

RESOLUTION NO. 26-29

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, RESCINDING AND REPLACING RESOLUTION NO. 26-24; REHEARING AND APPROVING THE SUBDIVISION SITE DEVELOPMENT PLAN FOR THE VISTA DEL LAGO PHASE IV SUBDIVISION FOLLOWING RECONSIDERATION OF THE TOWN COMMISSION'S SEPTEMBER 1, 2026 ACTION; CORRECTING AND CONFIRMING THE PROJECT ACREAGE; MAKING FINDINGS; AUTHORIZING LIMITED ADMINISTRATIVE IMPLEMENTATION OF THE COMMISSION'S APPROVAL; REQUIRING RELATED DOCUMENTS TO BE APPROVED BY THE TOWN ATTORNEY AS TO FORM AND LEGAL SUFFICIENCY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Dundee (the "Town") is a Florida municipal corporation vested with home rule authority pursuant to Chapter 166, Florida Statutes, Article VIII, Section 2 of the Florida Constitution, and other applicable law; and

WHEREAS, the proposed Vista Del Lago Phase IV Subdivision (the "Subdivision") consists of approximately 7.31 acres, more or less, located within the corporate limits of the Town of Dundee, Florida, and further identified as Polk County Property Appraiser Parcel Identification Number 27-28-34-853000-000121 (the "Property"); and

WHEREAS, the Applicant, Vista Del Lago of Polk County, LLC, through its authorized representative, submitted an application requesting approval of a Subdivision Site Development Plan for the Vista Del Lago Phase IV Subdivision (the "Vista Del Lago Phase IV SSDP"); and

WHEREAS, Sections 7.01.05 through 7.01.07 of the Town of Dundee Land Development Code ("LDC") establish the subdivision review process, including review of preliminary and certified subdivision plans, for the purpose of evaluating proposed development for consistency with the Town's Comprehensive Plan and LDC and providing for the technical review of proposed site improvements prior to final platting; and

WHEREAS, the Vista Del Lago Phase IV SSDP, attached hereto as Composite Exhibit "B," provides for thirty-two (32) single-family residential lots together with associated infrastructure, improvements, open space, and amenities; and

WHEREAS, based upon the technical review performed by Town staff and the Town's consultants, the Vista Del Lago Phase IV SSDP has satisfied the applicable requirements of Sections 7.01.05 through 7.01.07 of the LDC, subject to compliance with all other applicable Town requirements and conditions of approval; and

WHEREAS, pursuant to Section 7.02.03 of the LDC and other applicable provisions of the Town Code, no development order or development permit requiring concurrency approval shall be issued unless the applicable concurrency requirements of Section 6.01.00 of the LDC have been satisfied; and

WHEREAS, on September 1, 2026, the Town Commission considered Resolution No. 26-24 and the Vista Del Lago Phase IV SSDP at a duly noticed public meeting and took action concerning the application; and

WHEREAS, following the September 1, 2026, action, a voting conflict was identified concerning the Mayor's participation in the prior vote; and

WHEREAS, in order to provide a clear record and to ensure that the application is considered and decided by those members of the Town Commission entitled to participate in the matter, the Town Commission placed Resolution No. 26-29 and the Vista Del Lago Phase IV SSDP on its September 8, 2026 agenda for reconsideration and rehearing; and

WHEREAS, at the September 8, 2026, meeting, the Mayor disclosed the voting conflict and did not participate in the Town Commission's consideration or vote concerning Resolution No. 26-29 and the Vista Del Lago Phase IV SSDP; and

WHEREAS, the Town also identified inconsistent acreage references within the prior project materials, and Town Planning and Engineering staff have confirmed that the Property subject to the Vista Del Lago Phase IV SSDP contains approximately 7.31 acres, more or less; and

WHEREAS, the Town Commission desires that this Resolution, the Vista Del Lago Phase IV SSDP, the Developer's Agreement, and all related project documents consistently reflect the confirmed acreage and the same Property; and

WHEREAS, on September 8, 2026, the Town Commission reconsidered and reheard the application and considered the application, staff report, supporting documents, testimony, evidence, and comments presented concerning the Vista Del Lago Phase IV SSDP; and

WHEREAS, following its independent review and consideration of the matter on September 8, 2026, the Town Commission finds that the Vista Del Lago Phase IV SSDP is consistent with the Town of Dundee Comprehensive Plan and applicable provisions of the Town of Dundee Land Development Code and promotes the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE

TOWN OF DUNDEE, FLORIDA:

Section 1. Incorporation of Recitals.

