

**SECOND AMENDED AGENDA
CITY COMMISSION MEETING
VENETIAN CENTER, 1 DOZIER COURT
MONDAY, MARCH 14, 2022 5:30 PM**

1. CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

2. PROCLAMATIONS:

A. None

3. PRESENTATIONS:

A. Employee Service Award Recognitions:

Five Years: Paula Fuglestad, Electric and Matthew Turner, Public Works

Ten Years: Markenia Lee, Electric

Fifteen Years: Aljanard Allen, Public Works

Twenty Years: Joe Mera, Fire

4. PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Issues brought up will not be discussed in detail at this meeting. Issues will either be referred to the proper staff or will be scheduled for consideration at a future City Commission Meeting. Comments are limited to three minutes.

5. CONSENT AGENDA:

Routine items are placed on the Consent Agenda to expedite the meeting. If the Commission/Staff wish to discuss any item, the procedure is as follows: (1) pull the item(s) from the Consent Agenda; (2) vote on remaining items with one roll call vote, (3) discuss each pulled item and vote by roll call

A. CITY COMMISSION MEETING MINUTES:

1. Regular meeting held February 28, 2022

2. **Special Meeting - Interviews of Potential Law Firms for City Attorney held February 23, 2022**
3. **Special Meeting - Interviews of Potential Law Firms for City Attorney held February 21, 2022**

B. PURCHASING ITEMS:

1. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Amendment with MSL, PA for financial audit services for an amount not to exceed \$71,000.00 per year; and providing an effective date.**
2. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Agreement with Stone & Gerken, P.A. for legal counsel services acting as the City's City Attorney; and providing an effective date.**
3. **Ratification of a construction change order for work that has been completed with Bulldog Sitework, Inc. on the Picciola Road utility relocation for an amount of \$31,430.05.**

C. RESOLUTIONS:

1. **Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Lone Oak Cemetery Addition #6, being a portion of Section 22, Township 19 South, Range 24 East, Lake County, Florida, and accepting and dedicating to the use of the public any easements or public places shown thereon as being dedicated to the public; and providing an effective date. (Lone Oak Cemetery Addition #6 Plat)**
2. **Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Villages of West Lake Unit No. 49, a subdivision of the City of Leesburg, Florida, being a portion of Section 06, Township 20 South, Range 24 East, Lake County, Florida, and accepting and dedicating to the use of the public any easements or public places shown thereon as being dedicated to the public; and providing an effective date. (Villages of West Lake, Unit No. 49 plat)**
3. **Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Bradford Ridge, a subdivision of the City of Leesburg, Florida, being a portion of Section 20, Township 19 South, Range 25 East, Lake County, Florida; and accepting and dedicating**

to the use of the public any easements or public places shown thereon as being dedicated to the public; and providing an effective date. (Bradford Ridge Plat)

4. Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Lake Griffin Preserve, a subdivision of the City of Leesburg, Florida, being a portion of Section 14, Township 19 South, Range 24 East, Lake County, Florida; and accepting and dedicating to the use of the public any easements or public places shown thereon as being dedicated to the public; and providing an effective date. (Lake Griffin Preserve Plat)
5. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement with Sunrise Kiwanis; and providing an effective date.
6. Resolution of the City Commission of the City of Leesburg, Florida, granting an amendment to an existing Utility Easement to DUKE ENERGY FLORIDA, LLC., a Florida Limited Liability Company, d/b/a DUKE ENERGY for the perpetual right, privilege, and easement to install, operate and maintain in perpetuity, such Facilities as may be necessary or desirable for providing electric energy to the Turnpike Wastewater Treatment Facility; and providing an effective date.

**6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:
COMPREHENSIVE PLAN INFORMATION SIGN-UP SHEET (YELLOW)
AVAILABLE**

A. SECOND READING OF ORDINANCES:

1. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 41.69 +/- acres, and being generally located east of County Road 44 and north of Seng Road, lying in Section 01, Township 19 South, Range 25 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 1; and providing an effective date. (Hills at Leesburg AX)
2. An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 41.69 +/- acres from Lake

County Rural Transition to City of Leesburg Estate Residential, for a property generally located east of County Road 44 and north of Seng Road as legally described in Section 01, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Hills at Leesburg SSCP)

- 3. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 41.69 +/- acres from Lake County R-1 (Rural Residential) to City PUD (Planned Unit Development) to allow for a single-family residential subdivision for a property generally located east of County Road 44 and north of Seng Road, as legally described in Section 01, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Hills at Leesburg PUD)**
- 4. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 3.95 +/- acres; and being generally located west of U.S. Highway 27 and east of County Road 33, lying in Section 11, Township 20 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 3; and providing an effective date. (Leesburg C-Store and Gas Station AX)**
- 5. An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 3.95 +/- acres from Lake County Urban Medium Density to City of Leesburg General Commercial, for a property generally located west of U.S. Highway 27 and east of County Road 33 as legally described in Section 11, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Leesburg C-Store and Gas Station SSCP)**
- 6. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 3.95 +/- acres from Lake County RMRP (Mobile Home Rental Park District) and Lake County CP (Planned Commercial District) to C-3 (Highway Commercial) to allow for a gas station and convenience store for a property generally located west of U.S. Highway 27 and east of County Road 33 as legally described in Section 11, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Leesburg C-Store and Gas Station RZ)**
- 7. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 33.25 +/- acres; and being generally located south of Poe Street and east of Radio Road, lying in Section 02,**

Township 19 South, Range 25 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 1; and providing an effective date. (Troon Creek Preserve AX)

- 8. An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 33.25 +/- acres from Lake County Urban Low Density to City of Leesburg Estate Residential, for a property generally located south of Poe Street and east of Radio Road as legally described in Section 02, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Troon Creek Preserve SSCP)**
- 9. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 33.25 +/- acres from Lake County A (Agriculture) to City of Leesburg PUD (Planned Unit Development) to allow for the development of a single family residential subdivision for a property generally located south of Poe Street and east of Radio Road, as legally described in Section 02, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Troon Creek Preserve PUD)**
- 10. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 1.00 +/- acres; and being generally located north of West Main Street and west of CR-468, lying in Section 28, Township 19 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 3; and providing an effective date (Blackton AX).**
- 11. An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 1.00 +/- acres from Lake County to City of Leesburg General Commercial, for a property generally located north of West Main Street and west of CR-468 as legally described in Section 28, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Blackton SSCP)**
- 12. An Ordinance of the City of Leesburg, Florida, changing the zoning on**

approximately 1.00 +/- acres from Lake County R-6 (Urban Residential District) to City of Leesburg C-3 (Highway Commercial) to allow for commercial development for a property generally north of West Main Street and west of CR-468, as legally described in Section 28, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Blackton RZ)

B. FIRST READING OF ORDINANCES:

- 1. An Ordinance of the City of Leesburg, Florida, establishing the Lake Harris Community Development District pursuant to Chapter 190, Florida Statutes; providing for authority and power of the district; establishing the District; providing for the Board of Supervisors of the district; providing for the district budget; providing for functions of the district; providing for miscellaneous provisions; and providing an effective date. (Lake Harris CDD)**

C. NON-ROUTINE ITEMS:

- 1. None**

7. INFORMATIONAL REPORTS:

The following reports are provided to the Commission in accordance with the Charter/Ordinances. No action required.

- A. None**

8. CITY ATTORNEY ITEMS:

9. CITY MANAGER ITEMS:

10. ROLL CALL:

11. ADJOURN:

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, ADA COORDINATOR, AT 728-9740, 48 HOURS IN ADVANCE OF THE MEETING.

F.S.S. 286.0105 "If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they 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." The City of Leesburg does not provide this verbatim record.

**AGENDA MINUTES
CITY COMMISSION MEETING
VENETIAN CENTER, 1 DOZIER COURT
MONDAY, FEBRUARY 28, 2022 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, February 28, 2022, at the Venetian Center. Mayor Pederson called the meeting to order at 5:46 p.m. with the following members present:

Commissioner Jimmy Burry
Commissioner John Christian
Commissioner Jay Connell
Commissioner Dan Robuck
Mayor Mike Pederson

Also present were City Manager (CM) Al Minner, City Clerk (CC) J. Andi Purvis, City Attorney (CA) Loren Vasquez, the news media, and others.

INVOCATION

Mayor Pederson gave the invocation followed by the Pledge of Allegiance to the Flag of the United States of America at the Carver Heights / Montclair Area Community Redevelopment Agency meeting immediately prior to this meeting.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

2. PROCLAMATIONS:

A. Public Procurement Month

Mayor Pederson read into the record the proclamation proclaiming March as Public Procurement Month. Purchasing Manager (PM) Mike Thornton accepted the proclamation.

3. PRESENTATIONS:

A. None

4. PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Issues brought up will not be discussed in detail at this meeting. Issues will either be

referred to the proper staff or will be scheduled for consideration at a future City Commission Meeting. Comments are limited to three minutes.

There were no public comments offered.

5. CONSENT AGENDA:

Routine items are placed on the Consent Agenda to expedite the meeting. If the Commission/Staff wish to discuss any item, the procedure is as follows: (1) pull the item(s) from the Consent Agenda; (2) vote on remaining items with one roll call vote, (3) discuss each pulled item and vote by roll call

Item pulled for discussion:

5.C.4 - Rental facility policy changes to the City of Leesburg Facility Reservation Handbook

Commissioner Christian moved to adopt the Consent Agenda except for 5.C.4, and Commissioner Robuck seconded the motion.

The roll call vote was:

Commissioner Connell	Yes
Commissioner Robuck	Yes
Commissioner Burry	Yes
Commissioner Christian	Yes
Mayor Pederson	Yes

Five yeas, no nays, the Commission adopted the Consent Agenda, as follows:
(Each item has its coordinated resolution number listed below the header)

A. CITY COMMISSION MEETING MINUTES:

1. Regular meeting held February 14, 2022

B. PURCHASING ITEMS:

1. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Fixed Unit Price Agreement with Agriculture Construction Services, LLC; and providing an effective date.

ADOPTED RESOLUTION 11,036

2. Purchase request by the Gas Utility Department for construction services related to the Phase 2 upgrade to the Newell Hill Regulator station with Miller Pipeline, LLC for an amount not to exceed \$81,275.00.

3. Resolution of the City Commission of the City of Leesburg, Florida authorizing the

Mayor and City Clerk to execute a piggyback Agreement with Gresco Supply, Inc. for electric distribution transformers; and providing an effective date.

ADOPTED RESOLUTION 11,037

C. RESOLUTIONS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida, authorizing an increase in the number of full-time positions for the FY 2021-22 in the Gas Department, Customer Service Division, Planning & Zoning Division and Public Works Department and associated expenses due to current and upcoming growth; and providing an effective date.**

ADOPTED RESOLUTION 11,038

- 2. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Temporary Construction Easement from Bhakhiya, Inc., as grantor, to the City of Leesburg, as grantee, pertaining to land located in Stock Subdivision, a subdivision in Lake County, Florida; and providing an effective date.**

ADOPTED RESOLUTION 11,039

- 3. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement from Martin Boyd and Dianne W. Boyd, husband and wife, as grantor, to the City of Leesburg, as grantee, pertaining to land located in Stock Subdivision, a subdivision in Lake County, Florida; and providing an effective date.**

ADOPTED RESOLUTION 11,040

- 4. Resolution of the City Commission of the City of Leesburg, Florida adopting the suggested rental facility policy changes to the City of Leesburg Facility Reservation Handbook; and providing an effective date.**

ADOPTED RESOLUTION 11,041

Commissioner Robuck introduced the resolution to be read by title only. CC Purvis read the resolution by title only.

Commissioner Robuck made a motion to adopt the resolution and Commissioner Christian seconded the motion.

Mayor Pederson requested comments from the Commission and the audience.

Commissioner Robuck stated he was okay with all of the changes. However, now that this facility has been open for awhile, he knows that it is a pretty popular place. Should we look at increasing the rates? **CM Minner** replied that it is up to the commission's discretion. It really is what you would want to do. The rates are not that expensive. If you wanted to rent this facility for three or four hours, you would pay about twenty-four hundred dollars with a deposit of about five hundred dollars. We were interrupted right at the opening by COVID. However, now, we have been renting the place for about a year. We have not had any significant issues with disrepair. If the rates are something the commission would like to revisit, we could certainly do that at anytime. **Commissioner Robuck** said he would be okay talking about them during the budget. His specific concern was with the weekend rates. Right now, we are so under the market rate and that may be why we are attracting some interesting events. He is sure there is a way to protect some of the local organizations and residents, yet make it less attractive for people who are just looking around Central Florida to hold other types of events. **CM Minner** replied that, fundamentally, we have a leasable facility that right now is getting a lot of negative reviews. It could potentially interfere with the private sector because we are receiving those types of complaints. It has the desire to provide a nice facility for normal functions. Someone could have a fiftieth birthday party, a wedding, a barmitzfa, normal wholesome good stuff. There have been other events that have come previously. Unfortunately, there was an email received showing male strippers and midget wrestling. There were bigger parties that had come before where they arrived dressed in lamb's clothing and they ended up becoming lions. The process is that folks go and visit the recreation department and they see TeRella, who leases out the building. For example, the applicant states they are having a birthday party for their mom. Then, a week later, on social media, we see cigar bars and other things and TeRella is left thinking, holy cow. She never thought that those folks were going to have that type of function. A lot of it has to do with hidden agenda parties. We allow later use hours and we do not regulate that because we want to be fair and equal with everybody. We also have to look at alcohol without police protection. We believe if we shortened the hours back to ten o'clock, that would help get us back to normal weddings and the normal types of events. There would be special exceptions that would allow till midnight approved by the city manager. His position, with exceptions, would be for the Partnership, the CDC, the Men of Distinction, the Chamber, and the Art Center. If they need an okay from a recognized non-profit organization, that is a good wholesome event. That would be a yes, but for some midget wrestling, that would be a no. Mayor Pederson's phone has been ringing off the hook because, even though we have not had issues here, the Chief has had conversations with Travis Rima and himself, saying that it all starts here and then they will move the party somewhere else. He believes this change is good and more important than the price at this stage. When we get into the budget process, we can discuss the price.

Commissioner Robuck asked how the city would monitor it to make sure that people do not lie about the requirement for alcohol. **CM Minner** answered that they do not rent the facility out until the applicant provides their plan. We would have an off-duty officer lined up if they plan to have alcohol.

Commissioner Robuck questioned whether we needed to provide an officer for the whole weekend. So, they cannot come in to say they are not having any alcohol at their event and then show up the night of their event with alcohol. **CM Minner** responded that if they say they are having a wholesome event and they are not having alcohol and then they show up with the booze, then the staff here will call the police. **Commissioner Robuck** agreed he just wanted to make sure what would happen. **Mayor Pederson** stated that when he hears a five hundred dollar deposit, it is cheap. Maybe that should be bumped up. It could maybe protect us better because this is a nice facility. Plus, if someone misleads us, we should keep their deposit. **Commissioner Christian** remarked on the non-profit organization that is charging thirty dollars a ticket for a banquet, as opposed to someone charging five hundred dollars a person for an event, they do not care about the deposit. They do not care about how much the rental is. The one who gets hurt is the guy coming in saying I am from the church and I want to have a banquet. When you say give me one thousand dollars for a deposit. Then you have to use a caterer from the city at fifteen dollars a plate when they are charging thirty dollars for a ticket at the door for the banquet. You are telling your

smaller non-profits and small church groups that you cannot use this building in your city because you cannot afford to pay the deposit. That would be two hundred and fifty for the weekend. Times that by four, that is one thousand dollars. So he is at two thousand dollars before he even walks in the door. Is he trying to say to the community who bought a ticket for thirty dollars that he just hustled? For four hundred people, he only walked away with a five hundred dollar profit. That is not worth it. If they charge twenty-five dollars to get in the door and then they sell some alcohol. They are not going to care about the deposit, because they are going to walk away with twenty thousand dollars. He thinks that is what attracted the people to this facility, because they could make money doing it. Maybe we did not talk to the promoters, saying if you messed up, because basically, the ownership is on the promoters. When somebody comes in smoking, it is your responsibility to say "hey, my name is on this, you cannot come in here smoking." This got out of hand and they could not control that crowd. It is not fair for our staff to try and tell five hundred people you cannot do this and you cannot do that. That puts them in an awkward position. It is not just Leesburg; the same thing happened at the Fairgrounds and people complained because the people left the Fairgrounds and went out into the neighborhoods to the basketball parks and those people went berserk. You cannot control it once people get into the facility. Just as you cannot control people going into a 7-Eleven or a Circle K. Maybe stopping at ten o'clock will help curb that a little. He does not think the price is the issue and he does not think the deposit is an issue. If people want to come in, especially if they are making money, they do not care what the price is. You hurt the non-profits and other groups that want to have a fiftieth birthday party. Plus, who wants to have a party on Thursday just to have it at a cheaper rate? He does not know if city staff can look at the books to see if we are booked out and at what level. **CM Minner** replied we are not at that level yet. **Commissioner Christian** said, in the old building you could not get in there. You would have to book it at least three months in advance. He does not think we are having that problem.

The roll call vote was:

Commissioner Robuck	Yes
Commissioner Burry	Yes
Commissioner Christian	Yes
Commissioner Connell	Yes
Mayor Pederson	Yes

Five yeas, no nays, the Commission adopted the resolution.

**6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:
COMPREHENSIVE PLAN INFORMATION SIGN-UP SHEET (YELLOW) AVAILABLE**

A. SECOND READING OF ORDINANCES

**1. THE SUNNYSIDE LANDING CASES (ANNEX, COMP PLAN & REZONING)
HAVE BEEN RESCHEDULED FOR MARCH 28, 2022.**

Mayor Pederson informed the public that these items had been postponed until the March 28th Commission meeting.

2. An Ordinance amending the City of Leesburg Code of Ordinances, Chapters 1, 7, and 10 with updates to the previously approved Ordinance No. 20-01 with the current versions of the Florida Building Codes, providing clarifications to the permitting process; and providing an effective date. (2020 Building Code Update)

ADOPTED ORDINANCE 22-11

Commissioner Christian introduced the ordinance to be read by title only. CC Purvis read the ordinance by title only.

Commissioner Christian made a motion to adopt the ordinance and Commissioner Robuck seconded the motion.

Mayor Pederson requested comments from the Commission and the audience. There were no comments from the commission or the public.

The roll call vote was:

Commissioner Burry	Yes
Commissioner Christian	Yes
Commissioner Connell	Yes
Commissioner Robuck	Yes
Mayor Pederson	Yes

Five yeas, no nays, the Commission adopted the ordinance.

3. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 37.6 +/- acres from City of Leesburg PUD (Planned Unit Development) to City of Leesburg PUD (Planned Unit Development) to allow for a single-family residential development for a property generally located north of County Road 48 and west of South Quarters Road, as legally described in Sections 15, 21, and 22, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Windy Oaks PUD)**

ADOPTED ORDINANCE 22-12

Commissioner Robuck introduced the ordinance to be read by title only. CC Purvis read the ordinance by title only.

Commissioner Christian made a motion to adopt the ordinance and Commissioner Robuck seconded the motion.

Mayor Pederson requested comments from the Commission and the audience.

Commissioner Robuck asked if the language made it into the PUD with regards to the roads, trees, and lighting or if that needed to be amended. **Planning & Zoning Manager (PZM) Dan Miller** responded that staff made three changes. One was with the statement being adjacent to industrial use. That is under Section 3C, Land Use. The second is under Section 5E, Design and Architectural Standards, which is a statement using the dark sky lighting principles which was previously talked about. The third is under the landscaping and buffers, staff entered a requirement for a minimum of one canopy tree in each front yard. **Commissioner Robuck** questioned where the roads were located? **PZM Miller** thanked him for bringing that back up. They did clarify the roads under road maintenance. Those changes were made stating that the city would be taking the roads versus not taking the roads. **Commissioner Robuck** thanked him for making those changes.

Danny Watson, of Okahumpka, mentioned that he saw there were three meetings on this item. He wanted to know if this would be the final meeting or if there would be more. **Mayor Pederson** responded that this would be the

final meeting. The Commission will be making their final decision tonight.

The roll call vote was:

Commissioner Christian	Yes
Commissioner Connell	Yes
Commissioner Robuck	Yes
Commissioner Burry	Yes
Mayor Pederson	Yes

Five yeas, no nays, the Commission adopted the ordinance.

4. **An Ordinance of the City of Leesburg, Florida, amending Section 25-330, Code of Ordinances, to allow six-foot fences in side yards, subject to application of the 25-foot clear site triangle; and providing an effective date. (Fence Height on Corner Lots)**

ADOPTED ORDINANCE 22-13

Commissioner Christian introduced the ordinance to be read by title only. CC Purvis read the ordinance by title only.

Commissioner Christian made a motion to adopt the ordinance and Commissioner Robuck seconded the motion.

Mayor Pederson requested comments from the Commission and the audience. There were no comments from the Commission or the public.

The roll call vote was:

Commissioner Connell	Yes
Commissioner Robuck	Yes
Commissioner Burry	Yes
Commissioner Christian	Yes
Mayor Pederson	Yes

Five yeas, no nays, the Commission adopted the ordinance.

5. **An Ordinance of the City of Leesburg, Florida, adding a Planned Development Overlay to the existing M-1 (Industrial) zoning to allow educational facilities and to request a waiver from Section 25-282(A)(1) PDO Five Acre Minimum Requirement for a property located south of Dr. Martin Luther King, Jr. Boulevard and on the east side of Thomas Avenue, as legally described in Section 15, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Inspire Learning Academy PDO)**

ADOPTED ORDINANCE 22-14

Commissioner Robuck introduced the ordinance to be read by title only. CC Purvis read the ordinance by title only.

Commissioner Robuck made a motion to adopt the ordinance and Commissioner Christian seconded the motion.

Mayor Pederson requested comments from the Commission and the audience.

Commissioner Burry questioned this being M-1 Industrial use. Is that heavy duty industrial? He would like the school to sign some type of waiver stating they are aware that they are moving into a heavy industrial-use area. Where there may be a neighbor that could interfere with their perceived serenity. **PZD Miller** answered that they could do that. The property is zoned industrial and the future land use is industrial. However, it is an office building. It goes back to way before he was here, but he would certainly have them sign a waiver/statement. **Commissioner Christian** asked what the surrounding uses were. He wondered if that was where the Child Support Office was located. There are some other businesses and there are now and some future land development that comes in. For the future developments around them is that commercial or industrial? **PZM Miller** responded that immediately to the north there would be an expansion of the industrial park. To the west you have Babettes Furniture and Sign Crafters. They have spoken in general terms about future developments which would be similar warehouses, so while the potential for future heavy industrial exists it is highly unlikely based on the ownership and the proposed expansion plans. In addition to the south, that is simply RV and camper type storage. **Commissioner Christian** said he does not want anyone coming in where we have forty-five kids and fifty parents, teachers and principals saying do not let this business like Walmart come behind Sign Crafters because we have an awesome school going. That needs to be on the record, so when they do come, the city manager or the mayor at that time can pull out that paper and say in 2022 it was agreed and understood that a business may come into Leesburg right beside the school. **PZM Miller** replied staff would be happy to have them sign a statement acknowledging the future potential for a business to be constructed right next to their school.

The roll call vote was:

Commissioner Robuck	Yes
Commissioner Burry	Yes
Commissioner Christian	Yes
Commissioner Connell	Yes
Mayor Pederson	Yes

Five yeas, no nays, the Commission adopted the ordinance.

B. FIRST READING OF ORDINANCES

1. None

C. NON-ROUTINE ITEMS

1. Ranking / Discussion of Interviewed Law Firms for City Attorney

PM Thorton stated the city had completed the interviews for the top four firms for city attorney. Tonight, the commission will be making their final decision. **CM Minner** stated that, pursuant to their discussion, each commissioner would complete a ballot. **PM Thorton** handed out the ballots to be cast to each commissioner. Once the commissioners casted their votes, he collected and tallied the votes. He handed the ballots with the totals to the city manager.

Mayor Pederson mentioned that the city received five RFP's for the city attorney position and interviewed four

firms. It was a tough decision to make. All the firms were very impressive. He appreciated everyone's interest in the capacity of serving as city attorney. He told the city manager that he walked away having learned something from every interview.

PM Thorton stated that, based on the rankings, the top ranked firm is Stone & Gerken, coming in with three number one rankings and two number three rankings. There was a tie for second place between Brionez & Brionez and the Vose Law Firm. Shephard Smith Kholmeyer & Hand came in fourth place. **CM Minner** asked if he would provide the points on that. **PM Thorton** answered that Stone & Gerken received number one from Commissioner Burry, number three from Commissioner Christian, number one from Mayor Pederson, number one from Commissioner Robuck, and number three from Commissioner Connell.

FIRM NAME	Rank	Total Ordinal	Com. Burry	Com. Christian	Mayor Pederson	Com. Robuck	Com. Connell
Brionez + Brionez, P.A.	2	13	4	1	2	2	4
Vose Law Firm, LLP	2	13	2	2	4	4	1
Shepard, Smith, Kohlmyer & Hand, P.A.	4	15	3	4	3	3	2
Stone & Gerken, P.A.	1	9	1	3	1	1	3

CM Minner stated that if the Commission is good with Stone & Gerken the next step would be to enter into a letter of engagement, so we can start working with them. At the March 14th meeting we will bring a contract for your consideration. **Commissioner Christian** asked what would happen if they declined. Do we have a backup? **CM Minner** replied that he did not think that would happen. However, if they declined for some reason, they would have to talk about that at the March 14th meeting.

7. INFORMATIONAL REPORTS:

The following reports are provided to the Commission in accordance with the Charter/Ordinances. No action required.

A. Financial Reports as of December 2021

Commissioner Christian questioned the 001 fund. We have VPG Leesburg One, LLC, where they are working with planning and zoning on traffic for five thousand one hundred forty-seven dollars and fifty cents. Do we pay that or do they owe it to the city? **PZM Miller** replied that if we had any type of bill coming out of that it would be for a traffic study. That would be whenever a development comes and they are required to do a traffic study at their own expense. We have an expense account (a pass through) but we do not pay that bill. **Commissioner Christian** said there was another account for Corey Nick's apprentice reimbursement. There was three thousand six hundred and fifty dollars. What was that for? **BM McDaniels** replied that means, Mr. Nick went through the apprentice program and then decided to leave the city. He is now required to make payments back to the city. **Commissioner Christian** wanted to clarify that if an employee is hired and goes through the apprentice program and leaves before completing the required timeframe, they have to pay the city back. **BM McDaniel** said yes, if they were to go get a job somewhere else.

8. CITY ATTORNEY ITEMS:

CA Vasquez had no comment.

9. CITY MANAGER ITEMS:

CM Minner had no further comment.

10. ROLL CALL:

Commissioner Christian wanted to follow up on where we were with the employee diversity training. Have we done anything with it this year? He knows last year we had six hundred dollars in the budget. It was a big ticket item and he has talked about this a lot. **CM Minner** replied that he would get a full report from the HR Director and would follow up with him on that. **Commissioner Christian** said there was a meeting where we talked about adjusting our health fund with the employees who had been with us for a while. They had like six months. Where are we with that? **CM Minner** responded that the cutoff date for that was April 2nd. He had not heard a whole lot of rumbling one way or another since the initial inception, which is a good thing. He has not heard back from the CBA's on whether they are trying to challenge it. A side note, is that our exposure is still not doing well this year. **Commissioner Christian** asked if they were going to hear about that during the budget process. **CM Minner** said yes, but at the rate we are going now we would probably have to make other modifications. His knee jerk reaction is that we will probably have to increase the employee contributions.

Commissioner Burry inquired about our downtown grants. Have we had any takers? **CM Minner** replied we had two inquires, but no applications. **Commissioner Burry** said that it was brought to his attention that there are other neighborhoods in the city who would like to have golf cart access to our downtown corridor. He was wondering about the status and possibility of 3rd Street across 441 to Beverly Shores and possibly Main Street near the west side of town. **CM Minner** responded that he has had those inquires as well and he has responded to those emails. The Public Works Director is also working on those issues. However, he noted that we will most likely have some issues with FDOT because they were pretty adamant on proper crossings downtown here from Palmora Park. That is why we have the crossing at Canal Street. He knows 9th Street is a favorable crossing for golf carts, but not a favorable crossing for FDOT. The city would also like to see other neighborhoods get some crossings like Beverly Shores, because that would be a good one. However, the natural crossing at 3rd Street would probably be a little problematic. In the initial discussions with FDOT, he would not say their conversations were not that bad, but he would not say we could get it done tomorrow either. It is not a "not doable" type of project, but it is not low-lying fruit either. It is something that we will have to keep working on. A classic example of this is when Lake Port Square wanted golf cart access. The folks that live there wanted to get downtown. They are one of the closest to the downtown, yet one of the most difficult, because of the crossing at Dixie. They do not have any real access to get from Lake Port down Dixie to Canal Street. The city is aware of those issues and the Public Works Director is working on that.

Commissioner Robuck said when we approved the gas deal over in Newell Hill it reminded him about the liftstation and that development that failed. We had a developer's agreement where they were going to put one in. Did anything ever come of that? **CM Minner** answered that he would have to go back and double check, but he was pretty sure that there was a clause in the contract that it was not transferrable. So, the liftstation deal died with the sale. He would confirm that and respond back to him. **Commissioner Robuck** also wanted to bring up for discussion purposes that maybe April would be a good time to go back to the Commission Chambers. It would give them a little more time to make sure everything had settled down. Plus, the March 28th meeting is not going to fit in the Commission Chambers because Sunnyside has moved to that date. **Mayor Pederson** remarked that it would be a great idea to move back to the chambers. **CM Minner** pointed out that it is at the Commission's pleasure, so if you say it, it will be done. **Commissioner Burry** mentioned that there was no opposition from him. **CM Minner** stated that with the first meeting in April, they would return to the chambers. He asked the city clerk to get the advertisement out and make the public aware.

Commissioner Connell had no comment.

Mayor Pederson wanted to throw an idea out for discussion even though they would probably have to talk about it during the budget. When he drives by the Venetian Center he sees how nice it looks. He sees Pat Thomas and how it is being renovated and the nice new sign. However, now the Wellness Center is not looking so nice these days. He mentioned something to the city manager the other day and he would recommend knocking that building down because it just does not fit in. It would open up a nice view for Pat Thomas and it could create more parking. We do not need to make a decision on it tonight, but he just wanted to put this out there. Maybe see if the commission has any thoughts. **Commissioner Connell** stated he would hate to tear down a perfectly good building. The foundation for that building, he is sure, needs a tremendous amount of money if you are looking to have something rebuilt on that site. He would not be opposed to renovating it or putting some money back into it, but he would not be in agreement with tearing it down. **Mayor Pederson** said that he would be okay with that if that is what the commission wanted. That building just does not fit in right now, at all. There is also a retention area directly to the east of Pat Thomas and the Wellness Center that has a chainlink fence around it. He knows we have taken chainlink fences down around some other retention areas so maybe we could do something more decorative there. The Venetian Center looks so good that now he notices the Wellness Center and the chainlink fence. Those two stand out to him more than the newly renovated building and the Venetian Center. **Commissioner Robuck** asked if the new standards were to have no fence around retention ponds. He does not know if they were for the old ones, but he knows the big retention pond on US-27 has no fence. **CM Minner** replied that FDOT will do that if they can get to the cross slopes where they need them. Like the one on Perkins Street with landscaping and buffering, it is also site-dependent. We will put that one on the list to be looked at.

Commissioner Robuck said that with the Wellness Center he does not know if we would ever be able to rebuild it because that building is sinking. Also, with renovating it, that could last a long time. It was his understanding that the slab was sinking. **Commissioner Connell** remarked that the reason he brought up the foundation was because the soil there is terrible. If you tore that building down and put up another one with the foundation the way it is, you would have to sink new pilings and everything else. That would cost a fortune. **Mayor Pederson** said he thought Commissioner Connell would like his idea of opening that area up to Pat Thomas with all the money that the city has spent there. **Commissioner Connell** stated that he was not opposed to making Pat Thomas better, not at all. We could do something with that building, renovate it and make it some type of museum for Pat Thomas for all the different players who have played there throughout the years. **Commissioner Burry** commented that we also talked about moving the Health Center from that location, potentially, to Griffin Road. That is where it was before. Are we still considering that idea? **CM Minner** replied yes. When we made the lease for the Ski Beach Restaurant, we came up with the concept here for the Venetian Gardens phase three and building this facility with commercial private partnerships and trying to get this side of the basin a little more robust and commercial so that it would kiss the downtown and we would have synergies going on. That lease language has first right of refusal for that parcel and that parcel is the area where the Wellness Center is. Whether that be another restaurant venture, parking, or nothing. It is just out there hanging. There have been a lot of delays getting the restaurant going, with COVID, and the roll into phase two of more activity down here at the basin or this part of the basin. The investment in Pat Thomas was a good thing. The backup plan for if we ever need more space down here. We would look at the Wellness Center and potentially shift it to the Knights of Columbus and put city facilities over there. There have been internal discussions with the gas department about potentially using that facility. There were three positions approved tonight and we anticipate some growth in the gas department. The gas department is going to quickly outgrow their facility on 6th Street. There are a bunch of different concepts that could potentially happen to the Knights of Columbus building. **Commissioner Christian** said we just talked about approving five million dollars for some Carver Heights reinvestment to improve the gateways. He does not think putting a bunch of gas trucks and city employees at the front of the gateway is going to be aesthetically pleasing. He hopes that they look at the gas department and get them another building somewhere else so it is not in the gateway. We just did one here on East Main, the old warehouse building where we put public works. City facilities are great when they look like the Venetian Center, but when they look like a broken down warehouse with a bunch of city trucks with a barbedwire

fence around it, they do not look too impressive, especially at the gateway. When you are talking internally, he asks whether they think about that and the aesthetics of coming down Griffin Road. You already have the Fire Department and the big Electric Department. Now you want to stick the Gas Department with a bunch of big trucks on your thoroughfare. That defeats the purpose of getting the five million dollars and redeveloping it when you have a city facility with big trucks. **Mayor Pederson** stated that the Venetian Center and the parking lot could be full. When this restaurant comes online, parking is going to be more important. He said there is a chance to open up visibility and create more parking, but we can talk about it more at a later date.

11. ADJOURN:

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, ADA COORDINATOR, AT 728-9740, 48 HOURS IN ADVANCE OF THE MEETING.

F.S.S. 286.0105 "If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they 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." The City of Leesburg does not provide this verbatim record.

The meeting adjourned at 6:29 p.m.

**ASPECIAL MEETING OF LEESBURG CITY COMMISSION INTERVIEWS OF POTENTIAL
LAW FIRMS FOR CITY ATTORNEY MINUTES
VENETIAN CENTER, 1 DOZIER COURT
WEDNESDAY, FEBRUARY 23, 2022 10:00 AM**

1. CALL TO ORDER

The City of Leesburg Commission held a special meeting on Wednesday, February 23, 2022, at the Venetian Center. Mayor Pederson called the meeting to order at 10:00 a.m. with the following members present:

Commissioner Jimmy Burry
Commissioner John Christian
Commissioner Jay Connell
Commissioner Dan Robuck
Mayor Mike Pederson

Also present were City Manager (CM) Al Minner, City Clerk (CC) J. Andi Purvis, Purchasing Manager (PM) Mike Thornton, and others.

2. INTERVIEW - LAW FIRM: SHEPARD, SMITH, KOHLMYER & HAND, P.A.

PM Thorton thanked everyone for attending and read a brief opening statement for Request for Proposal (RFP) 220042 for city attorney services. This is the interview between the City of Leesburg and Shepard, Smith, Kohlmyer & Hand, P.A.

Mayor Pederson asked if they would provide some background on their firm along with some qualifications for the city attorney position.

Andrew Hand of Shepard, Smith, Kohlmyer & Hand, P.A. stated he has Patrick Brackens with him today. Their firm has a long rich history in local government representation. Their firm was founded in 2008 and it was founded after practicing in the area going back quite a long time. Local government is not something that they do exclusively. They are a full-service law firm. However, it is the cornerstone of representation that they provide. All of their attorneys are expected to become board certified in their areas of expertise, whether they are local government attorneys or not. Currently, they have six attorneys who practice within the area of local government. They are able to handle anything on a large or small scale when it comes to local government needs.

Patrick Brackens stated he is board certified in city, county and local government law. The only attorney in their firm who is not yet certified is taking the test and will be qualified this year. They fully expect him to be board certified by August. As Mr. Hand mentioned they are a full-service firm and he would say seventy percent of their firm is dedicated to local government work, but at the same time, they are not so over extended that they have so many local government clients that they cannot give their full and complete attention to those clients that they do have. For example, Mr. Hand is the city attorney for the City of Mascotte and for the City of Dunnellon and those are his primary cities. He does not have a city where he is city attorney, but he is general counsel for the Winter Park Housing Authority and he is also the assistant city attorney for all of their local government clients. He is the special magistrate for the City of Orlando's red light camera program and he is the counsel to the Orange County code enforcement board. In addition to that, they have a fairly robust litigation practice that benefits their local government

clients and in two respects, one whether he is setting up a planning commission meeting or sitting at the city commission meeting. His background is in litigation. He spent eight years as a law clerk for a state magistrate judge, which is the primary trial judge you see before in trial and federal court. Before that, he was a staff attorney for the ninth judicial circuit here in Florida, where we handled the kinds of things that you see. The code enforcement appeals, when they came up with Chapter 162, those were the things that he would work on. However, his mindset is litigation, so when he is sitting there and they are doing a quasi-judicial hearing, he is thinking about the record in the event that they have a party that is going to appeal. That is now where his mindset is. In addition to that, they provide extensive sunshine, public records, quasi-judicial and ethics training for all their clients. They also do that for cities they do not represent. The other thing they do because of their litigation experience is that they are frequently hired by cities and other agencies for special litigation purposes. For example, right now he will not get into too many of the details because the case is on going, but they successfully represented the city of Satellite Beach in a fairly entertaining pattern sunshine law violation case and the city of New Smyrna beach and also a very entertaining fact pattern case for Sunshine and Section 1983 violations. The other thing that they do that was mentioned in some of the other proposals is that they do represent private parties on occasion before local governments. That is actually to the city's benefit for a couple of reasons: it allows them to charge a below market rate for the local government services because they are able to charge market rates for their private clients that they represent. They do not do a lot of that work, maybe ten percent of it is represented on the opposite side, but it is a big state. Central Florida is a large area and they do not currently represent anybody against any entity in Lake County. Most recently, they represented the City of Clermont for a revocation of a conditional use permit and certificate of occupancy for an all-male review and that happened at a restaurant in January.

Commissioner Burry asked about some of the issues facing our city. What issues are they familiar with and have they been following them and what can their firm bring to help us overcome some of these things?

Mr. Hand answered that one of their primary areas of practice is representing local government and, of course, they are full service, but they represent soup to nuts, seeing everything that local governments see. One of the things that they are focused on is land use. It is the hottest practiced area in Florida for a number of reasons. Following Leesburg is one of the things he has done over the years and he has been a professor at the University of Florida and he has designed a land use course, so he started paying attention to Leesburg about ten years ago because of what is going on here in Lake County. With some of the teaching that he has done, he taught the students what the development issues are in different areas of the state. In looking at Leesburg, one of the things they have been following is how the development has been unfolding and what is going on in Lake County in general, as well as seeing some of the things happening here when it comes to redevelopment in the CRA's. That is one particular area where they are extremely well equipped to help the city out. Their firm represents as general counsel the FRA, which is the Florida Redevelopment Association. It is very similar to the League of Cities, but it is sort of the overarching where CRA's and the cities go when they need some help with CRA's, so whenever anybody has a CRA development director who needs assistance, they contact them and it comes to them. In addition, they are special counsel and one of the things that Mr. Bracken touched on was the diversity of things that they do for local government. Special counsel and they can talk about some more of the other areas, but that is one of their biggest practice areas in this land-use area. When it comes to redevelopment and land use, he thinks you will find that they are top notch and that this is where they really excel.

Mr. Bracken added that he was at the last meeting when they talked about the scores and who they wanted to interview and it was a large meeting. There were a lot of items on the agenda. A lot of ordinances came for first reading regarding development. One of the things we propose and he believes that all of their local government clients have adopted is a pass-through ordinance which Mr. Hand can talk about, it also goes to what he calls the below market rates that they charge for local government work. The pass-through ordinance allows them to review these large development plans. It allows the city

to pass through the costs of that review to the developer at market rates. Not the rate that they charge, but the rate that they charge them since they would be reviewing the product for them. In addition, he could also see just from his time driving around here that the city has several CRA related needs for redevelopment and that is, like Mr. Hand said, something that they have a lot of experience with. Frequently, they get called when there are problems with the CRA or problems with the audit for the CRA and they get called to fix things that they did not help create. Those are some of things that they would bring to the issues that this city is facing.

Commissioner Christian questioned what role they saw their firm taking in this city, if they were selected?

Mr. Hand responded that they view the city attorney's role as empowering local governments and officials to make good decisions and that is essential the role that he sees the city attorney performing. They understand that they are not part of politics, nor should they be. They are there to provide the answers they need so they can make decisions. In addition, their role is to handle litigation needs for the city and to coordinate and facilitate the jobs of staff and to support them. **Commissioner Christian** asked if the city would be assigned a single attorney or would we have multiple attorneys?

Mr. Hand replied that the firm would essentially provide representation. When it comes to city commission meetings, that is something that has to be discussed. He does have an obligation on the second Monday of the month which causes conflict. Mr. Brackens does not, so it would be the city's choice when it comes to city commission meetings whether there should be one attorney at one and one at the other or go with just one attorney at the firm who does not have a conflict. As far as all the other meetings for various boards and so forth, we would be assigning an attorney to that particular board and that would be the primary contact. For each board, you would see the same attorney for those meetings.

Mr. Bracken said, generally, Mr. Hand would come to the second meeting of the month and he would come to the first meeting of the month. It would be the city's choice for who you want to come to the planning commission meetings and things like that. Basically, the bottomline is that it would be either one of them attending. In the event that there was a special meeting or something like that, where there was a conflict that neither one of them could attend, which would be very unlikely, but at that point, it would most likely be Drew Smith from the office. He is also board certified in city, county and local government law. Mr. Hand and himself would be the primary attorneys that the city would see and have access to on a daily basis.

Commissioner Robuck asked if they would talk about any one specific experience that they have with either electricity, gas or utility, whether it be municipal or otherwise.

Mr. Hand responded that several of their clients have their own utilities. He knows that Leesburg is not looking to divest its utility system, but he has provided extensive soup to nuts legal advice and divestiture of thirteen million in utilities over the last few years.

Commissioner Robuck asked which one that was.

Mr. Hand replied this was in Marion County and it was the City of Dunnellon utility.

Commissioner Robuck wanted to know if it was electric or gas.

Mr. Hand replied that it was water.

Commissioner Robuck stated that he was specifically looking for electric or gas.

Mr. Hand responded that electric utilities had provided representation to Mt. Dora previously and they have done all of their utility work up until the last few years. They have a lot of experience with water. Electric, they have dealt with Winter Park even though they do not represent them.

Commissioner Connell questioned how assessable their firm was on a daily basis when responding to phone calls or emails from staff or the commission with questions.

Mr. Bracken responded that they are available twenty-four hours a day. They would have their cell phone numbers, their office number, and would also have Mr. Smiths numbers, so if anyone was working

on a particular project, if Cliff Shepard was working on a project, that member of staff would be able to get ahold of them. They do have meetings and they call people back the same day. Being in constant contact is not realistic just the way everyone's schedules go, but in terms of getting a call back that day, that happens.

Mr. Hand said if there was a case of an emergency they are a medium sized firm and if there was a situation that arises where he may not be available or Mr. Bracken was not available, for whatever that reason, there will be someone who is there, whether it is someone who has an extensive relationship with the city, or someone who only works on small parts here or there. They make sure there is coverage for whatever emergency is addressed immediately.

Mr. Bracken stated that their assistants, the folks that answer the phones and route their calls, have everyone's cell phone numbers. They will get you an attorney from their firm. In the time that he has been with this firm, there has never been a situation where an attorney was not available, such as where they had to refer them to another attorney for a time-sensitive matter. There are six attorneys in that practice area and you will get one.

CM Minner said a couple of the answers made him wonder. As the city is managing the community and as you are layering the community sometimes you let the sleeping dog lie. How would you approach that if you were to come to Leesburg and you see the way we have done some things that you see a little differently. Maybe there is an inclination to make an immediate change to avoid litigation. Sometimes, maybe not. How would you approach that? Do you see sleeping dogs that we need to wake up?

Mr. Bracken stated, Mr. Hand can talk about this in specificity with one of his clients, but when we look at land development codes, those are some things that we have experience in drafting for our clients and sure we see areas that could be improved or others where there could be a problem. They could be dealing with an issue of a setback next to a river or a lake that might not have been handled the way that it should have been handled. Usually, when that happens, they are not the policy makers so they do not come in and say you need to change your code right now. What they do is talk to the staff members or the planning director or whoever, if that issue comes up and usually that is by a phone call, because they do not create public records because that may cause a problem for their clients, but the city makes the policy decisions. They are there to provide advice and at the end of the day a sleeping dog does lie. One example for him personally is in the City of Flagler Beach where they had an issue where they had protestors in Veterans Park carrying signs that said "F" (spelled out) the president. The residents wanted those folks arrested and the politicians obviously wanted to be responsive to the stitchuouncy, but at the end of the day, what was decided was they would provide a memo blandly explaining what the first amendment allows and what it does not. Then sleeping dogs were let lie. Yes, the lawyers were blamed sometimes and yes, sometimes, it is our role to be blamed. They like to help, but sometimes that is what they are there for. They try to use their commonsense and always protect their client, which is the city, and not create more problems.

Mr. Hand said that Mr. Bracken said it well when he talked about not being policy makers and knowing that we are not decision makers. The way that he handles those types of issues when they come up is to go ahead and have that dialogue with the city manager and say he has noticed this, these are what he would identify as something that could potentially be a problem and essentially have a discussion. However, ultimately, it is up to the city to address it with the commission. It is up to the commission to see how they want to move forward. They provide the advice and they make the identification. From there, it is up to the city to see how they want to proceed. In local government, that is something that comes up frequently. He has never seen a perfect code and there are things that could be cost prohibited to have. It is just having an understanding and looking at it as to how it can be fixed and how reasonable it is to fix it and what is the plan to handle it once they have provided all the information. Again, going back to helping empower everyone to make good decisions.

Mr. Bracken added another purely hypothetical example is if the city had red light cameras and they were going through the process of repermitting those cameras with FDOT. If FDOT told you they were

not sure how they were given a permit in the first place because those cameras are near a railroad track and you cannot have those cameras there. Hypothetically, he would imagine you would have a conversation with the city manager and the mayor and maybe it would be time for a political decision to stop red light cameras without creating a public record trail that says we have a problem with our FDOT cameras and creates legal issues that you do not need to have. That is how they do it. They always think and it is always in the back of their minds about the consequences of the actions of an email. Should I send this email or should I pick up the phone?

Mayor Pederson mentioned that the city owns the airport and he is curious about their experience with a municipal airport.

Mr. Hand responded that they have represented the City of Apopka, which also has a municipal airport, so they have dealt with airport issues within their representation of Apopka.

Commissioner Burry asked if they could provide an example of a specific case where they have dealt with a community redevelopment issue.

Mr. Bracken answered recently they were involved in one where they got in after the audit letters had come out. This was not in central Florida, this was on the west coast. In working with and he believes there had been arrests made on this prior to them being called. That was an all-hands on deck situation to try and satisfy the auditor, to try and get the CRA back to where it should be as quickly and efficiently as possible. They dealt with CRA's, which ran very smoothly. For example, on the east coast there is a different CRA where they call and ask them if they need an attorney present for the meetings because they run very smoothly and their meetings sometimes last between five and ten minutes and it is not worth the drive and they do not need them. Sometimes there is a fire to put out and that is what they get calls about.

Mr. Hand stated they have had a few hot issues in litigation and some are revolving around audits in the last few weeks that he has not been involved in. For one of the specifics that he has mentioned, some of their CRA's are very successful, which is not what they were really intended to do. They have a tendency to be in areas where some of them, over time, have become rather affluent and that can create some issues there since it was meant for redevelopment. Some of the CRA's and some of the issues that he has worked on are sorting things out between a county and a city where there were some disputes as to looking at the continuing purpose of the CRA which led to going back to the very conception and the very beginning of the CRA and looking at how it was created and really getting it all organized from the ground up. Putting it back in working order. Some of the CRA's, when they came in have been in existence for twenty years and they may not have been created the correct way they should have been. There may be a massive amount of disorganization of those documents from when they were created to ultimately where it ended up through various amounts of money. In some of those projects, it is going back to the very beginning and completely getting up and running again the way it was supposed to be and resolving some of those conflicts. Those are some of the projects and a lot of the CRA work that he has done. Some of the other attorneys have been more involved in the litigation aspects, but his expertise is getting them going and making them run the best way they can.

Mr. Bracken said to be clear if they do not come in and say you need to do all these things. They contact them and say they have problems here. Can you confirm whether they do or do not have problems and how would you recommend addressing them? They then provide a series of options and they tell them what they want and that is what they do. For example, Leesburgs CRA's may run like clockwork and everything may be perfect. They are not going to come in here and tell them everything may be perfect. They are not going to come in here and tell the city that the CRA is run terribly and that is what they need to do. That is not their approach.

Commissioner Christian said they mentioned that they represented Apopka in an airport issue, but how many cities or counties do you represent currently on a full-time basis, in the last three years. And have

you lost a client or a city specifically? And the reason why?

Mr. Hand replied the total number off the top of his head that they currently represent as general counsel is six. As far as special counsel, it is much greater than that. In the past few years, they have represented Davenport for some time after a transition where they had some issues with their previous counsel and, ultimately, two years ago, they hired a firm more local to that area in that county.

Mr. Bracken said the City of Apopka has an interesting history and they have a long-term Mayor and he does not think he is exaggerating when he says he was Mayor for about sixty years. When he lost the election, they had a new mayor and they were hired to come in and represent them and they had a very good relationship with the City of Apopka. They were a large city and they were growing, but ultimately they came to the determination that they needed to move the city attorney position in-house with their own in-house staff. That is not what they do but they did assist them with that and they still do their development work. The relationship with them is still strong.

Mr. Hand added that they still provide representation to them on specialized matters and special counsel in a number of areas.

Commissioner Robuck asked if they could provide a specific example of a challenging land use case where they were representing a municipality and then also one where they were the firm represented and, on the other hand, a private developer or a citizen.

Mr. Bracken stated they had a multi faceted case but it basically had to deal with ten different parcels of property that were owned by the same developer or owner. They wanted to put a thirty-five-foot tall three-story outdoor boat storage store on the property and they wanted to redevelop a lot of different things that were not permitted under the current comprehensive plan when the developer bought the property. So, as the litigation went on, there were sixteen different actions that were brought by the developer against the city, from DOA proceedings to county proceedings, to trial court proceedings, circuit and federal takings, claims. It was a massive lawsuit. It ended up at the end of the day at one point in the case of the town of Ponce Inlet, which is either four or six square miles. It is a tiny town. There was at one time a thirty million dollar judgment against it which meant that they needed to talk to bankruptcy lawyers. That judgement, unfortunately, when you walk into court you never know what you are going to get in terms of the judge. The judge issued a fifty-two page decision that was legally, from his perspective, one of the worst decisions he had ever read legally and factually, but it put them in a bad spot. They were successfully able to overturn that judgement and win three circuit court proceedings against the developer. Finally, at the end of the day, after all these proceedings, the town walked away completely victorious. They did not have to get the judgment in the federal case because they ended up entering into a settlement agreement with the city, so it is not confidential and you can look it up. The developer walked away with nothing. The threat to any government from that type of schooler litigation practice against a city you cannot control what they are going to sue you for. All you can do is defend against it as vigorously as possible. They did, they made the political decision to fight and at the end of the day, they won. The owner is still there and it is still under development. There are sore feelings but that was an intense case. The town at the end of the day, the town was always right because the development they wanted was always illegal under the comprehensive plan and they never made an application for development, so their claims were never even right. Imagine eleven years of fighting through the courts for that very simple decision and the claim was never even right. These are interesting fact patterns in the New Smyrna Beach case. He believes the planners' name in that case is Kanan vs. the City of New Smyrna Beach. It had to do with it and it is still going in the courts because they do not have a decision from the 5th DCA yet, but they did win in the trial court by roll. The city has some leased property or they own some property that they lease to a private club. The plaintiff sued the city and the private club alleging multiple accounts of constitutional violations and sunshine violations against the city. A host of creative claims against the city, but ultimately, at the end of the day, why he believes they prevailed in trial court and why he believes they will also prevail in the Appellate Court, although it is not final, is that the plaintiff never applied to become a member of the club. Details do matter, especially

factual details. The other case which is more challenging from a fact perspective and is currently on appeal. The briefing is not closed in the City of Satellite Beach, there was a public workshop scheduled. The city canceled the public workshop and instead it had to do with water quality issues. Instead of having a public workshop staff, members of the press and some private parties met. One council member attended the meeting and after about thirty minutes, that council member would get up and leave and another council member would come in and sit. There were no allegations that the council members ever spoke to each other, that they had simply listened. Think about all the times that they go to a meeting or a planning commission and simply the two of you there and you listen. The argument is that it is a sunshine violation. Those are particularly difficult legal questions from their perspective, but they are very interesting fact patterns and you can imagine what would happen if it was found to be a sunshine violation. Those are the most recent litigations that they are currently involved in and the previous response in that case was well reported in the media throughout that eleven-year period.

Mr. Hand said they are really proud of that specific case. It is unfortunate, of course, that there were some bad feelings with that particular member of the community towards their government, but it made good law. It made the right law and that is what their goal was. He thinks the point there was in talking about some litigation is that no one is going to out work them. They go over everything with a fine-toothed comb. He will remember the details for years to come because he worked with them. When looking at things from the other side, for land use decisions, most of their representation, they are hired a lot because they know how things work. They deal with land use and each government has their own code. They have become very familiar with it and there are similarities from government to government. Some of their other work has been assisting applicants in other areas and he has represented numerous applicants in the City of Orlando and Orange County and some of them have gotten very complicated because of the regulatory structure down there. For instance, one was a veteran-owned company that was in a redevelopment area and they had made a purchase and then realized that they could not do what they wanted to do and they had to work that out with the city. They had to come to a good solution without litigation. That was something he was really proud of.

Mr. Bracken said they had one case and he really did not want to go into details because it is ongoing and it has not been decided at the trial court level, but you may have heard about it from another one of the interviewees, having to deal with representing a commercial landowner who is in a residential zoned area of a city but they have been a commercial operation. They are an agricultural outdoor storage landscaping business and they have been there for around sixty or seventy years doing the same thing. They started getting code violation notices for what they had on their property and their shipping containers that they had on that property they had been on there before the code was written and they went to a hearing violation rep and they hired them to appeal the decision based on the property being illegal and a non-conforming use. They will see what happens in that case, but they certainly do not make a business out of representing people against the government, but if there is no conflict and it is a good case or if they believe it has merit, they will represent their clients. From his perspective, his work with local governments is aided by the work that he does for private clients. It allows him to do it at a below market rate and it also helps frame his perspective on the legal issues that the city faces. He can also hear from the developers and the attorney client privilege of the issues that they are seeing and it helps them and they want to resolve issues short of litigation and before they become a problem. It adds to their education and knowledge.

Commissioner Connell asked if they currently represent anyone being a conflict of interest if they were the attorney for the City of Leesburg.

Mr. Bracken answered no, they do represent one commercial party that has property in Lake County, but it is not in the City of Leesburg.

CM Minner said they mentioned the City of Apopka going to the in-house for their attorney. Do you see a definitive line when cities go from law firm contracts to having an in-house attorney?

Mr. Hand responded that it really depends on the budgetary needs of the city. He does not see a definitive line, but it is apparent when he thinks the time is right for them. Simply being that when a city is grown to the point that it can support an entire legal staff and if they want to have fulltime, working solely for that city that is when it is time. Apopka is huge and while they served as counsel for them, they did not grow too much annexation wise but development took off. They were ready and it just became clear. As far as indicators, he thinks that it is really about when they can really support that staff that is working for them fulltime. It is when they are ready.

Mr. Bracken said they have a very open relationship with Apopka, so they talked about the pros and cons of them going in-house. One of the concerns he had for them was you are going to have a city attorney, an assistant and a full staff, so they could actually focus full time on it and they would devote resources to it. Think about the proposals you have seen for the flat all in rate. How are you going to pay someone, a city attorney whose salary is half-staffed, to support them for that same rate? At some point you can and at some point, if you are willing to expand your budget, you can and it makes sense to have your team and dedicated attorneys that are there, but until you can close that gap and you are willing to commit those resources, from his perspective, going in-house with one attorney, by himself, without staff, for the same price you are paying a firm, a team, an army of attorneys with staff. He thinks that could propose challenges from a budgetary standpoint.

Mr. Hand added that when a local government goes in-house they should hire special counsel at a minimum. They still do special counsel for a number of in-house cities, but their legal staff should be capable of handling the broad spectrum outside of something that is very specialized. That is another source of criteria that is important. When a city can support a team and when a city is then capable of pretty much handling almost everything that could be thrown at them.

Mayor Pederson wanted to wrap this up with a closing question: if they could tell the commission why they should select their firm over the other three firms that applied.

Mr. Hand stated first and foremost they know their role, that is something they have talked about. They are here to empower and make good decisions. They know that and not everyone knows that. In addition to that, they bring a wide realm of expertise. Local government is their cornerstone and practice. Special counsel is probably the biggest part of that. When city attorneys are having problems and they need to call an expert, they call them. Serving as their city attorney, they do not have to call those other experts because you would already have them. He thinks that is their strongest suit in every practice area in local government.

Mr. Bracken said that the commission has a difficult task before them for a couple of reasons; they had Mr. Morrison for thirty years and the rate provided over that time period did not go up very much. You are now in a situation where there is a huge inflation environment but you have proposals that came in.

CM Minner pointed out that they had Fred Morrison for thirty years on a letter of engagement.

Mr. Bracken said that is special and those opportunities are few and far in between. He also knows because he was here for an earlier meeting and he knows some of the other firms had a relationship with his firm because they used to work there. The city knows them and they are a known commodity. He also has the benefit of hearing how they got to come to this interview. They realize the realities of it, but in terms of why the city should select their firm over the other firms, he thinks this has to deal with his litigation background and it is not very humble. Whenever he is sitting in the second chair at a trial and his colleague is making the argument, he is always in his heart thinking; "man, it should have been me. I could have done better". He is simply saying he has confidence in his colleagues at the firm. He shares some of the commissions' concerns that they raised about the flat rates that are charged and the difference in the breakdown, which is very challenging to do. One of the things that they can front whenever these opportunities arise is our fees. There is usually one firm that comes with a lowball number and tries to make that lowball number actually work in the real world when, for thirty years, you had one hundred and thirty-five dollars an hour or one hundred and fifty dollars an hour. Those are not market rates today. So now, how do you make it work? The only way from a competitive standpoint that they have been able

to determine to make it work is through the pass through fee ordinance that allows them to do market rates for development work on consultants. In addition to that, being able to do other litigation. Frankly, he does not know how a firm could survive on some of the rates that they charge if it is all inclusive for litigation. Can you imagine if we gave you that flat rate and you had litigation that lasted eleven years like the Ponce Inlet case did. The reality is that at some point that relationship is going to have to change because we cannot do eleven years of litigation for one hundred and eighty thousand a year. What the city would get is honest discussions at all times.

Mayor Pederson thanked them for their time and stated that he appreciated their interest in the city attorney's position.

Commissioner Christian said he had one more question before they left. How common is the pass-through ordinance in their cities? Is that is common practice for local governments.

Mr. Hand said yes, it is very common. It is an ordinance that when a developer comes in they pay their application fees and, in addition to that, they pay a deposit and that deposit if the city engineer needs to take a look at something or if a surveyor needs to look at something legal, then those fees are deducted from that deposit and then the deposit is renewed until the application is heard by the commission. Essentially, it requires the developer to pay their own way so that the taxpayers are not the ones that are funding the developer. It is common because it protects the taxpayer, the city and it places the individual who is ultimately going to receive the benefits if a particular decision is in place that they incur the benefits and they incur the costs. It is the fair way to go.

3. BREAK - 15 MINUTES

4. INTERVIEW - LAW FIRM: STONE & GERKEN, P.A.

PM Thorton thanked everyone for attending and read a brief opening statement for Request for Proposal (RFP) 220042 for city attorney services. This is the interview between the City of Leesburg and Shepard, Smith, Kohlmyer & Hand, P.A.

Mayor Pederson asked if they would provide some background on their firm along with some qualifications for the city attorney position.

Grant Watson started by introducing everyone with him today. Lewis Stone, Scott Gerken, Kevin Stone and Francheska Sabatini. They are all attorneys with Stone & Gerken, PA, and came today to meet with everyone. They are very excited about this opportunity. They believe Leesburg is a great city and this is a beautiful location. The city offers some interesting services, like the international airport and the utility services, and they believe that those types of things really mesh with a lot of what they do. He grew up in north Florida in a small town, Fernandina Beach, just north of Jacksonville. He went to college at UCF and he went to the University of Florida for Law School. He has spent his entire legal career here in Lake County. He got his first job out of law school working at Willam, Smith & Summers in Tavares. He worked with Gary Summers and Bob Williams. He also worked with CJ Smith there. He worked there out of law school basically doing a lot of general civil litigation, contract work, some local government work and real property. They did some work with the tax collectors in the City of Tavares. He really enjoyed his time and he has great respect for all those guys, but after about seven years, he decided to set out on his own and start his own firm in Mt. Dora where he continued a similar practice of general civil litigation, doing a lot of property and contracts and, continuing doing work for the tax collectors' office.

After about two and a half years or so of running his own firm, which was certainly a different experience than his first job working at Smith & Summers, he had the pleasure of an invitation to join up with this firm. They are a really great group of people and he is happy and thrilled to be there. The firm was founded in 1992 and it has always been located in Lake County. It has always had its focus on providing representation to local governments and utilities and that focus has continued today. All of them at the firm, all the attorneys, do work with our local government. Some of our clients that we are blessed to work with are the cities of Minneola and Umatilla. They represent several dependent and independent special districts within The Villages and SECO is another one of their clients. They believe that the issues and the things that these clients deal with are very much aligned with what the City of Leesburg deals with. They think that provides them with a pretty good solid foundation of experience and background in being able to help and work with the city. They continue that focus and they have great respect for the city and the county here. They really enjoy this type of work. They believe the city attorney position fits in well with what they like to do.

Commissioner Burry asked what are some of the issues facing our city that you are familiar with that you may have been following and how is your firm situated to deal with those?

Mr. Watson answered that some of the things they know about the city from the outside is that they know about the international airport, which is a unique service to the county. They do have some experience with the City of Umatilla, which has an airport. It is not international but they deal with some of the airport issues there. They think that would be consistent with that type of work as well. They also know that the city here provides a wide range of services with electric and gas and things of that nature. Other cities that they service do not provide those services necessarily, but they clearly have some experience in working in the electric utility business with SECO. Then, of course, you have your local government issues with contracts, expansion, development and things like that. Dealing with planning and zoning and dealing with those types of land use issues. Having their experience and knowledge of dealing with those issues would be valuable to the City because they do it well. They would be looking to meeting with everyone as soon as possible to get a feel of what the big issues are at this point so they could pick up where those are and help navigate them and plan moving ahead in the future.

Scott Gerken stated that, like most of the cities in Lake County, they realize there are a lot of growth issues that are going on with Leesburg. They are all trying to balance the growth with serving the historic main city and trying to keep all the constituents happy at the same time. They have been the city attorney for Minneola for over twenty years. When they first started there, it was a town of maybe fourteen hundred people and now it is over fifteen thousand people. If anybody has been down there lately, you would see the massive growth that is going on. One of the things as city attorneys we realize is that we need to help the city with that growth, but the city makes those decisions. They understand that sometimes, when you sit through all the meetings and everything, you may want to put in your two cents. We realize that it is the elected officials' job to do that. They really appreciate it and they focus on that. It is funny he actually filled in at a Leesburg meeting back when Ski Beach was first talked about being developed a number of years ago for Fred Morrison. He now sees those projects moving forward and those projects do take time. They are a Lake County firm and some can look at that as a good or a bad thing. They are very careful with conflicts. They do represent other folks within the area, but it was a pointed issue that we came to Leesburg. If you look at the city and the people that it represents, they do not envision any conflicts with Leesburg here. Minneola is in South Lake County and Umatilla is just east of the Golden Triangle and Leesburg is in the area here. That was something that when they applied they were sensitive to that issue. They do appreciate the city considering their firm. Frankly, everyone knew Fred very well, he gave him his first job when he came out of law school and not that it had anything to do with this selection. They just appreciated the city considering their firm and they acknowledged the loss and the loss to Leesburg. They thought a great deal of Fred. He was sort of the dean of local government attorneys in Lake County, so it is almost sad to say, but they would be honored to step in and assist if they could.

Commissioner Christian asked what role they saw their firm taking in our organization. Would there be a primary or dedicated attorney or would you have a team of attorneys who would service Leesburg?

Mr. Watson responded their envision was that he would be the primary attorney and Mr. Gerken would be the secondary attorney. However, as we were saying, we are all fully capable and happy to work with the city. If he was unavailable for whatever reason, any of the attorneys were more than happy and willing to work with the city. They have all covered plenty of city meetings. They all talk and deal with those clients. Although it would be primarily him and he would be devoting a great deal of his time to the City of Leesburg and all of the issues, it would be somewhat of a team approach in the sense that they all work together, they all support each other and some of them have more specific knowledge in certain areas. Again, Mr. Stone's knowledge and experience with electric and utilities is perhaps unrivaled by anyone in the area here, so he is a great resource for those types of issues. They all work together in a sense and they would all be there. They would be happy and willing to help the city with whatever was going on.

Commissioner Robuck stated that they alluded to representing SECO for quite a long time. If they could, talk a little bit and give some specifics on the type of work that you do there.

Mr. Watson replied he does not do much with SECO. He does some things with their easements and those types of things. Mr. Gerken is really SECO's counsel at this point and Mr. Stone has certainly worked with SECO for decades and he can provide some more inside.

Mr. Stone stated he represented SECO as general counsel for thirty-four years. In the last few years, as he was winding his way towards retirement, he stepped back and they took Scott Gerken on. There are a plethora of issues that electric utility is involved in. At the beginning of the representation he was pretty much a soup to nuts guy. However, over the years, as they grew and the issues became more complicated, they tended to hire outside experts. For example, in labor negotiations, they are unionized and, as a result of that, they have labor contracts where SECO would hire outside counsel. They would keep their nose in it, but they would not be lead counsel for specialty items. Certainly, stuff, historically, with the public service commission involved in making sure the i's are dotted and the t's are crossed for rate setting and that sort of thing. They were involved in territorial agreements and franchise agreements. The good news is, that when speaking of the potentiality of conflicts, he thinks that SECO has recently signed a fairly long-term territorial agreement with the City of Leesburg which actually went very smoothly about twenty-five or thirty years ago, which did not go smoothly. He is happy those days are behind them. He thinks the butting territorial issues should not come up for quite a while. The franchise agreements are pretty standard and basically everybody gets a favorite nation clause and the way those work is that everybody has the same franchise fee. So he does not see a real issue with conflict there either. Back in the day, he did condemnation work, taking cases to trial all the way from acquisition through trial. With any organization and certainly, cities are like this as well. If you say what you do, it kind of depends on what the day is and what issue that came up at that time, but they did a general scope of work for them for a long time.

Mr. Gerken said he is now representing SECO and it is not unlike a city in many respects. They are general counsel to SECO. They have their own in-house attorney and a whole cruise of others depending on what the specialty is. Whether your city manager is going to test your electric industry as its own special thing and there are a lot of specifics that go into that. As general counsel, they sit and they have a board of trustees that is elected to the electric co-op. He sits at the board meetings and does generally what you would see in a city attorney doing; oversee and generally responsible for all the legal functions of the co-op. SECO is now a billion-dollar in-asset entity. They have a lot of customers. They thankfully checked the franchise agreement, it is in place and it is fairly standardized.

CM Minner said something interesting about Leesburg is that we have about twenty-seven thousand electric customers and we are still growing, but all our growth is going to be in Duke or SECO territory.

So, in the next five to ten years, we could have twenty thousand new residents who are not going to be on our electric system but in our city. Do you think that poses challenges for us and how would you advise the commission on that? Do you see any potential issues arising from that type of pattern?

Mr. Stone answered that clearly, if an issue does arise to the level of conflict, it is not like their representation is not known to everybody, so they would make sure to avoid that contract. They would follow their rules with regard to that and make sure the city was well said and that SECO was well said. Generally speaking, territorial agreements tend to control, although, as they know, in the electric industry there are times because of growth patterns and because of existing facilities in the field, swaps and changes are made just because it makes engineering, safety or financial good sense to do. He has not checked and he does not know what the rate of return is for the electric utility, but certainly the six percent franchise fee in the event of not doing the electric yourself is generally speaking, for most utilities, in the general nature of profitability for the system, without having to endure the obligation of providing the service, but if there is conflict obviously they would announce it and make sure that the sides are well looked after. Generally speaking, territorial agreements are intended at the time they are created to be what is done, but there are engineering, safety and economic reasons to make changes from time to time.

Mr. Gerken said obviously the public service commission would eventually weigh in if there was a territorial dispute, but they think their involvement with local governments and with electric utilities helps with those instances, because you can understand the incentives of both and, frankly, also knowing the area quite well, they can sometimes help avoid conflicts but help with some sort of remedy or issue that may pop up.

Commissioner Connell wanted to expand a bit on the cities that they have mentioned and SECO. Are there any other clients that they represent where they could see there being a conflict if they were the attorney for the City of Leesburg?

Mr. Stone replied, being the old guy, he had backed off from this over the last couple of years, but they had represented the Commercial Community Development Districts at The Villages, Springwood Landing, Village Center District, Brownwood and they also represented the utilities for North Lake Sumter and now the new utility springing up. They call it WUDD. Everything over there has initials, but it is the Wildwood Utility Dependent District. These utilities are dependent districts, but of course they are tied to local governments, their dependent districts of local governments. Is there a potential for conflict? There is. Sitting here, does he see a big potential for conflict? No, he does not see that. He sees a disclosure and there is a potential for that. Again, they are well known that they represent these people and they would certainly follow all the bar rules if that came up. What they are just trying to say is their firm has done local government and utility work forever. That is what they do. He was the city attorney for Eustis for eighteen years. They did Umatilla. They stepped in and represented local governments in other contexts. He has been special magistrate and still, from time to time, he has served as special magistrate for land use issues where you have to go to the special magistrate for those in Orange County, Clermont and other cities of Lake County. They feel like their heart is in the right place. They are people who enjoy local government and understand it. It is not their place to be elected officials, but it is their place to assist elected officials. You are the people that are elected and need to be the ones making the decisions. Their track record is that they are very good at assisting, doing that and spotting issues that are important.

Mr. Gerken stated that specifically they do not represent any of the developers that they are going to be seeing in this area, specifically the home builders and those folks. Specifically, they have not represented those to avoid any kind of conflicts, which is where most of those conflicts that you are seeing would occur. There are a lot of local government attorneys that play both sides, if you will, that will represent both developers, but a few, almost what he would call mom and pops that do work for none of them, are doing work in the Leesburg area. They would not have any conflicts.

Mr. Watson said with the land use, they actually made a firm-wide decision not to take that on in the

private context because of the fact they knowingly represent local government bodies that are reviewing these applications. So, while they are doing a lot of land use in the context of reviewing, helping development staff in the various cities and that kind of thing, they really do it for private clients in that same sense and a lot of the reason they do not is to limit the areas where they would have conflicts, and certainly that is an area you know.

Mr. Gerken said if you have been over by the Turnpike it is all dirt now and they are just building houses everywhere. They are sensitive to that and they try their best to avoid that, like Mr. Stone said if an instance does come up here or there, they think it is their job to make sure the city will have confident good counsel to provide good advice to our clients if we were unable to help. In those rare situations where that may come up, they do want to make sure that the city gets good counsel to help you and take care of you, but they will try their best to just not be involved in the lines of business that create or that are conducive to those types of conflicts.

Mr. Stone stated that the city would not need to worry about who they are supposed to call because Mr. Watson would be the contact person to call, but there would always be someone. The work would be shared around the office. If Mr. Watson was not available, it would be Mr. Gerken. If for some weird reason both Mr. Watson and Mr. Gerken were not available, the rest of them are there. You do not have to guess about you have to call. You would call Mr. Watson. The other thing they do is they operate pretty well as a team from the standpoint that they regularly meet and run problems and issues with one another so that they have input from several heads on almost anything that would amount to a significant decision or legal position that would need to be taken. The reason they are all sitting there today is because they operate as a firm and they wanted to make that clear to the city.

Mayor Pederson commented that they had answered all of his questions through their answers so far and he opened it up to others commissioners for any of their questions.

Commissioner Burry stated that part of the city's mission statement and the number one goal of Leesburg is that we want to eliminate blight and stimulate growth by investing in neighborhood redevelopment. Can you provide some examples of how your firm has been involved with either community development districts or in cities where they are achieving those goals?

Mr. Gerken responded they have actually represented several CRA's for the cities they have represented before and they are very familiar with all of the issues that come along with that, as far as tax increments, financing and things. Again, that is one of those issues he talked about earlier about trying to balance the needs of the historic town, the city which you obviously have here in Leesburg, with the need for growth, and that certainly is one area that you can do with the redevelopment.

Kevin Stone commented that they have a lot of experience with the Community Development Districts and most of that experience is in The Villages, which is a little bit different from the kinds of blight and redevelopment that they are referring to, but it does give them a familiarity with those structures and the resources that are available for those kinds of entities. The reason why he spoke up here is because in Umatilla they have a Community Redevelopment Agency that they are really proud of. Umatilla is not a place that a lot of people think about very often, but he does. They have done a lot of interesting things with tax increment financing to try and redevelop their downtown core. He thinks you will be excited to travel there over the next few years if you need to leave Leesburg for any reason. They have established new zoning districts in overlay districts and they are giving out facade grants left and right to businesses. They are using the zoning code and their land development regulations as best they can, but he does not want to get into the weeds with that. He can tell you those types of projects are very interesting to him and a lot of his focus is on the way they can use the financial tools uniquely for municipalities to participate in those kinds of redevelopment programs.

CM Minner stated that he mentioned something briefly about facade grants. We are doing that here in Leesburg, three different ways with our facade sign landscape grant that we have had for a couple of

years and we just implemented the downtown redevelopment grant, but we have not made any awards on that one yet. Have you had issues using those funds or have you seen problems that arise out of using money in those fashions for redevelopment?

Kevin Stone replied he had seen nothing serious that was difficult to overcome. One of the frustrations that Umatilla ran into, especially with all the money that has been flowing from the federal government with COVID, is that it is hard to find good ways to spend the money that is available. Sometimes we have more money than we are able to spend and what they found in Umatilla was that a lot of that was a public education issue. When you have people knocking on doors letting them know what the opportunities are to take their little bit out of the blade, you know to take their part in increasing their taxable value by using that grant money. It is a win-win. So, for them, if they had issues, it was just communicating the existence of the programs, what was available and we overcame those. As far as the implementation, you know that receiving the applications, getting the awards done, having them done efficiently, ethically and resulting in the kinds of improvement we were expecting, we have had a lot of success and he cannot really say that they have had issues to overcome.

Mr. Stone commented he had not been city attorney for Eustis for quite a while but they also had that. He was trying to think back to any problems they had. He remembers no problems securing the money, it was making sure that the contractors who came in, who were going to be the ones performing the work, understood the scope of the work. This was a long time back, but there were issues with the quality of work and the contractors had time limitations, so there were some issues with working around there.

Commissioner Robuck asked for an example of a specific challenging land use case where they were representing a governmental entity and, if applicable, also if they had one where they represented a private entity against a government.

Mr. Watson said they made it a focus to not take on private land use disputes, so he could not point to any specific private client that has really butted heads with a local government where they were involved with that. However, as they have been talking about with the City of Minneola, he does a lot of work with that city and their land use planning and zoning. There is a lot of development going on there, a lot of PUD's, a lot of development agreements and a lot of issues to sort out. There is a lot of mixed-use development in terms of residential, commercial, and industrial. There are a lot of different components and unique design criteria that shift throughout time, so personally, he does not have a good example of where they have had significant disputes with landowners. They meet with them a lot with city staff and, obviously, with the planning and zoning meetings and all of that, they talk to these folks outside of the city meetings to try and work out whatever issues exist. He thinks, for the most part, his experience on those issues has been very good. There are some challenges that come up here and there with commercial components and industrial components and residential components, with trying to blend and mix those with school sites and park sites and things like that. They have had a lot of success in working with their clients and the property owners within their boundaries that are looking to develop and sort through whatever issues or problems come up and those projects are moving forward and they are proud of what is going on.

Mr. Gerken mentioned he is also unaware of any disputes with representing property owners because they avoid that. There is nothing wrong with attorneys representing developers and local governments. They understand that as lawyers, and they also understand that a lot of people that they are serving do not understand that. Frankly, he would not want to lie in bed at night arguing that five units per acre is perfectly reasonable for the developer and then be sitting at the diocese when somebody is feeling guilty that the city may deny it. He could see where people could perceive a conflict, so they chose to stay out of that. As far as challenging land use, it hardened. The same example with Minneola. For those of you that are familiar with the area, they have the sugar loaf development, which is a development that was approved by the county in the 1990's as a large two thousand acre land development, and they also have the hills of Minneola, which was a DRI that was formed just over two thousand acres. Between those two developments, over four thousand acres of planned development within the city. They have been

involved within the last couple of decades with those processes and both the DRI's coming from the county to the city dissolving the DRI's through the process. Frankly because we had CRA's and then going through and dealing now with all the plethora of builders and developers that are coming along now. One thing that he thinks the commission would appreciate is, believe or not, the code is not always specific or absolutely clear on every issue that comes through and one thing they try to assist their local governments with is just, bring reasonable and make sound decisions that are good for the local government but that are fair for the folks coming before them. Sometimes it is hard to hit that balance.

Mr. Watson added that with the City of Wildwood, while acting as the special magistrate for local planning and zoning and code enforcement, they are not representing private companies. In that context, he had the interesting perspective of making decisions on those issues for Wildwood for several years.

PM Thorton said one thing they discussed in their proposal was that they included an attorney and a paralegal hourly rate. Do they know what the percent breakdown might be between those services? **Mr. Watson** replied it would be something they would get a better grasp of once they see and meet with everyone in the city to give them a better understanding of what is going on. He would anticipate that a lot of time would be spent by the attorneys if you look at legal issues for the city. They would have their hands on that. In terms of drafting ordinances and things like, talking to staff, reaching somebody at the office, they certainly have paralegals involved with that. They would have paralegals drafting things, whether it be easements, contracts or anything like that, based on the forms they have already developed. We will ask for their help wherever we can. They understand fiscal responsibility is something that everyone is certainly paying careful attention to. They understand that, so wherever it makes sense to use paralegals, they will so that the city can use the benefit of that rate. However, there will be many times when the lawyers do need to be involved and wherever the paralegals are involved they will still be involved. They will do their best to use the paralegals and their staff because they have the utmost confidence and faith in all of them. All of them have exposure to local government work and they would use them wherever it makes the most sense.

Mayor Pederson asked in closing if they could explain why the commission should select their firm over the other firms.

Mr. Watson said, from his perspective, he gets what the city does here and it fits with their day-to-day practice. They like this type of work, they like interviews, they like the contracts, the utilities and it is all interesting and challenging for them. It is always changing and evolving. They pay attention to these things because they have to because they have a number of clients with similar interests. They are all here today and they all take a team approach to support each other. They support and love their clients. They are one hundred percent dedicated to their clients and they do what is best for them, even in hard times. They have great respect for all the local city leaders.

Mr. Stone added that they not only represent a number of local governments and other significant institutional clients, but they tend to keep them for a very long time. Boards come and go and he thinks there is something to be said for being able to establish that institutional knowledge and continuity and keep that up. If you do not have that good interaction and provide that service to the clients, they feel very confident that they can do that. When you live in a small area, there are not that many Leesburgs out there, so when the opportunity comes around that we are considered, we certainly want to be in the mix and they greatly appreciate the chance.

Mr. Gerken remarked that he hopes they check their references and to feel free to do that. They know the folks that they have worked for. He knows they can speak honestly about the work they have done for them. One of the strengths of their firm is that they serve as general counsel to the city and other clients. They get to know the people they serve and they serve them for a number of years. Just to take the pressure off the city, they know the other firms that have been interviewed and they are all fine firms. You could not make a bad pick. They believe that they bring the distinction of a firm that is well known, they would like to think that they are well respected, and they do not go after, and this is the first time

that they have interviewed for a city attorney position in over a decade. The City of Leesburg is right. It fits in with what they do given what the city does and they would be very honored if you were to select us.

Mayor Pederson said on behalf of the commission, thank you for your interest in responding to the RFP. He appreciates the whole team coming out.

At the close of the interviews, **CM Minner** suggested to the Commission that they rank the firms for discussion at Monday's commission meeting. **PM Thornton** suggested the Commission rank the firms from One to Four, with One being the top. He will provide ballots to the commission. **Commissioner Robuck** suggested the commission discuss the top two firms and then make its decision. The Commission was in agreement. **CM Minner** stated this item would be placed on the February 28 agenda for discussion and selection.

5. ADJOURN:

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, ADA COORDINATOR, AT 728-9740, 48 HOURS IN ADVANCE OF THE MEETING.

F.S.S. 286.0105 "If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they 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." The City of Leesburg does not provide this verbatim record.

The meeting adjourned at 11:46 a.m.

**SPECIAL MEETING OF LEESBURG CITY COMMISSION INTERVIEWS OF POTENTIAL
LAW FIRMS FOR CITY ATTORNEY
MINUTES**

**VENETIAN CENTER, 1 DOZIER COURT
MONDAY, FEBRUARY 21, 2022 1:00 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a special meeting on Monday, February 21, 2021, at the Venetian Center. Mayor Pederson called the meeting to order at 1:00 p.m. with the following members present:

Commissioner Jimmy Burry
Commissioner John Christian
Commissioner Jay Connell
Commissioner Dan Robuck
Mayor Mike Pederson

Also present were City Manager (CM) Al Minner, City Clerk (CC) J. Andi Purvis, Purchasing Manager (PM) Mike Thorton, and others.

2. INTERVIEW - LAW FIRM: BRIONEZ & BRIONEZ, P.A.

Mayor Pederson welcomed everyone and turned the meeting over to the Purchasing Manager, Mike Thornton. **PM Thorton** thanked everyone for attending and read a brief opening statement on the Request for Proposal (RFP) 220042 for city attorney services. This is the interview between the City of Leesburg and Brionez & Brionez.

CM Minner stated there was a list of questions provided to the commissioners for their use. He was not sure how they wanted to proceed. Whether the mayor wanted to ask the questions or if they wanted to split them up. Was there a formal process they would like to follow? **Mayor Pederson** responded that he would prefer to split them up. He wanted to know if the list provided were questions they wanted asked in its entirety? **CM Minner** responded that he would leave that up to the commission because it is sort of formally informal. We could go off the script or with the script, whatever the commission prefers.

Commissioner Connell remarked that he was okay with the list of questions. He was also fine with the Mayor asking the questions. **CM Minner** said it would keep it easy if he asked the questions, and then feel free to follow-up. **Mayor Pederson** questioned if we would be broadcasting the questions to the other firms in advance if we were to go off script. **CM Minner** replied that we would change the order. **Mayor Pederson** welcomed the applicants.

Commissioner Robuck remarked that we were not going to have enough time to get through all these questions. He is okay with any of the questions, but we could maybe get through a third of them if we were to just go down this list. **CM Minner** mentioned they could look through them and skip around. To start, we could ask any particular questions from that list if you like some more than others.

Mayor Pederson remarked that he would ask the first question. Then we could go around the table and each commissioner would ask a question. He started the interview by asking the applicants to provide an introduction. If they could provide a background on their firm and their qualifications for being a city attorney.

Mark Brionez, stated their firm was established in July 2017. Prior to that, they worked for McLin & Burnsed. He started at McLin & Burnsed in 2004 straight out of Law School and he worked directly

under Fred Morrison until 2017. He also worked with Steve Johnson, who was the city attorney for Leesburg before Fred Morrison. When he worked with Fred Morrison handling city matters, he attended some of the meetings. That was mostly for coverage when he was unable to attend. However, he did handle the background work. He handled contracts and dealt with purchasing and code enforcement. They also had some trials on civil forfeitures. He prepared ordinances and resolutions. He attended the planning and zoning meetings and assisted with some of that work on the public hearing process for those. He had some input on those and he worked with Fred on that. Again, everything that Fred did for the City, he did as well. He knew that Stephanie Brionez had some experience working with Fred as well, but in a different area. His area was more civil litigation or the civil area. He would handle contracts, file lawsuits on behalf of the City, collect promissory notes, those sort of things. He also filed eviction actions to have individuals removed from property that the City ended up taking. Those sorts of things, that was his experience in working with Fred. He covered just about every issue that the City would come across. Again, their firm was established in 2017 after they left McLin & Burnsed. When they left there, they took a number of their clients with them. With regards to experience in municipal law and local government. In 2017, when they opened their firm, they started handling matters for the City of Tavares for Bob Williams. Mr. Williams was in the process of winding down and looking forward to retirement. He started handling the meetings for the City of Tavares. He also attended some planning and zoning meetings and code enforcement meetings. He handled the city contracts when he was gone and they would contact him for any issues they came across either by email or by phone. Similar to what he did for the City of Leesburg, he started doing that for the City of Tavares. With civil forfeitures, he handled some of those for the City of Tavares. They shutdown a number of the gaming locations, or what you call fish games, for the City of Tavares. Times have changed and since then they have decided to go in another direction. They did that from 2017 until 2021. At that point, they started doing less of the City's work and started representing their Police Department. That is through Stephanie Brionez.

Stepahine Brionez said she started working for McLin & Burnsed as a law clerk in the summers. Her parents live in Leesburg. They moved to Leesburg from Michigan in 1999. She followed them here despite their wishes. While she was at the University of Florida in the summers, she worked at McLin & Burnsed as a law clerk for two summers. They offered her a full-time position as an attorney before she even took the bar. She started there in 2001 and she became a licensed attorney in 2003. She continued to work there until 2017. Her experience with local governments comes more on the litigation side and the day to day advice to management on liability issues. Through her work at McLin & Burnsed she did work with Fred, but it was very infrequently. She only worked with Fred when there was an issue regarding litigation where he needed to update the commission on something with respect to the city. Most of the work that she did with the city was under Steve Johnson and then through the insurance company. Her day to day work with city employees and staff has primarily been in the areas of general liability and day to day advice. If someone has an accident while at a city event, or if they are drafting or revising policies related to liability issues, releases for recreation programs, things of that nature. The day to day advice and counsel on employment law and the HR Director. As well as employee and manager training, supervisor training, and all the employment and labor laws. They just had their training about two weeks ago for this year. They also provide training to staff and managers with respect to the ethics laws as well as public records training. They have tailored that training to what employees need to know and how it relates to their job as a city employee, as far as government in the Sunshine, public records requests, and that sort of thing. They would represent the city in any insured litigation case. That could include anything from a trip and fall, police liability, civil liability, any sort of criminal issue or any employment law matter. They would also represent the city with workers' compensation claims. Typically, her work is to update the commission about ongoing litigation matters and things of that nature when a shade meeting has been requested. With the amount of work they do for insurance companies and local government, they are very familiar with how cities operate. They know what issues you need to look for when it comes to litigation. They currently represent the city and they have since opened their firm in 2017. They have a separate consultation and contract agreement where they provide services for

the City of Leesburg for any litigated matters that are covered by insurance. **Mayor Pederson** thanked her and said that they had answered a number of questions on the list which would help them move along. He said that the background on their experience was much more helpful than the narrative.

Commissioner Burry introduced himself and said he noticed in the profile they sent out that they had done extensive work in the Community Development Districts with The Villages. With our newly found partnership with The Villages would that bring any conflicts and how would that be handled? Also, Ms. Brionez, represented a lot of staff. Would there be any perceived conflicts that could result from that with the city? If so, how would those things be resolved?

Mark Brionez responded that they represent a number of the Community Development Districts with the exception of District Seven. They represent Districts One through Six and Eight through Fourteen. He listed in their proposal the potential for a conflict with District Fourteen only because District Fourteen is located in the City of Leesburg. That conflict he does not perceive as being one that would be antagonistic to the City of Leesburg, but for the purposes of the Florida Bar, it would be a conflict. He does not think there would be anything that could come up in District Fourteen that would be a problem with the City of Leesburg or visa-versa. However, if there may be times when things come up, something needs to be signed. There may be a city ordinance establishing something in that district, so when he says conflict, that is what he means. He does not think there is an antagonistic conflict, but he thinks, as part of the disclosure, the City of Leesburg needs to know that they do represent that District and it is located within the City of Leesburg. For the purpose of conflict generally, what happens is the number district would need a document approved by the City of Leesburg and we would bring that to the city's attention. Being aware that they represent District Fourteen, we would ask if this is something you want to consent to and, if so, you would sign a conflict waiver. That waiver would have to be signed by both the City of Leesburg and District Fourteen. If both parties do not sign, then we will have to find a conflict attorney for that issue.

Stephanie Bironez added that when she works with city staff she represents the city and the commission as a whole. Even though she works day to day with various department heads, she works with them. She advises them on how to comply with city policies and how to implement directives. She recently worked with the city manager regarding some retiree issues. They got together and met. They requested legal interpretation on the policies which the city has in place and that is where she advises them. She does not represent them personally. She would say that this is an exception, but it needs to be clarified. They recently won a defense in summary judgment on a police liability matter. A lot of times, when plaintiffs sue a city, particularly in the areas of police and fire, because you have a chief, occasionally a city manager, if it is an employment issue, the plaintiff will name individually an officer or the police chief.

In this particular case, they named the city as well as a former detective from the City of Leesburg. The insurance company, after reviewing the facts, decided they were going to provide coverage for the officer and the city. Most times, there is nothing to suggest that the employee or officer is doing anything wrong or acting outside the course or scope of their employment, so the insurer defends them as well and pays for the defense. So, at that point, she represents both the city and the employee. If it were ever to a point where there would be a conflict in her doing that where the employee did not do what they were supposed to do and the city was not backing them in the defense of the lawsuit, at that point she would not be able to represent that individual employee. That employee would be required to get their own counsel.

Commissioner Christian asked what role would you see your firm taking in this organization if you were selected as the city attorney? How much time and focus would you be able to give to the City of Leesburg?

Mark Brionez responded that based off the average number of hours provided in the proposal for purposes of legal services to the City of Leesburg, they certainly have the ability to do that and the City of Leesburg would have all of them. They did not submit their proposal in response to that request

without having the ability to provide the services that the city needs. They take that seriously and their firm takes that seriously. If they were to be offered the contract to represent the city, they would get all the hours. They did not submit the proposal, without knowing they could provide that service. They looked at how many hours the city needed and they included that. He does not think that includes the hours Ms. Brionez currently provides under her contract. That was based on their schedules and current workload. They made sure they were able to provide the services that the city needed. They are confident that they can.

Commissioner Robuck questioned if they could speak about any experience they have with any other electric or gas work. Whether that be municipal or otherwise.

Mark Brionez answered that he does not have a lot of experience in that area. He did some small things with Fred, but that was years ago. He is not up to speed in that area.

Stephanie Brionez answered that the only caveat to that is through representation of The Villages Development District and the insurance companies. They have been assigned to some utility litigation from time to time and general liability litigation, that sort of thing. She is not completely unfamiliar, but it is encompassed in that type of representation. They would expect to become familiar with that quite quickly.

Commissioner Connell asked what factor they consider to be most important when selecting a law firm.

Mark Brionez replied he believes that would be the allowance of time. They answered that with Commissioner Christian's question when he asked if they could provide adequate time and if they could dedicate the time needed for the City to represent it effectively. He believes that is one of the things that they should be looked at. How busy is the firm? Are they going to be able to dedicate enough staff to service the city's needs? His answer is yes. They took that into consideration. They are comfortable and confident that they have sufficient staff, including themselves, for the type of work that they both do to cover every area necessary. As Ms. Brionez pointed out if there is an area like utilities or gas that they are not familiar with, they have been practicing quite a while. He has been practicing for eighteen years, so it would not take them long to figure things out.

Stephanie Brionez added that their firm's philosophy is common sense representation. She feels like they do a good job of telling you what the pros and cons are and how to avoid litigation. It is costly and you have to understand those types of decisions. At the same time, they are not afraid of litigation. The benefit of their firm is the combined areas of experience that they have. If there is an issue with something and they need to initiate litigation on their own, they are not afraid to aggressively litigate. They are not afraid to say, look this is not something we should be wasting time and money on, or the city's time and money on litigating. We just need to work to find a resolution and use some commonsense. We need to get it done without all the formalities and the costs associated with lawsuits.

CM Minner asked about their work with The Villages CDD. What kind of work does that entail, is it similar to municipal work?

Mark Brionez replied that it is except that obviously the Community Development District has no purview over zoning and that sort of thing. His representation of the numbered districts is that he attends their monthly meetings. He advises them on issues that may arise during the meetings. He handles the contracts and purchasing issues. Again, sunshine laws, public records and ethics training are provided at no additional cost. He believes that was included in their packet. They do not have code enforcement power, but they have statutory authority to enforce deed restrictions. They hold public hearings on those deed restrictions. It is kind of the same process for code enforcement where they are just enforcing deed restrictions. They have the ability to file lawsuits. They also have the ability at some point to record the orders of enforcement that are entered against a property owner in a public record as a lien. It is similar, but different. Chapter 190, governs the Districts. Again, they do not have code enforcement powers, but they are similar powers. The thing that is different is zoning issues, which they have no purview over.

CM Minner questioned if they report to a specific CDD board or if they report to what he calls The Villages Headquarters?

Mark Brionez said that they represent the numbered boards; represent the board as a whole, like the City of Leesburg. It would be The Village Center District or The Village District One or Two in that capacity. He knows as a city attorney and as an attorney for the numbered districts that they provide advice and guidance to staff, but they do not represent staff. If an issue came up, they would contact them and deal with staff to resolve that issue. They would deal with the board members or supervisors by phone individually. You cannot all get together. You cannot call them all at the same time to discuss any issues.

Mayor Pederson stated that he spoke about litigation experience. Could he provide their background and experience with real estate as it pertains to the purchase, sale of contracts and leases?

Mark Brionez responded he has handled real estate transactions since 2004. He is completely familiar with that. When they started their own firm in 2017, he had all the experience. He prepared leases for both commercial and residential. He handled evictions both commercial and residential, but it was not until 2017 when they started their own firm and they became a title agent. Now they handle real estate closings through their law firm. They are in the process of establishing their own title agency.

Commissioner Burry stated that they had a lot of experience working with the City of Leesburg. What do they see down the road as major issues for the city? Also, as far as their legal experience, what could they offer the city to help overcome it?

Mark Brionez responded that to him, it seems lately the biggest issue is development. Land development, PUD's, rezoning, and annexations, those sorts of things.

Commissioner Burry asked how are they equipped to deal with that?

