



COMPREHENSIVE PLAN AMENDMENT
STAFF REPORT
OFFICE OF PLANNING & ZONING

Tab Number: 2

Public Hearings: Planning & Zoning Board (PZB): June 1, 2022
Board of County Commissioners (BCC) (Transmittal): July 5, 2022
Board of County Commissioners (BCC) (Adoption): To Be Determined

Case No. and Project Name: FLU-21-05-3, Drake Pointe PUD

Applicant: Peter Pensa, AICP, AVID Group, LLC

Owner: GPK Harris Lake LLC; New Era Construction Group, LLC

Requested Action: Amend the Future Land Use Map (FLUM) to change the Future Land Use Category (FLUC) on approximately 293.810 acres from Rural Transition to Planned Unit Development FLUC and amend associated Comprehensive Plan Policies to incorporate the proposed development program for the Drake Pointe Development which will include 535 lots for single-family dwelling units, marina with restaurant and limited retail, and recreational facilities.

Staff Determination: Staff finds the application consistent with the Comprehensive Plan and Land Development Regulations (LDR).

Case Manager: Emily W. Johnson, Senior Planner

PZB Recommendation:

Subject Property Information

Size: 293.810 Gross Acres, 231.56 Net Acres

Location: Northeast of County Road 48 and along Lake Harris in the Howey-in-the-Hills area.

Alternate Key No.: 1226155, 1242371, 1371961, 3827817, 1517389, 3855902, 1535972, 3878118, 1673801, 1792304, 1792312, 3827816, 2923989, 2923962, 3815464, 3450221, 1792291, 3016050, 2704381, 1803411, 1803403

Current Future Land Use: Rural Transition (Attachment "A")

Proposed Future Land Use: Planned Unit Development (Attachment "A")

Current Zoning District: Agriculture (A) and Estate Residential (R-2) (Attachment "B")

Proposed Zoning District: Planned Unit Development (PUD) [Separate Application - See RZ-21-19-3] (Attachment "B")

Flood Zone: "AE", "A", and "X"

Joint Planning Area / ISBA: South Lake ISBA

Overlay Districts: Not Applicable

Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural Transition	Rural Residential (R-1), Agriculture (A), and Agriculture Residential (AR)	Residential Uses	Single-Family Dwelling Units on Lots Ranging From 0.25 to Seven Acres in Size.
South	Urban Low	Planned Unit Development (PUD)	Residential Development with Golf Course and Amenities	Bishops Gate Golf Course and Community
East	Not Applicable	Not Applicable	Lake Harris	Lake Harris
West	Urban Low and Rural Transition	PUD, A, and AR	Residential Development with Amenities and Residential Uses	Mission Inn Resort and Single-Family Dwelling Units on Large Lots

Staff Analysis

The subject property contains approximately 293.810 acres and is located northeast of County Road 48 and on either side of Drake Avenue in the Howey-in-the-Hills area. The property is currently zoned Agriculture (A) and Estate Residential (R-2) and is part of the Rural Transition Future Land Use Category (Table 1).

Table 1. Existing and Proposed Development Standards.

	Future Land Use Category	Density	Maximum Dwelling Units	Maximum Impervious Surface Ratio	Minimum Open Space	Building Height
Existing	Rural Transition	One dwelling unit per net acre*	231	0.10	35-50%	40 Feet
Proposed	Planned Unit Development (PUD)	2.31 dwelling units per net acre	535	0.55	46%	40 Feet

*The base density for the Rural Transition FLUC is one dwelling unit per 5 net acres. If developed as a Rural Clustered Subdivision, the density can be increased to one dwelling unit per 3 net acres with 35% open space or one dwelling unit per one acre with 50% open space.

The application is seeking to amend the Future Land Use Map to establish a PUD FLUC on the subject property with a development program to accommodate the proposed development. The proposed development consists of 535 dwelling units at a density of 2.31 dwelling units per net acre and 1.82 dwelling units per gross acre. Additionally, the development will include a marina with restaurant, limited convenience retail, and recreational uses. The development will be gated but will allow public access during daytime hours.

The subject property is located within the South Lake ISBA; the Town of Howey-in-the-Hills was provided a copy of the application. The Town provided a letter stating that they expect the development to use the Town as the source for potable water, but based on the information provided by the Town (Attachment "C"), their potable water and sewer lines are not close enough to require the development to connect to the Town's utilities. Since the proposed development exceeds a density of one dwelling unit per net acre, the development will need to utilize central water and sewer if public utilities are not available.

Additionally, staff has received two letters of concern regarding the applications; one from the residents of the Yalaha area (Attachment "E"), and one from a private citizen requesting that the proposed private utilities be located on the subject development parcel instead of offsite (Attachment "F").

If the application for the comprehensive plan amendment is approved by the Board of County Commissioners (the 'Board') for transmittal to the Florida Department of Economic Opportunity (DEO), the rezoning application will be presented to the Board for approval at the same time as the application for the Future Land Use Amendment is presented for adoption.

Standards for Review (LDR Section 14.03.03)

1. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.

The proposed amendment is consistent with all elements of the Comprehensive Plan.

The **Future Land Use Element** seeks to ensure compatibility between densities and intensities of development, providing for land use transitions as appropriate to protect the long-term integrity of both urban and rural areas; promote the conservation and preservation of Lake County's natural and cultural resources; and direct development to established urban areas to prevent sprawl.

The Comprehensive Plan defines 'urban sprawl' as:

Urban development or uses which are located in predominantly rural areas, or rural areas interspersed with generally low-intensity or low-density urban uses, and which are characterized by one or more of the following conditions: (a) The premature or poorly planned conversion of rural land to other uses; (b) The creation of areas of urban development or uses which are not functionally related to land uses which predominate the adjacent area; or (c) The creation of areas of urban development or uses which fail to maximize the use of existing public facilities or the use of areas within which public services are currently provided. Urban sprawl is typically manifested in one or more of the following land use or development patterns: Leapfrog or scattered development, ribbon or strip commercial or other development.

The subject property is currently within the Rural Transition FLUC and the applicant is seeking to provide private utilities to the development. The development is proposed to be developed at 2.31 dwelling units per net acre.

The subject property is situated between the Urban Low and Rural Transition FLUCs which allow a maximum density of four (4) dwelling units per net acre and one dwelling unit per net acre, respectfully. The proposed amendment will establish a maximum density of 2.31 dwelling units per net acre to serve as a transition between the other FLUCs; the rezoning ordinance will provide additional unit controls and provide oversized buffers to support transitions between classifications. The applicant submitted calculations for surrounding developments as proof that the proposed development plan is consistent and transitional with the existing development (Table 2).

Table 2. Comparison to Surrounding Developments.						
Project Name	Gross Acres	Net Acres	Units	Gross Density	Net Density	Lot Sizes
Drake Pointe	293.81	231.81	535	1.82	2.31	50' X 160' 65' X 120' 75' X 150'
Las Colinas at Mission Inn	814.12	*	1,606	2.45	*	** 64' X 140'
Four Season	265	195	650	2.45	3.33	35' X 120' 50' X 120' 60' X 120'
Spring Creek	51.68	Not available	129	2.5	Not available	50' X 110' 60' X 110'
The Reserve at Howey in the Hills	332.2	239.3	728	2.20	3.00	50' X 80' 27' X 100' 50' X 115'

Venezia	140.86	115	285	2.42	2.47	18' X 100' 65' X 120' 75' X 120'
Talichet (Phase 1 & 2)	61.32	44.43	114	1.85	2.56	60' X 120' 75' X 130'
<p>* The 2005 PUD calculated density based on gross acres. ** Lots were observed on the plat with an average dimension of 64' X 140', but the PUD allowed for lots to be 35 feet and larger.</p>						

The **Capital Improvements Element** seeks to maintain adopted level of service standards and ensure public facilities and services are available concurrent with development. See the Applicant's Justification Statement in Attachment "D". The application is consistent with the Capital Improvements Element.

The **Conservation Element** is intended to provide a framework for the ongoing monitoring, management, and use of the County's natural resources. The development application proposed minimal impacts to the existing wetlands and proposes protecting most of the wetlands through conservation easements. The application is consistent with the Conservation Element.

The **Economic Element** seeks to strengthen the County's position as a business center for Central Florida by aggressively pursuing opportunities and building collaborative relations with regional allies. The proposed amendment is consistent with the Economic Element.

The purpose of the **Housing Element** is to guide Lake County in developing appropriate goals, objectives and policies that demonstrate the County's commitment to meet the identified needs of all its residents. The application proposes providing 535 single-family dwelling units. See the Applicant's Justification Statement in Attachment "D". The application is consistent with the Housing Element.

The **Intergovernmental Coordination Element** strives to promote coordination between Lake County and other local, state, regional, and federal government entities. The subject property is located within the South Lake ISBA which includes the Town of Howey-in-the-Hills. The Town was provided with a copy of the application to provide input. The Town stated that the proposed development is within the Town's exclusive utility service district, and they can provide potable water and center wastewater service to Drake Pointe (Attachment "C"). Conversely, the application proposes construction of a private, central utility facility to service the subdivision. See the Applicant's Justification Statement in Attachment "D". Based on the information provided by the Town (Attachment "C"), their potable water and sewer lines are not close enough to require the development to connect to the Town's utilities. The application is consistent with the Intergovernmental Coordination Element.

The goal of the **Parks and Recreation Element** is to facilitate the development and management of parks and facilities for a recreation system that includes environmental lands, trails, and other recreational opportunities that meets the diverse needs of a growing community. The concept plan shows active and passive recreational uses, including a clubhouse, nature trail, and sports courts. These uses are proposed to be accessible to the public during daytime hours. The application is consistent with the Parks and Recreation Element.

The goal of the **Transportation Element** is to prepare a plan that emphasizes more efficient use of the existing transportation system and contributes to the wider national objectives of energy conservation, improved air quality, and increased social and environmental amenity. See the Applicant's Justification Statement in Attachment "D". The application is consistent with the Transportation Element.

The purpose of the **Public Facilities Element** is to ensure that public facilities are available to meet the needs of Lake County residents; public facilities in this element refers to aquifer recharge, potable water, sanitary sewer, solid waste, stormwater, and public-school facilities. See Section 5 below.

2. Whether the proposed amendment is in conflict with any applicable provisions of these regulations.

The proposed amendment is not in conflict with any provisions of the LDR. If the amendment is approved for transmittal, the application will be brought back before the Board with an application to rezone the property to PUD which will incorporate the applicable comprehensive plan policies and regulations.

3. Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The application is seeking to change the Future Land Use Category from Rural Transition to PUD to facilitate the development of a residential subdivision with associated amenities. The application is proposing 2.31 dwelling units per net acre which exceeds the maximum density permitted within the Rural Transition FLUC. The Rural Transition FLUC allows residential development at a base density of one dwelling unit per five (5) net acres; one dwelling unit per three net acres with 35% open space; or one dwelling unit per net acre with 50% open space. The Urban Low FLUC allows four (4) dwelling units per net acre with a minimum of 25% open space, but the Applicant has requested to utilize the PUD FLUC to accommodate 2.31 dwelling units per net acre with a minimum of 46% open space. The proposed amendment is consistent with the proposed PUD FLUC.

4. Whether there have been changed conditions that justify an amendment.

The Applicant has provided a justification statement which is included as Attachment "D".

5. Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

Water and Sewer

The development is proposing to provide central water and central sewer via an offsite private utility owned by North Lake County Water & Sewer Company, LLC., and managed by a professional company with utility operation experience. The Town of Howey-in-the-Hills has maintained the position that the developer should connect to the potable water and public sewer services provided by the Town.

LDR Section 6.12.01.A, states that all private potable water systems shall be connected to a regional/subregional potable water system when the regional/subregional potable water system comes within three hundred (300) feet of the private potable water system. LDR Section 6.12.01.B, states that all private treatment systems shall be connected to a regional/subregional wastewater system when the regional/subregional system comes within one thousand (1,000) feet of the private treatment system or any of the central lines of the private treatment system.

Based on the information provided by the Town (Attachment "C"), their potable water and sewer lines are not close enough to require the development to connect to the Town's utilities.

Schools

The Lake County School Board reviewed the application and stated that project has a valid school concurrency capacity reservation for 555 single family dwelling units which will expire on August 5, 2022.

Parks

The proposed comprehensive plan amendment is not anticipated to adversely impact park capacity or levels of service.

Solid Waste

The proposed rezoning is not anticipated to adversely impact solid waste capacities or levels of service.

Public Safety

Lake County Fire Station 76 is located approximately 0.5 miles from the subject property.

Transportation Concurrency

The standard Level of Service (LOS) for the impacted roadway of CR 48 is "D" with capacity of 1070 trips in the peak direction. Currently, the impacted segment from Lime Avenue to SR 19 is operating at "C" thirty nine percent (39%). This project will be generating approximately five hundred twenty-eight (528) pm peak hour trips, in which three hundred and thirty-three (333) trips will impact the peak hour direction. Currently, there are no county funded improvements scheduled for this segment of CR 48.

6. Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

The development application proposes minimal impacts to the existing wetlands and proposes protecting most of the wetlands through conservation easements; the concept plan (Attachment "G") identifies that 46% of the development will be set aside as open space, with an additional 20% of the gross development area set aside as permanent conservation area. New development will be required to meet all criteria contained within the Comprehensive Plan and LDR, as amended, including submission of an Environmental Assessment.

7. Whether, and the extent to which, the proposed amendment would affect the property values in the area.

The Applicant provided a Property Value Study (Attachment "H") which concluded that the property values in the area would have a nominal value increase next to a new subdivision, with no projected long-term impact because of the subject development plan.

8. Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

The application is requesting to establish a PUD FLUC and zoning district on the subject property to accommodate 535 single-family dwelling units at a density of 2.31 dwelling units per net acre and 1.82 dwelling units per gross acre.

South of the subject property, along the north side of County Road 48, is the Bishops Gate Golf Course and Community which is zoned PUD by Ordinance 2012-42. The PUD ordinance allows residential uses at a maximum density of 1.62 dwelling units per net acre and non-residential uses including a golf school, marina, and recreational amenities (fitness center, driving range, and golf practice areas).

Southwest of the subject property, on the south side of County Road 48, is the Mission Inn development which is zoned PUD by Ordinance 2005-107. The PUD ordinance allows a mixture of single-family and multi-family dwelling units at a maximum density of 2.0 dwelling units per gross acre. Non-residential uses permitted within the development include 75,000 square feet of commercial development, 260-acre golf course, clubhouses, restaurants, and recreational facilities.

West of the property is developed with single-family dwelling units on large lots ranging in size from four to nine acres in size. Northwest of the subject property is developed with single-family dwelling units on lots ranging from 0.25 to seven acres in size.

Both the Mission Inn and Bishop's Gate developments are designated as part of the Urban Low FLUC which allows residential development at a maximum density of four (4) dwelling units per net acre. The proposed development is proposing 2.31 dwelling units per net acre and 1.82 dwelling units per gross acre which would serve as a transition between the Urban Low FLUC to the South and Rural Transition FLUC to the North.

9. **Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and interest of these regulations.**

The proposed amendment is consistent with the purpose and interest of Lake County's regulations.

Attachment "A" – Future Land Use Category (Page 1 of 2)

CURRENT FUTURE LAND USE



Future Land Use

Urban Low Rural Transition

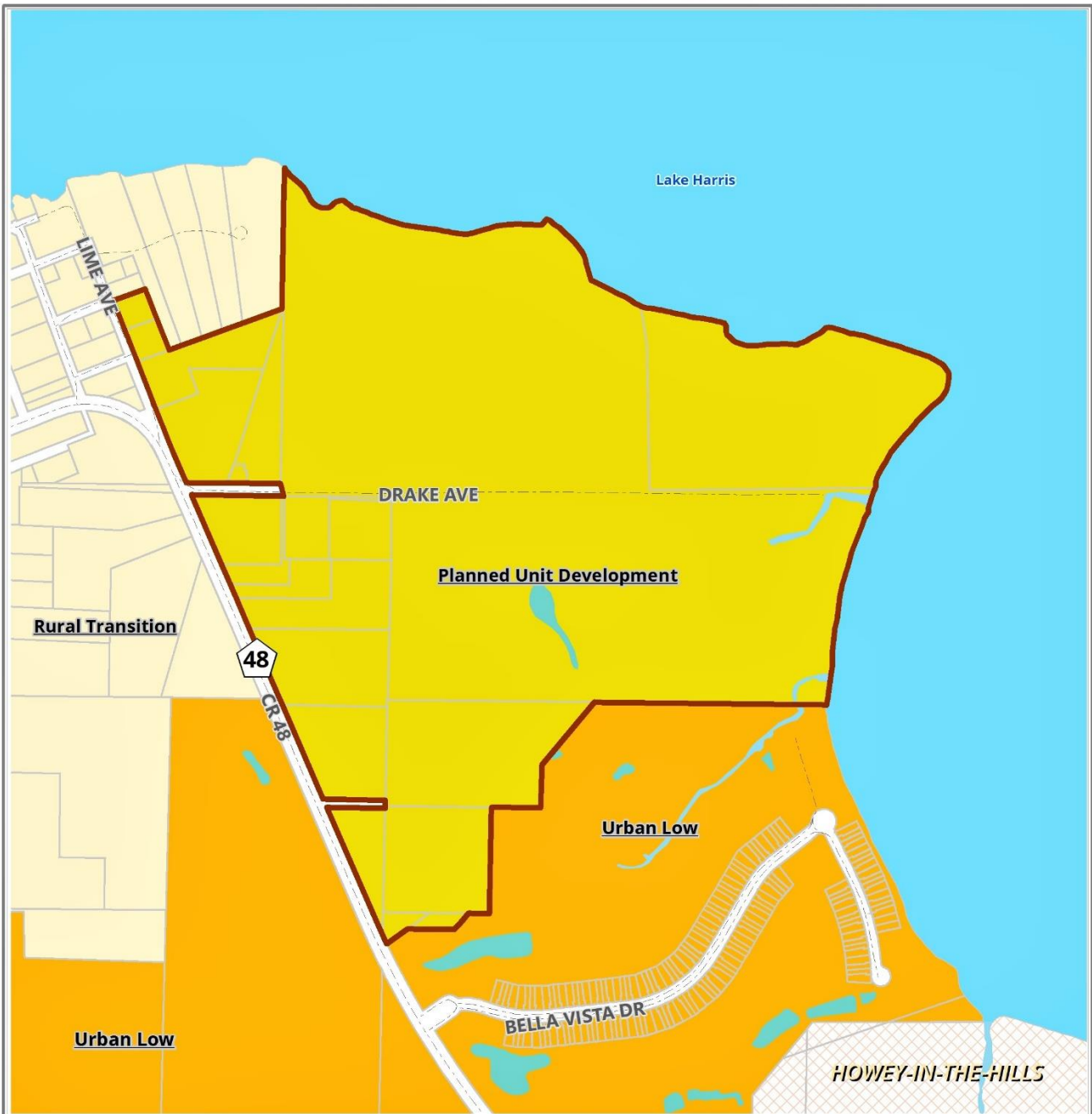
NAME: DRAKE POINT PROPERTY
CASE NUMBER: FLU-21-05-3
LOCATION (S-T-R): 14, 15, 22-20-25
REQUEST: RURAL TRANSITION TO PLANNED UNIT DEVELOPMENT

DISTRICT: 3



Attachment "A" – Future Land Use Category (Page 2 of 2)

PROPOSED FUTURE LAND USE



Future Land Use

- Planned Unit Development
- Rural Transition
- Urban Low

NAME: DRAKE POINT PROPERTY

CASE NUMBER: FLU-21-05-3

LOCATION (S-T-R): 14, 15, 22-20-25

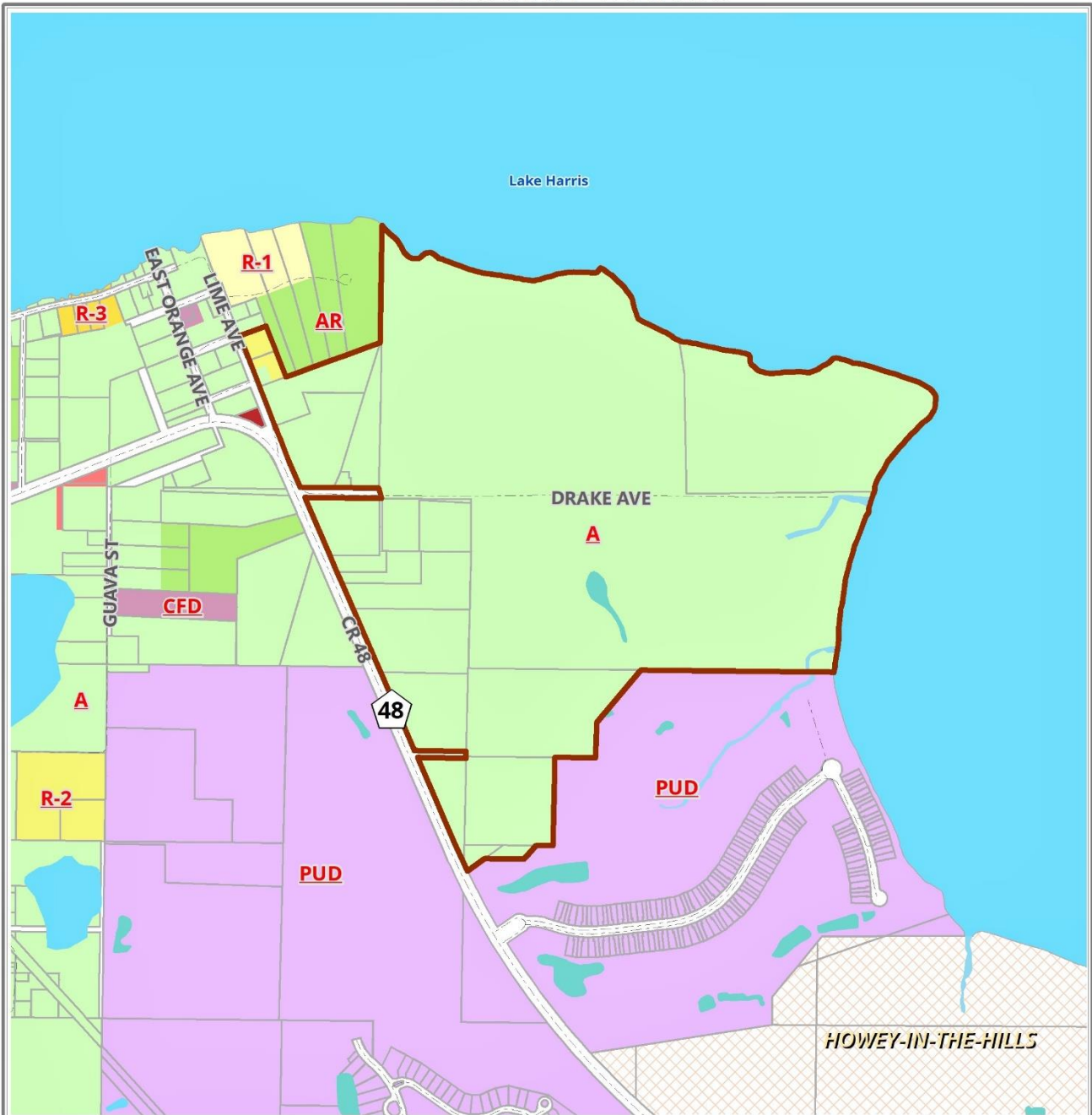
REQUEST: RURAL TRANSITION TO PLANNED UNIT DEVELOPMENT

DISTRICT: 3












Attachment "B" – Zoning District (Page 1 of 2)

CURRENT ZONING



Zoning Legend

 A	 R-1	 R-3	 CP	 PUD
 AR	 R-2	 C-1	 CFD	

NAME: **DRAKE POINT PROPERTY**

CASE NUMBER: **FLU-21-05-3**

LOCATION (S-T-R): **14, 15, 22-20-25**

REQUEST: **RURAL TRANSITION TO PLANNED UNIT DEVELOPMENT**

DISTRICT: **3**



Attachment "B" – Zoning District (Page 2 of 2)

PROPOSED ZONING



Zoning

A	R-1	R-3	CP	PUD
AR	R-2	C-1	GFD	

NAME: DRAKE POINT PROPERTY
CASE NUMBER: FLU-21-05-3
LOCATION (S-T-R): 14, 15, 22-20-25
REQUEST: RURAL TRANSITION TO PLANNED UNIT DEVELOPMENT

DISTRICT: 3



Attachment "C" – Input from the Town of Howey-in-the-Hills



October 20, 2021

Michele Janiszewski, AICP, Lake County Chief Planner
Via email – mjaniszewski@lakecountyfl.gov

Re: Drake Pointe Comments (Project #2021010001/AR#4279)

Dear Ms. Janiszewski,

Thank you for allowing the Town of Howey-in-the-Hills to provide comments for the proposed Drake Pointe Development (Project #2021010001/AR #4279).

Drake Point is located in the Town's exclusive utility service district created in 2003 pursuant to Ordinance 2003-307, recorded in the public records of Lake County, Book 02849, Page 0159. The Town will serve potable water and provide central wastewater service to Drake Pointe. The Town respectfully requests that Lake County condition development approvals for Drake Pointe accordingly, with the Town of Howey-in-the-Hills as the provider of potable water and central sewer service.

The CDD has confirmed currently available ERUs for Drake Pointe; there is an existing wastewater force main at the entrance of Bishops Gate, 3,500 feet from the entrance to Drake Pointe. Also, there is a new town well/water treatment plant currently being planned at the corner of CR 48 & SR 19 (adjacent to one of the town's existing wells); the new well will be approximately 9,000 feet from the entrance of Drake Pointe.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Sean O'Keefe". The signature is fluid and cursive.

Sean O'Keefe
Town Administrator/Financial Manager

cc: Martha MacFarlane, Mayor
Thomas A. Harowski, AICP, Town Planner
Thomas J. Wilkes, Town Attorney
Steve K. Greene, AICP, Lake County Chief Planner, sgreene@lakecountyfl.gov

Town of Howey-in-the-Hills

101 N. Palm Ave. • PO Box 128 • Howey-in-the-Hills, FL 34737 • Phone: (352) 324-2290 • Fax: (352) 324-2126

Attachment “D” – Justification Statement (Page 1 of 5)



2300 CURLEW ROAD, Suite 201
PALM HARBOR, FLORIDA 34683
PHONE (727) 789-9500
[AUTH#6139 LB7345]

Comprehensive Amendment Application The Falls at Drakes Point

Comprehensive Plan Amendment Justification

Please demonstrate that facilities and services are or will be available within the adopted levels of service throughout the Comprehensive Plan (or the levels of service adopted by the municipality in whose utility area the proposed amendment is located and as adopted in the Capital Improvements Element or by joint agreement with the County), including, but not limited to, water supplies (including permitted quantities) facilities, sewer services, solid waste, transportation, parks and recreational facilities and schools:

Water and Wastewater: Per the Lake County Comprehensive Plan, Lake County does not provide potable water or wastewater services, which is why the County entered into a Joint Planning Agreement with the Town of Howey-in-the-Hills (the “Town”).

Given the fact that our project is located 3,500 feet from the Town’s nearest existing wastewater main (per the Town the line would require upsizing to accommodate for future developments) and 9,000 feet from the Town’s proposed (unbuilt) well (as acknowledged in the Town’s 10/20/21 letter to the County), and per applicable regulations (described below), there is no legal basis to require this project to connect to those lines. We also explored connecting to the Mission Inn sewer plant, but the attached exhibit “F” shows that we’d have to run upsized lines 11,193 LF to connect. Thus, our plan is including a proposed private facility on Lake County Parcel ID 16-20-25-0300-000-01000. That treatment plant to serve our project would be on a separate 10-acre site a quarter mile down the road from this project. The potable water wells will be drilled on our site and the storage of the treated water will be on that 10-acre site.

In Howey’s “180 Agreement” (Ordinance 2003-307), Section 5 requires developments to connect to city utilities where available. That agreement defines availability through reference to County Code (Section 6.12.01(a)) and State Statutes (381.0065(2)(a)). Importantly, availability is defined in the present tense.

State statutes define “availability” as a sewer system within 1,320 feet:

3. For proposed residential subdivisions with more than 50 lots, for proposed commercial subdivisions with more than 5 lots, and for areas zoned or used for an industrial or manufacturing purpose or its equivalent, a sewerage system exists within one-fourth mile of the development as measured and accessed via existing easements or rights-of-way.

Lake County Code defines “availability” as a regional/subregional wastewater system within 1,000 feet of a private treatment system.

Attachment “D” – Justification Statement (Page 2 of 5)

As described above, the closest pipe to the project for sewer is 3,500 feet away and would need to be upsized to accommodate our project. It appears that under all applicable code and regulations, availability is the determining factor in deciding whether an applicant is required to connect. Thus, while capacity may theoretically be available (if there were lines in place close enough to our site and then if the Town’s well was already built out), it is not actually available since the applicable regulations set forth limits on how far a development would have to extend out lines to connect to any such utility providers. Alternatively, onsite treatment options exist to accommodate the exact situation we are in.

Thus, we are seeking to develop a private system, allowable under Lake County Code, to serve our project.

This means that the proposed development and private treatment plant is consistent with the Comprehensive Plan, based on interlocal agreements the development is exempt from the requirements of the connection to the central utility provided by the Town.

Solid Waste: The County’s current level of service is sufficient to provide services for the proposed development. The proposed Comprehensive Plan amendment is not anticipated to adversely impact solid waste capacities or levels of service.

Schools: As of this application, school concurrency is reserved for 555 homes. Should capacity fall short during the review process due to expiration of reservation or other reasons, the developer will work with the school board to provide for mitigation alternatives as needed that will offset any negative impacts.

Parks and Recreation: Lake County requires a minimum level of service of 4 acres for every thousand (1,000) residents. No additional impact is being caused by the proposed development, as the proposed development is planning to provide park and recreation services within the development. The proposed development will provide nature trails, boat ramp/marina, club house activities, playground, pickle ball courts, dog park, and multi-purpose open space.

Transportation: Initial review has indicated that State Road 48 has sufficient capacity to maintain the additional trips without burdening the level of service provided and causing any additional fiscal impacts to the capital improvements plan. The development proposes to construct and maintain the roads within the development and make turn lane improvements on CR-48 to serve the development.

Describe and demonstrate and describe how the amendment will not fiscally burden County services:

As described above the proposed development is intended to meet the minimum levels of service established in the Comprehensive Plan. The amendment would not place any undue burden financially on Lake County and its residents. The project is proposing to supply the water and wastewater demands by constructing the necessary facilities and underground network to serve the development both onsite and offsite. The development will be supplying

Attachment “D” – Justification Statement (Page 3 of 5)

onsite recreation opportunities for its residents, which will reduce the demand for public park usage and unnecessary trips. While solid waste demand will be increasing, the demand will not be above and beyond the level of service offered by the County currently.

As of this application, the schools have capacity to meet the needs of the development. Regardless, if at the time of Capacity reservation, Capacity falls short, the developer will mitigate to reduce or eliminate any fiscal impact that results.

Initial review has indicated that CR-48 has sufficient capacity to maintain the additional trips without burdening the level of service provided and causing any additional fiscal impacts to the capital improvements plan. The development proposes to construct and maintain the roads within the development and make turn lane improvements on CR-48 to serve the development. The number of trips is anticipated to be approximately 4,990 daily trips (See Traffic Impact Study for detailed breakdown of trips).

Describe and demonstrate that historic and cultural resources will not be affected by unnecessary and unmitigated negative impacts:

There are no known historic or cultural resources that will be negatively impacted by the proposed development, as of the date of this application. Should historic or cultural resources be discovered during the development process, activities shall cease, and the proper authority (Federal, State, or local) shall be notified and authorization and/or necessary permits shall be pulled prior resuming.

Land Use Compatibility Analysis:

The development is proposing 535 units on 293.81 acres (based on survey), of which 46.81 acres is wetlands. The development is proposing to maintain the natural features to the greatest extent possible (topography and wetlands). The community to the south of the proposed development is called Bishop’s Gate, which is zoned PUD, has an Urban Low-Density FLU and is a townhome community. There is also a community named Mission Inn Las Colinas to the Southwest of the proposed development site and is also a PUD, with an Urban Low-Density FLU and is all single-family homes. Both communities have a max density of 4 dwelling units per acre. To the north and a portion of the west of the site the property has a future land use of Rural Transition that allows 1 dwelling unit an acre. The PUD has proposed a max dwelling unit count of 2.32 units per gross acres. As it relates the future land use series, this project provides a transitional land use designation that acts to support the rural transition purpose. The zoning of the site will provide additional unit controls and provide oversized buffers to support transitions between classifications. A property value analysis was conducted to assure neighboring property values were not negatively impacted by The Falls at Drakes Point (please see exhibit “D”).

Attachment “D” – Justification Statement (Page 4 of 5)

Demand Analysis / Residential Justification Statement:

The Lake County Comprehensive plan has forecasted a slowdown within unincorporated Lake County in population from 2000 to 2030. The Comprehensive Plan original projected 460,103 by year 2025. The team revised the projection to 410,000 by 2030 to account for a severe decline in housing sales and construction and assumed recovery would not rebound to historic highs. The population of Lake County as of 2019 is estimated to be 367,118 (US Census) with average growth rate of 2%, which yields a population increase of 46,316 by 2025 or otherwise a population of 413,434 by 2025. Current population trends are yielding higher than expected from the Lake County Comprehensive Plan, with the higher demand from population growth the current and projected housing stock will meet a shortfall. Based on estimated US Census data for 2019, there are 163,586 Housing units in the County (with an average per person household of 2.55) and the current housing supply can house a population of up to 417,144. However, after exceeding the next 5 years the housing stock will begin to face a deficit.

The Comprehensive Housing Market Analysis published in 2018 by HUD indicated 2.9% population growth in the region over the three years following the report (ending January 2021). The growth in Lake County has come up short of that number, which is in part due to a stable purchase market due to the pandemic. As the house sales increase post-pandemic the housing demand could see growth return to near HUD projected levels for the Lake County market. Which would further exacerbate a housing supply shortfall.

The Proposed location of the development would have fallen within the projections (Lake County Comp Plan) for Howey-in-the-Hills if the project had qualified for annexation. The County data identifies the Howey-in-the-Hills is projected to have an above average (106%) growth rate from 2000 to 2030, the Town is currently on track with the projection. Based on this data, the area around Howey-in-the-Hills will experience a higher-than-normal growth rate.

The Falls at Drakes Point will provide up to 535 units if approved, the project would result in expanding the housing stock to supply demand for Lake County / Howey-in-the-Hills.

Since the original drafting of this report, an increase in the population growth of Florida has been observed, as report by [Floridapolitics.com](https://www.floridapolitics.com) “Driven by hundreds of thousands of people moving in, Florida’s population grew by 1% from July 2020 to July 2021, adding 211,305 more residents, according to new estimates released by the U.S. Census Bureau”. As anticipated growth has continued to increase and housing is required for the future growth.

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Attachment "E" – Letter of Concern (Page 1 of 2)

RECEIVED
OCT 19 2021
Planning & Zoning

The Yalaha Community Concerns Regarding the Proposed Drake Point Park At Lake Harris Development

After careful discussion and consideration, we the landowners and residents of the community of Yalaha, including both adjacent landowners and landowners of property in the vicinity of the proposed Drake Point Park at Lake Harris Development, have hereby determined a number of concerns that we would like addressed and resolved in this matter prior to progress of this proposed project. The list below is essentially a synopsis, with additional concerns that may be identified at a future time.

- 1) Entrances and exits, thus, egress points to and from the proposed development, are limited to an area just adjacent to a large blind curve where huge semi-truck commercial traffic habitually slows down only during the curve. This creates a serious and imminent major accident/fatality risk for residents of the proposed development as well as a major pileup/blockage of traffic issue such that the entire 48/19 commercial as well as residential traffic would be impacted with no alternate routing available among and between major areas of Lake county as well as between the Lake County area and access to the turnpike and therefore Orlando metropolitan areas. This project to be successful would require the development company to procure financial backing to significantly widen the road before, during, and after the blind curve to account for safe turn lanes, a merge lane, and an additional regular lane in both directions to accommodate this situation. The additional purchase of land adjacent to the road would be needed as well with no guarantee that existing owners would be willing to sell their land.

- 2) The proposed development would require a sewage treatment plant/facility to be built as there is no city or county sewage system available. Due to the location of the proposed development near the Florida protected lands of the Lake Harris area of the St. Johns River waterway, a sewage leak in this area would pollute the entire St. Johns River waterway network, producing contamination to the entire Central Florida metropolitan region. This would be devastating not only ecologically, but more important to the health of countless Central Florida residents whose water supply is dependent on localized wells. The entire city of Yalaha depends on localized wells. There is no city water supply. Therefore, the contamination of the water would result in very serious health impacts to the residents of Yalaha as well as countless residents across the entire Central Florida region who depend on clean well water. Such a devastation situation would undoubtedly lead to very costly litigation and waterway infrastructure for the development company and cleaning efforts that would have astronomical costs due to impact across the entire Central Florida region.

OVER →

Attachment "E" – Letter of Concern (Page 2 of 2)

- 3) The proposed development with 500 homes would create at least an estimated 1000 person traffic addition to the 48 road, based on a modest estimate of 2 people living in each home. The 48 would be impacted in an untenable way such that bumper to bumper traffic would occur along the 48 in both directions all the way from the 27 in Leesburg to the 441 in Tavares. With one lane in each direction, the 48 is not built to handle this additional traffic and there are no alternate avenues that Yalaha residents would be able to use to procure basic services such as supermarkets and gas stations. If there is a blockage due to untenable traffic, emergency vehicles would be unable to pass, creating life threatening situations. The 48 would therefore need to be expanded, widened to 2 lanes in each direction, again, requiring the developer to absorb these exorbitant costs along the entire length of the 48 from Leesburg at the 27 to Tavares at the 441, which accounts for in excess of 20 miles.

- 4) City water is not available in Yalaha. The developer would need to pay to drive city water from Leesburg or Tavares across the 20 mile distance to provide basic service to the proposed development. The land on which the 20 mile route sits is all privately owned with varying right of ways, indicating that at multiple points throughout this route, it may become necessary for the developer to have already purchased adjoining lands that landowners may be unwilling to sell to the developer. The developer would be required to absorb the cost of the 20 mile water provision routing as well as the purchase price of multiple adjoining lands to the 20 mile route.

- 5) The community landscape of Yalaha is rural country with the majority of landowners owning large single home parcels of over one acre each and many owning very large acreage. There are no suburban developments in this area. The closest one is the Legacy of Leesburg with full access to the major 27 road in Leesburg. That community along with all the other Pringle development communities on the 27 depend on well established water system and sewer treatment plants built years ago and paid for by the city and county. By altering the entire community of Yalaha landscape with the proposed development with no commensurate existing infrastructure resources to rely on, the developer would be required to single-handedly incur the huge costs of any and all known infrastructure ventures as well any unexpected and costly additional concerns that may arise since none of the essential city and county resources are available in the existing community landscape of Yalaha.

Because these impacts are expected to be both extremely costly for the developer as well as potentially imminently hazardous requiring expensive abatement procedures across the entire St Johns River waterway in Central Florida, it is of utmost importance that the concerns above be addressed and resolved by the developer prior to progress on this project.

- The Landowners of the town of Yalaha

Attachment "F" – Letter of Concern

Re: Drake Point Development



Caren <leasing@cfl.rr.com>
To Johnson, Emily

Reply Reply All Forward

Wed 5/4/2022 9:05 AM

If there are problems with how this message is displayed, click here to view it in a web browser.
[Click here to download pictures.](#) To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

CAUTION: This email originated from outside of your organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Emily,

From what I understand, the Drake point is going to ask for an extension until the 6/1 meeting. I have a comment for the next meeting.

Since the plant they want to build will only service the Drake Point Project, I would like the builder to place the plant on the large parcel they are putting the houses on. I believe other projects in Leesburg have done this and even Bishops Gate handles their own sewer on site. As a bonus it will be cheaper for them not to have to pipe it down the street. And for the town people not to have an eye sore.

Thank you,
Caren

On Apr 18, 2022, at 1:17 PM, Johnson, Emily <emjohnson@lakecountypud.org> wrote:

Re: Drake Point Development



Caren <leasing@cfl.rr.com>
To Johnson, Emily

Reply Reply All Forward

Wed 5/4/2022 2:05 PM

If there are problems with how this message is displayed, click here to view it in a web browser.
[Click here to download pictures.](#) To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

CAUTION: This email originated from outside of your organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Emily,

Thank you so much. Will you also add that Lake county recently repaved Lime Ave which borders the Drake point property. That maybe a good access point for the plant and is tucked away from the main road. Since we just build a new home here a few years ago, we are looking for the area to improve.

Thanks again,
Caren

Attachment “H” – Property Value Study (Page 1 of 8)



2300 CURLEW ROAD, Suite 201
 PALM HARBOR, FLORIDA 34683
 PHONE (727) 789-9500
 [AUTH#6139 LB7345]
WWW.AVIDGROUP.COM

Property Value Study:

December 16, 2021

The following report is intended to demonstrate that the proposed “The Falls at Drakes Point” subdivision will not cause a negative impact in property values.

BASE STUDY AREA:

The properties were chosen at random and analyzed for the short-term initial construction effects and long-term effects on property value from the completed subdivision. The subdivision that was chosen provides for a comparison that has double the proposed density of the proposed The Falls at Drakes Point subdivision. The base study area named Yalaha and is within proximity to The Falls at Drakes Point property.

In the base study as depicted in the table 1 below are three properties within the base study area. The property values increase from 2004 to 2006 at an average of 5%. The observed increase provides minimum growth. However, the numbers are only based on the small period of time from 2004 to 2006.

Table 1 – Short Term Base Area Growth				
Alternate Key	2004	2005	2006	Average Growth
3785088	\$136,207	\$140,293	\$144,501	6%
2667567	\$70,080	\$72,182	\$74,347	6%
3792976	\$389,929	\$391,280	\$403,018	3%

Further examination of the property values after a 17-year span (see Table 1.1), demonstrates widely different growth percentages ranging from as low as 27% up to 126%. Over the span of 17 years each property has different deteriorations or improvements that make the numbers differ so much; however, for the purpose of this study we are going to take the average percentage of those three properties to provide a stable percentage growth for the base study area. This will provide for a clear growth comparison when examining the proposed study area. based on this principle the average growth rate of the study area is 71%.

Table 1.1 Long Term Base Area Growth			
Alternate Key	2004	2021	Average Growth
3785088	\$136,207	\$173,021	27%
2667567	\$70,080	\$113,734	62%
3792976	\$389,929	\$884,691	126%

Attachment “H” – Property Value Study (Page 2 of 8)

STUDY AREA:

The study area was selected based on similar conditions shared by The Falls at Drakes Point. The Falls at Drakes Point borders single family homes that are on large lots and built at low density along the north side of the property. While, to the south and southwest of The Falls at Drakes Point is denser subdivisions than those properties to the north of The Falls at Drakes Point. The selected study area provides for a large subdivision branded as “Trilogy” approximately 8 miles from The Falls at Drakes Point within the jurisdiction of Groveland; however, the property shares similar characteristics such as an allowable density of 4 dwelling units per buildable acre and being a gated community; however, the selected community is built out to the maximum 4 dwelling units an acre, where The Falls at Drakes Point is proposing 2.4 dwelling units an acre. The property also borders low-density development to the north, south, and east. Study properties have been chosen at random within the study boundary As seen in Figure 3 below. Trilogy started construction in 2005 and as of today is built out. The study will focus on pre and post development from 2004 to 2007 property values for the property, as seen in table 2 below.

Table 2 – Short Term Base Area Growth					
Alternate Key	2004	2005	2006	2007	Average Growth
1360111	\$69,813	\$71,907	\$74,064	\$75,915	2.8%
1801893	\$125,941	\$133,179	\$158,269	\$161,539	8.5%
2576766	\$138,088	\$142,230	\$146,496	\$150,158	3.7%

Additionally, property values will be calculated based on total percentage of increase from 2004 to 2021 as seen in table 2.1 below. The data for the property value is calculated based on assessed property value obtained from Lake County Tax Collector (see attached tax bills for each property in the study). Figure 2 illustrates and aerial dated 2004, the aerial shows the overlay of the future subdivision streets but at that time the subdivision was still in the permitting stage. In 2005 the site broke ground and was constructed in 6 phases. It took 17 years to be built out (the subdivision website indicates the community is built out). Figure 3 demonstrates today's conditions.

Table 2.1 Long Term Study Area Growth			
Alternate Key	2004	2021	Average Growth
1360111	\$69,813	\$96,626	38%
1801893	\$133,179	\$355,716	167%
2576766	\$138,088	\$191,907	38.9%

Attachment “H” – Property Value Study (Page 3 of 8)

INDIVIDUAL PROPERTY EVALUATION OF STUDY AREA:

The first case study is identified by Alternate key # 1360111 (see street image below) the property is improved, with a single-family home and is located between the subdivision “Trilogy” and Florida’s Turnpike. The original assessed value in 2004 was 40,126. From 2004 to 2005 the property increased in value by 3%, again in 2006 by 3%, and in 2007 2.5%; however, as of 2021 the property assessed value has increased 35% (\$26,813). The short-term period from 2004 to 2007 does not identify a negative impact to the property values as the increase at a nominal rate each year during the beginning phase of construction to the Trilogy subdivision. The property value increase has been stable with no significant negative impact identified from 2004 to 2021.



The Second case study is identified by Alternate key # 1801893 (no street view available, see aerial next page) the property is improved, with a single-family home and is located on the south side of the Trilogy subdivision (phase 6). The image on the next page identifies the proximity to the subdivision. Mass grading of phase 6 did not begin until mid-2006. The original assessed value in 2004 was 125,941, and from 2004 to 2005 the property value increased 5.7%. From 2005 to 2006 the property increased in value by 18% and in 2007 by 2%; However, as of 2021 the property assessed value has increased 167% (\$222,537). The short-term period from 2005 to 2007 does identify a slowdown in value growth to the property; however, while there was a slowdown in growth between 2006 and 2007 the property did begin to increase in value between 2007 - 2021 delivering an increase of 167% property value.

Attachment "H" – Property Value Study (Page 4 of 8)



The third case study is identified by Alternate key # 2576766 (see street view next page) the property is improved, with a single-family home and is located on the southeast side of the Trilogy subdivision (phase 6). Mass grading of phase 6 did not begin until mid-2006. The original assessed value in 2004 was 138,088. From 2004 to 2005 the property increased in value by 5.7%, in 2006 by 3%, and in 2007 by 2.5%; However, as of 2021 the property assessed value has increased 35% (\$49,677). The short-term period from 2004 to 2007 does identify a slowdown in value growth to the property; however, while there was a slowdown in growth between 2004 and 2007 the property does show an overall increase in value between 2004 - 2021 delivering an increase of 35% property value.



Attachment "H" – Property Value Study (Page 5 of 8)

Conclusion of Case Studies:

The properties that were chosen at random were analyzed for the short-term initial construction effects on value and long-term effects from the completed subdivision. The subdivision that was chosen provides for a comparison that has double the proposed density of the proposed "The Falls at Drakes Point" subdivision. The properties above showed little to no impact by the initial construction of the adjacent subdivision "Trilogy". The provided data does reveal a decrease in property values for 3-4 years after 2007, which is contributed to the housing market bust that led to a recession. Expanding the value analysis to identify the change in value from 2004 to 2021 illustrates overall growth while taking in the effects of the recession. The long-term growth of the study area shows a rate of property value growth of 81.3%, while the Base study area in the same time frame showed a growth rate of 71%. The data demonstrates a higher growth rate adjacent to the new subdivision than the properties not adjacent to a new subdivision. During the study the properties in the study area ranged largely based on their unique features, it can be concluded that when all homes are taken into account in each study area, that growth rate would likely be similar. This would lead to the conclusion that the property values would have nominal value increase next to a new subdivision or have no projected impact.

Sincerely,
AVID Group



Evan Futch, AICP
Planner

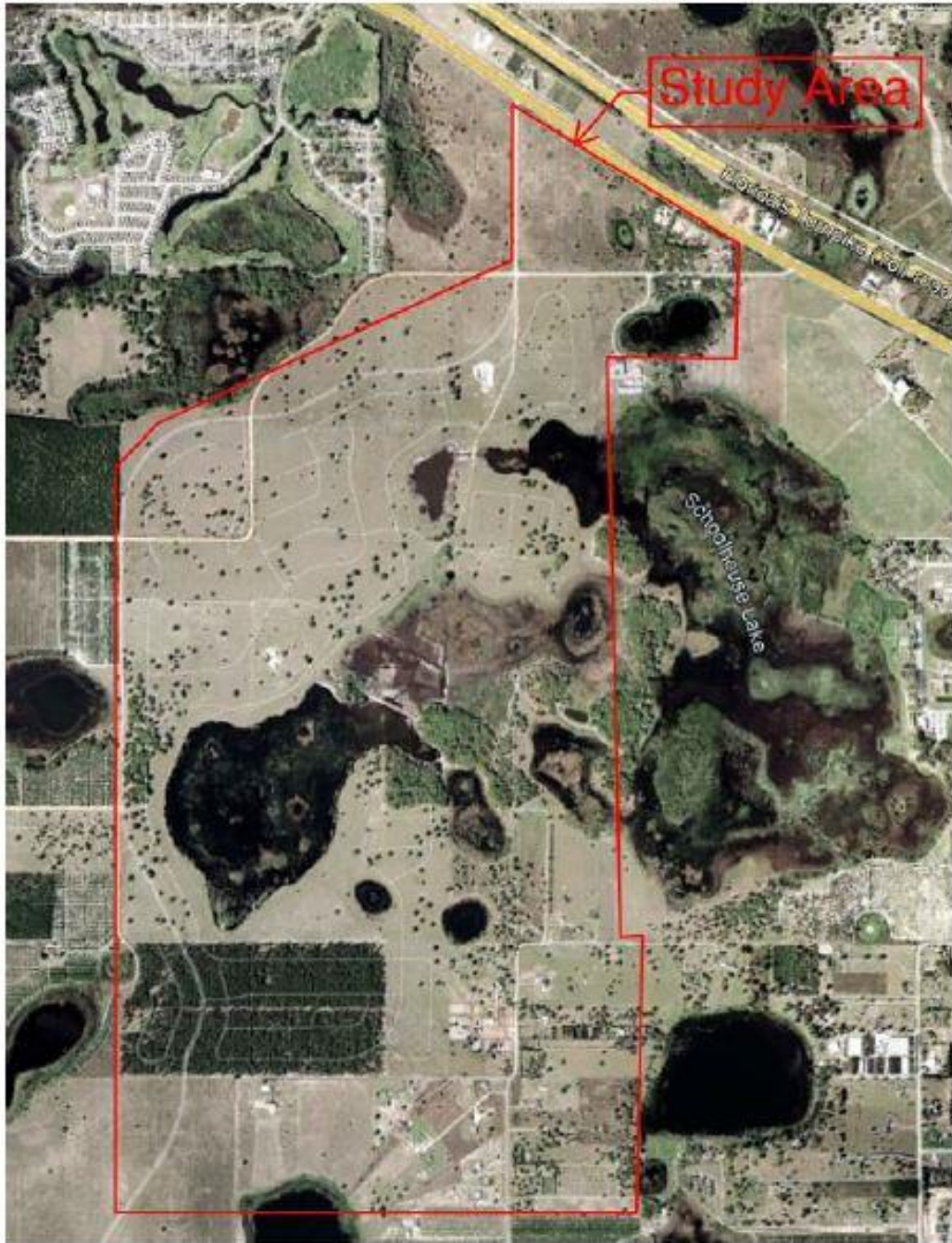
Attachment "H" – Property Value Study (Page 6 of 8)

Base Study Area (Figure 1)



Attachment "H" – Property Value Study (Page 7 of 8)