The foregoing recitals are hereby incorporated into this Resolution as true and correct findings of the Town Commission and constitute a factual and material basis for the adoption of this Resolution.

Section 2. Rescission and Replacement of Resolution No. 26-24.

Resolution No. 26-24 and the Town Commission's September 1, 2026 action concerning the Vista Del Lago Phase IV Subdivision Site Development Plan are hereby rescinded and replaced in their entirety by this Resolution. Following reconsideration, rehearing, and independent consideration of the application on September 8, 2026, this Resolution shall constitute the current and controlling action of the Town Commission concerning the Vista Del Lago Phase IV Subdivision Site Development Plan.

Section 3. Rehearing and Approval of Subdivision Site Development Plan.

Following reconsideration and rehearing of the matter on September 8, 2026, the Town Commission hereby approves the Vista Del Lago Phase IV Subdivision Site Development Plan, attached hereto as Composite Exhibit "B," subject to all applicable requirements of the Town of Dundee Comprehensive Plan, Land Development Code, Code of Ordinances, the conditions contained in this Resolution, and all applicable requirements imposed through the Town's development review and permitting process.

Approval of the Vista Del Lago Phase IV SSDP does not constitute approval of the final plat or relieve the Applicant from obtaining any additional permits, approvals, concurrency determinations, or other authorizations required by applicable law.

Section 4. Project Acreage and Conforming Documents.

The Town Commission confirms that the Vista Del Lago Phase IV SSDP encompasses approximately 7.31 acres, more or less, subject to the final legal description applicable to the Property.

Prior to execution or recordation of any Developer's Agreement or other document relating to the approval granted by this Resolution 26-29, Town staff shall ensure that all references to the Property, project acreage, parcel identification number, legal description, and applicable exhibits are internally consistent and accurately identify the Property approved by the Town Commission.

Any inconsistency that would materially alter the Property, project boundaries, development entitlements, obligations of the Town or Applicant, or other substantive term shall be returned to the Town Commission for approval and shall not be treated as a scrivener's error.

Section 5. Limited Administrative Implementation.

The Town Commission authorizes the Town Manager to take only those administrative and ministerial actions reasonably necessary to implement this Resolution and the substantive terms expressly approved by the Town Commission concerning the Vista Del Lago Phase IV SSDP.

Any agreement or other document necessary to implement the Commission's approval shall be consistent with the substantive terms approved by the Town Commission, shall be approved by the Town Attorney as to form and legal sufficiency, and shall be executed by the Town official authorized to execute such document pursuant to the Town Charter, Town Code, or other applicable authority.

The Town Manager is not authorized by this Resolution to negotiate, approve, or enter into any agreement containing new or materially different substantive terms from those approved by the Town Commission. Any substantive amendment, additional financial obligation, additional development obligation, material modification of the approved SSDP, or other material change shall be presented to the Town Commission for approval before execution or implementation.

Section 6. Conflicts.

All resolutions or portions of resolutions in conflict with this Resolution are hereby superseded to the extent of such conflict.

Section 7. Severability.

If any section, subsection, sentence, clause, phrase, or provision of this Resolution, or the application thereof to any person or circumstance, is held invalid, unconstitutional, or unenforceable by a court or other body of competent jurisdiction, such determination shall not affect the validity of the remaining portions or applications of this Resolution.

Section 8. Administrative Correction of Scrivener's Errors.

The Town Manager, Town Clerk, or their designee may correct typographical errors, numbering errors, formatting errors, or other non-substantive scrivener's errors in this Resolution and its exhibits, provided that no such correction alters the substantive intent or effect of the Town Commission's action.

Any correction affecting the approved Property, project acreage, development rights, obligations of the Town or Applicant, conditions of approval, or any other material term shall require further approval by the Town Commission.

Section 9. Effective Date.

This Resolution shall take effect immediately upon its passage and adoption by the Town Commission of the Town of Dundee, Florida.

Town of Dundee
Resolution 26-29
Vista Del Lago Phase IV
Subdivision Site Development Plan

INTRODUCED AND PASSED by the Town Commission of the Town of Dundee, Florida, in Regular Session this ____ day of September 2026.