Mark Brionez said that, based on his background, coming up essentially under Fred Morrison and under his wing handling the planning and zoning matters for the city. He also worked with Bill Wiley, and did some work with Dan Miller while he was at McLin & Burnsed too. Again, he attended the planning and zoning meetings so he is familiar with the regulations. He is familiar with annexations and de-annexations. Recently, they had a couple of litigation matters in the City of Tavares where they were sued due to some de-annexation issues. They represented them in that, so they are familiar with that area.

Commissioner Christian said, being on the commission for a while, they have worked with a couple of city managers. Your role as a city attorney is hired by the city commission. What would be your strength as it relates to your independence in working with the city manager and working with the city commission, which may not be the present commission? How would you differentiate your role as legal counsel and not be persuaded by public opinion, staff or commission, but represent us through the law? What are your strengths in those areas? Also, following Commissioner Robuck with the City of Leesburg, it is a very different type of city with utilities as well as an airport. What are your strengths to help? You said you learn fast, but in this market we cannot afford to make a mistake when it comes to the utilities or the airport.

Mark Brionez replied that was an excellent question. He would say he had done work for the City of Leesburg with the airport. When he worked with Fred, he prepared their hangar leases, so he was familiar with that process. One thing they learned in their experience representing municipalities is that you have to know who your client is. Your client is the commission, it is not just one of you, it is all of you. However, at the same time, in order to effectively represent the city, you have to have a good relationship with the city manager and staff. You have to be assessable because, we do not really get the opportunity to talk to the entire commission during the public meetings. Certainly, he could reach out to each of you individually to talk about certain issues or they could reach out to him. They cannot all get together, so the only way to effectively represent the city would be through the city manager. Based on experience, there has to be a very good relationship between the city manager and the city attorney. He is very familiar with what the public can do on decisions made by commissions, councils and boards. Based on

the experience he has had representing the City of Leesburg, he has been in meetings where the public is not always happy, but his job at the meetings is not to deal with the public. It is to make sure that everything taking place is within the perimeter of what can take place. It is to ensure that the board, commission or council does not violate the sunshine. That they are only hearing items that they are supposed to hear and that they vote on items that they are allowed to vote on. Those sorts of things. He is familiar with how the public can be sometimes. He has dealt with it throughout his entire career. He has dealt with that as a town attorney for the Town of Astatula. They are a very small town, but those meetings can get pretty rowdy. He has dealt with it by representing the school board meetings with Steve Johnson. He attended a schoolboard meeting where they had to have individuals removed. Unfortunately, it was because of the disruption of the meeting. He came across that but he knew his role and what his job was and that was number one. He needed to represent the commission and make sure they were doing what they needed to do.

Stephanie Brionez added that due to the fact they have represented the city for so long in their careers. She always says, as a baby attorney, she started representing the city and there have been a few different city managers over the years. There have been different department heads that she has worked with in HR and in Finance. She thinks that it is important to understand their role. Again, it is not to represent the city manager or the department head individually. It is how they are going to transition this to whoever is put into that position. They need to make sure that whatever the commission's wishes and policies are, are implemented in an effective way. That is what they are there for. As Mr. Brionez said, "we do not talk to all of you every day to say this is what is going to happen", because we cannot do that legally. We know the policy that you want to implement. We would take that policy and your wishes and implement it with a strategy to transition.

Commissioner Robuck asked if they could provide a specific example of a land use case where they had to represent a municipality and then a specific example of where they represented a private developer.

Mark Brionez answered that they do not represent the private developer side. They only represent the local government. A specific example would be the City of Tavares. They had an issue within the last year. It was a litigated matter where the City of Tavares was sued for an alleged failure to approve a contraction petition to deannex from the city.

Commissioner Connell questioned what the biggest drawback would be if they were selected for this.

Mark Brionez responded that there would not be any drawbacks. It would certainly be beneficial not only for their firm but for the city as well. Just based on their background and their experience, they have a wide range of experience in the time they have been practicing law. With what Ms. Brionez was referring to earlier with regards to the background and litigation that comes up a lot and it is helpful. It is helpful for representing boards with contracts, ordinances, resolutions and all the business that you handle at those meetings. Issues come up and, having the background in litigation would be beneficial to the city. They may have seen something before where someone who did not have that litigation background would see. They know that there are potential issues and they know how to fix them before they happen.

CM Minner said he would like to followup on the de-annexation issue with Tavares. He thinks Commissioner Burry and he had a de-annexation conversation informally just a week ago and, actually, he and Fred worked on a de-annexation potential issue between Leesburg and Fruitland Park and we did not do that. Fred was advised against it, so what were the perimeters of the Tavares issue and the outcome?

Mark Brionez replied they were successful with not de-annexing. They did not even consider the petition. The issue there was a petition for de-annexation that was submitted to the council and the council did not take any action on it. Rather, Bob Williams, working with planning and zoning, determined that it was not something that could be approved and denied it. So the argument was and

there were several arguments and one of them was due process and the statutes and how the statutes read. The plaintiffs take on it was that the council was required to have an official meeting to consider the application and deny it and provide them notice within the time limits within the statutes. That was the issue. It went on for some time and they defended it based on the statutes, based on case law and specifically based on the ordinances that the City of Tavares had passed. They found within those ordinances they had language that gave the city attorney some leeway in handling something and the city manager was able to delegate some stuff to the city attorney. One of the arguments we made was through that ordinance the city as a whole had given the city manager to delegate these things to certain individuals and the authority was granted to Bob Williams as the city attorney to deny it. That was one of the arguments we made and again we were successful and the case was dismissed and they asked for a rehearing. The judge granted the rehearing and they lost again. It was ongoing but in the end they lost. **Stephanie Brionez** wanted to dive a little more into the contraction statutes. Basically, what they were arguing is that, like Mark said, the city did not make a recommendation or review the criteria in this statute, but they made the argument that the city could not, because the statute, very clearly, in the plain language of it, read that if the parcel that they were issuing to exclude from the city boundaries meets the annexation criteria at the time they file their petition to de-annex then it cannot be de-annex. So the legislature has already said, hey cities, if you are getting a contraction petition and the land that they are requesting to be removed from the city limits meets the criteria to be annexed, you cannot do that. You have no discretion to go over these factors. They must not be de-annexed. That was a primary argument. One of their arguments was a beef with the statute and the City of Tavares is not the legislature and that was one of the things that they pointed out over and over. They think that the judge really picked up on the plain language of the statute and said what it says. You cannot read all this other stuff in there just because they do not like what the statute says. That was pretty much that one, but it did go on for about a year and a half, but they stood their ground and thankfully it is over.

Mayor Pederson asked if they could help the commission understand why they should select their firm over the other firms.

Stephanie Brionez answered, as they mentioned in the beginning, they have worked with the City of Leesburg for a long time. They have enjoyed working with the City of Leesburg even though their office is now in Tavares. They have lived in the City of Leesburg for a number of years and they have even recently coached a girls softball team last year in the city as well. They have ties to the community here and they love the community, but they also like to provide practical legal advice and they always joke with clients and say combined they make one really great lawyer, but she thinks on their own they are both very practical and their clients are typically very happy with the services that they provide and they do not create more issues just to do more work and to make more money and all those bad lawyer jokes that you hear. She jokes in litigation when someone wants a settlement, saying that they pay the kind that jingles not the kind that folds, so, if your intent to attack the city is to somehow secure money or do something improper, they are not just going to rollover and pay someone money because they are trying to attack what you are doing. Their goal is to prevent litigation for the city, to advise them to make wise choices and to let them know what the ramifications are if they make choice a versus choice b.

Ultimately, it comes down to your decision, but our job is to make sure that you know ahead of time what the affect of that decision is going to be, whether it is to meet with individuals to try to resolve the issue that they may have or whether it is to start litigation to protect the city's interest or to take your chances on possibly getting sued and having to defend the city's interest. Their goal is always to give the best legal advice they can in a way that is understandable. Commonsense approach and they are also very creative in thinking of solutions and trying to find a way to think outside the box to make something happen that is within the confines of the law. She thinks that is probably their best factor. The next thing she would say is they pride themselves on being accessible to their clients and she knows they put it in the response to the proposal as well, but they have cell phones and they understand there are emergencies and they understand there are issues that may need attention on a Saturday or a holiday or after 5 p.m. or

before 9 a.m. and they have no problem with being accessible to their clients to make sure they are getting the attention that they need and those issues resolved before they become bigger issues.

Mark Brionez added that, not just based on their experience, he thinks in representing local governments, they are familiar with how budgets work. They take steps and they are always putting their client first when it comes to billing. They always review billing to make sure of accuracy and to make sure it is fair. It may take them time to do something, but many times they look at it and say, well, it took them this much time, but maybe it should not have been and they cut it. They are very conscious about that and about budgets. They are also familiar with the number of hours they are going to need and their proposal was based on that and they know they put some language in there about using paralegals as well when necessary. They always make sure they are fair and that their clients are happy. Knowing budget constraints and how things work, learning that from, again, eighteen/nineteen years of representing local governments, they do take that into consideration.

Commissioner Christian said that they made a comment that sometimes they give us the best advice, so how do you handle a situation where, legally, you and the commission do not agree on a legal matter?

Mark Brionez responded that as lawyers he learned very early that their job is to provide the best advice that they can. They can tell you what the law is and what you should do, but we cannot do it for you. So long as they discuss the options with you and provide you with the best legal advice and let you know what the outcome of that could be, you as a whole, there being five of you, have to decide how it is you would want to proceed with it. Again, he thinks they would certainly do the best they could. They are creative. If they want something done, they are going to do their best to try and figure out a way to get it done and get it done the right way. If they are to that point, for instance earlier, where there was a contraction petition and they had already won a couple times, the judge had already said to the plaintiff they lost twice. Once you get to that point, there is only so much you can do other than say this is where we are and this is probably what he is going to do next and how you want to proceed. Certainly, it is up to you, you are the commission, you make the decisions. You deal with the budget, you deal with how much you want to spend on a particular item, whether you want to continue defending something, and those sort of things. Again, their job is to provide the best possible advice, solutions, options and potential outcomes.

Mayor Pederson thanked them for coming in. They appreciated the interest and the proposal for a city attorney. He thanked them for their time today.

PM Thorton informed them that there are three more firms to interview and the plan is to discuss this item at the February 28, 2022 Commission meeting and hopefully make a final decision.

3. BREAK - 15 MINUTES

4. INTERVIEW - LAW FIRM: VOSE LAW FIRM, LLP

PM Thorton thanked everyone for attending and read a brief opening statement on Request for Proposal (RFP) 220042 for city attorney services. This is the interview between the City of Leesburg and the Vose Law Firm.

Mayor Pederson pointed out that they stumbled a little bit out of the gate with the first interview on what to do procedurally. They have a prepared list of questions that were put together and not that they

are going to go through each and every one of them, but they are going to rotate and take turns asking questions. They may or may not come off this list. He started by asking if they could provide a background and give the commission their background, qualifications and experience.

Becky Vose, founding partner of the Vose Law Firm, stated that her today is Wade Vose, her son and law partner. He is currently the county attorney for Ockachobee County, the City Attorney for South Daytona and the Village Attorney for the Village of Indian Town. They are the State of Florida's newest municipality. Nancy Stuperich is her partner in the firm and she resides in Clermont. She is the city attorney for the City of Naples and their firm represents cities all over the state. The way they handle their cities is unique. They represent cities on a flat fee basis, doing all their work including all their complex litigation, everything and that works so well for every one of their cities. They are now city attorneys for nine different cities, they are a county attorney for one county. The way they make it work and, obviously, each city pays them a different amount. The City of Naples has Nancy and they also have Ralph Brookes down there, who is an assistant city attorney for Naples, but they have litigation out the yingyang. They kind of go crazy down there and they pay accordingly and they knew that ahead of time. When they make their presentations and their proposals to cities, they research what the cities are like as far as litigation history, the sort of meetings that you all have. We go back and watch them and she has been practicing local government law for forty-eight years and she has a very good feeling about what it takes for us to totally cover every bit of work for our cities. She has never really been off on this. It works, it really works. You might contact our clients either the references that we have in our proposal or you could contact any elected official or staff member for any of our cities or our county and ask them what they think of us. They will tell you that they really like us and we get the work done. We do it in a timely way and we watch out for them. We do not believe that it is appropriate for a city attorney to make extra money if there is litigation, because often litigation is because somebody, certainly, not always, but some attorney, made a little mistake and all of a sudden the city is in litigation. Well, we should not be thanked for that by having more legal fees. We think it is a conflict of interest to get more fees if somehow we possibly messed up and pulled you into litigation, so we do not do it. We do not have that conflict. They are very proud of our firm. Their clients love them and she is sincere. You should pick up the phone and find out for yourself what our cities think of us. We would love to be the city attorney for Leesburg. She would guarantee that if they were fortunate enough to get this they would do an awesome job for you. This is a little summary.

Commissioner Burry stated he is with District One. Since you applied for the position, you have probably been following things happening in Leesburg and he was curious about what they saw as the major issues going forward that your expertise could help us to face.

Becky Vose answered that she knows there is a lot of development going on. She would tell him that they look at historical issues and one thing that they do not do is they know they are not city commissioners, so they do not try to figure out what issues are going to come up in the future, because you all tell them what the issues are. They deal with it that way. They have seven local government attorneys and, by the way, that is all they do. They do not dabble in wills, they do not dabble in other civil litigation, they do city work. They have extensive experience with development work and, frankly, if you look at their proposal, you will see that they have extensive experience in virtually every aspect of local government law. You tell us what the issue is and we take care of it.

Commissioner Christian asked what role they saw their firm taking in this organization and if they could just highlight their experience with CRA's and dealing with blighted areas.

Becky Vose responded that they deal with CRA's on a very regular basis. They have them in Cocoa Beach, they have them in Naples, they have them in Brooksville and she currently represents the CRA in the City of Bradenton. Now they are not attorneys for the City of Bradenton but they like her expertise so well with regards to CRA's that they were hired to do that work. Just an extensive background for that. She has been doing this for so long that she has developed what she would call her philosophy of local

government representation. That basically is that they know they are not city commissioners, they do not bring to the table any ideas of what you all should do, you tell us what you want to accomplish and they will find the way to do it. She cannot tell you how many times she has seen city attorneys say nope you cannot do that or that it is not legal without creatively coming up with a way to accomplish it. What they do and what they believe their role is, is to figure out how to accomplish the city's goals, not her goals, in a legal defensible manner. If that happens, typically there is no litigation over it, but if there is, she would tell them what their philosophy of litigation is. They go for the juggler, there are a lot of lawyers who write lengthy memorandums of law, motions to the court and charge by the hour, they have deposition after deposition. They spend their time figuring out a strategy that is going to win. Honestly, they spend a lot less time on litigation than your normal attorney who would just plot through this stuff. They do not take extra depositions, they do not write extra motions. Their goal is to get in there to figure out a winning strategy and make whatever discovery they need to make, go in for motions for summary judgement, if it is not amenable to that, set it for trial and she is typically the litigator in the firm. She would go to trial, win the case and then it's over. When you all talked about seven hundred hours, that is what you anticipated they would be spending. Their thought was they would probably not spend that much time because, honestly, they know how to do it. They get things done quickly. It is a rare situation when they are asked to draft an ordinance. Their files online have just about every type of ordinance you could ever want and they can knock those things out very quickly, whereas a law firm that does not specialize in this and does not have the depth of field that they have could take a really long time. She thinks that they offer a lot.

Commissioner Robuck knows this was in their packet but he does not have that with him, but who is specifically serving as the Leesburg city attorney?

Becky Vose stated it would be her. She would attend the meetings personally.

Commissioner Robuck asked in that case, could she speak to any specific experience she has representing either electric or gas utilities, municipal or otherwise?

Becky Vose replied that the biggest involvement was with the City of St. Cloud. She was the city attorney for the city of St. Cloud for a lengthy period of time and they had its own electric utility system and the city commission there decided they wanted to go with OUC, so she stepped in and negotiated with OUC the transition from a local electric company to being taken over by their land utilities commission. It was a lot of work and she was doing that on a flat fee basis and she did not see that coming, but that is what it is. Sometimes, in theory, they lose money in one city but they make it up with another one. In that instance, it took a massive amount of time but they went in and they told them they would do it for a flat fee, so she did. However, she does have a lot of experience with that.

Commissioner Connell asked where their closest office is to Leesburg and do they currently represent anyone that they foresee could be a conflict of interest with the city.

Becky Vose replied that was a very good question and, since they do not do private legal work, they have no conflicts in that way. They do not represent any Lake County municipalities, so they would not have any conflicts there. The closest office, Nancy, lives in Clermont and she works out of her home. She lives in Clarcona, which is right next to Apopka. That is a hope skip and jump from here. Her house, when she put it into Waze, was twenty-eight miles away. She thinks Nancy's is like twenty-six miles away.

Nancy Stuperich said she lives just outside the downtown area, the CRA, which is where she lives, and she enjoys it. She loves seeing the changes that could happen in a CRA, so she is very close and it is about a thirty minute drive. It is nothing.

Becky Vose stated that it is nothing to her either and all of their attorneys have no problem driving. Her husband is retired usually not today, but usually her husband drives her to places, so she sits and works while she is being driven around. As far as being able to attend meetings and being here when the city needs somebody, we are there when you need someone; we absolutely are. This is interesting other than the Town of Oakland and other than Orange County because we have represented Orange County since

1993, other than Oakland and Orange County. You would be our geographically closest client, which we were so excited about when this came up. We feel like this is our hometown for us. When we went to Naples, it was a hike, it truly was a hike, but we did it, and Okachobee was a hike along with Indian Town. Bunnell is a hike, Leesburg is not a hike, it is a stroll down the road and they are happy about that.

Mayor Pederson remarked that their background had made it difficult for him to come up with any more questions.

Commissioner Burry asked as a followup to something Commissioner Robuck asked when he read the packet. It said that you were going to use a collaborative approach, but today you are saying you are going to be the city's attorney.

Becky Vose responded that she would be the one attending the meetings. What they try to do is have consistency at the meetings and they have been extremely blessed with the seven lawyers they have. One of them has gotten COVID over the last two years, but who knows? She may come down with it, in which case Wade or Nancy would come to the meetings, but they do use a collaborative approach and that is how they get things done quickly. That is why they can be so thorough. They have an attorney, Garrett Olson, who is unbelievably good at code enforcement and they would use him for code enforcement here. They all have their own snitches and she is the litigator. She also attends a lot of meetings. They collaborate on things and she would tell you that she keeps her finger and Wade does too, in everyone of our nine cities and one county, so in that case, if one of us gets sick or heaven forbid a Mack truck comes along (which they do not like to think about), there would not be a hiccup at all. They stay on the phone and they text each other. They have conference calls all the time because in such or such a city something comes up and they may need some ideas. They all get on the phone with all their attorneys and they talk because an issue may have come up like that two weeks ago in another city. Without collaboration, they could not make it all work.

Commissioner Burry commented that when he read that he was more concerned and thought it might mean one of the three of you would attend the meetings.

Becky Vose mentioned that she does take vacations, not often, but someone else would be there. She does tend not to get sick, but if she gets sick then someone else will be there.

Nancy Stuperich stated she is the one that travels the most. She does serve the City of Naples and it is a four-hour drive on a good drive down there and when they first acquired the city she was concerned because she is going to be four hours away from her partners, from her friends, from her family, but it has not been a lonely experience. The reason for that is, yes, we collaborate on legal issues and we discuss when something new comes up in Naples that maybe she is not familiar with, she picks up the phone and one of the seven will have experienced that in one way or another. It is collaborative, but they function as a team. It is very seamless and if there is something that she cannot get done because she has another pressing issue with one of her council members, somebody else is able to pick that ball up and run with it because we have been in communication of what the issues are in the City of Naples. She thinks the same would be true regarding the issues in Leesburg. She wanted to take it one step further. We talked about collaboration, we talk about team work, but we are also somewhat of a family. You know the actual relationship between Becky and Wade, but the rest of us, we feel like we are part of that family too. If there is a call at one o'clock in the morning, somebody is going to respond to it. She wanted to share that with them because that has been her experience with the firm and she finds them to be very ethical and very professional. That is what we would be providing for you.

Commissioner Christian knows they have a plan and a program, as they say in Naples, which is four hours' travel. Have they ever thought about a brick and mortar office location here in Leesburg just in case something were to arise if they had a long meeting or a two-day meeting? He knows Apopka or Clarcona is not as far as Naples, but has there been any thought or consideration if you were to assume the contract? He knows outside of nine cities, he knows, they said, Naples and Brooksville.

Becky Vose said she could provide a list of cities. If they go to the east coast, the furthest north is Bunnell in Flagler County. Then they have Daytona Beach Shores in Volusia. They have South Daytona in Volusia. They have Cocoa Beach in Brevard. They represent a recreation district which is a special district. Legally it is unique, but that is Barefoot Bay in Brevard and then in Martin County. They have Indian Town and then, moving across the state they have Ockachobee County, then they have Brooksville in Hernando County, they have Anna Maria, which is a barrier island community in Tampa Bay, and then Naples. **Nancy Stuperich** said they also have the Town of Oakland. **Becky Vose** said yes, and that is located just about in her backyard.

Commissioner Robuck asked if they could tell the commission about a specific city or other entity that left as a client and why. That left your firm. They did not renew the contract.

Becky Vose responded that in the City of Deltona, she had been city attorney there for seven years. She got ill, got recurrent monocleocsis and she had it when she was in college and she got a recurrence of it and you do not ever want to do that, particularly at her age. She was sick in bed for about six weeks and Wade took over that and, honestly, he was too spread out. It just did not work because it was a city of 97,000 residents. It was very time-consuming. She wondered how to say it appropriately. The City of Leesburg commission seems like a very collegial body and when she went to the meeting everybody was so polite and she has watched this city's meetings online in Deltona. They were not like that so much. Unfortunately, it was people who were spitting at each other. It was emotionally toxic, which might have been the reason for her getting sick like that.

Commissioner Connell remarked that things come up daily with the city; either the staff has questions or the city manager has questions or maybe even a city commissioner has questions. How accessible is your staff to phone calls or to respond back to emails when we need to know something, like yesterday?

Becky Vose responded that she is not alone in that she has her phone on mute right now and, luckily, today is a holiday for most of her city. Some of them are working today, but she answers her phone when it rings. If she is on a conference call, she will really quickly text you that she will call you back and she calls back immediately. That is crucial. When she gets emails she answers them, she beats this into everybody's heads. All the lawyers in their firm do that; you cannot put somebody off. For one thing, if you put someone off, it is going to hang over your head. In order to have a fast-paced practice like they have, you cannot let things fill up in an in-basket. You have to empty them out. She personally does not go to sleep at night until everything is done from that day. She will not put it off till tomorrow because there will be other stuff going on tomorrow. She knows Wade has three young daughters and after he puts them to bed he will text her and they email back and forth until one o'clock in the morning, but they all do that. He is lucky enough to take a little time off to be with his daughters from six until they go to bed at night, but other than that, we are a little bit obsessive about our work. However, you kind of have to be to have the practice that they have.

Nancy Stuperich said they just love what they do and the more they do it, the more it motivates them to do more. She hates to say it that way. However, one-two o'clock in the morning is not something that is uncommon because they have to get it done and they are in this with the city and Becky had talked previously about litigation. They want the city to win, because when the city wins, they win, everybody wins. They are very strong about that.

PM Thorton said you mentioned that you do not dabble in civil law, which is their experience with real estate, property leases and code enforcement forfeitures.

Becky Vose replied that code enforcement forfeitures they have handled. They are Orange County's exclusive law firm to do all of their code enforcement foreclosures. With real estate, she has an extensive background along with Wade and Nancy, but complex real estate transactions she does all the time. They just recently had a closing for Daytona Beach Shores and they are about to do one for Cocoa Beach. So yes, their depth is really strong. Nancy also has incredible experience with real estate.

Nancy Stuperich said she had the opportunity early in her career to work for two different title insurance companies, which you can make or break a transaction based on if the title is appropriate or not, and that got her into the zoning area, which caused her to go back to Florida State to get a Masters in Urban and Regional Planning. She stumbled across the Florida League of Cities and working at the Florida League of Cities, she is so proud of the fact that she got to work on the Civic Hall, which is the Florida League Headquarters in the middle of Downtown Tallahassee, adjacent to the Florida Capital. For her, that was a huge accomplishment in her career.

Commissioner Robuck asked if they could speak about a particularly challenging zoning case that they have had to deal with.

Becky Vose replied that they are dealing with one right now in Naples, having to deal with height. She does not know how familiar you might be with the City of Naples, but they have skyscrapers. Several years ago, they passed a charter amendment saying forty-two feet. That was the end of the story. They have a lot of litigation with regard to that, they are in the process of drafting some work around addressing exceptions to the height provision in the charter for hospitals and parking garages and they need both of those desperately and forty-two feet does not work well for either one of those. The City of Indian River Shores hired her in particular to rewrite their zoning code, which she did, so they have extensive experience with that. The Town of Oakland, as she said, is basically in her backyard. They are going gangbusters with development right now and the reason why they are in (they are in west orange county up all the way up over to the lake county boarder), they never had sewer so they could not develop so it just sat there in 1950's land until they worked a deal with the city of Clermont. Oakland has its own transmission lines but Clermont treats the sewage, so when they put the sewer lines in, it exploded with growth, so they do all the development agreements. They do all that, they annex, rezone, and comprehensive plan it. They process the development agreements, and negotiate all that. When she was in the City of Orlando back in the seventies, she was the attorney that represented the zoning department and she kept up that type of work.

Wade Vose, managing partner, added that in Cocoa Beach they went through a multi-year process that ended up being for what was going to end up being about a five hundred million dollar hotel and conference project that is going in right on the ocean in Cocoa Beach. That involved years of going through and there being charter amendments first because, like Naples, they had similar provisions having some limitations there. Charter amendments then go through the comp plan. Rewriting part of the comp plan and LDR's to accommodate it and then going through the actual comp plan and rezoning process, which is highly controversial, as you can imagine, but they got through that without any challenges there. In addition, they mentioned the Village of Indian Town, which is the newest municipality in the state and he is the Village attorney there and he had the fun job when they started there. They did not have a comp plan, they did not have land development regulations, they did not have anything. In the couple of years since they came to exist, a whole comprehensive plan has been developed and it has to go through multiple ringers of their offices to be reviewed again. Land development regulations all put together their offices to review and then they got to put those to the test with an eight hundred acre which is big for Little Indian Town. An eight hundred acre project is coming in to get a master development agreement for them to be able to put up thousands and thousands of homes. They got that through, a very high interest, somewhat controversial issue, but they got it all through without any help. They do it every day.

Mayor Pederson questioned whether they are experienced with airports.

Becky Vose replied yes.

Wade Vose added that their firm serves as county attorney for Ockchobee County and they have an airport. He has previously done a little bit of FAA work for the Town of Pierson in Volusia County, but that really does not count because it really is a grassfield and there really is not much to be done there. They have done an extensive amount of work with the Ockchobee Airport, which is wholly owned, and a

department of Ockchobee County. They helped the airport director jump through the hoops with the different FAA regulations that encumbrant the grant conditions that come along with any sort of money that would come from the FAA that would govern what you could use that land for and how you would lease it out to individual folks that may want a hangar there. They also had to deal with some litigation issues. These were leftovers from the prior county attorney that they had to dive into. That involved extensively digging into the application of those grant conditions, how the FAA, how the local district office of the FAA, which for Ockchobee County, is in Orlando. How they enforce those, how they deal with those and how those interact with the litigation that they had going on and they, fortunately, all came in for a landing pretty well and that litigation is all over. They deal with airport issues every day and that is not incredibly common for local government attorneys. Not every city and county has an airport of their own but they have been fortunate these last many years to be able to dive deep in and get a lot of experience with that.

Becky Vose said the City of Naples owns the land under the airport but they do not operate it. There is a separate authority but there is a lot of interaction between the city of Naples and the authority. Also, there are a lot of issues there with regards to fly overs and the noise issues. Particularly, just in the last two to three years, the number of flights has massively increased in and out of the City of Naples airport, so the people who live there, who reside in multi-million dollar homes are not really happy about that. Again, those are the same people who are flying in.

Nancy Stuperich said those issues are very similar, not only noise, but they also have grant issues and they also look at it from a planning perspective as far as the long term plan for the airport authority as well for the city and how the two interact. She knows Mr. Vose has dealt with those issues as well and that is just an example of how they work together and when she gets a grant issue she calls Mr. Vose.

CM Minner asked if they worked in Indian River Shores.

Becky Vose replied yes, she was hired to rewrite their zoning code.

CM Minner questioned if they just did that and if they were active with them when they had all their issues with Vero Beach Electric and the Franchise issues?

Becky Vose replied no, they were not active with them at that time. She was asked to rewrite the zoning code, which she did. That was almost ten years ago.

Mayor Pederson stated he would conclude this with a closing question about why the commission would choose your firm over the three other firms.

Becky Vose replied that she never said anything about another law firm. It does not seem to do that, but she does not know that they would find any firm that would have more experience or more passion for what they do. She did see there is one firm that has a lot of experience and they are from Maitland, which is in their background, and she saw their proposal and she suggested that they ask what standard litigation is, other than code foreclosures. Most litigation is nonstandard and when they commit to doing work, including all litigation, it means all litigation. She would suggest that the city go with basically an exclusive local government firm and they may want to ask questions about whether they represent individual clients against other local governments, which they do not. They get called all the time when they are having a problem, where they are having a problem with the City of Maitland and they need their help. They stay on their side of the fence and they never attack other local governments. It's not something they do. It's not seemly. Also, if you are in court in front of one judge and last week, if you argued against a city in front of that judge and then the next week you come back and you are telling a different story to the judge because the issues are common, you just cannot do that. She thinks they are special in that and they are the only ones that have that philosophy.

CM Minner said that you went back to it so it made him think about it because they keep talking about the flat fee and the same thing for litigation, so are you familiar with the City of Leesburgs action with TECO's Peoples gas?

Becky Vose replied no.

CM Minner stated that the City ended up in quasi litigation with the public service commission, so would that have been covered under your flat fee?

Becky Vose answered absolutely it would have been. It is the sort of thing where she talked about St. Cloud, sometimes we end up thinking about why they did this, but it is over and they are happy as clams.

Wade Vose added that things came up as Becky said that it would be a radical project, some extraordinary project and a lot of other context. We just take it in stride and do it.

Commissioner Robuck questioned what issues. You say yes we will do this and we say yes, we appreciate that, but this is so outside of the things you normally do, we want to hire someone to deal with it. That would not be a problem.

Becky Vose said that would be fine.

Commissioner Robuck asked if they would work with them as needed.

Becky Vose said absolutely, and that has happened and they are working in Naples right now.

Nancy Stuperich said it was a redevelopment project for the Naples Beach and Golf Club and when they were hired they had already had outside counsel from the Osley Firm in Tallahassee, so they augmented that approach and then, at the last minute, they hired some additional counsel, because they needed to bring that project to a completion. It is basically the negotiation of a conservation easement that is very near and dear to the heart of many in the community. They have no problem working with outside counsel.

Becky Vose said they enjoy that.

Mayor Pederson asked if there were any other questions. There being none, he thanked the firm for their interest in the City Attorney's position, their proposal and their time today.

PM Thorton stated in conclusion, this is the second of four interviews. There are two more on Wednesday and the plan is that the City Commission will discuss this item at the Monday, February 28, 2022 meeting and hopefully make a final decision.

5. ADJOURN:

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, ADA COORDINATOR, AT 728-9740, 48 HOURS IN ADVANCE OF THE MEETING.

F.S.S. 286.0105 "If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they 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." The City of Leesburg does not provide this verbatim record.

The meeting adjourned at 2:45 p.m.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.B.1.

Meeting Date: March 14, 2022

From: Mike Thornton, (Purchasing Manager), James Williams, (Finance Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Amendment with MSL, PA for financial audit services for an amount not to exceed \$71,000.00 per year; and providing an effective date.

Staff Recommendation:

Staff recommends approval of the resolution authorizing execution of Amendment 4 to an existing professional services agreement extending the term through 2025 and increasing the annual cost for audit services with MSL, P.A.

Analysis:

The City entered into an agreement with MSL, P.A. for annual financial audit services on June 14, 2010. The City has been extremely satisfied with the services provided by MSL, P.A. and the positive collaboration between MSL and staff.

Last year, the Amendment to MSL reduced the annual cost from \$85,000 to \$67,500. A reduction of \$17,500. This current Amendment 4 increases the annual cost to \$71,000 and locks that price in through 2025.

Procurement Analysis:

State of Florida statute 218.391 - Auditor selection procedures governs how auditors are selected for the defined political subdivisions of the state, including municipalities. A summary of the statute is:

1. The governing body (commission) is responsible for selecting the audit firm.
2. Audit services shall be evidenced by a written contract.
3. Written contracts entered into pursuant to the selection process may be renewed. Such renewals may be done without the use of the auditor selection procedures provided in this section.
Renewal of a contract shall be in writing.

Should the City Commission desire to accept staff's recommendation to renew the existing Agreement, Florida Statute related to auditor selection allows for the renewal.

The annual compensation in Amendment 4 is an increase of \$3,500.00 over last year's reduced cost. The new amount of \$71,000 is a reduction of \$14,000 compared to the original contract award. The increase is reasonable and in line with increases in salaries and expenses in the industry.

Options:

1. Approve the resolution authorizing execution of Amendment 4 with MSL, P.A.; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

Execution of Amendment 4 will result in an annual expenditure of \$71,000 for which the Finance Department budgets each year.

Submission Date and Time:

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE
AN AMENDMENT WITH MSL, PA FOR FINANCIAL AUDIT SERVICES FOR
AN AMOUNT NOT TO EXCEED \$71,000.00 PER YEAR; AND PROVIDING AN
EFFECTIVE DATE.**

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the Mayor and City Clerk are hereby authorized to execute Amendment 4 to an existing agreement with MSL, P.A. whose address is 255 S. Orange Avenue, Suite 600, Orlando, Florida 32801 for financial auditor services pursuant to RFP 100032 and all previous Amendments.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 14th day of March 2022.

Mayor

ATTEST:

City Clerk

**FOURTH AMENDMENT TO AGREEMENT
FOR AUDIT SERVICES**

THIS AMENDMENT is made as of the 14th day of March 2022 between **THE CITY OF LEESBURG, FLORIDA**, a Florida municipal corporation, whose address is 501 West Meadow Street, Post Office Box 490630, Leesburg, FL 34749-0630 (hereinafter referred to as the "CITY") and **MSL, P.A.** (formerly MOORE STEPHENS LOVELACE, P.A.), whose address is 255 S. Orange Avenue, Suite 600, Orlando, FL 32801 (hereinafter referred to as the "PROFESSIONAL").

RECITALS:

WHEREAS, on June 14, 2010, the CITY and the PROFESSIONAL entered into an audit services Agreement as provided by Resolution 8666 whereby the PROFESSIONAL agreed to provide annual audit services on behalf of the CITY (hereinafter referred to as the "Agreement") as established by Request for Proposal (RFP) 100032.

WHEREAS, on May 28, 2013, the CITY and the PROFESSIONAL entered into the First Amendment to Agreement as provided by Resolution 9196 whereby the PROFESSIONAL agreed to provide annual financial audit services on behalf of the CITY through June 14, 2016 as established by the above subject RFP.

WHEREAS, on May 23, 2016, the CITY and the PROFESSIONAL entered into the Second Amendment to the Agreement as provided by Resolution 9797 whereby the PROFESSIONAL agreed to provide annual financial audit services on behalf of the CITY through June 14, 2019 as established by the above subject RFP.

WHEREAS, on June 11, 2018, the CITY and the PROFESSIONAL entered into the Third Amendment to the Agreement as provided by Resolution 10206 whereby the PROFESSIONAL agreed to provide annual financial audit services on behalf of the CITY through June 14, 2022 as established by the above subject RFP.

WITNESSETH:

NOW, the parties wish to revise the annual audit fee and extend the term of the Agreement and have entered into this Amendment for those purposes.

NOW, THEREFORE, in consideration of the mutual benefits accruing to the parties to this Agreement and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. RECITALS

The above recitals are true and correct and are incorporated by reference herein and made a part thereof.

2. AMENDMENT

- a. **Compensation.** The parties agree that the PROFESSIONAL will provide annual financial audit services on behalf of the CITY for a total annual compensation of **\$71,000** per year for the CITY's fiscal years ending September 30, 2022, 2023, and 2024.
- b. **Term.** The parties also agree to extend the term of the annual agreement to June 14, 2025.

3. MODIFICATION

Except as specifically modified by this Amendment, all terms and conditions of the prior agreement shall continue in full force and effect as originally executed. Nothing herein shall be deemed or construed to amend or modify any other contract or undertaking between the CITY and the PROFESSIONAL other than as defined above.

4. COUNTERPARTS

This Agreement may be executed in multiple counterparts, each of which may be considered an original, but all of which together shall constitute but one and the same instrument. This Agreement when signed by a party may be delivered by electronic mail or facsimile transmission with the same force and effect as if the same were an executed and delivered original, manually-signed counterpart.

In witness thereof, the parties have executed this Amendment to an Agreement for annual financial audit services on the date stated in the preamble to this Amendment.

MSL, P.A.

William Blend, Shareholder

THE CITY OF LEESBURG, FLORIDA

Mike Pederson, Mayor

ATTEST:

J. Andi Purvis, City Clerk

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.B.2.

Meeting Date: March 14, 2022

From: Mike Thornton, (Purchasing Manager), Al Minner, (City Manager)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Agreement with Stone & Gerken, P.A. for legal counsel services acting as the City's City Attorney; and providing an effective date.

Staff Recommendation:

Staff recommends approval of the resolution authorizing execution of the Agreement with Stone & Gerken, P.A.

Analysis:

This resolution will formally employ Stone & Gerken, P.A. to act as the City of Leesburg City Attorney and provide legal counsel as required and requested by the City Commission.

Procurement Analysis:

The Procurement Division issued Request for Proposal (RFP) 220042 to select a legal firm to act as the Leesburg City Attorney and provide legal counsel to the City. The City received five responses to the RFP. The City Commission serving as the RFP Evaluation Committee evaluated all proposals and selected to interview the top four firms of the five responding.

Following interviews, the Evaluation Committee established the following final ranking of the firms interviewed:

- 1 - Stone & Gerken, P.A.
 - 2 - Brionez & Bronez, P.A.
 - 2 - Vose Law, LLC
 - 4 - Shepard, Smith, Kohlmyer & Hand, P.A.
- Waugh Grant PLLC - Not Interviewed

Options:

1. Approve the resolution authorizing execution of the Agreement with Stone & Gerken, P.A.; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

There will be a monthly retainer fee of \$2,500 per month. The hourly billing rate for attorney services will be \$225.00. The hourly rate for paralegal services will be \$125.00.

Account No. 001-1241-514-3110 & various other accounts

Budget \$64,000.00

Available \$41,579.65

Submission Date and Time:

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE
AN AGREEMENT WITH STONE & GERKEN, P.A. FOR LEGAL COUNSEL
SERVICES ACTING AS THE CITY'S CITY ATTORNEY; AND PROVIDING
AN EFFECTIVE DATE.**

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the Mayor and City Clerk are hereby authorized to execute an agreement with STONE & GERKEN, P.A. for legal counsel acting as the Leesburg City Attorney pursuant to Request for Proposal 2200042.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 14th day of March 2022.

Mayor

ATTEST:

City Clerk

CITY ATTORNEY AGREEMENT

This Agreement, made effective the 14th day of March, 2022, between the **CITY OF LEESBURG, FLORIDA, a municipal corporation**, whose address is 501 West Meadow Street, Leesburg, Florida 34748, (“City”), and **STONE & GERKEN, P.A.**, a Florida professional corporation, whose address is 4850 North Highway 19A, Mount Dora, Florida 32757 (“Attorney”).

RECITALS

- A. City is a Florida municipal corporation, incorporated under the laws of the State of Florida.
- B. Stone & Gerken, P.A., is a Florida law firm experienced in the area of local government and municipal law and is authorized to practice law in the State of Florida.
- C. Attorney desires to act as the City Attorney for the City of Leesburg, Florida.
- D. City, by and through its City Commission, desires to have Attorney serve as the City Attorney for the City of Leesburg, Florida.

In consideration of the above premises, and for other good and valuable consideration, receipt of which is hereby acknowledged, the parties mutually agree as follows:

NATURE OF EMPLOYMENT

City hereby retains and employs STONE & GERKEN, P.A., 4850 North Highway 19A, Mount Dora, Florida 32757 to act as its City Attorney and to render to the City and its duly authorized officers legal advice and, when required or requested, to represent City and its duly authorized officers in all matters which may be pending or which may hereafter be instituted in any State or Federal court within the State of Florida, and before all administrative agencies and departments of the government brought by or against City during and through the continuance of this Agreement. Attorney shall also prepare or review contracts as requested, attend regular meetings of the City Commission, serve as attorney for the Planning Commission, render legal

opinions, and provide all other legal services as City or any of its duly authorized officers may request or require.

As Attorney deems appropriate and in specialized matters, the Attorney may recommend to the City use of special legal counsel for defined purposes. If recommended by Attorney, the City Manager as Contract Administrator for the City may approve use of special counsel for an expenditure of legal fees not to exceed the City Manager's spending authority approved by the City Commission. All other requests or Attorney recommendations to utilize special counsel will be subject to prior approval of the City Commission.

ACCEPTANCE OF EMPLOYMENT

Attorney hereby accepts the employment and agrees to render to the best of its ability the services described herein during the continuance of this Agreement. This Agreement creates an independent contractor relationship and not one as employer/employee.

Subject to City's approval, Attorney agrees to designate a qualified attorney from its firm to serve as the primary contact and attorney and to serve under the title of "City Attorney" for the City. William Grant Watson shall initially serve as such primary contact and attorney until amended by mutual agreement of the parties.

ADMINISTRATION OF AGREEMENT

The City Contract Administrator is the City Manager. The City Attorney is the Contract Administrator for the Attorney. All written and verbal approvals referenced in this Agreement (unless specified as being required to be obtained from the City Commission_ must be obtained from the parties' Contract Administrators or their designees. From time to time either party may notify the other, making a unilateral change in the person named by said party as the contract administrator for said party. This contract will be governed by and construed under the laws of the State of Florida.

Any attorney of the law firm with whom the City Attorney is affiliated may provide legal representation under this Agreement to the City, its officers and employees. The Attorney may refer work under this Agreement to attorney's in said law firm.

The City of Leesburg, acting by and through its Mayor and City Commission as a collegial body, will be considered the Attorneys client.

CONFLICTS OF INTEREST

The parties acknowledge that Attorney is a private law firm located in the City of Mount Dora, Florida, and that there exists the possibility that private clients of the firm may conflict from time to time with the representation of the City. Attorney agrees that the firm shall not accept any employment that would create a conflict of interest with representation of the City of Leesburg as set forth in the Florida Codes of Professional Responsibility.

COMPENSATION

As compensation for basic retainer services to be rendered by Attorney, City shall pay to Attorney for said services the sum of Two Thousand Five Hundred and 00/100 dollars (\$2,500.00) per month (or any prorated portion thereof) for the remainder of the term of this Agreement, which begins on March 14, 2022. The basic retainer compensation will be payable on the first day of each month. This Agreement will continue automatically for successive one (1) year terms unless terminated or modified by the parties.

"Basic retainer services" as used herein will include Attorney's monthly attendance at two (2) regular City Commission meetings and one (1) Planning Commission meeting, and response to routine telephone calls and legal inquiries with City Commissioners, the City Manager and key staff. Routine telephone calls and legal inquiries are those lasting less than fifteen (15) minutes and not involving legal research or document review. This fee would exclude meetings in excess

of three (3) per month, review of materials and documents associated with such meetings, work outside meetings, and any other matter.

For any and all legal services provided to City by Attorney other than basic retainer services as set forth herein, City shall pay to Attorney the sum of \$225.00 per hour, or fraction thereof, billed in quarter hour increments, spent by any partner or associate with Attorney's firm on said services, and \$125.00 per hour, or fraction thereof, billed in quarter hour increments, spent by any paralegal or legal assistant on said services. Attorney shall additionally be entitled to reasonable and customary compensation for attorney opinion letters required of the City Attorney.

FEE ADJUSTMENT

The Attorney may request a Fee Adjustment be made to the compensation by submitting a written request to the City's Contract Administrator no later than forty-five (45) calendar days before the annual anniversary date of this Agreement. The request will be accompanied by economic data or explanation supporting the requested adjustment.

Should the City's Contract Administrator accept the request, the request will be put before the City Commission for consideration in the form of a written amendment to this Agreement.

Attorney shall submit a detailed statement to City on a monthly basis for all services provided outside the basic retainer services, which amount will be paid by City to Attorney promptly upon receipt.

EXPENSES

The City will reimburse Attorney for expenses related to the City Attorney's attendance at the annual Florida Municipal Attorneys Seminar provided by the Florida Municipal Attorneys Association (FMAA). Travel expenses for the FMAA Seminar will be reimbursed in accordance with Section 112.0612, Florida Statutes.

Routine expenses such as local phone calls, routine copies, routine postage, local travel expenses, word processing, and clerical or secretarial services are overhead and will not be separately compensated.

The City may reimburse the Attorney for specialized material solely for the use of the City which, in such event, will be specifically listed on an invoice. The City must provide approval in advance of the Attorney purchasing such specialized material.

Justified and reasonable travel expenses will be reimbursed (excluding local travel) which are directly and exclusively related to the legal services rendered under this Agreement will be reimbursed in accordance with Section 112.0612, Florida Statutes. Pursuant to Section 112.061, Florida Statutes, attorneys of the firm with whom the Attorney practices are designated as authorized travelers during the life of this Agreement. For the purposes of computing travel expenses, the Attorney's place of business will be utilized for computation of all travel expenses.

TERMINATION

This Agreement will be effective as of the date stated in the preamble to the Agreement. This Agreement may be terminated with or without cause at any time upon thirty (30) days written notice from either party to the other party that employment hereunder is to be so terminated.

PUBLIC RECORDS

In accordance with the provisions of Chapter 119.0701(2), Florida Statutes:

IF ATTORNEY HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE ATTORNEY'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS, AT CITY CLERK, 501 W. MEADOW STREET, LEESBURG, FL 34748, 352-728-9731.

Attorney must comply with public records laws, specifically to:

1. Keep and maintain public records required by the Board to perform the service.
2. Upon request from the City custodian of public records, provide the City 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 Chapter 119, Florida Statutes, or as otherwise provided by law.
3. Ensure that the 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 term of the Agreement and following completion of the Agreement if Attorney does not transfer the records to the City.
4. Upon completion of the Agreement, transfer, at no cost to the City, all public records in possession of Attorney or keep and maintain public records required by the City to perform the service. If Attorney transfers all public records to the City upon completion of the Agreement, Attorney shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If Attorney keeps and maintains public records upon completion of the Agreement, Attorney shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the City, upon request from the City custodian of public records, in a format that is compatible with the information technology systems of the City.

LIABILITY

The City shall defend the actions of the Attorney as City Attorney. The Attorney shall maintain, during the period of this Agreement, a professional liability insurance policy or policies affording a minimum one million dollars in professional liability coverage for the professional services to be rendered to City under this Agreement.

EMPLOYMENT ELIGIBILITY

The Attorney is obligated to comply with the provisions of Section 448.095, Fla. Stat., “Employment Eligibility.” This includes but is not limited to utilization of the E-Verify System to verify the work authorization status of all newly hired employees, and requiring all subconsultants to provide an affidavit attesting that the subconsultant does not employ, contract with, or subcontract with, an unauthorized alien. Failure to comply will lead to termination of this Agreement, or if a subconsultant knowingly violates the statute, the subcontract must be terminated immediately. Any challenge to termination under this provision must be filed in the Circuit Court no later than TWENTY (20) calendar days after the date of termination. If this contract is terminated for a violation of the statute by the Attorney, the Attorney may not be awarded a public contract for a period of ONE (1) year after the date of termination.

(signature blocks on following page)

In witness whereof, the parties have executed this Agreement on the date stated in the preamble to the Agreement.

STONE & GERKEN, P.A.
City Attorney
City of Leesburg, Florida

By: _____
Scott A. Gerken, President

CITY OF LEESBURG, FLORIDA

By: _____
Mike Pederson, Mayor

Attest:

By: _____
J. Andi Purvis, City Clerk

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.B.3.

Meeting Date: March 14, 2022

From: Mike Thornton, (Purchasing Manager), Cliff Kelsey, (Public Works Director)

Subject: Ratification of a construction change order for work that has been completed with Bulldog Sitework, Inc. on the Picciola Road utility relocation for an amount of \$31,430.05.

Staff Recommendation:

Staff recommends ratification of the construction change order for work that is completed for an amount of \$31,430.05.

Analysis:

The purpose of this project was to relocate water and sewer lines at and around the intersection of Picciola Road and US Highway 441. The relocation was required due to the Florida Department of Transportation (FDOT) moving traffic signal masts to accommodate road work on a current FDOT project.

Causes of the additional costs -

PIPE SIZE. The original quote was for 60 LF of 6-inch PVC on the water line. When excavated, it was discovered the line was actually 8-inch. The 6-inch estimate was provided by the City from the City's GIS system prior to the start of construction. Increased pipe size resulted in an increase to the cost of pipe on the project.

The 60 LF actually turned out to be 180 LF. Upon doing their initial scope of work, the Gas Department placed their new line in the location where the new water line was going to be placed (in accordance with the final plans). This forced the contractor to adjust the line placement of the new water line. This change to the line placement resulted in additional pipe footage. Furthermore, the point in the pipe the Contractor was going to tie in, according to the design, was actually under the stem wall that gives restraint support to the F.D.O.T. sidewalk, making the original location impossible. The Contractor was forced to tie in further down the main line where the water main made a field bend out from under the stem wall, making the water line work extend further than initially planned.

INCREASED RESTORATION. The adjusted work previously completed caused unplanned asphalt restoration, as well as additional sodding requirements.

WATER MAIN BREAK. The City and Contractor had a planned water outage scheduled for February

11th. Unfortunately, the project's Prime Contractor broke a water main along the southbound side of 441 the night prior. This afforded Bulldog the opportunity to conduct an unplanned mobilization and conduct night work to complete the tie in. This action prevented a second water outage for the 270 affected residents and businesses.

Procurement Analysis:

The work has been completed as an emergency situation. The additional items were not discovered until the trench was open. Immediate resolution was necessary in order to not delay the FDOT contractor.

Such delays would have been at the cost of the City. In accordance with procurement policy, this change order combined with all other change orders exceeds 20% of the original contract amount and therefore requires City Commission approval. In this case, it is ratification of work that has already been completed.

Project Expense Summary

Original Contract Amount - \$82,705.60

Change Order No. 1 - \$14,226.35 - Related to additional Temporary Traffic Control (TTC) due to forced night work by FDOT.

Change Order No. 2 - \$31,430.05 - Additional work as previously described.

Total Contract Amount at completion - \$128,362.00

Options:

Approve ratification of the construction change order for an amount of \$31,430.05.

Fiscal Impact:

Funds are available in the respective utility accounts for the additional expenditure related to this Change Order.

Account No.	043-3081-533.46-25 044-4081-535.46-25
Project No.	436016 447012
Requisition	54292

Submission Date and Time:

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.1.

Meeting Date: March 14, 2022

From: Dan Miller, (Planning and Zoning Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Lone Oak Cemetery Addition #6, being a portion of Section 22, Township 19 South, Range 24 East, Lake County, Florida, and accepting and dedicating to the use of the public any easements or public places shown thereon as being dedicated to the public; and providing an effective date. (Lone Oak Cemetery Addition #6 Plat)

Staff Recommendation:

Planning and Zoning Staff recommend approval of the proposed plat for Lone Oak Cemetery, Addition #6.

Analysis:

The property is generally located on the south side of Hibiscus Way, east of Main Street. The proposal is for approval of a plat consisting of 317 burial plots. The platting review process has been completed, and approval of this request will allow for the applicant(s) to begin sales of individual lots and interment operations within this section of the cemetery.

Procurement Analysis:

N/A

Options:

1. Approve the request to plat Lone Oak Cemetery Addition #6; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

There is no fiscal impact anticipated as a result of this request.

Submission Date and Time:

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, ACCEPTING AND APPROVING A PLAT FOR LONE OAK CEMETERY ADDITION #6, BEING A PORTION OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, AND ACCEPTING AND DEDICATING TO THE USE OF THE PUBLIC ANY EASEMENTS OR PUBLIC PLACES SHOWN THEREON AS BEING DEDICATED TO THE PUBLIC; AND PROVIDING AN EFFECTIVE DATE. (LONE OAK CEMETERY ADDITION #6 PLAT)

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the plat of the following described lands, which is named Lone Oak Cemetery Addition #6, is hereby approved and accepted by the City of Leesburg, Florida; being:

DESCRIPTION – LONE OAK CEMETERY ADDITION NO. 6

A PARCEL OF LAND LYING WITHIN SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF AFORESAID SECTION 22; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 22 RUN S89°16'00"E A DISTANCE OF 1098.95 FEET; THENCE DEPARTING SAID SOUTH LINE RUN N03°32'00"W A DISTANCE OF 284.30 FEET; THENCE S85°41'00"W A DISTANCE OF 422.65 FEET; THENCE N04°19'00"W A DISTANCE OF 20.00 FEET TO THE SOUTHEAST CORNER OF LONE OAK CEMETERY ADDITION NO. 2, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 23, PAGES 34 AND 35, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID PLATTED BOUNDARY RUN S85°41'00"W A DISTANCE OF 246.00 FEET TO THE SOUTHWEST CORNER OF AFORESAID PLAT; THENCE ALONG THE WEST BOUNDARY OF AFORESAID PLAT OF ADDITION NO. 2 RUN N04°19'00"W A DISTANCE OF 73.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE WEST BOUNDARY OF AFORESAID PLAT OF ADDITION NO. 2 AND THE WEST BOUNDARY OF LONE OAK CEMETERY ADDITION NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 11, PAGES 96 AND 97, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, RUN N04°19'00"W A DISTANCE OF 279.00 FEET; THENCE DEPARTING THE WEST BOUNDARY OF ADDITION NO. 1 RUN S85°41'00"W A DISTANCE OF 118.00 FEET; THENCE S04°19'00"E A DISTANCE OF 279.00 FEET; THENCE N85°41'00"E A DISTANCE OF 118.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.76 ACRES, MORE OR LESS.

(See Exhibit A, Lone Oak Cemetery Addition #6 Plat attached)

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 14th day of March, 2022.

ATTEST:

Mayor

City Clerk

LONE OAK CEMETERY ADDITION NO. 6

SECTION 22, TOWNSHIP 19, SOUTH, RANGE 24 EAST,
CITY OF LEESBURG, LAKE COUNTY, FLORIDA.

SHEET 1 OF 4

PLAT BOOK _____

PAGE _____

DEDICATION FOR LONE OAK CEMETERY ADDITION NO. 6

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING THE OWNER IN
FEE SIMPLE OF THE LANDS DESCRIBED IN THE FOREGOING CAPTION TO THIS PLAT,
DOES HEREBY DEDICATE SAID LANDS AND PLAT FOR THE USES AND PURPOSES
THEREON EXPRESSED. IT IS NOT THE INTENTION OF THE UNDERSIGNED TO DEDICATE
ANY PORTION OF SAID LANDS TO THE USE OF THE PUBLIC.

IN WITNESS WHEREOF, THE UNDERSIGNED OWNER HAS EXECUTED THIS
DEDICATION IN THE MANNER PROVIDED BY LAW, ON
20____, SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

WITNESSES: GRANTOR:
LEESBURG CEMETERIES, INC.

SIGNED: _____
PRINTED: _____
SIGNED: _____ FRANK A. STIVENDER, PRESIDENT
PRINTED: _____

SIGNED: _____
PRINTED: _____
SIGNED: _____ JOHN HOORNSTRA, VICE PRESIDENT
PRINTED: _____

STATE OF FLORIDA
COUNTY OF SUMTER

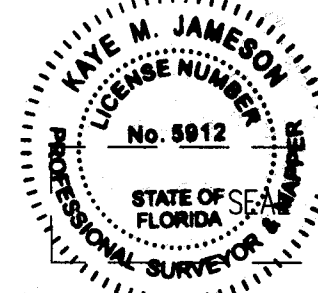
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, BY MEANS OF
PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION, THIS _____ DAY OF
_____, 20____, BY FRANK A. STIVENDER, PRESIDENT AND
JOHN HOORNSTRA, VICE PRESIDENT, ON BEHALF OF LEESBURG CEMETERIES,
INC., A FLORIDA CORPORATION, WHO IS PERSONALLY KNOWN TO ME AND
WHO DID NOT TAKE AN OATH.

NOTARY PUBLIC - STATE OF FLORIDA
PRINT NAME: _____ SEAL
COMMISSION NO.: _____
COMMISSION EXPIRES: _____

CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING A
REGISTERED SURVEYOR AND MAPPER, FULLY LICENSED TO PRACTICE IN THE
STATE OF FLORIDA, DOES HEREBY CERTIFY THAT THIS PLAT WAS PREPARED
UNDER HER SUPERVISION, AND THAT THIS PLAT COMPLIES WITH ALL OF THE
PROVISIONS OF CHAPTER 177, FLORIDA STATUTES.

Kaye W. Jameson DATE: 9/2/21
KAYE W. JAMESON, P.S.M. - REGISTRATION NUMBER 5912
CLYMER FARNER BARLEY, INC. - REGISTRATION NUMBER 18,4709
4450 N.E. 83RD ROAD
WILDWOOD, FLORIDA 34785



STATEMENT OF REVIEWER

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

DATE: _____
SIGNATURE _____
_____, REGISTRATION NUMBER _____
PRINT NAME _____
ENGINEERING DEPARTMENT, CITY OF LEESBURG; LEESBURG, FLORIDA

CERTIFICATE OF APPROVAL OF MUNICIPALITY

THIS CERTIFIES THAT THIS PLAT WAS PRESENTED TO THE CITY COMMISSION
OF THE CITY OF LEESBURG, LAKE COUNTY, FLORIDA, AND APPROVED BY THE
SAID CITY COMMISSION FOR RECORD OF SAID CITY ON THE _____ DAY OF
_____, 20____, PROVIDED THAT THIS PLAT IS RECORDED
IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF LAKE COUNTY,
FLORIDA, WITHIN (90) DAYS UNLESS AN EXTENSION IS GRANTED FROM THE
DATE OF APPROVAL BY SAID COMMISSION.

ATTEST: CITY CLERK MAYOR/COMMISSIONER
SIGNATURE _____ SIGNATURE _____
PRINT NAME _____ PRINT NAME _____

DESCRIPTION

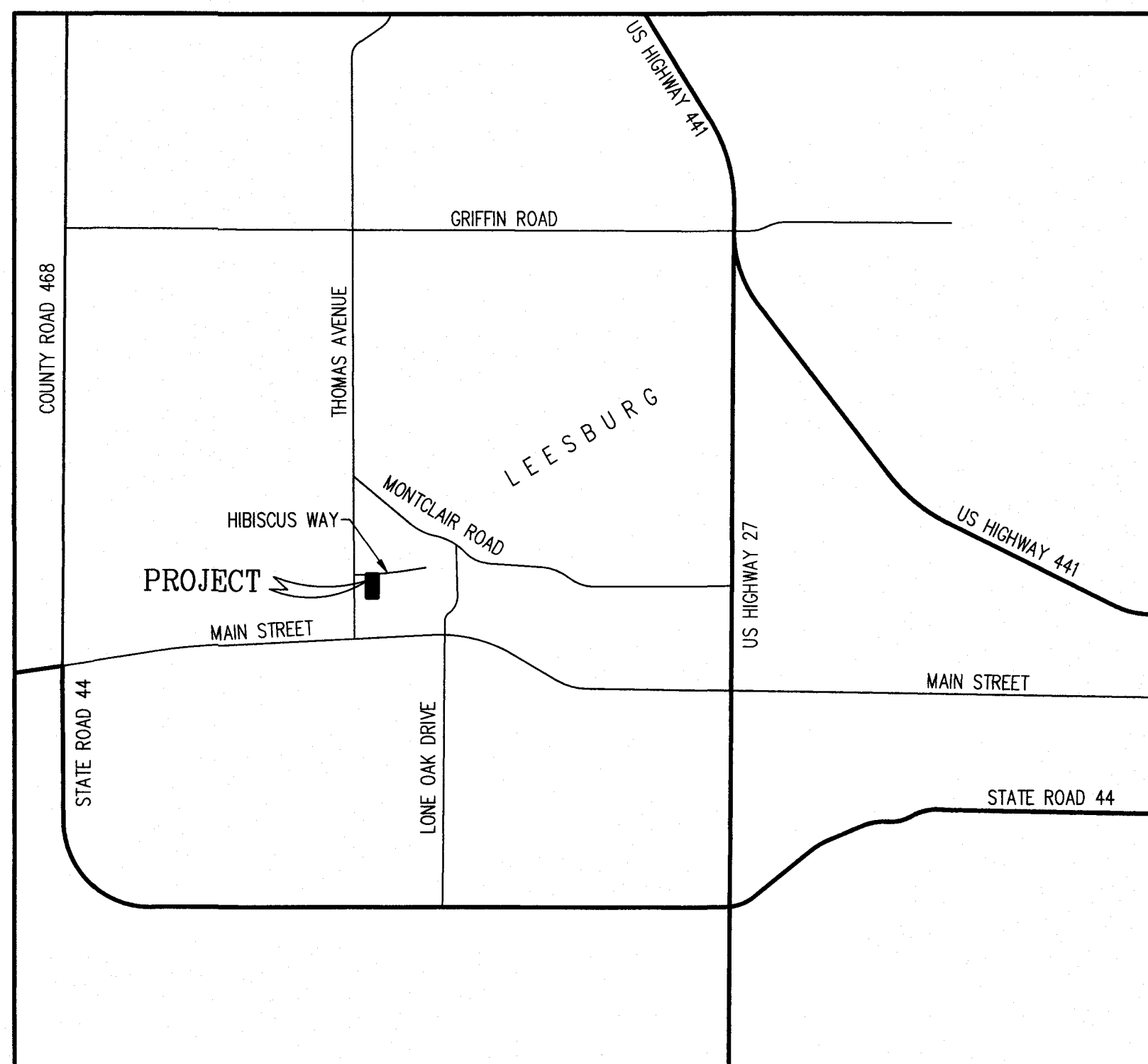
A PARCEL OF LAND LYING WITHIN SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST,
LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF AFORESAID SECTION 22; THENCE ALONG
THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 22 RUN S89°16'00"E A
DISTANCE OF 1098.95 FEET; THENCE DEPARTING SAID SOUTH LINE RUN N03°32'00"W A
DISTANCE OF 284.30 FEET; THENCE S85°41'00"W A DISTANCE OF 422.65 FEET;
THENCE N04°19'00"W A DISTANCE OF 20.00 FEET TO THE SOUTHEAST CORNER OF
LONE OAK CEMETERY ADDITION NO. 2, ACCORDING TO THE PLAT THEREOF RECORDED
IN PLAT BOOK 23, PAGES 34 AND 35, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA;
THENCE ALONG SAID PLATTED BOUNDARY RUN S85°41'00"W A DISTANCE OF 246.00
FEET TO THE SOUTHWEST CORNER OF AFORESAID PLAT; THENCE ALONG THE WEST
BOUNDARY OF AFORESAID PLAT OF ADDITION NO. 2 RUN N04°19'00"W A DISTANCE OF
73.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE WEST
BOUNDARY OF AFORESAID PLAT OF ADDITION NO. 2 AND THE WEST BOUNDARY OF
LONE OAK CEMETERY ADDITION NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED
IN PLAT BOOK 11, PAGES 96 AND 97, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA,
RUN N04°19'00"W A DISTANCE OF 279.00 FEET; THENCE DEPARTING THE WEST
BOUNDARY OF ADDITION NO. 1 RUN S85°41'00"W A DISTANCE OF 118.00 FEET; THENCE
S04°19'00"E A DISTANCE OF 279.00 FEET; THENCE N85°41'00"E A DISTANCE OF 118.00
FEET TO THE POINT OF BEGINNING.

CONTAINING 0.76 ACRES, MORE OR LESS.

NOTICE:

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED
LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY
OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE
NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.



VICINITY MAP
(NOT TO SCALE)

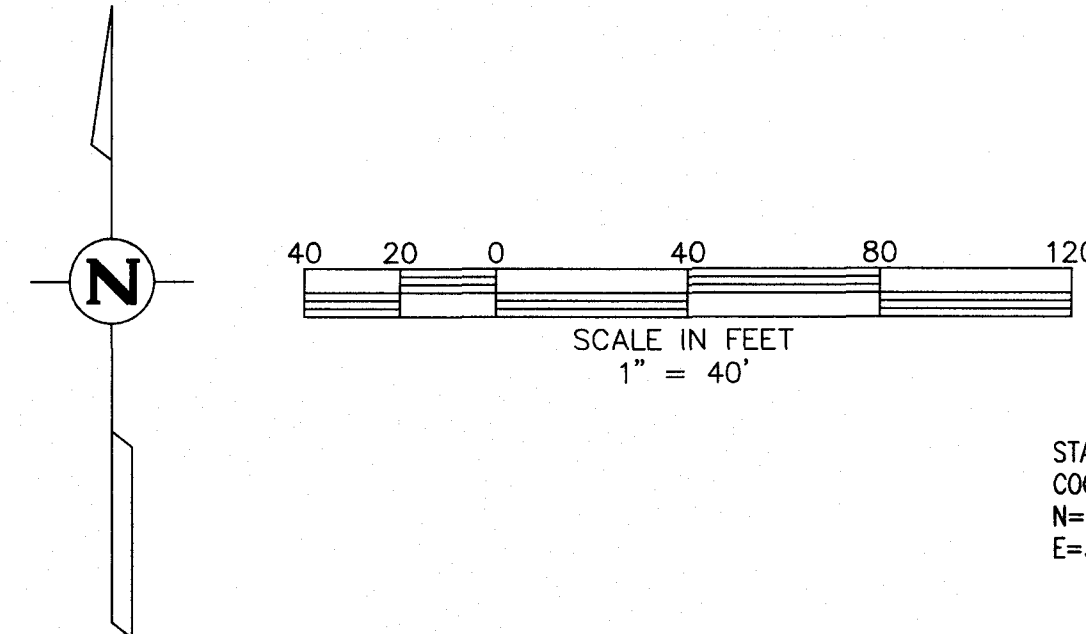
NOTES

- 1.) BEARINGS ARE BASED ON THE SOUTH OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 19
SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, AS BEING S89°16'00"E, AN ASSUMED MERIDIAN.
- 2.) ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE
EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE
TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE,
AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES
OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION
COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE
DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR
OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH
CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL
ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
- 3.) ALL DISTANCES SHOWN ARE IN FEET.
- 4.) PERMANENT CONTROL POINTS (P.C.P.'S) HAVE BEEN SET IN ACCORDANCE WITH THE
REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES.
- 5.) ALL PERMANENT REFERENCE MONUMENTS (P.R.M.'S) HAVE BEEN SET IN ACCORDANCE WITH THE
REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES.
- 6.) THE TITLE OPINION FOR THIS PLAT HAS BEEN SUBMITTED BY SEPARATE DOCUMENT.

LONE OAK CEMETERY ADDITION NO. 6

SECTION 22, TOWNSHIP 19, SOUTH, RANGE 24 EAST,
CITY OF LEESBURG, LAKE COUNTY, FLORIDA.

SHEET 2 OF 4 PLAT BOOK _____
PAGE _____



STATE PLANE
COORDINATE
N=1630378.7214
E=366909.8731

S85°41'00"W 118.00'
HIBISCUS WAY

STATE PLANE
COORDINATE
N=1630386.6962
E=367027.6033

CAMELIA DRIVE

LONE OAK CEMETERY
ADDITION NO. 1
PB 11, PG 96

S04°19'00"E 279.00'

N04°19'00"W 279.00'

SHEET 4

N85°41'00"E 118.00'

STATE PLANE
COORDINATE
N=1630100.3593
E=366928.7287

POINT OF
BEGINNING
STATE PLANE
COORDINATE
N=1630108.3341
E=367046.4589

LONE OAK CEMETERY
ADDITION NO. 2
PB 23, PG 34

WEST LINE OF LONE
OAK CEMETERY
ADDITION NO. 2

SW CORNER OF LONE
OAK CEMETERY
ADDITION NO. 2

S85°41'00"W 246.00'

SOUTH LINE OF LONE
OAK CEMETERY
ADDITION NO. 2

SE CORNER OF LONE
OAK CEMETERY
ADDITION NO. 2

N04°19'00"W 20.00'

S85°41'00"W 422.65'

POINT OF
COMMENCEMENT
SW CORNER OF
SECTION 22-19-24
FOUND 5/8" IR
NO ID

STATE PLANE
COORDINATE
N=1629799.3570
E=366636.2620

DETAIL
NGS POINT TIES
SCALE 1"=100'

SOUTH OF THE SW 1/4
OF SECTION 22-19-24

S88°49'31"E
(BEARING BASIS ASSUMED)
(FLORIDA STATE PLANE ZONE EAST)

S80°37'10"E 1820.75'

S71°37'19"E 3273.28'

STATE PLANE
COORDINATE
N=1629776.1510
E=367769.2740
FOUND 4" ROUND CM
RLS 1571

STATE PLANE
COORDINATE
N=1629502.5900
E=368432.6620

STATE PLANE
COORDINATE
N=1628767.3330
E=368742.5970

LEGEND

- INDICATES 4" X 4" X 24" CONCRETE PERMANENT REFERENCE MONUMENT (P.R.M.) FOUND (LB #4709), UNLESS OTHERWISE NOTED.
- INDICATES 4" X 4" X 24" CONCRETE PERMANENT REFERENCE MONUMENT (P.R.M.) OR 5/8" IRON PIN AND CAP SET (LB #4709)
- INDICATES P.K. NAIL AND DISK PERMANENT CONTROL POINT (P.C.P.) LB #4709 TO BE SET WITHIN ONE YEAR OF THE DATE THIS PLAT IS RECORDED.
- INDICATES LOT/BLOCK CORNER
- C9 INDICATES CURVE NUMBER IN CURVE TABLE
- L9 INDICATES LINE NUMBER IN LINE TABLE
- Δ INDICATES DELTA (CENTRAL ANGLE OF CURVE)
- CB INDICATES CHORD BEARING
- CH INDICATES CHORD DISTANCE
- L INDICATES ARC LENGTH
- LB INDICATES LICENSED BUSINESS
- NO INDICATES NUMBER
- ORB INDICATES OFFICIAL RECORDS BOOK
- PC INDICATES POINT OF CURVATURE
- POC INDICATES POINT ON CURVE
- POC INDICATES POINT OF COMPOUND CURVATURE
- PRC INDICATES POINT OF REVERSE CURVATURE
- PT INDICATES POINT OF TANGENCY
- R INDICATES RADIUS LENGTH
- (R) INDICATES RADIAL LINE
- PB INDICATES PLAT BOOK
- PG INDICATES PAGE
- PGS INDICATES PAGES
- R/W INDICATES RIGHT-OF-WAY

POINT OF
COMMENCEMENT
SW CORNER OF
SECTION 22-19-24
FOUND 5/8" IR
NO ID

SOUTH OF THE SW 1/4
OF SECTION 22-19-24

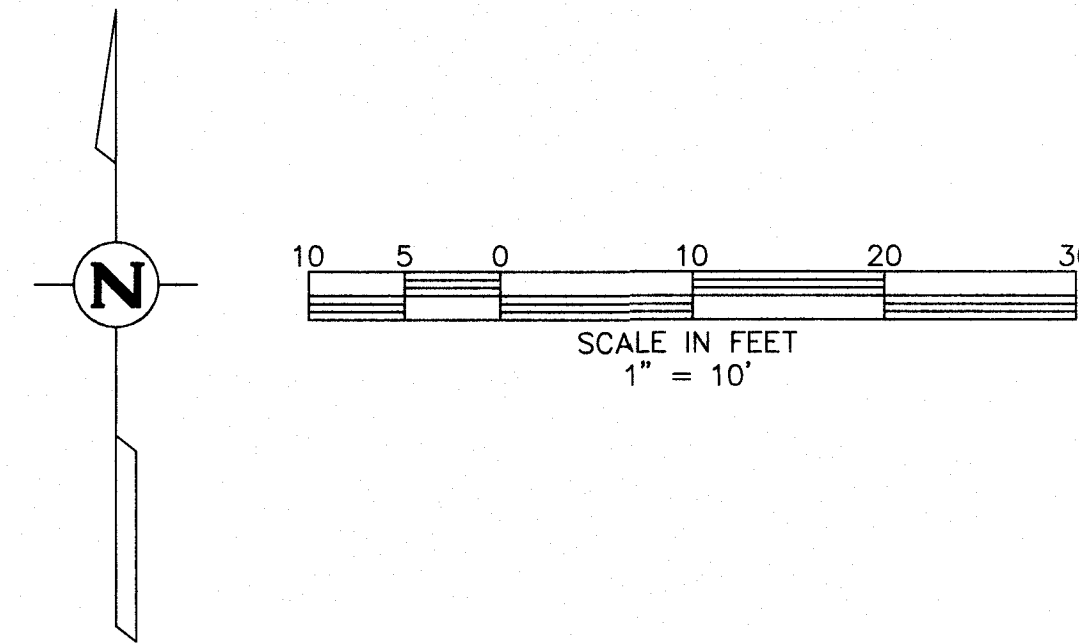
S89°16'00"E 1098.95'
S88°49'31"E
(FLORIDA STATE PLANE ZONE EAST)

FOUND 4" ROUND CM
RLS 1571

LONE OAK CEMETERY ADDITION NO. 6

SECTION 22, TOWNSHIP 19, SOUTH, RANGE 24 EAST,
CITY OF LEESBURG, LAKE COUNTY, FLORIDA.

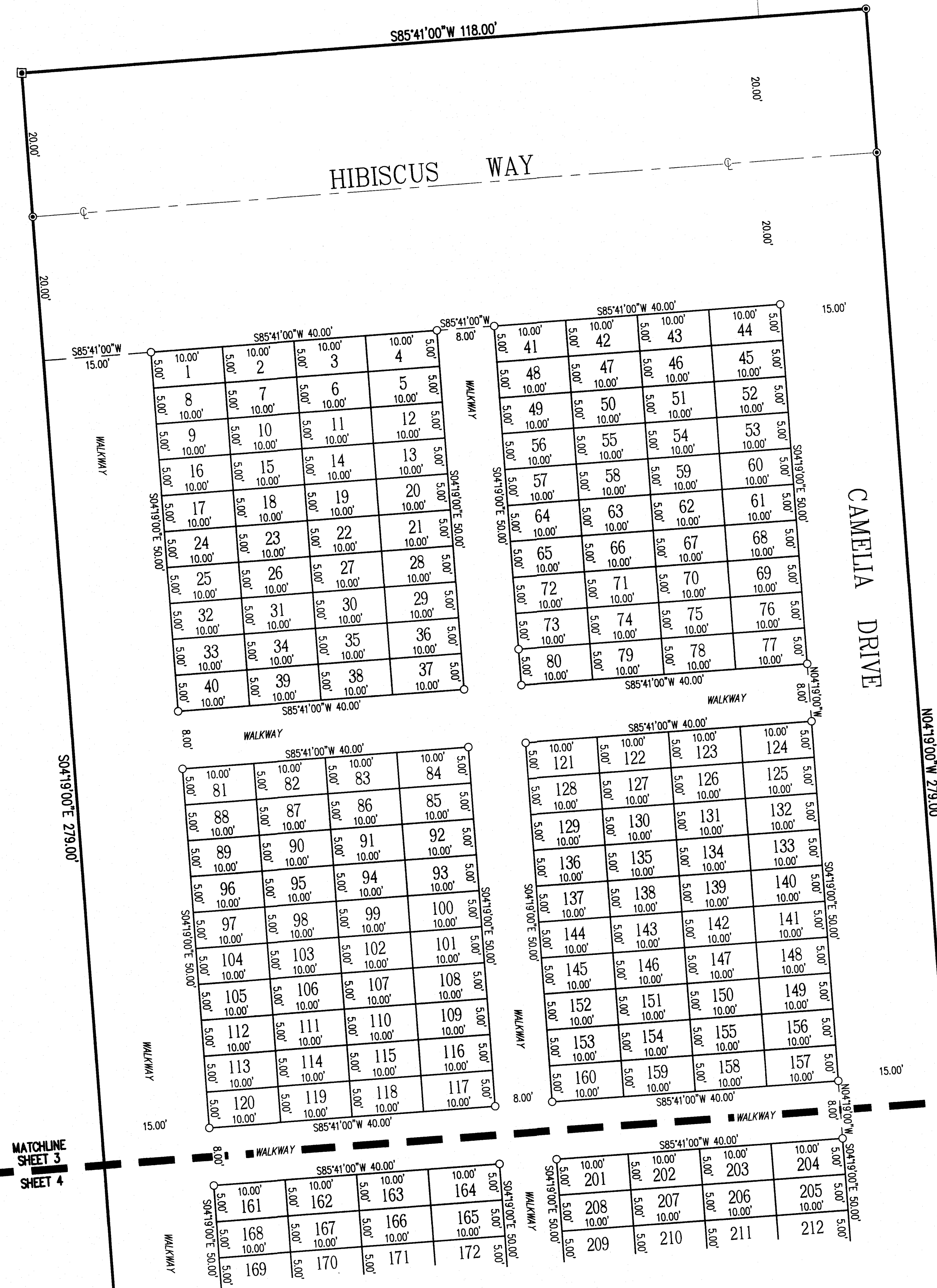
SHEET 3 OF 4 PLAT BOOK _____
PAGE _____



UNPLATTED
LONE OAK CEMETERY

UNPLATTED
LONE OAK CEMETERY

LEGEND	
■	INDICATES 4" X 4" X 24" CONCRETE PERMANENT REFERENCE MONUMENT (P.R.M.) FOUND (LB #4709), UNLESS OTHERWISE NOTED.
□	INDICATES 4" X 4" X 24" CONCRETE PERMANENT REFERENCE MONUMENT (P.R.M.) OR 5/8" IRON PIN AND CAP SET (LB #4709)
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○	INDICATES LOT/BLOCK CORNER
CS	INDICATES CURVE NUMBER IN CURVE TABLE
LS	INDICATES LINE NUMBER IN LINE TABLE
Δ	INDICATES CENTERLINE
Δ	INDICATES DELTA (CENTRAL ANGLE OF CURVE)
CB	INDICATES CHORD BEARING
CH	INDICATES CHORD DISTANCE
L	INDICATES ARC LENGTH
LB	INDICATES LICENSED BUSINESS
NO.	INDICATES NUMBER
ORB	INDICATES OFFICIAL RECORDS BOOK
PC	INDICATES POINT OF CURVATURE
POC	INDICATES POINT ON CURVE
PCC	INDICATES POINT OF COMPOUND CURVATURE
PRC	INDICATES POINT OF REVERSE CURVATURE
PT	INDICATES POINT OF TANGENCY
R	INDICATES RADIUS LENGTH
(R)	INDICATES RADIAL LINE
PB	INDICATES PLAT BOOK
PG	INDICATES PAGE
PGS	INDICATES PAGES
R/W	INDICATES RIGHT-OF-WAY



HIBISCUS WAY
CAMELIA DRIVE
LONE OAK CEMETERY
ADDITION NO. 1
PB 11, PG 96

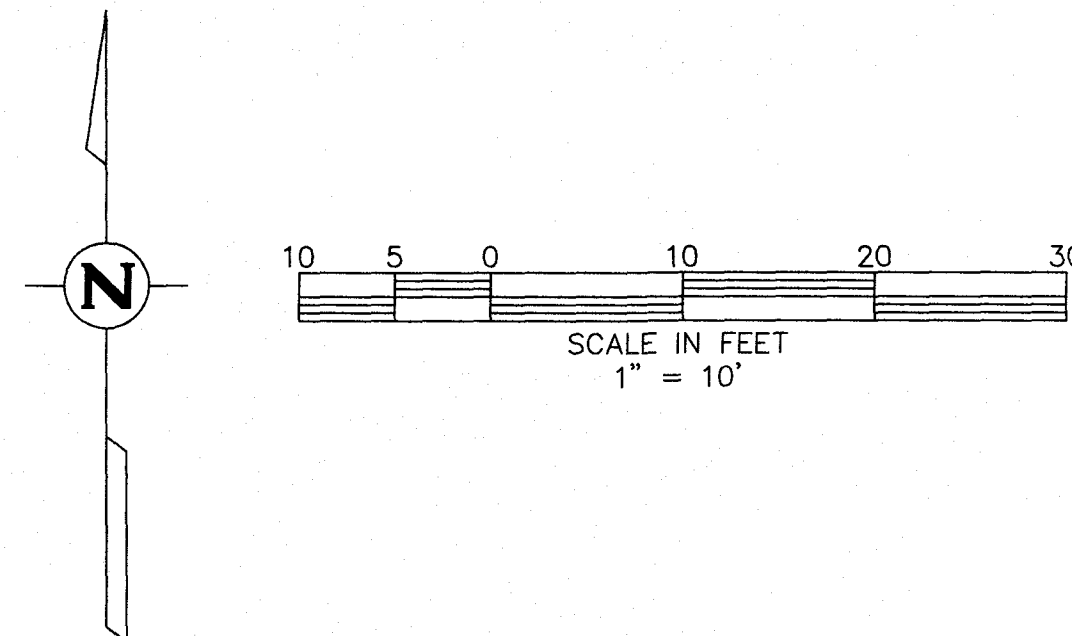
MATCHLINE
SHEET 3
SHEET 4

LONE OAK CEMETERY ADDITION NO. 6

SECTION 22, TOWNSHIP 19, SOUTH, RANGE 24 EAST,
CITY OF LEESBURG, LAKE COUNTY, FLORIDA.

SHEET 4 OF 4 PLAT BOOK

PAGE



LEGEND	
■	INDICATES 4" x 4" x 24" CONCRETE PERMANENT REFERENCE MONUMENT (P.R.M.) FOUND (LB #4709), UNLESS OTHERWISE NOTED.
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○	INDICATES DELTA (CENTRAL ANGLE OF CURVE)
○	INDICATES CHORD BEARING
○	INDICATES CHORD DISTANCE
○	INDICATES ARC LENGTH
○	INDICATES LICENSED BUSINESS
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○	INDICATES POINT OF COMPOUND CURVATURE
○	INDICATES POINT OF REVERSE CURVATURE
○	INDICATES POINT OF TANGENCY
○	INDICATES RADIAL LINE
○	INDICATES PLAT BOOK
○	INDICATES PAGE
○	INDICATES PAGES
○	INDICATES RIGHT-OF-WAY

UNPLATTED
LONE OAK CEMETERY



PREPARED BY:



CFB

CLYMER FARNNER BARLEY, Inc.
4450 NE 83RD RD., WILDWOOD, FL 34785
(352) 748-5126
WWW.CFB-INC.COM CA #4709

CLYMER
FARNNER
BARLEY

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.2.

Meeting Date: March 14, 2022

From: Dan Miller, (Planning and Zoning Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Villages of West Lake Unit No. 49, a subdivision of the City of Leesburg, Florida, being a portion of Section 06, Township 20 South, Range 24 East, Lake County, Florida, and accepting and dedicating to the use of the public any easements or public places shown thereon as being dedicated to the public; and providing an effective date. (Villages of West Lake, Unit No. 49 plat)

Staff Recommendation:

Planning & Zoning Staff recommend approval of the proposed plat for Villages of West Lake Unit No. 49 Subdivision.

Analysis:

The property is generally located east of the Florida Turnpike and north of the Florida Turnpike. The proposal is for approval of a plat consisting of 128 single-family residential lots. The review process for zoning, site plan and construction plans has been completed. Approval of this plat will complete the project review process and allow for the applicant(s) to apply for building permits, construct, and sell homes within this new subdivision.

Procurement Analysis:

N/A

Options:

1. Approve the request for a plat of the new Villages of West Lake Unit No. 49 subdivision; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

No direct fiscal impact will result from this action. However, a future positive fiscal impact will result from the completion of the homes to be constructed in this project, in the form of ad valorem taxes, impact fees and utility fees.

Submission Date and Time:

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, ACCEPTING AND APPROVING A PLAT FOR VILLAGES OF WEST LAKE UNIT NO. 49, A SUBDIVISION OF THE CITY OF LEESBURG, FLORIDA, BEING A PORTION OF SECTION 06, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, AND ACCEPTING AND DEDICATING TO THE USE OF THE PUBLIC ANY EASEMENTS OR PUBLIC PLACES SHOWN THEREON AS BEING DEDICATED TO THE PUBLIC; AND PROVIDING AN EFFECTIVE DATE. (VILLAGES OF WEST LAKE, UNIT NO. 49 PLAT)

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the plat of the following described lands, which is named Villages of West Lake Unit No. 49, is hereby approved and accepted by the City of Leesburg, Florida; being

(See Exhibit A, Villages of West Lake Unit No. 49 Plat attached)

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 14th day of March, 2022.

Mayor

ATTEST:

City Clerk

(Exhibit A, Villages of West Lake Unit No. 49 Plat)

LEGAL DESCRIPTION

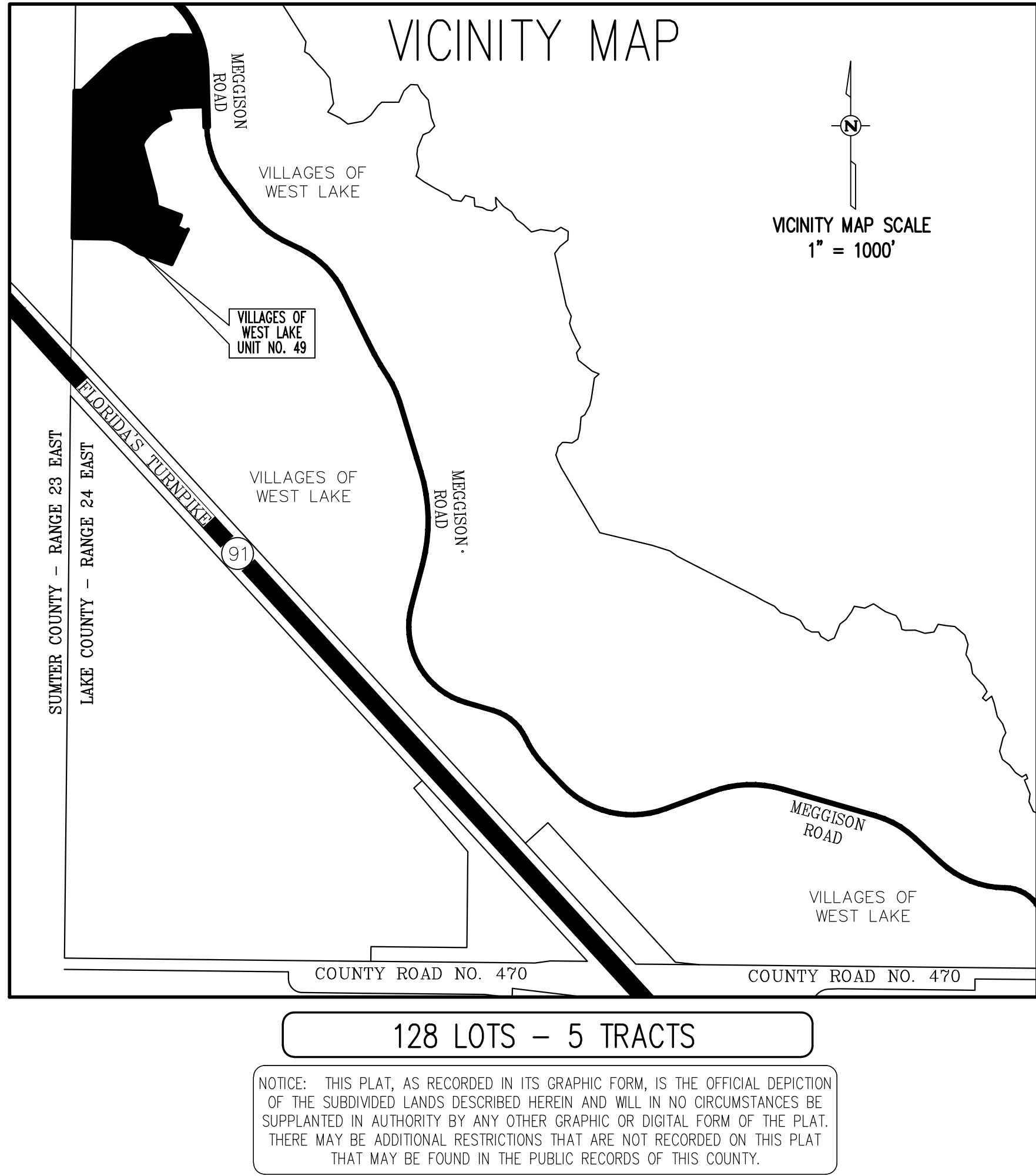
A PARCEL OF LAND LYING WITHIN SECTION 6, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF AFORESAID SECTION 6; THENCE ALONG THE WEST LINE THEREOF RUN S00°45'14"W, 222.88 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID WEST LINE RUN S89°14'46"E, 65.00 FEET; THENCE N45°55'17"E, 393.13 FEET; THENCE N53°28'55"E, 79.18 FEET; THENCE N57°45'41"E, 79.08 FEET; THENCE N63°14'20"E, 79.08 FEET; THENCE N88°43'00"E, 79.08 FEET; THENCE N74°11'40"E, 78.98 FEET; THENCE N76°11'27"E, 16.13 FEET; THENCE N84°12'54"E, 100.94 FEET; THENCE N55°35'11"E, 50.53 FEET; THENCE S89°36'56"E, 217.37 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 828.50 FEET AND A CHORD BEARING AND DISTANCE OF N37°15'18"W, 429.58 FEET TO WHICH A RADIAL LINE BEARS N67°46'14"E; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 30°03'04", AN ARC DISTANCE OF 434.54 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 521.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°45'21", AN ARC DISTANCE OF 279.94 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 478.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 37°21'56", AN ARC DISTANCE OF 312.05 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 521.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 40°38'06", AN ARC DISTANCE OF 369.86 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 428.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 33°47'25", AN ARC DISTANCE OF 252.71 FEET TO THE POINT OF TANGENCY; THENCE N52°02'45"W, 47.58 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 490.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°05'26", AN ARC DISTANCE OF 26.43 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST 1/4 OF AFORESAID SECTION 6; THENCE ALONG SAID WEST LINE RUN N00°39'41"E, 51.06 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 533.00 FEET AND A CHORD BEARING AND DISTANCE OF S55°08'04"E, 57.44 FEET TO WHICH A RADIAL LINE BEARS N31°46'37"E; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°10'38", AN ARC DISTANCE OF 57.46 FEET TO THE POINT OF TANGENCY; THENCE S52°02'45"E, 47.58 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 471.50 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 33°47'25", AN ARC DISTANCE OF 278.07 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 478.50 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 40°38'06", AN ARC DISTANCE OF 339.36 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 521.50 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 37°21'56", AN ARC DISTANCE OF 340.10 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 478.50 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°45'21", AN ARC DISTANCE OF 256.85 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 871.50 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 50°30'40", AN ARC DISTANCE OF 768.30 FEET TO THE POINT OF TANGENCY; THENCE S01°46'11"E, 524.57 FEET; THENCE S88°13'49"W, 43.00 FEET; THENCE N01°46'11"W, 159.86 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE S88°13'49"W, 166.35 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 482.50 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°53'00", AN ARC DISTANCE OF 133.76 FEET; THENCE ALONG A RADIAL LINE RUN S17°39'10"E, 92.00 FEET; THENCE S67°43'50"W, 62.86 FEET; THENCE S60°52'56"W, 30.41 FEET; THENCE S55°42'19"W, 40.13 FEET; THENCE S49°26'08"W, 45.29 FEET; THENCE S44°33'37"W, 27.38 FEET; THENCE S40°10'42"W, 91.20 FEET; THENCE S24°52'24"W, 46.84 FEET; THENCE S14°49'31"E, 461.87 FEET; THENCE S06°49'04"E, 103.40 FEET; THENCE S69°36'47"E, 228.38 FEET; THENCE S17°26'16"W, 34.26 FEET; THENCE S21°46'20"W, 75.96 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 517.50 FEET AND A CHORD BEARING AND DISTANCE OF S66°36'04"E, 29.38 FEET TO WHICH A RADIAL LINE BEARS N21°46'20"E; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°15'12", AN ARC DISTANCE OF 29.38 FEET TO THE POINT OF TANGENCY; THENCE S64°58'28"E, 48.33 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 20.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 31.42 FEET TO THE POINT OF CUSP; THENCE ALONG A NON-TANGENT LINE RUN S25°01'32"W, 337.56 FEET; THENCE N71°18'25"W, 284.59 FEET; THENCE N64°03'01"W, 38.33 FEET; THENCE N55°16'47"W, 117.83 FEET; THENCE N64°25'31"W, 74.14 FEET; THENCE N74°35'28"W, 76.27 FEET; THENCE N89°14'46"W, 336.75 FEET TO A POINT ON AFORESAID WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 6; THENCE ALONG SAID WEST LINE RUN N00°45'14"E, 1,305.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 37.02 ACRES, MORE OR LESS.

VILLAGES OF WEST LAKE UNIT NO. 49

SECTION 6, TOWNSHIP 20 SOUTH, RANGE 24 EAST,
CITY OF LEESBURG, LAKE COUNTY, FLORIDA.



