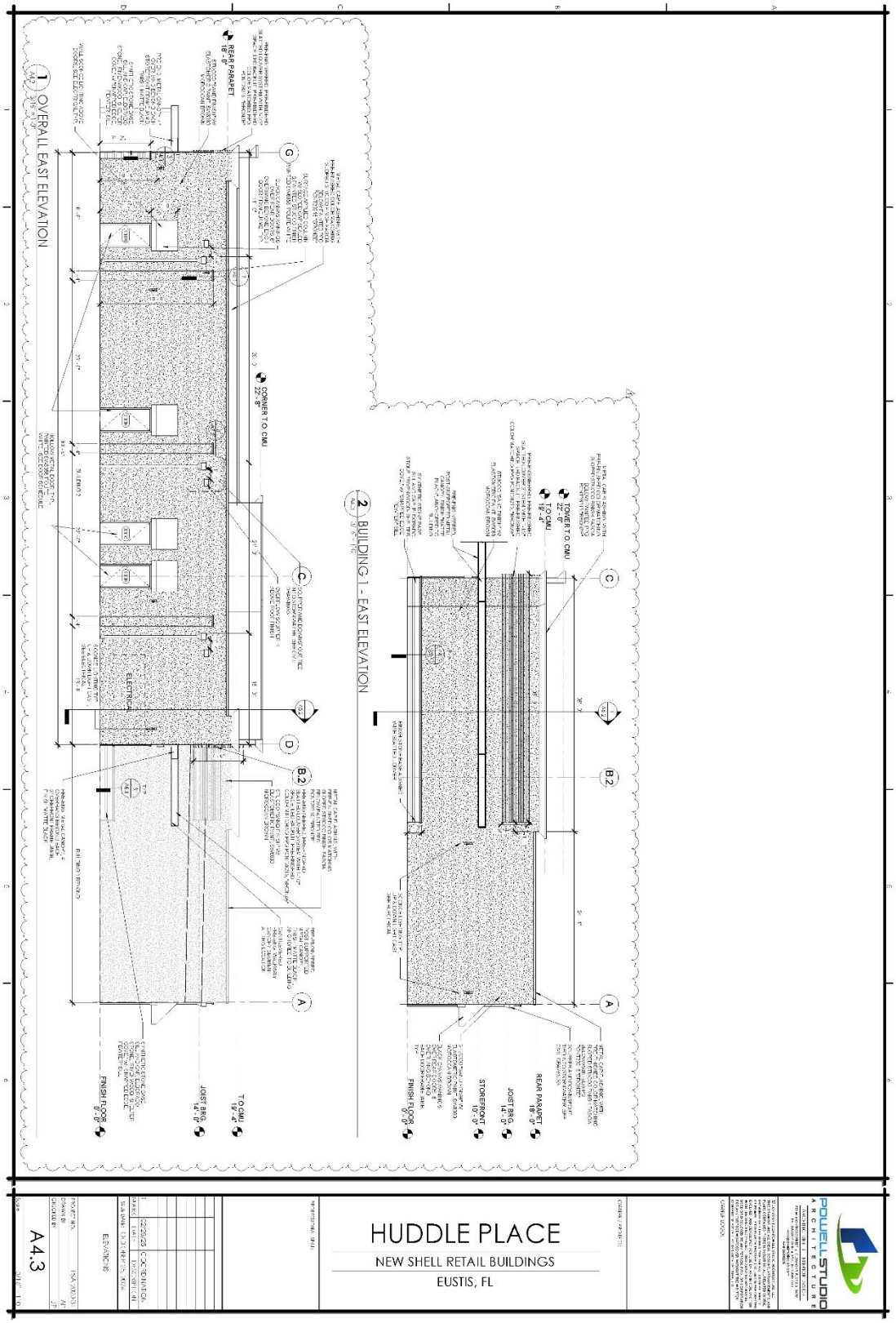
# EXHIBIT B: BUILDING ELEVATIONS



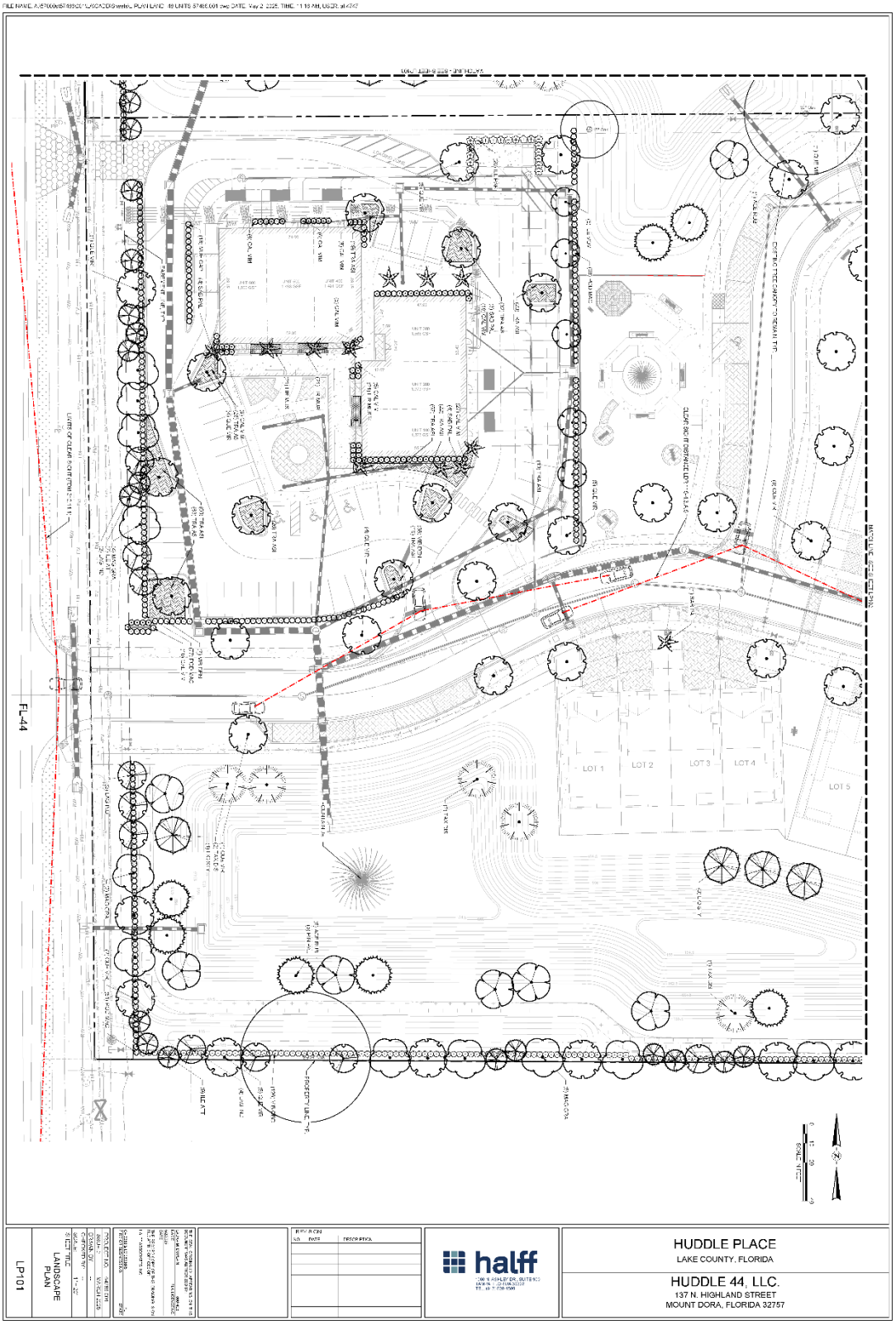
# EXHIBIT B: BUILDING ELEVATIONS

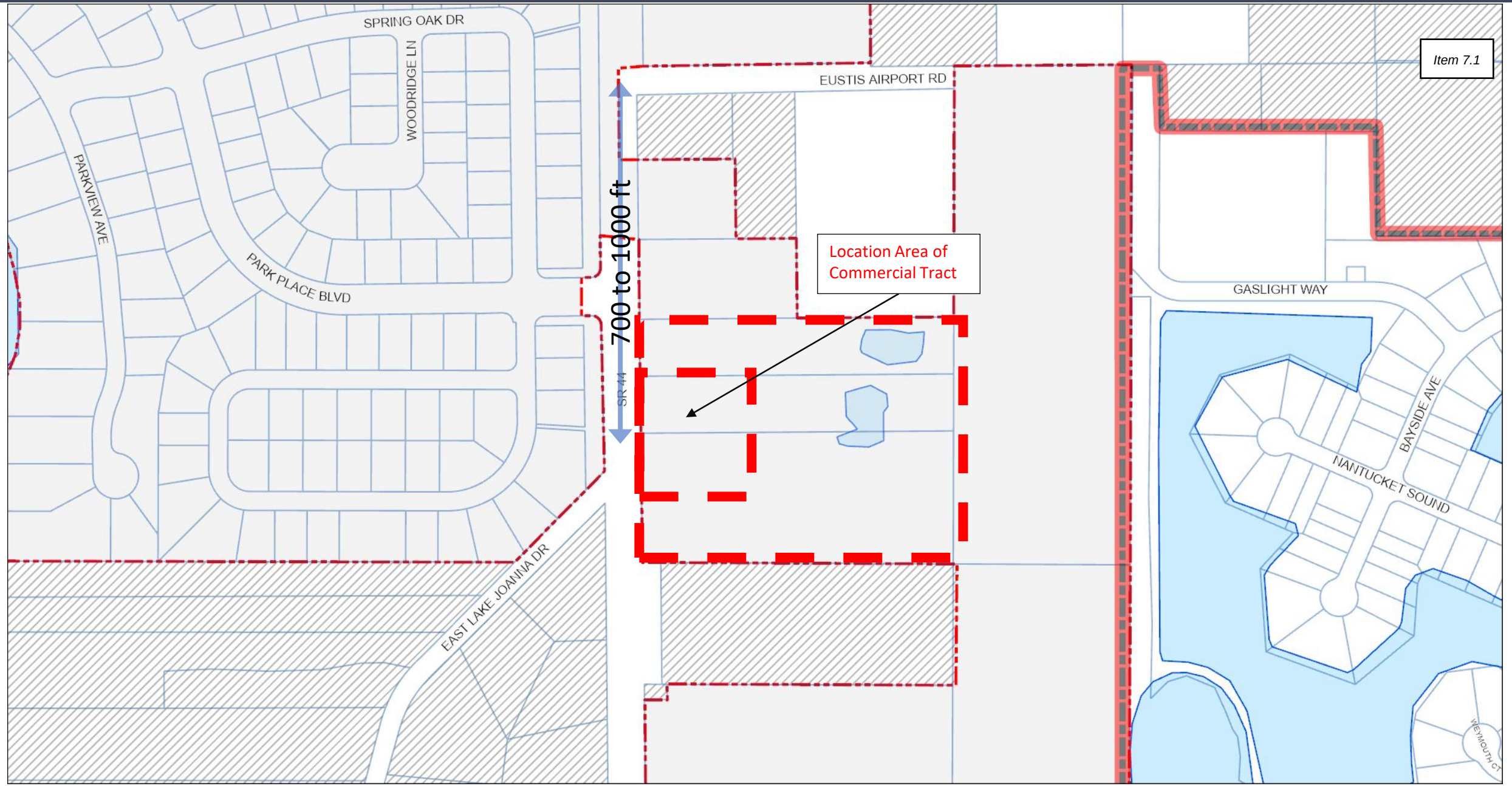


# EXHIBIT B: BUILDING ELEVATIONS

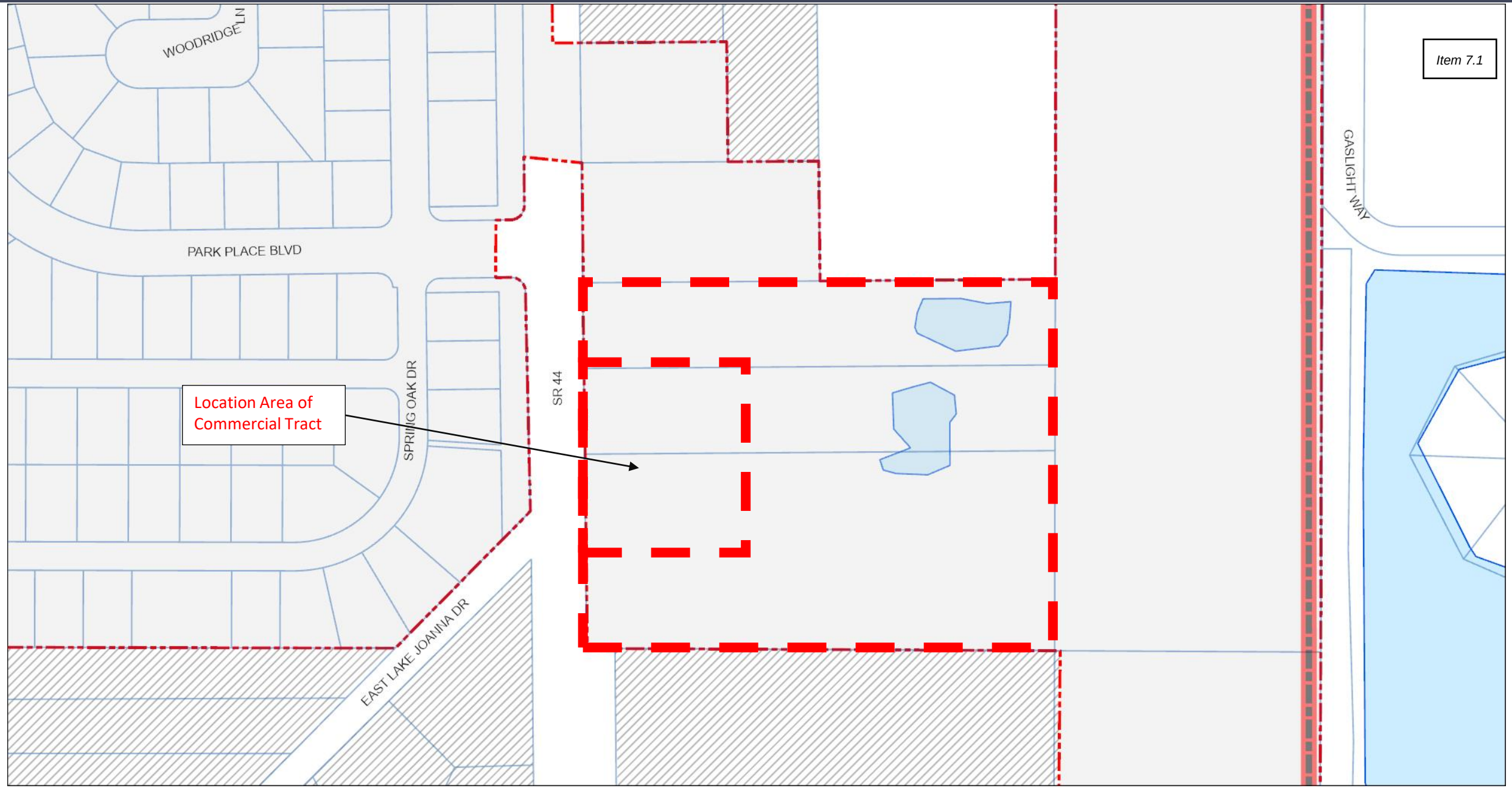


# EXHIBIT C: MARCH 2025 LANDSCAPE PLAN

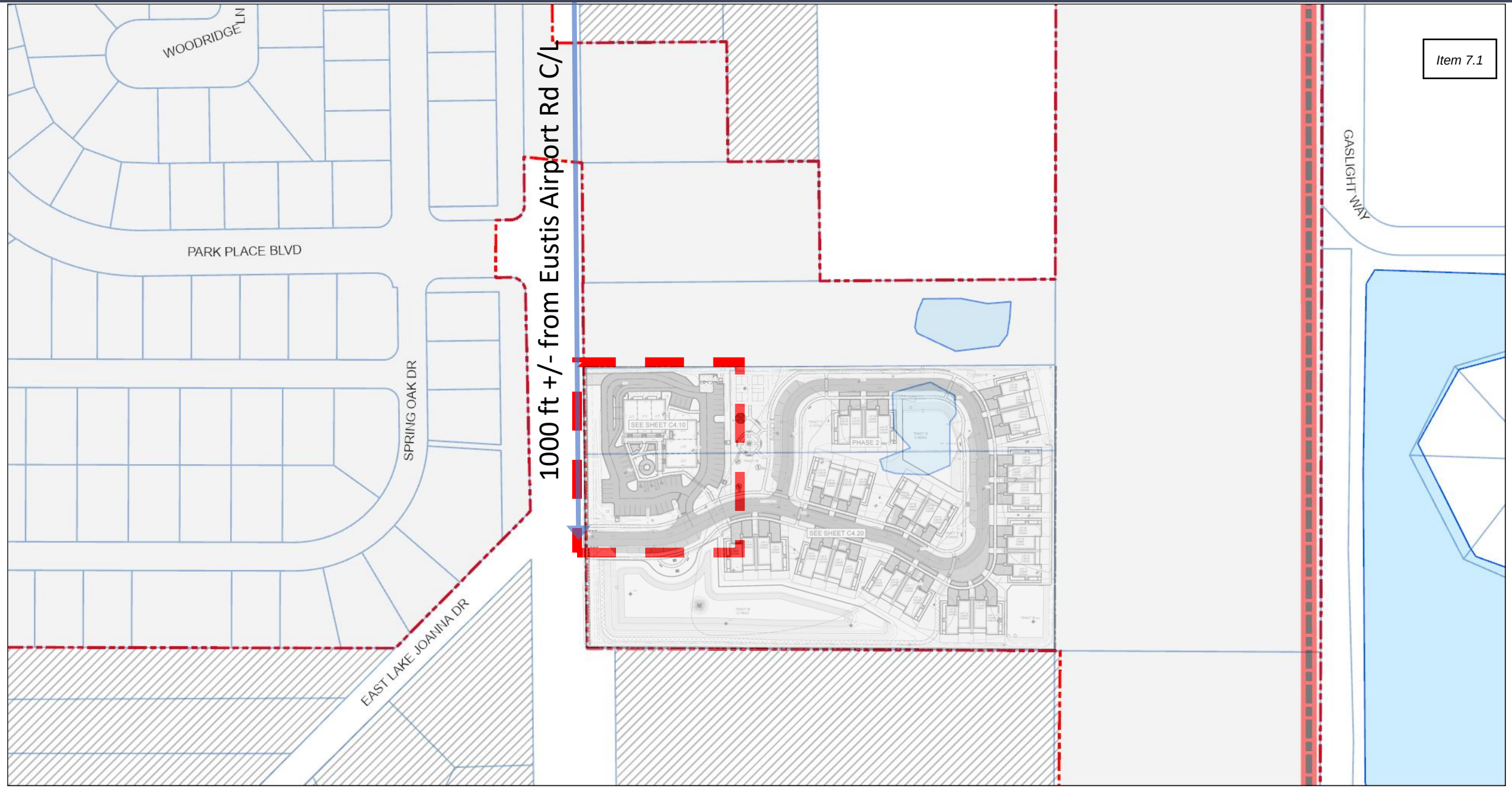




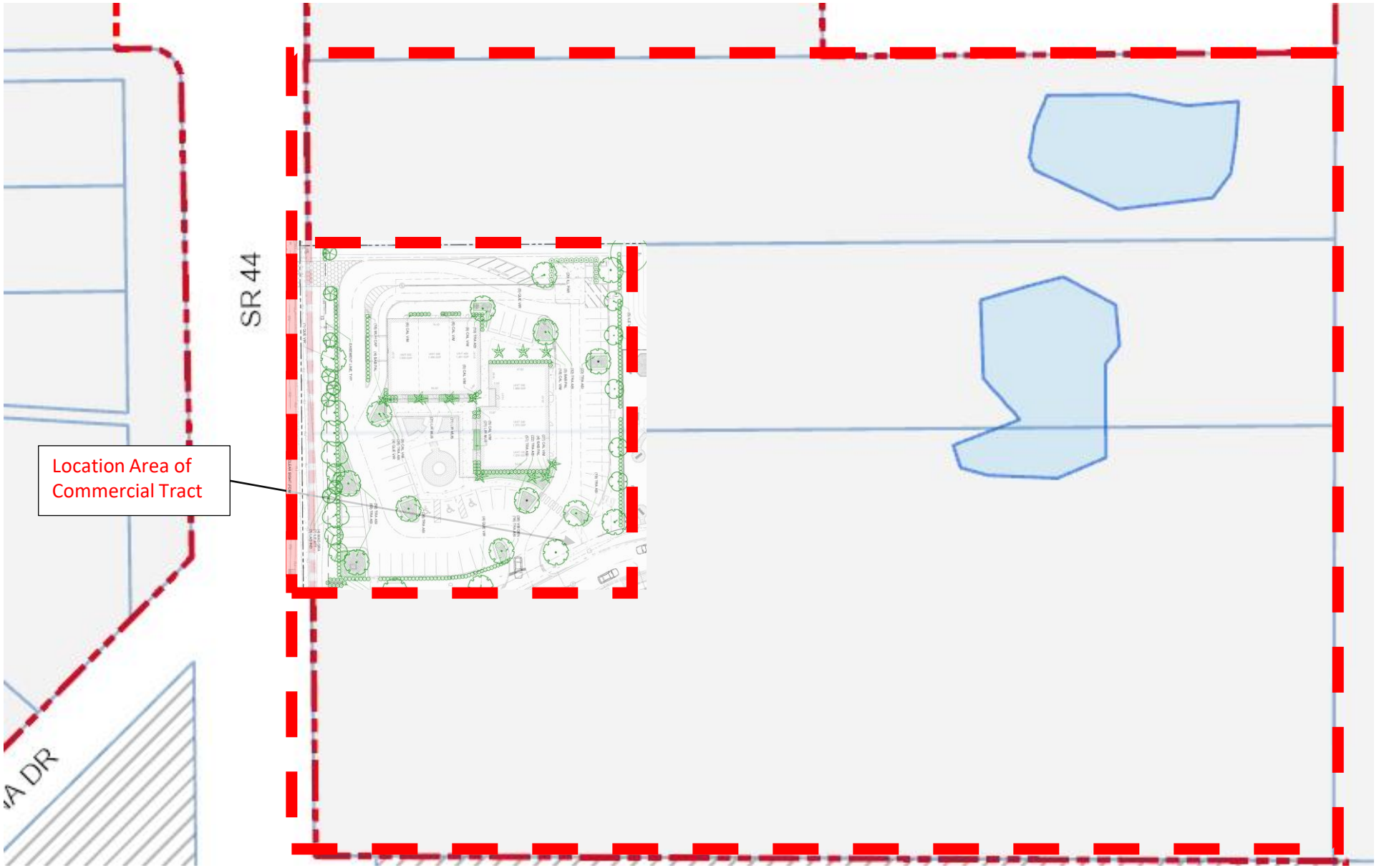

# 2025-SP-06 – Huddle 44 Commercial Tract – Location



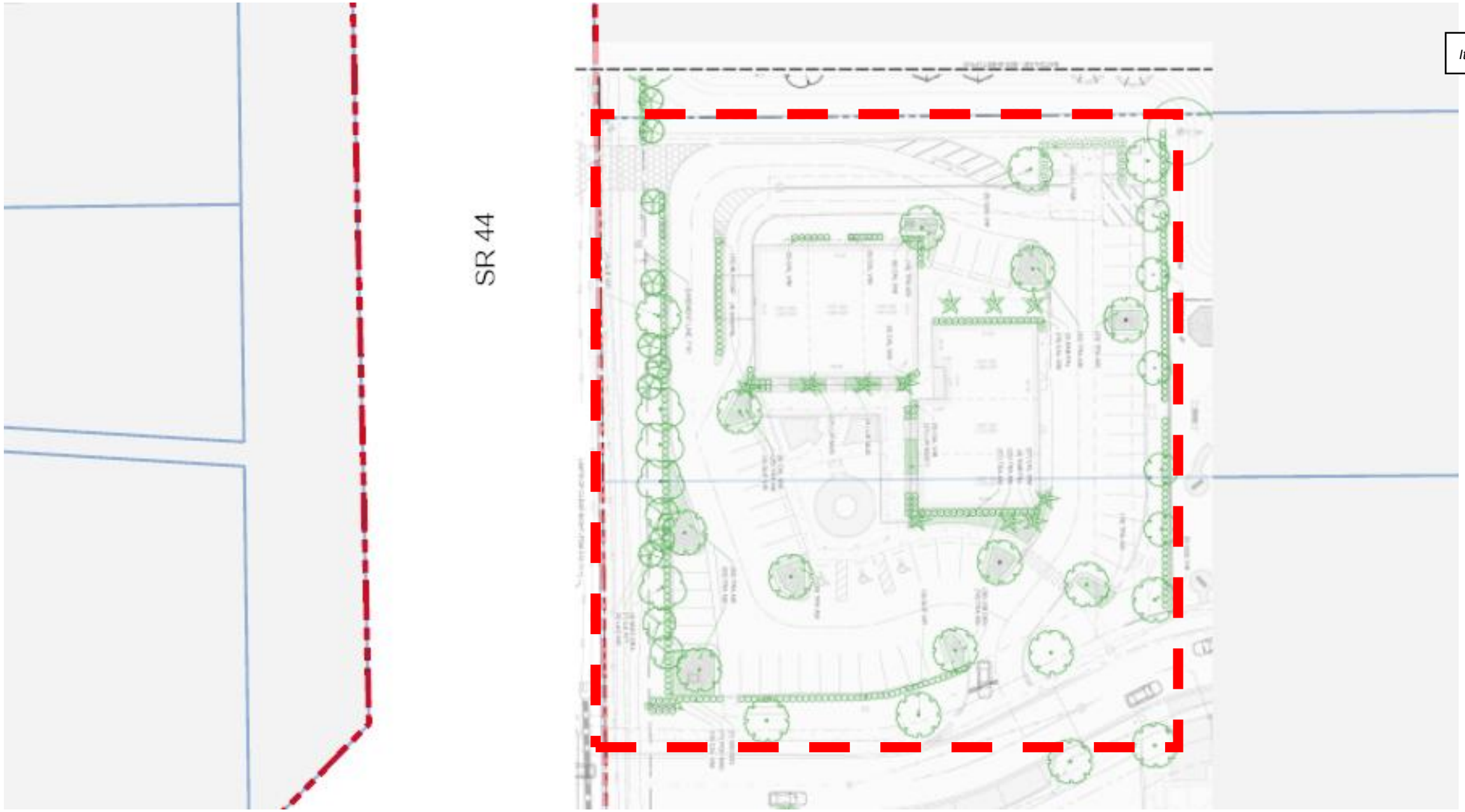

# 2025-SP-06 – Huddle 44 Commercial Tract – Location



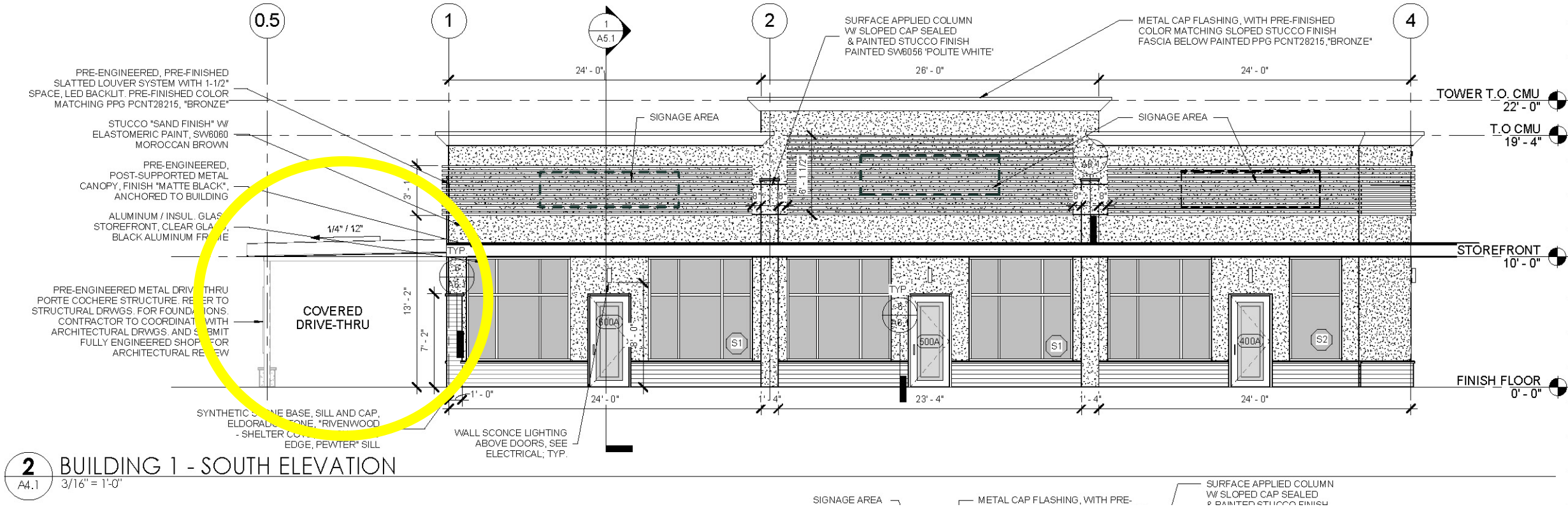

# 2025-SP-06 – Huddle 44 Commercial Tract – Huddle Place Subdivision - Location




# 2025-SP-06 – Huddle 44 Commercial Tract – Site Plan Location



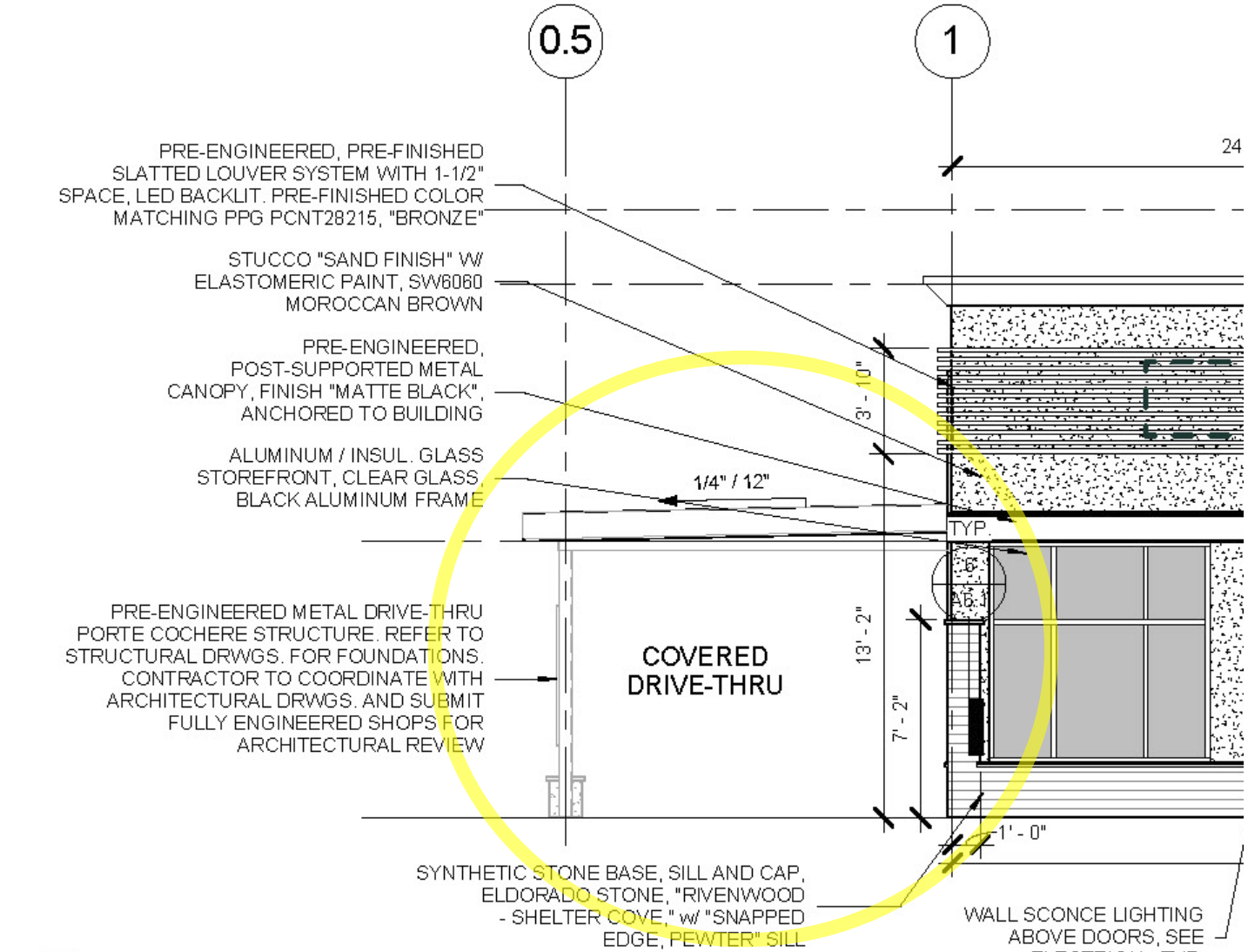

# 2025-SP-06 – Huddle 44 Commercial Tract –Site Plan - Colorized Landscape Plan



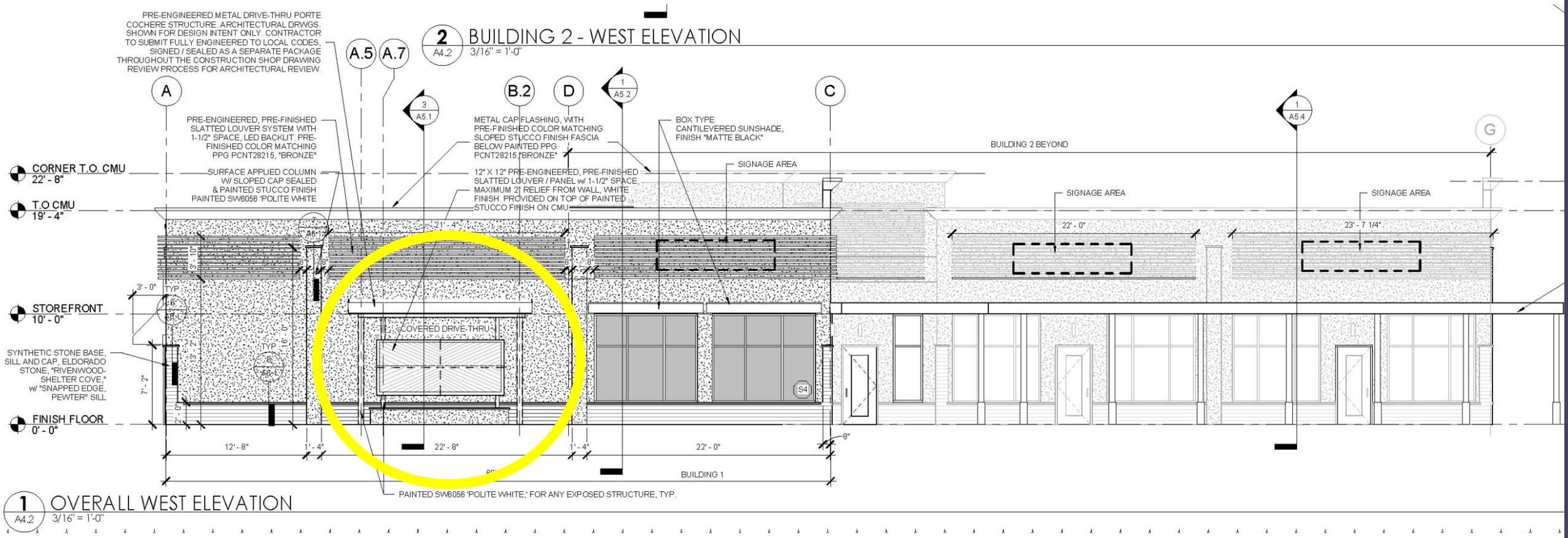

**2** A4.1 BUILDING 1 - SOUTH ELEVATION

3/16" = 1'-0"

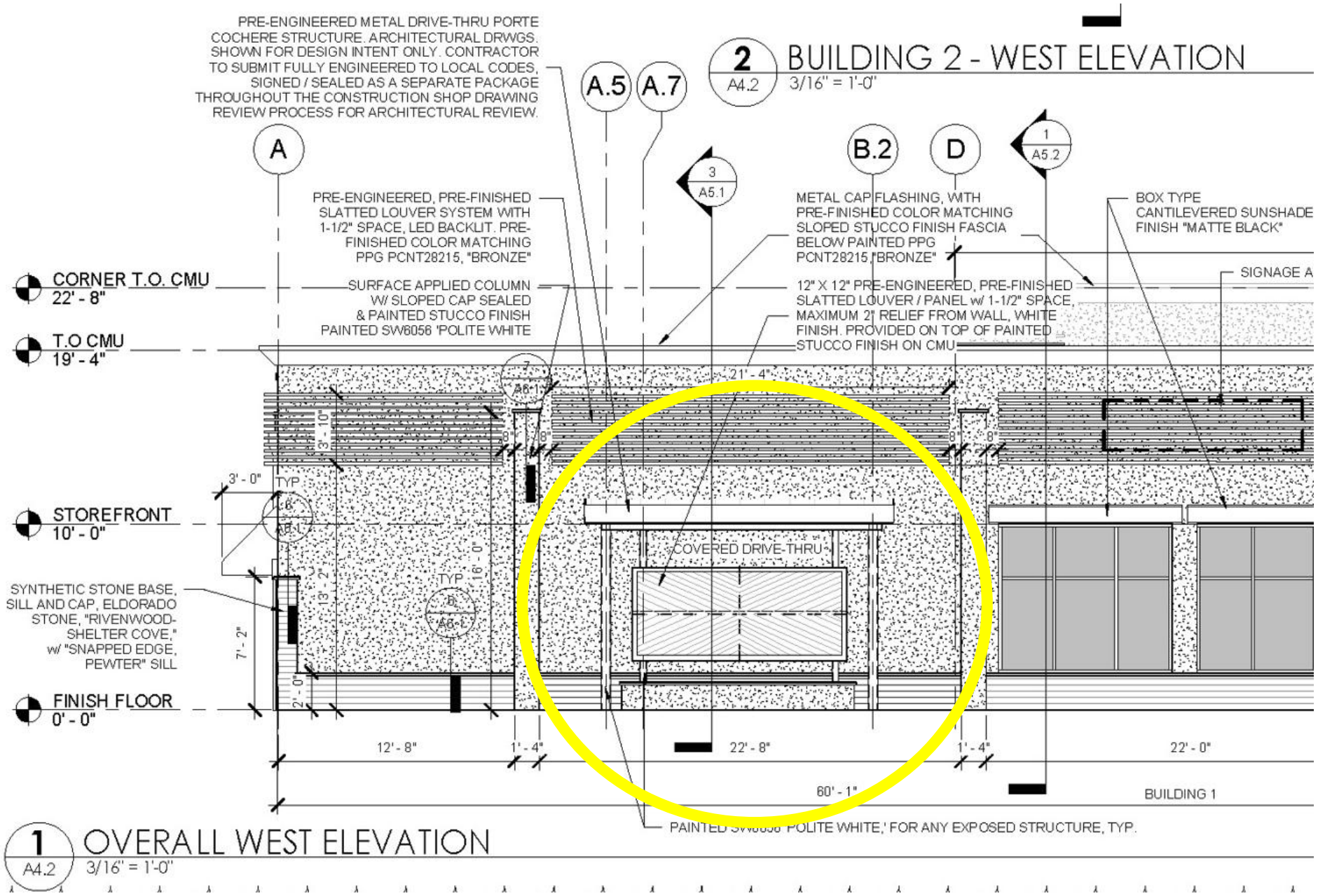
2025-SP-06 – Huddle 44 Commercial Tract – Drive-thru from South



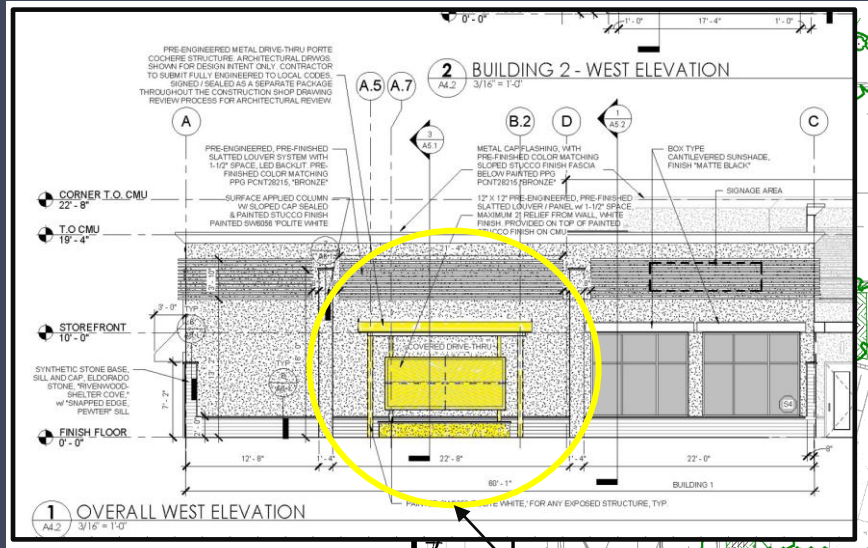

# 2025-SP-06 – Huddle 44 Commercial Tract – Drive-thru from South

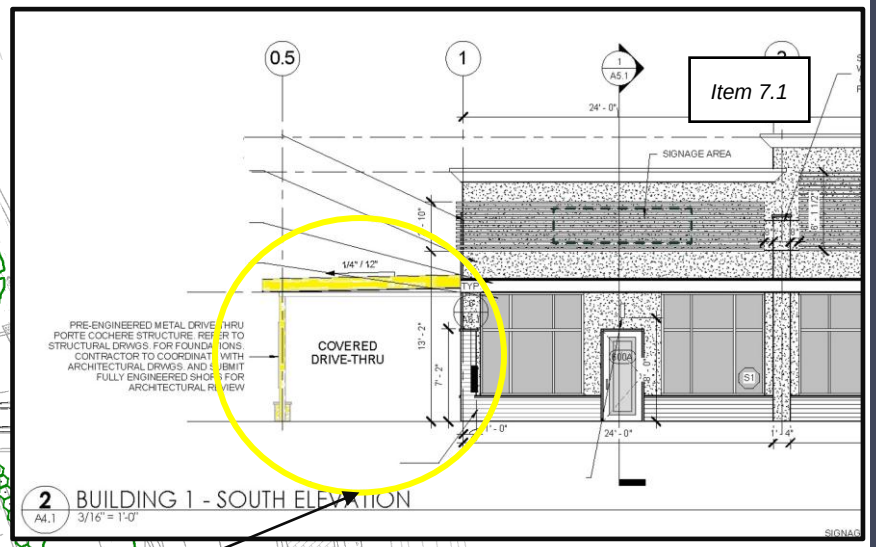



# 2025-SP-06 – Huddle 44 Commercial Tract –Site Plan – Drive-thru from West

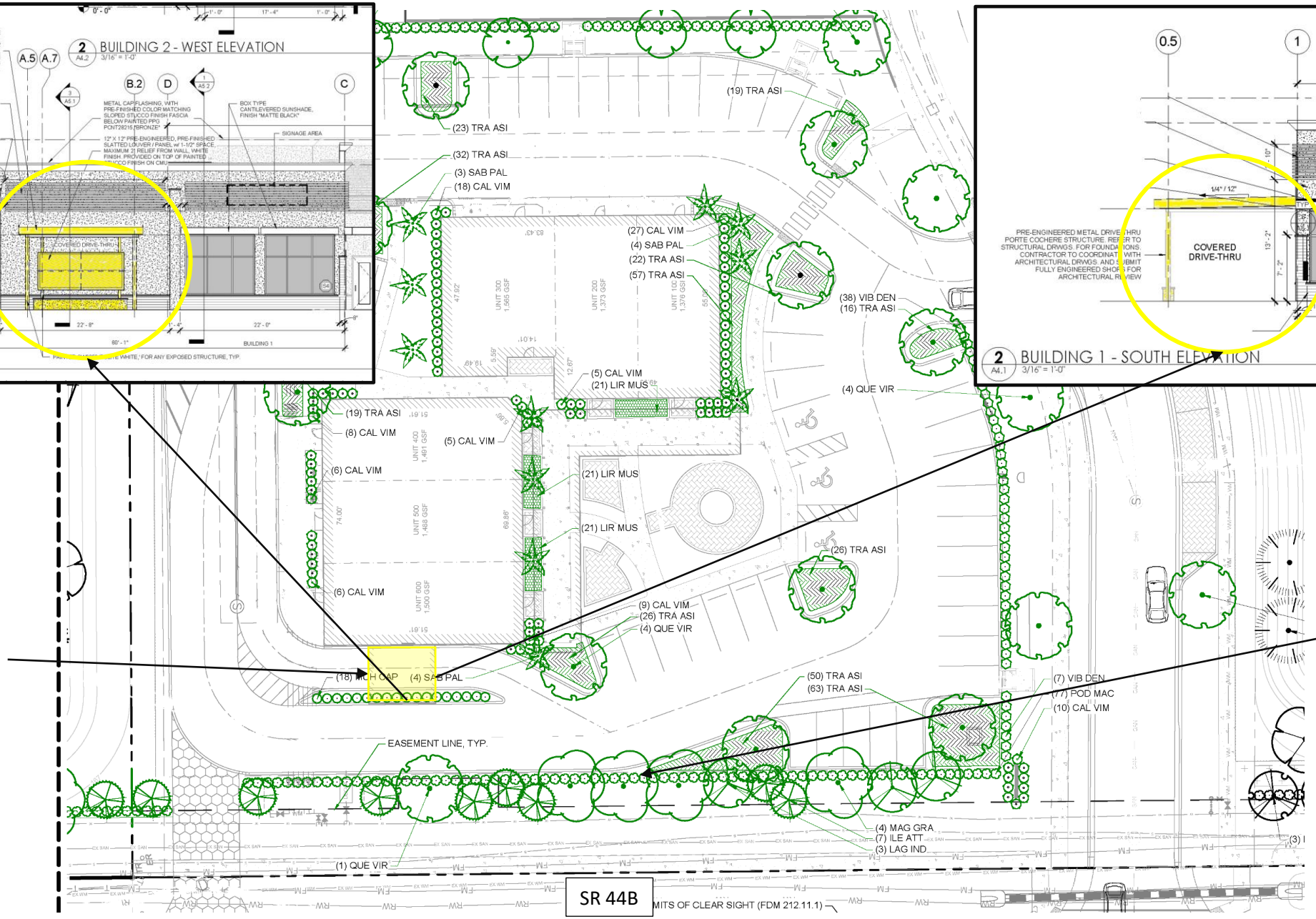



2025-SP-06 – Huddle 44 Commercial Tract –Site Plan – Drive-thru from West



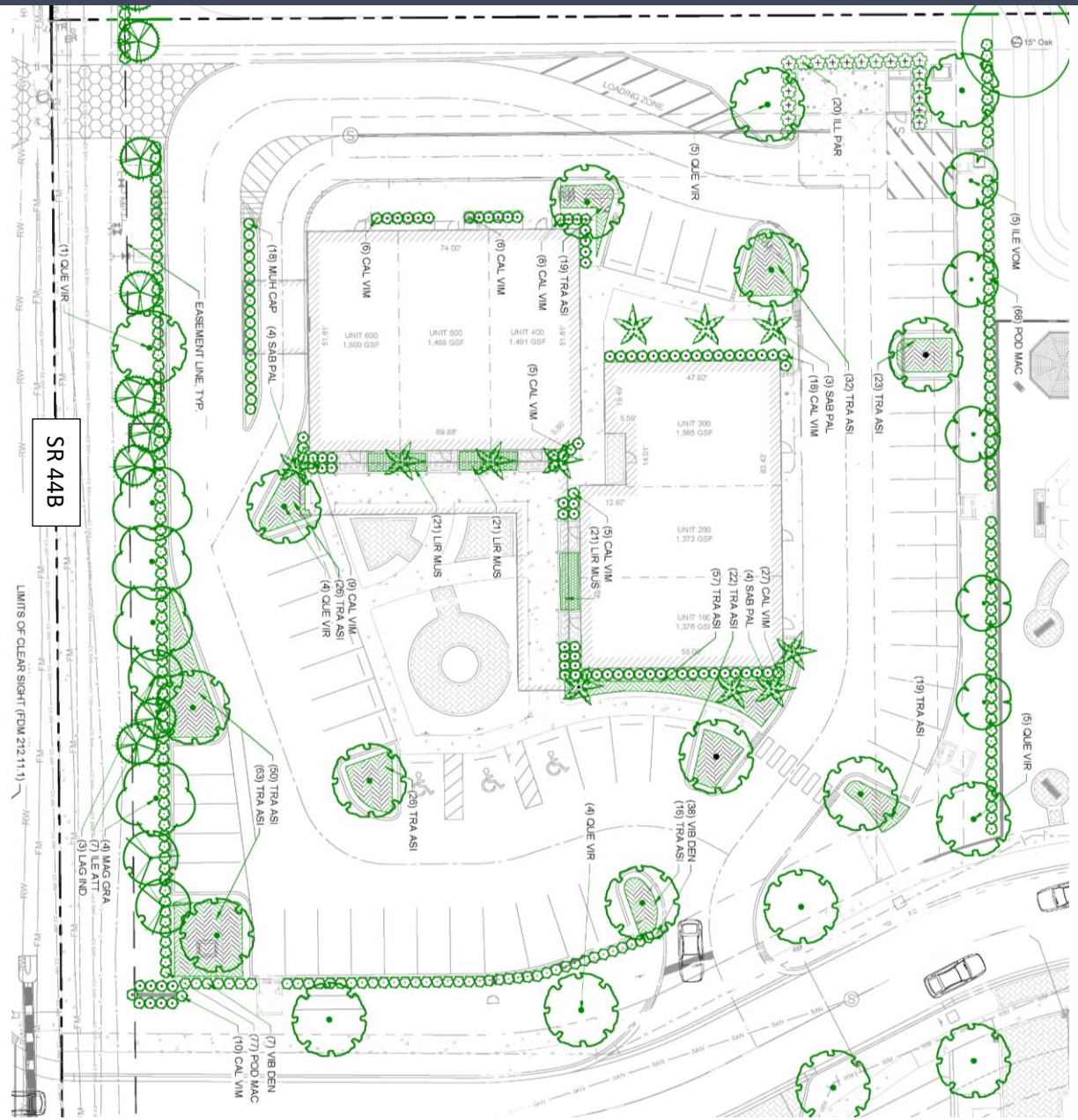

Item 7.1



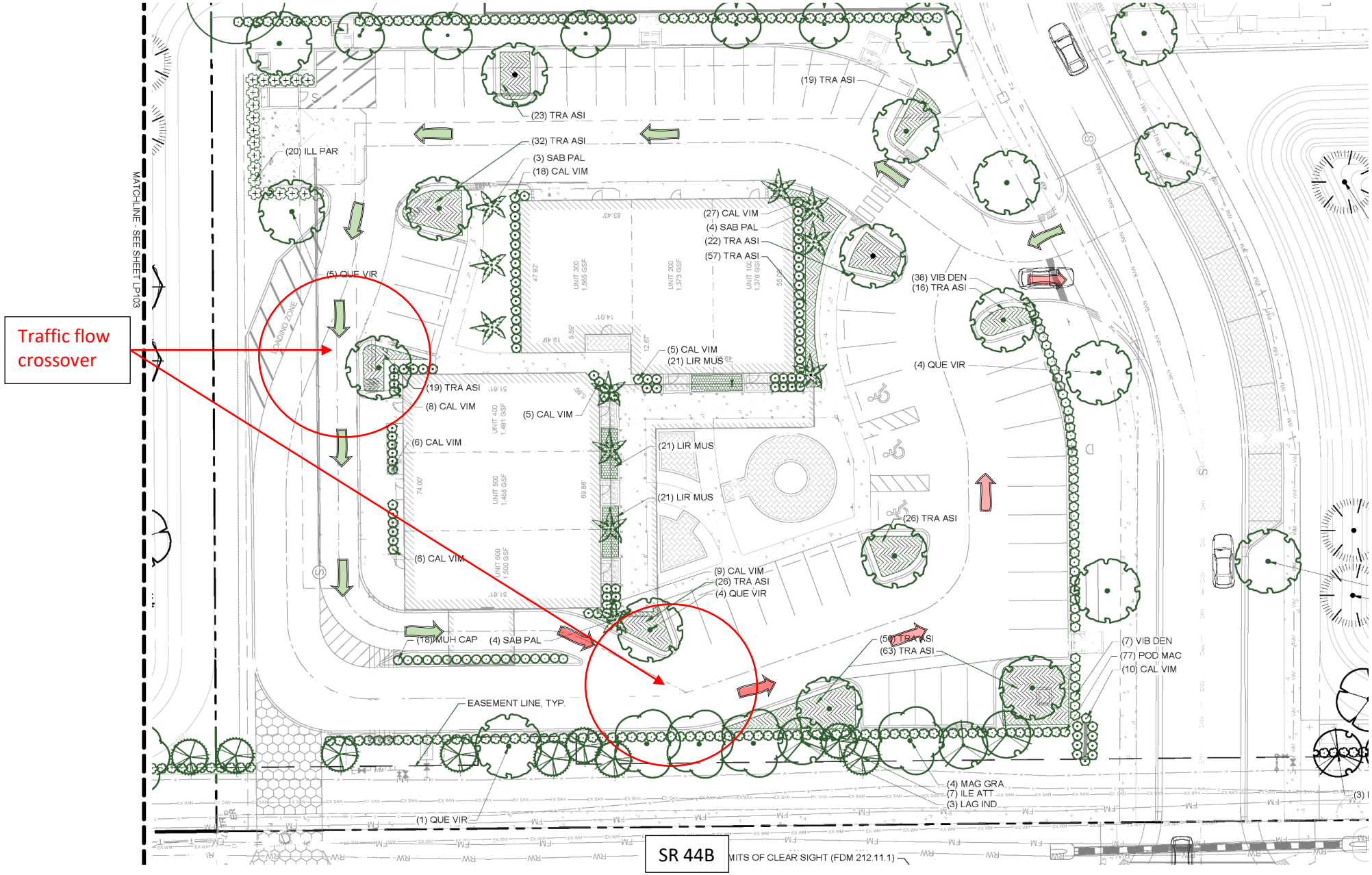

Additional Landscape Buffer In Front Of The Drive-thru Window And An Architectural Porte-cochere Over The Drive-thru Window Lane.

Heavier Front Landscape Buffer

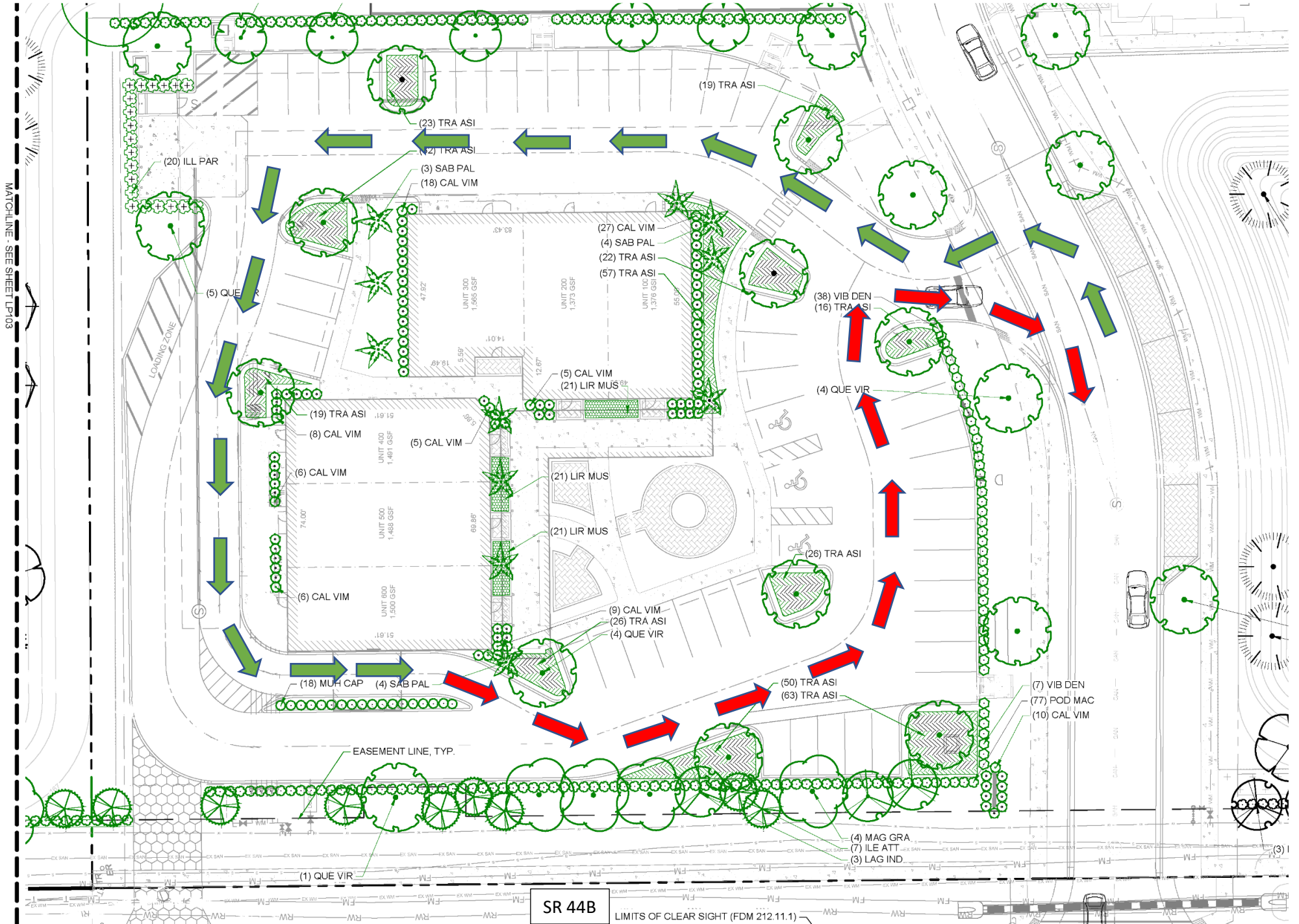
# 2025-SP-06 – Huddle 44 Commercial Tract – Elevation – Portico Insets

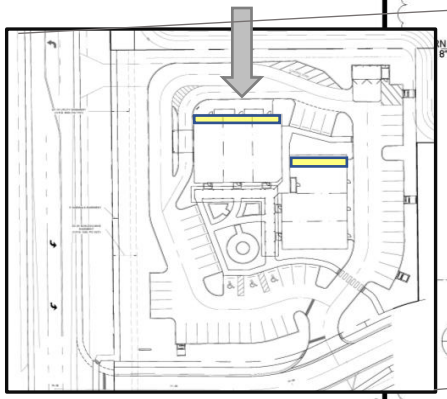


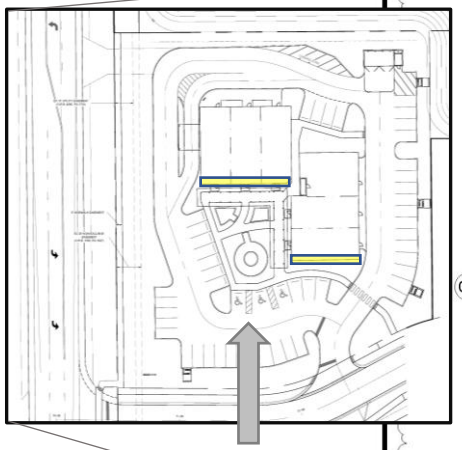

# 2025-SP-06 – Huddle 44Commercial Tract –Site Plan - Landscape Plan

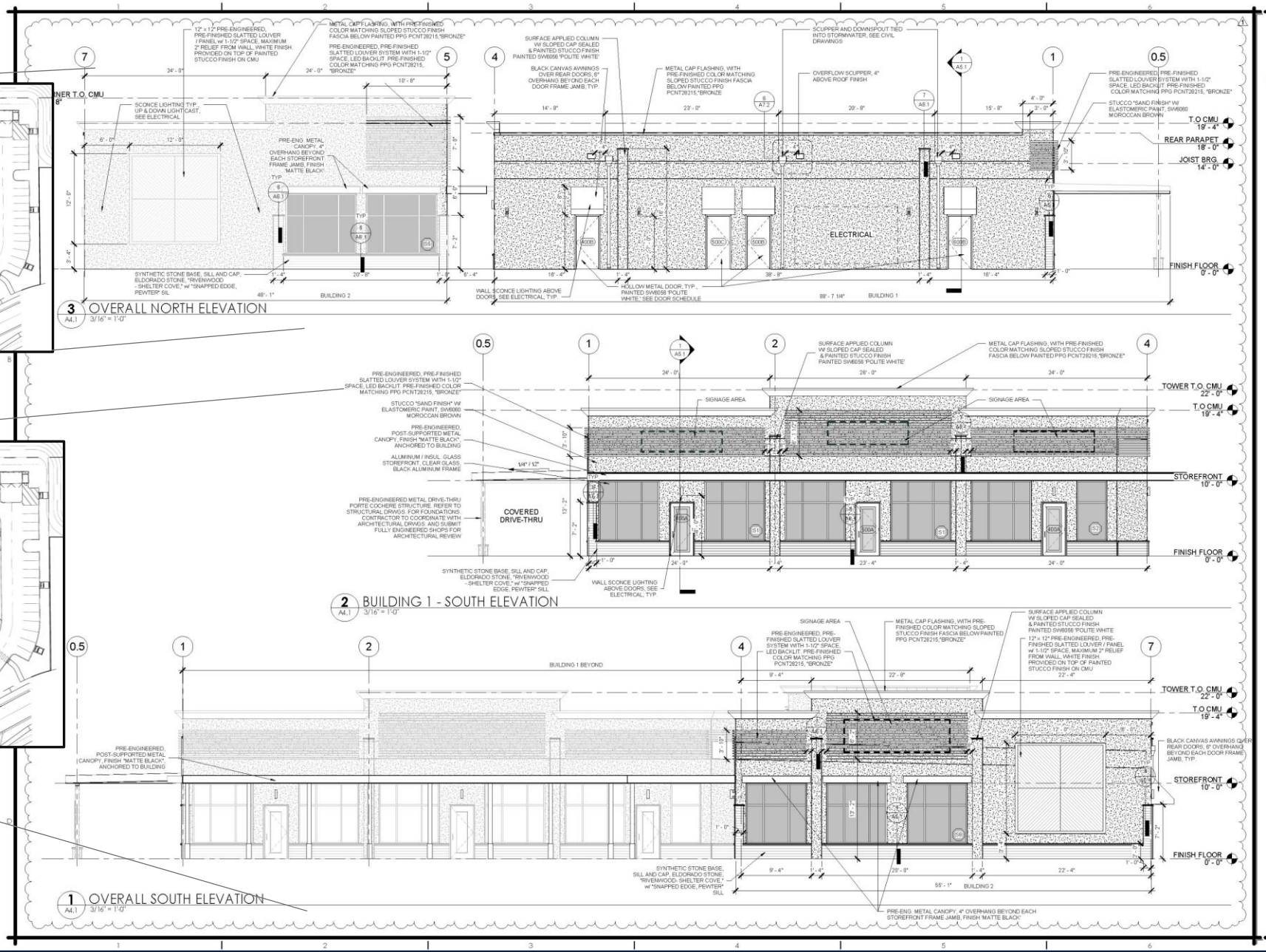



# 2025-SP-06 – Huddle 44 Commercial Tract – Drive-thru Circulation


MATCHLINE - SEE SHEET LP103
(19) TRA ASI
(23) TRA ASI
(22) TRA ASI
(20) ILL PAR
(3) SAB PAL
(18) CAL VIM
(27) CAL VIM
(4) SAB PAL
(22) TRA ASI
(57) TRA ASI
(38) VIB DEN
(16) TRA ASI
(5) QUE VIR
LOADING ZONE
(5) CAL VIM
(21) LIR MUS
(4) QUE VIR
(19) TRA ASI
(8) CAL VIM
(5) CAL VIM
(6) CAL VIM
(21) LIR MUS
(21) LIR MUS
(26) TRA ASI
(6) CAL VIM
(9) CAL VIM
(26) TRA ASI
(4) QUE VIR
(18) MUH CAP
(4) SAB PAL
(50) TRA ASI
(63) TRA ASI
(7) VIB DEN
(77) POD MAC
(10) CAL VIM
EASEMENT LINE, TYP.
(4) MAG GRA
(7) ILE ATT
(3) LAG IND
(1) QUE VIR
SR 44B
LIMITS OF CLEAR SIGHT (FDM 212.11.1)








POWELL STUDIO ARCHITECTURE

ARCHITECTURE | INTERIOR DESIGN

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OWNER LOGO:

OWNER / PROJECT:

# HUDDLE PLACE

NEW SHELL RETAIL BUILDINGS

EUSTIS, FL

PROFESSIONAL SEAL:

| MARK | DATE | DESCRIPTION |
|---|---|---|
| 1 | 02/28/25 | COORDINATION |

ISSUE DATE: OCTOBER 25, 2024

ELEVATIONS

PROJECT NO. PSA 2020-31

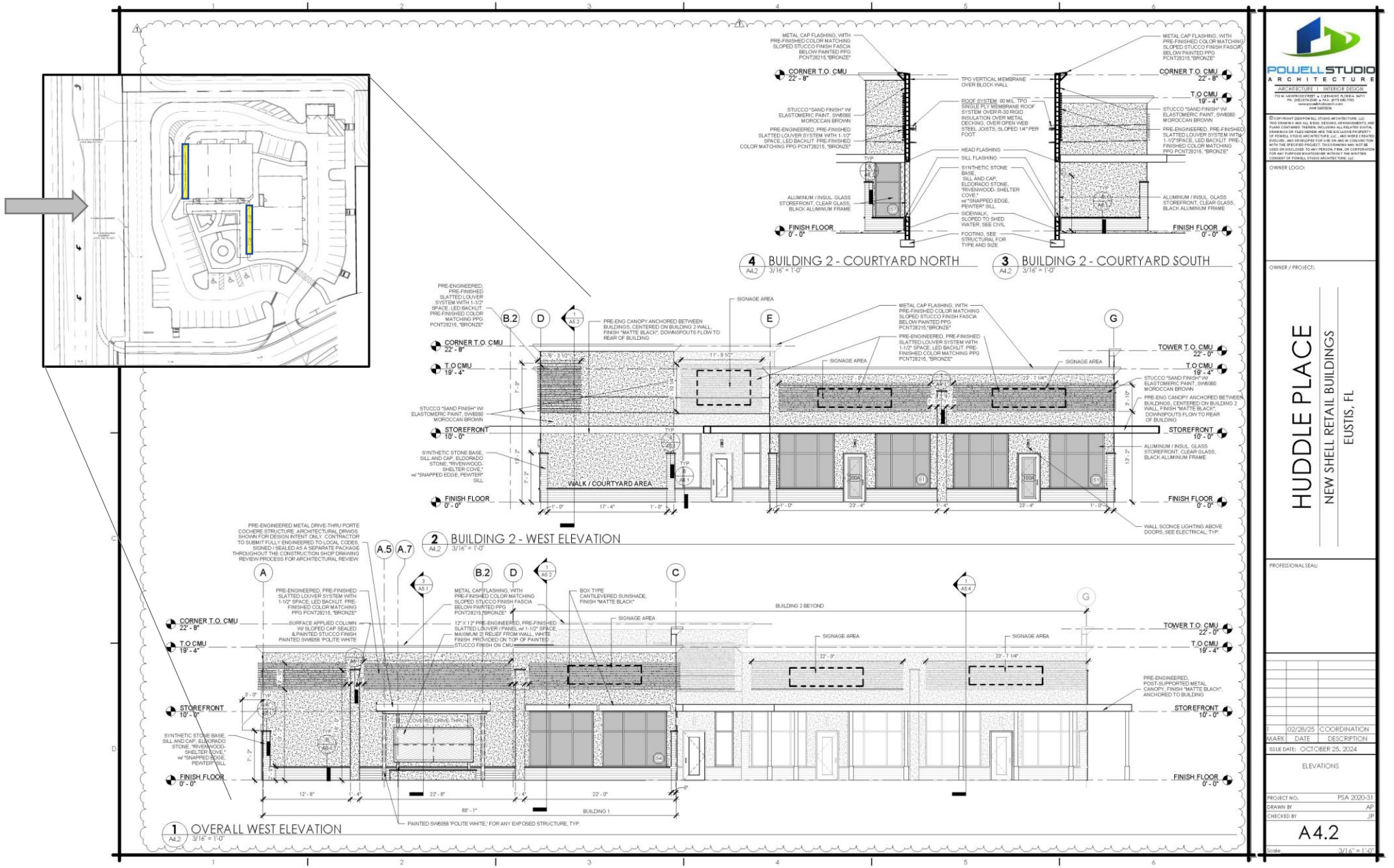
DRAWN BY AP

CHECKED BY JP

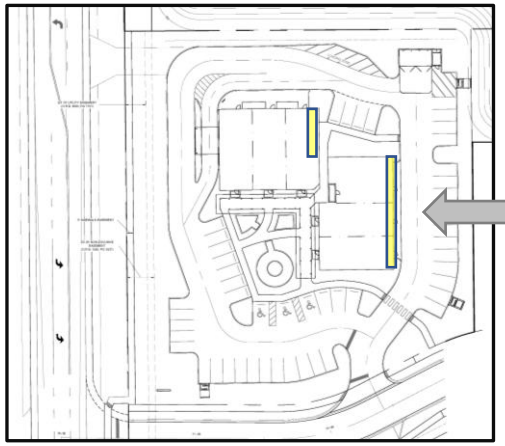
A4.1

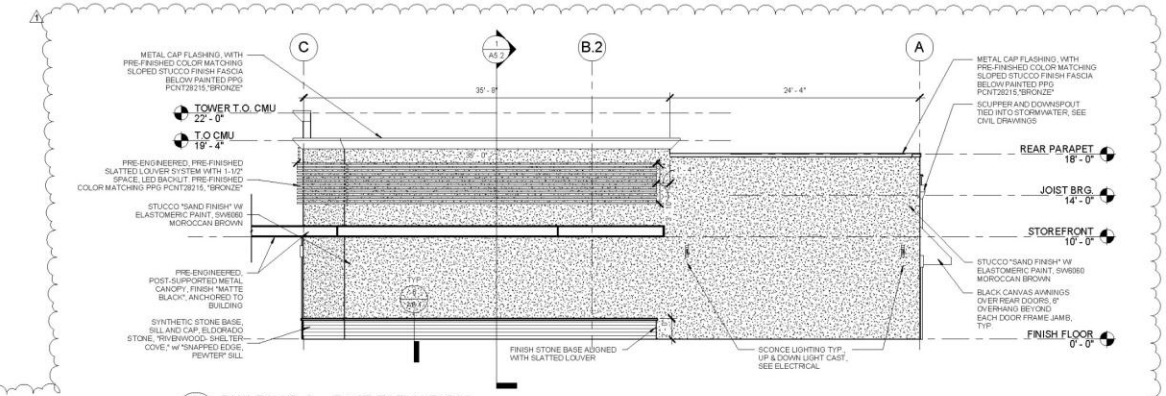
Scale 3/16" = 1'-0"

# 2025-SP-06 – Huddle 44Commercial Tract – Elevations – From North & South

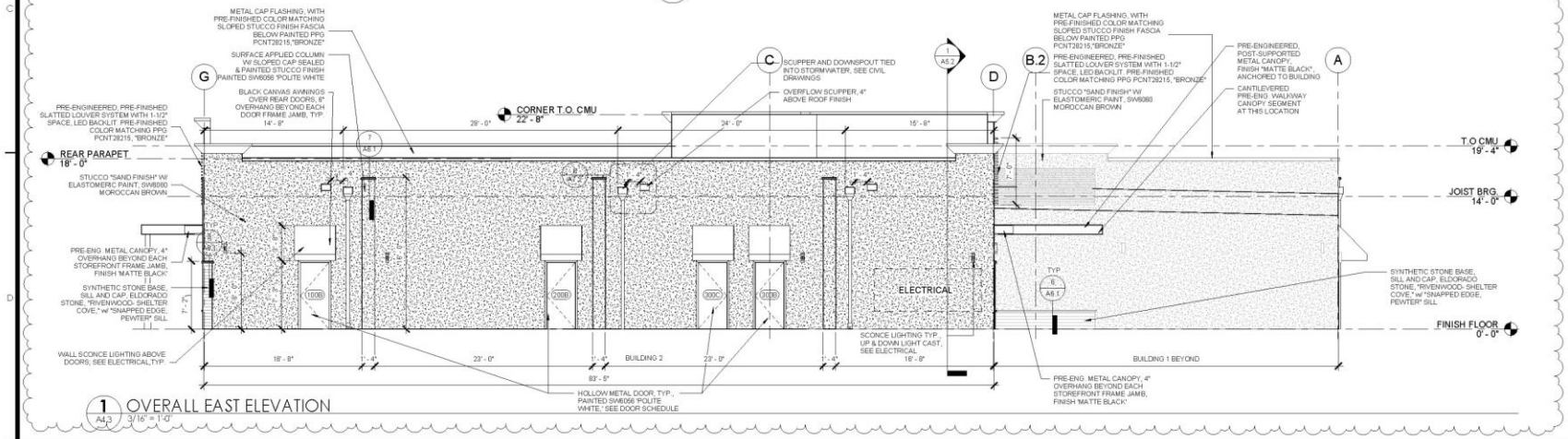



# 2025-SP-06 – Huddle 44 Commercial Tract – Elevations – From West






2 A4.3 BUILDING 1 - EAST ELEVATION
3/16" = 1'-0"




1 A4.3 OVERALL EAST ELEVATION
3/16" = 1'-0"

POWELL STUDIO ARCHITECTURE
ARCHITECTURE | INTERIOR DESIGN
713 W. MONTROSE STREET ● CLERMONT, FLORIDA 34711
PH: (352) 874-2040 ● FAX: (877) 685-7193
AAR 2400234

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OWNER LOGO:

OWNER / PROJECT:

HUDDLE PLACE
NEW SHELL RETAIL BUILDINGS
EUSTIS, FL

PROFESSIONAL SEAL:

| MARK | DATE | DESCRIPTION |
|---|---|---|
| 1 | 02/28/25 | COORDINATION |

ISSUE DATE: OCTOBER 25, 2024

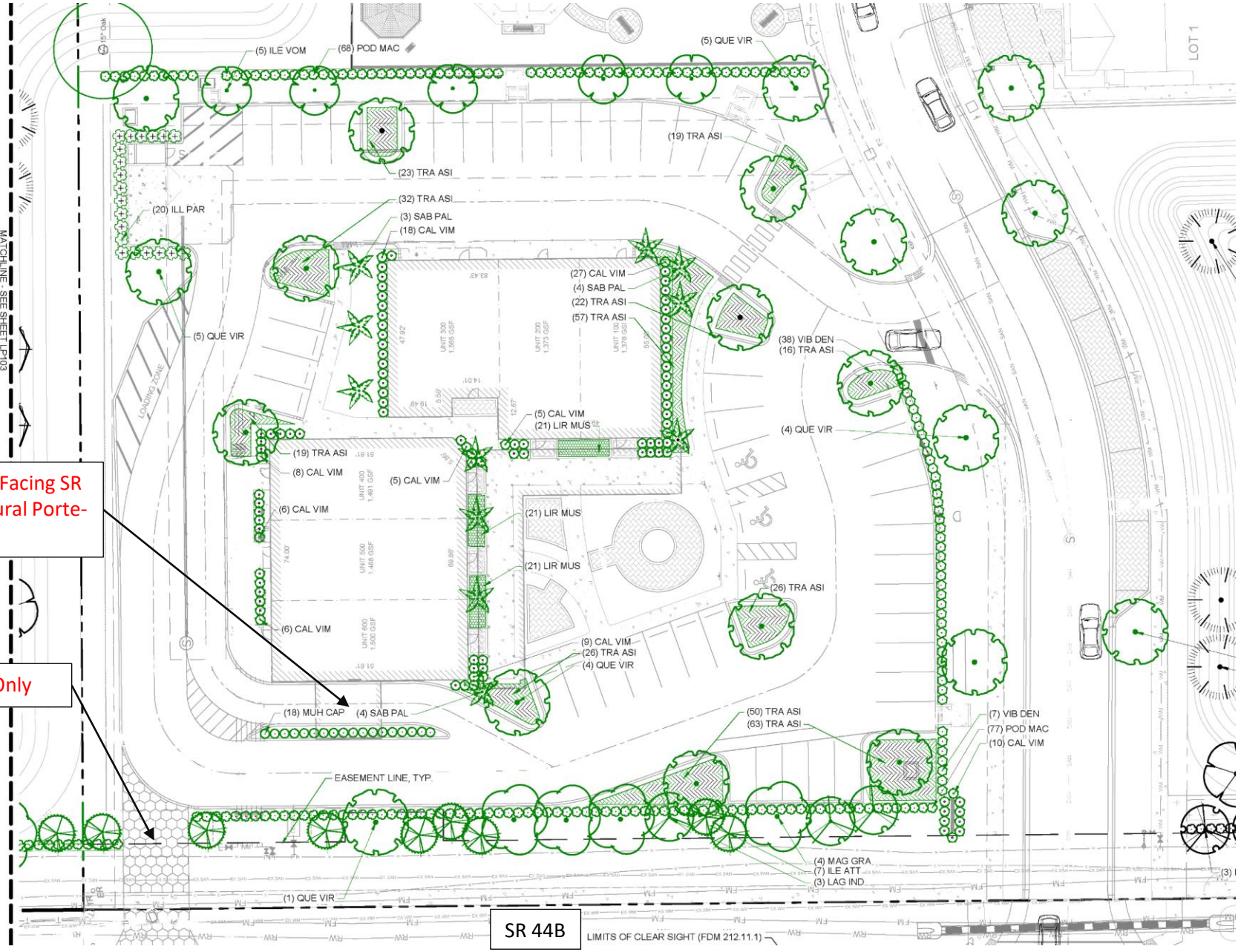
ELEVATIONS

PROJECT NO. PSA 2020-31
DRAWN BY AF
CHECKED BY JP

A4.3

Scale 3/16" = 1'-0"

# 2025-SP-06 – Huddle 44 Commercial Tract – Elevations – From East




Location Of Drive-thru Window Facing SR 44B – Window Under Architectural Porte-cochere.

