

REGULAR  
TOWN OF LAKE PLACID PLANNING AGENCY  
MONDAY MARCH 21, 2016, 5:30 P.M.

AGENDA

**5:30 P.M. PLEDGE OF ALLEGIANCE**

**5:35 P.M. Call to Order – Chairman Hoz Compton**

**Roll Call**

Chairman Hoz Compton  
Board Member James Oxer  
Board Member Jack Edgemon  
Board Member Ken LeBlanc  
Board Member Michael Boley  
Alternate Board member Donald Clarke

**1) CONSENT AGENDA**

- A. Approval of Agenda
- B. Approval of LPA Meeting Minutes for February 15, 2016 and BOA Meeting Minutes February 15, 2016

**2) Public Hearings**

- A. Request for a Zoning Change from Highlands County Agricultural District to Town Planned Development/Development Concept for Aravilla Groves, LPTC.16.003RZ4)

**3) Citizens Not on the Agenda (Comments are to be limited to 3 minutes, unless a longer period of time is permitted by the presiding officer or by a majority of the Board:**

**4) Adjournment**

REGULAR  
TOWN OF LAKE PLACID  
BOARD OF ADJUSTMENTS  
MONDAY, FEBRUARY 15, 2016, 5:30 P.M.

AGENDA

**5:47 P.M. Call to Order – Board Member Edgemon**

**Roll Call**

**Present**

Board Member Jack Edgemon

Board Member Ken LeBlanc

Alternate Board member Donald Clarke

**Absent**

Chairman Hoz Compton

Board Member James Oxer

Board Member Michael Boley

**1) Public Hearings**

**A. Variance for the First Baptist Church of Lake Placid LPBOA.16.001**

Ms. Thayer presented the request for a variance for the first Baptist Church, reviewing the documents included in the meeting material stating that because the request meets the codes 35% threshold that the Board of Adjustments has the ability to approve.

Mr. Neilander Attorney representing the church addressed the changes for the bathrooms.

**Motion** – Moved By Board Member Clarke Seconded By Board Member Leblanc, To Approve The A 20.3 Foot Front Setback And The 7.83 And 8.20 Foot Corner Setback For The Proposed Addition To The Main Sanctuary Of The First Baptist Church. **Roll Call Vote: Unanimous approval.**

4) CITIZENS NOT ON THE AGENDA (NONE)

5) Adjournment 6:00pm

REGULAR  
TOWN OF LAKE PLACID LOCAL PLANNING AGENCY  
MONDAY FEBRUARY 15, 2016, 5:30 P.M.

AGENDA

**5:30 P.M PLEDGE OF ALLEGIANCE**

**5:35 P.M. Call to Order – Board Member Edgemon**

**Roll Call**

**Present**

Board Member Jack Edgemon

Board Member Ken LeBlanc

Alternate Board member Donald Clarke

**Absent**

Chairman Hoz Compton

Board Member James Oxer

Board Member Michael Boley

**1) CONSENT AGENDA**

- A. Approval of Agenda
- B. Approval of LPA Meeting Minutes for December 7, 2015

**Motion – Moved by Board Member LeBlanc seconded by Board Member Clarke, to approve the Consent Agenda. Roll Call Vote: Unanimous approval**

**2) Public Hearings**

- A. Preliminary / Final Commercial Site Plan Review for McDonald's LPP.16.002
  - Ms. Thayer presented the preliminary and final commercial site plan for the project. Has been approved for the towns application
  - Daniel Moyer representing McDonalds to discuss the site plan. Mr. Moyer answered questions of the board members, addressed the Towns engineers concern in regards to the grease trap, stating that there will be no impact on the grease trap.
  - Board Member LeBlanc commented that he liked the plans and that it will elevate traffic on US 27.
  - Mr. Moyer indicated that there could be an estimated 30 % increase in efficiency by adding the 2<sup>nd</sup> drive through. Also, the project adds one parking space and loses two netting a gain one parking space.

**Motion – Moved by Board Member LeBlanc seconded by Board Member Clarke, to recommend the Town Council approve the site plan and landscape plan. Roll Call Vote: Unanimous approval.**

**4) CITIZENS NOT ON THE AGENDA (NONE)**

**5) Adjournment 5:46PM**

TOWN OF LAKE PLACID  
AGENDA ITEM INTRODUCTION

MEETING DATE: March 21 , 2016      MEETING TYPE: Local Planning Agency

AGENDA ITEM # AND TITLE:

Request for a Zoning Change from Highlands County Agricultural District to Town Planned Development/Development Concept for Aravilla Groves, LPTC.16.003RZ

PLACED ON AGENDA BY:

Planning Staff

STATEMENT OF ISSUE:

The matter for consideration is for a zoning change to amend the Town of Lake Placid's Official Zoning Map from Highlands County Agricultural District to Lake Placid Planned Development(PD)/Development Concept. The amendment concerns two plus/minus 2 acre parcels located on the east side of U.S. Highway 27 South and north of Aaron Drive. The two parcels have the Town of Lake Placid Commercial-General future land use designation. The applicant is requesting a PD/ Development Concept to delineate proposed commercial uses for the property.

At a later date, the applicant or a future developer for the property will be required to submit a Preliminary Site Development Plan and a Final Site Development Plan for the Town Council's review and approval. Such plans must be consistent with the approval of this Development Concept PD. The Preliminary Site Development Plan must be reviewed by the Town's Local Planning Agency and reviewed and approved by the Town Council as an amendment to this Ordinance. The final site plan shall be approved by the Town Council through Resolution.

RECOMMENDED ACTION:

MOVE TO RECOMMEND THE TOWN COUNCIL APPROVE THE ZONING CHANGE LPTC.16.003RZ FROM HIGHLANDS COUNTY AGRICULTURAL DISTRICT TO TOWN OF LAKE PLACID PLANNED DEVELOPMENT/DEVELOPMENT CONCEPT.

FISCAL IMPACT:

Not Applicable

ATTACHED ITEMS:

Staff Report  
Draft Ordinance  
Application  
Letter Outlining Request  
Maps: Aerial, Zoning, Proposed Zoning and Future Land Use

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# Town of Lake Placid, Florida Planning & Zoning Department

## Staff Report

## Rezoning Request

## LPTC.16.003RZ



*Applicants:*     **Aravilla Groves, Limited**  
*From:*           **Highlands County Agricultural District (AU)**  
*To:*               **Town of Lake Placid Planned  
Development (PD)/Development Concept**

**General Information**

**Owner:** Aravilla Groves, Limited

**Owners' Addresses:** c/o Karlson Law Group, P.A.  
 301 Dal Hall Boulevard  
 Lake Placid, Florida 33852

**Applicant's Phone Number:** (863) 465-5033

	Existing	Proposed
Property Control Numbers	Parcel 1: P-06-37-30-A00-0170-0000 Parcel 2: P-06-37-30-A00-0091-0000 P-06-37-30-A00-0091-0010 P-06-37-30-A00-0180-0000	No Change
Future Land Use Designation	Town of Lake Placid Commercial-General Ordinance 07-548	No Change
Zoning District	Highlands County Agricultural District	Town of Lake Placid Planned Development/ Development Concept
Acreage	4.0 +/-	4.0 +/-
Density	12 dwelling units per acre on not more than 50% of the project site	No Change
Intensity	0.8 F.A.R.	1.00 F.A.R.
Access	U.S. 27	U.S. 27

**Legal Description:**

PARCEL 1:  
 A PORTION OF SECTION 6, TOWNSHIP 37 SOUTH, RANGE 30 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 6; THENCE NORTH 89°39'29" WEST ALONG THE CENTER LINE OF HUNTLEY DRIVE, A DISTANCE OF 292.90 FEET; THENCE NORTH 03°54'45" EAST, A DISTANCE OF 25.05 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF HUNTLEY DRIVE; THENCE NORTH 89°39'29" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,033.51 FEET; THENCE NORTH 00°35'25" EAST, A DISTANCE OF 306.11 FEET; THENCE NORTH 89°42'54" WEST, A DISTANCE OF 837.32 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°42'54" WEST, A DISTANCE OF 300.04 FEET TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 27 AND TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5,589.58 FEET, A CENTRAL ANGLE OF 02°04'15", AND A CHORD BEARING OF NORTH 02°05'46" WEST; THENCE NORTHERLY ALONG THE ARC AND THE

EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27 A DISTANCE OF 202.02 FEET; THENCE SOUTH 88°56'23" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET; THENCE NORTH 01°03'37" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 98.01 FEET; THENCE NORTH 88°57'24" EAST, A DISTANCE OF 300.12 FEET; THENCE SOUTH 04°30'27" EAST, A DISTANCE OF 307.49 FEET TO THE POINT OF BEGINNING. CONTAINING 90,505 SQUARE FEET OR 2.08 ACRES, MORE OR LESS.