LEGAL DESCRIPTION

A PARCEL OF LAND LYING WITHIN SECTION 6, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF AFORESAID SECTION 6; THENCE ALONG THE WEST LINE THEREOF RUN S00°45'14"W, 222.88 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID WEST LINE RUN S89°14'48"E, 65.00 FEET; THENCE N45°55'17"E, 393.13 FEET; THENCE N53°28'55"E, 79.18 FEET; THENCE N57°45'41"E, 79.08 FEET; THENCE N63°14'20"E, 79.08 FEET; THENCE N68°43'00"E, 79.08 FEET; THENCE N74°11'40"E, 78.98 FEET; THENCE N76°11'27"E, 16.13 FEET; THENCE N84°12'54"E, 100.94 FEET; THENCE N55°35'11"E, 50.53 FEET; THENCE S89°36'56"E, 217.37 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 828.50 FEET AND A CHORD BEARING AND DISTANCE OF N37°15'18"W, 429.58 FEET TO WHICH A RADIAL LINE BEARS N67°46'14"E; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 30°03'04", AN ARC DISTANCE OF 434.54 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 521.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°45'21", AN ARC DISTANCE OF 279.94 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 478.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 37°21'56", AN ARC DISTANCE OF 312.05 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 521.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 40°38'06", AN ARC DISTANCE OF 369.86 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 428.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 33°47'25", AN ARC DISTANCE OF 252.71 FEET TO THE POINT OF TANGENCY; THENCE N52°02'45"W, 47.58 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 490.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°05'26", AN ARC DISTANCE OF 26.43 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST 1/4 OF AFORESAID SECTION 6; THENCE ALONG SAID WEST LINE RUN N00°39'41"E, 51.06 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 533.00 FEET AND A CHORD BEARING AND DISTANCE OF S55°08'04"E, 57.44 FEET TO WHICH A RADIAL LINE BEARS N31°46'37"E; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°10'38", AN ARC DISTANCE OF 57.46 FEET TO THE POINT OF TANGENCY; THENCE S52°02'45"E, 47.58 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 471.50 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 33°47'25", AN ARC DISTANCE OF 278.07 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 478.50 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 40°38'06", AN ARC DISTANCE OF 359.36 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 521.50 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 37°21'56", AN ARC DISTANCE OF 340.10 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 478.50 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°45'21", AN ARC DISTANCE OF 256.85 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 871.50 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 50°30'40", AN ARC DISTANCE OF 768.30 FEET TO THE POINT OF TANGENCY; THENCE S01°46'11"E, 524.57 FEET; THENCE S88°13'49"W, 43.00 FEET; THENCE N01°46'11"W, 159.86 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE S88°13'49"W, 166.35 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 482.50 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°53'00", AN ARC DISTANCE OF 133.76 FEET; THENCE ALONG A RADIAL LINE RUN S17°39'10"E, 92.00 FEET; THENCE S67°43'50"W, 62.86 FEET; THENCE S60°52'56"W, 30.41 FEET; THENCE S55°42'19"W, 40.13 FEET; THENCE S49°26'08"W, 45.29 FEET; THENCE S44°33'37"W, 27.38 FEET; THENCE S40°10'42"W, 91.20 FEET; THENCE S24°52'24"W, 46.84 FEET; THENCE S14°49'31"E, 461.87 FEET; THENCE S06°49'04"E, 103.40 FEET; THENCE S89°36'47"E, 228.38 FEET; THENCE S17°26'16"W, 34.26 FEET; THENCE S21°46'20"W, 75.96 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 517.50 FEET AND A CHORD BEARING AND DISTANCE OF S66°36'04"E, 29.38 FEET TO WHICH A RADIAL LINE BEARS N21°46'20"E; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°15'12", AN ARC DISTANCE OF 29.38 FEET TO THE POINT OF TANGENCY; THENCE S64°58'28"E, 48.33 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 20.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 31.42 FEET TO THE POINT OF CURP; THENCE ALONG A NON-TANGENT LINE RUN S25°01'32"W, 337.56 FEET; THENCE N71°18'25"W, 284.59 FEET; THENCE N64°03'01"W, 38.33 FEET; THENCE N55°16'47"W, 117.83 FEET; THENCE N64°25'31"W, 74.14 FEET; THENCE N74°35'28"W, 76.27 FEET; THENCE N89°14'46"W, 336.75 FEET TO A POINT ON AFORESAID WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 6; THENCE ALONG SAID WEST LINE RUN N00°45'14"E, 1,305.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 37.02 ACRES, MORE OR LESS.

NOTES:

- BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM EAST ZONE NORTH AMERICAN DATUM (NAD) OF 1983 WITH 2011 ADJUSTMENT AS DERIVED FROM THE L-NET NETWORK (TOPNET GNSS NETWORK). AS A REFERENCE, THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 24 EAST, HAS A BEARING OF NORTH 00°45'14" EAST.
- ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
- ALL DISTANCES SHOWN ARE IN FEET.
- WITH REFERENCE TO CURVILINEAR LOTS, RADIAL LINES HAVE BEEN DESIGNATED BY (R). ALL OTHER LINES ARE NON-RADIAL.
- LOT CORNERS WILL BE SET PRIOR TO THE TRANSFER OF ANY LOT OR PRIOR TO THE EXPIRATION OF THE BOND OR OTHER SURETY.
- PERMANENT CONTROL POINTS (P.C.P.'S) WILL BE SET WITHIN ONE YEAR OF THE DATE THIS PLAT WAS RECORDED OR PRIOR TO THE EXPIRATION OF THE BOND OR SURETY.
- ALL PERMANENT REFERENCE MONUMENTS (P.R.M.'S) HAVE BEEN SET IN ACCORDANCE WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES.
- TRACTS "A", "B" AND "E" ARE FOR ANY PURPOSE PERMITTED BY APPLICABLE LAW AND APPROVED IN WRITING BY DEVELOPER.
- TRACTS "C" AND "D" ARE FOR ANY PURPOSE PERMITTED BY APPLICABLE LAW AND APPROVED IN WRITING BY DEVELOPER. NO INGRESS OR EGRESS IS REQUIRED WITHOUT THE DEVELOPER'S CONSENT.
- THE DISTRICT FINDS IT IN THE PUBLIC INTEREST, AND HEREBY AGREES TO PROVIDE THE FOLLOWING SERVICES: (A) MAINTENANCE AND REPAIR OF AREAS OWNED BY THE DISTRICT OR DEDICATED TO THE USE AND ENJOYMENT OF THE RESIDENTS OF THE DISTRICT, THE SUBDIVISION, OR THE PUBLIC; (B) PAY FOR THE COST OF WATER AND SEWER PROVIDED BY WILDWOOD UTILITY DEPENDENT DISTRICT, OR ITS ASSIGNS, TOGETHER WITH THE COST OF GARBAGE, ELECTRICAL, LIGHTING, TELEPHONE, GAS AND OTHER NECESSARY UTILITY SERVICE FOR AREAS OWNED BY THE DISTRICT OR DEDICATED TO THE USE AND ENJOYMENT OF THE RESIDENTS OF THE DISTRICT, SUBDIVISION, OR THE PUBLIC; (C) MAINTENANCE AND REPAIR OF THE STORM WATER RUNOFF DRAINAGE SYSTEM INCLUDING DRAINAGE EASEMENTS AND DRAIN PIPES NOT MAINTAINED BY SOUTHEAST WILDWOOD WATER CONSERVATION AUTHORITY, LLC, OR ITS ASSIGNS, OR THE CITY OF LEESBURG; AND (D) MAINTENANCE AND REPAIR OF THE LANDSCAPING AND IRRIGATION ON ISLANDS AND CUL-DE-SACS LOCATED WITHIN THE ROADWAYS, IF ANY.
- THE TITLE OPINION FOR THIS PLAT HAS BEEN SUBMITTED BY SEPARATE DOCUMENT.

SHEET 1 OF 6

PLAT BOOK _____

PAGE _____

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, THE VILLAGES LAND COMPANY, LLC (THE DEVELOPER) HAS CAUSED TO BE MADE THIS PLAT, VILLAGES OF WEST LAKE UNIT NO. 49, A SUBDIVISION OF LAND HEREIN DESCRIBED AND JOINS WITH VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 14 (THE DISTRICT) TO HEREBY DEDICATE THE ROADWAYS SHOWN HEREON TO THE CITY OF LEESBURG AND THE PERPETUAL USE OF THE PUBLIC; AND DEDICATES TRACTS "A", "B", "C", "D" AND "E" TO VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 14.

WITNESSES: THE VILLAGES LAND COMPANY, LLC,
A FLORIDA LIMITED LIABILITY COMPANY
BY: TVL COMPANY, LLC,
A FLORIDA LIMITED LIABILITY COMPANY,
ITS MANAGER

(1) SIGNATURE _____
PRINT NAME _____
(2) SIGNATURE _____ BY: MARTIN L. DZURO,
PRINT NAME _____ MANAGER

WITNESSES: VILLAGE COMMUNITY DEVELOPMENT
DISTRICT NO. 14

(1) SIGNATURE _____ BY: C. DALE BORROWMAN,
PRINT NAME _____ CHAIR
(2) SIGNATURE _____
PRINT NAME _____

STATE OF FLORIDA
COUNTY OF SUMTER

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, BY MEANS OF ☐ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION, THIS ____ DAY OF _____, 20____, BY MARTIN L. DZURO, AS MANAGER OF AND ON BEHALF OF TVL COMPANY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, THE MANAGER OF THE VILLAGES LAND COMPANY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, FOR THE PURPOSES EXPRESSED HEREIN, WHO IS PERSONALLY KNOWN TO ME AND WHO DID NOT TAKE AN OATH.

NOTARY PUBLIC – STATE OF FLORIDA
PRINT NAME: _____
COMMISSION NO.: _____
COMMISSION EXPIRES: _____
SEAL

STATE OF FLORIDA
COUNTY OF SUMTER

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, BY MEANS OF ☐ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION, THIS ____ DAY OF _____, 20____, BY C. DALE BORROWMAN, THE CHAIR OF VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 14, ON BEHALF OF THE DISTRICT, WHO IS PERSONALLY KNOWN TO ME AND WHO DID NOT TAKE AN OATH.

NOTARY PUBLIC – STATE OF FLORIDA
PRINT NAME: _____
COMMISSION NO.: _____
COMMISSION EXPIRES: _____
SEAL

CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING A REGISTERED SURVEYOR AND MAPPER, FULLY LICENSED TO PRACTICE IN THE STATE OF FLORIDA, DOES HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER HER SUPERVISION, AND THAT THIS PLAT COMPLIES WITH ALL OF THE PROVISIONS OF CHAPTER 177, FLORIDA STATUTES.

_____, DATE: _____
KAYE M. JAMESON, P.S.M. – REGISTRATION NUMBER 5912
CLYMER FARNER BARLEY, INC. – REGISTRATION NUMBER LB 4709
4450 N.E. 83RD ROAD
WILDWOOD, FLORIDA 34785

SEAL

STATEMENT OF REVIEWER

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

_____, DATE: _____
SIGNATURE _____, REGISTRATION NUMBER _____
PRINT NAME _____
ENGINEERING DEPARTMENT, CITY OF LEESBURG; LEESBURG, FLORIDA

VILLAGES OF WEST LAKE UNIT NO. 49 CONVEYANCE AND GRANT OF EASEMENTS TO VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 14

ALL RIGHT, TITLE AND INTEREST OF THE VILLAGES LAND COMPANY, LLC, (THE DEVELOPER) IN TRACTS "A", "B", "C", "D" AND "E" AND THE ROADWAYS SHOWN ON THIS PLAT OF VILLAGES OF WEST LAKE UNIT NO. 49, IS HEREBY SOLD, CONVEYED AND SET OVER TO VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 14 (THE DISTRICT): (1) RESERVING UNTO THE DEVELOPER AND ITS ASSIGNS, AND EACH OF THEIR SUCCESSORS, TENANTS, INVITEES, AND GUESTS PERPETUAL EASEMENTS FOR INGRESS AND EGRESS AND THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF UNDERGROUND ELECTRIC, TELEPHONE, CABLE, GAS AND OTHER UTILITIES, IRRIGATION FACILITIES, POTABLE WATER, SANITARY SEWER AND STORM WATER FACILITIES, LANDSCAPED AREAS, FENCES, WALLS, ENTRY FACILITIES, INCLUDING ELECTRONIC CARD READING EQUIPMENT, GOLF CART AND PEDESTRIAN PATHS, SIGNAGE, ENJOYMENT IMPROVEMENTS AND GOLF CART AND PEDESTRIAN BRIDGES; AND (2) SUBJECT TO THE RESTRICTION THAT ALL ADDITIONS OF, REMOVAL OF, AND CHANGES TO IMPROVEMENTS LOCATED ON SUCH TRACTS AND ROADWAYS (INCLUDING, WITHOUT LIMITATION, ALL THOSE IMPROVEMENTS DESCRIBED ABOVE), MUST FIRST BE APPROVED IN ADVANCE BY THE DEVELOPER.

THE DEVELOPER ALSO GRANTS TO THE DISTRICT NON-EXCLUSIVE, PERPETUAL EASEMENTS OVER, ACROSS AND UPON ANY SPECIAL EASEMENTS SHOWN HEREON FOR THE PURPOSE OF MAINTAINING DRAINAGE FACILITIES LOCATED THEREON.

THE DISTRICT, BY EXECUTING THE DEDICATION CONTAINED ON THIS PLAT, ACCEPTS THIS CONVEYANCE AND AGREES TO MAINTAIN THE TRACTS LISTED ABOVE, INCLUDING ALL IMPROVEMENTS CONSTRUCTED THEREON AND DRAINAGE FACILITIES LOCATED WITHIN ANY SPECIAL EASEMENTS PERPETUALLY, AND MAINTAIN THE ROADWAYS AND DRAINAGE FEATURES LYING WITHIN SUCH ROADWAYS FOR TWO YEARS AFTER THE CITY ENGINEER HAS CERTIFIED THE CONSTRUCTION HAS BEEN COMPLETED.

WITNESSES AS TO ALL THE VILLAGES LAND COMPANY, LLC,
A FLORIDA LIMITED LIABILITY COMPANY
BY: TVL COMPANY, LLC,
A FLORIDA LIMITED LIABILITY COMPANY,
ITS MANAGER

SIGNATURE _____ BY: MARTIN L. DZURO, MANAGER
PRINT NAME _____
SIGNATURE _____

STATE OF FLORIDA
COUNTY OF SUMTER

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, BY MEANS OF ☐ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION, THIS ____ DAY OF _____, 20____, BY MARTIN L. DZURO, AS MANAGER OF AND ON BEHALF OF TVL COMPANY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, THE MANAGER OF THE VILLAGES LAND COMPANY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, FOR THE PURPOSES EXPRESSED HEREIN, WHO IS PERSONALLY KNOWN TO ME AND WHO DID NOT TAKE AN OATH.

NOTARY PUBLIC – STATE OF FLORIDA
PRINT NAME: _____
COMMISSION NO.: _____
COMMISSION EXPIRES: _____
SEAL

CERTIFICATE OF APPROVAL OF MUNICIPALITY

THIS CERTIFIES THAT THIS PLAT WAS PRESENTED TO THE CITY COMMISSION OF THE CITY OF LEESBURG, LAKE COUNTY, FLORIDA, AND APPROVED BY THE SAID CITY COMMISSION FOR RECORD OF SAID CITY ON THE ____ DAY OF _____, 20____, PROVIDED THAT THIS PLAT IS RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF LAKE COUNTY, FLORIDA, WITHIN (90) DAYS UNLESS AN EXTENSION IS GRANTED FROM THE DATE OF APPROVAL BY SAID COMMISSION.

ATTEST: CITY CLERK _____ MAYOR/COMMISSIONER _____
SIGNATURE _____ SIGNATURE _____
PRINT NAME _____ PRINT NAME _____

VILLAGES OF WEST LAKE UNIT NO. 49

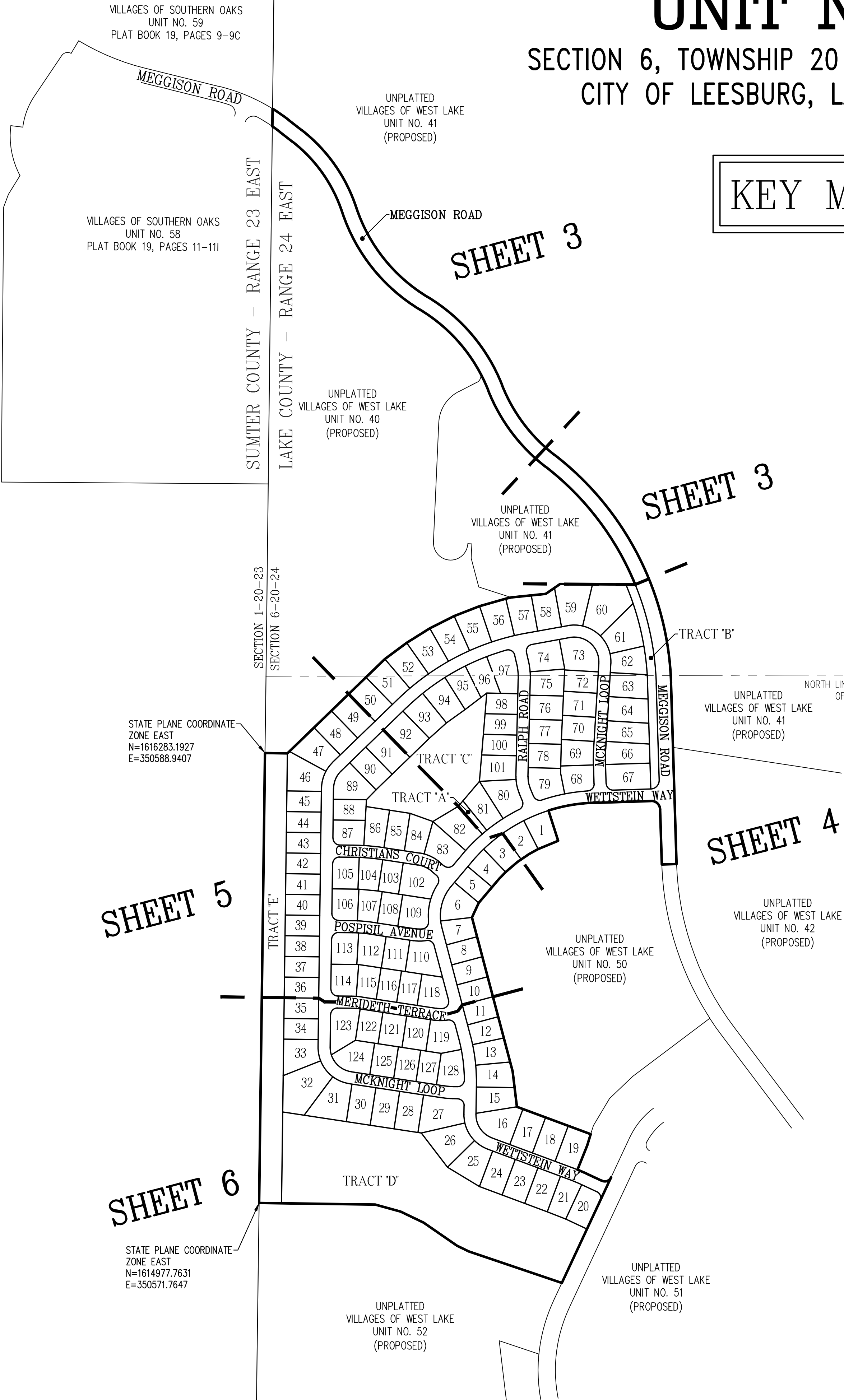
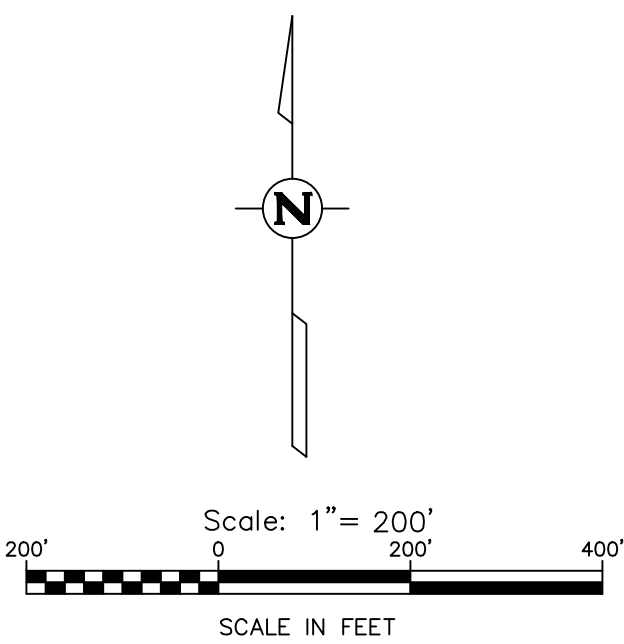
SECTION 6, TOWNSHIP 20 SOUTH, RANGE 24 EAST,
CITY OF LEESBURG, LAKE COUNTY, FLORIDA.

SHEET 2 OF 6

PLAT BOOK _____

PAGE _____

KEY MAP



TRACT TABLE		
TRACT	SQ FT	ACREAGE
A	2,025	0.05
B	14,899	0.34
C	62,635	1.44
D	188,805	4.33
E	84,860	1.95

NOTE

EXHIBIT A = EASEMENTS SET FORTH IN O.R. BOOK 5880,
PAGE 339. (STORMWATER RUNOFF, RETENTION & TREATED
EFFLUENT)

LEGEND

- INDICATES 4" X 4" X 24" CONCRETE PERMANENT REFERENCE MONUMENT (P.R.M.) FOUND (LB #4709), UNLESS OTHERWISE NOTED.
- INDICATES 4" X 4" X 24" CONCRETE PERMANENT REFERENCE MONUMENT (P.R.M.) OR 5/8" IRON PIN AND CAP SET (LB #4709) INDICATES P.K. NAIL AND DISK PERMANENT CONTROL POINT (P.C.P.) LB #4709 TO BE SET WITHIN ONE YEAR OF THE DATE THIS PLAT IS RECORDED.
- INDICATES 5/8" IRON PIN AND CAP TO BE SET IN ACCORDANCE WITH SECTION 177.09(9) FLORIDA STATUTES. (SEE NOTE #5.)
- INDICATES CURVE NUMBER IN CURVE TABLE
- INDICATES LINE NUMBER IN LINE TABLE
- INDICATES CENTERLINE
- INDICATES DELTA (CENTRAL ANGLE OF CURVE)
- INDICATES CHORD BEARING
- INDICATES CHORD DISTANCE
- INDICATES ARC LENGTH
- INDICATES LICENSED BUSINESS
- INDICATES NUMBER
- INDICATES OFFICIAL RECORDS BOOK
- INDICATES POINT OF CURVATURE
- INDICATES POINT ON CURVE
- INDICATES POINT OF COMPOUND CURVATURE
- INDICATES POINT OF REVERSE CURVATURE
- INDICATES POINT OF TANGENCY
- INDICATES RADIUS LENGTH
- INDICATES RADIAL LINE
- INDICATES DRAINAGE RETENTION AREA FOR STORMWATER MANAGEMENT INCLUDING CONVEYANCING PIPES
- INDICATES GATE FACILITIES EASEMENT (RESERVED BY THE DEVELOPER AND ITS ASSIGNS)
- INDICATES SPECIAL EASEMENT RESERVED BY DEVELOPER AND ITS ASSIGNS, FOR LANDSCAPING AND/OR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF WATER, SANITARY SEWER, ELECTRIC, TELEPHONE, GAS OR OTHER UTILITIES AND/OR DRAINAGE FACILITIES AND/OR WALL FENCING AND/OR GOLF CART PATHS. DEVELOPER CONTEMPLATES PUTTING H.V.A.C. AND SIMILAR EQUIPMENT WITHIN THE EASEMENT AREA. UTILITY PROVIDERS UTILIZING SUCH EASEMENT AREA COVENANT, AS A CONDITION OF THE RIGHT TO USE SUCH EASEMENT, NOT TO INTERFERE OR DISTURB SUCH EQUIPMENT INSTALLED WITHIN THE EASEMENT AREA.
- PB INDICATES PLAT BOOK
- PG INDICATES PAGE
- PGS INDICATES PAGES
- SQ FT INDICATES SQUARE FEET
- R/W INDICATES RIGHT-OF-WAY

PREPARED BY:



**CLYMER
FARNER
BARLEY**
CLYMER FARNER BARLEY, Inc.
4450 NE 83RD RD, WILDWOOD, FL 34785
(352) 748-3126
WWW.CFB-INC.COM CA #4709

VILLAGES OF WEST LAKE UNIT NO. 49

SECTION 6, TOWNSHIP 20 SOUTH, RANGE 24 EAST,
CITY OF LEESBURG, LAKE COUNTY, FLORIDA.

SHEET 3 OF 6

PLAT BOOK _____

PAGE _____

VILLAGES OF SOUTHERN OAKS
UNIT NO. 58
PLAT BOOK 19, PAGES 11-111

VILLAGES OF SOUTHERN OAKS
UNIT NO. 59
PLAT BOOK 19, PAGES 9-9C

WEST LINE OF THE NORTHWEST 1/4
OF SECTION 6-20-24

MEGGISON ROAD

N00°39'41"E 51.06'
R=490.00' L=26.43' Δ=3°05'26"
CB=N53°35'28"W CH=26.43'
N52°02'45"W 47.58'
R=533.00' L=57.46' Δ=6°10'38"
CB=S55°08'04"E CH=57.44'
S52°02'45"E 47.58'
N52°02'45"W 47.58'
R=478.50' L=278.00' Δ=33°17'25"
CB=S35°09'02"E CH=214.06'
R=478.50' L=278.00' Δ=33°17'25"
CB=N35°09'02"W CH=214.06'

UNPLATTED
VILLAGES OF WEST LAKE
UNIT NO. 40
(PROPOSED)

UNPLATTED
VILLAGES OF WEST LAKE
UNIT NO. 41
(PROPOSED)

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BNG.	CHORD
C3	42.07'	511.50'	4°42'44"	N54°24'07"W	42.05'
C61	297.37'	803.50'	21°12'16"	N12°22'19"W	295.67'
C62	295.85'	828.50'	20°27'36"	N11°59'58"W	294.28'
C63	59.30'	803.50'	4°13'43"	N20°51'35"W	59.29'
C64	127.24'	803.50'	9°04'24"	N14°12'32"W	127.11'

LINE TABLE		
LINE	LENGTH	BEARING
L1	25.75'	N0°39'41"E
L2	25.31'	N0°39'41"E

LEGEND

■

INDICATES 4" X 4" X 24" CONCRETE PERMANENT REFERENCE MONUMENT (P.R.M.) FOUND (LB #4709), UNLESS OTHERWISE NOTED.

▣

INDICATES 4" X 4" X 24" CONCRETE PERMANENT REFERENCE MONUMENT (P.R.M.) OR 5/8" IRON PIN AND CAP SET (LB #4709)

●

INDICATES P.X. NAIL AND DISK PERMANENT CONTROL POINT (P.C.P.) LB #4709 TO BE SET WITHIN ONE YEAR OF THE DATE THIS PLAT IS RECORDED.

○

INDICATES 5/8" IRON PIN AND CAP TO BE SET IN ACCORDANCE WITH SECTION 177.091(9) FLORIDA STATUTES. (SEE NOTE #5.)

C9

INDICATES CURVE NUMBER IN CURVE TABLE

L9

INDICATES LINE NUMBER IN LINE TABLE

Δ

INDICATES DELTA (CENTRAL ANGLE OF CURVE)

CB

INDICATES CHORD BEARING

CH

INDICATES CHORD DISTANCE

L

INDICATES ARC LENGTH

LB

INDICATES LICENSED BUSINESS

NO.

INDICATES NUMBER

ORB

INDICATES OFFICIAL RECORDS BOOK

PC

INDICATES POINT OF CURVATURE

PCC

INDICATES POINT ON CURVE

PRC

INDICATES POINT OF REVERSE CURVATURE

PT

INDICATES POINT OF TANGENCY

R

INDICATES RADIUS LENGTH

(R)

INDICATES RADIAL LINE

DRA

INDICATES DRAINAGE RETENTION AREA FOR STORMWATER MANAGEMENT INCLUDING CONVEYANCING PIPES

GFE

INDICATES GATE FACILITIES EASEMENT (RESERVED BY THE DEVELOPER AND ITS ASSIGNS)

SE

INDICATES SPECIAL EASEMENT RESERVED BY DEVELOPER AND ITS ASSIGNS, FOR LANDSCAPING AND/OR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF WATER, SANITARY SEWER, ELECTRIC, TELEPHONE, GAS OR OTHER UTILITIES AND/OR DRAINAGE FACILITIES AND/OR WALL FENCING AND/OR GOLF CART PATHS. DEVELOPER CONTEMPLATES PUTTING H.V.A.C. AND SIMILAR EQUIPMENT WITHIN THE EASEMENT AREA. UTILITY PROVIDERS UTILIZING SUCH EASEMENT AREA COVENANT, AS A CONDITION OF THE RIGHT TO USE SUCH EASEMENT, NOT TO INTERFERE OR DISTURB SUCH EQUIPMENT INSTALLED WITHIN THE EASEMENT AREA.

PB

INDICATES PLAT BOOK

PG

INDICATES PAGE

PGS

INDICATES PAGES

SQ FT

INDICATES SQUARE FEET

R/W

INDICATES RIGHT-OF-WAY

UNPLATTED
VILLAGES OF WEST LAKE
UNIT NO. 40
(PROPOSED)

UNPLATTED
VILLAGES OF WEST LAKE
UNIT NO. 41
(PROPOSED)

UNPLATTED
VILLAGES OF WEST LAKE
UNIT NO. 41
(PROPOSED)

UNPLATTED
VILLAGES OF WEST LAKE
UNIT NO. 41
(PROPOSED)

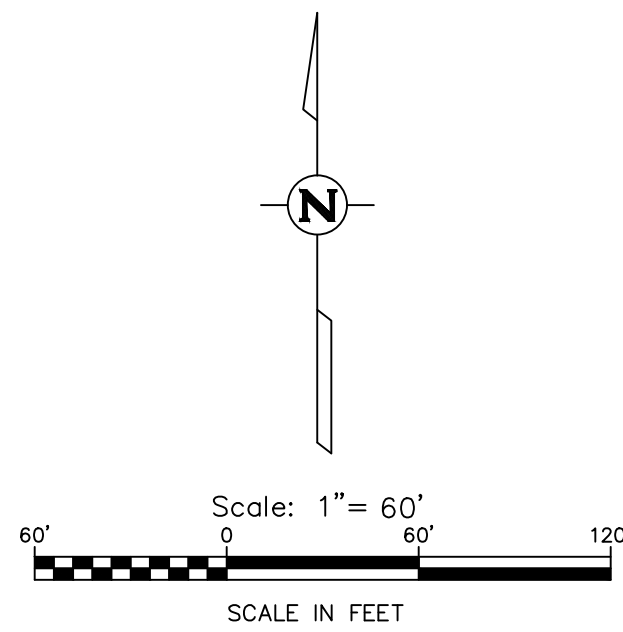
UNPLATTED
VILLAGES OF WEST LAKE
UNIT NO. 41
(PROPOSED)

UNPLATTED
VILLAGES OF WEST LAKE
UNIT NO. 41
(PROPOSED)

UNPLATTED
VILLAGES OF WEST LAKE
UNIT NO. 41
(PROPOSED)

TRACT TABLE		
TRACT	SQ FT	ACREAGE
A	2,025	0.05
B	14,899	0.34
C	62,635	1.44
D	188,805	4.33
E	84,860	1.95

NOTE
EXHIBIT A = EASEMENTS SET FORTH IN O.R. BOOK 5880,
PAGE 339. (STORMWATER RUNOFF, RETENTION & TREATED
EFFLUENT)



VILLAGES OF WEST LAKE UNIT NO. 49

SECTION 6, TOWNSHIP 20 SOUTH, RANGE 24 EAST,
CITY OF LEESBURG, LAKE COUNTY, FLORIDA.

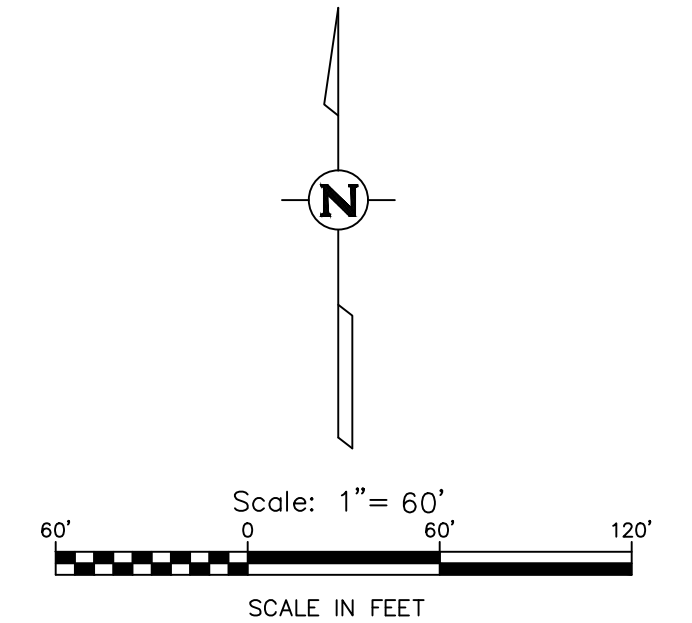
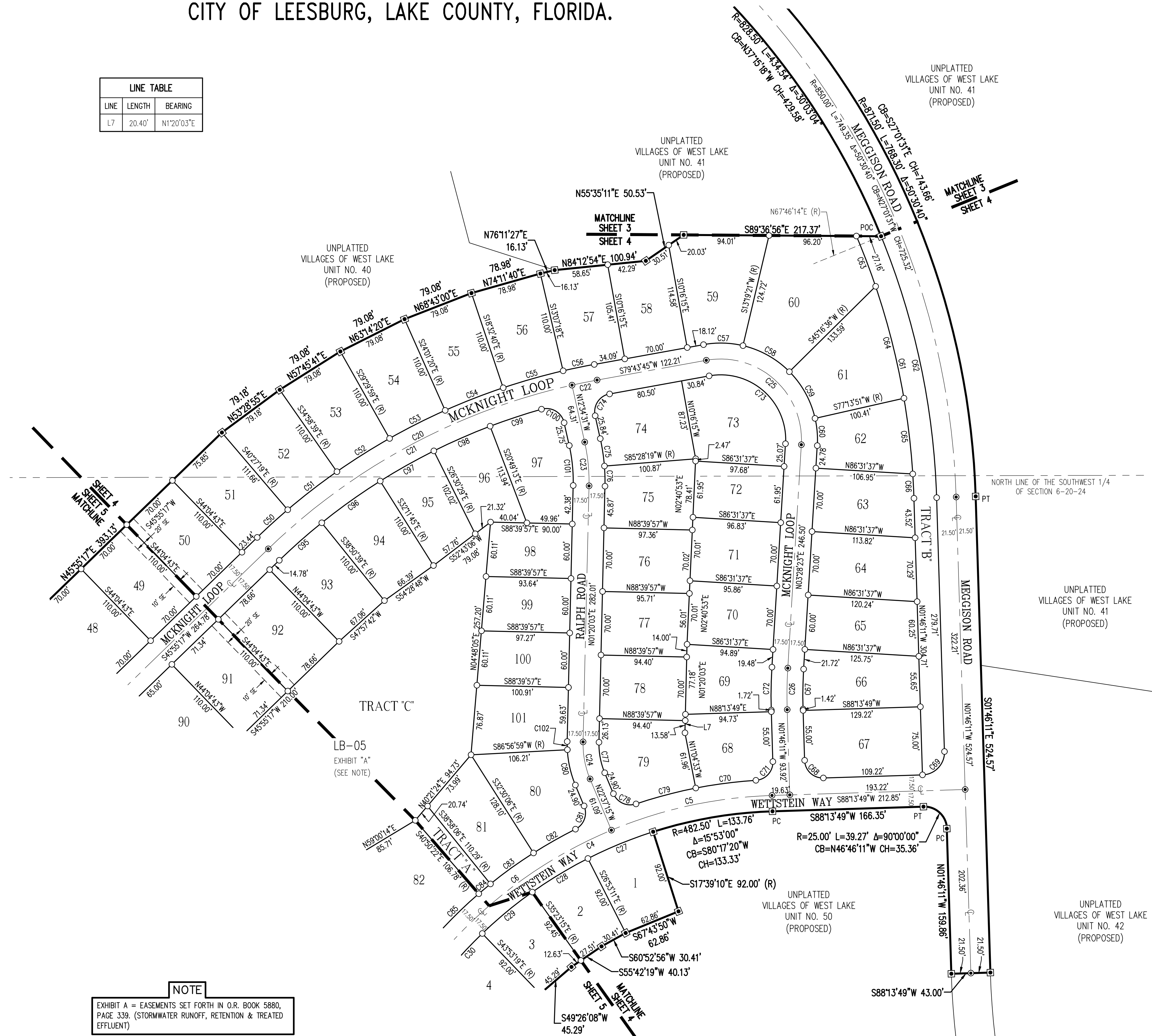
SHEET 4 OF 6

PLAT BOOK

PAGE

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BNG.	CHORD
C4	419.33'	500.00'	48°03'08"	S64°12'16"W	407.15'
C5	181.96'	500.00'	20°51'05"	S77°48'17"W	180.96'
C6	237.37'	500.00'	27°12'03"	S53°46'43"W	235.15'
C20	413.04'	700.00'	33°48'28"	S62°49'31"W	407.07'
C21	384.89'	700.00'	31°30'12"	S61°40'23"W	380.06'
C22	28.15'	700.00'	2°18'16"	S78°34'37"W	28.15'
C23	48.55'	200.00'	13°54'34"	N05°37'14"W	48.43'
C24	41.81'	100.00'	23°57'18"	S10°38'36"E	41.51'
C25	161.15'	89.00'	103°44'38"	N48°23'56"W	140.02'
C26	45.75'	500.00'	5°14'33"	S00°51'06"W	45.73'
C27	77.76'	482.50'	9°14'00"	S67°43'50"W	77.67'
C28	71.59'	482.50'	8°30'04"	S58°51'47"W	71.52'
C29	71.59'	482.50'	8°30'04"	S50°21'43"W	71.52'
C30	49.96'	482.50'	5°55'59"	S43°08'41"W	49.94'
C50	45.38'	717.50'	3°37'25"	S47°43'59"W	45.37'
C51	68.60'	717.50'	5°28'40"	S52°17'01"W	68.57'
C52	68.60'	717.50'	5°28'40"	S57°45'41"W	68.57'
C53	68.60'	717.50'	5°28'40"	S63°14'20"W	68.57'
C54	68.60'	717.50'	5°28'40"	S68°43'00"W	68.57'
C55	68.60'	717.50'	5°28'40"	S74°11'40"W	68.57'
C56	35.01'	717.50'	2°47'46"	S78°19'52"W	35.01'
C57	43.85'	106.50'	23°35'35"	N88°28'27"W	43.55'
C58	59.40'	106.50'	31°57'15"	N60°42'02"W	58.63'
C59	59.40'	106.50'	31°57'15"	N28°44'46"W	58.63'
C60	30.19'	106.50'	16°14'32"	N04°38'53"W	30.09'
C61	297.37'	803.50'	21°12'16"	N12°22'19"W	295.67'
C62	295.85'	828.50'	20°27'36"	N11°59'58"W	294.28'
C63	59.30'	803.50'	4°13'43"	N20°51'35"W	59.29'
C64	127.24'	803.50'	9°04'24"	N14°12'32"W	127.11'
C65	84.01'	803.50'	5°59'25"	N06°40'37"W	83.97'
C66	26.82'	803.50'	1°54'44"	N02°43'33"W	26.82'
C67	44.15'	482.50'	5°14'33"	S00°51'06"W	44.13'
C68	31.42'	20.00'	90°00'00"	S46°46'11"E	28.28'
C69	39.27'	25.00'	90°00'00"	N43°13'49"E	35.36'
C70	66.85'	517.50'	7°24'03"	S82°37'28"W	66.80'
C71	30.75'	20.00'	88°05'41"	N42°16'40"E	27.81'
C72	47.35'	517.50'	5°14'33"	S00°51'06"W	47.34'
C73	129.46'	71.50'	103°44'38"	N48°23'56"W	112.49'
C74	32.22'	20.00'	92°18'16"	S33°34'37"W	28.85'
C75	30.55'	217.50'	8°02'50"	N08°33'06"W	30.52'
C76	22.25'	217.50'	5°51'44"	N01°35'49"W	22.24'
C77	34.49'	82.50'	23°57'18"	S10°38'36"E	34.24'
C78	30.02'	20.00'	85°59'58"	S65°37'14"E	27.28'
C79	68.14'	517.50'	7°32'39"	S75°09'07"W	68.09'
C80	40.13'	117.50'	19°34'14"	S12°50'08"E	39.94'
C81	30.02'	20.00'	85°59'58"	N20°22'44"E	27.28'
C82	53.11'	517.50'	5°52'49"	S60°26'18"W	53.09'
C83	58.41'	517.50'	6°28'00"	S54°15'54"W	58.38'
C84	16.90'	517.50'	1°52'15"	S50°05'46"W	16.90'
C85	68.00'	517.50'	7°31'45"	S45°23'46"W	67.95'
C95	62.35'	682.50'	5°14'04"	S48°32'19"W	62.33'
C96	79.19'	682.50'	6°38'54"	S54°28'48"W	79.15'
C97	67.75'	682.50'	5°41'16"	S60°38'53"W	67.73'
C98	67.75'	682.50'	5°41'16"	S66°20'09"W	67.73'
C99	59.56'	682.50'	5°00'00"	S71°40'47"W	59.54'
C100	32.55'	20.00'	93°14'42"	N59°11'52"W	29.07'
C101	44.30'	182.50'	13°54'34"	N05°37'14"W	44.20'
C102	8.99'	117.50'	4°23'04"	S00°51'29"E	8.99'

LINE TABLE		
LINE	LENGTH	BEARING
L7	20.40'	N1°20'03"E



TRACT TABLE		
TRACT	SQ FT	ACREAGE
A	2,025	0.05
B	14,899	0.34
C	62,635	1.44
D	188,805	4.33
E	84,860	1.95

LEGEND

- INDICATES 4" x 4" x 24" CONCRETE PERMANENT REFERENCE MONUMENT (P.R.M.) FOUND (LB #4709), UNLESS OTHERWISE NOTED.
- INDICATES 4" x 4" x 24" CONCRETE PERMANENT REFERENCE MONUMENT (P.R.M.) OR 5/8" IRON PIN AND CAP SET (LB #4709) INDICATES P.K. NAIL AND DISK PERMANENT CONTROL POINT (P.C.P.) LB #4709 TO BE SET WITHIN ONE YEAR OF THE DATE THIS PLAT IS RECORDED.
- INDICATES 5/8" IRON PIN AND CAP TO BE SET IN ACCORDANCE WITH SECTION 177.091(9) FLORIDA STATUTES. (SEE NOTE #5.)
- INDICATES CURVE NUMBER IN CURVE TABLE
- INDICATES LINE NUMBER IN LINE TABLE
- INDICATES CENTERLINE
- INDICATES DELTA (CENTRAL ANGLE OF CURVE)
- INDICATES CHORD BEARING
- INDICATES CHORD DISTANCE
- INDICATES ARC LENGTH
- INDICATES LICENSED BUSINESS
- INDICATES NUMBER
- INDICATES OFFICIAL RECORDS BOOK
- INDICATES POINT OF CURVATURE
- INDICATES POINT ON CURVE
- INDICATES POINT OF COMPOUND CURVATURE
- INDICATES POINT OF REVERSE CURVATURE
- INDICATES POINT OF TANGENCY
- INDICATES RADIAL LINE
- INDICATES RETENTION AREA FOR STORMWATER MANAGEMENT INCLUDING CONVEYING PIPES
- INDICATES GATE, FACILITIES EASEMENT (RESERVED BY THE DEVELOPER AND ITS ASSIGNS)
- INDICATES SPECIAL EASEMENT RESERVED BY DEVELOPER AND ITS ASSIGNS, FOR LANDSCAPING AND/OR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF WATER, SANITARY SEWER, ELECTRIC, TELEPHONE, GAS OR OTHER UTILITIES AND/OR DRAINAGE FACILITIES AND/OR WALL FENCING AND/OR GOLF CART PATHS. DEVELOPER CONTEMPLATES PUTTING H.V.A.C. AND SIMILAR EQUIPMENT WITHIN THE EASEMENT AREA. UTILITY PROVIDERS UTILIZING SUCH EASEMENT AREA COVENANT, AS A CONDITION OF THE RIGHT TO USE SUCH EASEMENT, NOT TO INTERFERE OR DISTURB SUCH EQUIPMENT INSTALLED WITHIN THE EASEMENT AREA.
- INDICATES PLAT BOOK
- INDICATES PAGE
- INDICATES PAGES
- INDICATES SQUARE FEET
- INDICATES RIGHT-OF-WAY

NOTE

EXHIBIT A = EASEMENTS SET FORTH IN O.R. BOOK 5880, PAGE 339. (STORMWATER RUNOFF, RETENTION & TREATED EFFLUENT)

PREPARED BY:

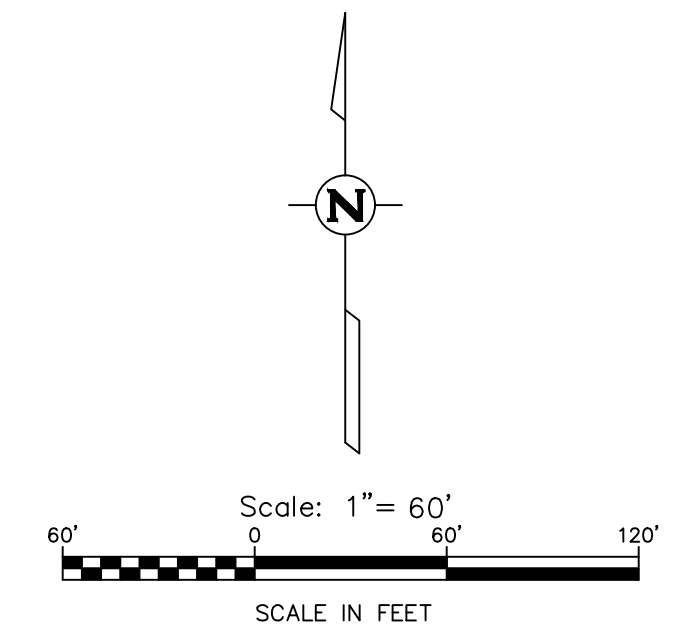


CLYMER FARNAR BARLEY
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PAGE _____

LINE TABLE		
LINE	LENGTH	BEARING
L5	25.40'	S75°10'29"
L6	24.74'	N75°10'29"

CURVE	CURVE TABLE					CHORD
	LENGTH	RADIUS	DELTA	CHORD BNG.		
C6	237.37'	500.00'	27°12'03"	553°46'43"W	235.1'	
C7	144.00'	150.00'	55°00'13"	S12°40'35"W	138.5'	
C13	27.94'	200.00'	7°53'26"	N85°18'03"W	27.52'	
C14	40.96'	100.00'	23°28'11"	N86°54'34"E	40.68'	
C15	40.96'	100.00'	23°28'11"	N86°54'34"E	40.68'	
C16	57.70'	419.00'	7°53'26"	N85°18'03"W	57.66'	
C17	87.86'	638.00'	7°53'26"	N85°18'03"W	87.79'	
C18	55.04'	100.00'	31°32'02"	N65°35'19"W	54.35'	
C19	70.16'	89.00'	45°10'03"	S23°20'15"W	68.36'	
C28	71.59'	482.50'	8°30'04"	S58°51'47"W	71.52'	
C29	71.59'	482.50'	8°30'04"	S50°21'43"W	71.52'	
C30	49.96'	482.50'	5°56'59"	S43°08'41"W	49.94'	
C31	107.73'	132.50'	46°35'11"	S16°53'06"W	104.7'	
C32	19.47'	132.50'	8°25'02"	S10°37'00"E	19.45'	
C48	51.52'	106.50'	27°42'52"	S14°36'40"W	51.01'	
C49	32.44'	106.50'	17°27'11"	S37°11'42"W	32.32'	
C82	53.11'	517.50'	5°52'49"	S60°26'18"W	53.09'	
C83	58.41'	517.50'	6°28'00"	S54°15'54"W	58.38'	
C84	16.90'	517.50'	1°52'15"	S50°05'46"W	16.90'	
C85	68.00'	517.50'	7°31'45"	S45°23'46"W	67.95'	
C86	13.13'	517.50'	1°27'12"	S40°54'18"W	13.13'	
C87	31.42'	20.00'	90°00'00"	N85°10'42"E	28.28'	
C88	51.18'	117.50'	24°57'28"	N62°18'02"W	50.33'	
C89	13.49'	117.50'	6°34'34"	N78°04'03"W	13.48'	
C90	1.75'	655.50'	0°09'11"	N81°25'55"W	1.75'	
C91	58.74'	655.50'	5°08'03"	N84°04'32"W	58.72'	
C92	29.79'	655.50'	2°36'13"	N87°56'40"W	29.78'	
C93	31.42'	20.00'	90°00'00"	S44°14'46"E	28.28'	
C94	56.36'	71.50'	5°45'03"	S32°20'15"W	54.92'	
C103	47.50'	167.50'	16°14'57"	S25°03'17"W	47.34'	
C104	28.97'	20.00'	83°00'04"	N08°19'16"W	26.51'	
C105	45.41'	82.50'	31°32'02"	N65°35'19"W	44.83'	
C106	68.55'	620.50'	6°19'48"	N84°31'14"W	68.52'	
C107	16.90'	620.50'	1°33'38"	N88°27'57"W	16.90'	
C108	31.42'	20.00'	90°00'00"	S45°45'14"W	28.28'	
C109	31.42'	20.00'	90°00'00"	S44°14'46"E	28.28'	
C110	14.19'	436.50'	1°51'45"	N88°18'54"W	14.19'	
C111	45.92'	436.50'	6°01'41"	N84°22'11"W	45.90'	
C112	20.12'	82.50'	13°58'13"	S86°20'26"E	20.07'	
C113	31.50'	20.00'	90°14'08"	N39°33'23"E	28.33'	
C114	65.75'	167.50'	22°29'29"	S05°41'04"W	65.33'	
C115	28.56'	20.00'	84°40'30"	S07°09'14"E	26.94'	
C116	37.21'	117.50'	18°08'41"	N89°34'19"E	37.06'	
C117	36.95'	401.50'	5°16'24"	N83°59'32"W	36.94'	
C118	18.34'	401.50'	2°37'02"	N87°56'15"W	18.34'	
C119	31.42'	20.00'	90°00'00"	S45°45'14"W	28.28'	
C120	31.42'	20.00'	90°00'00"	S44°14'46"E	28.28'	
C121	13.64'	217.50'	3°35'34"	N87°26'59"W	13.64'	
C122	16.32'	217.50'	4°17'52"	N83°30'16"W	16.31'	
C123	17.72'	82.50'	12°18'11"	S87°30'26"E	17.68'	
C124	35.31'	20.00'	101°10'00"	N35°45'29"E	30.90'	
C126	29.65'	20.00'	84°56'59"	N57°18'01"W	27.01'	
C127	37.77'	117.50'	18°25'10"	N89°26'05"E	37.61'	
C128	25.13'	182.50'	7°53'26"	N85°18'03"W	25.11'	
C129	31.42'	20.00'	90°00'00"	S45°45'14"W	28.28'	



TRACT TABLE		
TRACT	SQ FT	ACREAGE
A	2,025	0.05
B	14,899	0.34
C	62,635	1.44
D	188,805	4.33
E	84,860	1.95

NOTE
EXHIBIT A = EASEMENTS SET FORTH IN O.R. BOOK 5880,
PAGE 339. (STORMWATER RUNOFF, RETENTION & TREATED
EFFLUENT)

■ INDICATES 4" X 4" X 24" CONCRETE PERMANENT REFERENCE MONUMENT (P.R.M.) FOUND (LB #4709), UNLESS OTHERWISE NOTED.

▣ INDICATES 4" X 4" X 24" CONCRETE PERMANENT REFERENCE MONUMENT (P.R.M.) 5/8" IRON PIN AND CAP SET (LB #4709)

◎ INDICATES P.K. NAIL AND DISK PERMANENT CONTROL POINT (P.C.P.) LB #4709 TO BE SET WITHIN ONE HOUR OF THE DATE THIS PLAN IS RECORDED.

○ INDICATES 5/8" IRON PIN AND #10 CAP TO BE SET IN ACCORDANCE WITH SECTION 177.09(9) FLORIDA STATUTES. (SEE NOTE #5).

C9 INDICATES CURVE NUMBER IN CURVE TABLE

L9 INDICATES LINE NUMBER IN LINE TABLE

CB INDICATES CENTERLINE

CB INDICATES DELTA (CENTRAL ANGLE OF CURVE)

CH INDICATES CHORD BEARING

CH INDICATES CHORD DISTANCE

L INDICATES ARC LENGTH

PG INDICATES PLAT BOOK

CB INDICATES LICENSED BUSINESS

PGS INDICATES PAGES

NO. INDICATES NUMBER

SQ FT INDICATES SQUARE FEET

ORB INDICATES OFFICIAL RECORDS BOOK

R/W INDICATES RIGHT-OF-WAY

POC INDICATES POINT OF CURVATURE

PCC INDICATES POINT OF COMPOUND CURVATURE

PRC INDICATES POINT OF REVERSE CURVATURE

PT INDICATES POINT OF TANGENCY

R INDICATES RADIUS LENGTH

(R) INDICATES RADIAL LINE

DRA INDICATES DRAINAGE RETENTION AREA FOR STORMWATER MANAGEMENT INCLUDING CONVEYING PIPES

GFE INDICATES GATE FACILITIES EASEMENT (RESERVED BY THE DEVELOPER AND ITS ASSIGNS)

SE INDICATES SPECIAL EASEMENT RESERVED BY DEVELOPER AND ITS ASSIGNS, FOR LANDSCAPING AND/OR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF WATER, SANITARY, SEWER, ELECTRIC, TELEPHONE, GAS OR OTHER UTILITIES AND/OR DRAINAGE FACILITIES AND/OR WALL, FENCING AND/OR GOLF CART AND/OR DEVELOPER COMPENSATES PUTTING H.V.A.C. AND SIMILAR EQUIPMENT WITHIN THE EASEMENT AREA. UTILITY PROVIDERS USING SUCH EASEMENT AREA COVENANT, AS A CONDITION OF THE RIGHT TO USE SUCH EASEMENT, NOT TO INTERFERE OR DISTURB SUCH EQUIPMENT INSTALLED WITHIN THE EASEMENT AREA.

PREPARED BY: _____



CFR

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VILLAGES OF WEST LAKE UNIT NO. 49

SECTION 6, TOWNSHIP 20 SOUTH, RANGE 24 EAST,
CITY OF LEESBURG, LAKE COUNTY, FLORIDA.

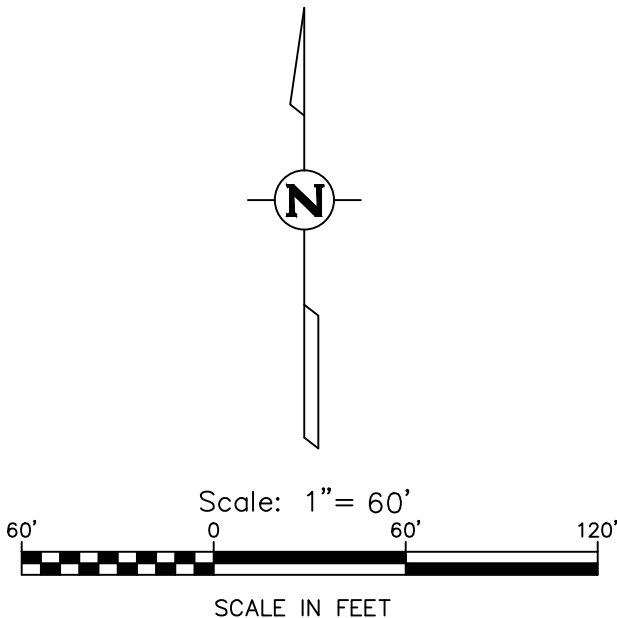
SHEET 6 OF 6

PLAT BOOK

PAGE

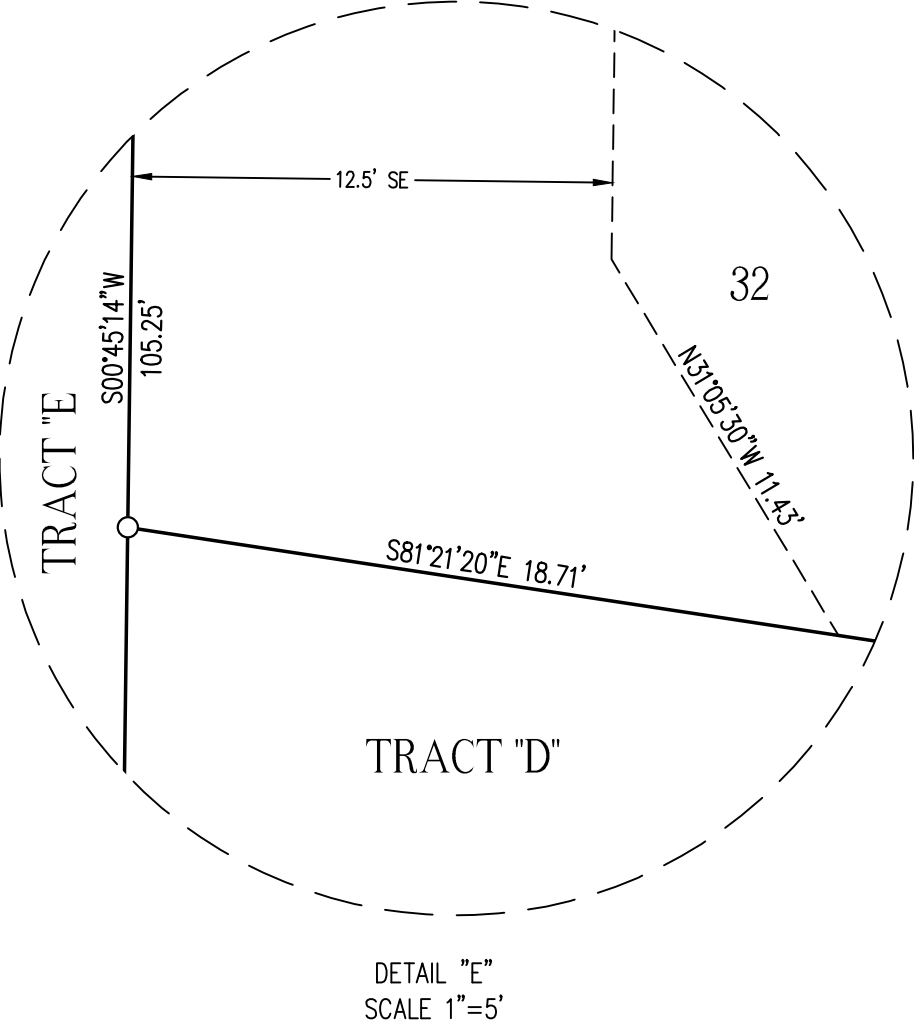
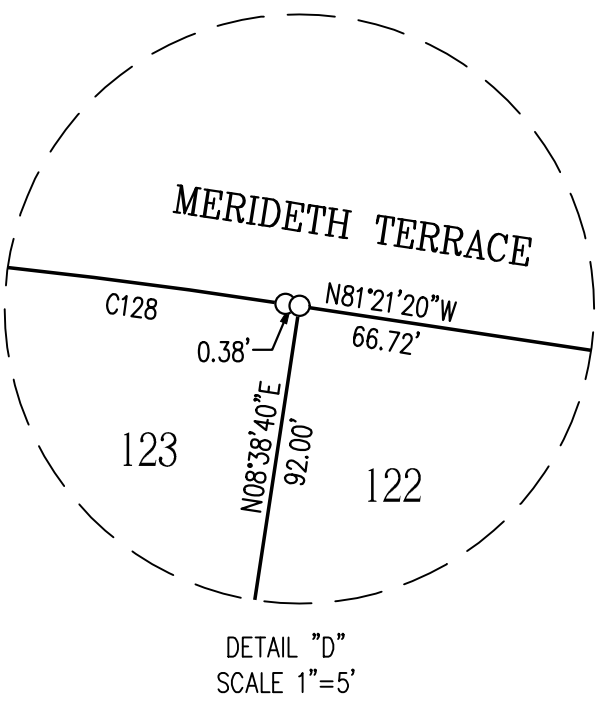
CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD BNG.
C1	29.38'	517.50'	3°15'12"	S66°36'04"E
C2	31.42'	20.00'	90°00'00"	N70°01'32"E
C8	137.16'	500.00'	15°43'04"	N06°57'59"W
C9	109.52'	89.00'	70°30'20"	S34°21'37"E
C10	40.48'	500.00'	4°38'18"	N67°17'38"W
C11	27.06'	200.00'	7°45'07"	S85°13'53"E
C12	127.54'	89.00'	82°06'34"	S40°18'03"E
C13	27.54'	200.00'	7°53'26"	N85°18'03"W
C14	40.96'	100.00'	23°28'11"	N86°54'34"E
C33	26.04'	517.50'	2°53'00"	N13°23'01"W
C34	60.48'	517.50'	6°41'47"	N08°35'38"W
C35	55.44'	517.50'	6°08'18"	N02°10'36"W
C36	87.98'	71.50'	70°30'20"	S34°21'37"E
C37	12.51'	517.50'	1°23'07"	N68°55'13"W
C38	31.42'	20.00'	90°00'00"	N19°58'28"W
C39	39.06'	482.50'	4°38'18"	N67°17'38"W
C40	46.44'	106.50'	24°58'56"	S57°07'19"E
C41	59.02'	106.50'	31°45'13"	S28°45'14"E
C42	25.59'	106.50'	13°46'11"	S05°59'32"E
C43	31.42'	20.00'	90°00'00"	N44°06'27"W
C44	29.43'	217.50'	7°45'07"	S85°13'53"E
C45	52.17'	106.50'	28°03'55"	S67°19'23"E
C46	59.00'	106.50'	31°44'30"	S37°25'10"E
C47	41.46'	106.50'	22°18'09"	S10°23'51"E
C120	31.42'	20.00'	90°00'00"	S44°14'46"E
C121	13.64'	217.50'	3°35'34"	N87°26'59"W
C122	16.32'	217.50'	4°17'52"	N83°30'16"W
C123	17.72'	82.50'	12°18'11"	S87°30'26"E
C124	35.31'	20.00'	101°10'00"	N35°45'29"E
C125	31.18'	482.50'	3°42'10"	N12°58'26"W
C126	29.65'	20.00'	84°56'59"	N57°18'01"W
C127	37.77'	117.50'	18°25'10"	N89°26'05"E
C128	25.13'	182.50'	7°53'26"	N85°18'03"W
C129	31.42'	20.00'	90°00'00"	S45°45'14"W
C130	23.09'	71.50'	18°30'01"	S08°29'47"E
C131	79.38'	71.50'	63°36'32"	S49°33'04"E
C132	24.69'	182.50'	7°45'07"	S85°13'53"E
C133	31.94'	20.00'	91°30'19"	N45°08'24"E
C134	88.50'	482.50'	10°30'35"	N05°52'03"W

LINE TABLE		
LINE	LENGTH	BEARING
L3	37.50'	N25°01'32"E
L4	37.50'	N25°01'32"E
L5	25.40'	S75°10'29"W



TRACT TABLE		
TRACT	SQ. FT.	ACREAGE
A	2,025	0.05
B	14,899	0.34
C	62,635	1.44
D	188,805	4.33
E	84,860	1.95

LEGEND		
■	INDICATES 4" X 4" X 24" CONCRETE PERMANENT REFERENCE MONUMENT (P.R.M.) FOUND (LB #4709), UNLESS OTHERWISE NOTED.	
▣	INDICATES 4" X 4" X 24" CONCRETE PERMANENT REFERENCE MONUMENT (P.R.M.) OR 5/8" IRON PIN AND CAP SET (LB #4709) (P.C.P.) LB #4709 TO BE SET WITHIN ONE YEAR OF THE DATE THIS PLAT IS RECORDED.	
○	INDICATES 5/8" IRON PIN AND CAP TO BE SET IN ACCORDANCE WITH SECTION 177.091(9) FLORIDA STATUTES. (SEE NOTE #5.)	
C9	INDICATES CURVE NUMBER IN CURVE TABLE	
L9	INDICATES LINE NUMBER IN LINE TABLE	
Δ	INDICATES CENTERLINE	
Δ	INDICATES DELTA (CENTRAL ANGLE OF CURVE)	
CB	INDICATES CHORD BEARING	
CH	INDICATES CHORD DISTANCE	
L	INDICATES ARC LENGTH	PB INDICATES PLAT BOOK
LB	INDICATES LICENSED BUSINESS	PG INDICATES PAGE
NO.	INDICATES NUMBER	PGS INDICATES PAGES
ORB	INDICATES OFFICIAL RECORDS BOOK	SQ. FT. INDICATES SQUARE FEET
PC	INDICATES POINT OF CURVATURE	R/W INDICATES RIGHT-OF-WAY
PCC	INDICATES POINT ON CURVE	
PRC	INDICATES POINT OF REVERSE CURVATURE	
PT	INDICATES POINT OF TANGENCY	
R	INDICATES RADIUS LENGTH	
(R)	INDICATES RADIAL LINE	
DRA	INDICATES DRAINAGE RETENTION AREA FOR STORMWATER MANAGEMENT INCLUDING CONVEYANCING PIPES	
GFE	INDICATES GATE FACILITIES EASEMENT (RESERVED BY THE DEVELOPER AND ITS ASSIGNS)	
SE	INDICATES SPECIAL EASEMENT RESERVED BY DEVELOPER AND ITS ASSIGNS, FOR LANDSCAPING AND/OR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF WATER, SANITARY SEWER, ELECTRIC, TELEPHONE, GAS OR OTHER UTILITIES AND/OR DRAINAGE FACILITIES AND/OR WALL FENCING AND/OR GOLF CART PATHS. DEVELOPER CONTEMPLATES PUTTING H.V.A.C. AND SIMILAR EQUIPMENT WITHIN THE EASEMENT AREA. UTILITY PROVIDERS UTILIZING SUCH EASEMENT AREA COVENANT, AS A CONDITION OF THE RIGHT TO USE SUCH EASEMENT, NOT TO INTERFERE OR DISTURB SUCH EQUIPMENT INSTALLED WITHIN THE EASEMENT AREA.	



UNPLATTED
VILLAGES OF WEST LAKE
UNIT NO. 52
(PROPOSED)

UNPLATTED
VILLAGES OF WEST LAKE
UNIT NO. 51
(PROPOSED)

NOTE
EXHIBIT A = EASEMENTS SET FORTH IN O.R. BOOK 5880,
PAGE 339. (STORMWATER RUNOFF, RETENTION & TREATED
EFFLUENT)

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.3.

Meeting Date: March 14, 2022

From: Dan Miller, (Planning and Zoning Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Bradford Ridge, a subdivision of the City of Leesburg, Florida, being a portion of Section 20, Township 19 South, Range 25 East, Lake County, Florida; and accepting and dedicating to the use of the public any easements or public places shown thereon as being dedicated to the public; and providing an effective date. (Bradford Ridge Plat)

Staff Recommendation:

Planning and Zoning Staff recommend approval of the proposed plat for the new Bradford Ridge Subdivision.

Analysis:

The property is generally located on the east side of Sleepy Hollow Road, south of U.S. Highway 441 and north of Savannah Drive. The proposal is for approval of a plat consisting of 59 single family residential lots. The platting review process has been completed, and approval of this request will allow for the applicants(s) to begin sales of individual lots for development of detached signed family residences.

Procurement Analysis:

N/A

Options:

1. Approve the request for a plat of the new Bradford Ridge subdivision; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

A significant fiscal impact is anticipated as a result of the pending development of single family residences, from impact fees, ad valorem taxes and utility fees.

Submission Date and Time:

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, ACCEPTING AND APPROVING A PLAT FOR BRADFORD RIDGE, A SUBDIVISION OF THE CITY OF LEESBURG, FLORIDA, BEING A PORTION OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND ACCEPTING AND DEDICATING TO THE USE OF THE PUBLIC ANY EASEMENTS OR PUBLIC PLACES SHOWN THEREON AS BEING DEDICATED TO THE PUBLIC; AND PROVIDING AN EFFECTIVE DATE. (BRADFORD RIDGE PLAT)

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the plat of the following described lands, which is named Bradford Ridge, is hereby approved and accepted by the City of Leesburg, Florida; being legally described as:

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 20, TOWNSHIP 19 SOUTH, RANGE 25 EAST, CITY OF LEESBURG, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH 1/4 CORNER OF SAID SECTION 20; THENCE RUN NORTH 00°46'03" EAST ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 20, A DISTANCE OF 1702.43 FEET; THENCE DEPARTING SAID WEST LINE RUN SOUTH 89°07'32" EAST A DISTANCE OF 50.93 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SLEEPY HOLLOW ROAD ACCORDING TO OFFICIAL RECORDS BOOK 2612, PAGE 1802 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE RUN NORTH 01°25'21" EAST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 382.01 FEET TO THE SOUTHWEST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3514, PAGE 1980 SAID PUBLIC RECORDS; THENCE RUN SOUTH 89°07'32" EAST ALONG THE SOUTH LINE OF SAID DESCRIBED LANDS AND THE SOUTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3382, PAGE 1235 SAID PUBLIC RECORDS A DISTANCE OF 1283.32 FEET TO THE SOUTHEAST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3382, PAGE 1235, ALSO A POINT ON THE EAST LINE OF GOVERNMENT LOT 6; THENCE RUN SOUTH 00°47'51" WEST ALONG SAID EAST LINE A DISTANCE OF 758.36 FEET TO THE NORTHEAST CORNER OF SLEEPY HOLLOW SUBDIVISION FIRST ADDITION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 49, PAGES 43 THROUGH 44 SAID PUBLIC RECORDS; THENCE RUN NORTH 89°07'11" WEST ALONG THE NORTH LINE OF SAID SLEEPY HOLLOW SUBDIVISION A DISTANCE OF 1003.80 FEET; THENCE DEPARTING SAID NORTH LINE RUN NORTH 00°46'03" EAST A DISTANCE OF 376.26 FEET; THENCE RUN NORTH 89°07'32" WEST A DISTANCE OF 283.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 868,795 SQUARE FEET, 19.94 ACRES MORE OR LESS

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 14th day of March 2022.

Mayor

ATTEST:

City Clerk

BRADFORD RIDGE

A PARCEL OF LAND LYING IN SECTION 20, TOWNSHIP 19 SOUTH, RANGE 25 EAST, CITY OF LEESBURG, LAKE COUNTY, FLORIDA

SHEET 1 OF 2

PLAT BOOK PAGE

BRADFORD RIDGE
DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT STRADA DEVELOPMENT LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND MARONDA HOMES, LLC OF FLORIDA, A FLORIDA LIMITED LIABILITY COMPANY, BEING THE OWNERS IN FEE SIMPLE OF THE LAND DESCRIBED IN THE ATTACHED PLAT, ENTITLED BRADFORD RIDGE, HEREBY DEDICATE SAID LANDS AND PLAT FOR THE PURPOSES AND USES THEREIN EXPRESSED AND DEDICATE THE STREETS AND UTILITY EASEMENTS TO THE PERPETUAL USE OF THE PUBLIC, MAINTENANCE OF SAID STREETS SHALL BE THE RESPONSIBILITY OF THE BRADFORD RIDGE HOMEOWNERS ASSOCIATION. TRACTS SW-1 AND SW-2 (STORMWATER) ARE HEREBY DEDICATED TO THE BRADFORD RIDGE HOMEOWNERS ASSOCIATION, INC. (THE "ASSOCIATION") AND AN EMERGENCY ACCESS EASEMENT OVER TRACTS SW-1 AND SW-2 IS HEREBY DEDICATED TO THE CITY OF LEESBURG FOR EMERGENCY MAINTENANCE PURPOSES. TRACT W-1 IS HEREBY DEDICATED TO THE ASSOCIATION AND DEVELOPMENT RIGHTS OVER TRACT W-1 ARE HEREBY DEDICATED TO THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT.

IN WITNESS WHEREOF, SUCH OWNERS HAVE CAUSED THESE PRESENTS TO BE SIGNED BY THE OWNER NAMED BELOW ON 2022.

STRADA DEVELOPMENT, LLC, a Florida limited liability company

BY:

PRINTED NAME: JOSEPH STRADA

TITLE: MANAGER

SIGNATURE OF WITNESS

PRINTED NAME OF WITNESS

SIGNATURE OF WITNESS

PRINTED NAME OF WITNESS

ACKNOWLEDGEMENT

STATE OF FLORIDA

COUNTY OF

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, on 2022, by Joseph Strada, as Manager of STRADA DEVELOPMENT, LLC, a Florida limited liability company, on behalf of the Company. Said person is personally known to me or produced a driver's license as identification.

BY:

PRINTED NAME:

NOTARY PUBLIC STATE OF FLORIDA

COMMISSION NUMBER

MY COMMISSION EXPIRES

IN WITNESS WHEREOF, HAS CAUSED THESE PRESENTS TO BE

SIGNED BY THE OWNER NAMED BELOW ON

2022. MARONDA HOMES, LLC OF FLORIDA, a Florida limited liability company

BY:

PRINTED NAME: Scott C. Howard

TITLE: President

SIGNATURE OF WITNESS

PRINTED NAME OF WITNESS

SIGNATURE OF WITNESS

PRINTED NAME OF WITNESS

ACKNOWLEDGEMENT

STATE OF FLORIDA

COUNTY OF

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, on 2022, by Scott C. Howard, as President of MARONDA HOMES, LLC OF FLORIDA, a Florida limited liability company, on behalf of the Company. Said person is personally known to me or produced a driver's license as identification.

BY:

PRINTED NAME:

NOTARY PUBLIC STATE OF FLORIDA

COMMISSION NUMBER

MY COMMISSION EXPIRES

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 20, TOWNSHIP 19 SOUTH, RANGE 25 EAST, CITY OF LEESBURG, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH 1/4 CORNER OF SAID SECTION 20; THENCE RUN NORTH 00°46'03" EAST ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 20, A DISTANCE OF 1702.43 FEET; THENCE DEPARTING SAID WEST LINE RUN SOUTH 89°07'32" EAST A DISTANCE OF 50.93 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SLEEPY HOLLOW ROAD ACCORDING TO OFFICIAL RECORDS BOOK 2612, PAGE 1802 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE RUN NORTH 01°25'21" EAST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 382.01 FEET TO THE SOUTHWEST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3514, PAGE 1980 SAID PUBLIC RECORDS; THENCE RUN SOUTH 89°07'32" EAST ALONG THE SOUTH LINE OF SAID DESCRIBED LANDS AND THE SOUTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3382, PAGE 1235 SAID PUBLIC RECORDS A DISTANCE OF 1283.32 FEET TO THE SOUTHEAST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3382, PAGE 1235, ALSO A POINT ON THE EAST LINE OF GOVERNMENT LOT 6; THENCE RUN SOUTH 00°47'51" WEST ALONG SAID EAST LINE A DISTANCE OF 758.36 FEET TO THE NORTHEAST CORNER OF SLEEPY HOLLOW SUBDIVISION FIRST ADDITION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 49, PAGES 43 THROUGH 44 SAID PUBLIC RECORDS; THENCE RUN NORTH 89°07'11" WEST ALONG THE NORTH LINE OF SAID SLEEPY HOLLOW SUBDIVISION A DISTANCE OF 1003.80 FEET; THENCE DEPARTING SAID NORTH LINE RUN NORTH 00°46'03" EAST A DISTANCE OF 376.26 FEET; THENCE RUN NORTH 89°07'32" WEST A DISTANCE OF 283.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 868,795 SQUARE FEET, 19.94 ACRES MORE OR LESS

SURVEYOR'S NOTES:

- BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 25 EAST AS BEING AN ASSUMED BEARING OF NORTH 00°46'03" EAST FOR ANGULAR DESIGNATION ONLY.
- ALL LOT LINES INTERSECTING CURVES ARE RADIAL, UNLESS OTHERWISE NOTED NON-RADIAL (NR).
- ALL PLATTED UTILITY EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION AND DATA SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
- TRACTS SW-1 AND SW-2 (STORMWATER) SHALL BE OWNED AND MAINTAINED BY THE BRADFORD RIDGE HOMEOWNERS ASSOCIATION (THE "ASSOCIATION"). AN EMERGENCY ACCESS EASEMENT IS HEREBY DEDICATED TO THE CITY OF LEESBURG FOR EMERGENCY MAINTENANCE PURPOSES. THE EMERGENCY ACCESS EASEMENT GRANTED DOES NOT IMPOSE ANY OBLIGATION, BURDEN, RESPONSIBILITY OR LIABILITY UPON THE CITY TO ENTER UPON THE SUBJECT PROPERTY AND TAKE ACTION TO REPAIR OR MAINTAIN THE STORMWATER MANAGEMENT SYSTEM.
- ALL DRAINAGE EASEMENTS SHOWN HEREON SHALL BE MAINTAINED BY THE ASSOCIATION WITH CERTAIN RIGHTS GRANTED TO THE CITY OF LEESBURG.
- ALL LOT CORNERS WILL BE SET PRIOR TO TRANSFER OF OWNERSHIP.
- TRACT W-1 (WETLAND) SHALL BE OWNED BY THE ASSOCIATION WITH THE DEVELOPMENT RIGHTS DEDICATED TO ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (SJRWMD). NO CONSTRUCTION, CLEARING, GRADING OR ALTERATION IS PERMITTED WITHOUT PRIOR APPROVAL OF SJRWMD AND/OR ANY APPLICABLE GOVERNMENTAL AGENCY.
- THE UPLAND BUFFER EASEMENT WITHIN LOTS 45 THROUGH 47 SHALL BE DEDICATED TO SJRWMD. NO CONSTRUCTION, CLEARING, GRADING OR ALTERATIONS TO THE UPLAND BUFFER EASEMENT IS PERMITTED WITHOUT PRIOR APPROVAL OF SJRWMD AND/OR ANY APPLICABLE GOVERNMENTAL AGENCY.
- A 5.00 FOOT ACCESS AND DRAINAGE EASEMENT (ADE) ALONG ALL SIDE AND REAR LOT LINES IS HEREBY DEDICATED TO THE ASSOCIATION.
- A 5.00 FOOT UTILITY EASEMENT (UE) ALONG ALL SIDE LOT LINES IS HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC.
- A 10.00 FOOT WALL EASEMENT (WE), 10 FOOT UTILITY EASEMENT (UE,) AND A 10.00 FOOT ACCESS AND DRAINAGE EASEMENT (ADE), ALONG THE REAR OF LOT LINES OF LOT 44, LOT 45 AND LOTS 47 THROUGH 51, AND THE 20.00 FOOT ACCESS AND DRAINAGE EASEMENT (ADE) AND THE 20.00 FOOT WALL EASEMENT (WE) ALONG THE REAR LOT LINE OF LOT 46, ARE HEREBY DEDICATED TO, AND SHALL BE MAINTAINED BY THE ASSOCIATION.
- A 15.00 FOOT ACCESS, 15.00 FOOT UTILITY EASEMENT (UE), AND DRAINAGE EASEMENT (ADE) ALONG THE ADJACENT SIDE LOT LINES OF LOTS 6 AND 7, LOTS 42 AND 43, AND LOTS 56 AND 57, ARE HEREBY DEDICATED TO THE ASSOCIATION.
- A 10.00 FOOT ACCESS, 10.00 FOOT UTILITY EASEMENT (UE), AND DRAINAGE EASEMENT (ADE) ALONG ALL FRONT LOT LINES, THE SIDE LOT LINES OF LOTS 1 AND 59, AND ANY PORTION OF TRACTS SW-1 AND SW-2 BORDERING A PUBLIC RIGHT OF WAY, IS HEREBY DEDICATED TO THE ASSOCIATION.
- THE LANDS SHOWN HEREON ARE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS OF BRADFORD RIDGE TO BE RECORDED IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

CERTIFICATE OF APPROVAL BY MUNICIPALITY

THIS IS TO CERTIFY, THAT ON 2021 THE CITY COMMISSION OF LEESBURG, LAKE COUNTY, FLORIDA, APPROVED THE FOREGOING PLAT.

CITY CLERK MAYOR/COMMISSIONER

PRINTED NAME PRINTED NAME

CERTIFICATE OF REVIEW BY REVIEWING SURVEYOR

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

CITY SURVEYOR DATE

PRINTED NAME

CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, THAT I THE UNDERSIGNED, BEING A LICENSED SURVEYOR AND MAPPER, DO HEREBY CERTIFY THAT ON I COMPLETED THE SURVEY OF THE LANDS AS SHOWN IN THE FOREGOING PLAT OR PLAN: THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED AND PLATTED AND WAS MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED AS SHOWN THEREON; AND THIS PLAT COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES; AND THAT SAID LAND IS LOCATED IN LAKE COUNTY, FLORIDA

DATE: BY:

JAMES L. RICKMAN P.S.M. # 5633

ALLEN & COMPANY LICENSED BUSINESS # 6723 16 EAST PLANT STREET WINTER GARDEN, FLORIDA 34787

SYMBOL AND ABBREVIATION LEGEND:

CL CENTER LINE
R/W RIGHT OF WAY
PI POINT OF INTERSECTION
PC POINT OF CURVATURE
PT POINT OF TANGENCY
PNT POINT OF NON-TANGENCY
(NR) NON-RADIAL
R RADIUS
L LENGTH
Δ DELTA
C CHORD DISTANCE
CD CHORD BEARING
N NORTH/NORTHING
E EAST/EASTING

ESMT EASEMENT
UE UTILITY EASEMENT
ADE ACCESS AND DRAINAGE EASEMENT
ADUWE ACCESS, DRAINAGE, UTILITY AND WALL EASEMENT
SJRWMD ST JOHNS RIVER WATER MANAGEMENT DISTRICT
POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING
FND FOUND
N/D NAIL AND DISK
PSM PROFESSIONAL SURVEYOR AND MAPPER
RLS REGISTERED LICENSED SURVEYOR
LS LICENSED SURVEYOR
LB LICENSED BUSINESS
ORB OFFICIAL RECORDS BOOK
MB MAP BOOK
PB PLAT BOOK
PG(S) PAGE(S)
N.T.S. NOT TO SCALE

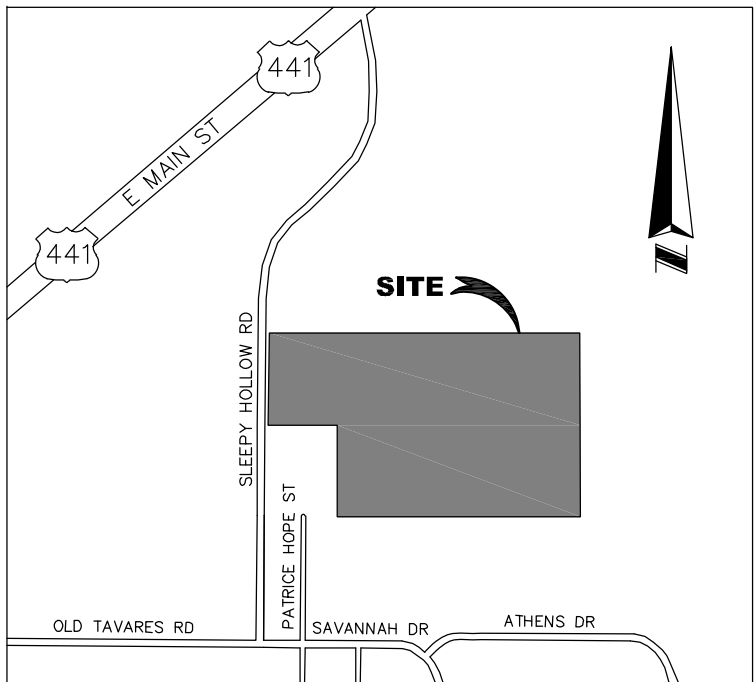
CM CONCRETE MONUMENT
CCR CERTIFIED CORNER RECORD
○ RECOVERED MONUMENT (SEE DWG FOR DESCRIPTION)
■ SET 4"x4" CONCRETE MONUMENT
LB #6723 PERMANENT REFERENCE MONUMENT (PRM)
▪ SET 4"x4" CONCRETE MONUMENT
LB #6723 WITNESS PERMANENT REFERENCE MONUMENT (PRM)
● SET NAIL & DISK
LB #6723 PERMANENT REFERENCE MONUMENT (PRM)
UPLAND BUFFER EASEMENT
WITHIN LOTS 45-47

SHEET INDEX:

SHEET 1 - LEGAL DESCRIPTION, DEDICATION, TRACT DESCRIPTIONS, SURVEYOR'S NOTES & LEGEND

SHEET 2 - PLAT BOUNDARY, LOT & TRACT GEOMETRY

VICINITY MAP: N.T.S.



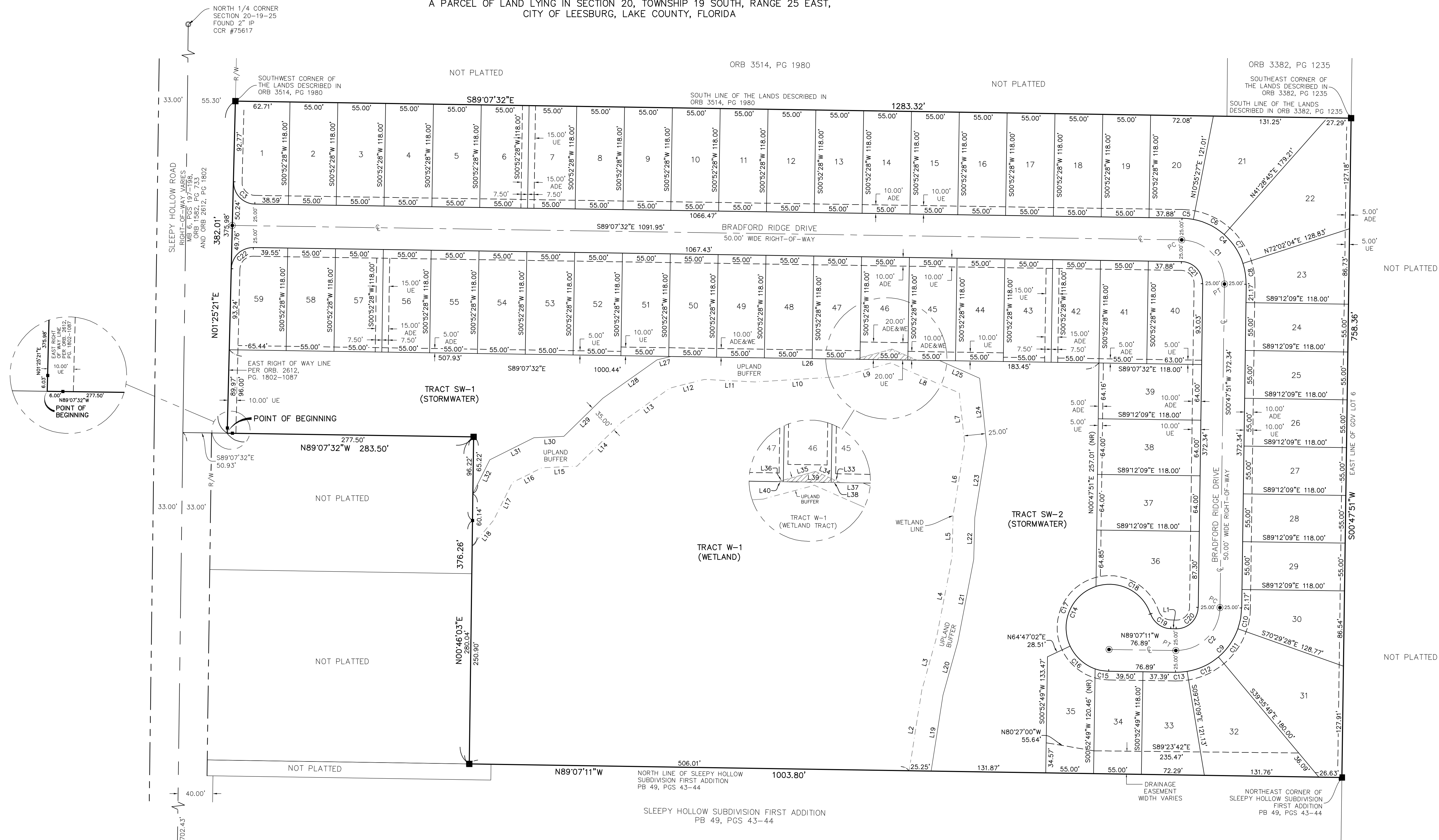
16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355
LB #6723

BRADFORD RIDGE

A PARCEL OF LAND LYING IN SECTION 20-19-25
CITY OF LEESBURG, LAKE COUNTY, FLORIDA

SHEET 2 OF 2

PLAT BOOK _____ PAGE _____



LINE TABLE		
LINE NO.	BEARING	LENGTH
L1	N89°07'11"W	6.18'
L2	N08°53'09"E	93.36'
L3	N15°33'27"E	64.45'
L4	N10°54'24"E	93.25'
L5	N01°22'30"E	47.64'
L6	N09°12'54"E	83.48'
L7	N06°03'33"W	58.93'
L8	N66°14'58"W	85.94'
L9	S74°52'02"W	60.68'
L10	S86°26'28"W	98.22'
L11	N87°04'39"W	57.88'
L12	S75°57'47"W	40.85'
L13	S54°46'07"W	67.13'
L14	S45°36'05"W	73.15'
L15	S87°20'58"W	40.39'

LINE TABLE		
LINE NO.	BEARING	LENGTH
L16	S63°30'30"W	37.68'
L17	S26°31'49"W	48.52'
L18	S39°49'25"W	38.53'
L19	N08°53'09"E	88.39'
L20	N15°33'27"E	64.01'
L21	N10°54'24"E	96.35'
L22	N01°22'30"E	48.01'
L23	N09°12'54"E	85.12'
L24	N06°03'33"W	76.77'
L25	N66°14'58"W	50.32'
L26	N89°07'32"W	309.07'
L27	S75°57'47"W	16.28'
L28	S54°46'07"W	76.49'
L29	S45°36'05"W	62.61'
L30	S87°20'58"W	34.43'

LINE TABLE		
LINE NO.	BEARING	LENGTH
L31	S63°30'30"W	56.77'
L32	S26°31'49"W	43.55'
L33	N66°14'58"W	11.75'
L34	N66°14'58"W	19.95'
L35	S74°52'02"W	38.10'
L36	S74°52'02"W	6.59'
L37	S89°07'32"E	25.72'
L38	N89°07'32"W	10.83'
L39	N89°07'32"W	55.00'
L40	N89°07'32"W	6.33'

CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	DELTA	CHORD	CHORD DIRECTION
C1	50.00'	78.47'	089°55'23"	70.66'	S44°09'51"E
C2	50.00'	78.61'	090°04'58"	70.76'	S45°50'20"W
C3	25.00'	39.51'	090°32'53"	35.52'	S43°51'06"E
C4	75.00'	117.71'	089°55'23"	105.99'	N44°09'51"W
C5	75.00'	13.16'	010°03'00"	13.14'	N84°06'02"W
C6	75.00'	40.00'	030°33'18"	39.52'	N63°47'54"W
C7	75.00'	40.00'	030°33'18"	39.52'	N33°14'35"W
C8	75.00'	24.56'	018°45'47"	24.45'	N08°35'03"W
C9	75.00'	117.92'	090°04'58"	106.14'	N45°50'20"E
C10	75.00'	24.49'	018°42'41"	24.38'	N10°09'11"E
C11	75.00'	40.00'	030°33'40"	39.53'	N34°47'22"E
C12	75.00'	40.00'	030°33'40"	39.53'	N65°21'01"E
C13	75.00'	13.42'	010°14'58"	13.40'	N85°45'20"E
C14	50.00'	218.63'	250°31'44"	81.65'	S36°08'41"W
C15	50.00'	15.76'	018°03'54"	15.70'	S80°05'14"E

CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	DELTA	CHORD	CHORD DIRECTION
C16	50.00'	40.00'	045°50'19"	38.94'	S48°08'08"E
C17	50.00'	84.88'	097°15'37"	75.05'	S23°24'50"W
C18	50.00'	77.99'	089°21'54"	70.32'	N63°16'24"W
C19	25.00'	30.77'	070°31'44"	28.87'	S53°51'19"E
C20	25.00'	39.31'	090°04'58"	35.38'	N45°50'20"E
C21	25.00'	39.24'	089°55'23"	35.33'	N44°09'51"W
C22	25.00'	39.03'	089°27'07"	35.19'	S46°08'54"W

UPLAND BUFFER EASEMENT
WITHIN LOTS 45-47

SHEET INDEX:

SHEET 1 - LEGAL DESCRIPTION, DEDICATION, TRACT
DESCRIPTIONS, SURVEYOR'S NOTES & LEGEND

SHEET 2 - PLAT BOUNDARY, LOT & TRACT
GEOMETRY

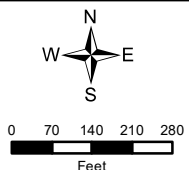


16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355
LB #6723

Aerial



Planning
& Zoning
Division



Bradford Ridge
Sec 20 Twp 19S Rge 25E

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.4.

Meeting Date: March 14, 2022

From: Dan Miller, (Planning and Zoning Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Lake Griffin Preserve, a subdivision of the City of Leesburg, Florida, being a portion of Section 14, Township 19 South, Range 24 East, Lake County, Florida; and accepting and dedicating to the use of the public any easements or public places shown thereon as being dedicated to the public; and providing an effective date. (Lake Griffin Preserve Plat)

Staff Recommendation:

Planning and Zoning Staff recommend approval of the proposed plat for Lake Griffin Preserve.

Analysis:

The property is generally located at the eastern terminus and south side of Park Holland Road. The proposal is for approval of a plat consisting of 50 single family residential lots. The platting review process has been completed, and approval of this request will allow for the applicants(s) to begin sales of individual lots for development of detached signed family residences.

Procurement Analysis:

N/A

Options:

1. Approve the request for a plat of the new Lake Griffin Preserve; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

Submission Date and Time:

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, ACCEPTING AND APPROVING A PLAT FOR LAKE GRIFFIN PRESERVE, A SUBDIVISION OF THE CITY OF LEESBURG, FLORIDA, BEING A PORTION OF SECTION 14, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND ACCEPTING AND DEDICATING TO THE USE OF THE PUBLIC ANY EASEMENTS OR PUBLIC PLACES SHOWN THEREON AS BEING DEDICATED TO THE PUBLIC; AND PROVIDING AN EFFECTIVE DATE. (LAKE GRIFFIN PRESERVE PLAT)

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the plat of the following described lands, which is named Lone Oak Cemetery Addition #6, is hereby approved and accepted by the City of Leesburg, Florida; being:

(See Exhibit A, attached)

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 14th day of March 2022.

Mayor

ATTEST:

City Clerk

Exhibit A – Lake Griffin Preserve

LEGAL DESCRIPTION

PARCEL 3561872:

Commence at the Northwest corner of Government Lot 2, Section 14, Township 19 South, Range 24 East, Lake County, Florida, run East along the North line of said Government Lot 2, a distance of 1584 feet to a concrete monument; run thence South 400 feet to the Point of Beginning of this Description; Thence East 95 feet, more or less, parallel to the North line of said Government Lot 2, to a concrete monument (said concrete monument being at the Northwest corner of a tract of land conveyed to Milton Cowan Foard, MD., and Beatriz Johnson Foard, his wife, by Walter C. Holland and Helen M. Holland, his wife, on May 22, 1964, recorded in Official Records Book 262, page 899, Public Records of Lake County, Florida; run thence S.00°18'30"W. parallel with the West line of said Government Lot 2, a distance of 250 feet to a concrete monument; run thence East 40 feet to a concrete monument; run thence N.81°46'26"E. a distance of 393.99 feet to a concrete monument; run thence N.81°46'26"E. (being the same course) to the waters of Lake Griffin; run thence Southerly along and with the waters of said Lake Griffin without regard to any artificial canals to a point on the south line of said Government Lot 2; run thence West along the South line of said Government Lot 2, to a point which is South of the Point of Beginning; run thence North to a one-half inch diameter iron rod, eighteen inches in length, with plastic survey cap marked D. Melvin LS 4033, the top of said iron being set at ground level and being 470 feet South of the said Point of Beginning; thence continue North 470 feet, more or less to the Point of Beginning.

