

EAGLE LAKE PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, SEPTEMBER 8, 2021 at 6:00 P.M.
TO BE HELD IN THE COMMISSION CHAMBERS,
LOCATED AT 675 E EAGLE AVE
EAGLE LAKE, FLORIDA 33839

AGENDA

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE TO THE FLAG

IV. ROLL CALL

V. STAFF REPORTS

VI. PUBLIC HEARING

- A. Consideration of proposed Ordinance No.: O-21-12, An Ordinance Amending the City of Eagle Lake, Florida 2030 Comprehensive Plan by Revising the Future Land Use Map Series to Assign Low-Density Residential Future Land Use to One (1) Annexed Parcel; Repealing all Ordinances in Conflict Herewith; and, Providing an Effective Date. (General Location: A parcel of land, approximately 0.99 acre in size, lying north of Eagle Lake Loop Road, with a street address of 1057 Eagle Lake Loop Road, Eagle Lake, Florida 33839 and referenced as the “Thousand Oaks Development”)
- B. Consideration of proposed of Ordinance No. O-21-13, An Ordinance Amending the City of Eagle Lake, Florida Land Development Regulations by Revising the Zoning Map to Assign Planned Development – Housing (PD H) to Six (6) Annexed Parcels; Repealing all Ordinances in Conflict Herewith; and Providing an Effective Date. (General Location: A parcel of land, approximately 109.16 acres in size, lying north of Eagle Lake Loop Road, with a street address of 1057 and 1065 Eagle Lake Loop Road, Eagle Lake, Florida 33839 and referenced as the “Thousand Oaks Development”)

VII. OLD BUSINESS

VIII. NEW BUSINESS

IX. CONSENT AGENDA

- A. Approval of the Planning Commission Minutes -----08/02/2021

X. AUDIENCE

XI. PLANNING COMMISSION

XII. ADJOURNMENT

Please be advised that if you desire to appeal any decisions made as a result of the above hearing or meeting, you will need a record of the proceedings and in some cases a verbatim record is required. You must make your own arrangements to produce this record. (Florida Statutes 286.0105)

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact City Clerk Dawn Wright at 75 North Seventh Street, P.O. Box 129, Eagle Lake, Florida 33839 or phone (863) 293-4141 within 2 working days of your receipt of this notification; if you are hearing or voice impaired, call 1-800-955-8771.

POSTED AT CITY HALL AND THE EAGLE LAKE POST OFFICE ON
TUESDAY, AUGUST 31, 2021 BY CITY CLERK DAWN WRIGHT, MMC, FCRM, PHRP

ORDINANCE NO.: O-21-12

AN ORDINANCE AMENDING THE CITY OF EAGLE LAKE, FLORIDA 2030 COMPREHENSIVE PLAN BY REVISING THE FUTURE LAND USE MAP SERIES TO ASSIGN LOW-DENSITY RESIDENTIAL FUTURE LAND USE TO ONE (1) ANNEXED PARCEL; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND, PROVIDING AN EFFECTIVE DATE. (General Location: A parcel of land, approximately 0.99 acre in size, lying north of Eagle Lake Loop Road, with a street address of 1057 Eagle Lake Loop Road, Eagle Lake, Florida 33839 and referenced as the “Thousand Oaks Development”)

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, delegated the responsibility to local governmental units the power to adopt regulations designed to promote the public health, safety and general welfare of its citizens; and

WHEREAS, the City of Eagle Lake, Florida, pursuant to Section 163.3161, et. seq., Florida Statutes, the Community Planning Act, formerly the Florida Local Government Comprehensive Planning and Land Development Regulation Act, was required to prepare and adopt a comprehensive plan; and

WHEREAS, the City of Eagle Lake City Commission adopted the Eagle Lake 2030 Comprehensive Plan on April 18, 2011; and

WHEREAS, Chapter 163, Part II, Florida Statutes, the Community Planning Act, provides authority for local governments to amend their respective comprehensive plans and outlines certain procedures to amend adopted comprehensive plans; and