Emergency Vehicle Ingress/Egress Only

# 2025-SP-06 – Huddle 44 Commercial Tract –Site Plan - Colorized Landscape Plan

# Business Impact Estimate Eligibility Form

**Section 166.041(4), Florida Statutes**

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Eustis' website by the time notice of the proposed ordinance is published.*

*This form simply assists in determining whether a Business Impact Estimate must be completed under Florida law for the proposed ordinance. Should a Business Impact Estimate be required or should the City opt to provide one as a courtesy based on the selection below then a separate form with the statutory components of Section 166.041(4)(a) shall also accompany the proposed ordinance.*

| | |
|---|---|
| Ordinance Number | Resolution Number 25-55 |
| Ordinance Subject | Approval of Site Plan with Waivers (2025-SP-06) |
| Legal Advertising Date | August 25, 2025 |
| First Reading On | 9/4/2025 |
| Second Reading On | 9/4/2025 |

## Ordinance Title

**RESOLUTION NUMBER 25-55A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING A PRELIMINARY SITE PLAN APPROVAL WITH WAIVERS FOR A 8,793 SQUARE FOOT COMMERCIAL BUILDING WITH RESTAURANT WITH DRIVE THROUGH ON APPROXIMATELY 1.55 ACRES LOCATED ON THE EAST SIDE OF SR 44, JUST OVER 700 FEET SOUTH OF EUSTIS AIRPORT RD PART OF PROPERY IDENTIFIED BY ALTERNATE KEY NUMBERS 2612533, 2612517 AND 2612525.**

**Based on the City's review of the proposed ordinance (*must select one of the following*):**

☒ The City has determined the statutory exemption identified below applies to the proposed ordinance; a Business Impact Estimate is NOT required and therefore not provided.

☐ The City has determined the statutory exemption identified below applies to the proposed ordinance; however, the City has prepared the Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance.

☐ The City has prepared a Business Impact Estimate in accordance with section 166.041(4), Florida Statutes.

## Exemptions

The City has determined that a Business Impact Estimate is NOT required as the following exemption applies to the proposed ordinance:

**Section 166.041 (4)(c) exemption**: It is enacted to implement development orders and development permits, as those terms are defined in s. 163.3164, and development agreements, as

authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243.

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 4, 2025

RE: RESOLUTION NUMBER 25-59: TENTATIVE MILLAGE RATE FOR THE FISCAL YEAR 2025/26

**Introduction**
Resolution Number 25-59 establishes the TENTATIVE millage rate for FY 2025/26 as **7.5810** mills.

**Recommended Action**
Staff recommends approval of Resolution Number 25-59.

**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 proposed rate of 7.5810 mills at the meeting of the Budget Workshop held on July 17, 2025. On July 17, 2025, the City Commission also approved Resolution 25-54 setting the Proposed Millage at 7.5810. The Property Appraiser used that information to prepare TRIM notices distributed on August 21, 2025.

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

Since last year, the gross taxable value increased by $158,113,816, from $1,678,967,009 to $1,837,080,825. This year's total tax value revenue of $13,926,910 represents an increase of 7.21%.

Based on that valuation, the Commission may consider any of the following options in setting a millage rate for the FY 2025/26 Fiscal Year:

1. The Current Millage Rate of 7.5810 mills. This rate would generate revenues sufficient to cover annual increases in normal 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 would be advertised as a tax increase. This proposed millage rate is greater than the Rolled-Back Rate and represents an increase of 7.21%.

2. The Rolled-Back Rate is 7.0709 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 be advertised as a tax increase.

3. The adjusted Rolled-Back Rate is the base Rolled-Back Rate adjusted for Florida per capita personal income. A millage rate between 7.0709 (base Rolled-Back Rate) and 7.3898 (adjusted Rolled-Back Rate) requires a majority vote (three votes).

4. A millage rate between 7.3899 and 7.5810 requires a two-thirds vote (four votes)

For any millage over 7.5810, a revised TRIM notice must be mailed to taxpayers at the City's expense.

Staff recommend setting the FY 2025/26 millage rate at the current rate of 7.5810 mills to support the revenue assumptions of the proposed budget. State Law allows for a rate reduction during either or both public hearings in September. An increase to the proposed rate at the first hearing, per Florida Statutes 200.065, requires first-class mail notice to all taxpayers of the City since TRIM notices have already been mailed by the Lake County Property Appraiser. This would endanger the City's ability 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 Rolled-Back Rate of 7.0709 mills would equate to an annual tax of $1,060 or about $2.93 per day per Eustis taxpayer. The difference of $77 per household equates to a daily savings of $0.21 and could possibly result in a reduction of services.

While the City of Eustis has the highest 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 for this writing, the information for Leesburg, Mount Dora and Tavares is as follows:

**Functional Millage Rate**
**Fiscal Year September 30, 2025-26**
**Millage Rate Comparison Northern Area Cities with One Billion in Property Values**
**Include Millage Rate for Transfer and Fire Assessment**

| Taxing Authority | 2025 Taxable Value as Reported October 1 | Taxable Value Per 1,000 | Rank High to Low Taxable Value | Millage Rate | Rank Low to High Millage | Transfer to General Fund | Millage Rate to Accommodate Transfer to Gen Fund | Fire Assessment Fees | Millage Value of Fire Assessment | Total Functional Millage | Rank Low to High Functional Millage |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Leesburg | 3,878,686,576 | 3,878,687 | 1 | 3.4752 | 1 | 10,559,237 | 2.7224 | 4,085,069 | 1.0532 | 7.2508 | 1 |
| Eustis | 1,837,080,825 | 1,837,081 | 4 | 7.5810 | 4 | 2,600,000 | 1.4153 | - | - | 8.9963 | 2 |
| Mount Dora | 2,168,798,290 | 2,168,798 | 2 | 6.3000 | 2 | 6,827,562 | 3.1481 | 6,133,652 | 2.8281 | 12.2762 | 4 |
| Tavares | 1,896,245,451 | 1,896,245 | 3 | 6.8317 | 3 | 3,563,288 | 1.8791 | 2,064,182 | 1.0886 | 9.7994 | 3 |

As presented, 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 City does not have a Fire Assessment Fee which increases the Functional Millage Rate significantly for the other cities presented.

The Proposed TENTATIVE Budget that will be presented immediately following the adoption of the Tentative 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 4, 2025, and the second is scheduled for September 18, 2025. The new fiscal year begins on October 1, 2025.

**Budget and Staff Impact**
Staff has prepared the FY 2025/26 budget using the current millage rate of 7.5810, resulting in an estimated increase in property taxes of $ $1,257,046 compared to the FY 2024/25 proposed tax estimates. If the millage rate is set lower than the 7.5810 proposed, it will require a reduction in proposed General Fund expenditures or use of reserves from Fund Balance. The use of Fund Balance to fund revenue shortages is not considered Best Practices.

**Prepared By:**
Lori Carr, Finance Director

**Reviewed By:**
Mari Leisen, Deputy Finance Director

# RESOLUTION NUMBER 25-59

**A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, ADOPTING THE TENTATIVE MILLAGE LEVY OF AD VALOREM TAXES FOR THE CITY OF EUSTIS, LAKE COUNTY, FOR THE FISCAL YEAR 2025/26, PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** on September 4, 2025, the City of Eustis, Lake County, Florida, held a public hearing on the FY 2025/26 TENTATIVE Millage Rate, as required by Florida Statute 200.065; and

**WHEREAS,** the City of Eustis of Lake County, Florida, adopted the FY 2025/26 TENTATIVE 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 $1,837,080,825.

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

**SECTION 1**

That the FY 2025/26 tentative operating millage rate is 7.5810 mills, which is greater than the rolled-back rate of 7.0709 mills and increases taxes by 7.21%.

**SECTION 2**

That this Resolution shall take effect immediately upon its adoption.

**DONE AND RESOLVED** this 4th day of September 2025, 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**

_____
Willie Hawkins
Mayor/Commissioner

**ATTEST:**

_____

Christine Halloran, City Clerk

## CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA**
**COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 4th day of September 2025 by Willie Hawkins, 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 25-59 is hereby approved. 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 4, 2025

RE: RESOLUTION NUMBER 25-60: ADOPTING A TENTATIVE BUDGET FOR THE FISCAL YEAR 2025/26

**Introduction**
Resolution Number 25-60 adopts the TENTATIVE Budget for FY 2025/26 after the required public hearing.

**Recommended Action**
Staff recommends approval of Resolution Number 25-60.

**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 TRIM notice that was sent to all property owners in August notified all Eustis property owners of the proposed millage rate and the date of the first public hearing on the millage. The City will advertise the adoption of the final budget and the notice of tax increase before the second public hearing per State law. The second and final hearing will be held on September 18, 2025.

The proposed tentative budget has been prepared based on Commission directives authorized at the Budget Workshops. Those directives include basing the budget on a millage rate of 7.5810. The budget has been prepared in compliance with the requirements of the City Charter and appropriate State Statutes. It is consistent with the provisions of the City's Financial Policies adopted in 2015.

The General Fund Budget, as proposed, contains more expenditures than revenue for FY 2025/26. This is due to several one-time capital projects budgeted in FY 2025/26. The proposed tentative budget also includes funding for employee compensation increases, insurance increases, and the Capital Improvement Plan funding. The City will advertise the budget on the City website as State Law requires, and a copy will be provided to the Commission prior to the meeting.

**Community Input**
There will be sufficient time for input at the public hearings held before the tentative and final budgets are adopted. Sufficient time was allotted for public input at all the preceding budget and millage-related Commission workshops.

**Budget and Staff Impact**
As presented, there are budgeted revenues and expenditures City-wide of $67,920,259 and $68,436,363, respectively, estimated reserves of $49,796,034, and fund balances totaling $117,126,136 at the end of September 30, 2026.

**Prepared By:**
Lori Carr, Finance Director

**Reviewed By:**
Mari Leisen, Deputy Finance Director

# RESOLUTION NUMBER 25-60

**A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR THE FISCAL YEAR 2025/26, PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, on September 4, 2025, 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 2025/26 for $117,126,136.

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

**SECTION 1**

That the FY 2025/26 TENTATIVE Budget is hereby adopted in the total revenue and expenditures in the amount of $67,920,259 and $68,436,363, respectively, with an estimated ending reserve balance of $49,796,034 and a fund balance totaling $117,126,136 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 4th day of September 2025, 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**

**ATTEST:**

_____
Christine Halloran, City Clerk

_____
Willie Hawkins,
Mayor/Commissioner

## CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA**
**COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 4th day of September 2025 by Willie Hawkins, 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 25-60 is hereby approved. I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____
Christine Halloran, City Clerk

**EXHIBIT A**

# All Funds Budget Summary
## Fiscal Year 2025-26

| Fund No. | Fund Name | Estimated Beginning Fund Balance | Plus: Revenues | Less: Expenditures | Less: Reserves | Estimated Available Fund Balance | Estimated Ending Fund Balance |
|---|---|---|---|---|---|---|---|
| 001 | General | 19,172,047 | 28,495,214 | 29,500,107 | 6,796,783 | 11,370,371 | 18,167,154 |
| 006 | Library Contribution | 30,458 | 2,100 | 5,200 | | 27,358 | 27,358 |
| 010 | Sales Tax Revenue | 4,159 | 6,412,719 | 5,355,500 | | 1,061,378 | 1,061,378 |
| 011 | Law Enforcement Education | 82,186 | 62,700 | 70,000 | | 74,886 | 74,886 |
| 012 | Police Forfeiture | (507) | 60,000 | - | | 59,493 | 59,493 |
| 013 | Street Improvement | 1,164,669 | 2,228,000 | 3,320,188 | 666,488 | (594,007) | 72,481 |
| 014 | Community Redevelopment Agency | 2,768,476 | 1,788,376 | 1,443,714 | 1,422,544 | 1,690,594 | 3,113,138 |
| 018 | General Government Grants | - | 39,500 | 39,500 | | - | - |
| 020 | Building Services | 2,843,200 | 1,266,200 | 2,591,590 | 538,460 | 979,350 | 1,517,810 |
| 040 | Water & Sewer Revenue | 23,289,644 | 15,573,000 | 16,122,944 | 3,961,077 | 18,778,623 | 22,739,700 |
| 041 | Reclaimed Water Projects | 172,860 | 5,900 | | | 178,760 | 178,760 |
| 042 | Water & Sewer R&R | 15,646,525 | 2,550,000 | 3,292,606 | | 14,903,919 | 14,903,919 |
| 049 | Stormwater Utility Revenue | 514,746 | 934,000 | 1,519,748 | 333,427 | (404,429) | (71,002) |
| 059 | Fire Prevention Capacity Exp. Trust | 239,583 | 44,400 | - | - | 283,983 | 283,983 |
| 060 | Greenwood Cemetery Trust | 239,744 | 21,850 | 11,000 | - | 250,594 | 250,594 |
| 061 | Police Pension | 25,255,145 | 3,725,000 | 1,901,100 | 27,079,045 | - | 27,079,045 |
| 062 | Fire Pension | 14,707,032 | 3,170,000 | 1,251,100 | 16,625,932 | - | 16,625,932 |
| 063 | Parks & Rec, Capacity Exp. Trust | 304,672 | 108,000 | - | - | 412,672 | 412,672 |
| 064 | Law Enforcement Capacity Exp. Trust | 494,395 | 53,000 | - | - | 547,395 | 547,395 |
| 065 | Water Impact Trust | 5,725,156 | 215,000 | 520,000 | 5,420,156 | - | 5,420,156 |
| 066 | Sewer Impact Trust | 5,033,497 | 915,800 | 1,033,786 | 4,915,511 | - | 4,915,511 |
| 068 | Economic Development Trust | (190,541) | 199,500 | 438,280 | (429,321) | - | (429,321) |
| 069 | Library Capacity Exp. Trust | 145,094 | 50,000 | 20,000 | - | 175,094 | 175,094 |
| | | | | | | | - |
| | **TOTAL** | **117,642,240** | **67,920,259** | **68,436,363** | **67,330,102** | **49,796,034** | **117,126,136** |

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: FEBRUARY 2, 2023

RE: RESOLUTION NUMBER 25-69: REDUCTION OF FINE/RELEASE OF LIEN 926 NORTH BAY STREET, CODE ENFORCEMENT CASE 21-00845

**Introduction:**
Resolution Number 25-69 approves a Code Enforcement Order reducing outstanding code enforcement fines from their current amount of $55,250 to $20,000 and releases the lien against 926 North Bay Street upon payment. The Resolution also provides the City Commission an opportunity to consider a compromise regarding the fine reduction. The additional options proposed are as follows:

- No payment shall be due, and the City shall promptly release the lien; or
- Full payment ($55,250) remains due and payable to the City; or
- The lien shall be reduced to $ _____, if said payment is received by the City within _____ days from the effective date of this Resolution. Failure to comply results in this compromise being null and void, and the original lien amount being immediately reinstated in full.

**Recommended Action:**
The administration recommends approval of Resolution Number 25-69.

**Code Board Action:**
On August 11, 2025, the Code Enforcement Board reviewed an application for a fine reduction submitted by Shree Sadashiv, Inc., owner of 926 North Bay Street. The Board approved the applicants' request to reduce the accrued fines to $20,000 payable within 30 days, or the original full fine imposed shall become due.

**Case History:**
On October 4, 2021, the Code Department received a complaint about a driveway that was being constructed at the rear of the Budget Inn Motel property without a permit. An Inspector responded and advised both the property owner and the concrete contractor of permit requirements. As the concrete pour was nearly complete at the time of inspection, a stop work order was not issued.

On October 18, 2021, a permit application was submitted to the Building Department. It was not processed because the Contractor did not provide a site survey as required.

On December 1, 2021, the Code Department issued a Notice of Violation and Order to Correct to Shree Sadashiv, Inc. requiring that a permit be obtained by January 5, 2022.

On December 10, 2021, a new application was submitted to the Building Department.

On January 5, 2022, a survey was submitted; however, the application was denied by the Planning Department due to the lack of a clear site plan showing the dimensions, square footage, and location of the new driveway.

On January 31, 2022, a Notice of Violation/Hearing was issued because a permit had not been obtained, as required. The Notice required the permit be obtained by March 7, 2022, or the Case would go before the Code Enforcement Board on March 14, 2022.

On March 14, 2022, the Eustis Code Enforcement Board issued an Order of Enforcement requiring the permit be obtained by April 13, 2022, or a fine of $50 per day of non-compliance would be imposed. No Representative from the property was present at the Hearing.

On April 11, 2022, Smitaban Patel visited the Code Department to discuss the Order of Enforcement issued to the Motel. She was referred to the Planning Department, which requires a site plan as part of its permit review and approval process.

On April 19, 2022, a Notice of Hearing for certification of noncompliance and assessment of fine, scheduled for May 9, 2022, was mailed to Shree Sadashiv Inc.; no representative of the Motel attended the Hearing.

On May 11, 2022, the Order Imposing Fine was mailed to Shree Sadashiv Inc. with a cover letter stating if compliance was not obtained by June 8, 2022, the Order would be recorded in public records constituting a lien against the property.

On June 1, 2022, Smitaban Patel returned to the Code Department and spoke with the Deputy Director of Development Services, who advised that a current site survey is required to ensure the property has not exceeded its maximum impervious ratio. For the next couple of months, numerous communications were held with Ms. Patel regarding the status of the survey

On September 9, 2022, the Order Imposing Fine was recorded in public record in public record as a lien against the property.

On September 7, 2023, the Code Department mailed a letter to Shree Sadashiv Inc. notifying them of the unresolved violation and advising that daily fines had accrued to $25,500.

On October 12, 2023, a third permit application was submitted to the Building Department. Like the previous two submissions, it was denied due to the absence of a site survey.

On November 7, 2024, the Code Department mailed another letter advising that daily fines have accrued to $46,800 due to continued non-compliance.

On April 3, 2025, a fourth permit application was submitted to the Building Department and a permit was finally issued on April 24, 2025.

**Community Input**
No adjacent property owners attended the Code Enforcement Hearings, but this violation was the direct result of a citizen complaint.

**Budget / Staff Impact**
If the Resolution is approved, the City could receive $20,000, which exceeds the City's Administrative Costs.

**Reviewed By:**
Craig A. Capri, Chief of Police

**Prepared By:**
Eric Martin, Code Enforcement Supervisor

**Attachments**
- Resolution Number 25-69
- Fine Reduction Application

# RESOLUTION NUMBER 25-69

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, PROVIDING FOR COMMISSION DETERMINATION OF A CODE ENFORCEMENT LIEN ON PROPERTY LOCATED AT 926 NORTH BAY STREET; AUTHORIZING IMPLEMENTING ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** the City of Eustis, Florida established code enforcement fines against the following described property under Case Number 21-00845 against Shree Sadashiv Inc., property owner, for failing to comply with City Ordinances:

EUSTIS, SHOREACRES NO 3 FROM NE COR OF LOT 1 BLK B RUN S 70-55-0 W ALONG S'LY R/W LINE OF HERRICK DR A DIST OF 51 FT FOR POB, CONT S 70-55-0 W 74.99 FT, S 11-18-32 E 180 FT, N 89-35-10 E 25.65 FT, S 0-24-50 E 62.83 FT, S 89-51-50 E 193.69 FT TO W'LY R/W LINE OF SR 19 & PT A, RETURN TO POB, RUN S 19-37-15 E 75.39 FT, N 77-40-04 E 128.53 FT TO W'LY R/W LINE OF SR 19, S 08-37-0 E ALONG SAID W'LY R/W LINE 223.06 FT TO PT A, BEING PART OF LOTS 1, 2, 3, 4, 5 BLK B & PART OF NORTH BAY STREET LYING E OF BLK B & W OF BLK E & W OF SR 19 PB 6 PG 83 ORB 4815 PG 13, and

**WHEREAS,** the City of Eustis, Florida, a Florida municipal Corporation, recorded a Code Enforcement Lien against the subject property on September 7, 2022, in Official Record Book 6020, Page 68, in the office of the Clerk of the Circuit Court, Lake County, State of Florida; and

**WHEREAS,** the property was in violation of city code for 1,050 days before being brought into compliance; and

**WHEREAS,** the daily fines accrued to $55,250; and

**WHEREAS,** on July 7, 2025, the property owner submitted an application requesting that the fines be reduced to $20,000; and

**WHEREAS,** on August 11, 2025, the Code Enforcement Board approved the request and recommended that the City Commission reduce the fines to $20,000 payable within 30 days; and

**WHEREAS,** Section 162.09(3), Florida Statutes, provides that code compliance liens run in favor of the local governing body, and the local governing body may agree to satisfy or release code compliance liens; and

**WHEREAS,** the Attorney General has stated that after such liens have been recorded the local governing body, such as the City Commission, is vested with the authority to compromise, reduce, or satisfy said liens; and

**WHEREAS,** the City Commission in considering this matter may elect to compromise (including setting terms and conditions for said compromise), reduce, or satisfy said lien; and

**WHEREAS,** the Attorney General has concluded the local governing body, such as the City Commission, may delegate its authority to execute satisfactions or releases of code compliance liens so long as such delegation does not result in a complete divestiture of such liens to a private party; and

**WHEREAS,** the City Commission authorizes the City Manager to execute a release or satisfaction of lien, as may be appropriate and consistent with the City Commission's decision to compromise, reduce, or satisfy said lien.

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

**Section 1.** **Recitals.** The above recitals are hereby adopted as the findings of the City Commission.

**Section 2.** **Implementing Actions.** The City Manager, or his/her designee, is hereby authorized to take all administrative actions necessary to effectuate the provisions of this Resolution, including execution of satisfactions or releases of lien, acceptance of payment, and the granting of one payment extension not to exceed thirty (30) days from the effective date of this Resolution. Any such actions shall be consistent with and limited to the determination of the City Commission as set forth herein.

**Section 3.** **Lien at Issue.** The City Commission has considered the code enforcement lien for Case Number 23-00583 with a current outstanding amount of $55,250.00.

**Section 4.** **Quasi-Judicial Determination.** The City Commission, having considered the recommendation of the Code Enforcement Board, and any evidence and testimony presented at hearing, hereby makes the following determination regarding the code enforcement lien in the amount of $55,250.00 recorded against the subject property:

☐ The lien shall be reduced to $20,000.00, consistent with the Board's recommendation, payable within thirty (30) days of the effective date of this Resolution, unless otherwise extended by the City Manager in accordance with Section 2; or

☐ The lien shall be reduced to $_____, payable within ___ days of the effective date of this Resolution, unless otherwise extended by the City Manager in accordance with Section 2; or

☐ The lien shall remain in the full amount of $55,250.00, due and payable to the City; or

☐ No payment shall be due, and the lien shall be released.

**Section 5.** **Enforcement.** Failure to comply with the terms of the City Commission's determination shall result in the lien being immediately reinstated in its full original amount.

**Section 6.** **Effective Date.** This Resolution shall take effect immediately upon its adoption by the City Commission.

**DONE AND RESOLVED** this 4th day of September 2025, in regular session of the City Commission of the City of Eustis, Florida.

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

_____
Willie Hawkins
Mayor/Commissioner

**ATTEST:**

_____
Christine Halloran, City Clerk

## CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA**
**COUNTY OF LAKE**
The foregoing instrument was acknowledged before me this ___ day of _____, 2025, by Willie Hawkins, 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, 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 Resolution Number 25-69 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

Case No. 21-00845

RECEIVED
JUL 07 2025
BY: AKT

## APPLICATION TO REQUEST A REDUCTION OF ACCRUED CODE ENFORCEMENT FINE

**BY COMPLETING THIS FORM, YOU ARE MAKING STATEMENTS UNDER OATH. FAILURE TO BE TRUTHFUL IS A VIOLATION OF FLORIDA STATUTES PERTAINING TO PERJURY, WHICH IS A FELONY PUNISHABLE BY UP TO 15 YEARS IMPRISONMENT.**

INSTRUCTIONS: Please complete both pages of this form. Be specific when writing your statement. **Please submit the completed notarized application** to the Code Enforcement office located at 51 East Norton Avenue, Eustis, FL, by U.S. Mail at P.O. Drawer 68, Eustis, FL 32727, or email to codeenforcement@ci.eustis.fl.us **no later than 5:00 p.m., Monday, July 7, 2025.**

**APPLICATION BECOMES VOID IF NOT SUBMITTED BY DEADLINE, UNLESS AN EXCEPTION IS MADE BY THE CITY.**

If the completed form is received by the deadline, the request will be presented to the Code Enforcement Board (CEB) at the next regularly scheduled hearing on **July 14, 2025 at 3:00 p.m. in the City Commission Chambers located in City Hall at 10 North Grove Street.**

SUBMITTAL OF THIS APPLICATION IS NOT A GUARENTEE THAT THE CEB WILL APPROVE

**Your attendance is highly recommended. If you fail to attend, the Board may act solely on the presentation by the Code Enforcement Officer.**

If the CEB approves the reduction request, the CEB's recommendation will be submitted to the City Commission for approval at their next scheduled meeting before taking effect.

If you have any questions, please call the Code Enforcement Office at (352) 483-5464 or email codeenforcement@ci.eustis.fl.us.

Property Owner Name: Smitaben Patel Phone: 352-321-8871
Address: 926 N bay st E-mail: Patelsmita1125@gmail.com
City: Eustis State: Fl Zip: 32726

If the property owner is unable to complete this form, list name of person who is authorized to act for the Property Owner and their relationship. _____

_____

Address or location of property where violation existed: _____

Date violation brought into compliance: May 9, 2022

Date Code Enforcement Office called to request re-inspection: _____

Total Accrued Fine: $55,250 What reduction amount are you requesting: $ $20,000

On Page 2, explain reason (in detail) the reason for requesting a reduction of fine and reason original compliance date was not met.

**PLEASE NOTE: ENSURE YOUR POSITION IS CLEARLY STATED HEREIN, AS THE BOARD IS NOT OBLIGATED TO HEAR YOUR TESTIMONY AT THE HEARING.**

I, Smitaben Patel do hereby submit this Application for Reduction of Code Enforcement Fine, and in support offer the following statement:

Respected sir/Madam im requesting for Reduction of code Enforcement fine because as of now im not able to pay $. 55.250 fine i have to pay the two years property tax, Accountant bill for last three years and ive just replace the roof of the property and for that my family members help to repair roof because of business slow i don't have that much amount to pay. So Please i request you to reduce the fine amount and i promise this not happened again and to resolve this matter & try to get fund from my family. so Please Reduced the price of fine and release the Property from lien.

(Additional pages may be added if needed)

Date: 07/03/2025

Signed: S. S Patel S.S Patel.

State of Florida

Print Name: Smitaben Patel

County of Lake

*Personally appeared before me, the undersigned authority duly authorized to administer oaths and take acknowledgments,* Smitaben Snehal Patel *who first being sworn, acknowledged before me that the information contained herein is true and correct. He/she is not personally known to me and have each produced a* FLDL *driver's license as identification and did take an oath.*

Date: 7/7/25

Jennifer Ryan

Notary Public

My Commission Expires:

Drivers License No. P340-797-77-805-0

JENNIFER RYAN
Notary Public - State of Florida
Commission # HH 576877
My Comm. Expires Aug 9, 2028

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 4, 2025

RE: RESOLUTION NUMBER 25-70: REDUCTION OF FINE/RELEASE OF LIEN, 67 GLOVER STREET
CODE ENFORCEMENT CASE 20-00176 AND 24-00063

**Introduction:**
Resolution Number 25-70 approves a Code Enforcement Order reducing two outstanding code enforcement liens totaling $61,750 to $26,000 and releases the liens against 67 Glover Street, upon payment.

The Resolution also provides the City Commission an opportunity to consider a compromise regarding the fine reduction. The additional options proposed are as follows:

- No payment shall be due, and the City shall promptly release the lien; or
- Full payment ($61,750) remains due and payable to the City; or
- The lien shall be reduced to $ _____, if said payment is received by the City within _____ days from the effective date of this Resolution. Failure to comply results in this compromise being null and void, and the original lien amount being immediately reinstated in full.

**Recommended Action:**
The administration recommends approval of Resolution Number 25-70.

**Background:**

**1. <u>Code Board Action:</u>**

On June 9, 2025, the Code Enforcement Board reviewed two fine reduction requests submitted by Harold J. Kelly, the owner of 67 Glover Street. The requests were as follows:

Case 20-00176: Request to reduce a $29,000 fine to $10,000.
Case 24-00063: Request to reduce a $32,750 fine to $16,000.

The Board approved two motions to reduce the accumulative fines to $26,000 with the following conditions:

- Approval from the City Commission; and
- Payment be made within 30 days of City Commission approval

After the Hearing, Mr. Kelly began making phone calls to city personnel regarding his fines including a call to the Code Department requesting the phone number of the Board Chairperson. He was advised that it would be inappropriate to speak with the Chairperson outside of an official Board setting; therefore, he was informed that the matter would be placed on the July agenda under Other Business for the Board to consider whether they wanted to reconsider their previous fine reductions. If the Board chose to do so, the Cases would then be scheduled for reconsideration at the August hearing.

Unfortunately, the July Hearing was cancelled due to a power outage in City Hall. To avoid further delays, the Department placed the matter on the August agenda for reconsideration. At the August hearing, a Board member expressed concern regarding Mr. Kelly's actions following the June hearing, and after hearing testimony from Mr. Kelly, the Board voted to deny his request for reconsideration.

**2. Property History:**

On February 20, 2020, an inspection of the single-family residential structure was conducted, which resulted in it being posted as unsafe and unfit for human occupancy. At the time, the property was owned by Peter and Lucinda McGinn who lived next door at 69 Glover Street. Contact was made with Mrs. McGinn, who advised that they were in the process of giving the property to Harold Kelly and that the transfer should be completed within 30 days.

On February 25, 2020, Harold Kelly met with Eric Martin, Code Enforcement Supervisor, to discuss the requirements for obtaining permits to repair and rehabilitate the unsafe structure. He was advised to have the building evaluated by a structural engineer before proceeding and, once the evaluation was completed, to schedule a meeting with the Building Official for further guidance.

Since Harold J. Kelly obtained title to the property in 2020, it has been subject to ten code violations. During that time, the Code Enforcement Department conducted 65 inspections, entered 176 case logs, issued 30 notices, received 4 citizen complaints, and held 14 Code Enforcement Board Hearings, collectively consuming approximately 110 staff hours and resulting in over $4,400 in administrative costs.

**Violation History**

Case 20-00176: Total Fine $29,000
Violation: The single-family residential dwelling has not been maintained in accordance with the International Property Maintenance Code and is unsafe and unfit for human occupancy.

Corrective Action Required: Obtain a permit to repair and rehabilitate, or demolish it from the City of Eustis Building Department, 111 E. Orange Avenue, Eustis, (352)483-5462

| | |
|---|---|
| 02-20-20: | Case opened. |
| 09-29-20: | Notice of Violation/Hearing issued with 11-2-20 deadline |
| 11-02-20: | No permit obtained. |
| 11-09-20: | Order of Enforcement issued by Code Enforcement Board (CEB) with 1-7-21 deadline, or fine of $250 per day of noncompliance would be imposed. Harold Kelly did not attend Hearing. |
| 01-25-21: | No permit obtained |

| | |
|---|---|
| 01-08-21: | Harold Kelly called to report that he obtained a Contractor to repair and rehabilitate the unsafe structure |
| 01-20-21: | Harold Kelly called to report he has construction plans and will be submitting them to the Building Department |
| 01-25-21: | Harold Kelly submitted demolition permit to the Building Department |
| 02-04-21: | Demo permit approved and ready to be issued. |
| 03-31-21: | Harold Kelly requested Building Department to void his pending demo permit because he is now planning to repair and rehabilitate the unsafe structure. |
| 04-30-21: | Notice of Non-Compliance/Hearing issued for 5-10-21 |
| 05-04-21: | Harold Kelly called to report that he had the Building Department reinstate his demolition permit. Daily fines stop accruing upon issuance of demolition permit. |
| 05-10-21: | CEB certified previous imposed fine due to noncompliance. |
| 05-14-21: | Order Imposing Fine executed and mailed to Harold Kelly. Letter provided an additional 45 days to begin demolition before lien recorded. |
| 06-18-21: | Demolition has not begun. |
| 07-21-21: | Demolition has begun. |
| 08-03-21: | Lien recorded. |
| 10-14-21: | Final Notice mailed requiring demolition to be completed by 11-1-21 or lien foreclosure process would begin and City would seek a Demolition Order from the CEB. |
| 11-02-21: | Unsafe structure knocked completely down. |
| 11-08-21: | Debris removal still in progress. |
| 11-22-21: | Progress made on debris removal. |
| 12-15-21: | Debris removal stalled. |
| 12-20-21: | No change is status of debris removal. |
| 05-17-21 | Case 22-00417 opened. |

Case 21-00932: No Fine imposed
Violation: Inoperative vehicle without a current valid license tag stored on property within view of public property or another person's private property.

Corrective Action Required:
1) Repair and license the vehicle, or
2) Remove it from the property, or
3) Store it within a garage or behind an opaque fence, wall or similar enclosure so it is completely screened from view from public property or another person's private property.

| | |
|---|---|
| 11-08-21: | Case opened |
| 11-12-21: | Called Harold Kelly and requested he remove the vehicle from the property. |
| 12-01-21: | Correction Notice issued with a 12-22-21 deadline. |
| 12-22-21: | Property failed inspection. |
| 12-23-21: | Mr. Kelly called to report vehicle removed from property. |
| 12-27-21: | Passed inspection. Case closed. |

Case 22-00417: No Fine Imposed
Violations:
1) Demolition of structure and removal of accessory structures and debris has not been completed.
2) Demolition permit 21-00150 is expired.

Corrective Actions Required:
1) Renew the expired permit, or obtain a new permit; and
2) Complete the demolition, including filling of any open excavations, leveling to grade (flat and even surface), debris removal and removal of any accessory structures, foundations, driveways or walkways, aprons, and any other improvements.

| | |
|---|---|
| 05-17-22: | Correction Notice issued with 6-20-22 deadline. |
| 06-08-22: | Demo permit renewed. |
| 07-12-22: | Demolition is not complete. Documented two additional accessory structures at the rear of the property that I have not noticed in the past that also need to be removed. The case reopened on 7-28-22. |
| 08-15-22: | Notice of Violation/Hearing issued with 9-5-22 deadline. |
| 09-06-22: | Property failed inspection. |
| 09-12-22: | Order of Enforcement issued by Code Enforcement Board (CEB) with 10-12-22 deadline, or fine of $75 per day of noncompliance would be imposed. Harold Kelly did not attend Hearing. |
| 10-17-22: | Demolition and debris removal of primary structure complete. |
| 11-14-22: | Wood accessory structure demolished. Debris still needs to be removed. Per Development Services, block accessory structure can remain for 6 months pending redevelopment. |

Case 23-00310: No Fine Imposed
Violation: Accessory structure remains on property six months after the demolition of the property's primary structure was complete.

Corrective Action Required: Remove the accessory structure from the property, as well as the sink, or other material that is leaning against the fence.

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| 06-05-23: | Correction Notice issued with 7-5-23 deadline |
| 06-14-25: | Spoke to Harold Kelly again about code requiring removal of all accessory structures and improvement after demolition of primary structure. |
| 07-05-23: | Equipment and crew onsite. |
| 07-07-23: | Demo still in progress. |
| 07-10-23: | Property failed inspection. Harold Kelly reported equipment failure. |
| 07-24-23: | Property failed inspection. |
| 08-23-23: | Property pass inspection. Case closed. |

Case 24-00063: Total Fine $32,750
Violation: Undeveloped property located in a Residential (R) Land Use District is being used for outdoor storage.

Corrective Actions Required:
1) Remove all items stored on the undeveloped property; or
2) Obtain a permit to develop the property.

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| 01-30-24: | Correction Notice issued with 2-29-24 deadline. |
| 03-12-24: | Notice of Violation/Hearing issued with 4-1-24 deadline. |
| 04-01-24: | Property failed inspection. |
| 04-08-24: | Order of Enforcement issued by Code Enforcement Board (CEB) with 5-8-24 deadline, or a fine of $250 per day of noncompliance would be imposed. Harold Kelly present at Hearing. |
| 05-09-24: | Property failed inspection. |
| 05-09-24: | Notice of Non-Compliance/Hearing issued for 6-10-24. |
| 06-03-24: | Building permit application submitted. Application incomplete |
| 06-10-24: | CEB certified previous imposed fine due to noncompliance. They agreed to waive the fines accrued in the amount of $8,000 if compliance achieved by 8-9-24. Harold Kelly present at Hearing. |
| 06-11-24: | Complete permit application submitted. |
| 06-13-24: | Building permit application failed plan review by Building Official and Planning Dept.. |
| 07-18-24: | Harold Kelly called with questions about his permit application. Referred him to his Contractor and Development Services. |
| 08-14-24: | Property failed inspection. |
| 08-19-24: | Order Imposing Fine executed and mailed to property owner advising that the lien will be recorded in public record if compliance is not achieved by September 18, 2024, and the fine paid, or a request for fine reduction is not submitted. |
| 09-13-24: | City received citizen complaint about condition of lot. |
| 09-17-24: | Building permit issued to Walker Family Builders LLC for the construction of a single-family residence. Accruing daily fines stopped at 131 days, totaling $32,750. |
| 09-18-24: | Building Department placed permit “on hold” status after being notified by the City’s Utility Dept. that sewer is not available. Site plan needs to be revised to include septic system and septic permit required from DOH. |
| 09-27-24: | Contractor submitted request to Building Department to remove his name and company from the permit. |
| 09-30-24: | “Stop payment” placed on check submitted to pay permit fees. |
| 10-02-24: | Building Department revoked permit. |
| 10-30-24: | Order Imposing Fine recorded in public record as a lien again the property. |

Case 24-00386: No Fine imposed
Violation: Airtight appliances discarded or abandoned on premises with doors still attached.

Corrective Action Required: Remove all appliances from the property.

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| 05-09-24: | Case opened |

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| 05-09-24: | Notice of Life Safety Violation issued. |
| 05-13-24: | Order of Enforcement issued by Code Enforcement Board (CEB) with 5-16-24 deadline, or a fine of $250 per day of noncompliance would be imposed. Harold Kelly did not attend Hearing. |
| 05-17-24: | Property passed inspection. Case closed. |

Case 24-00387: No Fine imposed
Violation: Unauthorized accumulation of solid waste placed/stored on property.

Corrective Actions Required: Remove all solid waste from the property.

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| 05-09-24: | Notice of Violation/Hearing issued with 6-3-24 deadline. |
| 06-03-24: | Property failed inspection. |
| 06-10-24: | Order of Enforcement issued by Code Enforcement Board (CEB) with 8-9-24 deadline, or fine of $75 per day of noncompliance would be imposed. Harold Kelly present at Hearing. |
| 08-14-24: | Property passed inspection. All solid waste removed. All that remains is building material. |

Case 24-00886: No Fine imposed.
Repeat Violations:

1) Undeveloped property located in a Residential Land Use District is being used for outdoor storage.
2) Unauthorized accumulation of solid waste placed/stored on property.

Corrective Actions Required:
1) Remove all items stored on the undeveloped property and do not bring it back until a permit is obtained to develop it.
2) Remove all solid waste from the property.

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| 09-19-24 | Case opened. It was suspected at time of inspection that some of the material at 600 Ellsy Street was moved to this lot in an effort to obtain a passed inspection for Case 24-00388. |
| 10-02-24 | Notice of Repeat Violation/ Hearing issued. |
| 10-14-24 | Order of Enforcement issued by Code Enforcement Board (CEB) with 12-13-24 deadline, or a fine of $100 per day of noncompliance would be imposed retro-active to September 19, 2024. Harold Kelly present at Hearing. |
| 11-15-24 | City received citizen complaint about condition of lot. |
| 12-09-24 | Police Department received noise complaint regarding heavy equipment being operated at almost midnight. |
| 01-03-25 | Property passed inspection. |
| 01-13-25 | Some of the material removed from the subject lot was placed on the Church property located at 1511 E. Orange Avenue and on a vacant lot on McDonald Ave that abuts the rear of the Glover St lot. |
| 02-03-25 | Inspector spoke with Mr. Kelly, who confirmed the material came from his property on Glover St. He was instructed to remove it. |

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| 03-12-25 | Inspector contacted the Church to get their assistance with having the material removed from the church property. |
| 04-07-25 | All material removed from church property. |
| 04-29-25 | Inspector spoke with Mr. Kelly again about removing material that was placed on the vacant lot on McDonald Avenue |
| 05-09-25 | All material removed from McDonald Avenue property. |

Case 24-00928: No Fine imposed
Violation: Piece of heavy equipment (bulldozer) parked/stored on the residential property without an active building permit.

Corrective Actions Required: Remove the bulldozer from the property and do not bring it back until a building permit is obtained, unless it is actively being used to remove the stored materials and solid waste.

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| 09-19-24: | Case opened |
| 10-02-24: | Notice of Violation/Hearing issued with 10-12-24 deadline. |
| 10-14-24: | Property passed inspection. Case closed. |

Case 25-00207: No Fine imposed
Recurring Violation: Heavy equipment (bulldozer) parked/stored on the residential property without an active building permit.

Corrective Actions Required: Remove the bulldozer from the property and do not bring it back until a building permit is obtained, unless it is actively being used to remove the stored materials and solid waste.

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|---|---|
| 03-07-25: | Case opened |
| 03-19-25: | Notice of Recurring Violation issued with CEB scheduled for 4-14-25 |
| 04-14-15: | Property passed inspection. CEB issued Finding of Fact, Conclusion of Law and Order. Harold Kelly did not attend Hearing. |

**Community Input**
No adjacent property owners attended the Code Enforcement Hearings, but the Code Department did receive citizen complaints.

**Budget / Staff Impact:**
If the Resolution is approved, the City could receive $26,000, which far exceeds to administrative costs incurred in bringing the property into compliance with City Code.

**Reviewed By:**
Craig A. Capri, Chief of Police

**Prepared By:**
Eric Martin, Code Enforcement Supervisor

**Attachments**
- Resolution Number 25-70
- Fine Reduction Applications

- 2nd Fine Reduction Request letter
- 8-21-25 Letter to City Commission

# RESOLUTION NUMBER 25-70

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, PROVIDING FOR COMMISSION DETERMINATION OF A CODE ENFORCEMENT LIEN ON PROPERTY LOCATED AT 67 GLOVER STREET; AUTHORIZING IMPLEMENTING ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** the City of Eustis, Florida established code enforcement fines against the following described property under Case Number 20-00176 and 24-00063 against Harold J. Kelly, property owner, for failing to comply with City Ordinances:

E 200 FT OF S 50 FT OF N 250 FT OF W 1/2 OF NE 1/4 OF SE 1/4 OF NW 1/4 ORB 5464 PG 1805, and

**WHEREAS,** the City of Eustis, Florida, a Florida municipal Corporation, has recorded two Code Enforcement Liens against the subject property, totaling $61,750, and

**WHEREAS,** the property was in violation of city code under Case 20-00176 for 116 days before being brought into compliance resulting in a $29,000 fine; and

**WHEREAS,** the property was in violation of city code under Case 24-00063 for 131 days before being brought into compliance resulting in a $32,750 fine; and

**WHEREAS,** on May 29, 2025, the property owner submitted applications requesting that the fines be reduced to $10,000 for Case 20-00176 and $16,000 for Case 24-00063; and

**WHEREAS,** on June 9, 2025, the Code Enforcement Board approved the requests and recommended that the City Commission reduce the accumulative fines to $26,000 payable within 30 days; and

**WHEREAS,** on August 9, 2025, the property owner submitted a written request during a regular scheduled Code Enforcement Board Hearing, asking the Board to reconsider its previously approved reductions and further reduce the fines to the city's administrative costs; and

**WHEREAS,** the Board denied the property owner's new request and upheld the original fine reduction; and

**WHEREAS,** Section 162.09(3), Florida Statutes, provides that code compliance liens run in favor of the local governing body, and the local governing body may agree to satisfy or release code compliance liens; and

**WHEREAS,** the Attorney General has stated that after such liens have been recorded the local governing body, such as the City Commission, is vested with the authority to compromise, reduce, or satisfy said liens; and

**WHEREAS,** the City Commission in considering this matter may elect to compromise (including setting terms and conditions for said compromise), reduce, or satisfy said lien; and

**WHEREAS,** the Attorney General has concluded the local governing body, such as the City Commission, may delegate its authority to execute satisfactions or releases of code compliance liens so long as such delegation does not result in a complete divestiture of such liens to a private party; and

**WHEREAS,** the City Commission authorizes the City Manager to execute a release or satisfaction of lien, as may be appropriate and consistent with the City Commission's decision to compromise, reduce, or satisfy said lien.

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

**Section 1.** **Recitals.** The above recitals are hereby adopted as the findings of the City Commission.

**Section 2.** **Implementing Actions.** The City Manager, or his/her designee, is hereby authorized to take all administrative actions necessary to effectuate the provisions of this Resolution, including execution of satisfactions or releases of lien, acceptance of payment, and the granting of one payment extension not to exceed thirty (30) days from the effective date of this Resolution. Any such actions shall be consistent with and limited to the determination of the City Commission as set forth herein.

**Section 3.** **Lien at Issue.** The City Commission has considered the code enforcement liens for Case Number 20-00176 and Case Number 24-00063 with a total current outstanding amount of $61,750.

**Section 4.** **Quasi-Judicial Determination.** The City Commission, having considered the recommendation of the Code Enforcement Board, and any evidence and testimony presented at hearing, hereby makes the following determination regarding the code enforcement liens in the amount of $61,750.00 recorded against the subject property:

☐ The liens shall be reduced to $26,000.00, consistent with the Board's recommendation, payable within thirty (30) days of the effective date of this Resolution, unless otherwise extended by the City Manager in accordance with Section 2; or

☐ The liens shall be reduced to $_____, payable within ___ days of the effective date of this Resolution, unless otherwise extended by the City Manager in accordance with Section 2; or

☐ The liens shall remain in the full amount of $61,750, due and payable to the City; or

☐ No payment shall be due, and the lien shall be released.

**Section 5.** **Enforcement.** Failure to comply with the terms of the City Commission's determination shall result in the lien being immediately reinstated in its full original amount.

**Section 6.** **Effective Date.** This Resolution shall take effect immediately upon its adoption by the City Commission.

**DONE AND RESOLVED** this 4th day of September 2025, in regular session of the City Commission of the City of Eustis, Florida.

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

_____
Willie Hawkins
Mayor/Commissioner

**ATTEST:**

_____
Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA**
**COUNTY OF LAKE**
The foregoing instrument was acknowledged before me this ___ day of _____, 2025, by Willie Hawkins, 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, 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 Resolution Number 25-70 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

Case No. 20-00176

RECEIVED
MAY 29 2025
BY: AKT

## APPLICATION TO REQUEST A REDUCTION OF ACCRUED CODE ENFORCEMENT FINE

**BY COMPLETING THIS FORM, YOU ARE MAKING STATEMENTS UNDER OATH. FAILURE TO BE TRUTHFUL IS A VIOLATION OF FLORIDA STATUTES PERTAINING TO PERJURY, WHICH IS A FELONY PUNISHABLE BY UP TO 15 YEARS IMPRISONMENT.**

INSTRUCTIONS: Please complete both pages of this form. Be specific when writing your statement. **Please submit the completed notarized application** to the Code Enforcement office located at 51 East Norton Avenue, Eustis, FL, by U.S. Mail at P.O. Drawer 68, Eustis, FL 32727, or email to codeenforcement@ci.eustis.fl.us **no later than 5:00 p.m., Thursday, May 29, 2025.**

**APPLICATION BECOMES VOID IF NOT SUBMITTED BY DEADLINE, UNLESS AN EXCEPTION IS MADE BY THE CITY.**

If the completed form is received by the deadline, the request will be presented to the Code Enforcement Board (CEB) at the next regularly scheduled hearing on **June 9, 2025 at 3:00 p.m. in the City Commission Chambers located in City Hall at 10 North Grove Street.**

SUBMITTAL OF THIS APPLICATION IS NOT A GUARENTEE THAT THE CEB WILL APPROVE

**Your attendance is highly recommended. If you fail to attend, the Board may act solely on the presentation by the Code Enforcement Officer.**

If the CEB approves the reduction request, the CEB's recommendation will be submitted to the City Commission for approval at their next scheduled meeting before taking effect.

If you have any questions, please call the Code Enforcement Office at (352) 483-5464 or email codeenforcement@ci.eustis.fl.us.

Property Owner Name: Harold Kelly Phone: 352-455-1550
Address: 2241 Jennah Circle E-mail: haroldkellyone@gmail.com
City: Eustis State: Fl Zip: 32726

If the property owner is unable to complete this form, list name of person who is authorized to act for the Property Owner and their relationship. _____

Address or location of property where violation existed: 67 Glover Street
Date violation brought into compliance: No date listed.
Date Code Enforcement Office called to request re-inspection: _____

Total Accrued Fine: $29,000 What reduction amount are you requesting: $10,000.00

On Page 2, explain reason (in detail) the reason for requesting a reduction of fine and reason original compliance date was not met.

**PLEASE NOTE: ENSURE YOUR POSITION IS CLEARLY STATED HEREIN, AS THE BOARD IS NOT OBLIGATED TO HEAR YOUR TESTIMONY AT THE HEARING.**

I, Harold Kelly do hereby submit this Application for Reduction of Code Enforcement Fine, and in support offer the following statement:

I moved Items from lot be to 1613 Bates to comply by deadline but moved 2 days later

(See attached typed sheet.)

(Additional pages may be added if needed)

Date: May 29, 2025

Signed: Harold Kelly

State of Florida

Print Name: Harold Kelly

County of Marion

*Personally appeared before me, the undersigned authority duly authorized to administer oaths and take acknowledgments,* Harold Kelly *who first being sworn, acknowledged before me that the information contained herein is true and correct. He/she is not personally known to me and have each produced a* Florida *driver's license as identification and did take an oath.*

Date: 5/29/25

Notary Public

My Commission Expires: August 13, 2026

NOTARY PUBLIC STATE OF FLORIDA

ESTHER L. GOMEZ
Commission # HH 274675
Expires August 13, 2026

Drivers License No. _____

I respectfully submit this application for a reduction of fines associated with the code violations. I acknowledge the violations and accept responsibility for not being in compliance. However, I am requesting a reduction of fines because the non-compliance was not intentional and occurred as a result of the following.

Due to initially going under contract to sell the property, I delayed immediate corrective actions in anticipation of completing necessary repairs prior to closing. However, contractor delays significantly impacted the repair timeline, leading me to ultimately decide to sell the property as-is.

Unfortunately, the buyer experienced financing issues, and the sale fell through. Additionally, fluctuations in the housing market, changes in zoning requirements, and at one point being instructed to install a septic system further complicated the process and contributed to unanticipated delays in resolving the code violation. These combined factors prevented timely compliance despite my efforts to move the situation forward.

I have since corrected the violations in accordance with code requirements and have made every effort to cooperate fully with the Planning and Zoning Department. I am committed to maintaining compliance moving forward and meeting all applicable standards for as long as I maintain ownership of the property.

I respectfully ask the board to consider my good faith efforts, corrective actions, and the financial impact of the accrued fines. A reduction would allow me to continue making improvements and contribute positively to the community.

Thank you for your time and consideration.

Sincerely,
Harold Kelly, I
Harold Kelly, I
(352) 455-1550

Case No. 24-00063

RECEIVED
MAY 29 2025
BY: AKT

## APPLICATION TO REQUEST A REDUCTION OF ACCRUED CODE ENFORCEMENT FINE

**BY COMPLETING THIS FORM, YOU ARE MAKING STATEMENTS UNDER OATH. FAILURE TO BE TRUTHFUL IS A VIOLATION OF FLORIDA STATUTES PERTAINING TO PERJURY, WHICH IS A FELONY PUNISHABLE BY UP TO 15 YEARS IMPRISONMENT.**

INSTRUCTIONS: Please complete both pages of this form. Be specific when writing your statement. **Please submit the completed notarized application** to the Code Enforcement office located at 51 East Norton Avenue, Eustis, FL, by U.S. Mail at P.O. Drawer 68, Eustis, FL 32727, or email to codeenforcement@ci.eustis.fl.us **no later than 5:00 p.m., Thursday, May 29, 2025.**

**APPLICATION BECOMES VOID IF NOT SUBMITTED BY DEADLINE, UNLESS AN EXCEPTION IS MADE BY THE CITY.**

If the completed form is received by the deadline, the request will be presented to the Code Enforcement Board (CEB) at the next regularly scheduled hearing on **June 9, 2025 at 3:00 p.m. in the City Commission Chambers located in City Hall at 10 North Grove Street.**

SUBMITTAL OF THIS APPLICATION IS NOT A GUARENTEE THAT THE CEB WILL APPROVE

**Your attendance is highly recommended. If you fail to attend, the Board may act solely on the presentation by the Code Enforcement Officer.**

If the CEB approves the reduction request, the CEB's recommendation will be submitted to the City Commission for approval at their next scheduled meeting before taking effect.

If you have any questions, please call the Code Enforcement Office at (352) 483-5464 or email codeenforcement@ci.eustis.fl.us.

Property Owner Name: Harold Kelly Phone: 352-455-1550

Address: 2241 Jennah Circle E-mail: haroldkellyone@gmail.com

City: Eustis State: Fl Zip: 32726

If the property owner is unable to complete this form, list name of person who is authorized to act for the Property Owner and their relationship. _____

Address or location of property where violation existed: 67 Glover Street / Eustis

Date violation brought into compliance: 9/30/24

Date Code Enforcement Office called to request re-inspection: _____

Total Accrued Fine: $32,750 What reduction amount are you requesting: $16,000.00

On Page 2, explain reason (in detail) the reason for requesting a reduction of fine and reason original compliance date was not met.

**PLEASE NOTE: ENSURE YOUR POSITION IS CLEARLY STATED HEREIN, AS THE BOARD IS NOT OBLIGATED TO HEAR YOUR TESTIMONY AT THE HEARING.**

I, Harold Kelly do hereby submit this Application for Reduction of Code Enforcement Fine, and in support offer the following statement:

Please refer to attached sheet

(Additional pages may be added if needed)

Date: May 29, 2025

Signed: Harold Kelly

State of Florida

Print Name: Harold Kelly

County of Marion

*Personally appeared before me, the undersigned authority duly authorized to administer oaths and take acknowledgments,* Harold Kelly *who first being sworn, acknowledged before me that the information contained herein is true and correct. He/she is not personally known to me and have each produced a* Florida *driver's license as identification and did take an oath.*

Date: 5/29/2025

Notary Public

My Commission Expires: August 13, 2026

Drivers License No. _____

NOTARY PUBLIC STATE OF FLORIDA

ESTHER L. GOMEZ
Commission # HH 274675
Expires August 13, 2026

I respectfully submit this application for a reduction of fines associated with the code violations. I acknowledge the violations and accept responsibility for not being in compliance. However, I am requesting a reduction of fines because the non-compliance was not intentional and occurred as a result of the following.

Due to initially going under contract to sell the property, I delayed immediate corrective actions in anticipation of completing necessary repairs prior to closing. However, contractor delays significantly impacted the repair timeline, leading me to ultimately decide to sell the property as-is.

Unfortunately, the buyer experienced financing issues, and the sale fell through. Additionally, fluctuations in the housing market, changes in zoning requirements, and at one point being instructed to install a septic system further complicated the process and contributed to unanticipated delays in resolving the code violation. These combined factors prevented timely compliance despite my efforts to move the situation forward.

I have since corrected the violations in accordance with code requirements and have made every effort to cooperate fully with the Planning and Zoning Department. I am committed to maintaining compliance moving forward and meeting all applicable standards for as long as I maintain ownership of the property.

I respectfully ask the board to consider my good faith efforts, corrective actions, and the financial impact of the accrued fines. A reduction would allow me to continue making improvements and contribute positively to the community.

Thank you for your time and consideration.

Sincerely,
Harold Kelly, I
Harold Kelly, I
(352) 455-1550

**Mail body: Re: Request for Consideration to Reduce Fines to Administrative Fees**

On Mon, Aug 11, 2025, 8:29 AM

**City of Eustis Code Enforcement Board**

**RE: Request to Reduce Penalties** to Administrative Fees

**Properties:** 67 Glover Street, 600 Ellsey Street, and 1613 Bates Avenue

Dear Esteemed Board Members,

I hope this letter finds you well. I would like to begin by expressing my sincere gratitude to the entire Code Enforcement Board for the time, patience, and consideration you extended to me during my previous request to reduce fines. Your willingness to hear my case was deeply appreciated.

Since that meeting, I have had conversations with several of our City Commissioners. They informed me that in other cases, the Code Enforcement Board has granted grace to citizens by absolving or forgiving accrued fines or liens, allowing only the payment of administrative fees. These Commissioners encouraged me to submit this written request, asking for the same consideration in my situation.

Therefore, I respectfully request that the Board consider eliminating the fines and liens associated with the above-referenced properties, with the understanding that I would promptly pay any administrative fees deemed appropriate.

I am committed to resolving this matter in good faith and in a manner that is fair to both the City and myself. Your compassion and equitable decision-making would not only help me bring these properties into full compliance but also strengthen my ongoing commitment to being a responsible property owner in our community.

Thank you again for your time, understanding, and the work you do to serve our city. I look forward to your favorable consideration of my request.

Respectfully,

Harold J. Kelly, I

Harold J. Kelly, I

Harold J. Kelly, I
2241 Jennah Circle
Eustis, FL 32726

City of Eustis
P.O. Drawer 68
10 N. Grove Street
Eustis, FL 32726

**Re:** Request for Consideration of Code Violation Penalties

**Properties:** 67 Glover Street, 600 Ellsey Street

Dear Commissioners,

Thank you for allowing me the opportunity to come before you and present my case. I am truly grateful for your time, your patience, and your continued dedication to serving our community.

I want to take full responsibility for the code violations on my two properties. While circumstances led to the delays in addressing them, I recognize that as the property owner, it was my duty to stay on top of these matters.

Today, both properties are under contract with a developer who is already investing in the neighborhood by building new construction homes that are improving the look and feel of the community. This is exactly the type of progress I want to see carried forward, and I believe the buyer is in the best position to bring long-term value to the area that local homeowners can truly appreciate.

I respectfully ask that the penalties be reduced to administrative fees only so that I can transfer the properties with a clean title, free of liens and violations. The fines are the only barrier standing in the way of this sale, and with closing scheduled in just two weeks, I humbly ask for your consideration so this opportunity is not lost.

Granting this request would not only help me close this chapter responsibly but would also allow me to pass the properties into the hands of someone who can positively contribute to the City's growth and beautification.

Thank you again for your time, understanding, and for considering this request.

With gratitude,

Harold J. Kelly, I

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 4, 2025

RE: RESOLUTION NUMBER 25-71: REDUCTION OF FINE/RELEASE OF LIEN, 600 ELLSY STREET
CODE ENFORCEMENT CASE 24-00051 AND 24-00388

**Introduction:**
Resolution Number 25-71 approves a Code Enforcement Order reducing two outstanding code enforcement liens totaling $50,200 to $19,125 and releases the liens against 67 Glover Street, upon payment.

The Resolution also provides the City Commission an opportunity to consider a compromise regarding the fine reduction. The additional options proposed are as follows:

- No payment shall be due, and the City shall promptly release the lien; or
- Full payment ($50,200) remains due and payable to the City; or
- The lien shall be reduced to $ _____, if said payment is received by the City within _____ days from the effective date of this Resolution. Failure to comply results in this compromise being null and void, and the original lien amount being immediately reinstated in full.

**Recommended Action:**
The administration recommends approval of Resolution Number 25-71.

**Background:**

**1. <u>Code Board Action:</u>**

On June 9, 2025, the Code Enforcement Board reviewed two fine reduction requests submitted by Harold J. Kelly, the owner of 600 Ellsy Street. The requests were as follows:

Case 24-00051: Request to reduce a $33,250 fine to $16,625.
Case 24-00388: Request to reduce a $16,950 fine to $8,475.

The Board approved a motion to reduce the $33,250 fine for Case 24-00051 to $16,625, but after discussions between the members and Mr. Kelly, the Board also approved a motion to reduce the $16,950 fine for Case 24-00063 to $2,500 ($5,975 less than requested), with the following conditions:

- Approval from the City Commission; and

- Payment be made within 30 days of City Commission approval

After the Hearing, Mr. Kelly began making phone calls to city personnel regarding his fines, including a call to the Code Department requesting the phone number of the Board Chairperson. He was advised that it would be inappropriate to speak with the Chairperson outside of an official Board setting; therefore, he was informed that the matter would be placed on the July agenda under Other Business for the Board to consider whether they wanted to reconsider their previous fine reductions. If the Board chose to do so, the Cases would then be scheduled for reconsideration at the August hearing.

Unfortunately, the July Hearing was cancelled due to a power outage in City Hall. To avoid further delays, the Department placed the matter on the August agenda for reconsideration. At the August hearing, a Board member expressed concern regarding Mr. Kelly's actions following the June hearing, and after hearing testimony from Mr. Kelly, the Board voted to deny his request for reconsideration.

**2. Property History:**

Temple of Power Ministries, Inc. obtained title to the property in 2007. The corporation has since changed its name to the Powerhouse Christian Center Inc., for which Harold Kelly is the Registered Agent, President and Vice President.

Since 2024, the property has been subject to five code violations. During that time, the Code Enforcement Department conducted 26 inspections, entered 82 case logs, issued 17 notices, received 3 citizen complaints and held 9 Code Enforcement Board Hearings, collectively consuming approximately 73 staff hours and resulting in over $2,400 in administrative costs.

**3. Violation History:**

Case 24-00051: Total Fine $33,250
Violation: Undeveloped property located in a Mixed Commercial/Residential (MCR) Land Use District is being used for outdoor storage.

Corrective Actions Required:
1) Remove all items stored on the undeveloped property; or
2) Obtain a permit to develop the property.

| | |
|---|---|
| 01-30-24: | Correction Notice issued with 2-29-24 deadline. |
| 03-01-24: | Notice of Violation/Hearing issued with 4-1-24 deadline. |
| 04-01-24: | Property failed inspection. |
| 04-08-24: | Order of Enforcement issued by Code Enforcement Board (CEB) with 5-8-24 deadline, or a fine of $250 per day of noncompliance would be imposed. Harold Kelly present at Hearing. |
| 04-15-24: | City received citizen complaint about condition of lot. |
| 04-18-24: | City received another citizen complaint about condition of lot. |
| 05-09-24: | Property failed inspection. |
| 05-09-24: | Notice of Non-Compliance/Hearing issued for 6-10-24. |

| | |
|---|---|
| 06-03-24: | Building permit application submitted. Application incomplete |
| 06-10-24: | CEB certified previous imposed fine due to noncompliance. However, they agreed to waive the fines accrued in the amount of $8,000 if compliance was achieved by 8-9-24. Harold Kelly present at Hearing. |
| 06-11-24: | Complete permit application submitted. |
| 06-13-24: | Building permit application failed plan review. |
| 08-14-24: | Property failed inspection. |
| 08-19-24: | Order Imposing Fine executed and mailed to property owner advising that the lien will be recorded in public record if compliance is not achieved by September 18, 2024, and the fine paid, or a request for fine reduction is not submitted. |
| 08-21-24: | Building permit application approved and waiting to be picked up and paid for. Permits are not issued until payment is received in full. |
| 09-19-24: | Property passed inspection despite there still being some rebar that had not been removed. Daily fines accrued to $33,250 |
| 10-30-24: | Order Imposing Fine recorded in public record as a lien against the property. |

Case 24-00385: No fine imposed
Violation: Airtight appliances discarded or abandoned on premises with doors still attached.

Corrective Action Required: Remove all appliances from the property.

| | |
|---|---|
| 05-09-24: | Case opened |
| 05-09-24: | Notice of Life Safety Violation issued. |
| 05-13-24: | Order of Enforcement issued by Code Enforcement Board (CEB) with 5-16-24 deadline, or a fine of $250 per day of noncompliance would be imposed. Harold Kelly did not attend Hearing. |
| 05-17-24: | Property passed inspection. Case closed. |

Case 24-00388: Total Fine $16,950
Violation: Unauthorized accumulation of solid waste placed/stored on property.

Corrective Action Required: Remove all solid waste from the property.

| | |
|---|---|
| 05-09-24: | Case opened. |
| 05-09-24: | Notice of Violation/Hearing issued with 6-3-24 deadline. |
| 06-03-24: | Property failed inspection. |
| 06-10-24: | Order of Enforcement issued by Code Enforcement Board (CEB) with 8-9-24 deadline, or fine of $75 per day of noncompliance would be imposed. Harold Kelly present at Hearing. |
| 08-14-24: | Property failed inspection. Material from this lot moved next door to 1613 E. Bates Avenue and to 67 Glover Street. |
| 08-19-24: | Notice of Non-Compliance/Hearing issued for 9-9-24. |

| | |
|---|---|
| 09-09-24: | CEB certified previous imposed fine due to noncompliance. However, they agreed to waive the fines, accrued in the amount of $2,500, if compliance was achieved by 9-12-24. Harold Kelly present at Hearing. |
| 09-13-25: | Property failed inspection. |
| 09-13-25: | Citizen complaint received. |
| 09-19-24: | Property failed inspection due to rebar and small amount of debris on lot. There were also signs of illegal burning on the vacant lot adjacent to the subject property. |
| 09-19-24: | Property failed inspection. Rebar and small amounts trash/debris remain on property. There is also evidence of illegal burning of solid waste/dumping on adjacent vacant lot. Mr. Kelly later admitted to performing these acts. |
| 10-02-24: | Order Imposing Fine executed and mailed to property owner. |
| 10-30-24: | Order Imposing Fine recorded in public record as a lien again 600 Ellsy St., which cross-attached to 1613 E. Bates Ave. in according to Florida Statutes Sec. 162.09(3). |
| 12-31-24: | Spoke to Mr. Kelly about remaining items to be removed. |
| 01-06-25: | Property failed inspection. |
| 01-09-25: | Called and left a voicemail message for Mr. Kelly reminding him of items that need to be removed from the lot. |
| 02-04-25: | Property failed inspection. |
| 02-11-25: | Called Mr. Kelly again. |
| 02-17-25: | Property failed inspection. |
| 03-24-25: | Property passed inspection. Daily fines accrued to $16,950 |

Case 24-00823: No fine imposed
Violation: Airtight appliance (clothes dryer) discarded or abandoned on premises with doors still attached.