**PARCEL 2:**

A PORTION OF SECTION 6, TOWNSHIP 37 SOUTH, RANGE 30 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 6; THENCE NORTH 89°39'29" WEST ALONG THE CENTER LINE OF HUNTLEY DRIVE, A DISTANCE OF 292.90 FEET; THENCE NORTH 03°54'45" EAST, A DISTANCE OF 25.05 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF HUNTLEY DRIVE; THENCE NORTH 89°39'29" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,033.51 FEET; THENCE NORTH 00°35'25" EAST, A DISTANCE OF 306.11 FEET; THENCE NORTH 89°42'54" WEST, A DISTANCE OF 1,137.37 FEET TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 27 AND TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5,589.58 FEET, A CENTRAL ANGLE OF 02°04'15", AND A CHORD BEARING OF NORTH 02°05'46" WEST; THENCE NORTHERLY ALONG THE ARC AND THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27 A DISTANCE OF 202.02 FEET; THENCE SOUTH 88°56'23" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET; THENCE NORTH 01°03'37" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 423.92 FEET; THENCE NORTH 88°56'23" EAST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET; THENCE NORTH 01°03'37" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 82.60 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 01°03'37" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 300.00 FEET; THENCE SOUTH 89°52'51" EAST, A DISTANCE OF 300.00 FEET; THENCE SOUTH 01°03'37" EAST, A DISTANCE OF 300.00 FEET; THENCE NORTH 89°52'51" WEST, A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING. CONTAINING 89,981 SQUARE FEET OR 2.07 ACRES, MORE OR LESS

**Request:**

The Applicant is requesting a rezoning for the subject property described above from Highlands County Agricultural District to a Planned Development (PD)/Development Concept. Under the proposed PD/Development Concept, the Applicant desires possible commercial uses assigned to the property for future development.

**Adjacent Future Land Use Map classifications and Zoning Districts:**

**Parcel 1:**

<b>North:</b> FLUM Classification:	Lake Placid C-G (Commercial-General)
Zoning:	Highlands County AU (Agricultural District)

**East:** FLUM Classification: Lake Placid C-G  
Zoning: Highlands County AU

**South:** FLUM Classification: Lake Placid C-G  
Zoning: Lake Placid C-1 (Highway Commercial)

**West:** FLUM Classification: Lake Placid C-G  
Zoning: Lake Placid C-1

**Parcel 2:**

**North:** Future Land Use Map  
(FLUM) Classification: Lake Placid C-G  
Zoning: Lake Placid C-1

**East:** FLUM Classification: Lake Placid C-G  
Zoning: Highlands County AU

**South:** FLUM Classification: Lake Placid C-G  
Zoning: Highlands County AU

**West:** FLUM Classification: Lake Placid C-G  
Zoning: Lake Placid C-1

**Summary:**

The matter for consideration is for a zoning change to amend the Town of Lake Placid's Official Zoning Map from Highlands County AU to Lake Placid PD/Development Concept. The amendment concerns two approximate 2 acre parcels, a total of approximately 4 acres located on the east side of U.S. Highway 27 South and north of Aaron Drive. The two parcels have the Town of Lake Placid C-G future land use designation. The applicant is requesting a PD/Development Concept to allow for one or more of the following proposed uses:

1. Day nurseries, nursery school, and kindergartens, provided that there shall be no sign more than three (3) square feet in area and no lighted sign; the entire play yard is fenced with at least four-foot-high fencing; off-street unloading space is provided for not less than three (3) vehicles and does not require backing into the public right-of-way; the play yard is not less than seventy-five (75) feet from any residential dwelling unit not on the same lot; and the applicant has all licenses or permits required by the town, county, and state.
2. Highway-oriented businesses, such as service stations; motels or hotels; restaurants; rental, sales, and service of automotive or other vehicles, farm machinery and equipment; and recreational vehicle or travel trailer or mobile home sales and service.
3. Any legal use of land or buildings which offers goods or services for retail sale or rental to the public or any sector of the public including the sale of closed-container alcohol.

(Example specific: Retail outlets for sale of legal goods and services including repair incident to sales, vehicle service station with sale of fuel, sundries and notions, drugs, groceries, package liquor, hardware, garden supplies including fertilizer packaged for retail sale, book and record sales, toys, gift and jewelry shops, pet shop, hobby supply, household furnishings and home appliances, office furniture and equipment, automobile new parts and accessories, camera and photographic supply, sporting goods, bait and tackle, musical instruments and television and radio. Other retail outlets of similar character are permitted.)

4. Commercial and personal services, such as barber and beauty shops, shoe repair and shine shops, self-service laundry, laundry or dry cleaning pickup and delivery station, tailor or dressmaking shop, florist, travel agency, interior decorator, watch or jewelry repair, book and record sales, antique shops, fitness center, art, dance, music, radio, television, fortune telling, photographic studio, camera and photographic supplies and sales, pharmaceutical sales, custodial care centers for preschoolers or elderly persons and educational facilities, public or private.
5. Professional offices, such as dental, medical, legal, real estate, insurance, accounting, finance, trade organizations, cooperatives and government, where the principal use is that of providing goods and service at retail.
6. Medical or dental clinics or hospitals for human care.
7. Veterinary clinics, with no outside kenneling.
8. Churches and church uses.
9. Funeral parlors, homes or mortuaries.
10. The growing of agricultural or horticultural plants, with/without sales buildings, displays, stands, or places on the premises including the wholesale sale of product when such activity is ancillary to a on-site retail sales of agricultural or horticultural plants.
11. Adult/vocational education.
12. Game/recreation facilities or health/exercise clubs.
13. Theaters.
14. Mini-warehouse and similar steel-construction buildings that are not used for personal or business storage. Wholesale uses are permitted as principal uses when totally enclosed in a building and directly related to on-site retail sales operations. Retail uses in steel-constructed buildings will be allowed with no outside display unless written authorization is granted by special exception. Parking requirements must be met for retail usage and the appropriate occupational licenses must be authorized prior to the initiation of the retail use.

15. Warehousing or wholesaling as an ancillary use to retail sales when totally enclosed in a building providing visual obstruction from off-site.
16. Bars, lounges, nightclubs (non-adult) when an ancillary use to and housed within a completely full-service restaurant or hotel/motel.
17. Any freestanding advertising sign or advertising device, when ancillary to an on-site business.

Permitted accessory uses and structures in this district shall only be accessory to any of the proposed permitted uses when located on the same lot.

This request is a Development Concept PD to only assign uses to the property at this point in time. At a later date, the applicant or a future developer for the property will be required to submit a preliminary site development plan and a final site development plan for the Town Council's review and approval. Such plans must be consistent with the approval of this Development Concept PD.

### Consistency with Land Development Regulations

***1. The proposed use is not contrary to Comprehensive Plan requirements.***

The current future land use for the properties is Commercial-General. This is a compatible future land use designation for a PD that is to be commercial in nature. The predominant uses in Commercial-General areas are those which provide specialty or convenience goods for retail sale and medical and professional services.

***2. The proposed use being applied for is specifically authorized under the zoning district in the Land Development Regulations.***

Section 154-27.1 of the Town's Land Development Code regulates the allowable uses under the proposed PD District by stating "Any use not expressly permitted in the underlying district may be permitted with the approval of the Town Council. A new PD zoning district with no underlying zoning shall include proposed permitted uses (subject to Town Council approval)." The request is for a new PD zoning district with no underlying zoning and includes a list of proposed permitted uses.

***3. The proposed uses will not have an adverse effect on the public interest.***

The properties are located on U.S. Highway 27 in the midst of the Lake Placid C-1, Highway Commercial zoning district. The proposed uses are similar to the C-1 zoning district permitted uses and include some of the special exception uses of the C-1 zoning district as proposed permitted uses. The proposed special exception uses from C-1 are churches and church uses; funeral parlors, homes or mortuaries; the growing of agricultural or horticultural

plants; bars and lounges; and freestanding advertising signs. Because special exceptions are not allowed in a PD, these uses have been proposed as permitted uses.

As the proposed zoning is a Development Concept, the specifics regarding the building, landscaping and parking, etc., have not been designed. The adequacy of the public facilities will be addressed in the future preliminary site development plan.

Because this is a request for a PD that is commercial in nature, there will be no impact to the Highlands County schools.

**4. *The use is appropriate for the location proposed, is reasonably compatible with adjacent land uses, and is not contrary or detrimental to urbanizing land use patterns.***

The proposed uses are appropriate for this location and are reasonably compatible with adjacent land uses. This request would complement the area and not be detrimental to adjacent land use patterns. The U.S. Highway 27 corridor is expected to intensify in the future with similar uses.

**5. *The proposed use will not adversely affect property values or living conditions, or be a deterrent to the improvement or development of adjacent property.***

Granting the Applicant's request for a rezoning will not hinder development of adjacent properties and will help to add value to the area. The Applicant is proposing uses that are already permitted uses in the majority of surrounding properties.

**6. *The proposed use can be suitably buffered from surrounding uses, so as to reduce the impact of any nuisance or hazard to the neighborhood.***

As this is a Development Concept, detailed drawings are not required; and such an analysis is premature at this time. The Applicant will be required to submit a PD preliminary and final site development plan to the Town Council and, at time of development, apply through the commercial site development process. When submitting these plans, the Applicant will propose landscaping, parking, and commercial design standards to reduce any adverse impacts to the surrounding area.

**7. *The proposed use will not create a density pattern that would overburden public facilities such as schools, streets, and utility services.***

As this is a request for a Development Concept, there is not enough information to determine if the proposed uses will overburden the public facilities. To assess these impacts, a preliminary site development plan, and a final site development plan shall be submitted to the Town Council for review and approval.

**8. *The proposed use will not create traffic congestion, flooding or drainage problems, or otherwise affect public safety.***

The Town Council and future developer will address these issues when a preliminary site development plan and a final site development plan are submitted for review and approval.

**9. *The proposed use has not been inordinately burdened by unnecessary restrictions.***

The proposed rezoning has not been inordinately burdened by unnecessary restrictions. The only restrictions placed on the property are those which are set forth in the Town's Land Development Code and Comprehensive Plan. As this is a Development Concept PD request, the Applicant is afforded flexibility in the proposed uses and in the design of the development with approval of the Town Council.

**10. *The proposed change will not constitute a grant of special privilege to an individual owner as contrasted with the public welfare.***

By granting the Applicant's request, the Town will not be granting special privileges to the owner as contrasted with the public welfare. The request is consistent with both the Comprehensive Plan and the Town of Lake Placid's Land Development Code. A PD provides for flexibility and is applied to individual proposals as described in Section 154-27.1 of the Town's Land Development Code.

**11. *The proposed change would create an isolated district unrelated to adjacent and nearby districts.***

The subject property will not create an isolated district due to the fact that the surrounding properties are zoned commercial and/or have future land uses that are commercial.

**12. *Existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.***

The existing boundaries are not illogically drawn in relation to existing conditions on the subject property. The function of a PD is to create flexibility and innovation in design and uses for both the Applicant and the community. Each PD district must be reviewed and approved by the Town Council. The Town Council may require any conditions or limitations they deem advisable to ensure compatibility with the surrounding properties.

**13. *Changed or changing conditions make the passage of the proposed amendment necessary.***

After being annexed into the Town, the properties were part of a comprehensive plan amendment that changed the future land use to Commercial-General and conditioned the amendment on the properties being rezoned to a PD. The rezoning was not done at the time, so the properties' zoning designation and future land use designation are inconsistent.

**14. The proposed change will/will not adversely affect property values in the adjacent area.**

The proposed change will not have an adverse effect on property values in the surrounding area. It should facilitate development, which should increase property values.

**15. Whether the change suggested is Out of Scale with the needs of the neighborhood or the Town.**

The proposed change is not out of scale with the needs of the neighborhood or the Town. As such, it is safe to conclude that the needs of both the future residents and the Town would be mutually served by rezoning the property from Highlands County Agricultural District to Town of Lake Placid PD.

### Consistency with Comprehensive Plan

The existing Comprehensive Plan Goals, Objectives, and Policies will support commercial uses at this location. Therefore, it should be recommended that the Town Council find the application to be **consistent** with the Comprehensive Plan.

### Assessment and Conclusions

**The following Departments and Organizations provided comments as indicated:**

- 
- Planning Staff:
  - A. In 2007, the two parcels were part of a larger area consisting of approximately 57.5 acres that underwent a comprehensive plan amendment, Ordinance No. 07-548, changing 9.56 acres of Highlands County Commercial and 47.99 acres of Highlands County Medium Density Residential to 18.84 acres of Town of Lake Placid Commercial-General and 38.71 acres of Medium Density Residential. Conditions applied were:
    1. Developer shall enter into a Capacity Agreement with Town for the surrender of certain water rights to the Town; the provision by the town of potable water and wastewater service to the Development; and the Developer's payment of the System Development. The Agreement shall be secured by Bond or Certificate of Deposit approved by the Town Attorney.
    2. The residential property shall be capped at 157 residential units.
    3. Commercial property shall be restricted to 153,000 square feet commercial use.
    4. The zoning for this project will be a PD overlay.
    5. Developer shall furnish a separate legal description for the residential property and for the commercial property.
  - B. Planning staff coordinated with the Department of Economic Opportunity who agreed that since Condition 3 did not allocate a certain square foot per commercial acre, the first developments could develop up to the current Floor Area Ratio of 1.00. If the allotted 153,000 feet were used before all 18.84 acres (820,670.4 square feet) of Commercial-General was developed, a request to amend the comprehensive plan to allow additional commercial footage could be submitted. Condition 4 was interpreted as allowing for parcels to be developed in phases as Planned Developments.

- C. At the time of the comprehensive plan amendment, a rezoning to a Planned Development was initiated, but not completed. The property's zoning remained as Highlands County Agricultural District.
  - D. The Highlands County Archaeological and Historical Probability Map shows the two parcels to be in an area deemed to have potential for prehistoric or historic period archaeological sites as well as historic structures. At the time of development, care should be taken to preserve any cultural resources found to be located in the area.
  - E. The Highlands County Parks and Recreation Master Plan Trails Map for the Lake Placid Area denotes a proposed trailhead in the near vicinity of the two parcels. A trailhead is the point at which a trail begins, where the trail is often intended for hiking, biking, horseback riding, or off-road vehicles. Trailheads may contain restrooms, maps, sign posts and distribution centers for informational brochures about the trail and its features, and parking areas for vehicles and/or trailers.
- Town of Lake Placid Engineer and Utility Director: "No comments. This is assuming they will still come in for conceptual and final site plans in the future."
  - Town of Lake Placid Public Works Director: "In reference to your request for a review of the proposed request for rezone for Aravilla Groves I am providing the following opinion.
    - 1) Proceed as it exists in the current document as presented."
  - Highlands County Engineering Department: "Approved with conditions. The Engineering Department will require Transportation Concurrency approval at the time of development, and additional requirements may be identified at that time."
  - Florida Department of Transportation (FDOT): "FDOT has no comment other than when and if future development of those parcels takes place, the Department will require that development be submitted for a review."

Based upon the above zoning criteria being met, the rezoning request should be recommended for *approval* as it is *consistent* with the current Comprehensive Plan.

**Staff's Recommended Motion to the Local Planning Agency:**

**Move to recommend to the Town Council the approval and adoption of Ordinance No. 2016-716, amending the Town's Official Zoning Map from Highlands County Agricultural District to Town of Lake Placid Planned Development with a Development Concept subject to the following conditions:**

- 1. A preliminary site development plan will be required through an amended ordinance as reviewed by the LPA and reviewed and approved by the Town Council.**
- 2. A final site development plan will be required to be reviewed and approved by the Town Council by Resolution.**

Submitted by the Planning Staff for the March 21, 2016, Local Planning Agency meeting.

Attachments:

1. Draft Ordinance
2. Application
3. Letter Outlining Request
4. Maps: Aerial, Zoning, Proposed Zoning and Future Land Use

**ORDINANCE NUMBER 2016-716**

**AN ORDINANCE OF THE TOWN OF LAKE PLACID  
CREATING SECTION 160-12 OF THE CODE OF THE  
TOWN OF LAKE PLACID ENTITLED ARAVILLA  
PLANNED DEVELOPMENT; AND PROVIDING FOR AN  
EFFECTIVE DATE**

**WHEREAS**, Chapter 163, Florida Statutes, provides for amendment to adopted Land Development Regulations; and

**WHEREAS**, Notice of this proposed Ordinance was published at least ten (10) days prior to adoption in a newspaper of general circulation in the Town of Lake Placid; and

**WHEREAS**, two public hearings were held by the Town Council on said Ordinance on:

The 11th day of April, 2016; and

The 9th day of May, 2016

**WHEREAS**, the proposed Ordinance was read by title, or in full at both public hearings; and

**WHEREAS**, it appears to be in the best interest of the Town of Lake Placid that the Ordinance be adopted.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF LAKE PLACID, FLORIDA, AFTER PUBLIC HEARING AND COMMENT AS FOLLOWS:**

**SECTION 1. SECTION 160-12, ENTITLED “ARAVILLA PLANNED DEVELOPMENT ORDINANCE” OF THE CODE OF THE TOWN OF LAKE PLACID IS TO READ AS FOLLOWS:**

**Section 160-12.1.** *Aravilla Planned Development Ordinance.*

(a) This is the Planned Development Ordinance for the Aravilla Planned Development in the Town of Lake Placid, Florida (hereinafter the “Ordinance”). This Ordinance is made pursuant to Section 154-27.1 of the Code of the Town of Lake Placid.

(b) A certified copy of this Ordinance shall be recorded in the Public Records of Highlands County, Florida.

(c) This Ordinance shall be codified in Chapter 160 of the Code of the Town of Lake Placid, Florida.

**Section 160-12.2.** *Findings of fact and conclusions of law.* The Town Council received and considered the application for Ordinance and all related comments; testimony and evidence

submitted by the Developer; comments by the appropriate reviewing agencies and the public; and the recommendation of the Town's Local Planning Agency. Based upon the foregoing and the developer's commitment to comply with the terms and conditions of this Ordinance, the Lake Placid Town Council makes the following findings of fact and conclusions of law:

- (a) *Project.* This project shall be known as the "Aravilla Planned Development" or the "Development" and applies to approximately 4 acres of land legally described as:

PARCEL 1:

A PORTION OF SECTION 6, TOWNSHIP 37 SOUTH, RANGE 30 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 6; THENCE NORTH 89°39'29" WEST ALONG THE CENTER LINE OF HUNTLEY DRIVE, A DISTANCE OF 292.90 FEET; THENCE NORTH 03°54'45" EAST, A DISTANCE OF 25.05 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF HUNTLEY DRIVE; THENCE NORTH 89°39'29" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,033.51 FEET; THENCE NORTH 00°35'25" EAST, A DISTANCE OF 306.11 FEET; THENCE NORTH 89°42'54" WEST, A DISTANCE OF 837.32 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°42'54" WEST, A DISTANCE OF 300.04 FEET TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 27 AND TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5,589.58 FEET, A CENTRAL ANGLE OF 02°04'15", AND A CHORD BEARING OF NORTH 02°05'46" WEST; THENCE NORTHERLY ALONG THE ARC AND THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27 A DISTANCE OF 202.02 FEET; THENCE SOUTH 88°56'23" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET; THENCE NORTH 01°03'37" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 98.01 FEET; THENCE NORTH 88°57'24" EAST, A DISTANCE OF 300.12 FEET; THENCE SOUTH 04°30'27" EAST, A DISTANCE OF 307.49 FEET TO THE POINT OF BEGINNING. CONTAINING 90,505 SQUARE FEET OR 2.08 ACRES, MORE OR LESS.

PARCEL 2:

A PORTION OF SECTION 6, TOWNSHIP 37 SOUTH, RANGE 30 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 6; THENCE NORTH 89°39'29" WEST ALONG THE CENTER LINE OF HUNTLEY DRIVE, A DISTANCE OF 292.90 FEET; THENCE NORTH 03°54'45" EAST, A DISTANCE OF 25.05 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF HUNTLEY DRIVE; THENCE NORTH 89°39'29" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,033.51 FEET; THENCE NORTH 00°35'25" EAST, A DISTANCE OF 306.11 FEET; THENCE NORTH 89°42'54" WEST, A DISTANCE OF 1,137.37 FEET TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 27 AND TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5,589.58 FEET, A CENTRAL ANGLE OF 02°04'15", AND A CHORD BEARING OF NORTH 02°05'46" WEST; THENCE NORTHERLY ALONG THE ARC AND THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27 A DISTANCE OF 202.02 FEET; THENCE SOUTH 88°56'23" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET; THENCE NORTH 01°03'37" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 423.92 FEET; THENCE NORTH 88°56'23" EAST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET; THENCE NORTH 01°03'37" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 82.60 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 01°03'37" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 300.00 FEET; THENCE SOUTH 89°52'51" EAST, A DISTANCE OF 300.00 FEET; THENCE SOUTH 01°03'37" EAST, A DISTANCE OF 300.00 FEET; THENCE NORTH 89°52'51" WEST, A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING. CONTAINING 89,981 SQUARE FEET OR 2.07 ACRES, MORE OR LESS

(the "PD Land"). The PD Land is within the Town of Lake Placid.

- (b) *Owner.* The PD Land is owned by Aravilla Groves LTD.
- (c) *Developer.* The PD Land is being developed by Aravilla Groves LTD (the "Developer"), or its successor. The Planned Development Application was submitted by the Developer. The Owner and the Developer shall be herein referred to as the Developer, because both consent to the Ordinance and because this Ordinance runs with the land and is binding on all future owners.

(d) *Comprehensive plan amendment.* The Developer has satisfactorily addressed all Town issues. The PD Land is not located in an area of critical state concern. The Development will not interfere with the achievement of the objectives of the adopted state comprehensive plan Chapter 163 Florida Statutes. Sections 163.3161 through 163.3215 of the Florida Statutes empower the Town Council to adopt and to amend the Town of Lake Placid Comprehensive Plan.

(e) *Public notice.* The public notice requirements of Chapter 163 of Florida Statutes and the Town Code have been satisfied.

(f) *LPA public hearing.* The Local Planning Agency (LPA) held a duly noticed public hearing to consider the Ordinance. The LPA heard and considered testimony and documents and recommended to the Town Council to approve the Ordinance.

(g) *Town public hearings.* The Lake Placid Town Council held two duly noticed public hearings to consider the Ordinance. At each hearing, the Town Council heard and considered testimony and documents and approved the Planned Development.

(h) *Consistency.* The Town Council finds that this Ordinance is consistent with the adopted Town of Lake Placid Comprehensive Plan. The Town Council finds that this Ordinance is necessary to promote, protect, and improve the public health, safety, comfort, good order, appearance, convenience, morals, and general welfare of the Town of Lake Placid.

**Section 160-12.3.** *General conditions, restrictions and limitations.* The Town Council, having made the above findings of fact and conclusions of law, hereby adopts the following general and specific conditions, restrictions and limitations:

(a) *Runs with the land.* This Ordinance shall be binding upon and inure to the benefit of the PD Land, Developer, its successors and assigns, including any entity which may assume any of the rights bestowed, or responsibilities imposed upon the Developer by this Ordinance.

(b) *Continuation of government and utilities.* Any reference herein to any governmental agency or utility company shall be construed to mean any future entity, which may be created or designated as successor to, or which otherwise, possesses any of the powers and duties of, any branch of government, governmental agency or utility company.

(c) *Further review.* Whenever this Ordinance provides for reviews or determinations of any kind subsequent to its issuance, the right to review shall include all directly affected governmental agencies and departments as are or may be designated by the Town Council as well as all governmental agencies and departments set forth under applicable laws and legally adopted rules.

(d) *Noncompliance.* Failure by the Developer (or the Developer's successor in interest) to comply with the terms and conditions of this Ordinance (as determined by the Town Planning

and Zoning Official) shall result in the suspension of approval or issuance of further development permits and Certificates of Occupancy until the noncompliance is cured. The decision of the Town's Planning and Zoning Official may be reviewed de novo by the Town Council.

(e) *Land development regulations.* The Town of Lake Placid Land Development Code shall govern the Development.

(f) *Amendment.* Any amendment to this Ordinance shall comply with the Town's Comprehensive Plan in effect at the time of the amendment.

(g) *Future fees.* The provisions of this Ordinance do not preclude the application of any other general government fees or any impact fees regardless of their nature either existing at adoption or enacted thereafter (including any increases in existing fees).

**Section 160-12.4.** *The Aravilla Planned Development Zoning District: Planned Development.* The Aravilla Planned Development Zoning District has been established on and for the PD Land.

(a) *Underlying zoning district.* The proposed Planned Development Zoning District for this request does not require an underlying zoning district.

(b) *PD Zoning district.* The PD Zoning District is established by the Ordinance. The Development shall be subject to the other provisions of Chapter 154 of the Code of Ordinances, Town of Lake Placid, Florida, which are not inconsistent with this Ordinance. Accordingly, the zoning for the Development is PD.

(c) *Development Concept.* A Development Concept PD only assigns uses and/or densities and intensities to the property at this point in time. At a later date, the applicant or a future developer for the property will be required to submit a Preliminary Site Development Plan and a Final Site Development Plan for the Town Council's review and approval. Such plans must be consistent with the approval of this Development Concept PD. The Preliminary Site Development Plan must be reviewed by the Town's Local Planning Agency and reviewed and approved by the Town Council as an amendment to this Ordinance. The final site plan shall be approved by the Town Council through Resolution. This is a planned development zoning ordinance with a development concept that is delineating and vesting the specific development standards requested by the owner. This ordinance reserves for a later day (when the then owner is ready to propose specifics) the final elements, terms and conditions of the development. To be clear, no building permit will be issued until a final planned development ordinance and final site development plan for the subject property are adopted. The final ordinance will address the specifics of the development proposed by the owner. Except as specifically herein addressed, the final planned development ordinance may include without limitation: access, parking, landscaping, boundary setbacks, building height, screening, concurrency, signage, open space, utility service, parks, transportation, storm water management, multi-use paths. These

requirements will vary depending upon the density and intensity of the specific development proposed by the owner.

(d) *Site Development Plan.* The final site development plan to be implemented by this planned development may be approved and adopted by resolution of the Town Council, but only if the final planned development ordinance has been adopted. A final site development plan will not be approved to implement this planned development zoning ordinance with a development concept. After adoption of the final planned development ordinance, the proposed final site development plan may be submitted to the Town at least 30 days before the Town Council Meeting at which it is to be considered. The proposed final site development plan shall include the following:

1. If the property is to be developed in phases, the phasing plan shall be set out in the final planned development ordinance or submitted as a separate proposed resolution (filed with the Town 30 days prior to consideration).

2. The proposed final site development plan shall be filed with the Town 30 days prior to consideration by the Town Council. The proposed final site development plan shall include the matters required by this code, and any other matters which the owner desires to propose.

(e) *Proposed Uses Permitted in this District shall be:*

1. Day nurseries, nursery school, and kindergartens, provided that there shall be no sign more than three (3) square feet in area and no lighted sign; the entire play yard is fenced with at least four-foot-high fencing; off-street unloading space is provided for not less than three (3) vehicles and does not require backing into the public right-of-way; the play yard is not less than seventy-five (75) feet from any residential dwelling unit not on the same lot; and the applicant has all licenses or permits required by the town, county, and state.
2. Highway-oriented businesses, such as service stations; motels or hotels; restaurants; rental, sales, and service of automotive or other vehicles, farm machinery and equipment; and recreational vehicle or travel trailer or mobile home sales and service.
3. Any legal use of land or buildings which offers goods or services for retail sale or rental to the public or any sector of the public including the sale of closed-container alcohol. (Example specific: Retail outlets for sale of legal goods and services including repair incident to sales, vehicle service station with sale of fuel, sundries and notions, drugs, groceries, package liquor, hardware, garden supplies including fertilizer packaged for retail sale, book and record sales, toys, gift and jewelry shops, pet shop, hobby supply, household furnishings and home appliances, office furniture and equipment, automobile new parts and accessories, camera and photographic supply, sporting goods, bait and tackle, musical instruments and television and radio. Other retail outlets of similar character are permitted.)

4. Commercial and personal services, such as barber and beauty shops, shoe repair and shine shops, self-service laundry, laundry or dry cleaning pickup and delivery station, tailor or dressmaking shop, florist, travel agency, interior decorator, watch or jewelry repair, book and record sales, antique shops, fitness center, art, dance, music, radio, television, fortune telling, photographic studio, camera and photographic supplies and sales, pharmaceutical sales, custodial care centers for preschoolers or elderly persons and educational facilities, public or private.
5. Professional offices, such as dental, medical, legal, real estate, insurance, accounting, finance, trade organizations, cooperatives and government, where the principal use is that of providing goods and service at retail.
6. Medical or dental clinics or hospitals for human care.
7. Veterinary clinics, with no outside kenneling.
8. Churches and church uses.
9. Funeral parlors, homes or mortuaries.
10. The growing of agricultural or horticultural plants, with/without sales buildings, displays, stands, or places on the premises including the wholesale sale of product when such activity is ancillary to a on-site retail sales of agricultural or horticultural plants.
11. Adult/vocational education.
12. Game/recreation facilities or health/exercise clubs.
13. Theaters.
14. Mini-warehouse and similar steel-construction buildings that are not used for personal or business storage. Wholesale uses are permitted as principal uses when totally enclosed in a building and directly related to on-site retail sales operations. Retail uses in steel-constructed buildings will be allowed with no outside display unless written authorization is granted by special exception. Parking requirements must be met for retail usage and the appropriate occupational licenses must be authorized prior to the initiation of the retail use.
15. Warehousing or wholesaling as an ancillary use to retail sales when totally enclosed in a building providing visual obstruction from off-site.
16. Bars, lounges, nightclubs (non-adult) when an ancillary use to and housed within a completely full-service restaurant or hotel/motel.

17. Any freestanding advertising sign or advertising device, when ancillary to an on-site business.

(f) *Intensity/Density of the Proposed Uses:*

1. The intensity in this District shall be in conformance with the Commercial-General future land use category, a floor area ratio of 1.00.
2. The density in this District shall be in conformance with the Commercial-General future land use category, not to exceed twelve (12) dwelling units per gross acre. Residential uses shall be limited to no more than 50 percent of the Commercial-General future land use category.

(g) *Accessory uses.* Permitted accessory uses and structures in this District shall only be accessory to the permitted uses when located on the same lot.

(h) *No additional development.* No portion of the PD Land may be sold or subdivided or divided into condominiums, nor shall any development beyond that contained in this Ordinance be permitted without express amendment of this Ordinance by the Town.

(i) *Variance.* Variances to the standards listed in this Ordinance may only be made by the Town Council of the Town of Lake Placid, as an amendment to this Ordinance; or as a minor amendment according to Section 154-27.1 of the Town Code.

**Section 160-12.5.** *Public facilities requirements.*

(a) *Water and wastewater facilities.* Water and wastewater service shall be provided by the Town, utilizing all existing Department of Environment Protection standards. The Developer shall be responsible for all costs associated with bringing/connecting these services to the site. The Developer shall utilize the services of an established Public Service Commission regulated private or public contractor licensed to construct the required system. All applicable Local, State and Federal permits to operate the system shall be obtained and filed with the Town prior to the issuance of the first Certificate of Occupancy.

(b) *Water and wastewater service.* The Developer shall enter into a Capacity Agreement with the Town (within thirty (30) days of application for a final site development plan) for the surrender of certain water rights to the Town; the provision by the Town of potable water and wastewater service to the Development; and the Developer's payment of the System Development Charges. The Agreement shall be secured by Bond or Certificate of Deposit approved by the Town Attorney.

**Section 160-12.6.** *Utilities:* All utilities (specifically including electric distribution lines) shall be installed and maintained underground.

**Section 160-12.7.** *Severability:* If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of

competent jurisdiction, such holdings shall not be construed to render the remaining provisions of this Amended Ordinance invalid or unconstitutional.

**Section 160-12.8.** *Effective date:* This Ordinance shall take effect upon adoption by the Lake Placid Town Council.

**ADOPTED AND ORDAINED** this \_\_\_\_ day of \_\_\_\_\_ 2016 by the Lake Placid Town Council.

TOWN OF LAKE PLACID, a Florida Municipal Corporation

By: \_\_\_\_\_  
John M. Holbrook, Mayor

(SEAL)

By: \_\_\_\_\_  
Eva Cooper Hapeman, Municipal Clerk

**THIS ORDINANCE WAS READ** in full or by title on at least two (2) separate days in two (2) separate Town Council meetings (on the \_\_\_\_ day of \_\_\_\_\_, 2016 and on the \_\_\_\_ day of \_\_\_\_\_, 2016). Notice of the proposed enactment containing the Ordinance title, stating that a copy may be obtained at Town Hall, and stating the date, time and place of the above hearings and advising that interested parties may appear at the meeting and be heard with respect to the proposed ordinance was published at least once in the *Lake Placid Journal* or the *Highlands Today* on the \_\_\_\_ day of \_\_\_\_\_, 2016, being at least ten (10) days prior to adoption.

\_\_\_\_\_  
Eva Cooper Hapeman, Municipal Clerk

Town of Lake Placid  
Planning and Zoning Department  
311 West Interlake Blvd.  
Lake Placid, Florida 33852  
863-699-3747 • FAX: 863-699-3749

*For Office Use Only:*

Case No. LPTC.16.003RZ  
Date Received: 2/1/2016

**REZONING / PD APPLICATION**

Chapter 4, Article 1 Land Development Code

**Owner Information:**

Name of Property Owner: ARAVILLA GROVES, LTD.  
Mailing Address: c/o Karlson Law Group, P.A., 301 Dal Hall Blvd., Lake Placid, FL 33852

Name of Applicant\*, if Other than Owner, (Relationship): Pamela T. Karlson, attorney for owner (agent)

Home Telephone: N/A Work Telephone: 863-465-5033

**Property Information:**

Property Address/Location: 1. 501 US 27 S, Lake Placid, FL  
2. 625 US 27 S, Lake Placid, FL;  
3. 505 US 27 S, Lake Placid, FL;

Property Strap Numbers: Parcel 1: P-06-37-30-A00-0170-0000  
Parcel 2: P-06-37-30-A00-0091-0000  
P-06-37-30-A00-0091-0010  
P-06-37-30-A00-0180-0000

Current Zoning: AU Requested Zoning: PD - Ordinance

Existing Use: AU Proposed Use: Commercial Development Concept PD

Size of Property: Two 2 AC +/- parcels (4 +/- acres) Land Use Designation: C-1 Highway Commercial District

**Description of Surrounding Properties:**

Parcel 1 has:	North: Retail Use	C-1, Highway Commercial Zoning	C-G, Commercial General Future Land Use
	East: Grove	AU, Highlands County Agricultural Zoning	C-G, Commercial General Future Land Use
	South: Grove	AU, Highlands County Agricultural Zoning	C-G, Commercial General Future Land Use
	West: U.S. 27, +/- 250' ROW		
Parcel 2 has:	North: Grove	AU, Highlands County Agricultural Zoning	C-G, Commercial General Future Land Use
	East: Grove	AU, Highlands County Agricultural Zoning	C-G, Commercial General Future Land Use
	South: Vacant Use	C-1, Highway Commercial Zoning	C-G, Commercial General Future Land Use
	West: U.S. 27, +/- 250' ROW		

Legal Description of Property:

PARCEL 1:

A PORTION OF SECTION 6, TOWNSHIP 37 SOUTH, RANGE 30 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 6; THENCE NORTH 89°39'29" WEST ALONG THE CENTER LINE OF HUNTLEY DRIVE, A DISTANCE OF 292.90 FEET; THENCE NORTH 03°54'45" EAST, A DISTANCE OF 25.05 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF HUNTLEY DRIVE; THENCE NORTH 89°39'29" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,033.51 FEET; THENCE NORTH 00°35'25" EAST, A DISTANCE OF 306.11 FEET; THENCE NORTH 89°42'54" WEST, A DISTANCE OF 837.32 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°42'54" WEST, A DISTANCE OF 300.04 FEET TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 27 AND TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 5,589.58 FEET, A CENTRAL ANGLE OF 02°04'15", AND A CHORD BEARING OF NORTH 02°05'46" WEST; THENCE NORTHERLY ALONG THE ARC AND THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27 A DISTANCE OF 202.02 FEET; THENCE SOUTH 88°56'23" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 15.00 FEET; THENCE NORTH 01°03'37" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 98.01 FEET; THENCE NORTH 88°57'24" EAST, A DISTANCE OF 300.12 FEET; THENCE SOUTH 04°30'27" EAST, A DISTANCE OF 307.49 FEET TO THE POINT OF BEGINNING. CONTAINING 90,505 SQUARE FEET OR 2.08 ACRES, MORE OR LESS.

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Required Attachments:

- Survey of Property (11" x 14", 20" Scale) \*When Applicable
- Letter Outlining Request
- Per Section 154-27.1 (Ordinance)
- Notarized Letter of Owner's Authorization\*
- Processing Fee \$ 1,500.00, plus the Actual Cost of Legal Advertising which will be billed by the Town Clerk.

  
Signature

Date: 2/4/2016





**Pamela T. Karlson, B.C.S.**  
Board Certified Real Estate Lawyer



**Joy Bogaert, Esq.**  
Of Counsel

February 4, 2016

Town of Lake Placid  
c/o Highlands County Planning and Zoning Department  
311 West Interlake Blvd.  
Lake Placid, FL 33852

RE: Letter Outlining Request for Rezone

I represent Aravilla Groves, LTD, the applicant. Applicant seeks a Development Concept PD at this time. A Development Concept PD only assigns uses and/or densities and intensities to the property at this point in time. At a later date, the applicant or a future developer for the property will be required to submit a Conceptual Site Development Plan and a Final Site Development Plan for the Town Council's review and approval. Such plans must be consistent with the approval of this Development Concept PD.

The existing Comprehensive Plan allows for commercial uses in the area in which the subject properties lie. The properties are along US Highway 27 and as such the owner believes a future developer/end user would desire to have commercial general highway uses available. Therefore, the owner requests this Development Concept PD in order to secure said zoning uses.

The following uses are those which the owner would like included in the Development Concept PD:

1. Day nurseries, nursery school, and kindergartens, provided that there shall be no sign more than three (3) square feet in area and no lighted sign; the entire play yard is fenced with at least four-foot-high fencing; off-street unloading space is provided for not less than three (3) vehicles and does not require backing into the public right-of-way; the play yard is not less than seventy-five (75) feet from any residential dwelling unit not on the same lot; and the applicant has all licenses or permits required by the town, county, and state.
2. Highway-oriented businesses, such as service stations; motels or hotels; restaurants; rental, sales, and service of automotive or other vehicles, farm machinery and equipment; and recreational vehicle or travel trailer or mobile home sales and service.
3. Any legal use of land or buildings which offers goods or services for retail sale or rental to the public or any sector of the public including the sale of closed-container alcohol. (Example specific: Retail outlets for sale of legal goods and services including repair incident to sales, vehicle service station with sale of fuel, sundries and notions, drugs, groceries, package liquor, hardware, garden supplies including fertilizer packaged for retail sale, book and record sales, toys, gift and jewelry shops, pet shop, hobby supply, household furnishings and home appliances, office furniture and

equipment, automobile new parts and accessories, camera and photographic supply, sporting goods, bait and tackle, musical instruments and television and radio. Other retail outlets of similar character are permitted.)

4. Commercial and personal services, such as barber and beauty shops, shoe repair and shine shops, self-service laundry, laundry or dry cleaning pickup and delivery station, tailor or dressmaking shop, florist, travel agency, interior decorator, watch or jewelry repair, book and record sales, antique shops, fitness center, art, dance, music, radio, television, fortune telling, photographic studio, camera and photographic supplies and sales, pharmaceutical sales, custodial care centers for preschoolers or elderly persons and educational facilities, public or private.
5. Professional offices, such as dental, medical, legal, real estate, insurance, accounting, finance, trade organizations, cooperatives and government, where the principal use is that of providing goods and service at retail.
6. Medical or dental clinics or hospitals for human care.
7. Veterinary clinics, with no outside kenneling.
8. Churches and church uses.
9. Funeral parlors, homes or mortuaries.
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12. Game/recreation facilities or health/exercise clubs.
13. Restaurants.
14. Theaters.
15. Mini-warehouse and similar steel-construction buildings that are not used for personal or business storage. Wholesale uses are permitted as principal uses when totally enclosed in a building and directly related to on-site retail sales operations. Retail uses in steel-constructed buildings will be allowed with no outside display unless written authorization is granted by special exception. Parking requirements must be met for retail usage and the appropriate occupational licenses must be authorized prior to the initiation of the retail use.
16. Warehousing or wholesaling as an ancillary use to retail sales when totally enclosed in a building providing visual obstruction from off-site.
17. Bars, lounges, nightclubs (non-adult) when an ancillary use to and housed within a completely full-service restaurant or hotel/motel.
18. Any freestanding advertising sign or advertising device, when ancillary to an on-site business.

Town of Lake Placid  
c/o Highlands County Planning and Zoning Department  
February 4, 2016  
Page 3

Applicant believes the above list is tailored to fit well within the surrounding, existing C-1 Highway Commercial zoning and will allow a future developer flexibility in choosing a commercial use best suited for their needs. Additionally, it will assist applicant in marketing the property to said future developer. Thank you for your consideration.

Sincerely,



Pamela T. Karlson, J.D., B.C.S.

cc: Aravilla Groves, LTD

OWNER'S AFFIDAVIT

I, Steven W. Hinton, being first duly sworn, depose and say that I am the President of Hinton Business Enterprises, Inc., a Florida corporation, acting in its capacity of General Partner of Aravilla Groves, Ltd., a Florida Limited Partnership, owner of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application and all sketches, data, and other supplementary matter attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before hearings can be advertised. I also understand that it is the obligation of the property owner to comply with any other lawfully adopted and recorded deed restrictions or covenants that are more restrictive or impose a higher standard and that any action of this Board does not supersede those requirements.

Signed, Sealed and Delivered  
In Our Presence:

ARAVILLA GROVES, LTD.  
By Hinton Business Enterprises, Inc.  
Its General Partner

Steven W. Hinton  
BY: Steven W. Hinton  
Its President

I authorize staff to enter the property during the application process to complete its evaluation.

No contact is required. \_\_\_\_\_

An appointment is required before entering the property.

Please initial the appropriate line.

