

ORDINANCE NUMBER 24-19

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW A 10,640 SQUARE FOOT, COMMERCIAL RETAIL STORE IN A GENERAL INDUSTRIAL LAND USE DISTRICT AT THE EUSTIS COMMERCE PARK ON PARADISE LANE AND CR 452.

WHEREAS, Holly Irish, for Concept Companies as representative and JDC Management Group, LLC, as property owner, have applied for a Conditional Use Permit to develop a 10,640 square foot commercial retail store with associated parking, utilities, and stormwater infrastructure within the Eustis Commerce Park and a General Industrial Land Use District; and

WHEREAS, the subject property consists of a 2.1 acre portion of the 28-acre parent parcel (34-18-26-0003-000-00600); and

WHEREAS, the subject property has a Land Use Designation of General Industrial (GI) and a Design District Designation of Suburban District; and

WHEREAS, a retail store is permitted as a Conditional Use in the General Industrial (GI) 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 March 21, 2024, the City Commission held the 1st Public Hearing to consider the Conditional Use Permit; and

WHEREAS, on April 4, 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; and
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 retail store at the Eustis Commerce Park located at the intersection of CR 452 and Paradise Lane, more particularly described as:

SW 1/4 OF NW 1/4 S OF SR 452--LESS W 25 FT--NW 1/4 OF SW 1/4 N OF ACL RR--LESS W 25 FT--NE 1/4 OF SW 1/4 SW'LY OF HWY 452--LESS FROM INTERSECTION OF S R/W LINE OF CR 452 WITH W LINE OF NW 1/4 RUN S 89-15-03 E ALONG S R/W LINE 615.67 FT FOR POB, CONT S 89-15-03 E ALONG SAID S R/W LINE 226.31 FT TO THE BEG OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1382.69 FT, THENCE RUN SE'LY ALONG SAID CURVE A DIST OF 841.49 FT THRU A CENTRAL ANGLE OF 34-52-10, A CHORD OF 828.58 FT & CHORD

BEARING OF S 71-48-58 E, THENCE S 35-37-07 W, ON A RADIAL BEARING OF 467.93 FT, N 69-58-0 W 689.96 FT, N 12-52-55 W 416.02 FT TO POB & LESS FROM INTERSECTION OF S R/W LINE OF CR 452 WITH W LINE OF NW 1/4 RUN S 89-15-03 E ALONG S R/W LINE 25.02 FT FOR POB, CONT S 89-15-03 E ALONG SAID S R/W LINE 590.65 FT, S 12-52-55 E 416.02 FT, S 75-0-17 W 110.28 FT, S 14-59-43 E 548.64 FT TO AN INTERSECTION WITH N'LY R/W LINE OF RR R/W, N 54-21-55 W 896.24 FT ALONG SAID N'LY R/W LINE TO A POINT THAT IS 25 FT E OF, WHEN MEASURED AT RIGHT ANGLES THERETO, THE W LINE OF SW 1/4, THENCE RUN N 01-0-0 E PARALLEL WITH & 25 FT E OF, WHEN MEASURED AT RIGHT ANGLES THERETO, THE SAID W LINE OF SW 1/4 A DIST OF 401.99 FT TO AN INTERSECTION WITH N LINE OF SW 1/4, N 03-09-49 E 47.75 FT TO POB-- ORB 6132 PG 1934

ALTERNATE KEY NUMBER: 1094682

PARCEL NUMBER: 34-18-26-0003-0000-00600

Section 2. That the conditions of approval require that the request meets all applicable provisions of the Land Development Regulations and the City Code of Ordinances and complies with the following specific conditions and limitations:

1. Obtain a lot split to subdivide this parcel from the parent parcel;
2. Obtain a site plan approval for the proposed store; and
3. Submit for a site development and building permit and

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 4th 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 ____ day of ____, 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 24-19 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