TOWN OF DUNDEE

Mayor – Joseph Garrison

ATTEST:

Town Clerk – Erica Anderson

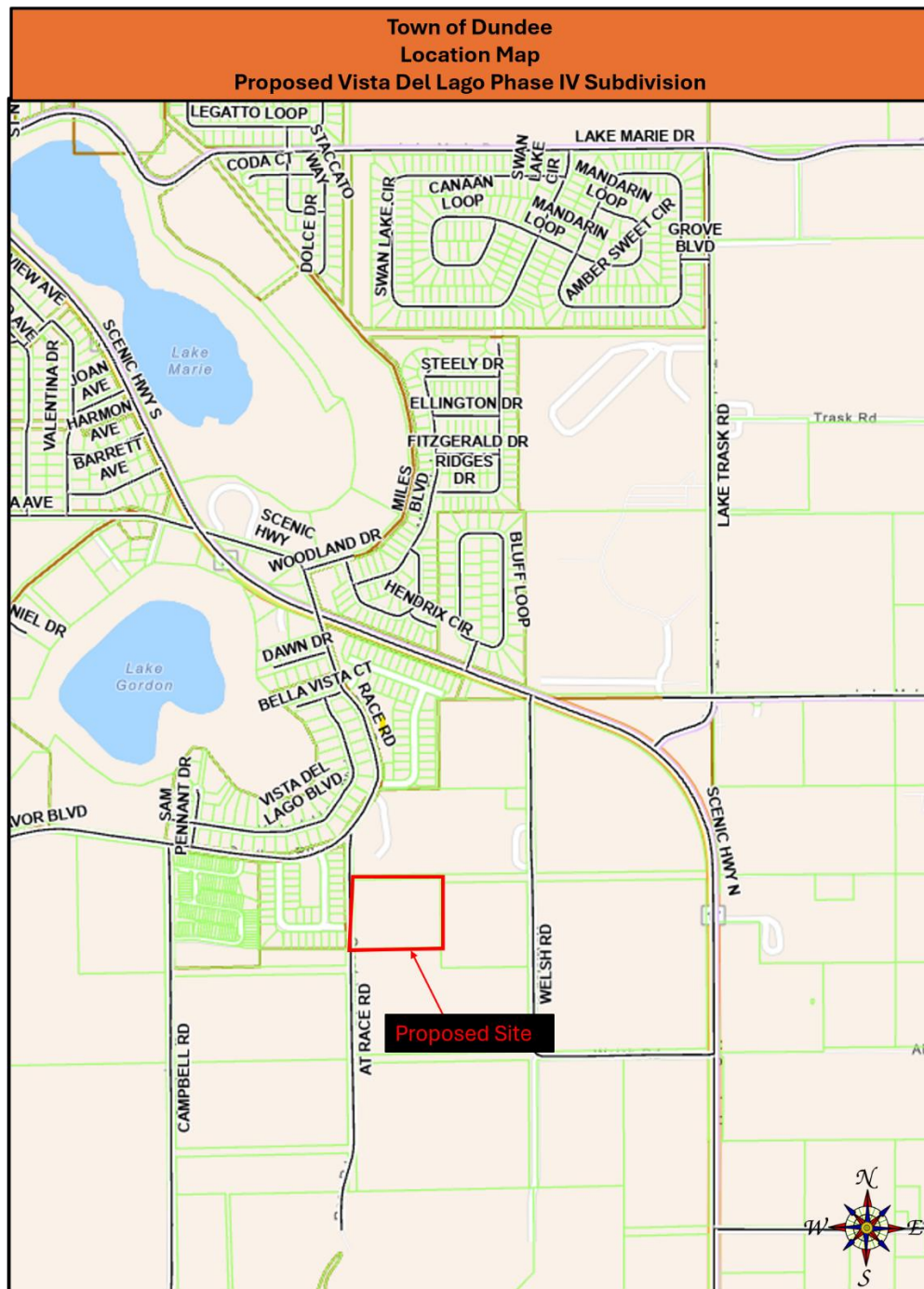
Approved as to form:

Town Attorney – Markeishia Smith

Town of Dundee
Resolution 26-29
Vista Del Lago Phase IV
Subdivision Site Development Plan

**RESOLUTION 26-24 EXHIBIT A
LOCATION MAP**

Town of Dundee
Resolution 26-29
Vista Del Lago Phase IV
Subdivision Site Development Plan



RESOLUTION 26-24 EXHIBIT B
SUBDIVISION SITE DEVELOPMENT PLAN

PAVEMENT MARKINGS NOTE:
ALL PAVEMENT MARKINGS SHALL BE THERMOPLASTIC AND SHALL NOT BE PAINTED. ALL STOPPING SHALL BE INSTALLED IN ACCORDANCE WITH FOOT STANDARD SPECIFICATIONS AND THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), LATEST EDITION.