2004 (Figure 2)
Pre-development

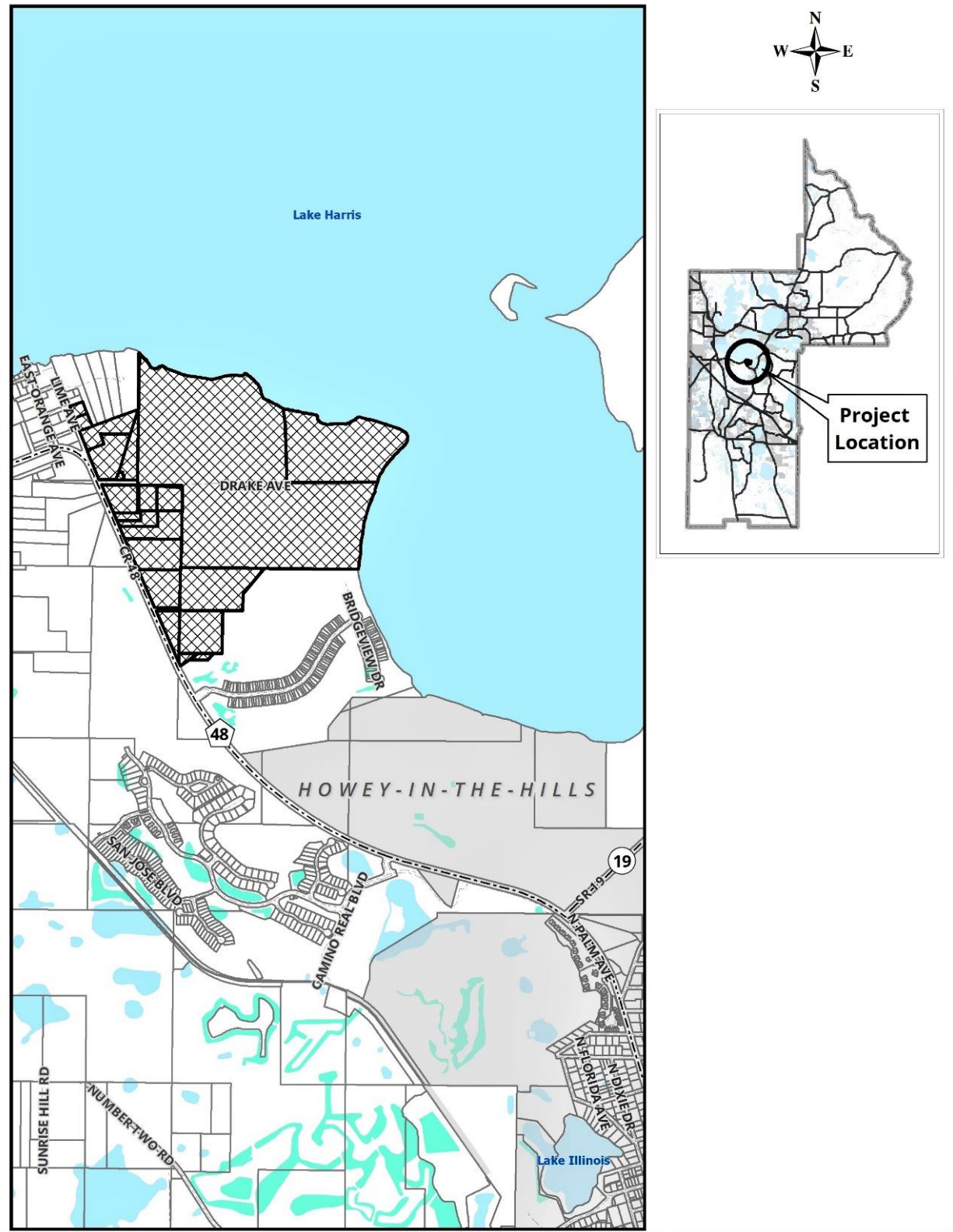


Attachment "H" – Property Value Study (Page 8 of 8)

2021 (Figure 3)



Subject Property



ORDINANCE 2022 – ___
FLU-21-05-3
Drake Pointe PUD

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING THE FUTURE LAND USE MAP FROM RURAL TRANSITION TO PLANNED UNIT DEVELOPMENT FUTURE LAND USE CATEGORY FOR A 293.810 ACRE PROPERTY LOCATED NORTHEAST OF COUNTY ROAD 48 AND ALONG LAKE HARRIS, IN THE HOWEY-IN-THE-HILLS AREA, AS DESCRIBED IN THIS ORDINANCE; AMENDING COMPREHENSIVE PLAN POLICY I-7.14.4 ENTITLED ‘PLANNED UNIT DEVELOPMENT LAND USE CATEGORY’ TO INCLUDE THE DRAKE POINTE PLANNED UNIT DEVELOPMENT AND ASSOCIATED DEVELOPMENT PROGRAM WHICH WILL ALLOW FOR THE DEVELOPMENT OF 535 DWELLING UNITS AND ASSOCIATED AMENITIES; PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, Part II, governs growth policy, county and municipal planning, and land development regulation in the State of Florida; and

WHEREAS, Chapter 125, Florida Statutes, Section 125.01(1)(g), authorizes the Board of County Commissioners of Lake County to “[p]repare and enforce comprehensive plans for the development of the county”; and

WHEREAS, pursuant to Chapters 163 and 125, Florida Statutes, on the 25th day of May 2010, the Board of County Commissioners enacted Ordinance No. 2010-25, adopting the Lake County 2030 Comprehensive Plan; and

WHEREAS, on the 23rd day of July 2010, the State of Florida Department of Community Affairs, now known as the Community Planning and Development Division of the Florida Department of Economic Opportunity, published a Notice of Intent finding the Lake County 2030 Comprehensive Plan Amendment "In Compliance" with Chapter 163, Florida Statutes; and

WHEREAS, on the 22nd day of September 2011, the Lake County 2030 Comprehensive Plan became effective and designated the property as part of the Rural Transition Future Land Use Category; and

WHEREAS, Section 163.3184, Florida Statutes, sets forth the process for adoption of Comprehensive Plan Amendments; and

WHEREAS, on the 1st day of June 2022, this Ordinance was heard at a public hearing before the Lake County Planning & Zoning Board in its capacity as the Local Planning Agency; and

WHEREAS, on the 5th day of July 2022, this Ordinance was heard at a public hearing before the Lake County Board of County Commissioners for approval to transmit to the state planning agency and other reviewing agencies; and

WHEREAS, on the XX day of XXXX 2022, this Ordinance was heard at a public hearing before the Lake County Board of County Commissioners for adoption; and

WHEREAS, it serves the health, safety and general welfare of the residents of Lake County to adopt the amendment to the Lake County Comprehensive Plan and Future Land Use Map.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that:

1 **Section 1. Comprehensive Plan Future Land Use Map Amendment.** The 2030 Comprehensive Plan
 2 Future Land Use Map is hereby amended to change the Future Land Use Category for the subject property,
 3 described in Exhibit “A” attached and incorporated in this Ordinance, from Rural Transition to Planned Unit
 4 Development Future Land Use Category.

5 **Section 2. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan,
 6 Policy I-7.14.4 entitled ‘Planned Unit Development Land Use Category,’ shall be amended to read as follows:

7 **Policy I-7.14.4 Planned Unit Development Land Use Category**

8 The following land use table details the development program, including the maximum densities and
 9 intensities, for the adopted Planned Unit Development Future Land Use designations:

Amendment No.	Name / Location	Former FLU Designation	Development Program	Ordinance No.
FLU-19-02-4	Sorrento Pines	Rural Transition	Residential [328 dwelling units and 45% open space]	2019-73
FLU-19-07-2	Evergreen Estates	Wellness Way 1	Residential [Two (2) dwelling units per net acre]; there shall be no access, emergency or otherwise, to Flynn Court or Champagne Drive except for the 5-acre estate lots	2020 - 65
FLU-21-01-1	Holiday Travel Park	Urban Low and Urban Medium	995 Temporary RV spaces, 112 mobile home sites and associated facilities	2021 – 38
FLU-21-03-5	Wildwoods Campground	Rural	84 RV spaces, Three (3) dwelling units and accessory uses	2021 - 40
<u>FLU-21-05-3</u>	<u>Drake Pointe</u>	<u>Rural Transition</u>	<u>Residential [535 dwelling units and 46% open space] with associated amenities</u>	<u>2022- XX</u>

10 **Section 3. Advertisement.** This Ordinance was advertised pursuant to Sections 125.66 and 163.3184,
 11 Florida Statutes.

12 **Section 4. Severability.** If any section, sentence, clause, phrase or word of this Ordinance is for any
 13 reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect
 14 the remaining portions of this Ordinance; and it shall be construed to have been the Commissioners’ intent
 15 to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of
 16 this Ordinance, after the exclusion of such part or parts shall be deemed and held to be valid, as if such parts
 17 had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any
 18 person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding
 19 shall not affect the applicability thereof to any other person, property or circumstances.

20 **Section 5. Effective Date.** The effective date of this plan amendment, if the amendment is not timely
 21 challenged, shall be 31 days after the state land planning agency notifies the local government that the plan
 22 amendment package is complete. If timely challenged, this amendment shall become effective on the date
 23 the state land planning agency or the Administration Commission enters a final order determining this
 24 adopted amendment to be in compliance. No development orders, development permits, or land uses

1 dependent on this amendment may be issued or commence before it has become effective. If a final order
2 of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made
3 effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to
4 the state land planning agency.

5
6 ENACTED this ___ day of _____, 2022.

