INSTRUMENT #2022078466
OR BK 5970 PG 584 - 589 (6 PGS)
DATE: 6/7/2022 12:27:49 PM
GARY J. COONEY, CLERK OF THE CIRCUIT COURT
AND COMPTROLLER, LAKE COUNTY, FLORIDA
RECORDING FEES \$52.50

#### **ORDINANCE 2022 – 011**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 24.83± ACRES OF LAND GENERALLY LOCATED NORTH OF MYRTLE LAKE AVENUE AND WEST OF CR 468; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY AND CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by A&B Engineering Consultants, P.A. and Angel L. Rivera, P.E., as Applicant, on behalf of Crystal Lake Land Holdings, LLC, Owner, requesting that approximately 24.83 ± acres of real property generally located north of Myrtle Lake Avenue and west of CR 468 (the "Property") be annexed to and made a part of the City of Fruitland Park; and

WHEREAS, the petition bears the signature of all applicable parties; and

WHEREAS, this Ordinance has been advertised as required by law with a copy of said notice sent via certified mail to the Board of County Commissioners of Lake County as provided for by statute; and

WHEREAS, the Planning and Zoning Board considered this ordinance at a public meeting; and

WHEREAS, the Property is contiguous to the City limits and is reasonably compact; and

WHEREAS, the City Commission has determined that the area proposed for annexation meets the requirements of §171.044, Florida Statutes; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Commission of the City of Fruitland Park, Florida, as follows:

- Section 1. The recitals set forth above are hereby adopted as legislative findings of the City Commission of the City of Fruitland Park.
- Section 2. The following described property consisting of approximately 24.83 acres of land generally located north of Myrtle Lake Avenue and west of CR 468, contiguous to the City limits, is hereby incorporated into and made part of the City of Fruitland Park Florida. The property is more particularly described as follows:

**LEGAL DESCRIPTION**: See attached Exhibit A.

### Parcel Alternate Key No. 1288606

Section 3. Upon this Ordinance becoming effective, the property annexed shall be subject to all laws, ordinances, and regulations enforced in the City of Fruitland Park, and shall be entitled to the same privileges and benefits as other parts of the City of Fruitland Park upon the effective date of the annexation. Except that the property annexed in this Ordinance is subject to the Land Use Plan

of the Lake County Comprehensive Plan and county zoning regulations until the City adopts the Comprehensive Plan Amendments to include the property annexed in the City Comprehensive Plan.

Section 4. The City Clerk shall forward a certified copy of this Ordinance to the Clerk of the Circuit Court, the County Manager of Lake County, Florida, and the Department of State of Florida within seven (7) days after its passage on second and final reading. It shall further be submitted to the Office of Economic and Demographic Research within 30 days of approval along with a statement specifying the population census effect and the affected land area. F.S. 171.091, Florida Statutes.

Section 5. Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 6. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 7. All ordinances and parts of ordinances to the extent in conflict with this Ordinance are hereby repealed.

Section 8. This Ordinance shall become effective immediately upon passage by the City Commission of the City of Fruitland Park.

**PASSED AND ORDAINED** in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this 12<sup>th</sup> day of May 2022.

(SEAL)

Chris Cheshire, Mayor

City of Fruitland Park, Florida

ATTEST:

Esther Coulson, MMC, City Clerk

Approved as to Form:

Anita Geraci-Carver, City Attorney

Mayor Cheshire	(Yes),	(No),	(Abstained),	P	(Absent)
Vice-Mayor Gunter	/(Yes),	(No),	(Abstained),		(Absent)
Commissioner Bell	(Yes),	(No),	(Abstained),	1'	(Absent)
Commissioner DeGrave	/_ (Yes),	(No),	(Abstained),		(Absent)
Commissioner Mobilian	/(Yes),	(No),	(Abstained),		(Absent)

