



Planning and Development
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PLANNING & ZONING COMMISSION

City Hall Board Room

August 20, 2025 at 10:00 AM

- I. Call to Order.**
- II. Roll Call with Determination of Quorum.**
- III. Approval of Minutes.**
 - A. Minutes from the Meeting on June 18, 2025.
 - B. Minutes from Meeting on July 16, 2025.
- IV. Public Comment.**

Opportunity for the public to provide comments on items not on the agenda.
- V. New Business.**
 - A. **Request for Variance;** Sara T Rhodes Life Estate (Project Name); 410 N Tremain Street (Site Address); Sara T Rhodes Life Estate (Owner); Eco Construction Group LLC (Applicant); Project No. VAR25-01.
 - B. **Presentation:** Planning Processes
- VI. Staff Updates.**
 - A. Stormwater Presentation: In talks with Public Works about providing a presentation on Stormwater to the Planning and Zoning Commission.
- VII. Board Updates.**
- VIII. Announcement of next scheduled meeting: September 17, 2025**
- IX. Adjournment.**

NOTICE: For purposes of Section 286.011, *Florida Statutes*, two (2) or more members of the City Council may be present at this meeting and this meeting may be considered a City Council meeting although no decision of the City Council will be made at this meeting and the City Council shall comply with the requirements of controlling State law in every respect.

NOTICE: If any person decides to appeal any decisions made at this meeting with respect to any matter considered at this meeting, such person may need a record of these proceedings. For such purpose, a person may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based. The City shall not make or perfect such a record. Section 286.0105, *Florida Statutes*.

NOTICE: In accordance with the Americans with Disabilities Act (“ADA”) and Florida Statutes, Section 286.26, persons with disabilities needing a reasonable accommodation to participate in a public hearing or meeting should contact the City of Mount Dora’s ADA Coordinator at least 48 hours prior to the proceeding. The ADA Coordinator may be contacted by phone at 352735-7126, ext. 1111, or by email at clerk@cityofmounddora.com.

If hearing impaired, telephone the Florida Relay Service numbers (800) 955-8771 (TDD) or (800) 955- 8770 (Voice) for assistance.



**CITY OF MOUNT DORA, FLORIDA
PLANNING AND ZONING COMMISSION
MINUTES FROM JULY 16, 2025**

I. Call to Order

Having been duly advertised as required by law Chairman, Miles Beach called the regular meeting of the Planning and Zoning Commission to order at 10:25 a.m. on Wednesday, June 18, 2025.

II. Roll Call with Determination of Quorum

Present: Miles Beach, Adrian Coombes, Barbara Tietmeyer, Tom Dring, Harris Turner, Andrea Lothar & Suzanne Scheck

City Staff and Attorney: Michele Janiszewski, *Senior Planner*; Ryan Winkler, *Senior Planner*; Whitney Scott, *Associate Planner*; Andrew Hand, *City Attorney*

Presenters: Michele Janiszewski, *Senior Planner*; Kathleen Dial, *Executive Director Development Services (Lake County)*; Dr. Richard Levy, *Levy Consulting*; Randy Hawkins, *One Oak Development*; Leslie Worth, *Worth's Property LLC*; Andrew McPhee, *Make Designs Studios*

III. Approval of Minutes

On a motion by Mr. Coombes, seconded by Ms. Tietmeyer, the board moved to approve the meeting minutes dated March 19, 2025; with a 7-0 vote.

IV. Public participation/hearing for non-agenda items

None

Mr. Beach stated that per staff's request, the JPA item will be the first addressed on the agenda.

V. New Business

- A. Request for Site Plan;** Circle K (C-Store) (Project Name); 19110 US Hwy 441 (Site Address); One Oak MD Groves, LLC (Owner); Bohler Engineering, FL LLC (Applicant); Bohler Engineering, FL LLC (Engineer); Bohler Engineering, FL LLC (Landscape Architect). RDC (Architect). Project No. SP25-01.

1. Swearing in of witnesses by City Attorney
2. Ex Parte Communication regarding this item.
3. Staff/Applicant presentation
4. Public Input
5. Commission deliberation and action

Ms. Janiszewski provided a brief summary of the proposed application and stated that staff recommends approval of the Site Plan Request.

Discussion regarding why Grandview & JW Simpson don't intersect at Fiddler Rd.

Ms. Janiszewski stated that it's just how the properties were developed.

Discussion on the number of lights at the development. Ms. Janiszewski stated there will be one at the midpoint.

Conversation regarding rear access.

Ms. Janiszewski stated that there will be a rear access that connects Fiddler Drive to JW Simpson, as well as a frontage road on the Northside.

On a motion by Mr. Turner, seconded by Mr. Coombes, the board moved to approve the Site Plan request; with a 7-0 vote.

Discussion on when stop light will be installed. Mr. Randy Hawkins stated September. The finished construction is estimated for December/January.

B. Request for Minor Site Plan; Worth's Property LLC (Project Name); 620 N Highland Street (Site Address); Worth's Property, LLC (Owner); Worth's Property, LLC (Applicant); Make Design Studios (Architect). Project No. SP25-02Minor.

1. Swearing in of witnesses by City Attorney
2. Ex Parte Communication regarding this item.
3. Staff/Applicant presentation
4. Public Input
5. Commission deliberation and action

Ms. Janiszewski provided a brief summary of the proposed application and stated that staff recommends approval of the Site Plan request.

Discussion on adjacent property owners input.

Ms. Janiszewski stated that staff hasn't received input because the city doesn't provide notices for Site Plan applications. The abutting properties are already in non-residential use.

Owner Leslie Worth, stated she will be operating a behavioral health services business.

Conversation regarding compatibility with the distance from Mount Dora High school.

Ms. Janiszewski stated there are no separation distances behind it and the zoning is already in place for the C-2A. As such, the non-residential use is there.

Mr. McPhee, stated that the Minor Site Plan being proposed is all as of right and no variances are being requested. The utility demands for water/sewer are being reduced by going to a commercial use.

On a motion by Ms. Tietmeyer, seconded by Mr. Coombes, the board voted to approve the Minor Site Plan request; with a 7-0 vote.

VI. Other Business

A. Ordinance Update: Land Development Code

Ms. Janiszewski stated that staff's the intent for ordinance 2025-11, is to remove the portion that states "existing improved parking areas shall not be developed; unless an equal number of parking spaces are provided within the district". Ms. Janiszewski clarified that this is in regards to the downtown exempt district.

Discussion on the current MSL gravel lot on Alexander Street.

On a motion by Mr. Coombes, seconded by Ms. Scheck, the board moved to recommend approval of the ordinance to City Council; as it's consistent with the city's code.

Ms. Janiszewski stated that the next ordinance includes clean up items discussed previously at prior meetings, it doesn't include accessory dwelling units.

Ms. Janiszewski stated that this ordinance consists of, removing items from conceptual plans for straight zoning districts, allowing extended approval times for PUD ordinances, adjusting the FAR for office zoning districts, city setbacks, and etc.

On a motion by Mr. Dring, seconded by Mr. Coombes, the board moved to recommend approval to City Council, as it's consistent with the Land Development Code and Comprehensive Plan; with a 7-0 vote.

B. Discussion: JPA Agreement

Discussion on what the board's involvement with the JPA agreement is.

Mr. Hand stated typically, it's making sure that it's consistent with the Comprehensive Plan. It's not out of the ordinary for the board to provide their input to Council.

Mr. Coombes shared a memorandum document provided at a previous City Council meeting on June 3, 2025, regarding the JPA and a copy of the amendment from 2023.

Ms. Janiszewski stated that staff is seeking input from the board members on the draft JPA agreement.

Ms. Janiszewski provided a brief summary on the JPA and its intent.

Executive Director from Lake County, Ms. Dial provided an overview of the JPA's purpose. Discussion regarding public services for capacity in the joint planning area.

Ms. Janiszewski clarified, that city is the utility provider if capacity is available. Other providers would only be contemplated, if the city is unable to provide services.

Discussion on the City Manager's memorandum, regarding utilities and the city's benefit for having the JPA. Dr. Levy provided constraints and benefits of the JPA. Mr. Levy stated that the primary benefit, is the county can't contest annexations within the boundaries of the joint planning agreement; if it's done consistent with state law. Dr. Levy pointed out that this agreement further acknowledges the city's exclusive utility rates. In addition, to a structured communication language between the city and county to coordinate development proposals. Dr. Levy stated that the county gets a limit to the city's annexation and the city cannot annex outside of that boundary.

Discussion on the city annexing a property in Orange County. Dr. Levy clarified that the city would not be able to.

Dr. Levy stated that there is pre-existing language in the current JPA that is constraining.

Discussion on excluded roads, maintenance and gas tax funds.

Dr. Levy stated gas tax sharing is an issue but not addressed in the agreement. Regarding the 2023 road list agreement, more than half will be maintained by the county.

Dr. Levy clarified that the 50 % standard, is common in joint planning agreements in Florida. In an effort to mitigate some of the impacts, the county agreed to make improvements on certain roadways before turning them over to the city.

The board shared their concerns regarding taking on road maintenance for county impacted roads. Discussion on city staff's point of view, regarding this matter during negotiations.

Ms. Janiszewski stated staff looked at the time frames and which segments made the most sense to be in our jurisdiction. From a city planning standpoint, if the properties are within our jurisdiction on either sides of the road, it makes sense for the city to have control over it.

Ms. Janiszewski clarified that staff considered what would be sensible timing wise, conditions, and requirements to be met before coming over. She doesn't believe the county would object, to roads that the city would like to control.

Ms. Janiszewski stated that staffs concerns included maintenance responsibility and road conditions.

Discussion on cost analysis.

Dr. Levy stated that there was an analysis of costs completed. He believes the city's cost review went beyond just maintenance and weren't realistic.

Discussion on there being no budget impacts, per the city memorandum and significant storm water issues.

Ms. Janiszewski stated no impact from the budget agreement, staff would have to do another process in an agreement for the road transfer. At that time a budget impact would be assessed.

Discussion of the Employment Center within the Wolf Branch Innovation District.

Mr. Levy clarified that there is not a new employment center, it's the same existing within the current comprehensive plan for the past fifteen years.

Mr. Levy stated that the Board of County Commissioners have not heard the JPA item formally. The intent was to bring to the city first.

Conversation on the designation of the employment center.

Board members expressed their concerns regarding their potentially not being enough employment opportunities.

Mr. Levy stated that Richland project meets the Comprehensive Plan standards, for mixed use of employment and residential.

Mr. Levy clarified that the property is located in unincorporated Lake County and can be voluntarily annexed, at the owner's discretion.

Discussion on intent of the JPA agreement for new development, taking on the characteristics of the city.

Mr. Levy emphasized the language in the JPA authorizes the city to do so. They attempted to try language, which would require any property needing utilities from the city to annex.

Conversation regarding utility capacity. Board members expressed their concerns with accommodating growth without the infrastructure to support it.

Ms. Janiszewski emphasized that the city will provide utilities if they are available.

Discussion on costs for improvements of Waste Water Treatment Plant 2.

Conversation on preventing other city's from providing utility services.

Further discussion regarding the cost of roads being at 50/50, once taken over by the city.

Ms. Janiszewski stated that it was carried forward and both the city and county staff are acceptable to it.

Ms. Janiszewski clarified the Dora Circle project. She stated it's a county project that the city agreed to maintain.

Mr. Levy stated that it's going to be built with county funds and be turned over to the city.

Ms. Janiszewski stated the county has pushed back the time frame and she is unaware of the status.

Mr. Levy stated that the city plans to participate in the design, to the extent of making recommendations. To his understanding, its county funded. The board can recommended to City Council, that the financial responsibility language is clarified.

Resident Ms. Newton shared her concerns regarding utility capacity, land use provisions and outside municipality utility providers.

Discussion on if the city will have to give the roads back to the county, if deciding to opt out after entering into the JPA agreement.

Ms. Janiszewski clarified that the roads have to go through a separate process to be accepted by the city. She doesn't believe we can retroactively give the roads back, if they are incorporated.

Ms. Janiszewski stated there are provisions for termination of the agreement. Conditions would be disregarded, for any roads that haven't been taken on by the city at that time.

Resident Ms. Breed, stated that she doesn't believe that the JPA agreements is beneficial because there's a lack of responsibility to the citizens.

Ms. Breed resides in Stoneybrook Hills and stated there are often times where there is no reclaimed water, notifications for boil water alerts or when the reclaimed water isn't working.

Mr. Hemingway shared his concerns regarding the JPA and stated if the city doesn't intend to annex, it's not beneficial to the city. Mr. Hemingway further expressed his concerns regarding the cost of taxes, utility capacity and etc.

Conversation on critical aspects in the new JPA that aren't covered in the existing, from staff's point of view.

Ms. Janiszewski stated the roads, scheduling for city maintenance, and improvements to be completed before being obtained by the city.

Discussion on roads that would logically make sense to be in city limits.

Ms. Brammer shared similar concerns regarding water capacity.

The board members reiterated their overall concerns regarding the cost of maintaining roads, wastewater capacity, impacts on groundwater, automatic renewal of JPA, public facilities and the need for a JPA.

Discussion on City Councils' deadline for responding back to the county.

Ms. Dial stated that she believes a sixty day extension has been implemented. As a result, it would have to go to City Council and the Board of County Commissioners.

Mr. Hand provided clarification to the board, regarding statues that govern how the JPA will work.

Ms. Tillet shared similar concerns as other residents regarding the JPA. She stated that she would like to see figures, showing the costs associated and impact.

Ms. Janiszewski clarified this agreement sets the groundwork for future Annexations. Every time a property comes in and there is a Land Use Amendment/Rezoning, staff reviews the impacts on public facilities. The city obtains impact fees for new developments within our jurisdiction.

Ms. Janiszewski stated that the Groves development is currently obtaining permits through the city and will be paying impact fees.

Discussion on the difference between rental tax income vs. ownership tax income. Mr. Hand clarified that more taxes are paid if it's not homestead.

Conversation regarding the Rezoning of Groves South project.

On a motion by Mr. Coombes, seconded by Ms. Scheck, the board recommends to the City Council that the JPA with Lake County not be considered; until a full financial cost to benefit analysis is conducted. The analysis should weigh development revenues against costs associated with City provided services, required to support any future annexations. These include but are not limited to: utilities (in particular wastewater), police, fire, road maintenance, etc.” In addition, the agreement will renew every five years, or will be terminated; with a 7-0 vote.

Mr. Beach stated that the meeting will resume after a five minute break.

C. Legislative Updates

Ms. Janiszewski stated Bill 1118 was withdrawn. The bill for accessory dwelling units didn't pass.

The bill referring to historic buildings did pass.

Mr. Hand discussed Bill 180 and stated that it's currently being ordered, engrossed and enrolled. It hasn't been signed by the Governor as of yet. The session has ended, so there should be some movement on it shortly.

Mr. Hand clarified the essence of the bill. He stated that it has a retroactive effect, which addresses different emergencies procedures and requirements.

Discussion on how the bill affects Planning & Development.

Conversation on future presenters or areas of interest for upcoming meetings.

Board members stated that they are interested in attending a Storm Water Management presentation, provided by the Public Works Department.

Discussion on short term development moratoriums.

Board members stated they would like to have a presentation on potential development, provided by staff.

VII. Announcement of next scheduled meeting date

A. Next regularly scheduled meeting date: July 16, 2025

VIII. Adjournment

On a motion by Mr. Turner, seconded by Mr. Coombes, the meeting was adjourned at 12:33p.m.

Miles Beach
Chair

Whitney Scott
Associate Planner

**CITY OF MOUNT DORA, FLORIDA
PLANNING AND ZONING COMMISSION
MINUTES FOR JULY 16, 2025**



I. Call to Order

Having been duly advertised as required by law Chairman, Miles Beach called the regular meeting of the Planning and Zoning Commission to order at 10:00 a.m. on Wednesday July 16, 2025.

II. Roll Call with Determination of Quorum

Present: Miles Beach, Adrian Coombes, Barbara Tietmeyer, Tom Dring, Harris Turner, Andrea Lothar & Suzanne Scheck

City Staff and Attorney: Michele Janiszewski, Senior Planner; Ryan Winkler, Senior Planner; Whitney Scott, Administrative Coordinator; Andrew Hand, City Attorney

III. Approval of Minutes

The Staff stated that meeting minutes from June 18, 2025 will be provided at the next regularly scheduled meeting on August 20, 2025.

IV. Public Comment for Items Not on the Agenda

None.

Discussion on the Sunshine Law regarding public hearings. Mr. Hand stated that minutes have to be taken of public hearings but an audio recording is not required. There is no required time frame that minutes are required to be completed.

V. New Business

A. Request for Variance; Sara T Rhodes Life Estate (Project Name); 410 N Tremain Street (Site Address); Sara T Rhodes Life Estate (Owner); Eco Construction Group LLC (Applicant). Project No. VAR25-01.

Mr. Hand swore in Staff and the anyone present who planned to provide testimony on any of the agenda items.

The Board had no ex-parte communications to disclose.

Ms. Janiszewski provided a summary of the application and stated that, based on the findings of facts, staff found the application inconsistent with Land Development Code Section 2.1(6), the standards established to authorize a variance.

Robert "Bobby" P. Rhodes of Eco Construction (Applicant), Lisa Smith of Eco Construction, and Tracey Rhodes (Property Owner) provided testimony on the application.

No members of the public wished to provide comments on the application.

Lisa Smith stated that the structures are existing and approving the variance request would allow the proposed garage to utilize the existing concrete footprint which would save on construction costs. She stated that several properties along Tremain Street have accessory structures with a similar, reduced setback.

Tracey Rhodes testified that the shed is falling down and needs to be rebuilt. The plan is to rebuild the shed and come back at a later date with a plan for a garage. She stated that along Tremain there are other non-conforming structures, including the house on the corner of 3rd and Tremain.

Ms. Scheck stated that she owns the property located at 3rd and Tremain and that the detached garage under construction meets the five (5) foot setback requirement.

The Board expressed concerns regarding the potential stormwater runoff caused by the variance request. Mr. Rhodes stated that all of the eaves will be guttered and everything with a flat surface will be guttered.

Discussion regarding withdrawing request for garage and breezeway. Mr. Rhodes stated they would like for everything to be done at one time.

The Board inquired whether or not the current setback was in place when the accessory structures were constructed. Ms. Janiszewski stated that she is unable to confirm what the setback would have been in the 1940s and she could not affirm whether or not the structures obtained building permits when they were constructed. She stated that both structures are considered non-conforming and may continue to be maintained but are subject to the non-conforming provisions and may not be expanded.

The Applicants clarified that they are seeking to remove the carport and accessory building and construct a garage and new accessory building in the previous footprints.

Mr. Rhodes provided a picture for public record (Exhibit A).

The Board asked staff if they were aware of any existing accessory structures which are also non-complaint to their setback requirements. Ms. Janiszewski stated not to her knowledge.

The Board inquired about the purpose of proposed shed and the Owner stated that they would ideally like an extra bedroom.

Ms. Janiszewski provided clarification regarding a non-conforming structure and states that if the structure would be removed, the new structure would need to adhere to the current regulations.

Discussion on beautifying the accessory dwelling unit in the current footprint and the applicability of the non-conforming provisions. Staff stated that regular maintenance and interior alternations are permitted in a non-conforming structure and the variance request comes in when seeking to remove or replace the structure. Staff clarified that if the Property Owner was seeking to keep accessory structure in place and complete interior alternations, it would not require a variance.

Applicant stated that they would like to renovate the accessory building and sought to revise the request to remove the variance requests pertaining to the breezeway and the accessory building.

Discussion of partial approval and have separate applications for each variance request. The Board indicated that they needed a clear idea of the variance request and recommended that the Applicant bring the application back to staff.

MOTION by Mr. Coombes, Seconded by Mr. Dring, to TABLE the application until the next Planning and Zoning Commission Meeting.

FOR: BEACH, COOMBES, TIETMEYER, DRING, TURNER, LOTHER, SCHECK

AGAINST: NONE

MOTION CARRIED: 7 – 0

B. Request for Future Land Use Amendment; 2100 Smith Avenue (Project Name); 2100 Smith Avenue (Project Address); Lindsley Paving Company (Owner); Lindsley Paving Company (Applicant). Project No. FLUM25-02.

Ms. Janiszewski provided a brief summary of the proposed application and stated that staff recommends approval with conditions of the above-referenced request for the Small-Scale Future Land Use Map Amendment and forward the same consideration to the Planning & Zoning Commission. Approval is subject to annexation.

Discussion on conditions of the recommendation. Staff clarified that annexation applications are only presented to City Council and the Applicant had submitted a rezoning application for the property as well.

Mr. Steve Young of Civil Design Solutions testified that they would like to develop the property as a whole and need to annex the subject property since the other property is already within the City. He stated that they would submit a site plan in the future encompassing their entire property and the subject property, which has previously been used as a borrow pit, would be redeveloped into a retention pond.

Ms. Karen Carver, a nearby resident, shared her concerns regarding dump trucks coming through her subdivision which would result in pot holes, nails, and other damages to the roads. She stated that Center Street and Smith Avenue are self-maintained roads and not made for traffic. She stated that the roads are not capable to support the proposed use.

The Board asked for clarification of the proposed uses and it was confirmed that the conceptual plans show warehouses. Discussion on the current work being done on the property, code enforcement responsibilities, road maintenance, potential off-site improvements needed to accommodate the proposed use and the proposed land use and zoning district for the property.

Discussion if burrow pit is still in operation, if the current work is a violation of the code, and whether the site had been inspected by staff.

Ms. Janiszewski stated that she had not completed an inspection of the site. The application had been distributed to DRC to review and staff did not receive any comments or objections to the request. The Board recommended that staff begin doing inspections in conjunction with annexation applications and indicated that they would like to see more information from the city.

Ms. Janiszewski stated that staff reviews land use and zoning applications for consistency with the regulations and offered to complete an inspection of the property but stated that it would not change the staff recommendation.

Attorney Hand, stated that Staff would be trespassing and it would be an atypical request; if there are violations the city is able to proceed with code enforcement action. Mr. Hand stated that is it City Council's purview to annex property and the Planning and Zoning Commission considered the land and zoning change.

General consensus that the County zoning and City are essentially the same with different names.

MOTION by COOMBES, seconded by SCHECK, to find the land use application consistent with the Comprehensive Plan and forward a recommendation of APPROVAL to City Council.

FOR: BEACH, COOMBES, TIETMEYER, DRING, TURNER, LOTHER, SCHECK

AGAINST: NONE

MOTION CARRIED: 7 – 0

C. Request for Rezoning; 2100 Smith Avenue (Project Name); 2100 Smith Avenue (Project Address); Lindsley Paving Company (Owner); Lindsley Paving Company (Applicant). Project No. Z25-01.

Ms. Janiszewski provided a brief summary of the proposed application and stated that staff recommends approval of the above-referenced request for change in zoning from County LM to City WP-1 with approval subject to the adoption of the annexation and Future Land Use Map Amendment and receiving a Traffic Impact Analysis prior to filing of the Site Plan.

MOTION by COOMBES, seconded by SCHECK, to find the application consistent with the comprehensive plan and forward a recommendation of APPROVAL to City Council.

FOR: BEACH, COOMBES, TIETMEYER, DRING, TURNER, LOTHER, SCHECK

AGAINST: NONE

MOTION CARRIED: 7 – 0

D. Request for Future Land Use Amendment; Hillside at Mount Dora (Project Name); 2329 Smith Avenue (Project Address); KB Home Orlando, LLC (Owner); KB Home Orlando, LLC (Applicant). Project No. FLUM25-01.

Ms. Janiszewski provided a brief summary of the proposed application and stated that staff recommends approval with conditions of the above-referenced request for the Small-Scale Future Land Use Map Amendment with approval subject to annexation.

Steven White, the Applicant, stated that the plat was recorded with Lake County yesterday, but no building permits have been pulled at this point.

The Board inquired about impact fees. Ms. Janiszewski stated that the recipient of the impact fees depends on which jurisdiction is used for permitting. She confirmed that once the property is annexed into the City, the building permits will be pulled in the City and the City would receive the impact fees. She stated that wastewater paid to the city regardless because connected to central water system Discussion on already being vested for wastewater capacity

Discussion on impact fees, schools, landscaping, tree bank fees, subdivision infrastructure, and status of the subdivision.

Applicant stated that KB Home will be the sole developer of the subdivision.

MOTION by COOMBES, seconded by SCHECK, to find the application consistent with the comprehensive plan and forward a recommendation of APPROVAL to City Council.

**FOR: BEACH, COOMBES, TIETMEYER, DRING, TURNER, LOTHER, SCHECK
AGAINST: NONE**

MOTION CARRIED: 7 – 0

E. Request for Rezoning (County PUD); Hillside at Mount Dora (Project Name); 2329 Smith Avenue (Project Address); KB Home Orlando, LLC (Owner); KB Home Orlando, LLC (Applicant). Project No. PUD25-01.