7
8 FILED with the Secretary of State _____, 2022.
9

10
11 BOARD OF COUNTY COMMISSIONERS
12 LAKE COUNTY, FLORIDA
13

14
15 _____
16 Sean M. Parks, Chairman

17 ATTEST:
18
19

20 _____
21 Gary J. Cooney, Clerk
22 Board of County Commissioners of
23 Lake County, Florida
24

25
26 Approved as to form and legality:
27
28

29 _____
30 Melanie Marsh, County Attorney

Exhibit "A" – Legal Description

PROPERTY ALTERNATE KEY NUMBERS:

1226155, 3450221, 1242371, 3815464, 1371961, 3827817, 1517389, 3855902, 1535972, 3878118,
1673801, 1792304, 1792312, 3827816, 2923989, 2923962, 1792291, 3016050, 2704381, 1803411,
1803403

A PARCEL OF LAND LYING IN SECTION 15 AND 22, TOWNSHIP 20 SOUTH, RANGE 25 EAST BEING
DESCRIBED AS FOLLOWS:

COMMENCE AT NORTH QUARTER CORNER OF SAID SECTION 22 FOR A POINT OF REFERENCE;
THENCE RUN NORTH 89°14'57" WEST ALONG THE SOUTH LINE OF THAT CERTAIN QUIT CLAIM
DEED, RECORDED IN OFFICIAL RECORDS BOOK 5263, PAGE 681, OF THE PUBLIC RECORDS OF
LAKE COUNTY, FLORIDA, 670.22 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD
48; THENCE RUN THE FOLLOWING 4 COURSES ALONG SAID EASTERLY RIGHT-OF-WAY LINE,
NORTH 23°24'43" WEST, 11531.02 FEET; THENCE RUN SOUTH 66°37'55" WEST, 16.97 FEET; THENCE
RUN NORTH 20°18'28" WEST, 226.54 FEET; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE
OF COUNTY ROAD 48, RUN THE FOLLOWING 3 COURSES ALONG THE EAST RIGHT-OF-WAY LINE
OF LIME AVENUE: NORTH 20°34'23" WEST, 201.94 FEET; THENCE RUN NORTH 20°00'00" WEST,
317.00 FEET; THENCE RUN NORTH 19°50'21" WEST, 405.58 FEET TO THE NORTH LINE OF QUIT
CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 4470, PAGE 2292 OF SAID PUBLIC
RECORDS; THENCE RUN NORTH 69°59'13" EAST, ALONG SAID NORTH LINE, 210.05 FEET TO THE
EAST LINE OF SAID QUIT CLAIM DEED; THENCE RUN SOUTH 19°51'32" EAST, ALONG SAID EAST
LINE, 406.34 FEET TO THE SOUTHWEST CORNER OF LOT 3, A.J. PHARES YALAHA SUBDIVISION AS
REFERENCED ON THE MAP OF DRAKE POINT PARK, ACCORDING TO THE PLAT THEREOF AS
RECORDED IN PLAT BOOK 1, PAGE 19 OF SAID PUBLIC RECORDS; THENCE RUN
NORTH 70°07'30" EAST, ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 622.19 FEET TO
THE WEST LINE OF THE CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK
4452, PAGE 673 OF SAID PUBLIC RECORDS; THENCE RUN NORTH 02°08'18" EAST, ALONG SAID
WEST LINE, 961.62 FEET TO A POINT ON THE 62.5 FOOT CONTOUR LINE, BEING THE FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION "SAFE UPLAND" LINE OF THE WATERS OF LAKE
HARRIS, THENCE RUN ALONG SAID "SAFE UPLAND" LINE CONTOUR BEING APPROXIMATED BY
THE FOLLOWING COURSES: SOUTH 48°13'31" EAST, 171.61 FEET, SOUTH 30°28'21" EAST, 198.50
FEET, SOUTH 89°28'36" EAST, 214.54 FEET, SOUTH 75°33'09" EAST, 163.02 FEET,
SOUTH 64°37'20" EAST, 195.83 FEET, SOUTH 81°24'01" EAST, 185.82 FEET, SOUTH 83°21'55" EAST,
150.78 FEET, NORTH 82°35'47" EAST, 145.75 FEET, NORTH 88°37'02" EAST, 289.27 FEET,
NORTH 82°48'31" EAST, 99.43 FEET, SOUTH 72°51'05" EAST, 124.28 FEET, SOUTH 49°04'35" EAST,
589.31 FEET, SOUTH 68°28'09" EAST, 696.95 FEET, SOUTH 83°52'42" EAST, 390.31 FEET,
NORTH 79°30'03" EAST, 312.29 FEET, SOUTH 77°09'39" EAST, 405.31 FEET, SOUTH 64°24'04" EAST,
290.41, SOUTH 18°43'07" EAST, 72.17 FEET, SOUTH 32°23'54" WEST, 158.54 FEET,
SOUTH 47°59'25" WEST, 306.08 FEET, SOUTH 34°28'28" WEST, 160.69 FEET,
SOUTH 22°19'42" WEST, 170.42 FEET, SOUTH 02°47'59" EAST, 173.67 FEET, SOUTH 24°39'51" WEST,
379.39 FEET, SOUTH 20°53'09" WEST, 129.67 FEET, SOUTH 10°47'41" WEST, 262.36 FEET,
SOUTH 04°51'48" WEST, 356.75 FEET, SOUTH 06°43'37" WEST, 125.96 FEET, POINT BEING 100.00
FEET EASTERLY OF THE NORTHEAST CORNER OF THE AFORESAID SECTION 22; THENCE RUN
NORTH 89°32'11" WEST, 100.00 FEET TO THE NORTHEAST CORNER OF THE AFORESAID SECTION

1 22; THENCE RUN NORTH 89°32'11" WEST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER
2 OF SAID SECTION 22, A DISTANCE OF, 1350.44 FEET; THENCE DEPARTING SAID NORTH LINE, RUN
3 SOUTH 40°37'42" WEST, 872.91 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE
4 NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 22; THENCE RUN
5 NORTH 89°23'03" WEST, ALONG SAID SOUTH LINE, 73.32 FEET TO THE NORTHEAST CORNER OF
6 THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF
7 SAID SECTION 22; THENCE RUN SOUTH 01°02'44" WEST, THE EAST LINE OF THE SOUTHWEST
8 QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 22, A
9 DISTANCE OF 666.91 FEET TO THE SOUTHEAST CORNER OF SOUTHWEST QUARTER OF THE
10 NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 22; THENCE RUN
11 NORTH 89°13'56" WEST ALONG THE SOUTH LINE OF SOUTHWEST QUARTER OF THE NORTHWEST
12 QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 22, A DISTANCE OF 47.47 FEET TO
13 THE CENTERLINE OF A DITCH, THENCE RUN THE FOLLOWING 7 COURSES ALONG THE
14 CENTERLINE OF SAID DITCH: SOUTH 31°25'16" WEST, 1.75 FEET, SOUTH 62°36'34", 98.66', SOUTH
15 34°07'05" WEST, 113.15 FEET, SOUTH 67°31'03" WEST, 41.43 FEET, SOUTH 72°42'59" WEST, 159.42,
16 SOUTH 65°14'08" WEST, 143.37 FEET, SOUTH 76°24'55" WEST, 72.29 FEET TO A POINT ON THE
17 AFORESAID EAST RIGHT-OF-WAY OF COUNTY ROAD 48, SAID POINT IS LYING ON A NON-TANGENT
18 CURVE CONCAVE NORTHWESTERLY; THENCE RUN NORTHWESTERLY ALONG SAID NON-
19 TANGENT CURVE HAVING A RADIUS OF 5679.57 FEET, A CENTRAL ANGLE OF 03°34'40", AN ARC
20 LENGTH OF 354.66 FEET, A CHORD LENGTH OF 354.60 FEET, AND A CHORD BEARING OF
21 NORTH 24°58'35" WEST TO A POINT; THENCE RUN NORTH 23°24'43" WEST, NON-TANGENT TO
22 SAID CURVE, 677.51 FEET TO THE NORTH LINE OF TRACT "E", A REPLAT OF DRAKE POINT PARK,
23 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGES 63A AND 63B OF
24 SAID PUBLIC RECORDS THENCE RUN SOUTH 89°52'25" EAST, ALONG SAID NORTH LINE, 360.53
25 FEET; THENCE DEPARTING SAID NORTH LINE, RUN NORTH 01°07'49" EAST, 49.93 FEET TO THE
26 SOUTH LINE OF TRACT "D", A REPLAT OF DRAKE POINT PARK, ACCORDING TO THE PLAT THEREOF
27 AS RECORDED IN PLAT BOOK 10, PAGES 63A AND 63B OF THE PUBLIC RECORDS; THENCE RUN
28 NORTH 89°51'45" WEST ALONG THE SOUTH LINE OF SAID TRACT "D", 383.19 FEET TO THE
29 AFORESAID EAST RIGHT-OF-WAY OF COUNTY ROAD 48; THENCE RUN NORTH 23°24'43" WEST,
30 691.61 FEET TO THE POINT OF BEGINNING.

31
32 THE ABOVE DESCRIBED PARCEL OF LAND LIES IN LAKE COUNTY, FLORIDA AND CONTAINS 293.810
33 ACRES MORE OR LESS.