PARCEL 1772117:

Commence at the Northwest corner of Government Lot 2, Section 14, Township 19 South, Range 24 East, Lake County, Florida, run East along the North line of said Government Lot 2, a distance of 1584 feet to a concrete monument at the Point of Beginning of this description; run thence South 400 feet; thence continue South 470 feet, more or less, to a one-half inch diameter iron rod, eighteen inches in length, with plastic survey cap marked D. Melvin LS 4033, the top of said iron being set at ground level; thence continue South to a point on the South line of said Government Lot 2; thence West along said South line to a point which is 755 feet East of the West line of said Government Lot 2; thence North 438 feet; thence East 399 feet to a point which is 1154 feet East of West line of said Government Lot 2; thence North 882 feet to the North line of said Government Lot 2, thence East to the Point of Beginning.

LESS AND EXCEPT:

The East 399 feet of the West 1154 feet of Government Lot 2, in Section 14, Township 19 South, Range 24 East, Lake County, Florida, LESS the North 910 feet thereof. (as conveyed to Stivenders in instrument recorded in Book 3817, Page 100, Public Records of Lake County, Florida.)

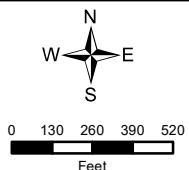
AND LESS AND EXCEPT:

That part of the East 399.00 feet of the West 1154.00 feet of Government Lot 2, in Section 14, Township 19 South, Range 24 East, Lake County, Florida, described as follows: Commencing at the Northwest corner of Government Lot 2 in said Section 14, run thence South 89°56'10" East along the North line of Government Lot 2 in said Section 14, a distance of 755.00 feet; departing said North line of Government Lot 2 in said Section 14, run thence South 00°17'00" West 882.00 feet along the East line of the West 755.00 feet of said Government Lot 2 to the Point of Beginning of this description; from said Point of Beginning, continue South 00°17'00" West along said East line a distance of 28.00 feet to a point on the South line of the North 910.00 feet of said Government Lot 2; from said point, run thence South 89°56'10" East along the south line of the north 910.00 feet of said Government Lot 2 to a point on the East line of the West 1154.00 feet of said Government Lot 2; from said point, run thence North 00°17'00" East 28.00 feet along the East line of the West 1154.00 feet of said Government Lot 2 to a point on the South line of the North 882.00 feet of said Government Lot 2; from said point, run thence North 89°56'10" West 399.00 feet along the South line of the North 882.00 feet of said Government Lot 2 to the Point of Beginning. (as conveyed to Stivenders in instrument recorded in Book 3703, Page 2115, Public Records of Lake County, Florida.)

Aerial



**Planning
& Zoning
Division**



Lake Griffin Preserve
Sec 14 Twp 19S Rge 24E

U:\Accounts\LSBGL\LSBGL20003 - Lake Griffin Subdivision\DESIGN\SECURE\LSBGL20003-VW-BN-PLAT.dwg, 12/15/2021 8:07 AM, Leigh J. Miller

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LESS AND EXCEPT:

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SURVEYOR'S NOTES:

- BEARINGS BASED ON THE STATE OF FLORIDA, STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD 83), ADJUSTMENT OF 2011, EAST ZONE, THE NORTH LINE OF GOVERNMENT LOT 2, BEING SOUTH 89°29'08" EAST.
- ALL LINES ARE NON-RADIAL UNLESS NOTED OTHERWISE.
- UNLESS OTHERWISE NOTED A 5/8" IRON ROD AND CAP "PENNONI LB 8126" MONUMENTATION SET AT ALL LOT CORNERS, POINTS OF INTERSECTION, AND CHANGES OF DIRECTION OF LINE WITHIN THE SUBDIVISION WHICH DO NOT REQUIRE A PRM OR PCP.
- THIS PLAT IS BASED ON A RECENT SURVEY MADE BY PENNONI ASSOCIATES, INC. IN COMPLIANCE WITH CHAPTER 177, FLORIDA STATUTES.
- P.C.P.'S SET IN AN IMPERVIOUS SURFACE ARE A PK-NAIL AND DISC "PENNONI LB 8126" - UNLESS OTHERWISE NOTED.
- LANDS IN THE VICINITY OF THE DRAINAGE/RETENTION AREAS AND SWALES MAY BE SUBJECT TO TEMPORARY STANDING WATER WHEN CONDITIONS DECREASE THE RATE OF PERCOLATION AND DRAINAGE RUNOFF.
- PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTENANCE OF VEGETATION (MOWING) IN THE RETENTION AREAS AND DRAINAGE SWALES LYING WITHIN THEIR RESPECTIVE LOT AND THE DESIGN IS TO BE LEFT UNCHANGED.
- THE PLATTED LANDS ARE LOCATED WITHIN ZONES "X" AND "AE" (ELEVATION 60.5 FEET), ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR LAKE COUNTY; MAP NUMBER 12069C0309C, COMMUNITY PANEL NUMBER 120136 0309 E, EFFECTIVE DATE OF 12/18/2012.
- THE NORMAL HIGH WATER ELEVATION (NHWE) OF 59.32 FEET (NGVD29), 58.40 FEET (NAVD88) WAS PROVIDED BY DANIEL GOUGH, PROJECT MANAGER WITH BIO-TECH CONSULTING INC.
- THE COORDINATES SHOWN HEREON, IF ANY, ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011.
- ELEVATIONS BASED ON NATIONAL GEODETIC SURVEY BENCHMARK "Y 426", BEING 104.22 FEET, NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).
- TRACT "A", BEING OPEN SPACE AND UTILITY TRACT, ARE TO BE OWNED AND MAINTAINED BY THE LAKE GRIFFIN PRESERVE HOMEOWNERS ASSOCIATION, INC
- TRACTS "B" AND "C", ARE STORMWATER TRACTS AND ARE TO BE OWNED AND MAINTAINED BY THE LAKE GRIFFIN PRESERVE HOMEOWNERS ASSOCIATION, INC.



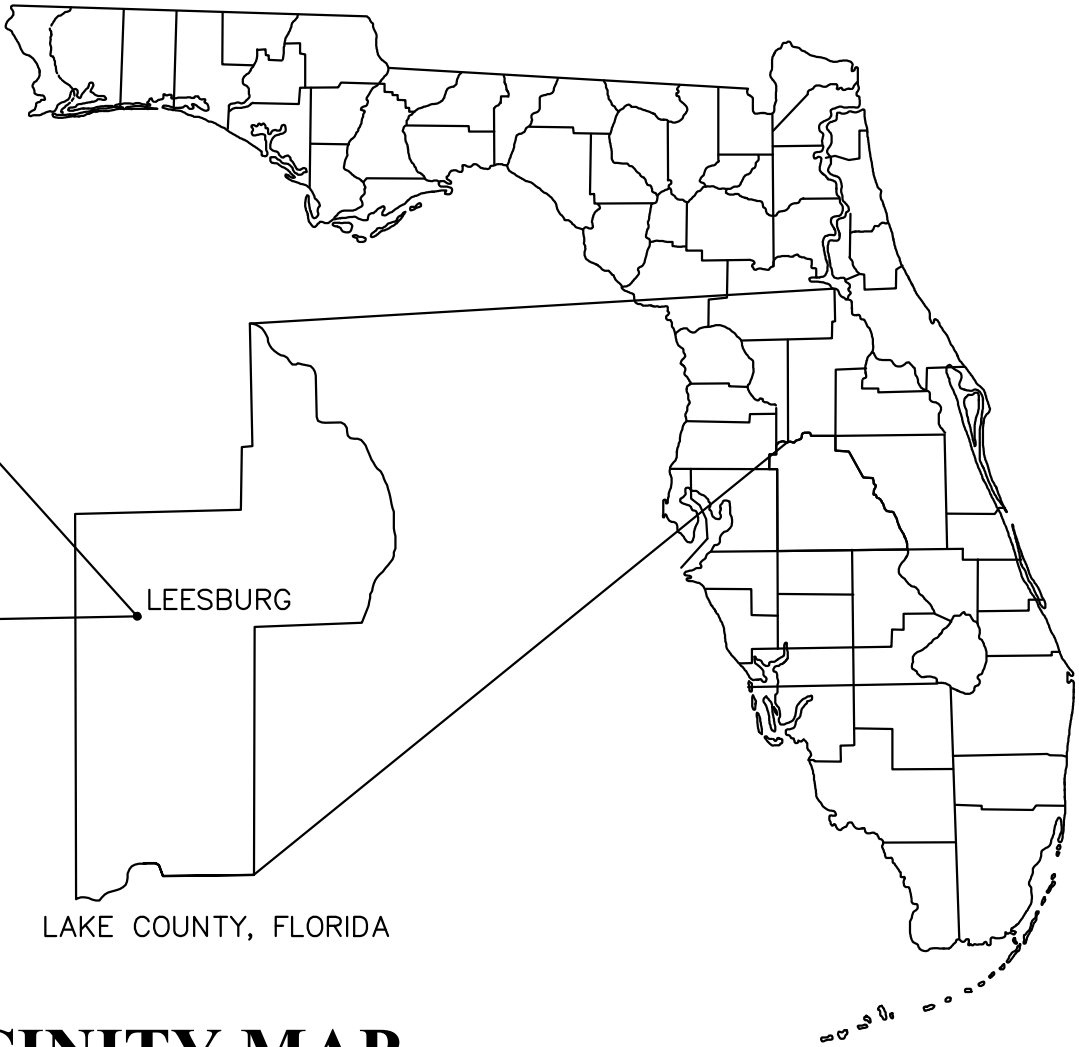
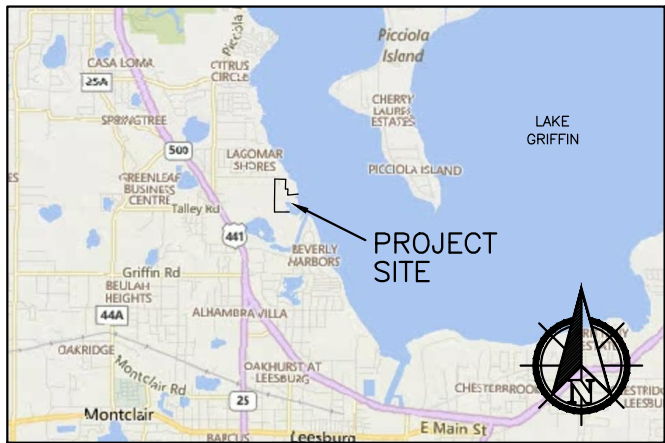
PENNONI ASSOCIATES INC.
401 Third Street SW
Winter Haven, FL 33880
T 863.324.1112 F 863.294.6185
LB 8126

NOTICE:

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

LAKE GRIFFIN PRESERVE

A PORTION OF GOVERNMENT LOT 2, SECTION 14, TOWNSHIP 19 SOUTH, RANGE 24 EAST, CITY OF LEESBURG, LAKE COUNTY, FLORIDA.



VICINITY MAP

NOT TO SCALE

LEGEND:

- PCP - PERMANENT CONTROL POINT - SET PK NAIL & DISK "PCP LB-8126" - UNLESS OTHERWISE NOTED
- PRM - PERMANENT REFERENCE MONUMENT - SET 4" X 4" CONCRETE MONUMENT AND CAP "PRM LB-8126"
- & = AND
- ± = MORE OR LESS / PLUS OR MINUS
- C1 = CURVE LABEL (SEE CURVE TABLES)
- (C) = INFORMATION CALCULATED FROM FIELD MEASUREMENTS
- CB = CHORD BEARING
- CD = CHORD DISTANCE
- CONC. = CONCRETE
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- D/Δ = CENTRAL ANGLE (DELTA)
- (F) = INFORMATION AS MEASURED BETWEEN FIELD MONUMENTATION
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- PGS = PAGES
- PK = PARKER KALON NAIL
- PSM = PROFESSIONAL SURVEYOR & MAPPER
- (RAD) = RADIAL
- R/W = RIGHT-OF-WAY
- R = RADIUS
- T = TANGENT LENGTH

CERTIFICATE OF APPROVAL BY BOARD OF CITY COMMISSIONERS:

STATE OF FLORIDA,
COUNTY OF LAKE
CITY OF LEESBURG
THIS PLAT HAS RECEIVED FINAL APPROVAL THIS _____ DAY OF _____, A.D. 2020 BY THE
CHAIRPERSON OF THE BOARD OF THE CITY COMMISSION OF THE CITY OF LEESBURG, LAKE COUNTY, FLORIDA IN
ACCORDANCE WITH THE PROCEDURE ADOPTED BY THE BOARD OF CITY COMMISSION.

BOARD OF CITY COMMISSION

BY: MAYOR/COMMISSIONER _____

ATTEST: CITY CLERK _____

PLAT BOOK PAGE

SHEET 1 OF 4

LAKE GRIFFIN PRESERVE

DEDICATION:

STATE OF FLORIDA,
COUNTY OF LAKE
CITY OF LEESBURG

KNOWN BY ALL MEN BY THESE PRESENTS, THAT LEESBURG LAND HOLDINGS, LLC., A FLORIDA LIMITED LIABILITY COMPANY, BEING THE OWNER IN FEE SIMPLE OF THE LANDS DESCRIBED IN THE FOREGOING CAPTION TO THIS PLAT, DO HEREBY DEDICATE SAID LANDS AND PLAT FOR THE USES AND PURPOSES THEREON EXPRESSED AND DEDICATES THE RIGHTS OF WAY SHOWN HEREON TO THE LAKE GRIFFIN PRESERVE HOMEOWNERS ASSOCIATION INC. AND IS TO BE MAINTAINED BY THE SAME, AND FURTHER DEDICATES THE RIGHTS OF WAY AND UTILITY EASEMENTS TO THE CITY OF LEESBURG FOR THE PERPETUAL USE OF THE PUBLIC.

- RESTRICTION. THE LANDS WITHIN THIS PLAT ARE SUBJECT TO, AND THE UTILIZATION OF THE LANDS WITHIN THIS PLAT BY THE OWNER IS FURTHER LIMITED AND RESTRICTED BY THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR LAKE ASHTON PRESERVE (THE "DECLARATION"), RECORDED IN OFFICIAL RECORDS BOOK _____, PAGES _____, TOGETHER WITH ALL RECORDED AMENDMENTS.
- DRAINAGE EASEMENTS. EASEMENTS DESIGNATED ON THIS PLAT AS DRAINAGE EASEMENTS ARE HEREWTHIN DEDICATED AS PERPETUAL NON-EXCLUSIVE EASEMENTS TO THE LAKE GRIFFIN PRESERVE HOMEOWNERS ASSOCIATION INC., A FLORIDA NOT FOR PROFIT CORPORATION (THE "ASSOCIATION").
- SURFACE WATER MANAGEMENT SYSTEM. THE LAKE GRIFFIN PRESERVE HOMEOWNERS ASSOCIATION INC., SHALL MAINTAINED AND OPERATE THE SURFACE WASTER MANAGEMENT SYSTEM WITH THE LANDS DESCRIBED IN THIS PLAT IN ACCORDANCE WITH THE PERMIT ISSUED BY THE ST. JOHN'S RIVER WATER MANAGEMENT SYSTEM.

PLAT NOTES:

TRACT "A", BEING OPEN SPACE AND UTILITY TRACT FOR THE INSTALLATION AND MAINTENANCE OF A PRIVATE LIFT STATION, IS TO BE OWNED AND MAINTAINED BY THE LAKE GRIFFIN PRESERVE HOMEOWNERS ASSOCIATION INC.

TRACTS "B" AND "C", ARE STORMWATER TRACTS AND ARE TO BE OWNED AND MAINTAINED BY THE LAKE GRIFFIN PRESERVE HOMEOWNERS ASSOCIATION INC.

TRACT "D", BEING OPEN SPACE, COMMON AREA, AND BOAT RAMP TRACT IS TO BE OWNED AND MAINTAINED BY THE LAKE GRIFFIN PRESERVE HOMEOWNERS ASSOCIATION INC.

TRACT "E", BEING OPEN WATER MAN-MADE CANAL AND MARSH IS TO BE OWNED BY THE LAKE GRIFFIN PRESERVE HOMEOWNERS ASSOCIATION INC. AND SHALL REMAIN OPEN FOR NAVIGATION BY RIPARIAN RIGHT.

WITNESS

A FLORIDA LIMITED LIABILITY COMPANY

PRINTED NAME: _____

BY: _____

WITNESS

PRINTED NAME: _____

PRINTED NAME: _____

TITLE: _____

ACKNOWLEDGMENT:

STATE OF FLORIDA,
COUNTY OF LAKE
CITY OF LEESBURG

I HEREBY CERTIFY ON THIS _____ DAY OF _____, OF 20____, BEFORE ME, BY MEANS OF [] PHYSICAL PRESENCE OR [] ONLINE NOTARIZATION APPEARED _____ AS _____ OF _____ A FLORIDA LIMITED LIABILITY COMPANY, KNOWN TO ME AS THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CONFIRMATION OF ACCEPTANCE AND SEVERALLY ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR FREE ACT AND DEED FOR THE USES AND PURPOSES THEREIN EXPRESS TO ME.

WITNESS MY HAND AND OFFICIAL SEAL IN THE COUNTY AND STATE LAST AFORESAID THIS _____ DAY OF _____, OF 20____.

NOTARY PUBLIC

PRINTED NAME: _____

MY COMMISSION EXPIRES: _____

PREPARING SURVEYOR'S STATEMENT:

STATE OF FLORIDA,
COUNTY OF LAKE
CITY OF LEESBURG

I HEREBY STATE THAT THIS PLAT OF "LAKE GRIFFIN PRESERVE" WAS PREPARED UNDER MY DIRECTION AND SUPERVISION AND THAT THE PLAT COMPLIES WITH ALL THE SURVEY REQUIREMENTS OF CHAPTER 177, PART 1 FLORIDA STATUTES, AND THAT ALL P.R.M.'S HAVE BEEN SET, AND P.C.P.'S AND OTHER MONUMENTATION WILL BE SET AS SHOWN OR NOTED.

ROBERT F. DuBOIS DATE _____
PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION NO. 5293
PENNONI ASSOCIATES INC.
REGISTRATION NO. 8126

REVIEWER STATEMENT:

STATE OF FLORIDA,
COUNTY OF LAKE
CITY OF LEESBURG

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

CITY SURVEYOR _____

LEGEND:

⊙ PCP — PERMANENT CONTROL POINT — SET PK NAIL & DISK
"PCP LB-8126" — UNLESS OTHERWISE NOTED
■ PRM — PERMANENT REFERENCE MONUMENT — SET 4" X 4"
CONCRETE MONUMENT AND CAP "PRM LB-8126"
& = AND
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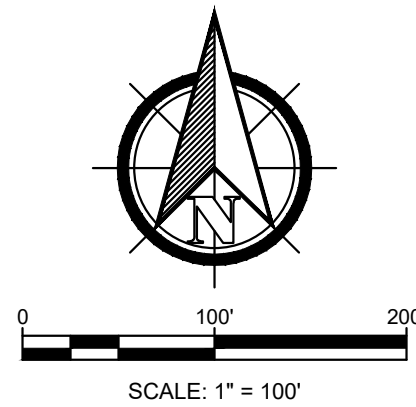
LAKE GRIFFIN PRESERVE

A PORTION OF GOVERNMENT LOT 2, SECTION 14, TOWNSHIP 19 SOUTH, RANGE 24 EAST, CITY OF LEESBURG,
LAKE COUNTY, FLORIDA.

PLAT BOOK PAGE

SHEET 2 OF 4

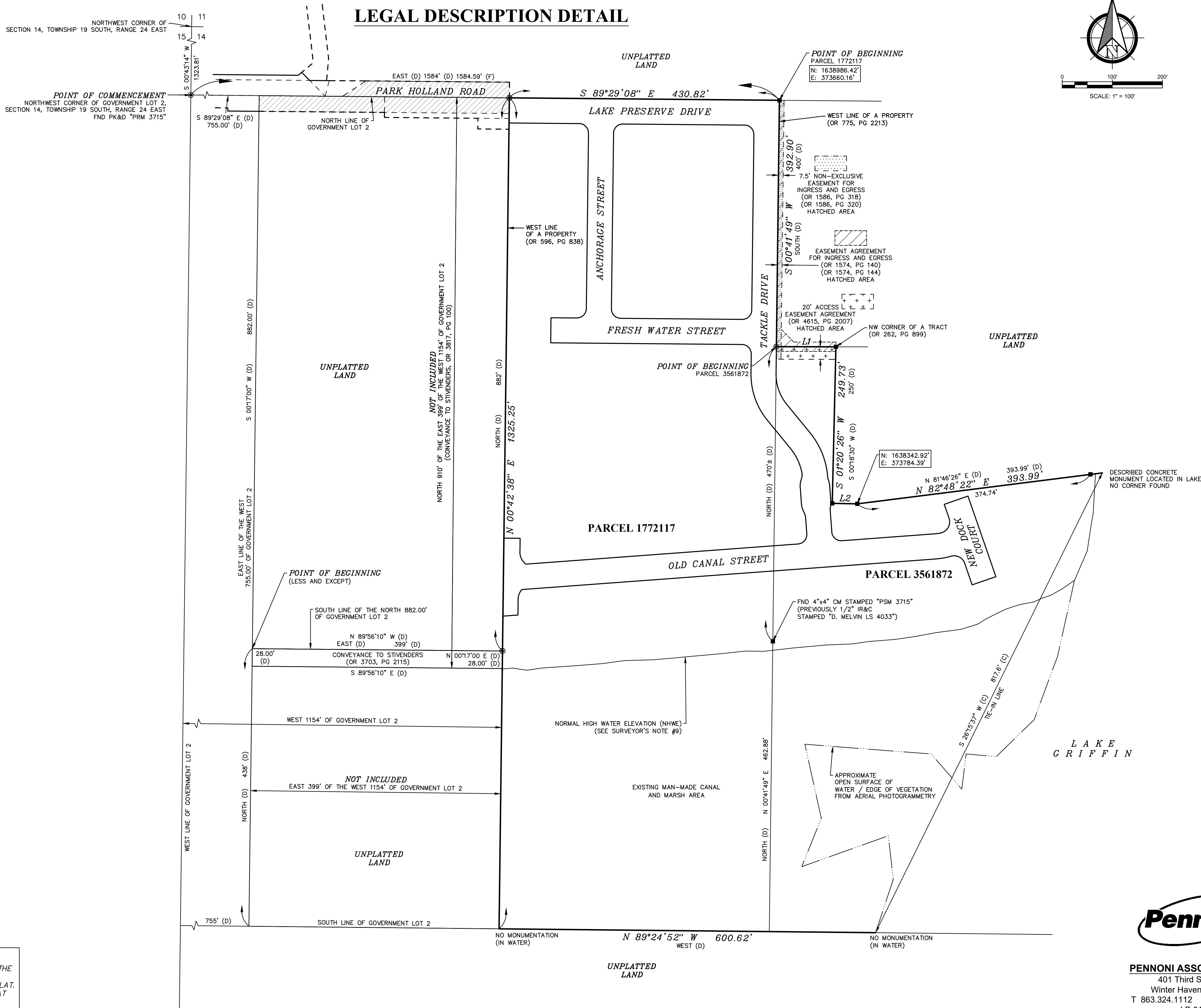
LEGAL DESCRIPTION DETAIL



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S 89°51'01" E EAST (D)	94.86' 95± (D)
L2	S 88°58'04" E EAST (D)	40.00' 40 (D)

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THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.



PENNONI ASSOCIATES INC.
401 Third Street SW
Winter Haven, FL 33880
T 863.324.1112 F 863.294.6185
LB 8126

LEGEND:

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 (RAD) = RADIAL
 R/W = RIGHT-OF-WAY
 R = RADIUS
 T = TANGENT LENGTH

LINE TABLE		
CURVE #	RADIUS	DELTA
C1	200.00'	141°25'
C2	100.00'	14°53'04"
C3	95.00'	40°00'06"
C4	105.00'	35°04'11"
C5	32.00'	5°58'00"
C6	32.00'	20°21'51"
C7	125.00'	35°04'11"
C8	75.00'	40°00'00"
C9	115.00'	9°18'54"
C10	85.00'	29°01'11"
C11	15.00'	26°03'00"
C12	35.00'	20°00'00"
C13	35.00'	20°00'00"
C14	15.00'	20°00'00"
C15	15.00'	90°00'00"
C16	24.00'	53°32'03"
C17	18.00'	97°24'45"
C18	80.00'	7°28'19"
C19	15.00'	90°00'00"
C20	32.00'	14°23'50"
C21	26.00'	38°52'09"
C22	15.00'	90°10'58"
C23	15.00'	89°49'02"
C24	15.00'	90°10'58"
C25	15.00'	89°49'02"
C26	220.00'	1°33'16"
C27	15.00'	90°10'58"
C28	15.00'	89°49'02"
C29	15.00'	90°10'58"
C30	115.00'	30°41'06"
C31	120.00'	11°33'42"
C32	18.00'	86°40'38"

LINE TABLE		
CURVE #	RADIUS	DELTA
L1	S 89°51'01" E	94.86'
L2	S 88°58'04" E	40.00'
L3	N 84°32'08" E	16.19'
L4	S 81°27'37" E	23.37'
L5	N 81°32'34" E	24.96'
L6	N 86°06'29" E	47.76'
L7	N 85°32'22" E	49.43'
L8	N 82°13'11" E	35.32'
L9	N 88°31'12" E	42.81'
L10	N 85°16'01" E	27.58'
L11	N 84°46'40" E	44.47'
L12	N 85°00'41" E	36.62'
L13	N 83°44'18" E	40.97'
L14	S 89°04'29" E	29.54'
L15	N 83°22'04" E	47.09'
L16	N 84°55'12" E	53.13'
L17	N 87°32'15" E	41.92'
L18	N 81°41'37" E	25.38'
L19	N 85°30'05" E	42.40'

PARCEL CURVE TABLE				
CURVE #	RADIUS	DELTA	ARC LENGTH	CHORD BEARING
C1	200.00'	141°25'	5.90'	S 88°38'26" E
C2	100.00'	14°53'04"	25.98'	N 78°19'28" E
C3	95.00'	40°00'06"	66.32'	S 19°18'11" E
C4	105.00'	35°04'11"	64.27'	S 21°46'05" E
C5	32.00'	5°58'00"	3.33'	N 01°15'00" W
C6	32.00'	20°21'51"	11.37'	N 14°24'55" W
C7	125.00'	35°04'11"	76.51'	N 21°46'05" W
C8	75.00'	40°00'00"	52.36'	N 19°18'11" W
C9	115.00'	9°18'54"	18.70'	S 34°38'43" E
C10	85.00'	29°01'11"	43.05'	S 24°47'35" E
C11	15.00'	26°03'00"	6.82'	S 02°44'30" W
C12	35.00'	20°00'00"	12.22'	S 05°46'00" W
C13	35.00'	20°00'00"	12.22'	S 14°14'00" E
C14	15.00'	20°00'00"	5.24'	S 14°14'00" E
C15	15.00'	90°00'00"	23.56'	S 40°46'00" W
C16	24.00'	53°32'03"	22.42'	N 26°03'24" W
C17	18.00'	97°24'45"	30.60'	S 29°35'19" W
C18	80.00'	7°28'19"	10.43'	S 82°01'51" W
C19	15.00'	90°00'00"	23.56'	N 49°14'00" W
C20	32.00'	14°23'50"	8.04'	N 08°55'56" E
C21	26.00'	38°52'09"	17.64'	N 20°08'42" E
C22	15.00'	90°10'58"	23.61'	S 44°23'39" E
C23	15.00'	89°49'02"	23.51'	S 45°36'21" W
C24	15.00'	90°10'58"	23.61'	N 44°23'39" E
C25	15.00'	89°49'02"	23.51'	N 45°36'21" E
C26	220.00'	1°33'16"	5.97'	S 88°42'31" E
C27	15.00'	90°10'58"	23.61'	S 44°23'40" E
C28	15.00'	89°49'02"	23.51'	S 45°36'21" W
C29	15.00'	90°10'58"	23.61'	S 44°23'39" E
C30	115.00'	30°41'06"	61.59'	S 14°38'43" E
C31	120.00'	11°33'42"	24.21'	N 79°59'09" E
C32	18.00'	86°40'38"	27.23'	S 62°27'23" E

NOTICE:

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

LAKE GRIFFIN PRESERVE

A PORTION OF GOVERNMENT LOT 2, SECTION 14, TOWNSHIP 19 SOUTH, RANGE 24 EAST, CITY OF LEESBURG, LAKE COUNTY, FLORIDA.

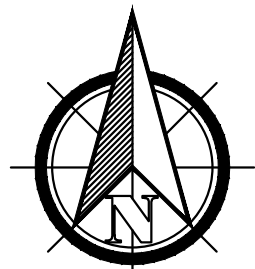
PLAT BOOK

PAGE

SHEET 3 OF 4

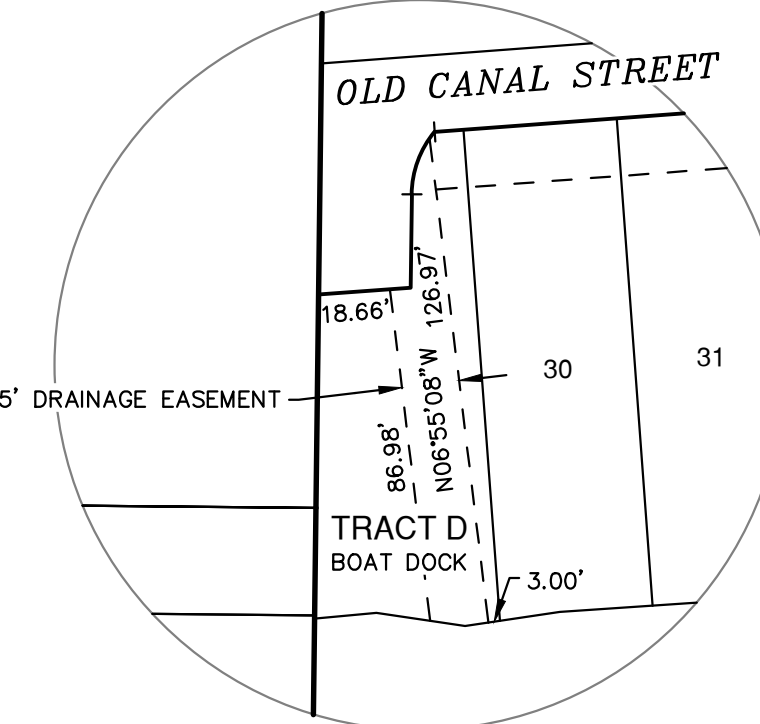
NOTE:

ALL LOTS SUBJECT TO A 5 FOOT UTILITY EASEMENT ALONG SIDES, AND A 7.5 FOOT UTILITY EASEMENT ALONG THE BACK WHERE SHOWN HEREON.

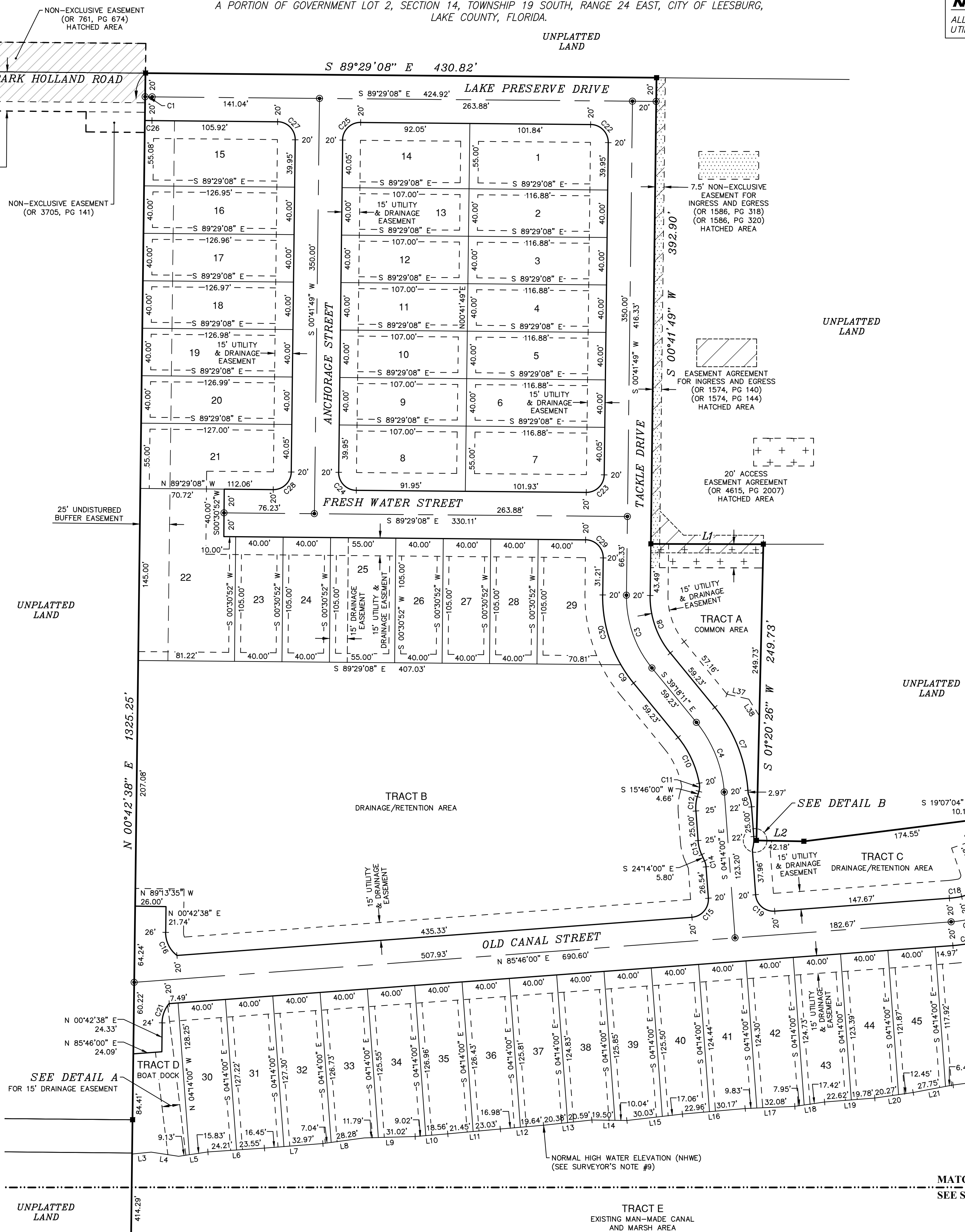
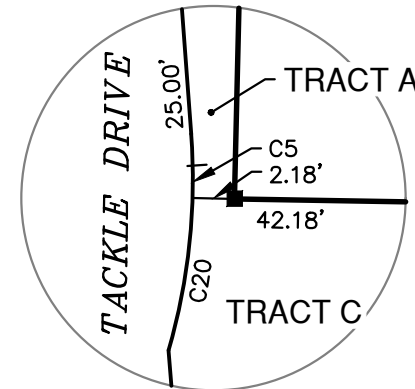


0 50' 100'
SCALE: 1" = 50'

DETAIL A
15' DRAINAGE EASEMENT
SCALE: 1" = 50'



DETAIL B
TRACTS A & C
SCALE: 1" = 10'



PENNONI ASSOCIATES INC.
401 Third Street SW
Winter Haven, FL 33880
T 863.324.1112 F 863.294.6185
LB 8126

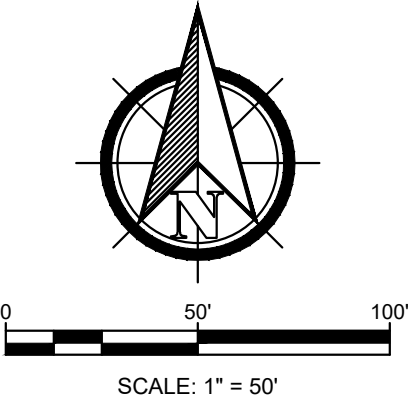
LEGEND:

⊙ PCP — PERMANENT CONTROL POINT — SET PK NAIL & DISK
"PCP LB-8126" — UNLESS OTHERWISE NOTED
■ PRM — PERMANENT REFERENCE MONUMENT — SET 4" X 4"
CONCRETE MONUMENT AND CAP "PRM LB-8126"
& = AND
± = MORE OR LESS / PLUS OR MINUS
C1 = CURVE LABEL (SEE CURVE TABLES)
(C) = INFORMATION CALCULATED FROM FIELD MEASUREMENTS
CB = CHORD BEARING
CD = CHORD DISTANCE
CONC. = CONCRETE
℄ = CENTERLINE
(D) = DESCRIBED MEASUREMENT
D/Δ = CENTRAL ANGLE (DELTA)
(F) = INFORMATION AS MEASURED BETWEEN FIELD MONUMENTATION
FEMA = FEDERAL EMERGENCY MANAGEMENT AGENCY
I.D. = IDENTIFICATION
(L) = INFORMATION PER LEGAL DESCRIPTION
L = ARC LENGTH
L1 = LINE LABEL (SEE LINE TABLES)
N&D = NAIL AND DISK
NO./# = NUMBER
(NR) = NON-RADIAL
O.R. = OFFICIAL RECORDS
PB = PLAT BOOK
PG = PAGE
PGS = PAGES
PK = PARKER KALON NAIL
PSM = PROFESSIONAL SURVEYOR & MAPPER
(RAD) = RADIAL
R/W = RIGHT-OF-WAY
R = RADIUS
T = TANGENT LENGTH

LAKE GRIFFIN PRESERVE

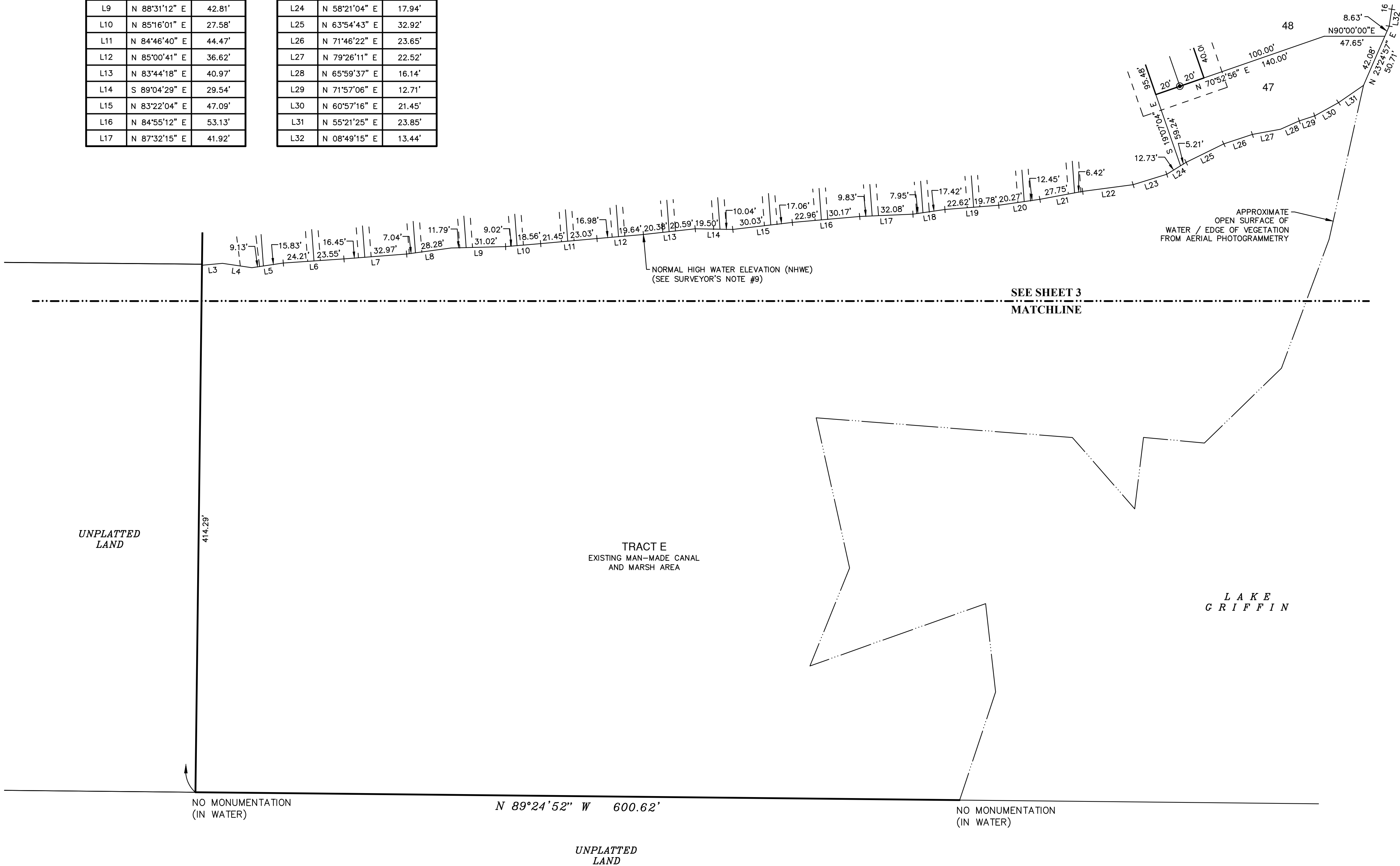
A PORTION OF GOVERNMENT LOT 2, SECTION 14, TOWNSHIP 19 SOUTH, RANGE 24 EAST, CITY OF LEESBURG,
LAKE COUNTY, FLORIDA.

PLAT BOOK PAGE
SHEET 4 OF 4



LINE TABLE		
LINE #	BEARING	DISTANCE
L3	N 84°32'08" E	16.19'
L4	S 81°27'37" E	23.37'
L5	N 81°32'34" E	24.96'
L6	N 86°06'29" E	47.76'
L7	N 85°32'22" E	49.43'
L8	N 82°13'11" E	35.32'
L9	N 88°31'12" E	42.81'
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L12	N 85°00'41" E	36.62'
L13	N 83°44'18" E	40.97'
L14	S 89°04'29" E	29.54'
L15	N 83°22'04" E	47.09'
L16	N 84°55'12" E	53.13'
L17	N 87°32'15" E	41.92'

LINE TABLE		
LINE #	BEARING	DISTANCE
L18	N 81°41'37" E	25.38'
L19	N 85°30'05" E	42.40'
L20	N 81°44'36" E	32.72'
L21	N 79°24'08" E	34.17'
L22	N 82°30'45" E	39.97'
L23	N 72°45'05" E	27.67'
L24	N 58°21'04" E	17.94'
L25	N 63°54'43" E	32.92'
L26	N 71°46'22" E	23.65'
L27	N 79°26'11" E	22.52'
L28	N 65°59'37" E	16.14'
L29	N 71°57'06" E	12.71'
L30	N 60°57'16" E	21.45'
L31	N 55°21'25" E	23.85'
L32	N 08°49'15" E	13.44'



NOTICE:

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SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE
SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT.
THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT
THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.



PENNONI ASSOCIATES INC.
401 Third Street SW
Winter Haven, FL 33880
T 863.324.1112 F 863.294.6185
LB 8126

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.5.

Meeting Date: March 14, 2022

From: Travis Rima, (Recreation Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement with Sunrise Kiwanis; and providing an effective date.

Staff Recommendation:

Staff recommends approval of the concessions agreement with the Sunrise Kiwanis of Leesburg.

Analysis:

The City entered into an agreement with the Sunrise Kiwanis to build and operate the Susan Street concession stand in 1986. The Sunrise Kiwanis organization has operated the concession stand at Susan Street since the completion of that project. Their contract was amended in 2003 and again in 2015. The 2015 agreement was a 5-year agreement ending August 31, 2020. The 2020 baseball season was canceled, and the Kiwanis did not sell concessions during the 2021 seasons due to ongoing concerns about the COVID-19 pandemic in 2021. City staff and members of the Sunrise Kiwanis had multiple discussions to come to the agreement of terms listed in the contract.

Highlighted agreed upon terms:

- Kiwanis to sponsors of one (1) Recreation Baseball League team. Payable prior to the start of the baseball season.
- Twenty five percent (25%) of post-tax revenue from concessions for any Babe Ruth/Cal Ripken district tournaments to support the Recreation Baseball League. Payable at the conclusion of the tournament. (Post-tax revenue for 2018 district tournament was over \$3,000).

This agreement, unlike agreements in the past, includes Babe Ruth/Cal Ripken baseball games at Susan Street and does not include any other sport or league in this agreement.

Procurement Analysis:

N/A

Options:

1. Approve the Resolution as is; or

2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

No fiscal impact to the General Fund as funds from this agreement go directly to programs.

Submission Date and Time:

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE
AN AGREEMENT WITH SUNRISE KIWANIS; AND PROVIDING AN
EFFECTIVE DATE.**

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the Mayor and City Clerk are hereby authorized to execute an agreement with Kiwanis Club of Leesburg - Sunrise, Inc for baseball concessions at the Susan Street Sports Complex.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 14th day of March 2022.

Mayor

ATTEST:

City Clerk

CONCESSIONAIRE AGREEMENT

THIS AGREEMENT made this 14th day of March, 2022, between the City of Leesburg, Florida (hereinafter referred to as “the City”) and Kiwanis Club of Leesburg – Sunrise, Inc., (hereinafter referred to as, Concession Service Provider, (“KLS/CSP”).

RECITALS

The City desires to enter into an agreement with KLS/CSP for the provision of certain concessions at the Susan Street Recreation Complex described more particularly below, located in Leesburg, Florida. The KLS/CSP desires to enter into an agreement with the City to provide concession services, and further agrees to be bound by the terms and conditions of this agreement.

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

1. The City hereby grants the KLS/CSP the exclusive right to sell concessions for Recreation Department Baseball Leagues, and (if held) the Babe Ruth/Cal Ripken Tournament (collectively, the “Events”), at the recreational complex (the “Complex”) located in Leesburg, Florida: Susan Street Recreational Complex, for the term beginning March 14, 2022, and ending February 28, 2025. The KLS/CSP hereby agrees to provide concessions at all Events held at the Complex. The concessions to be provided by the KLS/CSP shall be submitted to and approved by the City, and any material changes to approved concessions shall also be subject to approval by the City prior to implementation of any material change; however, KLS/CSP is not obligated, and has no exclusive right, to operate the concession for functions other than the Events, and has no obligation to be open when Events are not occurring. If KLS/CSP elects as provided in §3 below not to serve concessions at functions other than the Events, the City may for any such function provide concessions to event patrons through another vendor, but shall not utilize the concession stand constructed by KLS/CSP at Susan Street Recreational Complex for this purpose. The City may also install vending machines at the Complex so long as the machines are not available to patrons while KLS/CSP is open for business, such as by locking the machines away from public access or through control by a switch which renders them inoperable for Events at which KLS/CSP is providing concession services.

2. During the term of this agreement, the KLS/CSP shall be responsible for the following:

- a. Supplying all food and beverages for sale at the Complex concession stand, and all cups, bags and other containers utilized in selling or distributing the food and beverages;
- b. Providing sufficient personnel to man the concession stand at all times required under this Agreement, and to provide adequate and timely service to patrons;

- c. Cleaning the interior of the concession stand, all drink machines or dispensers, all coolers or other containers, and all food and other concession items, so as to maintain a clean and sanitary environment in the concession area, and prevent infestation of insects, rodents or other pests or vermin;
- d. Supplying all beverage dispensers, coolers, refrigeration equipment and other devices necessary to the operation of the concession stand;
- e. Complying with all applicable codes and regulations pertaining to the operation of the concession stand.

3. The City shall be responsible for the following:

- a. Providing the KLS/CSP with access to the concession stand.
- b. Furnishing utilities, regular pest control service, and building maintenance including maintaining and cleaning the interior of the building (not including the concession area);
- c. Notifying the KLS/CSP at least two weeks in advance of all Events during which concession sales are called for under this Agreement. Within not less than one week prior to a scheduled function other than an Event, if KLS/CSP wishes to refrain from serving that function it must give written notice to the City so that the City can make arrangements to provide concession services in some other manner. If KLS/CSP fails to give timely notice of its desire not to service a function other than an Event, it shall be presumed that KLS/CSP has elected to serve the function and KLS/CSP shall be obligated hereunder to do so.

4. In consideration of the rights granted by the City to the KLS/CSP to sell concessions at the Susan Street Recreation Complex, KLS/CSP agrees to the following.

- a. Annually, KLS/CSP shall sponsor one (1) team in the Recreational Baseball League. These funds shall be paid to the City prior to the start of the season.
- b. Whenever the Babe Ruth/Cal Ripken tournament is held at the Complex, twenty five percent (25%) of the revenue from concessions shall be paid to the City to support the Recreational Baseball League. These funds will be payable at the conclusion of the tournament.

5. The KLS/CSP agrees to indemnify the City and hold the City, its officers and employees, harmless for any claims, causes of action or damages (including attorney's fees) that it may incur by reason of any death, illness or injury, or damage to property, arising out of or related in any manner to KLS/CSP's activities hereunder, excepting only those claims which are the sole, direct and proximate result of the negligent or deliberate act of the City or its employees and which do not result in any way whatsoever from any negligent or deliberate acts of KLS/CSP or persons present on the complex for the purpose of supplying concessions, working in the

concession stand, or otherwise taking part in any aspect of KLS/CSP's operations .Kiwanis International along with KLS/CSP shall obtain, and maintain in force, at its cost, public liability insurance coverage. In the following amounts, which insurance shall name the City as an additional insured:

Bodily Injury -- \$100,000 per person; \$300,000 per occurrence
Property Damage -- \$50,000

The KLS/CSP shall provide the City with proof of said insurance prior to taking possession of the premises and upon request at any reasonable time thereafter.

6. The parties agree that if the KLS/CSP violates the terms and conditions of this Agreement, or violates any other applicable state, county or municipal ordinances, the City shall have the option to immediately terminate this Agreement upon 30 day written notice stating the violation(s), and KLS/CSP shall forfeit the unused portion of any annual fees paid by it hereunder. Notwithstanding the above, KLS/CSP shall have the option to cure such violation during those 30 days. If said violation is cured the agreement shall continue. This Agreement may also be terminated by the City, by giving the KLS/CSP written notice at least 45 days prior to the date of termination, if the City makes substantial capital improvements to the Complex's.

7. If, prior to the start of an event, it becomes impossible or unsafe to hold the event for reasons of power failure, strikes, severe weather conditions, riots, wars, or other unforeseen catastrophes or disasters or circumstances beyond the control of either party hereto, participation in the Event shall not be obligatory by either party and neither party hereto shall be responsible to the other for any related loss or damage. Not participating in an Event solely under this section shall not be deemed a breach of this Agreement. Written notice of such an extraordinary catastrophe or disaster shall be given by the party invoking this provision to excuse participation, as soon as possible, but in no event later than ten (10) calendar days from the date of the Event in which the notifying party relies on this provision to excuse participation.

8. The KLS/CSP shall be responsible for obtaining any and all necessary licenses, health certificates, permits, or other documents required for the operation of the concession stand. The KLS/CSP shall also be responsible for any and all sales or income tax liability that it may incur by reason of its operation of the concession stand. Without limiting the generality of the indemnity provisions above, those provisions shall be deemed to include the obligation to indemnify the City, its officers and employees against any claims due to breach by KLS/CSP of its obligations under this paragraph.

8. The KLS/CSP shall not be permitted to sublet or assign any part of the concession stand premises or the right to sell concessions at the complex as set forth in this Agreement without first obtaining the written consent of the City.

9. The KLS/CSP shall have the right to make renovations to the interior of the concession stand, only after receiving prior approval from the City Commission, City Manager or his designee.

IN WITNESS WHEREOF, the parties have entered into this Agreement.

THE CITY OF LEESBURG, FLORIDA

BY: _____
MIKE PEDERSON, Mayor

ATTEST: _____
ANDI PURVIS, City Clerk

DATE: _____, 2022

APPROVED AS TO FORM AND CONTENT:

CITY ATTORNEY

KIWANIS CLUB OF LEESBURG –
SUNRISE, INC.

BY:  _____
FRANK A. STIVENDER, President

DATE: MARCH 1, 2022

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.6.

Meeting Date: March 14, 2022

From: Cliff Kelsey, (Public Works Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, granting an amendment to an existing Utility Easement to DUKE ENERGY FLORIDA, LLC., a Florida Limited Liability Company, d/b/a DUKE ENERGY for the perpetual right, privilege, and easement to install, operate and maintain in perpetuity, such Facilities as may be necessary or desirable for providing electric energy to the Turnpike Wastewater Treatment Facility; and providing an effective date.

Staff Recommendation:

Staff recommends approval of the resolution granting an amendment to the existing Duke Power Utility Easement for the perpetual right, privilege, and easement to install, operate and maintain in perpetuity, such Facilities as may be necessary or desirable for providing electric energy to the Turnpike Wastewater Treatment Facility.

Analysis:

During the design and construction of Phase I Expansion of the Turnpike WWTF electrical upgrades were required to power the additional equipment and mandated redundancy for electrical resiliency. As the electrical provider for the area, Duke Power performed the high voltage electrical work and is requesting an amendment to the existing Utility Easement in order to perpetually operate and maintain the newly installed equipment.

Procurement Analysis:

N/A

Options:

1. Grant the amendment to the existing Utility Easement to Duke Power; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

Submission Date and Time:

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, GRANTING AN AMENDMENT TO AN EXISTING UTILITY EASEMENT TO DUKE ENERGY FLORIDA, LLC., A FLORIDA LIMITED LIABILITY COMPANY, D/B/A DUKE ENERGY FOR THE PERPETUAL RIGHT, PRIVILEGE, AND EASEMENT TO INSTALL, OPERATE AND MAINTAIN IN PERPETUITY, SUCH FACILITIES AS MAY BE NECESSARY OR DESIRABLE FOR PROVIDING ELECTRIC ENERGY TO THE TURNPIKE WASTEWATER TREATMENT FACILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the Mayor and City Clerk are hereby authorized to execute an amendment to the existing Utility Easement with DUKE ENERGY, whose address is Post Office Box 14042, St. Petersburg, Florida 33733, for the perpetual right, privilege, and easement to install, operate and maintain in perpetuity, such Facilities as may be necessary or desirable for providing electric energy to the Turnpike Wastewater Treatment Facility.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 14th day of March 2022.

Mayor

ATTEST:

City Clerk

LAKE COUNTY, FLORIDA
STR: 17-20S-24E
Work Request #: 36626296
Address: 1600 CR 470
LEESBURG 34748

EASEMENT

THIS EASEMENT ("Easement") from **THE CITY OF LEESBURG, FLORIDA, a Florida Municipal Corporation**, whose address is PO Box 490630, Leesburg, Florida ("GRANTOR," whether one or more) to **DUKE ENERGY FLORIDA, LLC., a Florida Limited Liability Company, d/b/a DUKE ENERGY**, Post Office Box 14042, St. Petersburg, Florida 33733, and its successors, lessees, licensees, transferees, permittees, apportionees, and assigns ("GRANTEE");

WITNESSETH:

THAT **GRANTOR**, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto **GRANTEE**, the perpetual right, privilege, and easement to install, operate and maintain in perpetuity, such Facilities as may be necessary or desirable for providing electric energy and for communication purposes over, under, upon, across, through and within the following described lands in **Lake** County, Florida, and referred to hereinafter as the Easement Area to wit:

See Legal Description on the accompanying Exhibit "A", attached hereto and incorporated herein by this reference.

Tax Parcel Number: 17-20-24-0002-000-00100; ALTKEY: 1038413

The rights herein granted to **GRANTEE** by **GRANTOR** specifically include the right: (a) for **GRANTEE** to patrol, inspect, alter, improve, add to, repair, rebuild, relocate, and remove said Facilities; (b) for **GRANTEE** to increase or decrease the voltage and to change the quantity and type of Facilities; (c) ingress and egress over the Easement Area and over portions of **GRANTOR's** adjoining property for the purpose of exercising the rights herein granted; (d) to trim, cut or remove from the Easement Area, at any time, trees, limbs, undergrowth, structures or other obstructions; (e) to trim, cut or remove and to keep trimmed or remove dead, diseased, weak or leaning trees or limbs outside of the Easement Area which, in the opinion of **GRANTEE**, might interfere with or fall upon the Facilities; (f) to allow third parties to attach equipment to the Facilities including but not limited to wires, cables and other apparatus; (g) and all other rights and privileges reasonably necessary or convenient for **GRANTEE's** safe, reliable and efficient installation, operation, and maintenance of the Facilities and for the enjoyment and use of the Easement for the purposes described herein. Failure to exercise the rights herein granted to **GRANTEE** shall not constitute a waiver or abandonment.

GRANTOR shall have the right to use the Easement Area in any manner that is consistent with the rights granted to **GRANTEE** herein; provided however, without the prior written consent of **GRANTEE**, **GRANTOR** shall not (a) place, or permit the placement of, any obstructions within the Easement Area including but not limited to, any building, house, or other above-ground or underground structure, or portion thereof. If obstructions are installed adjacent to the Easement Area, they shall be placed so as to allow ready access to **GRANTEE's** facilities and provide a working space of not less than ten (10) feet on the opening side, six (6) feet on the back for working space and three (3) feet on all other sides of any pad mounted equipment; (b) excavate or place, or permit the excavation or placement of any dirt or other material upon or below the Easement Area; or (c) cause, by excavation or placement of material, either on or off the Easement Area, a pond, lake, or similar containment vehicle that would result in the retention of

water in any manner within the Easement Area. **GRANTEE** shall have the right to remove any such obstruction(s) at **GRANTOR's** expense. Excluding removal of vegetation and obstructions as provided herein, any physical damage to the surface of the Easement Area and/or **GRANTOR's** adjoining property caused by **GRANTEE** or its contractors shall be repaired to a condition reasonably close to the previous condition. The rights and easement herein granted are exclusive as to entities engaged in the provision of electric energy service and **GRANTOR** reserves the right to grant rights to others affecting said Easement Area provided that such rights do not create an unsafe condition or conflict with the rights granted to **GRANTEE** herein.

GRANTOR hereby warrants and covenants (a) that **GRANTOR** is the owner of the fee simple title to the premises in which the above described Easement Area is located, (b) that **GRANTOR** has full right and lawful authority to grant and convey this easement to **GRANTEE**, and (c) that **GRANTEE** shall have quiet and peaceful possession, use and enjoyment of this easement. All covenants, terms, provisions and conditions herein contained shall inure and extend to and be obligatory upon the heirs, successors, lessees and assigns of the respective parties hereto.

SIGNATURES ON FOLLOWING PAGE

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, this Easement has been executed by Grantor on this _____ day of _____, 2022, and is effective as of the Effective Date herein.

GRANTOR:

City of Leesburg, Florida

Name of Corporation

ATTEST:

City Clerk

J. Andi Purvis

Print or Type Name

Mayor

Mike Pederson

Print or Type Name

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:**

Signature of First Witness

Print or Type Name of First Witness

Grantor(s) mailing address:

PO Box 490630

Leesburg, Florida 34749

Signature of Second Witness

Print or Type Name of Second Witness

State of _____)
County of _____) ss

The foregoing Easement was acknowledged before me this by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2022, by **John Christian and J. Andi Purvis**, its Mayor and City Clerk, respectively of **City of Leesburg, Florida**, a Florida Municipal Corporation, on behalf of the Corporation who are personally known to me or who has/have produced _____ as identification.

CORPORATE SEAL

NOTARY SEAL

Name:

Notary Public

Serial Number:

My Commission Expires:

SCHEDULE "A"

EXHIBIT "A"

DESCRIPTION:

A portion of the Southwest Quarter of the Northeast Quarter of Section 17, Township 20 South, Range 24 East, Lake County, Florida, being more particularly described as follows:

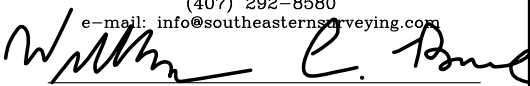
Commence at the North Quarter corner of Section 17, Township 20 South, Range 24 East, Lake County, Florida; thence South 00°35'48" West, a distance of 1330.57 feet along the West line of the Northeast Quarter of said Section 17 to a point on the North line of the Southwest Quarter of the Northeast Quarter of said Section 17; thence South 89°15'13" East, a distance of 688.19 feet along said North line of the Southwest Quarter; thence departing said North line South 32°18'53" East, a distance of 258.30 feet to the POINT OF BEGINNING; thence North 57°41'07" East, a distance of 10.00 feet; thence South 32°18'53" East, a distance of 101.47 feet; thence South 32°03'44" East, a distance of 5.22 feet; thence South 60°17'00" West, a distance of 53.99 feet; thence South 58°29'28" West, a distance of 152.48 feet; thence South 59°35'48" West, a distance of 85.01 feet; thence North 31°22'17" West, a distance of 94.80 feet; thence South 57°20'40" West, a distance of 5.73 feet; thence North 32°04'10" West, a distance of 18.53 feet; thence North 57°20'40" East, a distance of 18.05 feet; thence South 32°04'10" East, a distance of 18.53 feet; thence South 57°20'40" West, a distance of 2.31 feet; thence South 31°22'17" East, a distance of 85.19 feet; thence North 59°35'48" East, a distance of 75.08 feet; thence North 58°29'28" East, a distance of 152.54 feet; thence North 60°17'00" East, a distance of 43.70 feet; thence North 32°18'53" West, a distance of 96.23 feet to the POINT OF BEGINNING.

Containing 5,063 square feet, more or less.

SURVEYOR'S REPORT:

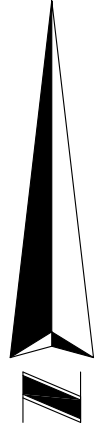
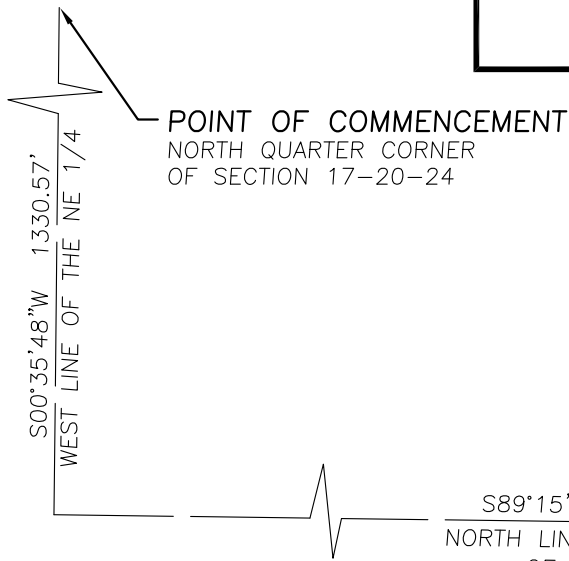
1. Bearings shown hereon are based on the West line of the Northeast Quarter of Section 17, Township 20 South, Range 24 East, Lake County, Florida being South 00°35'48" West, assumed.
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Standards of Practice for Land Surveying Chapter 5J-17 requirements of Florida Administration Code.

NOT VALID WITHOUT SHEETS 1-2

DESCRIPTION FOR CITY OF LEESBURG, FLORIDA	Date: 02/04/2022 KR		Certification Number LB2108 48455008	
	Job Number: 48455	Scale: 1" = 100'	 SSMC™ SUE • SURVEY • GIS SOUTHEASTERN SURVEYING AND MAPPING CORPORATION 6500 All American Boulevard Orlando, Florida 32810-4350 (407) 292-8580 e-mail: info@southeasternsurveying.com	
	Chapter 5J-17, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY.			
	SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH		 WILLIAM C. ROWE, PSM Registered Land Surveyor Number 5225	

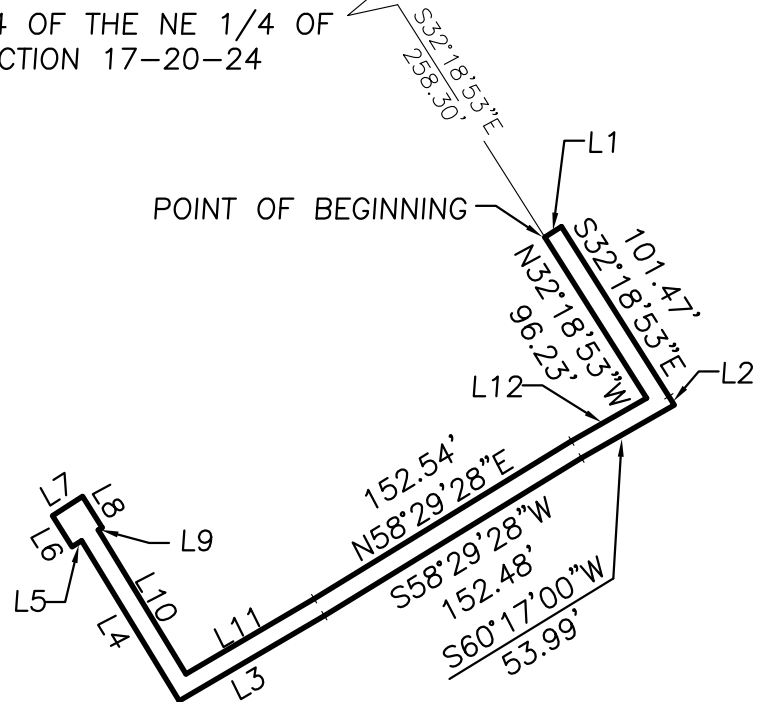
SKETCH OF DESCRIPTION

EXHIBIT "A" - Continued



LINE TABLE		
LINE #	BEARING	LENGTH
L1	N57°41'07"E	10.00'
L2	S32°03'44"E	5.22'
L3	S59°35'48"W	85.01'
L4	N31°22'17"W	94.80'
L5	S57°20'40"W	5.73'
L6	N32°04'10"W	18.53'
L7	N57°20'40"E	18.05'
L8	S32°04'10"E	18.53'
L9	S57°20'40"W	2.31'
L10	S31°22'17"E	85.19'
L11	N59°35'48"E	75.08'
L12	N60°17'00"E	43.70'

SW 1/4 OF THE NE 1/4 OF
SECTION 17-20-24



LEGEND :

L1 = LINE NUMBER

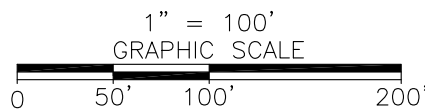


SSMC
SUE • SURVEY • GIS

SOUTHEASTERN SURVEYING
AND MAPPING CORPORATION
6500 All American Boulevard
Orlando, Florida 32810-4350
(407) 292-8580

Certification Number LB2108
e-mail: info@southeasternsurveying.com

Drawing No. 48455008
Job No. 48455
Date: 02/04/2022
SHEET 2 OF 2
See Sheet 1 for Description



THIS IS NOT A SURVEY.
NOT VALID WITHOUT SHEETS 1 THROUGH 2

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.1.

Meeting Date: March 14, 2022

From: Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 41.69 +/- acres, and being generally located east of County Road 44 and north of Seng Road, lying in Section 01, Township 19 South, Range 25 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 1; and providing an effective date. (Hills at Leesburg AX)

Staff Recommendation:

The Planning and Zoning staff and the Planning Commission recommend approval of the proposed ordinance for annexation of Hills at Leesburg.

Analysis:

The applicant has submitted a request for annexation of approximately 41.69 +/- acres of land generally located east of County Road 44 and north of Seng Road, as shown on the attached General Location Map. At this time, the property is being used as a pasture and residential land. The current zoning is Lake County R-1 (Rural Residential); the proposed zoning is City PUD (Planned Unit Development). The reason for this request is to develop single-family residential homes, with water and sewer service.

The property is surrounded by Lake County R-1 (Rural Residential), Lake County A (Agriculture), Lake County CFD (Community Facility District), and Lake County R-3 (Medium Residential District). Under the conditions of the PUD (Planned Unit Development) zoning case which is also on this agenda, no negative impacts are anticipated to adjacent properties.

Also, on this City Commission agenda, is a Small-Scale Comprehensive Plan Amendments, which along with the Planned Unit Development Application, had recommendations for approval from the staff and Planning Commission.

The Planning Commission held a public hearing on this request on December 16, 2021, and by a vote of

6-0 recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the requested annexation. This would give the City jurisdiction over the use and future development of the subject site and provide for the application of City standards to this property; or
2. Disapprove the proposed annexation and allow the property to remain in the County.

Fiscal Impact:

A positive fiscal impact will result from the annexation and development of this property due to increased tax revenue added to the General Fund. Future development of the property will increase this anticipated impact.

Submission Date and Time:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ANNEXING CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 41.69 +/- ACRES, AND BEING GENERALLY LOCATED EAST OF COUNTY ROAD 44 AND NORTH OF SENG ROAD, LYING IN SECTION 01, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; PROVIDING THAT SAID PROPERTY SO ANNEXED SHALL BE LIABLE FOR ITS PROPORTIONATE SHARE OF THE EXISTING AND FUTURE INDEBTEDNESS OF SAID CITY; PROVIDING THAT SUCH ANNEXED PROPERTY SHALL BE SUBJECT TO ALL LAWS AND ORDINANCES OF SAID CITY AS IF ALL SUCH TERRITORY HAD BEEN A PART OF THE CITY OF LEESBURG AT THE TIME OF PASSAGE AND APPROVAL OF SAID LAWS AND ORDINANCES; PROVIDING THAT SUCH ANNEXED TERRITORY SHALL BE PLACED IN CITY COMMISSION DISTRICT 1; AND PROVIDING AN EFFECTIVE DATE. (HILLS AT LEESBURG AX)

WHEREAS, the City Commission has received written objections, recommendations, and comments from the City of Leesburg Planning Commission, acting as the Local Planning Agenda, regarding amendment of the Comprehensive Plan of the City of Leesburg, and has made recommendations to the City Commission for amendment of the Plan; and

WHEREAS, the City Commission of the City of Leesburg has held public hearings on the proposed amendment to the plan, in light of written comments, proposals and objections from the general public;

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that;

Section 1.

Based upon the petition of GL Summitt Enginner, (Geoff Summitt, Agent) for the property hereinafter described, shall be annexed into the city limits of the City of Leesburg, Florida, which petition has heretofore been approved by the City Commission of the City of Leesburg, Florida, pursuant to the provisions of the Laws of Florida, the hereinafter described property is hereby annexed and made a part of the city limits of the City of Leesburg, Florida. The subject property lying and situated in Lake County, Florida, is more particularly described as:

Legal Description
(See Exhibit A);

Section 2.

All of the property, real and personal, within said annexed territory, described in Section 1 above, as provided by this ordinance, and the inhabitants thereof, shall be subject to the government, jurisdiction, powers, franchises, duties, and privileges of the City of Leesburg, Florida, and the said annexed property shall be liable, proportionately, for all of the present outstanding and existing, as well as future, indebtedness of the City of Leesburg, Florida; that all of the ordinances of the City of Leesburg, and all the laws heretofore passed by the Legislature of the State of Florida relating to and which now or hereafter constitute its Charter, shall apply to and have the same force and effect on such annexed

territory as if all such annexed territory had been a part of the City of Leesburg, Florida, at the time of the passage and approval of said laws and ordinances. The property annexed is hereby assigned to City Commission District 1.

Section 3.

All ordinances or parts of ordinances in conflict the any of the provisions of this ordinance are hereby repealed;

Section 4.

This ordinance shall become effective immediately upon approval at second reading.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 14th day of March 2022.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

Exhibit A

LEGAL DESCRIPTION

Description (per Title Commitment):

Parcel 1

Lots 3 and 4, Block 16, Lots 1, 2, 3 and 4, Block 17 and Lots 11 and 12, Block 18, Revised and Corrected Plat of Re-Subdivision of Subdivision of Silver Lake Estates, according to the plat thereof, as recorded in Plat Book 10, Page 66, Public Records of Lake County, Florida. TOGETHER WITH that portion of vacated Hill Road, Walker Road, Tuller Road and Seng Road as more particularly described in that certain Corrected Resolution No. 2006-27 recorded October 17, 2008, in Official Records Book 3691, Page 233, Public Records of Lake County, Florida.

AND

Parcel 2

Lot 6 and that part of Lot 7, Block 18, Revised and Corrected Plat of the Re-Subdivision of Subdivision of Silver Lake Estates, according to the plat thereof, as recorded in Plat Book 10, Page 66, Public Records of Lake County, Florida, described as follows: Begin at the Northeastly corner of Lot 7, Block 18, run North 89 degrees 59 minutes 02 seconds West 600.13 feet; thence run South 71 degrees 56 minutes 19 seconds East 545.67 feet to the Westerly line of State Road 44, said point being on a curve concave Easterly and having a radius of 2910.01 feet and a radial bearing of North 66 degrees 08 minutes 38 seconds West; thence run Northeastly along the arc of said curve through a central angle of 03 degrees 41 minutes 37 seconds, a distance of 187.60 feet to the Point of Beginning. LESS AND EXCEPT that portion of Lots 6 and 7, Block 18, lying within 50 feet of the centerline of County Road 44, as conveyed to Lake County, Florida, in that certain Statutory Warranty Deed recorded March 27, 1996, in Official Records Book 1425, Page 2224, Public Records of Lake County, Florida.

AND

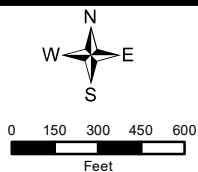
Parcel 3

Lots 4, 5 and 10, Block 18, Revised and Corrected Plat of the Re-Subdivision of the Subdivision of Silver Lake Estates, according to the plat thereof, as recorded in Plat Book 10, Page 66, Public Records of Lake County, Florida, LESS that part of Lot 4, Block 18, bounded and described as follows: Begin at the Eastern most corner of said Lot 4, Block 18, run thence North 43 degrees 30 minutes West, 300 feet along the Northeast line of said Lot 4; thence South 46 degrees 30 minutes West 290 feet; thence South 43 degrees 30 minutes East, 372 feet to the Northwest right of way line of State Road No. 44; thence Northeastly 298 feet, more or less, along the said line to the Point of Beginning; AND LESS, from the Northeastly corner of said Lot 4, run North 43 degrees 30 minutes West, along the Northeastly line of said Lot 4, a distance of 300 feet to the Point of Beginning; thence continue North 43 degrees 30 minutes West along said Northeastly line 208.72 feet; thence South 46 degrees 30 minutes West 208.72 feet; thence South 43 degrees 30 minutes East 208.72 feet; thence North 46 degrees 30 minutes East, 208.72 feet to the Point of Beginning. LESS AND EXCEPT that portion of Lot 5, Block 18, lying within 50 feet of the centerline of County Road 44, as conveyed to Lake County, Florida, in that certain Statutory Warranty Deed recorded March 27, 1996, in Official Records Book 1425, Page 2227, Public Records of Lake County, Florida.

Aerial

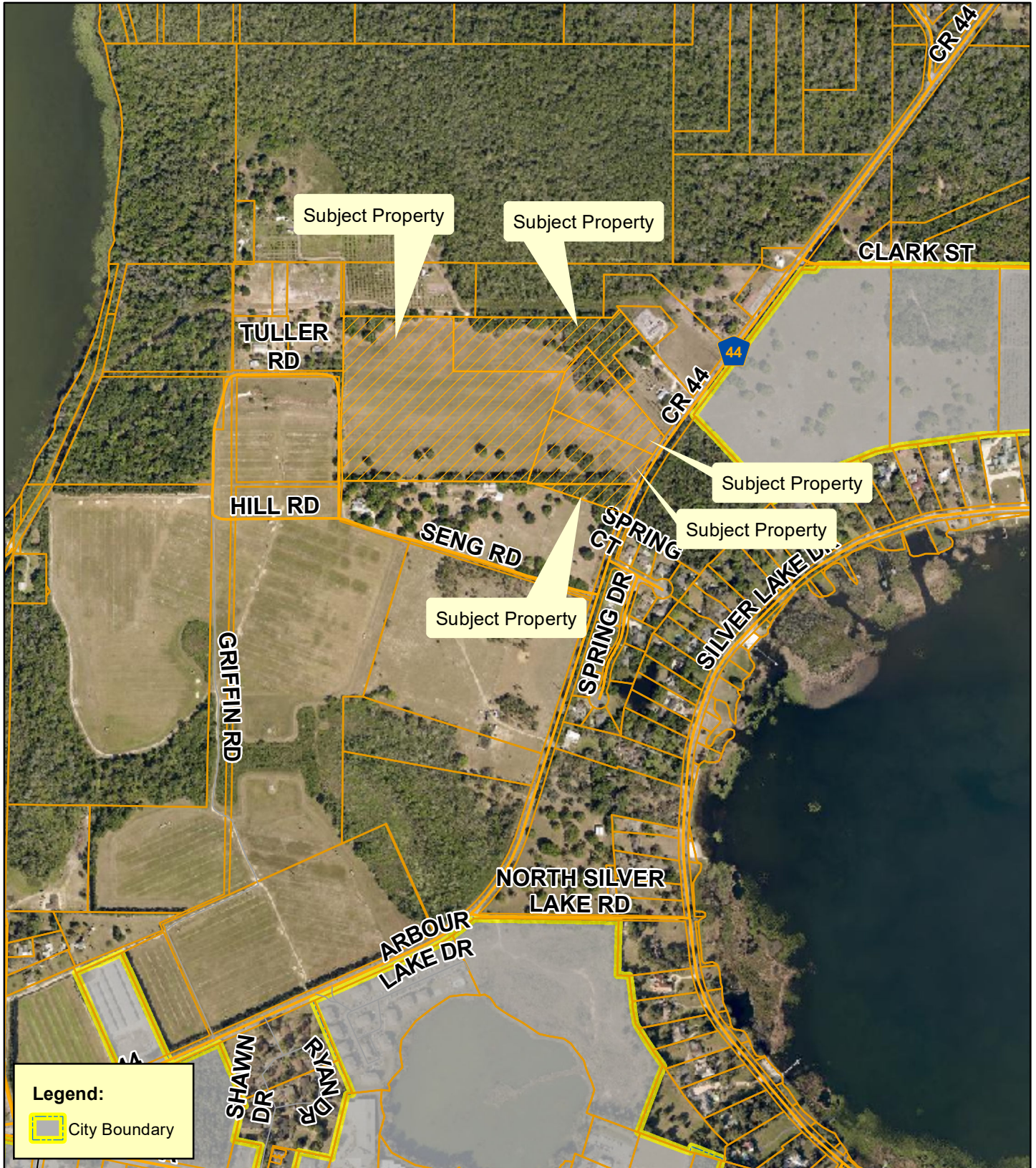


**Planning
& Zoning
Division**

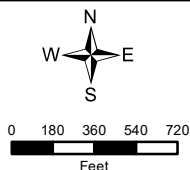


The Hills At Leesburg
ANNX-21-399; SSCP-21-400; PUD-21-395
AK#s: 1273510, 1273501, 1273480, 2914939, 2914904
Section 01, Township 19 South, Range 25 East
November 1, 2021

City Boundary

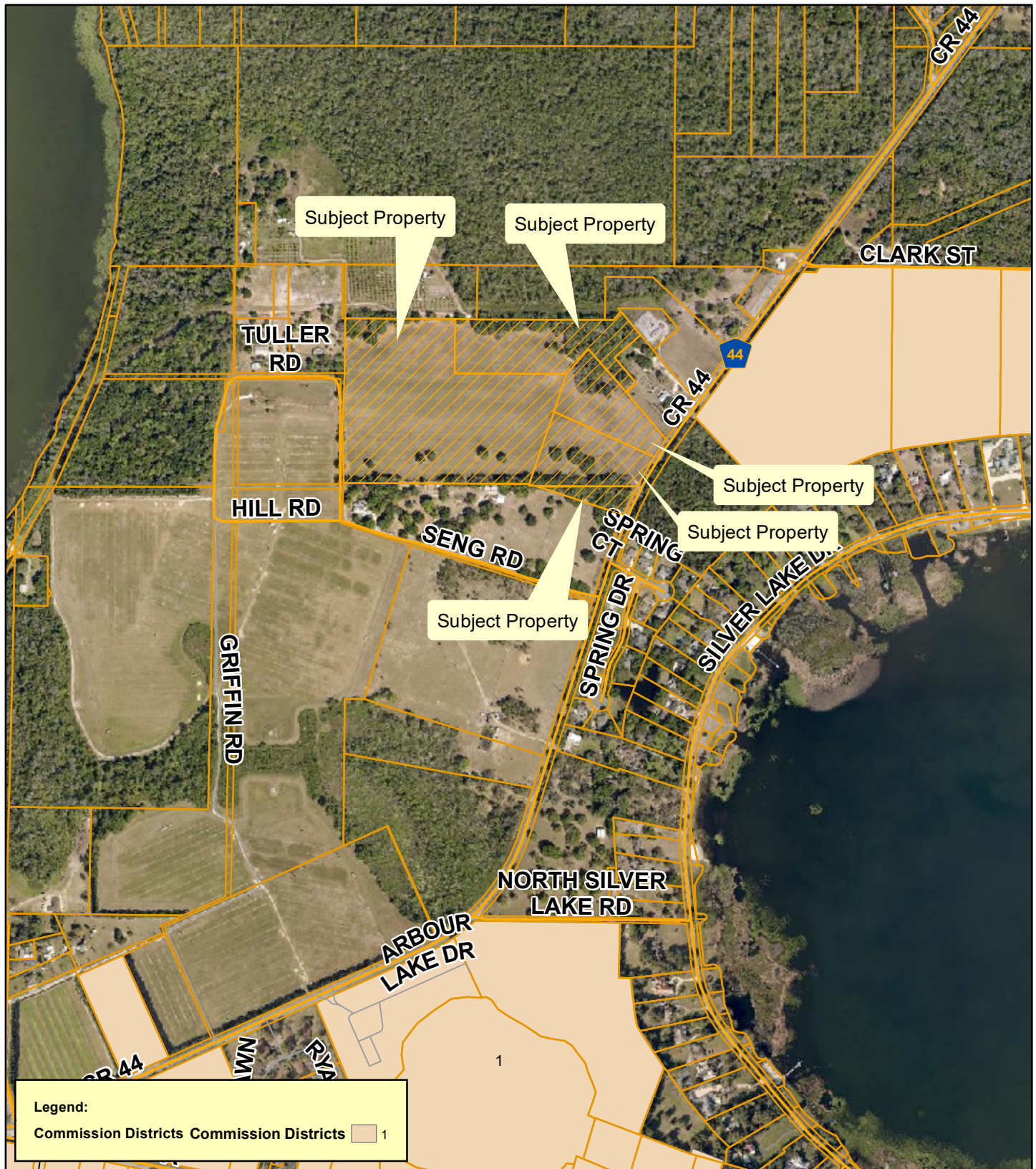


**Planning
& Zoning
Division**

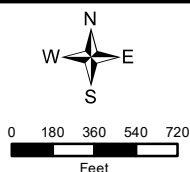


The Hills At Leesburg
 ANN-21-399; SSCP-21-400; PUD-21-395
 AK#s: 1273510, 1273501, 1273480, 2914939, 2914904
 Section 01, Township 19 South, Range 25 East
 November 1, 2021

Commission District



Planning & Zoning Division



The Hills At Leesburg
ANNX-21-399; SSCP-21-400; PUD-21-395
AK#s: 1273510, 1273501, 1273480, 2914939, 2914904
Section 01, Township 19 South, Range 25 East
November 1, 2021

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.2.

Meeting Date: March 14, 2022

From: Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 41.69 +/- acres from Lake County Rural Transition to City of Leesburg Estate Residential, for a property generally located east of County Road 44 and north of Seng Road as legally described in Section 01, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Hills at Leesburg SSCP)

Staff Recommendation:

The Planning & Zoning Staff and the Planning Commission recommend approval of the proposed large-scale comp plan amendment of the City's Future Land Use Map on 41.69 +/- acres from Lake County Rural Transition to City of Leesburg Estate Residential.

Analysis:

The project site is approximately 41.69 acres. The property is generally located east of County Road 44 and north of Seng Road. Currently, the property is being used for pasture and residential purposes. The proposed use is for a single-family residential subdivision. The surrounding Future Land Use Map designation of Lake County Rural Transition is compatible, as conditioned in the PUD zoning, with the proposed future land use designation of City Estate Residential. The proposed zoning designation of City PUD (Planned Unit Development) will provide for development that is consistent with the City's adopted Growth Management Plan and would allow an appropriate use for the property.

This property lies within the ISBA (Interlocal Service Boundary Area) agreement. This agreement, which was approved by City Commission on November 24, 2014, allows property within the ISBA area but outside the current city limits to be annexed and obtain City of Leesburg utility services.

The Planning Commission held a public hearing on the application on December 16, 2021 and recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the requested small-scale comprehensive plan amendment from Lake County Rural Transition to City of Leesburg Estate Residential; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

There is no direct fiscal impact to the City for this action. Future development of this site will create a substantial positive fiscal impact on the City of Leesburg, in the form of impact and utility fees, plus ad valorem taxes.

Submission Date and Time:

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING 41.69 +/- ACRES FROM LAKE COUNTY RURAL TRANSITION TO CITY OF LEESBURG ESTATE RESIDENTIAL, FOR A PROPERTY GENERALLY LOCATED EAST OF COUNTY ROAD 44 AND NORTH OF SENG ROAD AS LEGALLY DESCRIBED IN SECTION 01, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (HILLS AT LEESBURG SSCP)

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

WHEREAS, the City Commission has received written objections, recommendations, and comments from the City of Leesburg Planning Commission, acting as the Local Planning Agenda, regarding amendment of the Comprehensive Plan of the City of Leesburg, and has made recommendations to the City Commission for amendment of the Plan; and

WHEREAS, the City Commission of the City of Leesburg has held public hearings on the proposed amendment to the plan, in light of written comments, proposals and objections from the general public;

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that;

Section 1.

The Growth Management Plan of the City of Leesburg, adopted by the City of Leesburg on December 10, 2012, pursuant to the Community Planning Act of 2011, Chapter 163, Part II, Florida Statutes, after public hearings by the City of Leesburg Planning Commission, is hereby amended in the following manner;

The Future Land Use Map is amended by changing the designation of approximately 41.69 acres of land generally located east of County Road 44 and north of Seng Road from Lake County Rural Transition to City of Leesburg Estate Residential, as shown on the revised map of said area, lying in Section 01, Township 19 South, Range 25 East, Lake County Florida;

Section 2.

All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed;

Section 3.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 14th day of March 2022.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

Exhibit A

LEGAL DESCRIPTION

Description (per Title Commitment):

Parcel 1

Lots 3 and 4, Block 16, Lots 1, 2, 3 and 4, Block 17 and Lots 11 and 12, Block 18, Revised and Corrected Plat of Re-Subdivision of Subdivision of Silver Lake Estates, according to the plat thereof, as recorded in Plat Book 10, Page 66, Public Records of Lake County, Florida. TOGETHER WITH that portion of vacated Hill Road, Walker Road, Tuller Road and Seng Road as more particularly described in that certain Corrected Resolution No. 2006-27 recorded October 17, 2008, in Official Records Book 3691, Page 233, Public Records of Lake County, Florida.

AND

Parcel 2

Lot 6 and that part of Lot 7, Block 18, Revised and Corrected Plat of the Re-Subdivision of Subdivision of Silver Lake Estates, according to the plat thereof, as recorded in Plat Book 10, Page 66, Public Records of Lake County, Florida, described as follows: Begin at the Northeastly corner of Lot 7, Block 18, run North 89 degrees 59 minutes 02 seconds West 600.13 feet; thence run South 71 degrees 56 minutes 19 seconds East 545.67 feet to the Westerly line of State Road 44, said point being on a curve concave Easterly and having a radius of 2910.01 feet and a radial bearing of North 66 degrees 08 minutes 38 seconds West; thence run Northeastly along the arc of said curve through a central angle of 03 degrees 41 minutes 37 seconds, a distance of 187.60 feet to the Point of Beginning. LESS AND EXCEPT that portion of Lots 6 and 7, Block 18, lying within 50 feet of the centerline of County Road 44, as conveyed to Lake County, Florida, in that certain Statutory Warranty Deed recorded March 27, 1996, in Official Records Book 1425, Page 2224, Public Records of Lake County, Florida.

AND

Parcel 3

Lots 4, 5 and 10, Block 18, Revised and Corrected Plat of the Re-Subdivision of the Subdivision of Silver Lake Estates, according to the plat thereof, as recorded in Plat Book 10, Page 66, Public Records of Lake County, Florida, LESS that part of Lot 4, Block 18, bounded and described as follows: Begin at the Eastern most corner of said Lot 4, Block 18, run thence North 43 degrees 30 minutes West, 300 feet along the Northeast line of said Lot 4; thence South 46 degrees 30 minutes West 290 feet; thence South 43 degrees 30 minutes East, 372 feet to the Northwest right of way line of State Road No. 44; thence Northeastly 298 feet, more or less, along the said line to the Point of Beginning; AND LESS, from the Northeastly corner of said Lot 4, run North 43 degrees 30 minutes West, along the Northeastly line of said Lot 4, a distance of 300 feet to the Point of Beginning; thence continue North 43 degrees 30 minutes West along said Northeastly line 208.72 feet; thence South 46 degrees 30 minutes West 208.72 feet; thence South 43 degrees 30 minutes East 208.72 feet; thence North 46 degrees 30 minutes East, 208.72 feet to the Point of Beginning. LESS AND EXCEPT that portion of Lot 5, Block 18, lying within 50 feet of the centerline of County Road 44, as conveyed to Lake County, Florida, in that certain Statutory Warranty Deed recorded March 27, 1996, in Official Records Book 1425, Page 2227, Public Records of Lake County, Florida.

**CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY**

DATE: December 16, 2021
OWNER: Keith A. and Fay E. Jenkins
PETITIONER: Geoff Summitt, GL Summitt Engineering, Inc.
PROJECT: The Hills at Leesburg single family residential subdivision
REQUEST: Small Scale Comprehensive Plan Amendment and PUD (Planned Unit Development)
CASE NO.: SSCP-21-400; PUD-21-395

GENERAL LOCATION: West of County Road 44 and north of Seng Road.

FUTURE LAND USE DESIGNATION: Lake County Rural Transition

SURROUNDING FUTURE LAND USE DESIGNATION:

North – Lake County Rural Transition
South – Lake County Rural Transition
East – Lake County Rural Transition
West – Lake County Rural Transition

PROPOSED FUTURE LAND USE DESIGNATION: Estate Residential

EXISTING ZONING DESIGNATION: Lake County R-1 (Rural Residential)

SURROUNDING ZONING DESIGNATIONS:

North – Lake County R-1 (Rural Residential); Lake County A (Agriculture); Lake County CFD (Community Facility District)
South – Lake County A (Agriculture)
East – Lake County CFD (Community Facility District); Lake County R-1 (Rural Residential); R-3 (Medium Residential District)
West – Lake County R-1 (Rural Residential); Lake County A (Agriculture)

PROPOSED ZONING DESIGNATION: PUD (Planned Unit Development)

EXISTING LAND USE: Improved pasture and residential

SURROUNDING EXISTING LAND USE:

North – Residential
South – Agriculture (Pasture; Grove)
East – Agriculture (Timber)
West – Residential; Agriculture (Grove)

PROPOSED LAND USE: Single family residential subdivision

**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

DATE: November 24, 2021
OWNER: Keith A. and Fay E. Jenkins
PETITIONER: GL Summitt Engineering, Inc.
PROJECT: The Hills at Leesburg
REQUEST: Change of Future Land Use Designation and Rezoning to (PUD) Planned Unit Development
CASE NO.: SSCP-21-400 and PUD-21-395

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments - Police Steve Rockefeller 11/24/21

FIRE

In reference to Case Number SSCP-21-400; PUD-21-395 NFPA 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments, 2020 Edition. The subject property referenced in Case Number SSCP-21-400; PUD-21-395 is outside the recommended four-minute response time for initial responding fire apparatus.

4.1 Fire Department Organizational Statement.

4.1.2.1

The fire department shall establish the following performance objectives for the first-due response zones that are identified by the AHJ:

- (1) Alarm handling time completion in accordance with 4.1.2.3
- (2) 80 seconds turnout time for fire and special operations response and 60 seconds turnout time for EMS response
- (3)* 240 seconds or less travel time for the arrival of the first engine company at a fire suppression incident
- (4) 360 seconds or less travel time for the arrival of the second company with a minimum staffing of 4 personnel at a fire suppression incident
- (5) For other than high-rise, 480 seconds or less travel time for the deployment of an initial full alarm assignment at a fire suppression incident
- (6) For high-rise, 610 seconds or less travel time for the deployment of an initial full alarm assignment at a fire suppression incident
- (7) 240 seconds or less travel time for the arrival of a unit with first responder with automatic external defibrillator (AED) or higher-level capability at an emergency medical incident
- (8) 480 seconds or less travel time for the arrival of an advanced life support (ALS) unit at an emergency medical incident, where this service is provided by the fire department provided a first responder with an AED or basic life support (BLS) unit arrived in 240 seconds or less travel time

Amanda Stevenson 11/29/21

ELECTRIC

This is in Leesburg Electric's territory. Electric has no objections. We request the developer contact us prior to officially submitting the plans for review to make sure they understand our requirements for easements and other design criteria. Thanks. Steve Davis 11/29/21

GAS

Gas has no comments. Robert Thilmony 11/24/21

GIS

GIS/Addressing has no comment. Thank you, Mark Medley 11/24/21

BUILDING

No comments: Building Ann Kinsey 11/24/21

PUBLIC WORKS

Public Works has no issues with this request. Please advise the developer that due to adjacent developments we will need to discuss Water and Sewer sizing when the time is appropriate. Clifford Kelsey 11/24/21

ADDRESSING

GIS/Addressing has no comment. Thank you, Mark Medley 11/24/21

HOUSING & REDEVELOPMENT

No comments from Housing & Redevelopment Department. Thanks Ken Thomas 11/24/21

LAKE COUNTY PUBLIC WORKS

Please see attached letter. Seth Lynch 12/7/21

LAKE COUNTY SCHOOLS

The Hills at Leesburg residential subdivision is subject to school concurrency review. Please be advised that proportionate share mitigation may be required at time of submittal. Helen LaValley 12/10/21

PUBLIC RESPONSES

Approval

no approvals

Disapproval

no disapprovals

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL WITH REQUESTS)

PUBLIC COMMENTS (DISAPPROVAL)



Department of Public Works, Engineering Division
P.O. Box 7800 • 350 N. Sinclair Ave. • Tavares, FL 32778

December 7, 2021

Dan Miller,
Planning & Zoning Manager
City of Leesburg
Planning and Zoning Department
204 North 5th Street
Leesburg, Florida 34749
(sent via email)

RE: PROJECT: Hills at Leesburg Planned Unit Development
CASE NO.: PUD-21-395

Lake County Department of Public Works recommended requirements for the Hills at Leesburg PUD impacts to roadways and drainage systems:

CR 44:

- Left and Right Turn Lanes on CR 44 at the development's entrance will be required.
- A sight distance analysis will need to be provided with the first submittal of development plans.
- Sidewalk will need to be provided along road frontage.
- Additional right-of-way will be required for CR 44 meeting a minimum width of 120-ft but may be larger with the offsite road and right-of-way improvements.
- Utility easements will need to be provided along CR 44.

Internal connectivity:

- The development is recommended to have internal pedestrian and bicycle connectivity throughout the development.

Traffic:

- A Traffic Impact Analysis will be required of this development for review by the County. The current methodology is under review by Lake -Sumter MPO, FDOT and Lake County.