WHEREAS, the City of Eagle Lake received an application, dated JULY 14, 2021, for voluntary annexation of property described herein and attached as Exhibit A, pursuant to Section 171.044, Florida Statutes; and

WHEREAS, the City of Eagle Lake City Commission duly annexed the property described herein and identified as the amendment area into the corporate limits of the City of Eagle Lake on September 21, 2021; and

WHEREAS, the City of Eagle Lake received an application for Comprehensive Plan Amendment and Zoning, dated March 31, 2021, to amend the 2030 Comprehensive Plan Future Land Use Map by assigning a Residential Low (RL) Future Land Use designation and assign Planned Development – Housing (PH-H) zoning to the property described herein; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, and Division VI of the Eagle Lake Land Development Code, after due public notice the City of Eagle Lake Planning Commission, as the “Local Planning Agency,” held a public hearing on May 3, 2021 to consider making a recommendation to the City Commission regarding the application for an amendment to the Future Land Use Map and PD-H zoning; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Eagle Lake City Commission held a public hearing on September 8, 2021 and September 21, 2021 to consider the adoption of the proposed amendment to its Comprehensive Plan; and

WHEREAS, the Eagle Lake City Commission considered all oral and written comments received during such public hearing, including the data and analysis provided for this amendment, and the recommendation of the Planning Commission.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Eagle Lake, Florida, as follows:

SECTION I. PURPOSE AND INTENT,

This Ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority set out in the Community Planning Act, Chapter 163, Part II, Florida Statutes, as amended.

SECTION II. FUTURE LAND USE MAP AMENDMENT.

The City of Eagle Lake City Commission hereby adopts the following amendment to the Eagle Lake 2030 Comprehensive Plan Future Land Use Map Series, which will be updated consistent with the action of the Eagle Lake City Commission set forth in this Ordinance.

1. The Comprehensive Plan Amendment application request an amendment to the Future Land Use Map Series designated as the amendment area described herein and consisting of 0.99 +/- acres.
2. The amendment area is specifically described by a legal description and location map attached hereto as Exhibit “A” and includes the following Parcel Identification Numbers: 262907-676000-010801.
3. Prior to annexation by the amendment area was designated Residential Low (RL-3) on the Polk County Comprehensive Plan Future Land Use Map Series adopted by the Board of County Commissioners, Polk County, Florida.
4. Upon the legal effective date of this Ordinance, the Eagle Lake Future Land Use Map category for the amendment area will be designated as Low Density Residential as shown in Exhibit 2, attached hereto Any future development of the amendment area will be required to meet the standards of the Eagle Lake Comprehensive Plan.

SECTION IV. CONFLICT WITH OTHER ORDINANCES OR CODES.

All Ordinances or parts of Ordinances of the Code of Ordinances of Eagle Lake, Florida, in conflict with the provision of this Ordinance are hereby repealed to the extent of such conflict.

SECTION V. SEVERABILITY

Should any word, phrase, sentence or section of this Ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then such shall be severed from this Ordinance, and the remainder of the Ordinance shall remain in full force and effect.

SECTION VI. EFFECTIVE DATE.

This Ordinance shall become effective on the 31st day after its adoption by the Eagle Lake City Commission.

ADOPTED ON THIS _____, 2021

EAGLE LAKE CITY COMMISSION

ATTEST:

