TOWN OF LAKE HAMILTON
TOWN COUNCIL
REGULAR MEETING AGENDA
TUESDAY, JANUARY 10, 2023
6:00 P.M.

The Town Council of the Town of Lake Hamilton will hold a Regular Council Meeting on Tuesday, January 10, 2023, at 6:00 PM at the Town Hall, 100 Smith Ave, Lake Hamilton, FL 33851.

1. **CALL TO ORDER BY THE MAYOR**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL OF COUNCIL MEMBERS BY THE CLERK**
5. **SCHEDULED PRESENTATIONS**
   - **a.** Dr. Martin Luther King Jr. Day Proclamation-*pages 1*
6. **CONSENT AGENDA**
   - **a.** December 6, 2022, Regular Meeting Minutes-*pages 2-4*
   - **b.** December 13, 2022, Special Meeting Minutes-*pages 5-6*
   - **c.** ROW Permit Lightspeed Construction Group LLC for Chicago Ave-*pages 7-12*
7. **RECOGNITION OF CITIZENS (Non-Agenda Items)**
8. **OLD BUSINESS-**
   - **a.** Future Planning Items/Update/Action on WUP/AWS/WW/PRWC-*no pages*
9. **NEW BUSINESS-**

- **Open Public Hearing**
  - **a.** Ordinance O-23-01 Hamilton Bluff PUD-*pages 13-15*
  - **b.** Ordinance O-23-02 Comprehensive Plan Amendment-*pages 16-21*
  - **c.** Ordinance O-23-03 Rezoning-*pages 22-24*
- **Close Public Hearing**
  - **d.** Resolution R-2023-01 Main Avenue Subdivision-*pages 25-28*
  - **e.** Accept Transfer for Portion of Detour Road from County-*pages 29-34*
  - **f.** Town Administrator Position-*no pages*

10. **STAFF REPORTS**
    - **a.** Interim Town Administrator-*no pages*
    - **b.** Town Clerk- *pages- 35*
    - **c.** Police Department-*no pages*
    - **d.** Code Enforcement-*pages 36*
    - **e.** Community Development-*pages 37*
    - **f.** Public Works-*pages 38*
11. **ATTORNEY COMMENTS**
12. **COUNCIL MEMBERS COMMENTS**
13. **ADJOURNMENT**

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND F. S. 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THESE PROCEEDINGS PLEASE CONTACT TOWN CLERK, BRITTNEY SANDOVAL SOTO, TOWN HALL, LAKE HAMILTON, FL AT 863-439-1910 WITHIN TWO (2) WORKING DAYS OF YOUR RECEIPT OF THIS NOTIFICATION. IF A PERSON DESIRES TO APPEAL ANY DECISION MADE BY THE TOWN COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE WHICH THE APPEALS IS TO BE BASED. (F.S. 286.26.105)

TOWN OF LAKE HAMILTON, FLORIDA

PROCLAMATION

WHEREAS, the Civil Rights movement of the 1960's has profoundly impacted the course of American history and continues to shape the direction and debate of our society; and

WHEREAS, one of the great leaders of that 20th century movement is Dr. Martin Luther King, Jr., whose "dream" is no less inspirational and important today than when he first expressed it more than 50 years ago; and

WHEREAS, even with the gains of the Civil Rights movement over the years, there are many goals and needs that must be pursued to continue our commitment to achieve justice in our society, including a commitment to economic justice in the face of increasing disparity between rich and poor; and

WHEREAS, as we look forward to the future with optimism—inspired by Dr. King's legacy and informed by his wisdom and vision—let us rededicate ourselves to keeping his dream alive and be reminded that we are united together as one community;

Now, THEREFORE I, Michael Kehoe, Mayor of the Town of Lake Hamilton, on behalf of the Town Council, do hereby proclaim January 16, 2023, in Lake Hamilton as

Martin Luther King, Jr. Day

and encourage all of us to recommit ourselves to achieving Dr. King's dream.

_____
Michael Kehoe, Mayor

ATTEST:

_____
Brittney Sandoval Soto, Town Clerk

Dated this 10th day of January 2023.

TOWN OF LAKE HAMILTON
MINUTES
TOWN COUNCIL REGULAR MEETING
TUESDAY, DECEMBER 6, 2022
6:00 PM

The Town Council of Lake Hamilton held a Regular Meeting on Tuesday December 6, 2022, at 100 Smith Ave., Lake Hamilton, FL 33851.

CALL TO ORDER

Mayor Kehoe called the meeting to order at 6:00 p.m.

INVOCATION

Invocation was given by Marlene Wagner

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by all.

ROLL CALL

Roberson, Tomlinson, O'Neill, Wagner, and Mayor Kehoe were present. Interim Town Administrator Teague and Town Clerk Sandoval were present. Attorney Maxwell was present via virtual conference.

SCHEDULED PRESENTATIONS

Two of the new Town Employees were present and were introduced to the Council.

CONSENT AGENDA

Motion made by O'Neill and a second by Wagner to approve consent agenda items a, and b.
No public comments were received.
Motion Passed 5-0.

RECOGNITION OF CITIZENS

There were no citizens signed in to speak.

OLD BUSINESS

Future Planning Items Update/Action on WUP/AWS/WW-
Interim Town Administrator Teague gave an update on the Wastewater treatment facility and the septic to sewer project.

- **Mayor Kehoe opened the public hearing at 6:04 PM**

Ordinance O-22-26 Hamilton Bluff Rezoning-
Attorney Maxwell read the title for the record.
An ordinance of the Town Council of the Town of Lake Hamilton, Polk county, Florida, an ordinance rezoning 9.89 acres of land located at the northwest corner of Detour Road and

Chicago Avenue from AG agriculture district to PUD planned unit development zoning district to be included in an existing PUD known as Hamilton Bluff; amending the Hamilton Bluff PUD to include the 9.89 acre parcel that lies in section 16, township 28 south, range 27 east, Polk County, Florida; providing for severability; providing for correction of scrivener's errors; repealing all ordinances in conflict herewith; and providing an effective date.
Motion made by Wagner and a second by O'Neill to adopt on second reading Ordinance O-22-26.
No public comments were received. A roll call vote was taken. Roberson aye, Tomlinson nay, O'Neill aye, Wagner aye Kehoe aye. **Motion passed 4-1.**

- **Mayor Kehoe Closed the Public Hearing at 6:06 PM.**

NEW BUSINESS

Resolution R-2022-20 Personnel Policy Update Firearms-
Attorney Maxwell read the title for the record.
A resolution of the Town Council of the Town of Lake Hamilton, Florida, Polk County, Florida, approving and adopting a replacement of section 7-21 of the Lake Hamilton personnel policies; providing for conflicts, providing for severability, and providing for an effective date.
Attorney Maxwell gave an overview of the Resolution and noted it was just for a clean up of inconsistencies in the previous policy.
Motion made by O'Neill and a second by Roberson to adopt Resolution R-2022-20
No public comments were received. A roll call vote was taken. Tomlinson aye, O'Neill aye, Wagner aye, Roberson aye, Kehoe aye. **Motion passed 5-0.**

Consider Exemption for New Single-Family Home-
Community Development Director Leonard presented the agenda item and explained it was for a property located on Church Street that is not adjacent to paved road. The developer has agreed to extend Church Street to the north of the property line and it will also give the next lot access to the paved road. Church Street was to be paved by the developer, but they couldn't find engineering feasibility or financial feasibility and suggested to provide access to those 3 lots and change the rest to pedestrian trails. The Town is extending the water line down Nebraska Blvd. The agenda item was tabled for the Special Meeting on December 13, 2022 to give Council time to visit the area. **Item Tabled.**

Staff Reports-
Town Administrator- Interim Administrator Teague announced that the Tree Lighting ceremony would be held on December 16th at 6:00 PM. He noted there will be a film to view, snow fest, hayride, and Santa will arrive in the firetruck. They will also be doing Candy Canes for kids hometown heroes that the families have been identified and they will receive their items that day. The Ridge League of Cites Dinner will be this Thursday. He noted that 1.9 million dollars in grants are being sought to pave the roads in which some additional roads are added to

the project. The septic to sewer grant project will bring additional roads to be resurfaced. He noted that the new street signs that are being placed carry a new design.

Town Clerk- included in packet.

Police Department- Included in packet.

Code Enforcement- Included in packet.

Community development- Included in packet.

Public Works- Included in packet.

ATTORNEY COMMENTS: No comments

COUNCIL COMMENTS: Roberson asked about a vacant lot located by the New Mount Zion Church which is filled with debris. Teague noted he will let code enforcement know. Tomlinson asked about the Semi-Trailers parked in town and Teague noted he has already taken action and had a code case opened to address those. There was a speed bump taken out of Church Street- Teague is looking into see what happened to that.
Mayor Kehoe asked about adding an Administrative Assistant to the staff to assist the Town Administrator. Teague noted that it would be a shared position in the office.

ADJOURNMENT:
Motion made by O'Neill and second by Wagner to adjourn the regular at 6:41 PM. **Motion passed 5-0.**

ATTEST:

_____
Michael Kehoe, Mayor

_____
Brittney Sandoval Soto, Town Clerk

_____
Michael Teague, Interim Town Administrator

TOWN OF LAKE HAMILTON
MINUTES
SPECIAL MEETING
TUESDAY, DECEMBER 13, 2022
5:00 PM

The Town Council of Lake Hamilton held a Special Meeting on Tuesday, December 13, 2022, at 5:00 PM, at 100 Smith Ave., Lake Hamilton, FL 33851.

CALL TO ORDER

Mayor Kehoe called the meeting to order at 5:03 p.m.

INVOCATION

Invocation was given by Cora Roberson.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited by all.

ROLL CALL

Roberson, O'Neill, Vice Mayor Wagner, and Mayor Kehoe were present. Tomlinson was absent. Clerk Sandoval were present. Attorney Maxwell was present via virtual conference.

SPECIAL COUNCIL MEETING BUSINESS

Two new employees were present and introduced to Council.

