

ORDINANCE NUMBER 24-21

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING A CONDITIONAL USE PERMIT FOR A MONOPINE COMMUNICATION TOWER LOCATED WITHIN PINE MEADOWS SUBDIVISION ON FUTURE ACORN MEADOWS LOOP - STREET A.

WHEREAS, Anthemnet, Inc. (c/o Jennifer Frost), representative and applicant for Pine Meadows has applied for a Conditional Use Permit for a monopine communication tower with a height of 180-feet located within Pine Meadows subdivision on Future Acorn Meadows Loop – Street A.

WHEREAS, the subject property has a Land Use Designation of Suburban Residential (SR) and Mixed Commercial/ Industrial (MCI), and a Design District Designation of Rural Neighborhood and Rural District; and

WHEREAS, A wireless communication antenna and/ or towers is a conditional use for MCI land use district and;

WHEREAS, the request for a Conditional Use Permit was properly Noticed for a Quasi-Judicial Public Hearing before the City Commission; and

WHEREAS, on April 04, 2024, the City Commission held the 1st Public Hearing to consider the Conditional Use Permit; and

WHEREAS, on April 18, 2024, the City Commission held the 2nd Public Hearing to consider the Conditional Use Permit; and

WHEREAS, the proposed conditional use is consistent with the City's Land Development Regulations, Comprehensive Plan, and Code of Ordinances; and

WHEREAS, the applicant has presented evidence to establish the following:

1. That the proposed use is desirable at the particular location;
2. That the proposed conditional use will not have an undue adverse effect on nearby property;
3. That such use will not be detrimental to the health, safety, or general welfare of the citizens residing in the area;
4. That the proposed conditional use is compatible with the existing or planned character of the neighborhood in which it would be located;

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

Section 1. That a Conditional Use Permit is granted for a monopine communication tower a height of 180-feet located within Pine Meadows subdivision on Future Acorn Meadows Loop – Street A., more particularly described as:

FOR PINE NW 1/4--LESS PINE MEADOWS FAIRWAY ESTATES SUB & LESS R/W
MEADOWS GOLF COURSE RD

ALTERNATE KEY NUMBER: 1408041
PARCEL NUMBER: 36-18-26-0002-000-00100

Section 2. That the conditions of approval require that the communication tower meets all applicable provisions of the Land Development Regulations and the City Code of Ordinances.

Section 3. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 5. That this Ordinance shall become effective immediately upon passing.

PASSED, ORDAINED, AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 18th day of April, 2024.

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

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 18th day of April, 2024 by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content, but I have not performed an independent Title examination as to the accuracy of the Legal Description.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-21 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk