

## RESOLUTION NUMBER 23-05

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING A PRELIMINARY SUBDIVISION PLAT, WITH A WAIVER REQUEST TO ALLOW LOT DEPTH DIMENSIONS LESS THAN REQUIRED FOR HOUSE LOTS (LDR SECTION 110-4.2), FOR THE CHELSEA SQUARE STATION SUBDIVISION, A 74-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION, ON APPROXIMATELY 28.62 ACRES OF REAL PROPERTY LOCATED ON THE NORTH SIDE OF STATE ROAD 44, BETWEEN RUST ROAD AND ESTES ROAD (ALTERNATE KEY NUMBERS 1069301 AND 3881312).**

**WHEREAS**, Alann Engineering Group, LLC, on behalf of the property owner, M&A, LLC, has made an application for Preliminary Subdivision Plat approval with waivers for a 74-lot, single-family residential subdivision on approximately 28.62 acres located on the north side of State Road 44, between Rust road and Estes road, more particularly described as follows:

Parcel Alternate Key Numbers: 1069301 and 3881312

Parcel Identification Numbers: 08-19-27-0001-000-00501 and 08-19-27-0001-000-06700

FROM SW COR OF NE 1/4 RUN N 0-44-51 E 85.10 FT TO A POINT ON N'LY R/W OF SR 44-A, N 89-59-57 E ALONG SAID R/W LINE 54.36 FT FOR POB, THENCE FROM THE BEG OF RIGHT CURVE FROM WHICH THE RADIUS POINT BEARS N 0-0-03 W, W'LY, NW'LY & N'LY A DIST OF 39.27 FT ALONG THE CURVE CONCAVE TO THE NE, HAVING A RADIUS OF 25 FT & A CENTRAL ANGLE OF 90-0-03, THENCE TANGENT TO SAID CURVE, N 0-0-0 E 109.71 FT, N 04-25-23 W 77.84 FT, N 0-0-03 W 24 FT, THENCE N'LY & NE'LY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 250 FT, A DELTA OF 23-57-31, AN ARC DIST OF 104.54 FT, THENCE N 89-59-57 E 199.63 FT, N 0-0-0 E 89.55 FT, N 89-50-28 E 53.82 FT, S 0-0-03 E 427.53 FT, S 89-59-57 W 244 FT TO POB, FROM SW COR OF NE 1/4 RUN N 0-44-51 E 85.10 FT TO A POINT ON N'LY R/W LINE OF SR 44-A, N 89-59-57 E ALONG SAID N R/W LINE 298.36 FT FOR POB, RUN N 0-0-03 W 427.53 FT, N 89-50-28 E 437.36 FT, S 0-44-51 W 105.93 FT, THENCE S'LY & SW'LY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE NW, HAVING A RADIUS OF 25 FT, A DELTA OF 49-29-47, AN ARC DIST OF 21.60 FT TO A POINT OF REVERSE CURVATURE, THENCE SW'LY & S'LY A DIST OF 32.90 FT ALONG THE ARC OF SAID CURVE CONCAVE TO THE SE, HAVING A RADIUS OF 35.86 FT & A CENTRAL ANGLE OF 52-34-07, THENCE S 08-57-32 E 8.29 FT, THENCE S 15-35-36 E 76.97 FT TO A POINT ON THE ARC OF A NON-TANGENT CURVE, RADIAL LINE THRU SAID POINT BEARS N 81-16-26 E, THENCE S'LY ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE E HAVING A RADIUS OF 130 FT, A DELTA OF 11-11-13, AN ARC DIST OF 25.38 FT, THENCE TANGENT TO SAID CURVE S 19-54-47 E 48.57 FT, THENCE S'LY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE W, HAVING A RADIUS OF 70 FT, A DELTA OF 20-39-38, AN ARC DIST OF 25.24 FT, THENCE TANGENT TO SAID CURVE, S 0-44-51 W 63.06 FT,