Award Bid for Lake Gordon Area Septic to Sewer Connection Improvements-

Steve Elias from Pennoni was present and noted that the bid that went out was for the project that is for making connections on private properties and abandoning septic tanks for 80 homes. Overall there was a $400,000 grant with a town match of $390,000 approximately, It is a 53% grant and a 47% town match. Mayor Kehoe noted that Interim Administrator Teague had reservations about the bid. He wants to be able to negotiate with CGA and other concerns with the grant. Elias noted that are in discussion with staff regarding the 319 Grant to verify that the grant still stands. They are requesting to use the same amount of grant money for half of the connections in the original application due to inflated costs.

Motion made by O'Neill and a second by Wagner to approve the bid with Senstate Construction with authorization for the mayor to execute agreements and to give the Town Administrator authorization to negotiate with Dundee C.G.A. regarding their connections.
No public comments were received. **Motion Passed 4-0.**

Authorization to Foreclose Code Enforcement Liens on 1001 Tangerine Street (Parcel ID:27-28-09-000000-024150) Case # CE20180113 and CE20200034-
Attorney Maxwell noted that this item was tabled from the last meeting. It is regarding the property located at 1001 Tangerine Street. One of the cases was from 2018 for exterior property sanitation and motor vehicles. The other case was for unsafe structure with a request for demolition.

Motion made by O'Neill and a second by Wagner to authorize legal to commence foreclosure proceedings on parcel # 27-28-09-000000-024150.
Attorney Maxwell noted that she wanted to make Council aware that she was going to run a title search. If anything big jumps out she will postpone and make sure it is ok to proceed and bring it back to council if need be.
No public comments were received. **Motion passed 4-0.**

Tabled Item Consider Exemption for New Single-Family Home-
Mayor Kehoe noted that he drove through the area and O'Neill as well. Community Development Director Leonard noted that the extension of road was for 115 feet. There was discussion regarding the state of the road and a fence nearby. He noted that Interim Administrator Teague would like the developer to pave the road so that the first 3 lots can access the road and also pave Nebraska Blvd to Water Tank Road instead of paving all of Church Street which was originally agreed upon. Leonard noted he will reach out to Cassidy to discuss the options.
Motion made by O'Neill and a second by Roberson to provide an exemption for the Lopez Property to the requirement of a road being paved in front of a vacant property to build a home with the understanding that the Town has negotiated with Cassidy Group to pave that portion of Church Street to just beyond the parcel during the development of the Hamilton Bluff subdivision.
No public comments were received. **Motion passed 4-0.**

ADJOURNMENT:
Motion made by Wagner to adjourn the special meeting at 5:38 PM.
No public comments were received.
Motion passed 4-0.

ATTEST:

_____
Michael Kehoe, Mayor

_____
Brittney Sandovalsoto, Town Clerk

_____
Michael Teague, Interim Town Administrator

TOWN OF LAKE HAMILTON BUILDING PERMIT APPLICATION

100 Smith Ave
PO Box 126
Lake Hamilton, FL 33851
(863) 439-1910
Fax: (863) 439-1421

TOTAL DUE: $_____

Date of Application: 1/6/23

Code in effect is the Florida Building Code 7th Edition

Property Address/Location: 124 West Chicago Avenue Parcel ID#:

Sq. Ft. of Building: Septic: Meter Size Req: Meter#:

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify no work or installation has commenced prior to the issuance of a permit and all work will be performed to meet the standards of al laws regulating construction in this jurisdiction. I understand a separate permit must be secured for any additional work not described on this application. I also agree to pay permit fees based on the Florida Building Code or furnish a signed contract for this construction. ALL COMMERCIAL NEW CONSTRUCTION, ALTERATIONS, AND/OR ADDITIONS REQUIRE TECHNICAL REVIEW BOARD APPROVAL. SCHEDULE AN APPOINTMENT WITH THE TOWN PLANNER FOR A PRE-REVIEW CONSULTATION.

Type of Permit: (x) all that apply:
Building ☐ Electrical ☐ Mechanical ☐ Plumbing ☐ Irrigation ☐ Fence ☐ Pool ☐ Shed ☐
Residential ☐ Commercial ☐ Warehouse ☐ New ☐ Alteration ☐ Addition ☐ Repair ☐ Roof
Description of work: Installation 630' new catv cable and 2" hdpe inner-duct by trench/directional bore parallel to roadway
Cost of construction: $____ Type of construction: ____ Occupancy Group: ____
Owner Name: Spectrum Southeast LLC Owner Phone #: 863-656-7456
Owner Address: 1004 US Highway 92 West City: Auburndale State: Florida Zip: 33823

PERMIT #:

CONTRACTOR INFORMATION

Contractor Name: Richard Jackman Business Name: Lightspeed Construction Group LLC Business Address:
14480 62nd Street North City: Clearwater State: FL Zip:
Phone #: 727-524-6235 Fax #: License #: ES 12001246
Sub-Contractor Name(s) and License Number(s):
Elec: Lic #: Mech: Lic #:
Plbg: Lic#: Roof: Lic #:
Irrigation: Lic #: Landscaping: Lic #:

OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning. WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

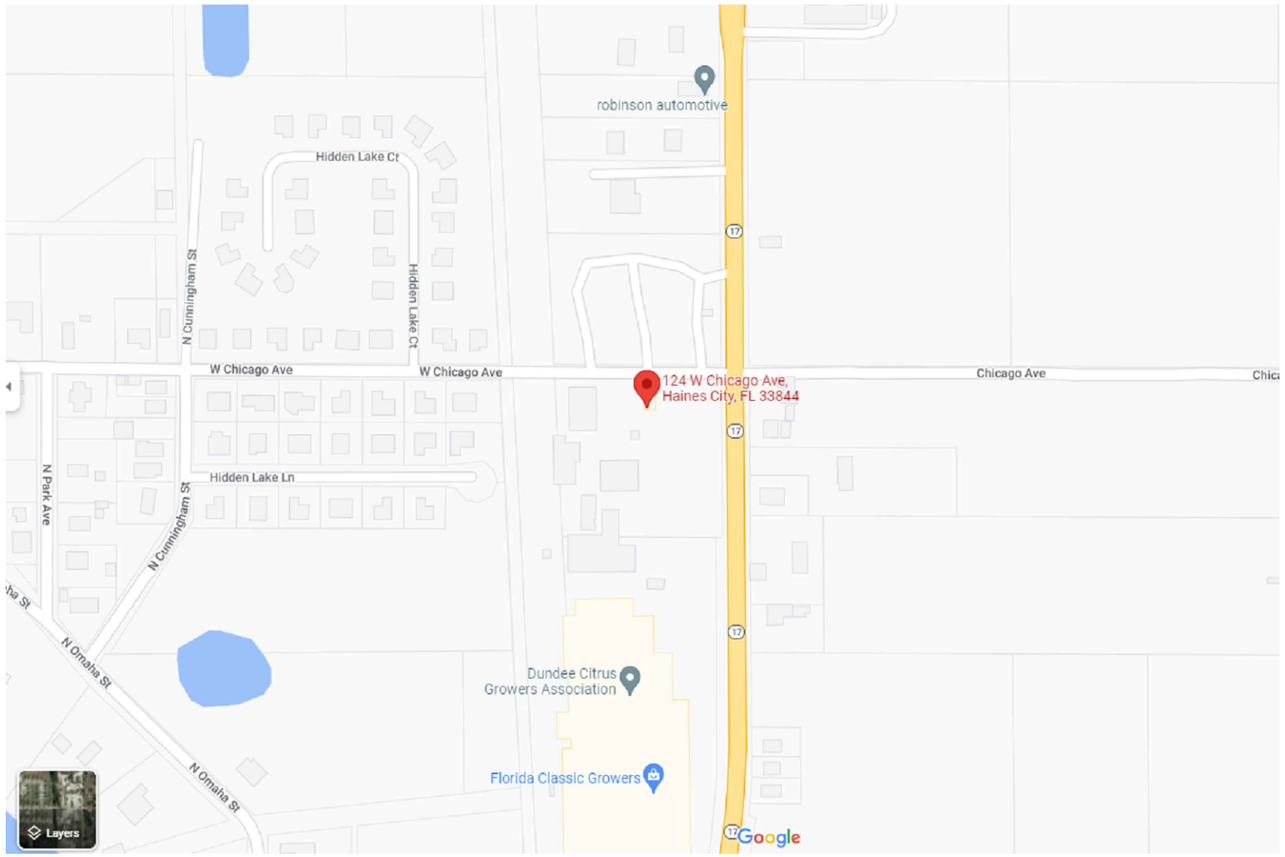
Signature of Owner [signature] **Date:** 12/6/23
Signature of Contractor Richard A Jackman **Date:** 01.06.2023

STATE OF FLORIDA
COUNTY OF POLK
Sworn to and subscribed before me this 6th day of Jan. 20 23, by Richard A. Jackman Who is personally known to me or who has produced ____ (Type of Identification)
Signature of Notary [signature] Notary Seal or Stamp
State of Florida
My Commission Expires 9.23.26

NOTARY PUBLIC STATE OF FLORIDA
JENIFER WHIDDON
Commission # HH 268337
Expires September 23, 2026

Fire Marshall: ____ **Date:** ____
Building Division: ____ **Date:** ____
Planning/ Zoning: ____ **Date:** ____

JOB LOCATION MAP



UTILITY LEGEND

×	PWR WOOD POLE	ROW
		EOP
	PWR CONCRETE POLE	CENTER LINE
	PWR STEEL POLE	POWER
	ST LITE	COMM
	JOINT USE TRANS	TELEVISION
	JOINT USE	WATER
	FIRE HYDRANT	SEWER
	CULVERT	RECLAIM
	STORM DRAIN	GAS

General Notes

1. All Catv Construction within the Public Rights of Way shall be in conformity with the Local Jurisdiction's "Minimum Standards"
2. The Contractor shall notify Call Sunshine and other utilities prior to commencement of construction.
3. Use the "Directional Bore Method" for all driveway crossings,
4. All open asphalt cuts shall be restored as per exhibit F of the F.D.O.T. utility accommodation guide.
5. All side walk removal and replacement shall be restored to the Local Jurisdiction's and F.D.O.T. Standard Specification No.522
6. All aerial construction shall maintain a minimum of 18' clearance parallel to and crossing all F.D.O.T. Rights of Way.
7. All aerial construction shall maintain a minimum of 18' clearance parallel to and 18' crossing all County and Municipalities Rights of Way.
8. Must maintain minimum 2ft seperation between existing utilities weather going over or under or paralleling.
9. Physical hand digging to be used at all times in conflict zones to minimize damages.
10. Underground utilities have been plotted from availble records and field obervations, but are not necessarily exact. Therefore utility locations will be verified 100ft in advance of trenching, plowing and boring. so that changes can be made in event of conflict.
11. Restoration shall begin within three (3) weeks after the installation of cable/ conduit. Full grass by seed and mulch or sodding as approved.
12. No open trenches to be left open overnight. Needs to be backfilled or covered. (Public Safety Hazzard.)
13. No excavation shall be permitted within 10' of protected trees (20' for Grand Oaks). All utility installation shall be placed by directional bore begining outside of protected radius.
14. These drawings are for permitting purposes only.
15. All Construction Methods and Materials within FDOT R/ W shall comply with the latest Editions of the Design Standards, the Standard Specifications for Road & Bridge Construction and the Utility Accommodation Manual (UAM)
16. All FDOT R/ W disturbed by this work shall be restored to its original condition or better and in accordance to applicable FDOT specifications. All a disturbed by construction shall be re-graded and sodded, matching existing grass type.
17. Any damage caused by the contractor shall be repaired by the contractor/ subcontractor at his sole expense.
18. Do not place outrigger pads on sidewalk.

