



City of Eustis

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TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: October 20, 2022

RE: Resolution Number 22-74: A Wish or Two Ago Bakery extension of time for completion of site plan approval as a condition of the approved CUP under Ordinance Number 22-06

Introduction:

The CUP approval under Ordinance Number 22-06 set certain conditions for completion prior to the A Wish or Two Ago Bakery initiating business. The specific condition of site plan approval was to be completed within 6 months of the City Commission approval of the Conditional Use Permit, which was approved March 17, 2022. The owners have had a difficult time obtaining professional assistance to prepare the required site plan, and are requesting an additional six months to complete the site plan approval.

Background:

On March 17, 2022 the City Commission approved a Conditional Use Permit for the A Wish or Two Ago Bakery at 320 S Grove St. The ordinance approving the CUP (22-06) placed conditions to be met for final approval to begin business on the property. The specific timeframe condition was for the owners to obtain site plan approval to be completed within 6 months of the City Commission approval of the Conditional Use Permit, which was approved March 17, 2022. The deadline was end of September 2022. The owners did not obtain approval for an Administrative Site Plan within the specified time. The owners did submit a site plan generated by GETASITEPLAN.com on September 21, 2022, however the site plan did not meet the minimum requirements for Administrative Site Plan submittal.

The applicant is requesting an extension of time due to the difficulty is finding professional assistance to prepare a site plan meeting the City's established minimum requirements. The applicant's modified completion dates for obtaining site plan approval will extend the timeframe by approximately 6 months from the approval of this request by Resolution Number 22-74.

Timeframes and conditions for this resolution are as follows:

1. Site plan approval must be obtained from Development Services no later than April 25, 2023.
2. All other conditions enumerated within Ordinance Number 22-06 shall remain and apply to all other required permitting.

Staff supports the extension of time for the following reasons:

1. Pursuing injunctive relieve would be time consuming, potentially costly, and would unlikely result in completion of improvements before the applicant's revised timeline for completion.
2. Pursuing code enforcement action may result in fines to the property owner, and would unlikely result in completion of improvements before the applicant's revised timeline for completion.
3. Revoking development rights granted under the CUP would potentially result in dissolution of the proposed business plan for the property.
4. The owners are not currently conducting business on the property and have been pursuing only maintenance type work and update of plumbing and electrical on the building, thus the extension of 6 months will not create a conflict with the intent of the approval granted under Ordinance Number 22-06 for the CUP.

Recommended Action:

Recommendation of approval of Resolution Number 22-74.

Policy Implications:

None

Alternatives:

1. Approve Resolution Number 22-74.
2. Deny Resolution Number 22-74.

Budget/Staff Impact:

None

Prepared By:

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Reviewed By:

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