Corrective Action Required: Remove the appliance from the property.

| | |
|---|---|
| 09-03-24: | Case opened. Mr. Kelly arrived onsite during inspection. He advised that the appliance was amongst all the material that he had stored in that area and assured it would be removed today. |
| 09-04-24: | Failed inspection. |
| 09-04-24: | Passed inspection. Property inspected again in the afternoon and the appliance was gone. |

Case 25-00101: No fine imposed
Violation: Burning of solid waste.

Corrective Action Required: Cease all burning activities and remove all the burned rubbish from the property.

| | |
|---|---|
| 02-03-25: | Case opened |
| 02-04-25: | Correction Noticed issued with 2-11-25 deadline. |
| 02-11-25: | Property failed inspection. Mr. Kelly notified of one remaining pile of burned rubbish that has not been removed. |
| 02-17-25: | Property passed inspection. Case closed. |

**Community Input**

No adjacent property owners attended the Code Enforcement Hearings, but the Code Department did receive citizen complaints.

**Budget / Staff Impact:**
If the Resolution is approved, the City could receive $18,750, which far exceeds to administrative costs incurred in bringing the property into compliance with City Code.

**Reviewed By:**
Craig A. Capri, Chief of Police

**Prepared By:**
Eric Martin, Code Enforcement Supervisor

**Attachments**

- Resolution Number 25-71
- Fine Reduction Applications
- 2nd Fine Reduction Request letter
- 8-21-25 Letter to City Commission

# RESOLUTION NUMBER 25-71

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, PROVIDING FOR COMMISSION DETERMINATION OF A CODE ENFORCEMENT LIEN ON PROPERTY LOCATED AT 600 ELLSY STREET; AUTHORIZING IMPLEMENTING ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** the City of Eustis, Florida established code enforcement fines against the following described property under Case Number 24-00051 and 24-00388 against Harold J. Kelly, property owner, for failing to comply with City Ordinances:

EUSTIS, HAZZARD'S HOMESTEAD E 50 FT OF W 1/2 OF N 198 FT OF LOT 5 *UNRECORDED PLAT SEE DEED FOR FULL PROPERTY DESCRIPTION ORB 3575 PGS 2072-2075, and

**WHEREAS,** the City of Eustis, Florida, a Florida municipal Corporation, has recorded two Code Enforcement Liens against the subject property, totaling $50,200, and

**WHEREAS,** the property was in violation of city code under Case 24-00051 for 133 days before being brought into compliance resulting in a $33,250 fine; and

**WHEREAS,** the property was in violation of city code under Case 24-00388 for 75 days before being brought into compliance resulting in a $16,950 fine; and

**WHEREAS,** on May 29, 2025, the property owner submitted applications requesting that the fines be reduced to $16,625 for Case 24-00051 and $8,475 for Case 24-00388; and

**WHEREAS,** on June 9, 2025, the Code Enforcement Board reviewed the requests and recommended that the City Commission reduce the accumulative fines to $19,125 payable within 30 days; and

**WHEREAS,** on August 9, 2025, the property owner submitted a written request during the Code Enforcement Board Hearing, asking the Board to reconsider its previously approved reductions and further reduce the fines to the city's administrative costs; and

**WHEREAS,** the Board denied the property owner's new request and upheld the original fine reduction; and

**WHEREAS,** Section 162.09(3), Florida Statutes, provides that code compliance liens run in favor of the local governing body, and the local governing body may agree to satisfy or release code compliance liens; and

**WHEREAS,** the Attorney General has stated that after such liens have been recorded the local governing body, such as the City Commission, is vested with the authority to compromise, reduce, or satisfy said liens; and

**WHEREAS,** the City Commission in considering this matter may elect to compromise (including setting terms and conditions for said compromise), reduce, or satisfy said lien; and

**WHEREAS,** the Attorney General has concluded the local governing body, such as the City Commission, may delegate its authority to execute satisfactions or releases of code compliance liens so long as such delegation does not result in a complete divestiture of such liens to a private party; and

**WHEREAS,** the City Commission authorizes the City Manager to execute a release or satisfaction of lien, as may be appropriate and consistent with the City Commission's decision to compromise, reduce, or satisfy said lien.

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

**Section 1.** **Recitals.** The above recitals are hereby adopted as the findings of the City Commission.

**Section 2.** **Implementing Actions.** The City Manager, or his/her designee, is hereby authorized to take all administrative actions necessary to effectuate the provisions of this Resolution, including execution of satisfactions or releases of lien, acceptance of payment, and the granting of one payment extension not to exceed thirty (30) days from the effective date of this Resolution. Any such actions shall be consistent with and limited to the determination of the City Commission as set forth herein.

**Section 3.** **Lien at Issue.** The City Commission has considered the code enforcement liens for Case Number 24-00051 and Case Number 24-00388 with a total current outstanding amount of $50,200.

**Section 4.** **Quasi-Judicial Determination.** The City Commission, having considered the recommendation of the Code Enforcement Board, and any evidence and testimony presented at hearing, hereby makes the following determination regarding the code enforcement liens in the amount of $50,200.00 recorded against the subject property:

☐ The liens shall be reduced to $19,125.00, consistent with the Board's recommendation, payable within thirty (30) days of the effective date of this Resolution, unless otherwise extended by the City Manager in accordance with Section 2; or

☐ The liens shall be reduced to $_____, payable within ___ days of the effective date of this Resolution, unless otherwise extended by the City Manager in accordance with Section 2; or

☐ The liens shall remain in the full amount of $50,200, due and payable to the City; or

☐ No payment shall be due, and the lien shall be released.

**Section 5.** **Enforcement.** Failure to comply with the terms of the City Commission's determination shall result in the lien being immediately reinstated in its full original amount.

**Section 6.** **Effective Date.** This Resolution shall take effect immediately upon its adoption by the City Commission.

**DONE AND RESOLVED** this 4th day of September 2025, in regular session of the City Commission of the City of Eustis, Florida.

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

_____
Willie Hawkins
Mayor/Commissioner

**ATTEST:**

_____
Christine Halloran, City Clerk

## CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA**
**COUNTY OF LAKE**
The foregoing instrument was acknowledged before me this ___ day of _____, 2025, by Willie Hawkins, 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, 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 Resolution Number 25-71 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

Case No. 24-00051

RECEIVED
MAY 29 2025
BY: AKT

## APPLICATION TO REQUEST A REDUCTION OF ACCRUED CODE ENFORCEMENT FINE

**BY COMPLETING THIS FORM, YOU ARE MAKING STATEMENTS UNDER OATH. FAILURE TO BE TRUTHFUL IS A VIOLATION OF FLORIDA STATUTES PERTAINING TO PERJURY, WHICH IS A FELONY PUNISHABLE BY UP TO 15 YEARS IMPRISONMENT.**

INSTRUCTIONS: Please complete both pages of this form. Be specific when writing your statement. **Please submit the completed notarized application** to the Code Enforcement office located at 51 East Norton Avenue, Eustis, FL, by U.S. Mail at P.O. Drawer 68, Eustis, FL 32727, or email to codeenforcement@ci.eustis.fl.us **no later than 5:00 p.m., Thursday, May 29, 2025.**

**APPLICATION BECOMES VOID IF NOT SUBMITTED BY DEADLINE, UNLESS AN EXCEPTION IS MADE BY THE CITY.**

If the completed form is received by the deadline, the request will be presented to the Code Enforcement Board (CEB) at the next regularly scheduled hearing on **June 9, 2025 at 3:00 p.m. in the City Commission Chambers located in City Hall at 10 North Grove Street.**

SUBMITTAL OF THIS APPLICATION IS NOT A GUARENTEE THAT THE CEB WILL APPROVE

**Your attendance is highly recommended. If you fail to attend, the Board may act solely on the presentation by the Code Enforcement Officer.**

If the CEB approves the reduction request, the CEB's recommendation will be submitted to the City Commission for approval at their next scheduled meeting before taking effect.

If you have any questions, please call the Code Enforcement Office at (352) 483-5464 or email codeenforcement@ci.eustis.fl.us.

Property Owner Name: Harold Kelly Phone: 352-455-1550

Address: 2241 Jennah Circle E-mail: haroldkelly one@gmail.com

City: Eustis State: Fl Zip: 32726

If the property owner is unable to complete this form, list name of person who is authorized to act for the Property Owner and their relationship. _____

Address or location of property where violation existed: 600 Ellsy Street / Eustis, Fl.

Date violation brought into compliance: 6/19/24

Date Code Enforcement Office called to request re-inspection: 6/18/24

Total Accrued Fine: $33,250 What reduction amount are you requesting: $16,625.00

On Page 2, explain reason (in detail) the reason for requesting a reduction of fine and reason original compliance date was not met.

**PLEASE NOTE: ENSURE YOUR POSITION IS CLEARLY STATED HEREIN, AS THE BOARD IS NOT OBLIGATED TO HEAR YOUR TESTIMONY AT THE HEARING.**

I, Harold Kelly do hereby submit this Application for Reduction of Code Enforcement Fine, and in support offer the following statement:

After meeting with the Code Enforcement Board on 8-9-24 I asked for the board to allow me to continue moving the building materials and was successful removing all items except a few items that I placed on 1613 Bates (lot next to 600 Ellsy St.) because the frontend loader malfunctioned. It was repaired the next day and remaining items were moved.

I never ignored any of the CEB request but unfortunately my machine broke down leaving a few items to be moved, which were not on 600 Ellsy. and was moved before the deadline.

I ask for the board to All Fines in Case #24-00051

(Additional pages may be added if needed)

Date: May 29, 2025

Signed: Harold Kelly

State of Florida

Print Name: Harold Kelly

County of MARION

*Personally appeared before me, the undersigned authority duly authorized to administer oaths and take acknowledgments,* Harold Kelly *who first being sworn, acknowledged before me that the information contained herein is true and correct. He/she is not personally known to me and have each produced a* Florida *driver's license as identification and did take an oath.*

Date: 5/29/25

Esther L. Gomez

Notary Public

My Commission Expires: August 13, 2026

NOTARY PUBLIC STATE OF FLORIDA

ESTHER L. GOMEZ
Commission # HH 274675
Expires August 13, 2026

Drivers License No. _____

Case No. 24-00388

RECEIVED
MAY 29 2025
BY: AKT

## APPLICATION TO REQUEST A REDUCTION OF ACCRUED CODE ENFORCEMENT FINE

**BY COMPLETING THIS FORM, YOU ARE MAKING STATEMENTS UNDER OATH. FAILURE TO BE TRUTHFUL IS A VIOLATION OF FLORIDA STATUTES PERTAINING TO PERJURY, WHICH IS A FELONY PUNISHABLE BY UP TO 15 YEARS IMPRISONMENT.**

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**APPLICATION BECOMES VOID IF NOT SUBMITTED BY DEADLINE, UNLESS AN EXCEPTION IS MADE BY THE CITY.**

If the completed form is received by the deadline, the request will be presented to the Code Enforcement Board (CEB) at the next regularly scheduled hearing on **June 9, 2025 at 3:00 p.m. in the City Commission Chambers located in City Hall at 10 North Grove Street.**

SUBMITTAL OF THIS APPLICATION IS NOT A GUARENTEE THAT THE CEB WILL APPROVE

**Your attendance is highly recommended. If you fail to attend, the Board may act solely on the presentation by the Code Enforcement Officer.**

If the CEB approves the reduction request, the CEB's recommendation will be submitted to the City Commission for approval at their next scheduled meeting before taking effect.

If you have any questions, please call the Code Enforcement Office at (352) 483-5464 or email codeenforcement@ci.eustis.fl.us.

Property Owner Name: Harold Kelly Phone: 352-455-1550

Address: 2241 Jennah Circle E-mail: haroldkellyone@gmail.com

City: Eustis State: Fl Zip: 32726

If the property owner is unable to complete this form, list name of person who is authorized to act for the Property Owner and their relationship. _____

Address or location of property where violation existed: 600 Ellsy Street

Date violation brought into compliance: 3/24/25

Date Code Enforcement Office called to request re-inspection: _____

Total Accrued Fine: $16,950 What reduction amount are you requesting: $ 8475.00

On Page 2, explain reason (in detail) the reason for requesting a reduction of fine and reason original compliance date was not met.

**PLEASE NOTE: ENSURE YOUR POSITION IS CLEARLY STATED HEREIN, AS THE BOARD IS NOT OBLIGATED TO HEAR YOUR TESTIMONY AT THE HEARING.**

I, Harold Kelly do hereby submit this Application for Reduction of Code Enforcement Fine, and in support offer the following statement:

On 9-9-24, CEB agreed to waive fines if materials were moved by deadline. Materials we moved from lot by deadline, (moved to 1613 Bates Ave because Frontend Loader was broken but moved to another lot I owned to build on. the next day.
Please waive lien from this case.

I am not a large business owner. I am attempting to help build affordable houses for citizens of Eustis that are in need

I understand the CEB has not granted many reductions in the past but I would appreciate your consideration.

(Additional pages may be added if needed)

Date: MAY 29, 2025

Signed: Harold Kelly

State of FLORIDA

Print Name: Harold Kelly

County of MARION

*Personally appeared before me, the undersigned authority duly authorized to administer oaths and take acknowledgments,* Harold Kelly *who first being sworn, acknowledged before me that the information contained herein is true and correct. He/she is not personally known to me and have each produced a* Florida *driver's license as identification and did take an oath.*

Date: 5/29/25

Notary Public

My Commission Expires: August 13, 2026

NOTARY PUBLIC STATE OF FLORIDA
ESTHER L. GOMEZ
Commission # HH 274675
Expires August 13, 2026

Drivers License No.

**Mail body: Re: Request for Consideration to Reduce Fines to Administrative Fees**

On Mon, Aug 11, 2025, 8:29 AM

**City of Eustis Code Enforcement Board**

**RE: Request to Reduce Penalties** to Administrative Fees

**Properties:** 67 Glover Street, 600 Ellsey Street, and 1613 Bates Avenue

Dear Esteemed Board Members,

I hope this letter finds you well. I would like to begin by expressing my sincere gratitude to the entire Code Enforcement Board for the time, patience, and consideration you extended to me during my previous request to reduce fines. Your willingness to hear my case was deeply appreciated.

Since that meeting, I have had conversations with several of our City Commissioners. They informed me that in other cases, the Code Enforcement Board has granted grace to citizens by absolving or forgiving accrued fines or liens, allowing only the payment of administrative fees. These Commissioners encouraged me to submit this written request, asking for the same consideration in my situation.

Therefore, I respectfully request that the Board consider eliminating the fines and liens associated with the above-referenced properties, with the understanding that I would promptly pay any administrative fees deemed appropriate.

I am committed to resolving this matter in good faith and in a manner that is fair to both the City and myself. Your compassion and equitable decision-making would not only help me bring these properties into full compliance but also strengthen my ongoing commitment to being a responsible property owner in our community.

Thank you again for your time, understanding, and the work you do to serve our city. I look forward to your favorable consideration of my request.

Respectfully,

Harold J. Kelly, I

Harold J. Kelly, I

Harold J. Kelly, I
2241 Jennah Circle
Eustis, FL 32726

City of Eustis
P.O. Drawer 68
10 N. Grove Street
Eustis, FL 32726

**Re:** Request for Consideration of Code Violation Penalties

**Properties:** 67 Glover Street, 600 Ellsey Street

Dear Commissioners,

Thank you for allowing me the opportunity to come before you and present my case. I am truly grateful for your time, your patience, and your continued dedication to serving our community.

I want to take full responsibility for the code violations on my two properties. While circumstances led to the delays in addressing them, I recognize that as the property owner, it was my duty to stay on top of these matters.

Today, both properties are under contract with a developer who is already investing in the neighborhood by building new construction homes that are improving the look and feel of the community. This is exactly the type of progress I want to see carried forward, and I believe the buyer is in the best position to bring long-term value to the area that local homeowners can truly appreciate.

I respectfully ask that the penalties be reduced to administrative fees only so that I can transfer the properties with a clean title, free of liens and violations. The fines are the only barrier standing in the way of this sale, and with closing scheduled in just two weeks, I humbly ask for your consideration so this opportunity is not lost.

Granting this request would not only help me close this chapter responsibly but would also allow me to pass the properties into the hands of someone who can positively contribute to the City's growth and beautification.

Thank you again for your time, understanding, and for considering this request.

With gratitude,

Harold J. Kelly, I

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 4, 2025

RE: SECOND READING

Ordinance 25-09: Proposed LDR Amendments for Changes in the Use Regulations Table, adding Master Planning requirements for properties over 300 acres in all Design Districts and providing Subdivision Regulations and Design Guidelines for Suburban Residential (SR) Properties.

**Introduction:**

This memo summarizes the changes recommended by the City's Planning Consultant, Kimley-Horn, Inc., last November regarding subdivision development and advisory design guidelines within the Suburban Residential (SR) Land Use District. These changes also include a new requirement applicable to all land use districts: properties exceeding 300 acres must undergo master planning before being developed as mixed-use or residential projects.

Additionally, the Use Regulation Table is being updated to include the concrete aggregate shredder/crusher. This use will be permitted only within the Public Institutional (P/I) and General Industrial (GI) Land Use Districts, while being classified as a conditional use in the Mixed Commercial/Industrial (MCI) Land Use District.

The detailed edits can be found with strikethrough and underlined throughout this document.

**Proposed LDR Amendments**:

**Sec. 102-21. Site Plans and Preliminary Plats.**

- Added cross reference to waiver requirements for small lot sizes for Suburban Residential FLU.

**Sec. 109-4. Use Regulations Table**

- Added "Concrete Aggregate Shredder/Crusher" to be permitted in the General Industrial (GI) and Public/Institutional (P/I) Land Use Districts and required a conditional use permit in the Mixed Commercial Industrial (MCI) Land Use District.

**Sec. 109-5.4. Urban Performance Standards**

- Added the new Single-Family Detached building lot type to the Urban Building Lot Type Standards

- Added footnote 3: New subdivisions within the Suburban Residential (SR) Future Land Use District shall be limited to Single-family Detached building lot types, unless a waiver is granted to permit Homestead, Estate, House, or Cottage lot types.

**Sec. 109-5.6. Suburban Performance Standards**

- Added the new Single-Family Detached building lot type to the Suburban Building Lot Type Standards
- Added footnote 4: New subdivisions within the Suburban Residential (SR) Future Land Use District shall be limited to Single-family Detached building lot types, unless a waiver is granted to permit Homestead, Estate, House, or Cottage lot types.

**Sec. 109-5.8 Rural Performance Standards**

- Added the new Single-Family Detached building lot type to the Rural Building Lot Type Standards
- Added footnote 1: New subdivisions within the Suburban Residential (SR) Future Land Use District shall be limited to Single-family Detached building lot types, unless a waiver is granted to permit Homestead, Estate, House, or Cottage lot types.

**Sec. 110-3 Development Pattern and Design Districts**

- Added the new Single-Family Detached building lot type.
    - SINGLE-FAMILY: A building lot located and designed to accommodate a detached single-family building with varied sizes of rear yards, common yards and street yards. This is the only permitted building lot type for detached single-family within the Suburban Residential future land use designation.

**Sec. 110-4.3 Single Family Detached Lot (New)**

- Established a new lot type to include the single-family standards.
- Includes a table to match the tables in other lot type sections that includes lot requirements, setbacks, height, etc.

**Sec. 115-3.1 Urban Districts**

- Added a Master Planning Requirement for properties over 300 acres.

**Sec. 115-3.2 Suburban Districts**

- Added a Master Planning Requirement for properties over 300 acres.

**Sec. 115-3.3 Rural Districts**

- Added a Master Planning Requirement for properties over 300 acres.

**Sec. 115-3.4. Residential Subdivision Standards for all design districts within the Suburban Residential Future Land Use Designation (New)**

- Created requirements for subdivisions of three or more lots within Suburban Residential FLU
    - For single-family detached development only one building lot type is permitted at a minimum of 100 ft. wide.

- To access smaller lot types, the applicant must request a waiver per Sec 102-21.1 and must follow the Eustis SR Development Standards. Require multiple lot sizes for subdivisions of 10 lots or more.
- Streets must meet or exceed the minimum standards of Residential Road or Residential Street as amended in Sec. 115-7.3. including street trees and sidewalks.

**Sec. 115-4.1. Open Space**

- Requirements for centrally located open space in single-family subdivisions, multi-family and mixed-use developments.
    - Acceptable justifications include site constraints due to existing natural features or requests to locate open space around one or more clustered protected or specimen trees.

**Sec. 115-4.9. Stormwater management**

Additional amenities required to count towards open space.

**Sec. 115-7.3. Street Types**

- Residential Street Standards Change in planter width from 6 feet to 8 feet to support canopy tree plantings.
- Addition of street tree requirements for one every 40 feet. Residential Road Standards Change in planter width from 6 feet to 8 feet to support canopy tree plantings.
- Addition of street tree requirements for one every 40 feet.

**Sec. 115-7.3.1. Urban Street Types**

(c) Table Footnote added: Street types within residential subdivisions of three lots or more within the Suburban Residential Future Land Use designation are limited to Residential Street, Residential Road, and Rear Alley for properties with less than 50 feet in width.

**Sec. 115-7.3.2. Suburban Street Types**

(a) Table Footnote added: Street types within residential subdivisions of three lots or more within the Suburban Residential Future Land Use designation are limited to Residential Street, Residential Road, and Rear Alley for properties with less than 50 feet in width.

**Sec. 115-7.3.3. Rural Street Types**

(a) Table Footnote added: Street types within residential subdivisions of three lots or more within the Suburban Residential Future Land Use designation are limited to Residential Street, Residential Road, and Rear Alley for properties with less than 50 feet in width.

**Recommended Action:**
Staff is recommending approval of these changes to the City's Land Development Regulations.

**Policy Implications:**
These amendments will enable the City to more effectively regulate the development of new subdivisions and concrete aggregate shredder/crusher operations. Additionally, the Planning Staff will have assurance that all larger parcels within the City must undergo the master planning process before any development is approved. By implementing changes to subdivision regulations and design standards, staff anticipate the creation of new subdivisions that are more distinctive and varied, moving away from the uniform designs that have been prevalent in recent years.

**Procedural Note Regarding Ordinance Effective Date:**

Since the first reading of Ordinance 25-09, the Florida Legislature has enacted Senate Bill 180 (2025), codified as Chapter 2025-190, Laws of Florida, which temporarily restricts municipalities from adopting or enforcing certain land development regulations. To ensure compliance with state law and to preserve the enforceability of Ordinance 25-09, staff has revised the ordinance to include (1) a new "WHEREAS" clause acknowledging the state restriction, and (2) a revised effective date section providing that the ordinance will not become effective until the restrictions in SB 180 have expired, been invalidated by a court, or amended by the Legislature.

These changes do not alter the subject matter or scope of Ordinance 25-09, and the ordinance title remains unchanged. Therefore, re-advertisement and recommencement of the adoption process is not required. The revisions serve only to clarify legislative intent and to provide a contingent effective date consistent with Florida law.

Under current law, the restrictions in SB 180 / Chapter 2025-190 are scheduled to remain in effect until October 1, 2027, unless otherwise extended or amended by the Florida Legislature.

**Budget/Staff Impact:**
Not applicable

**Business Impact Estimate (BIE):**
N/A

**Attachments:**
Ordinance 25-09
Chapter 2025-190, Laws of Florida
BIE Form

**Prepared By:**
Mike Lane, AICP – Development Services Director

**ORDINANCE NUMBER 25-09**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS; AMENDING SECTION 109.4 (USE REGULATIONS TABLE) TO CLASSIFY "CONCRETE AGGREGATE SHREDDER/CRUSHER" AS AN INDUSTRIAL USE AND TO SPECIFY THE LAND USE CATEGORIES IN WHICH THE USE IS PERMITTED BY RIGHT OR SUBJECT TO CONDITIONAL USE APPROVAL; AMENDING SECTIONS 115-3.1 (URBAN DISTRICTS), 115-3.2 (SUBURBAN DISTRICTS), AND 115-3.3 (RURAL DISTRICTS) RELATING TO DISTRICT REGULATIONS; AMENDING SECTIONS 109-5.4 (URBAN), 109-5.6 (SUBURBAN), AND 109-5.8 (RURAL) TO UPDATE PERFORMANCE STANDARDS; AMENDING SECTION 110-3 REGARDING DEVELOPMENT PATTERN AND DESIGN DISTRICTS; ADDING A NEW SECTION TO 110-4 (BUILDING LOT TYPES) TO ESTABLISH A SINGLE-FAMILY DETACHED LOT TYPE, WHICH MAY BE RENUMBERED AS NECESSARY; ADDING SECTION 115-4.1(b)(3) TO ESTABLISH OPEN SPACE REQUIREMENTS FOR SINGLE-FAMILY SUBDIVISIONS, MULTI-FAMILY, MIXED-USE, AND TOWNHOME DEVELOPMENTS; ADDING SECTION 115-4.9(d)(3) TO ALLOW STORMWATER FACILITIES TO FUNCTION AS AMENITIES; AMENDING SECTION 115-7.3 TO REQUIRE STREET TREES AND TO PROHIBIT ON-STREET PARKING ON RESIDENTIAL STREETS UNLESS DESIGNATED PARKING SPACES ARE PROVIDED; AMENDING SECTION 102-21 REGARDING SITE PLANS AND PRELIMINARY PLATS; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.**

**WHEREAS,** pursuant to the municipal powers granted by Article VIII of the Constitution of the State of Florida and Chapter 166, Florida Statutes, the City of Eustis may exercise all available governmental, corporate, and proprietary powers except when prohibited by law; and

**WHEREAS,** on July 16, 2009 the City Commission adopted revised Land Development Regulations under Ordinance 09-33 which have since been amended from time to time as necessary to periodically review, revise and update the Land Development Regulations; and

**WHEREAS,** the Local Planning Agency held a public hearing on June 19, 2025 where it reviewed the proposed revisions to the Land Development Regulations, found them to follow the City's Comprehensive Plan, and recommended forwarding this Ordinance to the City Commission for its consideration;

**WHEREAS**, the City Commission finds the proposed revisions are necessary to ensure consistency with the Comprehensive Plan, clarify legislative intent, and promote public health, safety, and welfare, as well as foster economic growth; and

**WHEREAS,** Senate Bill 180 (2025), codified in Chapter 2025-190, Laws of Florida, temporarily restricts municipalities from adopting or enforcing certain land development regulations, and the City Commission finds it necessary to delay the effective date of this

Ordinance until such restrictions expire, are invalidated by a court of competent jurisdiction, or are otherwise amended by the Florida Legislature, in order to ensure compliance with state law and to preserve the enforceability of this Ordinance.

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

**SECTION 1.** The above whereas clauses are ratified and confirmed as true and correct.

**SECTION 2.** The City's Land Development Regulations are hereby amended to read as follows:

* * *

**Sec. 102-21. Site plans and preliminary plats.**

(a) *Site plan and preliminary subdivision plat submittal requirements.* Unless specifically waived **in writing** by the **D**irector of **D**evelopment **S**ervices, all site plans and preliminary subdivision plats shall be 24 inches × 36 inches in size on plain, white paper and submitted in electronic form as well. If multiple sheets are used, the sheet number and total number of sheets must be clearly indicated on each. Each sheet must contain a title block, scale, north arrow, and date, including a revisions date block. The plans must be signed and sealed by an engineer, architect, or landscape architect licensed to practice in the State of Florida. The site plan and preliminary subdivision plat submittals must include the information required to evaluate compatibility with adjacent land uses, consideration of natural environmental systems on site and adjacent to the site, internal and external connectivity of open space and vehicular and pedestrian access and conceptual compliance with the design standards and requirements of the Land Development Code. Specifically, the submittal shall be deemed sufficient if it includes the following: except that preliminary subdivision plat applications for homestead lot residential subdivisions containing no more than four lots, each lot containing a minimum of one and one-half acres of gross land area, and which do not include establishment of new streets and alleys, shall be deemed sufficient if it includes items under (1), (2)a—d, (5)a, (6)a and k 1—3.

(1) *General information.*

a. Vicinity or location map drawn to scale.

b. Name and contact information for owner, applicant, and consultant.

c. Project name, date, scale, north arrow, and revision dates.

d. Property address, parcel ID and/or alternate key number.

e. Boundary survey and legal description.

(2) *Physical site assessment.*

a. Recent aerial of site and surrounding area within 500 feet of the site.

b. Soils map, based on the most recent Lake County Soils Survey, drawn at the same scale as the site plan, clearly identifying all soil types, especially those areas which are not suitable for buildings or major structures due to soils limitations.

c. Map of vegetative cover based on Florida Land Use Classification.

d. Topographical survey with contour lines, including wetland delineation and 100-year flood elevation, if applicable, signed and sealed boundary survey with legal description and location of all easements.

e. Tree survey (location, size and type of existing trees or clusters).

f. Environmental/wildlife habitat study including:

1. Description of the parcel.

2. Documentation of the data collected and reviewed.

3. Field survey (map, characterize, and describe natural habitats located on the site).

4. Protected species survey to include direct sitings and indirect observations (record species that inhabit, cross, or utilize habitats within and immediately adjacent to the site.).

5. Report describing the methodology used, findings, and conclusions/recommendations including aerial photograph that maps and identifies the character and size of the habitats as well as the location of any protected species or signs of their presence. The report shall also describe the ~~manner in which~~ **way** the habitats of protected species will be protected or mitigated.

6. For any proposed site within the Wekiva River Protection Area as defined in Part II, Chapter 369, Florida Statutes, the environmental survey shall be conducted in accordance with the city-approved methodology to assess the impacts of development on ground and surface water quality, quantity, hydrology, native vegetation and wildlife species, wetlands and associated uplands.

(3) *Land use assessment.* Map of site and surrounding area within 500 feet of the site depicting existing land use with density/intensity, land use designations and assignment of design districts, including location of all streets (specified by type).

(4) *Traffic circulation.*

a. Traffic analysis to meet assessment requirements as required by Lake-Sumter **Metropolitan Planning Organization (**MPO**)**.

b. Vehicular access points.

c. Proposed off-site improvements.

*(5) Utilities and services.*

a. Proposed method and source of water supply and wastewater disposal.

b. Required capacity for water and wastewater.

c. General location and size of service lines and connections.

d. General direction of natural surface drainage flow.

e. Preliminary drainage calculations and proposed stormwater management system.

f. Location of on-site wells and septic tanks (if applicable).

g. Preliminary school concurrency assessment (residential uses only).

*(6) Proposed development plan.*

a. Proposed buildings, structures, and/or lot layouts as applicable.
b. Off-street parking areas (if applicable).
c. Stormwater management locations and type.
d. Location and dimensions of all yards, setbacks, buffers and distance between buildings (if applicable).
e. Identification, in general, of trees to be removed.
f. Designated Park areas (if applicable).
g. Designated open space with acreage calculations.
h. Location and material of screen walls and/or knee walls (if applicable).
i. Method and location of solid waste disposal.
j. Table or list of the building and lot types proposed.
k. Chart of calculations demonstrating compliance with Land Development ~~Code~~ **Regulations** including, but not limited to the following:
    1. Gross acreage.
    2. Net acreage (less wetlands and water bodies).
    3. Net density (total units/net acreage).
    4. Open space.
    5. Impervious area and percentage.
    6. Nonresidential square footage and floor area ratio (if applicable).
    7. Off-street parking.
l. Sign locations **(if applicable)**.
m. Requested waivers (provide dimensional requirements and cross- sections).
    1. **Waivers requested, per Sec. 102-21.1, for smaller lot sizes for residential subdivisions within the Suburban Residential (SR) Future Land Use district are required to follow the Eustis SR Development Standards.**

(7) *Block configuration (if applicable).*

a. Perimeter calculation for each block.

(8) ~~**Conceptual**~~ **Proposed** building **(architectural)** elevations **or renderings** (not required for preliminary subdivision plan) **(color and black and white, if available).**

(9) Phasing plan (if applicable), including proposed completion schedule of amenities and park requirements.

(10) Conceptual landscape and lighting **(photometric)** plan, noting compliance with code requirements; all landscape and irrigation plans shall be signed and sealed by a landscape architect licensed to practice in the State of Florida.

(11) Clearly identify and justify any design variations that are being requested from the specific standards in the Land Development ~~Code~~ **Regulations**, including lot types and street types.

(12) Proposed method of preservation and maintenance of common open space. All developments whose submitted plan indicates the existence of one or more areas to be held in common by the property owners shall have established and maintained a homeowner's association; membership in which will be required for all purchasers of lots or parcels of land within the plat. Said association shall be established by the developer at the time, and as a condition, of platting and shall be acceptable to the city.

(13) Demonstration of compliance with the design processes outlined in chapter 115-3(g) and chapter 110-3.3(f).

**(b) *Time to Challenge.* Any person or entity challenging the validity of this section must do so by filing a lawsuit with a court of competent jurisdiction within 90 days of the date of adoption. Absent the timely filing of a lawsuit in a court of competent jurisdiction within 90 days of the date of adoption, this section shall be the final adjudication of all issues presented herein and not subject to challenge more than 90 days after adoption.**

(Ord. No. 16-13, § 1(Exh. A), 5-19-2016; Ord. No. 22-04 , § 1, 2-17-2022)

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**Chapter 109 LAND USE DISTRICTS AND DESIGN DISTRICT OVERLAYS[1]**

(1) *Urban Building Lot Types*. The following building lot types are permitted within the city's urban area.

* * *

**Sec. 109-4. Use Regulations Table is hereby amended as follows**

* * *

| | Residential | | | | Commercial & Industrial | | Mixed Use | | | | Other | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Specific Use | RR | SR | UR | MH | GC | GI | CBD | RT | MCR | MCI | PI | AG | CON | Standards |
| **KEY: P = Permitted Use L=Permitted Subject to limitations in Standards Column C= Conditional Use Blank = Not Permitted** | | | | | | | | | | | | | | |
| **INDUSTRIAL** | | | | | | | | | | | | | | |

| | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| All light industrial/research except as listed below | | | | L | P | | P | C | P | P | L | | | 1, 9 |
| **Concrete Aggregate Shredder/Crusher** | | | | | | **P** | | | | **C** | **P** | | | |
| Crematorium | | | | | | C | | | | | | | | |
| Heavy industrial | | | | | | P | | | | | | | | |
| Research lab w/o manufacturing | | | | | P | P | P | C | C | P | | | | |
| Self service storage | | | | | | C | | | | | | | | |
| Warehouse and freight movement | | | | | | P | | | | L | | | | 10 |
| Wholesale trade | | | | | P | C | P | C | P | P | | | | 10 |

* * *

**Sec. 109-5.4. Urban performance standards**

The city has established four distinct design districts within the urban area: neighborhood, center, corridor and district. The following provisions apply to all urban districts. Specific standards by district are also included herein.

| **BUILDING LOT TYPES** | **URBAN** | | | |
|---|---|---|---|---|
| | NHB | DST | COR | CTR |
| HOMESTEAD (3) | | | | |
| ESTATE (3) | X | | | |
| HOUSE (3) | X | | X | X |
| COTTAGE (3) | X (2) | | | X |
| **SINGLE-FAMILY DETACHED** | **X** | | | |
| DUPLEX | X | | X | X |
| TOWNHOUSE | X | | X | X |
| APARTMENT HOUSE | X | | X | X |
| COURTYARD APARTMENT | X | | X | X |
| APARTMENT BUILDING | X | | X | X |
| LIVE/WORK BUILDING | X | | X | X |

| | | | | |
|---|---|---|---|---|
| MIXED-USE BUILDING | X(1) | | X | X |
| MULTI-STORY COMMERCIAL BUILDING | X(1) | | X | X |
| LARGE-FORMAT RETAIL BUILDING | | X | X | X |
| COMMERCIAL BUILDING | | X | X | X |
| PEDESTAL BUILDING | | | | |
| LINER BUILDING | | | | |
| INDUSTRIAL BUILDING | | X | | |
| CIVIC BUILDING | X | X | X | X |
| APARTMENT COMPLEX | | | X | |
| RETAIL COMPLEX | | X | X | |

(X) Permitted, Blank cell - prohibited.

(1) The size shall be limited to neighborhood scale.

(2) Up to four cottage building lot types when developed as one project, may apply for a waiver to permit an averaging of the side setback.

**(3) New subdivisions within the Suburban Residential (SR) Future Land Use District shall be limited to Single-family Detached building lot types, unless a waiver is granted to permit Homestead, Estate, House, or Cottage lot types.**

**(4) *Time to Challenge*. Any person or entity challenging the validity of this section must do so by filing a lawsuit with a court of competent jurisdiction within 90 days of the date of adoption. Absent the timely filing of a lawsuit in a court of competent jurisdiction within 90 days of the date of adoption, this section shall be the final adjudication of all issues presented herein and not subject to challenge more than 90 days after adoption.**

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

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**Sec. 109-5.6. Suburban performance standards.**

The city has established four distinct design districts within the suburban area: neighborhood, center, corridor and district. The following provisions apply to all districts. Specific standards by district are also included herein.

(1) Suburban building lot types. The following building lot types are permitted within the city's suburban area:

| **BUILDING LOT TYPES** | **SUBURBAN** | | | |
|---|---|---|---|---|
| | NHB | DST | COR | CTR |
| HOMESTEAD (4) | | | | |

| | | | | |
|---|---|---|---|---|
| ESTATE [4] | X | | X[3] | |
| HOUSE [4] | X | | X[3] | |
| COTTAGE [4] | | | X[3] | |
| **SINGLE-FAMILY DETACHED** | **X** | | **X[3]** | |
| DUPLEX | X | | X[3] | |
| TOWNHOUSE | X[2] | | X | X |
| APARTMENT HOUSE | X[2] | | X | X |
| COURTYARD APARTMENT | X[2] | | X | X |
| APARTMENT BUILDING | X[2] | | X | X |
| LIVE/WORK BUILDING | | | X | X |
| MIXED-USE BUILDING | X[1] | | X | X |
| MULTI-STORY COMMERCIAL BUILDING | X[1] | | X | X |
| LARGE-FORMAT RETAIL BUILDING | | X | X | |
| COMMERCIAL BUILDING | | X | X | |
| PEDESTAL BUILDING | | X | | |
| LINER BUILDING | | | | |
| INDUSTRIAL BUILDING | | X | | |
| CIVIC BUILDING | X | X | X | X |
| APARTMENT COMPLEX | | | X | X |
| RETAIL COMPLEX | | X | X | X |
| INDUSTRIAL COMPLEX | | X | | |

(X) Permitted, Blank cell - prohibited.

(1) The size shall be limited to neighborhood scale.

(2) All apartment, townhome building types are permitted only on parcels with an MCR land use designation or as part of a mixed-use project that requires a minimum of 15% of the development acreage to be devoted to nonresidential support use.

(3) Permitted within a PUD.

**(4) New subdivisions within the Suburban Residential (SR) Future Land Use District shall be limited to Single-family Detached building lot types, unless a waiver is granted to permit Homestead, Estate, House, or Cottage lot types.**

**(5) *Time to Challenge*. Any person or entity challenging the validity of this section must do so by filing a lawsuit with a court of competent jurisdiction within 90 days of the date of adoption. Absent the timely filing of a lawsuit in a court of competent jurisdiction within 90 days of the date**

**of adoption, this section shall be the final adjudication of all issues presented herein and not subject to challenge more than 90 days after adoption.**

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

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**Sec. 109-5.8. Rural performance standards.**

The city has established four distinct design districts within the rural area: neighborhood, center, corridor and district. The following provisions apply to all districts. Specific standards by district are also included herein.

(1) Rural building lot types. The following building lot types are permitted within the city's rural area:

| **BUILDING LOT TYPES** | **RURAL** | | | |
|---|---|---|---|---|
| | NHB | DST | COR | CTR |
| HOMESTEAD (1) | X | | | |
| ESTATE (1) | X | | | |
| HOUSE (1) | X | | | |
| COTTAGE (1) | | | | X |
| **SINGLE-FAMILY DETACHED** | X | | | X |
| DUPLEX | X | | | X |
| TOWNHOUSE | | | | X |
| APARTMENT HOUSE | | | | X |
| COURTYARD APARTMENT | | | | |
| APARTMENT BUILDING | | | | |
| LIVE/WORK BUILDING | | | | X |
| MIXED-USE BUILDING | | | | X |
| MULTI-STORY COMMERCIAL BUILDING | | | | X |
| LARGE-FORMAT RETAIL BUILDING | | | | |
| COMMERCIAL BUILDING | | | | |
| PEDESTAL BUILDING | | | | |
| LINER BUILDING | | | | |
| INDUSTRIAL BUILDING | | X | | |
| CIVIC BUILDING | X | X | X | X |
| APARTMENT COMPLEX | | | X | |
| RETAIL COMPLEX | | X | X | |

(X) Permitted, Blank cell – prohibited.

**(1) New subdivisions within the Suburban Residential (SR) Future Land Use District shall be limited to Single-family Detached building lot types, unless a waiver is granted to permit Homestead, Estate, House, or Cottage lot types.**

**(2) *Time to Challenge*. Any person or entity challenging the validity of this section must do so by filing a lawsuit with a court of competent jurisdiction within 90 days of the date of adoption. Absent the timely filing of a lawsuit in a court of competent jurisdiction within 90 days of the date of adoption, this section shall be the final adjudication of all issues presented herein and not subject to challenge more than 90 days after adoption.**

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

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## Chapter 110 DEVELOPMENT STANDARDS[2]

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### Sec. 110-3. Development pattern and design districts.

The development patterns are classified as urban, suburban or rural. Within each development pattern there are four design districts. They are categorized as 1) Neighborhood (NHB), 2) District (DST), 3) Center (CTR) and 4) Corridor (COR). These development patterns and district combinations are defined and described with graphic illustrations in chapter 109. The design development standards for each pattern and district are provided herein.

*(a) Building lot types*. There are ~~eigh~~**nineteen (19)** building lot types and three complex lot types.

(1) HOMESTEAD: A building lot located and designed to accommodate a detached building with large common lot yards, rear yards and street yards for a rural area.

(2) ESTATE: A building lot located and designed to accommodate a detached building with large common lot yards, rear yards and street yards.

(3) HOUSE: A building lot located and designed to accommodate a detached building with small common lot yards and a large street yard.

(4) COTTAGE: A building lot located and designed to accommodate a small, detached building with small common lot and street yards.

(5) **SINGLE-FAMILY: A building lot located and designed to accommodate a detached single-family building with varied sizes of rear yards, common yards and street yards. This is the only permitted building lot type for detached single-family within the Suburban Residential (SR) Future Land Use District.**

(6) DUPLEX: A building lot located and designed to accommodate a building with small common lot yards and a large street yard and containing two attached dwellings.

(7) TOWNHOUSE: A building lot located and designed to accommodate a building with common walls on both side building lot lines and a private garden to the rear.

(8) APARTMENT HOUSE: A building lot located and designed to accommodate a detached building which resembles a large house but which contains multiple dwellings above and beside each other.

(9) COURTYARD APARTMENT: A building lot located and designed to accommodate multiple dwellings arranged around and fronting on a central garden or courtyard that may be partially or wholly open to the street.

(10) APARTMENT BUILDING: A building lot located and designed to accommodate multiple dwellings above or beside each other in a building that occupies most of its building lot width and is placed close to the sidewalk.

(11) LIVE-WORK BUILDING: A building lot located and designed to accommodate an attached or detached building with residential uses, commercial uses, or a combination of the two within individually occupied live-work units, all of which may occupy any story of the building.

(12) MIXED-USE BUILDING LOT: A building lot located and designed to accommodate a multi-story building with multiple dwellings in upper stories and various commercial uses in any stories.

(13) MULTI-STORY COMMERCIAL BUILDING: A building lot located and designed to accommodate a multi-story building with commercial and office uses in any story.

(14) LARGE-FORMAT RETAIL BUILDING: A building lot located and designed to accommodate a large footprint building with one or more uses.

(15) COMMERCIAL BUILDING: A building lot located and designed to accommodate single use office and retail that are predominately located on corridors as part of a retail complex.

(16) PEDESTAL BUILDING: A building lot located and designed to accommodate the tallest permissible building whose primary facade must be stepped back to reduce its apparent bulk when viewed from the sidewalk.

(17) LINER BUILDING: A building lot located and designed to accommodate a large footprint building such as a parking garage, cinema, supermarket, etc., which is surrounded by a liner building which conceals large expanses of blank walls and faces the street with ample windows and doors opening onto the sidewalk.

(18) INDUSTRIAL BUILDING: A building lot located and designed to accommodate industrial uses.

(19) CIVIC: A building lot located and designed to accommodate a building containing public or civic uses such as community services, day care, education, government, places of worship, or social services.

(20) APARTMENT COMPLEX: A complex is located and designed for development over five acres in size and accommodates one or more multifamily building lot types.

(21) RETAIL COMPLEX: A complex is located and designed for development over five acres in size and accommodates commercial buildings, large format retail building lot type, mixed use building lot types, and multi-story commercial building lot types. A block structure will be required for this type of development and is outlined in section 115-7.1(a).

(22) INDUSTRIAL COMPLEX: A complex is located and designed for development over five acres in size and accommodates multiple industrial building types in one complex.

**(b) *Time to Challenge*. Any person or entity challenging the validity of this section must do so by filing a lawsuit with a court of competent jurisdiction within 90 days of the date of adoption. Absent the timely filing of a lawsuit in a court of competent jurisdiction within 90 days of the date of adoption, this section shall be the final adjudication of all issues presented herein and not subject to challenge more than 90 days after adoption.**

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

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**Sec. 110-4. Single-family detached lot.**

**A building lot located and designed to accommodate a detached single-family building with varied sizes of rear yards, common yards and street yards. This is the only permitted building lot type for detached single-family within the Suburban Residential (SR) Future Land Use District.**

| | Suburban Residential (SR) |
|---|---|
| LOT REQUIREMENTS | MIN |
| Lot Width (ft) | 100 |
| Lot Depth (ft) | 100 |
| Lot Size (ft) | 10,000 |
| BUILDING ENVELOPE | MAX |
| Street Setback (ft) | 25 |
| Common Lot Setback (ft) | 7.5 |
| Alley or Rear Setback (ft) | 10 |
| Frontage Buildout % | -- |
| ACC BLDG ENVELOPE | MAX |
| Street Setback (ft) | 10' behind building frontage |
| Common Lot Setback (ft) | 5 |
| Rear Setback (ft) | 5 |
| BUILDING HEIGHT | MAX |
| Principal Building (st) | 2 |
| Accessory Building(s) (st) | 2 |
| PARKING PROVISIONS | |
| Location | Zones 2 and 3 |
| PRIVATE FRONTAGES | |
| Common Lawn | X |
| Porch and Fence | X |
| Forecourt | |
| Stoop | |

| | |
|---|---|
| **Shopfront and Awning** | |
| **Gallery** | |
| **Arcade** | |

***Time to Challenge*. Any person or entity challenging the validity of this section must do so by filing a lawsuit with a court of competent jurisdiction within 90 days of the date of adoption. Absent the timely filing of a lawsuit in a court of competent jurisdiction within 90 days of the date of adoption, this section shall be the final adjudication of all issues presented herein and not subject to challenge more than 90 days after adoption.**

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## Chapter 115 GENERAL BUILDING AND SITE STANDARDS

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### Sec. 115-3. - Residential compatibility and design district transitions.

The compatibility standards below provide standard and predictable measures for establishing and creating compatibility through landscapes, buffers, natural areas or transitional development practices in an effort to lessen impacts and integrate development along the edges of properties where different land use districts or densities are present, as provided for in the future land use element of the comprehensive plan. These standards are in addition to the development pattern and design district standards in Chapter 109 that provide for compatible lot typologies.

(Ord. No. 21-09, § 1, 6-17-2021)

### Sec. 115-3.1. - Urban Districts.

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

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

The width of the new lots may be no more than 110 percent of the width of the existing or platted lots, unless such existing or platted lots are non-conforming with the urban design district standards.

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

(1) The width of the new lots may be no less than 60 percent of the width of the existing or platted lots, unless:

a. A landscape buffer (7 to 10 feet wide) is provided between the new lots and existing or platted lots; or

b. Park space as permitted by section 115-8.1 is provided between the new lots and the existing platted lots; or

c. A consistent opaque buffer wall/fence is provided between the new lots and the existing or platted lots.

**(d) Master Planning Requirement. Urban district properties larger than 300 acres must undergo a comprehensive master planning process before development. This process shall incorporate agreed-upon design standards, pattern books, covenants and restrictions, and other planning techniques/best practices to promote cohesive, well-integrated land use.**

**(e) *Time to Challenge*. Any person or entity challenging the validity of this section must do so by filing a lawsuit with a court of competent jurisdiction within 90 days of the date of adoption. Absent the timely filing of a lawsuit in a court of competent jurisdiction within 90 days of the date of adoption, this section shall be the final adjudication of all issues presented herein and not subject to challenge more than 90 days after adoption.**

**Sec. 115-3.2. - Suburban Districts.**

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

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

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

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

b. Central sewer service is not available.

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

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

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

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

**c. Master Planning Requirement. Suburban district properties larger than 300 acres must undergo a comprehensive master planning process before development. This**

**process shall incorporate agreed-upon design standards, pattern books, covenants and restrictions, and other planning techniques/best practices to promote cohesive, well-integrated land use.**

**d. *Time to Challenge*. Any person or entity challenging the validity of this section must do so by filing a lawsuit with a court of competent jurisdiction within 90 days of the date of adoption. Absent the timely filing of a lawsuit in a court of competent jurisdiction within 90 days of the date of adoption, this section shall be the final adjudication of all issues presented herein and not subject to challenge more than 90 days after adoption.**

**Sec. 115-3.3. - Rural Districts.**

a. Rural residential compatibility. For lands within the rural design district, the maximum residential density permitted shall be consistent with the maximum density of the applicable land use district assigned to each individual property.

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

(1) The width of the new lots may be no more than 200 percent of the width of the existing or platted lots, unless:

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

b. Central sewer service is not available.

c. When any rural design district abuts an existing development in a rural district, and proposed new residential lots will share a common boundary with existing or platted lots:

1. The width of the new lots may not be less than 85 percent of the width of the existing or platted lots, unless:

i. A landscape buffer (15 to 25 feet wide) is provided between the new lots and existing or platted lots; or

ii. Park space as permitted by section 115-8.3 is provided between the new lots and existing or platted lots.

**d. Master Planning Requirement. Rural district properties larger than 300 acres must undergo a comprehensive master planning process before development. This process shall incorporate agreed-upon design standards, pattern books, covenants and restrictions, and other planning techniques/best practices to promote cohesive, well-integrated land use.**

**e. *Time to Challenge*. Any person or entity challenging the validity of this section must do so by filing a lawsuit with a court of competent jurisdiction within 90 days of the date of adoption. Absent the timely filing of a lawsuit in a court of competent jurisdiction within 90 days of the date of adoption, this section shall be the final adjudication of all issues presented herein and not subject to challenge more than 90 days after adoption.**

* * *

**Sec. 115-3.4. Residential Subdivision Standards for all design districts within the Suburban Residential Future Land Use District.**

**(a) For all residential subdivisions containing more than ten lots within the Suburban Residential (SR) Future Land Use District, all provisions of Section 115 shall apply, except that the standards specified herein supersede the requirements of Section 115, regardless of the design district in which the properties are located.**

**(1) Building Lot Types. For detached single-family development, single-family detached building lot types are the only lot type permitted.**

**a. If the applicant desires to include smaller lot types within the development, the applicant shall apply for a waiver, per Sec. 102-21.1, to a smaller lot size provided for in the Eustis SR Development Standards.**

**(2) Double-Frontage Lots. The use of double-frontage lots shall be strongly discouraged except where essential to overcome disadvantages of topography or environmental characteristics.**

**(3) Streets. Streets must be designed to accommodate multimodal traffic and serve a variety of users. This section is intended to acknowledge this and provide guidance for future roadway construction and reconstruction.**

**a. The internal street network must comply with or exceed the minimum standards of Residential Road, Residential Street, or Rear Alley types from Section 115.7.3., including street trees and sidewalks where applicable.**

**b. Cul-de-sacs are discouraged. If a residential street does not provide connectivity outside of direct access from residences to the surrounding street network, it shall be a private street dedicated to a property owner's association. Cross access to abutting properties or stubs out to vacant adjacent sites will be considered providing connectivity.**

**c. For all residential subdivisions containing more than ten lots within the Suburban Residential (SR) Future Land Use District, this standard shall supersede the permissible street types table outlined in Sec. 115-7.3.2.**

**(4) Street Trees. Street trees are required in parkway strips between the road and sidewalk.**

**a. Canopy (overstory) trees shall be provided in the streetscape spaced at one (1) tree per forty (40) feet of property frontage. Waivers for tree spacing may be considered for access drives or the construction of on-street parking spaces.**

**b. Minimum widths for parkway strips are required to comply with the minimum standards of Residential Road, Residential Street, or Rear Alley types from Section 115.7.3.**

**(5) *Time to Challenge*. Any person or entity challenging the validity of this section must do so by filing a lawsuit with a court of competent jurisdiction within 90 days of the date of adoption. Absent the timely filing of a lawsuit in a court of competent jurisdiction within 90 days of the date of adoption, this section shall be the final adjudication of all issues presented herein and not subject to challenge more than 90 days after adoption.**

* * *

**Sec. 115-4.1 Open space.**

(a) When there is a requirement that the minimum open space required within a development be under common ownership or unified control, or within a subdivision, the open space shall be property under control of the developer or in public or common private ownership. It shall not be in individual lots unless restricted by a conservation easement protecting natural resources and prohibiting construction of impervious surface improvements.

(b) Open space may be used for parks, recreation, conservation, preservation of native habitat and other natural resources, stormwater management, historic or scenic purposes. When used for recreation, the following shall apply:

(1) Recreational activities in conservation or preservation open space areas shall maintain the areas in their natural state with little or no land disturbance. Structures are limited to improvements such as boardwalks, permeable pathways and signage necessary for resource management.

(2) Recreational activities in all other open space areas may include but are not limited to active and passive recreation where not more than five percent of the area of any required open space shall be occupied by impervious surfaces other than sidewalks, boardwalks, and other pedestrian pathways.

(3) **For multi-family, mixed-use, and townhome developments, programmed open spaces and recreational areas shall be centrally located and shall be visually and physically connected to a street. If it is not possible to provide a centrally located recreational area, justification shall be provided by the applicant, and the alternative proposal shall be subject to approval by the Development Services Director or their designee.**

**a. Acceptable justifications include site constraints due to existing natural features or requests to locate open space around one or more clustered protected or specimen trees.**

**(4) *Time to Challenge*. Any person or entity challenging the validity of this section must do so by filing a lawsuit with a court of competent jurisdiction within 90 days of the date of adoption. Absent the timely filing of a lawsuit in a court of competent jurisdiction within 90 days of the date of adoption, this section shall be the final adjudication of all issues presented herein and not subject to challenge more than 90 days after adoption.**

(Ordinance 16-31, 12-15-2016)

* * *

**Sec. 115-4.9. Stormwater management.**

*(a) Purpose and intent*. The purpose of this section is to provide stormwater management for protecting the public health, safety, and welfare from deterioration of water quality, damage of property and infrastructures, and degradation of environment. The intent of the stormwater management is to confine and regulate runoff from polluting surface water, reducing erosion and sedimentation, preventing flooding and endangerment of the ecological balance of the environment. Proper stormwater management enhances landscape value, increases groundwater recharge, and decreases groundwater consumption. All new developments require stormwater management with the financial responsibility of design, permits, construction and maintenance being born by the developer.

*(b) Permitting*. A site development permit is required for all construction activities such as land clearing for stormwater control, subdivision development, infrastructures installation, pavement, altering shoreline or water bodies functions, etc. Exemptions will be provided for activities such as individual residential construction within a permitted subdivision, agricultural and silvicultural activities permitted by regulatory agencies as required. All permit applications shall include sufficient information and documentation in the form of maps, plans, specifications, and calculations signed and sealed as required by law.

*(c) Performance criteria and standards*. All stormwater management shall be planned, designed, constructed and maintained to meet the performance criteria and standards as described herein and required by law. The city engineer shall provide stormwater construction specifications and standards.

(1) *Pollution abatement*. Stormwater runoff shall be contained as required by state and federal regulatory agencies to provide retention and detention storage as required by the agency having jurisdiction (St. Johns River Water Management District). In unincorporated planning areas, both St. Johns River Water Management District and Lake County Environmental Services shall be contacted for permit requirements. Retention basins with percolation and detention basins without filtration (wet detention) are recommended. The use of detention basins with underdrain filtration (dry detention) is discouraged due to maintenance problems.

(2) *Water quantity and flood control*. Stormwater runoff shall be contained as required by state and federal regulatory agencies to limit post-development peak rate and volume discharge as required by the agency having jurisdiction (St. Johns River Water Management District). Designs for the drainage basins shall be based on storm events as follows:

a. The 25-year 96-hour storm event shall be used for land locked (without positive drainage outfall) areas which are:

1. Low-lying with a history of flooding problems; or
2. Have a high water table; or
3. Contain impervious soils.

Stormwater runoff shall be contained such that the post-development volume of runoff shall not exceed pre-development conditions based on a 25-year, 96-hour storm

event. For certain drainage basins as identified in the city's 1990 stormwater facilities study there may be additional requirements to achieve discharge and flood control requirements.

b. The 25-year, 24-hour storm event shall be used for areas having positive drainage outfall to an existing storm sewer or drainage ditch which leads to open surface waters of a lake or a canal. The post-development peak rate of discharge of stormwater runoff shall not exceed the pre-development conditions.

c. Retention systems must provide an available capacity for the appropriate treatment volume of stormwater within 72 hours following a storm event assuming average antecedent moisture conditions. Percolation rates for soils within the retention /detention area shall be determined by a geotechnical engineer and contained within a signed and sealed soils report.

Percolation rates must be designed with a safety factor of at least two unless the applicant affirmatively demonstrates based on plans, test results, calculations or other information that a lower safety factor is appropriate for the specific site conditions.

d. Plans and calculations for all stormwater retention/detention facility shall be sealed by a degreed civil engineer registered in the state who shall assume all responsibility and liability for their form, function and performance

.

(3) *Erosion control*. Erosion and sedimentation control devices shall be installed between the disturbed area and water bodies, watercourses and wetlands prior to construction. Vegetated buffer strips shall be retained in their natural state along the banks of all watercourses, water bodies and wetlands. Best management practices (BMPs) as described by the state department of environmental regulation's Florida Land Development Manual shall be incorporated into all designs to control erosion on site and sedimentation in watercourses.

(4) *Flood plain*. Development within the flood plain is discouraged. Construction within the flood prone areas as defined by Federal Emergency Management Act maps shall be compensated by providing storage volume for all flood water displaced by development below the elevation of the 100-year flood plain. All developments within riverine flood prone areas shall be designed to maintain the flood carrying capacity of the floodway such that the flood elevations are not increased, either upstream or downstream. Additionally, portions of structures below the flood area must be flood-proofed.

(5) *Off-site drainage*. Off-site areas which drain to or across a developing site must be accommodated in the stormwater management plans. Developing sites which drain to off-site areas must include those off-site areas in the stormwater management plans. The stormwater management system for the development must be capable of transporting flows without increasing stages or flows upstream or downstream of the developing areas. Stormwater runoff shall be contained at site without draining to the adjacent property unless proper drainage easement is secured.

(6) *Roadway swales*. Roadside swales may be acceptable for retention and detention of stormwater runoff from the roadway. Swale drainage shall be designed to provide positive drainage on site or conveyance of runoff to the retention or detention ponds based on 10-

year, 24-hour storm event. Positive percolation on site will be accepted only when the seasonal high ground water level is a minimum of one foot below the invert of the swale.

(7) *Storm sewer*. Storm sewer shall be designed based on a minimum of 10-year, 24-hour storm event. The minimum size of pipe used for storm sewer is 15 inches. All storm sewers shall be designed for a minimum velocity of two fps when flowing full, and the outlet ends shall be equipped with energy dissipaters for erosion control. Storm sewers shall be designed such that the hydraulic gradient is one foot below the gutter line or edge of pavement for arterial roadways, and one-half foot below the gutter line or edge of pavement for collector and local roadways.

(8) *Stormwater facilities*. Stormwater facilities shall be designed to provide the following levels of service:

Bridges: Hydraulic profile shall be below the top cord of the bridge for the 50-year, 24-hour storm event.

Canals: Canals, ditches, or culverts external to the development, and stormwater detention or retention basins which are not part of a project that is contributory to land-locked areas with no positive outlet, shall be designed for the 25-year, 96-hour storm event.

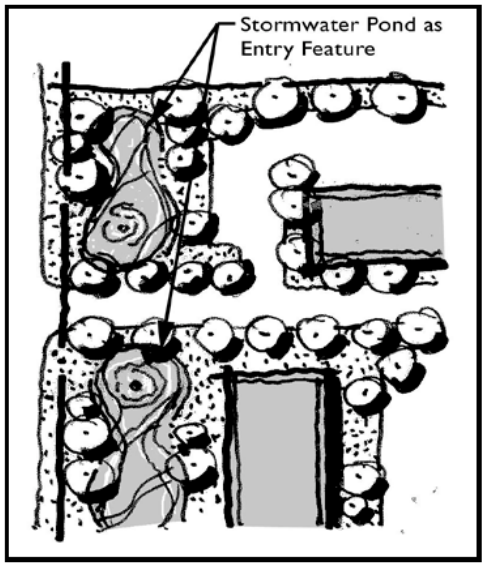
Roadway: Stormwater flooding for arterial and collector roadways shall not exceed one-half of the roadway width. For local roads, stormwater flooding shall not exceed the crown of the road for the 10-year, 24-hour storm event.

(9) *Wetlands*. Natural wetlands may only be used to attenuate runoff peak discharges if the regulatory agencies accept and approve such measures. Copies of permits from the agencies shall be submitted to the city prior to the city's final approval.

(10) *Easement*. A minimum 15 feet drainage easement shall be granted to the city for maintenance of drainage ways on-site or through the retention/detention basins. A 20-foot wide berm easement around the storage basins for maintenance purposes shall be provided to the city. This easement shall in no way relieve the property owner of maintenance of the drainage facility (for example, mowing of grass or weed control). It is not the intent of the city to provide routine maintenance in these easements; rather, the intent is to allow the city access to maintain the easement area as deemed necessary in the city's sole discretion.

(11) *Safety protection*. Where a sidewalk or public right-of-way is immediately abutting a retention/detention basin, a guardrail or other protective device shall be installed along the sidewalk or right-of-way. A dry basin designed for more than five feet in depth at 3:1 to 4:1 (horizontal: vertical) side slopes shall be fenced. Required fences for dry basins not steeper than 4:1 side slope shall be based on case-by-case basis. Minimum requirements of side slopes shall not be steeper than 3:1 for basin and 4:1 for swale designs.

(d) *Additional design standards*. Stormwater facilities may count toward the minimum open space requirements of these regulations if they meet the following minimum design standards:



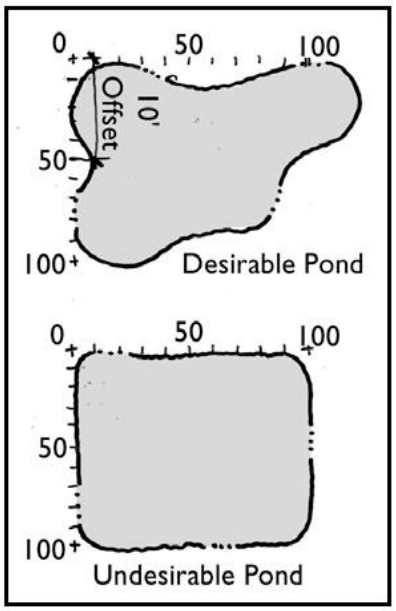

**Stormwater Facilities as a Design Feature**

(1) Stormwater facilities (ponds and/or depressions) shall be designed and utilized as site amenities along entrances and street frontages or incorporated with buffers between incompatible uses. These areas shall count toward open space requirements if the impervious area of the site does not exceed 75 percent.

(2) Stormwater facilities should be designed and permitted so as not to require fencing. If fencing is required, a green or black vinyl/painted finish is required. Walls or other railings for structured stormwater 'boxes' must be decorative. Fenced or walled ponds shall not count toward open space requirements within a project and shall only be located at the side or rear of a site. Max. Fence Height: four feet zero inches.

(3) **Stormwater facilities shall be designed to be an accessible and usable amenity for the development, incorporating natural landscaping, pedestrian pathways, benches, or other recreational features.**

(4) Subject to the requirements of St. Johns River Management District, other governmental agencies, and a consideration of safety related issues stormwater facilities that are located in the front of a property may be prohibited from having fencing.




**Desirable & Undesirable Detention/Retention Design**

(5) Wet stormwater detention/retention facilities adjoining public streets shall include a water feature such as a fountain or spray jet, and shall be planted with appropriate aquatic materials as specified in Table C. Detention/retention along the front of a property shall be designed with curvilinear edges - not as a straight "box". Retention embankments shall be planted with 1 tree per 50 linear feet of retention perimeter measured from top of slope. Trees shall be suitable for wet locations as identified in Table C, Approved Aquatic Plant Materials List.

(6) Dry retention areas shall be planted with grass, and unless maintained as an open lawn swale, shall be screened from view with a continuous hedge of shrubs on 36-inch centers around at least 75 percent of the perimeter at the top of the slope.

* * *

**Sec. 115-7.3. Street types.**

The categories of regulations that are provided on each street section are defined as follows.

(a) Design parameters.

(1) Target speed, the desired motor vehicle operating speed and design speed of the facility.

(2) Movement, the characteristic of motor vehicle traffic flow, described as free, slow, or yield.

(b) Travel-way configurations.

(1) Travel lanes (each direction), the number of through lanes to be provided in each direction (not applicable for yield movement facilities).

(2) Turn lanes, the lanes that may be provided on each approach at intersections where turn lanes are required (not applicable for yield movement facilities) to facilitate traffic operations.

(3) Bike facility, the provision of facilities for bicycle use, described as bike lane or bike route.

(c ) Lane dimensions.

(1) Travel lane(s) width (feet), the width of each travel lane measured to the face of curb (or edge of pavement if no curb).

(2) Bike lane width (feet), the width of bike lane measured to the face of curb (or edge of pavement if no curb).

(3) Continuous left turn lane width (feet), the width of center left turn lane measured to the edge of the adjacent travel lane.

(4) Parking lane width (parallel parking) (feet), the width of parking lane, if provided, on facility with parallel parking.

(5) Parking lane width (angled parking) (feet), the width of parking lane, if provided, on facility with angled parking, measured from the face of curb or edge of pavement if no curb).




(d) Roadway edge.

(1) Outside curb type, the type of edge treatment to be provided at the outside edge of pavement, described as type B, D, E, F, ribbon, or no curb.

(2) Median curb type, the type of edge treatment at the inside edge of pavement on a median facility, described as type B, D, E, F, ribbon, or no curb.

(e) Medians.

(1) Allowable median type, the type of median that may be provided between directions of traffic, described as narrow or wide.

(2) Narrow median width (ft.), the width of a narrow median.

(3) Wide median width (ft.), the width of a wide median.

(f) Public frontage.

(1) Planter type, the type of planting area that must be provided outside of the travelway, described as grass, intermittent, tree well, swale or natural area.

(2) Planter width (feet), the width of planting area.

(3) Walkway width (each side) (feet), the width of pedestrian walkway that must be provided on each side of the travel-way, unless noted otherwise.

(g) *Right-of-way*. Right-of-way width (feet), the width of right-of-way based on the minimum amount of space needed to accommodate the required elements of the design section.

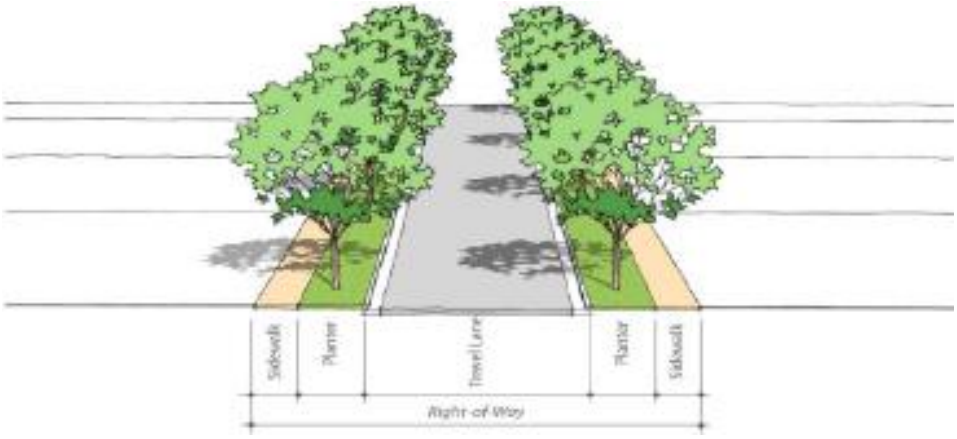
(h) Low impact development is permitted in street design and construction in all areas outside of the travel-ways. Those areas include on-street parking, sidewalks, planters, swales, or shoulders which may be used for stormwater infiltration, exfiltration, or storage, as shown on the example street section. Low impact development practices are particularly encouraged in rural areas.