Spectrum

811

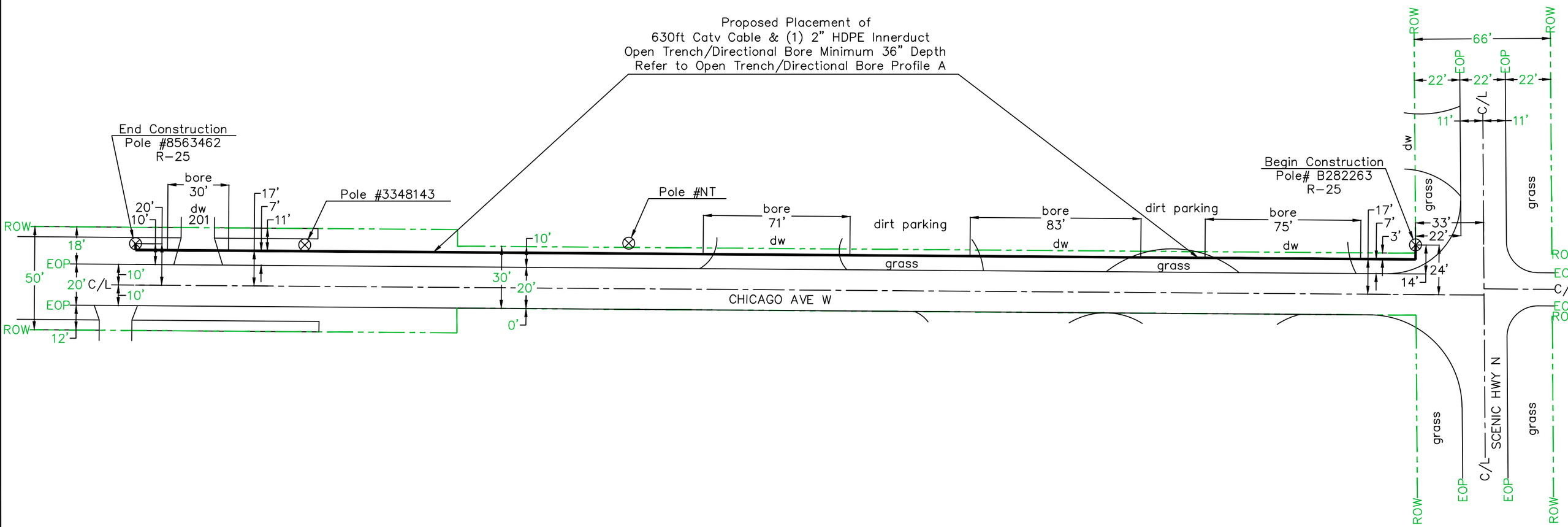
N W E S

APPLICATION TOWN OF LAKE HAMILTON PERMIT
TO PLACE NEW CONDUIT & CABLE WITHIN COUNTY RIGHT OF WAY

JOB DESCRIPTION :
CATV UNDERGROUND CONSTRUCTION

PROJECT NAME : 124 CHICAGO AVE W		COUNTY : POLK
DATE : 1-5-23		SECTION : 16 TOWNSHIP : 28 RANGE : 27
ENGINEER : BRIAN STINE		DRAWN BY : RLH
PRISM ID : 4700039	WORK ORDER # : -------	SCALE : NONE
TYPE OF PERMIT : CITY	TRACKING #:	DRAWING SHEET : 1 OF 3

PLANVIEW OF CATV UNDERGROUND CONSTRUCTION

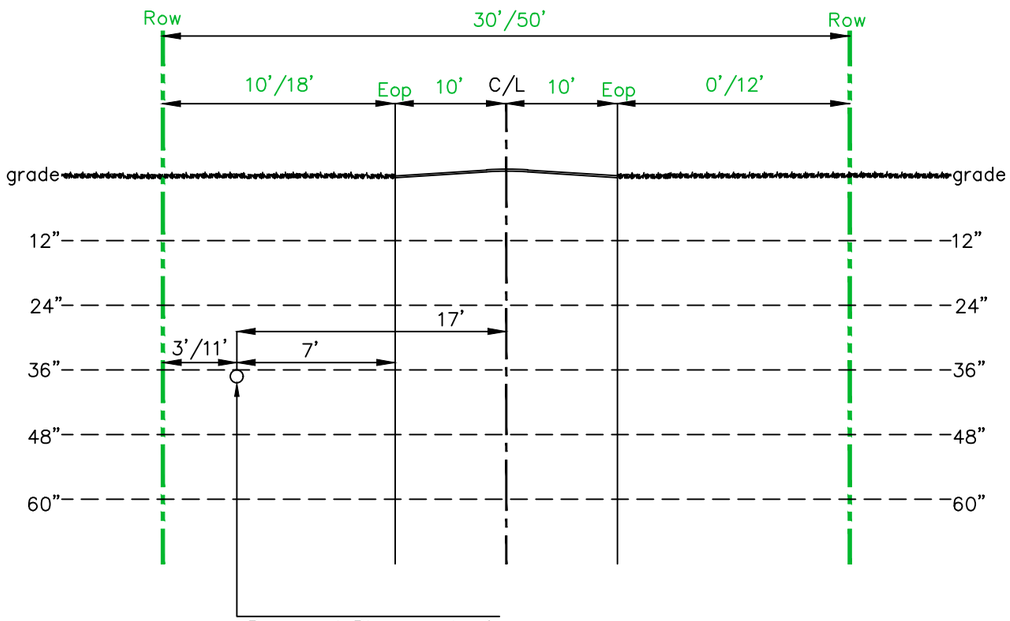


Spectrum	811	N W E S	APPLICATION TOWN OF LAKE HAMILTON PERMIT TO PLACE NEW CONDUIT & CABLE WITHIN COUNTY RIGHT OF WAY
			JOB DESCRIPTION : CATV UNDERGROUND CONSTRUCTION

PROJECT NAME : 124 CHICAGO AVE W		COUNTY : POLK
DATE : 1-5-23		SECTION : 16 TOWNSHIP : 28 RANGE : 27
ENGINEER : BRIAN STINE		DRAWN BY : RLH
PRISM ID : 4700039	WORK ORDER # : -------	SCALE : 1"=50'
TYPE OF PERMIT : CITY	TRACKING #:	DRAWING SHEET : 2 OF 3

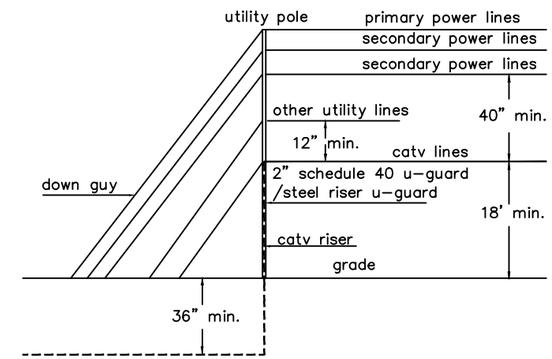
PROFILE VIEW OF CATV UNDERGROUND CONSTRUCTION

PROFILE A
TYPICAL CATV OPEN TRENCH/DIRECTIONAL BORE PARALLEL TO ROAD ROW
CHICAGO AVE W LOOKING EAST

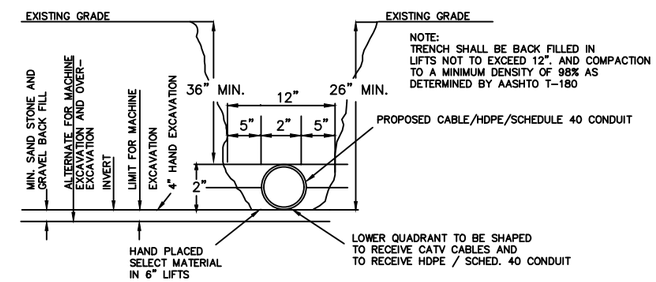


CONSTRUCTION TYPICALS

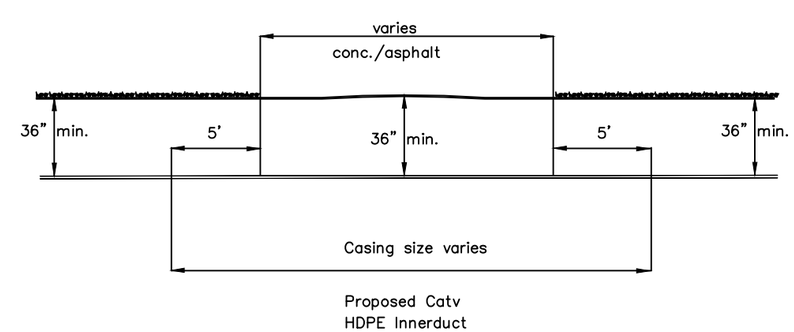
TYPICAL CATV RISER DETAIL



STANDARD TRENCH DETAIL



TYPICAL UNDERGROUND CATV DRIVEWAY CROSSING



Spectrum	811	N W E S	APPLICATION TOWN OF LAKE HAMILTON PERMIT TO PLACE NEW CONDUIT & CABLE WITHIN COUNTY RIGHT OF WAY
			JOB DESCRIPTION : CATV UNDERGROUND CONSTRUCTION

PROJECT NAME : 124 CHICAGO AVE W		COUNTY : POLK
DATE : 1-5-23		SECTION : 16 TOWNSHIP : 28 RANGE : 27
ENGINEER : BRIAN STINE		DRAWN BY : RLH
PRISM ID : 4700039	WORK ORDER # : -------	SCALE : NONE
TYPE OF PERMIT : CITY	TRACKING #:	DRAWING SHEET : 3 OF 3

NOTE:

1. This Index applies to Two-Lane, Two-Way and Multilane Roadways, including Medians of divided roadways, with work on the shoulder.