P 352.253.6000 • F 352.253.9025
Board of County Commissioners • www.lakecountyfl.gov

Douglas B. Shields
District 1

Sean M. Parks, AICP, QEP
District 2

Kirby Smith
District 3

Leslie Campione
District 4

Josh Blake
District 5

Stormwater Management:

- The site's stormwater management design will need to be reviewed by Lake County when submitted to both the City of Leesburg and St Johns River Water Management District. We may require Lake County stormwater design standards on ponds that outfall or affect surrounding unincorporated lands or onto county roads.

Flood Study:

- Development will be responsible for a drainage and flood study to determine the flood zones within and partially crossing into the development area. The flood study will require review by both the city and county. The study will evaluate downstream impacts from stormwater outfall from this site.

Future Development Applications:

- Request the City of Leesburg to include Lake County on reviews of future development applications for this development.

Sincerely,

Seth Lynch

Seth Lynch
Development Engineer/Project Manager
Lake County Department of Public Works
Engineering Division
slynch@lakecountyfl.gov

Cc: Fred Schneider, Public Works Director for Lake County
Jeff Earhart, Engineering Manager for Lake County
Tim McClendon, Planning Director for Lake County
Kandi Harper, Senior Planner for City of Leesburg



CITY OF LEESBURG PLANNING & ZONING DIVISION RECOMMENDATIONS

OWNER: Keith A. and Fay E. Jenkins
PETITIONER: Geoff Summitt, GL Summitt Engineering, Inc.
PROJECT: The Hills at Leesburg single family residential subdivision
REQUEST: Small Scale Comprehensive Plan Amendment and PUD (Planned Unit Development)
CASE NO.: SSCP-21-400

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request **for the following reason(s):**

1. This project meets the requirements of Chapter 163.3184 Florida Statutes, for Comprehensive Plan Amendments.
2. The proposed request, as conditioned in City of Leesburg case number PUD 21-395, is compatible with the adjacent future land use designations of Lake County Rural Transition, Lake County Urban Low Density.
3. The proposed request as conditioned in City of Leesburg Case number PUD 21-395, is compatible with the current surrounding zoning districts of Lake County A (Agriculture), Lake County R-1 (Rural Residential District), and Lake County CFD (Community Facility District).
4. The proposed future land use designation for the site is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

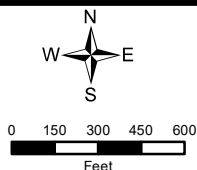
Action Requested:

1. Vote to approve the Small-Scale Comprehensive Plan designation from Lake County Rural Transition to City of Leesburg Estate Residential and forward the recommendation to the City Commission for consideration.

Aerial

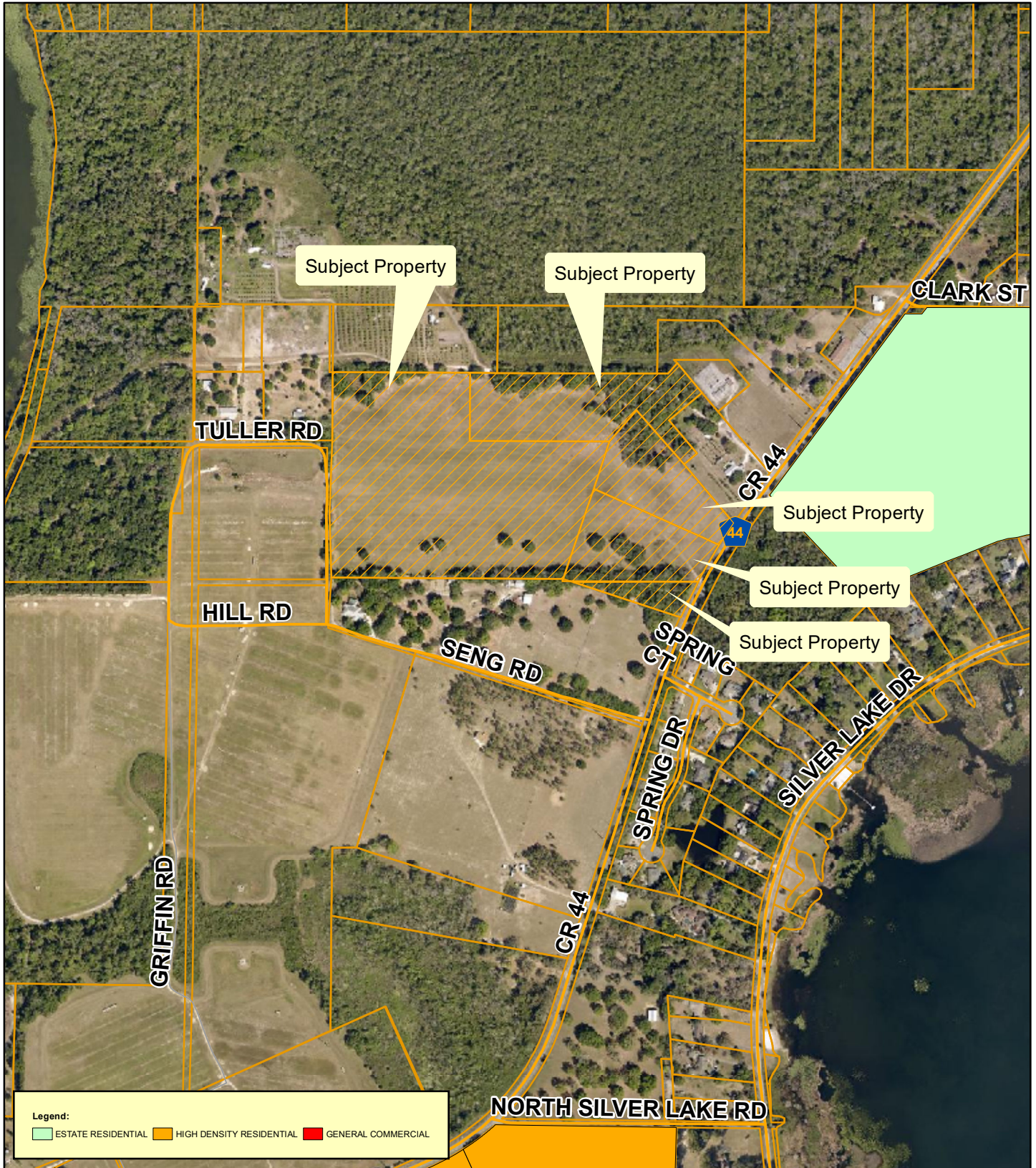


**Planning
& Zoning
Division**

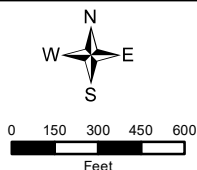


The Hills At Leesburg
ANNX-21-399; SSCP-21-400; PUD-21-395
AK#s: 1273510, 1273501, 1273480, 2914939, 2914904
Section 01, Township 19 South, Range 25 East
November 1, 2021

Future Land Use

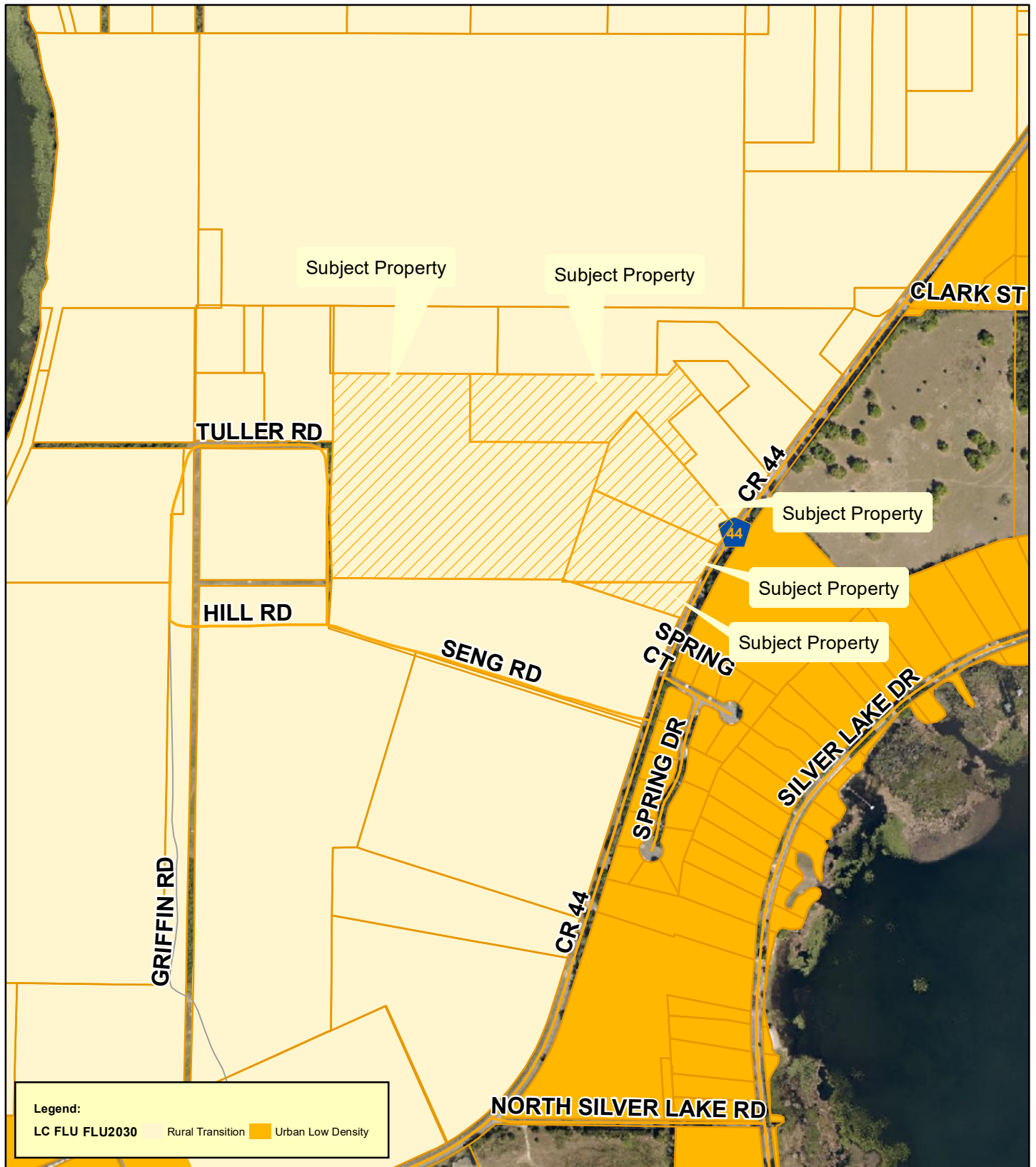


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Division**

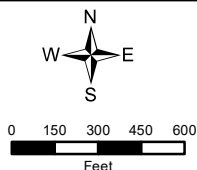


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November 1, 2021

Lake County Future Land Use

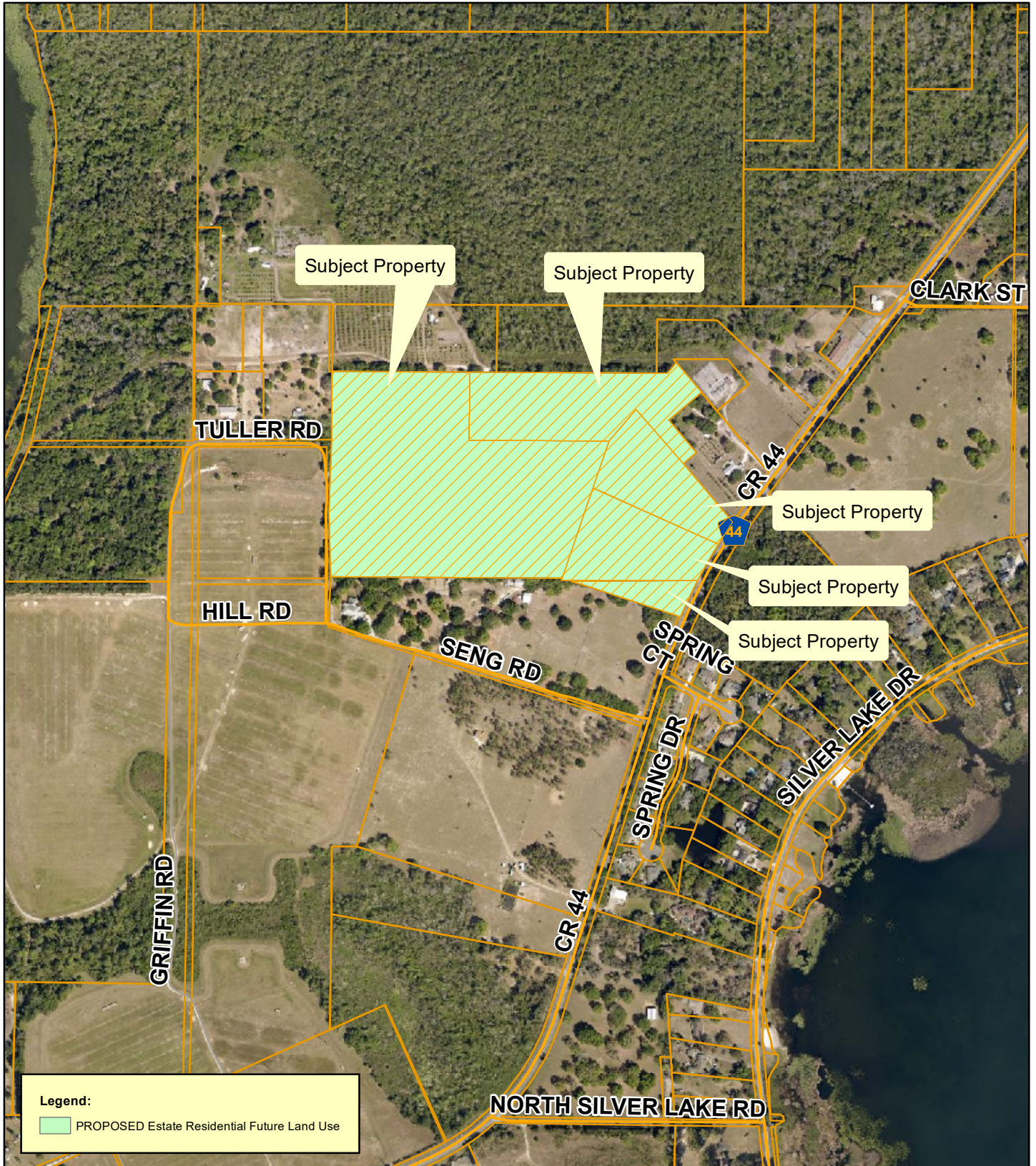


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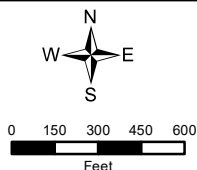


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 Section 01, Township 19 South, Range 25 East
 November 1, 2021

PROPOSED FUTURE LAND USE



**Planning
& Zoning
Division**



The Hills At Leesburg
 ANN-21-399; SSCP-21-400; PUD-21-395
 AK#s: 1273510, 1273501, 1273480, 2914939, 2914904
 Section 01, Township 19 South, Range 25 East
 November 1, 2021

Surrounding Land Uses

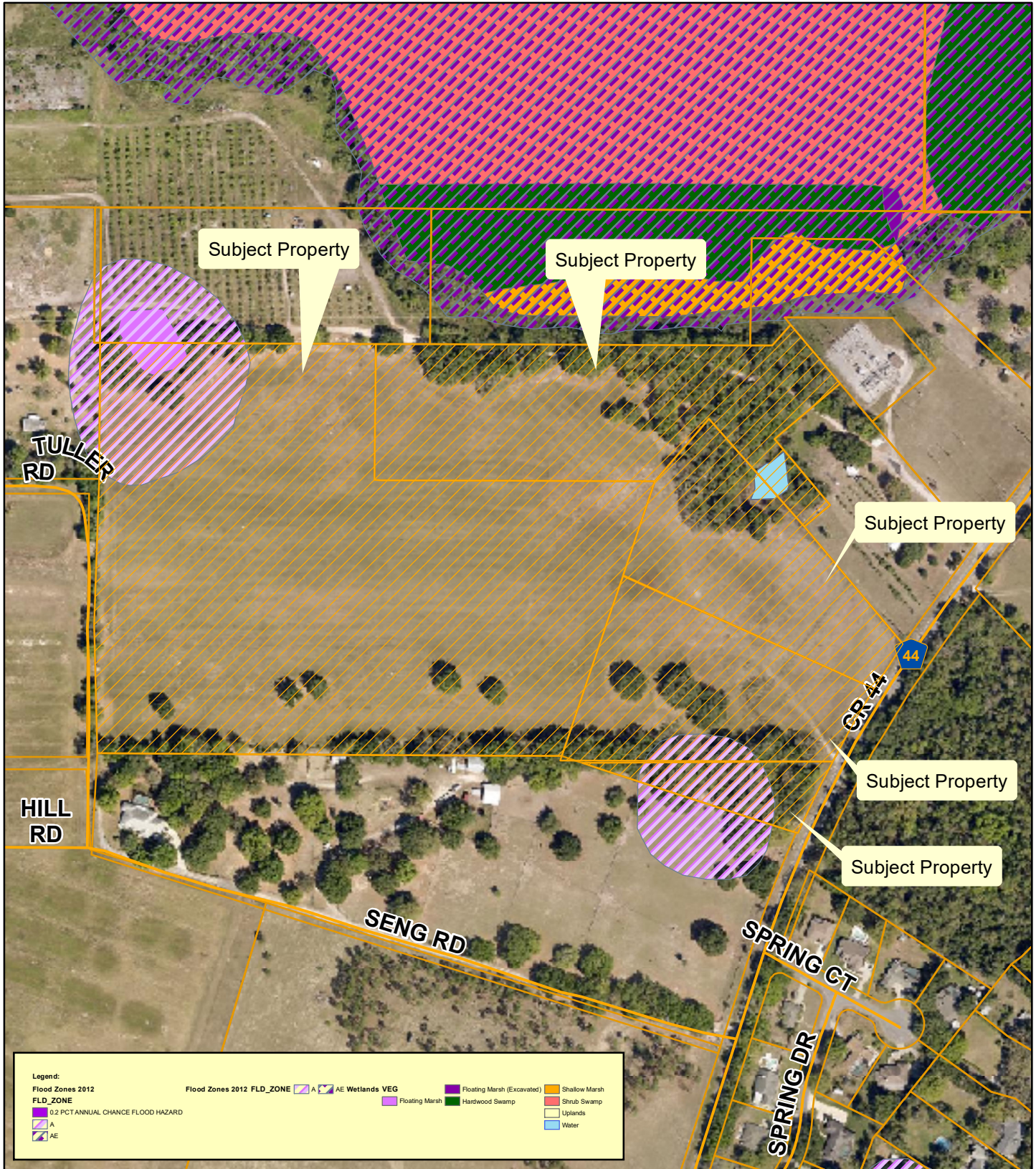


**Planning
& Zoning
Division**

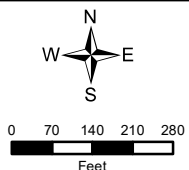


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 Section 01, Township 19 South, Range 25 East
 November 1, 2021

Wetlands and Flood Zones



**Planning
& Zoning
Division**



The Hills At Leesburg
 ANN-21-399; SSCP-21-400; PUD-21-395
 AK#s: 1273510, 1273501, 1273480, 2914939, 2914904
 Section 01, Township 19 South, Range 25 East
 November 1, 2021

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.3.

Meeting Date: March 14, 2022

From: Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 41.69 +/- acres from Lake County R-1 (Rural Residential) to City PUD (Planned Unit Development) to allow for a single-family residential subdivision for a property generally located east of County Road 44 and north of Seng Road, as legally described in Section 01, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Hills at Leesburg PUD)

Staff Recommendation:

Planning and Zoning Staff and Planning Commission recommend approval of the request to rezone the subject property from Lake County R-1 (Rural Residential) to City PUD (Planned Unit Development) to allow for single-family residential subdivision development.

Analysis:

The project site is approximately 41.69 +/- acres, and is generally located east of County Road 44 and north of Seng Road as shown on the attached maps. At this time, the property is being used for pasture and residential purposes. The proposal will allow for a single-family residential subdivision. The existing land uses surrounding the property are residential and agricultural (pasture, grove, and timber). City of Leesburg utilities are available nearby.

The Planning Commission held a public hearing on the application on December 16, 2021 and recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the proposed rezoning to PUD (Planned Unit Development); or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

Future development of this site will create a substantial positive fiscal impact on the City of Leesburg, in

the form of impact and utility fees, plus ad valorem taxes.

Submission Date and Time:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 41.69 +/- ACRES FROM LAKE COUNTY R-1 (RURAL RESIDENTIAL) TO CITY PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR A SINGLE-FAMILY RESIDENTIAL SUBDIVISION FOR A PROPERTY GENERALLY LOCATED EAST OF COUNTY ROAD 44 AND NORTH OF SENG ROAD, AS LEGALLY DESCRIBED IN SECTION 01, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (HILLS AT LEESBURG PUD)

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

Section 1.

Based upon the petition of GL Summitt Enginner, (Geoff Summitt, Agent) of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, is hereby rezoned from Lake County R-2 (Medium Density Residential) and C-3 (General Commercial) to City of Leesburg PUD (Planned Unit Development), to-wit:

(Legal Description)
(See Exhibit A)

Section 2.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 14th day of March 2022.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

**THE HILLS AT LEESBURG
PUD (PLANNED UNIT DEVELOPMENT CONDITIONS)
February 14, 2022**

These Planned Unit Development Conditions for a PUD (Planned Unit Development) zoning district are granted by the City of Leesburg Planning Commission, Lake County, Florida to **The Hills at Leesburg, (Keith A. & Fay E. Jenkins) 37515 Felkins Road, Leesburg, Florida, 34788 “Permittee” (G & L Summitt Engineering, Inc, 3667 Simonton Place, Lake Mary, Florida, 32746 - Agent)** for the purposes described herein, and subject to the terms and conditions as set forth in this document, pursuant to authority contained in Chapter 25 “Zoning”, Section 25-278 “Planned Unit Development” of the City of Leesburg Code of Ordinances, as amended.

BACKGROUND

The "Permittee" is requesting a Planned Unit Development (PUD) zoning district to allow future construction of a proposed residential development consisting of a maximum of 118 single family residential units on approximately 42 acres, generally located west of County Road 44 and north of Seng Road, on a site within the City of Leesburg in accordance with their PUD application and supplemental information.

PURPOSE

The purpose of this document is to provide appropriate zoning standards for a high-quality built environment through the application of flexible and diversified land development requirements, which shall be implemented in conjunction with a master site development plan and the City of Leesburg Code of Ordinances, therefore allowing for more efficient and optimal use of the subject property, and to increase the overall economic opportunity and employment base of Leesburg, Florida.

CONDITIONS

The following conditions shall apply to the development proposed herein. If any instance where the conditions of this document may conflict with the City of Leesburg Code of Ordinances, this document shall prevail as the determining requirement.

1. **PERMISSION** is hereby granted to **The Hills at Leesburg, (Keith A. & Fay E. Jenkins) 37515 Felkins Road, Leesburg, Florida, 34788 “Permittee” (G & L Summitt Engineering, Inc, 3667 Simonton Place, Lake Mary, Florida, 32746 - Agent)** to construct, operate, and maintain a Planned Unit Development in and on real property in the City of Leesburg, in accordance with the requirements set forth herein. The property is more particularly described below.
2. **LEGAL DESCRIPTION**
See attached **Exhibit B, Legal Description**.

3. LAND USE

The above-described property, containing approximately 42 acres, shall be used for platted single-family residential development, pursuant to City of Leesburg development codes and standards.

A. Permitted Uses

1. Detached single family residential units
2. Accessory structures for residential uses
3. Sales office in a single-family unit
4. Accessory retail within a recreation center or clubhouse, intended for the primary use of residents, such as a snack bar
5. Temporary modular sales center office (during construction and sales of new units) not to exceed one year, and construction office not to exceed two years from the approval of the final plat of the final phase for the subdivision. Model homes may be used as sales centers during the duration of the project.

B. Prohibited Uses

1. Townhouses
2. Multi-family units (Apartments)
3. Commercial uses (as a primary use)
4. All other uses not specifically permitted within these conditions under Permitted Uses above shall be prohibited.

4. DEVELOPMENT STANDARDS

A. The project shall contain a maximum of 118 single family residential units, at a gross density not to exceed 2.83 units per acre on the approximately 42-acre site, as shown on **Exhibit C, Conceptual Development Plan**.

B. A mix of lot sizes is permitted as long as all lots are equal to or larger than the required minimums.

C. Along each street, homes with the same architectural design shall not be immediately adjacent (side by side) or directly across from a lot with the same design. Facades may be varied to meet this requirement. The maximum impervious surface for the project shall be 70%. Community and private swimming pools shall not count toward the impervious surface calculation.

D. The minimum lot development standards shall be:

1. For all lots:

- a. Minimum house size: 1,800 square feet.
- b. Each additional bedroom to the above the minimum house size shall be a minimum of 120 square feet.
- c. Minimum lot size shall be 6000 square feet.
- d. Minimum width 50 feet
- e. Minimum depth 120 feet

- f. Minimum building setbacks:
 - Front – 25 feet;
 - Porch/Garage – 20 feet (porch must be a minimum width of 6 feet).
 - Rear – 18 feet;
 - Side – 7.5 feet;
 - Corner Side – 15 feet.

2. For all structures:

- a. Each residential structure shall have a minimum two car garage.
- b. Minimum distance between structures shall be fifteen (15) feet; measured from building wall to building wall, and the roof overhang shall not exceed forty (40) percent of the distance between the building wall and the property line.
- c. Maximum building height: two (2) stories or 35 feet.
- d. Accessory structures shall have a minimum rear and side setback of 5 feet and single accessory structures that are not attached to the principal structure shall not occupy more than 30 percent of the required rear yard.
- e. Attached screened enclosures (no solid roof) must maintain a minimum setback of five (5) feet from the side and rear property line. Attached swimming pool screened enclosure shall also maintain a minimum setback of five (5) feet from the side or rear property lines.
- f. Solid roof structures attached to the residence must meet the required rear setback as noted under “Minimum building setbacks.”
- g. As part of the site plan approval process, city staff shall review final site design standards in accordance with the approved PUD (Planned Unit Development) zoning conditions set forth herein.

5. DESIGN/ARCHITECTURAL STANDARDS

- A. All buildings shall utilize at least three of the following design features to provide visual relief along all elevations of the single-family units. Designs may vary throughout the development.
 - 1. Dormers
 - 2. Gables
 - 3. Recessed or raised entries
 - 4. Covered porch entries
 - 5. Cupolas
 - 6. Pillars or decorative posts
 - 7. Bay window (minimum 12-inch projections)
 - 8. Eaves (minimum 6-inch projections)
 - 9. Front windows with arched glass tops and minimum 4-inch trim.
 - 10. Garage vehicle doors shall incorporate the following elements: raised decorative panels, decorative glass panels or panes, decorative hinges, etc.
 - 11. Front doors shall incorporate the following decorative elements: raised decorative panels, decorative glass panels or panes, decorative handles, etc.
 - 12. Stone accents
 - 13. Shutters
 - 14. Board and batten siding

15. Hardy board siding
 16. Raised banding
 17. Craftsman style garage doors
- B. Exterior building materials contribute significantly to the visual impact of a building on the community. These materials shall be well designed and integrated into a comprehensive design style for the project. The total exterior wall area of each building elevation shall be composed of one of the following:
1. At least thirty-five percent (35%) full-width brick or stone (not including window and door areas and related trim areas), with the balance being any type of lap siding and/or stucco.
 2. At least thirty percent (30%) full-width brick or stone, with the balance being stucco and/or a “cementitious” lap siding. (A “cementitious” lap siding product is defined as a manufactured strip siding composed of cement-based materials rather than wood fiber-based or plastic-based materials. For example, Masonite or vinyl lap siding would not be allowed under this option.).
 3. All textured stucco shall be permitted subject to the provision of at least five (5) unique design features such as recessed garages, tile or metal roofs, arched windows, porches, etc. in the elevations of the buildings or the buildings are all brick stucco.
 4. For all designs, architectural facades and features shall be submitted and reviewed by the Planning and Zoning Manager or designee for compliance prior at time of site plan review.
- C. Other similar design variations meeting the intent of this section may be approved by the Planning and Zoning Manager or designee.
- D. The architectural styles and facades shown in **Exhibit D, Building Elevations** herein are considered to meet the requirements of this section.
- E. The Permittee shall utilize “Dark Sky” lighting principles when selecting lighting fixtures for all street lighting. Such lighting shall achieve the overall effect of containing and shielding excessive light pollution from adjacent properties.

6. LANDSCAPING & BUFFER REQUIREMENTS

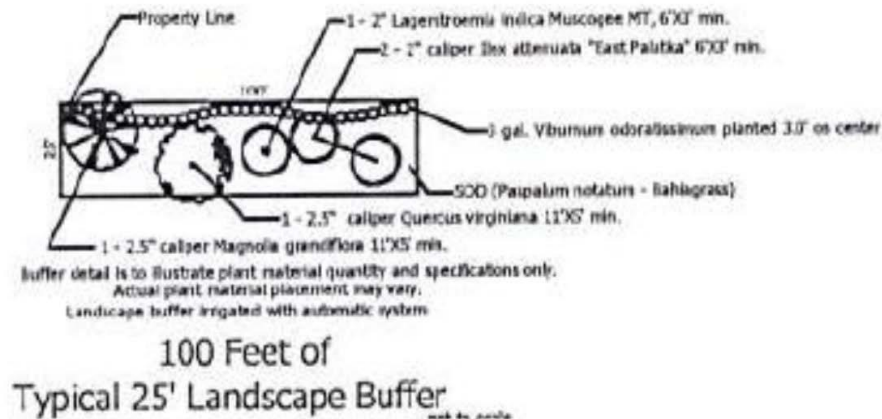
- A. A minimum twenty-five (25) foot buffer tract with plantings as shown in Figure A below, shall be provided along the entire boundary of the property. This landscape buffer shall be separate from all other platted lots, shall not be part of individually platted lots, and shall be a common area to be maintained by an entity such as a Property Owners or Homeowners Association.
- B. Each platted single-family residential lot of record shall contain a minimum of one canopy tree, located within in the front yard, and selected from the list of trees within the City of Leesburg Code of Ordinances, Section 25-328 Table 1, Canopy Trees. All other requirements for tree planting based on lot size shall remain in effect.

- C. A split-rail fence, of either wood or vinyl construction, shall be installed around the entire perimeter of the property. This fence shall be installed at a minimum height of four (4) feet. Said fence shall be maintained by the Property Owners or Homeowners Association. A solid six-foot fence shall be allowed as an option to the split-rail fence.
- D. Land uses allowed within the upland buffers are limited to hiking trails, walkways, passive recreation activities and stormwater facilities as permitted by St. Johns River Water Management District.
- E. All landscaping and buffering shall be in accordance with regulations contained within the City of Leesburg Code of Ordinances, Section 25-329, and at a minimum shall contain the following plantings as noted in Figures A and B below.

Figure A

Canopy Trees (per 100 l.f.)	2 per 100 linear ft
Tree CAL/Height	2" cal, 12' overall height
Optional Ornamental Trees (per 100 l.f.)	3 per 100 linear ft
Tree CAL/Height	2" cal, 7' overall height
Shrub Screen (per 100 l.f.)	
Square Ft. of Shrubs	(33) 3 gal plants, 18"—24" minimum at installation (depending on species); hedges to be 36"—42" high by thirty-six (36) inches wide hedge or continuous landscape screen with a ninety (90) percent opacity within one (1) year of planting
Container size	3 gal

Figure B



F. Variations to the landscape and buffering requirements of the code may be approved by the Planning and Zoning Manager or designee, as long as the intent of the PUD and the Landscaping Code are maintained, including consideration of existing fencing on adjacent properties and existing natural vegetative buffers.

- G. The surveying of trees on the property shall be conducted as follows:
1. All specimen, heritage and historic trees shall be surveyed. Staff will review the tree survey and such trees shall be saved where possible during the site plan review process. This may include amending the site plan to save specimen, heritage and historic trees.
 2. Site areas that are to preserve existing trees do not need to be included in the survey unless the trees are to be used in preservation/replacement requirements.
 3. The tree survey shall be completed by a licensed surveyor.

7. SITE ACCESS AND SIGNAGE

- A. The main vehicular access to the project site shall have at least one access point on County Road 44, as prescribed by Lake County Public Works, and shown on the Master Development Plan on Exhibit C, as amended. All access points are conceptual and subject to Lake County approval. Actual location and design of all roads shall be determined during the site plan review process and shall include consideration of, and connection to, sidewalks, recreation paths, etc. All other access shall be reviewed for necessity and requirements through Lake County and the City of Leesburg development and permitting processes. Any additional access points shall be subject site plan application review process.
- B. The main access point on County Road 44 shall be constructed in a "boulevard-type" roadway, having a landscaped medial area of at least eight (8) feet in width, and designed to allow emergency access vehicles room to maneuver. This entrance shall be reviewed and adjusted by staff as needed at the Site Plan and Construction Plan review.

1. Offsite road improvements on existing roads adjacent to the property may be required based on finalized access locations. Such improvements may include, but are not limited to, left and right turn lanes, right-of-way dedication, and pavement rehabilitation. Any proposed offsite road improvements must be approved by Lake County Public Works.
 2. Prior to completion of the subdivision design plans, the developer shall work with the Lake County Department of Public Works to ensure all appropriate required roadway and access improvements for the development are made part of the plans submitted to the City of Leesburg.
 3. The Master Development Plan, and the access points proposed thereon, are considered conceptual until the appropriate engineering and site plan reviews, along with any required upgrades are completed for the project.
- C. All access points are subject to review and approval by the appropriate permitting agency, including FDOT, Lake-Sumter Metropolitan Planning Organization, Lake County and the City of Leesburg as applicable. The developer shall be responsible for on and offsite improvements required as a result of any access points. The developer shall be responsible for all on and offsite improvements required as a result of any access points.
- D. Each required access point shall provide a decorative entry feature to include a concrete, brick or stucco wall at least five (5) feet in height, on each side of the entryway. This may be used for signage per City of Leesburg Code of Ordinances, as amended.
- E. Alternative designs for the ground enclosure support and bases of a monument sign may be approved by the Planning and Zoning Manager or designee, where the architectural style would be in keeping with the intent of these sign regulations.

8. TRANSPORTATION IMPROVEMENTS

- A. Any transportation improvements or rights-of-way that may be required shall be based on projected needs and shall be contingent upon site plan approval by City staff during the development review and permitting process. The plan review process shall include consideration of required sidewalks, recreation paths etc.
- B. A traffic/transportation study shall be submitted for review and determination of any necessary access improvements, including any off-site improvements required by Lake County, the Lake-Sumter MPO or the City of Leesburg. Said improvements will be the responsibility of the Permittee.
- C. The Permittee shall provide necessary traffic improvements within and adjacent to the development as required by Lake County, the Lake-Sumter MPO and City of Leesburg.
- D. All roads within the development shall be designed and constructed to meet the City of Leesburg requirements.

- E. The Permittee shall be responsible for obtaining all necessary Lake County permits and a copy of all permits shall be provided to the City of Leesburg.
- F. The City of Leesburg will not be responsible for the maintenance or repair of any of the roads or transportation improvements.
- G. All roads within the development shall be constructed to meet the City of Leesburg's standards, ARTICLE VII – TECHNICAL STANDARDS, as amended.
 - 1. Should the Permittee (or designee) desire to dedicate the proposed project's internal road system to the City of Leesburg; the Permittee shall demonstrate to the satisfaction of the City of Leesburg that the road system is in suitable condition and meets all City road design requirements.
 - 2. Should the Permittee (or designee) choose to retain the roadways, the Permittee shall establish an appropriate legal entity that shall accept responsibility to pay the cost and perform all services required to maintain the roads and transportation improvements to City of Leesburg codes and standards, as amended. A Homeowners or Property Owners Association, or other such legal entity will be considered acceptable.
- H. Sidewalks shall be provided on both sides of the entrance road(s) and shall provide cross connections to all recreation and residential areas. Internal road rights-of-ways shall be of sufficient width to contain sidewalks on both sides of each street. All sidewalks shall be constructed in accordance with City of Leesburg Codes.

9. UTILITIES

Prior to receiving final development approval, the Permittee shall submit a stormwater management plan and utility plan acceptable to the City of Leesburg. Water, wastewater and natural gas services will be provided by the City of Leesburg. Prior to any clearing, grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:

- A. A detailed site plan that indicates all the provisions for electric, water, sewer, and/or natural gas in accordance with the City of Leesburg Land Development Codes.
- B. Developer shall bear all responsibility, financial and otherwise, for the construction and installation of all utility infrastructure and other improvements related to the use and development of the property, consistent with the typical pioneering agreement approved on new home projects in the city., including such off-site improvements required by the City and all other appropriate government agencies. All such requirements shall be constructed to the applicable specifications imposed by the ordinances and regulations of the City in effect at the time of construction.

- C. Developer shall be responsible for the installation of a natural gas water heater and natural gas furnace in eighty percent (80%) of all homes in the development as required by the City of Leesburg Code of Ordinances as amended.
- D. The City of Leesburg intends to service the property with water and wastewater services at this time. At the time of connection, all regulations in place at the time of the request shall be required, including but not limited to impact fees, connection and utility service deposit charges. The cost of supplying water and wastewater lines and other necessary infrastructure such as lift stations to the development shall be the responsibility of the applicant.

10. **STORMWATER/DRAINAGE MANAGEMENT**

All drainage shall be designed and constructed in a manner to meet all State of Florida and City of Leesburg codes, including the requirement that all stormwater runoff is contained within the boundaries of the properties, and does not create a detriment to surrounding properties. Prior to receiving final development approval, the Permittee shall submit a stormwater management plan and utility plan acceptable to the City of Leesburg. Prior to any clearing, grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:

- A. A detailed site plan that demonstrates no direct discharge of stormwater runoff generated by the development into any wetlands or onto adjacent properties.
- B. A stormwater management system designed and implemented to meet all applicable St. Johns River Water Management District and City of Leesburg requirements.
- C. A responsible legal entity for the maintenance of the stormwater management system on the plat prior to the approval of the final plat of record. A homeowner's or property owners association is an acceptable maintenance entity.
- D. The existing 100-year flood plain shown shall be shown on all plans and lots.
- E. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the 100-year flood plain is altered and /or a new 100-year flood elevation is established in reference to the applicable flood insurance rate map.
- F. A copy of the Management and Storage of Surface Waters permit obtained from St. Johns River Water Management District shall be provided to the City during the site plan review process.
- G. Should the Permittee desire to dedicate the proposed project's stormwater management system to the City of Leesburg; the City, at its discretion, may accept or not accept the stormwater management system.
 - 1. Prior to acceptance, the Permittee shall demonstrate to the City the stormwater management system is in a suitable condition and meets City of Leesburg and St. Johns River Water Management District requirements.

2. As a condition of accepting the system the City may create a special taxing district or make other lawful provisions to assess the cost of maintenance of the system to the residents of the project.

11. WETLANDS, FLOOD ZONES & WILDLIFE

- A. All wetlands on the project site shall be identified by a jurisdictional wetland boundary line, and the location and extent of each wetland shall be determined by the Department of Environmental Protection, St. Johns River Water Management District and/or U.S. Army Corp of Engineers. Each wetland shall be placed on a suitable map, signed and sealed by a surveyor registered to practice in Florida and shall be submitted as part of the site plan application process.
- B. To the extent practicable, wetlands shall be placed in a conservation easement, which shall run in favor of, and be enforceable by, the St. Johns River Water Management District or another legal entity such as a homeowner's association. The conservation easement shall require that the wetlands be maintained in their natural and unaltered state. Wetlands shall not be included as a part of any platted lot, other than a lot platted as a common area, which shall be dedicated to the St. Johns River Water Management District or another legal entity such as a homeowner's association for ownership and maintenance.
- C. Buildings or structures shall be a minimum of 50 feet from any wetland jurisdiction boundary.
- D. Wetlands shall have an average upland buffer of 25 feet, with a minimum of 15 feet or the upland buffer established by St. Johns River Water Management District and/or U.S. Army Corp of Engineers; whichever is more restrictive. All upland buffers shall be naturally vegetated and upland buffers that are devoid of natural vegetation shall be re-planted with native vegetation or as required by St. Johns River Water Management District and/or U.S. Army Corp of Engineers.
- E. Land uses allowed within the upland buffers for wetlands are limited to stormwater facilities as permitted by St. Johns River Water Management District.
- F. If wetland alteration is permitted by St. Johns River Water Management District and/or U.S. Army Corp of Engineers, wetland mitigation shall be required in accordance with permit approvals from St. Johns River Water Management District or U.S. Army Corp of Engineers, whichever is more restrictive.
- G. A wildlife management plan for the project site shall be prepared based on the results of an environmental assessment of the site and any environmental permit required from applicable governmental agencies. The wildlife management plan shall be submitted to the City as part of the site plan application process.
- H. A map indicating the location of the 100-year flood plain.

- I. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the 100-year flood plain is altered and/or a new 100-year flood elevation is established in reference to the applicable flood insurance rate map.
- J. Through the Site Plan Review process, the developer shall coordinate with the City of Leesburg, Lake County and all impacted government agencies regarding elevation determinations, compensatory storage and overall design of the subdivision within and near flood hazard boundary areas, to ensure compliance with all regulations.

12. IRRIGATION & WATER USEAGE

- A. All landscaped areas shall be irrigated and designed to meet Section 25-337, Waterwise and Florida Friendly Landscaping, City of Leesburg Code of Ordinances.
- B. The use of St. Augustine grass, or other varieties of grass which require significant amounts of water are prohibited. The use of Bahia, Bermuda, Zoysia or other grasses which are more drought tolerant are permitted.

13. RECREATIONAL REQUIREMENTS

- A. Recreational development provided on the site may include active and passive uses, as well as enclosed or unenclosed recreational space, devoted to the joint use of the residents. Such recreational space shall consist of not less than 0.55 acres, or 200 square feet per unit.
- B. Recreational requirements shall include at least one primary active recreation area. Recreation areas may include such uses as a children's playground with equipment, dog park area or gazebo, swimming pool, clubhouse or other amenities as reviewed and approved by staff. The primary recreational facility shall be constructed in conjunction with and completed no later than the completion of 50% of the approved number of residential units.
- C. Credit for recreational space shall be given for areas dedicated to recreational space, to include items such as a clubhouse with recreation room, swimming pool, outdoor cooking facilities such as grills, youth playgrounds, play courts, dog parks or other similar uses which will meet the intent of this document. Other similar uses which will meet the intent of this document may be supplied by the developer.
- D. Active recreational activity space shall be calculated at a rate of 1.25 times for activities such as, but not limited to:
 - 1. Trails, playgrounds, basketball, tennis, handball courts, etc.
 - 2. Community swimming pool, including the deck area surrounding such pools.
 - 3. Indoor recreation rooms provided such rooms are permanently maintained for the use of residents for recreational purposes.
 - 4. Other active recreational activities may be used for credit, subject to approval by the City of Leesburg.

14. MAINTENANCE

- A. With the exception of any public utilities, maintenance of all site improvements, including but not limited to roadways, drives, internal sidewalks, landscaping and drainage shall be the responsibility of the property owner. A homeowner's association shall serve as an appropriate entity for all common properties within the development.

15. DEVELOPMENT PHASING & IMPLEMENTATION

- A. The proposed project may be constructed in phases in accordance with the Planned Unit Development Conditions and Conceptual Plan. Changes to the development conditions or conceptual plan, other than those conditions described in this agreement, shall be revised in accordance with the Planned Development review process, City of Leesburg Code of Ordinances.
- B. Implementation of the project shall substantially commence one-hundred twenty (120) months of approval of this Planned Development. In the event, the conditions of the PUD have not been substantially implemented during the required time period, the City of Leesburg shall have the option of scheduling the PUD, with due notice to the owner and surrounding property owners, for reconsideration by the Planning Commission at their next available regular meeting. The Planning Commission will consider whether to extend the PUD approval or rezone the property to another appropriate zoning classification.
- C. As part of the overall development process, if the project is constructed in phases, then plat of the lots for each approved phase shall contain only portions of the development approved under the Site Plan Review Process, i.e. each phase platted shall match each phase submitted for site plan review.

16. MISCELLANEOUS CONDITIONS

- 1. The uses of the proposed project shall only be those uses identified in the approved Planned Unit Development Conditions. Any other proposed use must be specifically authorized in accordance with the Planned Development amendment process.
- B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner without first submitting the necessary plans and obtaining appropriate approvals in accordance with the City of Leesburg Codes.
- C. Construction and operation of the proposed use(s) shall at all times comply with the Planned Unit Development conditions set forth herein, and with all City and other governmental agencies rules and regulations.
- D. The transfer of ownership or lease of any or all of the property described in this PUD Agreement shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the Planned Unit Development established and agrees to be bound by these conditions. The purchaser or

lessee may request a change from the existing plans and conditions by following the procedures as described in the City of Leesburg Land Development Code, as amended.

- E. These PUD Conditions shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition as set forth herein.

17. LEVELS OF SERVICE

A. Levels of Service

- 1. As submitted, the development resulting from the proposed zoning change may result in demands on public facilities which would exceed the current capacity of some public facilities, such as, but not limited to water, wastewater, roads, drainage, and solid waste. No final development order (site plan and building permits) shall be granted for proposed development until there is a finding that all public facilities and services required for the development have sufficient capacity at or above the adopted level of service (LOS) to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development.

B. Utilities

1. Projected Capacities

- i. The City's utility planning efforts draw upon phasing, capacity and service requirements, based upon information provided by the applicant. The City develops its plans consistent with sound engineering principles, prudent fiscal practices and due regard for regulatory compliance.

- C. If the development requires construction of new distribution or collection lines, or other infrastructure needed to develop the subdivision, the developer will be required to construct such facilities to provide service. The developer will bear the cost of design, permitting and construction. Any such facilities must be constructed in a fashion consistent with the City's master plans and to the City standards and specifications.

D. Commitment of Capacity

- 1. There are no previous commitments of any existing or planned excess capacity for this property.

E. Ability to Provide Services

- 1. At this time, the City intends to provide water, wastewater and reclaimed water services within its service area for the foreseeable future.
- 2. Future development within the City of Leesburg utility service areas may impact the provision of utility services.

EXHIBIT B

The Hills at Leesburg

LEGAL DESCRIPTION**LEGAL DESCRIPTION****Description (per Title Commitment):**

Parcel 1

Lots 3 and 4, Block 16, Lots 1, 2, 3 and 4, Block 17 and Lots 11 and 12, Block 18, Revised and Corrected Plat of Re-Subdivision of Subdivision of Silver Lake Estates, according to the plat thereof, as recorded in Plat Book 10, Page 66, Public Records of Lake County, Florida. TOGETHER WITH that portion of vacated Hill Road, Walker Road, Tuller Road and Seng Road as more particularly described in that certain Corrected Resolution No. 2006-27 recorded October 17, 2008, in Official Records Book 3691, Page 233, Public Records of Lake County, Florida.

AND

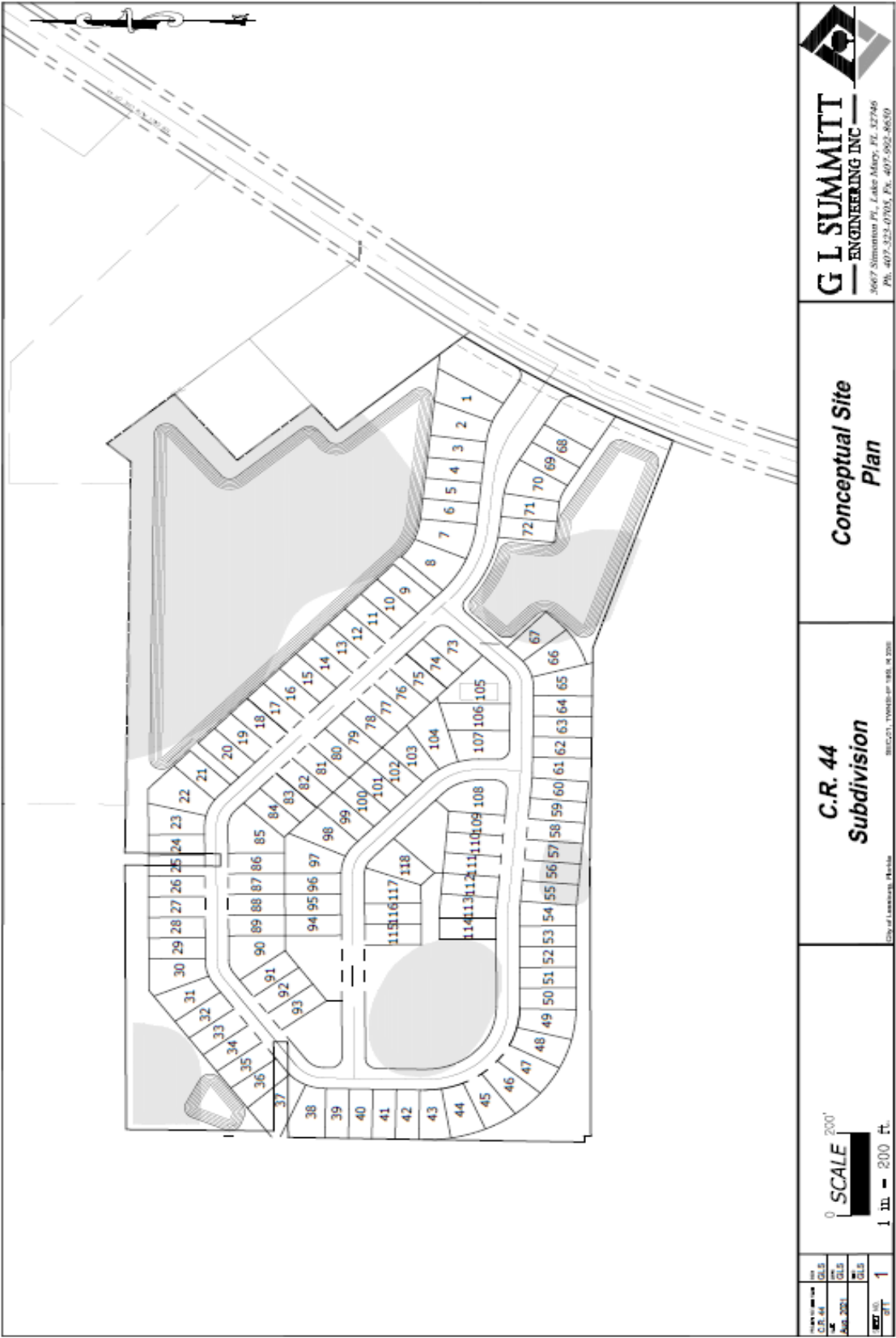
Parcel 2

Lot 6 and that part of Lot 7, Block 18, Revised and Corrected Plat of the Re-Subdivision of Subdivision of Silver Lake Estates, according to the plat thereof, as recorded in Plat Book 10, Page 66, Public Records of Lake County, Florida, described as follows: Begin at the Northeasterly corner of Lot 7, Block 18, run North 89 degrees 59 minutes 02 seconds West 600.13 feet; thence run South 71 degrees 56 minutes 19 seconds East 545.67 feet to the Westerly line of State Road 44, said point being on a curve concave Easterly and having a radius of 2910.01 feet and a radial bearing of North 66 degrees 08 minutes 38 seconds West; thence run Northeasterly along the arc of said curve through a central angle of 03 degrees 41 minutes 37 seconds, a distance of 187.60 feet to the Point of Beginning. LESS AND EXCEPT that portion of Lots 6 and 7, Block 18, lying within 50 feet of the centerline of County Road 44, as conveyed to Lake County, Florida, in that certain Statutory Warranty Deed recorded March 27, 1996, in Official Records Book 1425, Page 2224, Public Records of Lake County, Florida.

AND

Parcel 3

Lots 4, 5 and 10, Block 18, Revised and Corrected Plat of the Re-Subdivision of the Subdivision of Silver Lake Estates, according to the plat thereof, as recorded in Plat Book 10, Page 66, Public Records of Lake County, Florida, LESS that part of Lot 4, Block 18, bounded and described as follows: Begin at the Eastern most corner of said Lot 4, Block 18, run thence North 43 degrees 30 minutes West, 300 feet along the Northeast line of said Lot 4; thence South 46 degrees 30 minutes West 290 feet; thence South 43 degrees 30 minutes East, 372 feet to the Northwest right of way line of State Road No. 44; thence Northeasterly 298 feet, more or less, along the said line to the Point of Beginning; AND LESS, from the Northeasterly corner of said Lot 4, run North 43 degrees 30 minutes West, along the Northeasterly line of said Lot 4, a distance of 300 feet to the Point of Beginning; thence continue North 43 degrees 30 minutes West along said Northeasterly line 208.72 feet; thence South 46 degrees 30 minutes West 208.72 feet; thence South 43 degrees 30 minutes East 208.72 feet; thence North 46 degrees 30 minutes East, 208.72 feet to the Point of Beginning. LESS AND EXCEPT that portion of Lot 5, Block 18, lying within 50 feet of the centerline of County Road 44, as conveyed to Lake County, Florida, in that certain Statutory Warranty Deed recorded March 27, 1996, in Official Records Book 1425, Page 2227, Public Records of Lake County, Florida.



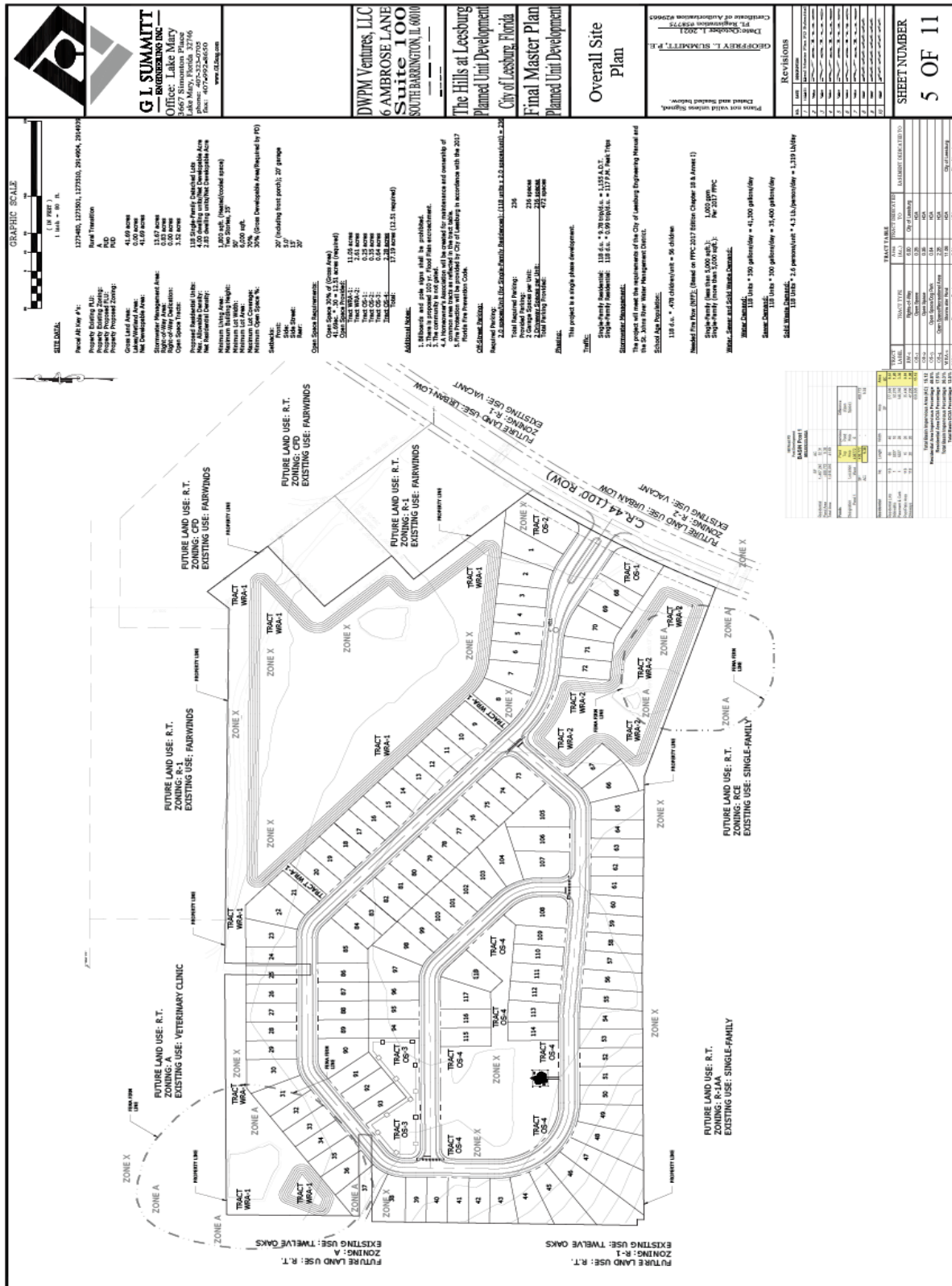


EXHIBIT D

FAÇADE SAMPLES

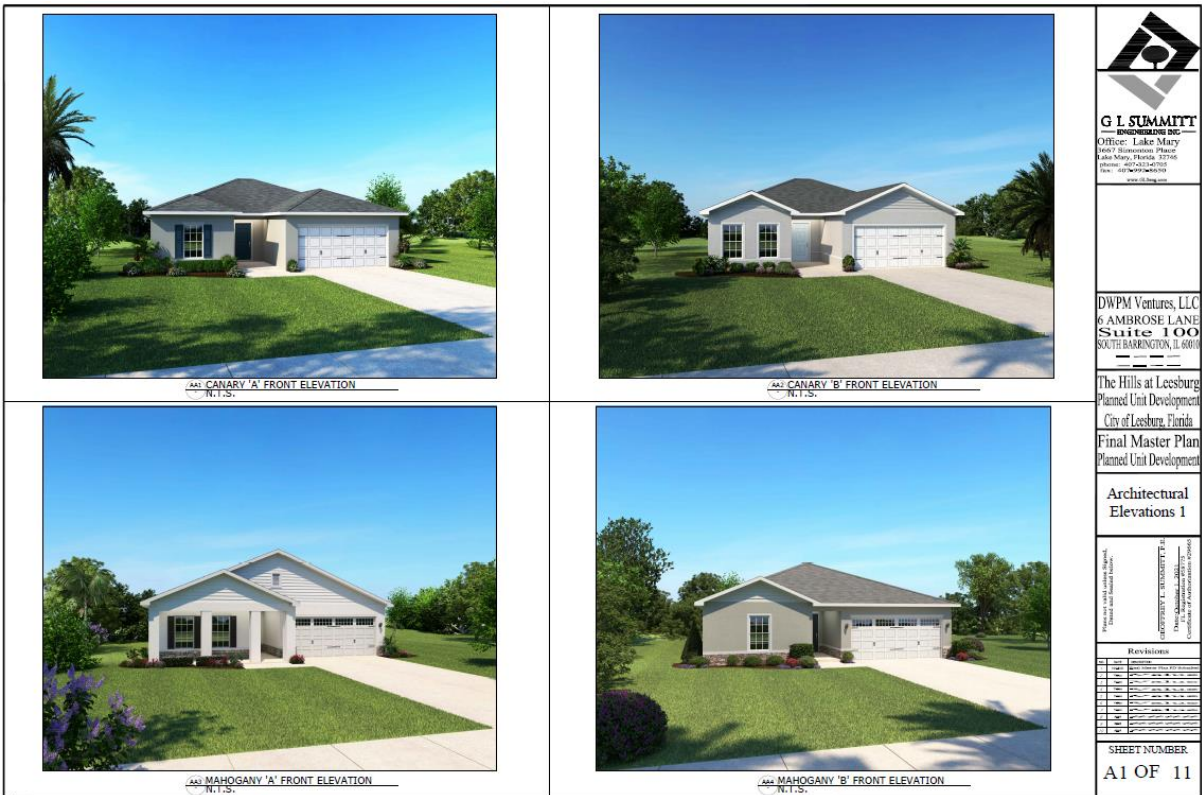


Exhibit A

LEGAL DESCRIPTION

Description (per Title Commitment):

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Parcel 3

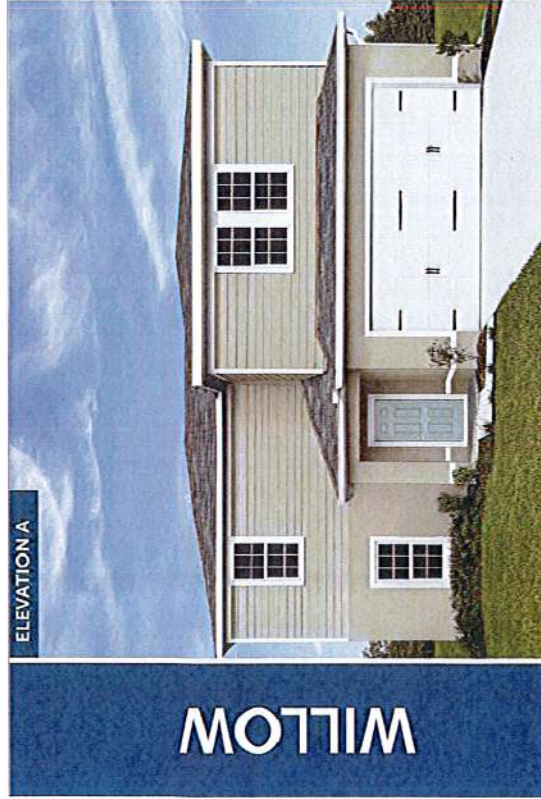
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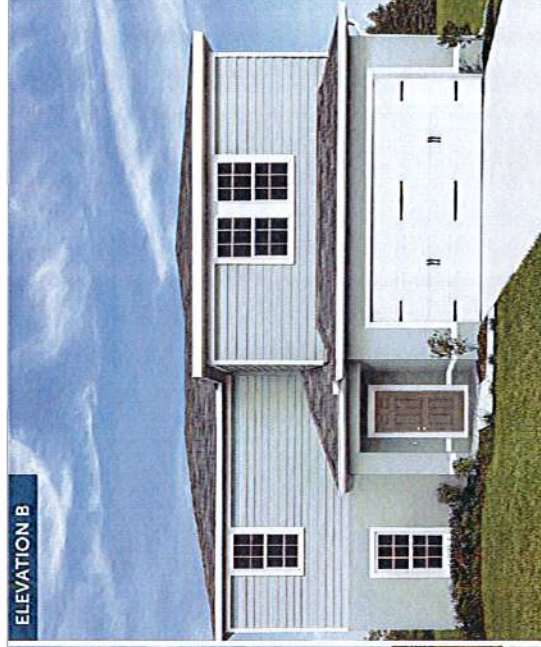
AA5 PALM 'A' FRONT ELEVATION
N.T.S.



AA5 PALM 'B' FRONT ELEVATION
N.T.S.



ELEVATION A



ELEVATION B

AA7 WILLOW 'A' FRONT ELEVATION
N.T.S.

AA8 WILLOW 'B' FRONT ELEVATION
N.T.S.



G L SUMMITT
ENGINEERING INC.
Office: Lake Mary
3667 Sunnyside Place
Lake Mary, Florida 32746
Tel.: 407-962-4646
Fax: 407-962-4646
www.glsun.com

DWPM Ventures, LLC
6 AMBROSE LANE
Suite 100
SOUTH BARRINGTON, IL 60010

The Hills at Leesburg
Planned Unit Development
City of Leesburg, Florida
Final Master Plan
Planned Unit Development

Architectural
Elevations 2

GEORGEY L. SUMMITT, P.E.
Date: October 1, 2021
Project: 21-0000000000
City of Leesburg, Florida
Planned Unit Development

Revisions	
No.	Description
1	Initial Design
2	Revised Design
3	Revised Design
4	Revised Design
5	Revised Design
6	Revised Design
7	Revised Design
8	Revised Design
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SHEET NUMBER
A2 OF 11



CITY OF LEESBURG PLANNING & ZONING DIVISION RECOMMENDATIONS

OWNER: Keith A. and Fay E. Jenkins
PETITIONER: Geoff Summitt, GL Summitt Engineering, Inc.
PROJECT: The Hills at Leesburg single family residential subdivision
REQUEST: Small Scale Comprehensive Plan Amendment and PUD (Planned Unit Development)
CASE NO.: PUD-21-395

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request **for the following reason(s):**

1. This project meets the requirements of Chapter 163.3184 Florida Statutes, for Comprehensive Plan Amendments.
2. The proposed request, as conditioned in City of Leesburg case number PUD 21-395, is compatible with the adjacent future land use designations of Lake County Rural Transition, and Lake County Urban Low Density.
3. The proposed request as conditioned in City of Leesburg Case number PUD 21-395, is compatible with the current surrounding zoning districts of Lake County A (Agriculture), Lake County R-1 (Rural Residential District), and Lake County CFD (Community Facility District).
4. The proposed future land use designation for the site is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

Action Requested:

1. Vote to approve the rezoning from Lake County A (Agriculture) to City of Leesburg PUD (Planned Unit Development) and forward the recommendation to the City Commission for consideration.

**CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY**

DATE: December 16, 2021
OWNER: Keith A. and Fay E. Jenkins
PETITIONER: Geoff Summitt, GL Summitt Engineering, Inc.
PROJECT: The Hills at Leesburg single family residential subdivision
REQUEST: Small Scale Comprehensive Plan Amendment and PUD (Planned Unit Development)
CASE NO.: SSCP-21-400; PUD-21-395

GENERAL LOCATION: West of County Road 44 and north of Seng Road.

FUTURE LAND USE DESIGNATION: Lake County Rural Transition

SURROUNDING FUTURE LAND USE DESIGNATION:

North – Lake County Rural Transition
South – Lake County Rural Transition
East – Lake County Rural Transition
West – Lake County Rural Transition

PROPOSED FUTURE LAND USE DESIGNATION: Estate Residential

EXISTING ZONING DESIGNATION: Lake County R-1 (Rural Residential)

SURROUNDING ZONING DESIGNATIONS:

North – Lake County R-1 (Rural Residential); Lake County A (Agriculture); Lake County CFD (Community Facility District)
South – Lake County A (Agriculture)
East – Lake County CFD (Community Facility District); Lake County R-1 (Rural Residential); R-3 (Medium Residential District)
West – Lake County R-1 (Rural Residential); Lake County A (Agriculture)

PROPOSED ZONING DESIGNATION: PUD (Planned Unit Development)

EXISTING LAND USE: Improved pasture and residential

SURROUNDING EXISTING LAND USE:

North – Residential
South – Agriculture (Pasture; Grove)
East – Agriculture (Timber)
West – Residential; Agriculture (Grove)

PROPOSED LAND USE: Single family residential subdivision

**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

DATE: November 24, 2021
OWNER: Keith A. and Fay E. Jenkins
PETITIONER: GL Summitt Engineering, Inc.
PROJECT: The Hills at Leesburg
REQUEST: Change of Future Land Use Designation and Rezoning to (PUD) Planned Unit Development
CASE NO.: SSCP-21-400 and PUD-21-395

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments - Police Steve Rockefeller 11/24/21

FIRE

In reference to Case Number SSCP-21-400; PUD-21-395 NFPA 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments, 2020 Edition. The subject property referenced in Case Number SSCP-21-400; PUD-21-395 is outside the recommended four-minute response time for initial responding fire apparatus.

4.1 Fire Department Organizational Statement.

4.1.2.1

The fire department shall establish the following performance objectives for the first-due response zones that are identified by the AHJ:

- (1) Alarm handling time completion in accordance with 4.1.2.3
- (2) 80 seconds turnout time for fire and special operations response and 60 seconds turnout time for EMS response
- (3)* 240 seconds or less travel time for the arrival of the first engine company at a fire suppression incident
- (4) 360 seconds or less travel time for the arrival of the second company with a minimum staffing of 4 personnel at a fire suppression incident
- (5) For other than high-rise, 480 seconds or less travel time for the deployment of an initial full alarm assignment at a fire suppression incident
- (6) For high-rise, 610 seconds or less travel time for the deployment of an initial full alarm assignment at a fire suppression incident
- (7) 240 seconds or less travel time for the arrival of a unit with first responder with automatic external defibrillator (AED) or higher-level capability at an emergency medical incident
- (8) 480 seconds or less travel time for the arrival of an advanced life support (ALS) unit at an emergency medical incident, where this service is provided by the fire department provided a first responder with an AED or basic life support (BLS) unit arrived in 240 seconds or less travel time

Amanda Stevenson 11/29/21

ELECTRIC

This is in Leesburg Electric's territory. Electric has no objections. We request the developer contact us prior to officially submitting the plans for review to make sure they understand our requirements for easements and other design criteria. Thanks. Steve Davis 11/29/21

GAS

Gas has no comments. Robert Thilmony 11/24/21

GIS

GIS/Addressing has no comment. Thank you, Mark Medley 11/24/21

BUILDING

No comments: Building Ann Kinsey 11/24/21

PUBLIC WORKS

Public Works has no issues with this request. Please advise the developer that due to adjacent developments we will need to discuss Water and Sewer sizing when the time is appropriate. Clifford Kelsey 11/24/21

ADDRESSING

GIS/Addressing has no comment. Thank you, Mark Medley 11/24/21

HOUSING & REDEVELOPMENT

No comments from Housing & Redevelopment Department. Thanks Ken Thomas 11/24/21

LAKE COUNTY PUBLIC WORKS

Please see attached letter. Seth Lynch 12/7/21

LAKE COUNTY SCHOOLS

The Hills at Leesburg residential subdivision is subject to school concurrency review. Please be advised that proportionate share mitigation may be required at time of submittal. Helen LaValley 12/10/21

PUBLIC RESPONSES

Approval

no approvals

Disapproval

no disapprovals

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL WITH REQUESTS)

PUBLIC COMMENTS (DISAPPROVAL)



Department of Public Works, Engineering Division
P.O. Box 7800 • 350 N. Sinclair Ave. • Tavares, FL 32778

December 7, 2021

Dan Miller,
Planning & Zoning Manager
City of Leesburg
Planning and Zoning Department
204 North 5th Street
Leesburg, Florida 34749
(sent via email)

RE: PROJECT: Hills at Leesburg Planned Unit Development
CASE NO.: PUD-21-395

Lake County Department of Public Works recommended requirements for the Hills at Leesburg PUD impacts to roadways and drainage systems:

CR 44:

- Left and Right Turn Lanes on CR 44 at the development's entrance will be required.
- A sight distance analysis will need to be provided with the first submittal of development plans.
- Sidewalk will need to be provided along road frontage.
- Additional right-of-way will be required for CR 44 meeting a minimum width of 120-ft but may be larger with the offsite road and right-of-way improvements.
- Utility easements will need to be provided along CR 44.

Internal connectivity:

- The development is recommended to have internal pedestrian and bicycle connectivity throughout the development.

Traffic:

- A Traffic Impact Analysis will be required of this development for review by the County. The current methodology is under review by Lake -Sumter MPO, FDOT and Lake County.

P 352.253.6000 • F 352.253.9025
Board of County Commissioners • www.lakecountyfl.gov

Douglas B. Shields
District 1

Sean M. Parks, AICP, QEP
District 2

Kirby Smith
District 3

Leslie Campione
District 4

Josh Blake
District 5

Stormwater Management:

- The site's stormwater management design will need to be reviewed by Lake County when submitted to both the City of Leesburg and St Johns River Water Management District. We may require Lake County stormwater design standards on ponds that outfall or affect surrounding unincorporated lands or onto county roads.

Flood Study:

- Development will be responsible for a drainage and flood study to determine the flood zones within and partially crossing into the development area. The flood study will require review by both the city and county. The study will evaluate downstream impacts from stormwater outfall from this site.

Future Development Applications:

- Request the City of Leesburg to include Lake County on reviews of future development applications for this development.

Sincerely,

Seth Lynch

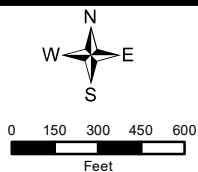
Seth Lynch
Development Engineer/Project Manager
Lake County Department of Public Works
Engineering Division
slynch@lakecountyfl.gov

Cc: Fred Schneider, Public Works Director for Lake County
Jeff Earhart, Engineering Manager for Lake County
Tim McClendon, Planning Director for Lake County
Kandi Harper, Senior Planner for City of Leesburg

Aerial

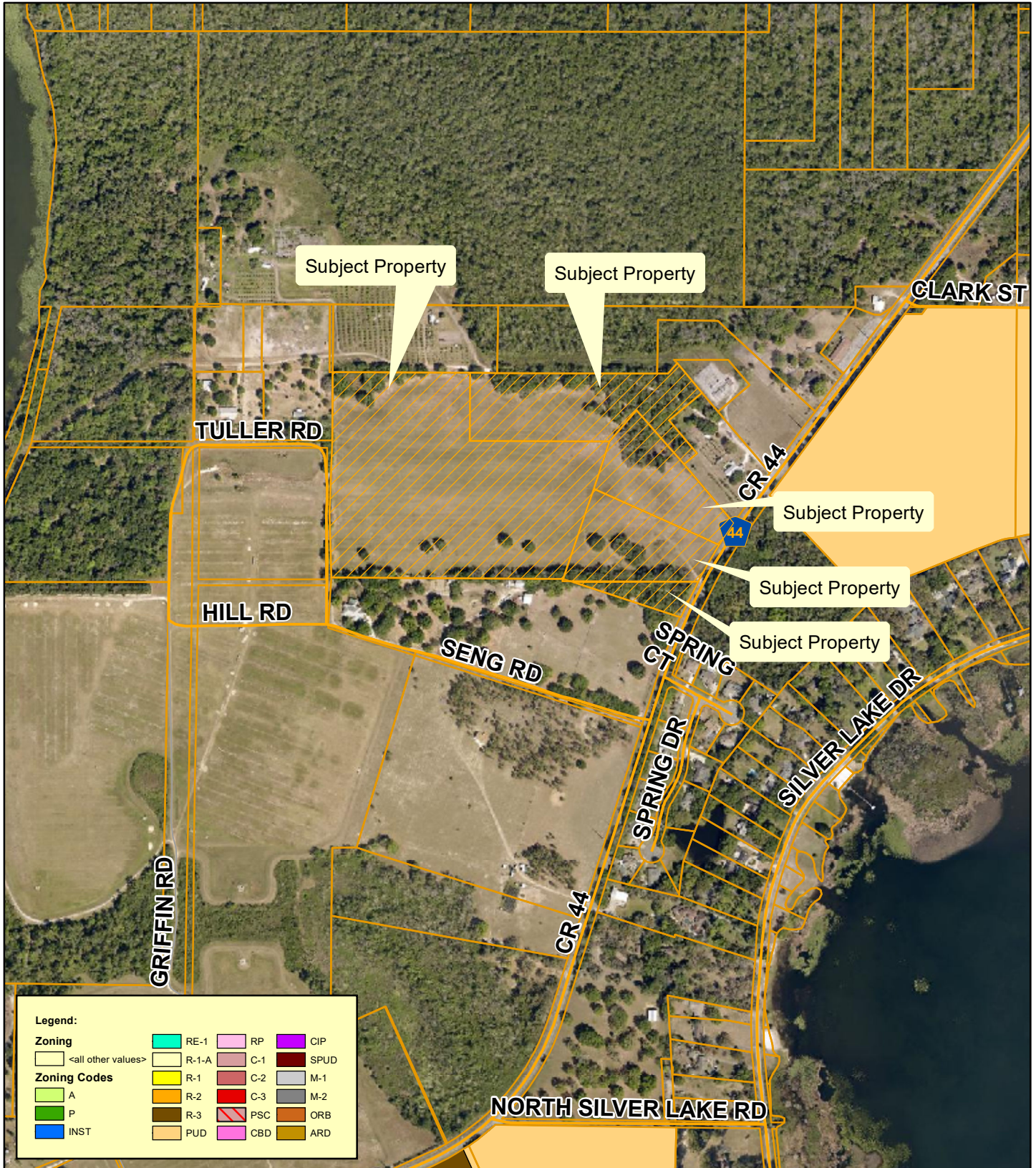


**Planning
& Zoning
Division**

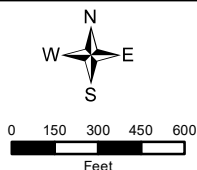


The Hills At Leesburg
ANNX-21-399; SSCP-21-400; PUD-21-395
AK#s: 1273510, 1273501, 1273480, 2914939, 2914904
Section 01, Township 19 South, Range 25 East
November 1, 2021

Zoning

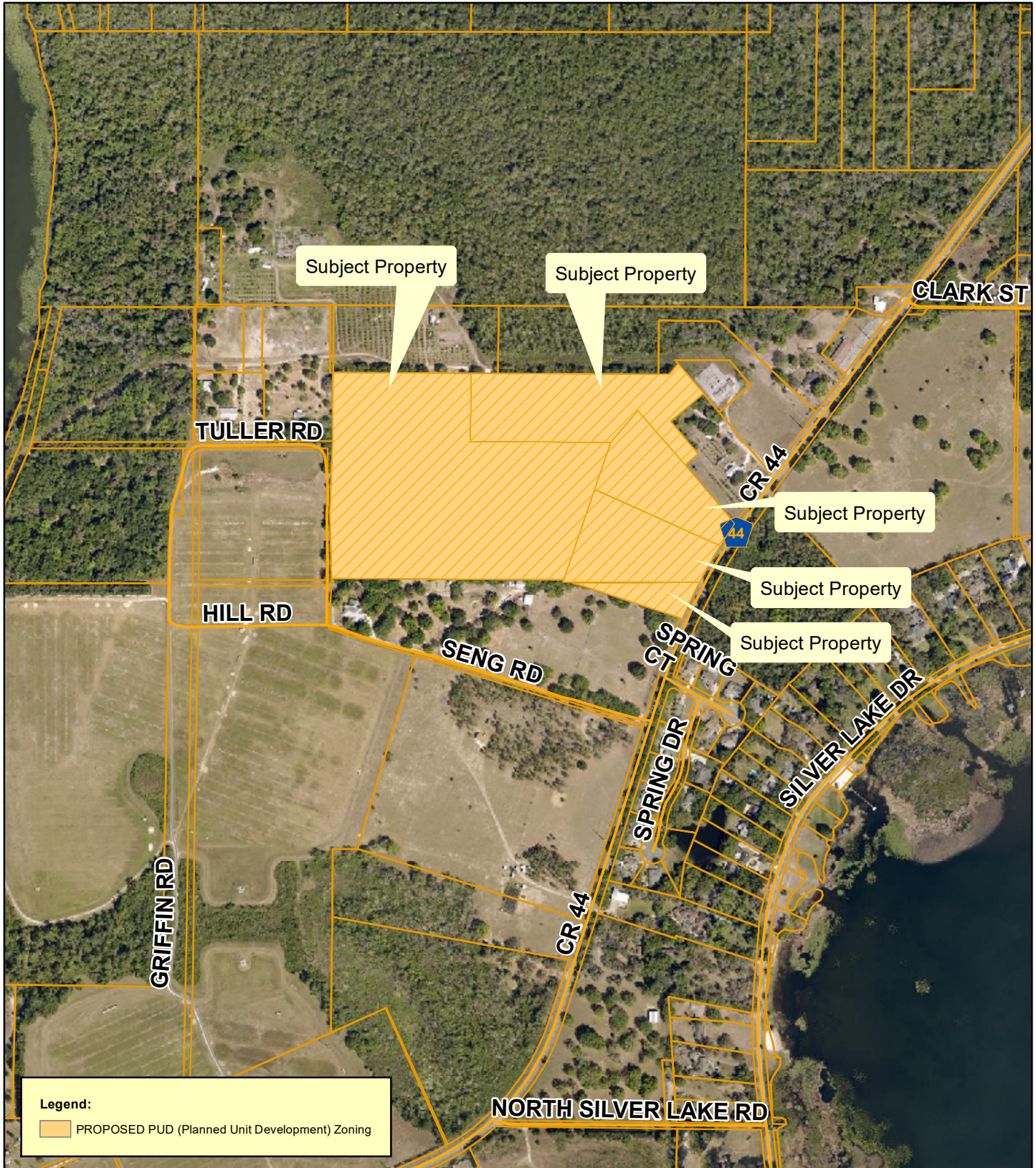


**Planning
& Zoning
Division**

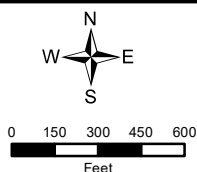


The Hills At Leesburg
 ANN-21-399; SSCP-21-400; PUD-21-395
 AK#s: 1273510, 1273501, 1273480, 2914939, 2914904
 Section 01, Township 19 South, Range 25 East
 November 1, 2021

PROPOSED ZONING

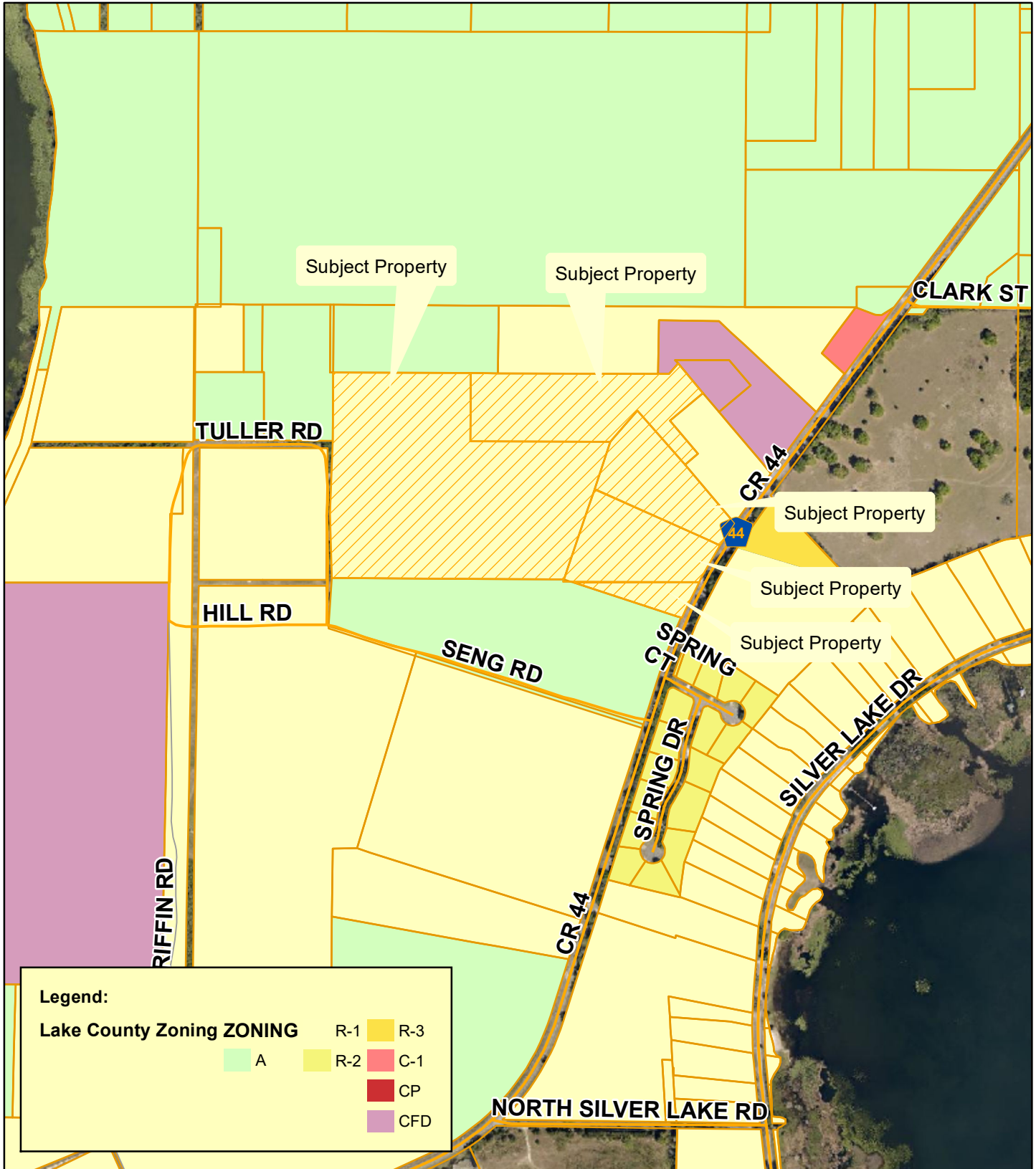


**Planning
& Zoning
Division**

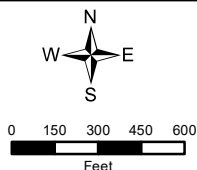


The Hills At Leesburg
ANNX-21-399; SSCP-21-400; PUD-21-395
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Section 01, Township 19 South, Range 25 East
November 1, 2021

Lake County Zoning



**Planning
& Zoning
Division**



The Hills At Leesburg
 ANN-21-399; SSCP-21-400; PUD-21-395
 AK#s: 1273510, 1273501, 1273480, 2914939, 2914904
 Section 01, Township 19 South, Range 25 East
 November 1, 2021

Surrounding Land Uses

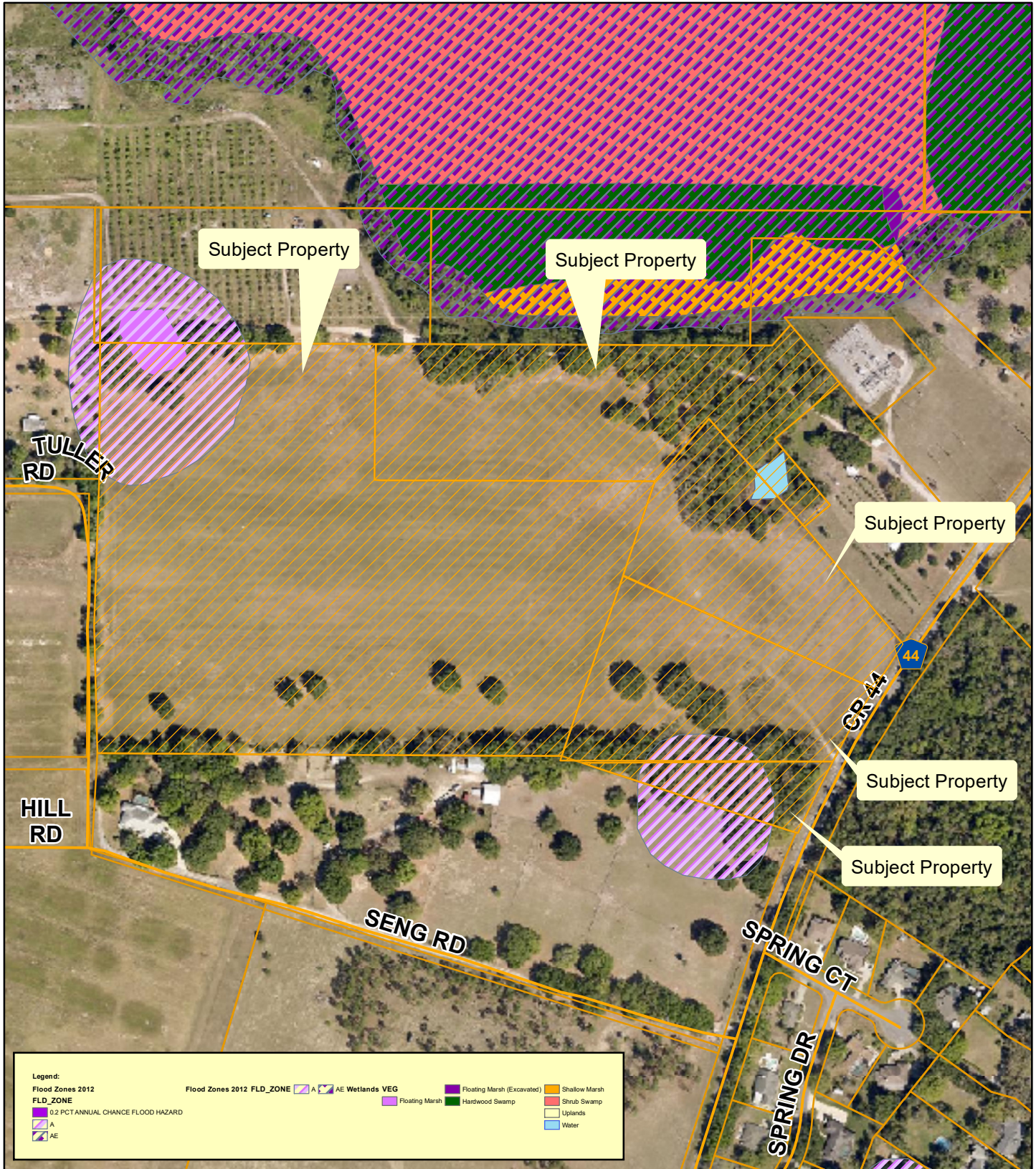


**Planning
& Zoning
Division**

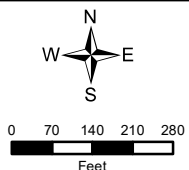


The Hills At Leesburg
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 Section 01, Township 19 South, Range 25 East
 November 1, 2021

Wetlands and Flood Zones



**Planning
& Zoning
Division**



The Hills At Leesburg
 ANN-21-399; SSCP-21-400; PUD-21-395
 AK#s: 1273510, 1273501, 1273480, 2914939, 2914904
 Section 01, Township 19 South, Range 25 East
 November 1, 2021



Sign posting, picture taken looking west into property from County Road 44 right-of-way.



Picture taken from property looking north along County Road 44 right-of-way.



Picture taken from property looking east along County Road 44 right-of-way.



Picture taken from property looking south along County Road 44 right-of-way.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.4.

Meeting Date: March 14, 2022

From: Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 3.95 +/- acres; and being generally located west of U.S. Highway 27 and east of County Road 33, lying in Section 11, Township 20 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 3; and providing an effective date. (Leesburg C-Store and Gas Station AX)

Staff Recommendation:

The Planning and Zoning staff recommends approval of the proposed ordinance for annexation of the Leesburg C-Store and Gas Station Property.

Analysis:

The applicant has submitted a request for annexation of approximately 3.95 acres of land generally located west of U.S. Highway 27 and east of County Road 33, as shown on the attached General Location Map. At this time, the property is a mobile home park. The current zoning is Lake County RMRP (Mobile Home Rental Park District) and Lake County CP (Planned Commercial District); the proposed zoning is City C-3 (Highway Commercial). The reason for this request is to attain water and sewer service to construct a gas station and convenience store.

The property is surrounded by Lake County C-1 (Neighborhood Commercial), Lake County RM (Mixed Home Residential), Lake County RMRP (Mobile Home Rental Park District), and Lake County C-1 (Neighborhood Commercial). Under the conditions of the C-3 (Highway Commercial) zoning case which is also on this agenda, no negative impacts are anticipated to adjacent properties.

Also, on this City Commission agenda, is a Small-Scale Comprehensive Plan Amendment, which, along with the Rezoning Application, had recommendations for approval from the Planning Staff and Planning Commission. The Planning Commission held a public hearing on this request on December 16, 2021, and by a vote of 6-0 recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the requested annexation. This would give the City jurisdiction over the use and future development of the subject site and provide for the application of City standards to this property; or
2. Disapprove the proposed annexation and allow the property to remain in the County.

Fiscal Impact:

A positive fiscal impact will result from the annexation and future development of this property due to increased tax revenue added to the General Fund. Future development of the property will increase this anticipated impact.

Submission Date and Time:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ANNEXING CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 3.95 +/- ACRES; AND BEING GENERALLY LOCATED WEST OF U.S. HIGHWAY 27 AND EAST OF COUNTY ROAD 33, LYING IN SECTION 11, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; PROVIDING THAT SAID PROPERTY SO ANNEXED SHALL BE LIABLE FOR ITS PROPORTIONATE SHARE OF THE EXISTING AND FUTURE INDEBTEDNESS OF SAID CITY; PROVIDING THAT SUCH ANNEXED PROPERTY SHALL BE SUBJECT TO ALL LAWS AND ORDINANCES OF SAID CITY AS IF ALL SUCH TERRITORY HAD BEEN A PART OF THE CITY OF LEESBURG AT THE TIME OF PASSAGE AND APPROVAL OF SAID LAWS AND ORDINANCES; PROVIDING THAT SUCH ANNEXED TERRITORY SHALL BE PLACED IN CITY COMMISSION DISTRICT 3; AND PROVIDING AN EFFECTIVE DATE. (LEESBURG C-STORE AND GAS STATION AX)

WHEREAS, the City Commission has received written objections, recommendations, and comments from the City of Leesburg Planning Commission, acting as the Local Planning Agenda, regarding amendment of the Comprehensive Plan of the City of Leesburg, and has made recommendations to the City Commission for amendment of the Plan; and

WHEREAS, the City Commission of the City of Leesburg has held public hearings on the proposed amendment to the plan, in light of written comments, proposals and objections from the general public;

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that;

Section 1.

Based upon the petition of Southeastern Retail Development, LLC (Travis A. Meyer, Agent) for the property hereinafter described, shall be annexed into the city limits of the City of Leesburg, Florida, which petition has heretofore been approved by the City Commission of the City of Leesburg, Florida, pursuant to the provisions of the Laws of Florida, the hereinafter described property is hereby annexed and made a part of the city limits of the City of Leesburg, Florida. The subject property lying and situated in Lake County, Florida, is more particularly described as:

Legal Description
(See Exhibit A);

Section 2.

All of the property, real and personal, within said annexed territory, described in Section 1 above, as provided by this ordinance, and the inhabitants thereof, shall be subject to the government, jurisdiction, powers, franchises, duties, and privileges of the City of Leesburg, Florida, and the said annexed property shall be liable, proportionately, for all of the present outstanding and existing, as well as future, indebtedness of the City of Leesburg, Florida; that all of the ordinances of the City of Leesburg, and all the laws heretofore passed by the Legislature of the State of Florida relating to and which now or

hereafter constitute its Charter, shall apply to and have the same force and effect on such annexed territory as if all such annexed territory had been a part of the City of Leesburg, Florida, at the time of the passage and approval of said laws and ordinances. The property annexed is hereby assigned to City Commission District 3;

Section 3.

All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed;

Section 4.

This ordinance shall become effective immediately upon approval at second reading.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 14th day of March 2022.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

Exhibit A

LEGAL DESCRIPTION:

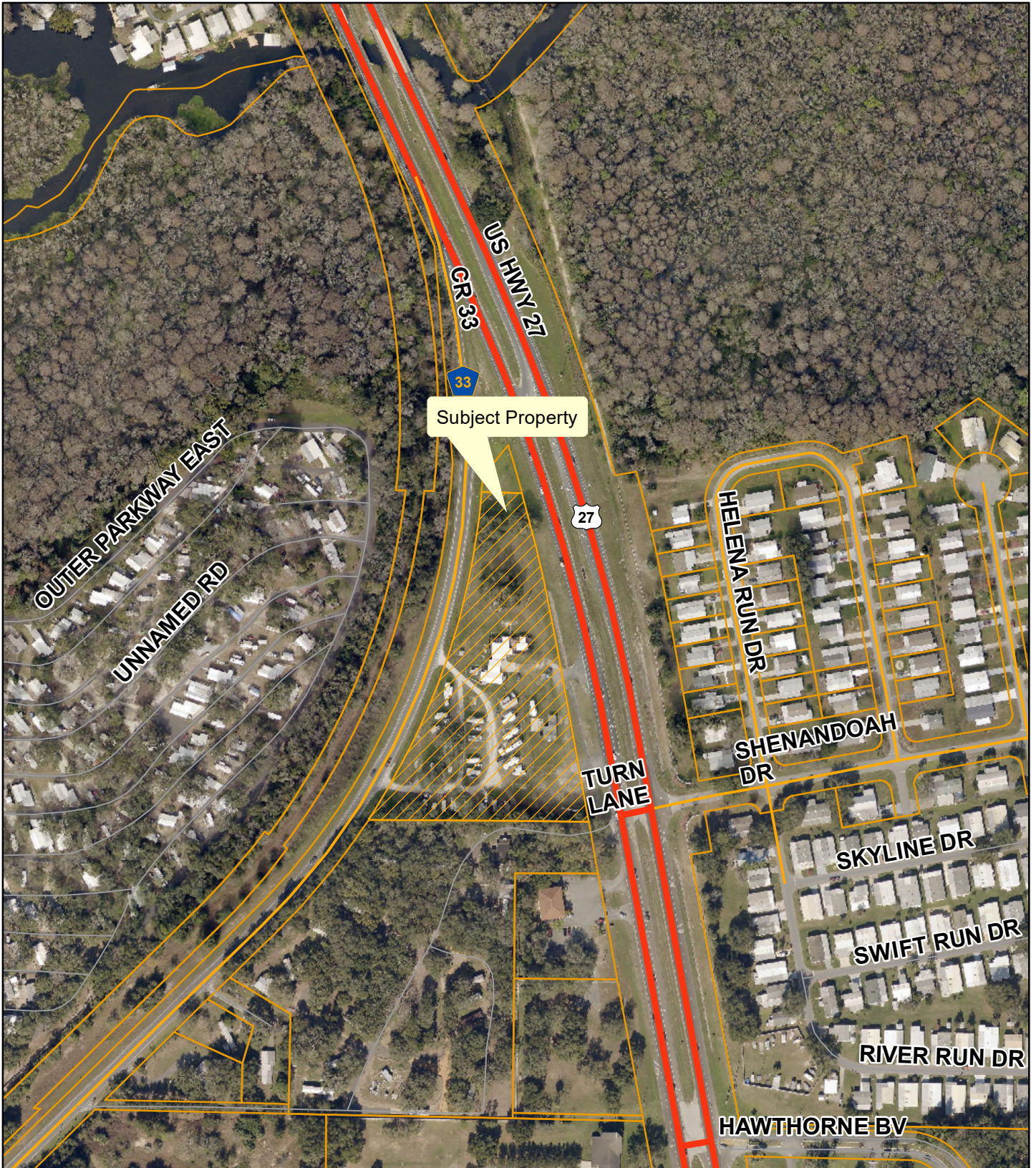
PARCEL NO. 1:

That part of the East 268 feet of the North 688.71 feet of the Northeast 1/4 of the Southwest 1/4 of Section 11, Township 20 South, Range 24 East, in Lake County, Florida, lying West of the Westerly line of the right of way of U.S. Highway No. 27.

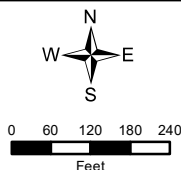
PARCEL NO. 2:

That part of Section 11, Township 20 South, Range 24 East, in Lake County, Florida, bounded and described as follows: Begin 268 feet West of the Northeast corner of said Southwest 1/4 and run West 91 feet to the Easterly line of the right of way of State Road No. 33; thence Southwesterly along the Easterly line of said right of way 720 feet, thence East 391 feet; thence North 688.71 feet to the point of beginning.

Aerial

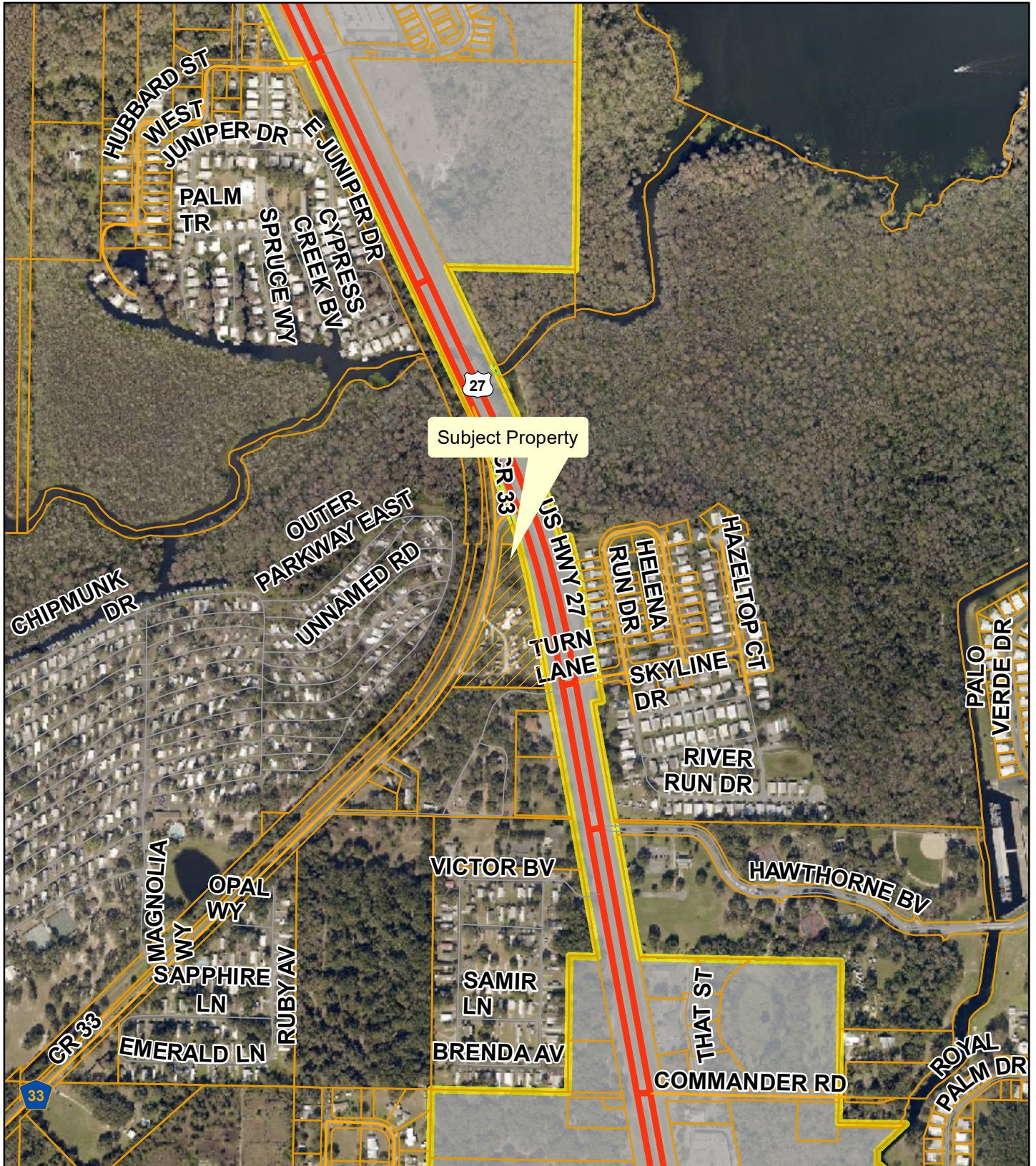


**Planning
& Zoning
Division**

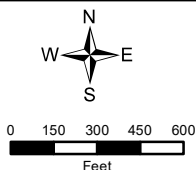


ANNX-21-412, SSCP-21-413, RZ-21-414
Leesburg C-Store & Gas Station
AK#: 1741718
Section 11, Township 20 South, Range 24 East
November 17, 2021

City Boundary



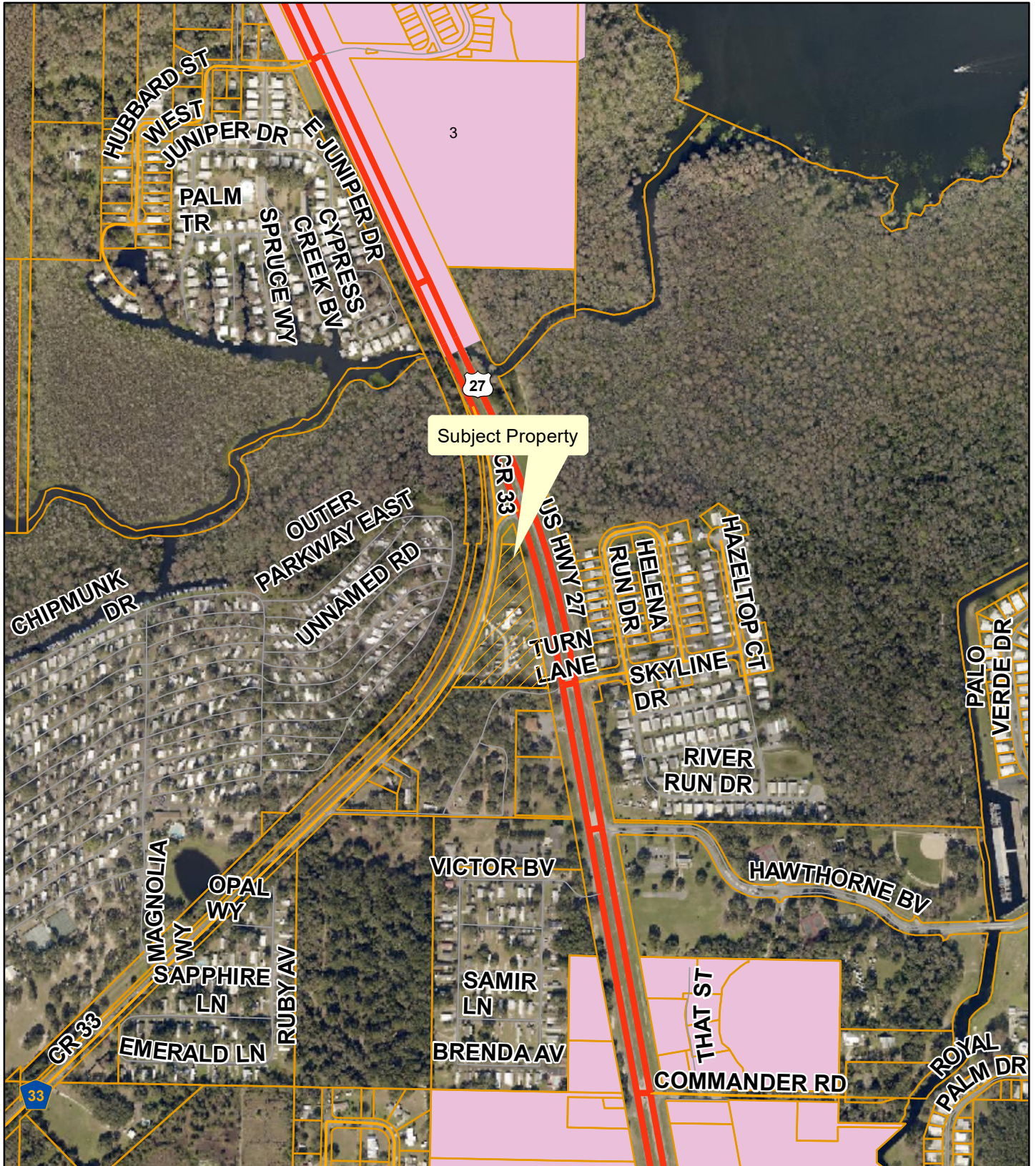
**Planning
& Zoning
Division**



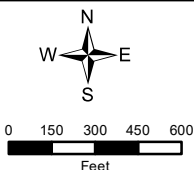
ANNX-21-412, SSCP-21-413, RZ-21-414
Leesburg C-Store & Gas Station
AK#: 1741718

Section 11, Township 20 South, Range 24 East
November 17, 2021

Commission District

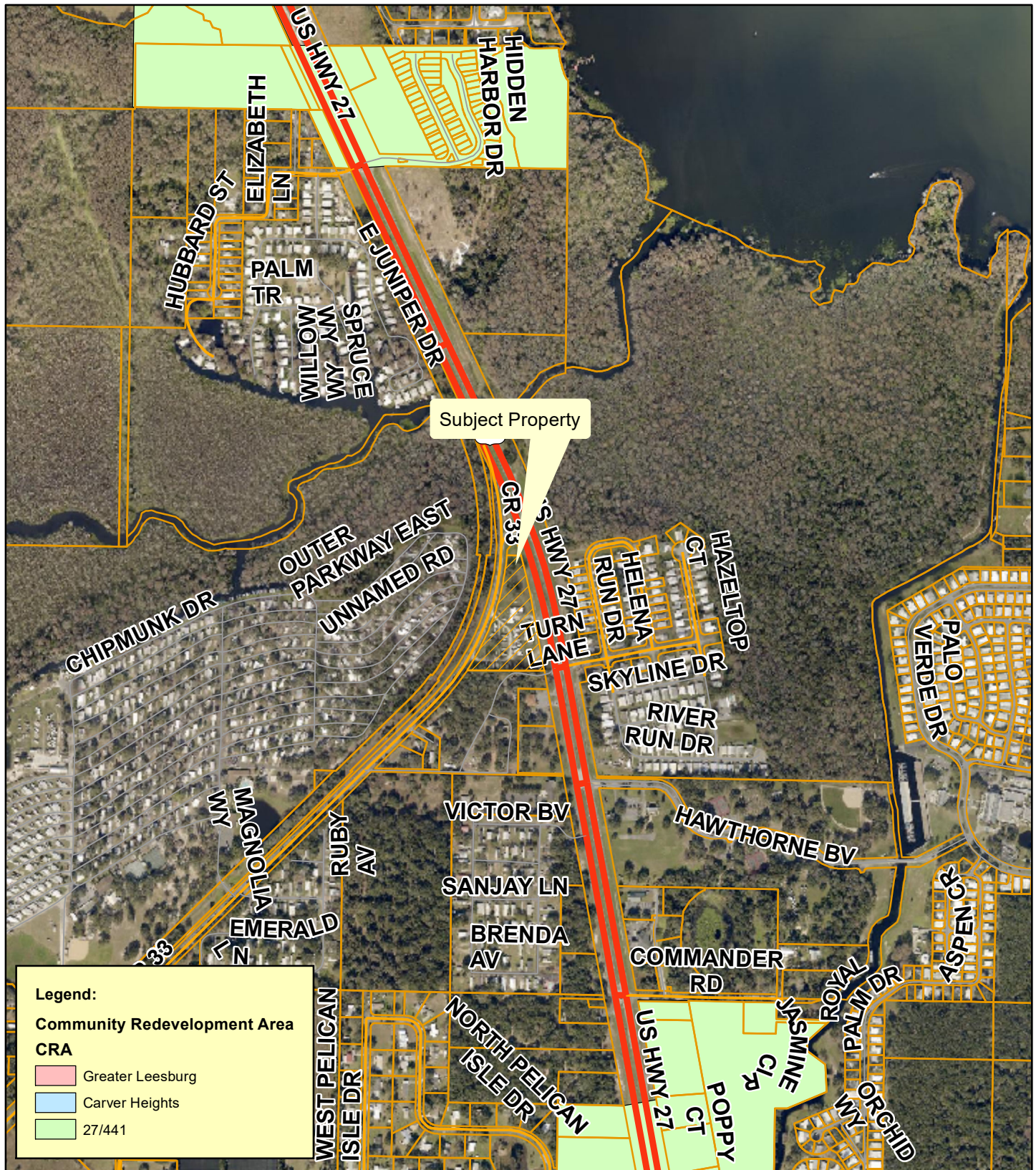


Planning
& Zoning
Division

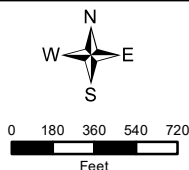


ANNX-21-412, SSCP-21-413, RZ-21-414
Leesburg C-Store & Gas Station
AK#: 1741718
Section 11, Township 20 South, Range 24 East
November 17, 2021

Community Redevelopment Area



**Planning
& Zoning
Division**



ANNX-21-412, SSCP-21-413, RZ-21-414
Leesburg C-Store & Gas Station
AK#: 1741718

Section 11, Township 20 South, Range 24 East
November 17, 2021

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.5.

Meeting Date: March 14, 2022

From: Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 3.95 +/- acres from Lake County Urban Medium Density to City of Leesburg General Commercial, for a property generally located west of U.S. Highway 27 and east of County Road 33 as legally described in Section 11, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Leesburg C-Store and Gas Station SSCP)

Staff Recommendation:

The Planning & Zoning Staff and the Planning Commission recommend approval of the proposed small-scale comp plan amendment of the City's Future Land Use Map on 3.95 +/- acres from Lake County Urban Medium Density to City of Leesburg General Commercial.

Analysis:

The project site is approximately 3.95 acres. The property is generally located west of U.S. Highway 27 and east of County Road 33. Currently, the property is a mobile home park. The proposed use is for a gas station and convenience store. The surrounding Future Land Use Map designation of Lake County Urban Low Density and Lake County Urban Medium Density Residential is compatible, as conditioned in the PUD zoning, with the proposed future land use designation of General Commercial. The proposed zoning designation of City C-3 (Highway Commercial) will provide for development that is consistent with the City's adopted Growth Management Plan and would allow an appropriate use for the property.

This property lies within the ISBA (Interlocal Service Boundary Area) agreement. This agreement, which was approved by City Commission on November 24, 2014, allows property within the ISBA area but outside the current city limits to be annexed and obtain City of Leesburg utility services.

The Planning Commission held a public hearing on the application on December 16, 2021 and recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the requested small-scale comprehensive plan amendment from Lake County Urban Medium Density to City of Leesburg General Commercial; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

There is no direct fiscal impact to the City for this action. Future development of this site will create a substantial positive fiscal impact on the City of Leesburg, in the form of impact and utility fees, plus ad valorem taxes.

Submission Date and Time:

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING 3.95 +/- ACRES FROM LAKE COUNTY URBAN MEDIUM DENSITY TO CITY OF LEESBURG GENERAL COMMERCIAL, FOR A PROPERTY GENERALLY LOCATED WEST OF U.S. HIGHWAY 27 AND EAST OF COUNTY ROAD 33 AS LEGALLY DESCRIBED IN SECTION 11, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (LEESBURG C-STORE AND GAS STATION SSCP)

WHEREAS, the City Commission has received written objections, recommendations, and comments from the City of Leesburg Planning Commission, acting as the Local Planning Agenda, regarding amendment of the Comprehensive Plan of the City of Leesburg, and has made recommendations to the City Commission for amendment of the Plan; and

WHEREAS, the City Commission of the City of Leesburg has held public hearings on the proposed amendment to the plan, in light of written comments, proposals and objections from the general public;

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that;

Section 1.

The Growth Management Plan of the City of Leesburg, adopted by the City of Leesburg on December 10, 2012, pursuant to the Community Planning Act of 2011, Chapter 163, Part II, Florida Statutes, after public hearings by the City of Leesburg Planning Commission, is hereby amended in the following manner;

The Future Land Use Map is amended by changing the designation of approximately 3.95 acres of land generally located west of U.S. Highway 27 and east of County Road 33 from Lake County Urban Medium Density to City of Leesburg General Commercial, as shown on the revised map of said area, lying in Section 11, Township 20 South, Range 24 East, Lake County Florida;

Section 2.

All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed;

Section 3.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 14th day of March 2022.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

Exhibit A

LEGAL DESCRIPTION:

PARCEL NO. 1:

That part of the East 268 feet of the North 688.71 feet of the Northeast 1/4 of the Southwest 1/4 of Section 11, Township 20 South, Range 24 East, in Lake County, Florida, lying West of the Westerly line of the right of way of U.S. Highway No. 27.

PARCEL NO. 2:

That part of Section 11, Township 20 South, Range 24 East, in Lake County, Florida, bounded and described as follows: Begin 268 feet West of the Northeast corner of said Southwest 1/4 and run West 91 feet to the Easterly line of the right of way of State Road No. 33; thence Southwesterly along the Easterly line of said right of way 720 feet, thence East 391 feet; thence North 688.71 feet to the point of beginning.



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

DATE: December 16, 2021
OWNER: Anderson Paul C Trust & Dianne Anderson Trustee
PETITIONER: Southeastern Retail Development, LLC
PROJECT: Convenience Store and Gas Station
REQUEST: Small Scale Comp Plan Map Amendment to General Commercial
CASE NO.: SSCP-21-413

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of this request

for the following reason(s):

1. The proposed request for commercial Future Land Use is appropriately located and compatible with the current surrounding Future Land Use Designations of Lake County Urban Low Density and Urban Medium Density.
2. The proposed request will allow commercial development for the property that is consistent with the ongoing development patterns along the U.S. Highway 27 commercial corridor.
3. The proposed request does not appear to create a detriment to surrounding properties, based on the location and contiguity to U.S. Highway 27 on the east and County Road 33 on the west property boundary.

Action Requested:

1. Vote to approve staff's recommendation to amend the Future Land Use Map from Lake County Urban Medium Density to City of Leesburg General Commercial, and forward to the City Commission for consideration.

**CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY**

DATE: December 16, 2021
OWNER: Anderson Paul C Trust & Dianne Anderson Trustee
PETITIONER: Southeastern Retail Development, LLC
PROJECT: Convenience Store and Gas Station
REQUEST: Change Future Land Use Designation and Rezone for commercial uses
CASE NO.: SSCP-21-413; RZ-21-414

GENERAL LOCATION: The property is generally located west of U.S. Highway 27 and east of County Road 33.

FUTURE LAND USE DESIGNATION:
Lake County Urban Medium Density

SURROUNDING FUTURE LAND USE DESIGNATION:

North —	Lake County Urban Low Density; Lake County Urban Medium Density
South —	Lake County Urban Low Density; Lake County Urban Medium Density
East —	Lake County Urban Low Density
West —	Lake County Urban Medium Density

PROPOSED FUTURE LAND USE DESIGNATION:
City of Leesburg General Commercial

EXISTING ZONING DESIGNATION: Lake County RMRP (Mobile Home Rental Park District); CP (Planned Commercial District)

SURROUNDING ZONING DESIGNATIONS:

North —	Lake County C-1 (Neighborhood Commercial); Lake County RM (Mixed Home Residential)
South —	Lake County RMRP (Mobile Home Rental Park District); Lake County C-1 (Neighborhood Commercial)
East —	Lake County RM (Mixed Home Residential)
West —	Lake County RMRP (Mobile Home Rental Park District)

PROPOSED ZONING DESIGNATION:
C-3 (Highway Commercial)

EXISTING LAND USE: Mobile Home Park

SURROUNDING LAND USE:

North —	Residential (Travel RV Resort)
South —	Residential (Manufactured Home)
East —	Residential (Manufactured Home)
West —	Residential (Manufactured Home)

PROPOSED LAND USE: Commercial development (convenience store)

**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

DATE: November 24, 2021
OWNER: Anderson Paul C Trust & Dianne Anderson Trustee
PETITIONER: Southeastern Retail Development, LLC
PROJECT: Leesburg C-Store and Gas Station
REQUEST: Rezoning
CASE NO.: RZ-21-414

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No Comments – Police Steve Rockefeller 11/24/21

FIRE

No comments from the Leesburg Fire Department. Amanda Stevenson 11/29/21

ELECTRIC

This is outside of Leesburg Electric's territory. Steve Davis 11/29/21

GAS

No comments received as of 12/10/21

GIS

GIS/Addressing has no comment. Mark Medley 11/24/21

BUILDING

No comments: Building Ann Kinsey 11/24/21

PUBLIC WORKS

Public Works has no issues with this request. Clifford Kelsey 11/24/21

ADDRESSING

GIS/Addressing has no comment. Mark Medley 11/24/21

HOUSING & REDEVELOPMENT

No comments from Housing & Redevelopment. Ken Thomas 11/24/21

LAKE COUNTY PUBLIC WORKS

No comments received as of 12/10/21

LAKE COUNTY SCHOOLS

The school district does not have any comments for the 7-11 store. Helen LaValley 11/29/21

PUBLIC RESPONSES

Approval

1 approval

Disapproval

2 disapproval 2 with comments

No comment

Notice of Appearance filed:

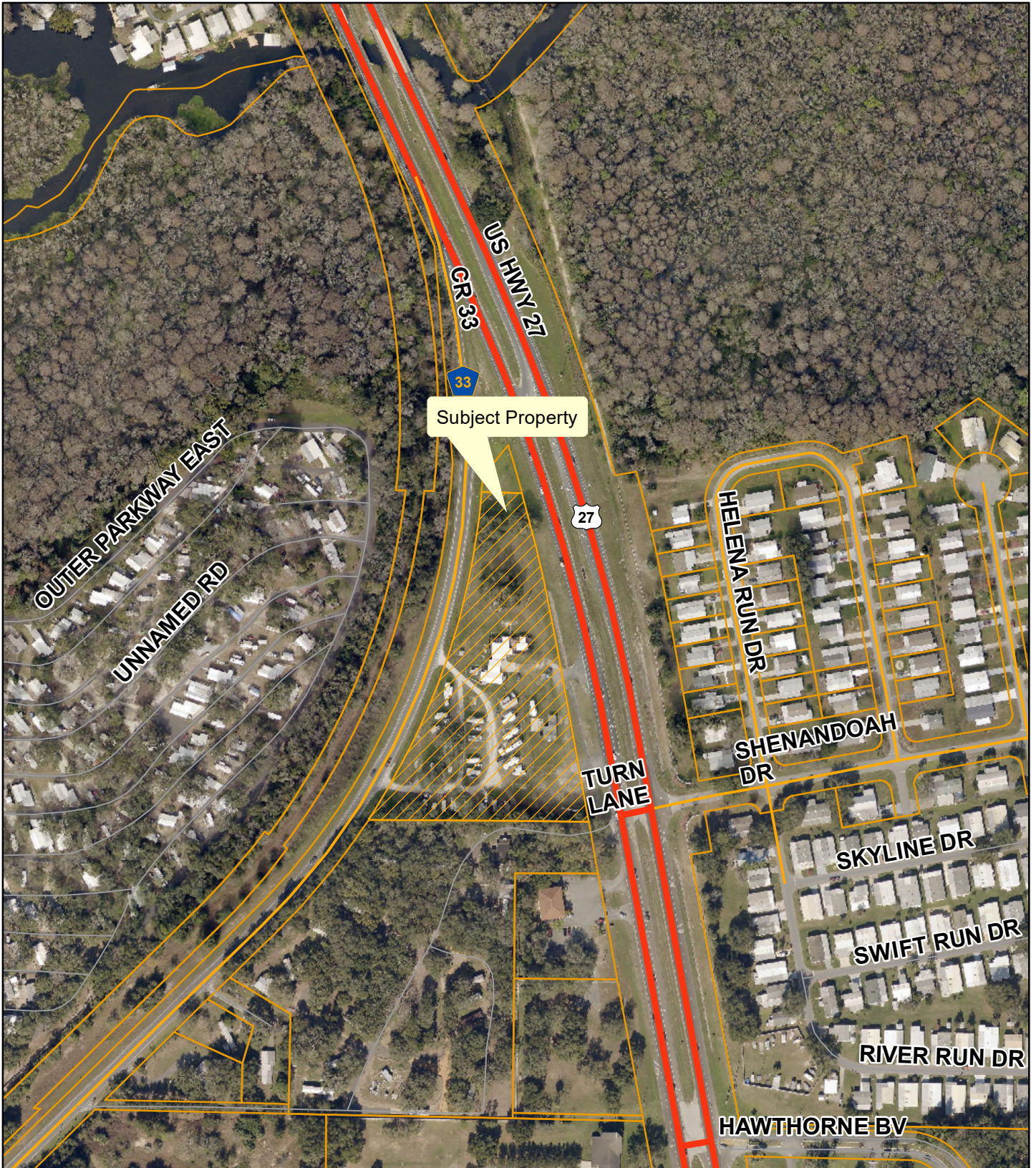
PUBLIC COMMENTS (APPROVAL WITH REQUESTS)

PUBLIC COMMENTS (DISAPPROVAL)

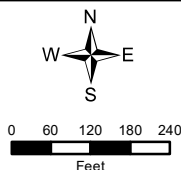
Elizabeth A. Schneider – This is the most ridiculous thing I've heard in a while. The lights & noise from the station would be at our backyard and house.

Terry Troxler – This would cause a serious traffic issue on 27 that has problems now.

Aerial

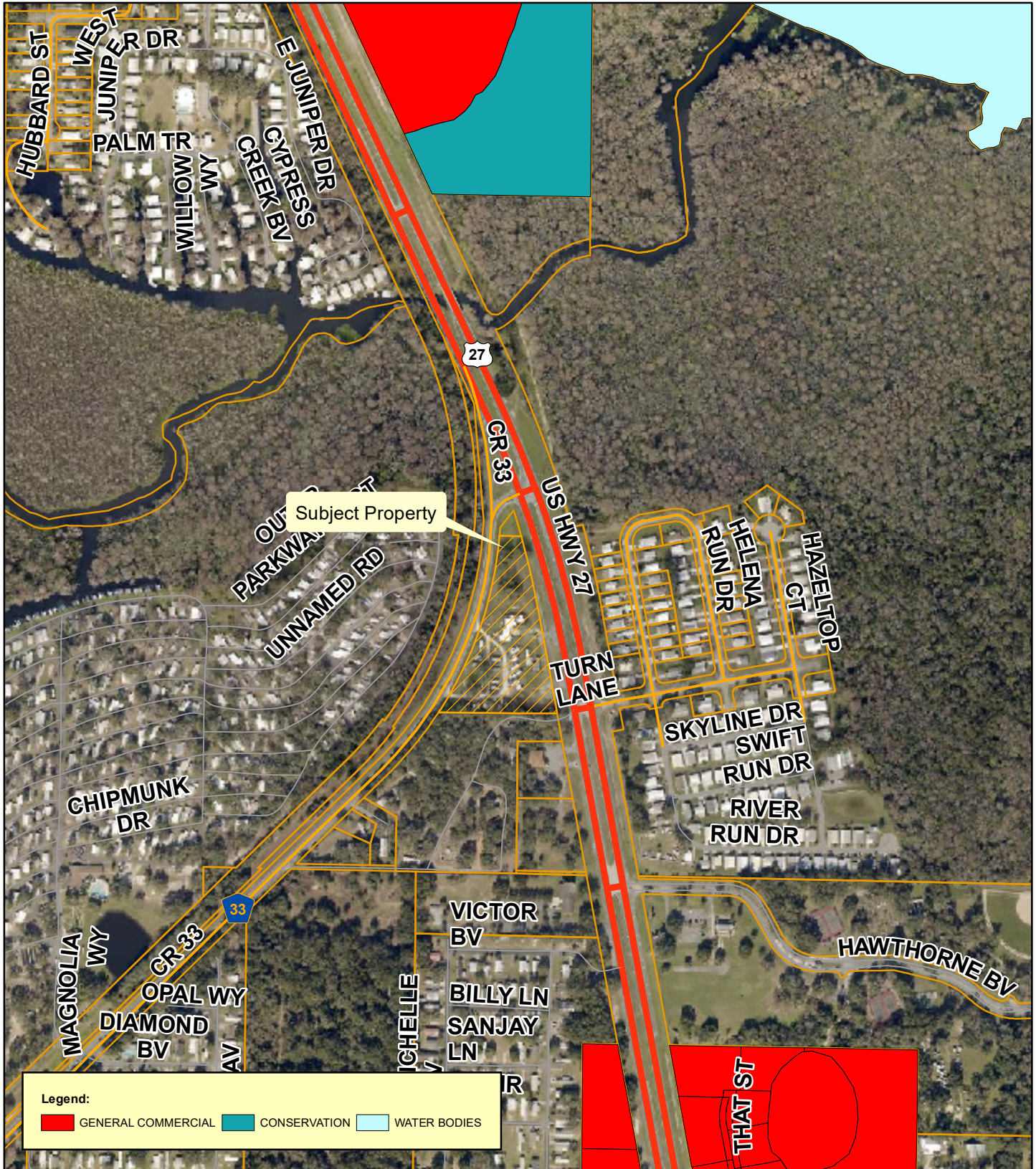


**Planning
& Zoning
Division**

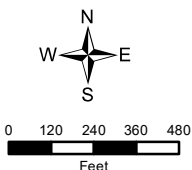


ANNX-21-412, SSCP-21-413, RZ-21-414
Leesburg C-Store & Gas Station
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Future Land Use

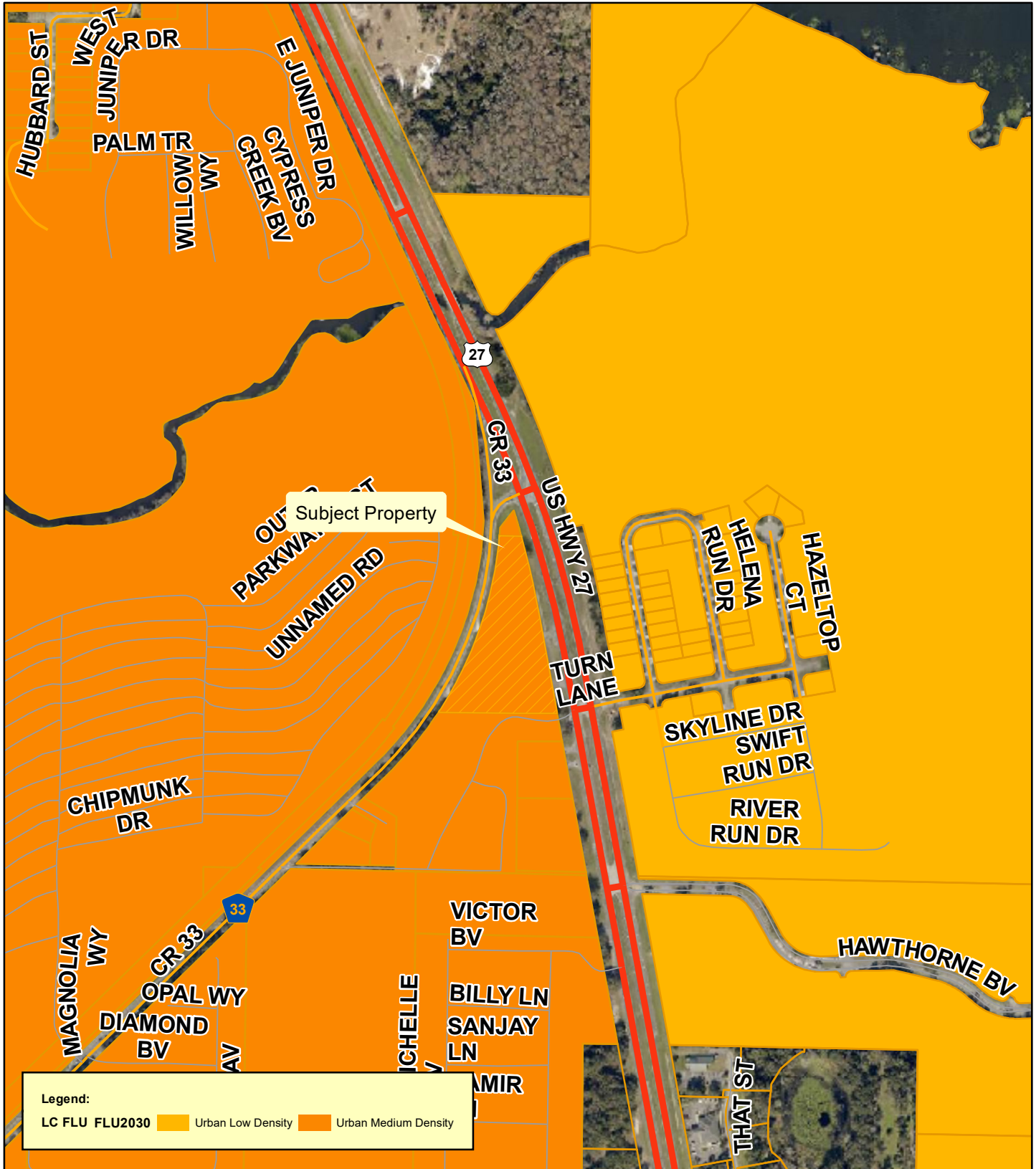


**Planning
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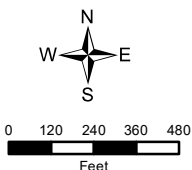


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Lake County Future Land Use



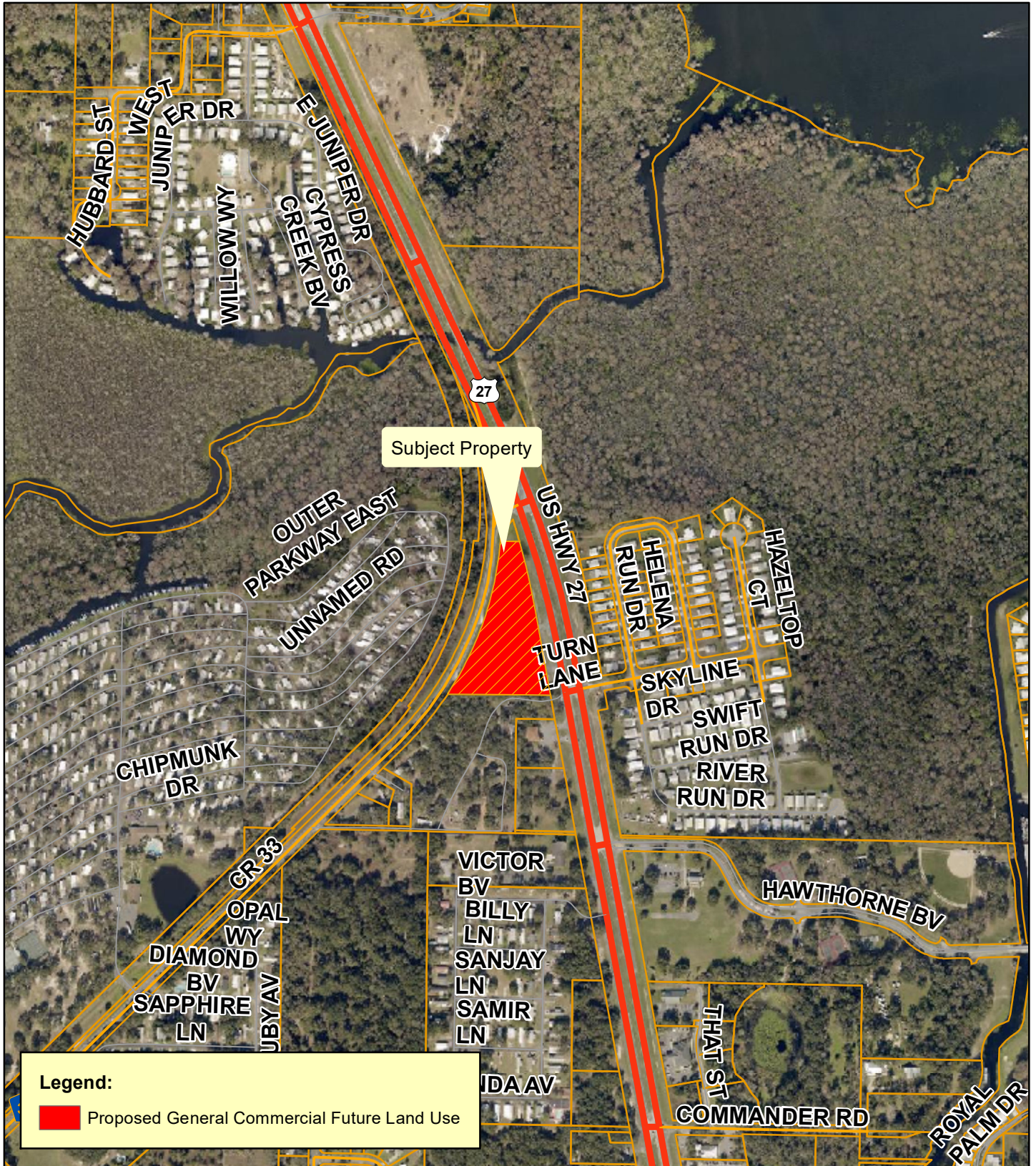
**Planning
& Zoning
Division**



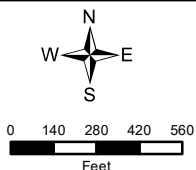
ANNX-21-412, SSCP-21-413, RZ-21-414
Leesburg C-Store & Gas Station
AK#: 1741718

Section 11, Township 20 South, Range 24 East
November 17, 2021

Proposed Future Land Use

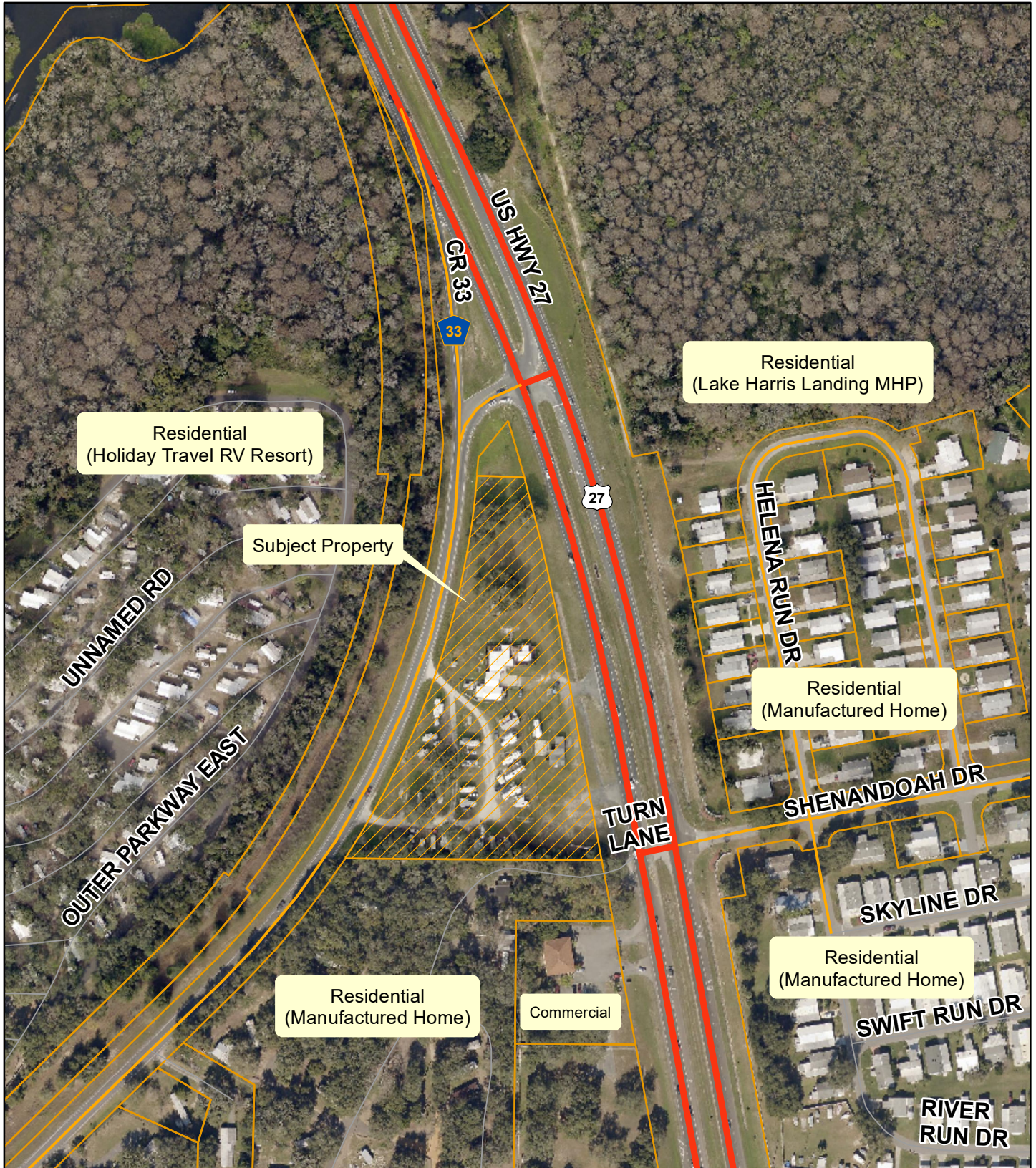


**Planning
& Zoning
Division**

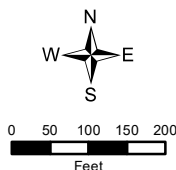


ANNX-21-412, SSCP-21-413, RZ-21-414
Leesburg C-Store & Gas Station
AK#: 1741718
Section 11, Township 20 South, Range 24 East
November 17, 2021

Surrounding Land Uses

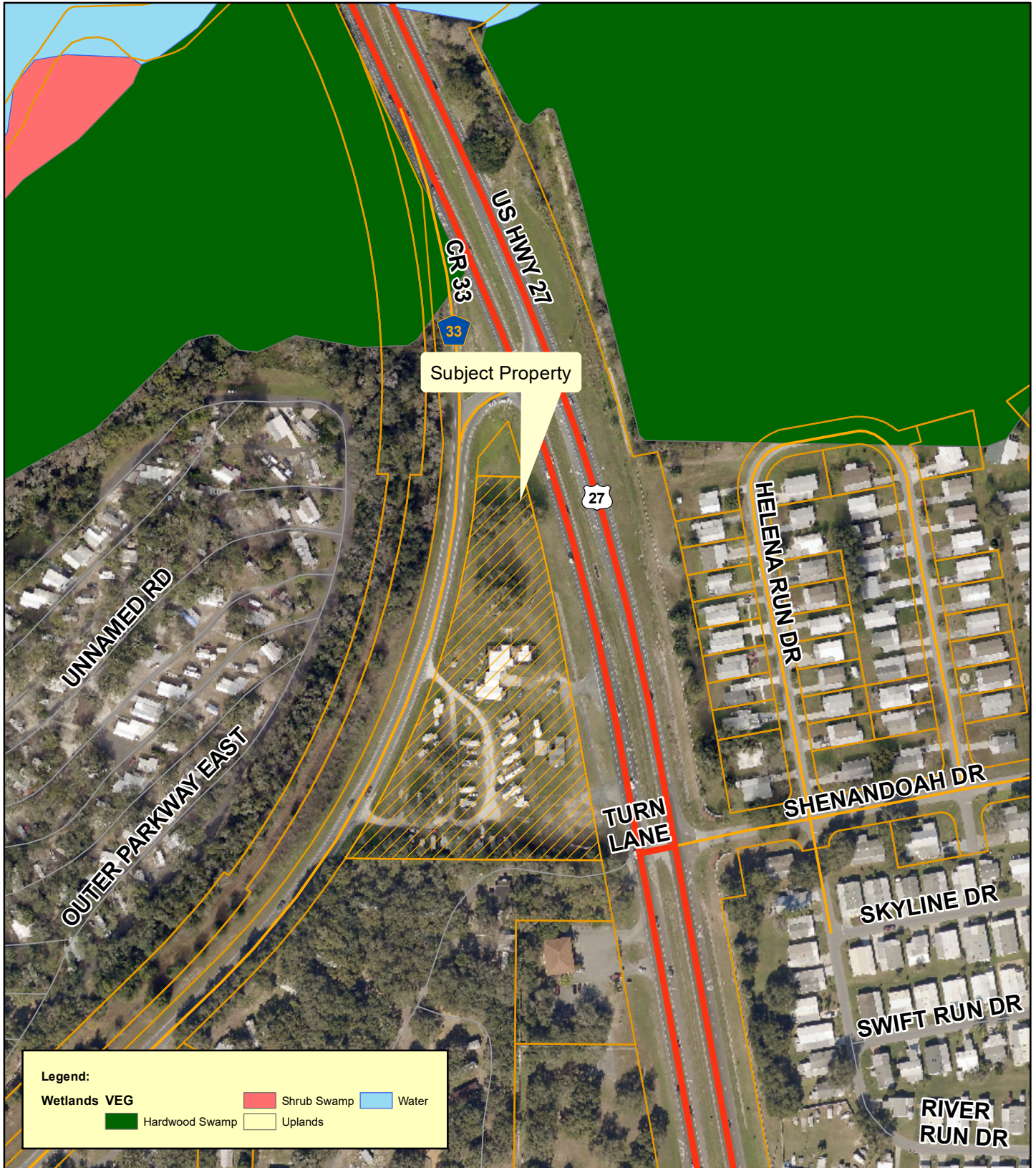


**Planning
& Zoning
Division**

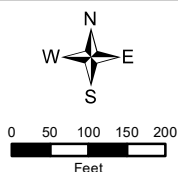


ANNX-21-412, SSCP-21-413, RZ-21-414
Leesburg C-Store & Gas Station
AK#: 1741718
Section 11, Township 20 South, Range 24 East
November 17, 2021

Wetlands



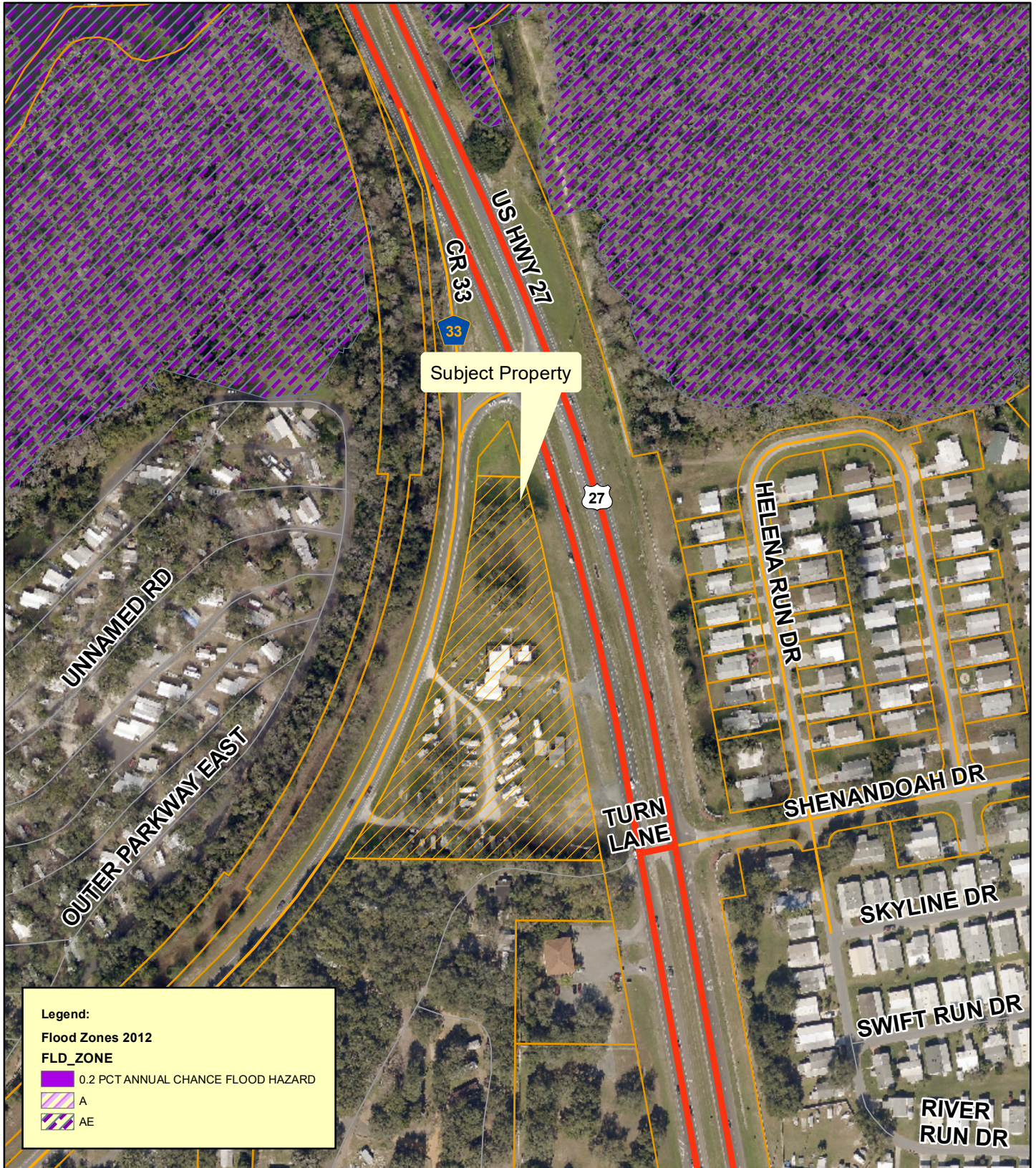
**Planning
& Zoning
Division**



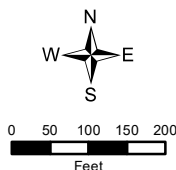
ANNX-21-412, SSCP-21-413, RZ-21-414
Leesburg C-Store & Gas Station
AK#: 1741718

Section 11, Township 20 South, Range 24 East
November 17, 2021

Flood Zones



**Planning
& Zoning
Division**



ANNX-21-412, SSCP-21-413, RZ-21-414
Leesburg C-Store & Gas Station
AK#: 1741718
Section 11, Township 20 South, Range 24 East
November 17, 2021

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.6.

Meeting Date: March 14, 2022

From: Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 3.95 +/- acres from Lake County RMRP (Mobile Home Rental Park District) and Lake County CP (Planned Commercial District) to C-3 (Highway Commercial) to allow for a gas station and convenience store for a property generally located west of U.S. Highway 27 and east of County Road 33 as legally described in Section 11, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Leesburg C-Store and Gas Station RZ)

Staff Recommendation:

Planning and Zoning Staff and Planning Commission recommend approval of the request to rezone the subject property from Lake County RMRP (Mobile Home Rental Park District) and Lake County CP (Planned Commercial District) to C-3 (Highway Commercial) to allow for a gas station and convenience store.

Analysis:

The project site is approximately 3.95 +/- acres, and is generally located west of U.S. Highway 27 and east of County Road 33 as shown on the attached maps. At this time, the property is a mobile home park. The proposal will allow for gas station and convenience store. The existing land uses surrounding the property are residential (Travel RV Resort and Manufactured Home). City of Leesburg utilities are available nearby.

The Planning Commission held a public hearing on the application on December 16, 2021 and recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the proposed rezoning to C-3 (Highway Commercial); or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

Future development of this site will create a substantial positive fiscal impact on the City of Leesburg, in the form of impact and utility fees, plus ad valorem taxes.

Submission Date and Time:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 3.95 +/- ACRES FROM LAKE COUNTY RMRP (MOBILE HOME RENTAL PARK DISTRICT) AND LAKE COUNTY CP (PLANNED COMMERCIAL DISTRICT) TO C-3 (HIGHWAY COMMERCIAL) TO ALLOW FOR A GAS STATION AND CONVENIENCE STORE FOR A PROPERTY GENERALLY LOCATED WEST OF U.S. HIGHWAY 27 AND EAST OF COUNTY ROAD 33 AS LEGALLY DESCRIBED IN SECTION 11, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (LEESBURG C-STORE AND GAS STATION RZ)

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

Section 1.

Based upon the petition of Southeaster Retail Development, LLC, (Travis A. Meyer, 30A Investment Partners II, LLC, agent) petitioner of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, is hereby rezoned from Lake County RMRP (Mobile Home Rental Park District) and Lake County CP (Planned Commercial District) to C-3 (Highway Commercial), to-wit:

(Legal Description)
(See Exhibit A)

Section 2.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 14th day of March 2022.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

Exhibit A

LEGAL DESCRIPTION:

PARCEL NO. 1:

That part of the East 268 feet of the North 688.71 feet of the Northeast 1/4 of the Southwest 1/4 of Section 11, Township 20 South, Range 24 East, in Lake County, Florida, lying West of the Westerly line of the right of way of U.S. Highway No. 27.

PARCEL NO. 2:

That part of Section 11, Township 20 South, Range 24 East, in Lake County, Florida, bounded and described as follows: Begin 268 feet West of the Northeast corner of said Southwest 1/4 and run West 91 feet to the Easterly line of the right of way of State Road No. 33; thence Southwesterly along the Easterly line of said right of way 720 feet, thence East 391 feet; thence North 688.71 feet to the point of beginning.



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

DATE: December 16, 2021
OWNER: Anderson Paul C Trust & Dianne Anderson Trustee
PETITIONER: Southeastern Retail Development, LLC
PROJECT: Convenience Store and Gas Station
REQUEST: Change Future Land Use Designation and Rezone for commercial uses
CASE NO.: SSCP-21-413; RZ-21-414

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of this request

for the following reason(s):

1. The proposed request is compatible with the current surrounding zoning districts of Lake County C-1 (Neighborhood Commercial); Lake County RM (Mixed Home Residential); Lake County RMRP (Mobile Home Rental Park District); Lake County C-1 (Neighborhood Commercial).
2. The proposed request will allow commercial development for the property that is consistent with the ongoing development patterns along the U.S. Highway 27 commercial corridor.
3. The proposed request does not appear to create a detriment to surrounding properties, based on the location and contiguity to U.S. Highway 27 on the east and County Road 33 on the west property boundary.

Action Requested:

1. Vote to approve staff's recommendation to rezone the subject property from Lake County RMRP (Mobile Home Rental Park District); and Lake County CP (Planned Commercial District) to C-3 (Highway Commercial) and forward to the City Commission for consideration.

**CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY**

DATE: December 16, 2021
OWNER: Anderson Paul C Trust & Dianne Anderson Trustee
PETITIONER: Southeastern Retail Development, LLC
PROJECT: Convenience Store and Gas Station
REQUEST: Change Future Land Use Designation and Rezone for commercial uses
CASE NO.: SSCP-21-413; RZ-21-414

GENERAL LOCATION: The property is generally located west of U.S. Highway 27 and east of County Road 33.

FUTURE LAND USE DESIGNATION:
Lake County Urban Medium Density

SURROUNDING FUTURE LAND USE DESIGNATION:

North —	Lake County Urban Low Density; Lake County Urban Medium Density
South —	Lake County Urban Low Density; Lake County Urban Medium Density
East —	Lake County Urban Low Density
West —	Lake County Urban Medium Density

PROPOSED FUTURE LAND USE DESIGNATION:
City of Leesburg General Commercial

EXISTING ZONING DESIGNATION: Lake County RMRP (Mobile Home Rental Park District); CP (Planned Commercial District)

SURROUNDING ZONING DESIGNATIONS:

North —	Lake County C-1 (Neighborhood Commercial); Lake County RM (Mixed Home Residential)
South —	Lake County RMRP (Mobile Home Rental Park District); Lake County C-1 (Neighborhood Commercial)
East —	Lake County RM (Mixed Home Residential)
West —	Lake County RMRP (Mobile Home Rental Park District)

PROPOSED ZONING DESIGNATION:
C-3 (Highway Commercial)

EXISTING LAND USE: Mobile Home Park

SURROUNDING LAND USE:

North —	Residential (Travel RV Resort)
South —	Residential (Manufactured Home)
East —	Residential (Manufactured Home)
West —	Residential (Manufactured Home)

PROPOSED LAND USE: Commercial development (convenience store)

**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

DATE: November 24, 2021
OWNER: Anderson Paul C Trust & Dianne Anderson Trustee
PETITIONER: Southeastern Retail Development, LLC
PROJECT: Leesburg C-Store and Gas Station
REQUEST: Rezoning
CASE NO.: RZ-21-414

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No Comments – Police Steve Rockefeller 11/24/21

FIRE

No comments from the Leesburg Fire Department. Amanda Stevenson 11/29/21

ELECTRIC

This is outside of Leesburg Electric's territory. Steve Davis 11/29/21

GAS

No comments received as of 12/10/21

GIS

GIS/Addressing has no comment. Mark Medley 11/24/21

BUILDING

No comments: Building Ann Kinsey 11/24/21

PUBLIC WORKS

Public Works has no issues with this request. Clifford Kelsey 11/24/21

ADDRESSING

GIS/Addressing has no comment. Mark Medley 11/24/21

HOUSING & REDEVELOPMENT

No comments from Housing & Redevelopment. Ken Thomas 11/24/21

LAKE COUNTY PUBLIC WORKS

No comments received as of 12/10/21

LAKE COUNTY SCHOOLS

The school district does not have any comments for the 7-11 store. Helen LaValley 11/29/21

PUBLIC RESPONSES

Approval

1 approval

Disapproval

2 disapproval 2 with comments

No comment

Notice of Appearance filed:

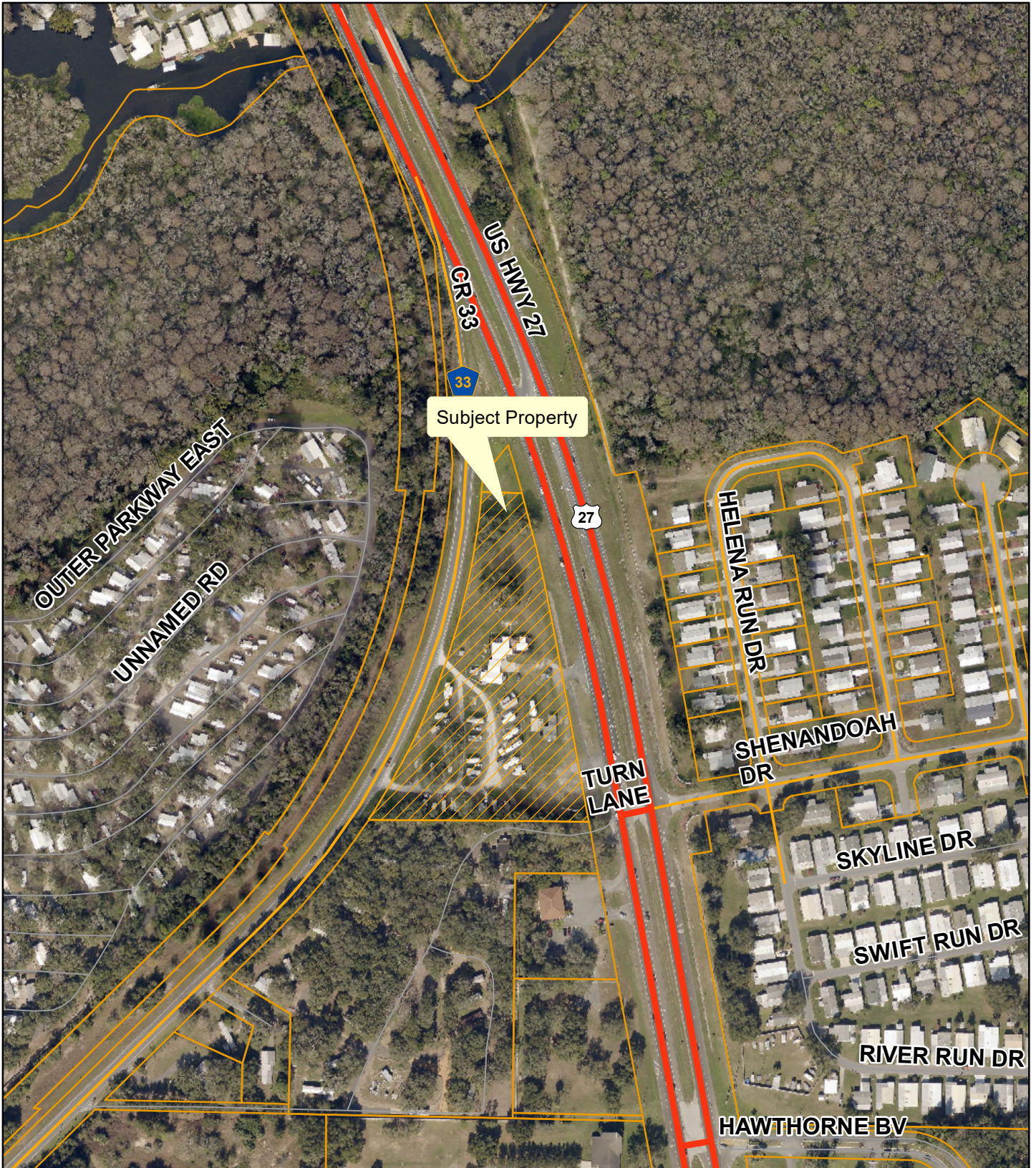
PUBLIC COMMENTS (APPROVAL WITH REQUESTS)

PUBLIC COMMENTS (DISAPPROVAL)

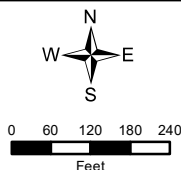
Elizabeth A. Schneider – This is the most ridiculous thing I've heard in a while. The lights & noise from the station would be at our backyard and house.

Terry Troxler – This would cause a serious traffic issue on 27 that has problems now.

Aerial

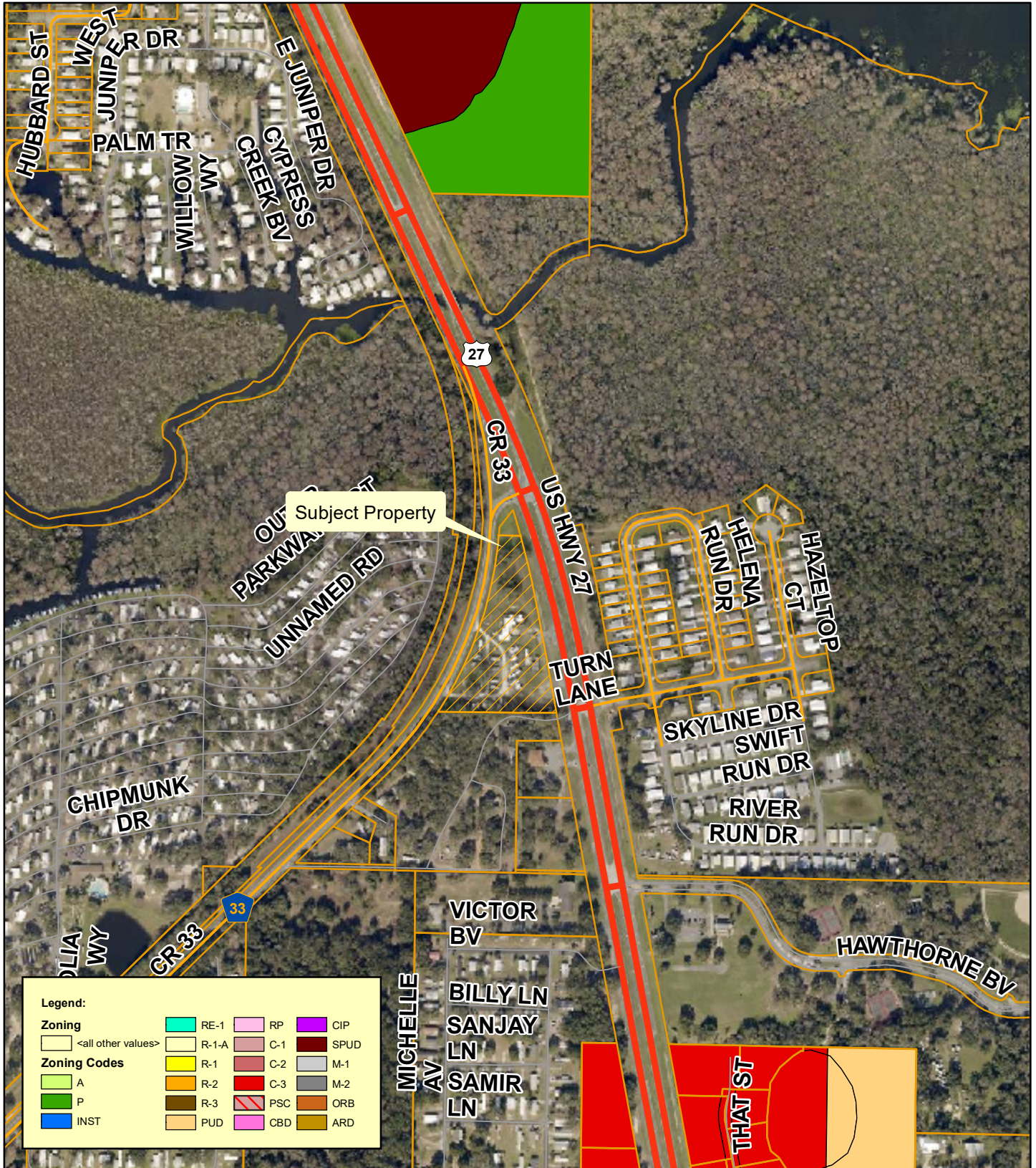


**Planning
& Zoning
Division**

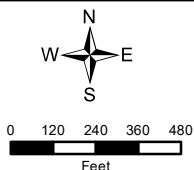


ANNX-21-412, SSCP-21-413, RZ-21-414
Leesburg C-Store & Gas Station
AK#: 1741718
Section 11, Township 20 South, Range 24 East
November 17, 2021

Zoning



**Planning
& Zoning
Division**

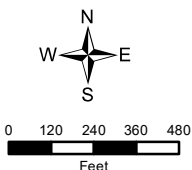


ANNX-21-412, SSCP-21-413, RZ-21-414
 Leesburg C-Store & Gas Station
 AK#: 1741718
 Section 11, Township 20 South, Range 24 East
 November 17, 2021

Lake County Zoning

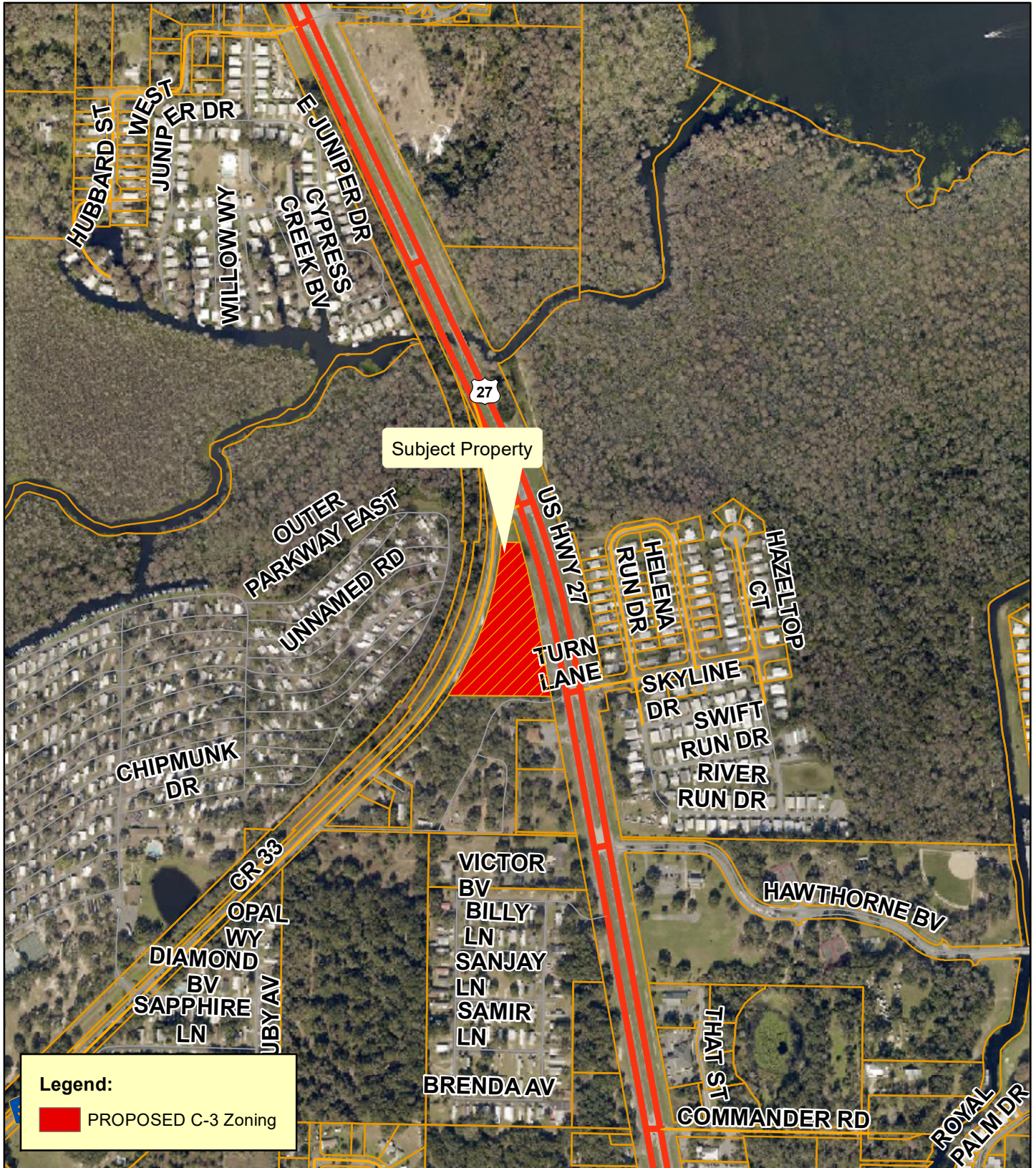


**Planning
& Zoning
Division**

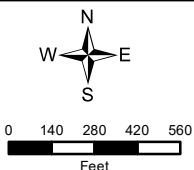


ANNX-21-412, SSCP-21-413, RZ-21-414
 Leesburg C-Store & Gas Station
 AK#: 1741718
 Section 11, Township 20 South, Range 24 East
 November 17, 2021

Proposed Zoning

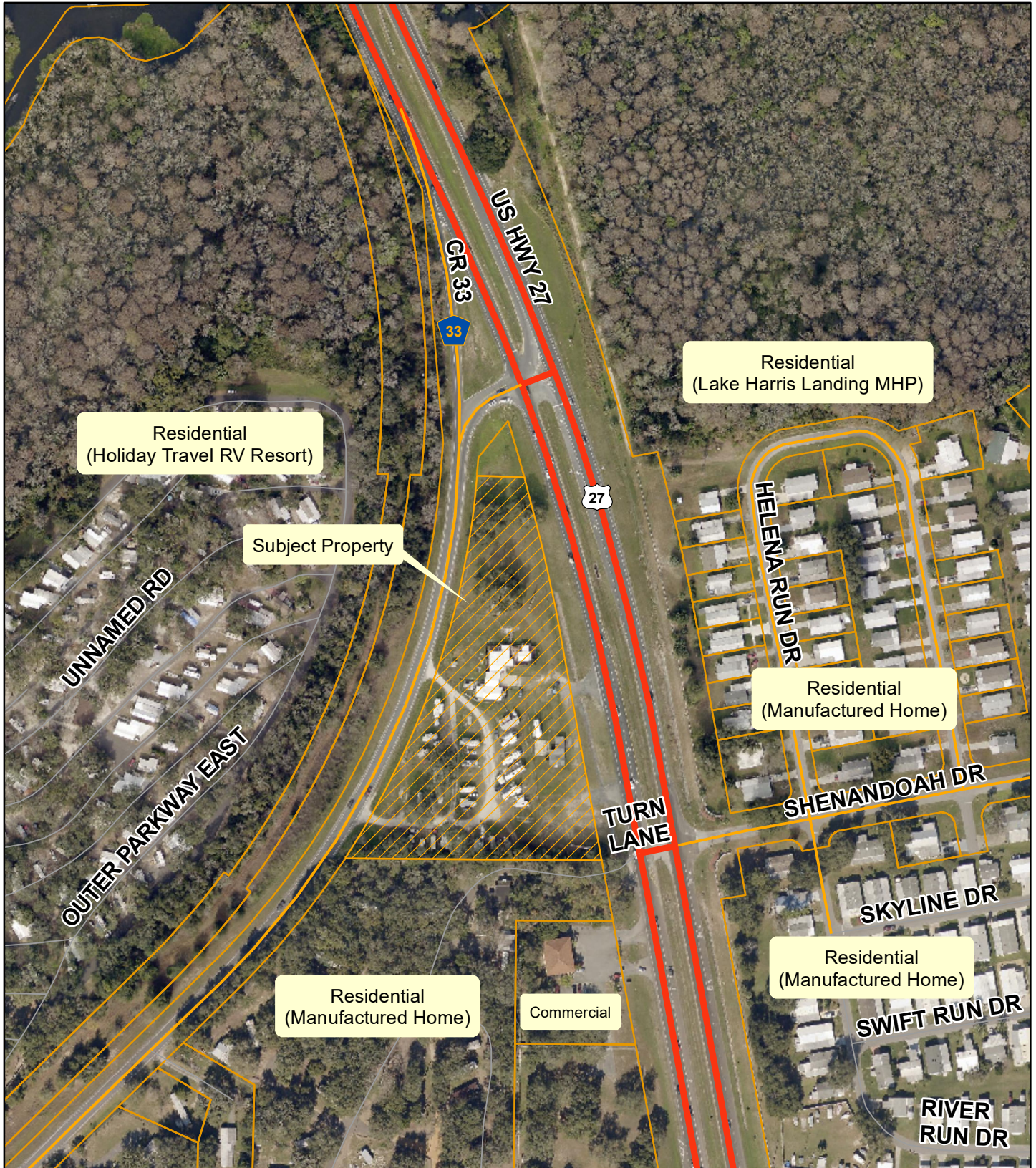


**Planning
& Zoning
Division**

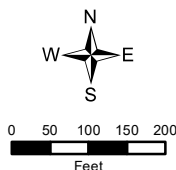


ANNX-21-412, SSCP-21-413, RZ-21-414
 Leesburg C-Store & Gas Station
 AK#: 1741718
 Section 11, Township 20 South, Range 24 East
 November 17, 2021

Surrounding Land Uses

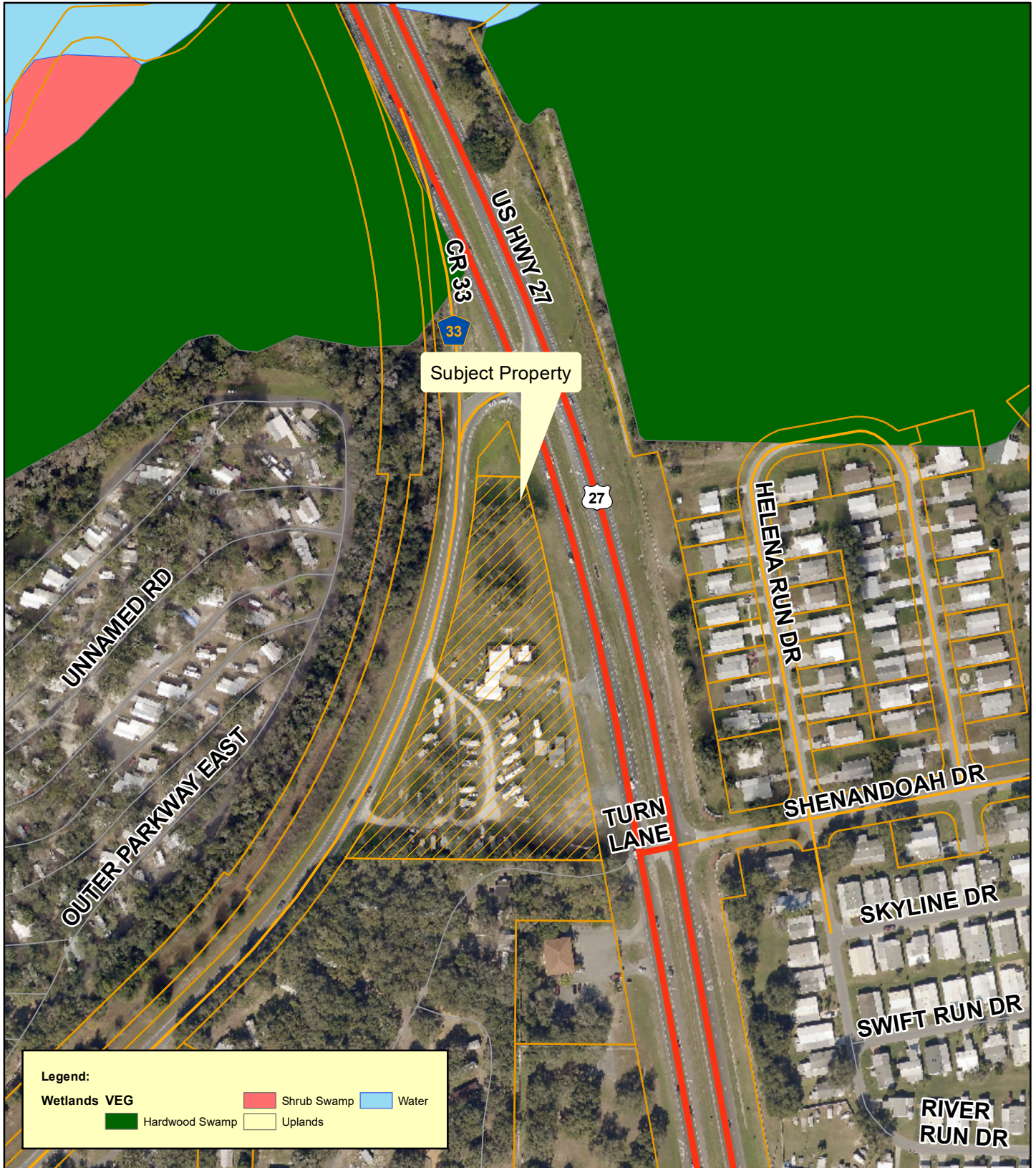


**Planning
& Zoning
Division**

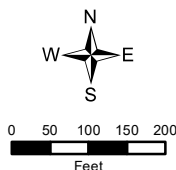


ANNX-21-412, SSCP-21-413, RZ-21-414
Leesburg C-Store & Gas Station
AK#: 1741718
Section 11, Township 20 South, Range 24 East
November 17, 2021

Wetlands

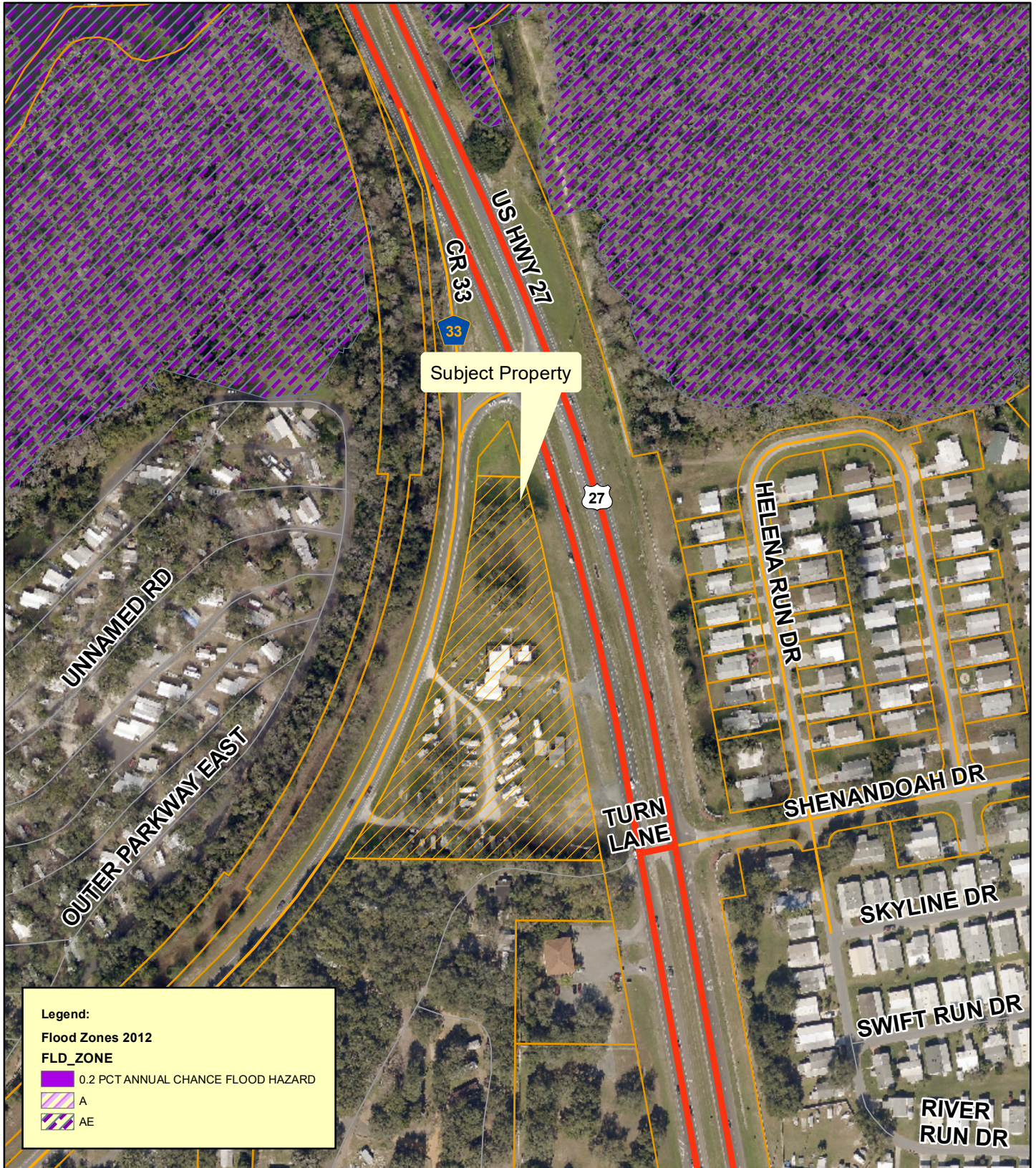


**Planning
& Zoning
Division**

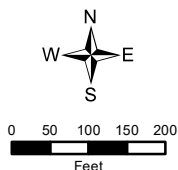


ANNX-21-412, SSCP-21-413, RZ-21-414
 Leesburg C-Store & Gas Station
 AK#: 1741718
 Section 11, Township 20 South, Range 24 East
 November 17, 2021

Flood Zones



Planning
& Zoning
Division



ANNX-21-412, SSCP-21-413, RZ-21-414
Leesburg C-Store & Gas Station
AK#: 1741718
Section 11, Township 20 South, Range 24 East
November 17, 2021



Sign posting. Picture taken from County Road 33 right-of-way looking east into the property.



Picture taken from sign posting along County Road 33 right-of-way looking south.



Picture taken from sign posting, looking west across County Road 33 right-of-way.



Picture taken from sign posting, looking north along County Road 33 right-of-way.



Sign posting. Picture taken from U.S. Highway 27 right-of-way looking west into the property.



Picture taken from U.S. Highway 27 right-of-way looking north from sign posting.



Picture taken from sign posting looking east across U.S. Highway 27 right-of-way.



Picture taken from sign posting looking south along U.S. Highway 27 right-of-way.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.7.

Meeting Date: March 14, 2022

From: Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 33.25 +/- acres; and being generally located south of Poe Street and east of Radio Road, lying in Section 02, Township 19 South, Range 25 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 1; and providing an effective date. (Troon Creek Preserve AX)

Staff Recommendation:

The Planning and Zoning staff and the Planning Commission recommend approval of the proposed ordinance for annexation of the Troon Creek Preserve Property.

Analysis:

The applicant has submitted a request for annexation of approximately 33.25 +/- acres of land generally located south of south of Poe Street and east of Radio Road, as shown on the attached General Location Map. At this time, the property is vacant. The current zoning is Lake County A (Agriculture); the proposed zoning is City PUD (Planned Unit Development). The reason for this request is to attain water and sewer service. The proposal of the property is for a single family residential subdivision.

The property is surrounded by Lake County R-6 (Urban Residential District), Lake County A (Agriculture) and Lake County CFD (Community Facility District). Under the conditions of the PUD (Planned Unit Development) zoning case which is also on this agenda, no negative impacts are anticipated to adjacent properties.

Also, on this City Commission agenda, is a Small-Scale Comprehensive Plan Amendment, which along with the Planned Unit Development Application, had recommendations for approval from the staff and Planning Commission. The Planning Commission held a public hearing on this request on November 18, 2021, and by a vote of 5-2 recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the requested annexation. This would give the City jurisdiction over the use and future development of the subject site and provide for the application of City standards to this property; or
2. Disapprove the proposed annexation and allow the property to remain in the County.

Fiscal Impact:

A positive fiscal impact will result from the annexation and development of this property due to increased tax revenue added to the General Fund. Future development of the property will increase this anticipated impact.

Submission Date and Time:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ANNEXING CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 33.25 +/- ACRES; AND BEING GENERALLY LOCATED SOUTH OF POE STREET AND EAST OF RADIO ROAD, LYING IN SECTION 02, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; PROVIDING THAT SAID PROPERTY SO ANNEXED SHALL BE LIABLE FOR ITS PROPORTIONATE SHARE OF THE EXISTING AND FUTURE INDEBTEDNESS OF SAID CITY; PROVIDING THAT SUCH ANNEXED PROPERTY SHALL BE SUBJECT TO ALL LAWS AND ORDINANCES OF SAID CITY AS IF ALL SUCH TERRITORY HAD BEEN A PART OF THE CITY OF LEESBURG AT THE TIME OF PASSAGE AND APPROVAL OF SAID LAWS AND ORDINANCES; PROVIDING THAT SUCH ANNEXED TERRITORY SHALL BE PLACED IN CITY COMMISSION DISTRICT 1; AND PROVIDING AN EFFECTIVE DATE. (TROON CREEK PRESERVE AX)

WHEREAS, the City Commission has received written objections, recommendations, and comments from the City of Leesburg Planning Commission, acting as the Local Planning Agenda, regarding amendment of the Comprehensive Plan of the City of Leesburg, and has made recommendations to the City Commission for amendment of the Plan; and

WHEREAS, the City Commission of the City of Leesburg has held public hearings on the proposed amendment to the plan, in light of written comments, proposals and objections from the general public;

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that;

Section 1.

Based upon the petition of Craig Rouhier Jr., Troon Development LLC, 643 Egret Place Drive, Winter Garden, Florida (petitioner) for the property hereinafter described, shall be annexed into the city limits of the City of Leesburg, Florida, which petition has heretofore been approved by the City Commission of the City of Leesburg, Florida, pursuant to the provisions of the Laws of Florida, the hereinafter described property is hereby annexed and made a part of the city limits of the City of Leesburg, Florida. The subject property lying and situated in Lake County, Florida, is more particularly described as:

**Legal Description
(See Exhibit A);**

Section 2.

All of the property, real and personal, within said annexed territory, described in Section 1 above, as provided by this ordinance, and the inhabitants thereof, shall be subject to the government, jurisdiction, powers, franchises, duties, and privileges of the City of Leesburg, Florida, and the said annexed property shall be liable, proportionately, for all of the present outstanding and existing, as well as future, indebtedness of the City of Leesburg, Florida; that all of the ordinances of the City of Leesburg, and all the laws heretofore passed by the Legislature of the State of Florida relating to and which now or

hereafter constitute its Charter, shall apply to and have the same force and effect on such annexed territory as if all such annexed territory had been a part of the City of Leesburg, Florida, at the time of the passage and approval of said laws and ordinances. The property annexed here by is assigned to City Commission District 1;

Section 3.

All ordinances or parts of ordinances in conflict the any of the provisions of this ordinance are hereby repealed;

Section 4.

This ordinance shall become effective immediately upon approval at second reading.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 14th day of March 2022.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

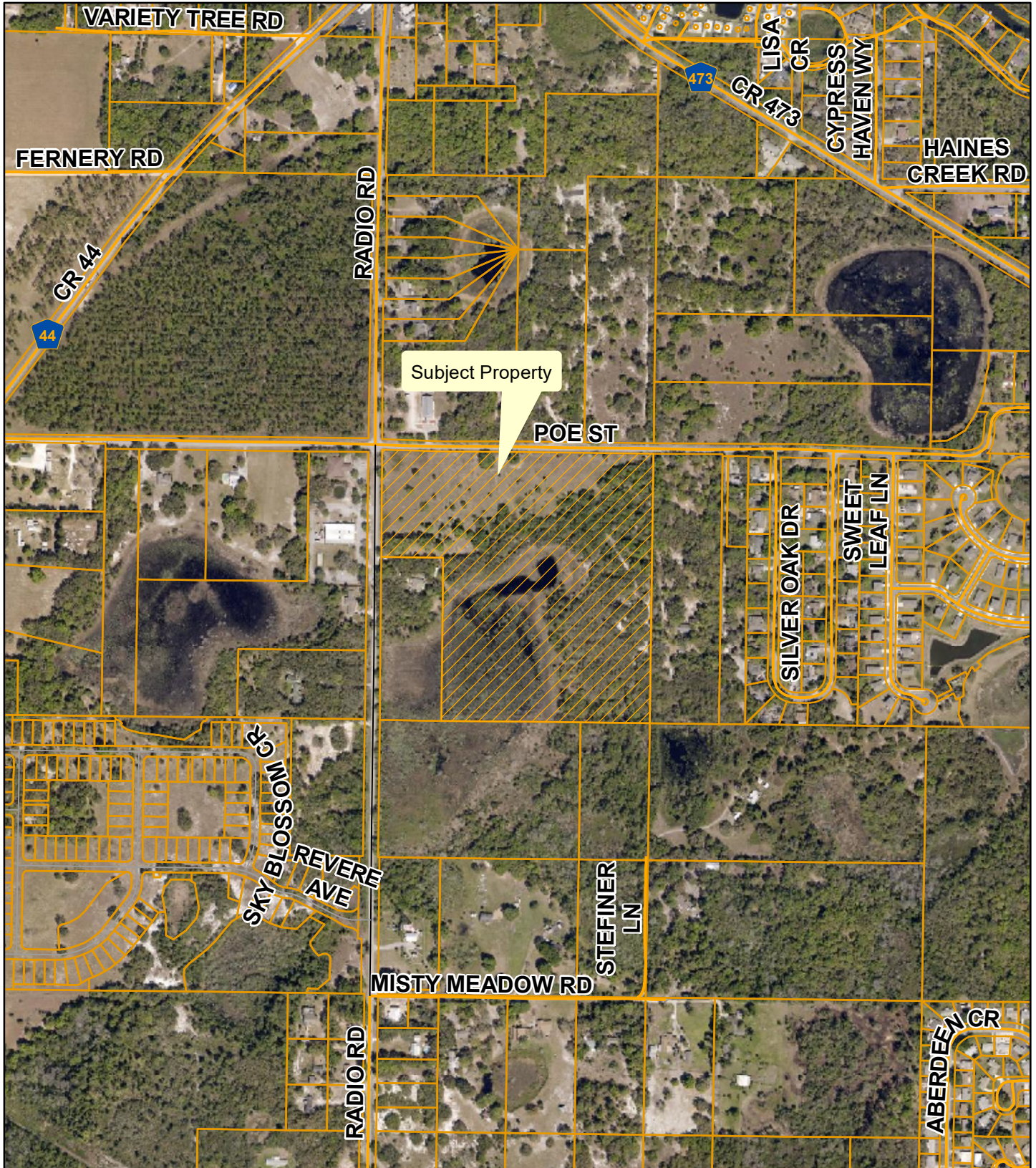
City Clerk

EXHIBIT A

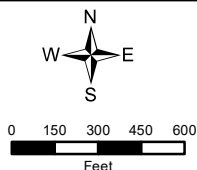
**LEGAL DESCRIPTION
BUCKNER/TROON CREEK PRESERVE**

The Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 2, Township 19 South, Range 25 East, Lake County, Florida; LESS the West 330 feet of the South 792 feet, and LESS the North 25 feet for road right of way.