LANDSCAPE NOTE:
AT A MINIMUM, THE LANDSCAPING OF EVERY SINGLE-FAMILY DWELLING SHALL INCLUDE ONE LARGE CANOPY TREE, PLUS FOUR SMALL TREES/SHRUBS AND 12 SMALL SHRUBS IN THE FRONT YARD, FOR APPROVED LANDSCAPE MATERIALS, SEE SECTION 2.01, TABLE 2.01(A), (B) AND (C). (SEE TYPICAL LANDSCAPE LAYOUT ON THIS SHEET)

Curve Table

Curve	Length	Radius	Delta	Chord Distance	Chord Length
C1	7.28	5.00	83.43	54° 30' 45"	6.85
C4	39.27	25.00	80.00	54° 13' 25"	35.38
C3	39.27	25.00	80.00	54° 46' 25"	35.38
C2	7.89	5.00	90.06	54° 11' 45"	7.07

STREET LIGHT NOTE:
CONTRACTOR SHALL INSTALL STREET LIGHTING PER TOWN CODE SECTION 3.4.01.

LEGEND:
 - ELECTRIC PROPERTY LINE
 - EXISTING SIDE OF HIGHWAY
 - EXISTING FENCING
 - PROPOSED FENCING
 - PROPOSED CONCRETE SIDEWALK
 - EXISTING PAVED SIDE

TYPICAL LANDSCAPE LAYOUT

PROPOSED TYPICAL LOT

FLORIDA HIGHLANDS COMPANY'S SUBDIVISION
 PLAT BOOK 1 PAGE 87
 LOT 5
 PARCEL NO. 27-28-34-853000-00050
 TOWN OF SUNGEE
 POLK COUNTY, FLORIDA 33500-1000
 ZONING: PUBLIC INSTITUTIONAL

VISTA DEL LAGO - PHASE III
 PLAT BOOK 3 PAGE 184
 PARCEL NO. 27-28-34-853000-000131
 1075 AC. LOTS 40 OF POLK COUNTY, FL
 5229 US HIGHWAY 90 NORTH
 LARGELAND, FLORIDA 33000-0012

FLORIDA HIGHLANDS COMPANY'S SUBDIVISION
 PLAT BOOK 1 PAGE 87
 LOT 41
 PARCEL NO. 27-28-34-853000-000110
 TOWN OF SUNGEE
 POLK COUNTY, FLORIDA 33500-1000
 ZONING: PUBLIC INSTITUTIONAL

FLORIDA HIGHLANDS COMPANY'S SUBDIVISION
 PLAT BOOK 1 PAGE 87
 LOT 12
 PARCEL NO. 27-28-34-853000-00050
 TOWN OF SUNGEE
 POLK COUNTY, FLORIDA 33500-1000
 ZONING: PUBLIC INSTITUTIONAL

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Town of Dundee

202 EAST MAIN STREET, DUNDEE FLORIDA 33838 (863) 438-8330

SUBDIVISION SITE DEVELOPMENT PLAN APPLICATION

In addition to the application, please provide all materials listed on the application checklist. It is important that all information be complete and accurate when submitted to the Town. Additional pages may be attached to provide necessary information. The project review name shall be a unique name that will be carried through the entire subdivision review process.

SITE INFORMATION

Project Name: Vista del Lago Phase IV

Total Acreage: 7.31 Parcel I.D. : 27-28-34-853000-000121

Site Address and General Location:
0 A T Race Rd, Dundee, FL 3383 Town of Dundee, Polk County, Florida

Present Use of Property: Vacant Residential Land

Existing Structures Located on the Site: None (Vacant Land)

Legal Description of the Property: _____

PROPERTY OWNER:

Name: Vista del Lago of Polk County LLC

Mailing Address: 5529 US Highway 98 N

City: Lakeland State: FL Zip: 33809

Office/Mobile Phone: _____ Email: leesaunders440@aol.com

APPLICANT/AGENT:

Name: Daniel P. Kovacs

Mailing Address: 5137 S Lakeland DR Suite 3

City: Lakeland State: FL Zip: 33813

Office/Mobile Phone: 863-712-9937 Email: dkovacs@tracteng.com

RESOLUTION 26-24 EXHIBIT C APPLICATION

SUBDIVISION SITE DEVELOPMENT PLAN APPLICATION

Current Future Land Use Designation: Residential

Current Zoning Designation: Residential

Proposed Use or Description of Site Preparation: _____

Proposed single-family residential subdivision, including construction of internal local roadways, sidewalks, curb and gutter, stormwater management facilities, utilities, grading, and related site improvements.

Date Application Accepted by Town: _____

Project Name/ID Number: _____

Pre Application Meeting: _____

Application Fee: _____ Review Deposit Fee: _____

Check / Virtual Receipt Number: _____

Processed by: _____