2. L = Taper Length
   X = Work Zone Sign Spacing
   B = Buffer Length
   See Index 102-600 for "L", "X", "B", and channelizing device spacing values.

3. Where work activities are between 2' and 15' from the edge of traveled way, the Engineer may omit signs and channelizing devices for work operations 60 minutes or less.

4. When four or more work vehicles enter the through traffic lanes in a one hour period (excluding establishing and terminating the work area), use a flagger or lane closure to accommodate work vehicle ingress and egress.

5. For work less than 2' from the traveled way and work zone speed is greater than 45 MPH, use a lane closure.

6. The "Speeding Fines Doubled When Workers Present" signs (MOT-13-06) and "End Road Work" Signs (G20-2) along with the associated work zone sign spacing distances may be omitted when the work operation is in place for 24 hours or less.

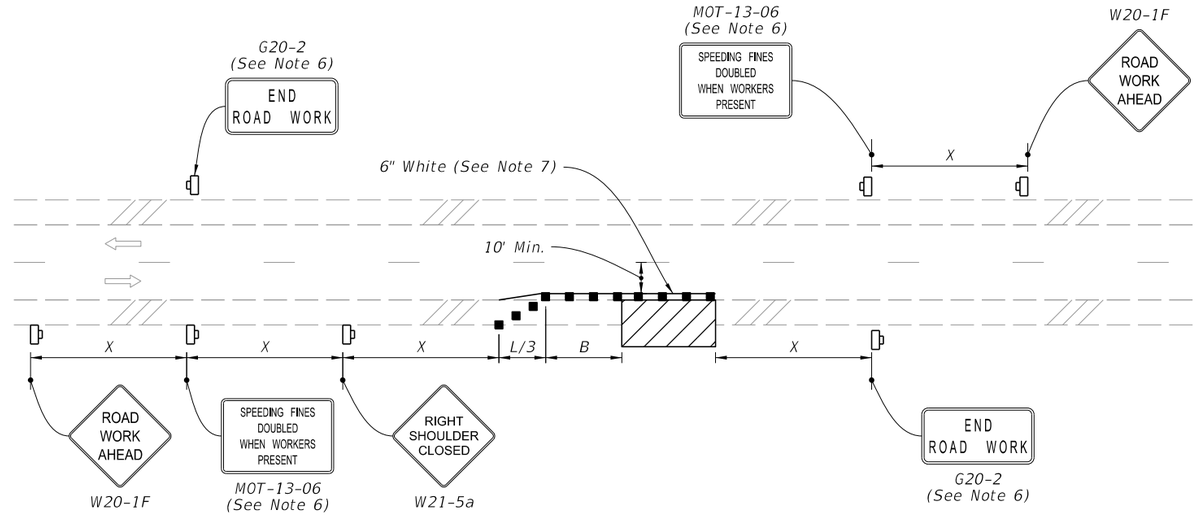
7. Temporary pavement markings may be omitted when the work operation is in place for 3 days or less.

8. Omit "Shoulder Closed" signs (W21-5a) along with associated work zone sign spacing distances for work on the median.

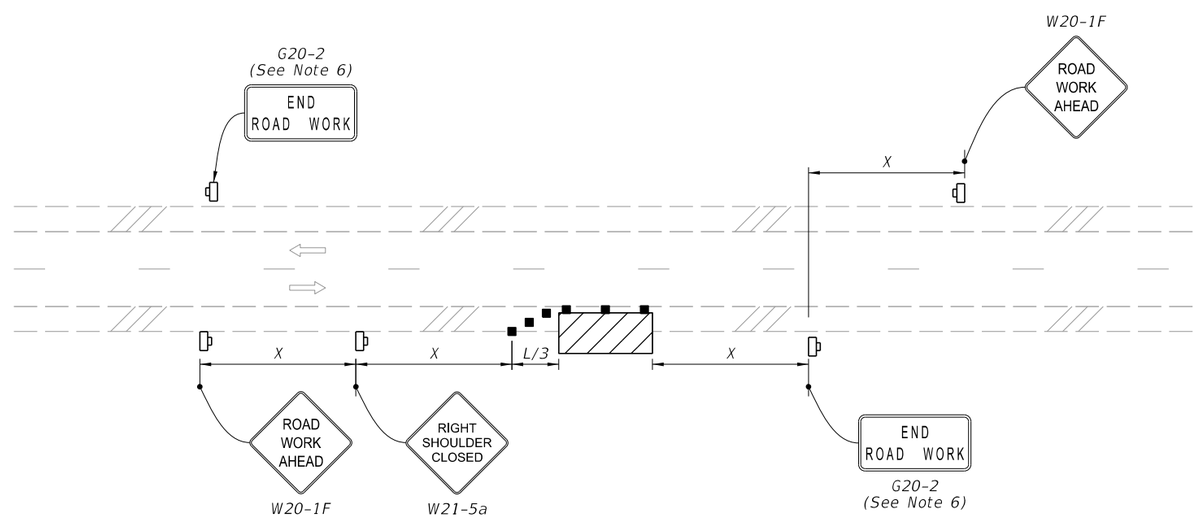
9. When there is no paved shoulder, the "Worker" sign (W21-1) may be used instead of the "Shoulder Closed" sign (W21-5a).

SYMBOLS:

- Work Area
- Channelizing Device (See Index 102-600)
- Work Zone Sign
- Lane Identification and Direction of Traffic



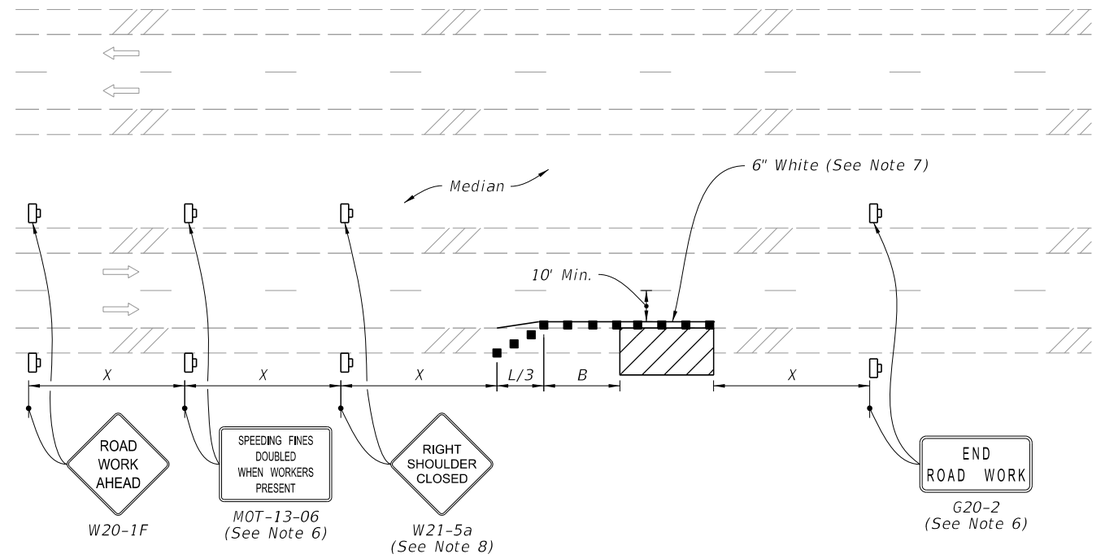
TWO-LANE ROADWAY
SHOULDER WORK LESS THAN 2' FROM THE TRAVELED WAY
WITH WORK ZONE SPEED OF 45 MPH OR LESS



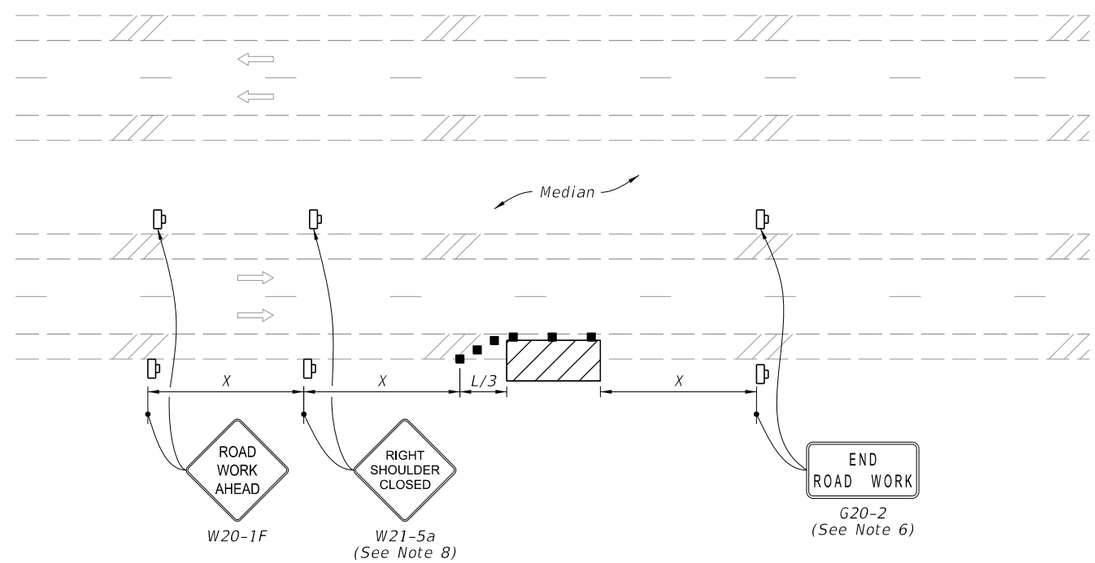
TWO-LANE ROADWAY
SHOULDER WORK BETWEEN 2' AND 15' FROM THE TRAVELED WAY

9/23/2021 2:40:48 PM

LAST REVISION	REVISION	DESCRIPTION:			INDEX	SHEET
11/01/21			FY 2022-23 STANDARD PLANS	TWO-LANE AND MULTILANE, WORK ON SHOULDER	102-602	1 of 2