Aerial



**Planning
& Zoning
Division**

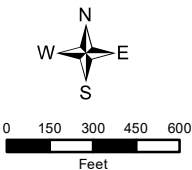


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
Poe Street and CR-44
AK#: 1388066
Section 02, Township 19 South, Range 25 East
September 29, 2021

City Boundary



**Planning
& Zoning
Division**

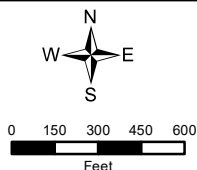


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
Poe Street and CR-44
AK#: 1388066
Section 02, Township 19 South, Range 25 East
September 29, 2021

Commission District



**Planning
& Zoning
Division**



Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
Poe Street and CR-44
AK#: 1388066
Section 02, Township 19 South, Range 25 East
September 29, 2021

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.8.

Meeting Date: March 14, 2022

From: Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 33.25 +/- acres from Lake County Urban Low Density to City of Leesburg Estate Residential, for a property generally located south of Poe Street and east of Radio Road as legally described in Section 02, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Troon Creek Preserve SSCP)

Staff Recommendation:

The Planning & Zoning Staff and the Planning Commission recommend approval of the proposed small-scale comprehensive plan amendment of the City's Future Land Use Map on 33.25 +/- acres from Lake County Urban Low Density to City of Leesburg Estate Residential.

Analysis:

The project site is approximately 33.25 +/- acres. The property is generally located south of Poe Street and east of Radio Road. Currently, the property is vacant and undeveloped. The proposed use is for a single-family residential subdivision. The surrounding Future Land Use Map designation of Lake County Urban Low Density is compatible, as conditioned in the PUD zoning, with the proposed future land use designation of City Estate Residential. The proposed zoning designation of City PUD (Planned Unit Development) will provide for development that is consistent with the City's adopted Growth Management Plan and would allow an appropriate use for the property.

The project site is less than fifty (50) acres in size and is, therefore, considered a small-scale comprehensive land use plan amendment.

This property lies within the ISBA (Interlocal Service Boundary Area) agreement. This agreement, which was approved by City Commission on November 24, 2014, allows property within the ISBA area but outside the current city limits to be annexed and obtain City of Leesburg utility services.

The Planning Commission held a public hearing on the application on November 18, 2021, and by a vote of 5-2 recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the requested small-scale comprehensive plan amendment from Lake County Urban Low Density to City of Leesburg Estate Residential; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

Future development of this site will create a substantial positive fiscal impact on the City of Leesburg, in the form of impact and utility fees, plus ad valorem taxes.

Submission Date and Time:

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING 33.25 +/- ACRES FROM LAKE COUNTY URBAN LOW DENSITY TO CITY OF LEESBURG ESTATE RESIDENTIAL, FOR A PROPERTY GENERALLY LOCATED SOUTH OF POE STREET AND EAST OF RADIO ROAD AS LEGALLY DESCRIBED IN SECTION 02, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (TROON CREEK PRESERVE SSCP)

WHEREAS, the City Commission has received written objections, recommendations, and comments from the City of Leesburg Planning Commission, acting as the Local Planning Agenda, regarding amendment of the Comprehensive Plan of the City of Leesburg, and has made recommendations to the City Commission for amendment of the Plan; and

WHEREAS, the City Commission of the City of Leesburg has held public hearings on the proposed amendment to the plan, in light of written comments, proposals and objections from the general public;

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that;

Section 1.

The Growth Management Plan of the City of Leesburg, adopted by the City of Leesburg on December 10, 2012, pursuant to the Community Planning Act of 2011, Chapter 163, Part II, Florida Statutes, after public hearings by the City of Leesburg Planning Commission, is hereby amended in the following manner;

The Future Land Use Map is amended by changing the designation of approximately 33.25 +/- acres of land generally located south of Poe Street and east of Radio Road from Lake County Urban Low Density to City of Leesburg Estate Residential, as shown on the revised map of said area, lying in Section 02, Township 19 South, Range 25 East, Lake County Florida;

Section 2.

All ordinances or parts of ordinances in conflict the any of the provisions of this ordinance are hereby repealed;

Section 3.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 14th day of March 2022.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

EXHIBIT A

**LEGAL DESCRIPTION
BUCKNER/TROON CREEK PRESERVE**

The Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 2, Township 19 South, Range 25 East, Lake County, Florida; LESS the West 330 feet of the South 792 feet, and LESS the North 25 feet for road right of way.



CITY OF LEESBURG PLANNING & ZONING DIVISION RECOMMENDATIONS

OWNER: Gene Buckner
PETITIONER: Craig Rouhier, Jr., Troon Development, LLC
PROJECT: Troon Creek Preserve
REQUEST: Small Scale Comprehensive Plan Amendment to Estate Residential
CASE NO.: SSCP 21-339
MEETING DATE: November 18, 2021

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request **for the following reason(s):**

1. This project meets the requirements of Chapter 163.3184 Florida Statutes, for Comprehensive Plan Amendments.
2. The proposed request, as conditioned in City of Leesburg case number PUD 21-340, is compatible with the adjacent future land use designations of Lake County Regional Commercial, Lake County Urban Low Density and City of Leesburg Orange Bend.
3. The proposed request as conditioned in City of Leesburg Case number PUD 21-340, is compatible with the current surrounding zoning districts of Lake County CFD (Community Facility District), Lake County R-6 (Urban Residential District), Lake County A (Agriculture) and City of Leesburg PUD (Planned Unit Development).
4. The proposed future land use designation for the site is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

Action Requested:

1. Vote to approve the Small-Scale Comprehensive Plan designation from Lake County Urban Low Density to City of Leesburg Estate Residential and forward the recommendation to the City Commission for consideration.

**CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY**

DATE: November 18, 2021

OWNER: Gene Buckner

PETITIONER: Craig Rouhier, Jr., Troon Development, LLC

PROJECT: Troon Creek Preserve

REQUEST: Small Scale Comprehensive Plan Amendment to Estate Residential; Zoning to PUD (Planned Unit Development)

CASE NO.: SSCP 21-339; PUD-21-340

GENERAL LOCATION: The property is generally located east of Radio Road and south of Poe Street.

FUTURE LAND USE DESIGNATION: Lake County Urban Low Density

SURROUNDING FUTURE LAND USE DESIGNATION:

North – Lake County Urban Low Density
South – Lake County Urban Low Density
East – Lake County Urban Low Density
West – Lake County Regional Commercial

PROPOSED FUTURE LAND USE DESIGNATION: Estate Residential

EXISTING ZONING DESIGNATION: Lake County A (Agriculture)

SURROUNDING ZONING DESIGNATIONS:

North – Lake County R-6 (Urban Residential District); CFD (Community Facility District)
South – Lake County A (Agriculture)
East – Lake County A (Agriculture)
West – Lake County CFD (Community Facility District)

PROPOSED ZONING DESIGNATION: City of Leesburg PUD (Planned Unit Development)

EXISTING LAND USE: Agriculture (pasture)

SURROUNDING LAND USE:

North – Residential (vacant); Institutional (church); Agriculture (hay)
South – Residential (vacant)
East – Residential
West – Institutional (school); Residential

PROPOSED LAND USE: Residential subdivision

**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

DATE: November 18, 2021
OWNER: Gene Buckner
PETITIONER: Craig Rouhier, Jr., Troon Development, LLC
PROJECT: Troon Creek Preserve
REQUEST: Small Scale Comprehensive Plan Amendment to Estate Residential; Zoning to PUD
(Planned Unit Development)
CASE NO.: SSCP 21-339; PUD-21-340

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 11/12/21

FIRE

In reference to Case Number SSCP 21-339; PUD-21-340.

NFPA 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments, 2020 Edition. The subject property referenced in Case Number SSCP 21-339; PUD-21-340 is outside the recommended four-minute response time for initial responding fire apparatus to 90 percent of the incidents.

4.1 Fire Department Organizational Statement.

4.1.2.1

The fire department shall establish the following performance objectives for the first-due response zones that are identified by the AHJ:

- (1) Alarm handling time completion in accordance with 4.1.2.3
- (2) 80 seconds turnout time for fire and special operations response and 60 seconds turnout time for EMS response
- (3)* 240 seconds or less travel time for the arrival of the first engine company at a fire suppression incident
- (4) 360 seconds or less travel time for the arrival of the second company with a minimum staffing of 4 personnel at a fire suppression incident
- (5) For other than high-rise, 480 seconds or less travel time for the deployment of an initial full alarm assignment at a fire suppression incident
- (6) For high-rise, 610 seconds or less travel time for the deployment of an initial full alarm assignment at a fire suppression incident
- (7) 240 seconds or less travel time for the arrival of a unit with first responder with automatic external defibrillator (AED) or higher-level capability at an emergency medical incident
- (8) 480 seconds or less travel time for the arrival of an advanced life support (ALS) unit at an emergency medical incident, where this service is provided by the fire department provided a first responder with an AED or basic life support (BLS) unit arrived in 240 seconds or less travel time

Amanda Stevenson 11/4/21

ELECTRIC

This is outside Leesburg Electric's territory. Steve Davis 11/1/21

GAS

No comments received as of 11/12/21

GIS

No comments received as of 11/12/21

BUILDING

No comments received as of 11/12/21

PUBLIC WORKS

Public Works has no issues with this request. Clifford Kelsey 11/1/21

ADDRESSING

No comments received as of 11/12/21

ECONOMIC DEVELOPMENT

No comments received as of 11/12/21

LAKE COUNTY PUBLIC WORKS

Please see attached letter. Seth Lynch 11/8/21

LAKE COUNTY SCHOOLS

The school district does not have any comments for the small-scale comp plan amendment or the PUD rezoning. The Troon Creek Preserve project has a valid school concurrency capacity reservation (LCS#2021-32) for 83 single family dwelling units. The reservation expires 10/7/2022.

I have attached a copy of the reservation letter for the file. Thanks, Helen LaValley 11/4/21

PUBLIC RESPONSES

Approval

no approvals

Disapproval

no disapprovals

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL WITH REQUESTS)

PUBLIC COMMENTS (DISAPPROVAL)



Department of Public Works, Engineering Division
P.O. Box 7800 • 350 N. Sinclair Ave. • Tavares, FL 32778

November 8, 2021

RECEIVED City of Leesburg
November 8, 2021
Troon Creek Preserve
ANNX-21-338
SSCP-21-339
PUD-21-340

Dan Miller,
Planning & Zoning Manager
City of Leesburg
Planning and Zoning Department
204 North 5th Street
Leesburg, Florida 34749
(sent via email)

RE: PROJECT: Troon Creek Preserve/ Planned Unit Development
CASE NO.: PUD-21-340

Lake County Department of Public Works recommended requirements for the Troon Creek Preserve PUD impacts to roadways and drainage systems:

Radio Road:

- Additional right-of-way maybe required along development's frontage.
- Sidewalk will need to be provided along road frontage.
- Further review of the proposed development and any offsite improvements needed beyond stated ones will be analyzed with the future application, plans and permit application submittals.

Poe Road:

- Poe Rd. is currently a county-maintained paved road that would need to be widened along the development's frontage to accommodate 12-ft lanes.
- Sidewalk will need to be provided along road frontage
- The road must be improved to meet city and county standard for 24-ft wide, road shoulders, drainage, grading, utilities, sidewalk, etc.
- Left and right turn lanes will be required at the entrance off Poe Rd.
- Additional right-of-way will be required to support the road improvements and extend to the southern boundary with the current road for any future improvement or development they may come.
- A corner clip at the southeast corner of Poe Rd . and Radio Rd. will need to be provided.

P 352.253.6000 • F 352.253.9025
Board of County Commissioners • www.lakecountyfl.gov

Douglas B. Shields
District 1

Sean M. Parks, AICP, QEP
District 2

Kirby Smith
District 3

Leslie Campione
District 4

Josh Blake
District 5

- Further review of the proposed development and any offsite improvements needed beyond stated ones will be analyzed with the future application, plans and permit application submittals.

Internal connectivity:

- The development is recommended to have internal pedestrian and bicycle connectivity throughout the development and to both Poe Rd. and Radio Rd.

Traffic:

- A Traffic Impact Analysis will be required of this development for review by the County.

Flood Study:

- Development will be responsible for a drainage and flood study to determine the flood zones within and partially crossing into the development area. The flood study will require review by both the city and county. The study will evaluate downstream impacts from stormwater outfall from this site.

Stormwater Management:

- The site's stormwater management design will need to be reviewed by Lake County when submitted to both the City of Leesburg and St Johns River Water Management District. We may require Lake County stormwater design standards on ponds that outfall or affect surrounding unincorporated lands or onto county roads.

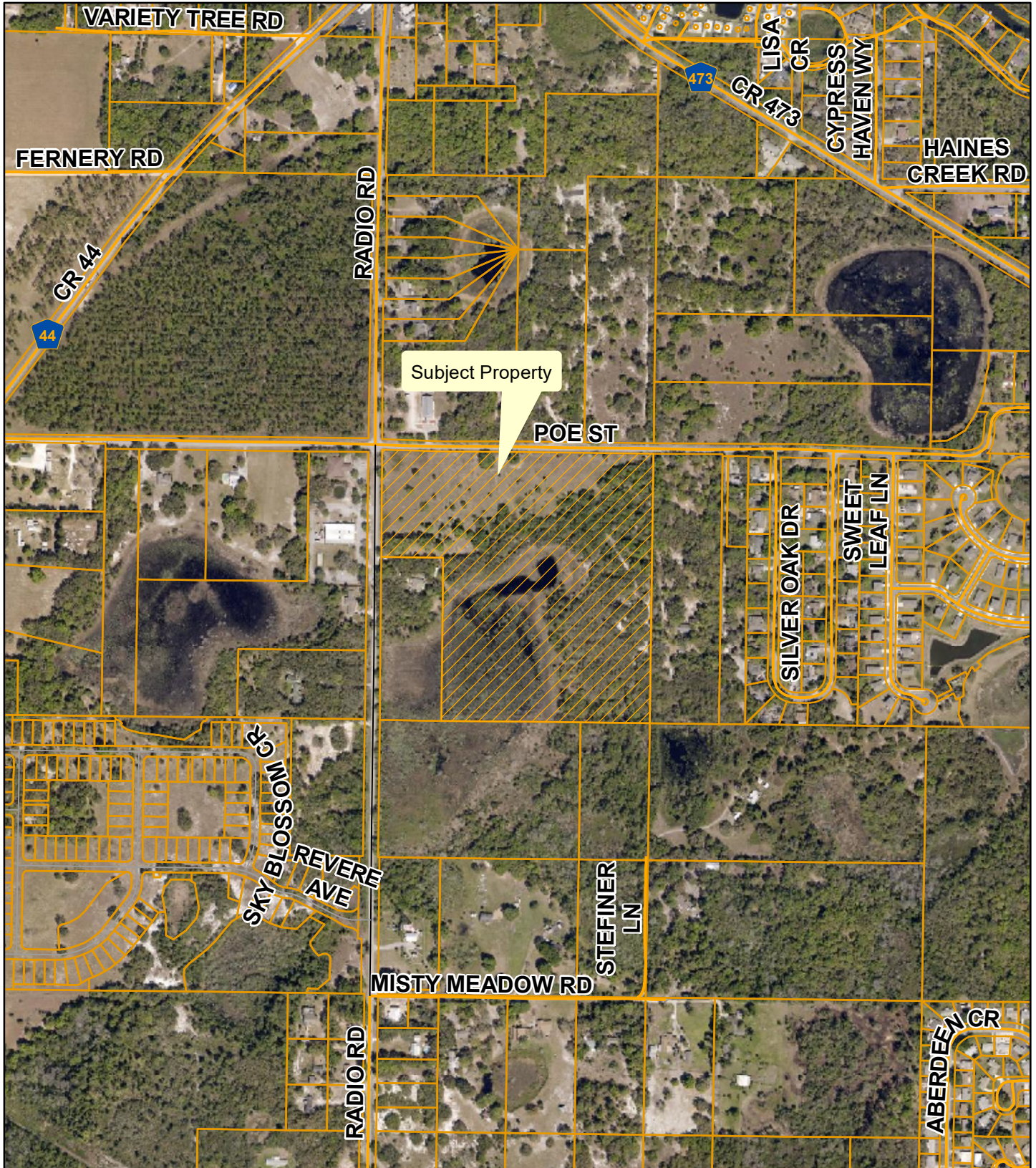
Sincerely,

Seth Lynch

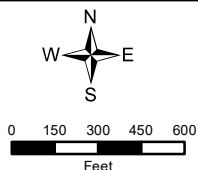
Seth Lynch
Development Engineer/Project Manager
Lake County Department of Public Works
Engineering Division
slynch@lakecountyfl.gov

Cc: Jeff Earhart, Engineering Manager for Lake County
Tim McClendon, Planning Director for Lake County
Kandi Harper, Senior Planner for City of Leesburg

Aerial



**Planning
& Zoning
Division**

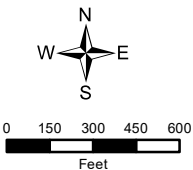


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
 Poe Street and CR-44
 AK#: 1388066
 Section 02, Township 19 South, Range 25 East
 September 29, 2021

City Boundary

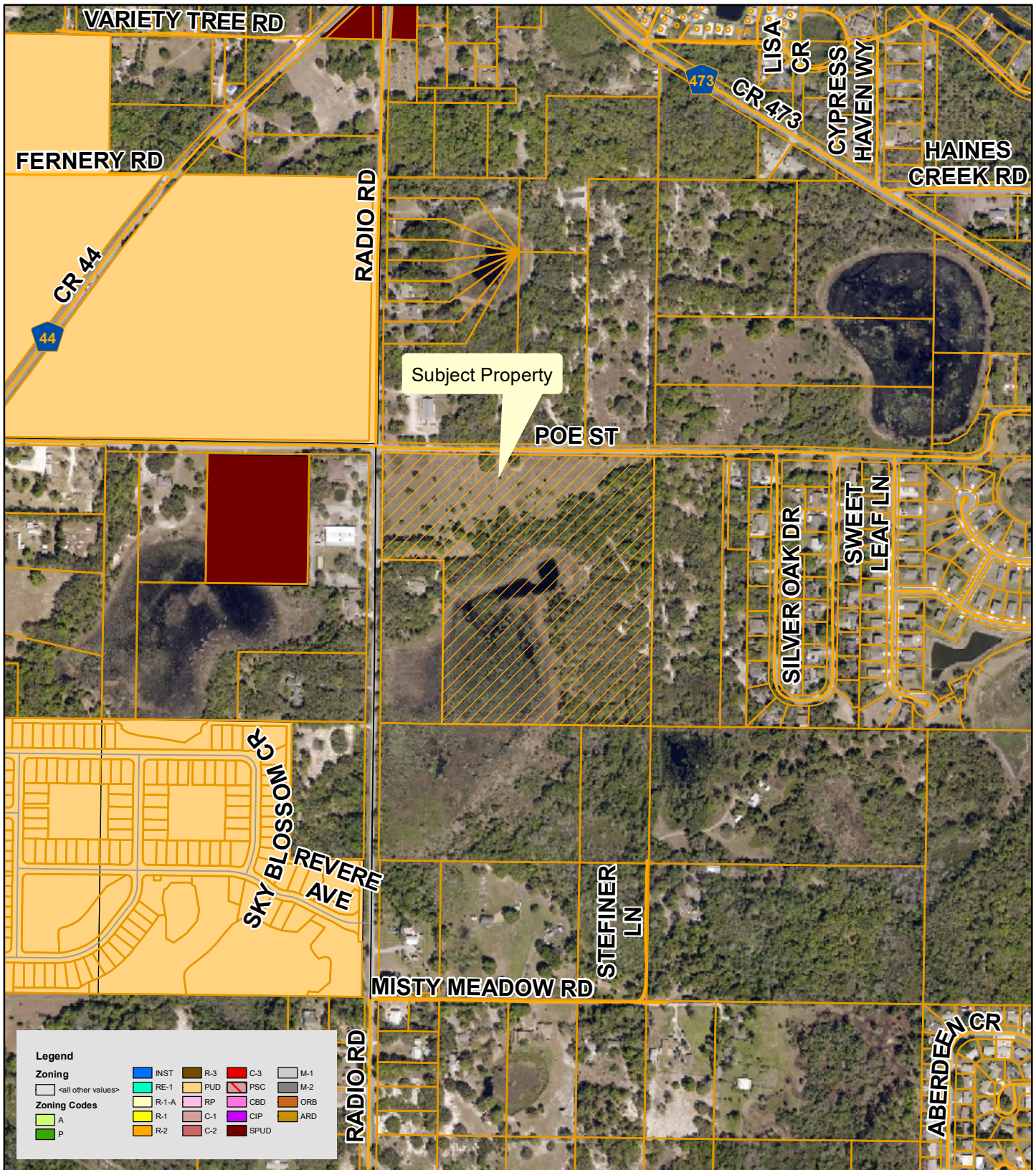


**Planning
& Zoning
Division**

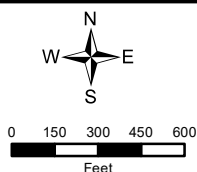


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
Poe Street and CR-44
AK#: 1388066
Section 02, Township 19 South, Range 25 East
September 29, 2021

Zoning

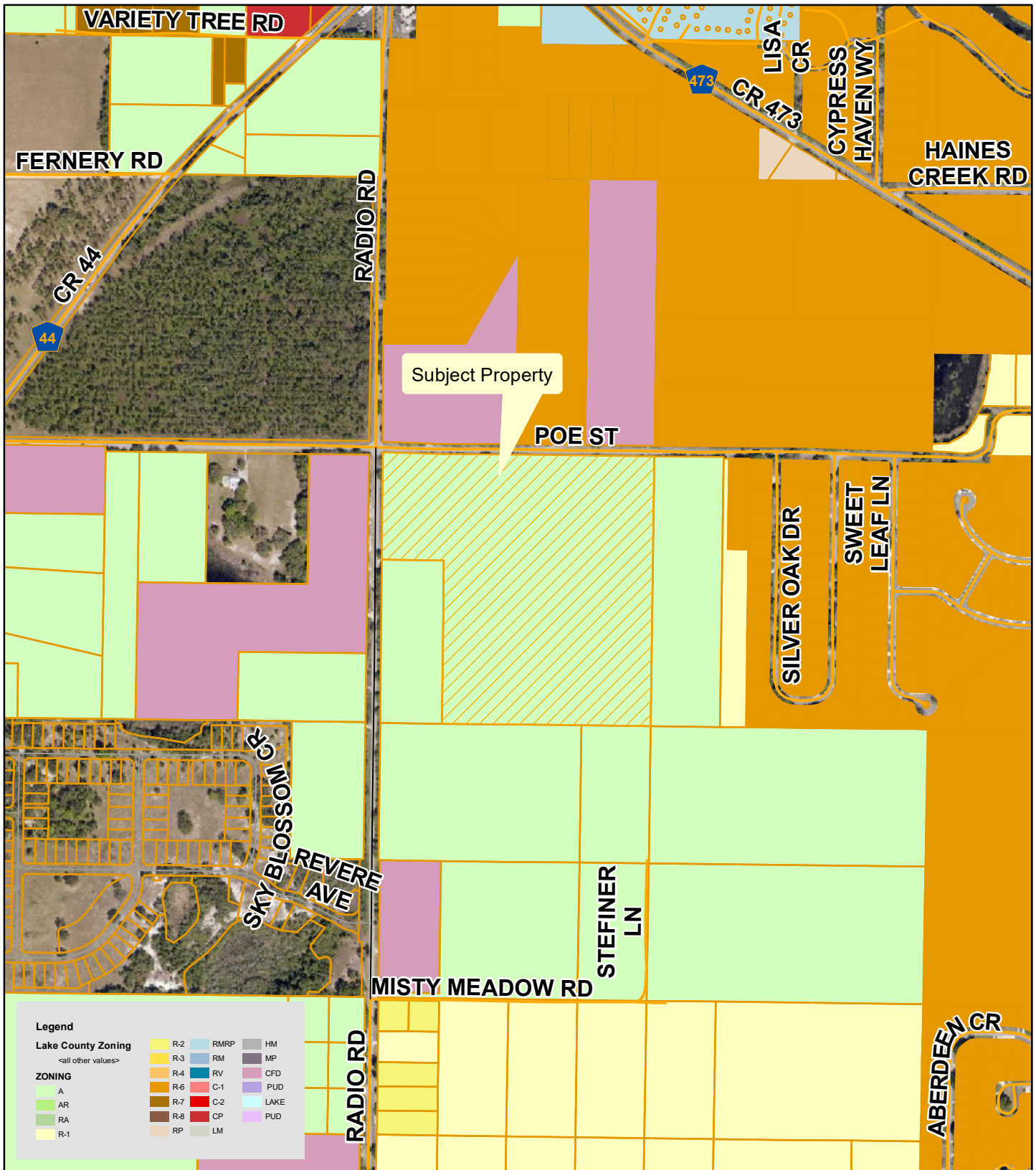


**Planning
& Zoning
Division**

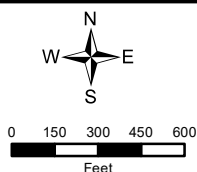


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
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 September 29, 2021

Lake County Zoning

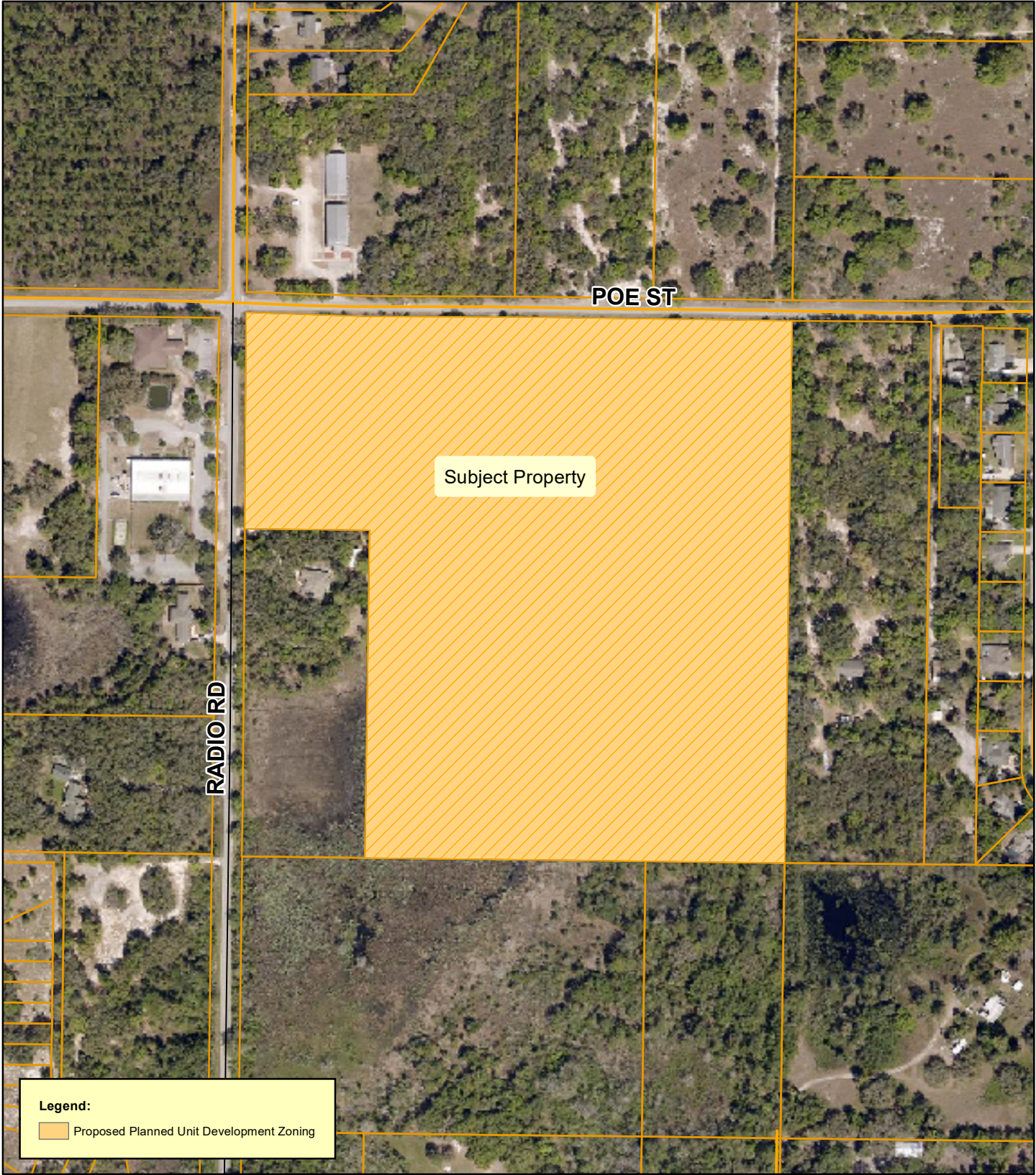


**Planning
& Zoning
Division**

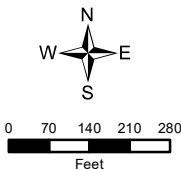


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
 Poe Street and CR-44
 AK#: 1388066
 Section 02, Township 19 South, Range 25 East
 September 29, 2021

PROPOSED ZONING

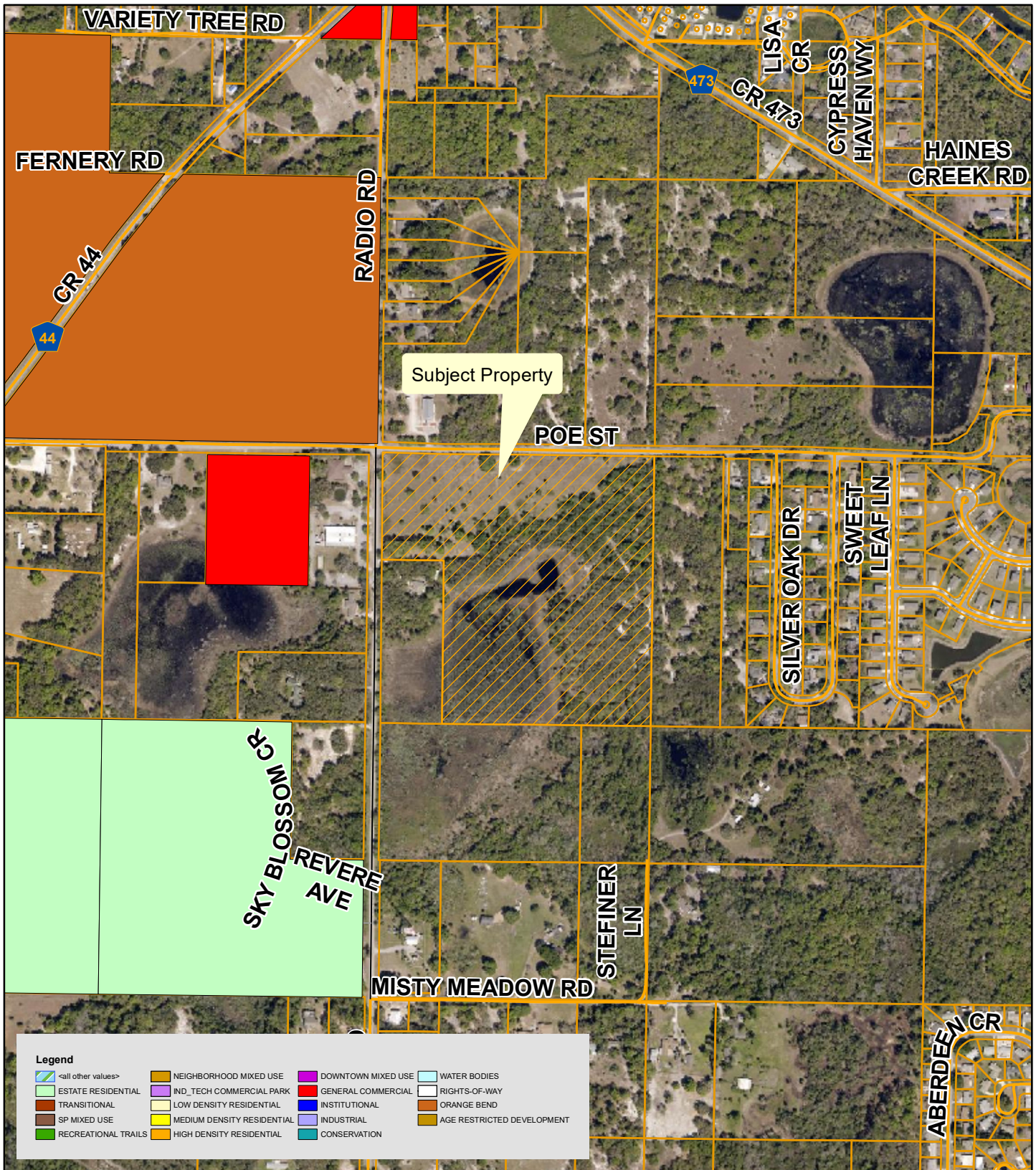


**Planning
& Zoning
Division**

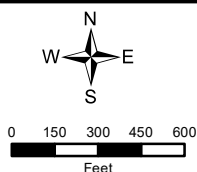


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
Poe Street and CR-44
AK#: 1388066
Section 02, Township 19 South, Range 25 East
September 29, 2021

Future Land Use

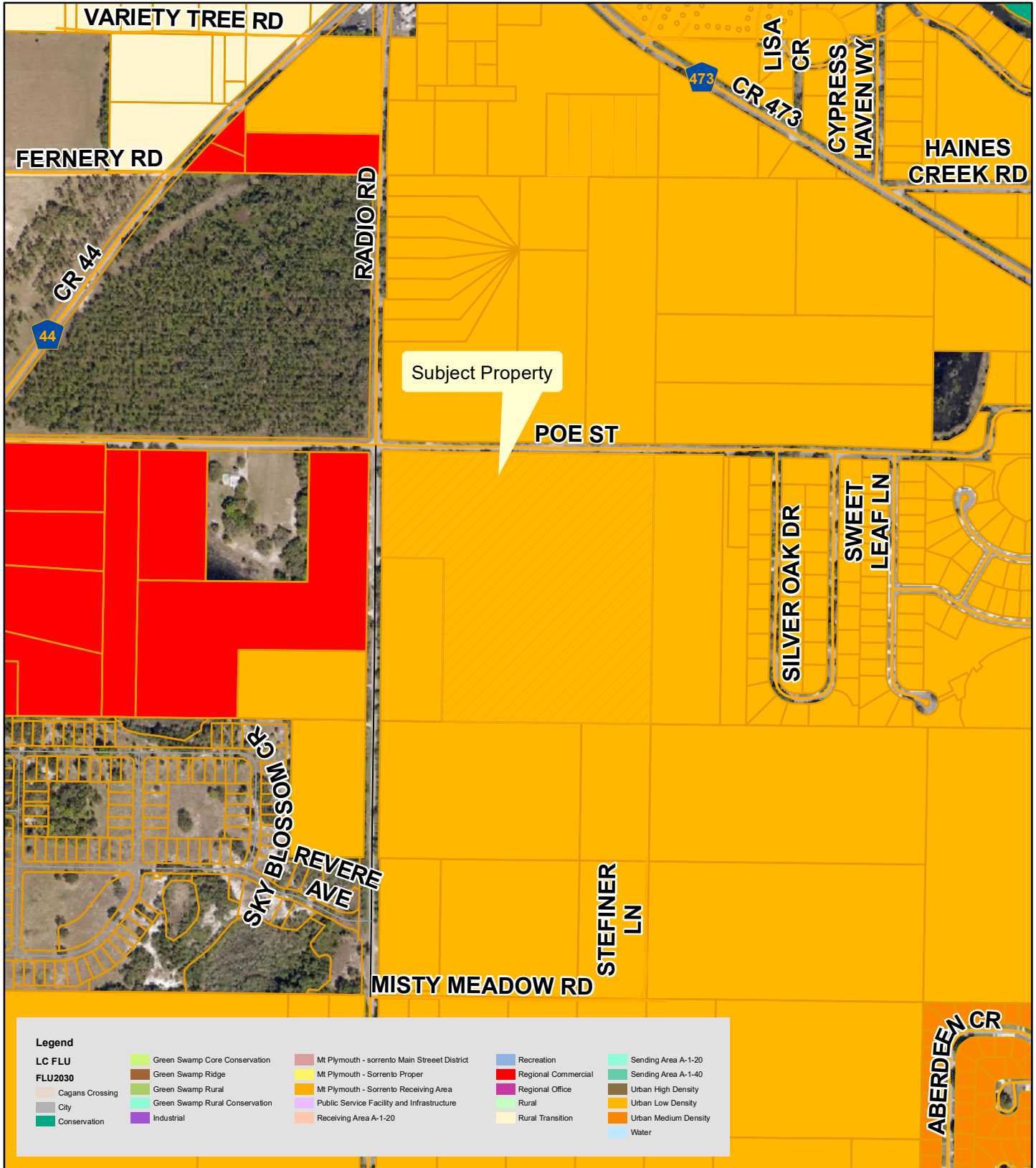


**Planning
& Zoning
Division**

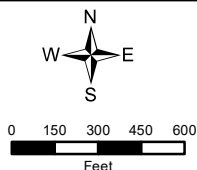


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
 Poe Street and CR-44
 AK#: 1388066
 Section 02, Township 19 South, Range 25 East
 September 29, 2021

Lake County Future Land Use

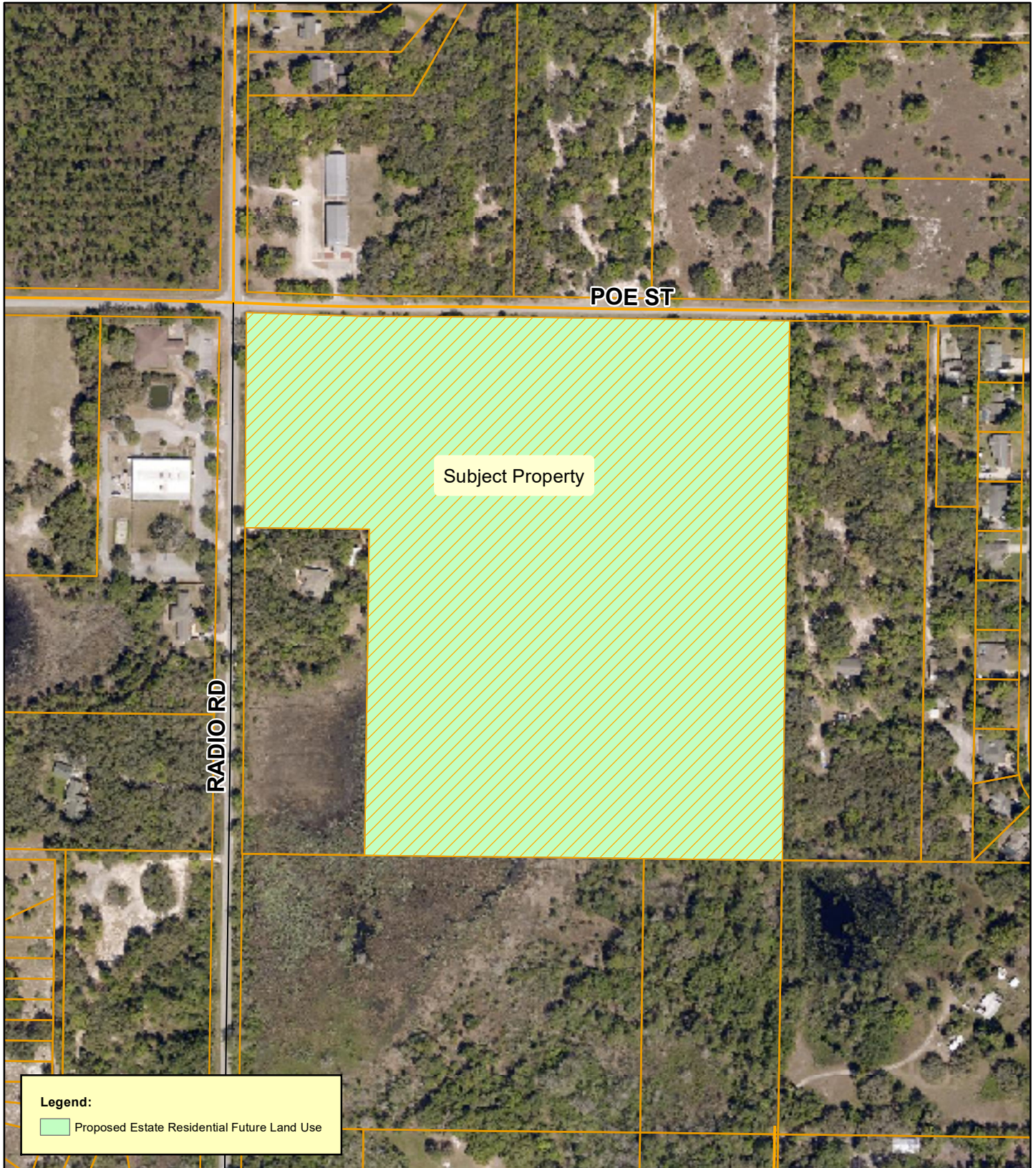


**Planning
& Zoning
Division**

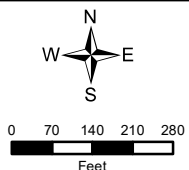


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
 Poe Street and CR-44
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 Section 02, Township 19 South, Range 25 East
 September 29, 2021

PROPOSED FUTURE LAND USE



**Planning
& Zoning
Division**

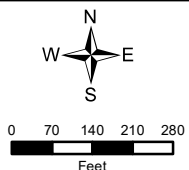


Troon Creek Preserve: ANNX-21-338, SSCP-21-339, PUD-21-340
Poe Street and CR-44
AK#: 1388066
Section 02, Township 19 South, Range 25 East
September 29, 2021

Surrounding Land Uses



**Planning
& Zoning
Division**

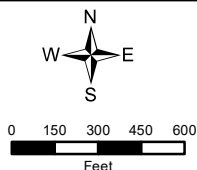


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
Poe Street and CR-44
AK#: 1388066
Section 02, Township 19 South, Range 25 East
September 29, 2021

Commission District



Planning
& Zoning
Division



Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
Poe Street and CR-44
AK#: 1388066
Section 02, Township 19 South, Range 25 East
September 29, 2021

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.9.

Meeting Date: March 14, 2022

From: Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 33.25 +/- acres from Lake County A (Agriculture) to City of Leesburg PUD (Planned Unit Development) to allow for the development of a single family residential subdivision for a property generally located south of Poe Street and east of Radio Road, as legally described in Section 02, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Troon Creek Preserve PUD)

Staff Recommendation:

Planning and Zoning Staff and Planning Commission recommend approval of the request to rezone the subject property from Lake County A (Agriculture) to City of Leesburg PUD (Planned Unit Development) to allow for the development of a single family residential subdivision.

Analysis:

The project site is approximately 33.25 +/- acres, and is generally located south of Poe Street and east of Radio Road as shown on the attached maps. At this time, the property is vacant and undeveloped. The existing land uses surrounding the property are residential and agricultural.

The Planning Commission held a public hearing on the application on November 18, 2021, and by a vote of 5-2 recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the proposed rezoning to PUD (Planned Unit Development); or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

Future development of this site will create a substantial positive fiscal impact on the City of Leesburg, in the form of impact and utility fees, plus ad valorem taxes.

Submission Date and Time:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 33.25 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR THE DEVELOPMENT OF A SINGLE FAMILY RESIDENTIAL SUBDIVISION FOR A PROPERTY GENERALLY LOCATED SOUTH OF POE STREET AND EAST OF RADIO ROAD, AS LEGALLY DESCRIBED IN SECTION 02, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (TROON CREEK PRESERVE PUD)

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

Section 1.

Based upon the petition of Craig Rouhier Jr., Troon Development LLC, 643 Egret Place Drive, Winter Garden, Florida (petitioner) of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, is hereby rezoned from Lake County A (Agriculture) to City of Leesburg PUD (Planned Unit Development), to-wit:

(Legal Description)
(See Exhibit A)

Section 2.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 14th day of March 2022.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

**TROON CREEK PRESERVE
PUD (PLANNED UNIT DEVELOPMENT CONDITIONS)
February 14, 2022**

These Planned Unit Development Conditions for a PUD (Planned Unit Development) zoning district are granted by the City of Leesburg Planning Commission, Lake County, Florida to **Gene M. Buckner, 7022 East County Road 472, Center Hill, Florida 33514 “Permittee” (LPG Urban and Regional Planners, 1162 Camp Avenue, Mt. Dora Florida, 32757, Petitioner)**, for the purposes described herein, and subject to the terms and conditions as set forth in this document, pursuant to authority contained in Chapter 25 “Zoning”, Section 25-278 “Planned Unit Development” of the City of Leesburg Code of Ordinances, as amended.

BACKGROUND

The "Permittee" is requesting a Planned Unit Development (PUD) zoning district to allow future construction of a proposed residential development consisting of a maximum of 83 single family residential units on approximately 33.25 acres, generally located at the southeast corner of Radio Road and Poe Street, on a site within the City of Leesburg in accordance with their PUD application and supplemental information.

PURPOSE

The purpose of this document is to provide appropriate zoning standards for a high-quality built environment through the application of flexible and diversified land development requirements, which shall be implemented in conjunction with a master site development plan and the City of Leesburg Code of Ordinances, therefore allowing for more efficient and optimal use of the subject property, and to increase the overall economic opportunity and employment base of Leesburg, Florida.

CONDITIONS

The following conditions shall apply to the development proposed herein. If any instance where the conditions of this document may conflict with the City of Leesburg Code of Ordinances, this document shall prevail as the determining requirement.

1. **PERMISSION** is hereby granted to **Gene M. Buckner, 7022 East County Road 472, Center Hill, Florida 33514 “Permittee” (LPG Urban and Regional Planners, 1162 Camp Avenue, Mt. Dora Florida, 32757, Petitioner)**, to construct, operate, and maintain a Planned Unit Development in and on real property in the City of Leesburg, in accordance with the requirements set forth herein. The property is more particularly described below.
2. **LEGAL DESCRIPTION**
See attached **Exhibit B, Legal Description**.
3. **LAND USE**
The above-described property, containing approximately 33.25 acres, shall be used for platted single-family residential development, pursuant to City of Leesburg development codes and standards.

- A. Permitted Uses
 - 1) Detached single family residential units
 - 2) Accessory structures for residential uses
 - 3) Sales office in a single-family unit
 - 4) Accessory retail within a recreation center or clubhouse, intended for the primary use of residents, such as a snack bar
 - 5) Temporary modular sales center office (during construction and sales of new units) not to exceed one year, and construction office not to exceed two years from the approval of the final plat of the final phase for the subdivision. Model homes may be used as sales centers during the duration of the project.
- B. Prohibited Uses
 - 1) Townhouses
 - 2) Multi-family units (Apartments)
 - 3) Commercial uses (as a primary use)
 - 4) All other uses not specifically permitted within these conditions under Permitted Uses above shall be prohibited.

4. DEVELOPMENT STANDARDS

- A. The project shall contain a maximum of 83 single family residential units, at a gross density not to exceed 2.5 units per acre on the approximately 33-acre site, as shown on **Exhibit C, Conceptual Development Plan**.
- B. A mix of lot sizes is permitted as long as all lots are equal to or larger than the required minimums.
- C. Along each street, homes with the same architectural design shall not be immediately adjacent (side by side) or directly across from a lot with the same design. Facades may be varied to meet this requirement. The maximum impervious surface for the project shall be 70%. Community and private swimming pools shall not count toward the impervious surface calculation.
- D. The minimum lot development standards shall be:
 - 1) For all lots:
 - a. Minimum house size: 1,600 square feet.
 - b. Each additional bedroom to the above the minimum house size shall be a minimum of 115 square feet.
 - c. Minimum lot size shall be 5,750 square feet.
 - d. Minimum width 50 feet
 - e. Minimum depth 120 feet
 - f. Minimum building setbacks:
 - Front – 25 feet;
 - Rear – 20 feet;
 - Side – 5 feet;
 - Corner Side – 15 feet.
 - Porch – 14 feet (porch must be a minimum width of 6 feet).

- 2) For all structures:
 - a. Each residential structure shall have a minimum two car garage.
 - b. Minimum distance between structures shall be 10 feet; measured from building wall to building wall, and the roof overhang shall not exceed forty (40) percent of the distance between the building wall and the property line.
 - c. Maximum building height: two (2) stories or 35 feet.
 - d. Accessory structures shall have a minimum rear and side setback of 5 feet and single accessory structures that are not attached to the principal structure shall not occupy more than 30 percent of the required rear yard.
 - e. Attached screened enclosures (no solid roof) must maintain a minimum setback of five (5) feet from the side and rear property line. Attached swimming pool screened enclosure shall also maintain a minimum setback of five (5) feet from the side or rear property lines.
 - f. Solid roof structures attached to the residence must meet the required rear setback as noted under "Minimum building setbacks."
 - g. As part of the site plan approval process, city staff shall review final site design standards in accordance with the approved PUD (Planned Unit Development) zoning conditions set forth herein.

5. **DESIGN/ARCHITECTURAL STANDARDS**

- A. All buildings shall utilize at least three of the following design features to provide visual relief along all elevations of the single-family units. Designs may vary throughout the development.
 - 1) Dormers
 - 2) Gables
 - 3) Recessed or raised entries
 - 4) Covered porch entries
 - 5) Cupolas
 - 6) Pillars or decorative posts
 - 7) Bay window (minimum 12-inch projections)
 - 8) Eaves (minimum 6-inch projections)
 - 9) Front windows with arched glass tops and minimum 4-inch trim.
 - 10) Garage vehicle doors shall incorporate the following elements: raised decorative panels, decorative glass panels or panes, decorative hinges, etc.
 - 11) Front doors shall incorporate the following decorative elements: raised decorative panels, decorative glass panels or panes, decorative handles, etc.
 - 12) Stone accents
 - 13) Shutters
 - 14) Board and batten siding
 - 15) Hardy board siding
 - 16) Raised banding
 - 17) Craftsman style garage doors
- B. Exterior building materials contribute significantly to the visual impact of a building on the community. These materials shall be well designed and integrated into a

comprehensive design style for the project. The total exterior wall area of each building elevation shall be composed of one of the following:

- 1) At least thirty-five percent (35%) full-width brick or stone (not including window and door areas and related trim areas), with the balance being any type of lap siding and/or stucco.
- 2) At least thirty percent (30%) full-width brick or stone, with the balance being stucco and/or a “cementitious” lap siding. (A “cementitious” lap siding product is defined as a manufactured strip siding composed of cement-based materials rather than wood fiber-based or plastic-based materials. For example, Masonite or vinyl lap siding would not be allowed under this option.).
- 3) All textured stucco, provided there are unique design features such as recessed garages, tile or metal roofs, arched windows, porches, etc. in the elevations of the buildings or the buildings are all brick stucco. Unique design features shall be reviewed by the Community Development Director for compliance.

C. The Permittee shall utilize “Dark Sky” principles when selecting lighting fixtures for all street lighting. Such lighting shall achieve the overall effect of containing and shielding excessive light pollution from adjacent properties.

D. Other similar design variations meeting the intent of this section may be approved by the Community Development Director or designee.

E. The architectural styles and facades shown in **Exhibit D, Building Elevations** herein are considered to meet the requirements of this section.

6. **LANDSCAPING & BUFFER REQUIREMENTS**

A. Buffers by boundary line:

1. The north property line adjacent to Poe Street shall contain a minimum fifteen (15) foot landscape buffer tract with plantings as shown in Figure A below.
2. The eastern property line shall contain a minimum ten (10) foot landscape buffer tract with plantings as shown in Figure A below
3. The western property line adjacent to Radio Road shall contain a minimum fifteen (15) foot landscape buffer tract with plantings as shown in Figure A below.
4. In any area consisting of, or immediately adjacent to a wetland area, as identified in the attached site plan, shall not require a buffer.

B. Water retention areas, open space and recreation areas, shall serve as buffers and shall be separate from all other platted lots, shall not be part of individually platted lots for homeownership, and shall be a common area to be maintained by an entity such as a Property Owners or Homeowners Association.

C. Land uses allowed within the upland buffers are limited to hiking trails, walkways, passive recreation activities and stormwater facilities as permitted by St. Johns River Water Management District.

D. A six-foot privacy fence, consisting of PVC or other such synthetic material, shall be installed along the eastern boundary of the property. As an option, the fence

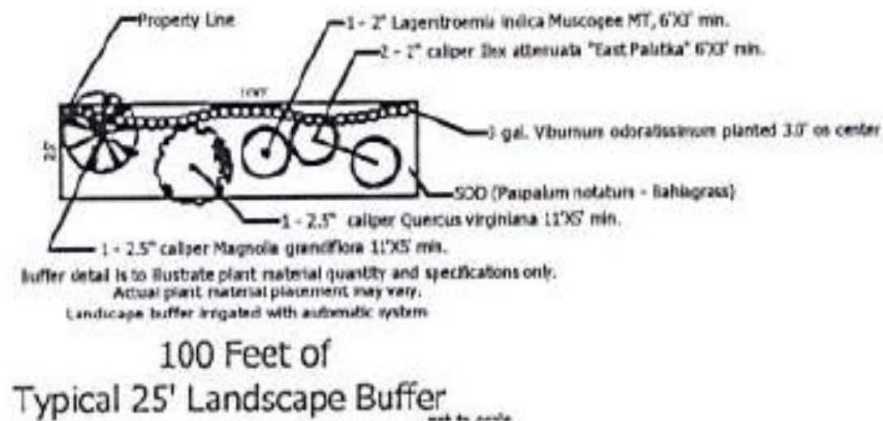
requirement may be waived if a twenty-five-foot undisturbed, natural buffer is provided along the eastern boundary. This buffer shall be outside the lot area and dedicated to the Homeowners Association on the final plat.

- E. All landscaping and buffering shall be in accordance with regulations contained within the City of Leesburg Code of Ordinances, Section 25-329, and at a minimum shall contain the following plantings as noted in Figures A and B below.

Figure A

Canopy Trees (per 100 l.f.)	2 per 100 linear ft
Tree CAL/Height	2" cal, 12' overall height
Optional Ornamental Trees (per 100 l.f.)	3 per 100 linear ft
Tree CAL/Height	2" cal, 7' overall height
Shrub Screen (per 100 l.f.)	
Square Ft. of Shrubs	(33) 3 gal plants, 18"—24" minimum at installation (depending on species); hedges to be 36"—42" high by thirty-six (36) inches wide hedge or continuous landscape screen with a ninety (90) percent opacity within one (1) year of planting
Container size	3 gal

Figure B



- F. Each platted single-family residential lot of record shall contain a minimum of one canopy tree, located within in the front yard, and selected from the list of trees within the City of Leesburg Code of Ordinances, Section 25-328 Table 1, Canopy Trees. All other requirements for tree planting based on lot size shall remain in effect.
- G. Variations to the landscape and buffering requirements of the code may be approved by the Community Development Director or designee, as long as the intent of the PUD and the Landscaping Code are maintained, including consideration of existing fencing on adjacent properties and existing natural vegetative buffers.

- H. The surveying of trees on the property shall be conducted as follows:
- 1) A tree sample area shall be surveyed. All specimen, heritage and historic trees shall be surveyed. Staff will review the tree survey and such trees shall be saved where possible during the site plan review process. This may include amending the site plan to save specimen, heritage and historic trees.
 - 2) Site areas that are to preserve existing trees do not need to be included in the survey unless the trees are to be used in preservation/replacement requirements.
 - 3) The tree survey shall be completed by a licensed surveyor.

7. SITE ACCESS AND SIGNAGE

- A. The main vehicular access to the project site shall be at least one entrance on Poe Street. Access locations depicted on the Master Development Plan are conceptual and subject to Lake County approval. Actual location and design of the roads shall be determined at the site plan review process and shall include consideration of, and connection to, sidewalks, recreation paths, etc. All other access shall be reviewed for necessity and requirements through Lake County and the City of Leesburg development and permitting processes. Any additional access points shall be subject site plan application review process.
- 1) Offsite road improvements on existing roads adjacent to the property may be required based on finalized access locations. Such improvements may include, but are not limited to, left and right turn lanes, right-of-way dedication, and pavement rehabilitation. Any proposed offsite road improvements must be approved by Lake County Public Works.
 - 2) Prior to completion of the subdivision design plans, the developer shall work with the Lake County Department of Public Works to ensure all appropriate required roadway and access improvements for the development are made part of the plans submitted to the City of Leesburg.
 - 3) The Master Development Plan, and the access points proposed thereon, are considered conceptual until the appropriate engineering and site plan reviews, along with any required upgrades are completed for the project.
- B. All access points are subject to review and approval by the appropriate permitting agency, including FDOT, Lake-Sumter Metropolitan Planning Organization, Lake County and the City of Leesburg as applicable. The developer shall be responsible for on and offsite improvements required as a result of any access points. The developer shall be responsible for all on and offsite improvements required as a result of any access points.
- C. Each required access point shall provide a decorative entry feature to include a concrete, brick or stucco wall at least five (5) feet in height, on each side of the entryway. This may be used for signage per City of Leesburg Code of Ordinances, as amended.

- D. Alternative designs for the ground enclosure support and bases of a monument sign may be approved by the Community Development Director or designee, where the architectural style would be in keeping with the intent of these sign regulations.

8. TRANSPORTATION IMPROVEMENTS

- A. Any transportation improvements or rights-of-way that may be required shall be based on projected needs and shall be contingent upon site plan approval by City staff during the development review and permitting process. The plan review process shall include consideration of sidewalks, recreation paths etc.
- B. A traffic/transportation study shall be submitted for review and determination of any necessary access improvements, including any off-site improvements required by Lake County, the Lake-Sumter MPO or the City of Leesburg. Said improvements will be the responsibility of the Permittee.
- C. The Permittee shall provide necessary traffic improvements within and adjacent to the development as required by Lake County, the Lake-Sumter MPO and City of Leesburg.
- D. All roads within the development shall be designed and constructed to meet the City of Leesburg requirements.
- E. The Permittee shall be responsible for obtaining all necessary Lake County permits and a copy of all permits shall be provided to the City of Leesburg.
- F. All roads within the development shall be constructed to meet the City of Leesburg's standards, ARTICLE VII – TECHNICAL STANDARDS, as amended.
 - 1) Should the Permittee (or designee) desire to dedicate the proposed project's internal road system to the City of Leesburg; the Permittee shall demonstrate to the satisfaction of the City of Leesburg that the road system is in suitable condition and meets all City road design requirements.
 - 2) Should the Permittee (or designee) choose to retain the roadways, the Permittee shall establish an appropriate legal entity that shall accept responsibility to pay the cost and perform all services required to maintain the roads and transportation improvements to City of Leesburg codes and standards, as amended. A Homeowners or Property Owners Association, or other such legal entity will be considered acceptable.
- G. Sidewalks shall be provided on both sides of the entrance roads and shall provide cross connections to all recreation and residential areas. Internal road rights-of-ways shall be of sufficient width to contain sidewalks on both sides of the street. All sidewalks shall be constructed in accordance with City of Leesburg Codes.

9. UTILITIES

Prior to receiving final development approval, the Permittee shall submit a stormwater management plan and utility plan acceptable to the City of Leesburg. Water, wastewater and natural gas services will be provided by the City of Leesburg. Prior to any clearing, grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:

- A. A detailed site plan that indicates all the provisions for electric, water, sewer, and/or natural gas in accordance with the City of Leesburg Land Development Codes.
- B. Developer shall bear all responsibility, financial and otherwise, for the construction and installation of all utility infrastructure and other improvements related to the use and development of the property, consistent with the typical pioneering agreement approved on new home projects in the city., including such off-site improvements required by the City and all other appropriate government agencies. All such requirements shall be constructed to the applicable specifications imposed by the ordinances and regulations of the City in effect at the time of construction.
- C. Developer shall be responsible for the installation of a natural gas water heater and natural gas furnace in eighty percent (80%) of all homes in the development.
- D. The City of Leesburg intends to service the property with water and wastewater services at this time. At the time of connection, all regulations in place at the time of the request shall be required, including but not limited to impact fees, connection and utility service deposit charges. The cost of supplying water and wastewater lines and other necessary infrastructure such as lift stations to the development shall be the responsibility of the applicant.

10. STORMWATER/DRAINAGE MANAGEMENT

All drainage shall be designed and constructed in a manner to meet all State of Florida and City of Leesburg codes, including the requirement that all stormwater runoff is contained within the boundaries of the properties, and does not create a detriment to surrounding properties. Prior to receiving final development approval, the Permittee shall submit a stormwater management plan and utility plan acceptable to the City of Leesburg. Prior to any clearing, grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:

- A. A detailed site plan that demonstrates no direct discharge of stormwater runoff generated by the development into any wetlands or onto adjacent properties.
- B. A stormwater management system designed and implemented to meet all applicable St. Johns River Water Management District and City of Leesburg requirements.
- C. A responsible legal entity for the maintenance of the stormwater management system on the plat prior to the approval of the final plat of record. A homeowner's association is an acceptable maintenance entity.

- D. The existing 100-year flood plain shown shall be shown on all plans and lots.
- E. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the 100-year flood plain is altered and /or a new 100-year flood elevation is established in reference to the applicable flood insurance rate map.
- F. A copy of the Management and Storage of Surface Waters permit obtained from St. Johns River Water Management District shall be provided to the City during the site plan review process.
- G. Should the Permittee desire to dedicate the proposed project's stormwater management system to the City of Leesburg; the City, at its discretion, may accept or not accept the stormwater management system. Prior to acceptance, the Permittee shall demonstrate to the City the stormwater management system is in a suitable condition and meets City of Leesburg and St. Johns River Water Management District requirements. As a condition of accepting the system the City may create a special taxing district or make other lawful provisions to assess the cost of maintenance of the system to the residents of the project.

11. WETLANDS, FLOOD ZONES & WILDLIFE

- A. All wetlands on the project site shall be identified by a jurisdictional wetland boundary line, and the location and extent of each wetland shall be determined by the Department of Environmental Protection, St. Johns River Water Management District and/or U.S. Army Corp of Engineers. Each wetland shall be placed on a suitable map, signed and sealed by a surveyor registered to practice in Florida and shall be submitted as part of the site plan application process.
- B. To the extent practicable, wetlands shall be placed in a conservation easement, which shall run in favor of, and be enforceable by, the St. Johns River Water Management District or another legal entity such as a homeowner's association. The conservation easement shall require that the wetlands be maintained in their natural and unaltered state. Wetlands shall not be included as a part of any platted lot, other than a lot platted as a common area, which shall be dedicated to the St. Johns River Water Management District or another legal entity such as a homeowner's association for ownership and maintenance.
- C. Buildings or structures shall be a minimum of 50 feet from any wetland jurisdiction boundary.
- D. Wetlands shall have an average upland buffer of 25 feet, with a minimum of 15 feet or the upland buffer established by St. Johns River Water Management District and/or U.S. Army Corp of Engineers; whichever is more restrictive. All upland buffers shall be naturally vegetated and upland buffers that are devoid of natural vegetation shall be re-planted with native vegetation or as required by St. Johns River Water Management District and/or U.S. Army Corp of Engineers.

- E. Land uses allowed within the upland buffers for wetlands are limited to stormwater facilities as permitted by St. Johns River Water Management District.
- F. If wetland alteration is permitted by St. Johns River Water Management District and/or U.S. Army Corp of Engineers, wetland mitigation shall be required in accordance with permit approvals from St. Johns River Water Management District or U.S. Army Corp of Engineers, whichever is more restrictive.
- G. A wildlife management plan for the project site shall be prepared based on the results of an environmental assessment of the site and any environmental permit required from applicable governmental agencies. The wildlife management plan shall be submitted to the City as part of the site plan application process.
- H. A map indicating the location of the 100-year flood plain.
- I. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the 100-year flood plain is altered and/or a new 100-year flood elevation is established in reference to the applicable flood insurance rate map.
- J. Through the site plan review process, the developer shall coordinate with the City of Leesburg, Lake County and all impacted government agencies regarding elevation determinations, compensatory storage and overall design of the subdivision within and near flood hazard boundary areas, to ensure compliance with all regulations.

12. IRRIGATION & WATER USAGE

- A. All landscaped areas shall be irrigated and designed to meet Section 25-337, Waterwise and Florida Friendly Landscaping, City of Leesburg Code of Ordinances.
- B. The use of St. Augustine grass, or other varieties of grass which require significant amounts of water are prohibited. The use of Bahia, Bermuda, Zoysia or other grasses which are more drought tolerant are permitted.

13. RECREATIONAL REQUIREMENTS

- A. Recreational development provided on the site may include active and passive uses, as well as enclosed or unenclosed recreational space, devoted to the joint use of the residents. Such recreational space shall consist of not less than 200 square feet of space per dwelling unit or 16,600 square feet (0.38 acres).
- B. Recreational requirements shall include at least one primary active recreation area. Recreation areas may include such uses as a children's playground with equipment, dog park area or gazebo, swimming pool, clubhouse or other amenities as reviewed and approved by staff. The primary recreational facility shall be constructed in conjunction with and completed no later than the completion of 50% of the approved number of residential units.

- C. Credit for recreational space shall be given for areas dedicated to recreational space, to include items such as a clubhouse with recreation room, swimming pool, outdoor cooking facilities such as grills, youth playgrounds, play courts, dog parks or other similar uses which will meet the intent of this document. Other similar uses which will meet the intent of this document may be supplied by the developer.
- D. Active recreational activity space shall be calculated at a rate of 1.25 times for activities such as, but not limited to:
 - 1) Trails, playgrounds, basketball, tennis, handball courts, etc.
 - 2) Community swimming pool, including the deck area surrounding such pools.
 - 3) Indoor recreation rooms provided such rooms are permanently maintained for the use of residents for recreational purposes.
 - 4) Other active recreational activities may be used for credit, subject to approval by the City of Leesburg.

14. MAINTENANCE

- A. With the exception of any public utilities, maintenance of all site improvements, including but not limited to roadways, drives, internal sidewalks, landscaping and drainage shall be the responsibility of the property owner. A homeowner's association shall serve as an appropriate entity for all common properties within the development.

15. DEVELOPMENT PHASING & IMPLEMENTATION

- A. The proposed project may be constructed in phases in accordance with the Planned Unit Development Conditions and Conceptual Plan. Changes to the development conditions or conceptual plan, other than those conditions described in this agreement, shall be revised in accordance with the Planned Development review process, City of Leesburg Code of Ordinances.
- B. As part of the overall development process, if the project is constructed in phases, then plat of the lots for each approved phase shall contain only portions of the development approved under the Site Plan Review Process, i.e. each phase platted shall match each phase submitted for site plan review.

16. MISCELLANEOUS CONDITIONS

- A. The uses of the proposed project shall only be those uses identified in the approved Planned Unit Development Conditions. Any other proposed use must be specifically authorized in accordance with the Planned Development amendment process.
- B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner without first submitting the necessary plans and obtaining appropriate approvals in accordance with the City of Leesburg Codes.

- C. Construction and operation of the proposed use(s) shall at all times comply with the Planned Unit Development conditions set forth herein, and with all City and other governmental agencies rules and regulations.
- D. The transfer of ownership or lease of any or all of the property described in this PUD Agreement shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the Planned Unit Development established and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures as described in the City of Leesburg Land Development Code, as amended.
- E. These PUD Conditions shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition as set forth herein.

17. LEVELS OF SERVICE

A. Levels of Service

- 1) As submitted, the development resulting from the proposed zoning change may result in demands on public facilities which would exceed the current capacity of some public facilities, such as, but not limited to water, wastewater, roads, drainage, and solid water. No final development order (site plan and building permits) shall be granted for proposed development until there is a finding that all public facilities and services required for the development have sufficient capacity at or above the adopted level of service (LOS) to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development.

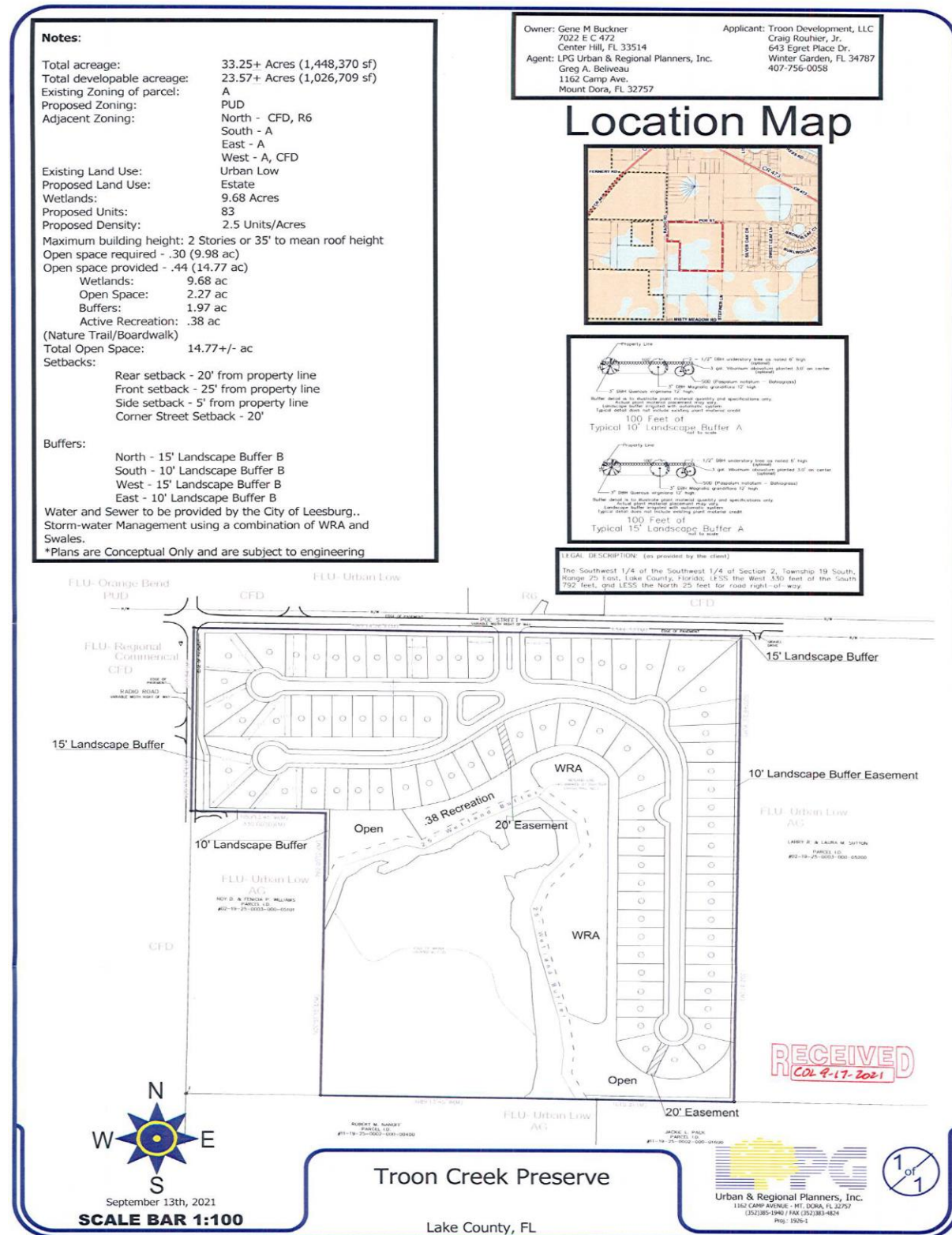
B. Utilities

- 1) Projected Capacities
 - a. The City's utility planning efforts draw upon phasing, capacity and service requirements, based upon information provided by the applicant. The City develops its plans consistent with sound engineering principles, prudent fiscal practices and due regard for regulatory compliance.
 - b. If the development requires construction of new distribution or collection lines, or other infrastructure needed to develop the subdivision, the developer will be required to construct such facilities to provide service. The developer will bear the cost of design, permitting and construction. Any such facilities must be constructed in a fashion consistent with the City's master plans and to the City standards and specifications.
- 2) Commitment of Capacity
 - a. There are no previous commitments of any existing or planned excess capacity for this property.

- 3) Ability to Provide Services
 - a. At this time, the City intends to provide water, wastewater and reclaimed water services within its service area for the foreseeable future.
 - b. Future development within the City of Leesburg utility service areas may impact the provision of utility services.

EXHIBIT B**LEGAL DESCRIPTION****BUCKNER/TROON CREEK PRESERVE**

The Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 2, Township 19 South, Range 25 East, Lake County, Florida; LESS the West 330 feet of the South 792 feet, and LESS the North 25 feet for road right of way.





Troon Creek Preserve
Elevations
Lake County, FL



EXHIBIT A

**LEGAL DESCRIPTION
BUCKNER/TROON CREEK PRESERVE**

The Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 2, Township 19 South, Range 25 East, Lake County, Florida; LESS the West 330 feet of the South 792 feet, and LESS the North 25 feet for road right of way.



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

OWNER: Gene Buckner
PETITIONER: Craig Rouhier, Jr., Troon Development, LLC
PROJECT: Troon Creek Preserve
REQUEST: Small Scale Comprehensive Plan Amendment to Estate Residential; Zoning to PUD (Planned Unit Development)
CASE NO.: SSCP 21-339; PUD-21-340
MEETING DATE: November 18, 2021

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request

for the following reason(s):

1. The proposed request for a PUD (Planned Unit Development) zoning as conditioned, is compatible with the current surrounding zoning districts of Lake County RP (Residential Professional), Lake County A (Agriculture), and City of Leesburg PUD (Planned Unit Development).
2. Under the proposed PUD (Planned Unit Development) conditions for this property, the proposed Future Land Use designation of City of Leesburg Estate is compatible with adjacent properties having Future Land Use designations which include City of Leesburg Low Density Residential, General Commercial, and with property in Lake County having Future Land Use designations of Rural and Rural Transition.
3. The site is located along a major growth corridor and near existing city utilities which are available at U.S. Highway 27.
4. The proposed zoning designation for the site is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

Action Requested:

1. Vote to approve the proposed rezoning from Lake County A (Agriculture) to City of Leesburg PUD (Planned Unit Development) and forward the recommendation to the City Commission for consideration.

**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

DATE: November 18, 2021
OWNER: Gene Buckner
PETITIONER: Craig Rouhier, Jr., Troon Development, LLC
PROJECT: Troon Creek Preserve
REQUEST: Small Scale Comprehensive Plan Amendment to Estate Residential; Zoning to PUD
(Planned Unit Development)
CASE NO.: SSCP 21-339; PUD-21-340

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 11/12/21

FIRE

In reference to Case Number SSCP 21-339; PUD-21-340.

NFPA 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments, 2020 Edition. The subject property referenced in Case Number SSCP 21-339; PUD-21-340 is outside the recommended four-minute response time for initial responding fire apparatus to 90 percent of the incidents.

4.1 Fire Department Organizational Statement.

4.1.2.1

The fire department shall establish the following performance objectives for the first-due response zones that are identified by the AHJ:

- (1) Alarm handling time completion in accordance with 4.1.2.3
- (2) 80 seconds turnout time for fire and special operations response and 60 seconds turnout time for EMS response
- (3)* 240 seconds or less travel time for the arrival of the first engine company at a fire suppression incident
- (4) 360 seconds or less travel time for the arrival of the second company with a minimum staffing of 4 personnel at a fire suppression incident
- (5) For other than high-rise, 480 seconds or less travel time for the deployment of an initial full alarm assignment at a fire suppression incident
- (6) For high-rise, 610 seconds or less travel time for the deployment of an initial full alarm assignment at a fire suppression incident
- (7) 240 seconds or less travel time for the arrival of a unit with first responder with automatic external defibrillator (AED) or higher-level capability at an emergency medical incident
- (8) 480 seconds or less travel time for the arrival of an advanced life support (ALS) unit at an emergency medical incident, where this service is provided by the fire department provided a first responder with an AED or basic life support (BLS) unit arrived in 240 seconds or less travel time

Amanda Stevenson 11/4/21

ELECTRIC

This is outside Leesburg Electric's territory. Steve Davis 11/1/21

GAS

No comments received as of 11/12/21

GIS

No comments received as of 11/12/21

BUILDING

No comments received as of 11/12/21

PUBLIC WORKS

Public Works has no issues with this request. Clifford Kelsey 11/1/21

ADDRESSING

No comments received as of 11/12/21

ECONOMIC DEVELOPMENT

No comments received as of 11/12/21

LAKE COUNTY PUBLIC WORKS

Please see attached letter. Seth Lynch 11/8/21

LAKE COUNTY SCHOOLS

The school district does not have any comments for the small-scale comp plan amendment or the PUD rezoning. The Troon Creek Preserve project has a valid school concurrency capacity reservation (LCS#2021-32) for 83 single family dwelling units. The reservation expires 10/7/2022.

I have attached a copy of the reservation letter for the file. Thanks, Helen LaValley 11/4/21

PUBLIC RESPONSES

Approval

no approvals

Disapproval

no disapprovals

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL WITH REQUESTS)

PUBLIC COMMENTS (DISAPPROVAL)



Department of Public Works, Engineering Division
P.O. Box 7800 • 350 N. Sinclair Ave. • Tavares, FL 32778

November 8, 2021

RECEIVED City of Leesburg
November 8, 2021
Troon Creek Preserve
ANNX-21-338
SSCP-21-339
PUD-21-340

Dan Miller,
Planning & Zoning Manager
City of Leesburg
Planning and Zoning Department
204 North 5th Street
Leesburg, Florida 34749
(sent via email)

RE: PROJECT: Troon Creek Preserve/ Planned Unit Development
CASE NO.: PUD-21-340

Lake County Department of Public Works recommended requirements for the Troon Creek Preserve PUD impacts to roadways and drainage systems:

Radio Road:

- Additional right-of-way maybe required along development's frontage.
- Sidewalk will need to be provided along road frontage.
- Further review of the proposed development and any offsite improvements needed beyond stated ones will be analyzed with the future application, plans and permit application submittals.

Poe Road:

- Poe Rd. is currently a county-maintained paved road that would need to be widened along the development's frontage to accommodate 12-ft lanes.
- Sidewalk will need to be provided along road frontage
- The road must be improved to meet city and county standard for 24-ft wide, road shoulders, drainage, grading, utilities, sidewalk, etc.
- Left and right turn lanes will be required at the entrance off Poe Rd.
- Additional right-of-way will be required to support the road improvements and extend to the southern boundary with the current road for any future improvement or development they may come.
- A corner clip at the southeast corner of Poe Rd . and Radio Rd. will need to be provided.

P 352.253.6000 • F 352.253.9025
Board of County Commissioners • www.lakecountyfl.gov

Douglas B. Shields
District 1

Sean M. Parks, AICP, QEP
District 2

Kirby Smith
District 3

Leslie Campione
District 4

Josh Blake
District 5

- Further review of the proposed development and any offsite improvements needed beyond stated ones will be analyzed with the future application, plans and permit application submittals.

Internal connectivity:

- The development is recommended to have internal pedestrian and bicycle connectivity throughout the development and to both Poe Rd. and Radio Rd.

Traffic:

- A Traffic Impact Analysis will be required of this development for review by the County.

Flood Study:

- Development will be responsible for a drainage and flood study to determine the flood zones within and partially crossing into the development area. The flood study will require review by both the city and county. The study will evaluate downstream impacts from stormwater outfall from this site.

Stormwater Management:

- The site's stormwater management design will need to be reviewed by Lake County when submitted to both the City of Leesburg and St Johns River Water Management District. We may require Lake County stormwater design standards on ponds that outfall or affect surrounding unincorporated lands or onto county roads.

Sincerely,

Seth Lynch

Seth Lynch
Development Engineer/Project Manager
Lake County Department of Public Works
Engineering Division
slynch@lakecountyfl.gov

Cc: Jeff Earhart, Engineering Manager for Lake County
Tim McClendon, Planning Director for Lake County
Kandi Harper, Senior Planner for City of Leesburg

**CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY**

DATE: November 18, 2021

OWNER: Gene Buckner

PETITIONER: Craig Rouhier, Jr., Troon Development, LLC

PROJECT: Troon Creek Preserve

REQUEST: Small Scale Comprehensive Plan Amendment to Estate Residential; Zoning to PUD (Planned Unit Development)

CASE NO.: SSCP 21-339; PUD-21-340

GENERAL LOCATION: The property is generally located east of Radio Road and south of Poe Street.

FUTURE LAND USE DESIGNATION: Lake County Urban Low Density

SURROUNDING FUTURE LAND USE DESIGNATION:

North – Lake County Urban Low Density
South – Lake County Urban Low Density
East – Lake County Urban Low Density
West – Lake County Regional Commercial

PROPOSED FUTURE LAND USE DESIGNATION: Estate Residential

EXISTING ZONING DESIGNATION: Lake County A (Agriculture)

SURROUNDING ZONING DESIGNATIONS:

North – Lake County R-6 (Urban Residential District); CFD (Community Facility District)
South – Lake County A (Agriculture)
East – Lake County A (Agriculture)
West – Lake County CFD (Community Facility District)

PROPOSED ZONING DESIGNATION: City of Leesburg PUD (Planned Unit Development)

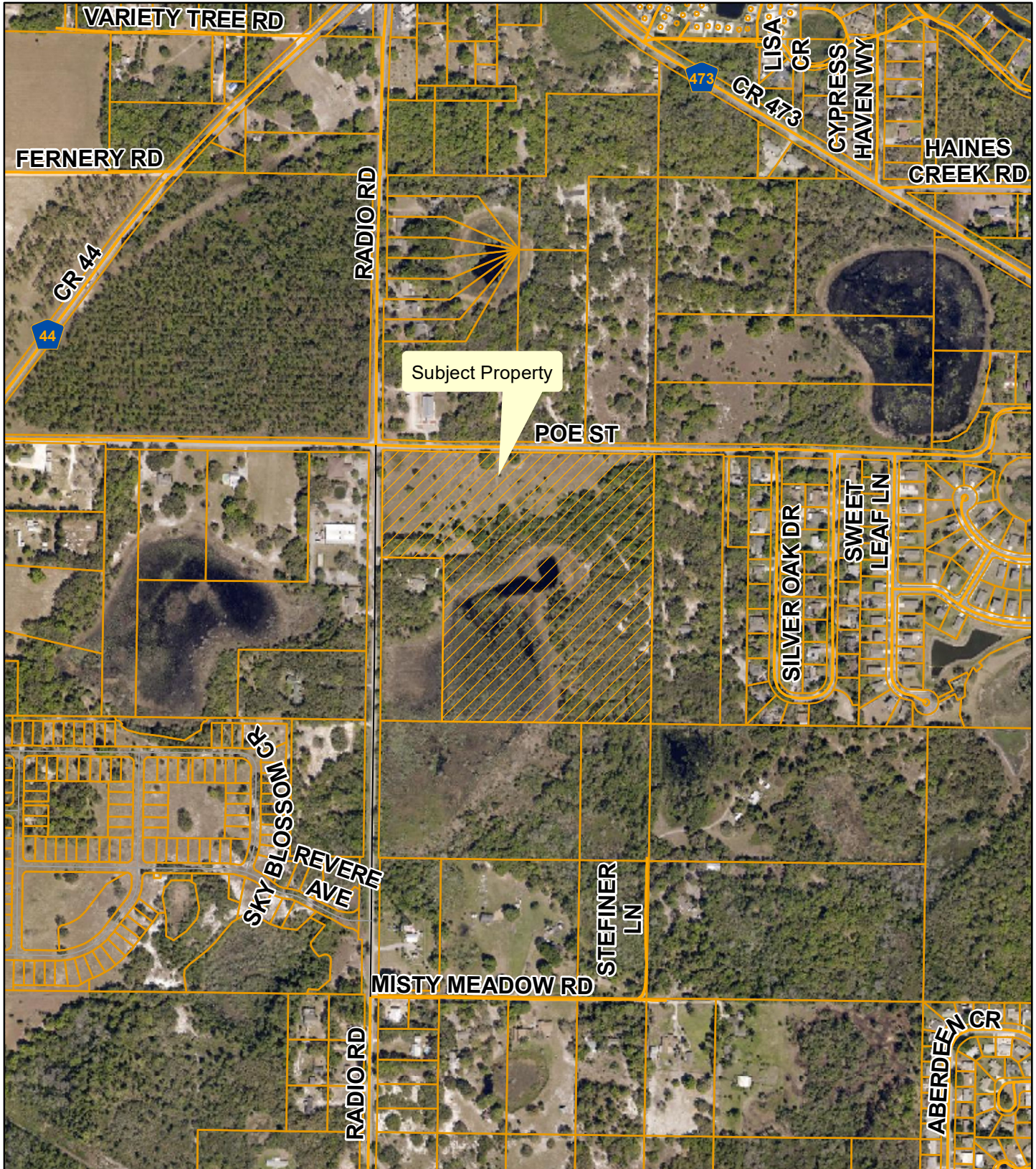
EXISTING LAND USE: Agriculture (pasture)

SURROUNDING LAND USE:

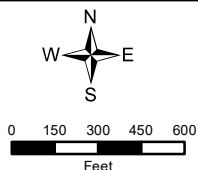
North – Residential (vacant); Institutional (church); Agriculture (hay)
South – Residential (vacant)
East – Residential
West – Institutional (school); Residential

PROPOSED LAND USE: Residential subdivision

Aerial

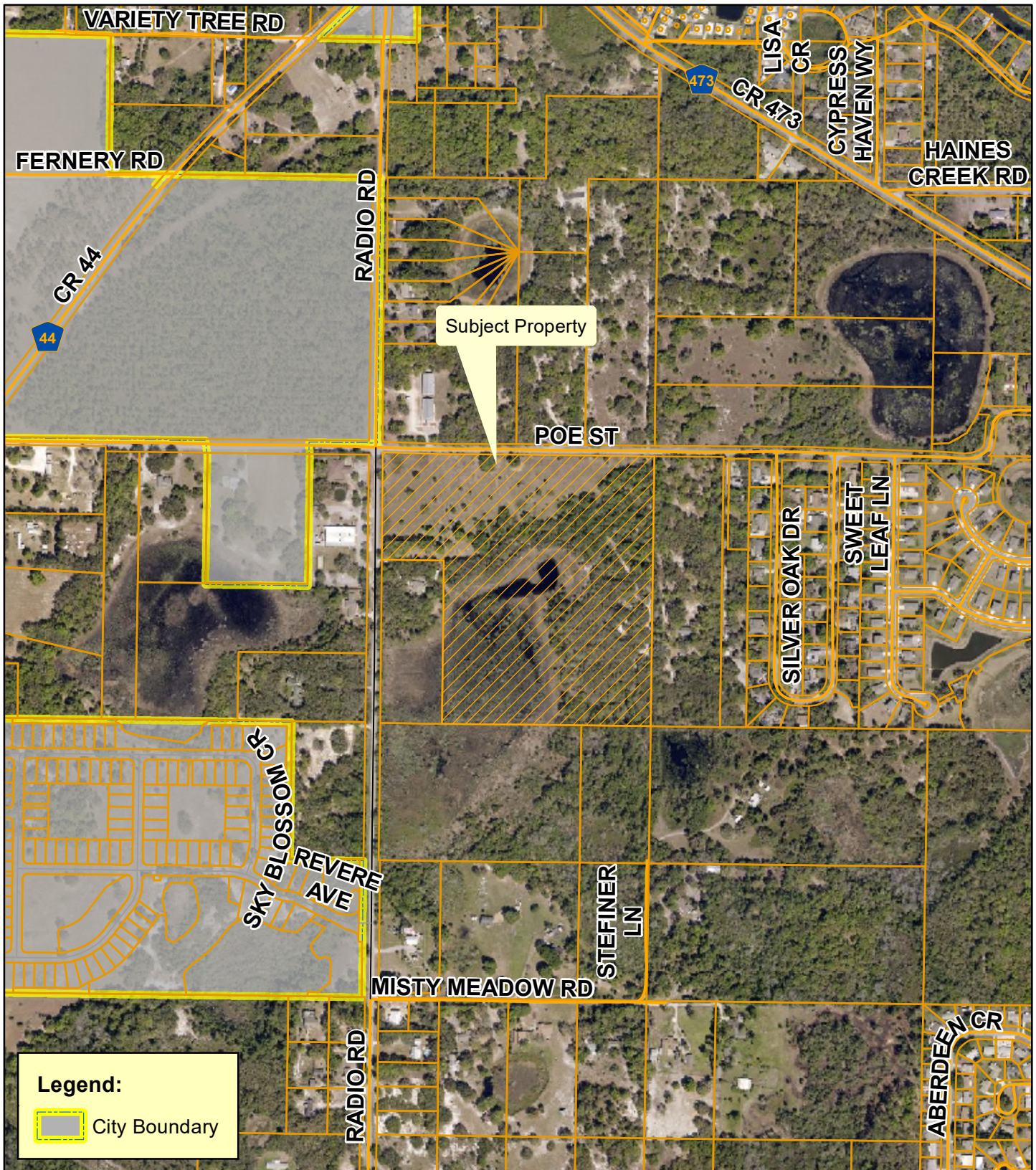


**Planning
& Zoning
Division**

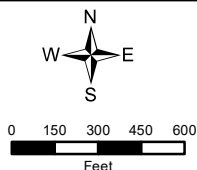


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
Poe Street and CR-44
AK#: 1388066
Section 02, Township 19 South, Range 25 East
September 29, 2021

City Boundary

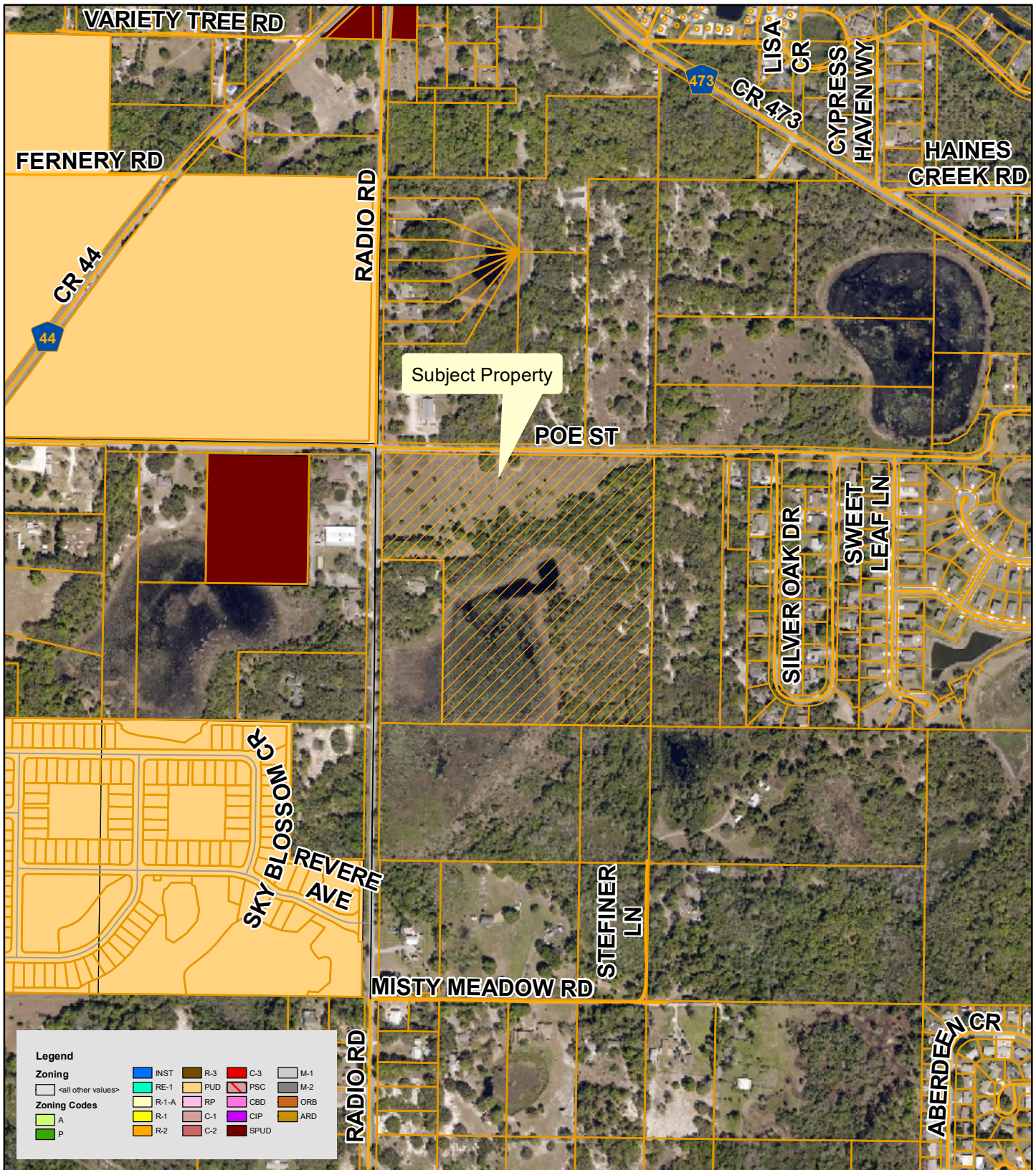


**Planning
& Zoning
Division**

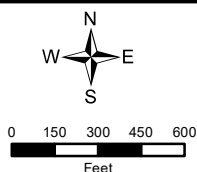


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
 Poe Street and CR-44
 AK#: 1388066
 Section 02, Township 19 South, Range 25 East
 September 29, 2021

Zoning

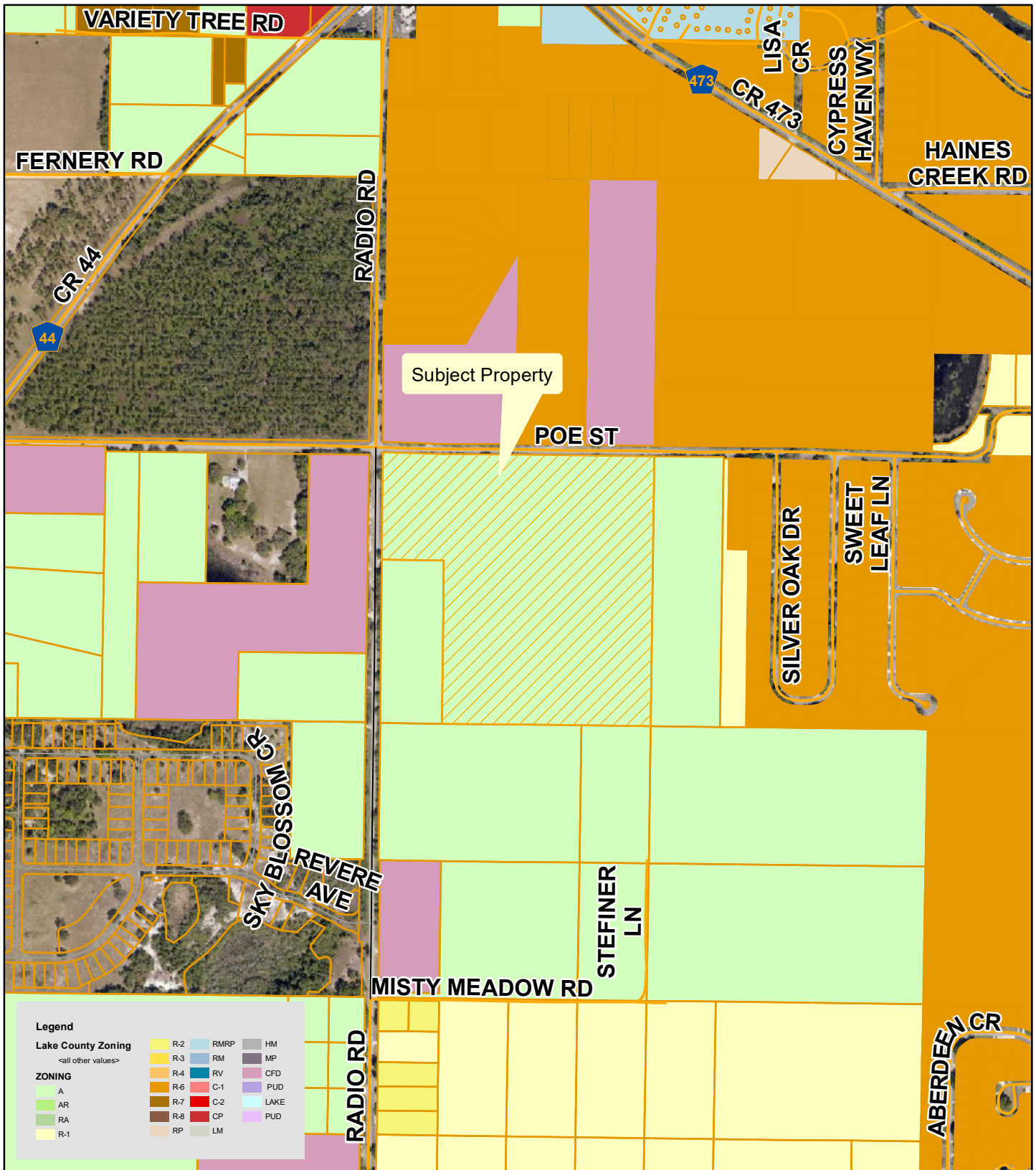


**Planning
& Zoning
Division**

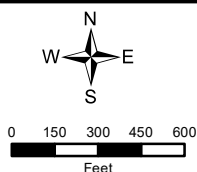


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
 Poe Street and CR-44
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 Section 02, Township 19 South, Range 25 East
 September 29, 2021

