



City of Eustis

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TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: November 6, 2025

RE: Resolution 25-91: Placement of Textile Recycling Bin/Shed at the Church of the Nazarene, 480 County Road 44 and Determining a Waiver Request

Introduction:

On September 30, 2025, the Church of the Nazarene, located at 480 County Road 44, was cited by Code Enforcement for noncompliance with Eustis City Commission regulations regarding the placement of an authorized textile recycling collection bin. To remedy this violation, the Church must obtain a location variance and a structural size waiver, and subsequently secure and maintain an active annual Business Tax Receipt (BTR) for the duration that the structure remains in use on the property.

Background:

In 2021, the City Commission enacted Ordinance 21-07, which limits the number of textile recycling collection bins permitted within the City to four. Currently, one authorized bin—approved under Ordinance 21-78—is located at 2610 E. Orange Avenue, known as AAA Mini Storage.

The Church of the Nazarene, in partnership with St. Pauly Textile, Inc., doing business as St. Pauly Textile East, Inc., had contacted the Building Department regarding setbacks of a shed not realizing that the City had regulations regarding the placement and size of these recycling bins. Upon placing their 8' by 14' shed on the property and operating for 4 months, the Code Enforcement Officers found the Church in violation of Section 34-83 of the City's Municipal Code.

As part of the corrective action for this violation, the Church was directed to obtain a variance and a waiver for the "oversized" bin.

At this time, the Church is seeking approval to establish the third authorized textile recycling bin within the City. Under this partnership, the Church is responsible for maintaining the cleanliness of the area surrounding the shed and for collecting items from the structure daily. St. Pauly Textile conducts weekly pickups of the donated textiles, sells the collected items, and shares the proceeds with the Church.

Recommended Action:

Staff recommendation is to approve Resolution Number 25-91.

Policy Implications:

The regulations governing Textile Recycling Collection Bins are outlined in Section 34-83 of the City of Eustis Code of Ordinances. Below is the ordinance text, followed by City staff commentary in bold italics.

(a) Only authorized textile recycling collection bins permitted. No person shall place or maintain a textile recycling collection bin within the City of Eustis except in accordance with these regulations, and if located on City-owned property, only as authorized through a franchise agreement.

The location associated with this request is privately owned and not situated on City property.

(b) Collection from stationary vehicles. Collection of textiles for recycling from a stationary vehicle, truck, wagon, trailer, or similar vehicle is prohibited within the City of Eustis unless approved by the City Commission. Textile recycling collections taken directly from homes, businesses, or institutions, whether through regularly scheduled or pick-ups or through pick-ups based on special request of the donor are not prohibited and are permitted without City Commission approval.

This provision is not applicable.

(c) Placement, operation, and maintenance of textile recycling collection bins. Textile recycling collection bins ("bins") shall be governed as follows:

(1) Bins shall be placed only on: City-owned property with approval by resolution of the City Commission through a franchise agreement or developed parcels that are: (i) approved for non-residential use, including commercial, office, industrial and community services uses,

Section (1) of the ordinance permits bins to be placed only on City-owned property with approval by resolution of the City Commission through a franchise agreement, or on developed parcels designated for non-residential use, including commercial, office, industrial, or community services.

The location associated with this request is owned by the Church of the Nazarene and is classified as a community services use, consistent with the ordinance requirements.

(ii) are not located within the Central Business District (CBD) or Community Redevelopment Area (CRA),

Subsection (ii) prohibits the placement of bins within the Central Business District (CBD) or the Community Redevelopment Area (CRA). The location associated with this request is situated outside both the CBD and CRA boundaries.

(iii) expressly approved in writing from the property owner permitting such use (such written approval shall be produced to the City within two business days of the City's demand), (iv) as expressly approved by the City Commission by resolution

Subsections (iii) and (iv) of the ordinance require that textile collection bins receive written authorization from the property owner permitting such use—subject to submission within two business days upon request by the City—and formal approval by resolution of the City Commission.

As part of the City's Business Tax Receipt (BTR) process, property owner consent is required for mobile vendors, a category under which textile collection bins are most appropriately classified rather than as permanent business locations. St. Pauly Textile East, Inc. has submitted a BTR application for the proposed placement of a textile collection bin/shed at 480 County Road 44. In support of this application, the company has provided a signed authorization form from the property owner,

Dale Schaeffer, President of the Church of the Nazarene, Inc. (see attached documentation).

and (v) owned or operated by a business with a valid and active, at all times, City of Eustis business tax receipt.

Subsection (v) requires that the bin be owned or operated by a business holding a valid and continuously active Business Tax Receipt (BTR) issued by the City of Eustis. The applicant has submitted a BTR application for both the out-of-city business and the proposed bin/shed placement location. Issuance of the BTR is contingent upon approval by the City Commission.

(2) Bins shall be placed in a manner which does not impair traffic, pedestrian, or emergency service vehicle movement within the site and which does not negatively affect protected trees or utility services. The placement of textile recycling collection bins shall require site plan approval from the City Commission.