Ms. Janiszewski provided a brief summary of the proposed application and stated that staff recommends approval of the above-referenced request for change in zoning from County PUD to City PUD and forward same consideration to the Planning and Zoning Commission. Approval subject to annexation and Future Land Use Map Amendment. Approval subject to Traffic Impact Analysis prior to filing of the Site Plan.

MOTION by TIETMEYER, seconded by SCHECK to find the rezoning application consistent with the Comprehensive Plan and forward a recommendation of APPROVAL to City Council.

**FOR: BEACH, COOMBES, TIETMEYER, DRING, TURNER, LOTHER, SCHECK
AGAINST: NONE**

MOTION CARRIED: 7 – 0

F. Request for Site Plan Extension; Townplace Suites (Project Name); 2905 JW Simpson Way. Project No. SP22-08 & SP23-12Minor.

Ms. Janiszewski provided a brief summary of the proposed application and stated that staff recommends approval of the request for a one-year extension for the Townplace Suites Site Plan.

Jayesh Patel, the Applicant, stated that Townplace Suites will be coming with a new prototype in October which is the reason for the extension request. The prototype utilizes the same footprint but the esthetics will change, there will be a reduction in the number of rooms, and it will be more ecofriendly.

The Board expressed concerns about keeping the property in better shape. Mr. Patel said he would send a landscaper to maintain the property.

MOTION by Scheck, SECONDED by Turner, to approve the one-year extension request for the Townplace Suites Site Plan.

FOR: BEACH, COOMBES, TIETMEYER, DRING, TURNER, LOTHER, SCHECK

AGAINST: NONE

MOTION CARRIED: 7 – 0

G. Request for Discussion & Recommendation; JPA Agreement

Ms. Janiszewski and the board further discussed the Lake County JPA agreement. Ms. Janiszewski stated that no action is required by the Planning and Zoning Commission for this item and this is an informational item. She stated that Staff was directed to bring the item back to the Board and provided clarification on the Board's role in the JPA discussion.

Discussion on the JPA, future annexations, growth of the City, history of the Mount Dora Groves project, impact fees, costs associated with new development, concurrency, city utilities, mutual aid repayment, and cost analysis of annexing properties.

Board members further expressed their concerns regarding the cost ramifications for maintaining roads, wastewater capacity, impacts on groundwater, automatic renewal of JPA, public facilities, and the need for a JPA.

MOTION by Harris, seconded by SCHECK, to forward the following issues to be considered by the City Council prior to adopting the JPA, to ensure the adoption of a responsible JPA which the City can afford:

- 1. Conduct a full financial cost-benefit analysis weighing development revenues against costs associated with City provided services required to support any future annexations. These include but are not limited to: utilities (in particular wastewater), police, fire, road maintenance, etc.**
- 2. Assess whether or not a portion of the County gas tax be provided to the City once the road segments are annexed**
- 3. JPA should not be auto-renewed; should be reevaluated after 4 years**
- 4. Accountability for services sent to other services (mutual aid agreement for PD and FD)**
- 5. Review of streets to be transferred to the City**
- 6. Transfer of roads from County to the City when 50% within the City; should be 60/40 or higher number. Maybe when the City has 100% of the property, the road should be annexed**
- 7. City Council consider ways to ensure the enforcement of the JPA**
- 8. Consider adding conservation measures to the JPA**
- 9. Look at Public Transportation Impacts**
- 10. Development timeline of incoming costs**

FOR: BEACH, COOMBES, TIETMEYER, DRING, TURNER, LOTHER, SCHECK
AGAINST: NONE
MOTION CARRIED: 7 – 0

VI. Announcement of next scheduled meeting date: August 20, 2025

Staff announced that the next regularly scheduled meeting will be held on August 20, 2025.

VII. Adjournment.

On a motion by Mr. Coombes, seconded by Ms. Tietmeyer, the Planning and Zoning Commission unanimously voted to adjourn the meeting at 12:55.

Miles Beach, Chairman

Whitney Scott, Associate Planner



**CITY OF
MOUNT
DORA**

Planning and Development

510 N. Baker St.

Mount Dora, FL 32757

352-735-7113

Fax: 352-735-7191

E-mail: plandev@cityofmounddora.com

DUE DATE: August 20, 2025
July 16, 2025 (Tabled)

TO: Planning and Zoning Commission

FROM: Development Review Committee
Ryan Winkler, AICP, Senior Planner

RE: Request for Variance Section 3.5.4(2.) of the City's Land Development Code to allow reduction in the minimum setback for a detached accessory building in residential district; Located on the east side of North Tremain Street and South of East 5th Avenue (Site Address: 410 N. Tremain Street); Sarah T. Rhodes Life Estate (Property Owner); Robert P. Rhodes, ECO Construction Group, LLC (Applicant).
Project No. VAR25-01

SUMMARY OF REQUEST/RECOMMENDATION:

A request for a variance from the requirements of Section 3.5.4(2.) of the City's *Land Development Code* (LDC) has been filed in order to allow for a new detached accessory structure to be closer to the property line than the five (5) feet minimum.

Based on the findings of fact, Staff finds the application inconsistent with the standards established in Land Development Code Section 2.5.1(6.) to authorize a variance.

REFERENCES/SUPPORT:

Section 2.5.1.6 (Variances) *LDC*

Section 3.5.4(2.) *LDC*

SITE SUMMARY:

Existing Use:	Single Family Residence (1,327 sf living area built 1949) with detached 288-sf accessory building, and 324-sf carport structure
Proposed Use:	Remove Carport Structure and expand construct a new detached 2-story 600-sf garage structure
Future Land Use:	Residential Professional
Zoning:	RP
Overlay Zones:	Historic Preservation Review Area Mount Dora Community Redevelopment Area (CRA)
Site Area:	6,272.00 square feet or 0.14 acres

SURROUNDING PROPERTY TABLE:

<u>Direction</u>	<u>City/County</u>	<u>FLU</u>	<u>Zoning</u>	<u>Existing Use(s)</u>
North	City	Commercial	C-2	City Building Dept.
South	City	Residential Professional	RP	Residential (SFDU)
East	City	Commercial	C-2	Parking lot for Pet Store
West	City	Residential Professional	RP	Residential

ANALYSIS:

The property is zoned RP (Residential Professional). The RP zoning district was established to provide areas where existing residential structures can be utilized for office use and not adversely affect adjacent property owners or traffic patterns uses, through Site Plan and Conditional Use approval processes. The current RP zoning district permitted use allows for either single-family and customary accessory uses. The subject property is located within the Historic Preservation Review Area, and the single-family dwelling unit is registered as a Historical Structure on the State of Florida register (Site LA03845). Any new construction on the site will require a Certificate of Appropriateness (COA).

The property is currently developed with a 1,327-sf single family dwelling unit, a (380-sf) concrete pad with carport, and a (308-sf) accessory building. The residence was constructed in 1949; the carport was constructed in 1974; and the accessory building was constructed in 1948. The detached accessory building is shown as a ‘shed’ on the survey and a ‘detached garage’ on the property record card.

LDC Section 3.5.4(2), establishes a five (5) foot setback from the side and rear lot lines for detached accessory buildings and garage apartments in residential zoning districts. This code section also limits accessory buildings to 600 SF each.

The accessory building and concrete pad with carport are less than two feet from the side and rear lot lines and do not meet the established five (5) foot setback; thus, the structures are considered non-conforming. LDC Section 3.5.7(2) states, “it is the intent of these zoning regulations to permit these nonconformities to continue until they are removed as required by these zoning regulations, but not to encourage their continuance.” The code allows non-conforming structures to be maintained and repaired but prohibits the enlargement or intensification of non-conforming structures. LDC Section 3.5.7(2)(f), states “should any nonconforming structure or nonconforming portion of a structure be destroyed by any means to an extent of more than 50 percent of its replacement value based upon property appraisal records at time of destruction, it shall not be reconstructed except in conformity with the provisions of these zoning regulations.”

Pursuant to LDC Section VIII, *Definitions*, *garage* is defined as “As required for residential structures, a garage shall be a structure consisting of three solid walls and one door of appropriate size to allow parking of at least one standard size automobile. Minimum garage size shall be 12 feet by 20 feet. Garages shall not extend into any setback. Garages must also be architecturally similar to the primary structure in design and materials.” Development applications for a garage structure shall be consistent with the definition of “Garage”.

Applicant Request

The Applicant is seeking to remove the 380-sf carport and replace it with a new 587-sf detached garage in the same footprint of the non-conforming concrete pad.

In order to accommodate this development plan, the Applicant has submitted a variance application which includes:

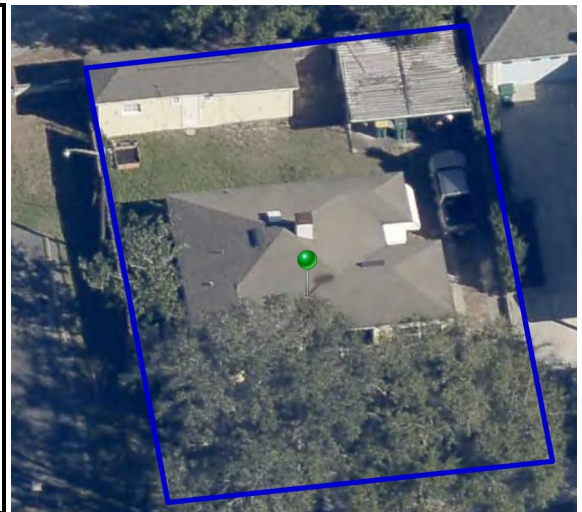
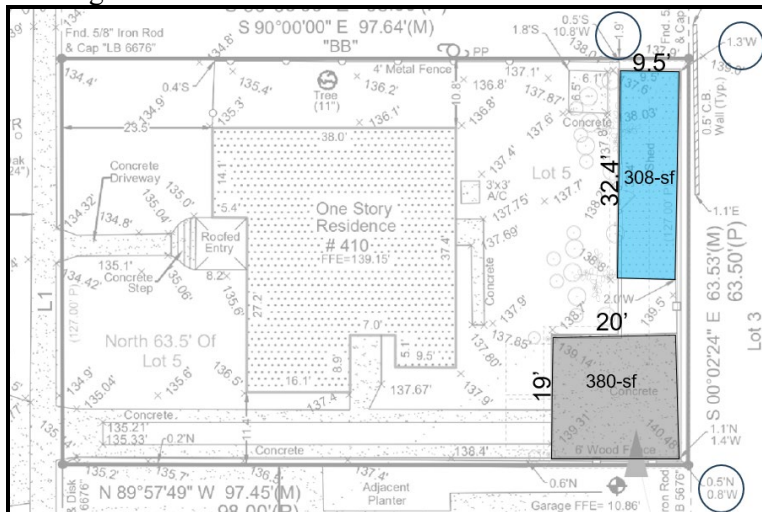
1. Variance to LDC Section 3.5.4(2), to allow a garage to be constructed 1.3” from the side and rear property lines in lieu of 5’;

The applicant has requested the following setback reductions for an accessory structure and garage:

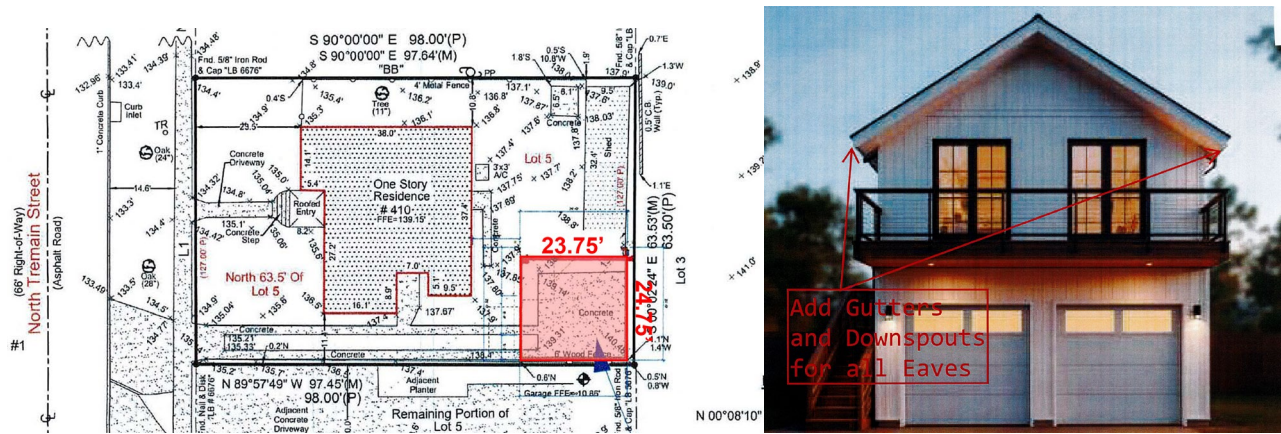
	Existing	Proposed	Required
Setback from Northern Property Line	1.9’	1.9’	5’
Setback from Eastern Property Line	1.3’	1.3’	5’
Setback from Southern Property Line	0.5’	1.3’	5’

According to the proposed site improvements, the applicant proposes to existing 380-sf detached accessory carport structure and replace it with a 587-sf detached accessory two-story garage structure.