Lake County Zoning



**Planning
& Zoning
Division**

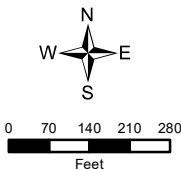


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
 Poe Street and CR-44
 AK#: 1388066
 Section 02, Township 19 South, Range 25 East
 September 29, 2021

PROPOSED ZONING

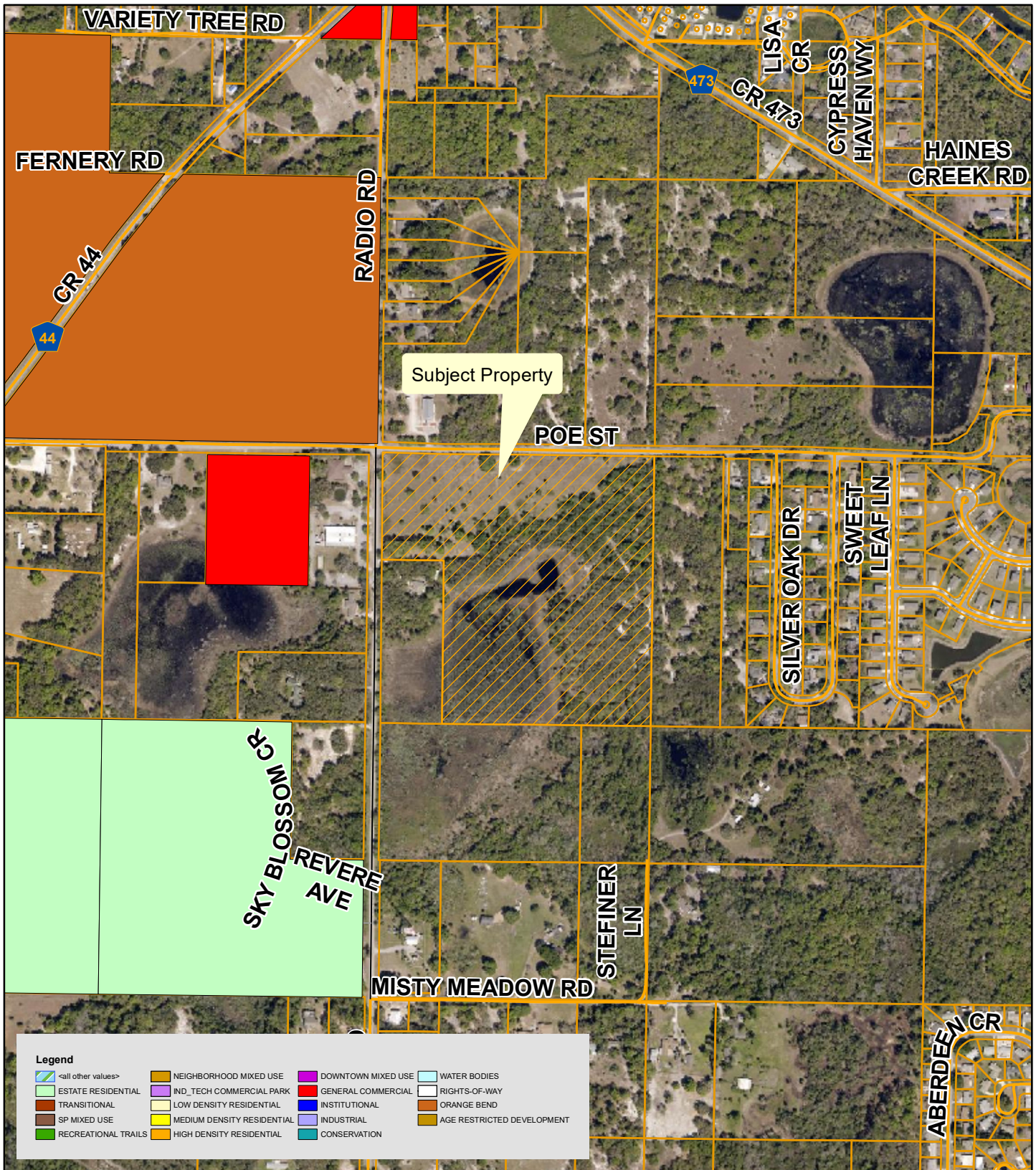


**Planning
& Zoning
Division**

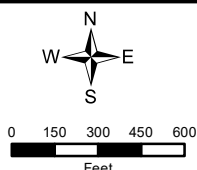


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
Poe Street and CR-44
AK#: 1388066
Section 02, Township 19 South, Range 25 East
September 29, 2021

Future Land Use

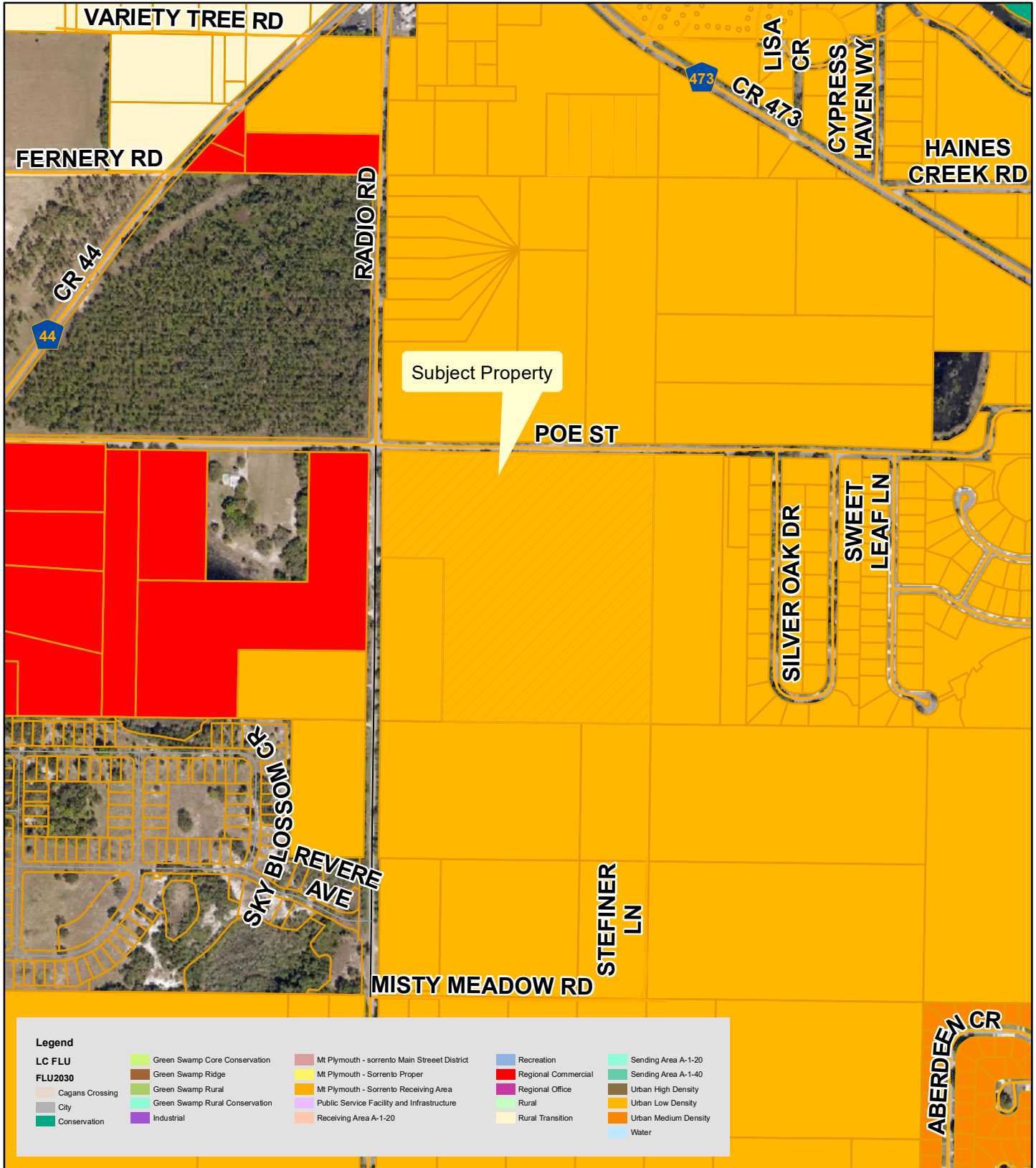


**Planning
& Zoning
Division**

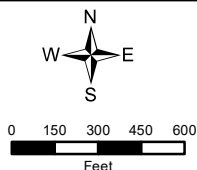


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
 Poe Street and CR-44
 AK#: 1388066
 Section 02, Township 19 South, Range 25 East
 September 29, 2021

Lake County Future Land Use

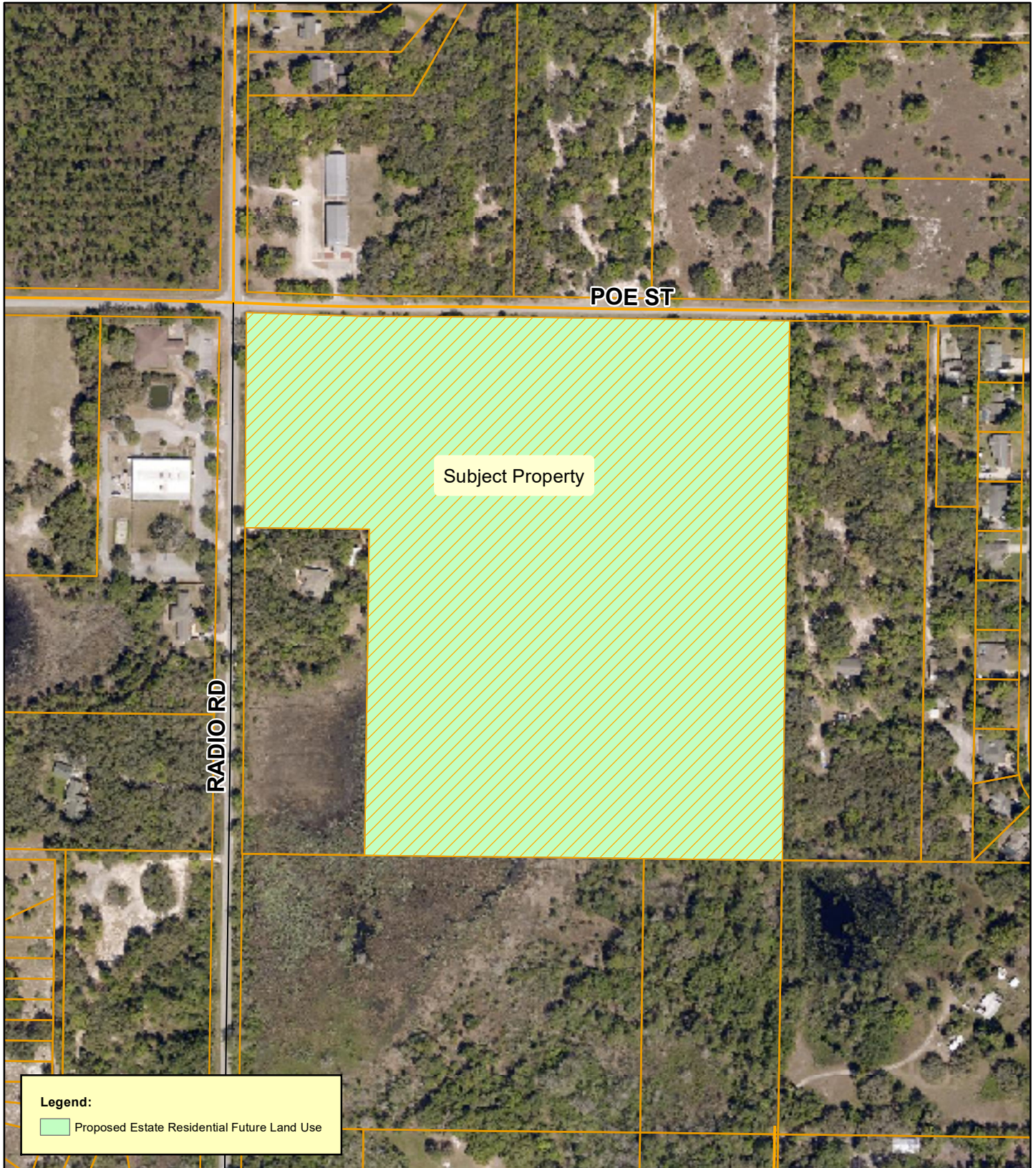


**Planning
& Zoning
Division**

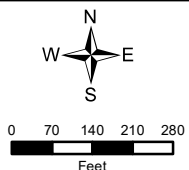


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
 Poe Street and CR-44
 AK#: 1388066
 Section 02, Township 19 South, Range 25 East
 September 29, 2021

PROPOSED FUTURE LAND USE



**Planning
& Zoning
Division**

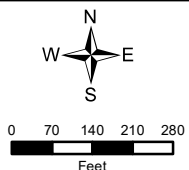


Troon Creek Preserve: ANNX-21-338, SSCP-21-339, PUD-21-340
Poe Street and CR-44
AK#: 1388066
Section 02, Township 19 South, Range 25 East
September 29, 2021

Surrounding Land Uses



**Planning
& Zoning
Division**

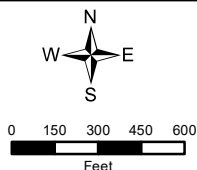


Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
Poe Street and CR-44
AK#: 1388066
Section 02, Township 19 South, Range 25 East
September 29, 2021

Commission District



**Planning
& Zoning
Division**



Troon Creek Preserve: ANN-21-338, SSCP-21-339, PUD-21-340
Poe Street and CR-44
AK#: 1388066
Section 02, Township 19 South, Range 25 East
September 29, 2021

Troon Creek Preserve
Sign Posting November 4, 2021



Picture of sign posting, taken from Poe Street looking south into the property.



Picture taken from sign posting, looking north across Poe Street.

Troon Creek Preserve
Sign Posting November 4, 2021



Picture taken from sign posting looking west along Poe Street.



Picture taken from sign posting looking east along Poe Street.

Troon Creek Preserve
Sign Posting November 4, 2021



Picture taken of sign posting on Radio Road, looking east into the property.



Picture taken from sign posting on Radio Road, looking west across Radio Road.

Troon Creek Preserve
Sign Posting November 4, 2021



Picture taken from sign posting on Radio Road, looking north along Radio Road.



Picture taken from sign posting on Radio Road, looking south along Radio Road.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.10.

Meeting Date: March 14, 2022

From: Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 1.00 +/- acres; and being generally located north of West Main Street and west of CR-468, lying in Section 28, Township 19 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 3; and providing an effective date (Blackton AX).

Staff Recommendation:

The Planning and Zoning staff and the Planning Commission recommend approval of the proposed ordinance for annexation of the Blackton Property.

Analysis:

The applicant has submitted a request for annexation of approximately 1.00 acre of land generally located north of West Main Street and west of CR-468, as shown on the attached General Location Map. At this time, part of the property contains single-family homes, and is otherwise vacant and undeveloped. The current zoning is Lake County R-6 (Urban Residential District); the proposed zoning is City C-3 (Highway Commercial). The reason for this request is to receive water and sewer service for the purpose of developing commercial buildings.

The property is surrounded by Lake County A (Agriculture), Lake County R-6 (Urban Residential District), City of Leesburg C-3 (Highway Commercial) and City of Leesburg M-1 (Industrial). Under the conditions of the SPUD (Small Planned Unit Development) zoning case which is also on this agenda, no negative impacts are anticipated to adjacent properties.

Also, on this City Commission agenda, is a Small-Scale Comprehensive Plan Amendments, which along with the Small Planned Unit Development Application, had recommendations for approval from the staff and Planning Commission. The Planning Commission held a public hearing on this request on January 20, 2022, and by a vote of 7-0 recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the requested annexation. This would give the City jurisdiction over the use and future development of the subject site and provide for the application of City standards to this property; or
2. Disapprove the proposed annexation and allow the property to remain in the County.

Fiscal Impact:

A positive fiscal impact will result from the annexation and development of this property due to increased tax revenue added to the General Fund. Future development of the property will increase this anticipated impact.

Submission Date and Time:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ANNEXING CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 1.00 +/- ACRES; AND BEING GENERALLY LOCATED NORTH OF WEST MAIN STREET AND WEST OF CR-468, LYING IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; PROVIDING THAT SAID PROPERTY SO ANNEXED SHALL BE LIABLE FOR ITS PROPORTIONATE SHARE OF THE EXISTING AND FUTURE INDEBTEDNESS OF SAID CITY; PROVIDING THAT SUCH ANNEXED PROPERTY SHALL BE SUBJECT TO ALL LAWS AND ORDINANCES OF SAID CITY AS IF ALL SUCH TERRITORY HAD BEEN A PART OF THE CITY OF LEESBURG AT THE TIME OF PASSAGE AND APPROVAL OF SAID LAWS AND ORDINANCES; PROVIDING THAT SUCH ANNEXED TERRITORY SHALL BE PLACED IN CITY COMMISSION DISTRICT 3; AND PROVIDING AN EFFECTIVE DATE (BLACKTON AX).

WHEREAS, the City Commission has received written objections, recommendations, and comments from the City of Leesburg Planning Commission, acting as the Local Planning Agenda, regarding amendment of the Comprehensive Plan of the City of Leesburg, and has made recommendations to the City Commission for amendment of the Plan; and

WHEREAS, the City Commission of the City of Leesburg has held public hearings on the proposed amendment to the plan, in light of written comments, proposals and objections from the general public;

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that;

Section 1.

Based upon the petition of Blackton Property, (Matthews Hanna Construction Inc, Agent) for the property hereinafter described, shall be annexed into the city limits of the City of Leesburg, Florida, which petition has heretofore been approved by the City Commission of the City of Leesburg, Florida, pursuant to the provisions of the Laws of Florida, the hereinafter described property is hereby annexed and made a part of the city limits of the City of Leesburg, Florida. The subject property lying and situated in Lake County, Florida, is more particularly described as:

Legal Description
(See Exhibit A);

Section 2.

All of the property, real and personal, within said annexed territory, described in Section 1 above, as provided by this ordinance, and the inhabitants thereof, shall be subject to the government, jurisdiction, powers, franchises, duties, and privileges of the City of Leesburg, Florida, and the said annexed property shall be liable, proportionately, for all of the present outstanding and existing, as well as future, indebtedness of the City of Leesburg, Florida; that all of the ordinances of the City of Leesburg, and all the laws heretofore passed by the Legislature of the State of Florida relating to and which now or hereafter constitute its Charter, shall apply to and have the same force and effect on such annexed

territory as if all such annexed territory had been a part of the City of Leesburg, Florida, at the time of the passage and approval of said laws and ordinances. The property annexed is hereby assigned to City Commission District 3.;

Section 3.

All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed;

Section 4.

This ordinance shall become effective immediately upon approval at second reading.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 14th day of March 2022.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

EXHIBIT "A"

1.) Property Addresses:

- a. (Alt key 1292484) 131 COUNTY ROAD 468, LEESBURG, FL 34748
- b. (Alt key 1292719) 125 COUNTY ROAD 468, LEESBURG, FL 34748
- c. (Alt key 3809261) 107 COUNTY ROAD 468, LEESBURG, FL 34748

5.) Properties are generally located near the following streets: CR468 & Main Street

Size of properties:

- a. (Alt key 1292484) Acres: 0.229048, Zoning R-6, Present Use: Residence, Proposed Use: Commercial
- b. (Alt key 1292719) Acres: 0.229243, Zoning R-6, Present Use: Residence, Proposed Use: Commercial
- c. (Alt key 3809261) Acres: 0.547339, Zoning R-6, Present Use: Vacant, Proposed Use: Commercial

7.) Number of existing structures on properties and their present uses:

- a. (Alt key 1292484) (2) Structures; (1) Residential Building, (1) Utility Building
- b. (Alt key 1292719) (1) Residential Building
- c. (Alt key 3809261) None

✓ 10.) Legal Descriptions/Section/Township/Range/Alt Key:

- a. From the Northwest corner of the Northwest Quarter of the Northwest Quarter of Section 28, Township 19 South, Range 24 East, Lake County, Florida, run South 89 degrees 49'20" East along said section line for 1178.81 feet to the Point of Beginning, run thence South 89 degrees 49'20" East along said section line for 103 feet to the Westerly right-of-way line of State Road No. 468, thence South 0 degrees 23'40" West along said right-of-way line for 97 feet, thence North 89 degrees 49'20" West for 103 feet, thence North 0 degrees 23'40" East for 97 feet to the Point of Beginning.

Section 28/Township 19 South/Range 24 East

Alternate Key: 1292484

- No bearing*
- ✓ b. Begin 1281.81 feet East and 97 feet South of the Northwest corner of the Northwest 1/4 of the Northwest 1/4, run West 103 feet, South 96.8 feet, East 103 feet to the Westerly right-of-way of Country Road 468, North along right-of-way to Point of Beginning, all being in Section 28, Township 19 South, Range 24 East, Lake County, Florida

Section 28/Township 19 South/Range 24 East

Alternate Key: 1292719

- c. BEGIN AT THE NORTH LINE OF SECTION AT A POINT 103 FEET WEST OF THE RIGHT-OF-WAY LINE OF COUNTY ROAD 468, RUN SOUTH 288.90 FEET, EAST 103 FEET TO WESTERLY RIGHT-OF-WAY OF COUNTY 468, SOUTHERLY ALONG RIGHT-OF-WAY TO NORTHERLY RIGHT-OF-WAY OF STATE ROAD 44 AND POINT A; RETURN TO POINT OF BEGINNING, RUN WEST ALONG NORTH LINE OF SECTION TO EAST LINE OF CENTRAL FLORIDA INDUSTRIAL PARK SUBDIVISION, SOUTH TO WEST LINE OF STATE ROAD 44, NORTHEASTERLY ALONG SAID STATE ROAD 44 TO POINT A, SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; LESS AND EXCEPT THE FOLLOWING: THAT PORTION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF THE EAST 1/2 OF THE SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4, SAID POINT ALSO BEING THE NORTHEAST CORNER OF CENTRAL FLORIDA INDUSTRIAL PARK ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGES 49 AND 50, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THENCE RUN S 89° 47' 10" E 473.74 FEET ALONG THE NORTH LINE OF SAID NORTHWEST 1/4; THENCE DEPARTING SAID NORTH LINE RUNS 00° 25' 14" W 364.61 FEET TO THE POINT OF BEGINNING; THENCE S 89° 34' 47" E 144.79 FEET TO THE WEST RIGHT-OF-WAY OF COUNTY ROAD 468; THENCE S 00° 25' 14" W ALONG SAID RIGHT-OF-WAY 240.43 FEET TO A POINT HEREBY DESIGNATED AS POINT "A"; RETURN TO THE POINT OF BEGINNING AND RUN S 00° 25' 14" W A DISTANCE OF 29.49 FEET; THENCE S 79° 37' 58" W A DISTANCE OF 172.33 FEET; THENCE RUN S 10° 22' 02" E A DISTANCE OF 252.34 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 44; THENCE N 79° 03' 58" E ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO AN IRON PIN LABELED LB707 SAID POINT BEING AN ANGLE POINT OF THE INTERSECTION OF THE SAID NORTHERLY RIGHT-OF-WAY OF STATE HIGHWAY 44 AND THE SAID WEST RIGHT-OF-WAY OF COUNTY ROAD NO 468; THENCE N 39° 10' 24" E ALONG THE SAID RIGHT-OF-WAYS A DISTANCE OF 27.79 FEET TO THE AFOREMENTIONED POINT "A" AND THE END OF THIS DESCRIPTION.

LESS AND EXCEPT:

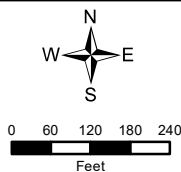
THAT PORTION OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA. DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4, SAID POINT ALSO BEING THE NORTHEAST CORNER OF CENTRAL FLORIDA INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28, PAGES 49 AND 50, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN S 89° 47' 10" E 473.74 FEET ALONG THE NORTH LINE OF SAID NORTHWEST 1/4; THENCE DEPARTING SAID NORTH LINE RUN S 00° 25' 14" W 394.10 FEET; THENCE S 79° 37' 58" W 172.33 FEET TO THE POINT OF BEGINNING; THENCE S 10° 22' 02" E 252.34 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 44; THENCE S 79° 37' 58" W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 175.00 FEET; THENCE

Aerial

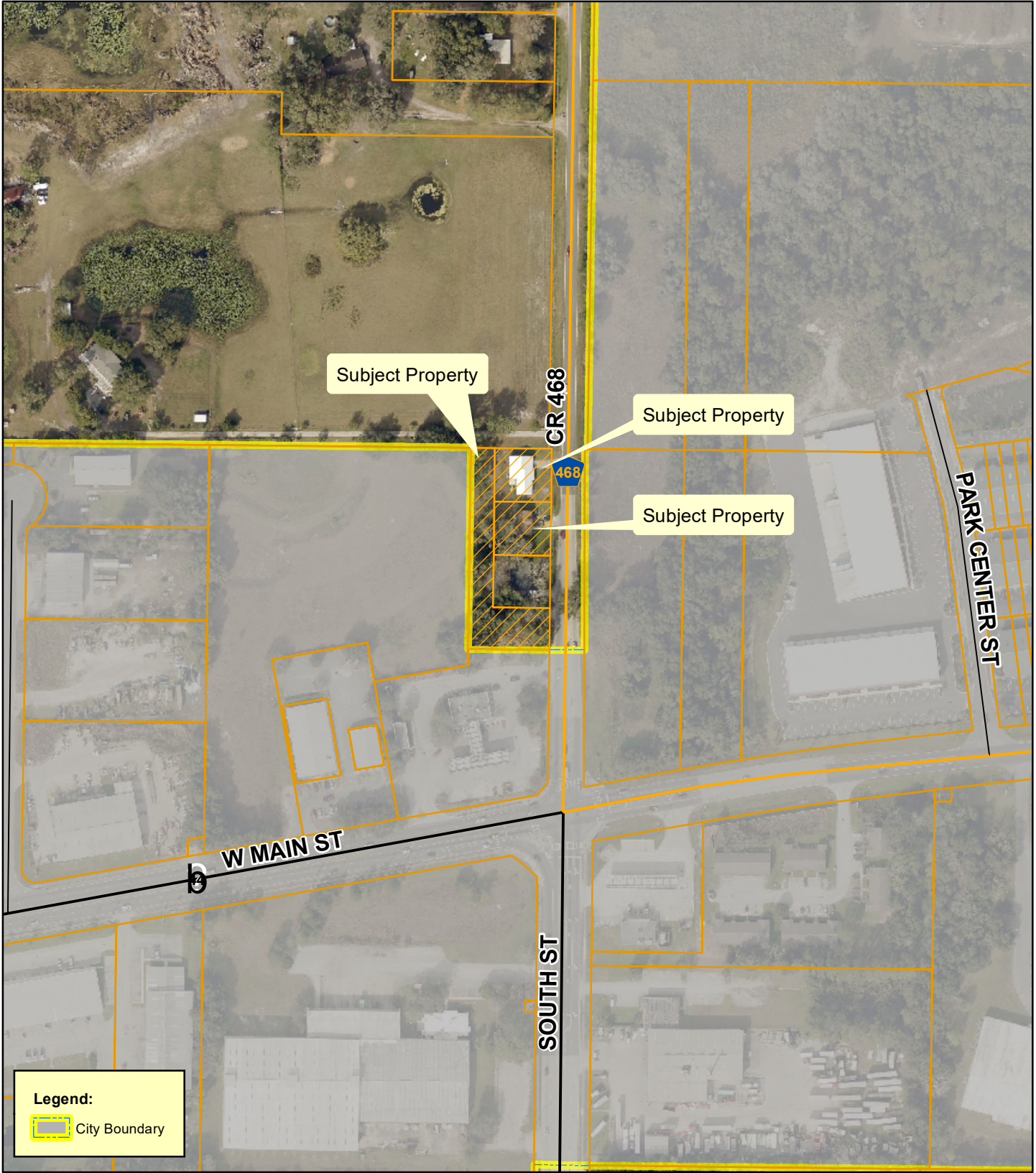


**Planning
& Zoning
Division**

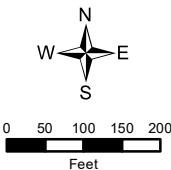


Blackton / Wooden Cork, LLC
Alternate Key #: 3809261, 1292484, 1292719
Section 28, Township 19 South, Range 24 East
January 5, 2022

City Boundary



**Planning
& Zoning
Division**

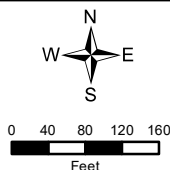


Blackton / Wooden Cork, LLC
Alternate Key #: 3809261, 1292484, 1292719
Section 28, Township 19 South, Range 24 East
January 5, 2022

Surrounding Land Uses

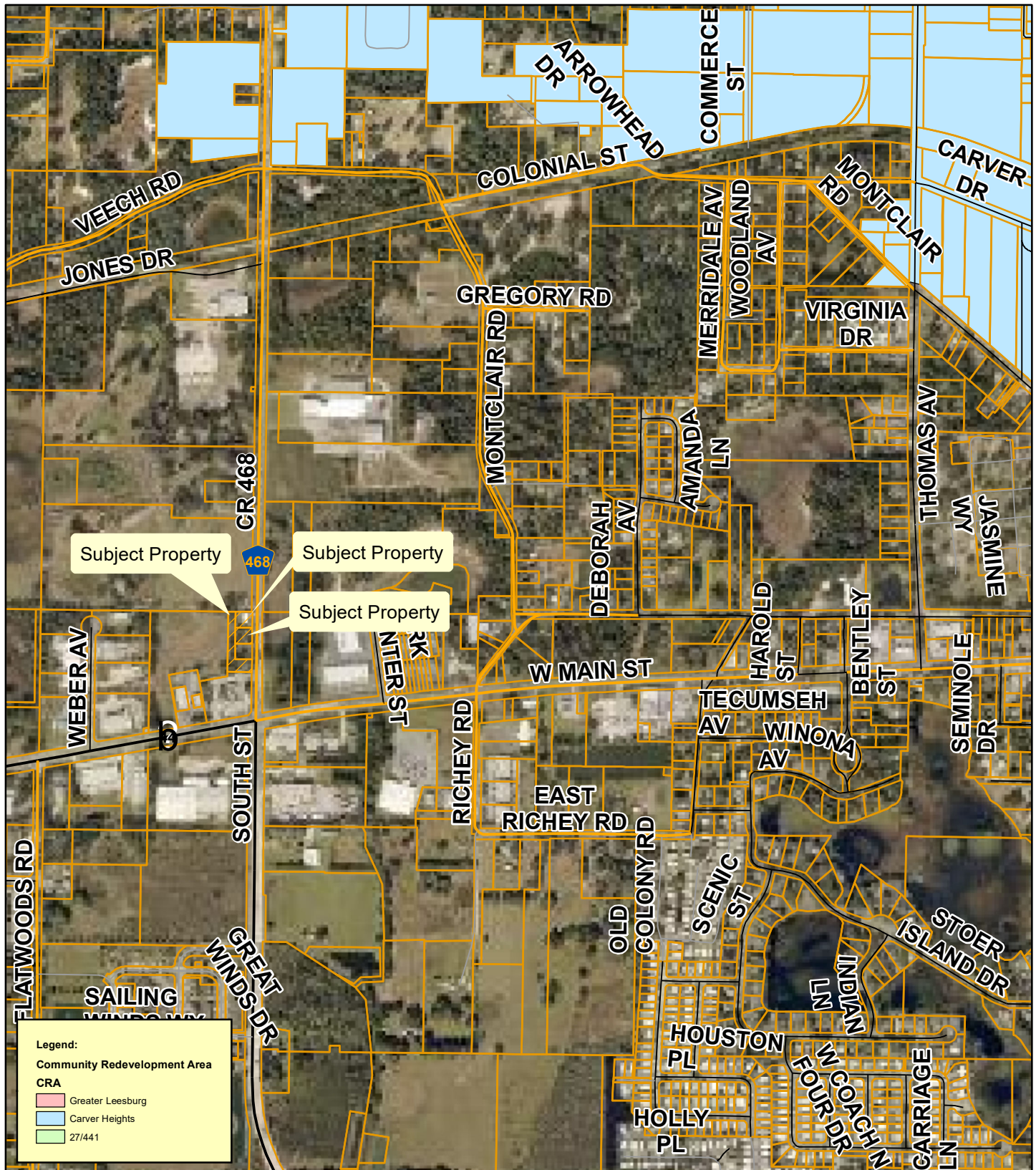


**Planning
& Zoning
Division**

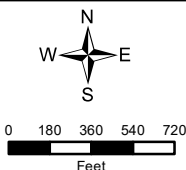


Blackton / Wooden Cork, LLC
Alternate Key #: 3809261, 1292484, 1292719
Section 28, Township 19 South, Range 24 East
January 5, 2022

Community Redevelopment Area

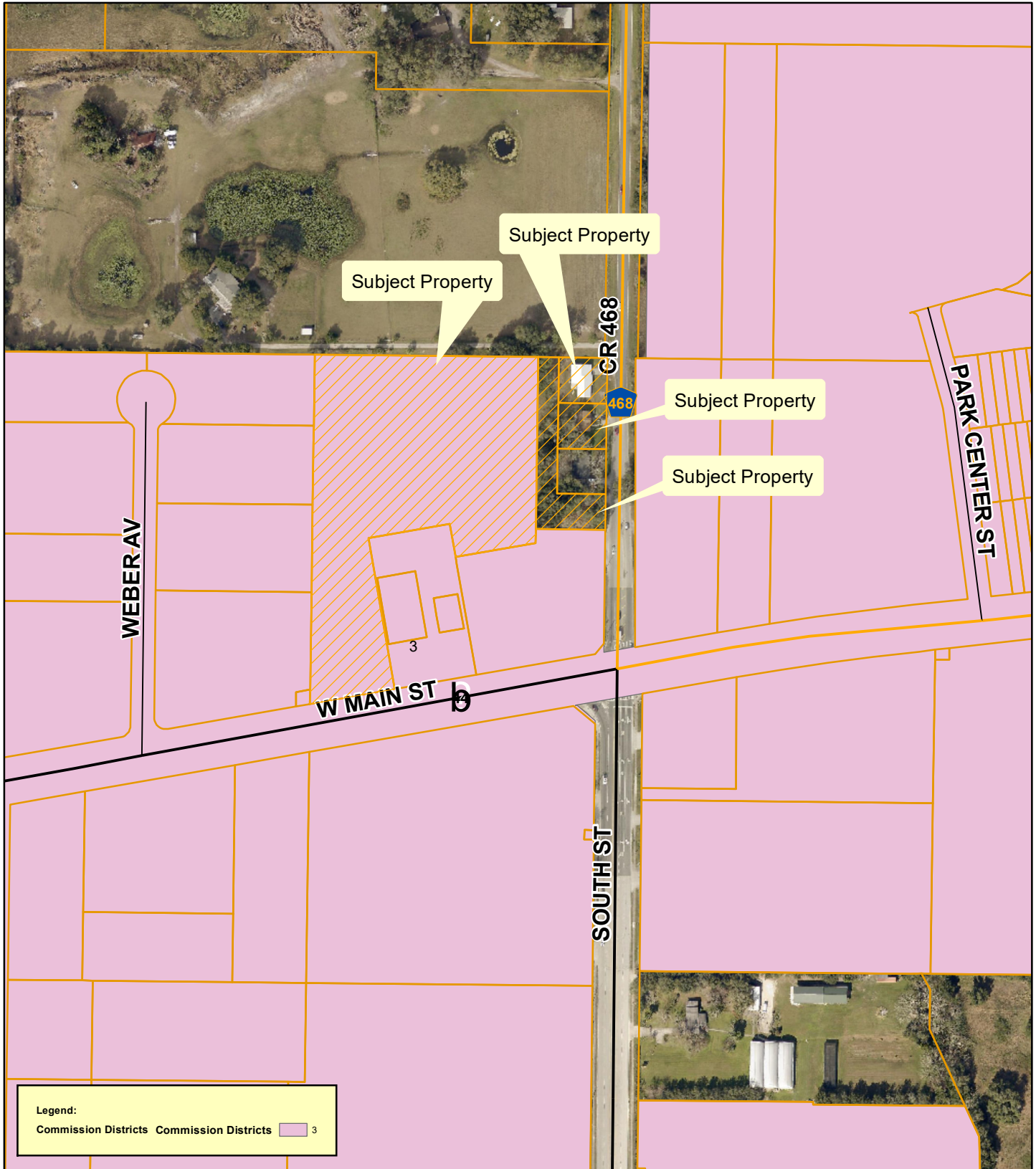


**Planning
& Zoning
Division**

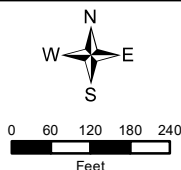


Blackton / Wooden Cork, LLC
 Alternate Key #: 3809261, 1292484, 1292719
 Section 28, Township 19 South, Range 24 East
 January 5, 2022

Commission District



**Planning
& Zoning
Division**



Blackton / Wooden Cork, LLC
 131 CR-468, 125 CR-468, 107 CR-468 and West Main Street
 Section 28, Township 19 South, Range 24 East
 December 27, 2021

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.11.

Meeting Date: March 14, 2022

From: Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 1.00 +/- acres from Lake County to City of Leesburg General Commercial, for a property generally located north of West Main Street and west of CR-468 as legally described in Section 28, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Blackton SSCP)

Staff Recommendation:

The Planning & Zoning Staff and the Planning Commission recommend approval of the proposed small-scale comp plan amendment of the City's Future Land Use Map on 1.00 +/- acres from Lake County to City of Leesburg General Commercial.

Analysis:

The project site is approximately 1.00 acre. The property is generally located north of West Main Street and west of CR-468. Currently, the property has single-family homes, and is vacant and undeveloped. The proposed use is for commercial buildings. The surrounding Future Land Use Map designation of Lake County Urban Medium Density, City of Leesburg General Commercial, and City of Leesburg Industrial is compatible, as conditioned in the rezoning, with the proposed future land use designation of City General Commercial. The proposed zoning designation of City C-3 (General Commercial) will provide for development that is consistent with the City's adopted Growth Management Plan and would allow an appropriate use for the property.

This property lies within the ISBA (Interlocal Service Boundary Area) agreement. This agreement, which was approved by the City Commission on November 24, 2014, allows property within the ISBA area but outside the current city limits to be annexed and obtain City of Leesburg utility services.

The Planning Commission held a public hearing on the application on January 20, 2022 and recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the requested small-scale comprehensive plan amendment from Lake County to City of Leesburg General Commercial; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

There is no direct fiscal impact to the City for this action. Future development of this site will create a substantial positive fiscal impact on the City of Leesburg, in the form of impact and utility fees, plus ad valorem taxes.

Submission Date and Time:

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING 1.00 +/- ACRES FROM LAKE COUNTY TO CITY OF LEESBURG GENERAL COMMERCIAL, FOR A PROPERTY GENERALLY LOCATED NORTH OF WEST MAIN STREET AND WEST OF CR-468 AS LEGALLY DESCRIBED IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (BLACKTON SSCP)

WHEREAS, the City Commission has received written objections, recommendations, and comments from the City of Leesburg Planning Commission, acting as the Local Planning Agenda, regarding amendment of the Comprehensive Plan of the City of Leesburg, and has made recommendations to the City Commission for amendment of the Plan; and

WHEREAS, the City Commission of the City of Leesburg has held public hearings on the proposed amendment to the plan, in light of written comments, proposals and objections from the general public;

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that;

Section 1.

The Growth Management Plan of the City of Leesburg, adopted by the City of Leesburg on December 10, 2012, pursuant to the Community Planning Act of 2011, Chapter 163, Part II, Florida Statutes, after public hearings by the City of Leesburg Planning Commission, is hereby amended in the following manner;

The Future Land Use Map is amended by changing the designation of approximately 33.25 +/- acres of land generally located south of Poe Street and east of Radio Road from Lake County Urban Low Density to City of Leesburg Estate Residential, as shown on the revised map of said area, lying in Section 02, Township 19 South, Range 25 East, Lake County Florida;

Section 2.

All ordinances or parts of ordinances in conflict the any of the provisions of this ordinance are hereby repealed;

Section 3.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 14th day of March 2022.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

EXHIBIT "A"

1.) Property Addresses:

- a. (Alt key 1292484) 131 COUNTY ROAD 468, LEESBURG, FL 34748
- b. (Alt key 1292719) 125 COUNTY ROAD 468, LEESBURG, FL 34748
- c. (Alt key 3809261) 107 COUNTY ROAD 468, LEESBURG, FL 34748

5.) Properties are generally located near the following streets: CR468 & Main Street

Size of properties:

- a. (Alt key 1292484) Acres: 0.229048, Zoning R-6, Present Use: Residence, Proposed Use: Commercial
- b. (Alt key 1292719) Acres: 0.229243, Zoning R-6, Present Use: Residence, Proposed Use: Commercial
- c. (Alt key 3809261) Acres: 0.547339, Zoning R-6, Present Use: Vacant, Proposed Use: Commercial

7.) Number of existing structures on properties and their present uses:

- a. (Alt key 1292484) (2) Structures; (1) Residential Building, (1) Utility Building
- b. (Alt key 1292719) (1) Residential Building
- c. (Alt key 3809261) None

✓ 10.) Legal Descriptions/Section/Township/Range/Alt Key:

- a. From the Northwest corner of the Northwest Quarter of the Northwest Quarter of Section 28, Township 19 South, Range 24 East, Lake County, Florida, run South 89 degrees 49'20" East along said section line for 1178.81 feet to the Point of Beginning, run thence South 89 degrees 49'20" East along said section line for 103 feet to the Westerly right-of-way line of State Road No. 468, thence South 0 degrees 23'40" West along said right-of-way line for 97 feet, thence North 89 degrees 49'20" West for 103 feet, thence North 0 degrees 23'40" East for 97 feet to the Point of Beginning.

Section 28/Township 19 South/Range 24 East

Alternate Key: 1292484

- No bearing*
- ✓ b. Begin 1281.81 feet East and 97 feet South of the Northwest corner of the Northwest 1/4 of the Northwest 1/4, run West 103 feet, South 96.8 feet, East 103 feet to the Westerly right-of-way of Country Road 468, North along right-of-way to Point of Beginning, all being in Section 28, Township 19 South, Range 24 East, Lake County, Florida

Section 28/Township 19 South/Range 24 East

Alternate Key: 1292719

- c. BEGIN AT THE NORTH LINE OF SECTION AT A POINT 103 FEET WEST OF THE RIGHT-OF-WAY LINE OF COUNTY ROAD 468, RUN SOUTH 288.90 FEET, EAST 103 FEET TO WESTERLY RIGHT-OF-WAY OF COUNTY 468, SOUTHERLY ALONG RIGHT-OF-WAY TO NORTHERLY RIGHT-OF-WAY OF STATE ROAD 44 AND POINT A; RETURN TO POINT OF BEGINNING, RUN WEST ALONG NORTH LINE OF SECTION TO EAST LINE OF CENTRAL FLORIDA INDUSTRIAL PARK SUBDIVISION, SOUTH TO WEST LINE OF STATE ROAD 44, NORTHEASTERLY ALONG SAID STATE ROAD 44 TO POINT A, SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; LESS AND EXCEPT THE FOLLOWING: THAT PORTION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF THE EAST 1/2 OF THE SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4, SAID POINT ALSO BEING THE NORTHEAST CORNER OF CENTRAL FLORIDA INDUSTRIAL PARK ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGES 49 AND 50, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THENCE RUN S 89° 47' 10" E 473.74 FEET ALONG THE NORTH LINE OF SAID NORTHWEST 1/4; THENCE DEPARTING SAID NORTH LINE RUNS 00° 25' 14" W 364.61 FEET TO THE POINT OF BEGINNING; THENCE S 89° 34' 47" E 144.79 FEET TO THE WEST RIGHT-OF-WAY OF COUNTY ROAD 468; THENCE S 00° 25' 14" W ALONG SAID RIGHT-OF-WAY 240.43 FEET TO A POINT HEREBY DESIGNATED AS POINT "A"; RETURN TO THE POINT OF BEGINNING AND RUN S 00° 25' 14" W A DISTANCE OF 29.49 FEET; THENCE S 79° 37' 58" W A DISTANCE OF 172.33 FEET; THENCE RUN S 10° 22' 02" E A DISTANCE OF 252.34 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 44; THENCE N 79° 03' 58" E ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO AN IRON PIN LABELED LB707 SAID POINT BEING AN ANGLE POINT OF THE INTERSECTION OF THE SAID NORTHERLY RIGHT-OF-WAY OF STATE HIGHWAY 44 AND THE SAID WEST RIGHT-OF-WAY OF COUNTY ROAD NO 468; THENCE N 39° 10' 24" E ALONG THE SAID RIGHT-OF-WAYS A DISTANCE OF 27.79 FEET TO THE AFOREMENTIONED POINT "A" AND THE END OF THIS DESCRIPTION.

LESS AND EXCEPT:

THAT PORTION OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA. DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4, SAID POINT ALSO BEING THE NORTHEAST CORNER OF CENTRAL FLORIDA INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28, PAGES 49 AND 50, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN S 89° 47' 10" E 473.74 FEET ALONG THE NORTH LINE OF SAID NORTHWEST 1/4; THENCE DEPARTING SAID NORTH LINE RUN S 00° 25' 14" W 394.10 FEET; THENCE S 79° 37' 58" W 172.33 FEET TO THE POINT OF BEGINNING; THENCE S 10° 22' 02" E 252.34 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 44; THENCE S 79° 37' 58" W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 175.00 FEET; THENCE



CITY OF LEESBURG PLANNING & ZONING DIVISION RECOMMENDATIONS

OWNER: Michael W. Blackton
PETITIONER: Michael W. Blackton
PROJECT: Blackton
REQUEST: Small Scale Comprehensive Plan Amendment
CASE NO.: SSCP-21-372

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request **for the following reason(s):**

1. This project meets the requirements of Chapter 163.3184 Florida Statutes, for Comprehensive Plan Amendments.
2. The proposed request, as conditioned in City of Leesburg case number SSCP-21-372, is compatible with the adjacent future land use designations of Lake County Urban Medium Density, City of Leesburg General Commercial, and City of Leesburg Industrial.
3. The proposed request as conditioned in City of Leesburg Case number RZ-21-373, is compatible with the current surrounding zoning districts of Lake County A (Agriculture) and City of Leesburg C-3 (Highway Commercial).
4. The proposed future land use designation for the site is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

Action Requested:

1. Vote to approve the Small-Scale Comprehensive Plan designation from Lake County to City of Leesburg General Commercial and forward the recommendation to the City Commission for consideration.

**CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY**

DATE: January 20, 2022

OWNER: Michael W. Blackton

PETITIONER: Michael W. Blackton

PROJECT: Blackton

REQUEST: Small Scale Comprehensive Plan Amendment to General Commercial; Zoning to C-3 (Highway Commercial)

CASE NO.: SSCP 21-372; RZ-21-373

GENERAL LOCATION: The property is generally located north of West Main Street and west of County Road 468.

FUTURE LAND USE DESIGNATION: Lake County – no designation provided

SURROUNDING FUTURE LAND USE DESIGNATION:

North – Lake County Urban Medium Density
South – City of Leesburg Industrial; City of Leesburg General Commercial
East – City of Leesburg General Commercial
West – City of Leesburg Industrial

PROPOSED FUTURE LAND USE DESIGNATION: General Commercial

EXISTING ZONING DESIGNATION: Lake County R-6 (Urban Residential District)

SURROUNDING ZONING DESIGNATIONS:

North – Lake County A (Agriculture)
South – City of Leesburg C-3 (Highway Commercial)
East – City of Leesburg C-3 (Highway Commercial); Lake County R-6 (Urban Residential District)
West – City of Leesburg M-1 (Industrial)

PROPOSED ZONING DESIGNATION: City of Leesburg C-3 (Highway Commercial)

EXISTING LAND USE: Undeveloped parcel and single-family homes.

SURROUNDING LAND USE:

North – Single Family Residential
South – Commercial; Warehousing; Light Manufacturing
East – Commercial
West – Central Florida Industrial Park (light manufacturing)

PROPOSED LAND USE: Commercial buildings

**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

DATE: January 4, 2022
OWNER: Michael W. Blackton
PETITIONER: Michael W. Blackton
PROJECT: Blackton Commercial Buildings
REQUEST: Small Scale Comprehensive Plan Amendment to General Commercial; Zoning to C-3
(Highway Commercial)
CASE NO.: ANNX-21-371; SSCP 21-372; RZ-21-373

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 1/14/22

FIRE

No comments from Fire Department. Amanda Stevenson 1/11/22

ELECTRIC

Electric will require easements for this project. The developer will need to contact us prior to submitting the plans for DRC review. We will need to know if the buildings will be three phases. Additional costs may be due for installation of power. They can reach out to me at Steve.Davis@leesburgflorida.gov, or Timothy.thomas@leesburgflorida.gov. Steve Davis 1/5/22

GAS

No issues here. Robert Thilmony 1/6/22

Natural Gas is available. Brandon Smith 1/11/22

GIS

GIS has no comments. Tammy Magamoll 1/13/22

BUILDING

No comments received as of 1/14/22

PUBLIC WORKS

Public Works has no issues with this. FDOT is working on a complete street design concept for West Main Street, but the area the requestor is developing should be unaffected. Clifford Kelsey 1/6/22

ADDRESSING

No comments received as of 1/14/22

ECONOMIC DEVELOPMENT

No comments received as of 1/14/22

LAKE COUNTY PUBLIC WORKS

Lake County Public Works comment letter is attached. Thanks, Seth Lynch 1/14/22

LAKE COUNTY SCHOOLS

The school district does not have any comments for the annexation, small scale CPA or the rezoning to commercial highway. Thanks, Helen LaValley 1/14/22

PUBLIC RESPONSES

Approval

1 approval

Disapproval

none

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL WITH REQUESTS)

PUBLIC COMMENTS (DISAPPROVAL)



Department of Public Works, Engineering Division
P.O. Box 7800 • 350 N. Sinclair Ave. • Tavares, FL 32778

January 13, 2022

Dan Miller,
Planning & Zoning Manager
City of Leesburg
Planning and Zoning Department
204 North 5th Street
Leesburg, Florida 34749
(sent via email)

RE: PROJECT: Blacktron Commercial / Planned Unit Development
CASE NO.: REZ-21-373

Lake County Department of Public Works recommended requirements for the Blacktron Commercial rezoning's future impacts to roadways and drainage systems:

CR 468:

- Additional right-of-way maybe required along development's frontage.
- Sidewalk will need to be provided along road frontage.
- Site will be required to have both left and right turn lanes for the access off CR 468.
- Cross access to the neighboring property both existing commercial and non should be provided. When future development from the surrounding properties occurs, then the improves for interconnectivity for cross access can be completed.

Internal connectivity:

- The development is recommended to have internal pedestrian and bicycle connectivity throughout the development and out to the public roads (SR 44 and CR 468).

Traffic:

- A Traffic Impact Analysis will be required of this development for review by Lake-Sumter MPO and Lake County.

P 352.253.6000 • F 352.253.9025
Board of County Commissioners • www.lakecountyfl.gov

Douglas B. Shields
District 1

Sean M. Parks, AICP, QEP
District 2

Kirby Smith
District 3

Leslie Campione
District 4

Josh Blake
District 5

Stormwater Management:

- The site's stormwater management design will need to be reviewed by Lake County when submitted to both the City of Leesburg and St Johns River Water Management District. We may require Lake County stormwater design standards on ponds that outfall or affect surrounding unincorporated lands or onto county roads.

Flood Study:

- Development will be responsible for a drainage and flood study to determine the flood zones within and partially crossing into the development area. The flood study will require review by both the city and county. The study will evaluate downstream impacts from stormwater outfall from this site.

Please be advised that this letter pertains to transportation, access management, stormwater, and floodplain related impacts foreseen from the proposed PUD application as reviewed by Lake County Department of Public Works. This letter does not include any land use, zoning, or any other elements that which be addressed by other departments, such as Lake County Department of Economic Growth - Office of Planning and Zoning.

Please let me know if you have any questions on the comments and recommendations I have provided in this letter.

Sincerely,

Seth Lynch

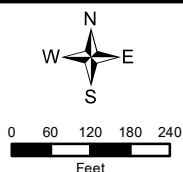
Seth Lynch
Development Engineer/Project Manager
Lake County Department of Public Works
Engineering Division
slynch@lakecountyfl.gov

Cc: Jeff Earhart, Engineering Manager for Lake County
Tim McClendon, Planning Director for Lake County
Michele Janiszewski, Chief Planner for Lake County
Kandi Harper, Senior Planner for City of Leesburg

Aerial

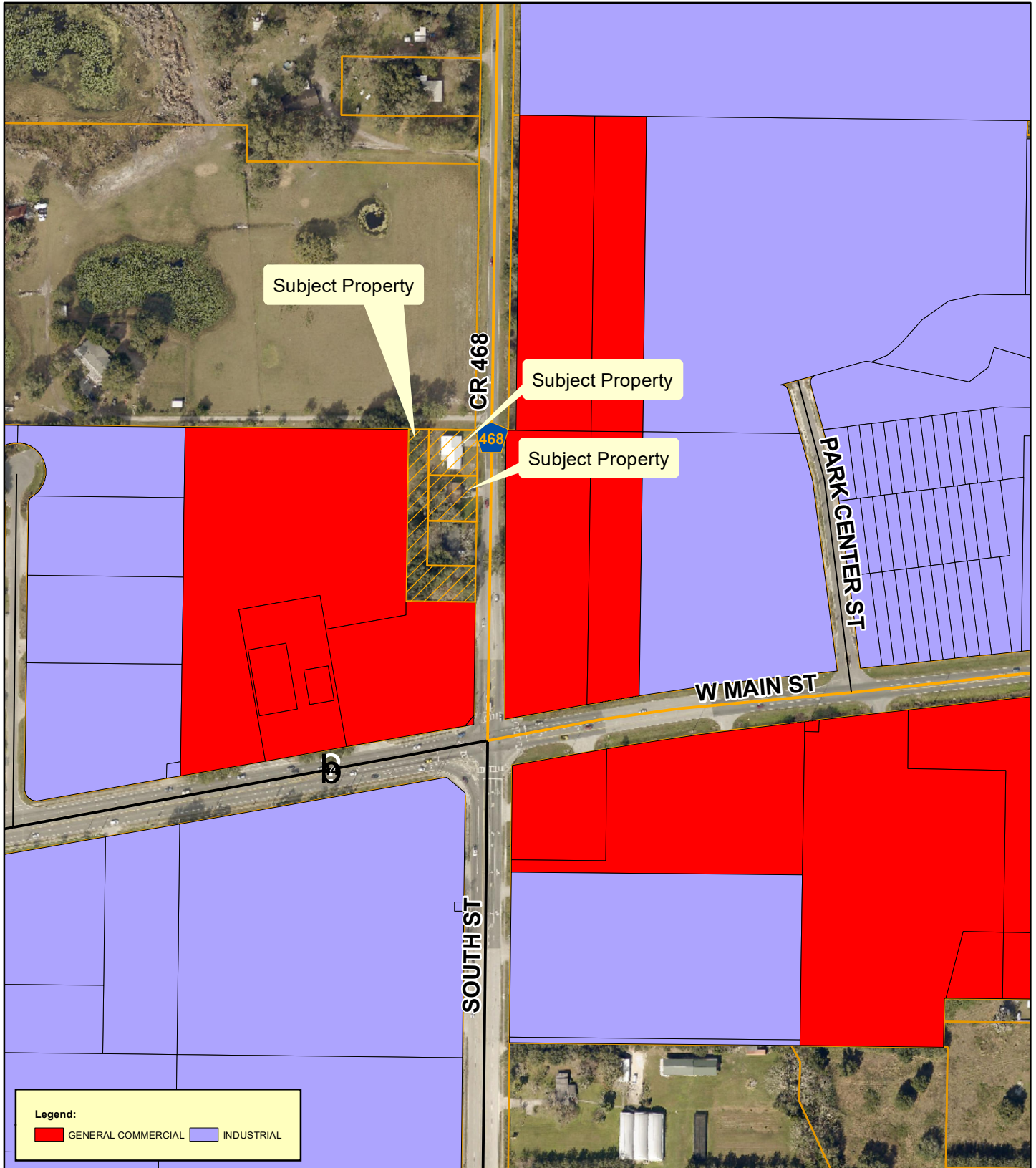


Planning & Zoning Division

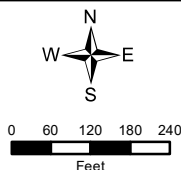


Blackton / Wooden Cork, LLC
Alternate Key #: 3809261, 1292484, 1292719
Section 28, Township 19 South, Range 24 East
January 5, 2022

Future Land Use



**Planning
& Zoning
Division**

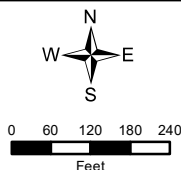


Blackton / Wooden Cork, LLC
Alternate Key #: 3809261, 1292484, 1292719
Section 28, Township 19 South, Range 24 East
January 5, 2022

Lake County Future Land Use



**Planning
& Zoning
Division**

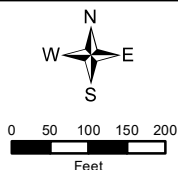


Blackton / Wooden Cork, LLC
Alternate Key #: 3809261, 1292484, 1292719
Section 28, Township 19 South, Range 24 East
January 5, 2022

PROPOSED FUTURE LAND USE



**Planning
& Zoning
Division**

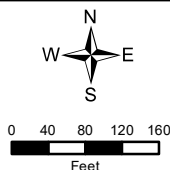


Blackton / Wooden Cork, LLC
Alternate Key #: 3809261, 1292484, 1292719
Section 28, Township 19 South, Range 24 East
January 5, 2022

Surrounding Land Uses



**Planning
& Zoning
Division**



Blackton / Wooden Cork, LLC
Alternate Key #: 3809261, 1292484, 1292719
Section 28, Township 19 South, Range 24 East
January 5, 2022

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.12.

Meeting Date: March 14, 2022

From: Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 1.00 +/- acres from Lake County R-6 (Urban Residential District) to City of Leesburg C-3 (Highway Commercial) to allow for commercial development for a property generally north of West Main Street and west of CR-468, as legally described in Section 28, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Blackton RZ)

Staff Recommendation:

Planning and Zoning Staff and Planning Commission recommend approval of the request to rezone the subject property from Lake County R-6 (Urban Residential District) to City of Leesburg C-3 (Highway Commercial) to allow for commercial development.

Analysis:

The project site is approximately 1.00 +/- acres, and is generally located north of West Main Street and west of CR-468 as shown on the attached maps. At this time, the property has single-family homes, and is vacant and undeveloped. The proposal will allow for commercial buildings. The existing land uses surrounding the property are single-family residential, commercial, warehousing, and light manufacturing. City of Leesburg utilities are available nearby.

The Planning Commission held a public hearing on the application on January 20th, 2022 and recommended approval.

Procurement Analysis:

N/a

Options:

1. Approve the proposed rezoning Lake County R-6 (Urban Residential District) to City of Leesburg C-3 (Highway Commercial); or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

Future development of this site will create a substantial positive fiscal impact on the City of Leesburg, in the form of impact and utility fees, plus ad valorem taxes.

Submission Date and Time:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 1.00 +/- ACRES FROM LAKE COUNTY R-6 (URBAN RESIDENTIAL DISTRICT) TO CITY OF LEESBURG C-3 (HIGHWAY COMMERCIAL) TO ALLOW FOR COMMERCIAL DEVELOPMENT FOR A PROPERTY GENERALLY NORTH OF WEST MAIN STREET AND WEST OF CR-468, AS LEGALLY DESCRIBED IN SECTION 28, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (BLACKTON RZ)

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

Section 1.

Based upon the petition of Michael W. Blackton, (Matthews Hanna Construction, agent) petitioner of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, is hereby rezoned from Lake County R-6 (Urban Residential District) to City of Leesburg C-3 (Highway Commercial), to-wit:

(Legal Description)
(See Exhibit A)

Section 2.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 14th day of March 2022.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

Blackton Wooden Cork

ANNX-21-371; SSCP-21-372; RZ-21-373

Legal Description taken from Lake County Property Appraiser's Land Data Base

FROM NW COR OF E 1/2 OF NW 1/4 OF NW 1/4 RUN S 89-47-10 E
473.74 FT FOR POB, RUN S 0-25-14 W 364.61 FT, S 89-34-47 E
144.79 FT TO W R/W LINE OF CR 468, N ALONG SAID W R/W LINE
OF CR 468 TO N LINE OF NW 1/4, W TO POB--LESS BEG AT N LINE
OF SEC AT W R/W LINE OF CR 468, W 103 FT, S 288.90 FT, E 103
FT TO W'LY R/W LINE OF CR 468, N ALONG SAID W LINE OF CR 468
TO POB--
ORB 5615 PG 2431

AND

FROM NW COR OF NW 1/4 OF NW 1/4 RUN S 89-49-20 E ALONG N
LINE OF SEC 1178.81 FT FOR POB, CONT S 89-49-20 E 103 FT TO
W'LY R/W LINE OF SR 468, S 0-23-40 W ALONG SAID W R/W LINE
97 FT, N 89-49-20 W 103 FT, N 0-23-40 E 97 FT TO POB
ORB 5795 PG 2358

AND

BEG 1281.81 FT E & 97 FT S OF NW COR OF NW 1/4 OF NW 1/4,
RUN W 103 FT, S 96.8 FT, E 103 FT TO W'LY R/W SR 468, N
ALONG R/W TO POB
ORB 5795 PG 28

~~~END OF LEGAL DESCRIPTION~~~





## **CITY OF LEESBURG PLANNING & ZONING DIVISION RECOMMENDATIONS**

**OWNER:** Michael W. Blackton  
**PETITIONER:** Michael W. Blackton  
**PROJECT:** Blackton  
**REQUEST:** Rezoning  
**CASE NO.:** RZ-21-373

---

### **THE PLANNING & ZONING DIVISION RECOMMENDS:**

APPROVAL of the request **for the following reason(s):**

1. The proposed request is compatible with the current surrounding zoning districts of Lake County A (Agriculture) and City of Leesburg C-3 (Highway Commercial).
2. The proposed request is compatible with the adjacent future land use designations of Lake County Urban Medium Density, City of Leesburg General Commercial, and City of Leesburg Industrial.
3. The proposed request is consistent with the City's Growth Management Plan, Future Land Use Element, Goal 1, Objective 1.6.

### **Action Requested:**

1. Vote to approve staff's recommendation to rezone the subject property from Lake County R-6 (Urban Residential District) to City of Leesburg C-3 (Highway Commercial) and forward to the City Commission for their consideration.

**CITY OF LEESBURG PLANNING & ZONING DIVISION  
DEPARTMENTAL REVIEW SUMMARY**

**DATE:** January 4, 2022  
**OWNER:** Michael W. Blackton  
**PETITIONER:** Michael W. Blackton  
**PROJECT:** Blackton Commercial Buildings  
**REQUEST:** Small Scale Comprehensive Plan Amendment to General Commercial; Zoning to C-3  
(Highway Commercial)  
**CASE NO.:** ANNX-21-371; SSCP 21-372; RZ-21-373

**THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:**

POLICE

No comments received as of 1/14/22

FIRE

No comments from Fire Department. Amanda Stevenson 1/11/22

ELECTRIC

Electric will require easements for this project. The developer will need to contact us prior to submitting the plans for DRC review. We will need to know if the buildings will be three phases. Additional costs may be due for installation of power. They can reach out to me at [Steve.Davis@leesburgflorida.gov](mailto:Steve.Davis@leesburgflorida.gov), or [Timothy.thomas@leesburgflorida.gov](mailto:Timothy.thomas@leesburgflorida.gov). Steve Davis 1/5/22

GAS

No issues here. Robert Thilmony 1/6/22

Natural Gas is available. Brandon Smith 1/11/22

GIS

GIS has no comments. Tammy Magamoll 1/13/22

BUILDING

No comments received as of 1/14/22

PUBLIC WORKS

Public Works has no issues with this. FDOT is working on a complete street design concept for West Main Street, but the area the requestor is developing should be unaffected. Clifford Kelsey 1/6/22

ADDRESSING

No comments received as of 1/14/22

ECONOMIC DEVELOPMENT

No comments received as of 1/14/22

## LAKE COUNTY PUBLIC WORKS

Lake County Public Works comment letter is attached. Thanks, Seth Lynch 1/14/22

## LAKE COUNTY SCHOOLS

The school district does not have any comments for the annexation, small scale CPA or the rezoning to commercial highway. Thanks, Helen LaValley 1/14/22

## PUBLIC RESPONSES

### Approval

1 approval

### Disapproval

none

### No comment

Notice of Appearance filed:

## PUBLIC COMMENTS (APPROVAL WITH REQUESTS)

## PUBLIC COMMENTS (DISAPPROVAL)





Department of Public Works, Engineering Division  
P.O. Box 7800 • 350 N. Sinclair Ave. • Tavares, FL 32778

January 13, 2022

Dan Miller,  
Planning & Zoning Manager  
City of Leesburg  
Planning and Zoning Department  
204 North 5<sup>th</sup> Street  
Leesburg, Florida 34749  
(sent via email)

**RE: PROJECT:** Blacktron Commercial / Planned Unit Development  
**CASE NO.:** REZ-21-373

Lake County Department of Public Works recommended requirements for the Blacktron Commercial rezoning's future impacts to roadways and drainage systems:

CR 468:

- Additional right-of-way maybe required along development's frontage.
- Sidewalk will need to be provided along road frontage.
- Site will be required to have both left and right turn lanes for the access off CR 468.
- Cross access to the neighboring property both existing commercial and non should be provided. When future development from the surrounding properties occurs, then the improves for interconnectivity for cross access can be completed.

Internal connectivity:

- The development is recommended to have internal pedestrian and bicycle connectivity throughout the development and out to the public roads (SR 44 and CR 468).

Traffic:

- A Traffic Impact Analysis will be required of this development for review by Lake-Sumter MPO and Lake County.

P 352.253.6000 • F 352.253.9025  
Board of County Commissioners • [www.lakecountyfl.gov](http://www.lakecountyfl.gov)

Douglas B. Shields  
District 1

Sean M. Parks, AICP, QEP  
District 2

Kirby Smith  
District 3

Leslie Campione  
District 4

Josh Blake  
District 5

Stormwater Management:

- The site's stormwater management design will need to be reviewed by Lake County when submitted to both the City of Leesburg and St Johns River Water Management District. We may require Lake County stormwater design standards on ponds that outfall or affect surrounding unincorporated lands or onto county roads.

Flood Study:

- Development will be responsible for a drainage and flood study to determine the flood zones within and partially crossing into the development area. The flood study will require review by both the city and county. The study will evaluate downstream impacts from stormwater outfall from this site.

Please be advised that this letter pertains to transportation, access management, stormwater, and floodplain related impacts foreseen from the proposed PUD application as reviewed by Lake County Department of Public Works. This letter does not include any land use, zoning, or any other elements that which be addressed by other departments, such as Lake County Department of Economic Growth - Office of Planning and Zoning.

Please let me know if you have any questions on the comments and recommendations I have provided in this letter.

Sincerely,

*Seth Lynch*

Seth Lynch  
Development Engineer/Project Manager  
Lake County Department of Public Works  
Engineering Division  
[slynch@lakecountyfl.gov](mailto:slynch@lakecountyfl.gov)

Cc: Jeff Earhart, Engineering Manager for Lake County  
Tim McClendon, Planning Director for Lake County  
Michele Janiszewski, Chief Planner for Lake County  
Kandi Harper, Senior Planner for City of Leesburg

**CITY OF LEESBURG PLANNING & ZONING DIVISION  
STAFF SUMMARY**

**DATE:** January 20, 2022

**OWNER:** Michael W. Blackton

**PETITIONER:** Michael W. Blackton

**PROJECT:** Blackton

**REQUEST:** Small Scale Comprehensive Plan Amendment to General Commercial; Zoning to C-3 (Highway Commercial)

**CASE NO.:** SSCP 21-372; RZ-21-373

**GENERAL LOCATION:** The property is generally located north of West Main Street and west of County Road 468.

**FUTURE LAND USE DESIGNATION:** Lake County – no designation provided

**SURROUNDING FUTURE LAND USE DESIGNATION:**

North – Lake County Urban Medium Density  
South – City of Leesburg Industrial; City of Leesburg General Commercial  
East – City of Leesburg General Commercial  
West – City of Leesburg Industrial

**PROPOSED FUTURE LAND USE DESIGNATION:** General Commercial

**EXISTING ZONING DESIGNATION:** Lake County R-6 (Urban Residential District)

**SURROUNDING ZONING DESIGNATIONS:**

North – Lake County A (Agriculture)  
South – City of Leesburg C-3 (Highway Commercial)  
East – City of Leesburg C-3 (Highway Commercial); Lake County R-6 (Urban Residential District)  
West – City of Leesburg M-1 (Industrial)

**PROPOSED ZONING DESIGNATION:** City of Leesburg C-3 (Highway Commercial)

**EXISTING LAND USE:** Undeveloped parcel and single-family homes.

**SURROUNDING LAND USE:**

North – Single Family Residential  
South – Commercial; Warehousing; Light Manufacturing  
East – Commercial  
West – Central Florida Industrial Park (light manufacturing)

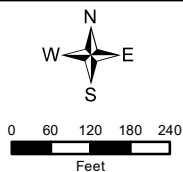
**PROPOSED LAND USE:** Commercial buildings



# Aerial



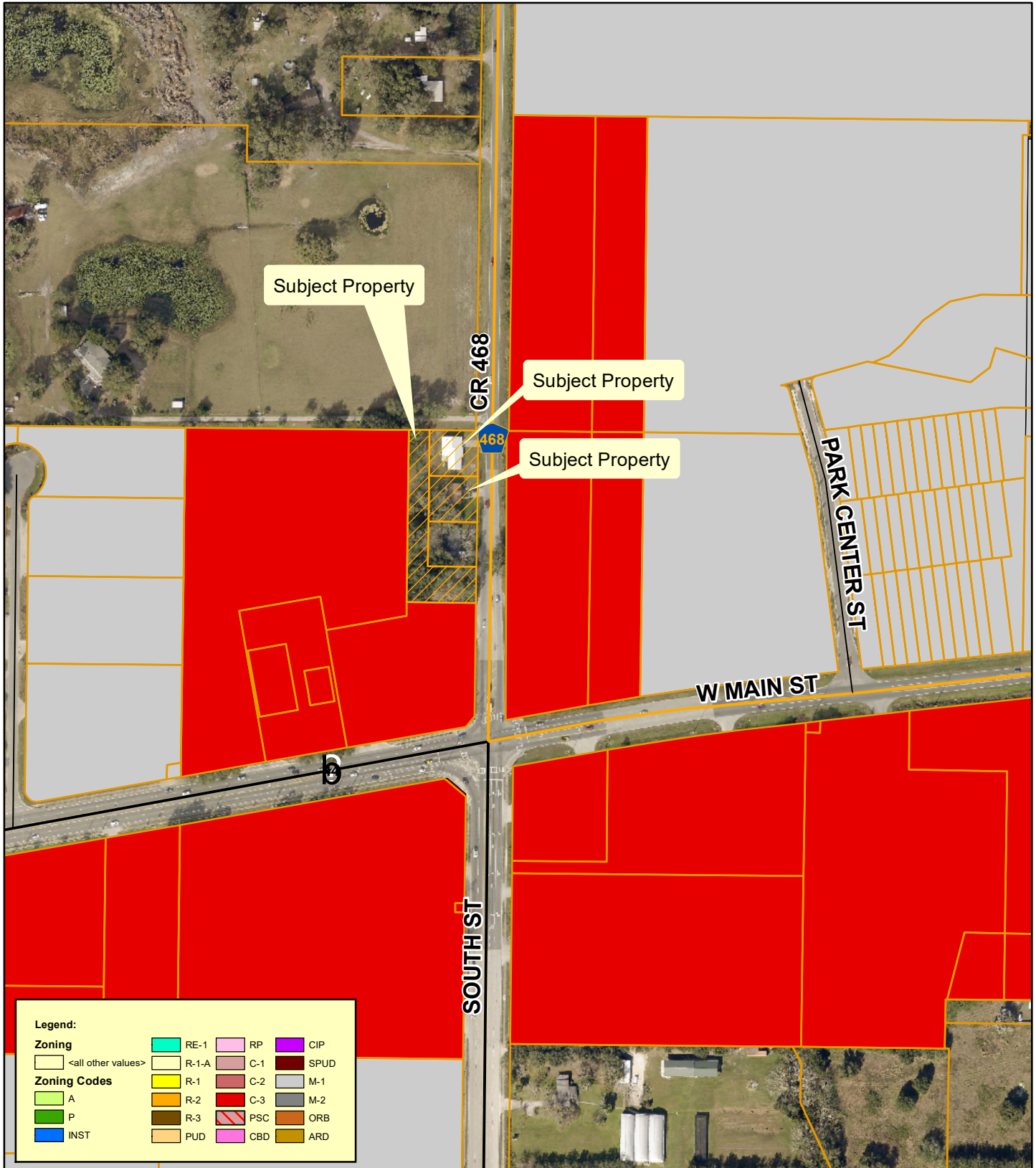
**Planning  
& Zoning  
Division**



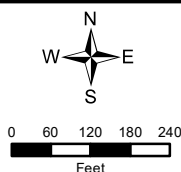
Blackton / Wooden Cork, LLC  
Alternate Key #: 3809261, 1292484, 1292719  
Section 28, Township 19 South, Range 24 East  
January 5, 2022



# Zoning

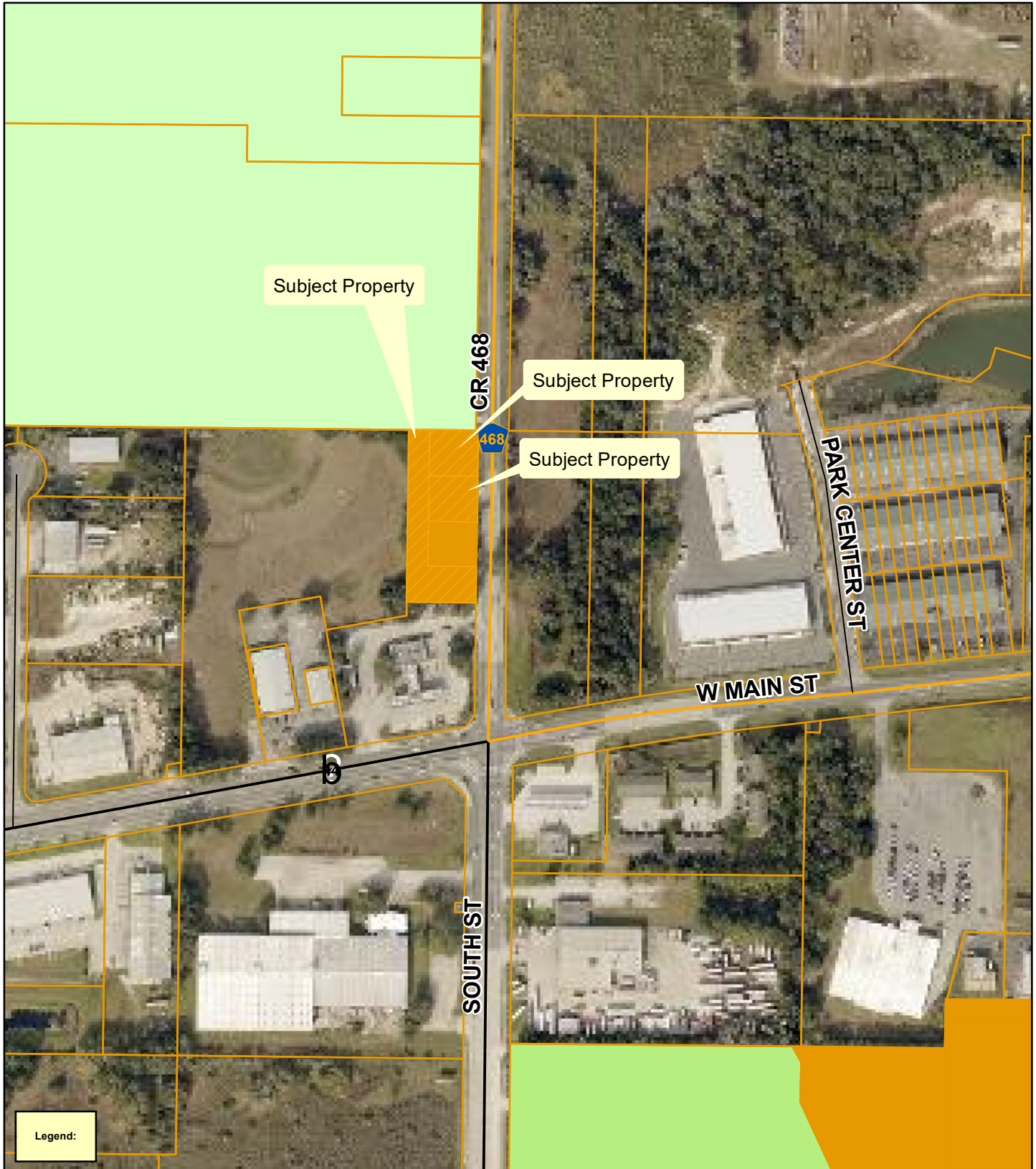


**Planning  
& Zoning  
Division**

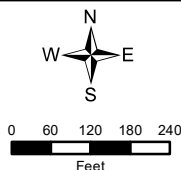


Blackton / Wooden Cork, LLC  
 Alternate Key #: 3809261, 1292484, 1292719  
 Section 28, Township 19 South, Range 24 East  
 January 5, 2022

# Lake County Zoning



**Planning  
& Zoning  
Division**



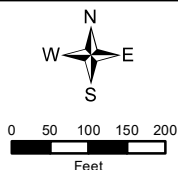
Blackton / Wooden Cork, LLC  
Alternate Key #: 3809261, 1292484, 1292719  
Section 28, Township 19 South, Range 24 East  
January 5, 2022



# PROPOSED ZONING



**Planning  
& Zoning  
Division**



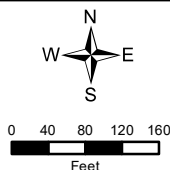
Blackton / Wooden Cork, LLC  
Alternate Key #: 3809261, 1292484, 1292719  
Section 28, Township 19 South, Range 24 East  
January 5, 2022



# Surrounding Land Uses



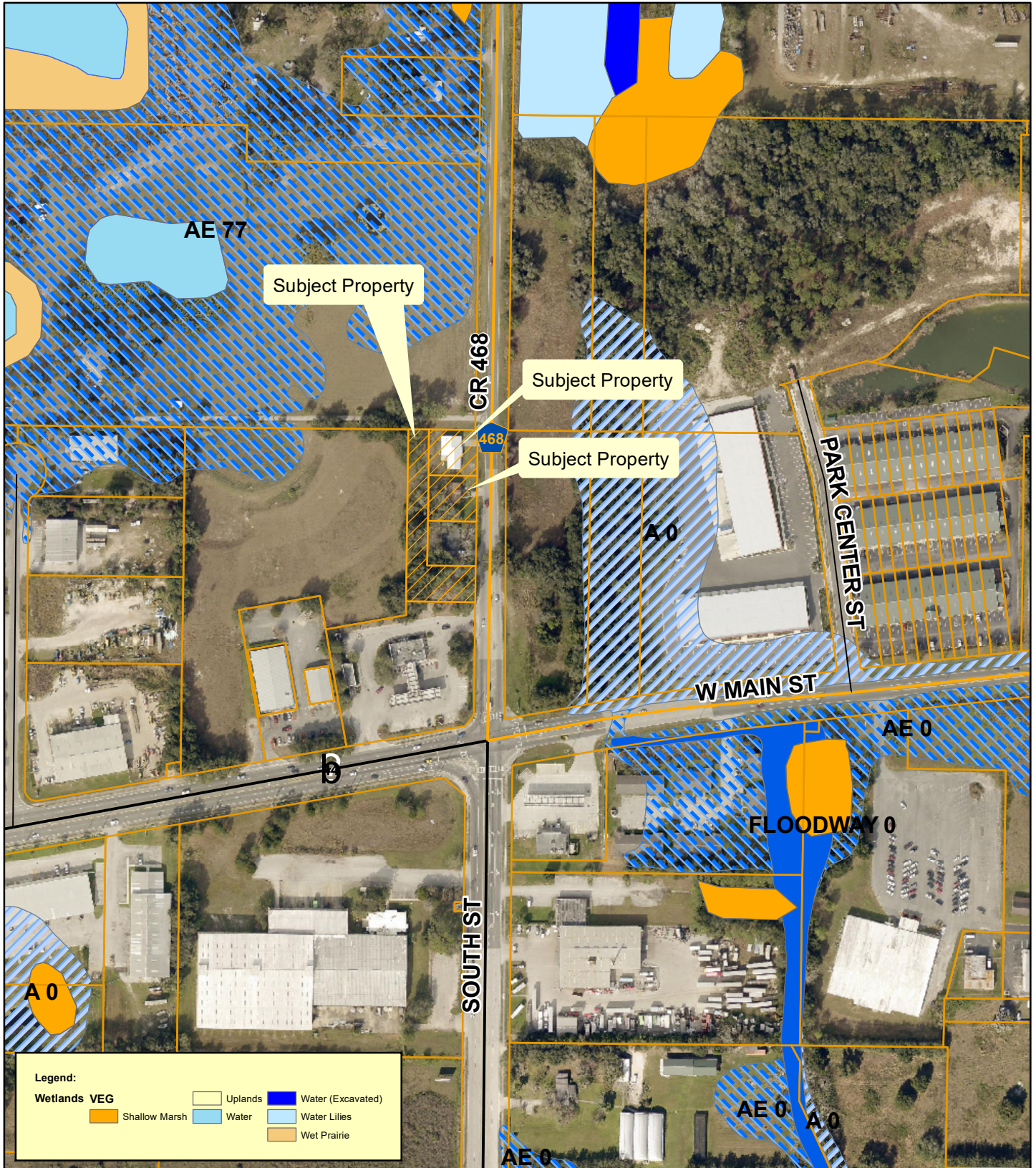
**Planning  
& Zoning  
Division**



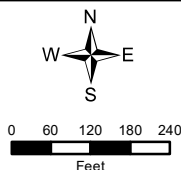
Blackton / Wooden Cork, LLC  
Alternate Key #: 3809261, 1292484, 1292719  
Section 28, Township 19 South, Range 24 East  
January 5, 2022



# Wetlands and Flood Zones



**Planning  
& Zoning  
Division**



Blackton / Wooden Cork, LLC  
 Alternate Key #: 3809261, 1292484, 1292719  
 Section 28, Township 19 South, Range 24 East  
 January 5, 2022





Picture taken looking into 1<sup>st</sup> property on CR 468



Picture taken looking into 2<sup>nd</sup> property on CR 468





Picture taken looking north on CR 468



Picture taken looking east on CR 468





Picture taken looking south on CR 468



Picture taken looking into 3<sup>rd</sup> property on CR 468





Picture taken looking north on CR 468



Picture taken looking east on CR 468



Picture taken looking south on CR 468

# City of Leesburg Lake Front City

## Agenda Memorandum

**Item No:** 6.B.1.

**Meeting Date:** March 14, 2022

**From:** Dan Miller, (Planning and Zoning Director)

**Subject:** An Ordinance of the City of Leesburg, Florida, establishing the Lake Harris Community Development District pursuant to Chapter 190, Florida Statutes; providing for authority and power of the district; establishing the District; providing for the Board of Supervisors of the district; providing for the district budget; providing for functions of the district; providing for miscellaneous provisions; and providing an effective date. (Lake Harris CDD)

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### Staff Recommendation:

Staff recommends approval of the request to create the Lake Harris Community Development District for the Eagletail Landing subdivision.

### Analysis:

The request is to approve the creation of the Lake Harris Community Development District for the Eagletail Landing subdivision, which is generally located on the south side of County Road 48 and west of Number 2 Road, as shown on the attached map.

Community Development Districts are permitted under Chapter 190, Florida Statutes, and are a form of special purpose district which can be created to manage, finance and deliver basic community development services. These services include, but are not limited to, the financing, funding, construction and operation of water and wastewater systems, roads, bridges, transit shelters, environmental, conservation and mitigation areas, parks, plus schools and security measures. These services may vary from district to district. CDD's are specific to a described area, and have no zoning, development permitting or police power, and have no authority to encumber debt to a local government. Each district must remain in compliance with the local governments' comprehensive plan.

Currently, the City of Leesburg has three (3) Community Development Districts within its municipal boundaries, which include the Arlington Ridge, Villages at West Lake, and Tara Oaks subdivisions.

Approval of this request does not create a negative impact on the City's Comprehensive Plan or the surrounding property owners.

### Procurement Analysis:



N/A

**Options:**

1. Approve the proposed ordinance creating the Lake Harris Community Development District for the Eagletail Landing subdivision, or
2. Other such action as the Commission may deem appropriate.

**Fiscal Impact:**

Property owners within the Community Development District areas are solely responsible for the funding, financing and maintenance of activities of the district; therefore no direct fiscal impact on the City of Leesburg is anticipated.

**Submission Date and Time:**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ESTABLISHING THE LAKE HARRIS COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR AUTHORITY AND POWER OF THE DISTRICT; ESTABLISHING THE DISTRICT; PROVIDING FOR THE BOARD OF SUPERVISORS OF THE DISTRICT; PROVIDING FOR THE DISTRICT BUDGET; PROVIDING FOR FUNCTIONS OF THE DISTRICT; PROVIDING FOR MISCELLANEOUS PROVISIONS; AND PROVIDING AN EFFECTIVE DATE. (LAKE HARRIS CDD)**

**WHEREAS**, Hanover 623 Holdings, LLC ("**Petitioner**"), having obtained written consent to the establishment of the District (hereinafter defined) by the owner of one hundred percent (100%) of the real property to be included in the District, has filed a Petition to Establish the Lake Harris Community Development District ("**Petition**") with the City Commission of the City of Leesburg, Florida ("**City Commission**") pursuant to Section 190.005(2)(e), *Florida Statutes*, as amended, to adopt an ordinance establishing the Lake Harris Community Development District ("**District**") pursuant to Chapter 190, *Florida Statutes*, as amended; and

**WHEREAS**, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the City of Leesburg, Florida ("**City**"), pursuant to Section 190.005(2)(b) and 190.005(1)(d), *Florida Statutes*, as amended; and

**WHEREAS**, upon consideration of the record established at that hearing, the City Commission has considered the record of the public hearing and the statutory factors set forth in section 190.005(2)(c) and 190.005(1)(e), *Florida Statutes*, as amended, in making its determination to grant or deny the Petition; and

**WHEREAS**, the City, in determining whether to establish the District, has considered and finds that all statements contained in the Petition are true and correct; and

**WHEREAS**, the City has considered and finds that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the City Comprehensive Plan; and

**WHEREAS**, the City has considered and finds that the area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional interrelated community; and

**WHEREAS**, the City has considered and finds that the District is the best alternative available for delivering the community development services and facilities to the area that will be served by the District; and

**WHEREAS**, the City has considered and finds that the community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

**WHEREAS**, the City has considered and finds that the area that will be served by

the District is amenable to separate special-district government; and

**WHEREAS**, pursuant to the information as stated above, the City Commission has decided to grant the District's Petition to establish the Lake Harris Community Development District.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, AS FOLLOWS:**

**SECTION 1. RECITALS.** The above recitals are adopted as Findings of Fact in support of this Ordinance.

**SECTION 2. AUTHORITY.** This ordinance is adopted in compliance with and pursuant to the Uniform Community Development Act of 1980, Chapter 190, *Florida Statutes*, as amended.

**SECTION 3. DISTRICT NAME.** There is hereby established a Community Development District situated entirely within the incorporated limits of the City of Leesburg, Florida, which District shall be known as the "Lake Harris Community Development District."

**SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT.** The external boundaries of the District are described in **Exhibit A** attached hereto and incorporated herein by reference, the overall boundaries encompassing 162.53 acres, more or less.

**SECTION 5. FUNCTIONS AND POWERS.** The powers and functions of the District are described in Chapter 190, *Florida Statutes*, as may be amended from time to time. The Charter of the District shall be as set forth in Chapter 190, *Florida Statutes*, as amended, as created by general law. The City further consents to the District's exercise of special powers described in 190.012(2)(a) and 190.012(2)(d), *Florida Statutes*, as may be amended from time to time.

**SECTION 6. BOARD OF SUPERVISORS.** The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Anthony Iorio; Jason Lomas; Doug Beasley; Duane "Rocky" Owen; and Thomas Franklin, Sr. All of the persons in the preceding sentence are residents of the State of Florida and citizens of the United States of America.

**SECTION 7. SEVERABILITY.** If any provision of this Ordinance, or the application thereof, is finally determined by a court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

**SECTION 8. EFFECTIVE DATE.** This ordinance shall take effect upon its passage and adoption pursuant to general law.

**PASSED AND ADOPTED** at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the \_\_\_\_ day of \_\_\_\_\_, 2022.

**THE CITY OF LEESBURG, FLORIDA**



\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## EXHIBIT A

A parcel of land located in the East half of Section 18 and the Northeast quarter of Section 19, in Township 20 South, Range 25 East, Lake County, Florida. Said parcel being more particularly described as follows:

Commence at the East quarter corner of Section 18, Township 20 South, Range 25 East, thence along the East line of the Southeast quarter of Section 18 run South 44° 55' 10" West, 174.53 feet; thence North 59° 21' 38" West, 103.86 feet to the Point of Beginning; thence South 00° 18' 13" West, 28.97 feet; thence South 59° 21' 47" East, 28.97 feet to the Westerly right of way line of No 2 Road; thence along the Westerly right of way line the following three courses; South 00° 16' 09" West, 352.23 feet; thence South 19° 19' 06" East, 37.40 feet; South 00° 09' 16" East, 774.78 feet to the North line of the South half of the Southeast quarter of said Section 18; thence along said North line run North 89° 11' 38" West, 532.64 feet; thence leaving said North line run South 45° 49' 11" West, 140.01 feet to the West line of the Northeast quarter of the Southeast quarter of the Southeast quarter of Section 18; thence along the said West line run South 00° 49' 40" West, 565.30 feet to the South line of the Northeast quarter of the Southeast quarter of the Southeast quarter of Section 18; thence along the South line run South 89° 12' 09" East, 410.43 feet to the Westerly right of way line of No. 2 Road; said point being on a curve concave Easterly, having a radius of 465.00 feet, a central angle of 40° 31' 07" and a chord of 322.03 feet that bears South 06° 17' 03" East; thence along the arc of said curve and said Westerly right of way a distance of 328.84 feet to the point of tangency;

Thence continue along said Westerly right of way the following two courses; run South 26° 32' 36" East, 222.98 feet to the point of curvature of a curve to the right, having a radius of 760.00 feet, a central angle of 27° 58' 08" and a chord of 367.32 feet that bears South 12° 33' 32" East; thence along the arc of said curve a distance of 370.99 feet to the point of tangency; thence South 01° 25' 32" West, 451.56 feet to the South line of the North half of the Northeast quarter of the Northeast quarter of Section 19, Township 20 South, Range 25 East; thence along the South line run North 89° 12' 08" West, 1296.66 feet to the West line of the South half of the Northeast quarter of the Northeast quarter of Section 19, Township 20 South, Range 25 East; thence along said West line run South 00° 53' 24" West, 662.10 feet to the South line of the North 1 quarter of the Northeast quarter of Section 19; thence along the South line run North 89° 11' 15" West, 1329.02 feet to the West line of the Northeast quarter of Section 19; thence along said West line run North 00° 02' 23" East, 1323.53 feet to the North quarter corner of Section 19, also being the South quarter corner of the aforesaid Section 18; thence along the West line of the Southeast quarter of Section 18 run North 00° 33' 16" East, 1329.60 feet to the North line of the South half of the Southeast quarter of Section 18; thence along the North line run South 89° 11' 17" East, 1994.70 feet to the East line of the Southwest quarter of the Northeast quarter of the Southeast quarter of Section 18; thence along the East line run North 00° 50' 19" East, 664.29 feet to the North line of the Southwest quarter of the Northeast quarter of the Southeast quarter of Section 18; thence along the North line run North 89° 10' 24" West, 665.83 feet to West line of the Northwest quarter of the Northeast quarter of the Southeast quarter of Section 18; thence along the West line run North 00° 45' 05" East, 689.46 feet to the East line of Rumford Road, a.k.a. County District Road No 2-3220, as maintained at the edge of pavement on August 15, 2021; thence along the East line of Rumford Road the following eight courses; thence North 14° 17' 25" East, 5.23 feet; thence North 21° 41' 22" East, 45.63 feet;

thence North 26° 36' 21" East, 51.50 feet; thence North 26° 56' 12" East, 51.79 feet; thence North 27° 29' 30" East, 116.04 feet; thence North 26° 48' 23" East, 67.20 feet; thence North 26° 38' 09" East, 59.46 feet; thence North 26° 47' 09" East, 56.05 feet; thence North 26° 05' 08" East, 38.32 feet to the South right of way line of County Road No. 48; thence along the South line run South 59° 21' 38" East, 1189.78 feet to the Point of Beginning.

Said parcel contains 162.53 acres, more or less.