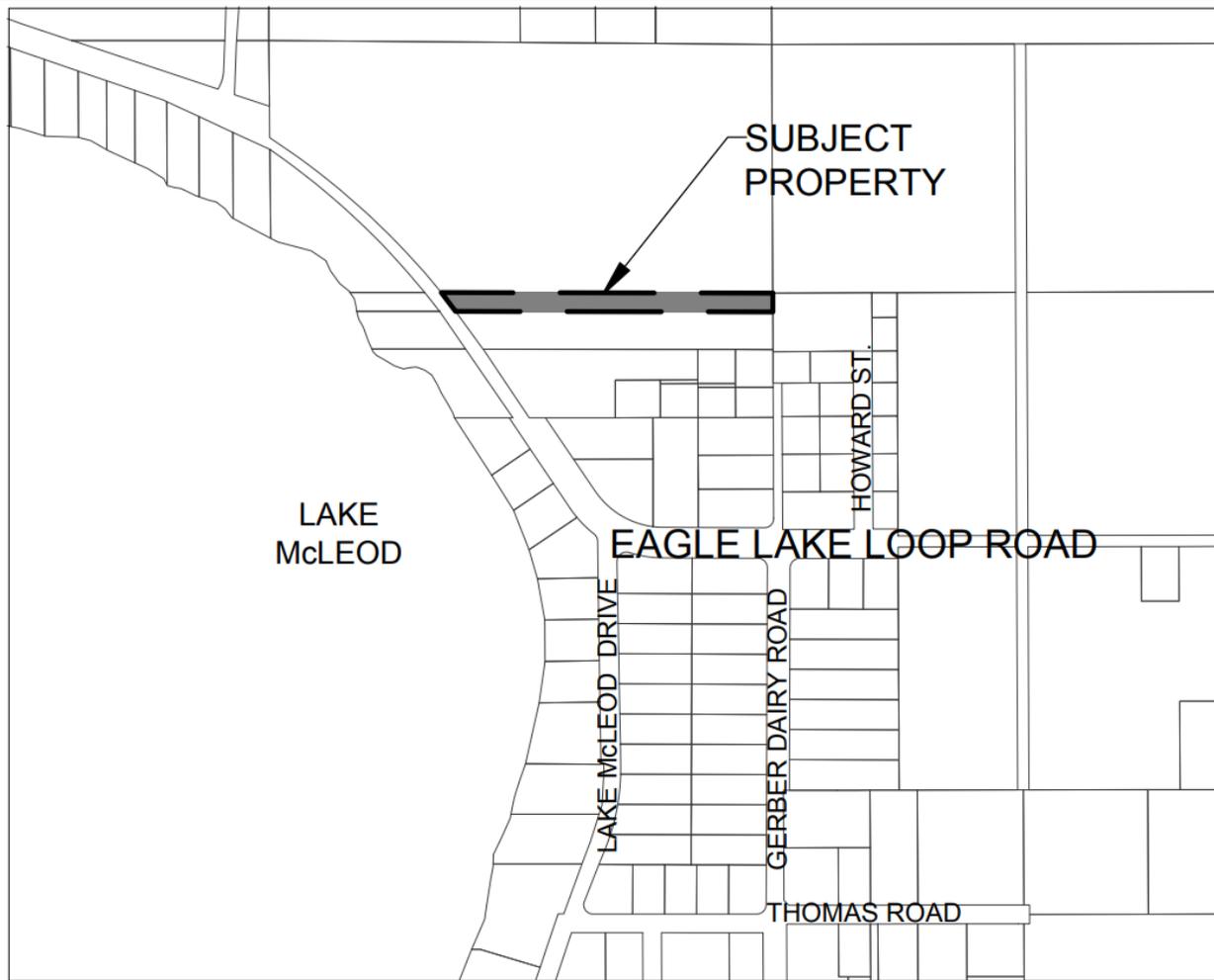
DAWN WRIGHT
CITY CLERK

BY: _____
CORY COLER, MAYOR

Approved as to Form:

JEFFERY S. DAWSON
CITY ATTORNEY

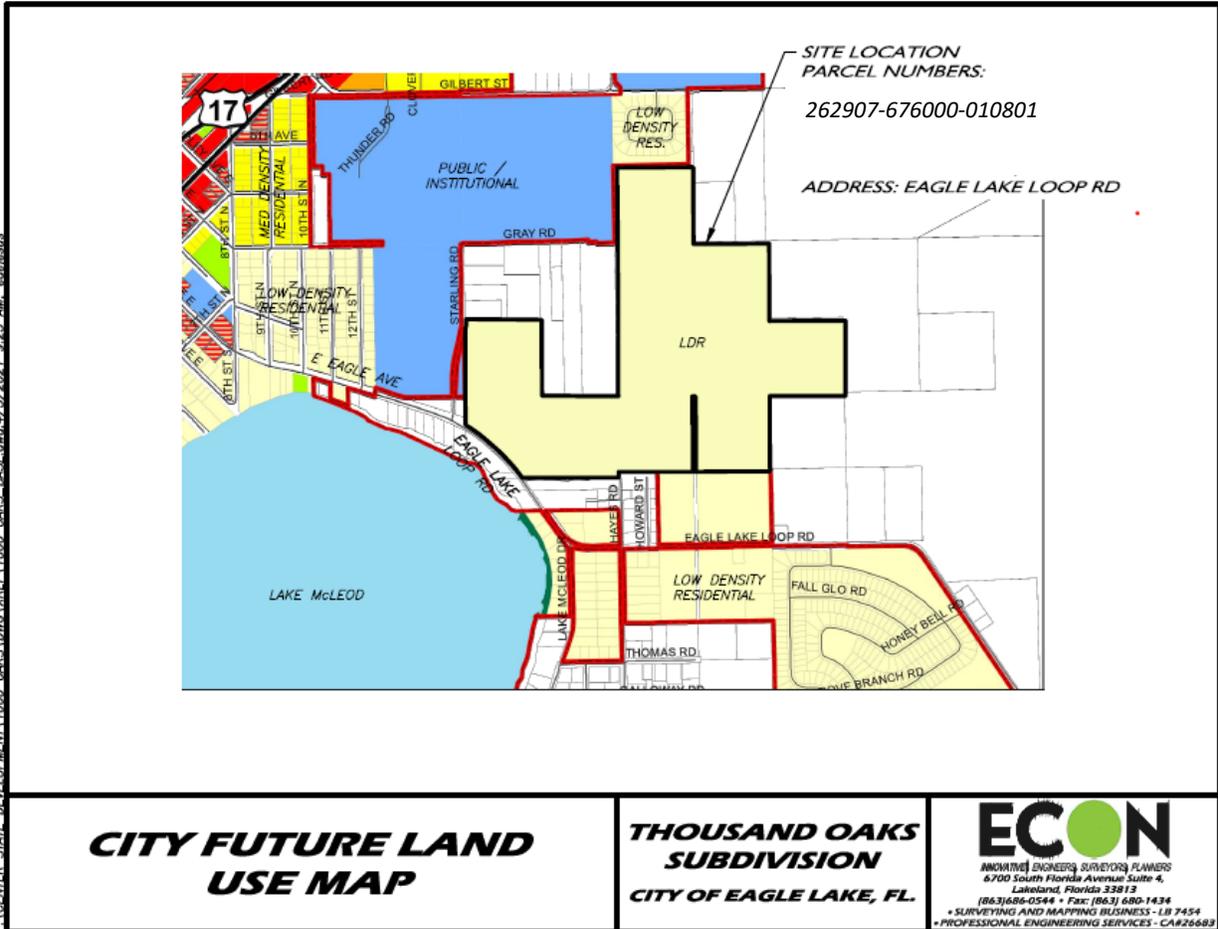
EXHIBIT A – LOCATION MAP AND LEGAL DESCRIPTION



LEGAL DESCRIPTION:

THE EAST 645 FEET OF THE NORTH 50 FEET OF LOT 108 WAHNETA FARMS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 82A AND 82B, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

EXHIBIT C – LOW DENSITY RESIDENTIAL FUTURE LAND USE DESIGNATION



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ORDINANCE NO.: O-21-13

AN ORDINANCE AMENDING THE CITY OF EAGLE LAKE, FLORIDA LAND DEVELOPMENT REGULATIONS BY REVISING THE ZONING MAP TO ASSIGN PLANNED DEVELOPMENT – HOUSING (PD-H) TO SIX (6) ANNEXED PARCELS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND, PROVIDING AN EFFECTIVE DATE. (General Location: A parcel of land, approximately 109.16 acres in size, lying north of Eagle Lake Loop Road, with a street address of 1057 and 1065 Eagle Lake Loop Road, Eagle Lake, Florida 33839 and referenced as the “Thousand Oaks Development”)

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, delegated the responsibility to local governmental units the power to adopt regulations designed to promote the public health, safety and general welfare of its citizens; and

WHEREAS, the City of Eagle Lake, Florida, pursuant to Section 163.3161, et. seq., Florida Statutes, the Community Planning Act, formerly the Florida Local Government Comprehensive Planning and Land Development Regulation Act, was required to prepare and adopt a comprehensive plan; and

WHEREAS, the City of Eagle Lake City Commission adopted the Eagle Lake 2030 Comprehensive Plan on April 18, 2011; and

WHEREAS, Chapter 163, Part II, Florida Statutes, the Community Planning Act, provides authority for local governments to amend their respective comprehensive plans and outlines certain procedures to amend adopted comprehensive plans; and

WHEREAS, the City of Eagle Lake received two (2) applications, dated March 29, 2021 and July 14, 2021, for voluntary annexation of property described herein and attached as Exhibit A, pursuant to Section 171.044, Florida Statutes; and

WHEREAS, the City of Eagle Lake City Commission duly annexed the property described herein and identified as the amendment area into the corporate limits of the City of Eagle Lake on June 7, 2021 and September 21, 2021; and

WHEREAS, the City of Eagle Lake received an application for Comprehensive Plan Amendment and Zoning, dated March 31, 2021, to amend the 2030 Comprehensive Plan Future Land Use Map by assigning a Residential Low (RL) Future Land Use designation and assign Planned Development – Housing (PH-H) zoning to the property described herein; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, after due public notice, the City of Eagle Lake City Commission adopted Ordinances O-21-05 and O-21-12, which approved an amendment to the Eagle Lake 2030 Comprehensive Plan by assigning Residential Low (RL) Future Land Use to the property described herein and attached as Exhibit A; and

WHEREAS, pursuant to Division VI of the Eagle Lake Land Development Regulations, after due public notice, the City of Eagle Lake Planning Commission, as the “Local Planning Agency,” held a public hearing on September 8, 2021 to consider making a recommendation to the City Commission regarding the application for an amendment to the Future Land Use Map and PD-H zoning; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Eagle Lake City Commission held a public hearing on September 8, 2021 and September 21, 2021 to consider the adoption of the proposed amendment to its Zoning Map; and

WHEREAS, the Eagle Lake City Commission considered all oral and written comments received during such public hearing, including the data and analysis provided for this amendment, and the recommendation of the Planning Commission.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Eagle Lake, Florida, as follows:

SECTION I. PURPOSE AND INTENT,

This Ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority set out in the Community Planning Act, Chapter 163, Part II, Florida Statutes, as amended.

SECTION II. ZONING ASSIGNMENT.

Upon the legally effective date of this Ordinance, the Zoning Classification for the amendment area will be designated as Planned Development-Housing (PD-H) as shown in Exhibit 3, attached hereto, pursuant to the provisions of the Eagle Lake Land Development Code. Additionally, the Planned Development-Housing zoning designation shall be subject to the following conditions:

1. The PD-H area shall be developed in a manner generally consistent with the conceptual master plan submitted as part of the Comprehensive Plan Amendment/Zoning application and includes a maximum number of residential dwelling units of 264. Residential lots shall adhere to the following dimensional standards:

Lot Width	40 feet minimum
Lot Area	4,400 square feet minimum
Lot Coverage	2,500 square feet maximum
Floor Area	950 square feet minimum
Max. IS Coverage	55%

Max. Structure Height	Max. 2 floors up to 35 feet
Front Setback	20 feet from garage or carport 15 feet from porch or living area
Side Setback	5 feet minimum 15 feet minimum for corner lots
Rear Setback	10-foot minimum

2. Each residential lot shall require the planting of two overstory trees prior to the issuance of a Certificate of Occupancy for the home constructed on the lot.
3. A minimum 4-foot wide sidewalk shall be constructed on both sides of internal roadways for each residential lot prior to the issuance of a certificate of occupancy for the house. The applicant/developer shall ensure that sidewalks are constructed on portions of internal roads that do have lot frontage (e.g. recreation areas, stormwater retentions areas, easements) to ensure that sidewalks are continuous and connected throughout the subdivision,
4. A minimum of two off-street parking spaces shall be provided for each lot.
5. Decorative light poles and fixtures of the developers choosing shall be installed within the development at the time each phase is constructed. Light fixtures shall utilize LED technology and utilize full cut-off luminaries. Lighting shall be provided at a minimum standard of one light fixture per 350 linear feet of roadway.
6. Prior to final site plan approval, a traffic study shall be performed for the proposed development in accordance with methodology prescribed by the Polk County Transportation Planning Organization (Polk TPO).
7. All other code requirements shall apply.

SECTION IV. CONFLICT WITH OTHER ORDINANCES OR CODES.

All Ordinances or parts of Ordinances of the Code of Ordinances of Eagle Lake, Florida, in conflict with the provision of this Ordinance are hereby repealed to the extent of such conflict.

SECTION V. SEVERABILITY

Should any word, phrase, sentence or section of this Ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then such shall be severed from this Ordinance, and the remainder of the Ordinance shall remain in full force and effect.

SECTION VI. EFFECTIVE DATE.

This Ordinance shall become effective on the 31st day after its adoption by the Eagle Lake City Commission.

ADOPTED ON THIS _____, 2021

EAGLE LAKE CITY COMMISSION

ATTEST:

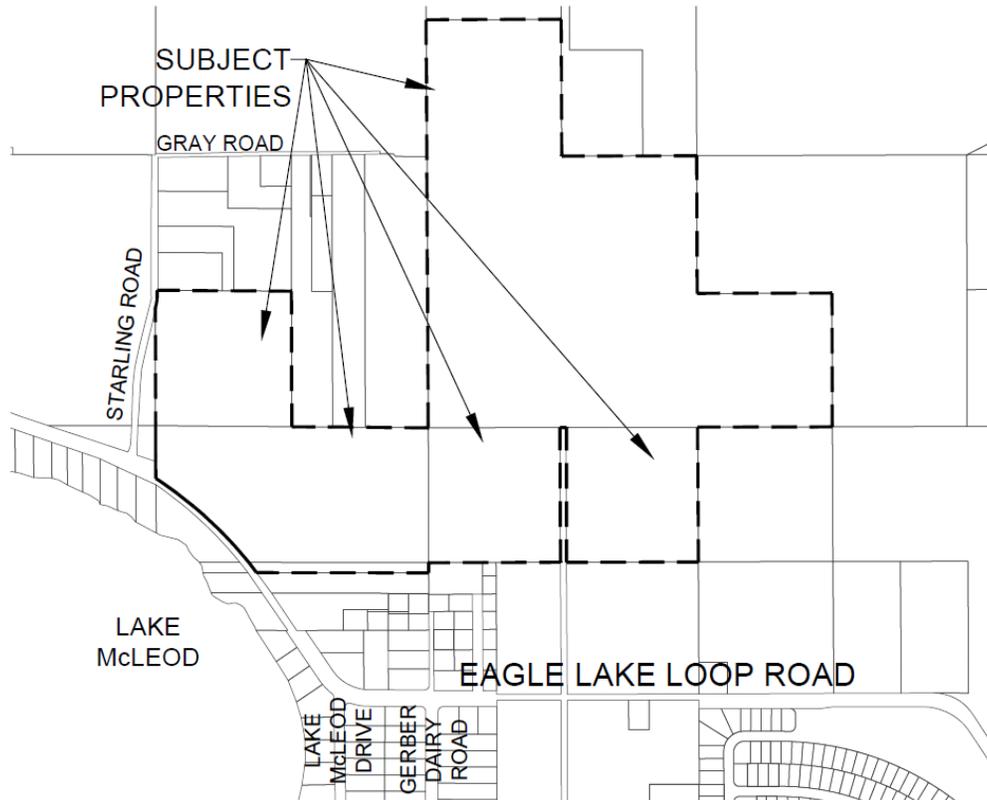
DAWN WRIGHT
CITY CLERK

BY: _____
CORY COLER, MAYOR

Approved as to Form:

JEFFERY S. DAWSON
CITY ATTORNEY

EXHIBIT A – LOCATION MAP AND LEGAL DESCRIPTION



LEGAL DESCRIPTION:

Lots 75, 78, 79, 101 less the north 15 feet, 102 and 103, Wahneta Farms, according to the Plat thereof recorded in Plat Book 1, Pages 82A and 82B, of the Public Records of Polk County, Florida;

AND,

Lot 105, Wahneta Farms, according to the Plat thereof recorded in Plat Book 1, Pages 82A and 82B, of the Public Records of Polk County, Florida;

AND,

Lots 106 lying east of Eagle Lake Loop Road and 107, Wahneta Farms, according to the Plat thereof recorded in Plat Book 1, Pages 82A and 82B, of the Public Records of Polk County, Florida;

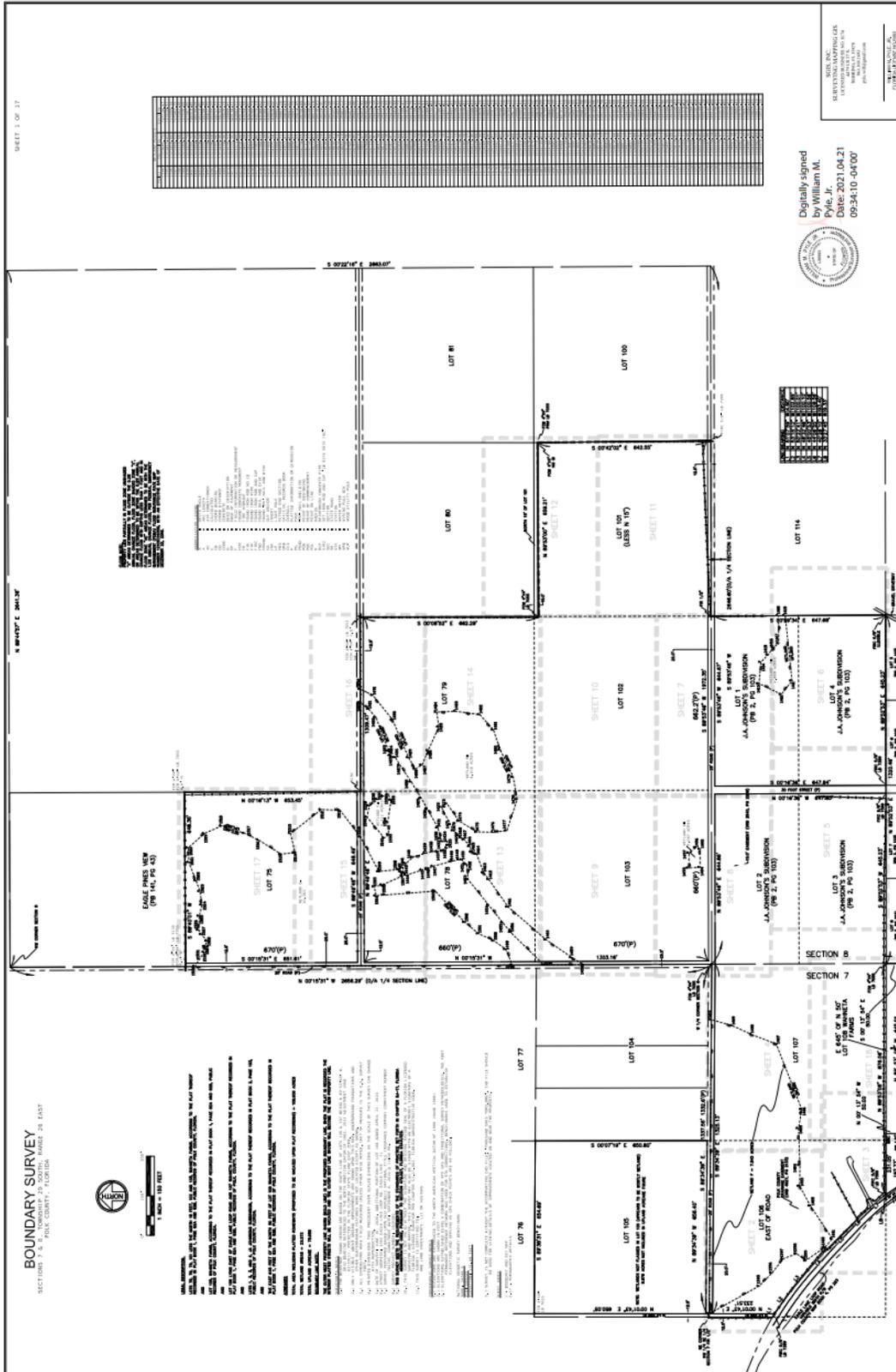
AND,

Lots 1,2,3, and 4, J.A. Johnson Subdivision, according to the Plat thereof recorded in Plat Book 2, Page 103 in the Public Records of Polk County, Florida.

AND

THE EAST 645 FEET OF THE NORTH 50 FEET OF LOT 108 WAHNETA FARMS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 82A AND 82B, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

EXHIBIT B – BOUNDARY SURVEY



Digitally signed
 by William M.
 Pyle, Jr.
 Date: 2021.04.21
 09:34:10 -0400



SHEET 1 OF 37

EAGLE LAKE PLANNING COMMISSION
REGULAR MEETING
MONDAY, AUGUST 2, 2021 at 6:30 P.M.
TO BE HELD IN THE COMMISSION CHAMBERS,
LOCATED AT 675 E EAGLE AVE
EAGLE LAKE, FLORIDA 33839

I. CALL TO ORDER

Chairwoman Metosh called the meeting to order at 6:30 p.m.

II. INVOCATION

Commissioner Eriksen gave the invocation.

III. PLEDGE OF ALLEGIANCE TO THE FLAG

The Commission and audience said the Pledge of Allegiance to the Flag

IV. ROLL CALL

PRESENT: Aleman, Spofford, Eriksen, Roe, Metosh

ABSENT: None

V. STAFF REPORTS