THENCE S'LY, SW'LY & W'LY ALONG THE ARC OF A TANGENT CURVE BEING CONCAVE TO THE NW, HAVING A RADIUS OF 35 FT, A DELTA OF 89-15-06, AN ARC DIST OF 54.52 FT, THENCE TANGENT TO SAID CURVE, S 89-59-57 W 427.21 FT TO POB, FROM SW COR OF NE 1/4 RUN N 0-44-51 E 85.10 FT TO A POINT ON N'LY R/W LINE OF SR 44-A, N 89-59-57 E ALONG SAID N R/W LINE 845.58 FT FOR POB, THENCE FROM THE BEG OF RIGHT CURVE FROM WHICH THE RADIUS POINT BEARS N 0-0-03 W, W'LY, NW'LY & N'LY A DIST OF 55.44 FT ALONG THE CURVE CONCAVE TO THE NE'LY, HAVING A RADIUS OF 35 FT & A CENTRAL ANGLE OF 90-44-54, THENCE TANGENT TO SAID CURVE, N 0-44-51 E 88.01 FT, THENCE N'LY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE W, HAVING A RADIUS OF 130 FT, A DELTA OF 20-39-38, AN ARC DIST OF 46.88 FT, THENCE TANGENT TO SAID CURVE, N 19-54-47 W 0.60 FT, N 89-59-57 E 199.40 FT, S 0-16-29 W 170 FT, S 89-59-57 W 156.77 FT TO POB ORB 5180 PG 1442

AND

W 3/4 OF SW 1/4 OF NE 1/4--LESS HWY & LESS FROM SW COR OF NE 1/4 RUN N 0-44-51 E 85.10 FT TO A POINT ON N'LY R/W OF SR 44-A, N 89-59-57 E ALONG SAID R/W LINE 54.36 FT FOR POB, THENCE FROM THE BEG OF RIGHT CURVE FROM WHICH THE RADIUS POINT BEARS N 0-0-03 W, W'LY, NW'LY & N'LY A DIST OF 39.27 FT ALONG THE CURVE CONCAVE TO THE NE, HAVING A RADIUS OF 25 FT & A CENTRAL ANGLE OF 90-0-03, THENCE TANGENT TO SAID CURVE, N 0-0-0 E 109.71 FT, N 04-25-23 W 77.84 FT, N 0-0-03 W 24 FT, THENCE N'LY & NE'LY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 250 FT, A DELTA OF 23-57-31, AN ARC DIST OF 104.54 FT, THENCE N 89-59-57 E 199.63 FT, N 0-0-0 E 89.55 FT, N 89-50-28 E 53.82 FT, S 0-0-03 E 427.53 FT, S 89-59-57 W 244 FT TO POB & LESS FROM SW COR OF NE 1/4 RUN N 0-44-51 E 85.10 FT TO A POINT ON N'LY R/W LINE OF SR 44-A, N 89-59-57 E ALONG SAID N R/W LINE 298.36 FT FOR POB, RUN N 0-0-03 W 427.53 FT, N 89-50-28 E 437.36 FT, S 0-44-51 W 105.93 FT, THENCE S'LY & SW'LY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE NW, HAVING A RADIUS OF 25 FT, A DELTA OF 49-29-47, AN ARC DIST OF 21.60 FT TO A POINT OF REVERSE CURVATURE, THENCE SW'LY & S'LY A DIST OF 32.90 FT ALONG THE ARC OF SAID CURVE CONCAVE TO THE SE, HAVING A RADIUS OF 35.86 FT & A CENTRAL ANGLE OF 52-34-07, THENCE S 08-57-32 E 8.29 FT, THENCE S 15-35-36 E 76.97 FT TO A POINT ON THE ARC OF A NON-TANGENT CURVE, RADIAL LINE THRU SAID POINT BEARS N 81-16-26 E, THENCE S'LY ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE E HAVING A RADIUS OF 130 FT, A DELTA OF 11-11-13, AN ARC DIST OF 25.38 FT, THENCE TANGENT TO SAID CURVE S 19-54-47 E 48.57 FT, THENCE S'LY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE W, HAVING A RADIUS OF 70 FT, A DELTA OF 20-39-38, AN ARC DIST OF 25.24 FT, THENCE TANGENT TO SAID CURVE, S 0-44-51 W 63.06 FT, THENCE S'LY, SW'LY & W'LY ALONG THE ARC OF A TANGENT CURVE BEING CONCAVE TO THE NW, HAVING A RADIUS OF 35 FT, A DELTA OF 89-15-06, AN ARC DIST OF 54.52 FT, THENCE TANGENT TO SAID CURVE, S 89-59-57 W 427.21 FT TO POB & LESS FROM SW COR OF NE 1/4 RUN N 0-44-51 E 85.10 FT TO A POINT ON N'LY R/W LINE OF SR 44-A, N