Existing Conditions:



Proposed:



STANDARDS FOR REVIEW

Pursuant to LDC Section 2.5.1(6), the planning and zoning commission shall hear and decide requests for variances from the terms of the zoning regulations where, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship upon, and personal to, the applicant therefor, and not surrounding properties.

In order to authorize a variance, the commission must find:

- 1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district; such on-site conditions may include, but are not limited to, topography, preservation of vegetation, access, vehicular and pedestrian safety and preservation of scenic views;**

The Applicant did not provide justification to demonstrate special circumstances and conditions exist on the land that are not applicable to other lands, structures, or buildings in the same zoning district. The applicant provided examples of neighboring properties with detached accessory structures, however nonconforming uses of neighboring lands, structures or buildings in the same zoning classifications or district, and permitted uses of lands, structures or buildings in other zoning classifications or districts shall not be considered grounds for the authorization of a variance, pursuant to LDC Section 2.5.1(6), *Variances*.

- 2. That the special conditions and circumstances do not result from the actions of the applicant;**

According to the Lake County Property Appraiser Property Record Card, the detached accessory structure was constructed in 1948. The structure pre-dates the ownership of the current property owner, Sarah T. Rhodes Life Estate, which took ownership of the property on 09/18/2019 (OR BK 5343 PG 345). Due diligence at the time of purchase would have identified that the structures are legally nonconforming and subject to a five-foot setback requirement pursuant to the current land development code.

- 3. That granting the variance requested will not confer on the applicant any special privilege that is denied to other lands, buildings, or structures in the same zoning district;**

The subject property is presently zoned RP (Residential Professional). Pursuant to Land Development Code Section 3.5.4, *Accessory Buildings/Structure and Uses in Residential District*, a detached accessory building, also a garage apartment, shall not be closer than five (5) feet to a side or rear lot line. Development or redevelopment of property within residential zoning district shall comply with currently adopted land development code. Granting a reduction in the required setbacks would constitute a special privilege not afforded to other properties within the same zoning district.”

- 4. That literal interpretation of the provisions would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would result in unnecessary and undue hardship on the applicant;**

A literal interpretation of the Land Development Code 3.5.4(2.) does not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district. The subject property can still be reasonably used in a manner consistent with the district’s standards without the requested variance. Land Development Code Chapter VIII defines “*buildable area*” as ‘that portion of a site within the yard area on which a structure or improvements, including driveways and parking lots, may be erected’. Following review of the survey provided by the applicant, there is buildable area within the rear yard that would allow for a structure to be compliant with currently adopted land development regulations.

Granting the variance would confer a special privilege not afforded to similar properties, and the applicant has not provided a justification by a unique hardship.

- 5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;**

The requested variance to *LDC* Section 3.5.4(2.) does not represent the minimum necessary to allow for the reasonable use of the property. The land can be developed or utilized in a manner consistent with the zoning code without requiring the extent of relief proposed. Alternative design solutions or configurations appear to be available that would allow for compliant development. The proposed garage could be reasonably accommodated on the site in compliance with the required setbacks through minor adjustments to its location, e.g. by shifting the garage structure. Therefore, the variance sought exceeds what is required for reasonable use and does not meet this criterion.

- 6. That the grant of the variance will be in harmony with the general intent and purpose of this code and the comprehensive plan, will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and**

The Applicant has provided example properties within the immediate neighborhood that shows detached accessory structures in the rear and side yards, however no detail of the example’s setbacks was provided to justify harmony amongst the neighboring developments. However, nonconforming uses of neighboring lands, structures or buildings in the same zoning classifications or district, and permitted uses of lands, structures or buildings in other zoning classifications or districts shall not be considered grounds for the authorization of a variance. *LDC* Section 3.5.7(2) states, “it is the intent of these zoning regulations to permit these nonconformities to continue until they are removed as required by these zoning regulations, but not to encourage their continuance.”

- 7. The granting of the variance will not be detrimental to the property or improvements in the area in which the property is located.**

The proposed two-story structure includes a roof design that directs a portion of stormwater runoff toward the adjacent eastern and southern properties, which does not comply with the required five (5) foot setback; the addition of structures within this setback may further exacerbate drainage issues and negatively impact stormwater management. Staff has concerns regarding off-site impacts that may be detrimental to neighboring properties, specifically to the east and south. The applicant has proposed to include gutter system to direct stormwater run-off; the location of run-off to be located on-site. No details of the proposed roof overhang was included with the application, to demonstrate the structure will be wholly within the boundaries of the property.

FINDINGS OF FACT:

Staff has reviewed the application for consistency with LDC Section 2.5.1(6), and determined that:

1. The application does not meet the criteria of LDC Section 2.5.1(6)(1) because the Applicant has not identified special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district; and

Granting the variance would confer a special privilege not afforded to similar properties, and the applicant has not provided a justification by a unique hardship; and

2. Buildable area exists on the property that can be developed or utilized in a manner consistent with the zoning code without requiring the extent of relief proposed; and
3. The application did not provide explicit justification for a unique hardship, in accordance with LDC Section 2.5.1(6).



As such, Staff has determined that the application does not meet the criteria established in the LDC to authorize a variance and recommends denial.

ATTACHMENTS:

Vicinity Map
Application
Photos

Legend

City Limits

-  In
-  Out



Subject Parcel

Vicinity Map

**Sarah T. Rhodes Life Estate
VAR25-01**

N



0 0.02 0.04 0.08 Miles

Date Printed: 6/26/2025 11:24 AM



**CITY OF
MOUNT
DORA**

City of Mount Dora
Planning and Development
510 N. Baker St.
Mount Dora, FL 32757
352-735-7112
E-mail: plandev@cityofmoundora.com



Revised Application 7/23/25

Date: 5/28/2025 Project Name: Sara T Rhodes Life Estate

1. Applicant's Name: Robert P. Rhodes
 Company's Name: ECO Construction Group LLC
 Address: 1224 N Donnelly Street
 City, State & Zip: Mount Dora, FL 32757
 Phone: 352-504-0346 E-mail: br@ecoconstructionllc.com

2. Owner's Name: Sara T. Rhodes Life Estate
 Company's Name: _____
 Address: 410 N. Tremain Street
 City, State & Zip: Mount Dora, FL 32757
 Phone: _____ E-mail: tracy@tracyrhodesmd.com

3. The property generally located and list adjacent streets: N. Tremain Street and
E. 5th Avenue

4. The address(s) of the property: 410 N. Tremain Street, Mt. Dora, FL 32757

5. Building Size Existing: 380 sq ft Proposed: 460 sq ft -1st floor

6. Size of property in Acres: 0.14 Square Feet: 6100

7. Zoning District: Historic Future Land Use Category: Same

8. Provide description of the proposed use: The use is to construct a
new (2) car garage 23'x20', 2 story.

9. Provide the specific Land Development Code Section. The Variance is requested to
Section Section 32; Section 3.5.1

10. State the reason for this request (attach written summary if additional space is needed):

See attached.

11. CRITERIA: The Planning and Zoning Commission shall hear and decide requests for variances from the terms of the zoning regulations where, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship upon, and personal to, the applicant therefore, and not surrounding properties. In order to authorize a variance, the commission must find the following.

Complete each criteria below and provide justification (attach separate sheet if additional space is needed):

a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district; such on-site conditions may include, but are not limited to, topography, preservation of vegetation, access, vehicular and pedestrian safety and preservation of scenic views:

See attached

b. That the special conditions and circumstances do not result from the actions of the applicant:

The special conditions and circumstances do not result from the actions of myself, the applicant. The

non-conforming structure have been there for many years.

c. That granting the variance requested will not confer on the applicant any special privilege that is denied by the chapter to other lands, buildings or structures in the same zoning district:

The variance requested will not confer on the applicant any special privileges

d. That literal interpretation of the provisions would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work [incur] unnecessary and undue hardship on the applicant:

See attached

- e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure:

The variance requested is the minimum required to place a usable garage on the property.

- f. That the grant of the variance will be in harmony with the general intent and purpose of this code and the comprehensive plan, will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and

See attached

- g. The granting of the variance will not be detrimental to the property or improvements in the area in which the property is located.

The granting of the variance will not in any way be detrimental to the property

or improvements in the area in which the property is located.

CERTIFICATION AND SIGNATURE

By my signature below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures and that this application is a complete application submittal pursuant to the City's Land Development Code. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date.

Sara Kang Mohler

Owner/Applicant Signature

7/29/2025

Date

SARA T. RHODES REVISED VARIANCE APPLICATION CONTINUATION

QUESTION 10 & 11

Hardship (Due to Unique Physical Limitations of the Property):

1. This is a hardship not created by the applicant, all structures currently on the property where present when the applicant purchased the home. The hardship is that under the present zoning, and without a variance no reasonable use can be made of the property as illustrated in the plot plans submitted to include a garage rather than the existing carport. Allowing the side and rear setbacks to be vacated on the South and East side of the property will allow for reasonable use. This lot presents unique physical limitations that make complying with the ordinance requirements impossible, due to these limitations.

Intentions:

1. The intention is to construct a 2-story garage that is 23' wide by 20' deep utilizing the footprint of the existing carport which is currently non-conforming while also accommodating for the construction itself. The placement of the carport and proposed garage is the only area on the property where it can be constructed and used. See attached plot plans evidencing same (Attachment A). The side and rear setbacks require a variance to allow for the construction of this usable garage. The second floor will add an additional bedroom to the property. The homeowner has no intention of renting that space. It is to add an additional bedroom to her existing 2-bedroom house. See attached rendering of proposed construction, attachment B. The structure will include gutters on all eaves to ensure drainage and run-off is compliant with Public Works.
2. The existing accessory dwelling will be structurally repaired to Florida Building Code while conforming with the guidelines of the repairs of non-conforming structures.
3. The proposed project does not negatively impact the neighboring properties since the North and East side properties are parking lots. The South side property has a garage, which was built in 1960, within the setback area on the North side of the property. See attachment C.

Summary:

The Historic area of Tremain Street has many beautiful homes constructed back in the 1940's. Many of the structures built then, under today's standards, are considered non-conforming. The carport has been sitting in the same location since 1974 and has not hindered any neighboring properties. The project will not only beautify the property, but it will also be aesthetically pleasing for the neighborhood as well. The applicant has not participated in the hardship created by the limitations of the property and is asking to construct a permanent more stable structure, built to the current building code, in the footprint of the carport simply increasing the size just enough to build the structure in the only usable space on the property, as required by Florida Building Code.

Question 11

11./ (A)

The hardship is access due to the small property size and existing home. In order to build the garage structure within the current setback guidelines deny access for a vehicle to enter the garage, i.e., a vehicle would not be able to maneuver into the garage without hitting the house. Using the existing nonconforming setback as requested with the variance proposal provides the couple of feet necessary to solve this hardship.

(D) Literal interpretation of the provision would deprive the applicant of a garage. The other residential properties along the South side of Tremain between 3rd and 5th Avenue have garages. Additionally, though it is not part of the literal interpretation of the provision, the neighbor to the direct South has a garage built in 1960 within the same non-conforming setback the applicant is requesting the variance for. Their garage uses the same under approximate 2-foot setback as applicant's existing carport.

(F) The requested variance is in harmony with the neighborhood. It will allow construction of a garage architecturally consistent with the immediate neighborhood and Mount Dora's historic district. In fact, by removing the existing carport and constructing the proposed garage, there will be an overall improvement to not just the property, but the neighborhood and the town of Mount Dora. There is no injury or detriment to public welfare that will come from this.

BOUNDARY & TOPOGRAPHIC SURVEY

LEGAL DESCRIPTION:

THE NORTH 63.5 FEET OF LOT 5, TREMANS PLAT, A SUBDIVISION IN THE CITY OF MOUNT DORA, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

FLOOD INFORMATION:

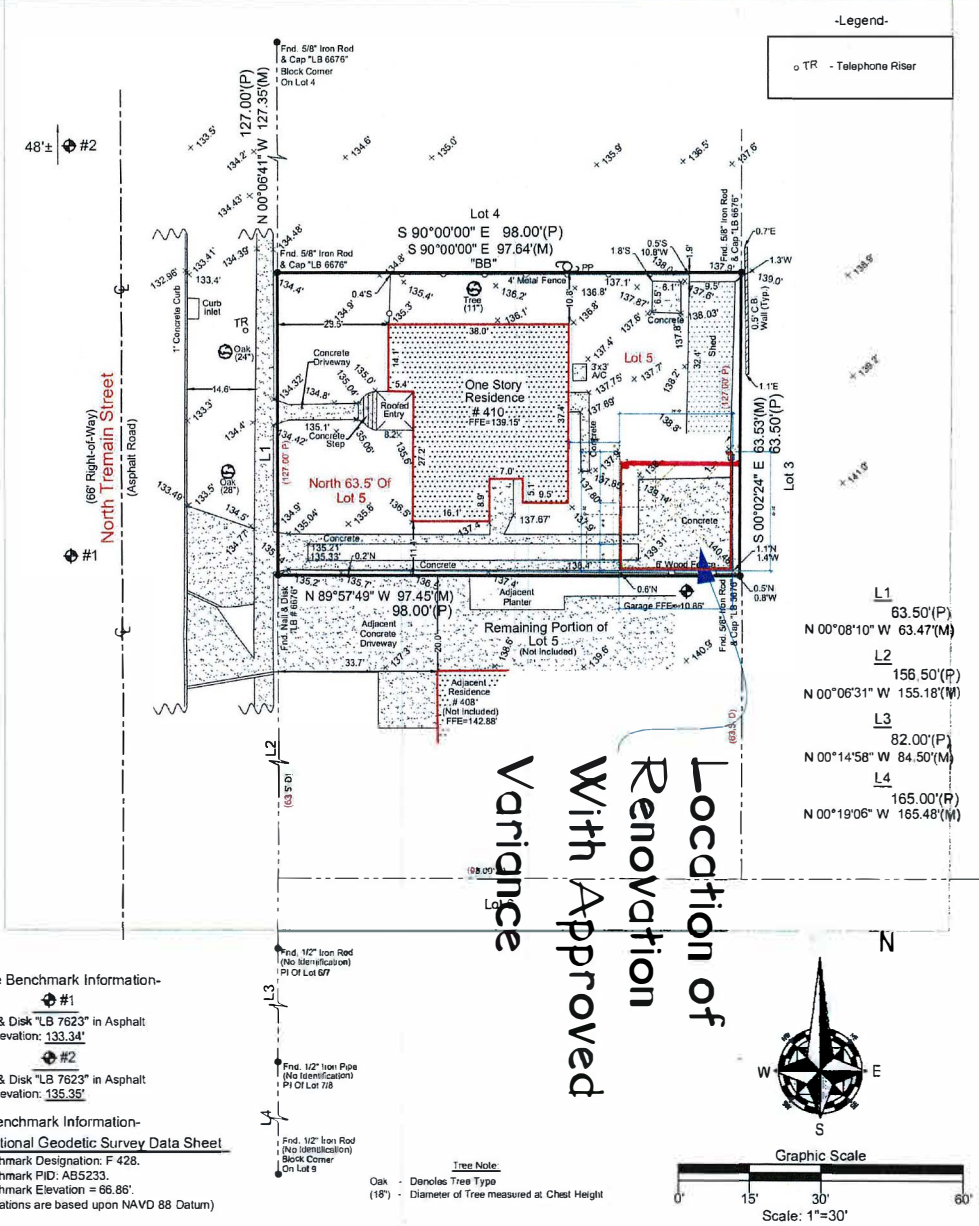
BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN CITY OF MOUNT DORA, COMMUNITY NUMBER 120137, DATED 12/18/2012.

CERTIFIED TO:

ROBERT RHODES

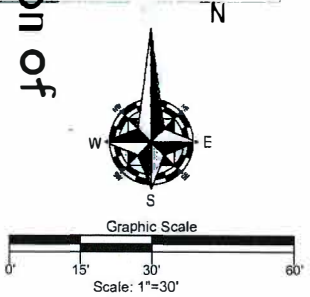


410 NORTH TREMAIN STREET, MOUNT DORA, FLORIDA 32757



-Site Benchmark Information-
 #1
 Set Nail & Disk "LB 7623" in Asphalt
 Elevation: 133.34'
 #2
 Set Nail & Disk "LB 7623" in Asphalt
 Elevation: 135.35'

-Benchmark Information-
 National Geodetic Survey Data Sheet
 Benchmark Designation: F 428.
 Benchmark PID: A55233.
 Benchmark Elevation = 66.86'.
 (Elevations are based upon NAVD 88 Datum)



Field Date: 12/18/2024	Date Completed: 12/20/24
Drawn By: S.T.	File Number: IS-137778 TOPO
-Legend-	
C - Calculated	PC - Point of Curvature
CB - Centeline	Pg - Page
CM - Concrete Block	PI - Point of Intersection
Conc. - Concrete Monument	P.O.B. - Point of Beginning
D - Description	P.O.L. - Point on Line
DE - Drainsage Easement	PP - Power Pole
Estmt. - Easement	PRM - Permanent Reference Monument
F.E.M.A. - Federal Emergency Management Agency	PT - Point of Tangency
FFE - Finished Floor Elevation	R - Radius
Fnd - Found	Rad. - Radial
IP - Iron Pipe	R&C - Rebar & Cap
L - Length (Arc)	Rec - Recovered
M - Marked	Rfd - Roofed
N&D - Nail & Disk	Set - Set 1/2" Rebar & Rebar Cap "LB 7623"
N.R. - Non-Retied	Typ - Typical
OHB - Official Records Book	UE - Utility Easement
P - Plat	WM - Water Meter
P.B. - Plat Book	Δ - Delta (Central Angle)
CD - Wood Fence	—O— - Chain Link Fence

-NOTES-
 >Survey is Based upon the Legal Description Supplied by Client.
 >Adjoining Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Hiatus.
 >Subject to any Easements and/or Restrictions of Record.
 >Bearing basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB"
 >Building Ties are NOT to be used to reconstruct Property Lines.
 >Fence Ownership is NOT determined.
 >Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.
 >Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies.
 >Use of This Survey for Purposes other than intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be construed to give ANY Rights or Benefits to Anyone Other than those that are stated.

POINTS OF INTEREST:
 NONE VISIBLE

I hereby Certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 54-17.052 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.

Patrick K. Ireland
 PATRICK IRELAND 6637 LB: 7623

PATRICK IRELAND SURVEYING
 NO. 8833 STATE OF FLORIDA LAND SURVEYOR

Ireland & Associates Surveying, Inc.
 800 Currency Circle | Suite 1020
 Lake Mary, Florida 32746
 www.Irelandsurveying.com
 Office-407.678.3366 Fax-407.320.8165

BOUNDARY & TOPOGRAPHIC SURVEY

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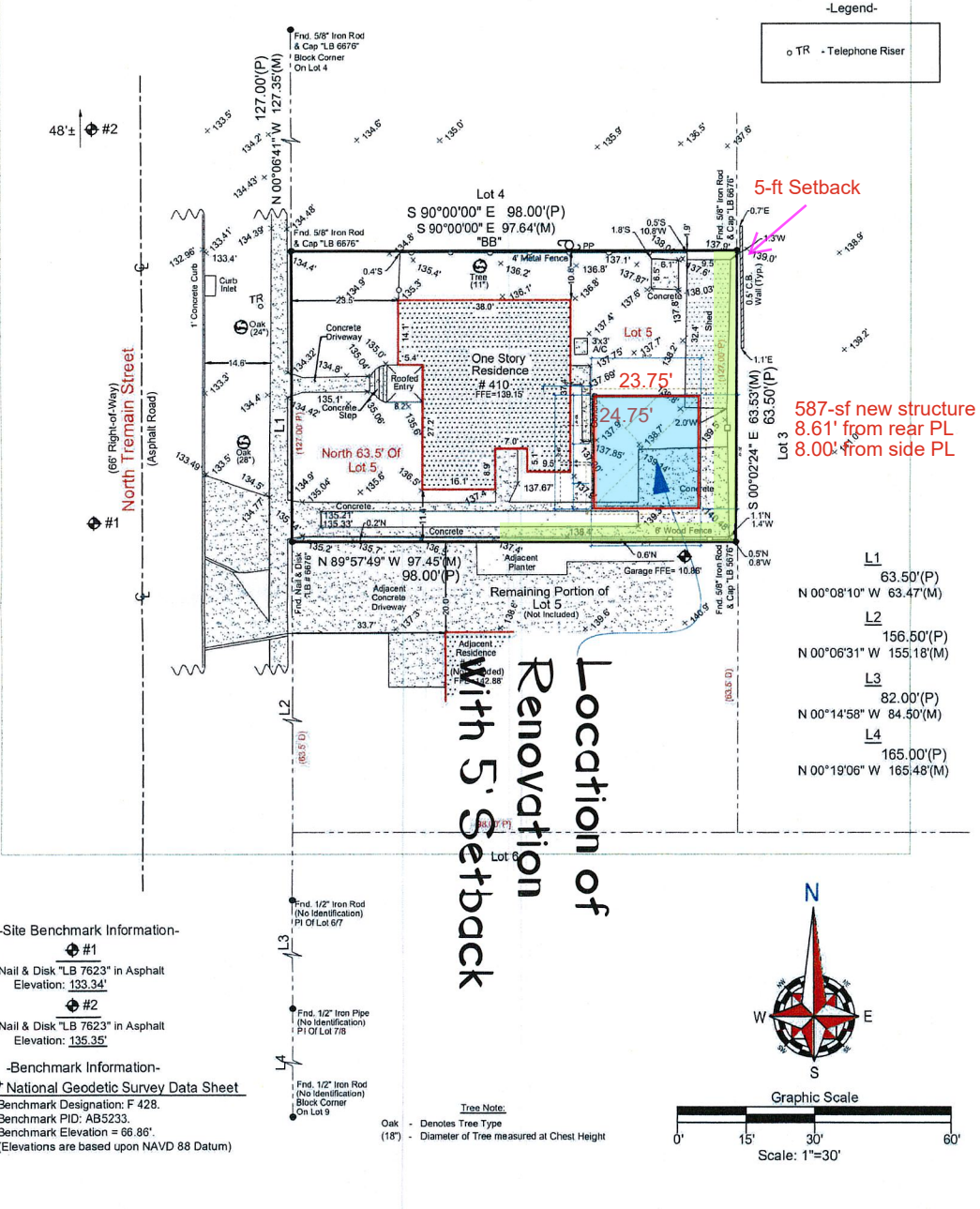
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CERTIFIED TO:

ROBERT RHODES



410 NORTH TREMAIN STREET, MOUNT DORA, FLORIDA 32757



Field Date: 12/18/2024 Date Completed: 12/20/24
 Drawn By: S.T. File Number: IS-137778 TOPO

Legend

C	- Calculated	PC	- Point of Curvature
CB	- Centerline	Pg.	- Page
CM	- Concrete Block	PI	- Point of Intersection
Conc.	- Concrete	P.O.B.	- Point of Beginning
D	- Description	P.O.L.	- Point on Line
DE	- Drainage Easement	PP	- Power Pole
Esmt.	- Easement	PRM	- Permanent Reference Monument
F.E.M.A.	- Federal Emergency Management Agency	PT	- Point of Tangency
FFE	- Finished Floor Elevation	R	- Radius
IP	- Iron Pipe	Rad.	- Radial
L	- Length (Arc)	R&C	- Rebar & Cap
M	- Measured	Ric	- Recovered
N&D	- Nail & Disk	Rfd.	- Roofed
N.R.	- Non-Radial	Rebar	- Set 1/2" Rebar & Cap "LB 7623"
ORB	- Official Records Book	Typ.	- Typical
P	- Plat	UE	- Utility Easement
P.B.	- Plat Book	WM	- Water Meter
□	- Wood Fence	Δ	- Delta (Central Angle)
		-O-	- Chain Link Fence

NOTES:
 -Survey is Based upon the Legal Description Supplied by Client.
 -Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Hiatus.
 -Subject to any Easements and/or Restrictions of Record.
 -Bearing basis shown herein, is Assumed and Based upon the Line Denoted with a "BB".
 -Building Ties are NOT to be used to reconstruct Property Lines.
 -Fence Ownership is NOT determined.
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 -Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies.
 -Use of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Constructed to give ANY Rights or Benefits to Anyone Other than those Certified.

POINTS OF INTEREST:
 NONE VISIBLE

I hereby Certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 5J-17.052 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.

Patrick K. Ireland
 PATRICK IRELAND 6637 LB: 7623

Irland & Associates Surveying, Inc.
 800 Currency Circle | Suite 1020
 Lake Mary, Florida 32746
 www.irlandsurveying.com
 Office-407.678.3366 Fax-407.320.8165

**Add Gutters
and Downspouts
for all Eaves**

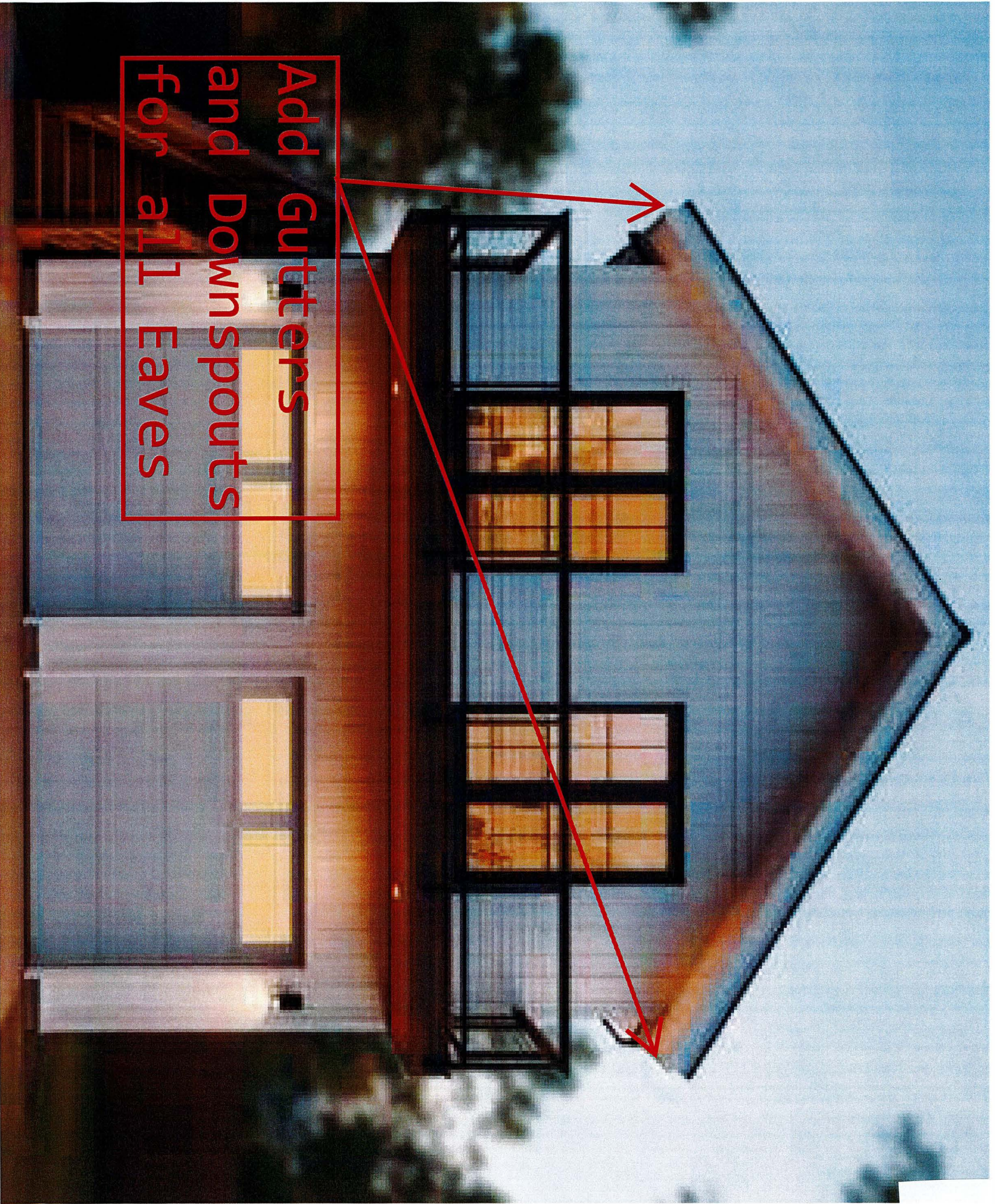


Illustration C



© All EagleView Technology Corporation

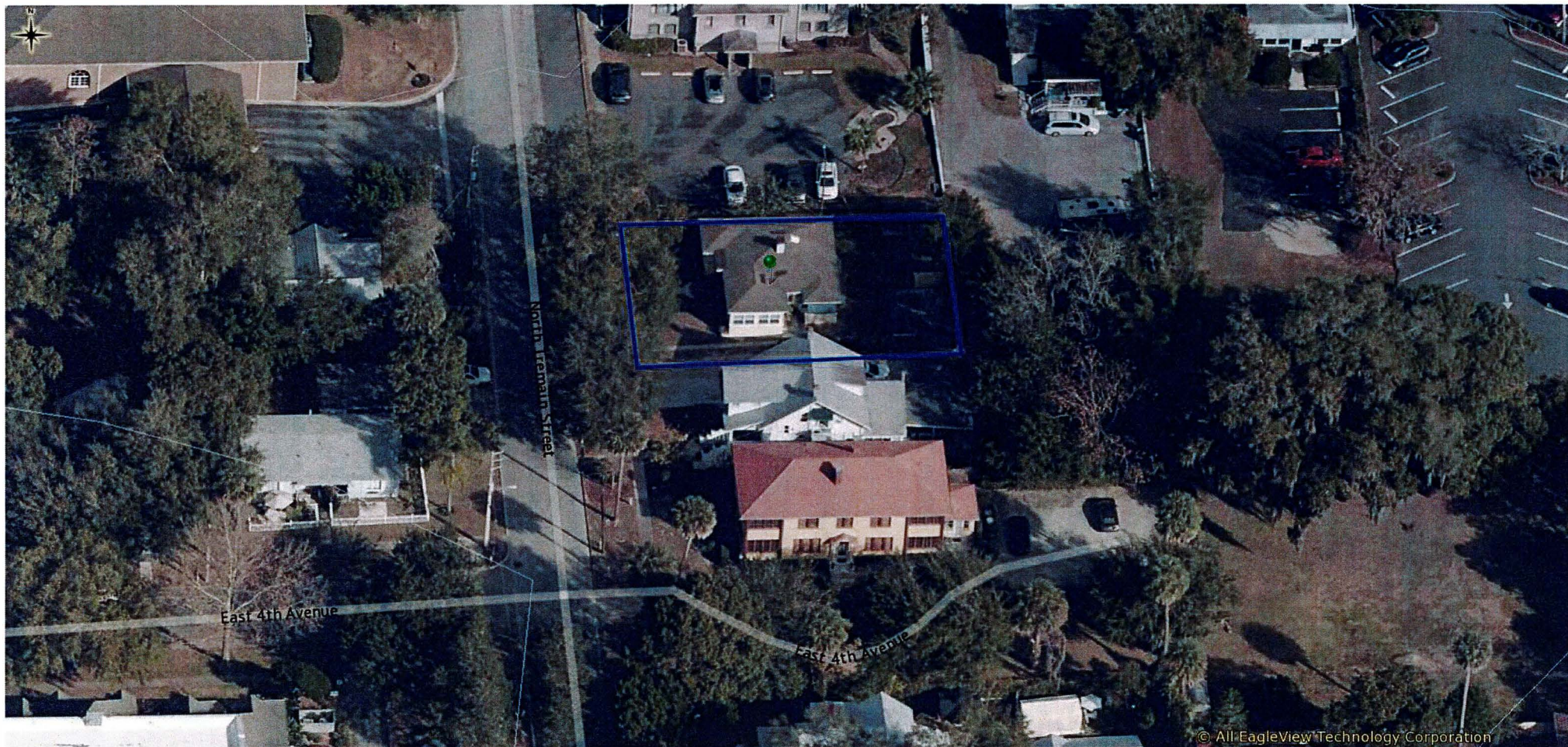
326 N Tremain



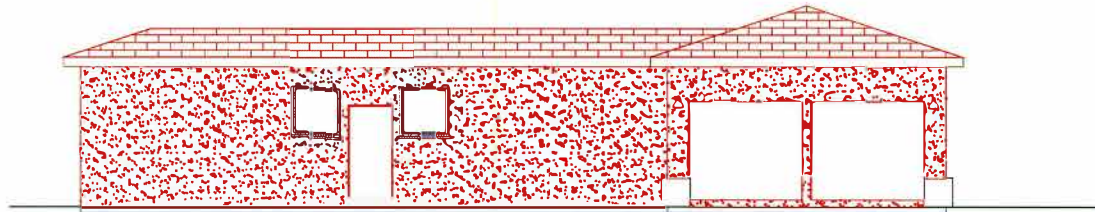
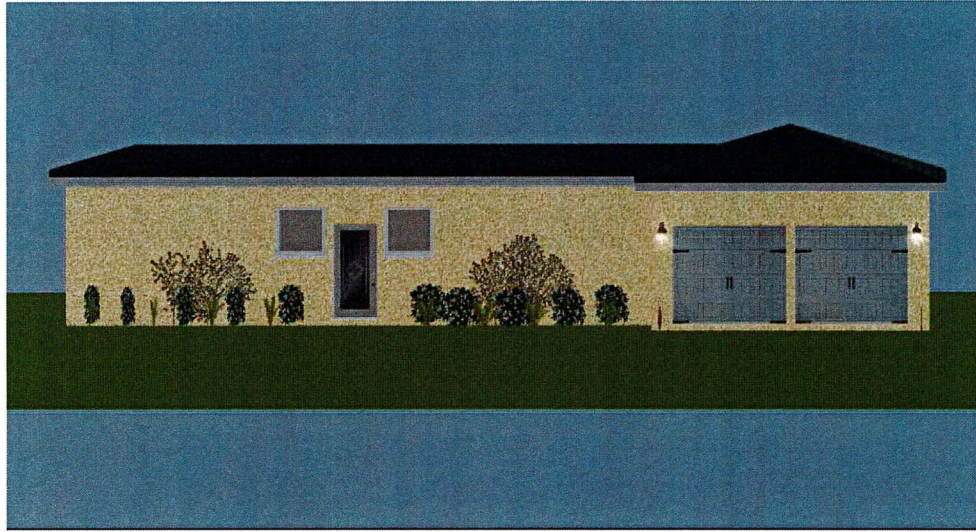
© All EagleView Technology Corporation

01/15/2023

410 N Tremain St with Contours



02/01/2022



GENERAL NOTES

No.	REVISION/ISSUE	DATE

ORIENTATION	STAMP

ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.
 CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE DESIGNER.



PROJECT NAME:
Rhodes Renovation
 410 N Tremain St
 Mount Dora

CLIENT:
 Tracy Rhodes

DRAWING:
ELEVATIONS
 Concept
 SCALE: 1/4" = 1'-0" DATE: #AUG. 2016

DRAWN BY:	#DRAWN BY:	SHEET:
CHECKED BY:	#CHECKED BY:	A2
APPROVED BY:	#APPROVED BY:	

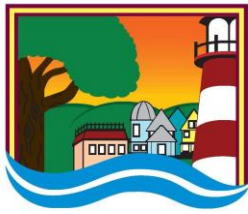












DATE: August 14, 2025
TO: Planning and Zoning Commission
FROM: Michele Janiszewski, AICP, Senior Planner
RE: **Presentation on Planning Processes**

Contents

Planning 101	1
DRC Process	3
Development Processes	4
Entitlement Processes	4
Site Plan Process	7
Subdivision Process	8
Site Development Permit	9
Building Permits.....	9
Concurrency.....	9

Planning 101

Urban Planning

Urban and regional planners develop land use plans and programs that help create communities, accommodate population growth, and revitalize physical facilities in towns, cities, counties, and metropolitan areas.

Comprehensive Plan

Per Section 163 Florida Statutes, local governments are required to create, adopt and maintain a Comprehensive Plan that addresses where residential and non-residential uses are located in the area. The adopted Comprehensive Plan guides future growth and community development. The comprehensive plan serves as a blueprint for future commercial and residential land uses, housing, and conservation, as well as cultural and recreational amenities. An important component of the comprehensive plan is identifying the new infrastructure and growth demands needed to support the future physical and economic development of the community.

In Summary:

1. The Comprehensive Plan is the Long-range plan for the City.
2. Every local government in Florida is required to adopt and maintain a comprehensive plan.
3. The Comprehensive Plan must include and be based on supporting data and analysis and be internally consistent.
4. The Comprehensive Plan forms a basis for how a community regulates development and how it invests in infrastructure and services.

5. The Mount Dora 2045 Comprehensive Plan includes the following elements:
 - a. Future Land Use Element
 - b. Housing Element
 - c. Transportation Mobility Element
 - d. Infrastructure Element
 - e. Conservation Element
 - f. Recreation and Open Space Element
 - g. Intergovernmental Coordination Element
6. All actions related to planning and growth management, including the regulation of land use and all development activity, must be consistent with the comprehensive plan.

Future Land Use Map

Future land use designations show land use types and densities that a county and/or city has determined to be the most desirable for a particular area. Future land use is meant to guide future development and re-development. The Future Land Use Categories and their development standards (density, FAR, ISR, permitted uses, etc.) are established in the Comprehensive Plan and graphically depicted on the Future Land Use Map.

Land Development Code

The Land Development Code (LDC) serves as a primary implementation vehicle for the Comprehensive Plan. Land development code / regulations means an ordinance enacted by a local governing body for the regulation of any aspect of development, including a subdivision, building construction, landscaping, tree protection, or sign regulation or any other regulation concerning the development of land. It establishes the processes and standards for development review, and establishes zoning districts and their development standards.

Zoning Map

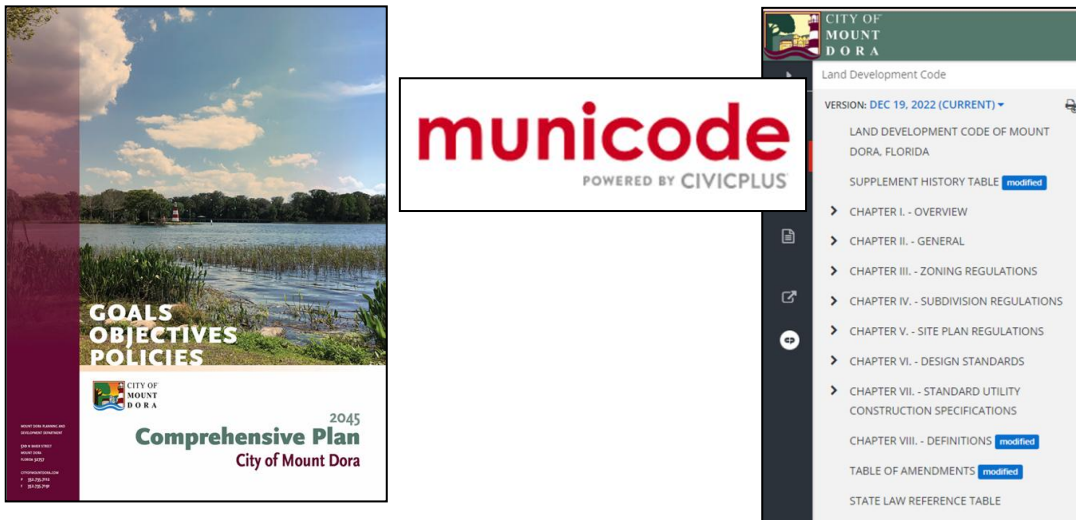
A zoning map shows the zoning designation of a property and is correlated to the zoning districts established in the Land Development Code.

Future Land Use Category vs Zoning District

Future Land Use Category	Zoning District
Long-range Vision for the County describing the intended uses	Specifically states the permitted uses and associated development standards
Established on the Future Land Use Map (FLUM) and described in the Comprehensive Plan	Established on the Zoning Map and described in the Land Development Code (LDC)
Amendments evaluated for consistency with the Goals, Objectives, and Policies in the Comprehensive Plan	Rezoning evaluated for consistency with the LDC, compliance with the Comprehensive Plan, and compatibility with the surrounding properties

Future Land Use Categories are the long-range vision for the County and the Zoning Districts are established to implement this vision.

Future land use designations indicate the general category and allowable density or intensity for a particular area, while zoning districts specifically define permitted uses and contain the design and development guidelines for those intended uses. The Comprehensive Plan may allow (but not guarantee) various zoning districts within a given future land use designation. If an owner desires to use or develop property in a manner that does not conform to the current future land use designation, the owner must apply for a future land use amendment, which may accommodate an application for rezoning.



DRC Process

The Development Review Committee (DRC) is established by LDC [Section 2.2](#), and is responsible for the initial review of development proposals for compliance with the provisions of the Land Development Code and Code of Ordinances.

Composition of Committee

LDC [Section 2.2.2](#), states that members of the development review committee shall include representatives of various city departments and outside consultants whose field of interest is called into play by the new development. The city manager shall designate the members including a chairman. The members shall represent the departments of public services, economic development, electric, building, zoning, planning, leisure services, police and fire.

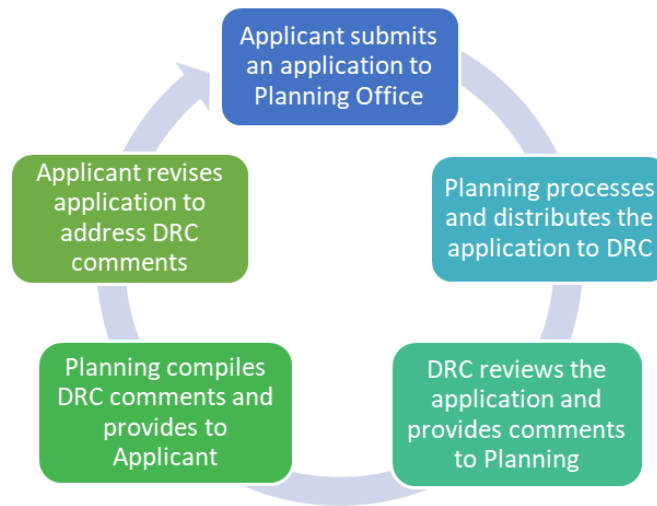
Duties and Responsibilities

LDC [Section 2.2.3](#), states the development review committee shall review and make written recommendations on the following:

1. Annexations.
2. Comprehensive plan amendments.
3. Rezoning.
4. Subdivision plans and plats.
5. Site plans.
6. Conditional uses permits (CUP).
7. Changes to the land development code.
8. Variances.
9. Planned unit developments.
10. Mixed use master plans.

Review Process

Applicants submit an application to Planning & Zoning Office and we process and distribute the application to the DRC staff to review and provide comments. Once Planning receives the DRC comments, we compile them and draft a formal correspondence to the Applicant. If DRC has no review comments, Staff will provide a letter to the Applicant stating that the application has been found consistent with our regulations and initiate the next steps in the application process (e.g. scheduling the application for Planning and Zoning Commission or City Council). If DRC has review comments which need to be addressed, Staff will provide a DRC comment letter requesting revisions to the plan set and/or additional information to complete our review. The Applicant then revises their plan set and/or acquires the requested information and resubmits to the Planning & Zoning Office and we repeat the process until the application is deemed consistent with our regulations.



Development Processes



Entitlement Processes

Annexation

“Annexation” means the adding of real property to the boundaries of an incorporated municipality and providing them with City services.



Comprehensive Plan Amendment

Comprehensive Plans are generally amended for the following reasons:

- A land owner desires to develop in a manner inconsistent with the Comprehensive Plan.
- The Evaluation & Appraisal Report EAR has generated a need for an amendment.
- The Legislature has imposed a new planning requirement on local governments, resulting in a need for a plan amendment.

The amendment is reviewed by the Department of Economic Opportunity (DEO), the state planning organization, and other state and regional reviewing agencies to ensure compliance with Florida Statutes, Florida Administrative Code and any other applicable regulations.



Conditional Use Permit

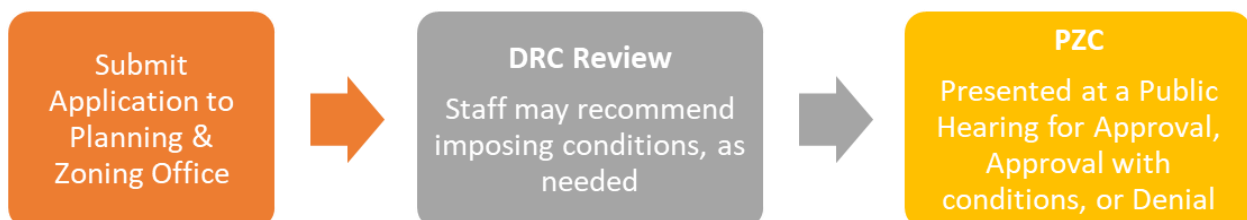
A conditional use is a use allowed in a zoning district only after specific requirements outlined in the code have been met and the planning and zoning commission has attached conditions of approval, if any. DRC reviews the application, and may recommend conditions, then presents their findings to PZC to approve, approve with conditions, or deny the application.

LDC Section 2.5.1 (5) states that the PZC may allow conditional uses only upon a determination that the use requested:

- a. Is not detrimental to the character of the area or inconsistent with trends of development in the area;
- b. Does not have an unduly adverse effect on existing traffic patterns, movements and intensity;
- c. Is consistent with the comprehensive plan; and
- d. Will not adversely affect the public interest.

Purpose: Allow a conditional use within a zoning district by mitigating impacts

Final Product: Development Order allowing the use with conditions imposed by DRC or the PZC



Future Land Use Map Amendment

A Future Land Use Amendment simply means changing the Future Land Use Category for a property by amending the Future Land Use Map.

Purpose: Change the permitted uses on the property by amending the zoning map (rezoning) or amending the future land use map.

Final Product: Ordinance approved by City Council approving the new zoning or land use designation on a property

Rezoning

Rezoning property simply means changing the “zone” or “use designation” from one thing to another. For instance, if your home is in a residential-zoned area, you’ll have restrictions on using your land for commercial purposes. Any owner, or authorized representative thereof, of a parcel of land desiring to change the zoning designation of that land may submit a rezoning application requesting consideration by the City Council.

Land Development Code [Section 3.3](#) Procedures for Rezoning, provides the process and regulations pertaining to the rezoning process. LDC [Section 3.3.4](#) states that the city shall consider the following criteria in reviewing applications for rezoning:

1. The need and justification for the change;
2. The effect of the change, if any, on the particular property and on surrounding properties;
3. The amount of undeveloped land having the same classifications as that requested in the general area and throughout the city;
4. The relationship of the proposed amendment to the purposes of the city's comprehensive plan, with appropriate consideration as to whether the proposed change will further the purposes of this code and the plan;
5. The availability and provision of adequate services and facilities;
6. The impact on the natural environment; and
7. Other criteria as may be applicable

Purpose: Change the permitted uses on the property by amending the zoning map (rezoning) or amending the future land use map.

Final Product: Ordinance approved by City Council approving the new zoning or land use designation on a property

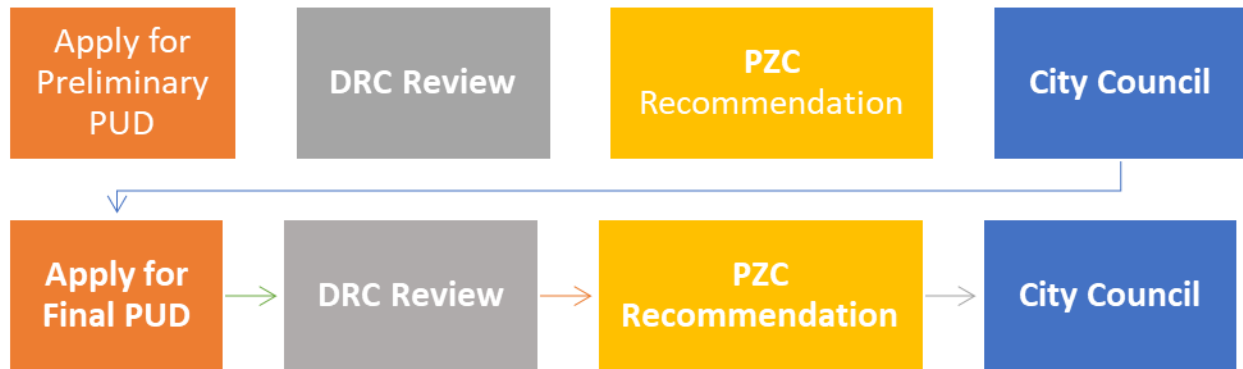


Planned Unit Development (Preliminary and Final)

A planned unit development (PUD) is a type of zoning district which is governed by an Ordinance adopted by City Council outlining the development criteria specific to the subject property. The Ordinance typically contains the permitted uses, setbacks, design criteria, required improvements, and other conditions specific to the property development. Any development condition not specified in the Ordinance will default to the Land Development Code.

Pursuant to LDC [Section 3.4.5 \(6\) \(a\)](#), provides the requirements for the preliminary master plan and LDC [Section 3.4.5 \(6\) \(b\)](#), provides the requirements for the final master plan. The final master PUD is adopted as an ordinance.

The two steps are designed to allow the applicant to gain review and approval of general concepts prior to the preparation of detailed plans. Subdivision plats and/or site plans are required for each separate section of the PUD. However, if the applicant so chooses and is permitted by Staff, steps may be bypassed or combined in an attempt to reduce the time involved at the applicant's own risk.



