

ORDINANCE NUMBER 23-28

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187 F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 2.61 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBERS 1212685, 3948085, 3948086, 3948087, 3948088, and 3948089 GENERALLY LOCATED ON ORANGE AVENUE, WEST OF BEACH DRIVE, FROM URBAN LOW IN LAKE COUNTY TO SUBURBAN RESIDENTIAL IN THE CITY OF EUSTIS.

WHEREAS, on November 4, 2010, the Eustis City Commission adopted the City of Eustis Comprehensive Plan 2010-2035 through Ordinance Number 10-11; and

WHEREAS, the State of Florida Department of Community Affairs found the City of Eustis Comprehensive Plan 2010-2035 In Compliance pursuant to Sections 163.3184, 163.3187, and 163.3189 Florida Statutes; and

WHEREAS, the City of Eustis periodically amends its Comprehensive Plan, in accordance with Chapters 163.3187 and 163.3191, Florida Statutes; and

WHEREAS, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 2.61 acres of real property located on Orange Avenue east of unimproved portion of Beach (Alternate Key Numbers: 1212685, 3948085, 3948086, 3948087, 3948088, and 3948089), and more particularly described herein as Exhibit "A"; and

WHEREAS, on November 2, 2023, the Local Planning Agency held a Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in the designation; and

WHEREAS, on November 2, 2023, the City Commission held the 1st Adoption Public Hearing to accept the Local Planning Agency's recommendation to adopt the Small-Scale Future Land Use Amendment contained herein; and

WHEREAS, on November 16, 2023, the City Commission held the 2nd Adoption Public Hearing to consider the adoption of the Small-Scale Future Land Use Amendment contained herein as Exhibit "B";

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

SECTION 1.

Land Use Designation: That the Future Land Use Designation of the real property as described below shall be changed from Urban Low in Lake County to Suburban Residential (SR) within the City of Eustis:

Parcel Alternate Keys: : 1212685, 3948085, 3948086, 3948087, 3948088, and 3948089

Parcel Identification Numbers: 26-18-26-0004-000-03301, 26-18-26-0004-000-08500, 26-18-26-0004-000-08600, 26-18-26-0004-000-08700, 26-18-26-0004-000-08800, and 26-18-26-0004-000-08900

Legal Description:

Parcel 1:

FROM THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET, AKA SOUTH EAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 THENCE RUN NORTH 01-39-00 EAST 190 FEET FOR POINT OF BEGINNING, THENCE RUN SOUTH 89-45-22 WEST 214.62 FEET, NORTH 03-16-28 EAST 158.14 FEET, NORTH 30-32-14 EAST 434.75 FEET, SOUTH 01-39-00 WEST TO THE POINT OF BEGINNING ORB 6127 PG 2419

Parcel 2:

FROM THE SOUTHEAST CONER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET, AKA THE SOUTHEAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 RUN SOUTH 89-49-20 WEST ALONG WOUTH LINE OF THE FURZE TRACT 159.89 FEET FOR POINT OF BEGINNING, THENCE CONTINUE SOUTH 89-49-20 WEST 60.11 FEET, NORTH 03-16-28 EAST 190 FEET, NORTH 89-45-22 EAST 60.11 FEET, SOUTH 03-16-28 EAST 190.07 FEET TO THE POINT OF BEGINNING ORB 6127 PG 2419

Parcel 3:

FROM THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET AKA SOUTHEAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 RUN SOUTH 89-49-20 WEST ALONG SOUTH LINE OF THE FURZE TRACT 100 FEET FOR POINT OF BEGINNING, THENCE CONTINUE SOUTH 89-49-20 WEST 59.89 FEET, NORTH 03-16-28 EAST 129.94 FEET, NORTH 89-44-11 EAST 60.11 FEET, SOUTH 03-22-13 WEST 130.04 FEET TO THE POINT OF BEGINNING ORB 6127 PG 2419

Parcel 4:

FROM THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET, AKA SOUTHEAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 FOR POINT OF BEGINNING, RUN SOUTH 89-49-20 WEST 100 FEET, NORTH 03-22-13 EAST 69.80 FEET, NORTH 89-38-44 EST 97.91 FEET TO THE EAST LINE OF THE FURZE TRACT, SOUTH 01-39-00 WEST 70 FEET TO THE POINT OF BEGINNING ORB 6127 PG 2419

Parcel 5:

FROM THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET, AKA SOUTHEAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 RUN NORTH 01-39-00 EAST 70 FEET FOR POINT OF BEGINNING, RUN SOUTH 89-38-44 WEST 97.91 FEET, NORTH 03-22-13 EAST 60.24 FEET, NORTH 89-44-11 EAST 96.10 FEET TO THE EAST LINE OF THE FURZE TRACT, SOUTH 01-39-00 WEST 60 FEET TO THE POINT OF BEGINNING ORB 6127 PG 2419

Parcel 6:

FROM THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET, AKA SOUTHEAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 RUN NORTH 01-39-00 EAST 130 FEET FOR POINT OF BEGINNING, THENCE SOUTH 89-44-11 WEST 156.21 FEET, NORTH 03-16-28 EAST 60.13 FEET, NORTH 89-45-22 EAST 154.51 FEET TO

THE EAST LINE OF THE FURZE TRACT, SOUTH 01-39-00 WEST 60 FEET TO THE POINT OF BEGINNING
ORB 6127 PG 2419

(The foregoing legal descriptions were copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy); and

SECTION 2.

Map Amendment and Notification: That the Director of Development Services shall be authorized to amend the Future Land Use Map of the Comprehensive Plan to incorporate the change described in Section 1 and provide appropriate notification in accordance with Florida Statutes.

SECTION 3.

Conflict: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4.

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

SECTION 5.

Effective Date: The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Commerce notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Commerce or the Administration Commission enters a final order determining this adopted amendment to be compliant. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Commerce.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 16th day of November, 2023.

**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 16th day of November, 2023, 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 No:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the Eustis City Commission.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 23-28 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION:

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FROM THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 TOWNSHIP 18 SOUTH RANGE 26 EAST RUN NORTH 30 FEET, AKA SOUTH EAST CORNER OF THE FURZE TRACT IN PB 12 PG 87 THENCE RUN NORTH 01-39-00 EAST 190 FEET FOR POINT OF BEGINNING, THENCE RUN SOUTH 89-45-22 WEST 214.62 FEET, NORTH 03-16-28 EAST 158.14 FEET, NORTH 30-32-14 EAST 434.75 FEET, SOUTH 01-39-00 WEST TO THE POINT OF BEGINNING ORB 6127 PG 2419

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EXHIBIT "B"