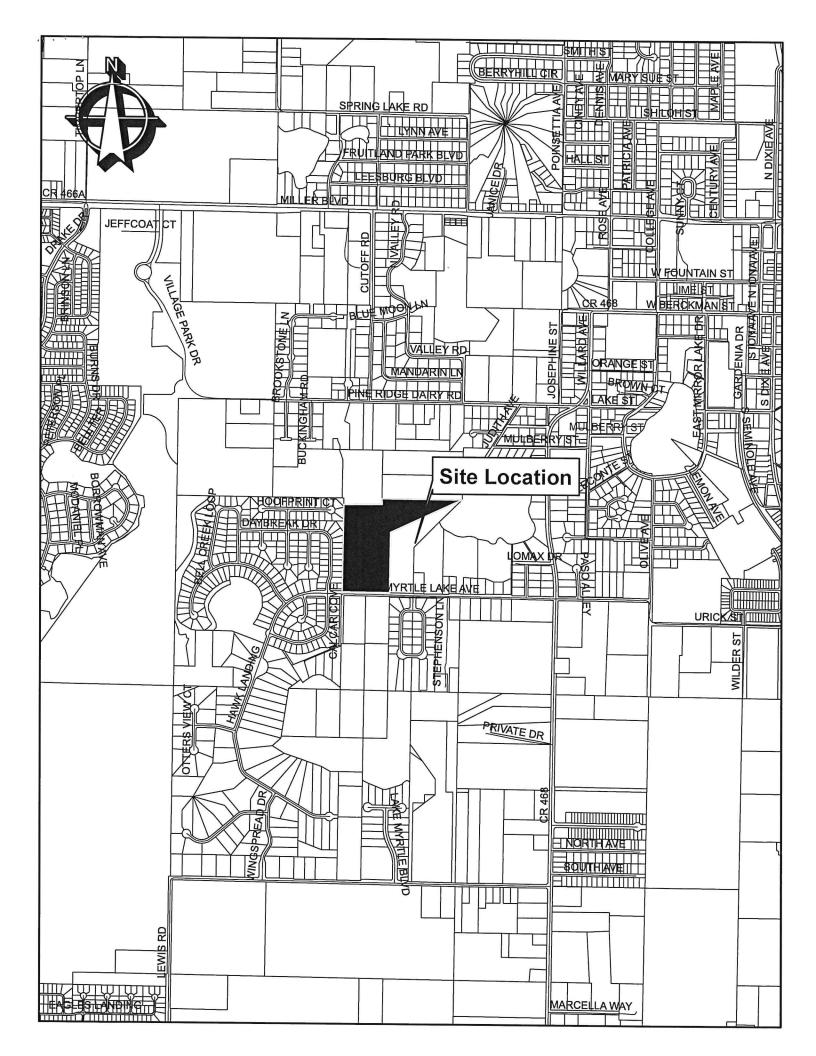
Passed First Reading Passed Second Reading April 28, 2022 May 12<sup>th</sup>, 2022

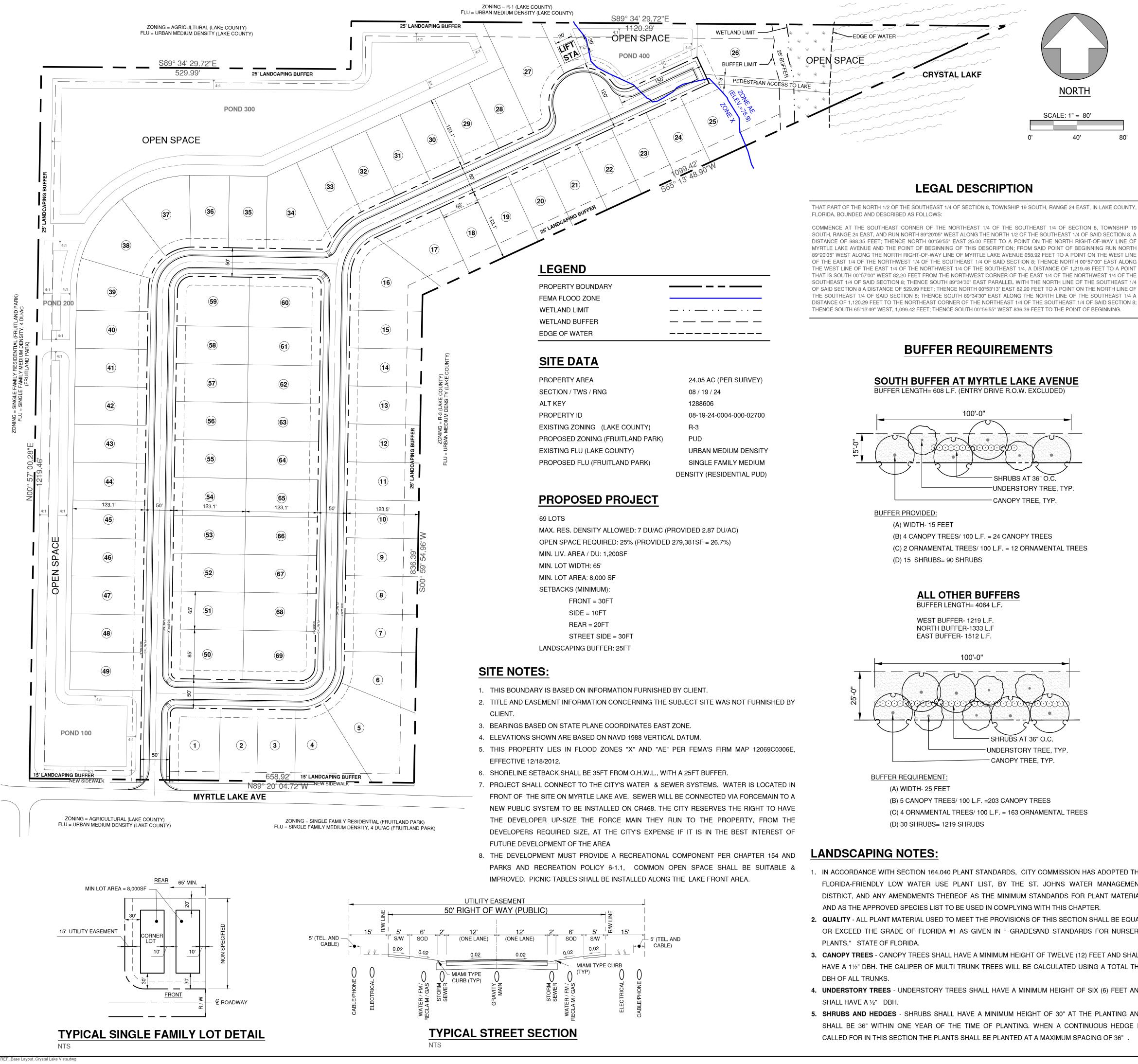
### **EXHIBIT A**

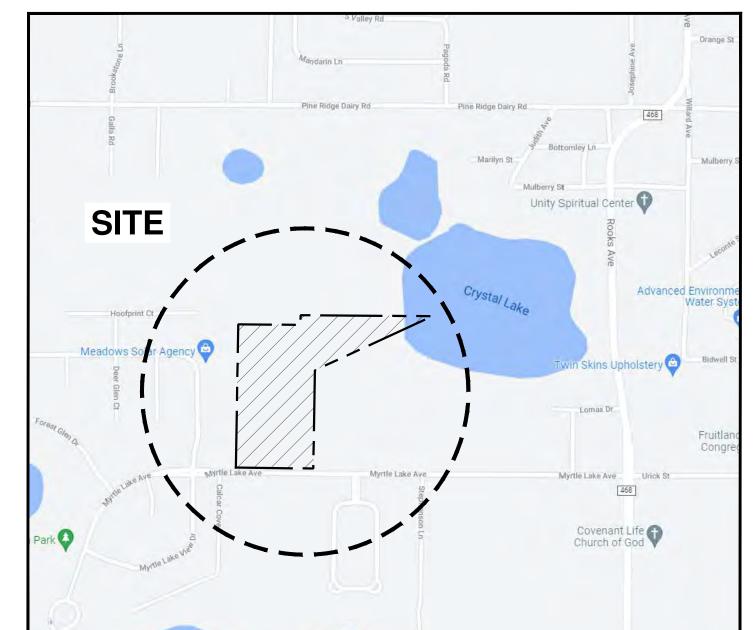
### **Legal Description**

That part of the North ½ of the Southeast ¼ of Section 8, Township 19 South, Range 24 East, in Lake County, Florida, bounded and described as follows:

Commence at the Southeast corner of the Northeast ¼ of the Southeast ¼ of Section 8, Township 19 South, Range 24 East, and run North 89°0'05" West along the North ½ of the Southeast ¼ of said Section 8, a distance of 988.35 feet; thence North 00°59'55" East 25.00 feet to a point on the North right-of-way line of Myrtle Lake Avenue and the Point of Beginning of this description; from said Point of Beginning run North 89°0'00" West along the North right-of-way line of Myrtle Lake Avenue 658.92 feet to a point on the West line of the East ¼ of the Northwest ¼ of the Southeast ¼ of said Section 8; thence North 00°57'00" East along the West line of the East ¼ of the Northwest ¼ of the Southeast ¼, a distance of 1,219.46 feet to a point that is South 00°57'00" West 82.20 feet from the Northwest corner of the East 1/4 of the Northwest ¼ of the Southeast ¼ of said Section 8; thence South 89°34'30" East parallel with the North line of the Southeast ¼ of said Section 8 a distance of 529.99 feet; thence North 00°53' 13" East 82.20 feet to a point on the North line of the Southeast ¼ of Said Section 8; thence South 89°34'30" East along the North line of the Southeast ¼ a distance of 1,120.29 feet to the Northeast corner of the Northeast ¼ of the Southeast ¼ of said Section 8; thence South 65° 13'49" West 1,099.42 feet; thence South 00°59'55" West 836.39 feet to the Point of Beginning.