Purpose: To establish a zoning district with specific conditions relating to the proposed project.
Final Product: Ordinance and PUD Master Plan.

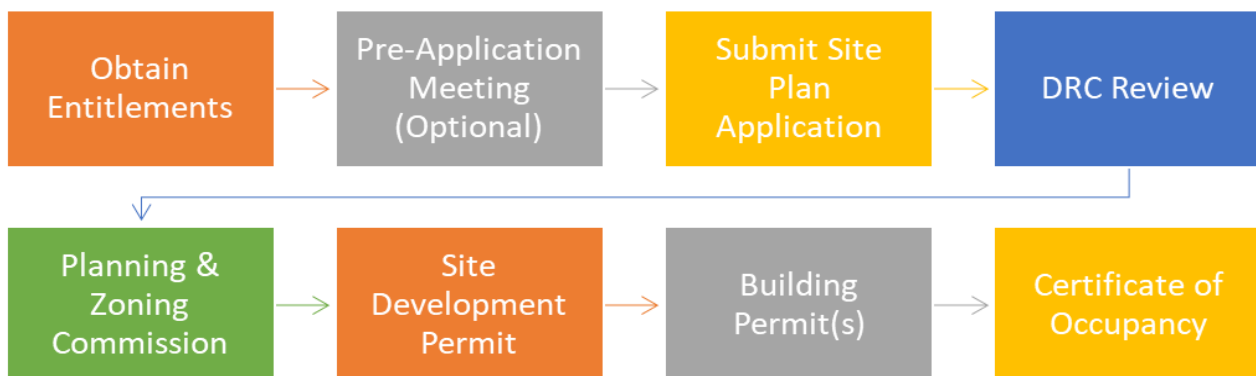
Site Plan Process

A site plan or a plot plan is a type of drawing used by architects, landscape architects, urban planners, and engineers which shows existing and proposed conditions for a given area, typically a parcel of land which is to be modified. Sites plan typically show buildings, roads, sidewalks and paths/trails, parking, drainage facilities, sanitary sewer lines, water lines, lighting, and landscaping and garden elements.

Our Code defines site plans as an illustration of the details of development of areas, such as, but not limited to, commercial, recreational, and multiple-family residential uses not being platted. LDC Chapter V provides the purpose, intent, process, and submittal requirements for site plans. Most site plans must obtain approvals from DRC and PZC.

Purpose of Site Plan Review: Ensure the site plan is compliant with Land Development Code and applicable ADA and Fire Code Provisions

Final Product: Set of plans approved by DRC and PZC to supplement their application for a Site Development Permit and/or Building Permit(s).



Subdivision Process

Definition

A subdivision is the division of a parcel of land, creating two or more lots or parcels for the purpose, whether immediate or future, of sale, rent, or of building development, and any plan that includes the creation of one or more streets, public easements or other rights-of-way, whether public or private, for access to or from any such lot or parcel.

Purpose

The purpose of a subdivision plat is to ensure the following:

- Establish standards of subdivision design that will encourage the development of sound and stable areas within the city limits.
- Installation of prescribed improvements by the land developer that should not become a cost to the taxpayers of already existing areas.
- Adequate and efficient supply of utilities, streets and services to new land developments.
- Prevention of traffic hazards and congestion.
- Safety from fire, panic and other dangers.
- Protection from flood hazards.
- Protection of natural and scenic resources of city.

Preliminary Plat

The purpose of the preliminary plat is to permit complete and accurate presentation of technical data and preliminary engineering drawings in such a manner as to allow complete review and evaluation of the proposed development and its impact upon both the site and surrounding areas.

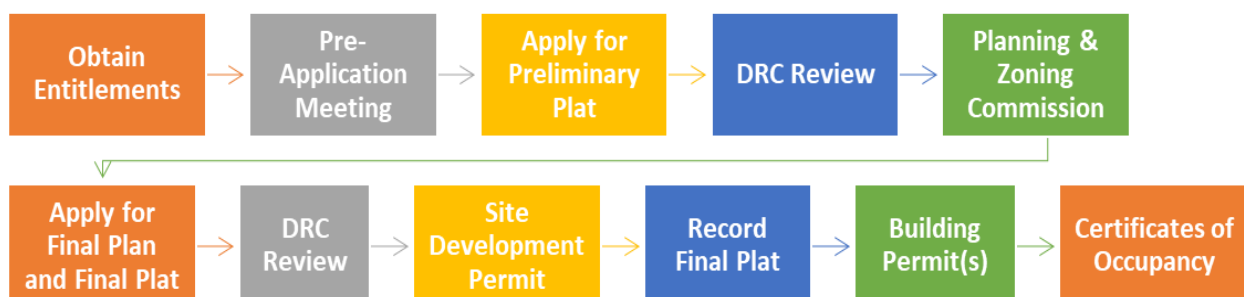
Final Plan / Construction Plans

The purpose of the preliminary plat is to permit complete and accurate presentation of technical data and preliminary engineering drawings in such a manner as to allow complete review and evaluation of the proposed development and its impact upon both the site and surrounding areas. Sometimes the final plan and final plat are reviewed congruently. The approved plans supplement the application for a Site Development Permit.

Final Plat

The purpose of the final plat is to ensure the preparation, completion and recording of a final plat map and its accompanying legal documentation and the review and approval of final technical submittals and engineering drawings. The final plat also provides the dedications of easements, roads, and other aspects of the development. The final, executed plat is recorded in Lake County Public Records. Once recorded, the lots may be sold off and customers can apply for Building Permits on the lots.

Subdivision Flow Chart

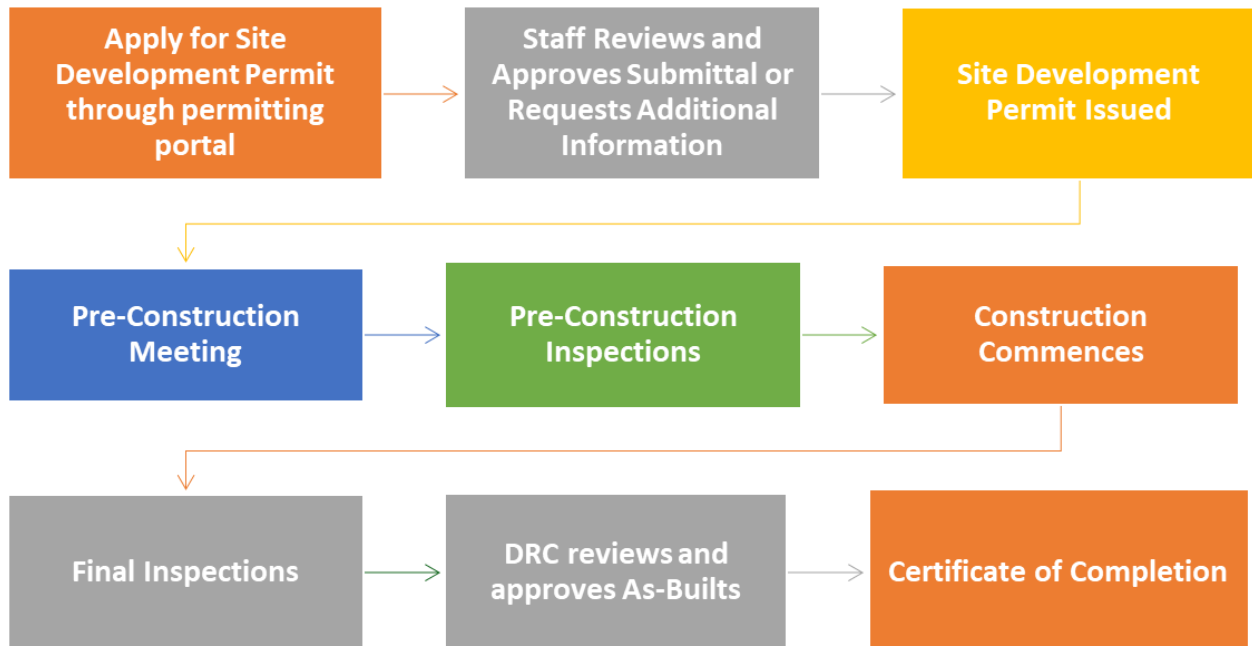


Site Development Permit

Pursuant to LDC [Section 2.9.5](#), entitled ‘Issuance of site development permits,’ it shall be unlawful for any site development to occur on a lot or parcel of land within the city unless a site development permit has been issued therefor.

Issuance of the Site Development Permit (SDP) allows the Applicant to begin horizontal construction of the site in accordance with their approved development order (approved site plan or construction plans) and includes tree removal, mass grading, utility work, and construction of site elements including parking lots, stormwater systems, roads, sidewalks, common area landscaping, etc. This permit also includes the final inspections for the site.

In addition to the DRC approved plan set, the Applicant will need to provide all other applicable federal, state, and county permits.



Building Permits

Once the SDP is issued, the Applicant may apply for building permits on the site (e.g. buildings, lighting, accessory structures). Building Permits are reviewed for compliance with the Florida Building Code.

Concurrency

Pursuant to F.S. § 163.3180, sanitary sewer, solid waste, drainage, and potable water are the only public facilities and services subject to the concurrency requirement on a statewide basis. Concurrency is a finding that the public facilities and services necessary to support a proposed development are available, or will be made available, concurrent with the impact of development. The provisions of this section are designed to provide a systematic process for the review and evaluation of all proposed development for its impact on basic public facilities and services in order to meet the requirements of statutory concurrency requirements.

Pursuant to LDC [Section 6.10.2\(1\)](#), No final development order shall be issued by the city after the adoption of these regulations and no previously approved development may cause a change in use upon

a parcel of property unless there is sufficient available capacity of concurrency public facilities to meet the standards for levels of service as established in the Mount Dora Comprehensive Plan for the existing population, vested development as projected by the community development department and for the proposed development according to the following time requirements:

- a. As to potable water, sanitary sewer, solid waste and drainage concurrency public facilities, the necessary concurrency public facilities must be:
 1. Available and in place at the time the development is authorized in accordance with the Mount Dora Comprehensive Plan; or
 2. The development order or permit is issued subject to the condition that the necessary concurrency public facilities will be in place when the impacts of the development occur; or
 3. The necessary concurrency public facilities are under construction at the time the development is authorized; or
 4. The necessary concurrency public facilities are guaranteed in an enforceable development agreement which requires that the necessary facilities will be in place when the impacts of the development occur.
- b. All final development orders shall be conditioned on the requirement that building permits shall not be issued for the subject property until the capacity of the public facility or facilities set forth in this subsection meet the adopted levels of service standards for said concurrency public facility or facilities. As to solid waste, the level of service standard shall be a citywide standard. As to stormwater management, the level of service standard shall be a site specific standard. As to potable water and sanitary sewer, the level of service standard shall be based upon the appropriate service areas as set forth in the Mount Dora Comprehensive Plan.
- c. Parks, including land and facilities, must be available to serve the development within 12 months of the issuance of the subject final development order. The parks' level of service standard shall be citywide standard.
- d. On-site potable water wells and septic tanks which meet all applicable laws, rules, standards, and regulations shall be deemed to be concurrent for the purposes of this section as to potable water and sanitary sewer concurrency public facility level of service requirements; provided, however, this provision shall not be construed to limit the city's authority to require central potable water and sanitary sewer services as a condition of development approval.

LDC Section 6.10.4, establishes the processes in which a concurrency test is required and when capacity reservation is required.

1. Development orders and development permits are designated preliminary or final under the development review process, as delineated below:
 - a. Type I—Preliminary (No concurrency test. Capacity reservation not available).
 1. Variance.
 2. Abandonment/vacation.
 - b. Preliminary (Internal concurrency test. Capacity reservation optional).
 1. Comprehensive plan amendment.
 2. Rezoning.
 - c. Preliminary (Concurrency test/encumbrance. Capacity reservation optional).
 1. Preliminary subdivision plan.
 2. Conditional use.
 - d. Final (Concurrency test/capacity reservation required).
 1. DRI.
 2. All development permits except as exempted in subsection 6.11.8.
 3. Final site plan.
 4. Final subdivision plan and plat.
 5. Conditional use.
2. Each applicant for a final development order, except as provided in subsection 6.10.7 shall pay

- the appropriate concurrency reservation fees and apply for a certificate of capacity.
3. Each applicant for a preliminary development order: Concurrency option, except as provided in subsection 6.10.7 shall elect one of the following options:
 - a. Pay the capacity reservation fee and apply for a certificate of capacity; or
 - b. Execute a nonconcurrency affidavit.