(Ord. No. 16-31, 12-15-2016)

* * *

**RESIDENTIAL STREET [(1)]**

A small scale, slow or yield movement, local thoroughfare suitable for centers and cores providing frontage for higher density urban uses like townhouses, or small-lot single family homes.




| DESIGN PARAMETERS | MIN | MAX |
|---|---|---|
| Target Speed | 15 | 25 |
| Movement | Yield | Yield |

| TRAVELWAY CONFIGURATIONS | MIN | MAX |
|---|---|---|
| Travel Lanes (each direction) | N/A | N/A |
| Turn Lanes | N/A | N/A |
| Bike Facility | Bike Route | Bike Route |
| **LANE DIMENSIONS** | **MIN** | **MAX** |
| Travel Lane(s) Width (ft.) | Pavement Width | |
| Outside Lane Width (no bike lane) (ft.) | 16 | 26 |
| Bike Lane Width (ft.) | Yield movement. Two-way travel, with parking on one or both sides of the street | |
| Continuous Left Turn Lane Width (ft.) | | |
| Parking Lane Width (with bike lane) (ft.) | | |
| Parking Lane Width (no bike-lane) (ft.) | | |
| **CURBS** | **MIN** | **MAX** |
| Outside Curb Type | Type D or F | Type D or F |
| Median Curb Type | N/A | N/A |
| **MEDIANS** | **MIN** | **MAX** |
| Allowable Median Type | None | None |
| Narrow Median Width (ft.) | N/A | N/A |
| Wide Median Width (ft.) | N/A | N/A |
| **PUBLIC FRONTAGE** | **MIN** | **MAX** |
| Planter Type | Grass | Grass |
| Planter Width (ft.) | ~~6~~ **8** | 15 |
| Street Trees | One canopy tree every 40 feet | -- |
| Sidewalk Width (each side) (ft) | 5 | 7 |
| **RIGHT-OF-WAY** | **MIN** | **MAX** |
| Right-of-Way Width (ft.) | 45 | 70 |

**(1) On-street parking is not permitted unless parking spaces are provided with this street type within 8 – 10 feet. The parking spaces are not to be marked**

* * *

**RESIDENTIAL ROAD (1)**

A small scale slow or free movement local thoroughfare suitable to provide frontage for low-density buildings.



| DESIGN PARAMETERS | MIN | MAX |
|---|---|---|
| Target Speed | 25 | 35 |
| Movement | Slow | Slow |
| **TRAVELWAY CONFIGURATIONS** | **MIN** | **MAX** |
| Travel Lanes (each direction) | N/A | N/A |
| Turn Lanes | N/A | N/A |
| Bike Facility | Bike Route | Bike Route |
| **LANE DIMENSIONS** | **MIN** | **MAX** |
| Travel Lane(s) Width (ft.) | Pavement Width | |
| Outside Lane Width (no bike lane) (ft.) | 10 | 16 |
| Bike Lane Width (ft.) | Yield movement. Two-way travel | |
| Continuous Left Turn Lane Width (ft.) | | |
| Parking Lane Width (with bike lane) (ft.) | | |
| Parking Lane Width (no bike-lane) (ft.) | | |
| **CURBS** | **MIN** | **MAX** |
| Outside Curb Type | Swale or Ribbon | Swale or Ribbon |
| Median Curb Type | N/A | N/A |
| **MEDIANS** | **MIN** | **MAX** |
| Allowable Median Type | None | None |
| Narrow Median Width (ft.) | N/A | N/A |
| Wide Median Width (ft.) | N/A | N/A |
| **PUBLIC FRONTAGE** | **MIN** | **MAX** |
| Planter Type | Grass or Swale | Grass or Swale |
| Planter Width (ft.) | ~~6~~ 8 | 15 |
| Street Trees | One canopy tree every 40 feet | -- |
| Sidewalk Width (each side) (ft) | 5 | 7 |

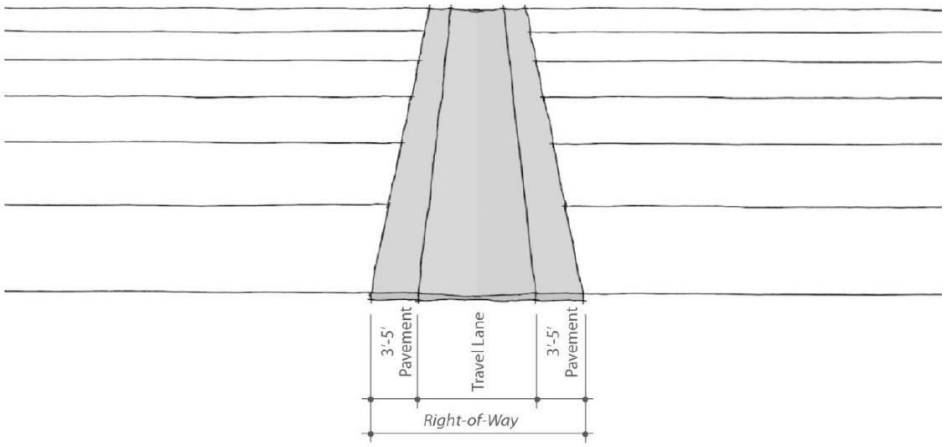
| RIGHT-OF-WAY | MIN | MAX |
|---|---|---|
| Right-of-Way Width (ft.) | 45 | 70 |

**(1) On-street parking is not permitted unless parking spaces are provided with this street type within 8 – 10 feet. The parking spaces are not to be marked.**

* * *

## REAR ALLEY

A yield movement right-of-way providing access to service areas, parking, outbuildings (garage) and contains utility easements. This condition is more urban in nature and does not include any streetscape requirements.




| DESIGN PARAMETERS | MIN | MAX |
|---|---|---|
| Target Speed | 5 | 10 |
| Movement | Yield (one way) | Yield (one way) |
| **TRAVELWAY CONFIGURATIONS** | **MIN** | **MAX** |
| Travel Lanes (each direction) | 1 | 1 |
| Turn Lanes | N/A | N/A |
| Bike Facility | None | None |
| **LANE DIMENSIONS** | **MIN** | **MAX** |
| Travel Lane(s) Width (ft.) | 8 | 11 |
| Outside Lane Width (no bike lane) (ft.) | N/A | N/A |
| Bike Lane Width (ft.) | N/A | N/A |
| Continuous Left Turn Lane Width (ft.) | N/A | N/A |
| Parking Lane Width (with bike lane) (ft.) | N/A | N/A |
| Parking Lane Width (no bike-lane) (ft.) | N/A | N/A |

| CURBS | MIN | MAX |
|---|---|---|
| Outside Curb Type | None Required | None Required |
| Median Curb Type | N/A (inverted Crown) | N/A (Inverted Crown) |
| **MEDIANS** | **MIN** | **MAX** |
| Allowable Median Type | N/A | N/A |
| Narrow Median Width (ft.) | N/A | N/A |
| Wide Median Width (ft.) | N/A | N/A |
| **PUBLIC FRONTAGE** | **MIN** | **MAX** |
| Planter Type | N/A | N/A |
| Planter Width (ft.) | ~~N/A~~ | N/A |
| Sidewalk Width (each side) (ft) | N/A | N/A |
| **RIGHT-OF-WAY** | **MIN** | **MAX** |
| Right-of-Way Width (ft.) | 14 | 21 |

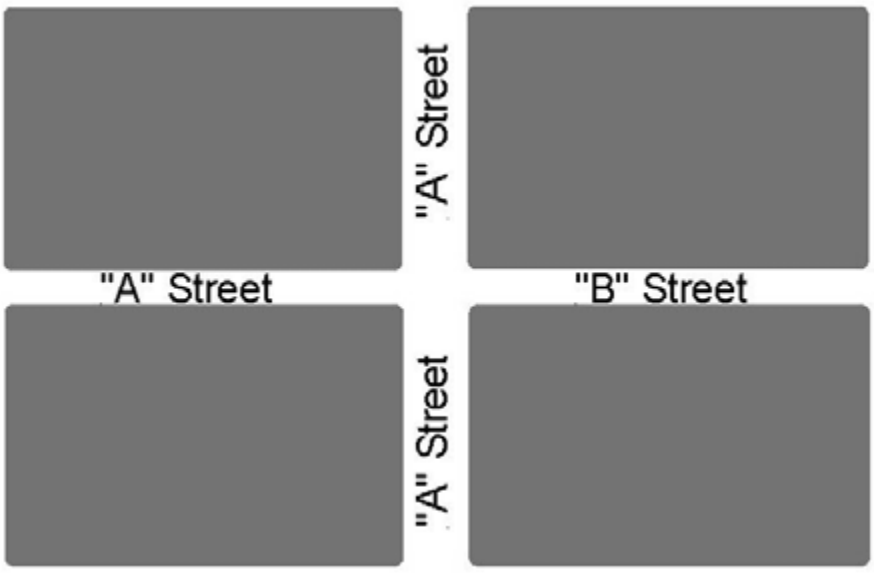
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**Sec. 115-7.3.1. Urban street types.**

(a) *Urban street types*. Within the urban area, all newly constructed streets, excluding alleys and multi-use trails, shall be designated an "A" street or a "B" street on the site plan. In addition, the following restrictions shall apply:

(1) A street shall be classified an "A" street unless otherwise designated on the site plan. "B" streets may be designated by individual block faces; however, no block face shall be split by "A" street and "B" street designations. See figure 2 for illustration.

**A. Acceptable A-B Street Layout**



**~~B.~~ Unacceptable A-B Street Layout**




**Figure 10. Street Layout examples.**

Alleys are required to serve all residential lots less than 50 feet in width. Alleys and other streets shall be interconnected whether multiple streets are being constructed or there are opportunities to connect to existing streets.

(b) The following streets are designated "A" streets within the urban center. If a street has not been identified, it shall be designated a "B" street.

| Street | From | To |
|---|---|---|
| Bates Avenue | Bay Street | Mary Street |
| Gottsche Avenue | Bay Street | Mary Street |
| Clifford Avenue | Bay Street | Mary Street |
| Magnolia Avenue | Bay Street | Mary Street |
| Orange Avenue | Bay Street | Mary Street |
| Lemon Avenue | Bay Street | Mary Street |
| Bay Street | Lemon Avenue | Bates Avenue |
| Eustis Street | Orange Avenue | Clifford Avenue |
| Grove Street | Lemon Avenue | Bates Avenue |
| Center Street | Lemon Avenue | Bates Avenue |
| Mary Street | Lemon Avenue | Bates Avenue |
| McDonald Avenue | Bay Street | Mary Street |

(c) The following street types are permitted within the city's urban design districts:

| Street Types (1) | URBAN | | | |
|---|---|---|---|---|
| | NHB | DST | COR | CTR |
| Highway | | | | |
| Boulevard | | X | X | X |

| | | | | |
|---|---|---|---|---|
| Avenue | X | X | X | X |
| Drive | X | X | X | X |
| Commercial Street | | | X | X |
| Standard Street | X | X | X | X |
| Residential Street | X | | | |
| Residential Road | | | | |
| General Road | | | | |
| Rural Road | | | | |
| Service Road | | | | |
| Rear Alley | | X | X | X |

(X) Permitted, Blank cell – prohibited.

**(1) Street types within residential subdivisions of ten lots or more within the Suburban Residential (SR) Future Land Use designation are limited to Residential Street, Residential Road, and Rear Alley for properties with less than 50 feet in width**.

(Ord. No. 16-31, 12-15-2016)

**Sec. 115-7.3.2. Suburban street types.**

(a) The following street types are permitted within the city's suburban design districts.

| Street Types (1) | SUBURBAN | | | |
|---|---|---|---|---|
| | NHB | DST | COR | CTR |
| Highway | | X | X | X |
| Boulevard | | X | X | X |
| Avenue | | X | X | X |
| Drive | X | X | X | X |
| Commercial Street | | | X | X |
| Standard Street | | X | X | X |
| Residential Street | X | | | |
| Residential Road | X | | | |
| General Road | | | | |
| Rural Road | | | | |
| Service Road | | X | X | |
| Rear Alley | | X | X | X |
| Rear Lane | X | | | |

(X) Permitted, Blank cell - prohibited.

**(1) Street types within residential subdivisions of ten lots or more within the Suburban Residential (SR) Future Land Use designation are limited to Residential Street, Residential Road, and Rear Alley for properties with less than 50 feet in width**.

Alleys are required to serve all residential lots less than 50 feet in width. Alleys and other streets shall be interconnected where multiple streets are being constructed or there are opportunities to connect to existing streets.

(Ord. No. 16-31, 12-15-2016)

**Sec. 115-7.3.3. Rural street types.**

(a) The following street types are permitted within the city's rural design districts:

| Street Types (1) | RURA | | | |
|---|---|---|---|---|
| | NHB | DST | COR | CTR |
| Highway | | X | X | |
| Boulevard | | | | |
| Avenue | | | | |
| Drive | | | | |
| Commercial Street | | | | X |
| Standard Street | | | | X |
| Residential Street | | | | |
| Residential Road | X | | | |
| General Road | X | X | X | X |
| Rural Road | X | X | X | X |
| Service Road | | | | |
| Rear Alley | | X | | X |
| Rear Lane | X | | X | |

(X) Permitted, Blank cell – prohibited.

**(1) Street types within residential subdivisions of ten lots or more within the Suburban Residential (SR) Future Land Use designation are limited to Residential Street, Residential Road, and Rear Alley for properties with less than 50 feet in width**.

Alleys are required to serve all residential lots less than 50 feet in width. Alleys and other streets shall be interconnected where multiple streets are being constructed or there are opportunities to connect to existing streets.

(Ord. No. 16-31, 12-15-2016)

* * *

**SECTION 3.** The above whereas clauses are ratified and confirmed as true and correct.

**SECTION 4.** The City's Land Development Regulations are hereby amended to read as follows:

**SECTION 5.** Any typographical errors that do not affect the intent of this Ordinance may be corrected with notice to and authorization of the City Attorney and City Manager without further process.

**SECTION 6**. That it is the intention of the City of Eustis that the provisions of this ordinance shall become and be made a part of the City of Eustis Code of Ordinances and that the sections of this Ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to "Section", "Article", or other such appropriate word or phrase to accomplish such intentions.

**SECTION 7.** That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 8.** 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 9.** Notwithstanding any other provision of this Ordinance, the effective date of this Ordinance shall be automatically stayed and shall not become effective until the earlier of: (a) the expiration or repeal of the restrictions set forth in Senate Bill 180 (2025), Chapter 2025-190, Laws of Florida; (b) a final order of a court of competent jurisdiction declaring such restrictions invalid or unenforceable; or (c) an amendment to state law by the Florida Legislature that removes or modifies such restrictions so as to allow this Ordinance to take effect. Upon the occurrence of any of the foregoing conditions, this Ordinance shall become effective immediately without further action by the City Commission.

**PASSED, ORDAINED AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 4th day of September, 2025.

CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA

_____
WILLIE HAWKINS
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 September, 2025 by Willie Hawkins, 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 Ordinance Number 25-09 is hereby approved, and I hereby 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 Parks & Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____
Christine Halloran, City Clerk

# Business Impact Estimate Eligibility Form

**Section 166.041(4), Florida Statutes**

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Eustis' website by the time notice of the proposed ordinance is published.*

*This form simply assists in determining whether a Business Impact Estimate must be completed under Florida law for the proposed ordinance. Should a Business Impact Estimate be required or should the City opt to provide one as a courtesy based on the selection below then a separate form with the statutory components of Section 166.041(4)(a) shall also accompany the proposed ordinance.*

| | |
|---|---|
| Ordinance Number | 25-09 |
| Ordinance Subject | Amendments to City Land Development Regulations |
| Legal Advertising Date | June 10, 2025 |
| First Reading On | 6/19/2025 |
| Second Reading On | 9/4/2025 |

## Ordinance Title

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS; AMENDING SECTION 109.4 (USE REGULATIONS TABLE) TO CLASSIFY "CONCRETE AGGREGATE SHREDDER/CRUSHER" AS AN INDUSTRIAL USE AND TO SPECIFY THE LAND USE CATEGORIES IN WHICH THE USE IS PERMITTED BY RIGHT OR SUBJECT TO CONDITIONAL USE APPROVAL; AMENDING SECTIONS 115-3.1 (URBAN DISTRICTS), 115-3.2 (SUBURBAN DISTRICTS), AND 115-3.3 (RURAL DISTRICTS) RELATING TO DISTRICT REGULATIONS; AMENDING SECTIONS 109-5.4 (URBAN), 109-5.6 (SUBURBAN), AND 109-5.8 (RURAL) TO UPDATE PERFORMANCE STANDARDS; AMENDING SECTION 110-3 REGARDING DEVELOPMENT PATTERN AND DESIGN DISTRICTS; ADDING A NEW SECTION TO 110-4 (BUILDING LOT TYPES) TO ESTABLISH A SINGLE-FAMILY DETACHED LOT TYPE, WHICH MAY BE RENUMBERED AS NECESSARY; ADDING SECTION 115-4.1(b)(3) TO ESTABLISH OPEN SPACE REQUIREMENTS FOR SINGLE-FAMILY SUBDIVISIONS, MULTI-FAMILY, MIXED-USE, AND TOWNHOME DEVELOPMENTS; ADDING SECTION 115-4.9(d)(3) TO ALLOW STORMWATER FACILITIES TO FUNCTION AS AMENITIES; AMENDING SECTION 115-7.3 TO REQUIRE STREET TREES AND TO PROHIBIT ON-STREET PARKING ON RESIDENTIAL STREETS UNLESS DESIGNATED PARKING SPACES ARE PROVIDED; AMENDING SECTION 102-21 REGARDING SITE PLANS AND PRELIMINARY PLATS; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.**

**Based on the City's review of the proposed ordinance (*must select one of the following*):**

☐ The City has determined the statutory exemption identified below applies to the proposed ordinance; a Business Impact Estimate is NOT required and therefore not provided.

☐ The City has determined the statutory exemption identified below applies to the proposed ordinance; however, the City has prepared the Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance.

☒ The City has prepared a Business Impact Estimate in accordance with section 166.041(4), Florida Statutes.

**Exemptions**

The City has determined that a Business Impact Estimate is NOT required as the following exemption applies to the proposed ordinance:

**Section 166.041 (4)(c) exemption**: It is required for compliance with federal or state law or regulation.

# BUSINESS IMPACT ESTIMATE

The City provides the following Business Impact Estimate, which may be revised following its initial posting.

1. Summary of the proposed ordinance (must include a statement of the public purpose to be served by the proposed ordinance, such as serving the public health, safety, morals, and welfare of the municipality):

The proposed ordinance adopts and codifies into the City's Land Development Regulations changes recommended last November by the City's Planning Consultant, Kimley-Horn, Inc., regarding subdivision development and advisory design guidelines within the Suburban Residential (SR) Land Use District. The changes also include a new requirement applicable to all land use districts: properties exceeding 300 acres must undergo master planning before being developed as mixed-use or residential projects. Additionally, the Use Regulation Table is being updated to classify "concrete aggregate shredder/crusher" as an industrial use allowed by right within Public Institutional (P/I) and General Industrial (GI) Land Use Districts, and as a conditional use in the Mixed Commercial/Industrial (MCI) Land Use District. The revisions in the proposed ordinance ensure consistency with the City's Comprehensive Plan, and promote public health, safety and welfare, as well as foster economic growth.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

   (a) An estimate of direct compliance costs that businesses may reasonably incur.

None are expected.

   (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible.

No new fee is being imposed other than the need to apply for a conditional use permit for concrete crushing activities in the MCI Land Use District; said permit is $800.00.

   (c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

None are expected.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance.

Other than the City itself, no property owners or businesses within City limits will be affected.

4. Additional information the City deems useful (if any).

The proposed ordinance will promote public safety and health by defining which land use categories are viable options for concrete crushing uses. Additionally, it will promote varied and more distinctive residential developments within the City limits fostering economic growth and increasing property values.

# CHAPTER 2025-190

## Committee Substitute for
## Committee Substitute for Senate Bill No. 180

An act relating to emergencies; amending s. 83.63, F.S.; requiring certain tenants to be given specified opportunities or notice; creating s. 163.31795, F.S.; defining the terms "cumulative substantial improvement period" and "local government"; prohibiting certain local governments from adopting ordinances for substantial improvements or repairs to a structure which include cumulative substantial improvement periods; amending s. 163.31801, F.S.; prohibiting certain entities from assessing impact fees for specified replacement structures; providing an exception; providing construction; amending s. 193.155, F.S.; revising the square footage limitations for certain changes, additions, and improvements to damaged property; amending s. 215.559, F.S.; removing a reference to a certain report; revising public hurricane shelter funding prioritization requirements for the Division of Emergency Management; amending s. 250.375, F.S.; authorizing certain servicemembers to provide medical care in specified circumstances; amending s. 252.35, F.S.; revising requirements for the state comprehensive emergency management plan; requiring such plan to include an update on the status of certain emergency management capabilities; requiring the division to collaborate with the Department of Health; revising responsibilities of the division; requiring the division to develop a certain template; revising the purpose of certain training programs; requiring the division to set the minimum number of training hours that specified individuals must complete biennially; authorizing such training to be provided by certain entities; requiring the division to conduct an annual hurricane readiness session in each region designated by the division for a specified purpose; requiring all county emergency management directors, and authorizing other county and municipal personnel, to attend such session; requiring that the session include specified topics and needs; removing a specified reporting requirement; amending s. 252.355, F.S.; authorizing the Department of Veterans' Affairs to provide certain information to specified clients or their caregivers; requiring the Florida Housing Finance Corporation to enter into memoranda of understanding with specified agencies for a certain purpose; providing that specified persons may use special needs shelters in certain circumstances; amending s. 252.3611, F.S.; directing specified entities to submit specified contracts and reports to the Legislature under specified conditions; requiring such contracts to be posted on a specified secure contract system; requiring the division to report annually to the Legislature specified information on expenditures relating to emergencies; providing requirements for such report; amending s. 252.363, F.S.; providing for the tolling and extension of certain determinations; providing for retroactive application; amending s. 252.365, F.S.; requiring agency heads to notify the Governor and the division of the person designated as the emergency coordination officer annually by a specified

date; amending s. 252.3655, F.S.; creating the natural hazards risks and mitigation interagency coordinating group; providing the purpose of the group; providing for the membership and administration of the group; requiring agency representatives to provide information relating to natural hazards to this state, agency resources, and efforts to address and mitigate risks and impacts of natural hazards; requiring the group to meet in person or by communications media technology at least quarterly for specified purposes; requiring specified agency heads to meet at least annually to strategize and prioritize state efforts; requiring the division, on behalf of the group, to prepare an annual progress report and submit such report to the Governor and Legislature; revising requirements for such report; amending s. 252.37, F.S.; requiring the division to notify the Legislature of its intent to accept or apply for federal funds under certain circumstances; requiring the division to take steps to maximize the availability and expedite the distribution of financial assistance from the Federal Government to state and local agencies; requiring that such steps include the standardization and streamlining of the application process for federal financial assistance and the provision of assistance to applicants for a specified purpose; requiring the division to use certain federal funds to implement such requirements; amending s. 252.373, F.S.; conforming a cross-reference; amending s. 252.38, F.S.; requiring political subdivisions to annually provide specified notification to the division before a specified date; creating s. 252.381, F.S.; requiring counties and municipalities to post certain information on their websites; requiring counties and municipalities to develop a poststorm permitting plan; providing requirements for such plan; requiring counties and municipalities to update such plan by a specified date annually; requiring counties and municipalities to publish on their websites a specified storm recovery guide by a specified date annually; providing requirements for such guide; requiring certain counties and municipalities to publish on their websites updates to such guide as soon as practicable following a storm; prohibiting certain counties and municipalities from increasing building permit or inspection fees within a specified timeframe; requiring counties and municipalities to allow individuals to receive certain letters electronically on or before a specified date; requiring certain counties and municipalities to use their best efforts to open a permitting office for a minimum number of hours per week; amending s. 252.385, F.S.; revising reporting requirements for the division; revising requirements for a specified list; requiring the Department of Health and the Agency for Persons with Disabilities to assist the division with certain determinations; creating s. 252.422, F.S.; defining the term “impacted local government”; prohibiting impacted local governments from proposing or adopting certain moratoriums, amendments, or procedures for a specified timeframe; authorizing the enforcement of certain amendments, plans, permits, and orders under certain circumstances; authorizing any person to file suit to enforce specified provisions; authorizing counties and municipalities to request a specified determination by a court; prohibiting counties and municipalities from taking certain actions until the court has issued a preliminary or final judgment; requiring plaintiffs to provide certain notification before filing

suit; requiring impacted local governments to take certain actions upon receipt of such notification or a suit may be filed; providing for reasonable attorney fees and costs; authorizing the use of a certain summary procedure; requiring the court to advance the cause on the calendar; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study on certain local government actions after hurricanes; specifying requirements for the study and legislative recommendations; requiring the office to submit a report to the Legislature by a specified date; creating s. 252.505, F.S.; requiring that certain contracts include a specified provision; defining the term "emergency recovery period"; amending s. 373.423, F.S.; requiring the Department of Environmental Protection to submit a Flood Inventory and Restoration Report to the division by a specified date; requiring the department to work with specified entities to compile information for the report; providing specifications for the report; requiring the owner of certain infrastructure to submit certain information to the department; requiring the department to review and update the report biannually; requiring the department to submit an updated report to the division by a specified date; amending s. 380.0552, F.S.; revising the maximum evacuation clearance time for permanent residents of the Florida Keys Area, which time is an element for which amendments to local comprehensive plans in the Florida Keys Area must be reviewed for compliance; requiring the Department of Commerce to conduct baseline modeling scenarios and gather data to determine the number of building permit allocations for distribution in the Florida Keys Area; requiring that such allocations be distributed in a specified manner and over a specified timeframe; prohibiting such allocations from exceeding a specified number; requiring that permits be issued for certain parcels and the distribution of such permits prioritize specified allocations; amending s. 400.063, F.S.; conforming a cross-reference; amending s. 403.7071, F.S.; providing that local governments are authorized and encouraged to add certain addendums to certain contracts and agreements; requiring counties and municipalities to apply to the department for authorization to designate at least one debris management site; authorizing municipalities to apply jointly with a county or adjacent municipality for authorization of a debris management site if such entities approve a memorandum of understanding; providing requirements for such memorandum; creating s. 489.1132, F.S.; providing definitions; requiring a hurricane preparedness plan to be available for inspection at certain worksites; requiring certain equipment to be secured in a specified manner no later than 24 hours before the impacts of a hurricane are anticipated to begin; providing penalties; requiring the Florida Building Commission to establish specified best practices and report findings to the Legislature by a specified date; amending s. 553.902, F.S.; revising the definition of the term "renovated building"; requiring the division to consult with specified entities to develop certain recommendations and provide a report to the Legislature by a specified date; prohibiting certain counties from proposing or adopting certain moratoriums, amendments, or procedures for a specified timeframe; declaring that such moratoriums, amendments, or procedures are null and void;

providing for retroactive application; authorizing the enforcement of certain amendments, plans, permits, and orders under certain circumstances; authorizing certain residents and business owners to bring a civil action for declaratory and injunctive relief against a county or municipality that violates specified provisions; providing for reasonable attorney fees and costs under specified circumstances; providing for future expiration; providing a directive to the Division of Law Revision; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 83.63, Florida Statutes, is amended to read:

83.63 Casualty damage.—If the premises are damaged or destroyed other than by the wrongful or negligent acts of the tenant so that the enjoyment of the premises is substantially impaired:~~,~~

(1) The tenant may terminate the rental agreement and immediately vacate the premises. The tenant may vacate the part of the premises rendered unusable by the casualty, in which case the tenant's liability for rent shall be reduced by the fair rental value of that part of the premises damaged or destroyed. If the rental agreement is terminated, the landlord shall comply with s. 83.49(3).

(2) The tenant must be given:

(a) The opportunity to collect his or her belongings from the premises when it is safe to do so; or

(b) Notice of the date by which the tenant will be able to collect his or her belongings from the premises, which must occur within a reasonable time.

Section 2. Section 163.31795, Florida Statutes, is created to read:

163.31795 Participation in the National Flood Insurance Program.—

(1) For purposes of this section, the term:

(a) "Cumulative substantial improvement period" means the period during which an aggregate of improvements or repairs are considered for purposes of determining substantial improvement as defined in s. 161.54(12).

(b) "Local government" has the same meaning as in s. 163.2514.

(2) A local government that is participating in the National Flood Insurance Program may not adopt or enforce an ordinance for substantial improvements or repairs to a structure which includes a cumulative substantial improvement period.

Section 3. Subsection (14) is added to section 163.31801, Florida Statutes, to read:

163.31801 Impact fees; short title; intent; minimum requirements; audits; challenges.—

(14) A local government, school district, or special district may not assess an impact fee for the reconstruction or replacement of a previously existing structure if the replacement structure is of the same land use as the original structure and does not increase the impact on public facilities beyond that of the original structure. However, if the replacement structure increases the demand on public facilities due to a significant increase in size, intensity, or capacity of use, a local government, school district, or special district may assess an impact fee in an amount proportional to the difference in the demand between the replacement structure and the original structure. Any such fee must be reasonably connected to, or have a rational nexus with, the need for additional capital facilities and the increased impact generated by the reconstruction or replacement of a previously existing structure.

Section 4. Paragraph (b) of subsection (4) of section 193.155, Florida Statutes, is amended to read:

193.155 Homestead assessments.—Homestead property shall be assessed at just value as of January 1, 1994. Property receiving the homestead exemption after January 1, 1994, shall be assessed at just value as of January 1 of the year in which the property receives the exemption unless the provisions of subsection (8) apply.

(4)

(b)1. Changes, additions, or improvements that replace all or a portion of homestead property, including ancillary improvements, damaged or destroyed by misfortune or calamity shall be assessed upon substantial completion as provided in this paragraph. Such assessment must be calculated using the homestead property's assessed value as of the January 1 immediately before the date on which the damage or destruction was sustained, subject to the assessment limitations in subsections (1) and (2), when:

a. The square footage of the homestead property as changed or improved does not exceed 130 ~~110~~ percent of the square footage of the homestead property before the damage or destruction; or

b. The total square footage of the homestead property as changed or improved does not exceed 2,000 ~~1,500~~ square feet.

2. The homestead property's assessed value must be increased by the just value of that portion of the changed or improved homestead property which is in excess of 130 ~~110~~ percent of the square footage of the homestead property before the damage or destruction or of that portion exceeding 2,000 ~~1,500~~ square feet.

3. Homestead property damaged or destroyed by misfortune or calamity which, after being changed or improved, has a square footage of less than 100 percent of the homestead property's total square footage before the damage or destruction shall be assessed pursuant to subsection (5).

4. Changes, additions, or improvements assessed pursuant to this paragraph must be reassessed pursuant to subsection (1) in subsequent years. This paragraph applies to changes, additions, or improvements commenced within 5 years after the January 1 following the damage or destruction of the homestead.

Section 5. Paragraph (b) of subsection (1) of section 215.559, Florida Statutes, is amended to read:

215.559 Hurricane Loss Mitigation Program.—A Hurricane Loss Mitigation Program is established in the Division of Emergency Management.

(1) The Legislature shall annually appropriate $10 million of the moneys authorized for appropriation under s. 215.555(7)(c) from the Florida Hurricane Catastrophe Fund to the division for the purposes set forth in this section. Of the amount:

(b) Three million dollars in funds shall be used to construct or retrofit facilities used as public hurricane shelters. Each year the division shall prioritize the use of these funds for projects included in the annual report ~~of the Shelter Development Report~~ prepared in accordance with s. 252.385(3). The division shall ~~must~~ give funding priority to projects located in counties ~~regional planning council regions~~ that have shelter deficits, projects that are publicly owned, other than schools, and ~~to~~ projects that maximize the use of state funds.

Section 6. Section 250.375, Florida Statutes, is amended to read:

250.375 Medical officer authorization.—A servicemember trained to provide medical care who is serving under the direction of the Florida National Guard State Surgeon and is assigned to a military duty position and authorized by the Florida National Guard to provide medical care within the scope of the servicemember's professional licensure by virtue of such duty position may provide such medical care to military personnel and civilians within this state ~~physician who holds an active license to practice medicine in any state, a United States territory, or the District of Columbia,~~ while serving ~~as a medical officer~~ with or in support of the Florida National Guard, pursuant to federal or state orders, ~~may practice medicine on military personnel or civilians~~ during an emergency or declared disaster ~~or during federal military training~~.

Section 7. Paragraphs (y) through (dd) of subsection (2) of section 252.35, Florida Statutes, are redesignated as paragraphs (x) through (cc), respectively, paragraphs (a), (c), and (n) and present paragraph (x) of that

subsection are amended, and a new paragraph (dd) is added to that subsection, to read:

252.35 Emergency management powers; Division of Emergency Management.—

(2) The division is responsible for carrying out the provisions of ss. 252.31-252.90. In performing its duties, the division shall:

(a) Prepare a state comprehensive emergency management plan, which must ~~shall~~ be integrated into and coordinated with the emergency management plans and programs of the Federal Government. The division shall adopt the plan as a rule in accordance with chapter 120. The plan must be implemented by a continuous, integrated comprehensive emergency management program. The plan must contain provisions to ensure that the state is prepared for emergencies and minor, major, and catastrophic disasters, and the division shall work closely with local governments and agencies and organizations with emergency management responsibilities in preparing and maintaining the plan. The state comprehensive emergency management plan must be operations oriented and:

1. Include an evacuation component that includes specific regional and interregional planning provisions and promotes intergovernmental coordination of evacuation activities. This component must, at a minimum: contain guidelines for lifting tolls on state highways; ensure coordination pertaining to evacuees crossing county lines; set forth procedures for directing people caught on evacuation routes to safe shelter; establish strategies for ensuring sufficient, reasonably priced fueling locations along evacuation routes; and establish policies and strategies for emergency medical evacuations.

2. Include a shelter component that includes specific regional and interregional planning provisions and promotes coordination of shelter activities between the public, private, and nonprofit sectors. This component must, at a minimum: contain strategies to ensure the availability of adequate public shelter space in each county ~~region of the state~~; establish strategies for refuge-of-last-resort programs; provide strategies to assist local emergency management efforts to ensure that adequate staffing plans exist for all shelters, including medical and security personnel; provide for a postdisaster communications system for public shelters; establish model shelter guidelines for operations, registration, inventory, power generation capability, information management, and staffing; and set forth policy guidance for sheltering people with special needs.

3. Include a postdisaster response and recovery component that includes specific regional and interregional planning provisions and promotes intergovernmental coordination of postdisaster response and recovery activities. This component must provide for postdisaster response and recovery strategies according to whether a disaster is minor, major, or catastrophic. The postdisaster response and recovery component must, at a minimum: establish the structure of the state's postdisaster response and

recovery organization; establish procedures for activating the state's plan; set forth policies used to guide postdisaster response and recovery activities; describe the chain of command during the postdisaster response and recovery period; describe initial and continuous postdisaster response and recovery actions; identify the roles and responsibilities of each involved agency and organization; provide for a comprehensive communications plan; establish procedures for coordinating and monitoring statewide mutual aid agreements reimbursable under federal public disaster assistance programs; provide for rapid impact assessment teams; ensure the availability of an effective statewide urban search and rescue program coordinated with the fire services; ensure the existence of a comprehensive statewide medical care and relief plan administered by the Department of Health; and establish systems for coordinating volunteers and accepting and distributing donated funds and goods.

4. Include additional provisions addressing aspects of preparedness, response, recovery, and mitigation as determined necessary by the division.

5. Address the need for coordinated and expeditious deployment of state resources, including the Florida National Guard. In the case of an imminent major disaster, procedures should address predeployment of the Florida National Guard, and, in the case of an imminent catastrophic disaster, procedures should address predeployment of the Florida National Guard and the United States Armed Forces.

6. Establish a system of communications and warning to ensure that the state's population and emergency management agencies are warned of developing emergency situations, including public health emergencies, and can communicate emergency response decisions.

7. Establish guidelines and schedules for annual exercises that evaluate the ability of the state and its political subdivisions to respond to minor, major, and catastrophic disasters and support local emergency management agencies. Such exercises shall be coordinated with local governments and, to the extent possible, the Federal Government.

8. Assign lead and support responsibilities to state agencies and personnel for emergency support functions and other support activities.

9. Include the public health emergency plan developed by the Department of Health pursuant to s. 381.00315.

10. Include an update on the status of the emergency management capabilities of the state and its political subdivisions. The update must include the emergency management capabilities related to public health emergencies, as determined in collaboration with the Department of Health.

The complete state comprehensive emergency management plan must be submitted to the President of the Senate, the Speaker of the House of

Representatives, and the Governor on February 1 of every even-numbered year.

(c) Assist political subdivisions in preparing and maintaining emergency management plans. Such assistance must include the development of a template for comprehensive emergency management plans, including plans for natural disasters, and guidance on the development of mutual aid agreements.

(n) Implement training programs to maintain this state's status as a national leader in emergency management and improve the ability of state and local emergency management personnel to prepare and implement emergency management plans and programs. This must ~~shall~~ include a continuous training program for agencies and individuals who ~~that~~ will be called on to perform key roles in state and local postdisaster response and recovery efforts and for local government personnel on federal and state postdisaster response and recovery strategies and procedures. The division shall specify requirements for the minimum number of training hours that county or municipal administrators, county or city managers, county or municipal emergency management directors, and county or municipal public works directors or other officials responsible for the construction and maintenance of public infrastructure must complete biennially in addition to the training required pursuant to s. 252.38(1)(b). Such training may be provided by the division or, for county personnel, by a foundation that is a not-for-profit corporation under s. 501(c)(3) of the Internal Revenue Code and has a governing board that includes in its membership county commissioners and professional county staff. If training is provided by a foundation, such training must be approved by the division.

~~(x) Report biennially to the President of the Senate, the Speaker of the House of Representatives, the Chief Justice of the Supreme Court, and the Governor, no later than February 1 of every odd-numbered year, the status of the emergency management capabilities of the state and its political subdivisions. This report must include the emergency management capabilities related to public health emergencies, as determined in collaboration with the Department of Health.~~

(dd) Conduct, by April 1 of each year, an annual hurricane readiness session in each region designated by the division to facilitate coordination between all emergency management stakeholders. Each county emergency management director or his or her designee shall, and other county and municipal personnel may, attend the session for his or her region. A session must include, but is not limited to, guidance on timelines for preparation and response, information on state and federal postdisaster resources and assistance, guidance to promote efficient and expedited rebuilding of the community after a hurricane, best practices for coordination and communication among entities engaged in postdisaster response and recovery, and discussion of any outstanding county or municipal preparedness or readiness needs.

Section 8. Subsection (4) of section 252.355, Florida Statutes, is renumbered as subsection (5), paragraph (b) of subsection (2) is amended, and a new subsection (4) is added to that section, to read:

252.355 Registry of persons with special needs; notice; registration program.—

(2) In order to ensure that all persons with special needs may register, the division shall develop and maintain a special needs shelter registration program. During a public health emergency in which physical distancing is necessary, as determined by the State Health Officer, the division must maintain information on special needs shelter options that mitigate the threat of the spread of infectious diseases.

(b) To assist in identifying persons with special needs, home health agencies, hospices, nurse registries, home medical equipment providers, the Department of Veterans' Affairs, the Department of Children and Families, the Department of Health, the Agency for Health Care Administration, the Department of Education, the Agency for Persons with Disabilities, the Department of Elderly Affairs, and memory disorder clinics shall, and any physician licensed under chapter 458 or chapter 459 and any pharmacy licensed under chapter 465 may, annually provide registration information to all of their special needs clients or their caregivers. The Florida Housing Finance Corporation shall enter into memoranda of understanding with the Department of Elderly Affairs and with the Agency for Persons with Disabilities to ensure special needs registration information is provided to residents of low-income senior independent living properties and independent living properties for persons with intellectual or developmental disabilities funded by the Florida Housing Finance Corporation, respectively. The division shall develop a brochure that provides information regarding special needs shelter registration procedures. The brochure must be easily accessible on the division's website. All appropriate agencies and community-based service providers, including aging and disability resource centers, memory disorder clinics, home health care providers, hospices, nurse registries, and home medical equipment providers, shall, and any physician licensed under chapter 458 or chapter 459 may, assist emergency management agencies by annually registering persons with special needs for special needs shelters, collecting registration information for persons with special needs as part of the program intake process, and establishing programs to educate clients about the registration process and disaster preparedness safety procedures. A client of a state-funded or federally funded service program who has a physical, mental, or cognitive impairment or sensory disability and who needs assistance in evacuating, or when in a shelter, must register as a person with special needs. The registration program shall give persons with special needs the option of preauthorizing emergency response personnel to enter their homes during search and rescue operations if necessary to ensure their safety and welfare following disasters.

(4) The caregiver of a person with special needs who is eligible for admission to a special needs shelter, and all persons for whom he or she is the caregiver, shall be allowed to shelter together in the special needs shelter. If a person with special needs is responsible for the care of persons without special needs, those persons shall be allowed to use the special needs shelter with the person with special needs.

Section 9. Effective January 1, 2026, subsection (2) of section 252.3611, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

252.3611 Transparency; audits.—

(2) If ~~When~~ the duration of a declaration of a state of ~~an~~ emergency issued by the Governor exceeds 90 days:

(a)1. The Executive Office of the Governor or the appropriate agency, within 72 hours after ~~of~~ executing a contract executed with moneys authorized for expenditure to support the response to the declared state of emergency, must ~~the Executive Office of the Governor or the appropriate agency shall~~ submit a copy of such contract to the Legislature. For contracts executed during the first 90 days of the declared state of emergency, the Executive Office of the Governor or the appropriate agency shall submit a copy to the Legislature within the first 120 days of the declared state of emergency.

2. All contracts executed to support the response to a declared state of emergency, including contracts executed before a declared state of emergency to secure resources or services in advance or anticipation of an emergency, must be posted on the secure contract tracking system required under s. 215.985(14).

(b) The Executive Office of the Governor or the appropriate agency shall submit monthly reports to the Legislature of all state expenditures, revenues received, and funds transferred by an agency during the previous month to support the declared state of emergency.

(5) Annually, by January 15, the division shall report to the President of the Senate, the Speaker of the House of Representatives, and the chairs of the appropriations committee of each house of the Legislature on expenditures related to emergencies incurred over the year from November 1 of the previous year. The report must include:

(a) A separate summary of each emergency event, whether complete or ongoing, and key actions taken by the division.

(b) Details of expenditures, separated by emergency event and agency, for preparing for, responding to, or recovering from the event. The report must specify detailed expenditures for the entire report time period; specify total expenditures for the event; and indicate amounts that are being or are anticipated to be reimbursed by the Federal Emergency Management

Agency or other federal entity, amounts ineligible for reimbursement, and any amounts deobligated by the Federal Emergency Management Agency or other federal entity for reimbursement. The division shall review expenditures by state agencies to ensure that efforts, purchases, contracts, or expenditures are not duplicated.

(c) An accounting of all inventory and assets purchased, separated by emergency event and agency, for preparing for, responding to, or recovering from the event, including motor vehicles, boats, computers, and other equipment, and the current status of such assets, including divestment, sale, or donation by the state. The report must include a detailed accounting for the entire report time period and specify a total for the event.

Section 10. Paragraph (a) of subsection (1) of section 252.363, Florida Statutes, is amended to read:

252.363 Tolling and extension of permits and other authorizations.—

(1)(a) The declaration of a state of emergency issued by the Governor for a natural emergency tolls the period remaining to exercise the rights under a permit or other authorization for the duration of the emergency declaration. Further, the emergency declaration extends the period remaining to exercise the rights under a permit or other authorization for 24 months in addition to the tolled period. The extended period to exercise the rights under a permit or other authorization may not exceed 48 months in total in the event of multiple natural emergencies for which the Governor declares a state of emergency. The tolling and extension of permits and other authorizations under this paragraph shall apply retroactively to September 28, 2022, except in the case of the formal determination of the delineation of the extent of wetlands under s. 373.421, in which case tolling and extension of determinations under this paragraph shall apply retroactively to January 1, 2023. This paragraph applies to the following:

1. The expiration of a development order issued by a local government.

2. The expiration of a building permit.

3. The expiration of a permit issued by the Department of Environmental Protection or a water management district pursuant to part IV of chapter 373.

4. Permits issued by the Department of Environmental Protection or a water management district pursuant to part II of chapter 373 for land subject to a development agreement under ss. 163.3220-163.3243 in which the permittee and the developer are the same or a related entity.

5. The buildout date of a development of regional impact, including any extension of a buildout date that was previously granted as specified in s. 380.06(7)(c).

6. The expiration of a development permit or development agreement authorized by Florida Statutes, including those authorized under the Florida Local Government Development Agreement Act, or issued by a local government or other governmental agency.

7. The formal determination of the delineation of the extent of wetlands under s. 373.421.

Section 11. Subsection (4) of section 252.365, Florida Statutes, is amended to read:

252.365 Emergency coordination officers; disaster-preparedness plans.

(4) On or before May 1 of each year, the head of each agency shall notify the Governor and the division in writing of the person initially designated as the emergency coordination officer for such agency and her or his alternate and of any changes in persons so designated thereafter.

Section 12. Section 252.3655, Florida Statutes, is amended to read:

252.3655 Natural hazards risks and mitigation interagency coordinating group ~~workgroup~~.—

(1)(a) An interagency coordinating group ~~workgroup~~ is created for the purpose of sharing information on the current and potential risks and impacts of natural hazards throughout this ~~the~~ state, coordinating the ongoing efforts of state agencies in addressing and mitigating the risks and impacts of natural hazards, and collaborating on statewide initiatives to address and mitigate the risks and impacts of natural hazards. As used in this section, the term "natural hazards" includes, but is not limited to, extreme heat, drought, wildfire, sea-level change, high tides, storm surge, saltwater intrusion, stormwater runoff, flash floods, inland flooding, and coastal flooding.

(b) The agency head, or his or her designated senior manager, from each of the following agencies shall serve on the coordinating group:

1. Chief Resilience Officer of the Statewide Office of Resilience.

2. Department of Agriculture and Consumer Services.

3. Department of Commerce.

4. Department of Environmental Protection.

5. Department of Financial Services.

6. Department of Law Enforcement.

7. Department of Highway Safety and Motor Vehicles.

8. Department of Military Affairs.

9. Division of Emergency Management.

10. Department of Transportation.

11. Fish and Wildlife Conservation Commission.

12. Office of Insurance Regulation.

13. Public Service Commission.

14. Each water management district ~~Each agency within the executive branch of state government, each water management district, and the Florida Public Service Commission shall select from within such agency a person to be designated as the agency liaison to the workgroup~~.

(c) The director of the Division of Emergency Management, or his or her designee, shall serve as the administrator ~~liaison to and coordinator~~ of the coordinating group ~~workgroup~~.

(d) Each agency representative ~~liaison~~ shall provide information from his or her respective agency, including all relevant reports, on the current and potential risks and impacts of natural hazards to this state ~~to his or her agency~~, agency resources available, and efforts made by the agency to address and mitigate the risks and impacts of ~~against~~ natural hazards~~, and efforts made by the agency to address the impacts of natural hazards~~.

(e)1. The coordinating group ~~workgroup~~ shall meet in person or by means of communications media technology as provided in s. 120.54(5)(b)2. at least ~~teleconference on a~~ quarterly ~~basis~~ to share information, leverage agency resources, coordinate ongoing efforts, and provide information for inclusion in the annual progress report submitted pursuant to subsection (2). Agency heads for the agencies listed in paragraph (b) shall meet in person at least annually to collectively strategize and prioritize state efforts.

2. Information regarding the coordinating group, including meeting agendas and reports, must be posted in a conspicuous location on the division's website.

(2)(a) On behalf of the coordinating group ~~workgroup~~, the division ~~of Emergency Management~~ shall prepare an annual progress report on the implementation of the state's hazard mitigation plan, developed and submitted in accordance with 42 U.S.C. s. 5165 and any implementing regulations, as it relates to natural hazards. At a minimum, the annual progress report must:

1. Assess each agency's ~~the relevance, level, and significance of current agency~~ efforts to address and mitigate the risks and impacts of natural hazards; ~~and~~

2. Strategize and prioritize ongoing efforts to address and mitigate the risks and impacts of natural hazards;

3. Provide recommendations regarding statutory changes and funding that may assist in addressing or mitigating the risks and impacts of natural hazards; and

4. Provide recommendations for state and local natural hazard mitigation strategies.

(b) ~~Each liaison is responsible for ensuring that the workgroup's annual progress report is posted on his or her agency's website.~~

~~(c)~~ By January 1 of each year, ~~2019, and each year thereafter,~~ the division on behalf of the coordinating group ~~workgroup~~ shall submit the annual progress report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 13. Paragraphs (c) and (d) of subsection (5) of section 252.37, Florida Statutes, are redesignated as paragraphs (d) and (e), respectively, a new paragraph (c) is added to that subsection, and subsection (7) is added to that section, to read:

252.37 Financing.—

(5) Unless otherwise specified in the General Appropriations Act:

(c) If the division intends to accept or apply for federal funds for a division-administered program that is new, that will be implemented in a manner that is innovative or significantly different from the manner in which the program is typically administered, or that will require a state match for which the division will be required to seek new budget authority, the division must notify the Legislature of its intent to accept or apply for the federal funds. The notice must detail the federal program under which the funds will be accepted or applied for, the intended purpose and use of the funds, and the amount of funds, including the estimated state match.

(7) The division shall take steps to maximize the availability and expedite the distribution of financial assistance from the Federal Government to state and local agencies. Such steps must include the standardization and streamlining of the application process for financial assistance through the federal Public Assistance Program and provision of assistance to applicants in order to mitigate the risk of noncompliance with federal program requirements. The division shall use federal funds allocated as management costs or other funds as appropriated to implement this subsection.

Section 14. Paragraph (a) of subsection (2) of section 252.373, Florida Statutes, is amended to read:

252.373 Allocation of funds; rules.—

(2) The division shall allocate funds from the Emergency Management, Preparedness, and Assistance Trust Fund to local emergency management

agencies and programs pursuant to criteria specified in rule. Such rules shall include, but are not limited to:

(a) Requiring that, at a minimum, a local emergency management agency either:

1. Have a program director who works at least 40 hours a week in that capacity; or

2. If the county has fewer than 75,000 population or is party to an interjurisdictional emergency management agreement entered into pursuant to s. 252.38(3)(c) ~~s. 252.38(3)(b)~~, that is recognized by the Governor by executive order or rule, have an emergency management coordinator who works at least 20 hours a week in that capacity.

Section 15. Paragraphs (a) and (b) of subsection (3) of section 252.38, Florida Statutes, are redesignated as paragraphs (b) and (c), respectively, a new paragraph (a) is added to that subsection, and paragraph (a) of subsection (1) is amended, to read:

252.38 Emergency management powers of political subdivisions.—Safeguarding the life and property of its citizens is an innate responsibility of the governing body of each political subdivision of the state.

(1) COUNTIES.—

(a) In order to provide effective and orderly governmental control and coordination of emergency operations in emergencies within the scope of ss. 252.31-252.90, each county within this state shall be within the jurisdiction of, and served by, the division. Except as otherwise provided in ss. 252.31-252.90, each local emergency management agency shall have jurisdiction over and serve an entire county. Unless part of an interjurisdictional emergency management agreement entered into pursuant to paragraph (3)(c) ~~(3)(b)~~ which is recognized by the Governor by executive order or rule, each county must establish and maintain such an emergency management agency and shall develop a county emergency management plan and program that is coordinated and consistent with the state comprehensive emergency management plan and program. Counties that are part of an interjurisdictional emergency management agreement entered into pursuant to paragraph (3)(c) ~~(3)(b)~~ which is recognized by the Governor by executive order or rule shall cooperatively develop an emergency management plan and program that is coordinated and consistent with the state comprehensive emergency management plan and program.

(3) EMERGENCY MANAGEMENT POWERS; POLITICAL SUBDIVISIONS.—

(a) Each political subdivision shall notify the division on or before May 1 each year of the person designated as the emergency contact for the political subdivision and his or her alternate and of any changes in persons so

designated thereafter. For a county, the emergency contact must be the county emergency management director.

Section 16. Section 252.381, Florida Statutes, is created to read:

252.381 Information related to natural emergencies; poststorm county and municipal permitting; operations.—

(1) Each county and municipality must post on its publicly accessible website:

(a) A frequently asked questions web page related to natural emergency response, emergency preparedness, and public relief for residents following an emergency. The web page must answer questions concerning resident evacuations; safety tips; generator, food and drinking water, and wastewater and stormwater safety; damage assessment; debris cleanup; accessing assistance through the Federal Emergency Management Agency and this state; building recovery; natural emergency guidance; applicable laws; and what to do before, during, and after an emergency.

(b) A disaster supply list and a list of emergency shelters.

(c) Links to information about flood zones.

(d) A checklist for residents explaining next steps to take during postdisaster recovery.

(e) Information specific to persons with disabilities, including, but not limited to, guidelines for special needs shelter registration; an explanation of how to register for special needs shelters and where to obtain assistance with that process; guidelines as to the level of care that is or is not provided at a special needs shelter as well as situations when either a general population shelter or hospital should be considered; and any other postdisaster assistance or resources available to affected persons with disabilities impacted by a disaster.

(2)(a) Each county and municipality shall develop a poststorm permitting plan to expedite recovery and rebuilding by providing for special building permit and inspection procedures after a hurricane or tropical storm. The plan must, at a minimum:

1. Ensure sufficient personnel are prepared and available to expeditiously manage postdisaster building inspection, permitting, and enforcement tasks. The plan must anticipate conditions that would necessitate supplemental personnel for such tasks and address methods for fulfilling such personnel needs, including through mutual aid agreements as authorized in s. 252.40, other arrangements, such as those with private sector contractors, or supplemental state or federal funding. The plan must include training requirements and protocols for supplemental personnel to ensure compliance with local floodplain management requirements that apply within the county or municipality.

2. Account for multiple or alternate locations where building permit services may be offered in person to the public following a hurricane or tropical storm during regular business hours.

3. Specify a protocol to expedite permitting procedures and, if practicable, for the waiver or reduction of applicable fees in accordance with and in addition to the procedures and waivers provided for under s. 553.7922. The plan must identify the types of permits that are frequently requested following a hurricane or tropical storm and methods to expedite the processing of such permits.

4. Specify procedures and resources necessary to promote expeditious debris removal following a hurricane or tropical storm.

(b) Each county and municipality shall update the plan no later than May 1 annually.

(3)(a) By May 1 annually, each county and municipality shall publish on its website a hurricane and tropical storm recovery permitting guide for residential and commercial property owners. The guide must describe:

1. The types of poststorm repairs that require a permit and applicable fees.

2. The types of poststorm repairs that do not require a permit.

3. The poststorm permit application process and specific modifications the county or municipality commonly makes to expedite the process, including the physical locations where permitting services will be offered.

4. Local requirements for rebuilding specific to the county or municipality, including elevation requirements following substantial damage and substantial improvement pursuant to the National Flood Insurance Program (NFIP) and any local amendments to the building code.

(b) As soon as practicable following a hurricane or tropical storm, a county or municipality within the area for which a state of emergency pursuant to s. 252.36 for such hurricane or tropical storm is declared shall publish updates on its website to the information required under paragraph (a) which are specific to such storm, including any permitting fee waivers or reductions.

(4) For 180 days after a state of emergency is declared pursuant to s. 252.36 for a hurricane or tropical storm, a county or municipality within the area for which the state of emergency is declared may not increase building permit or inspection fees.

(5) On or before May 1, 2026, each county and municipality must provide an online option for receiving, reviewing, and accessing substantial damage and substantial improvement letters. The county or municipality must allow

homeowners to provide an e-mail address where they can receive digital copies of such letters.

(6) As soon as reasonably practicable following the landfall and passage of a hurricane or tropical storm, each county and municipality that has experienced a direct impact from a natural emergency must use its best efforts to open a permitting office at which residents can access government services for at least 40 hours per week.

Section 17. Subsections (2) and (3) of section 252.385, Florida Statutes, are amended to read:

252.385 Public shelter space; public records exemption.—

(2)~~(a)~~ The division shall administer a program to survey existing schools, universities, community colleges, and other state-owned, municipally owned, and county-owned public buildings and any private facility that the owner, in writing, agrees to provide for use as a public hurricane evacuation shelter to identify those that are appropriately designed and located to serve as such shelters. The owners of the facilities must be given the opportunity to participate in the surveys. The state university boards of trustees, district school boards, community college boards of trustees, and the Department of Education are responsible for coordinating and implementing the survey of public schools, universities, and community colleges with the division or the local emergency management agency.

~~(b) By January 31 of each even-numbered year, the division shall prepare and submit a statewide emergency shelter plan to the Governor and Cabinet for approval, subject to the requirements for approval in s. 1013.37(2). The emergency shelter plan must project, for each of the next 5 years, the hurricane shelter needs of the state, including periods of time during which a concurrent public health emergency may necessitate more space for each individual to accommodate physical distancing. In addition to information on the general shelter needs throughout this state, the plan must identify the general location and square footage of special needs shelters, by regional planning council region. The plan must also include information on the availability of shelters that accept pets. The Department of Health shall assist the division in determining the estimated need for special needs shelter space and the adequacy of facilities to meet the needs of persons with special needs based on information from the registries of persons with special needs and other information.~~

(3)(a) The division shall annually provide by October 15 to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report that includes~~, and the Governor~~ a list of facilities recommended to be retrofitted using state funds. State funds should be maximized and targeted to projects in counties ~~regional planning council regions~~ with hurricane evacuation shelter deficits. Additionally, the division shall prioritize on the list of recommended facilities other state-owned, municipal-owned, and county-owned public buildings, other than schools, for

retrofitting using state funds. The owner or lessee of a public hurricane evacuation shelter that is included on the list of facilities recommended for retrofitting is not required to perform any recommended improvements.

(b) The report required in paragraph (a) must include a statewide emergency shelter plan that must project, for each of the next 5 years, the hurricane shelter needs of the state. In addition to information on the general shelter needs throughout this state, the plan must identify, by county, the general location and square footage of special needs shelters. The plan must also include information on the availability of shelters that accept pets. The Department of Health and the Agency for Persons with Disabilities shall assist the division in determining the estimated need for special needs shelter space, the estimated need for general shelter space to accommodate persons with developmental disabilities, including, but not limited to, autism, and the adequacy of facilities to meet the needs of persons with special needs based on information from the registries of persons with special needs and other information.

Section 18. Section 252.422, Florida Statutes, is created to read:

252.422 Restrictions on county or municipal regulations after a hurricane.—

(1) As used in this section, the term "impacted local government" means a county listed in a federal disaster declaration located entirely or partially within 100 miles of the track of a storm declared to be a hurricane by the National Hurricane Center while the storm was categorized as a hurricane or a municipality located within such a county.

(2) For 1 year after a hurricane makes landfall, an impacted local government may not propose or adopt:

(a) A moratorium on construction, reconstruction, or redevelopment of any property.

(b) A more restrictive or burdensome amendment to its comprehensive plan or land development regulations.

(c) A more restrictive or burdensome procedure concerning review, approval, or issuance of a site plan, development permit, or development order, to the extent that those terms are defined in s. 163.3164.

(3) Notwithstanding subsection (2), a comprehensive plan amendment, land development regulation amendment, site plan, development permit, or development order approved or adopted by an impacted local government before or after the effective date of this act may be enforced if:

(a) The associated application is initiated by a private party other than the impacted local government and the property that is the subject of the application is owned by the initiating private party;

(b) The proposed comprehensive plan amendment was submitted to reviewing agencies pursuant to s. 163.3184 before landfall; or

(c) The proposed comprehensive plan amendment or land development regulation is approved by the state land planning agency pursuant to s. 380.05.

(4)(a) Any person may file suit against any impacted local government for declaratory and injunctive relief to enforce this section.

(b) A county or municipality may request a determination by a court of competent jurisdiction as to whether such action violates this section. Upon such a request, the county or municipality may not enforce the action until the court has issued a preliminary or final judgment determining whether the action violates this section.

(c) Before a plaintiff may file suit, the plaintiff shall notify the impacted local government by setting forth the facts upon which the complaint or petition is based and the reasons the impacted local government's action violates this section. Upon receipt of the notice, the impacted local government shall have 14 days to withdraw or revoke the action at issue or otherwise declare it void. If the impacted local government does not withdraw or revoke the action at issue within the time prescribed, the plaintiff may file suit. The plaintiff shall be entitled to entry of a preliminary injunction to prevent the impacted local government from implementing the challenged action during pendency of the litigation. In any action instituted pursuant to this paragraph, the prevailing plaintiff shall be entitled to reasonable attorney fees and costs.

(d) In any case brought under this section, all parties are entitled to the summary procedure provided in s. 51.011, and the court shall advance the cause on the calendar.

(5) The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall conduct a study on actions taken by local governments after hurricanes which are related to comprehensive plans, land development regulations, and procedures for review, approval, or issuance of site plans, permits, or development orders. The study must focus on the impact that local governmental actions, including moratoriums, ordinances, and procedures, have had or may have on construction, reconstruction, or redevelopment of any property damaged by hurricanes. In its research, OPPAGA shall survey stakeholders that play integral parts in the rebuilding and recovery process. OPPAGA shall make recommendations for legislative options to remove impediments to the construction, reconstruction, or redevelopment of any property damaged by a hurricane and prevent the implementation by local governments of burdensome or restrictive procedures and processes. OPPAGA shall submit the report to the President of the Senate and the Speaker of the House of Representatives by December 1, 2025.

Section 19. Effective January 1, 2026, section 252.505, Florida Statutes, is created to read:

252.505 Breach of contract during emergency recovery periods for natural emergencies.—Each state or local government contract for goods or services related to emergency response for a natural emergency entered into, renewed, or amended on or after July 1, 2025, must include a provision that requires a vendor or service provider that breaches such contract during an emergency recovery period to pay a $5,000 penalty and damages, which may be either actual and consequential damages or liquidated damages. As used in this section, the term "emergency recovery period" means a 1-year period that begins on the date that the Governor initially declared a state of emergency for a natural emergency.

Section 20. Subsection (4) is added to section 373.423, Florida Statutes, to read:

373.423 Inspection.—

(4)(a) By September 1, 2026, the department shall submit a Flood Inventory and Restoration Report to the Division of Emergency Management. The department must work with water management districts, local governments, and operators of public and private stormwater management systems to compile the necessary information for the report, which must:

1. Identify priority infrastructure needs within each water management district jurisdiction that may result in flooding or property damage or threaten human health if left unaddressed;

2. Identify locations that have both historic flooding occurrences, based on flood zones identified by the Federal Emergency Management Agency, and the potential to flood from future significant storm events, such as hurricanes and tropical storms;

3. For each location identified in subparagraph 1. or subparagraph 2., include an inspection and maintenance schedule and specific information on the age of the infrastructure, upstream impacts, and other factors that may lead to system failure if unaddressed; and

4. Include a list of facilities prioritized for funding to address flooding issues.

(b) The owner of any priority infrastructure identified in the report must submit an inspection and maintenance schedule to the department.

(c) The department must review and update the report on a biannual basis. The report must provide information regarding compliance with the inspection and maintenance schedules, include any additional revisions based on storm event experience, and revise the list of facilities as new flooding events take place and new projects are implemented to alleviate infrastructure deficiencies which led to flooding events. The department

must submit an updated report to the Division of Emergency Management by September 1 of each year in which the report is due.

Section 21. Paragraph (a) of subsection (9) of section 380.0552, Florida Statutes, is amended to read:

380.0552 Florida Keys Area; protection and designation as area of critical state concern.—

(9) MODIFICATION TO PLANS AND REGULATIONS.—

(a) Any land development regulation or element of a local comprehensive plan in the Florida Keys Area may be enacted, amended, or rescinded by a local government, but the enactment, amendment, or rescission becomes effective only upon approval by the state land planning agency. The state land planning agency shall review the proposed change to determine if it is in compliance with the principles for guiding development specified in chapter 27F-8, Florida Administrative Code, as amended effective August 23, 1984, and must approve or reject the requested changes within 60 days after receipt. Amendments to local comprehensive plans in the Florida Keys Area must also be reviewed for compliance with the following:

1. Construction schedules and detailed capital financing plans for wastewater management improvements in the annually adopted capital improvements element, and standards for the construction of wastewater treatment and disposal facilities or collection systems that meet or exceed the criteria in s. 403.086(11) for wastewater treatment and disposal facilities or s. 381.0065(4)(l) for onsite sewage treatment and disposal systems.

2. Goals, objectives, and policies to protect public safety and welfare in the event of a natural disaster by maintaining a hurricane evacuation clearance time for permanent residents of no more than 24.5 ~~24~~ hours. The hurricane evacuation clearance time shall be determined by a hurricane evacuation study conducted in accordance with a professionally accepted methodology and approved by the state land planning agency. For purposes of hurricane evacuation clearance time:

a. Mobile home residents are not considered permanent residents.

b. The City of Key West Area of Critical State Concern established by chapter 28-36, Florida Administrative Code, shall be included in the hurricane evacuation study and is subject to the evacuation requirements of this subsection.

Section 22. The Department of Commerce shall conduct baseline modeling scenarios and gather data in order to determine a number of building permit allocations to be distributed in the Florida Keys Area based upon the hurricane evacuation clearance time provided in s. 380.0552(9)(a), Florida Statutes, as amended by this act. The permit allocations must be distributed to counties and municipalities based on the number of vacant buildable lots within each jurisdiction. The permit allocations must be

distributed over a period of at least 10 years but may not exceed 900 total permit allocations. All permits must be issued for vacant, buildable parcels, of which only one may be awarded for any individual parcel, and the distribution of which must prioritize allocations for owner-occupied residences, affordable housing, and workforce housing.

Section 23. Subsection (1) of section 400.063, Florida Statutes, is amended to read:

400.063 Resident protection.—

(1) The Health Care Trust Fund shall be used for the purpose of collecting and disbursing funds generated from the license fees and administrative fines as provided for in ss. 393.0673(5), 400.062(3), 400.121(2), and 400.23(8). Such funds shall be for the sole purpose of paying for the appropriate alternate placement, care, and treatment of residents who are removed from a facility licensed under this part or a facility specified in s. 393.0678(1) in which the agency determines that existing conditions or practices constitute an immediate danger to the health, safety, or security of the residents. If the agency determines that it is in the best interest of the health, safety, or security of the residents to provide for an orderly removal of the residents from the facility, the agency may utilize such funds to maintain and care for the residents in the facility pending removal and alternative placement. The maintenance and care of the residents shall be under the direction and control of a receiver appointed pursuant to s. 393.0678(1) or s. 400.126(1). However, funds may be expended in an emergency upon a filing of a petition for a receiver, upon the declaration of a state of local emergency pursuant to s. 252.38(3)(b)5. ~~s. 252.38(3)(a)5.~~, or upon a duly authorized local order of evacuation of a facility by emergency personnel to protect the health and safety of the residents.

Section 24. Subsection (7) of section 403.7071, Florida Statutes, is amended, and subsection (8) is added to that section, to read:

403.7071 Management of storm-generated debris.—Solid waste generated as a result of a storm event that is the subject of an emergency order issued by the department may be managed as follows:

(7) Unless otherwise specified in a contract or franchise agreement between a local government and a private solid waste or debris management service provider, a private solid waste or debris management service provider is not required to collect storm-generated yard trash, debris, or waste. Local governments are authorized and encouraged to add an addendum to existing contracts or franchise agreements for collection of storm-generated debris.

(8)(a) Each county and municipality shall apply to the department for authorization of at least one debris management site as described in subsection (2) and shall annually seek preauthorization for any previously approved debris management sites, as allowed by the department.

(b) A municipality may jointly apply for authorization of a debris management site with a county or at least one adjacent municipality, if the parties develop and approve a memorandum of understanding. Such memorandum must clearly outline the capacity of the debris management site and location of the site relative to each party. The memorandum of understanding must be approved annually as part of the preauthorization process described in paragraph (a).

Section 25. Section 489.1132, Florida Statutes, is created to read:

489.1132 Regulation of hoisting equipment used in construction, demolition, or excavation work during a hurricane.—

(1) As used in this section, the term:

(a) "Controlling entity" means the general contractor, prime contractor, or construction manager with overall responsibility for a construction project.

(b) "Hoisting equipment" means power-operated cranes, derricks, and hoists used in construction, demolition, or excavation work that are regulated by the Occupational Safety and Health Administration.

(c) "Mobile crane" means a type of hoisting equipment incorporating a cable-suspended latticed boom or hydraulic telescoping boom designed to be moved between operating locations by transport over a roadway. The term does not include a mobile crane with a boom length of less than 25 feet or a maximum rated load capacity of less than 15,000 pounds.

(d) "Tower crane" means a type of hoisting equipment using a vertical mast or tower to support a working boom in an elevated position if the working boom can rotate to move loads laterally either by rotating at the top of the mast or tower or by the rotation of the mast or tower itself, whether the mast or tower base is fixed in one location or ballasted and moveable between locations.

(2)(a) When a tower crane or mobile crane is located on a worksite, a hurricane preparedness plan for the crane must be available for inspection at the worksite.

(b) In preparation for a hurricane, the controlling entity must ensure that hoisting equipment is secured in the following manner no later than 24 hours before the impacts of the hurricane are anticipated to begin:

1. All hoisting equipment must be secured in compliance with manufacturer recommendations relating to hurricane and high-wind events, including any recommendations relating to the placement, use, and removal of advertising banners and rigging.

2. Tower crane turntables must be lubricated before the event.

3. Fixed booms on mobile cranes must be laid down whenever feasible.

4. Booms on hydraulic cranes must be retracted and stored.

5. The counterweights of any hoists must be locked below the top tie-in.

6. Tower cranes must be set in the weathervane position.

7. All rigging must be removed from hoist blocks.

8. All power at the base of tower cranes must be disconnected.

(3) A person licensed under this part who intentionally violates this section is subject to discipline under ss. 455.227 and 489.129.

(4) The Florida Building Commission shall establish best practices for the utilization of tower cranes and hoisting equipment on construction job sites during hurricane season and report its findings to the Legislature by December 31, 2026.

Section 26. Subsection (6) of section 553.902, Florida Statutes, is amended to read:

553.902 Definitions.—As used in this part, the term:

(6) "Renovated building" means a residential or nonresidential building undergoing alteration that varies or changes insulation, HVAC systems, water heating systems, or exterior envelope conditions, if the estimated cost of renovation exceeds 30 percent of the assessed value of the structure. However, if the alteration is a result of a natural disaster that is the subject of a declaration of a state of emergency by the Governor, the estimated cost of renovation must exceed 75 percent of the fair market value of the building before the natural disaster.

Section 27. The Division of Emergency Management shall consult with local governments, the Department of Business and Professional Regulation, the Department of Environmental Protection, and any other appropriate agencies to develop recommendations for statutory changes necessary to streamline the permitting process for repairing and rebuilding structures damaged during natural emergencies. By July 1, 2026, the division shall provide a report containing such recommendations to the President of the Senate and the Speaker of the House of Representatives.

Section 28. (1) Each county listed in the Federal Disaster Declaration for Hurricane Debby (DR-4806), Hurricane Helene (DR-4828), or Hurricane Milton (DR-4834), and each municipality within one of those counties, may not propose or adopt any moratorium on construction, reconstruction, or redevelopment of any property damaged by such hurricanes; propose or adopt more restrictive or burdensome amendments to its comprehensive plan or land development regulations; or propose or adopt more restrictive or burdensome procedures concerning review, approval, or issuance of a site

plan, development permit, or development order, to the extent that those terms are defined by s. 163.3164, Florida Statutes, before October 1, 2027, and any such moratorium or restrictive or burdensome comprehensive plan amendment, land development regulation, or procedure shall be null and void ab initio. This subsection applies retroactively to August 1, 2024.

(2) Notwithstanding subsection (1), any comprehensive plan amendment, land development regulation amendment, site plan, development permit, or development order approved or adopted by a county or municipality before or after the effective date of this act may be enforced if:

(a) The associated application is initiated by a private party other than the county or municipality.

(b) The property that is the subject of the application is owned by the initiating private party.

(3)(a) A resident of or the owner of a business in a county or municipality may bring a civil action for declaratory and injunctive relief against the county or municipality for a violation of this section. Pending adjudication of the action and upon filing of a complaint showing a violation of this section, the resident or business owner is entitled to a preliminary injunction against the county or municipality preventing implementation of the moratorium or the comprehensive plan amendment, land development regulation, or procedure. If such civil action is successful, the resident or business owner is entitled to reasonable attorney fees and costs.

(b) Attorney fees and costs and damages may not be awarded pursuant to this subsection if:

1. The resident or business owner provides the governing body of the county or municipality written notice that a proposed or enacted moratorium, comprehensive plan amendment, land development regulation, or procedure is in violation of this section; and

2. The governing body of the county or municipality withdraws the proposed moratorium, comprehensive plan amendment, land development regulation, or procedure within 14 days; or, in the case of an adopted moratorium, comprehensive plan amendment, land development regulation, or procedure, the governing body of a county or municipality notices an intent to repeal within 14 days after receipt of the notice and repeals the moratorium, comprehensive plan amendment, land development regulation, or procedure within 14 days thereafter.

(4) This section expires June 30, 2028.

Section 29. The Division of Law Revision is directed to replace the phrase "the effective date of this act" wherever it occurs in this act with the date this act becomes a law.

Section 30. Except as otherwise provided in this act, this act shall take effect upon becoming a law.

Approved by the Governor June 26, 2025.

Filed in Office Secretary of State June 26, 2025.



CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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 4, 2025

RE: Supplemental Staff Report for Ordinance Numbers 25-20, 25-21, 25-22, 25-23, 25-24, and 25-25

**Introduction:**

On August 21, 2025, the Eustis City Commission considered Ordinance Numbers 25-20, 25-21, 25-22, 25-23, 25-24, and 25-25 related to annexation, FLU, and design district designation for two parcels (Alternate Key Number 1040141 and Alternate Key Number 3959037). The City Commission tabled the six ordinances until September 4 to allow for discussion of land-use issues with Lake County.

**Background:**

Related to the subject parcels, representatives of Lake County have confirmed the following:

If the property were to be annexed, the assigned City Future Land Use and Design District would replace the County PUD. However, the County PUD is currently valid and in full effect (attached County Ordinance #2020-71).

If the property were to stay in unincorporated Lake County, the current PUD would bind the owner to the uses specified in the PUD unless the PUD were to be amended. Some of the uses specified in the existing PUD include:

- Residential (both single-family and multi-family) with conditions
- Agriculture and Non-Intensive Agriculture
- Bed and Breakfast Home (with event venue, 50 guests maximum)
- Passive Recreation

If the owner were to apply for a modification to the PUD or a rezoning, the action would have to go before the Lake County Board of County Commissioners. If that were to happen, the underlying future land use typically allows:

- Residential
- Nursing and personal care facilities
- Civic uses
- Residential professional offices
- Passive parks
- Religious organizations
- Day care services

- Schools
- Commercial uses including retail trade, finance, insurance, and real estate
- Public order and safety

Should the property stay in unincorporated Lake County, the existing PUD would need to be amended, or a rezoning would need to be requested to allow for any uses outside of the uses specified in the existing PUD.