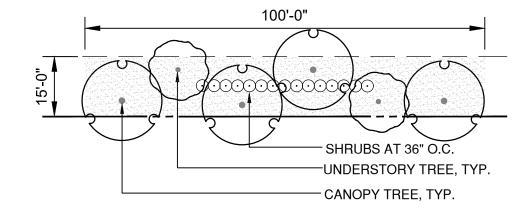




## **BUFFER REQUIREMENTS**

**LEGAL DESCRIPTION** 

### SOUTH BUFFER AT MYRTLE LAKE AVENUE BUFFER LENGTH= 608 L.F. (ENTRY DRIVE R.O.W. EXCLUDED)



**BUFFER PROVIDED:** 

(A) WIDTH- 15 FEET

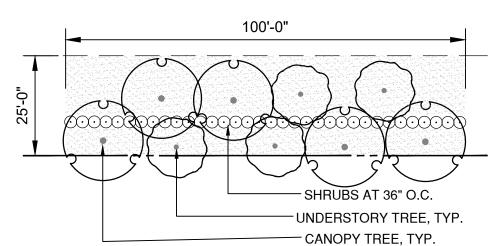
(B) 4 CANOPY TREES/ 100 L.F. = 24 CANOPY TREES (C) 2 ORNAMENTAL TREES/ 100 L.F. = 12 ORNAMENTAL TREES

(D) 15 SHRUBS= 90 SHRUBS

# **ALL OTHER BUFFERS**

BUFFER LENGTH= 4064 L.F. WEST BUFFER- 1219 L.F.

NORTH BUFFER-1333 L.F EAST BUFFER- 1512 L.F.



**BUFFER REQUIREMENT:** 

(A) WIDTH- 25 FEET

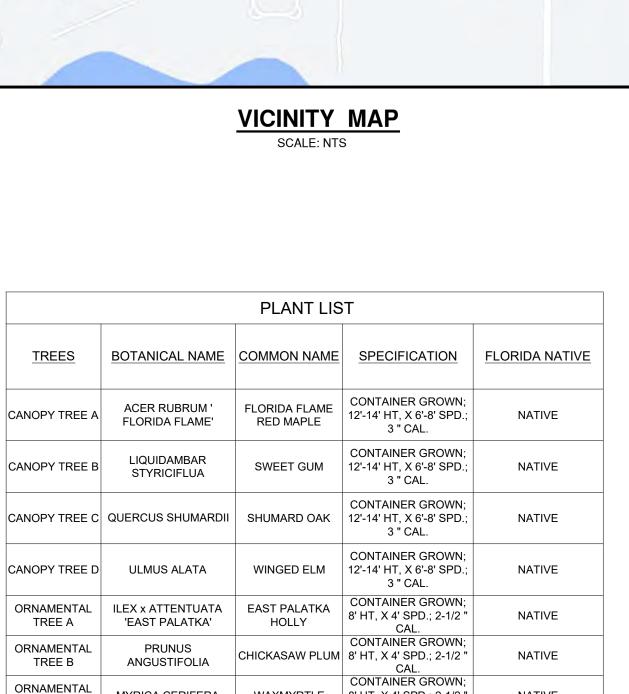
(B) 5 CANOPY TREES/ 100 L.F. =203 CANOPY TREES

