

RESOLUTION NUMBER 23-95

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING A SITE PLAN WITH WAIVER (TO SECTION 115-9.3.2(a)(2) LANDSCAPE BUFFER REQUIREMENTS ALONG STREETS AND TO SECTION 115-9.3.2(a)(3) SUBURBAN ADJACENCIES FOR NONRESIDENTIAL PARCELS) FOR A COMMERCIAL CARWASH ON APPROXIMATELY 1.29 ACRES LOCATED ON THE NORTHWEST CORNER OF US HIGHWAY 441 AND KURT STREET (ALTERNATE KEY NUMBERS 2534826 AND 3801121) - 15923 AND 15939 US HIGHWAY 441.

WHEREAS, Zachary Komminos of Bowman Consulting Group, LLC. has made an application, on behalf of the property owner, Sunscape Farms, LLC and Developer Tommy's Express Holdings for a Site Plan approval to permit a commercial carwash, on approximately 1.29 acres located on the northwest corner of the intersection of US Highway 441 and Kurt Street, more particularly described as:

Alternate Key Numbers: 2534826 and 3801121

Parcel Identification Numbers: 22-19-26-0401-000-00401 and 22-19-26-0401-000-00400

EUSTIS, LAKE SAUNDERS SUB W 100 FT OF LOT 4 LYING N OF HWY 441 PB 4 PG 30 ORB 5961 PG 1165

and

EUSTIS, LAKE SAUNDERS SUB LOT 4 N OF HWY 441--LESS R/W FOR HWYS 441 & 19, 19-A AND LESS W 100 FT--PB 4 PG 30 ORB 5961 PG 1165

WHEREAS, the property described above has a Land Use Designation of General Commercial (GC) and a Design District Designation of Suburban Corridor; and

WHEREAS, commercial carwash is a permitted use in the General Commercial (GC) land use designation; and

WHEREAS, the proposed site plan as submitted is generally consistent with the City's Comprehensive Plan and Land Development Regulations; and

WHEREAS, the proposed waivers to the Land Development Regulations meet the general intent of the regulations; do not jeopardize the health, safety, or welfare of the public; and include appropriate mitigation; and

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

SECTION 1.

That the Site Plan for a commercial carwash, and attached hereto as Exhibit A is hereby approved with the following waivers:

1. Waiver to Section 115-9.3.2(a)(2) Landscape buffer requirements along streets
 - i. Allowing for a buffer width of less than 15 feet within the first 50 feet along US Highway 441 side of the intersection of US Highway 441 and Kurt Street. Provided planting materials are enhanced either in size or number.
2. Waiver to Section 115-9.3.2(a)(3) suburban adjacencies for nonresidential parcels.
 - i. Allowing for a 6-foot PVC fence to replace required landscaping buffers between the adjacent developed commercial property to the north.

SECTION 2.

That the Site Plan Approval shall be subject to the owner/developer complying with the following conditions:

- a. Obtaining Final Construction and Engineering Plan approval within one year, and developing the property in accordance with the approved Site Plan as referenced in Section 1 and attached hereto as Exhibit A.
- b. Obtaining and providing copies of all applicable permits from other jurisdictional agencies.
- c. Meeting applicable concurrency requirements prior to approval of a final development order.

Section 3.

That should any section, phrase, sentence, provision, or portion of this Resolution be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Resolution as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 4.

That this Resolution shall become effective upon filing.

DONE AND RESOLVED this 2nd day of November, 2023, in 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

Exhibit A: SITE PLAN