**Prepared By:**
Tom Carrino, City Manager

**Attachments:**
County Ordinance #2020-71

# ORDINANCE NUMBER 25-20

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 10 ACRES OF REAL PROPERTY AT LAKE COUNTY PROPERTY APPRAISER'S ALTERNATE KEY NUMBERS 1040141, LOCATED ON THE EAST SIDE OF THE INTERSECTION OF COUNTY ROAD 44 AND COUNTY ROAD 44A.**

**WHEREAS,** Denton Cairnes and Travis Sawchuk have made an application for voluntary annexation, on behalf of W.D. of America, Inc., the property owner, for approximately 10 acres of real property located on the east side of the intersection of County Road 44 and County Road 44A, more particularly described as:

Parcel Alternate Key: 1040141

Parcel Identification Numbers: 06-19-27-0200-000-00500

Legal Description:

A portion of Lots 5, 6, and 7, C.M. Rehrer's Subdivision, according to the plat thereof, as recorded in Plat Book 1, Page 50, of the Public Records of Lake County, Florida, lying in Section 6, Township 1 9 South, Range 27 East, Lake County, Florida, described as follows:

Beginning at the Northwest corner of Tract S, Spring Ridge Estates, according to the plat thereof, as recorded in Plat Book 58, Pages 28 through 30, of the Public Records of Lake County, Florida, and with the Easterly Right-of-Way line of County Road No. 44, North 00°04'26" West, 1 1 5.21 feet, to the intersection of the Easterly Right-of-Way line of said County Road No. 44 and the Northerly line of said Lot 7; thence continuing with the Easterly Right-of-Way line of said County Road No. 44, North 00' 1 3'04" West, 366.04 feet, to the beginning of a non-tangent curve concave Southeasterly; thence with a radius of 258.33 feet, a delta of 90°32'39", and a chord bearing and distance of North 45°01 '32" East, 367. 07 feet, Northeasterly along said curve, an arc length of 408.24 feet, to the end of said curve on the Southerly Right-of-Way line of County Road No. 44A; thence with the Southerly Right-of-Way line of said County Road No. 44A, South 89°36'40" East, 344.52 feet, to a point lying 163.90 feet Westerly of the Westerly line of the lands described in Official Records Book 5581, Page918, of the Public Records of Lake County, Florida; thence with a line parallel with the Westerly line of said lands described in Official Records Book 5581, Page 918, South 00°20'56" East, 743.66 feet, to the Northerly line of said Spring Ridge Estates; thence with the Northerly line of said Spring Ridge Estates, North 89°29'59" West, 607.20 feet, to the Point of Beginning.

Containing 435,632.66 Square Feet or 10.00 Acres, more or less.

(The foregoing legal description was copied from the Applicant's submitted survey 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 and sewer service is available to the property; and

**WHEREAS,** on August 7, 2025, the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

**WHEREAS,** on September 4, 2025, 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 10 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 4th day of September 2025.

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

_____
Willie L. Hawkins
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 this 4th day of September 2025, by Willie L. Hawkins, Mayor/Commissioner, 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 for form and legal content for the use and reliance of the Eustis City Commission; however, I have not performed an independent title examination to verify the accuracy of the legal description.

_____
City Attorney's Office Date

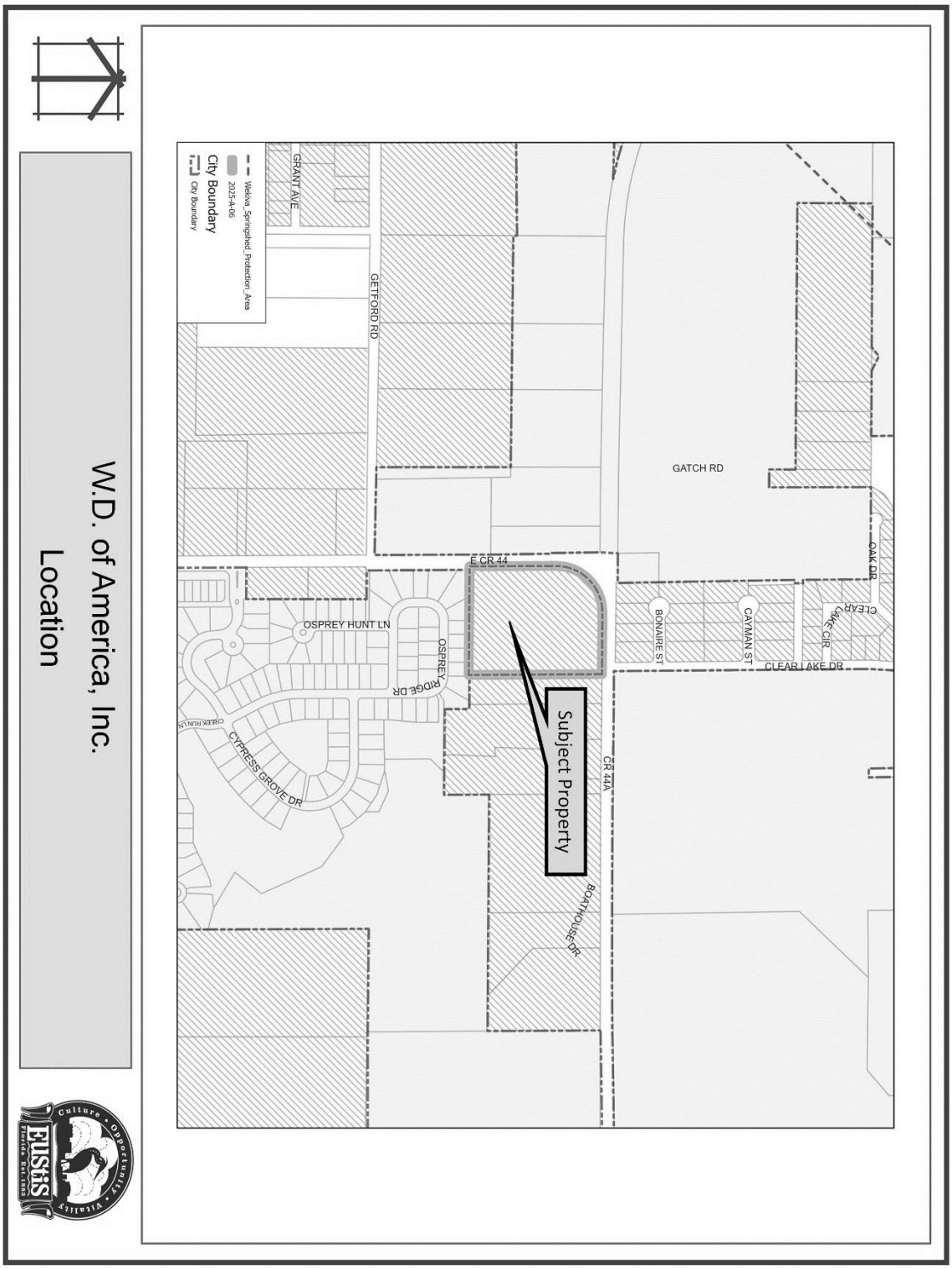
## CERTIFICATE OF POSTING

The foregoing Ordinance Number 25-20 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 Parks & Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____ _____

Christine Halloran, City Clerk Date

# EXHIBIT A


W.D. of America, Inc.
Location
City Boundary
Weiova_Springshed_Protection_Area
2025-A-06
City Boundary
GRANT AVE
GETFORD RD
GATCH RD
E CR 44
OSPREY HUNT LN
OSPREY RIDGE DR
CREEK RUN LN
CYPRESS GROVE DR
OAK DR
CLEAR VIEW CIR
BONAIRE ST
CAYMAN ST
CLEAR LAKE DR
Subject Property
CR 44A
BOATHOUSE DR

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

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: August 21, 2025 (Revised for 9/4/2025 meeting)

RE: Explanation of Ordinance Numbers 25-20, 25-21, and 25-22 for Annexation of Parcel with Alternate Key Number 1040141

Ordinance Number 25-20 – Voluntary Annexation
Ordinance Number 25-21 – Comprehensive Plan Amendment
Ordinance Number 25-22 – Design District Assignment

**SECOND READING**

Ordinance Number 25-20: Voluntary Annexation of Parcel with Alternate Key Number 1040141

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**Introduction:**

Ordinance Number 25-20 provides for the voluntary annexation of approximately 10 acres located on the east side of the intersection of County Road 44 and County Road 44A (Alternate Key Number 1040141). Provided the annexation of the subject property is approved, Ordinance Number 25-21 would change the Future Land Use designation from Urban Low in Lake County to General Commercial (GC) in the City of Eustis, and Ordinance Number 25-22 would assign the subject property a Design District designation of Suburban Corridor. If Ordinance Number 25-20 is denied, then there can be no consideration of Ordinance Numbers 25-21 and 25-22.

**Background:**

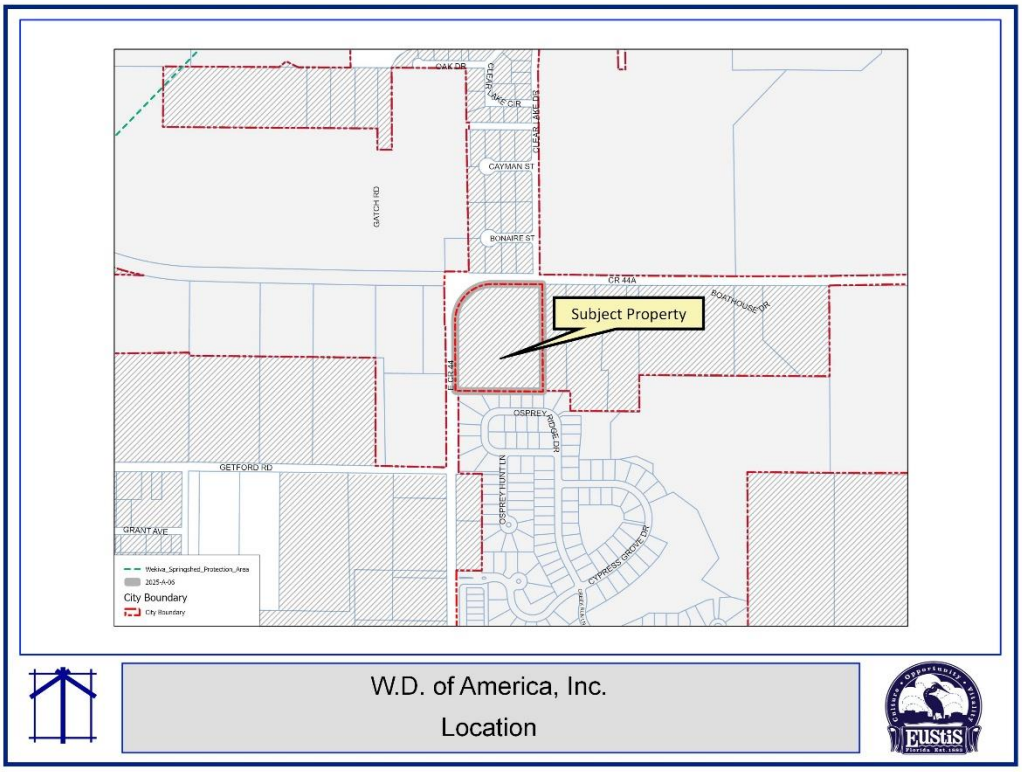
1. The site contains approximately 10 acres and is located within the Eustis Joint Planning Area. The site is currently vacant and agricultural/silvicultural (Planted Pines)
2. The subject property is contiguous to the current City of Eustis boundary on the south and west property lines.
3. The site has a Lake County Future Land Use Designation of Urban Low, but approval of Ordinance Number 25-21 would change the land use designation to General Commercial (GC) in the City of Eustis.
4. The West Side of the CR 44A/CR 44 intersection is already City of Eustis General Commercial (GC) and Mixed Commercial Residential (MCR).

| Location | Existing Use | Future Land Use | Design District |
|---|---|---|---|
| **Site** | Vacant/Planted Pines | Urban Low (Lake County) | N/A |
| **North** | Single-Family Residential | Urban Low (Lake County) | N/A |
| **South** | Single-Family Residential | Suburban Residential (SR) | Rural Neighborhood |
| **East** | Single-Family Residential | Urban Low (Lake County) | Suburban Corridor |

| | | | |
|---|---|---|---|
| **West** | Vacant | General Commercial (GC) and Mixed Commercial Residential (MCR) | N/A |




W.D. of America, Inc.
Aerial Location




W.D. of America, Inc.
Location

**Applicant's Request**

The applicant and property owner wish to annex the property, change the future land use to General Commercial (GC), and assign a design district of Suburban Corridor. The applicant's application did not detail the intended use of the property beyond future commercial development.

The current Lake County 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 one (1) net buildable acre and civic, institutional, commercial, and office uses at an appropriate scale and intensity to serve this category. Limited light industrial uses may only be allowed as a conditional use.

The proposed General Commercial (GC) land use designation within the City of Eustis provides for future commercial development. This future land use district request matches the designations to the west.

**A.** Analysis of Annexation Request **(Ordinance Number 25-20)**

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 Joint Planning Area. Urban services of adequate capacity are available to serve future development, consistent with the requested GC 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 Joint Planning Area boundaries define the reasonably compact area where the City can provide services effectively and efficiently. The subject property lies within that planning area. It is contiguous to the City limits on the southern and western boundary, and the owner has 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 in accordance with the requirements on July 28, 2025, and again on August 4, 2025. Advertisement for the Ordinance Adoption was published no later than August 15, 2025.***

4. Florida Statues 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.***

5. Florida Statues 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 notic

certified mail, to the board of the county commissioners of the county wherein the mu... is located..."

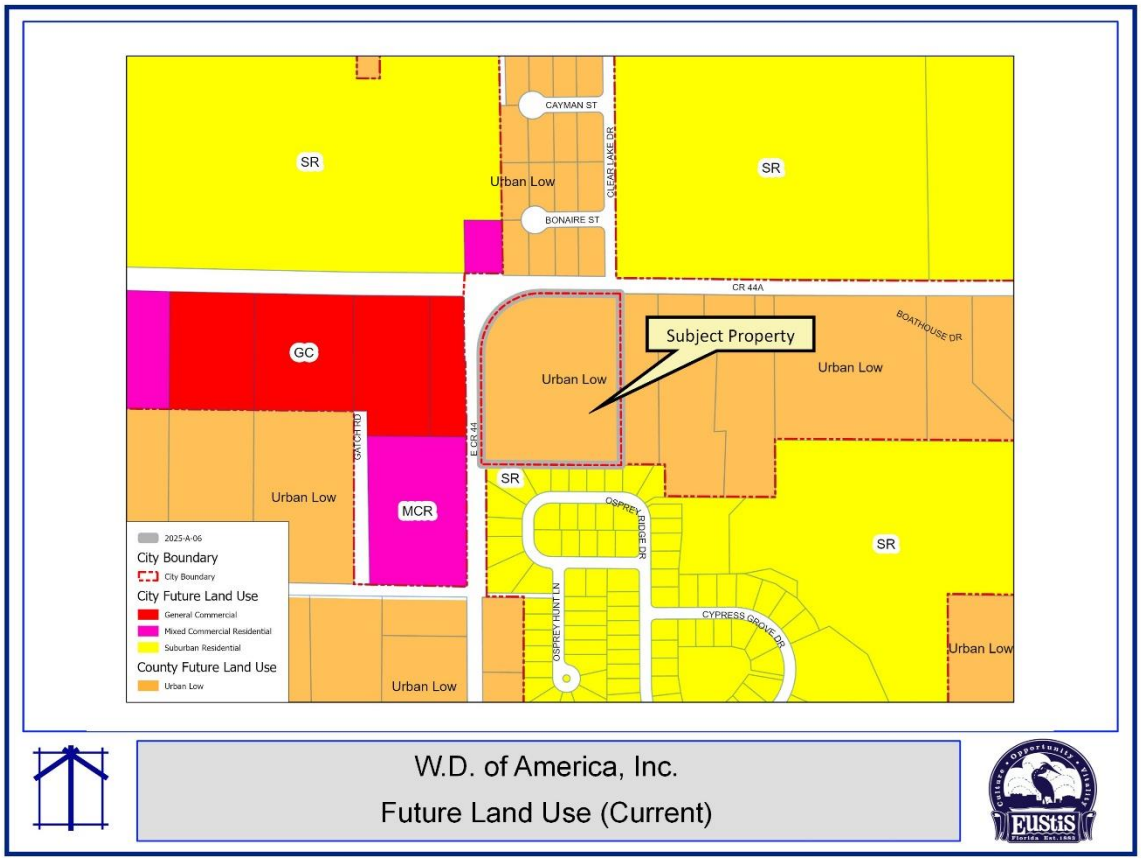
***The department notified the Lake County Board of County Commissioners on July 17, 2025.***

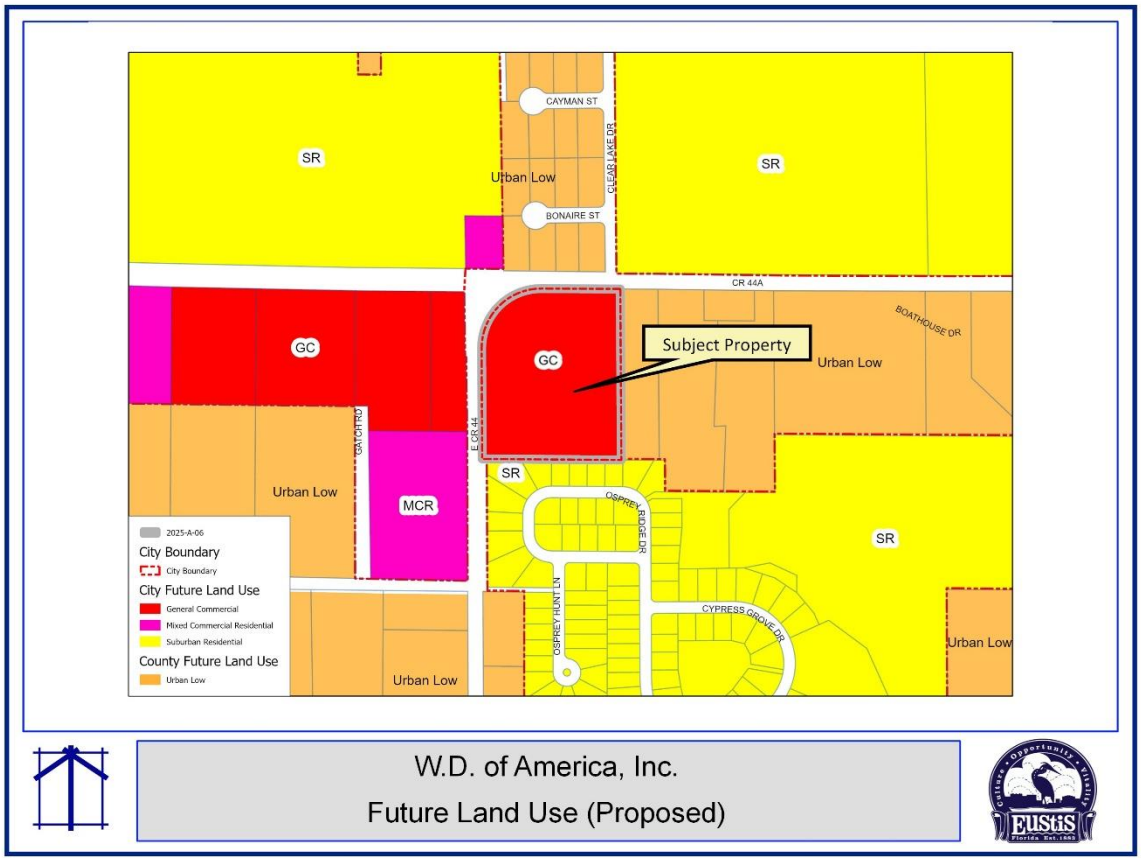
**B. Analysis of Comprehensive Plan/Future Land Use Request (Ordinance Number 25-21)**

In Accordance with Florida Statutes Chapter 163.3177.9, to discourage urban sprawl, the Florida Statutes outlines the Primary Indicators of Sprawl. Staff has reviewed these indicators and finds that the proposed annexation and assignment of Future Land Use does not contradict the intent of the primary indicators of sprawl as outlined. The outline and summary of these indicators are included in the supplement to this report.

**C. Per the City of Eustis Comprehensive Plan, Future Land Use Element Appendix**

Staff has assessed the proposed amendment to the City of Eustis Comprehensive Plan Future Land Use map relating to the development patterns described and supported within the Plan, including conditions and impacts to utility infrastructure, transportation infrastructure, natural features, and the environment. Staff review finds that the proposed assignment of the General Commercial (GC) future land use will not result in impacts that will cause detriment beyond current patterns. The outline and summary of this analysis are included as a supplement to this report.

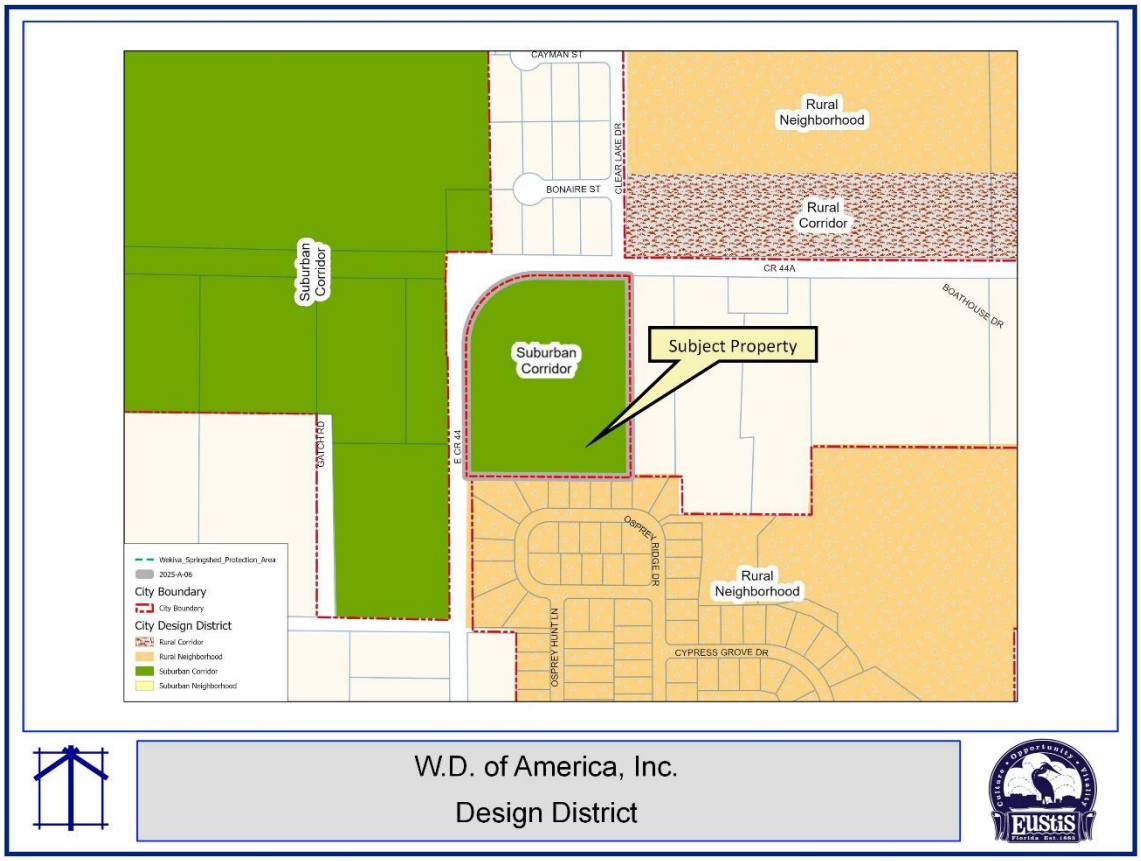





**D.** Analysis of Design District Request **(Ordinance Number 25-22)**:

The City's Land Development Regulations are 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, or rural transect consistent with the surrounding area.

The City's Land Development Regulations set forth standards for review when changing or in the case of annexation, assigning a Design District. Staff has reviewed these standards and finds the proposed Suburban Corridor Design District consistent with those standards. The outline and summary of this analysis are included as a supplement to this report.




**Recommended Action:**
Development Services finds the proposed annexation, Future Land Use, and Design District designations consistent with the Comprehensive Plan, Land Development Regulations, and surrounding and adjacent land uses; therefore, it recommends approval of Ordinance Numbers 25-20, 25-21, and 25-22.

**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.

**Business Impact Estimate:**
The City has determined that a Business Impact Estimate is NOT required as the following exemption applies to the proposed ordinances: Section 166.041(4)(c) : …enacted to implement comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.

**Prepared By:**
Jeff Richardson, AICP, Deputy Director, Development Services

**Reviewed By:**
Mike Lane, AICP, Development Services Director

Analysis of Comprehensive Plan/Future Land Use Request **(Ordinance Number 25-21)**

In Accordance with 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 Commercial uses at a major intersection.***

*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 area is a significant intersection in an urbanizing/suburbanizing area.***

*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 site is within an urbanizing corridor with commercial and industrial land uses designated to the west and residential development to the south.***

*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 a tree farm (silviculture) and is currently planted with pine and mixed natural deciduous trees.***

*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 property does support active agricultural or silvicultural activities (tree farm/planted pine). However, the property is within an existing developed and further developing area, with similar land uses assigned.***

## 6. Public Facilities:

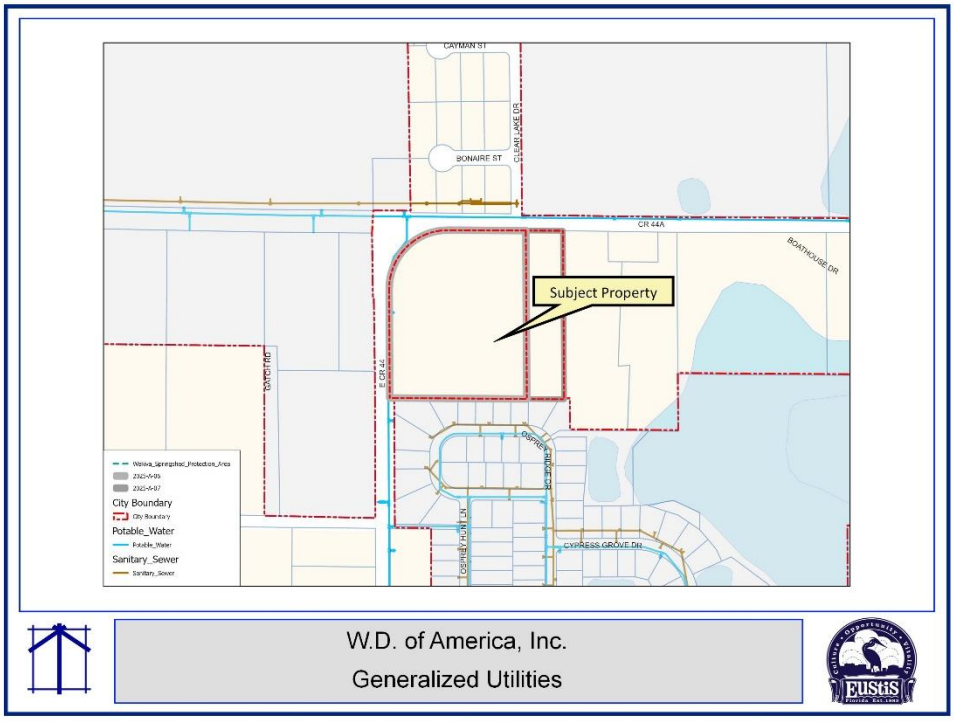
Fails to maximize use of existing public facilities and services.

***This indicator does not apply. City water is available to the property. Development of this parcel will maximize the use and efficiency of the City's water service. City Sewer is available to the property and will be addressed via the site development process.***

## 7. Cost Effectiveness and Efficiency of Public Facilities:

Allows for land use patterns or timing that 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 consistent with the requested GC future land use designation. The City provides these services to other properties in the area, so efficiency will improve.***



*8. Separation of Urban and Rural:*

*Fails to provide a clear separation between rural and urban uses.*

***This indicator does not apply. No other nearby properties contain active agricultural activities or uses. 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 is a logical extension of development for the city.***

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. A variety of other uses are evident, including various commercial, industrial, and residential uses, within 1 mile of the subject property.***

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 accessibility and linkages between related uses. Development Services 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.***

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 extension of the urban development boundary. The***

***Comprehensive Plan and Land Development Regulations have provisions to protect natural resources and ecosystems at 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 are available.***

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 relating to connection and sidewalks. County Roads 44 and 44A are not City infrastructure and do not currently have a sidewalk system. Interconnectivity to existing and future uses will be a challenge.***

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, which will require energy and water-efficient appliances.***

e. Agricultural Preservation:
Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

***Not applicable. The site is within an existing developed/developing 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.***

g. Balance of Land Uses:
Creates a balance of land uses based upon the demands of the residential population for the nonresidential needs of an area.

***The proposed land use would allow for additional commercial opportunities to serve existing residential development and capture market for through-commuters.***

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 towns as defined in s. 163.3164.

***Not applicable***.

## In Accordance with the 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 GC 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 24,500. Pursuant to comprehensive plan policy and Land Development Regulation, residential development will be required to provide on-site park amenities.***

**c.** Potable Water & Sanitary Sewer:

***Water and sewer are available to the subject property. Both the water and sewer systems have adequate capacity to serve the development of the property.***

**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.***

**g.** Transportation Network Analysis:

***This potential added Commercial development will be evaluated at the time a development plan is submitted. At this time, the adjacent transportation network (CR 44/CR 44A) has the capacity to serve the proposed GC land use. Future improvements will depend on the ultimate buildout intensity and specific commercial uses. Prior to the development of the property, site plan approval amongst other approvals***

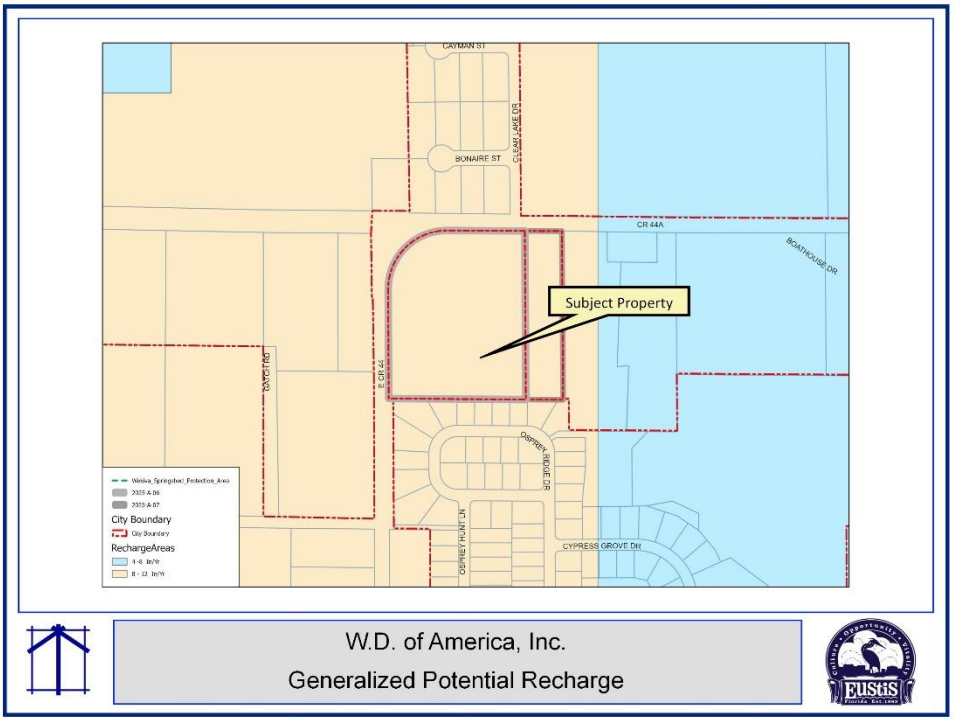
***will be required. As part of the site plan review, a traffic study will be required to evaluate traffic impacts.***

## 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 high recharge area; 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.***

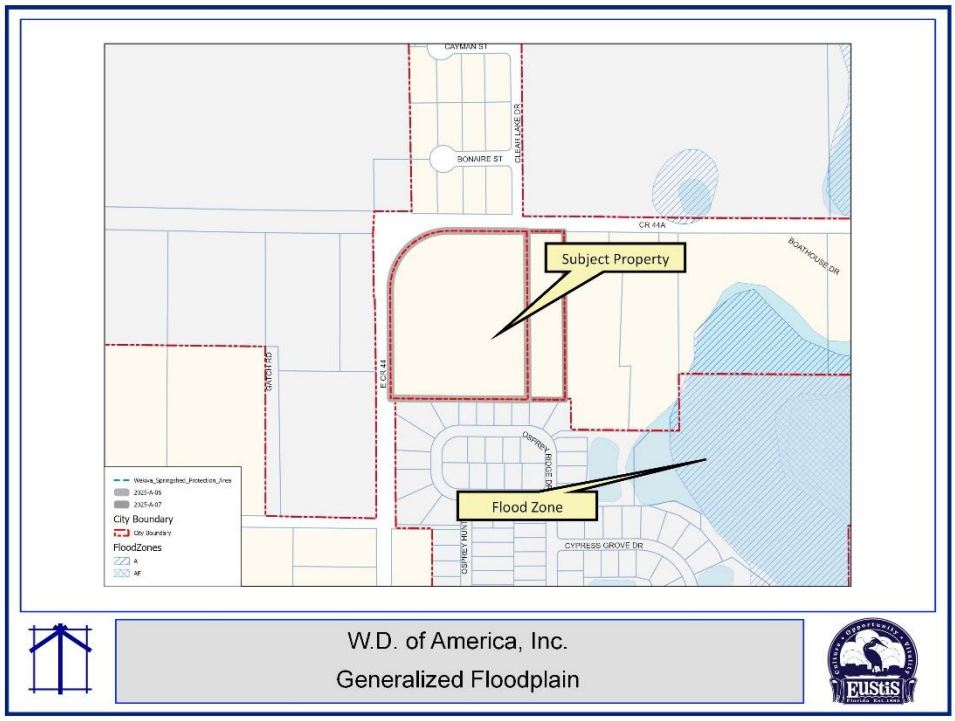


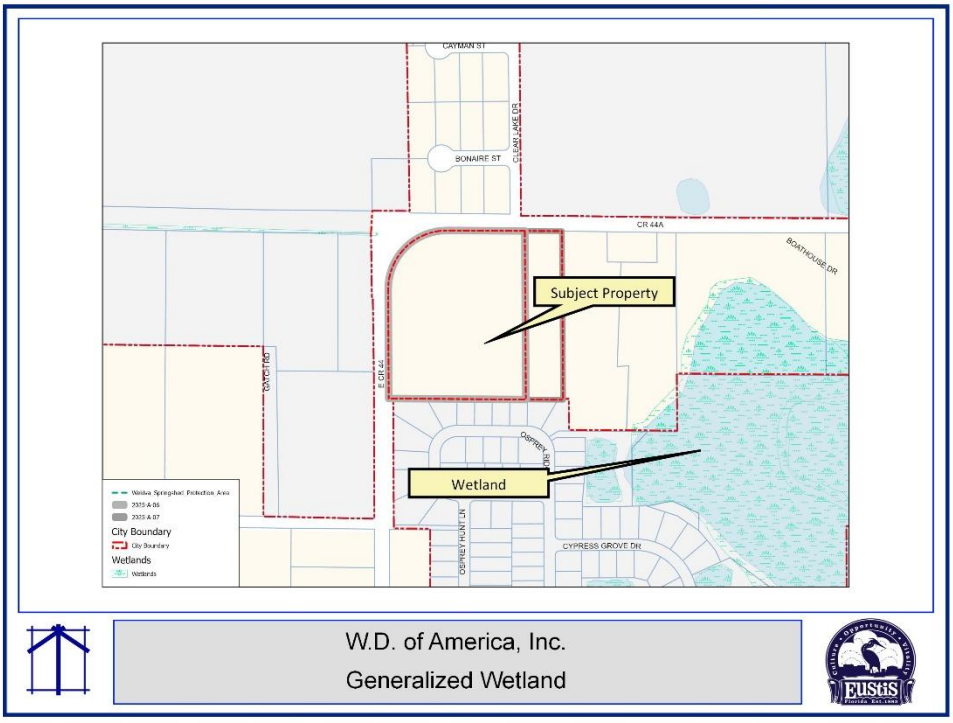

### b.Historical or archaeological sites:

***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. Development of the property poses no wetland impacts, as no wetlands exist on the property.***

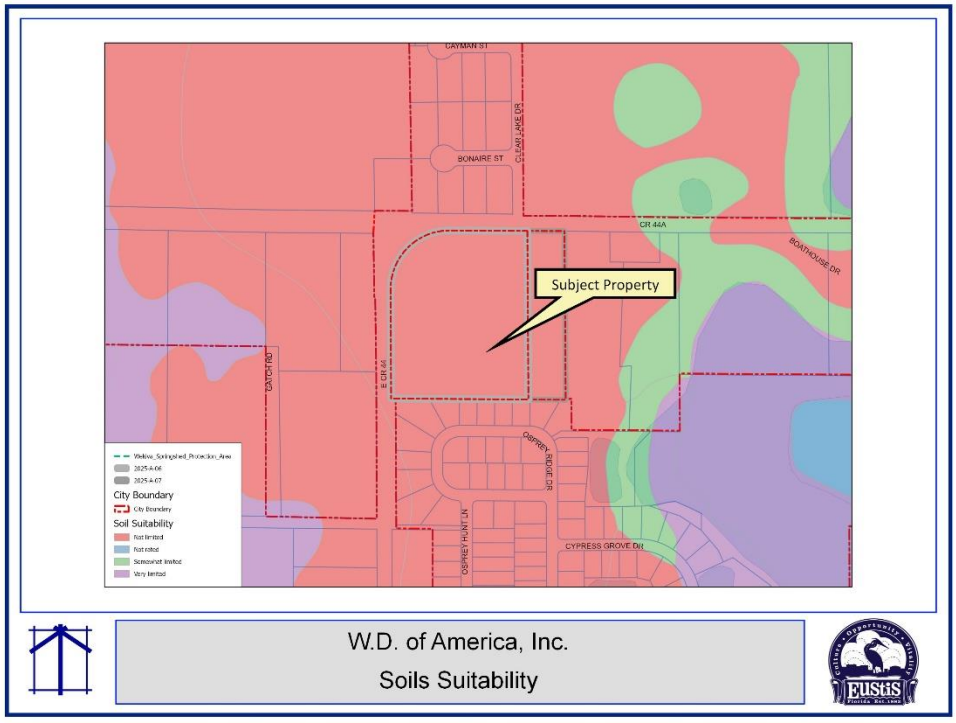





d.*Soil and topography:*

***The soils appear to pose no limitations for development. At the development application stage, soils and geotechnical reports will be required as part of the application packages as well as for permitting for development with the applicable state agencies.***

***As site plan and 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 conditions at the time of development warrant such protection.***




### 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:***

Policy I-1.3.2 Urban Low Density Future Land Use Category

The Urban Low Density Future Land Use Category provides for a range of residential development at a maximum density of four (4) dwelling units per net buildable acre in addition to civic, institutional, commercial, and office uses at an appropriate scale and intensity to serve this category. Limited light industrial uses may only be allowed as a conditional use. This category shall be located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities. Within this category any residential development in excess of 10 dwelling units shall be required to provide a minimum 25% of the net buildable area of the entire site as common open space.

The maximum intensity in this category shall be 0.25, except for institutional uses which shall be 0.35. The maximum Impervious Surface Ratio shall be 0.60.

TYPICAL USES INCLUDE:

• Residential;

• Nursing and personal care facilities;• Civic uses;

• Residential professional offices;

• Passive parks;

• Religious organizations;

• Day care services;

• Schools;

• Commerce uses, including: services, retail trade, finance, insurance and real estate as allowed pursuant to Policy I-1.3.10 Commercial Activities within the Urban Future Land Use Series (*… Lake County shall allocate sufficient land area to accommodate commercial activities that provide goods and services, with consideration to economic benefits and environmental impacts to the County. For the purposes of this Objective, the term —Commercial shall include commercial, retail, office, limited light industrial uses, and other uses commonly associated with these activities. The location and distribution of commercial land uses within Lake County shall be guided by information contained in the Data Inventory and Analysis for the Future Land Use and Economic Elements. The policies below shall apply to commercial development within the Urban Future Land Use Series.* ); and

• Public order and safety.

***Proposed Land Use According to the Eustis Comprehensive Plan:***

**General Commercial**

**(GC)**

The GC designation is intended to provide an area consisting of primarily free-standing commercial land uses serving both motorists and local residents.

General Range of Uses: General Commercial may include a variety of free-standing retail and service uses and small strip centers including automotive-oriented uses such as service stations and auto sales as well as outdoor recreation, and schools. Public and utility services and facilities that are 5 acres or less in size are also permitted.

Intensity Range: up to 2.5 FAR subject to restrictions in Section 109-3 of the Land

Development Regulations.

Developments within the Wekiva Protection Overlay that include longleaf pine, sandhill, 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.

***Comparison of Lake County Development Conditions***

The existing Lake County future land use designation of the property is Urban Low, which provides for a range of residential development in addition to civic, commercial and office uses at an appropriate scale and intensity to serve this category. Allowable density and intensity in Urban Low is a maximum of 4 dwelling units per acre and intensity of 0.25 to 0.35 floor area ratio, with the sum of residential density and non-residential intensity not exceeding 100%.

Residential: Lake County limits residential development to 4 du/acre and other Lake County Comprehensive Plan policies would all for some commercial, while the City of Eustis GC (General Commercial) would allow for a greater variety of commercial uses while limiting residential options.

***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 on the proposed residences.

***Not applicable.***

***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.

***The proposed future land use does not allow for industrial-type uses that may be incompatible with existing residential uses. Through the site development process, each project is evaluated, and the appropriate land development regulations are applied to mitigate potential incompatibility.***

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.

***This potential added commercial development will be evaluated at the time a development plan is submitted. At this time, the adjacent transportation network (CR 44/CR 44A) has the capacity to serve the proposed GC land use. Future improvements will depend on the ultimate buildout intensity and specific commercial uses. Prior to the development of the property, site plan approval***

***amongst other approvals will be required. As part of the site plan review, a traffic study will be required to evaluate traffic impacts.***

2. Water Supply:

Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

***City water service and other services are available. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.***

In Accordance with Chapter 102-16(f), Land Development Regulations

*Standards for Review:*

In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

*a. Consistent with Comprehensive Plan:*

Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

***The proposed amendment is consistent with the Comprehensive Plan.***

*b. In Conflict with Land Development Regulations:*

*Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.*

***The proposed amendment is not in conflict with the Land Development Regulations. At the time of development, there will be further review for compliance.***

*c. Inconsistent with Surrounding Uses:*

Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

***City commercial future land use has been designated for the west side of the CR 44/44A intersection. The General Commercial FLU would not be inconsistent for the area.***

*d. Changed Conditions:*

Whether there have been changed conditions that justify an amendment.

***The applicant wishes to annex the property into the City limits of Eustis. Assignment of a City of Eustis future land use designation is required. Upon annexation, the subject property will have a full array of municipal services, including central water. These changed conditions warrant a change in the land use designation.***

*e. Demand on Public Facilities:*

Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

***City water and sewer services are available and, in close proximity to the site. Adequate capacity is available to serve future development consistent with the requested future land use designation.***

***Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.***

*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 annexation would create a logical development pattern as it extends the City limits to a more natural boundary in this area.***

*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 GC land use will provide for orderly growth and development. This designation would advance the public interest by potentially providing additional commercial options, 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 25-22)**:

Form-Based Code:

The City's Land Development Regulations are 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 Corridor). The Suburban development pattern and intent, and the Suburban Corridor definition, structure and form description are stated below. The assignment of a Suburban Corridor design district designation is appropriate due to the established and proposed development patterns in the area.***

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 center.*

a. *Definition. Mix of commercial, office, and potentially multifamily residential uses.*
b. *Structure. Development blocks organized with streets, pedestrian walkways and driveways.*
c. *Form. Mix of nonresidential uses from office to commercial with supportive uses adjacent to larger use types.*

***A Suburban Corridor 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 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 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 Corridor definition, structure and form are compatible with the existing uses and any proposed uses permitted under the General Commercial and Suburban Residential future land use designations in the area.***

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 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 City of 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 Corridor design district designation to an annexation parcel, which is consistent with the existing transect.***

# Business Impact Estimate Eligibility Form

**Section 166.041(4), Florida Statutes**

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Eustis' website by the time notice of the proposed ordinance is published.*

*This form simply assists in determining whether a Business Impact Estimate must be completed under Florida law for the proposed ordinance. Should a Business Impact Estimate be required or should the City opt to provide one as a courtesy based on the selection below then a separate form with the statutory components of Section 166.041(4)(a) shall also accompany the proposed ordinance.*

| | |
|---|---|
| Ordinance Number | 25-20 |
| Ordinance Subject | Annexation 2025-A-06 |
| Legal Advertising Date | July 28, 2025 |
| First Reading On | 8/7/2025 |
| Second Reading On | 9/4/2025 |

## Ordinance Title

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 10 ACRES OF REAL PROPERTY AT LAKE COUNTY PROPERTY APPRAISER'S ALTERNATE KEY NUMBERS 1040141, LOCATED ON THE EAST SIDE OF THE INTERSECTION OF COUNTY ROAD 44 AND COUNTY ROAD 44A

**Based on the City's review of the proposed ordinance (*must select one of the following*):**

☒ The City has determined the statutory exemption identified below applies to the proposed ordinance; a Business Impact Estimate is NOT required and therefore not provided.

☐ The City has determined the statutory exemption identified below applies to the proposed ordinance; however, the City has prepared the Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance.

☐ The City has prepared a Business Impact Estimate in accordance with section 166.041(4), Florida Statutes.

## Exemptions

The City has determined that a Business Impact Estimate is NOT required as the following exemption applies to the proposed ordinance:

**Section 166.041 (4)(c) exemption**: It is enacted to implement comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.

**ORDINANCE #2020-71**
**Lake Swatara PUD Amendment**
**RZ-20-31-4**

**AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Leslie Campione, P.A. (the "Applicant") made a request on behalf of Lake Swatara Properties, Inc., Jack Cassell, M.D., and Leslie Campione, P.A. (the "Owners") to amend Planned Unit Development (PUD) Ordinance #2008-43 to extend the central water connection waiver, specify Tract B development and to include additional uses; agriculture and non-intensive agriculture use, non-home occupation business, bed and breakfast, event venue use (50-guests, maximum), and passive recreation; and

**WHEREAS**, the subject Planned Unit Development consists of 40.78 +/- acres and is generally located on the south side of County Road 44A, and east of County Road 44, in the Eustis area of unincorporated Lake County, situated in Section 6, Township 19, Range 27, having Alternate Key Numbers 1040141, 3881335, 1754071, 3913835, 3834278, and 1040132, and more particularly described below:

Legal Description – (Exhibit "A" Attached)

**WHEREAS**, the subject property is located within the Urban Low-Density Future Land Use Category as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

**WHEREAS**, on the 27th day of September 2005, the Board of County Commissioners (BCC) approved PUD Ordinance #2005-79 rezoning 34.77 +/- acres from Medium Residential (R-3) and Agriculture (A) to Planned Unit Development (PUD) for a 34-unit single-family residential subdivision with agricultural uses; and

**WHEREAS**, on the 24th day of April 2007, the BCC approved PUD Ordinance #2007-18 to amend PUD Ordinance #2005-79 by adding 5.93 +/- acres of Agriculture zoned property to the PUD, and to include multi-family use; and

**WHEREAS**, on the 24th day of June 2008, the BCC approved PUD Ordinance #2008-43 as a text amendment to PUD Ordinance #2007-18; and

**WHEREAS**, the Lake County Planning and Zoning Board reviewed Petition RZ-20-31-4 on the 4th day of November 2020, after giving Notice on petition for a change in use of land, including a notice that said petition would be presented to the Board of County Commissioners of Lake County, Florida on the 10th day of November 2020; and

**WHEREAS**, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning and Zoning Board, staff report, and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised; and

**WHEREAS**, upon review, certain terms pertaining to the development of the above described property have been duly approved.

**WHEREAS**, the approval of this Ordinance shall replace and supersede all prior ordinances, including PUD Ordinance #2005-79, PUD Ordinance #2007-18, and PUD Ordinance #2008-43 and;

**NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County, Florida, that:



**INSTRUMENT #2021074503**
OR BK 5719 PG 717 - 724 (8 PGS)
DATE: 5/28/2021 4:44:43 PM
**GARY J. COONEY, CLERK OF THE CIRCUIT COURT**
**AND COMPTROLLER, LAKE COUNTY, FLO**
RECORDING FEES $69.50

**Section 1. Terms and Condition:** The County Manager or designee shall amend the Lake County Zoning Map to reflect this Ordinance. The uses of the subject properties, as described in Exhibit "A" (Legal Description). To the extent where there are conflicts between the Exhibit "B" (Conceptual Plan) and this Ordinance, this Ordinance shall take precedence. The adoption of this Ordinance shall revoke and replace PUD Ordinance #2005-79, PUD Ordinance #2007-18, and PUD Ordinance #2008-43.

**A. Waivers**

The requirement of connection to central water service pursuant to Central Water Service System requirements of LDR Section 6.12.01(A) and Comprehensive Plan Policy IX-2.2.2 is hereby waived. However, future development *that exceeds the densities, intensities or land uses established herein* shall connect to potable water when central water service becomes available, in accordance with the Comprehensive Plan and LDR, as amended. *Service shall not be deemed "available" unless a mutually acceptable agreement for said connection can be reached between the Owners and the service provider.*

**B. Land Uses:**

- Residential (20 residential dwellings; single-family detached or attached; 1 dwelling per 1 net-acre density, maximum)
- Agriculture and Non-Intensive Agriculture
- Bed and Breakfast Home (with event venue, 50 guests maximum)
- Passive Recreation

**C. Single-Family Development Specifications.**

1. Height: All detached single-family dwelling units shall be limited to forty (40) feet in height.
2. Setbacks: Detached single-family dwelling units shall maintain the following minimum setbacks.
    a. Front: fifteen (15) feet
    b. Side: ten (10) feet
    c. Rear: fifteen (15) feet
3. All structures shall be setback a minimum of twenty-five (25) feet from all rights-of-way bounding the project area.

    Wetlands:

    All principal and accessory structures shall maintain a minimum setback of fifty (50) feet from these boundaries.
4. Lot Size: 8,700 square feet (minimum) for single-family lots

**D. Multi-Family Development Specifications.**

1. Multi-family units may only be allowed on Tracts A, D, or E.
2. A maximum of twenty (20) attached multi-family residential units shall be permitted. Short-term rental of these units is prohibited.

3. Parking: Two parking spaces shall be dedicated for each residential unit.
4. Height: All attached multi-family residential units shall be limited to forty (40) feet in height.
5. Setbacks: Attached multi-family dwelling units shall maintain the following minimum setbacks.
    a. Front: fifteen (15) feet.
    b. Side: ten (10) feet.
    c. Rear: fifteen (15) feet.
6. All structures shall be setback a between twenty-five (25) to fifty (50) feet from the rights-of-way of County Road 44 and County Road 44A.

**E. Agricultural Uses.**

Agricultural uses which qualify as a bona-fide agricultural use under Florida Statutes, including but not limited to a tree farm and nursery operation, shall be permitted within all undeveloped areas or existing lots of record.

1. Tract A: May be used for wholesale or retail sales for items/products that are raised or produced on said farm or nursery. Additional retail sales, in accordance with cottage farms legislation, may be permissible.

**F. Non-Intensive Agricultural Uses.**

Non-intensive agricultural uses shall include cattle grazing, equestrian uses, hay production, citrus groves, tree farms, vineyards, and sheep or goat grazing. Structures constructed for passive recreational or agricultural uses within Tract C as shown on the concept plan shall be permitted a setback of fifteen (15) feet from the boundary line.

**G. Passive Recreational Uses:** The developer may include passive recreational uses.

**H. Existing Lots of Record.**

Documentation must be provided to demonstrate of the six (6) parcels comprising the PUD are lots of record as described in Exhibit "A". Nothing herein shall prevent each lot of record from being used according to their present uses, including bona-fide agricultural uses and residential uses.

**I. Tract B – Historical House.**

Tract B, 5.04 +/- acres, comprised of a historical homestead and five (5) accessory structures allows the following uses.

1. Single-family residence
2. Bed and Breakfast Home
3. Event venue for ceremonies (weddings, retreats, and/or educational events) – Not to exceed 50 guests
4. Non-home occupation business
5. Non-intensive agricultural uses

The PUD conditions pertaining to Tract B shall remain in effect should Tract B ownership change. A joinder and consent of the owner of Tract B is not be required for the development of the remaining portion of the PUD.

**J. Future Development and Allowable Land Uses.**

The Phase 1 Construction Plan (approved on September 29, 2011) should be amended or withdrawn to accommodate future development of the PUD. All future development must be in accordance with the conditions of this ordinance, the Urban Low future land use category and the LDR, as amended.

**K. Open Space.**

A minimum of twenty-five (25) percent of the net land area of the PUD shall be set aside for use as open space. Open space may include all "common areas" designated for conservation, passive recreation. Net land area shall be as defined by the Comprehensive Plan, as amended.

**L. Sidewalks.**

In accordance with the LDR, PUDs located within the Urban Low-Density Future Land Use Category shall provide internal sidewalks; however, if the roads contained within the PUD are privately maintained, then stabilized or designated walking paths shall suffice to meet this requirement.

**M. Fences, Walls, and Landscape Buffers.**

1. The developer shall provide a Type "B" landscape buffer, with a minimum width of fifteen (15) feet, around the perimeter of the site, except for those portions abutting wetlands and/or shoreline. The landscape buffer shall be installed at such time each phase is developed.
2. For purposes of minimizing noise from County Road 44 and County Road 44A, a perimeter-wall up to ten (10) feet in height may be installed.
3. Existing vegetation may be used to supplement minimum landscape requirements.
4. All other landscaping shall be consistent with the LDR, as amended.

**N. Floodplain.**

1. As the PUD is partially located in Flood Zone "AE", a 100-year floodplain, the project shall comply with all floodplain requirements, as established in the LDR, as amended.
2. A Letter of Map Revision (LOMR) from the Federal Emergency Management Agency (FEMA) shall be required to remove any portion of the site from a floodplain.

**O. Utilities.**

1. Unless a waiver is granted by the BCC, central connection to potable water and sanitary sewer services will be required when services become available to the property in accordance with the Comprehensive Plan and LDR, as amended.

**P. Transportation Improvements.**

The applicant shall comply with access management requirements as established in the LDR, as amended.

**Q. Development Review and Approval.**

Prior to the issuance of any permits, the owner shall be required to submit plats and/or site plans for review and approval by Lake County. The plats and/or site plans shall meet all submittal requirements as contained in the Comprehensive Plan, LDR, County Codes and Ordinances, as amended.

**R. Future Amendments to Statutes, Code, Plans and/or Regulations.**

The specific referenced in this Ordinance to the Florida Statutes, Florida Administrative Code, Comprehensive Plan, and LDR shall include any future amendment to said Statutes, Code, Plan, and/or Regulations.

**Section 2. Conditions.**

**A.** After establishment of the facilities as provided in this Ordinance, the property identified in this Ordinance may only be used for the purposes identified in this Ordinance. Any other proposed use must be specifically authorized by the Board of County Commissioners.

**B.** No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, add other uses, or alter the land in any manner within the boundaries of the above described land without first obtaining the necessary approvals in accordance with the Lake County Code, as amended, and obtaining the permits required from the other appropriate governmental agencies.

**C.** This Ordinance will inure to the benefit of, and will constitute a covenant running with the land and the terms, conditions, and provisions of this Ordinance, and will be binding upon the present Owner and any successor, and will be subject to each and every condition in this Ordinance.

**D.** The transfer of ownership or lease of any or all of the property described in this Ordinance must include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions established by this Ordinance and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following procedures contained in the Land Development Regulations, as amended.

**E.** Action by the Lake County Code Enforcement Special Master. The Lake County Code Enforcement Special Master will have authority to enforce the terms and conditions set forth in this ordinance and to recommend that the ordinance be revoked.

**Section 3. Severability.** If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, the holding will in no way affect the validity of the remaining portions of this Ordinance.

**Section 4. Filing with the Department of State.** The clerk is hereby directed to send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

**Section 5.** **Effective Date.** This Ordinance will become effective as provided by law.

**ENACTED this** 10th **day of** November **, 2020.**

**FILED with the Secretary of State** November 17 **, 2020.**

**EFFECTIVE** November 10th **, 2020.**

**BOARD OF COUNTY COMMISSIONERS**
**LAKE COUNTY, FLORIDA**

Wendy R. Breeden
**WENDY R. BREEDEN**

**ATTEST:**

**GARY J. COONEY, CLERK OF THE**
**BOARD OF COUNTY COMMISSIONERS**
**LAKE COUNTY, FLORIDA**

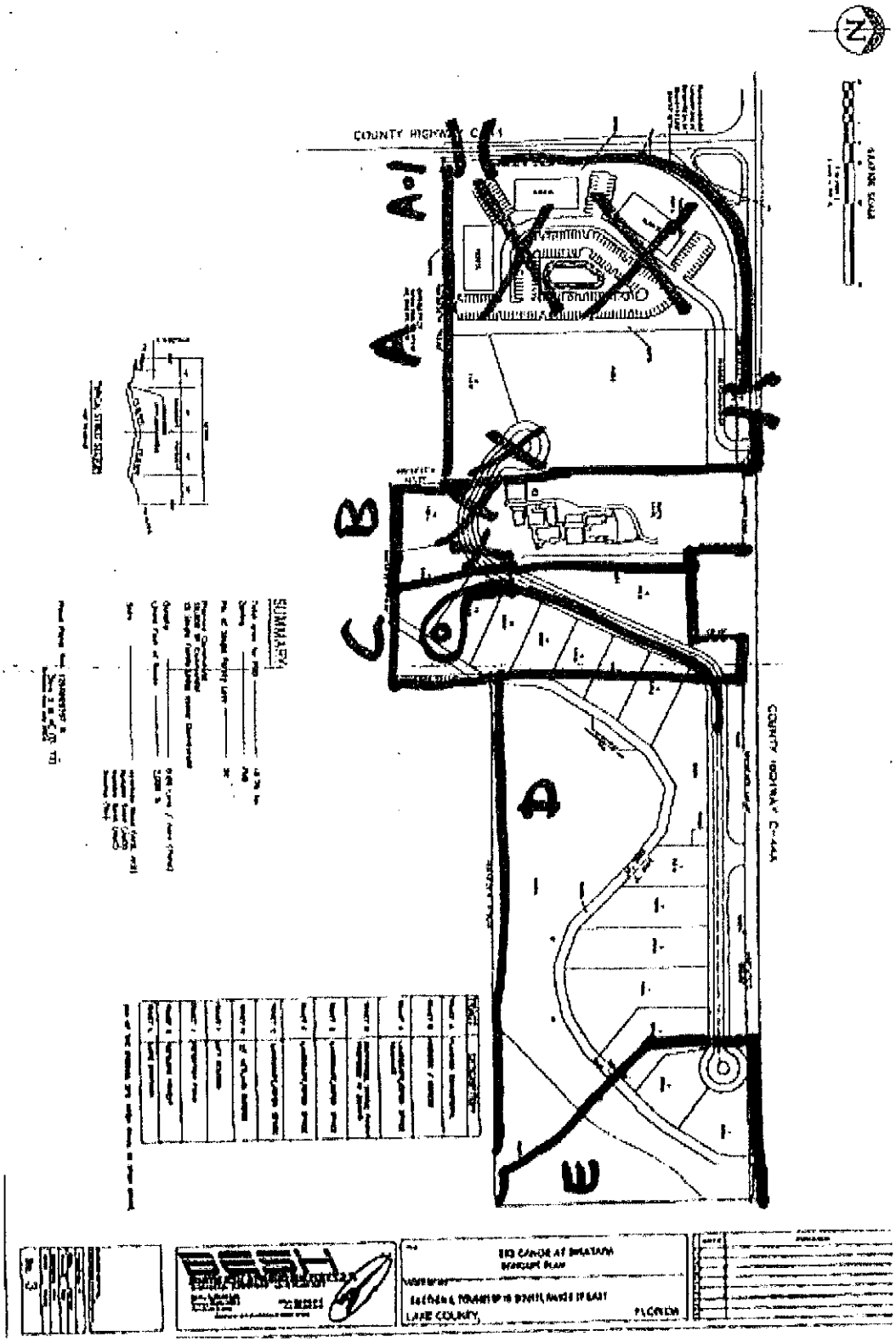
**APPROVED AS TO FORM AND LEGALITY**

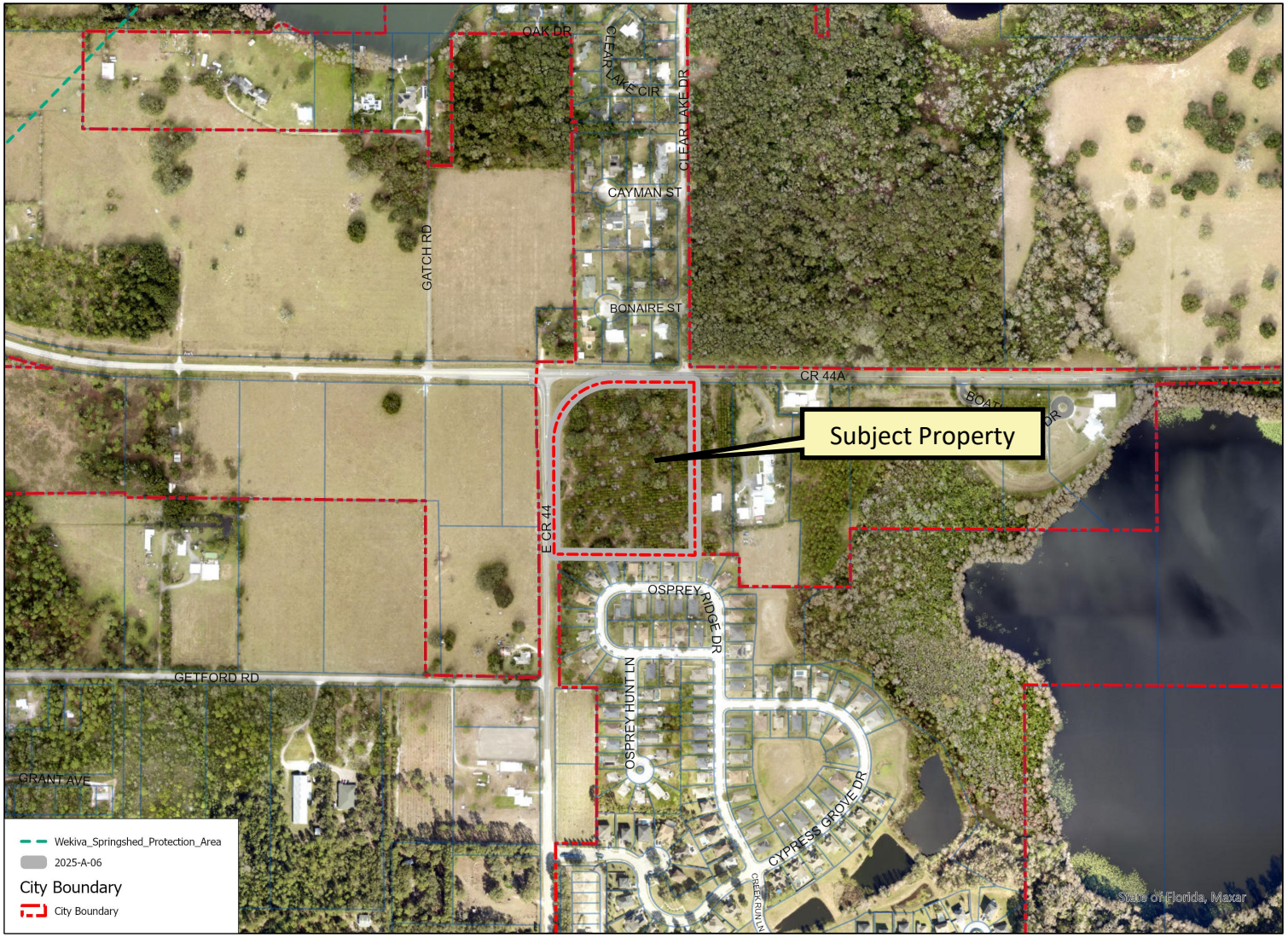
**MELANIE MARSH, COUNTY ATTORNEY**

## Exhibit "A" – Legal Description

**LEGAL DESCRIPTION:** Rehrer's Sub N 776.8 ft of Lot 5 S of Eustis-Cassia Hwy, LESS E 25 ft Sec 6 Twp. 19S Rge. 27E; Rehrer's Sub from NW cor of Lot 4, run S 00 deg. 39' 27" E 33.04 ft to S r/w line of Hwy 44-A & POB, run S 89 deg 26' 25" E along S r/w line 175 ft, S 00 deg 39' 27" E 135.01 ft, S 89 deg 55' 15"E 40 ft, S 01 deg 49' 36" W 461.40 ft to a point 629.18 ft S of N line of Lot 4, N 89 deg 55' 15" W 204.88 ft, N 00 deg 39' 27" W 64.32 ft, S 89 deg 55' 15" W 9.88 ft to W line of Lot 4, N 00 deg 39' 27" W 531.87 ft to POB (6-19-27); Rehrer's Sub begin at intersection of W line of Lot 2 with S r/w line of CR 44-A, run N 89-18-42 E along said S r/w line 200 ft, S 0-40-02 E 379 ft, S 46-45-07 E 369.40 ft to S line of said Lot 2, N 89-49-29 W 466.15 ft to SW cor of Lot 2, N 0-40-02 W 628.28 ft to POB, LESS CR 44A – Lot 3, that part of Lots 4 & 5 described as follows: From NW cor of Lot 4 run S 33.04 ft to S r/w line of CR 44A, S 89-26-25 E along said S r/w line 195.03 ft, cont S 89-47-10 E along said S r/w line 200.02 ft for POB, cont S 89-50-45 E 83.35 ft to E line of Lot 4, S 0-40-31 E 628.04 ft to SW cor of Lot 3, cont S 0-40-31 E 252.14 ft to SE cor of Lot 4, N 89-46-22 W 478.62 ft to SW cor of Lot 4, N 0-39-27 W 137.27 ft, N 89-47-38 W 25 ft,, N 0-39-27 W 744.05 ft to S r/w line of CR 44A, S 89-26-25 E 25 ft to E line of Lot 5, S 0-39-27 E 531.87 ft, S 89-55-15 E 9.88 ft, S 0-39-27 E 64.32 ft, S 89-55-15 E 204.88 ft, N 01-49-36 E 461.40 ft, S 89-55-15 E 180.02 ft, N 0-39-27 W 132.86 ft to POB (6-19-27); add: Rehrer's Sub Lot 2 – LESS Begin at intersection with W line of Lot 2 with S r/w line of CR 44A, run N 89 deg 18' 42" E 200 ft, S 0 deg 40' 02" E 379 ft, S 46 deg 45' 07" E 369.40 ft to S line of Lot 2, N 89 deg 49' 29" W 466.15 ft to SW cor of Lot 2, N 0 deg 40' 02" W 682.28 ft to POB, Sec 6 Twp 19S Rge. 27E.