Witnesses:

Linda M. Fantasia  
Print Name: Linda M. Fantasia  
Catherine J. Galligan  
Print Name: Catherine J. Galligan

By: Steven W. Hinton  
Print Name: Steven W. Hinton  
President of Corporate General Partner

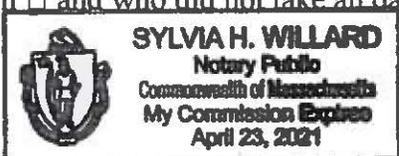
SEAL

ATTEST:

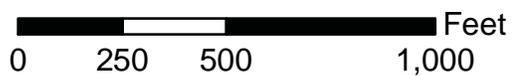
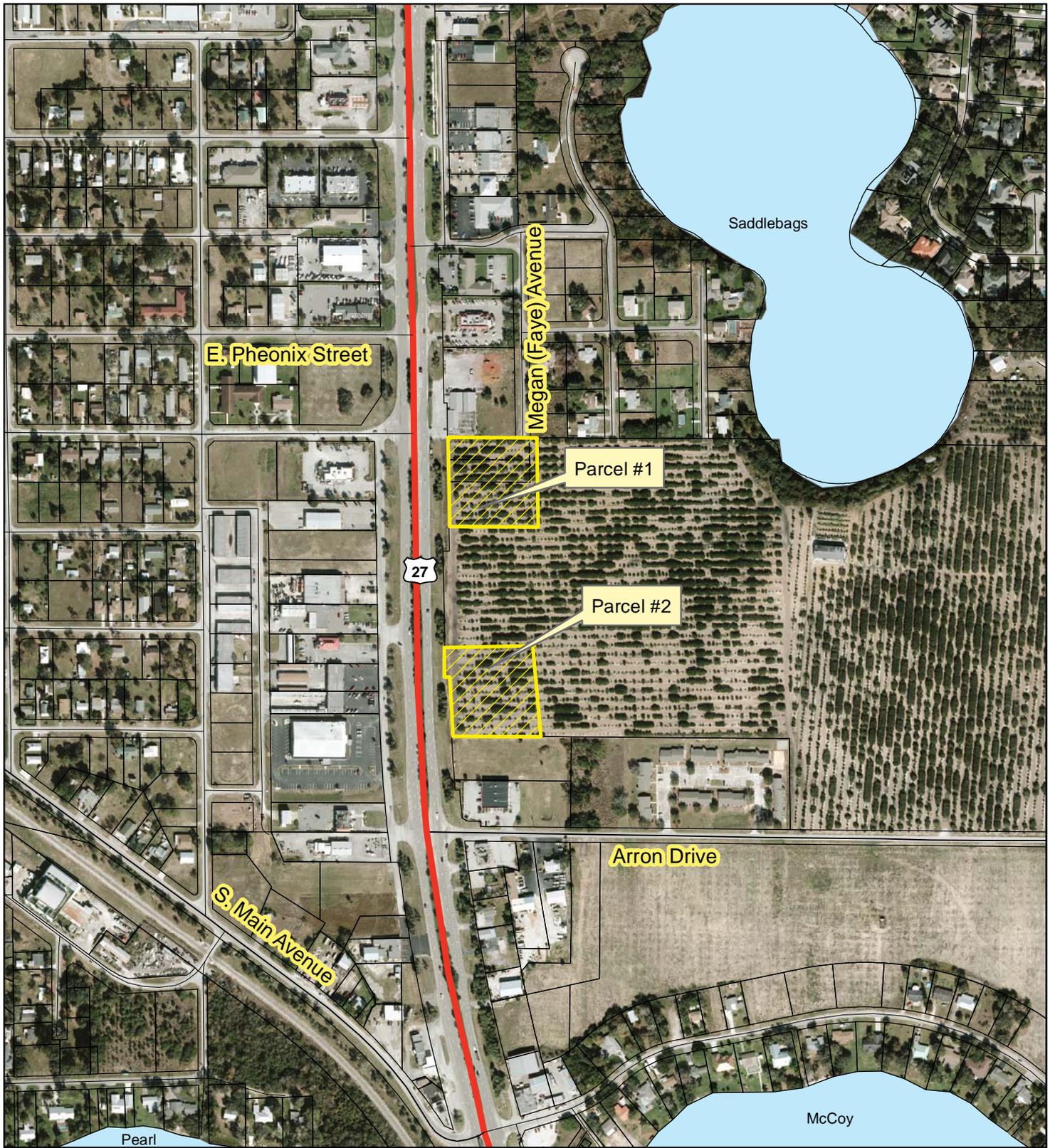
By: Mala H. Lawrence  
Print Name: Mala H. Lawrence  
Secretary of Corporate General Partner

STATE OF FLORIDA ~~Massachusetts~~  
COUNTY OF HIGHLANDS ~~Middlesex~~

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of January, 2016, by Steven W. Hinton and Mala H. Lawrence, President and Secretary, respectively, of Hinton Business Enterprises, Inc., a Florida corporation, acting in its capacity of General Partner of Aravilla Groves, Ltd., a Florida Limited Partnership, who are personally known to me  or who have produced \_\_\_\_\_ as identification  and who did not take an oath.

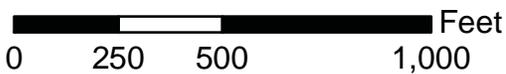
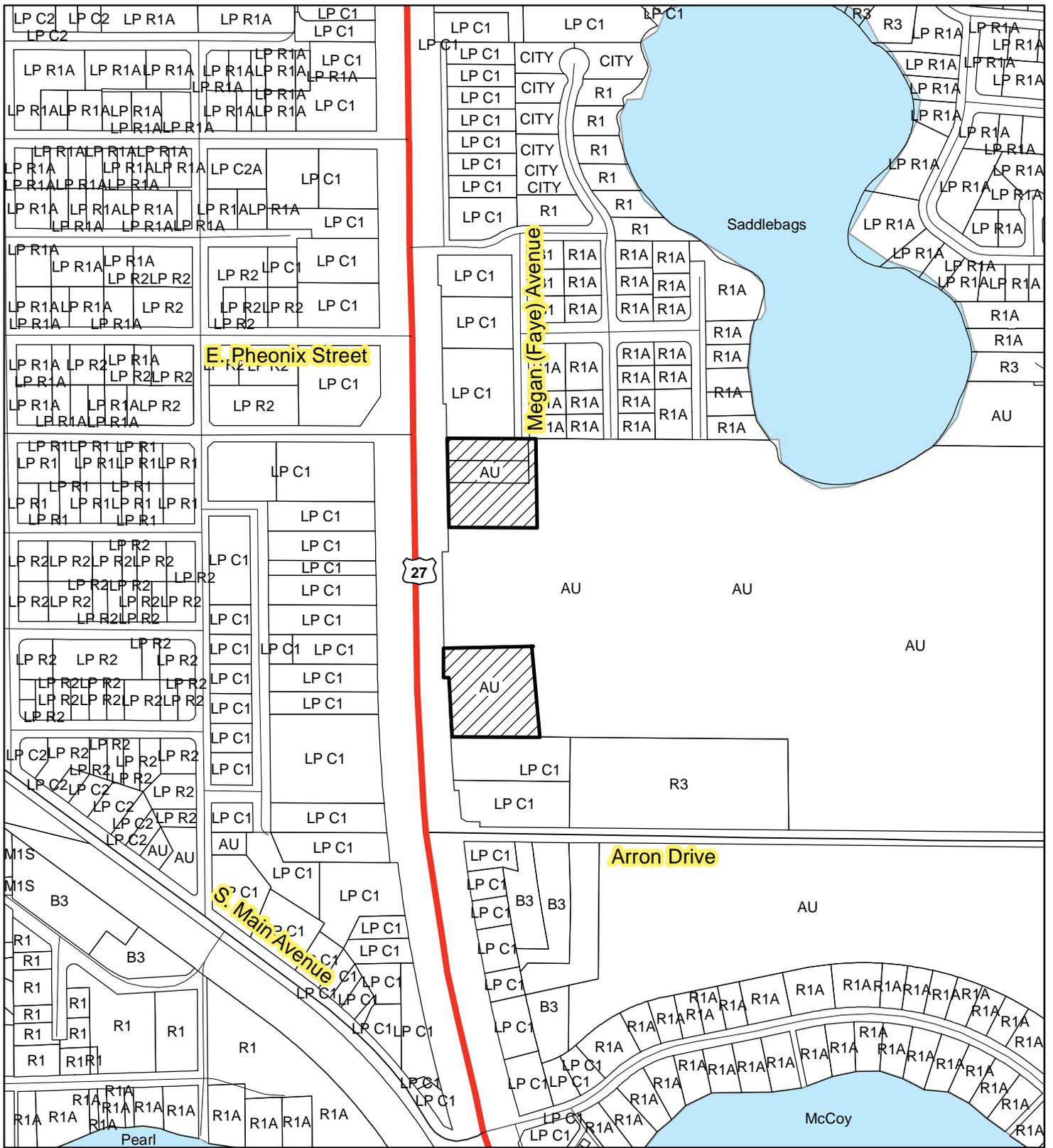


Sylvia H. Willard  
Print Name: Sylvia H. Willard  
Notary Public, ~~State of Florida~~ State of Massachusetts  
My Commission Expires: 4/23/2021

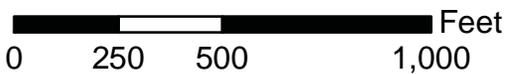
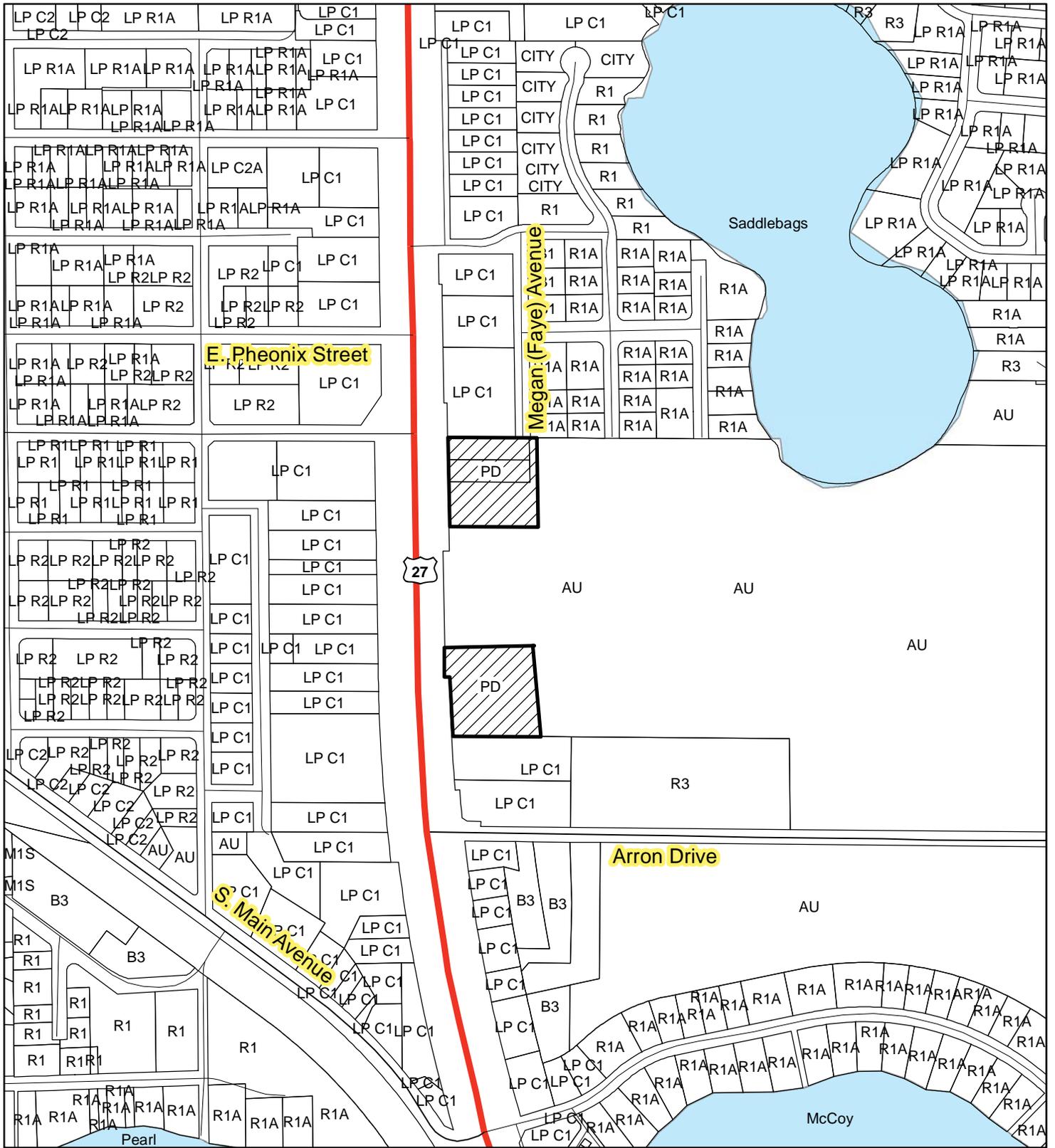


**AERIAL  
LPTC.16.003RZ  
PD REZONING FROM AU  
TO A COMMERCIAL PD  
DEVELOPMENT CONCEPT**

Town of Lake Placid LPA  
March 21, 2016



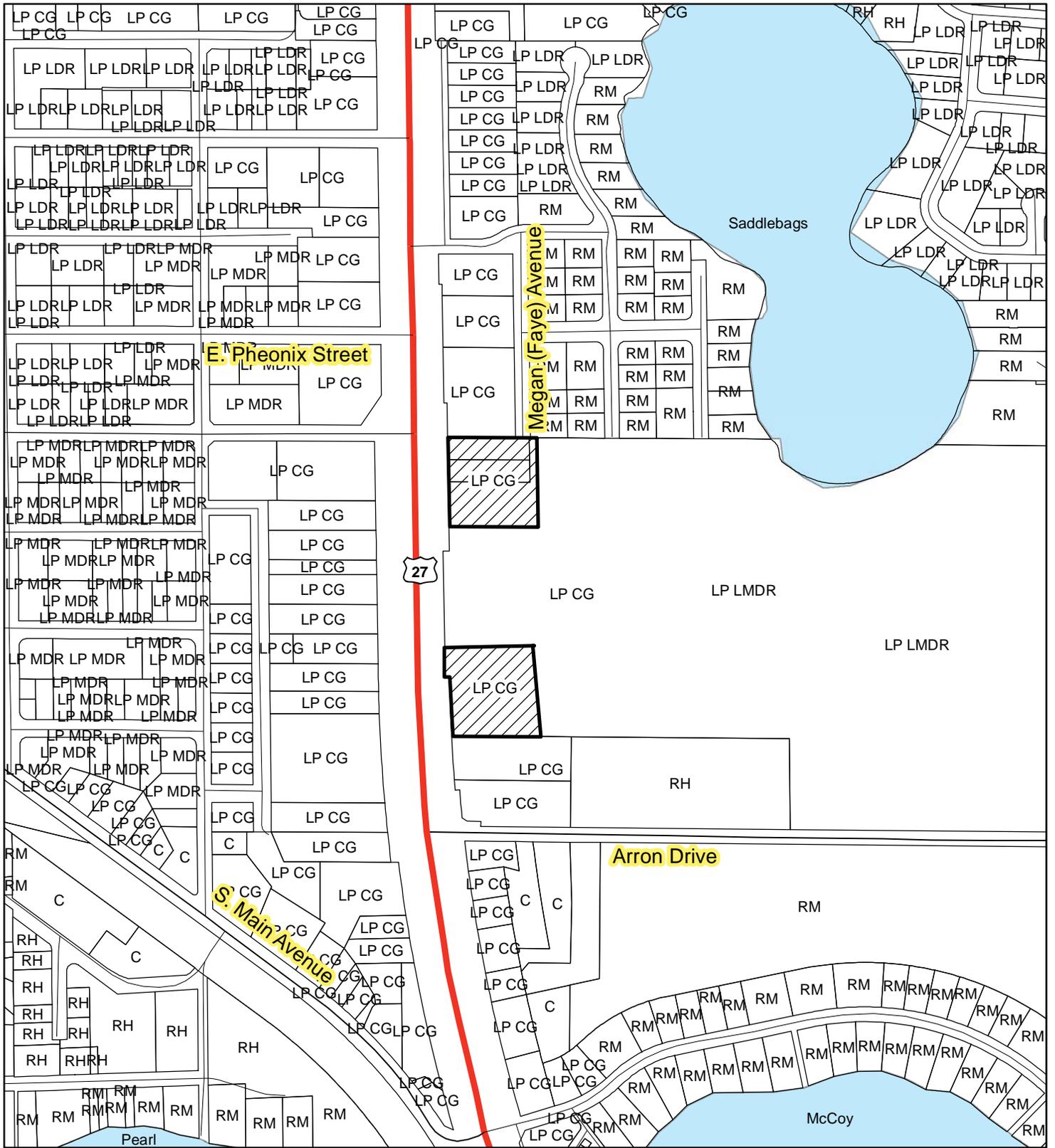
**ZONING**  
**LPTC.16.003RZ**  
**PD REZONING FROM AU**  
**TO A COMMERCIAL PD**  
**DEVELOPMENT CONCEPT**



**PROPOSED ZONING  
LPTC.16.003RZ  
PD REZONING FROM AU  
TO A COMMERCIAL PD  
DEVELOPMENT CONCEPT**

Town of Lake Placid LPA

March 21, 2016



ADOPTED FUTURE LAND USE  
 LPTC.16.003RZ  
 PD REZONING FROM AU  
 TO A COMMERCIAL PD  
 DEVELOPMENT CONCEPT