89-59-57 E ALONG SAID N R/W LINE 845.58 FT FOR POB, THENCE FROM THE BEG OF RIGHT CURVE FROM WHICH THE RADIUS POINT BEARS N 0-0-03 W, W'LY, NW'LY & N'LY A DIST OF 55.44 FT ALONG THE CURVE CONCAVE TO THE NE'LY, HAVING A RADIUS OF 35 FT & A CENTRAL ANGLE OF 90-44-54, THENCE TANGENT TO SAID CURVE, N 0-44-51 E 88.01 FT, THENCE N'LY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE W, HAVING A RADIUS OF 130 FT, A DELTA OF 20-39-38, AN ARC DIST OF 46.88 FT, THENCE TANGENT TO SAID CURVE, N 19-54-47 W 0.60 FT, N 89-59-57 E 199.40 FT, S 0-16-29 W 170 FT, S 89-59-57 W 156.77 FT TO POB-- ORB 4933 PG 858

**WHEREAS**, the property described above has a Land Use Designation of Suburban Residential (SR) and Mixed Commercial Residential (MCR) and a Design District Designation of Suburban Neighborhood and Suburban Corridor; and

**WHEREAS**, detached single-family uses are permitted in the Suburban Residential (SR) land use designation; and

**WHEREAS**, the Mixed Commercial Residential (MCR) allows both commercial and residential uses; and

**WHEREAS**, the Mixed Commercial/Residential (MCR) portion of the property is not proposed for development at this time; and

**WHEREAS**, the Mixed Commercial Residential (MCR) portion of the property will follow the established City of Eustis development review process; and

**WHEREAS**, the City Commission finds that approval of the requested waiver does not violate the general intent and purpose of the Land Development Regulations and does not jeopardize the public health, safety, and welfare; and

**WHEREAS**, the proposed preliminary subdivision plat as submitted is generally consistent with the City's Comprehensive Plan and Land Development Regulations.

**NOW, THEREFORE, BE IT RESOLVED BY THE EUSTIS CITY COMMISSION AS FOLLOWS:**

**SECTION 1.** That the Chelsea Square Station Preliminary Subdivision Plat for a 74-lot single-family residential subdivision located on the northeast corner of State Road 44 between Rust Road and Estes Road, attached hereto as Exhibit "B", is hereby approved with the following waiver to the Land Development Regulations:

1. Waiver to House Lot dimensional standards (LDR Section 110-4.2); to allow House Lot dimensions between 60 feet by 110 feet and 60 feet by 90 feet, attached hereto as Exhibit "A".

**SECTION 2.** That the Preliminary Subdivision Plat shall be subject to the owner/developer complying with the following conditions:

- a) Submit the Final Engineering and Construction Plans to comply with all requirements of the Eustis Comprehensive Plan and Land Development Regulations as well as the Florida Statutes and the provisions of this resolution within one year of the approval of

this resolution.

- b) Existing infrastructure deficiencies must be remediated, inspected, and found sufficient by the City of Eustis Public Works Department prior to the owner or their agent making an application for Final Plat review and acceptance by the City of Eustis.
- c) Develop the property in accordance with the approved Preliminary Subdivision Plat as referenced in Section 1 and attached hereto as Exhibit "B".
- d) Obtain and provide copies of all applicable permits from other jurisdictional agencies.
- e) Follow the established City Development Review Process for Final Engineering and Construction, Per-Construction Meeting, Site Development Permit, etc.

**DONE AND RESOLVED** this 2nd day of February 2023 in a regular session of the City Commission of the City of Eustis, Florida.

**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 2nd day of February 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, 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 Resolution Number 23-05 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

[illegible]

Resolution Number 23-05  
Chelsea Square Station Preliminary Subdivision Plat  
Page 6 of 7

## EXHIBIT B

