

**ORDINANCE NUMBER 23-19**

**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 5.8 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBERS 2666820, 3884298, 3884439, AND 3884441 GENERALLY LOCATED EAST OF COOLIDGE STREET SOUTH OF THE UNIMPROVED PORTION OF PINE AVENUE AND NORTH OF THE UNIMPROVED PORTION OF HOLLYWOOD AVENUE, 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 5.8 acres of real property located east of Coolidge Street south of the unimproved portion of Pine Avenue and north of the unimproved portion of Hollywood Avenue (Alternate Key Numbers 2666820, 3884298, 3884439, AND 3884441), and more particularly described herein as Exhibit "A"; and

**WHEREAS**, on July 6, 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 July 6, 2023, the City Commission held the 1<sup>st</sup> 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 July 20, 2023, the City Commission held the 2<sup>nd</sup> 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: 2666820, 3884298, 3884439, AND 3884441

Parcel Identification Number: 01-19-26-1000-00G-01900, 01-19-26-1000-00G-00500, 01-19-26-0600-010-00600 and 01-19-26-0600-011-00100

Legal Description:

Parcel 1

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 19, 20, 21, 22BLK G PB 12 PG 84 ORB 5400 PG 897

Parcel 2

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 5, 6, 7, 8, 9, 10,11, 12, 13, 14, 15, 16, 17, 18, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 BLKG PB 12 PG 84 ORB 4933 PGS 1841 1846

Parcel 3

ROSENWALD GARDENS LOTS 6, 23, 24 BLK 10 PB 5 PG 61 ORB 4933PGS 1841 1846

Parcel 4

ROSENWALD GARDENS LOTS 1 TO 9 INCL, LOTS 24 TO 30 INCL BLK11 PB 5 PG 61 ORB 4933 PGS 1841 1846

(The foregoing legal description was 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 Economic Opportunity 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 Economic Opportunity 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 Economic Opportunity.

**PASSED, ORDAINED AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 20th day of July, 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 20th day of July 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 23-19 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.

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Christine Halloran, City Clerk

## EXHIBIT "A"

### LEGAL DESCRIPTION:

#### Parcel 1

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 19, 20, 21, 22 BLK G PB 12 PG 84  
ORB 5400 PG 897

#### Parcel 2

ROSENWALD GARDENS PARTIAL REPLAT SUB LOTS 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,  
16, 17, 18, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 BLKG PB 12 PG 84 ORB 4933 PGS  
1841 1846

#### Parcel 3

ROSENWALD GARDENS LOTS 6, 23, 24 BLK 10 PB 5 PG 61 ORB 4933 PGS 1841 1846

#### Parcel 4

ROSENWALD GARDENS LOTS 1 TO 9 INCL, LOTS 24 TO 30 INCL BLK 11 PB 5 PG 61  
ORB 4933 PGS 1841 1846

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

# EXHIBIT "B"