(C) 4 ORNAMENTAL TREES/ 100 L.F. = 163 ORNAMENTAL TREES

(D) 30 SHRUBS= 1219 SHRUBS

## **LANDSCAPING NOTES:**

- 1. IN ACCORDANCE WITH SECTION 164.040 PLANT STANDARDS, CITY COMMISSION HAS ADOPTED THE FLORIDA-FRIENDLY LOW WATER USE PLANT LIST, BY THE ST. JOHNS WATER MANAGEMENT DISTRICT, AND ANY AMENDMENTS THEREOF AS THE MINIMUM STANDARDS FOR PLANT MATERIAL AND AS THE APPROVED SPECIES LIST TO BE USED IN COMPLYING WITH THIS CHAPTER.
- 2. QUALITY ALL PLANT MATERIAL USED TO MEET THE PROVISIONS OF THIS SECTION SHALL BE EQUAL OR EXCEED THE GRADE OF FLORIDA #1 AS GIVEN IN " GRADESAND STANDARDS FOR NURSERY PLANTS," STATE OF FLORIDA.
- 3. CANOPY TREES CANOPY TREES SHALL HAVE A MINIMUM HEIGHT OF TWELVE (12) FEET AND SHALL HAVE A 11/2" DBH. THE CALIPER OF MULTI TRUNK TREES WILL BE CALCULATED USING A TOTAL THE DBH OF ALL TRUNKS.
- 4. UNDERSTORY TREES UNDERSTORY TREES SHALL HAVE A MINIMUM HEIGHT OF SIX (6) FEET AND SHALL HAVE A ½" DBH.
- 5. SHRUBS AND HEDGES SHRUBS SHALL HAVE A MINIMUM HEIGHT OF 30" AT THE PLANTING AND SHALL BE 36" WITHIN ONE YEAR OF THE TIME OF PLANTING. WHEN A CONTINUOUS HEDGE IS CALLED FOR IN THIS SECTION THE PLANTS SHALL BE PLANTED AT A MAXIMUM SPACING OF 36"



## **BUFFER REQUIREMENTS:**

TREE C

ORNAMENTAL

TREE D

**SHRUBS** 

HEDGE SHRUB

HEDGE SHRUB

1. CONTRACTOR TO INSTALL MAXIMUM 33% OF ANY ONE TREE SPECIES TO SATISFY TREE REQUIREMENTS.

WAXMYRTLE

CERCIS CANADENSIS EASTERN REDBUD 8' HT, X 4' SPD.; 2-1/2 "

COMMON NAME

FIREBUSH

SIMPSONS

STOPPER

WALTERS

VIBURNUM

8' HT, X 4' SPD.; 2-1/2 "

CONTAINER GROWN:

SPECIFICATION

3 GAL.; 18"-24" X

18"-24"

3 GAL.; 18"-24" X

3 GAL. ; 18"-24" X

18"-24"

18"-24"

NATIVE

NATIVE

FLORIDA NATIVE

NATIVE

NATIVE

NATIVE

- 2. ANY TREE SPECIES SUBSTITUTIONS REQUIRED BY LIMITED NURSERY AVAILABILITY SHALL BE FLORIDA NATIVE OR FLORIDA FRIENDLY, AND COMPATIBLE WITH REQUIREMENTS OF LAKE COUNTY LANDSCAPE STANDARDS.
- 3. CONTRACTOR TO INSTALL MULTIPLE SPECIES OF SHRUBS FROM PLANT LIST FOR EACH BUFFER, ALTERNATING SPECIES FOR EACH ROW OF SHRUBS.
- 4. SHRUBS TO BE INSTALLED AT 36" O.C.

MYRICA CERIFERA

**BOTANICAL NAME** 

HAMELIA PATENS

MYRCIANTHES

FRAGRANS

HEDGE SHRUB VIBURNUM OBOVATUM

- 5. ANY SHRUB SPECIES SUBSTITUTIONS REQUIRED BY LIMITED NURSERY AVAILABILITY SHALL BE FLORIDA NATIVE AND COMPATIBLE WITH REQUIREMENTS OF LAKE COUNTY LANDSCAPE STANDARDS.
- 6. NO CANOPY TREES TO BE PLANTED WITHIN 12' OF ANY OVERHEAD UTILITY LINE. IN CASE OF CONFLICT, CONTRACTOR TO SUBSTITURE UNDERSTORY TREE'
- 7. NO CANOPY TREES TO BE PLANTED WITHIN 12' OF ANY UNDERGROUND WATER LINE.

A&B Engineering Consultants, P.

Civil Engineering Land Planning Inspections

Certificate of Authorization: No. 27697

14164 Stilton St

Tampa, FL 33626

Toll free: 844-426-6354 luis@anbcompanies.com www.anbcompanies.com

ELECTRONIC SIGNATURE:

Angel L. Rivera, State of Florida, Professional Engineer, License No 65196. This item has been electronically signed and sealed by Angel L. Rivera on the date indicated here using a SHA authentication code. Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

STATE OF

DATE ANGEL L. RIVERA, P.E. LIC. NO. 65196

PROJECT:

4 4

REVISIONS ISSUED DATE

1"=80'

DATE:

4/20/22 SHEET TITLE:

CONCEPTUAL SITE PLAN (CENTRAL

SEWER)

DWG NO.:

C-1.0

SHEET: 1 OF 1