There were no Staff Reports.

VI. PUBLIC HEARING

A. Consideration of a variance request made by Alvis Michele Baker, owner of the property located at 133 S. Bingham St., City of Eagle Lake, Florida.

Alvis Michele Baker, 133 S. Bingham St. requested a front yard dimensional variance.

MOTION was made by Commissioner Spofford and seconded by Commissioner Eriksen to approve the variance requested by Alvis Michele Baker, owner of the property located at 133 S. Bingham St. granting a front yard dimensional variance of 15' (fifteen feet) to allow 10' (ten feet) in lieu of 25' (twenty-five feet) as required in Table 2.5.1.10 (a) of the Land Development Code for the City of Eagle Lake.

Chairwoman Metosh asked for Commission and audience discussion; there was none.

The roll call vote was as follows:

AYES: Aleman, Spofford, Roe, Eriksen, Metosh

NAYS: None

VII. OLD BUSINESS

There was no Old Business.

VIII. NEW BUSINESS

There was no New Business.

IX. CONSENT AGENDA

A. Approval of the Planning Commission Minutes -----06/07/2021

MOTION was made by Commissioner Eriksen and seconded by Commissioner Spofford to approve the Planning Commission Meeting Minutes of 06/07/2021.

Chairwoman Metosh asked for audience and Commission discussion; there was none.

The vote was as follows:

AYES: 5

NAYS: 0

X. AUDIENCE

There were no comments from the audience.

XI. PLANNING COMMISSION

There were no comments from the Planning Commission.

XII. ADJOURNMENT

MOTION was made by Commissioner Eriksen and seconded by Commissioner Roe to adjourn at 6:36 p.m.

The vote was as follows:

AYES: 5

NAYS: 0

CHAIRWOMAN MICHELLE METOSH

ATTEST:

CITY CLERK DAWN WRIGHT