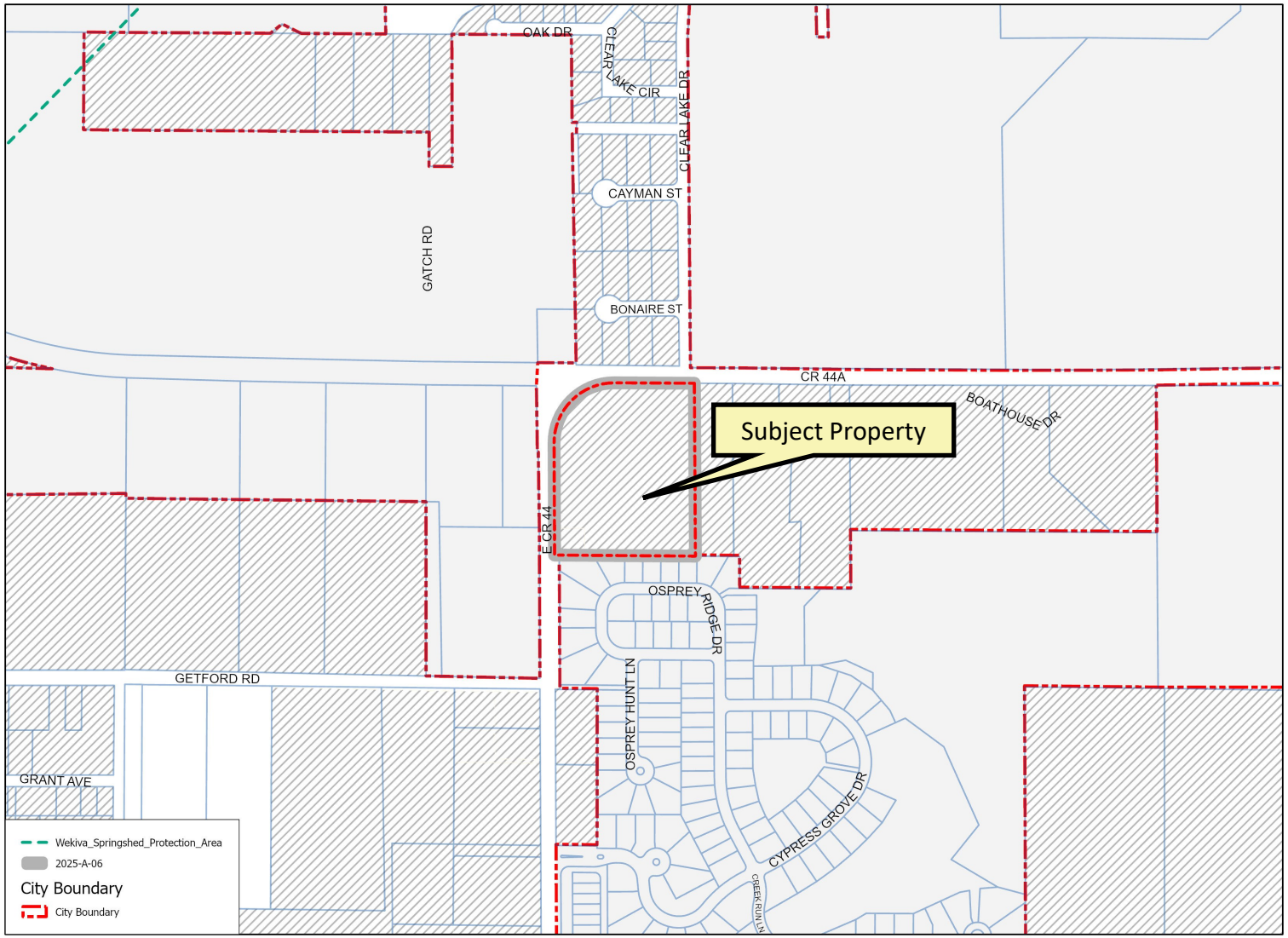
## Exhibit "B" – Concept Plan





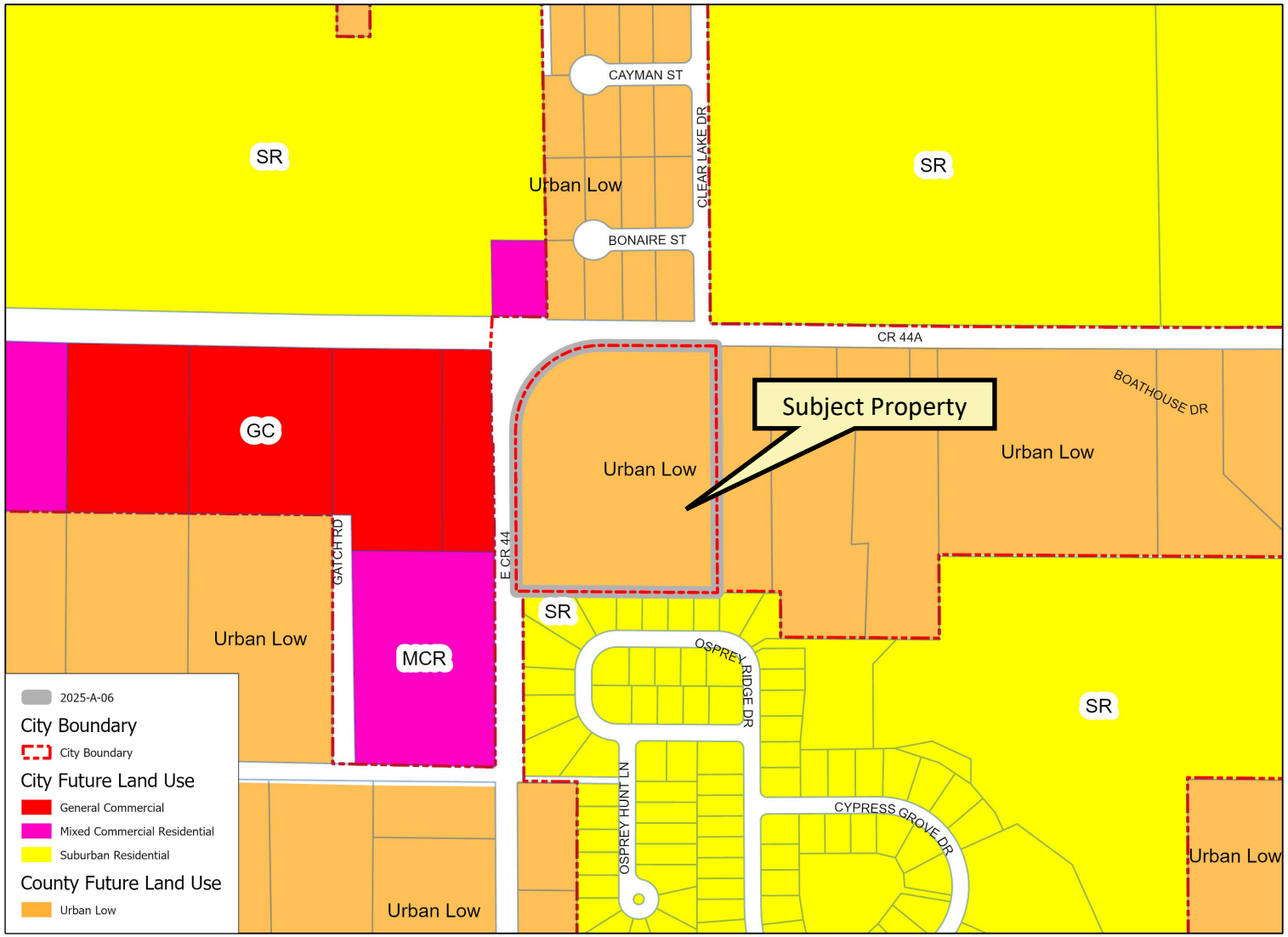

# W.D. of America, Inc.

## Aerial Location



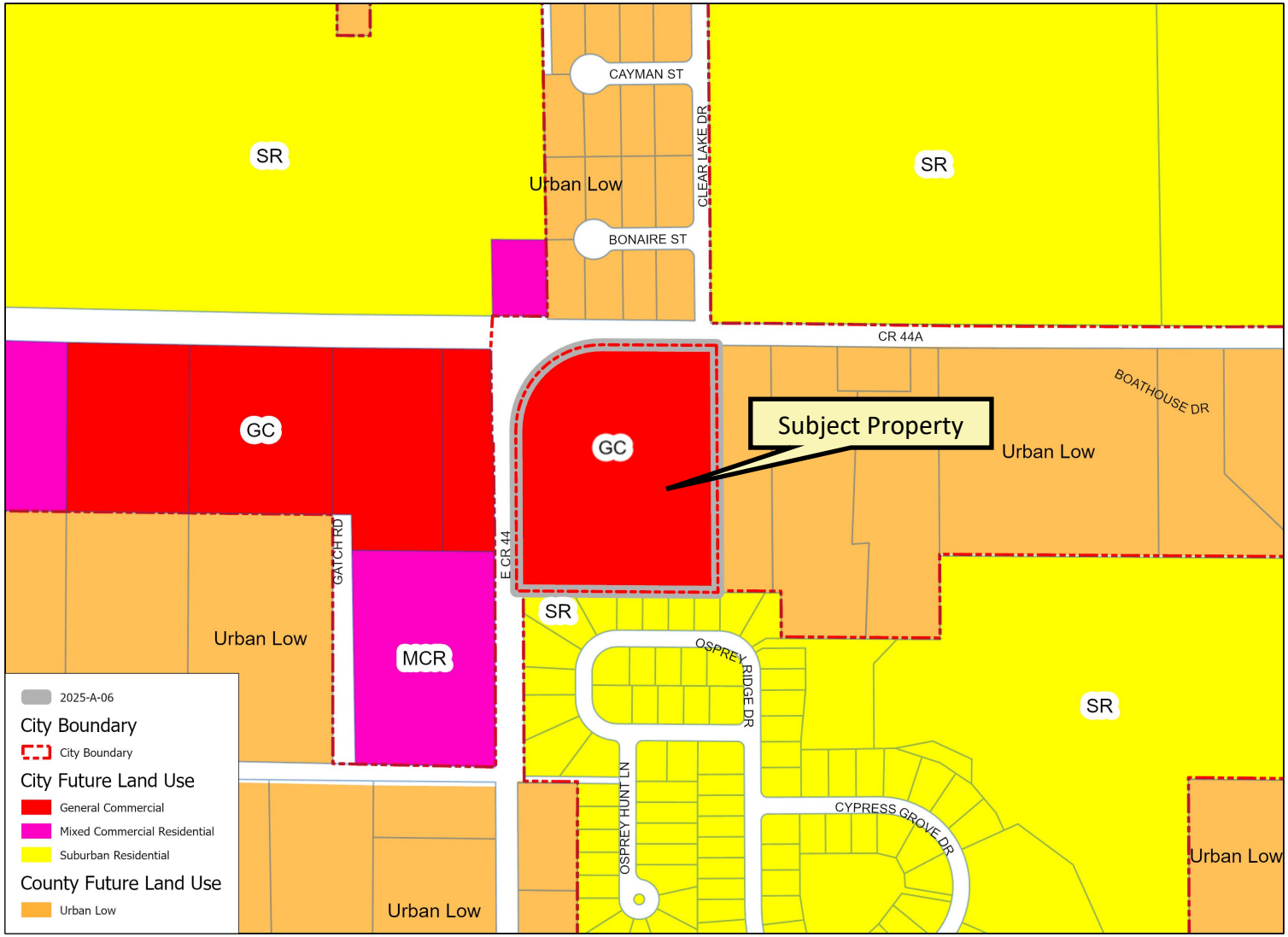

# W.D. of America, Inc.

## Location



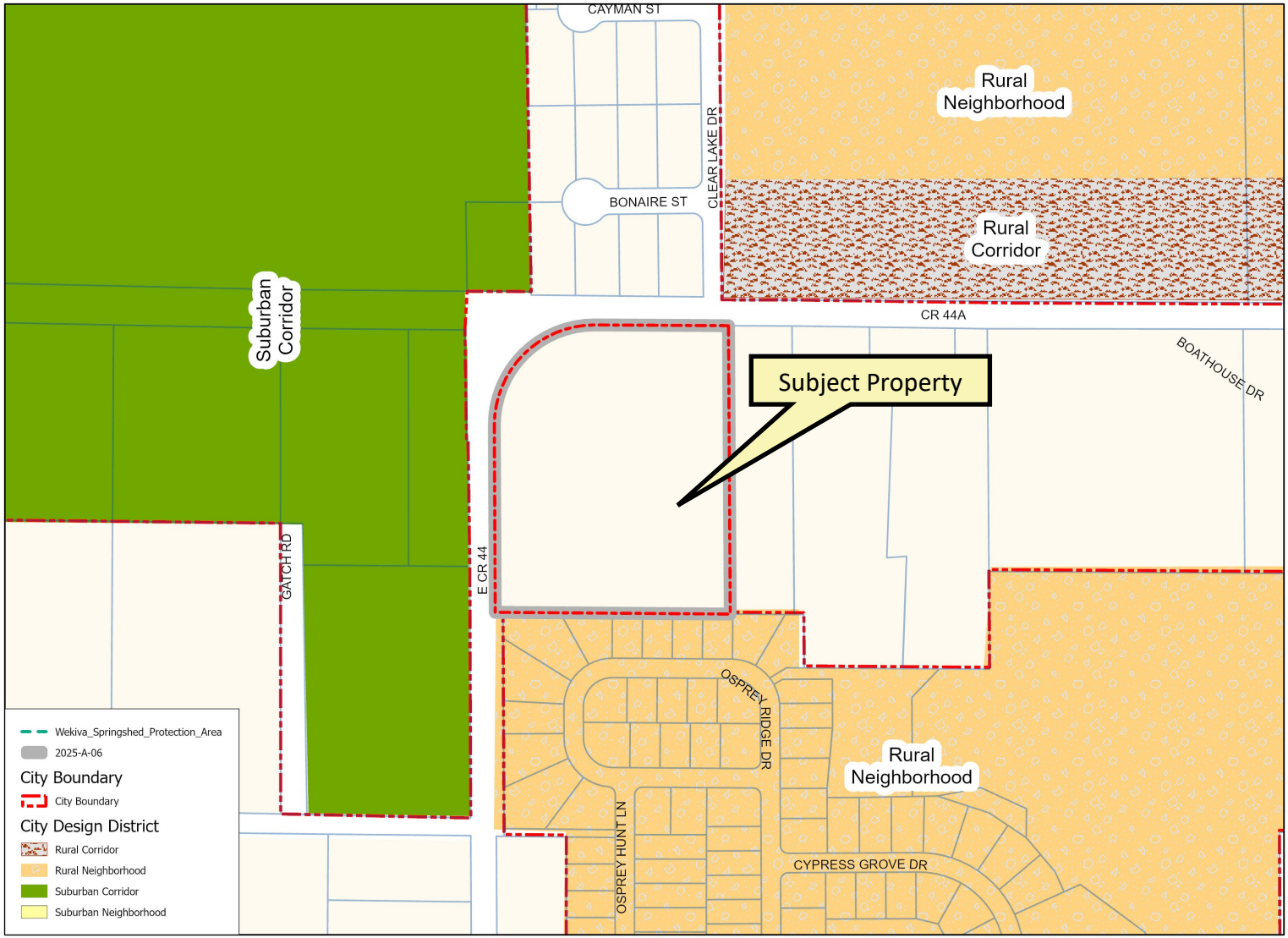

# W.D. of America, Inc.

# Future Land Use (Current)



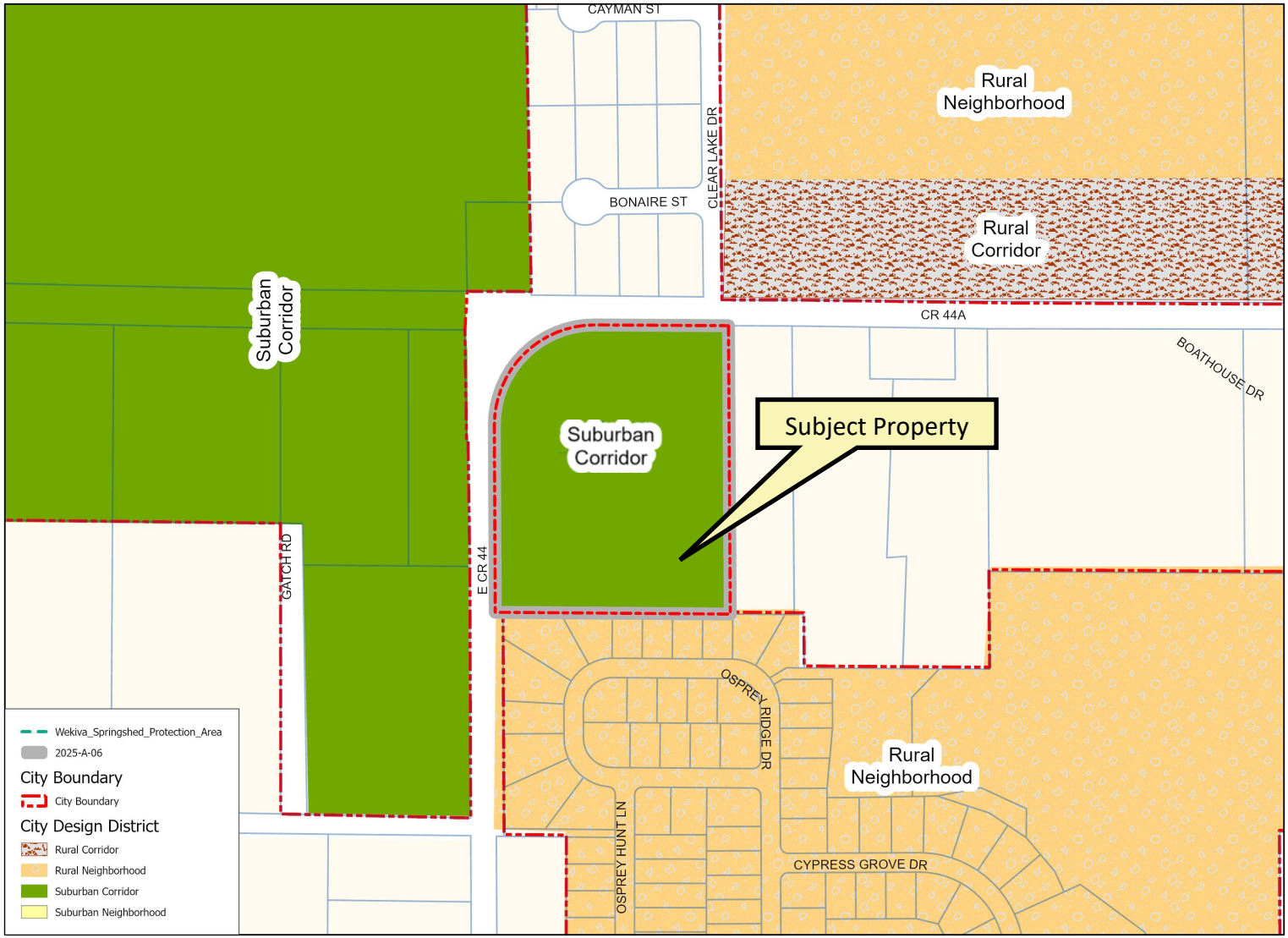

# W.D. of America, Inc.

# Future Land Use (Proposed)



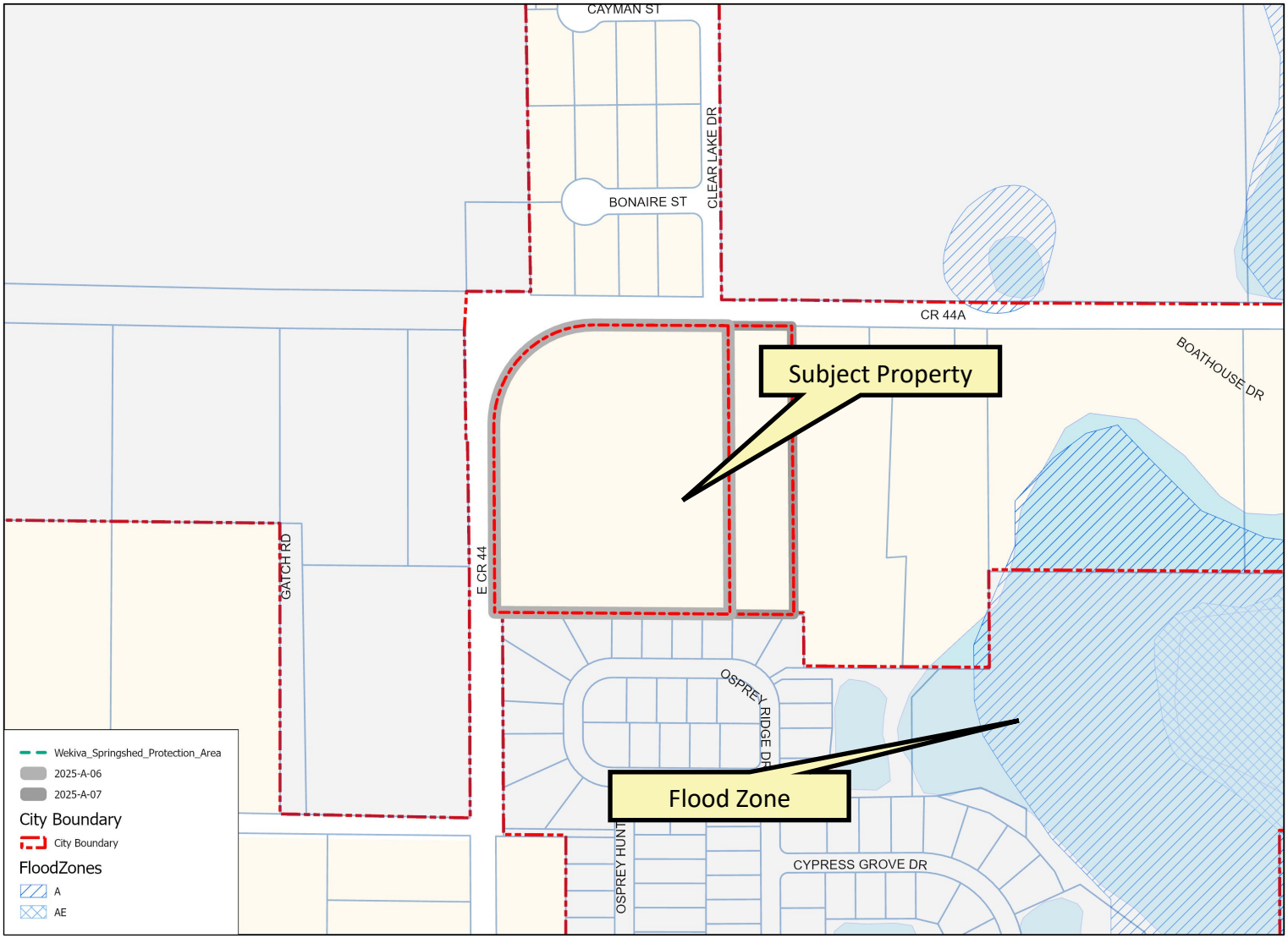

# W.D. of America, Inc.

## Design District



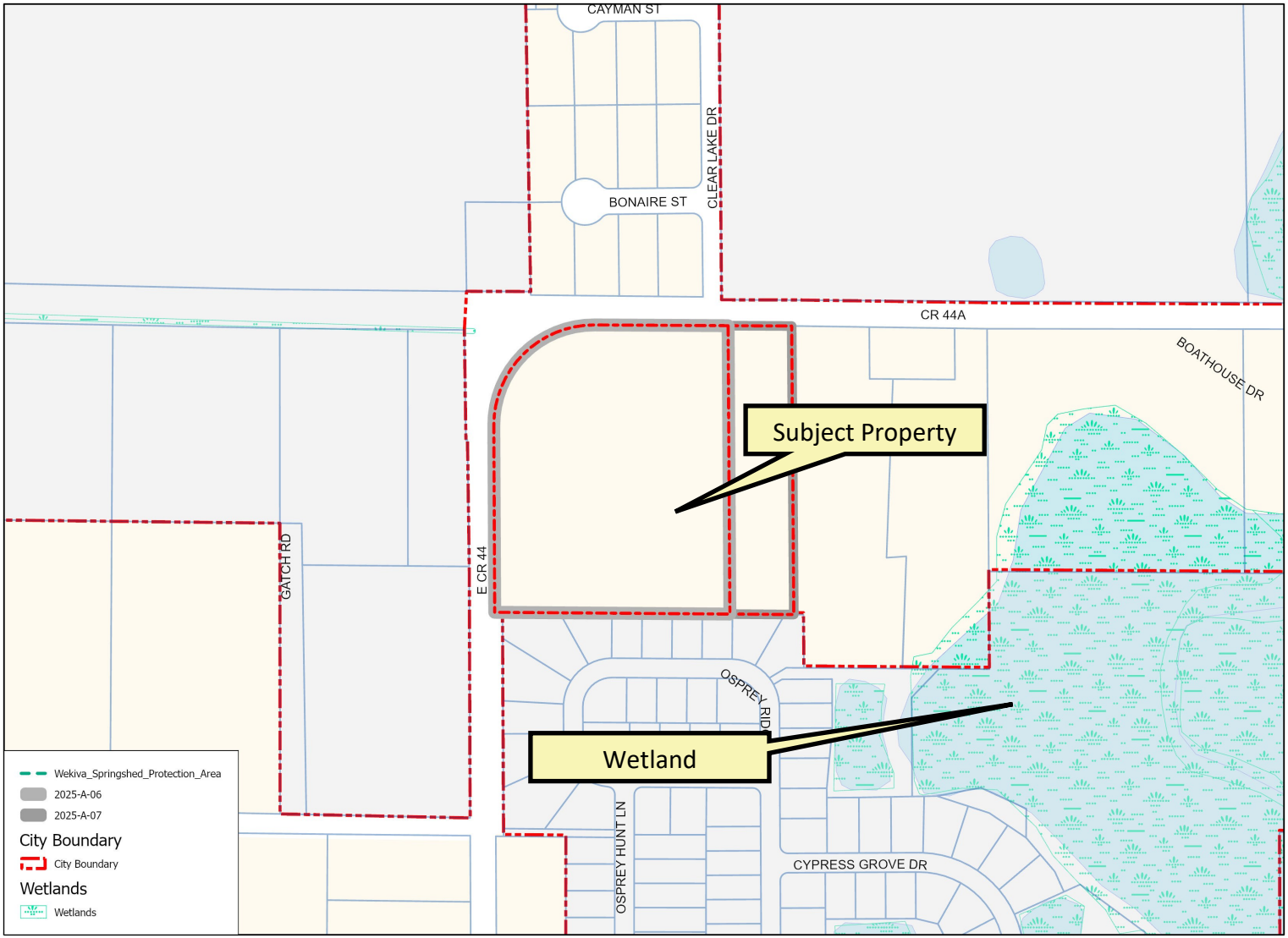

# W.D. of America, Inc.

## Design District



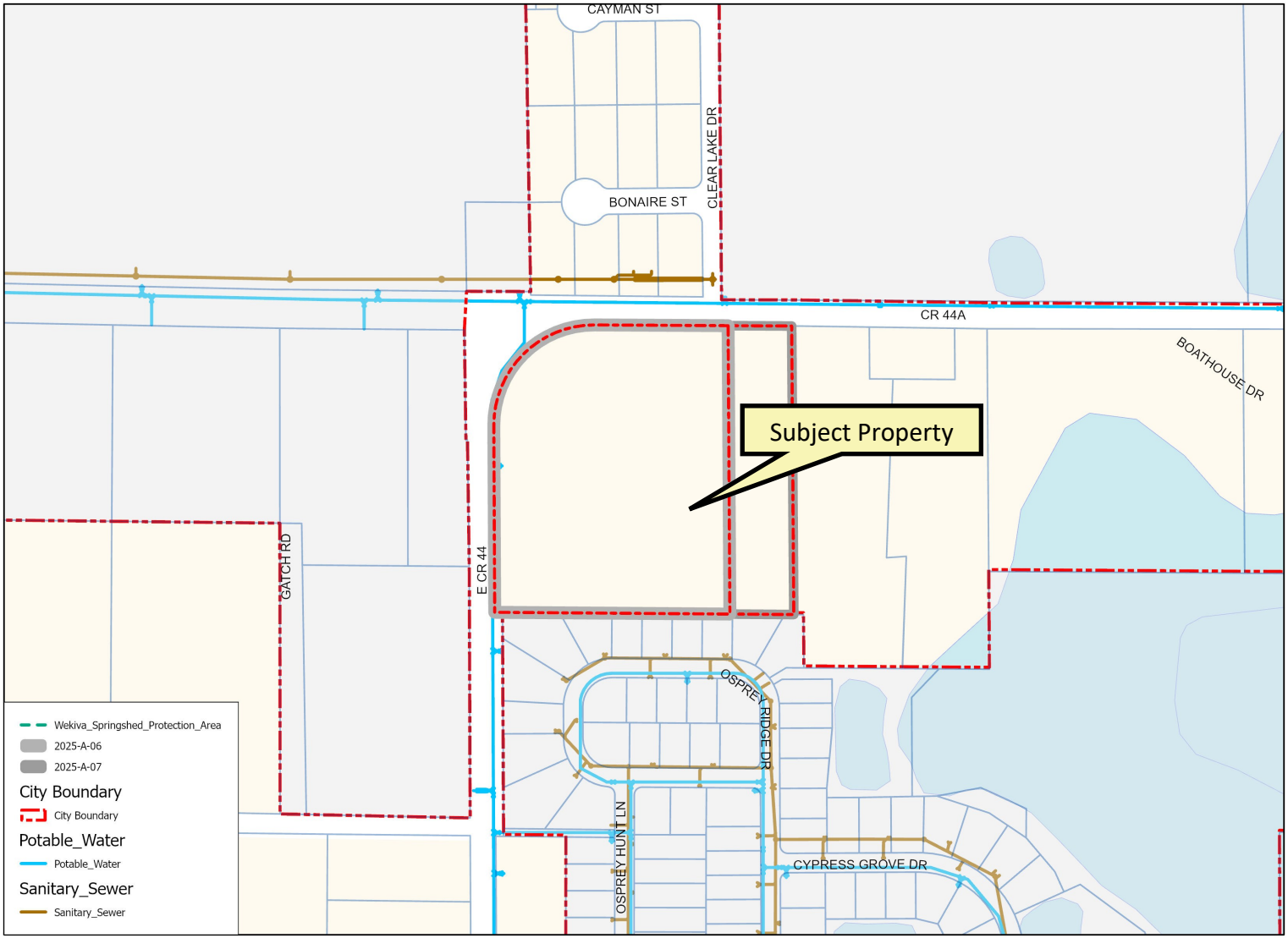

# W.D. of America, Inc.

# Generalized Floodplain



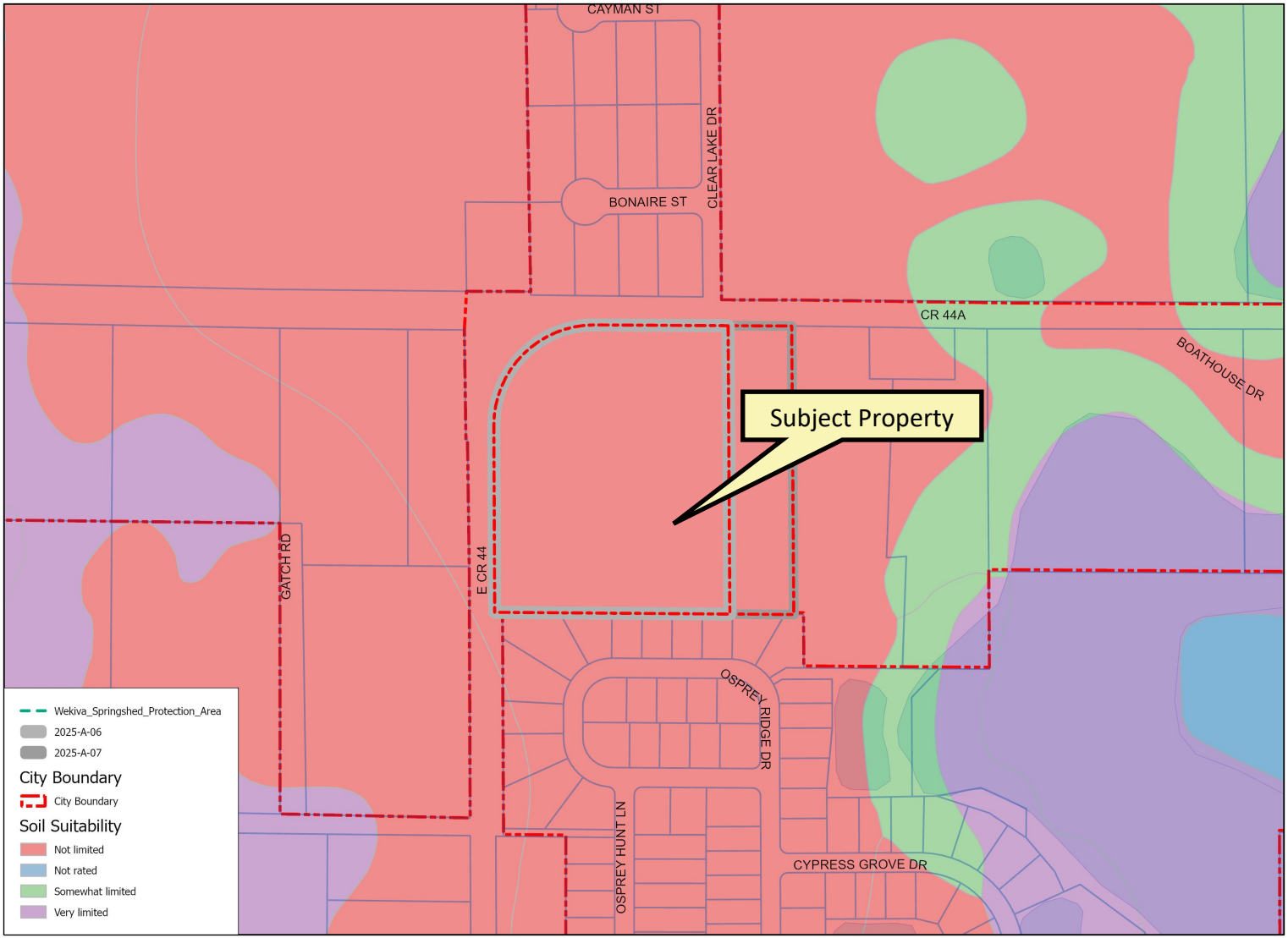

# W.D. of America, Inc.

# Generalized Wetland



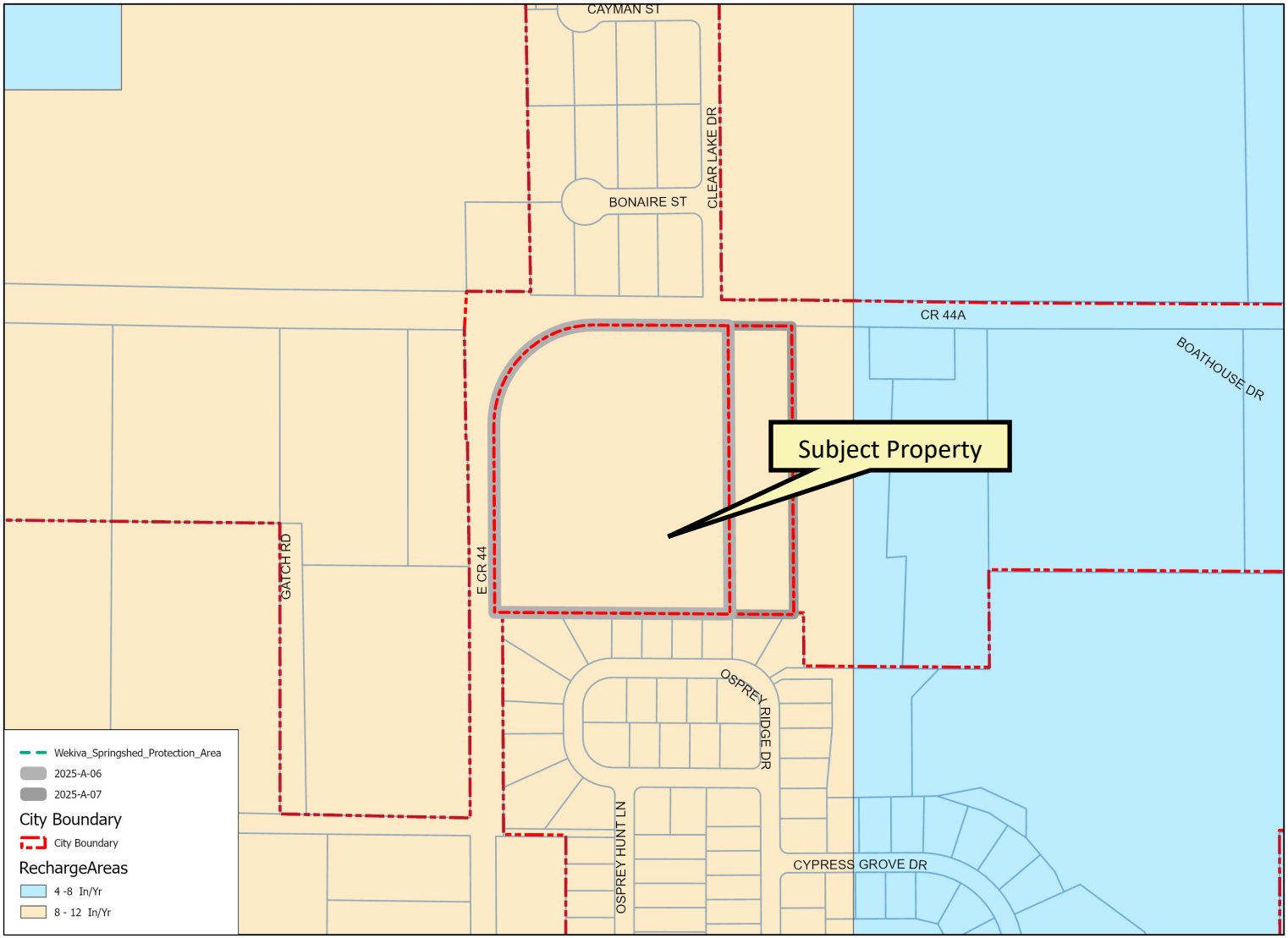

# W.D. of America, Inc.

## Generalized Utilities




# W.D. of America, Inc.

## Soils Suitability




# W.D. of America, Inc.

## Generalized Potential Recharge

# ORDINANCE NUMBER 25-21

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187 F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 10 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBER 1040141, GENERALLY LOCATED ON THE EAST SIDE OF THE INTERSECTION OF COUNTY ROAD 44 AND COUNTY ROAD 44A.**

**WHEREAS,** on November 4, 2010, the Eustis City Commission adopted the City of Eustis Comprehensive Plan 2010-2035 through Ordinance Number 10-11; and

**WHEREAS, the** State of Florida Department of Community Affairs found the City of Eustis Comprehensive Plan 2010-2035 In Compliance pursuant to Sections 163.3184, 163.3187, and 163.3189 Florida Statutes; and

**WHEREAS,** the City of Eustis periodically amends its Comprehensive Plan in accordance with 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 10 acres of real property located on the east side of the intersection of County Road 44 and County Road 44A and more particularly described herein; and

**WHEREAS**, on August 7, 2025, 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 August 7, 2025, the City Commission held the 1st Adoption Public Hearing to accept the Local Planning Agency's recommendation to adopt the Small-Scale Future Land Use Amendment contained herein; and

**WHEREAS**, on September 4, 2025, the City Commission held the 2nd Adoption Public Hearing to consider the adoption of the Small Scale Future Land Use Amendment contained herein;

**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 **General Commercial (GC)** within the City of Eustis:

Parcel Alternate Key: 1040141

Parcel Identification Numbers: 06-19-27-0200-000-00500

Legal Description:

A portion of Lots 5, 6, and 7, C.M. Rehrer's Subdivision, according to the plat thereof, as recorded in Plat Book 1, Page 50, of the Public Records of Lake County, Florida, lying in Section 6, Township 1 9 South, Range 27 East, Lake County, Florida, described as follows:

Beginning at the Northwest corner of Tract S, Spring Ridge Estates, according to the plat thereof, as recorded in Plat Book 58, Pages 28 through 30, of the Public Records of Lake County, Florida, and with the Easterly Right-of-Way line of County Road No. 44, North 00°04'26" West, 1 1 5.21 feet, to the intersection of the Easterly Right-of-Way line of said County Road No. 44 and the Northerly line of said Lot 7; thence continuing with the Easterly Right-of-Way line of said County Road No. 44, North 00' 1 3'04" West, 366.04 feet, to the beginning of a non-tangent curve concave Southeasterly; thence with a radius of 258.33 feet, a delta of 90°32'39", and a chord bearing and distance of North 45°01 '32" East, 367. 07 feet, Northeasterly along said curve, an arc length of 408.24 feet, to the end of said curve on the Southerly Right-of-Way line of County Road No. 44A; thence with the Southerly Right-of-Way line of said County Road No. 44A, South 89°36'40" East, 344.52 feet, to a point lying 163.90 feet Westerly of the Westerly line of the lands described in Official Records Book 5581, Page918, of the Public Records of Lake County, Florida; thence with a line parallel with the Westerly line of said lands described in Official Records Book 5581, Page 918, South 00°20'56" East, 743.66 feet, to the Northerly line of said Spring Ridge Estates; thence with the Northerly line of said Spring Ridge Estates, North 89°29'59" West, 607.20 feet, to the Point of Beginning.

Containing 435,632.66 Square Feet or 10.00 Acres, more or less.

(The foregoing legal description was copied from the Applicant’s submitted survey 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:** That the effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity or the Administration Commission enters a final order determining this adopted amendment to be 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 the adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

**PASSED, ORDAINED, AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 4th day of September 2025.

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

_____
Willie L. Hawkins
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 4th day of September 2025, by Willie L. Hawkins, Mayor/Commissioner, and Christine Halloran, City Clerk, who are personally known to me.

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

## CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the Eustis City Commission, but I have not performed an independent title examination as to the accuracy of the legal description.

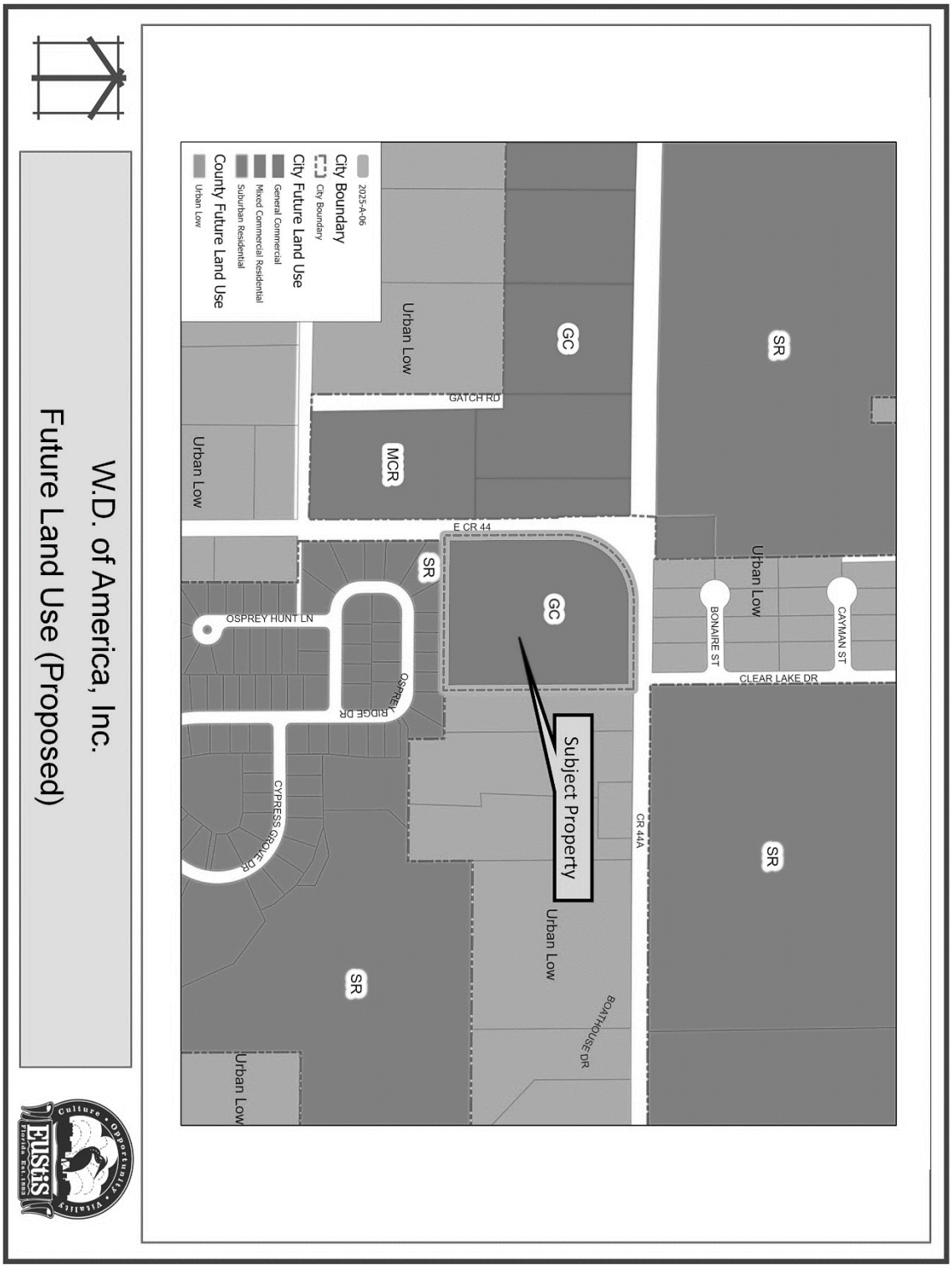
_____ _____
City Attorney's Office Date

## CERTIFICATE OF POSTING

The foregoing Ordinance Number 25-21 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 Parks & Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____
Christine Halloran, City Clerk

# Exhibit A


W.D. of America, Inc.
Future Land Use (Proposed)
City Boundary
2025-A-06
City Boundary
City Future Land Use
General Commercial
Mixed Commercial Residential
Suburban Residential
County Future Land Use
Urban Low
Subject Property
GC
SR
MCR
Urban Low
GATCH RD
E CR 44
CR 44A
CLEAR LAKE DR
BONAIRE ST
CAYMAN ST
OSPREY HUNT LN
OSPREY RIDGE DR
CYPRESS GROVE DR
BOATHOUSE DR

# Business Impact Estimate Eligibility Form

**Section 166.041(4), Florida Statutes**

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Eustis' website by the time notice of the proposed ordinance is published.*

*This form simply assists in determining whether a Business Impact Estimate must be completed under Florida law for the proposed ordinance. Should a Business Impact Estimate be required or should the City opt to provide one as a courtesy based on the selection below then a separate form with the statutory components of Section 166.041(4)(a) shall also accompany the proposed ordinance.*

| | |
|---|---|
| Ordinance Number | 25-21 |
| Ordinance Subject | Future Land Use Map Amendment 2025-CPLUS-06 |
| Legal Advertising Date | July 28, 2025 |
| First Reading On | 8/7/2025 |
| Second Reading On | 9/4/2025 |

## Ordinance Title

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187 F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 10 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBERS 1040141, GENERALLY LOCATED ON THE EAST SIDE OF THE INTERSECTION OF COUNTY ROAD 44 AND COUNTY ROAD 44A

**Based on the City's review of the proposed ordinance (*must select one of the following*):**

☒ The City has determined the statutory exemption identified below applies to the proposed ordinance; a Business Impact Estimate is NOT required and therefore not provided.

☐ The City has determined the statutory exemption identified below applies to the proposed ordinance; however, the City has prepared the Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance.

☐ The City has prepared a Business Impact Estimate in accordance with section 166.041(4), Florida Statutes.

## Exemptions

The City has determined that a Business Impact Estimate is NOT required as the following exemption applies to the proposed ordinance:

**Section 166.041 (4)(c) exemption**: It is enacted to implement comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.

# ORDINANCE NUMBER 25-22

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN CORRIDOR DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBER 1040141, GENERALLY LOCATED ON THE EAST SIDE OF THE INTERSECTION OF COUNTY ROAD 44 AND COUNTY ROAD 44A.**

**WHEREAS**, the City of Eustis desires to amend the Design District Map of the Land Development Regulations adopted under Ordinance Number 09-33 to assign a Design District designation of Suburban Corridor to approximately 10 acres of recently annexed real property further described below, and

**WHEREAS**, on **August 7, 2025**, the City Commission held the 1st Public Hearing to consider the Design District Amendment contained herein; and

**WHEREAS**, on **September 4, 2025**, 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 Corridor:

Parcel Alternate Key: 1040141

Parcel Identification Numbers: 06-19-27-0200-000-00500

Legal Description:

A portion of Lots 5, 6, and 7, C.M. Rehrer's Subdivision, according to the plat thereof, as recorded in Plat Book 1, Page 50, of the Public Records of Lake County, Florida, lying in Section 6, Township 1 9 South, Range 27 East, Lake County, Florida, described as follows:
Beginning at the Northwest corner of Tract S, Spring Ridge Estates, according to the plat thereof, as recorded in Plat Book 58, Pages 28 through 30, of the Public Records of Lake County, Florida, and with the Easterly Right-of-Way line of County Road No. 44, North 00°04'26" West, 1 1 5.21 feet, to the intersection of the Easterly Right-of-Way line of said County Road No. 44 and the Northerly line of said Lot 7; thence continuing with the Easterly Right-of-Way line of said County Road No. 44, North 00' 1 3'04" West, 366.04 feet, to the beginning of a non-tangent curve concave Southeasterly; thence with a radius of 258.33 feet, a delta of 90°32'39", and a chord bearing and distance of North 45°01 '32" East, 367. 07 feet, Northeasterly along said curve, an arc length of 408.24 feet, to the end of said curve on the Southerly Right-of-Way line of County Road No. 44A; thence with the Southerly Right-of-Way line of said County Road No. 44A, South 89°36'40" East, 344.52 feet, to a point lying 163.90 feet Westerly of the Westerly line of the lands described in

Official Records Book 5581, Page918, of the Public Records of Lake County, Florida; thence with a line parallel with the Westerly line of said lands described in Official Records Book 5581, Page 918, South 00°20'56" East, 743.66 feet, to the Northerly line of said Spring Ridge Estates; thence with the Northerly line of said Spring Ridge Estates, North 89°29'59" West, 607.20 feet, to the Point of Beginning.
Containing 435,632.66 Square Feet or 10.00 Acres, more or less.

(The foregoing legal description was copied from the Applicant's submitted survey 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 the annexation of the subject property through approval of Ordinance Number 25-20.

**PASSED, ORDAINED, AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 4th day of September 2025.

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

_____
Willie L. Hawkins
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 4th day of September 2025, by Willie L. Hawkins, Mayor/Commissioner, and Christine Halloran, City Clerk, who are personally known to me.

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

## CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the Eustis City Commission, but I have not performed an independent title examination as to the accuracy of the legal description.

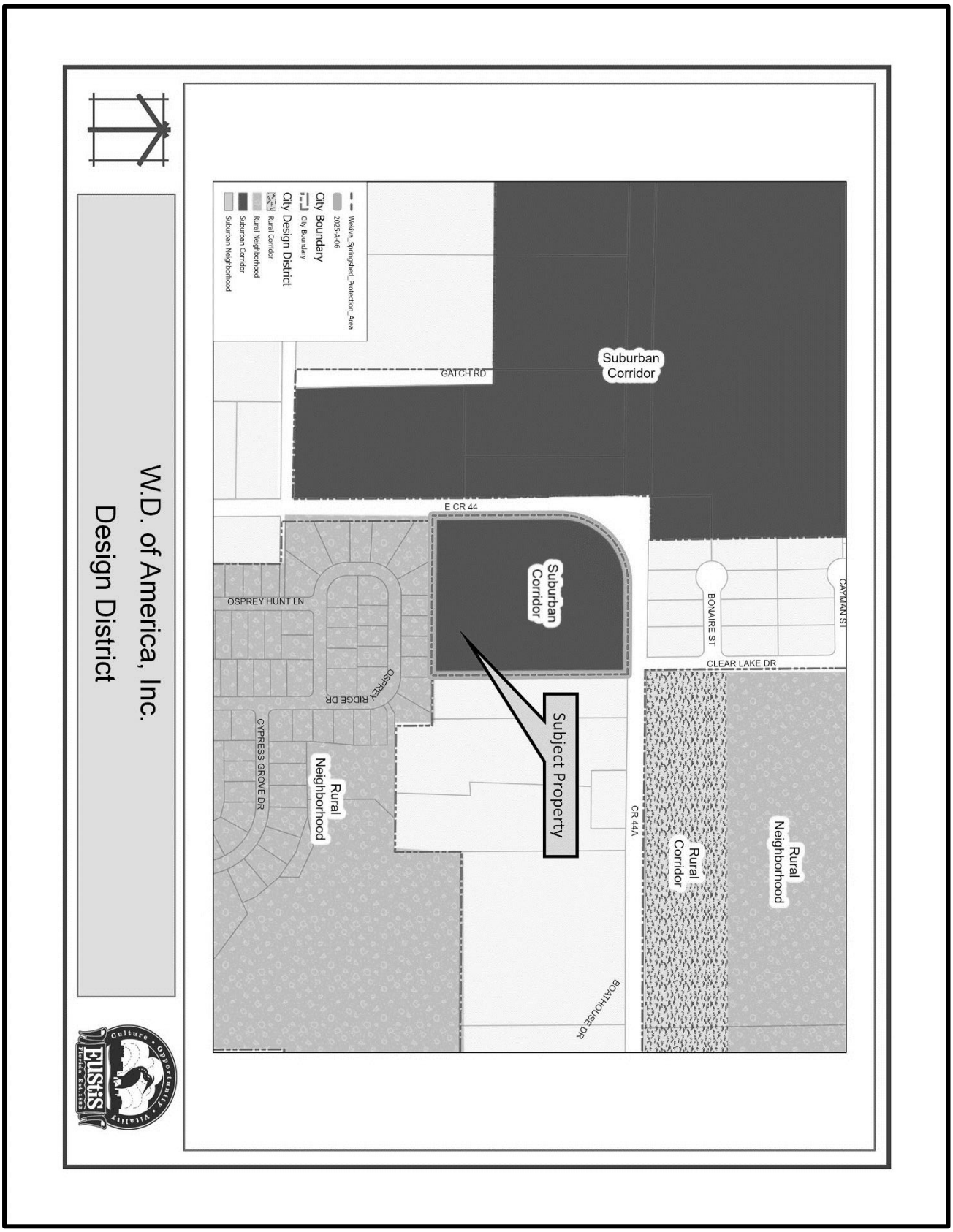
_____ _____
City Attorney's Office Date

## CERTIFICATE OF POSTING

The foregoing Ordinance Number 25-22 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 Parks & Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____ _____
Christine Halloran, City Clerk Date

# Exhibit A


W.D. of America, Inc.
Design District
Wekiva_Springshed_Protection_Area
2025-A-06
City Boundary
City Boundary
City Design District
Rural Corridor
Rural Neighborhood
Suburban Corridor
Suburban Neighborhood
Suburban Corridor
GATCH RD
E CR 44
Suburban Corridor
OSPREY HUNT LN
OSPREY RIDGE DR
CYPRESS GROVE DR
Rural Neighborhood
Subject Property
BONAIRE ST
CAYMAN ST
CLEAR LAKE DR
CR 44A
Rural Corridor
Rural Neighborhood
BOATHOUSE DR

# Business Impact Estimate Eligibility Form

**Section 166.041(4), Florida Statutes**

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Eustis' website by the time notice of the proposed ordinance is published.*

*This form simply assists in determining whether a Business Impact Estimate must be completed under Florida law for the proposed ordinance. Should a Business Impact Estimate be required or should the City opt to provide one as a courtesy based on the selection below then a separate form with the statutory components of Section 166.041(4)(a) shall also accompany the proposed ordinance.*

| | |
|---|---|
| Ordinance Number | 25-22 |
| Ordinance Subject | Design District Map Amendment 2025-DD-06 |
| Legal Advertising Date | July 28, 2025 |
| First Reading On | 8/7/2025 |
| Second Reading On | 9/4/2025 |

## Ordinance Title

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN CORRIDOR DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBERS 1040141, GENERALLY LOCATED ON THE EAST SIDE OF THE INTERSECTION OF COUNTY ROAD 44 AND COUNTY ROAD 44A.**

**Based on the City's review of the proposed ordinance (*must select one of the following*):**

☒ The City has determined the statutory exemption identified below applies to the proposed ordinance; a Business Impact Estimate is NOT required and therefore not provided.

☐ The City has determined the statutory exemption identified below applies to the proposed ordinance; however, the City has prepared the Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance.

☐ The City has prepared a Business Impact Estimate in accordance with section 166.041(4), Florida Statutes.

## Exemptions

The City has determined that a Business Impact Estimate is NOT required as the following exemption applies to the proposed ordinance:

**Section 166.041 (4)(c) exemption**: It is enacted to implement comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.

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

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: August 21, 2025 (Revised for 9/4/2025 meeting)

RE: Ordinance Numbers 25-23, 25-24, and 25-25 for Parcels with Alternate Key Number 3959037

Ordinance Number 25-23 – Voluntary Annexation
Ordinance Number 25-24 – Comprehensive Plan Amendment
Ordinance Number 25-25 – Design District Assignment

**SECOND READING**

Ordinance Number 25-23: Voluntary Annexation of Parcels with Alternate Key Number 3959037

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**Introduction:**

Ordinance Number 25-23 provides for the voluntary annexation of approximately 2.8 acres located on the east side of the intersection of County Road 44 and County Road 44A, Alternate Key Number 3959037. Provided the annexation of the subject property is approved, Ordinance Number 25-24 would change the Future Land Use designation from Urban Low in Lake County to General Commercial (GC) in the City of Eustis, and Ordinance Number 25-25 would assign the subject property a Design District designation of Suburban Corridor. If Ordinance Number 25-23 is denied, then there can be no consideration of Ordinance Numbers 25-24 and 25-25.

**Background:**

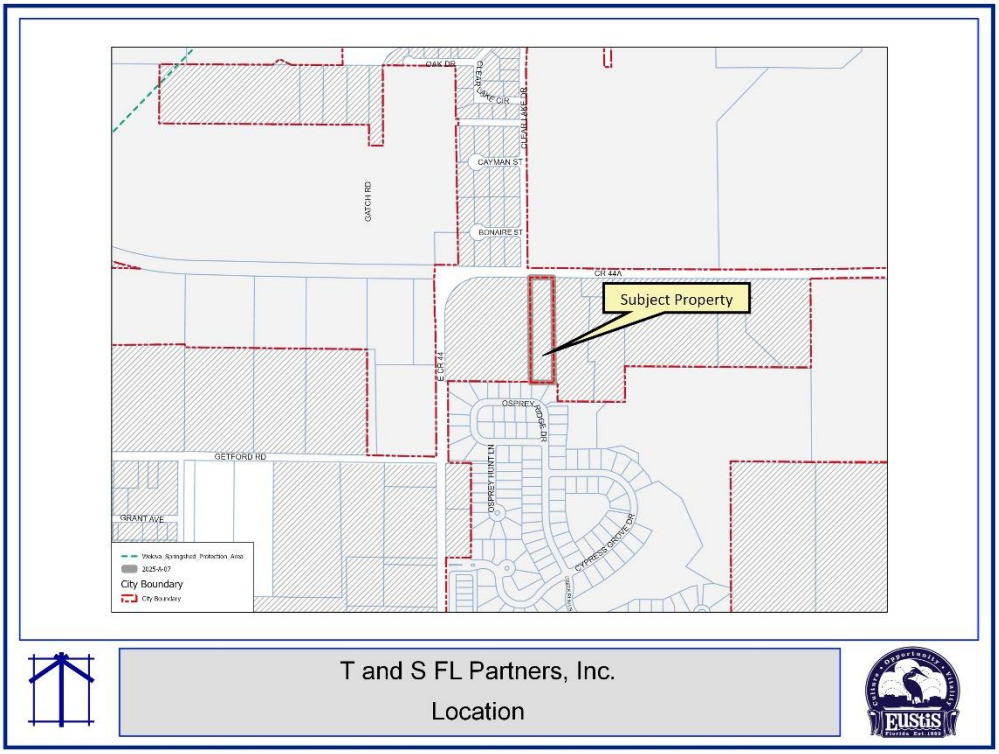
1. The site contains approximately 2.8 acres and is located within the Eustis Joint Planning Area. The site is currently Residential and agricultural/silvicultural (Planted Pines)
2. The subject property is contiguous to the current City of Eustis boundary on the south and west property lines.
3. The site has a Lake County Future Land Use Designation of Urban Low, but approval of Ordinance Number 25-24 would change the land use designation to General Commercial (GC) in the City of Eustis.
4. The West Side of the CR 44A/CR 44 intersection is already City of Eustis General Commercial (GC) and Mixed Commercial Residential (MCR).

| Location | Existing Use | Future Land Use | Design District |
|---|---|---|---|
| **Site** | Vacant/Planted Pines | Urban Low (Lake County) | N/A |
| **North** | Single-Family Residential | Urban Low (Lake County) | N/A |
| **South** | Single-Family Residential | Suburban Residential (SR) | Rural Neighborhood |
| **East** | Single-Family Residential | Urban Low (Lake County) | Suburban Corridor |

| | | | |
|---|---|---|---|
| **West** | Vacant | General Commercial (GC) and Mixed Commercial Residential (MCR) | N/A |




T and S FL Partners, Inc.
Aerial Location




T and S FL Partners, Inc.
Location

**Applicant's Request**

The applicant and property owner wish to annex the property, change the future land use to General Commercial (GC), and assign a design district of Suburban Corridor. The applicant's application did not detail the intended use of the property beyond future commercial development.

The current Lake County 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 one (1) net buildable acre and civic, institutional, commercial, and office uses at an appropriate scale and intensity to serve this category. Limited light industrial uses may only be allowed as a conditional use.

The proposed General Commercial (GC) land use designation within the City of Eustis provides for future commercial development. This future land use district request matches the designations to the west.

**A.** Analysis of Annexation Request **(Ordinance Number 25-23)**

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 Joint Planning Area. Urban services of adequate capacity are available to serve future development, consistent with the requested GC 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 Joint Planning Area boundaries define the reasonably compact area where the City can provide services effectively and efficiently. The subject property lies within that planning area. It is contiguous to the City limits on the southern and western boundary, and the owner has 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 in accordance with the requirements on July 28, 2025, and again on August 4, 2025. Legal advertisements will be published in the Daily Commercial no later than August 15, 2025.***

4. Florida Statues 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.***

5. Florida Statues Voluntary Annexation - Chapter 171.044(6):

"Not fewer than 10 days prior to publishing or posting the ordinance notice requir 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..."

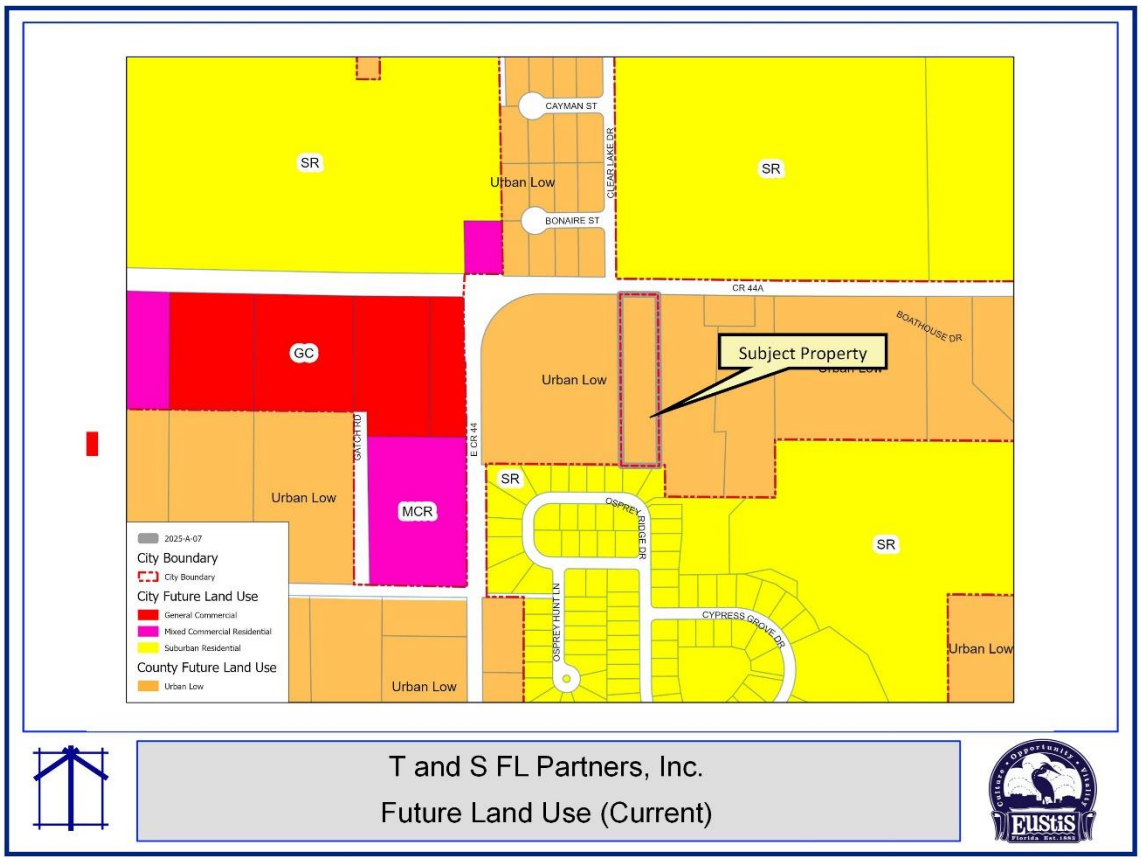
***The Department notified the Lake County Board of County Commissioners on July 17, 2025.***

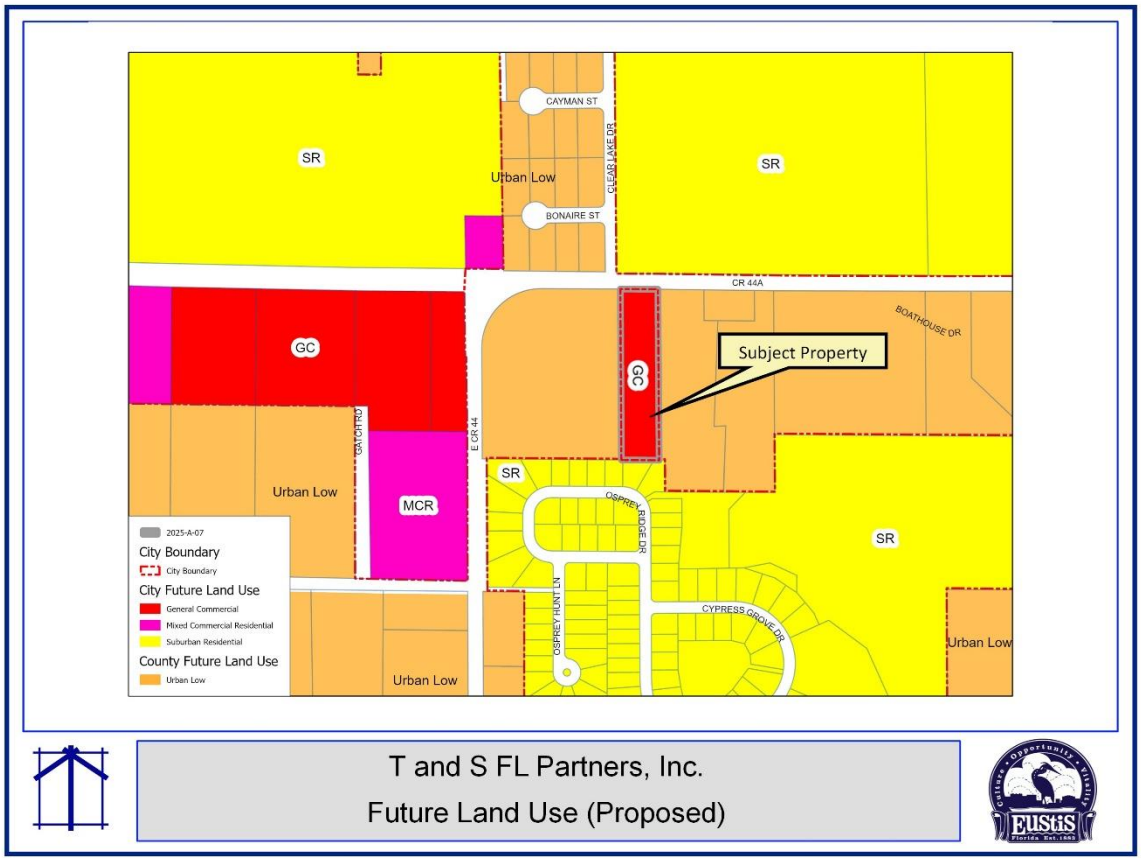
**B. Analysis of Comprehensive Plan/Future Land Use Request (Ordinance Number 25-24)**

In Accordance with Florida Statutes Chapter 163.3177.9, to discourage urban sprawl, the Florida Statutes outlines the Primary Indicators of Sprawl. Staff has reviewed these indicators and finds that the proposed annexation and assignment of Future Land Use does not contradict the intent of the primary indicators of sprawl as outlined. The outline and summary of these indicators are included in the supplement to this report.

**C. Per the City of Eustis Comprehensive Plan, Future Land Use Element Appendix**

Staff has assessed the proposed amendment to the City of Eustis Comprehensive Plan Future Land Use Map relating to the development patterns described and supported within the Plan, including conditions and impacts to utility infrastructure, transportation infrastructure, natural features, and the environment. Staff review finds that the proposed assignment of the General Commercial (GC) future land use district will not result in impacts that will cause detriment beyond current patterns. The outline and summary of this analysis are included as a supplement to this report.

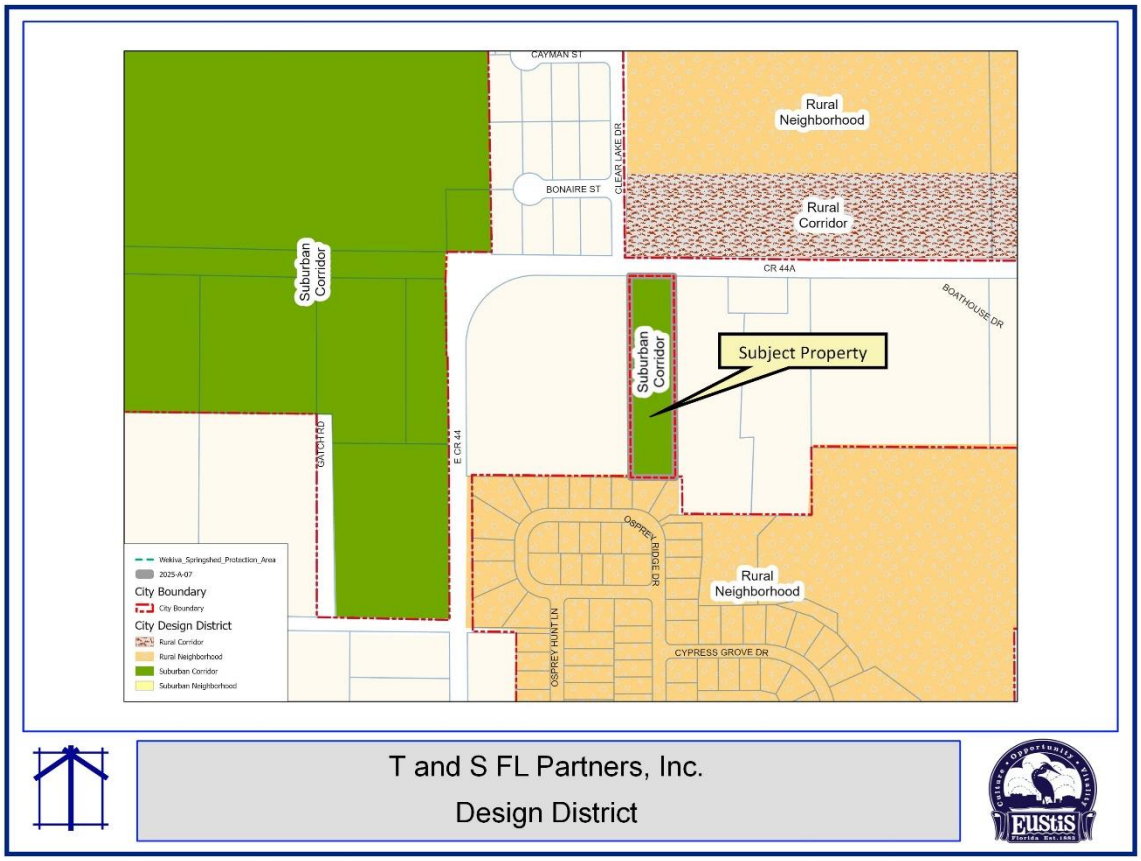





**D.** Analysis of Design District Request **(Ordinance Number 25-25)**:

The City's Land Development Regulations are 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, or rural transect consistent with the surrounding area.

The City's Land Development Regulations set forth standards for review when changing or in the case of annexation, assigning a Design District. Staff has reviewed these standards and finds the proposed Suburban Corridor Design District consistent with those standards. The outline and summary of this analysis are included as a supplement to this report.




**Recommended Action:**
Development Services finds the proposed annexation, Future Land Use, and Design District designations consistent with the Comprehensive Plan, Land Development Regulations, and surrounding and adjacent land uses; therefore, it recommends approval of Ordinance Numbers 25-23, 25-24, and 25-25.

**Policy Implications:**
None

**Alternatives:**

1. Approve Ordinance Numbers 25-23 (Annexation), 25-24 (Comp. Plan Amendment), and/or 23-25 (Design District Designation).
2. Deny Ordinance Numbers 25-23, 25-24, and 25-25.

**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.

**Business Impact Estimate:**
The City has determined that a Business Impact Estimate is NOT required as the following exemption applies to the proposed ordinances: Section 166.041(4)(c): …enacted to implement comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.

**Prepared By:**
Jeff Richardson, AICP, Deputy Director, Development Services

**Reviewed By:**
Mike Lane, AICP, Development Services Director

# ORDINANCE NUMBER 25-23

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 2.8 ACRES OF REAL PROPERTY AT LAKE COUNTY PROPERTY APPRAISER'S ALTERNATE KEY NUMBER 3959037, LOCATED ON THE EAST SIDE OF THE INTERSECTION OF COUNTY ROAD 44 AND COUNTY ROAD 44A.**

**WHEREAS,** Denton Cairnes & Travis Sawchuk have made an application for voluntary annexation, on behalf of W.D. of America, Inc., the property owner, for approximately 2.8 acres of real property located on the east side of the intersection of County Road 44 and County Road 44A, more particularly described as:

Parcel Alternate Key: 3959037

Parcel Identification Numbers: 06-19-27-0200-000-00501

Legal Description:

A portion of Lot 5, C.M. Rehrer's Subdivision, according to the plat thereof, as recorded in Plat Book 1 , Page 50, of the Public Records of Lake County, Florida, lying in Section 6, Township 19 South, Range 27 East, Lake County, Florida, described as follows:

Commencing at the Northwest corner of Tract S, Spring Ridge Estates, according to the plat thereof, as recorded in Plat Book 58, Pages 28 through 30, of the Public Records of Lake County, Florida, and with the Easterly Right-of-Way line of County Road No. 44, North 00°04'26" West, 1 1 5.21 feet, to the intersection of the Easterly Right-of-Way line of said County Road No. 44 and the Northerly line of said Lot 7; thence continuing with the Easterly Right-of-Way line of said County Road No. 44, North 00°13'04" West, 366.04 feet, to the beginning of a non-tangent curve concave Southeasterly; thence with a radius of 258.33 feet, a delta of 90°32'39", and a chord bearing and distance of North 45'01 '32" East, 367.07 feet, Northeasterly along said curve, an arc length of 408.24 feet, to the end of said curve on the Southerly Right-of-Way line of County Road No. 44A; thence with the Southerly Right-of-Way line of said County Road No. 44A, South 89°36'40" East, 344.52 feet, to the Point of Beginning.

Thence continuing with the Southerly Right-of-Way line of said County Road No. 44A, South 89°36'40" East, 163.90 feet, to the Westerly line of the lands described in Official Records Book 5581, Page 918, of the Public Records of Lake County, Florida; thence departing the Southerly Right-of-Way line of said County Road No. 44A, and with the Westerly line of said lands described in Official Records Book 5581, Page 918, South 00°20'56" East, 743.98 feet, to the Northerly line of said Spring Ridge Estates; thence departing the Westerly line of said lands described in Official Records Book 5581, Page 918, and with the Northerly line of said Spring Ridge Estates, North 89°29'59" West, 163.90 feet; thence departing the Northerly line of said Spring Ridge Estates, and with a line parallel with the Westerly line of said lands described in Official Records Book 5581, Page 918, North 00°20'56" West, 743.66 feet, to the Point of Beginning.