Section (2) of the ordinance requires that bins be placed in a manner that does not obstruct traffic flow, pedestrian access, or emergency vehicle movement, and that does not adversely impact protected trees or utility services. Additionally, placement of textile recycling collection bins is subject to site plan approval by the City Commission.

Refer to the aerial map attached to the resolution (Exhibit A), which illustrates existing onsite improvements and the proposed location of the bin/shed. Based on this layout, the placement does not appear to interfere with vehicular or pedestrian circulation, emergency access, protected trees, or utility infrastructure.

(3) Bins shall be no larger than seven feet in any dimension.

Section (3) of the ordinance stipulates that textile recycling bins must not exceed seven feet in any dimension. The sheds constructed by St. Pauly Textile East, Inc. measure 8' in width and 14' in length, resembling standard storage buildings on the Church property (see Exhibit B of the resolution). Because these dimensions exceed the regulatory limits, approval of a size waiver by the City Commission is required in order to authorize the placement and use of the structure on the site.

(4) Bins shall be placed no less than 500 feet from any other bin unless located at least 200 feet from any public street right-of-way and not readily visible from any residential use. In no case shall more than one bin be placed on a single parcel unless a variance is requested and granted by the City.

Not applicable.

(5) Bins shall not be located within 50 feet of any a public street right-of-way.

Section (5) of the ordinance stipulates that bins must not be located within 50 feet of any public street right-of-way. The proposed shed/bin location exceeds this requirement, is situated behind the church and is more than 90 feet from the adjacent property line. Refer to the aerial map with measurements provided in Exhibit A of the resolution for verification.

(6) Bins shall be constructed of steel with a rust-resistant coating and weigh at least 500 pounds empty.

Section (6) of the ordinance stipulates that bins must be constructed of steel with a rust-resistant coating and must weigh at least 500 pounds when empty. In this case, the proposed structure is a storage shed, rather than a traditional bin. The applicant has indicated that the shed is constructed of pressure-treated wood and, due to its 14-foot length, likely exceeds the 500-pound minimum weight requirement.

(7) Each bin shall provide the name, address and telephone number of the bin's owner in weather-resistant lettering no smaller than one-inch high and provide other information as may be required by Florida Statutes. Bins shall contain no advertising other than as related to the franchised textile recycling collection organization or business.

Section (7) of the ordinance requires that each bin display the owner's name, address, and telephone number in weather-resistant lettering no smaller than one inch in height, along with any additional information mandated by Florida Statutes. It also prohibits advertising unrelated to the franchised textile recycling collection organization or business.

In this case, the shed does not display contact information, as its design and appearance resemble a standard storage structure rather than a traditional recycling bin. According to the contractual agreement, the Church is responsible for maintaining the area surrounding the shed in a clean and orderly condition. As a result, St. Pauly Textile East, Inc. has opted not to include promotional or identifying signage. The shed does, however, provide clear instructions regarding acceptable and non-acceptable donation items.

(8) Bins shall be painted a uniform color, maintained in good appearance, and be emptied no less than once per 14 days or immediately upon any bin having textiles not contained in the bin (i.e., on top of the bin, on the ground near the bin or placed on something near the bin rather than contained in the bin).

Section (8) of the ordinance requires that bins be painted a uniform color, maintained in good condition, and emptied at least once every 14 days—or immediately if textiles are found outside the bin, such as on top of the structure, on the ground nearby, or placed adjacent to it rather than inside.

The proposed shed/bin features a tan exterior with brown accents and grayish trim. Requirements for maintaining its appearance and ensuring timely servicing are addressed in the draft resolution.

(9) The franchisee or property owner shall be responsible for ensuring that the area within 20 feet of any bin shall be kept free of trash, debris, discarded items or abandoned textiles not in the bin.

Section (9) of the ordinance states that the franchisee or property owner is responsible for maintaining a clean area within a 20-foot radius of any bin, ensuring it remains free of trash, debris, discarded items, or abandoned textiles not properly placed inside the bin.

The draft resolution includes provisions requiring the area surrounding the proposed shed/bin to be kept clean and free of such materials in accordance with this standard.

(10) No more than four bins are permitted within the city limits unless the city commission expressly approves more than four bins.

Section (10) of the ordinance limits the number of textile recycling bins permitted within the City limits to four, unless the City Commission grants explicit approval for additional bins.

The applicant is requesting authorization for one shed/bin, which would represent an additional approved location within the City. Currently, the only authorized bin is located at 2601 E. Orange Avenue, at AAA Mini Storage.

Budget/Staff Impact:
Not Applicable

Business Impact Estimate:
Not Applicable

Prepared By:
Mike Lane, AICP

Attachments:

- Resolution 25-91 with Exhibit A & B
- Business Tax Receipt Application
- Authorization from the Eustis Church of the Nazarene