MULTILANE ROADWAY
SHOULDER WORK LESS THAN 2' FROM THE TRAVELED WAY
WITH WORK ZONE SPEED OF 45 MPH OR LESS



MULTILANE ROADWAY
SHOULDER WORK BETWEEN 2' AND 15' FROM THE TRAVELED WAY

SYMBOLS:

- Work Area
- Channelizing Device (See Index 102-600)
- Work Zone Sign
- Lane Identification and Direction of Traffic

9/23/2021 2:40:49 PM

LAST REVISION	REVISION	DESCRIPTION:				
11/01/20			FDOT FY 2022-23 STANDARD PLANS	TWO-LANE AND MULTILANE, WORK ON SHOULDER	INDEX 102-602	SHEET 2 of 2

ORDINANCE O-23-01

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, AMENDING HAMILTON BLUFF PLANNED UNIT DEVELOPMENT (PUD) BY REMOVING A COMMERCIAL PARCEL OF LAND, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SCENIC HIGHWAY (SR17) AND WHITE CLAY PIT ROAD SECTIONS 9, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3167(c), Florida Statutes, empowers the Town to adopt land development regulations to guide the growth and development of the Town, and to amend such regulations from time to time; and

WHEREAS, pursuant to Section 166.041(c) 2, Florida Statutes, the Planning Commission, and the Town Council have held Public Hearings to consider the rezoning of lands described below, which will amend the Zoning Map of the Town; and

WHEREAS, Section 16-103 of the Lake Hamilton Code of Ordinances establishes Zoning Districts including a PUD Planned Unit Development.

WHEREAS, the Public Hearings were advertised and held with due public notice to obtain public comment; and having considered all written and oral comments received during the public hearings, the Town Council finds that the rezoning is consistent with the Future Land Use Element of the Lake Hamilton Comprehensive Plan; and

WHEREAS the zoning change will further the general health, safety, and welfare and be a benefit to the Town as a whole; and

NOW THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, AS FOLLOWS:

SECTION 1. PROPERTY IDENTIFICATION

LEGAL DESCRIPTIONS:

1. A parcel of land lying in the Northeast 1/4 of Section 9, Township 28 South, Range 27 East, Polk County, Florida, and being more particularly described as follows:

COMMENCE at the North 1/4 corner of said Section 9, run thence along the West boundary of said Northeast 1/4, S.00°36'53"E., a distance of 1360.11 feet; thence departing said West boundary, N.89°23'07"E., a distance of 36.64 feet to the intersection of the Easterly Right of Way of Scenic Highway (State Road 17), according to the State of Florida State Road Department Right of Way Map, Project 5209-Road (8), and the Southerly Maintained Right of Way of White Clay Pit Road, according to the Polk County Maintained Right of Way map

of White Clay Pit Road, recorded in Map Book 2, Pages 146 through 156 of the Public Records of Polk County, Florida, to the **POINT OF BEGINNING**; thence along said Southerly Maintained Right of Way the following four (4) courses: 1) N.87°19'06"E., a distance of 63.17 feet; 2) S.89°25'57"E., a distance of 100.00 feet; 3) S.88°58'27"E., a distance of 200.01 feet; 4) S.89°32'50"E., a distance of 152.32 feet; thence departing said Southerly Maintained Right of Way, S.00°43'13"W., a distance of 196.22 feet; thence S.89°24'09"W., a distance of 204.98 feet; thence N.00°35'51"W., a distance of 10.00 feet; thence S.89°24'09"W., a distance of 174.65 feet; thence S.00°35'51"E., a distance of 22.50 feet; thence S.89°24'09"W., a distance of 131.23 feet to aforesaid Easterly Right of Way of Scenic Highway (State Road 17); thence along said Easterly Right of Way, N.00°35'07"W., a distance of 216.86 Feet to the **POINT OF BEGINNING**.

Containing 2.374 acres, more or less.

Location Map Exhibit "A" attached hereto is made a part of this Ordinance. The property to be rezoned is shown on the map in relation to Hamilton Bluff PUD.

SECTION 2. SEVERABILITY.

Should any section, paragraph, clause, sentence, item, word, or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part hereof, not so declared to be invalid.

SECTION 3. SCRIVENER'S ERRORS.

The Ordinance may be renumbered or re-lettered and typographical errors and clarification of ambiguous wording that do not affect the intent may be corrected with the authorization of the Town Administrator without the need for a public hearing.

SECTION 4. CONFLICTS.

All ordinances or part of ordinances in conflict herewith are hereby repealed to the extent necessary to give this ordinance full force and effect

SECTION 5. EFFECTIVE DATE.

This ordinance shall become effective immediately upon adoption after second reading.

INTRODUCED AND PASSED on first reading at the Regular Meeting of the Town Council of Lake Hamilton this 10th day of January 2023.

PASSED AND ADOPTED on second reading at the Regular Meeting of the Town Council of Lake Hamilton this day of 2023.

TOWN OF LAKE HAMILTON, FLORIDA

_____

MICHAEL KEHOE, MAYOR

ATTEST:

_____
BRITTNEY SANDOVAL SOTO, TOWN CLERK

Approved as to form:

_____
HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	**Yes**	**No**
Roberson		
Tomlinson		
O'Neill		
Wagner		
Kehoe		

ORDINANCE O-23-02

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE TOWN OF LAKE HAMILTON, FLORIDA SAID SMALL SCALE AMENDMENT BEING KNOWN AS AMENDMENT 23-01SS TO CHANGE THE FUTURE LAND USE CLASSIFICATION OF 2.374 ACRES FROM RESIDENTIAL LANDS - 5 (RL-5) TO COMMERICAL SERVICES (CS); THE LAND BEING LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SCENIC HIGHWAY (SR17) AND WHITE CLAY PIT ROAD SECTIONS 9, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY, PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act, empowers and mandates the Town of Lake Hamilton, Florida to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the Town; and

WHEREAS, the Town Council of the Town of Lake Hamilton has determined that it would be in the best interest of the public health, safety, and general welfare of the residents of the Town to amend the Future Land Element of the Comprehensive Plan; and

WHEREAS, in exercise of its authority the Town Council has determined it necessary to adopt an amendment to the Town's Comprehensive Plan, Future Land Use Map, which is attached hereto as Exhibit "A" and by this reference made a part hereof, to ensure that the Comprehensive Plan is in full compliance with the laws of the State of Florida; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Planning Commission and Town Council has held public hearings with due public notice having been provided, in order to obtain public comment, and has considered all written and oral comments received during public hearings, including support documents.

NOW THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, AS FOLLOWS:

SECTION 1.

The provisions set forth in the recitals to this Ordinance (whereas clauses) are hereby adopted by the Town Council as the legislative findings and intent pertaining to this Ordinance.

SECTION 2.

The Town of Lake Hamilton hereby amends the Future Land Use Map of the Comprehensive Plan as described and detailed in Exhibit "A" to this Ordinance.

SECTION 3. SEVERABILITY.

Should any section, paragraph, clause, sentence, item, word, or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part hereof, not so declared to be invalid.

SECTION 4. SCRIVENER'S ERRORS.

The Ordinance may be renumbered or re-lettered and typographical errors and clarification of ambiguous wording that do not affect the intent may be corrected with the authorization of the Town Administrator without the need for a public hearing.

SECTION 5. CONFLICTS.

All ordinances or part of ordinances in conflict herewith are hereby repealed to the extent necessary to give this ordinance full force and effect

SECTION 6. EFFECTIVE DATE.

The effective date of this amendment, if the amendment is not timely challenged, shall be 31 days after the State Land Planning Agency notifies the local government that the plan amendment package is complete. If timely challenged, the amendments shall become effective on the date the State Land Planning Agency, or the Administration Commission enters a final order determining the adopted amendments to be in compliance. No development orders, development permits, or land uses dependent on these amendments may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Council, the amendments may nevertheless be made effective by adoption of a resolution affirming the effective status, a copy of which resolution shall be sent to the State Land Planning Agency.

INTRODUCED AND PASSED on first reading at the Regular Meeting of the Town Council of Lake Hamilton this 10th day of January 2023.

PASSED AND ADOPTED on second reading at the Regular Meeting of the Town Council of Lake Hamilton this day of 2023.

TOWN OF LAKE HAMILTON, FLORIDA

_____
MICHAEL KEHOE, MAYOR

ATTEST:

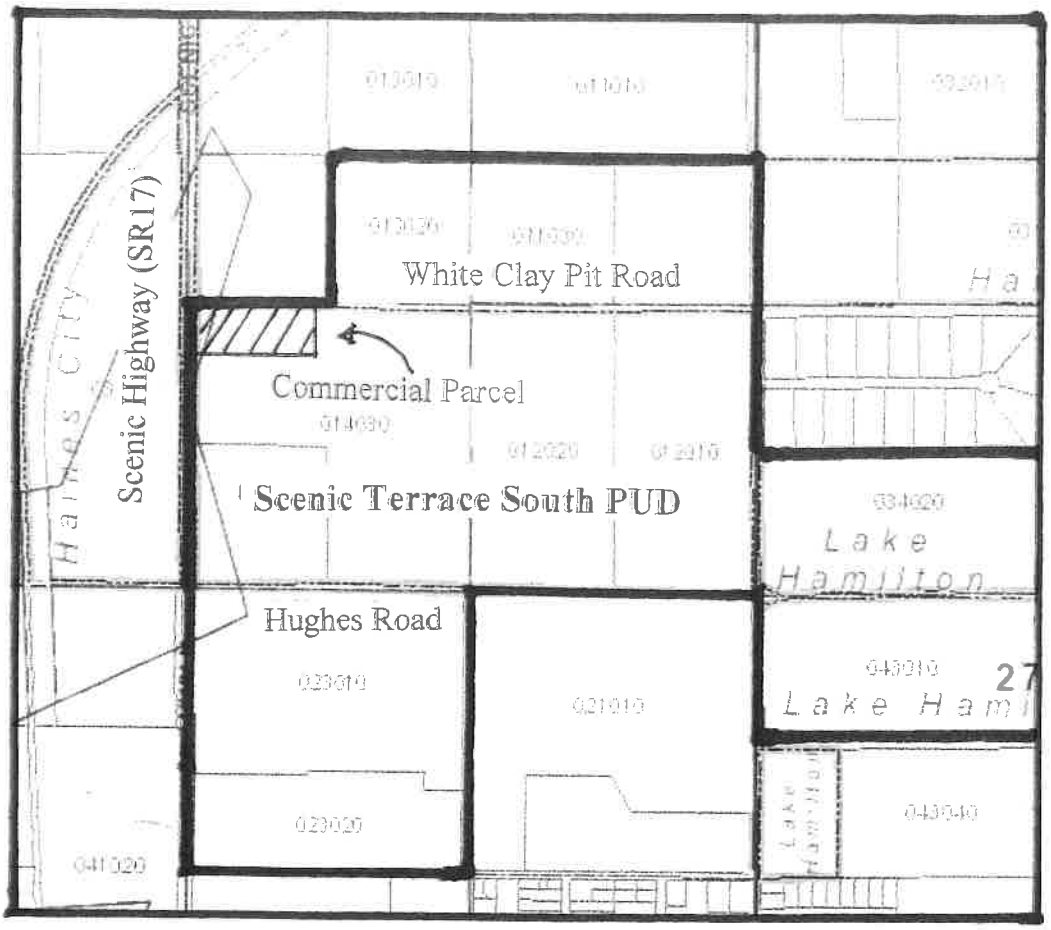
_____
BRITTNEY SANDOVAL SOTO, TOWN CLERK

Approved as to form:

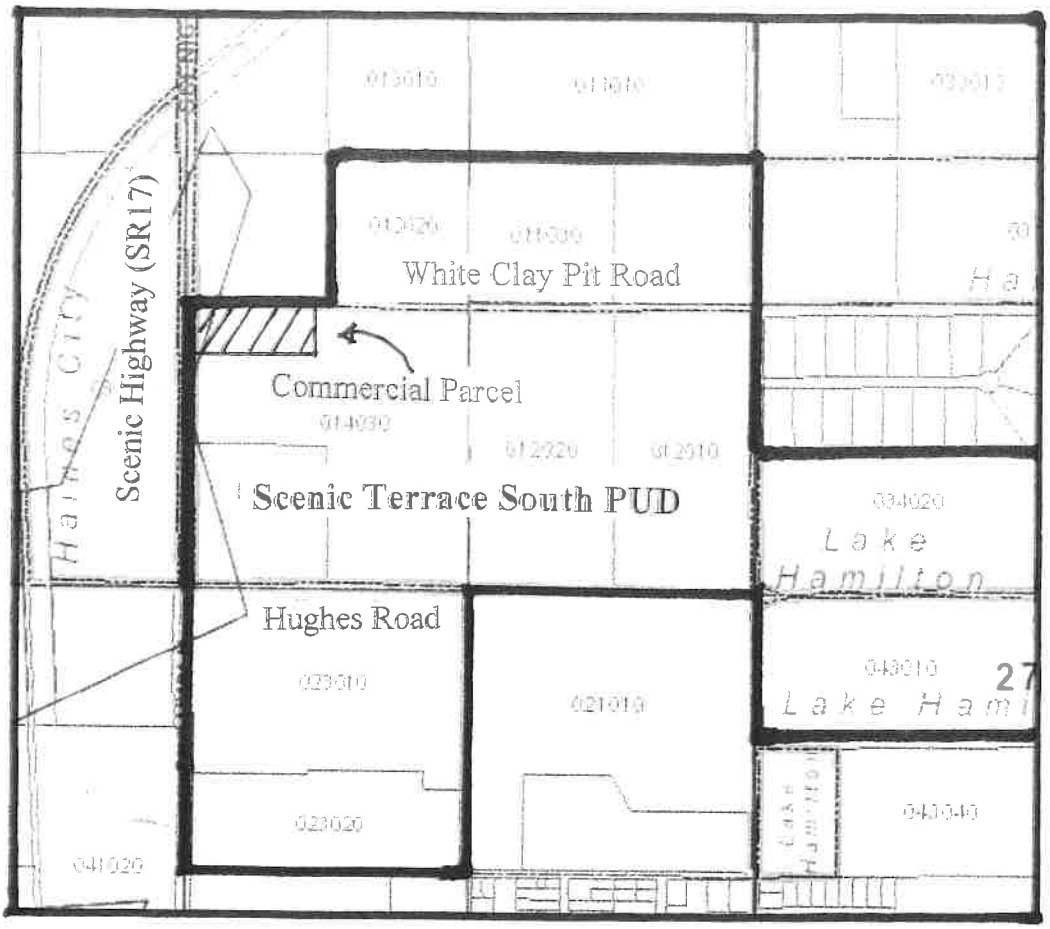
_____
HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	**Yes**	**No**
Roberson		
Tomlinson		
O'Neill		
Wagner		
Kehoe		

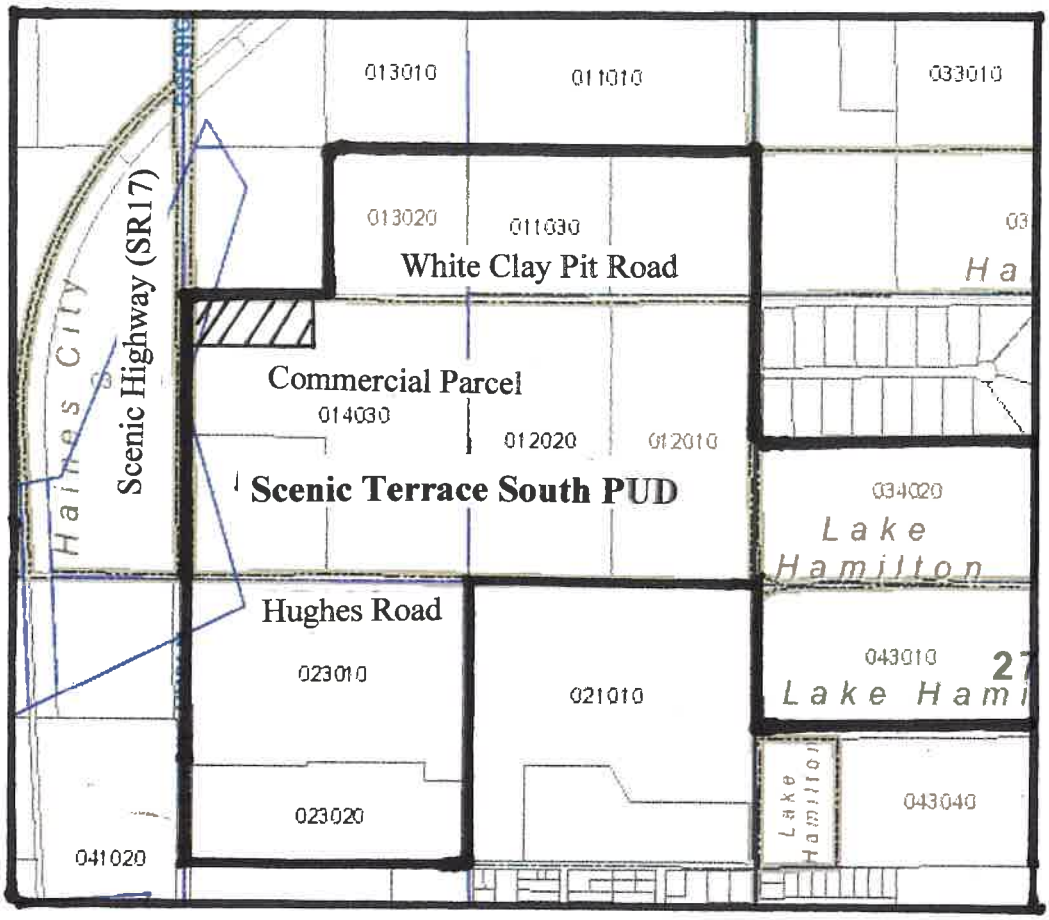
MAP 1 – PLANNED UNIT DEVELOPMENT MODIFICATION



MAP 2 – COMPREHENSIVE PLAN AMENDMENT



MAP 3 – REZONING OF COMMERCIAL PARCEL



ORDINANCE O-23-03

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, POLK COUNTY, FLORIDA, REZONING 2.374 ACRES FROM R-5 SINGLE-FAMILY DWELLING DISTRICT TO C-2 NEIGHBORHOOD COMMERCIAL DISTRICT, THE LAND BEING LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SCENIC HIGHWAY (SR17) AND WHITE CLAY PIT ROAD IN SECTION 9, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, there has been a request for approval of a rezoning of the property described below; and

WHEREAS, the change will further the general health, safety, and welfare and be a benefit to the Town as a whole; and

WHEREAS, the zoning change requested by the applicant is consistent with the Future Land Use Element of the Lake Hamilton Comprehensive Plan.

NOW THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, AS FOLLOWS:

SECTION 1.

1. The parcel is located at the southeast corner of the intersection of Scenic Highway (SR17) and White Clay Pit Road, as shown on Map "A", which is attached hereto, consists of a total of approximately 2.374 acres of land lying in Section 9, Township 28 South, Range 27 East, Polk County, Florida, and being more particularly described as follows:

COMMENCE at the North 1/4 corner of said Section 9, run thence along the West boundary of said Northeast 1/4, S.00°36'53"E., a distance of 1360.11 feet; thence departing said West boundary, N.89°23'07"E., a distance of 36.64 feet to the intersection of the Easterly Right of Way of Scenic Highway (State Road 17), according to the State of Florida State Road Department Right of Way Map, Project 5209-Road (8), and the Southerly Maintained Right of Way of White Clay Pit Road, according to the Polk County Maintained Right of Way map of White Clay Pit Road, recorded in Map Book 2, Pages 146 through 156 of the Public Records of Polk County, Florida, to the **POINT OF BEGINNING**; thence along said Southerly Maintained Right of Way the following four (4) courses: 1) N.87°19'06"E., a distance of 63.17 feet; 2) S.89°25'57"E., a distance of 100.00 feet; 3) S.88°58'27"E., a distance of 200.01 feet; 4) S.89°32'50"E., a distance of 152.32 feet; thence departing said Southerly Maintained Right of Way, S.00°43'13"W., a

distance of 196.22 feet; thence S.89°24'09"W., a distance of 204.98 feet; thence N.00°35'51"W., a distance of 10.00 feet; thence S.89°24'09"W., a distance of 174.65 feet; thence S.00°35'51"E., a distance of 22.50 feet; thence S.89°24'09"W., a distance of 131.23 feet to aforesaid Easterly Right of Way of Scenic Highway (State Road 17); thence along said Easterly Right of Way, N.00°35'07"W., a distance of 216.86 Feet to the **POINT OF BEGINNING**.

Containing 2.374 acres, more or less.

SECTION 2.

The parcel, as described above, constitutes less than five percent (5%) of the municipally zoned area of the Town.

SECTION 3.

Said property is hereby rezoned from R-5 Single-family Dwelling District to C-2 Neighborhood Commercial Zoning District and the regulations of that District contained in the Land Development Code shall govern further public review and development of the property within this District with the following specific conditions:

SECTION 4. SEVERABILITY.

Should any section, paragraph, clause, sentence, item, word, or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part hereof, not so declared to be invalid.

SECTION 5. CORRECTION OF SCRIVENER'S ERRORS.

The Ordinance may be renumbered or re-lettered and typographical errors and clarification of ambiguous wording that do not affect the intent may be corrected with the authorization of the Town Administrator without the need for a public hearing.

SECTION 6. CONFLICTS.

All ordinances in conflict herewith are hereby repealed to the extent necessary to give this ordinance full force and effect

SECTION 7. EFFECTIVE DATE.

This ordinance shall become effective immediately after passage.

INTRODUCED AND PASSED on first reading this 10th day of January 2023.

PASSED AND ADOPTED on second reading this ___ day of _____2023.

TOWN OF LAKE HAMILTON, FLORIDA

_____

MICHAEL KEHOE, MAYOR

ATTEST:

_____
BRITTNEY SANDOVALSOTO, TOWN CLERK

Approved as to form:

_____
HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	**Yes**	**No**
Roberson		
Tomlinson		
O'Neill		
Wagner		
Kehoe		

RESOLUTION R-2023-01

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, POLK COUNTY, FLORIDA, ADOPTING THE MAIN AVENUE SUBDIVISION, A REPLAT OF LOT 7, BLOCK 18, MAP OF LAKE HAMILTON; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 177, Florida Statutes, establishes the minimum requirements and creates such additional powers in local government bodies to regulate and control the platting of lands; and

WHEREAS, the Town of Lake Hamilton has received a boundary survey of the lands proposed for the Main Avenue Subdivision prepared by a professional land surveyor and reviewed by a professional land surveyor appointed by the Town for strict conformity to chapter 177, Florida Statues; and

WHEREAS, the Town has received a title opinion for the property prepared by an attorney licensed in the State of Florida; and

WHEREAS, a map of the Main Avenue Subdivision has been prepared with all required signatures and dedications executed by the owners of record and mortgages having a record interest in the land subdivided and presented to the Town Council for approval to record the Plat.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, AS FOLLOWS:

SECTION 1.

Main Avenue Subdivision, A Replat of Lot 7, Block 18 Map of Lake Hamilton described, displayed, and detailed in Exhibit "A", which is attached hereto and made a part of this Resolution, is hereby approved.

SECTION 2.

The Mayor is hereby authorized to execute the Main Avenue Subdivision, A Replat of Lot 7, Block 18 Map of Lake Hamilton for the Town of Lake Hamilton and return same to the developer for recording by the Clerk of the Circuit Court of Polk County.

SECTION 3. CONFLICTS.

All Resolutions or part of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 4. SEVERABILITY.

If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidated or impair the validity, force, or effect or any other section or part of this Resolution.

SECTION 5. EFFECTIVE DATE.

This Resolution shall take effect upon its approval and adoption by the Town Council.

INTRODUCED and PASSED at the regular meeting of the Town Council of Lake Hamilton, Florida, held this 10th day of January 2023.

TOWN OF LAKE HAMILTON, FLORIDA

_____
MICHAEL KEHOE, MAYOR

ATTEST:

_____
BRITTNEY SANDOVAL SOTO, TOWN CLERK

Approved as to form:

_____
HEATHER R MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	Yes	No
Roberson		
Tomlinson		
O'Neill		
Wagner		
Kehoe		

MAIN AVENUE

A Replat of Lot 7, Block 18, MAP OF LAKE HAMILTON, according to the plat thereof, as recorded in Plat Book 3, Page 34, of the Public Records of Polk County, Florida; Being a portion of the Southwest One–Quarter of Section 16, Township 28 South, Range 27 East, TOWN OF LAKE HAMILTON, POLK COUNTY, FLORIDA

PLAT BOOK _____ PAGE _____

SHEET 1 OF 2

LAND DESCRIPTION:

Lot 7, Block 18, MAP OF LAKE HAMILTON, according to the plat thereof, as recorded in Plat Book 3, Page 34, of the Public Records of Polk County, Florida

SURVEYORS NOTES:

1. Bearings shown hereon are based on an assumed datum. The Northerly right–of–way line of Main Street is assumed to bear N90°00'00"E.

2. Unless otherwise noted, a 5/8" iron rod with cap bearing " LB 7353 " was set at all Lot and Tract corners.

3. This plat is based on a recent survey made under my direction and supervison in compliance with Chapter 177, Florida Statutes.

4. ⊠ indicates a PRM bearing LB 7353 was set at this location; or, a concrete monument was found at this location.

5. **o** indicates a 5/8" iron rod w/ cap LB 7353 was set at this location.

6. The Limited Vehicular Easement is intended to allow for transitional driving, allowing a limited time for a vehicle to turnaround using a 3–point turn. The Easement is not to be used for parking purposes.

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT.
THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED IN THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY.

NOTE:

Each structure including, without limitation, single–family dwellings, shall comply with the Florida Fire Prevention Code (FFPC) as determined by the Polk County Fire Marshall's Office at the time of permitting each structure. .

LUNSFORD SURVEYING & MAPPING, INC. (LB7353)

THOMAS G. LUNSFORD, PSM 4646
836 E. Walnut Street
Lakeland, Florida 33801

DEDICATION:
STATE OF FLORIDA
COUNTY OF POLK

KNOW ALL MEN BY THESE PRESENTS THAT PALMDALE HOLDINGS, LLC OWNERS OF THE LANDS SHOWN HEREON HAVE CAUSED THIS PLAT OF "MAIN AVENUE" TO BE MADE AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL EASEMENTS AND RIGHTS–OF–WAY SHOWN ON THE PLAT FOR THE PURPOSES INDICATED.

_____
PERRY KEMP, MANAGER

PRINTED NAME: _____

_____ _____
WITNESS WITNESS

PRINTED NAME: _____ PRINTED NAME: _____

ACKNOWLEDGEMENT:
STATE OF FLORIDA
COUNTY OF POLK

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF __ PHYSICAL PRESENCE OR __ ONLINE NOTARIZATION THIS _____ DAY OF _____, 2023 BY PERRY KEMP AS MANAGER OF PALMDALE HOLDINGS, LLC, ON BEHALF OF THE CORPORATION, WHO __ IS PERSONALLY KNOWN TO ME OR __ HAS PRODUCED _____AS IDENTIFICATION.

_____
NOTARY PUBLIC, STATE OF FLORIDA
PRINTED NAME: _____

MY COMMISION EXPIRES: _____

MORTGAGEE APPROVAL:
STATE OF FLORIDA
COUNTY OF POLK

KNOW ALL MEN BY THESE PRESENTS THAT SOUTH STATE BANK, N.A. (FORMERLY KNOW AS CENTERSTATE BANK, N.A.) MORTGAGEES OF THE LANDS SHOWN HEREON DOES HEREBY CONSENT TO AND JOIN WITH THE OWNER'S DEDICATION AS STATED HEREON.

_____
ALEX JORDAN, VICE–PRESIDENT
FOR SOUTH STATE BANK, N.A.

PRINTED NAME: _____

_____ _____
WITNESS WITNESS

PRINTED NAME: _____ PRINTED NAME: _____

ACKNOWLEDGEMENT:
STATE OF FLORIDA
COUNTY OF POLK

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY MEANS OF _____ PHYSICAL PRESENCE OR __ ONLINE NOTARIZATION THIS _____ DAY OF _____, 2023 BY ALEX JORDAN AS VICE–PRESIDENT OF SOUTH STATE BANK, N.A. (FORMERLY KNOW AS CENTERSTATE BANK, N.A.) ON BEHALF OF THE CORPORATION, WHO __ IS PERSONALLY KNOWN TO ME OR __ HAS PRODUCED _____AS IDENTIFICATION.

_____
NOTARY PUBLIC, STATE OF FLORIDA
PRINTED NAME:

MY COMMISION EXPIRES: _____

NOTE:

These conditions will allow building permits to be granted as an alternative to NFPA 1, Chapter 1, Water Supply.
(1) Compliance with NFPA 1141: Fire Protection Infrastructure for Land Development in Wildland, Rural, and Suburban Areas, Section 6.2 Building Separation will be required. Regardless of established setback regulations, for each property within the development the following must be met.
(2) 6.2.1. Unless governed by other locally adopted regulations, any building shall be separated from another building by at least 30 ft (9.144 m) and shall be set back at least 30 ft (9.144 m) from a property line.
(3) Alternative to the above distances will be allowed as outlined in NFPA 1141. Residential Sprinkler Systems.
(4) Refer to NFPA 1411 for building heights, over 4 stories and accessory buildings over 400 square feet.
(5) Fire Department access: (A)18.2.3.2.1 A fire department access road shall extend to within 50 ft (15 m) of at least one exterior door that can be opened from the outside and that provides access to the interior of the building. (B) 18.2.3.4.2. Surface. Fire department access roads shall be designed and maintained
to support the imposed loads of fire apparatus and shall be provided with an all–weather driving surface. (C) 18.2.3.4.1.1. Fire department access roads shall have an unobstructed width of not less that 20 ft (6.1 m). (D) 18.2.3.4.4. Dead Ends. Dead–end fire department access roads in excess of 150 ft (46 m) in length shall be provided with approved provisions for the fire apparatus turn around.