Containing 121,902. 10 Square Feet or 2.80 Acres, more or less.

(The foregoing legal description was copied from the Applicant's submitted survey 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 and sewer service is available to the property; and

**WHEREAS,** on August 7, 2025, the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

**WHEREAS,** on September 4, 2025, 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 2.8 acres of real property, as described above.

A map depicting the location of the annexed property described above is attached hereto as Exhibit "A".

**SECTION 2.**
That the Director of Development Services shall be authorized to amend the City of Eustis Boundary Map to incorporate the change described in Section 1.

**SECTION 3.**
That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 4.**
That upon final passage and adoption, the City Clerk is hereby directed to file a copy hereof with the Clerk of the Circuit Court, the County Manager for Lake County, Florida, and the Department of State for the State of Florida within 7 days after the adoption of such ordinances.

**SECTION 5.**
That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

**SECTION 6.**
That this Ordinance shall become effective upon passing.

**SECTION 7.**
That the property annexed in this Ordinance is subject to the Future Land Use Element of the Lake County Comprehensive Plan until the City adopts the Comprehensive Plan Amendment to include the annexed parcel in the City Comprehensive Plan.

**PASSED, ORDAINED, AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 4th day of September 2025.

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

_____
Willie L. Hawkins
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 this 4th day of September 2025, by Willie L. Hawkins, Mayor/Commissioner, 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 for form and legal content for the use and reliance of the Eustis City Commission; however, I have not performed an independent title examination to verify the accuracy of the legal description.

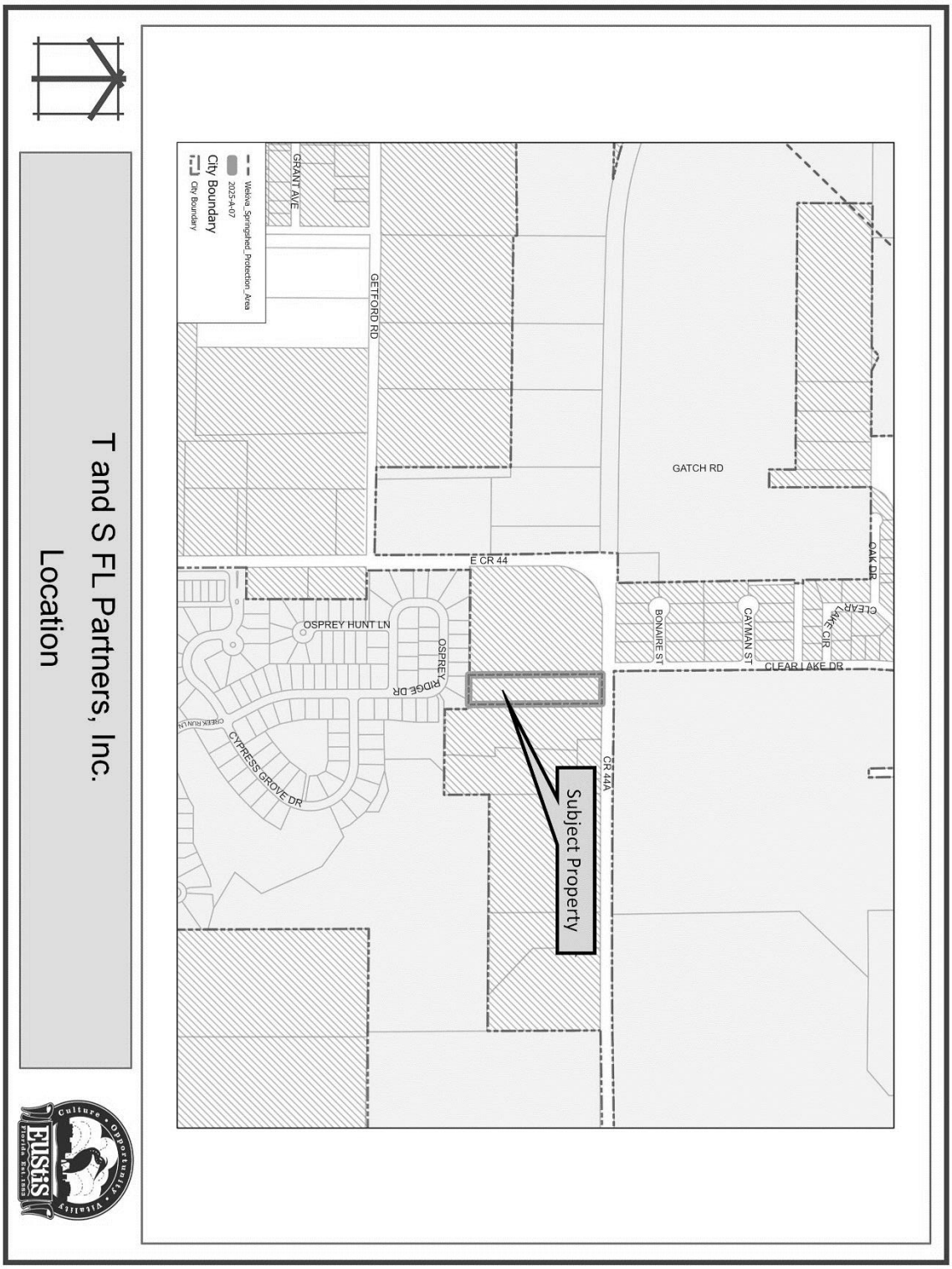
_____
City Attorney's Office Date

## CERTIFICATE OF POSTING

The foregoing Ordinance Number 25-23 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 Parks & Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____ _____
Christine Halloran, City Clerk Date

# EXHIBIT A


T and S FL Partners, Inc.
Location
Subject Property
City Boundary
Wekiva_Springshed_Protection_Area
2025-A-07
City Boundary
GRANT AVE
GETFORD RD
GATCH RD
E CR 44
OSPREY HUNT LN
OSPREY RIDGE DR
CYPRESS GROVE DR
CR 44A
BONAIRE ST
CAYMAN ST
CLEAR LAKE DR
OAK DR
CLEAR VIEW CIR

Analysis of Comprehensive Plan/Future Land Use Request **(Ordinance Number 25-24)**

In Accordance with 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 Commercial uses at a major intersection.***

*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 area is a significant intersection in an urbanizing/suburbanizing area.***

*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 site is within an urbanizing corridor with commercial and industrial land uses designated to the west and residential development to the south.***

*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 a tree farm (silviculture) and is currently planted with pine and mixed natural deciduous trees.***

*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 property does support active agricultural or silvicultural activities (tree farm/planted pine). However, the property is within an existing developed and further developing area, with similar land uses assigned.***

6. Public Facilities:

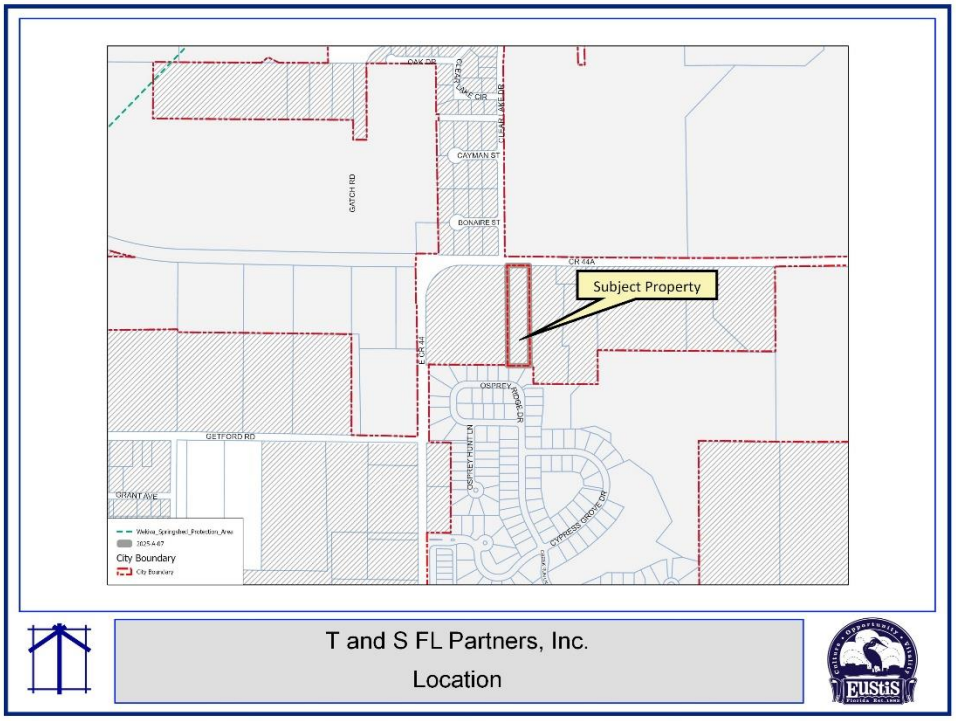
Fails to maximize use of existing public facilities and services.

***This indicator does not apply. City water is available to the property. Development of this parcel will maximize the use and efficiency of the City's water service. City Sewer is available to the property and will be addressed via the site development process.***

7. Cost Effectiveness and Efficiency of Public Facilities:

Allows for land use patterns or timing that 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 consistent with the requested GC future land use designation. The City provides these services to other properties in the area, so efficiency will improve.***



*8. Separation of Urban and Rural:*

*Fails to provide a clear separation between rural and urban uses.*

***This indicator does not apply. No other nearby properties contain active agricultural activities or uses. 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 is a logical extension of development for the city.***

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. A variety of other uses are evident, including various commercial, industrial, and residential uses, within 1 mile of the subject property.***

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 accessibility and linkages between related uses. Development Services 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.***

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 extension of the urban development boundary. The***

***Comprehensive Plan and Land Development Regulations have provisions to protect natural resources and ecosystems at 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 are available.***

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 relating to connection and sidewalks. County Roads 44 and 44A are not City infrastructure and do not currently have a sidewalk system. Interconnectivity to existing and future uses will be a challenge.***

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, which will require energy and water-efficient appliances.***

e. Agricultural Preservation:
Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

***Not applicable. The site is within an existing developed/developing 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.***

g. Balance of Land Uses:
Creates a balance of land uses based upon the demands of the residential population for the nonresidential needs of an area.

***The proposed land use would allow for additional commercial opportunities to serve existing residential development and capture market for through-commuters.***

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 towns as defined in s. 163.3164.

***Not applicable***.

## In Accordance with the 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 GC 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 24,500. Pursuant to Comprehensive Plan policy and Land Development Regulation, residential development will be required to provide on-site park amenities.***

**c.** Potable Water & Sanitary Sewer:

***Water and sewer are available to the subject property. Both the water and sewer systems have adequate capacity to serve the development of the property.***

**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.***

**g.** Transportation Network Analysis:

***This potential added Commercial development will be evaluated at the time a development plan is submitted. At this time, the adjacent transportation network (CR 44/CR 44A) has the capacity to serve the proposed GC land use district. Future improvements will depend on the ultimate buildout intensity and specific commercial uses. Prior to the development of the property, site plan approval amongst other approvals***

***will be required. As part of the site plan review, a traffic study will be required to evaluate traffic impacts.***

### 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 high recharge area. 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.***

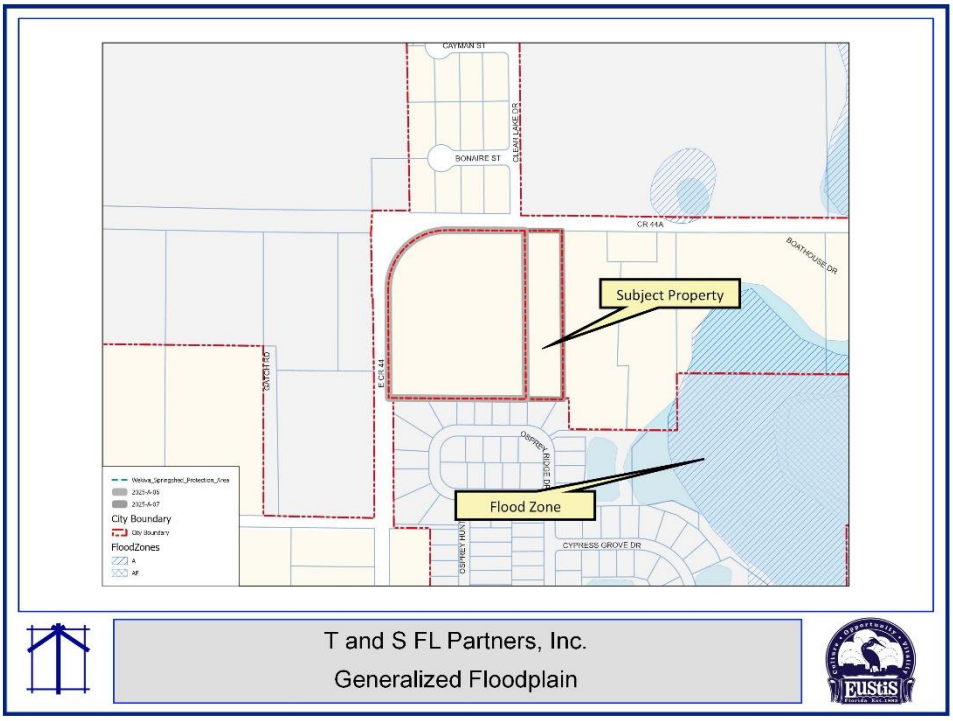


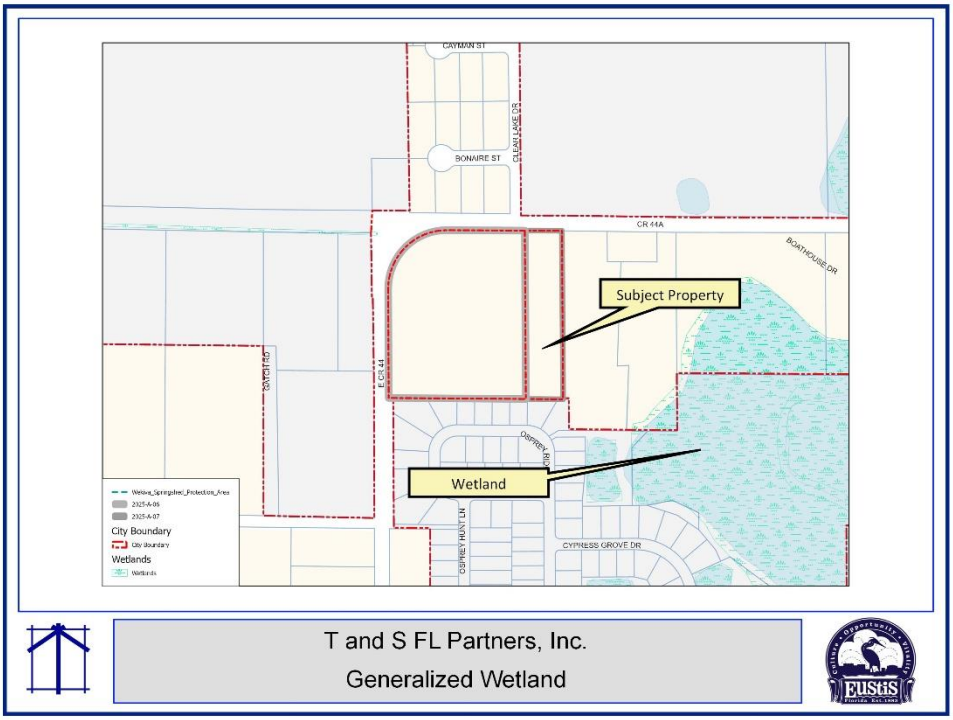

#### b.Historical or archaeological sites:

***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. Development of the property poses no wetland impacts, as no wetlands exist on the property.***

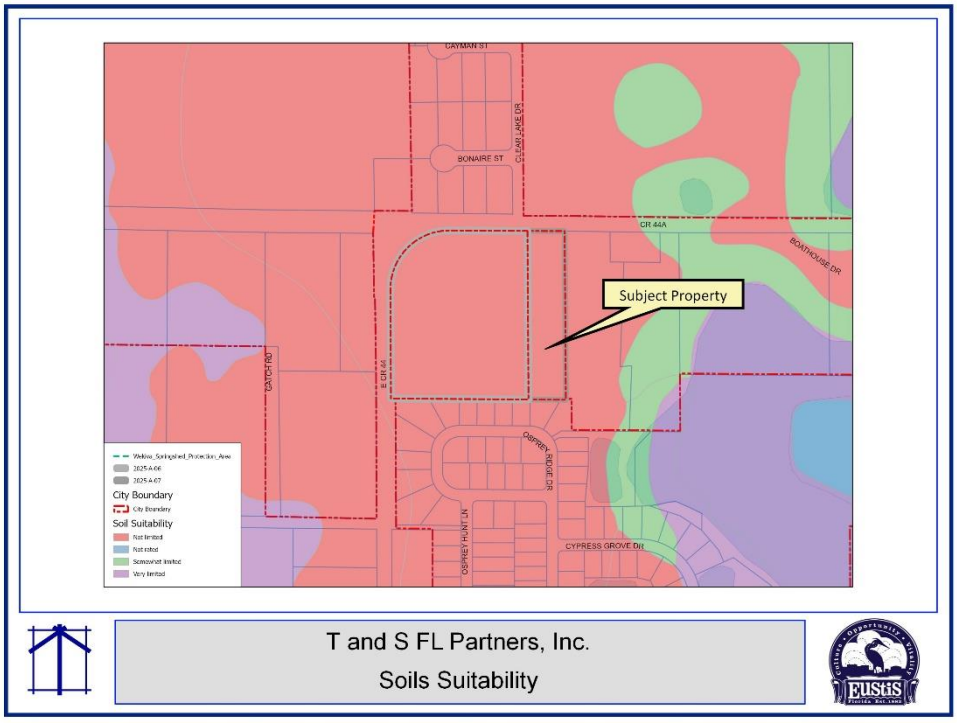

CAYMAN ST
BONAIRE ST
CLEAR LAKE DR
CR 44A
BOATHOUSE DR
Subject Property
E CR 44
OSPREY RIDGE DR
Flood Zone
OSPREY HUNT LN
CYPRESS GROVE DR
City Boundary
FloodZones
A
AE
T and S FL Partners, Inc.
Generalized Floodplain


CAYMAN ST
BONAIRE ST
CLEAR LAKE DR
CR 44A
BOATHOUSE DR
Subject Property
E CR 44
OSPREY RIDGE DR
Wetland
OSPREY HUNT LN
CYPRESS GROVE DR
City Boundary
Wetlands
T and S FL Partners, Inc.
Generalized Wetland

d.*Soil and topography:*

***The soils appear to pose no limitations for development. At the development application stage, soils and geotechnical reports will be required as part of the application packages, as well as, for permitting for development with the applicable state agencies.***

***As site plan and 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 conditions at the time of development warrant such protection.***




## 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:***

Policy I-1.3.2 Urban Low Density Future Land Use Category

The Urban Low Density Future Land Use Category provides for a range of residential development at a maximum density of four (4) dwelling units per net buildable acre in

addition to civic, institutional, commercial, and office uses at an appropriate scale and intensity to serve this category. Limited light industrial uses may only be allowed as a conditional use. This category shall be located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities. Within this category any residential development in excess of 10 dwelling units shall be required to provide a minimum 25% of the net buildable area of the entire site as common open space.

The maximum intensity in this category shall be 0.25, except for institutional uses which shall be 0.35. The maximum Impervious Surface Ratio shall be 0.60.

TYPICAL USES INCLUDE:

• Residential;

• Nursing and personal care facilities;• Civic uses;

• Residential professional offices;

• Passive parks;

• Religious organizations;

• Day care services;

• Schools;

• Commerce uses, including: services, retail trade, finance, insurance and real estate as allowed pursuant to Policy I-1.3.10 Commercial Activities within the Urban Future Land Use Series (*… Lake County shall allocate sufficient land area to accommodate commercial activities that provide goods and services, with consideration to economic benefits and environmental impacts to the County. For the purposes of this Objective, the term —Commercial shall include commercial, retail, office, limited light industrial uses, and other uses commonly associated with these activities. The location and distribution of commercial land uses within Lake County shall be guided by information contained in the Data Inventory and Analysis for the Future Land Use and Economic Elements. The policies below shall apply to commercial development within the Urban Future Land Use Series.* ); and

• Public order and safety.

***Proposed Land Use According to the Eustis Comprehensive Plan:***

**General Commercial**

**(GC)**

The GC designation is intended to provide an area consisting of primarily free-standing commercial land uses serving both motorists and local residents.

General Range of Uses: General Commercial may include a variety of free-standing retail and service uses and small strip centers including automotive-oriented uses such as service stations and auto sales as well as outdoor recreation, and schools. Public and utility services and facilities that are 5 acres or less in size are also permitted.

Intensity Range: up to 2.5 FAR subject to restrictions in Section 109-3 of the Land Development Regulations.

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.

***Comparison of Lake County Development Conditions***

The existing Lake County future land use designation of the property is Urban Low, which provides for a range of residential development in addition to civic, commercial and office uses at an appropriate scale and intensity to serve this category. Allowable density and intensity in Urban Low is a maximum of 4 dwelling units per acre and intensity of 0.25 to 0.35 floor area ratio, with the sum of residential density and non-residential intensity not exceeding 100%.

Residential: Lake County limits residential development to 4 du/acre, and other Lake County Comprehensive Plan policies would allow for some commercial, while the City of Eustis GC (General Commercial) would allow for a greater variety of commercial uses while limiting residential options.

***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.

***Not applicable.***

***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.

***The proposed future land use does not allow for industrial-type uses that may be incompatible with existing residential uses. Through the site***

***development process, each project is evaluated, and the appropriate land development regulations are applied to mitigate potential incompatibility.***

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.

   ***This potential added commercial development will be evaluated at the time a development plan is submitted. At this time, the adjacent transportation network (CR 44/CR 44A) has the capacity to serve the proposed GC land use. Future improvements will depend on the ultimate buildout intensity and specific commercial uses. Prior to the development of the property, site plan approval amongst other approvals will be required. As part of the site plan review, a traffic study will be required to evaluate traffic impacts.***

2. Water Supply:

   Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

   ***City water service and other services are available. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.***

In Accordance with Chapter 102-16(f), Land Development Regulations

*Standards for Review:*

In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

*a. Consistent with Comprehensive Plan:*

Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

***The proposed amendment is consistent with the Comprehensive Plan.***

*b. In Conflict with Land Development Regulations:*

*Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.*

***The proposed amendment is not in conflict with the Land Development Regulations. At the time of development, there will be further review for compliance.***

*c. Inconsistent with Surrounding Uses:*

Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

***City commercial future land use has been designated for the west side of the CR 44/44A intersection. The General Commercial FLU would not be inconsistent for the area.***

*d. Changed Conditions:*

Whether there have been changed conditions that justify an amendment.

***The applicant wishes to annex the property into the City limits of Eustis. Assignment of a City of Eustis future land use designation is required. Upon annexation, the subject property will have a full array of municipal services, including central water. These changed conditions warrant a change in the land use designation.***

*e. Demand on Public Facilities:*

Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

***City water and sewer services are available and, in close proximity to the site. Adequate capacity is available to serve future development consistent with the requested future land use designation.***

***Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.***

*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 annexation would create a logical development pattern as it extends the City limits to a more natural boundary in this area.***

*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 GC land use will provide for orderly growth and development. This designation would advance the public interest by potentially providing additional commercial options, 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 25-22)**:

Form-Based Code:

The City's Land Development Regulations are 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 Corridor). The Suburban development pattern and intent, and the Suburban Corridor definition, structure and form description are stated below. The assignment of a Suburban Corridor design district designation is appropriate due to the established and proposed development patterns in the area.***

*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 center.*

*a. Definition. Mix of commercial, office, and potentially multifamily residential uses.*
*b. Structure. Development blocks organized with streets, pedestrian walkways and driveways.*
*c. Form. Mix of nonresidential uses from office to commercial with supportive uses adjacent to larger use types.*

***A Suburban Corridor 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 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 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 Corridor definition, structure and form are compatible with the existing uses and any proposed uses permitted under the General Commercial and Suburban Residential future land use designations in the area.***

*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 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 City of 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 Corridor design district designation to an annexation parcel, which is consistent with the existing transect.***

# Business Impact Estimate Eligibility Form

**Section 166.041(4), Florida Statutes**

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Eustis' website by the time notice of the proposed ordinance is published.*

*This form simply assists in determining whether a Business Impact Estimate must be completed under Florida law for the proposed ordinance. Should a Business Impact Estimate be required or should the City opt to provide one as a courtesy based on the selection below then a separate form with the statutory components of Section 166.041(4)(a) shall also accompany the proposed ordinance.*

| | |
|---|---|
| Ordinance Number | 25-23 |
| Ordinance Subject | Annexation 2025-CPLUS-07 |
| Legal Advertising Date | July 28, 2025 |
| First Reading On | 8/7/2025 |
| Second Reading On | 9/4/2025 |

## Ordinance Title

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 2.8 ACRES OF REAL PROPERTY AT LAKE COUNTY PROPERTY APPRAISER'S ALTERNATE KEY NUMBER 3959037, LOCATED ON THE EAST SIDE OF THE INTERSECTION OF COUNTY ROAD 44 AND COUNTY ROAD 44A.

**Based on the City's review of the proposed ordinance (*must select one of the following*):**

☒ The City has determined the statutory exemption identified below applies to the proposed ordinance; a Business Impact Estimate is NOT required and therefore not provided.

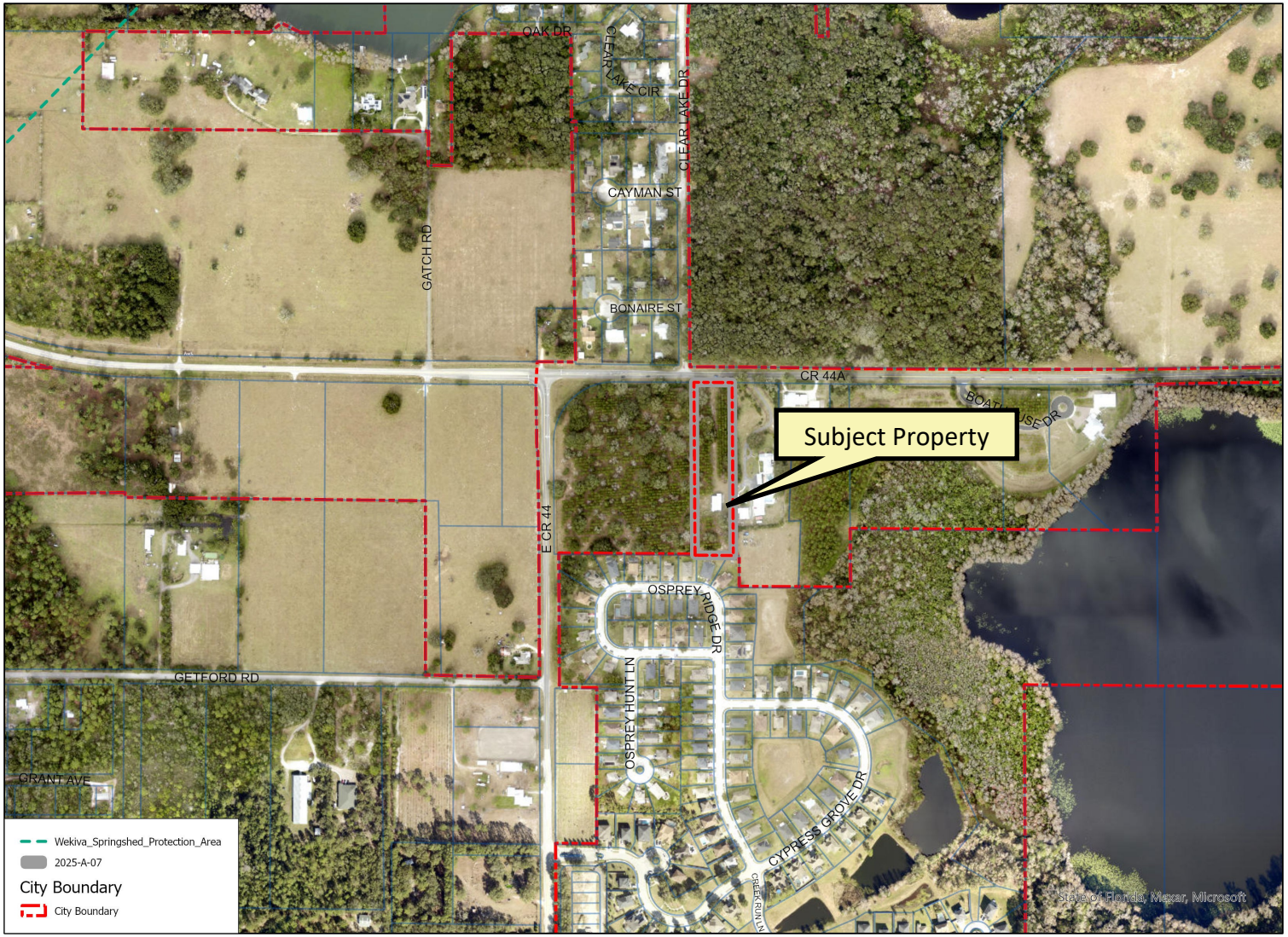
☐ The City has determined the statutory exemption identified below applies to the proposed ordinance; however, the City has prepared the Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance.

☐ The City has prepared a Business Impact Estimate in accordance with section 166.041(4), Florida Statutes.

## Exemptions

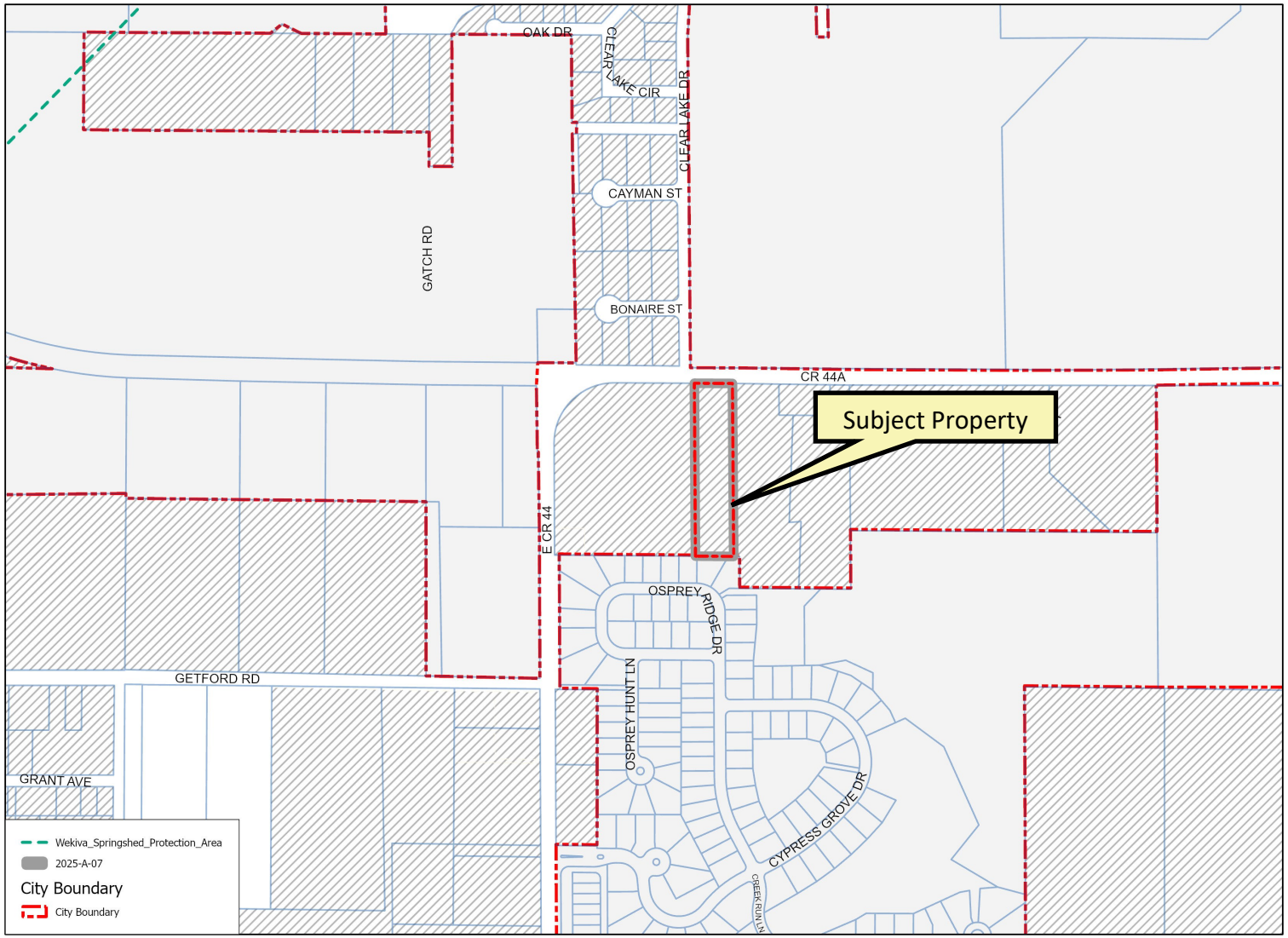
The City has determined that a Business Impact Estimate is NOT required as the following exemption applies to the proposed ordinance:

**Section 166.041 (4)(c) exemption**: It is enacted to implement comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.



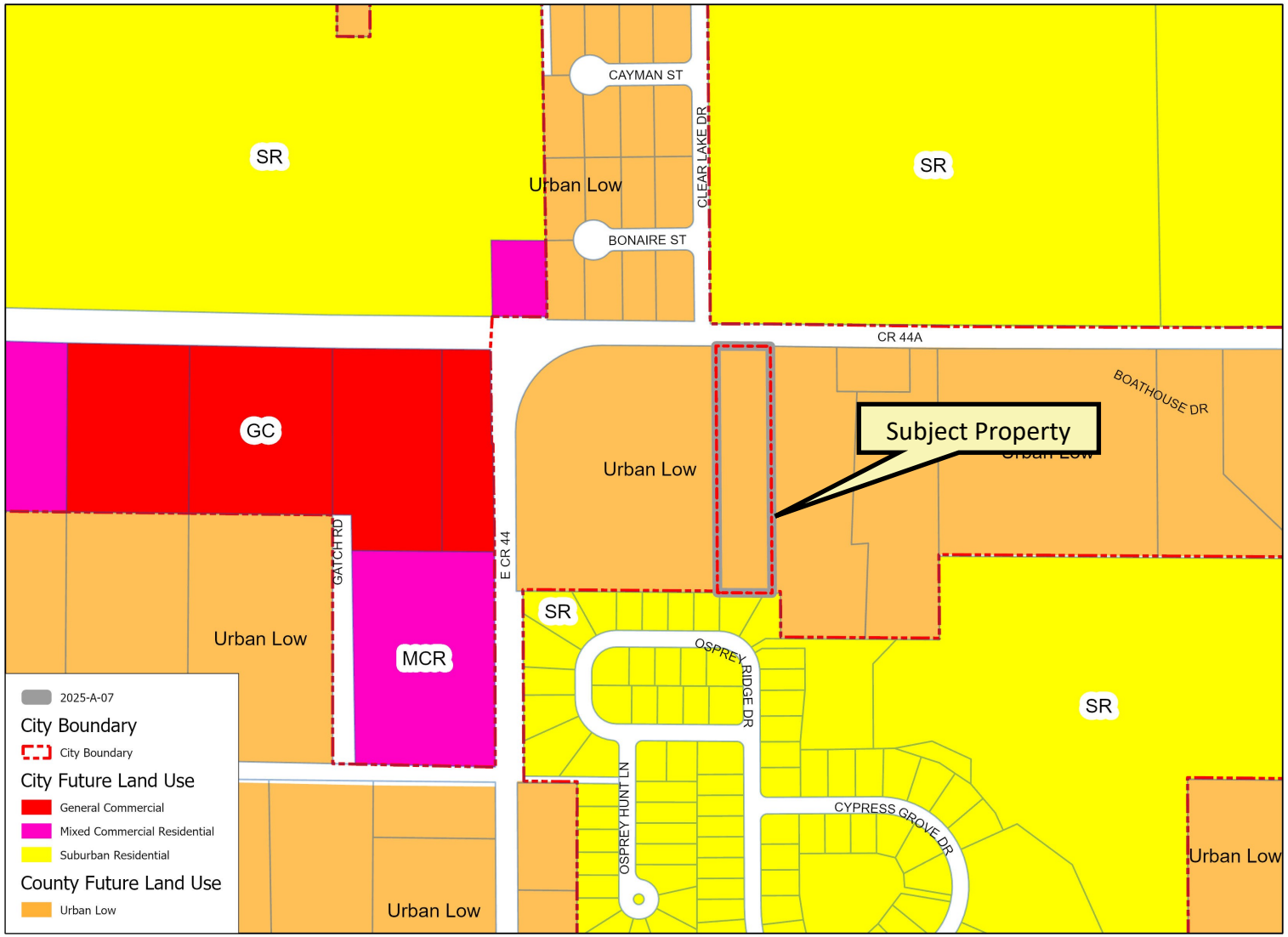

# T and S FL Partners, Inc.

## Aerial Location



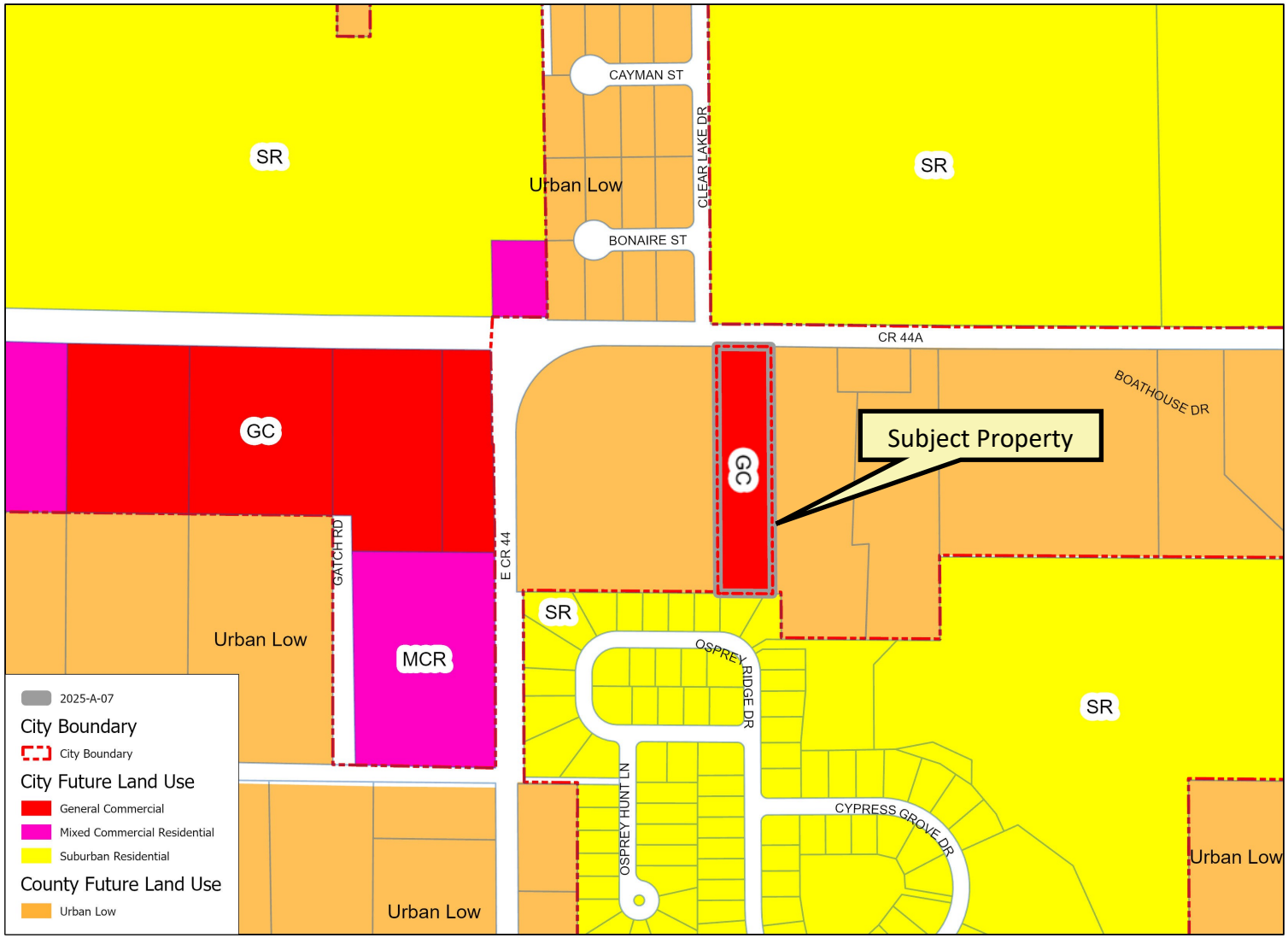

# T and S FL Partners, Inc.

## Location



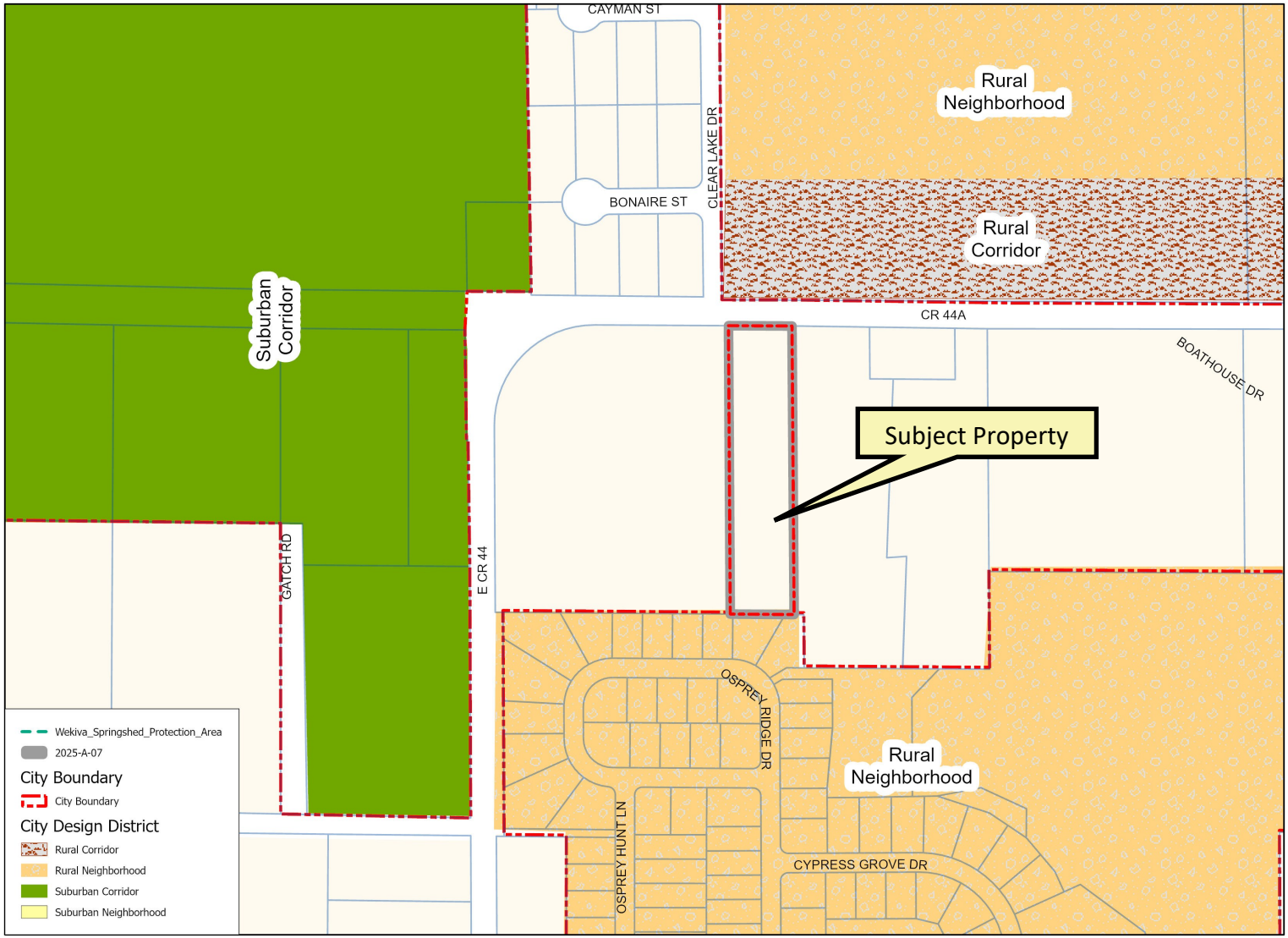

# T and S FL Partners, Inc.

## Future Land Use (Current)



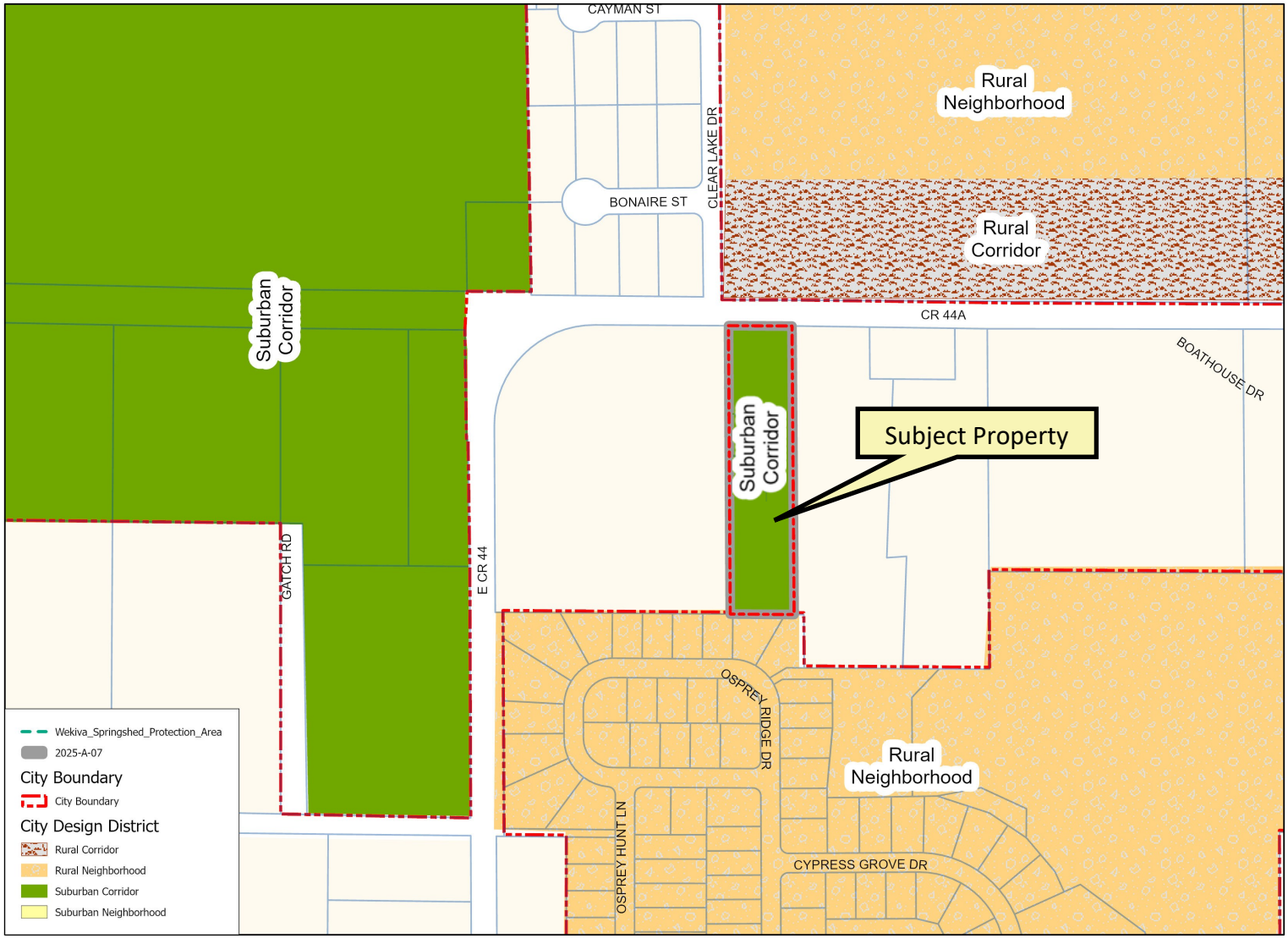

# T and S FL Partners, Inc.

# Future Land Use (Proposed)



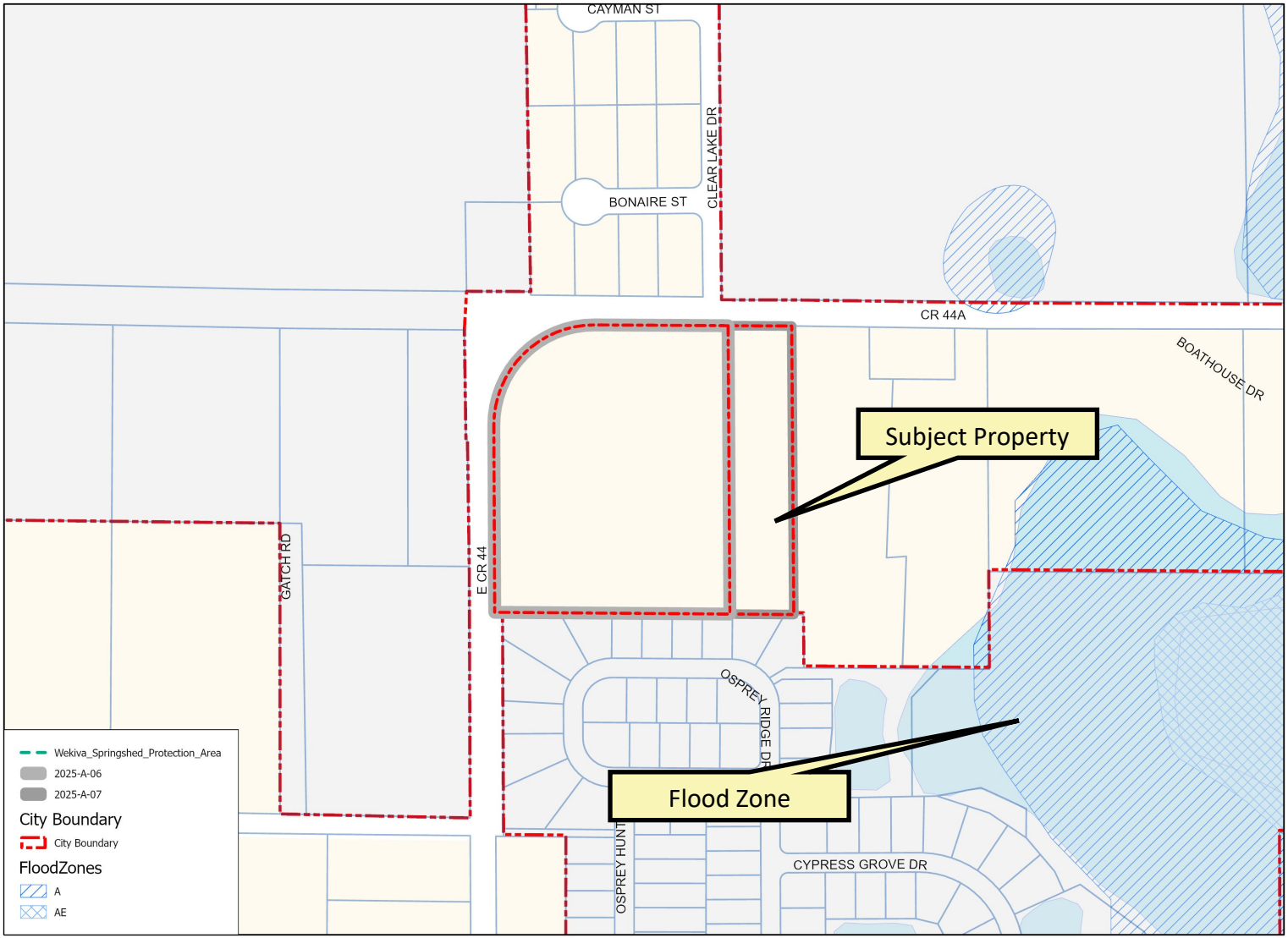

# T and S FL Partners, Inc.

## Design District



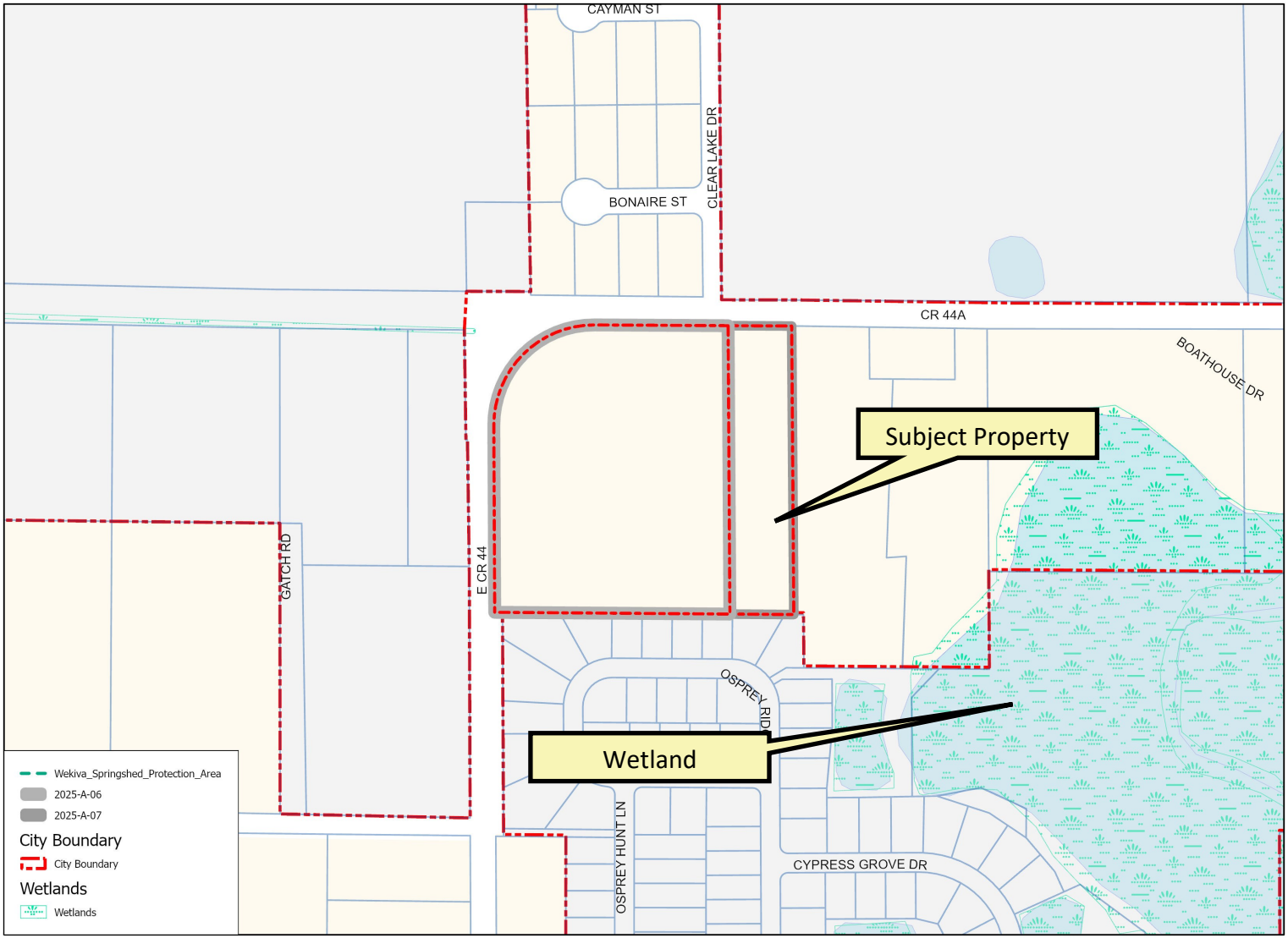

# T and S FL Partners, Inc.

## Design District



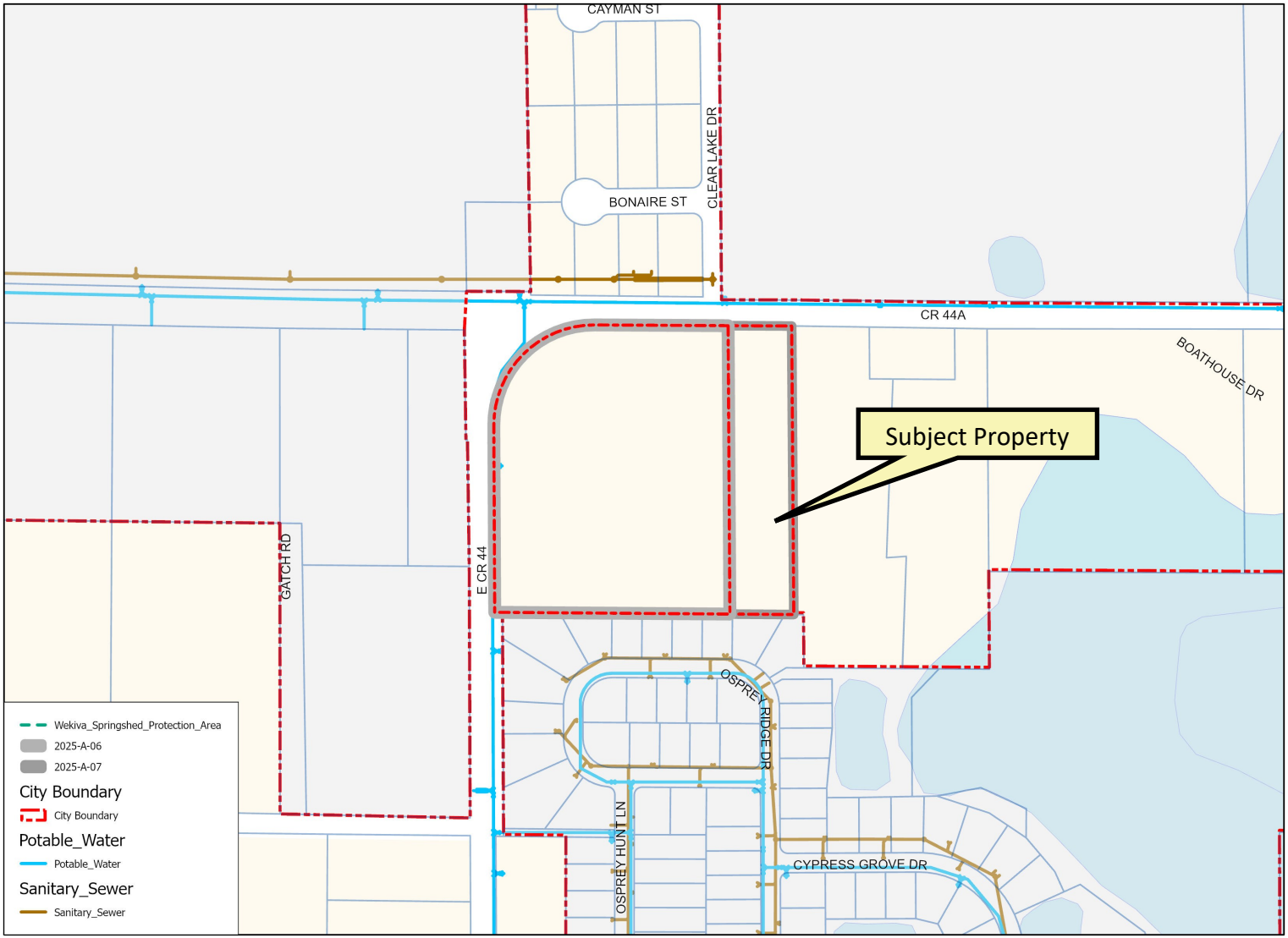

# T and S FL Partners, Inc.

## Generalized Floodplain



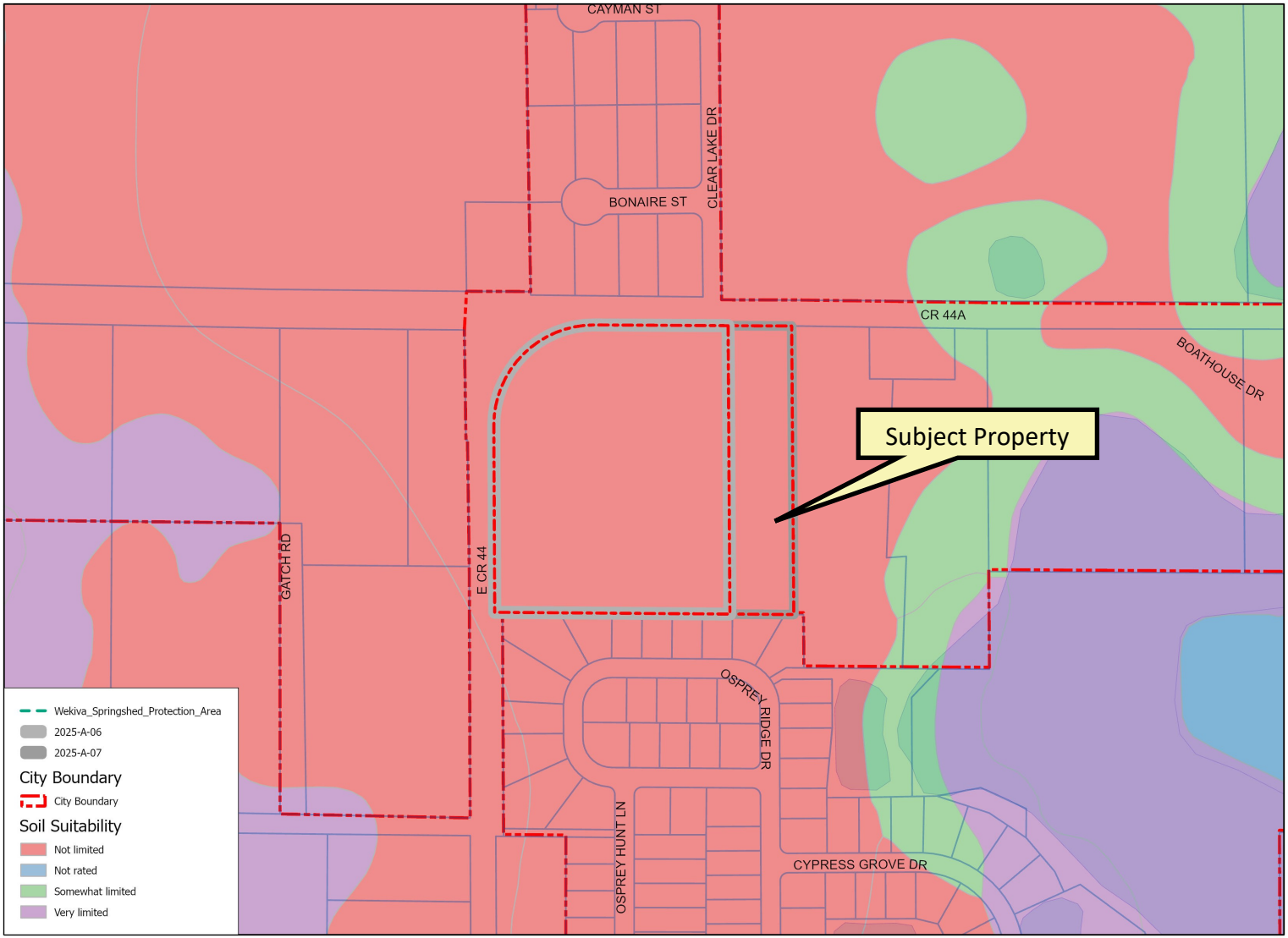

# T and S FL Partners, Inc.

## Generalized Wetland



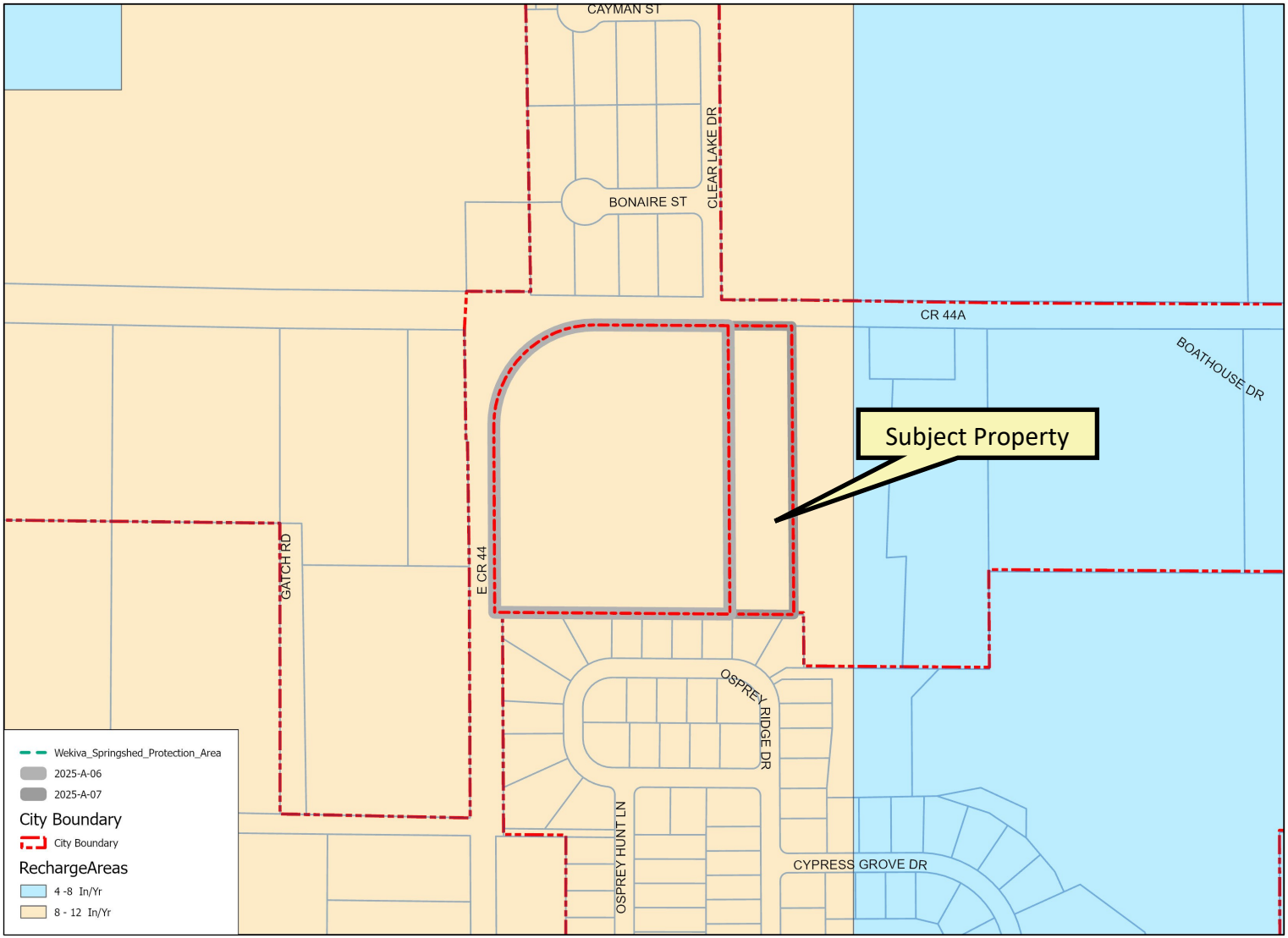

# T and S FL Partners, Inc.

## Generalized Utilities




# T and S FL Partners, Inc.

## Soils Suitability




# T and S FL Partners, Inc.

## Generalized Potential Recharge

# ORDINANCE NUMBER 25-24

**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 2.8 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBER 3959037, GENERALLY LOCATED ON THE EAST SIDE OF THE INTERSECTION OF COUNTY ROAD 44 AND COUNTY ROAD 44A.**

**WHEREAS,** on November 4, 2010, the Eustis City Commission adopted the City of Eustis Comprehensive Plan 2010-2035 through Ordinance Number 10-11; and

**WHEREAS, the** State of Florida Department of Community Affairs found the City of Eustis Comprehensive Plan 2010-2035 In Compliance pursuant to Sections 163.3184, 163.3187, and 163.3189 Florida Statutes; and

**WHEREAS,** the City of Eustis periodically amends its Comprehensive Plan in accordance with 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 2.8 acres of real property located on the east side of the intersection of County Road 44 and County Road 44A and more particularly described herein; and

**WHEREAS**, on August 7, 2025, 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 August 7, 2025, the City Commission held the 1st Adoption Public Hearing to accept the Local Planning Agency's recommendation to adopt the Small-Scale Future Land Use Amendment contained herein; and

**WHEREAS**, on September 4, 2025, the City Commission held the 2nd Adoption Public Hearing to consider the adoption of the Small Scale Future Land Use Amendment contained herein;

**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 **General Commercial (GC)** within the City of Eustis:

Parcel Alternate Key: 3959037

Parcel Identification Numbers: 06-19-27-0200-000-00501

Legal Description:

A portion of Lot 5, C.M. Rehrer's Subdivision, according to the plat thereof, as recorded in Plat Book 1 , Page 50, of the Public Records of Lake County, Florida, lying in Section 6, Township 19 South, Range 27 East, Lake County, Florida, described as follows:

Commencing at the Northwest corner of Tract S, Spring Ridge Estates, according to the plat thereof, as recorded in Plat Book 58, Pages 28 through 30, of the Public Records of Lake County, Florida, and with the Easterly Right-of-Way line of County Road No. 44, North 00°04'26" West, 1 1 5.21 feet, to the intersection of the Easterly Right-of-Way line of said County Road No. 44 and the Northerly line of said Lot 7; thence continuing with the Easterly Right-of-Way line of said County Road No. 44, North 00°13'04" West, 366.04 feet, to the beginning of a non-tangent curve concave Southeasterly; thence with a radius of 258.33 feet, a delta of 90°32'39", and a chord bearing and distance of North 45'01 '32" East, 367.07 feet, Northeasterly along said curve, an arc length of 408.24 feet, to the end of said curve on the Southerly Right-of-Way line of County Road No. 44A; thence with the Southerly Right-of-Way line of said County Road No. 44A, South 89°36'40" East, 344.52 feet, to the Point of Beginning.

Thence continuing with the Southerly Right-of-Way line of said County Road No. 44A, South 89°36'40" East, 163.90 feet, to the Westerly line of the lands described in Official Records Book 5581, Page 918, of the Public Records of Lake County, Florida; thence departing the Southerly Right-of-Way line of said County Road No. 44A, and with the Westerly line of said lands described in Official Records Book 5581, Page 918, South 00°20'56" East, 743.98 feet, to the Northerly line of said Spring Ridge Estates; thence departing the Westerly line of said lands described in Official Records Book 5581, Page 918, and with the Northerly line of said Spring Ridge Estates, North 89°29'59" West, 163.90 feet; thence departing the Northerly line of said Spring Ridge Estates, and with a line parallel with the Westerly line of said lands described in Official Records Book 5581, Page 918, North 00°20'56" West, 743.66 feet, to the Point of Beginning.

Containing 121,902. 10 Square Feet or 2.80 Acres, more or less.

**(THE FOREGOING LEGAL DESCRIPTION WAS COPIED FROM THE APPLICANT'S SUBMITTED SURVEY 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:** That the effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the 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 the adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Commerce.

**PASSED, ORDAINED, AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 4th day of September 2025.

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

_____
Willie L. Hawkins
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 4th day of September 2025, by Willie L. Hawkins, Mayor/Commissioner, and Christine Halloran, City Clerk, who are personally known to me.

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

## CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the Eustis City Commission, but I have not performed an independent title examination as to the accuracy of the legal description.

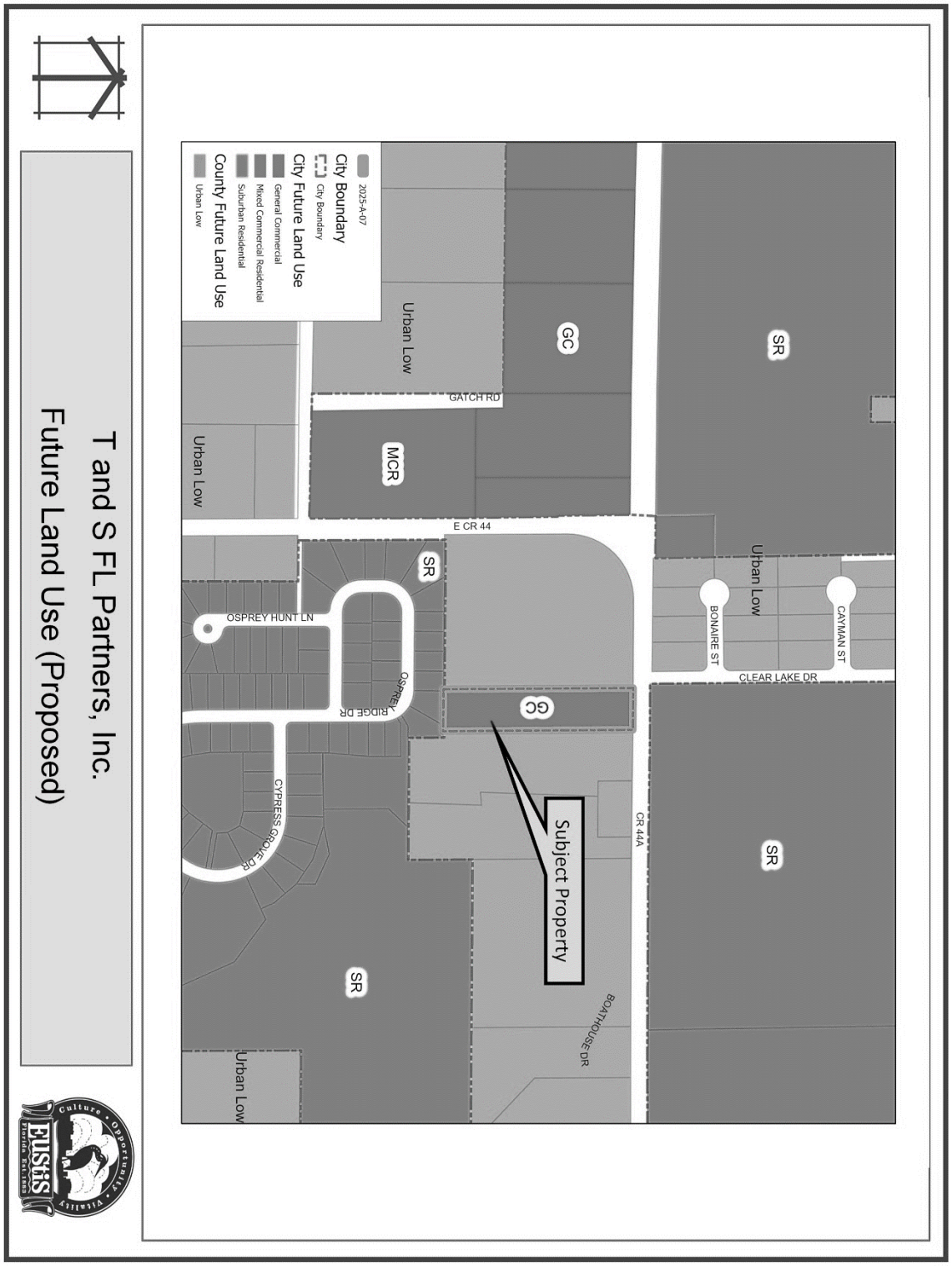
_____ _____
City Attorney's Office Date

## CERTIFICATE OF POSTING

The foregoing Ordinance Number 25-24 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 Parks & Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____
Christine Halloran, City Clerk

# Exhibit A


T and S FL Partners, Inc.
Future Land Use (Proposed)
City Boundary
2025-A-07
City Boundary
City Future Land Use
General Commercial
Mixed Commercial Residential
Suburban Residential
County Future Land Use
Urban Low
Subject Property
GC
SR
MCR
Urban Low
GATCH RD
E CR 44
OSPREY HUNT LN
OSPREY RIDGE DR
CYPRESS GROVE DR
BONAIRE ST
CAYMAN ST
CLEAR LAKE DR
CR 44A
BOATHOUSE DR

# Business Impact Estimate Eligibility Form

**Section 166.041(4), Florida Statutes**

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Eustis' website by the time notice of the proposed ordinance is published.*

*This form simply assists in determining whether a Business Impact Estimate must be completed under Florida law for the proposed ordinance. Should a Business Impact Estimate be required or should the City opt to provide one as a courtesy based on the selection below then a separate form with the statutory components of Section 166.041(4)(a) shall also accompany the proposed ordinance.*

| | |
|---|---|
| Ordinance Number | 25-24 |
| Ordinance Subject | Future Land Use Map Amendment 2025-CPLUS-07 |
| Legal Advertising Date | July 28, 2025 |
| First Reading On | 8/7/2025 |
| Second Reading On | 9/4/2025 |

## Ordinance Title

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 2.8 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBER 3959037, GENERALLY LOCATED ON THE EAST SIDE OF THE INTERSECTION OF COUNTY ROAD 44 AND COUNTY ROAD 44A.

**Based on the City's review of the proposed ordinance (*must select one of the following*):**

☒ The City has determined the statutory exemption identified below applies to the proposed ordinance; a Business Impact Estimate is NOT required and therefore not provided.

☐ The City has determined the statutory exemption identified below applies to the proposed ordinance; however, the City has prepared the Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance.

☐ The City has prepared a Business Impact Estimate in accordance with section 166.041(4), Florida Statutes.

## Exemptions

The City has determined that a Business Impact Estimate is NOT required as the following exemption applies to the proposed ordinance:

**Section 166.041 (4)(c) exemption**: It is enacted to implement comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.

# ORDINANCE NUMBER 25-25

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN CORRIDOR DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 2.8 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBER 3959037, GENERALLY LOCATED ON THE EAST SIDE OF THE INTERSECTION OF COUNTY ROAD 44 AND COUNTY ROAD 44A.**

**WHEREAS**, the City of Eustis desires to amend the Design District Map of the Land Development Regulations adopted under Ordinance Number 09-33 to assign a Design District designation of Suburban Corridor to approximately 2.8 acres of recently annexed real property further described below, and

**WHEREAS**, on August 7, 2025, the City Commission held the 1st Public Hearing to consider the Design District Amendment contained herein; and

**WHEREAS**, on September 4, 2025, 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 Corridor:

Parcel Alternate Key: 3959037

Parcel Identification Numbers: 06-19-27-0200-000-00501

Legal Description:

A portion of Lot 5, C.M. Rehrer's Subdivision, according to the plat thereof, as recorded in Plat Book 1 , Page 50, of the Public Records of Lake County, Florida, lying in Section 6, Township 19 South, Range 27 East, Lake County, Florida, described as follows:
Commencing at the Northwest corner of Tract S, Spring Ridge Estates, according to the plat thereof, as recorded in Plat Book 58, Pages 28 through 30, of the Public Records of Lake County, Florida, and with the Easterly Right-of-Way line of County Road No. 44, North 00°04'26" West, 1 1 5.21 feet, to the intersection of the Easterly Right-of-Way line of said County Road No. 44 and the Northerly line of said Lot 7; thence continuing with the Easterly Right-of-Way line of said County Road No. 44, North 00°13'04" West, 366.04 feet, to the beginning of a non-tangent curve concave Southeasterly; thence with a radius of 258.33 feet, a delta of 90°32'39", and a chord bearing and distance of North 45'01 '32" East, 367.07 feet, Northeasterly along said curve, an arc length of 408.24 feet, to the end of said curve on the Southerly Right-of-Way line of County Road No. 44A; thence with the

Southerly Right-of-Way line of said County Road No. 44A, South 89°36'40" East, 344.52 feet, to the Point of Beginning.

Thence continuing with the Southerly Right-of-Way line of said County Road No. 44A, South 89°36'40" East, 163.90 feet, to the Westerly line of the lands described in Official Records Book 5581, Page 918, of the Public Records of Lake County, Florida; thence departing the Southerly Right-of-Way line of said County Road No. 44A, and with the Westerly line of said lands described in Official Records Book 5581, Page 918, South 00°20'56" East, 743.98 feet, to the Northerly line of said Spring Ridge Estates; thence departing the Westerly line of said lands described in Official Records Book 5581, Page 918, and with the Northerly line of said Spring Ridge Estates, North 89°29'59" West, 163.90 feet; thence departing the Northerly line of said Spring Ridge Estates, and with a line parallel with the Westerly line of said lands described in Official Records Book 5581, Page 918, North 00°20'56" West, 743.66 feet, to the Point of Beginning.

Containing 121,902.10 Square Feet or 2.80 Acres, more or less.

(The foregoing legal description was copied from the Applicant's submitted survey 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 the annexation of the subject property through approval of Ordinance Number 25-23

**PASSED, ORDAINED, AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 4th day of September 2025.

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

_____
Willie L. Hawkins
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 4th day of September 2025, by Willie L. Hawkins, Mayor/Commissioner, and Christine Halloran, City Clerk, who are personally known to me.

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

## CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the Eustis City Commission, but I have not performed an independent title examination as to the accuracy of the legal description.

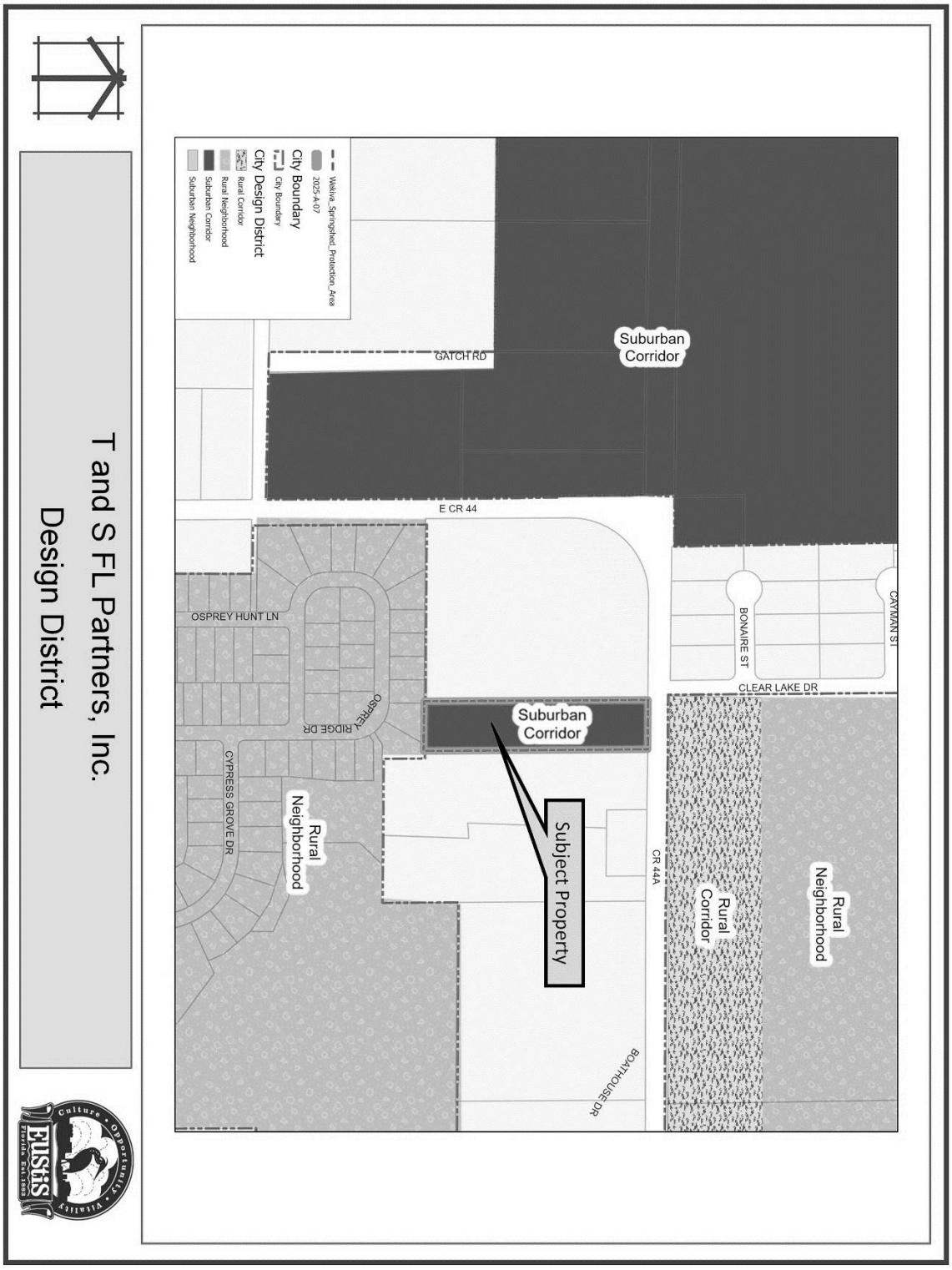
_____ _____
City Attorney's Office Date

## CERTIFICATE OF POSTING

The foregoing Ordinance Number 25-25 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 Parks & Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

_____ _____
Christine Halloran, City Clerk Date

# Exhibit A


T and S FL Partners, Inc.
Design District
Wekiva_Springshed_Protection_Area
2025-A-07
City Boundary
City Boundary
City Design District
Rural Corridor
Rural Neighborhood
Suburban Corridor
Suburban Neighborhood
Suburban Corridor
GATCH RD
E CR 44
OSPREY HUNT LN
OSPREY RIDGE DR
CYPRESS GROVE DR
Rural Neighborhood
Suburban Corridor
Subject Property
BONAIRE ST
CAYMAN ST
CLEAR LAKE DR
CR 44A
BOATHOUSE DR
Rural Corridor
Rural Neighborhood

# Business Impact Estimate Eligibility Form

**Section 166.041(4), Florida Statutes**

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Eustis' website by the time notice of the proposed ordinance is published.*

*This form simply assists in determining whether a Business Impact Estimate must be completed under Florida law for the proposed ordinance. Should a Business Impact Estimate be required or should the City opt to provide one as a courtesy based on the selection below then a separate form with the statutory components of Section 166.041(4)(a) shall also accompany the proposed ordinance.*

| | |
|---|---|
| Ordinance Number | 25-25 |
| Ordinance Subject | Design District Map Amendment 2025-DD-07 |
| Legal Advertising Date | July 28, 2025 |
| First Reading On | 8/7/2025 |
| Second Reading On | 9/4/2025 |

## Ordinance Title

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN CORRIDOR DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 2.8 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBER 3959037, GENERALLY LOCATED ON THE EAST SIDE OF THE INTERSECTION OF COUNTY ROAD 44 AND COUNTY ROAD 44A

**Based on the City's review of the proposed ordinance (*must select one of the following*):**

☒ The City has determined the statutory exemption identified below applies to the proposed ordinance; a Business Impact Estimate is NOT required and therefore not provided.

☐ The City has determined the statutory exemption identified below applies to the proposed ordinance; however, the City has prepared the Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance.

☐ The City has prepared a Business Impact Estimate in accordance with section 166.041(4), Florida Statutes.

## Exemptions

The City has determined that a Business Impact Estimate is NOT required as the following exemption applies to the proposed ordinance:

**Section 166.041 (4)(c) exemption**: It is enacted to implement comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.

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 4, 2025

RE: **SECOND READING**

ORDINANCE NUMBER 25-26: ANNUAL UPDATE OF THE FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE OF THE COMPREHENSIVE PLAN FISCAL YEAR 2026-30

---

**Introduction:**

This report seeks acceptance of the City of Eustis Five Year Capital Improvement Plan (CIP) FY2026-2030. Ordinance Number 25-26 approves the FY2026-30 annual update of the Five-Year Capital Improvements Schedule of the Comprehensive Plan under F.S. 163.3177(3)(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
    - Safety concerns
    - Hazardous conditions
    - Replace/update equipment or facilities that are outdated or in need of repair
    - New compliance requirements from other agencies

2. Return on Investment
    - Highly visible projects
    - Benefit outweighs the cost of the project within a short period
    - Project has the potential to generate economic development

3. Level of Service Maintenance
    - Needed to maintain the City's desired service levels

4. Improved Level of Service
    - New or improved 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:

- Building Fund - 1% as building permits are anticipated to remain flat, Law Enforcement Capital Expansion, Fire Prevention Expansion, Library Expansion and Street Improvement - 3%, Sales Tax Fund - 4%, CRA - 5%, and Stormwater - 8% as a best guess for increased stormwater fees based on the rate study currently being conducted.

- Water & Sewer revenue projections include a 3-4% increase per year for FY26/30 due to new construction developments and annual service fees increases.

- Going forward, expenditure projections include a 5% annual increase for all funds for FY26/30.

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

- Fire Station # 3 (Fire/Sales Tax)- $3,250,000
- Street Resurfacing Citywide (Roads/Sales Tax) - $2,480,000
- Library Expansion (Library/Sales Tax) - $2,000,000
- Fire Trucks (2) (Fire/Sales Tax) - $2,000,000
- Ground Storage Tank (Utility/Water) - $1,900,000
- Building Improvements (PW/Sales Tax) - $1,655,500
- Vehicle Replacements (Police/Sales Tax) - $1,575,000
- Process & Clarification Tank Rehabilitation (Utility/Sewer) - $1,520,000
- Floating Solar Panels (Utility/Sewer) - $1,500,000
- New Facility Building/Fire Admin (Building/Sales Tax) - $1,790,000
- Heathrow WTP Ground Storage Tank (Utility/Water) - $1,160,000
- Water Meter Rebuild & Replace (Utility/Water) - $1,040,000
- New ERP System Finance/Utility (Sales Tax/Utility CS) - $1,000,000

The CIP process occurs annually, enabling the city to assess projects in light of evolving circumstances and changing priorities. 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 $61,021,906. The capital projects scheduled for FY2025/26 will be incorporated as part of the FY2025/26 Annual Budget scheduled for approval on September 18, 2025.

**Recommended Action:**
Staff recommends approval of Ordinance Number 25-26.

**Community Input:**
Staff will properly advertise the Ordinance and invite public input prior to the second ordinance reading on September 4, 2025.

**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, if approved, will be included in the proposed FY2025/26 Annual Budget to be presented to the Commission at the September 18, 2025, meeting scheduled to be held at the City Commission Chambers.

**Prepared By:**
Lori Carr, Finance Director

**Reviewed By:**
Mari Leisen, Deputy Finance Director

# ORDINANCE NUMBER 25-26

**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)(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 2026 through the Fiscal Year 2030.

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

**Section 1.**
The Capital Improvement Plan for Fiscal Year 2026 through the Fiscal Year 2030 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 4th day of September, 2025.

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

_____
Willie L. Hawkins
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 4th day of September 2025 by Willie L. Hawkins, Mayor/Commissioner, 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 on the City Commission of the City of Eustis, Florida.

_____
City Attorney's Office Date

## CERTIFICATE OF POSTING

The foregoing Ordinance Number 25-26 is hereby approved. 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 4, 2025

RE: **FIRST READING**

EXPLANATION OF ORDINANCES 25-03, 25-04 AND 25-05 FOR ANNEXATION, FUTURE LAND USE DESIGNATION AND DESIGN DISTRICT DESIGNATION OF PARCELS WITH ALTERNATE KEYS 1097070 and 1094712

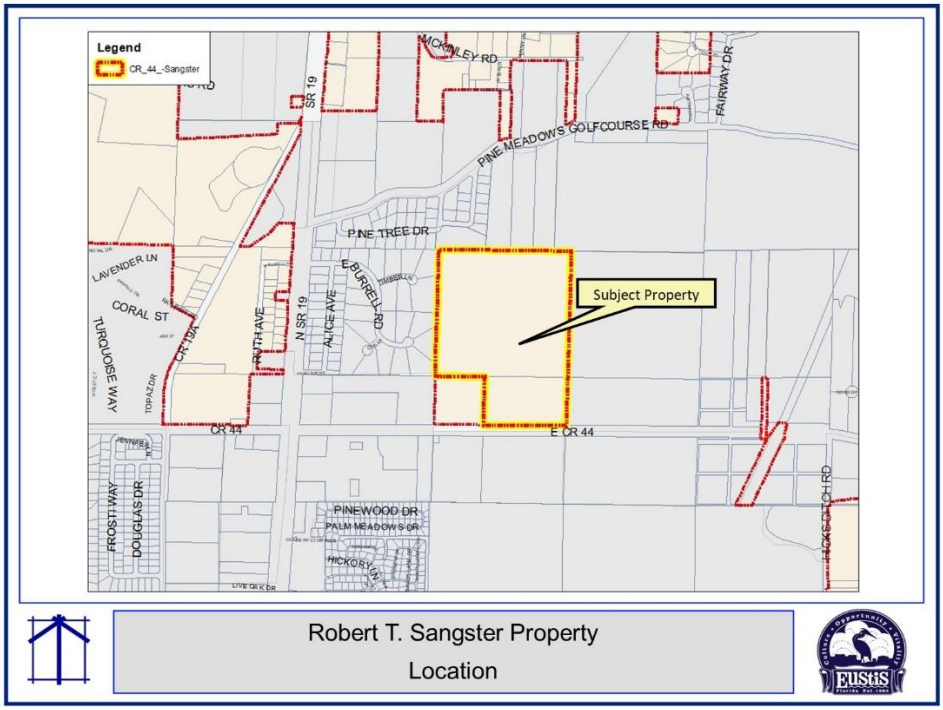
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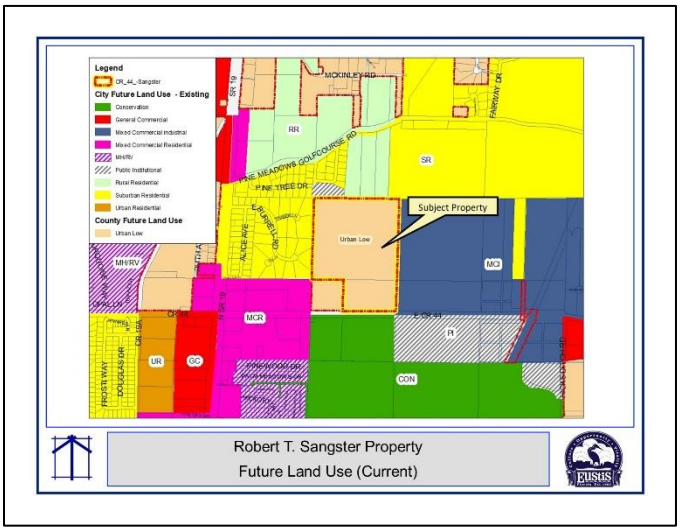
**Introduction:**

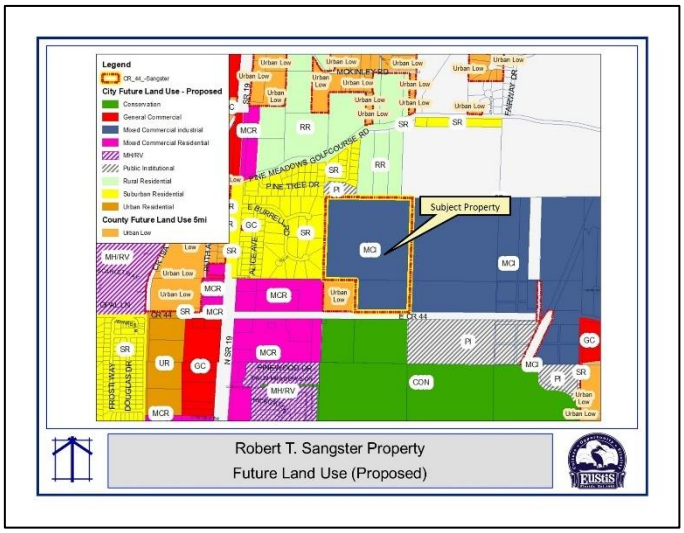
Ordinance Number 25-03 provides for the voluntary annexation of approximately 50.5 acres located north of County Road 44 and east of State Road 19. Provided the City Commission approves annexation of the subject property, Ordinance Number 25-04 would change the future land use designation from Urban Low in Lake County to Mixed Commercial Industrial (MCI) in the City of Eustis. If the City Commission denies Ordinance Number 25-03, there can be no consideration of Ordinance Numbers 25-04 (2025-CPLUS-01) and 25-05 (2025-DD-01 - Design District Assignment).

**Background:**

1. The site consists of two parcels, encompassing approximately 50.5 acres, located north of County Road 44 and east of State Road 19, within the Eustis Joint Planning Area.
2. The site is entirely contiguous with the City on all sides.
3. The current Lake County land use designation for the site is Urban Low (allowing 4 dwelling units per acre). However, if Ordinance Number 25-04 is approved, the designation will be changed to Mixed Commercial Industrial (MCI) within the City of Eustis.
4. The parcels are currently vacant and undeveloped, featuring pole barns.
5. The County Zoning for the property is R-6 (Urban Residential), which permits medium-density single-family and multi-family development under Lake County Urban Residential Zoning regulations.
6. The applicant seeks the MCI (Mixed Commercial/Industrial) land use designation to support a combination of warehousing and commercial vehicle parking activities.




Surrounding properties have the following land use designations:

| | | | |
|---|---|---|---|
| **Site** | Vacant | Urban Low (Lake County) | N/A |
| **North** | Single-family residential | SR and RR | Rural Neighborhood |
| **South** | Trout Lake Nature Center | CON | Conservation |
| **East** | Vacant | MCI | Suburban Corridor/Rural Neighborhood |
| **West** | Single-Family residential | SR | Rural Neighborhood |

**Applicant's Request**

The applicant, Robert T. Sangster, has filed an application for annexation and the assignment of a future land use designation and design district within the City of Eustis.

The property currently holds a Lake County land use designation of Urban Low and a zoning classification of R-6 (Urban Residential). Under Lake County regulations, these designations permit multi-family development at densities of up to 4 dwelling units per acre, as well as professional services and limited commercial activities.

The applicant is seeking a Mixed Commercial/Industrial (MCI) land use designation within the City of Eustis. This designation allows for a maximum Floor Area Ratio (FAR) of 2.5 and permits most commercial uses. However, industrial type uses typically require conditional use approval from the City Commission.

The requested MCI designation aligns with the land use designations of neighboring properties.

**Analysis of Annexation Request (Ordinance Number 25-03)**

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 lies within the Joint Planning Area and has access to urban services with sufficient capacity to support future development, aligning with the requested MCI 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 Joint Planning Area boundaries outline a compact region where the City can deliver services efficiently and effectively. The subject property is located within this planning area, sharing contiguity with the City limits on the northern, southern, and eastern sides, as well as part of the western side. Additionally, the owner has submitted a petition 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 issued a notice regarding this annexation in the Daily Commercial, as required, on April 7, 2025, and again on April 13, 2025.***

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."

***The annexation of the subject property does not result in the creation of an 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 s (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 15, 2025.***

**Analysis of Comprehensive Plan/Future Land Use Request (Ordinance Number 25-04)**

In Accordance with Florida Statutes Chapter 163.3177.9.:

*Discourage Urban Sprawl:*

Primary Indicators of Sprawl:

The future land use element, along with any amendments to it, should aim to prevent the spread of urban sprawl. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The assessment of these indicators will involve analyzing the plan or plan amendment in the context of the distinctive features and characteristics of each locality to determine whether the plan or amendment meets the criteria.

Review of Indicators

1. Low Intensity Development:

Encourages, permits, or allocates significant portions of the jurisdiction for development characterized by low intensity, low density, or single-use purposes.

***The subject property is located within the Joint Planning Area. Urban services of adequate capacity are available to serve future development, consistent with the requested MCI future land use designation.***

2. Urban Development in Rural Areas:

Encourages, permits, or allocates extensive urban development in rural areas far from existing urban centers, while neglecting available and suitable undeveloped lands for development.

***This indicator does not apply. The subject properties are located in a corridor with a mixture of uses, including MCI designations and residential and commercial uses to the west.***

3. Strip or Isolated Development*:*

Encourages, permits, or allocates urban development in radial, strip, isolated, or ribbon formations that typically extend outward from established urban areas.

***This indicator is not relevant, as the site is bordered by residential development to the north and west, mixed commercial/industrial designations to the east, and a conservation area to the south.***

4. Natural Resources Protection*:*

Does not sufficiently safeguard or preserve natural resources, including wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge zones, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other vital ecological systems.

***The subject property is in a floodplain and does contain wetland areas.***

***Comprehensive Plan Policy CON 1.4 states that land development shall not be permitted in the 100-year floodplain unless the following criteria are met:***

**a. Public wastewater service is provided. Alternatively on-site waste disposal may be used only where is permittable by state and local agencies having**

**jurisdiction and where public sewer service is unavailable and is not in the current 5-year Capital Improvements Plan;**

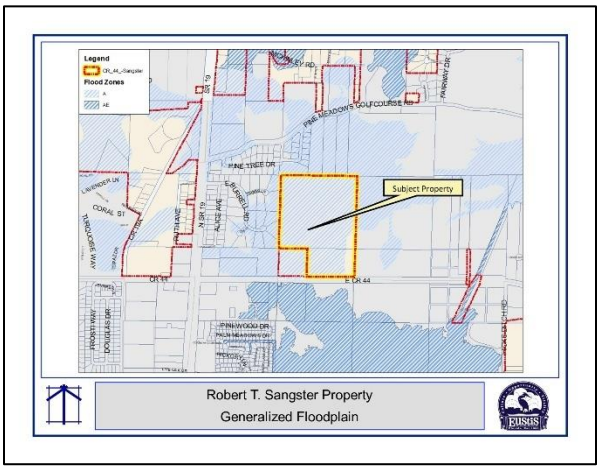
**b. Gross residential development is less than 2 units per acre;**

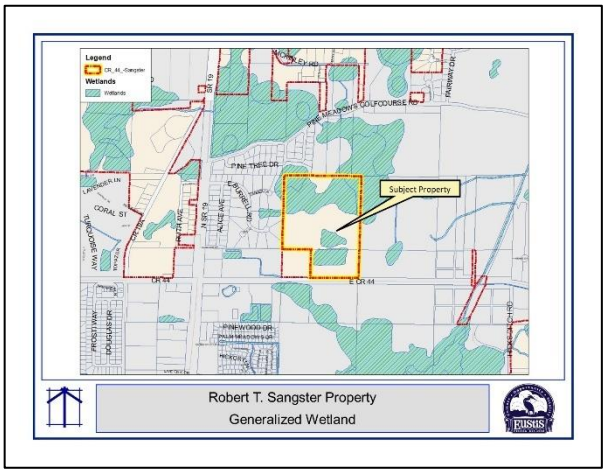
**c. Public water service is provided;**

**d. Wetlands and other designated environmentally sensitive resources are not displaced;**

**e. Impervious surfaces in a development, including road pavement, are limited to 25%; and**

**f. There is no net loss of flood storage capacity**




5. Agricultural Area Protection*:*

Does not effectively safeguard nearby agricultural lands and activities, including silviculture, active and passive agricultural and silvicultural practices, as well as dormant, unique, and prime farmlands and soils.

***This indicator is not applicable, as the site and surrounding areas do not include active agricultural or silvicultural operations. The location lies within a developed area that is continuing to undergo further development.***

6. Public Facilities:

Does not fully optimize the use of current public facilities and services.

***This indicator does not apply. City water is available to the property. Development of this parcel will maximize the use and efficiency of City water service. City Sewer is available to the property and will be addressed via the site development process.***

7. Cost Effectiveness and Efficiency of Public Facilities:

Permits land use patterns or timing that significantly raise the costs—in terms of time, money, and energy—of delivering and maintaining facilities and services, such as roads, potable water, sanitary sewers, stormwater management, law enforcement, education, healthcare, fire and emergency response, and general government operations.

***This indicator is not applicable, as there is adequate capacity to accommodate both existing and future development aligned with the requested MCI future land use designation. The City already provides these services to other properties within the area, which will further enhance overall efficiency.***

8. *Separation of Urban and Rural:*

*Does not establish a distinct division between rural and urban land uses.*

***This indicator is not applicable, as there are no active agricultural activities or uses on nearby properties. The surrounding area is either developed or has development entitlements, featuring a mix of suburban and rural densities and intensities. The mixed-use nature of the MCI land use designation and the Suburban Corridor/Rural Neighborhood design district aligns well with the established development pattern. Environmental constraints on the site may pose challenges to meeting Comprehensive Plan policies for natural resource protection, but these will be addressed during the site plan review process.***

9. Infill and Redevelopment:

Hinders or restricts the growth of infill development or the revitalization of established neighborhoods and communities.

***This indicator does not apply.***

Functional Mix of Uses:

Fails to encourage a functional mix of uses.

***This indicator is not applicable. The site is surrounded by a diverse blend of residential and non-residential uses, with MCI designations located immediately adjacent to the east of the subject site. Additionally, a range of other uses, including various commercial establishments and residential properties, can be found within a .25 to .5-mile radius of the subject property.***

10. *Accessibility among Uses*:

Leads to inadequate connectivity between associated or related land uses.

***The site constraints and environmental factors on the property may make it difficult to ensure any linkages between related uses. However, these will be reviewed during the review of future development on the property.***

11. Open Space:

Leads to the reduction of substantial areas of usable open space.

***This indicator is not applicable, as the site lacks functional open space and is not linked to regionally significant open spaces.***

12. Urban Sprawl:

The future land use element or plan amendment will be considered effective in curbing the spread of urban sprawl if it adopts a development pattern or urban form that fulfills at least four of the following criteria:

13. 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 established urban, suburban, and rural development areas. While environmental constraints may present difficulties in meeting Comprehensive Plan policies***

***for natural resource protection, these challenges will be addressed during the site p review process.***

14. Efficient and Cost-Effective Services:

Supports the effective and economical delivery or expansion of public infrastructure and services..

***Water and Sewer service is available.***

15. Walkable and Connected Communities:

Encourages the development of walkable and interconnected communities while supporting compact, mixed-use designs with densities and intensities that accommodate diverse housing options and a multimodal transportation network, including pedestrian, bicycle, and transit systems, where available.

***During development, the site must comply with the City's Land Development Regulations concerning connectivity and sidewalks. However, County Road 44, which is not part of the City's infrastructure, currently lacks a sidewalk system, making interconnectivity with existing and future uses a notable challenge.***

16. Water and Energy Conservation:

Supports the preservation and efficient use of water and energy resources.

***At the time of site development, the property must adhere to City development standards and Florida Building Code requirements, ensuring the use of energy- and water-efficient appliances.***

17. Agricultural Preservation:

Safeguards agricultural lands and operations, including silviculture, as well as dormant, distinctive, and high-quality farmlands and soils.

***Not relevant; the site and surrounding areas lack active agricultural or silvicultural operations and are located within a fully developed residential zone.***

18. Open Space:

Preserves open space and natural lands and provides for public open space and recreation needs.

***Open space allocation will be finalized during the site plan review process to ensure the preservation of natural resource features and functions. This assessment will prioritize the protection of wildlife habitats, substantial buffering for natural wetlands and water bodies, and the establishment of greenway corridors.***

19. 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 allows for both commercial and industrial type uses like those in the east.***

20. Urban Form Densities and Intensities:

Offers uses, densities, intensities, and urban forms designed to address and improve existing or planned development patterns in the area that exhibit characteristics of sprawl. Alternatively, it facilitates innovative development approaches, such as transit-oriented developments or new towns, as outlined in s. 163.3164.

***Not applicable.***

**In Accordance with Comprehensive Plan Future Land Use Element Appendix:**

All Plan amendment applications addressing the development patterns described and supported within the Plan, including site-specific proposals for changes in land use designations, are

considered a legislative function of local government. If approved, such amendments would through a legislative act of the City and must be evaluated based on a wide range of generally accepted considerations, including planning, timing, compatibility, and public facility factors as outlined or implied within the Plan's policies. Additionally, each proposed amendment to Map #1: 2035 Future Land Use Map involving a change in land use designation for a specific parcel must undergo a review to identify and evaluate potential significant impacts on the policy framework of the Comprehensive Plan. This review includes, but is not limited to, assessing the effects of the land use change on the Plan's internal consistency and fiscal structure.

*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:

As Plan policies encompass the continuation, expansion, and initiation of government service and facility programs—such as capital facility construction, each land use designation amendment application must provide a detailed description and evaluation of any Plan programs that could be impacted by the amendment, including effects on the timing and financing of such programs. This evaluation must also address the availability of, as well as the current and projected demand for, facilities and services serving or intended to serve the subject property. The required facilities and services for analysis include emergency services, parks and recreation, potable water, public transportation (if available), sanitary sewer, schools, solid waste, stormwater management, and the transportation network.

**a.** Emergency Services Analysis:

***Eustis emergency services currently provide response coverage to other properties in the surrounding area. Development in line with the MCI future land use designation is not anticipated to significantly affect the operational efficiency of Eustis emergency services.***

**b.** Parks & Recreation:

***Not applicable. The proposed MCI land use is non-residential in nature.***

**c.** Potable Water & Sanitary Sewer:

***Water and sewer are available to the subject property. Both the water and sewer systems have adequate capacity to serve the development of the property.***

**d.** Schools:

***The proposed change should not negatively impact schools*** **as the MCI request is non-residential in nature.**

**e.** Solid Waste:

***The City collaborates with Waste Management for solid waste collection, and the company already provides services to properties in the vicinity of the subject site. Adding this property to their service area will enhance efficiency in service delivery.***

**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.***

**g.** Transportation Network Analysis:

***The proposed non-residential development is expected to have no adverse effects on the existing transportation system. Currently, the adjacent transportation network (CR 44) has sufficient capacity to accommodate the proposed MCI property, even at full development standards, without compromising the adopted level of service.***

***Prior to the development of the property, site plan approval amongst other approvals will be required. As part of the site plan review, a traffic study will be required to evaluate traffic impacts.***

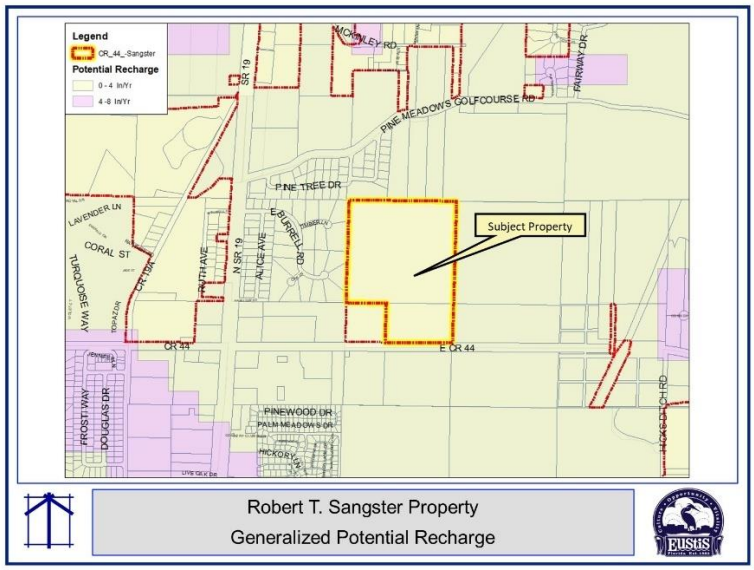
2. **Natural Resources/Natural Features:**

The Plan's policies include broad regulatory guidelines and requirements aimed at managing growth and safeguarding the environment. These guidelines serve as the basis for assessing the overall alignment of any land use amendment with the Comprehensive Plan. Specifically, each amendment will be reviewed to:

1) Identify the presence of groundwater recharge areas;
2) Determine whether historical or archaeological sites exist;
3) Analyze flood zones and ensure that proposed land uses in flood-prone areas support the ongoing natural functions of floodplains; and
4) Assess the suitability of the soil and topography for the proposed development.

a. Groundwater recharge areas:

***The site may be within a recharge area, 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.***

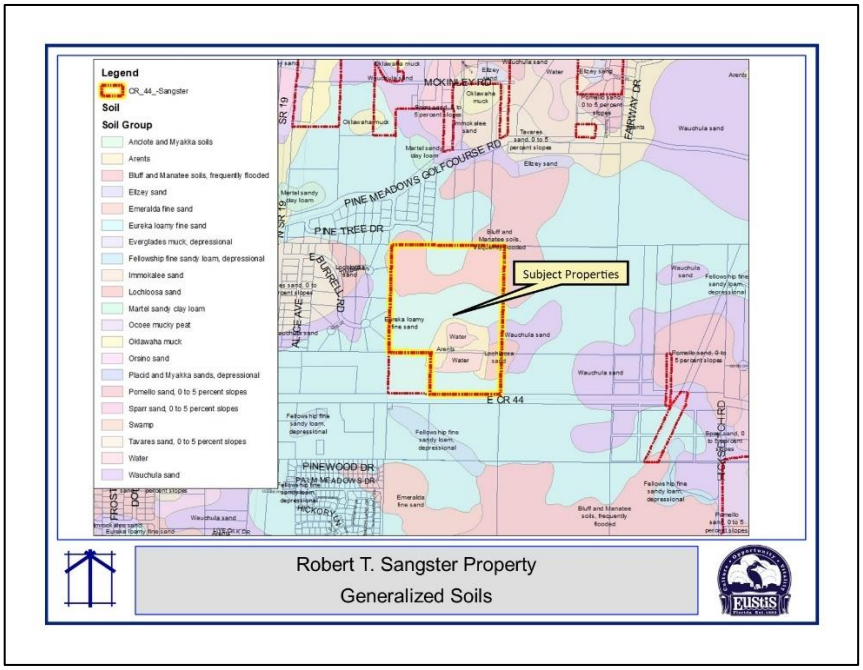
c. Flood zones:

***The subject property is impacted by a 100-year flood zone area. Source - Lake Coun… 2012 Flood Zones. Future site development will address this matter during the site plan review process.***

d. *Soil and topography:*

***The site comprises a combination of soil types, including Bluff and Manatee soils (frequently flooded), Eureka loamy fine sand, and Arents, all of which are generally poorly drained. Additionally, Lochloosa and Wauchula sands are present along the eastern boundary of the property, and these soils are also typically poorly drained. During the development application process, soils and geotechnical reports will be required as part of the application submissions and for permitting with the relevant state agencies.***

***Building permit approval must be obtained prior to commencing development. Both the Comprehensive Plan and Land Development Regulations outline standards for the protection of environmentally sensitive lands, which will be applied if conditions at the time of development necessitate such protection.***




**e. 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 Urban Low Density Future Land Use Category provides for a range of residential development at a maximum density of four (4) dwelling units per net buildable acre in addition to civic, institutional, commercial, and office uses at an appropriate scale and intensity to serve this category. Limited light industrial uses may only be allowed as a conditional use.***

***This category shall be located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities. Within this cate…***

***any residential development in excess of 10 dwelling units shall be required to p***
***minimum 25% of the net buildable area of the entire site as common open space.***

***The maximum intensity in this category shall be 0.25, except for civic institutional uses which shall be 0.35. The maximum Impervious Surface Ratio shall be 0.60."***

***Proposed Land Use According to the Eustis Comprehensive Plan:***

***Mixed Commercial / Industrial (MCI)***

*This land use designation is intended to provide for development of light manufacturing, distribution, corporate office & related commercial and industrial facilities in select high profile locations and in well planned environments.*

*General Range of Uses: This category accommodates a mix of commercial and light industrial, including but not limited to commercial parking, fast lube/oil change, major vehicle service, commercial neighborhood, retail sales and services, self-service storage, vehicle parts and accessories (sales), and sports complexes. Vocational schools and government buildings are also permitted uses.*

*Maximum Density: Not applicable.*

*Intensity Range: up to 2.5 FAR subject to restrictions in Section 109-3 of the Land Development Regulations.*

*Mix Requirements: There are proportional requirements and limitations regarding the amount of residential and non-residential uses allowable in an area designated MCI. For the mixed land use category MCI, the city establishes, and shall monitor on a citywide basis, a mix of uses as follows:*

*Commercial: Not more than 20% of total MCI acreage*

*Commercial/Office: Not more than 80% of total MCI acreage*

*The composition of mix for each proposed development will be determined on a case-by-case basis during the development review process. Specific uses permitted will be monitored by the city to ensure continuity and compatibility with adjacent land uses. Individual properties may develop residentially or commercially, provided that all applicable criteria set forth herein are met.*

*Special Provisions:*

*(1) Future amendments to designate areas as MCI may be permitted in undeveloped areas oriented to major highways & other transportation facilities as determined by market demand, and provided that:*

*a. Mixed Commercial Industrial areas and developments therein will be held to a higher level of community design relative to signage, lighting, landscape materials, and building quality than General Commercial areas; and*

*b. signage and lighting are limited to maintain the generally semi-rural or high-profile image character of these designated areas.*

.

***Comparison of Lake County Development Conditions***

The existing Lake County future land use designation of the property is Urban Low, which provides for a range of residential development in addition to civic, commercial and office uses at an appropriate scale and intensity to serve this category. Allowable density and intensity in Urban Low is a maximum of 4 dwelling units per acre and intensity of 0.25 to 0.35 floor area ratio, with the sum of residential density and non-residential intensity not exceeding 100%.

Residential: Lake County limits residential development to 4 du/acre while the MCI would allow a floor area ratio (FAR) of 2.5 or 250% of the property.

***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.

***Not applicable. The proposed use(s) would be non-residential in nature under the MCI designation.***

***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.

***The applicant has stated that the proposed use for the property will be warehousing in the front, with commercial vehicle parking behind the warehouses. The proposed development will be required to provide adequate buffers to reduce impacts on the existing residential development.***

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.

***This potential non-residential development is considered to have no negative impacts on the existing transportation system. Currently, the adjacent transportation network (CR 44) has the capacity to serve the proposed MCI property, even at a maximum development standard, without negatively affecting the adopted level of service.***

2. Water Supply:

Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

***City water service and other services are available. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.***

**In Accordance with Chapter 102-16(f), Land Development Regulations**

*Standards for Review:*

In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

a. *Consistent with Comprehensive Plan:*

Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

***The proposed amendment is consistent with the Comprehensive Plan. Future development will be required to mitigate any adverse impacts and adhere to the City's Land Development Regulations.***

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 consistent with the Land Development Regulations.***

c. *Inconsistent with Surrounding Uses:*

***The property is consistent with the property to the east along CR 44. Future development will be required to comply with the land development regulations to ensure it is compatible with the surrounding uses.***

d. *Changed Conditions:*

Whether there have been changed conditions that justify an amendment.

***The applicant seeks to annex the property into the City limits of Eustis, requiring the assignment of a City of Eustis future land use designation and design district. Following annexation, the subject property will benefit from a full range of municipal services, including access to central water. These updated conditions justify a change in the land use designation.***

e. *Demand on Public Facilities:*

Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

***City water and sewer services are available and, in close proximity to the site. Adequate capacity is available to serve future development consistent with the requested Mixed Commercial/Industrial future land use designation.***

***Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.***

f. *Impact on Environment:*

Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

***The site has the presence of the 100-year floodplain and that will be addressed when the future development is ready to move forward.***

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 proposed amendment creates an otherwise orderly development pattern on land uses in the surrounding area.***

***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 MCI land use would provide for orderly growth and development. Future development will be required to obtain proper permission from FEMA and the Water Management District before being approved.***

*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.***

**Recommended Action:**
Development Services has found the proposed annexation, Future Land Use, and Design District designation consistent with the Comprehensive Plan and with the surrounding and adjacent land uses; therefore, it recommends approval of Ordinance Numbers 25-03, 25-04, and 25-05.

**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.

**Business Impact Estimate:**

Exempt from this Requirement per F.S. 164.041(4)(c)7.b.(*Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality*)

**Prepared By:**
Kyle Wilkes, AICP, Senior Planner

**Reviewed By:**
Jeff Richardson, AICP, Deputy Director for Development Services

Mike Lane, AICP, Development Services Director

# ORDINANCE NUMBER 25-03

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 50.5 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBERS 1097070 and 1094712, GENERALLY LOCATED NORTH OF COUNTY ROAD 44 AND EAST OF STATE ROAD 19.**

**WHEREAS,** Logan Wilson, as the applicant for Robert T. Sangster, the legal owner of record, has made an application for voluntary annexation of approximately 50.5 acres of real property located North of County Road 44 and East of State Road 19, more particularly described as:

Parcel Alternate Keys: 1097070 and 1094712

Parcel Identification Number: 24-18-26-0400-0000-00700 and 35-18-26-0004-000-03500

Legal Description:

Parcel 1
EUSTIS MEADOWS 35-18-26 LOTS 7, 8 PB 1 PG 2 ORB 6155 PG 840

Parcel 2
E 825 FT OF SW 1/4 OF SE 1/4 LYING N OF RD ORB 6155 PG 840

(The foregoing legal description was created via optical character recognition from the applicant's PDF submittal and has not been verified for accuracy); and

**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 4, 2025, the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

**WHEREAS,** on ____, 2025, 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 50.5 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 ___ day of ___ 2025.

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

Willie L. Hawkins
Mayor/Commissioner

**ATTEST:**

Christine Halloran, City Clerk

## CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA**
**COUNTY OF LAKE**

The foregoing instrument was acknowledged, by means of physical presence, before me this ___ day of ___ 2025, by Willie L. Hawkins, Mayor/Commissioner, 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, but I have not performed an indepdent Title examination as to the accuracy of the Legal Description.

City Attorney's Office Date

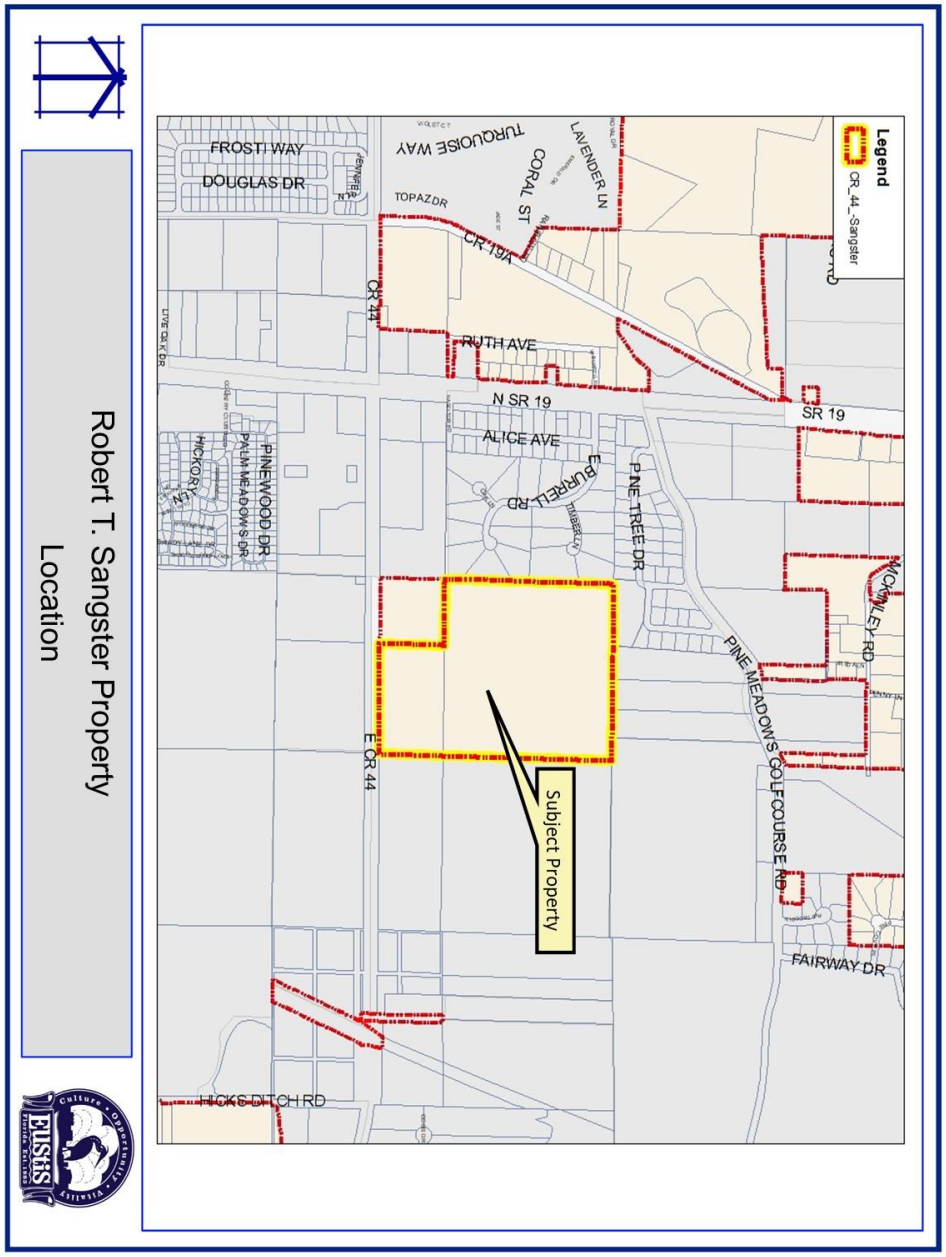
## CERTIFICATE OF POSTING

The foregoing Ordinance Number 25-03 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

# EXHIBIT "A"

## GENERAL LOCATION MAP



# Business Impact Estimate Eligibility Form

**Section 166.041(4), Florida Statutes**

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Eustis' website by the time notice of the proposed ordinance is published.*

*This form simply assists in determining whether a Business Impact Estimate must be completed under Florida law for the proposed ordinance. Should a Business Impact Estimate be required or should the City opt to provide one as a courtesy based on the selection below then a separate form with the statutory components of Section 166.041(4)(a) shall also accompany the proposed ordinance.*

| | |
|---|---|
| Ordinance Number | 25-03 |
| Ordinance Subject | Annexation 2025-A-01 |
| Legal Advertising Date | August 25, 2025 |
| First Reading On | 9/4/2025 |
| Second Reading On | TBD |

## Ordinance Title

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 50.5 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBERS 1097070 and 1094712, GENERALLY LOCATED NORTH OF COUNTY ROAD 44 AND EAST OF STATE ROAD 19.**

**Based on the City's review of the proposed ordinance (*must select one of the following*):**

☒ The City has determined the statutory exemption identified below applies to the proposed ordinance; a Business Impact Estimate is NOT required and therefore not provided.

☐ The City has determined the statutory exemption identified below applies to the proposed ordinance; however, the City has prepared the Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance.

☐ The City has prepared a Business Impact Estimate in accordance with section 166.041(4), Florida Statutes.

## Exemptions

The City has determined that a Business Impact Estimate is NOT required as the following exemption applies to the proposed ordinance:

**Section 166.041 (4)(c) exemption**: It is enacted to implement comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.

# ORDINANCE NUMBER 25-04

**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 50.5 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBERS 1097070 and 1094712, GENERALLY LOCATED NORTH OF COUNTY ROAD 44 AND EAST OF STATE ROAD 19, FROM URBAN LOW IN LAKE COUNTY TO MIXED COMMERCIAL INDUSTRIAL IN THE CITY OF EUSTIS.**

**WHEREAS,** on November 4, 2010, the Eustis City Commission adopted the City of Eustis Comprehensive Plan 2010-2035 through Ordinance Number 10-11; and

**WHEREAS,** the State of Florida Department of Community Affairs found the City of Eustis Comprehensive Plan 2010-2035 in Compliance, pursuant to Sections 163.3184, 163.3187, and 163.3189 Florida Statutes; and

**WHEREAS,** the City of Eustis periodically amends its Comprehensive Plan, in accordance with Chapters 163.3187 and 163.3191, Florida Statutes; and

**WHEREAS**, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 50.5 acres of real property located North of County Road 44 and East of State Road 19 (Alternate Key Numbers 109707 and 1094712), and more particularly described herein and as shown in Exhibit “A”; and

**WHEREAS**, on September 4, 2025, the Local Planning Agency held a Public Hearing to consider the adoption of a Large-Scale Future Land Use Amendment for this change in the designation; and

**WHEREAS**, on September 4, 2025, the City Commission held the 1st Adoption Public Hearing to accept the Local Planning Agency’s recommendation to adopt the Small-Scale Future Land Use Amendment contained herein; and

**WHEREAS**, on ____, 2025, the City Commission held the 2nd Adoption Public Hearing to consider the adoption of the Large-Scale Future Land Use Amendment contained herein as Exhibit “A”;

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

**SECTION 1.**

**Land Use Designation:** That the Future Land Use Designation of the real property as described below shall be changed from Urban Low in Lake County to Mixed Commercial/ Industrial (MCI) within the City of Eustis:

Parcel Alternate Keys: 1097070 and 1094712

Parcel Identification Numbers: 24-18-26-0400-000-00700 and 35-18-26-0004-000-03500

Legal Description:

Parcel 1
EUSTIS MEADOWS 35-18-26 LOTS 7, 8 PB 1 PG 2 ORB 6155 PG 840

Parcel 2
E 825 FT OF SW 1/4 OF SE 1/4 LYING N OF RD ORB 6155 PG 840

(The foregoing legal description was created via optical character recognition from the applicant's PDF submittal and has not been verified for accuracy); and

**SECTION 2.**

**Map Amendment and Notification:** That the Director of Development Services shall be authorized to amend the Future Land Use Map of the Comprehensive Plan to incorporate the change described in Section 1 and provide appropriate notification in accordance with Florida Statutes.

**SECTION 3.**

**Conflict:** That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 4.**

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

**SECTION 5.**

**Effective Date:** The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity or the Administration

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

**PASSED, ORDAINED AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this ___ day of ___ 2025.

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

Willie L. Hawkins

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 ___ 2025, by Willie L. Hawkins, Mayor/Commissioner, 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, but I have not performed an independent Title examination as to the accuracy of the Legal Description.

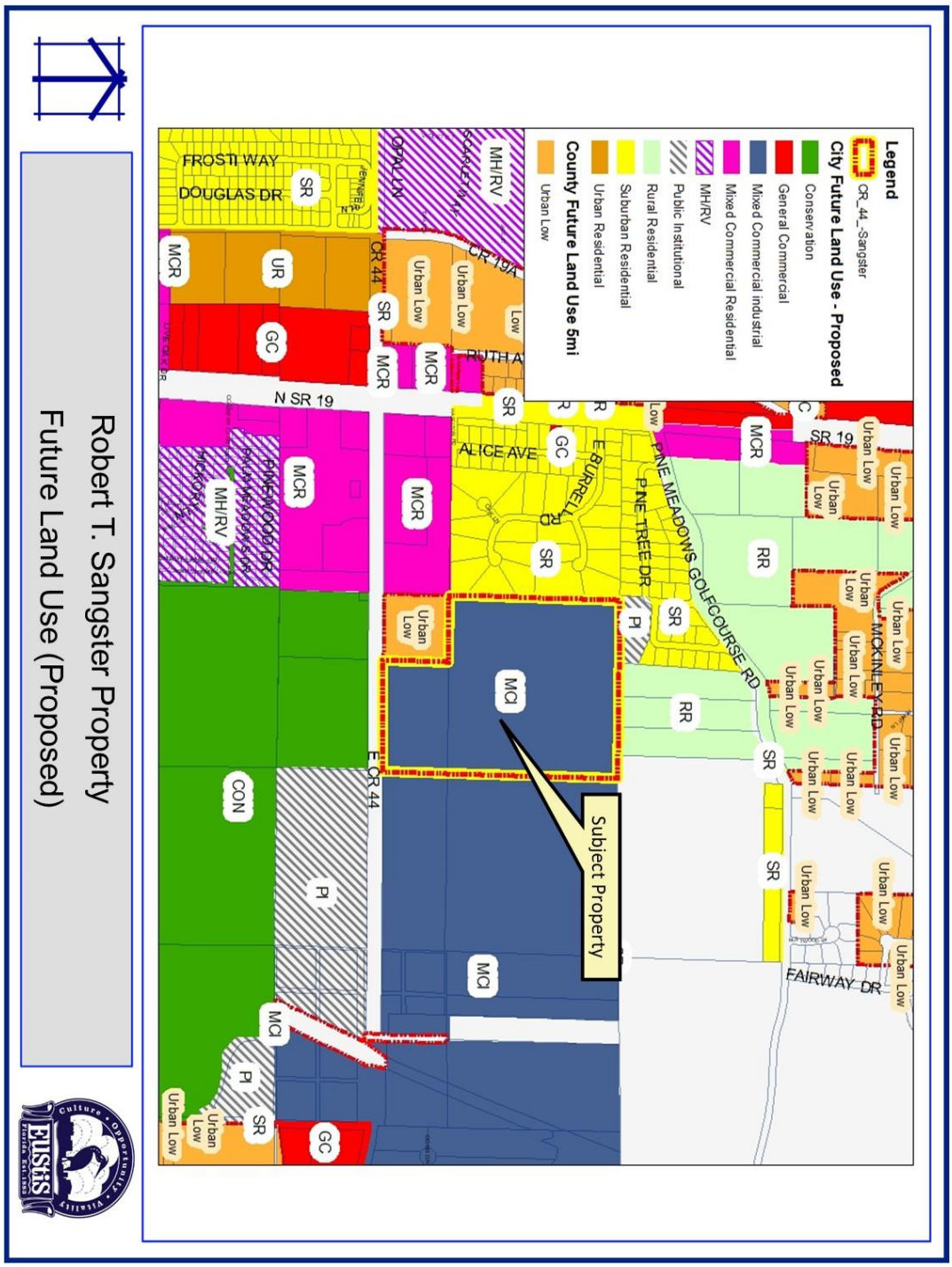
City Attorney's Office Date

## CERTIFICATE OF POSTING

The foregoing Ordinance Number 25-04 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

# EXHIBIT "A"


Legend
CR_44_Sangster
City Future Land Use - Proposed
Conservation
General Commercial
Mixed Commercial industrial
Mixed Commercial Residential
MH/RV
Public Institutional
Rural Residential
Suburban Residential
Urban Residential
County Future Land Use 5mi
Urban Low
Robert T. Sangster Property
Future Land Use (Proposed)
Subject Property
N SR 19
SR 19
E CR 44
CR 44
CR 19A
ALICE AVE
E BURRELL RD
PINE MEADOWS GOLFCOURSE RD
PINE TREE DR
MCKINLEY RD
FAIRWAY DR
FROSTI WAY
DOUGLAS DR
OPAL LN
RUTH A
PINEWOOD DR
MCKORY LN
MCR
UR
GC
RR
MCI
CON
PI
SR
MH/RV
Urban Low

# Business Impact Estimate Eligibility Form

**Section 166.041(4), Florida Statutes**

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Eustis' website by the time notice of the proposed ordinance is published.*

*This form simply assists in determining whether a Business Impact Estimate must be completed under Florida law for the proposed ordinance. Should a Business Impact Estimate be required or should the City opt to provide one as a courtesy based on the selection below then a separate form with the statutory components of Section 166.041(4)(a) shall also accompany the proposed ordinance.*

| | |
|---|---|
| Ordinance Number | 25-04 |
| Ordinance Subject | Assignment of Future Land Use for Recently Annexed Propert - 2025-CPLUS-01 |
| Legal Advertising Date | August 25, 2025 |
| First Reading On | 9/4/2025 |
| Second Reading On | TBD |

## Ordinance Title

**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 50.5 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBERS 1097070 and 1094712, GENERALLY LOCATED NORTH OF COUNTY ROAD 44 AND EAST OF STATE ROAD 19, FROM URBAN LOW IN LAKE COUNTY TO MIXED COMMERCIAL INDUSTRIAL IN THE CITY OF EUSTIS.**

**Based on the City's review of the proposed ordinance (*must select one of the following*):**

☒ The City has determined the statutory exemption identified below applies to the proposed ordinance; a Business Impact Estimate is NOT required and therefore not provided.

☐ The City has determined the statutory exemption identified below applies to the proposed ordinance; however, the City has prepared the Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance.

☐ The City has prepared a Business Impact Estimate in accordance with section 166.041(4), Florida Statutes.

## Exemptions

The City has determined that a Business Impact Estimate is NOT required as the following exemption applies to the proposed ordinance:

**Section 166.041 (4)(c) exemption**: It is enacted to implement comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.

# ORDINANCE NUMBER 25-05

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE RURAL NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 40 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBER 1097070 AND ASSIGNING THE SUBURBAN CORRIDOR DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.5 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY 1094712, NORTH OF COUNTY ROAD 44 AND EAST OF STATE ROAD 19.**

**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 Rural Neighborhood to approximately 40 acres of the recently annexed real property further described below, and to assign a Design District designation of Suburban Corridor to approximately 10.5 acres of the recently annexed real property further described below,

**WHEREAS**, on September 4, 2025, the City Commission held the 1st Public Hearing to consider the Design District Amendment contained herein; and

**WHEREAS**, on _____, 2025, the City Commission held the 2nd Public Hearing to consider the adoption of the Design District Amendment contained herein;

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

**Section 1. Design District Designation**

That the Design District Designation of the real property described below, and shown in Exhibit “A”, shall be Rural Neighborhood:

Parcel Alternate Key: 1097070

Parcel Identification Number: 24-18-26-0400-000-00700

Legal Description:

EUSTIS MEADOWS 35-18-26 LOTS 7, 8 PB 1 PG 2 ORB 6155 PG 840

That the Design District Designation of the real property described below, and shown in Exhibit “A”, shall be Suburban Corridor:

Parcel Alternate Key: 1094712

Parcel Identification Number: 35-18-26-0004-000-03500

Legal Description:

E 825 FT OF SW 1/4 OF SE 1/4 LYING N OF RD ORB 6155 PG 840

***(The foregoing legal descriptions for the parcel are from the Lake County Property Appraiser webpage based on the alternate key numbers provided by the applicant. They have 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 the annexation of the subject property through approval of Ordinance Number 25-03.

**PASSED, ORDAINED AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this _ day of ___ 2025.

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

Willie L. Hawkins
Mayor/Commissioner

**ATTEST:**

Christine Halloran, City Clerk

## CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA**
**COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this ___ day of ___ 2025, by Willie L. Hawkins, Mayor/Commissioner, 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, but I have not performed an independent Title examination as to the accuracy of the Legal Description.

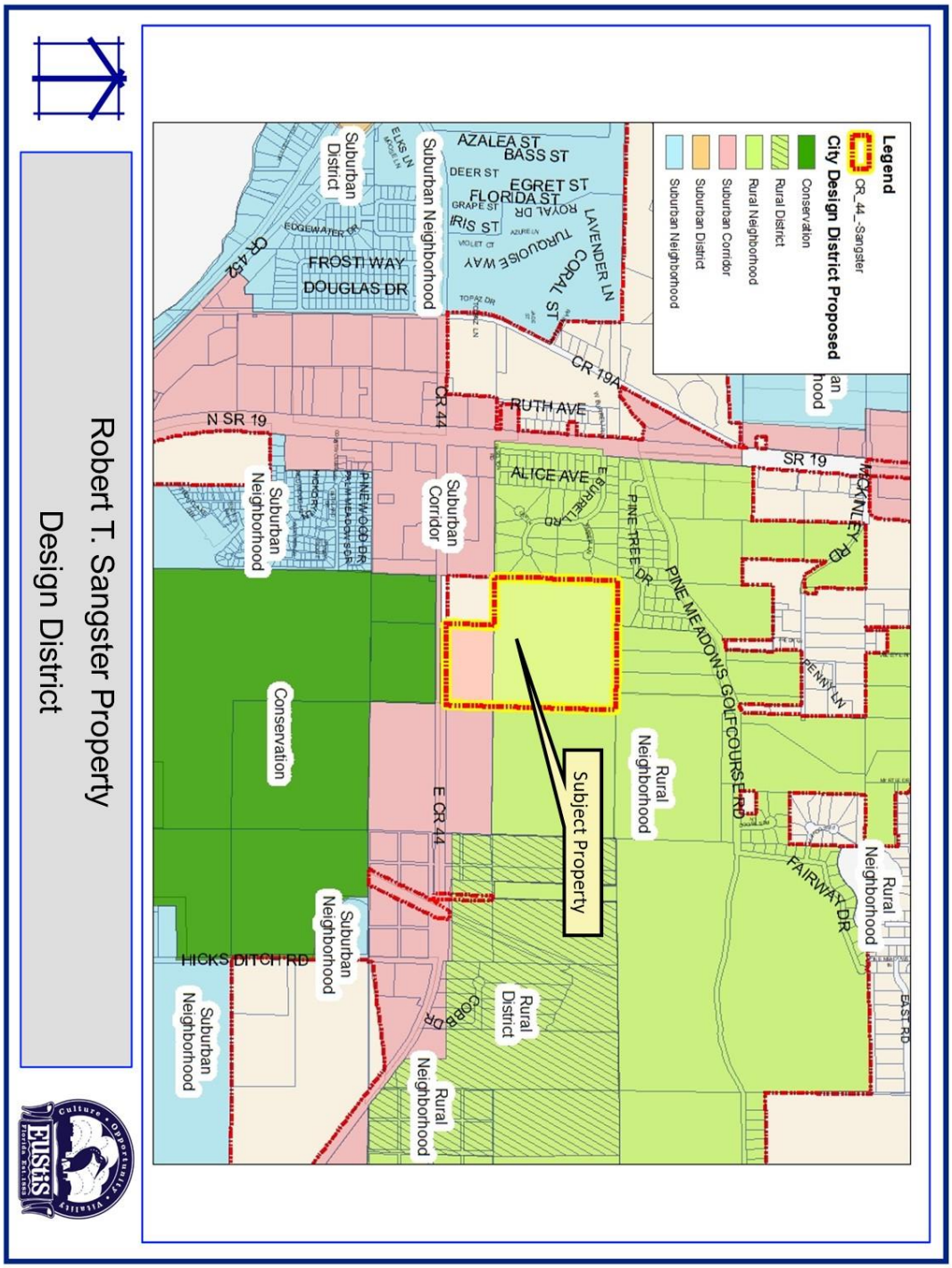
City Attorney's Office Date

## CERTIFICATE OF POSTING

The foregoing Ordinance Number 25-05 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

# EXHIBIT "A"


Robert T. Sangster Property
Design District
Legend
CR_44_Sangster
City Design District Proposed
Conservation
Rural District
Rural Neighborhood
Suburban Corridor
Suburban District
Suburban Neighborhood
Subject Property
AZALEA ST
BASS ST
DEER ST
EGRET ST
FLORIDA ST
GRAPE ST
IRIS ST
ROYAL DR
TURQUOISE WAY
LAVENDER LN
CORAL ST
FROST WAY
DOUGLAS DR
EDGEWATER DR
CR 452
CR 19A
RUTH AVE
N SR 19
SR 19
CR 44
ALICE AVE
E BURRELL RD
PINE TREE DR
PINE MEADOWS GOLF COURSE RD
MCKINLEY RD
PENNY LN
FAIRWAY DR
EAST RD
E CR 44
HICKS DITCH RD
GOBB DR
PINEWOOD DR
Suburban Neighborhood
Suburban District
Suburban Corridor
Conservation
Rural Neighborhood
Rural District

# Business Impact Estimate Eligibility Form

**Section 166.041(4), Florida Statutes**

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*This form simply assists in determining whether a Business Impact Estimate must be completed under Florida law for the proposed ordinance. Should a Business Impact Estimate be required or should the City opt to provide one as a courtesy based on the selection below then a separate form with the statutory components of Section 166.041(4)(a) shall also accompany the proposed ordinance.*

| | |
|---|---|
| Ordinance Number | 25-05 |
| Ordinance Subject | Assignment of Design District for Recently Annexed Property 2025-DD-01 |
| Legal Advertising Date | August 25, 2025 |
| First Reading On | 9/4/2025 |
| Second Reading On | TBD |

## Ordinance Title

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE RURAL NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 40 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBER 1097070 AND ASSIGNING THE SUBURBAN CORRIDOR DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 10.5 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY 1094712, NORTH OF COUNTY ROAD 44 AND EAST OF STATE ROAD 19.**

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**Section 166.041 (4)(c) exemption**: It is enacted to implement comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.

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 4, 2025

RE: Discussion for an Economic and Cultural Advisory Committee

## Introduction

Vice-Mayor Ashcraft requested a discussion item regarding an Economic and Cultural Advisory Committee.

**Prepared By:** Tom Carrino, City Manager