TOWN COUNCIL'S APPROVAL
STATE OF FLORIDA
COUNTY OF POLK
TOWN OF LAKE HAMILTON

THIS PLAT HAS RECEIVED FINAL APPROVAL THIS ___ DAY ____, A.D. 2023 BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, POLK COUNTY, FLORIDA.

TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON

BY: _____ ATTEST: _____

PRINTED NAME: _____ PRINTED NAME: _____
Michael Kehoe, Mayor Brittney Sandoval, Town Clerk

TOWN SURVEYOR (CONSULTANT):
STATE OF FLORIDA
COUNTY OF POLK
TOWN OF LAKE HAMILTON

THIS PLAT HAS BEEN REVIEWED AND FOUND TO BE SUBSTANTIALLY IN COMPLIANCE WITH ALL THE SURVEY REQUIREMENTS OF CHAPTER 177, PART 1, FLORIDA STATUTES RELATED TO THE MAKING OF MAPS AND PLATS THIS _____ DAY OF _____, 2023.

BY: _____

PRINTED NAME: _____
TOWN SURVEYOR (CONSULTANT)

SURVEYORS' STATEMENT:
STATE OF FLORIDA
COUNTY OF POLK

I HEREBY STATE THAT THIS PLAT OF "MAIN AVENUE" WAS PREPARED UNDER MY DIRECTION AND SUPERVISION AND THAT THE PLAT COMPLIES WITH ALL THE SURVEY REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND THAT ALL P.R.M.S, P.C.P.'S AND OTHER MONUMENTATION HAVE BEEN SET AS SHOWN OR NOTED.

_____
THOMAS G. LUNSFORD
PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION NO. 4646 (LB 7353)

TOWN ENGINEER (CONSULTANT):
STATE OF FLORIDA
COUNTY OF POLK
TOWN OF LAKE HAMILTON

THIS PLAT HAS RECEIVED FINAL APPROVAL THIS ___ DAY ____, A.D. 2023 BY THE TOWN OF LAKE HAMILTON APPOINTED ENGINEER.

BY: _____

PRINTED NAME: _____
TOWN ENGINEER (CONSULTANT)

LAND DEVELOPMENT DIVISION:
STATE OF FLORIDA
COUNTY OF POLK
TOWN OF LAKE HAMILTON

THIS PLAT HAS RECEIVED FINAL APPROVAL THIS ___ DAY ____, A.D. 2023 BY THE TOWN OF LAKE HAMILTON LAND DEVELOPMENT DIVISION.

BY: _____

PRINTED NAME: _____
LAND DEVELOPMENT DIRECTOR

MAIN AVENUE

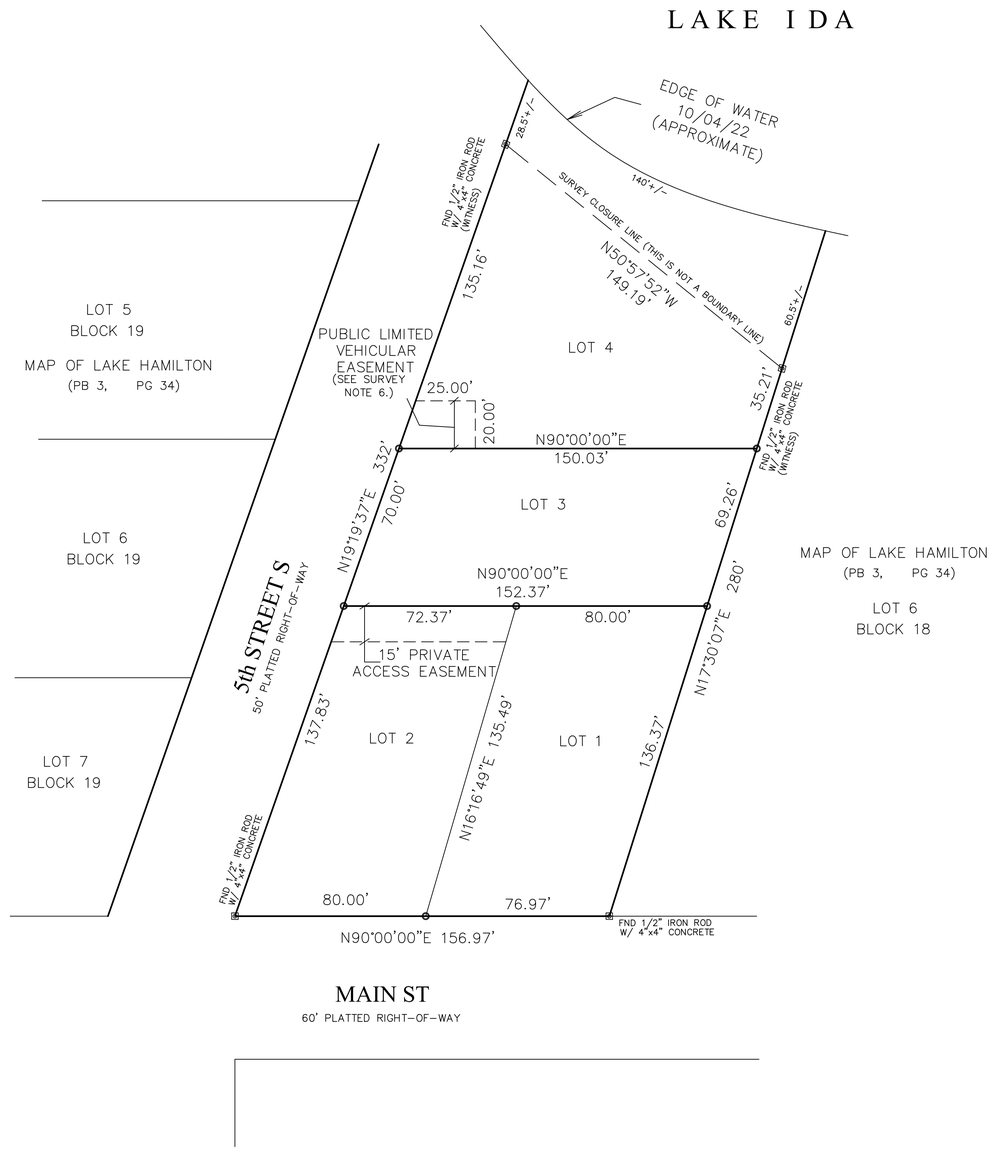
A Replat of Lot 7, Block 18, MAP OF LAKE HAMILTON, according to the plat thereof, as recorded in Plat Book 3, Page 34, of the Public Records of Polk County, Florida; Being a portion of the Southwest One-Quarter of Section 16, Township 28 South, Range 27 East, TOWN OF LAKE HAMILTON, POLK COUNTY, FLORIDA.

PLAT BOOK _____ PAGE _____

SHEET 2 OF 2

N

0 15 30
SCALE: 1" = 30'



LOCATION SKETCH

N

NOT TO SCALE

NOTICE:

This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. Thee may be additional restrictions that are not recorded on the plat that may be found in the public records of this county.

NOTE:

Each structure including, without limitation, single-family dwellings, shall comply with the Florida Fire Prevention Code (FFPC) as determined by the Polk County Fire Marshall's Office at the time of permitting each structure. .

NOTE:

These conditions will allow building permits to be granted as an alternative to NFPA 1, Chapter 1, Water Supply.
(1) Compliance with NFPA 1141: Fire Protection Infrastructure for Land Development in Wildland, Rural, and Suburban Areas, Section 6.2 Building Separation will be required. Regardless of established setback regulations, for each property within the development the following must be met.
(2) 6.2.1. Unless governed by other locally adopted regulations, any building shall be separated from another building by at least 30 ft (9.144 m) and shall be set back at least 30 ft (9.144 m) from a property line.
(3) Alternative to the above distances will be allowed as outlined in NFPA 1141. Residential Sprinkler Systems.
(4) Refer to NFPA 1411 for building heights, over 4 stories and accessory buildings over 400 square feet.
(5) Fire Department access: (A)18.2.3.2.1 A fire department access road shall extend to within 50 ft (15 m) of at least one exterior door that can be opened from the outside and that provides access to the interior of the building. (B) 18.2.3.4.2. Surface. Fire department access roads shall be designed and maintained
to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface. (C) 18.2.3.4.1.1. Fire department access roads shall have an unobstructed width of not less that 20 ft (6.1 m). (D) 18.2.3.4.4. Dead Ends. Dead-end fire department access roads in excess of 150 ft (46 m) in length shall be provided with approved provisions for the fire apparatus turn around.

LEGEND

P.B. Plat Book
PG. Page
NTS Not to Scale

SURVEYORS NOTES:

1. Bearings shown hereon are based on an assumed datum. The Northerly right-of-way line of Main Street is assumed to bear N90°00'00"E.

2. Unless otherwise noted, a 5/8" iron rod with cap bearing " LB 7353 " was set at all Lot and Tract corners.

3. This plat is based on a recent survey made under my direction and supervison in compliance with Chapter 177, Florida Statutes.

4. ⊠ indicates a PRM bearing LB 7353 was set at this location; or, a concrete monument was found at this location.

5. O indicates a 5/8" iron rod w/ cap LB 7353 was set at this location.

6. The Limited Vehicular Easement is intended to allow for transitional driving, allowing a limited time for a vehicle to turnaround using a 3-point turn. The Easement is not to be used for parking purposes.

LUNSFORD SURVEYING & MAPPING, INC. (LB7353)
THOMAS G. LUNSFORD, PSM 4646
836 E. Walnut Street
Lakeland, Florida 33801

AGREEMENT FOR TRANSFER OF PUBLIC ROADS

between

THE TOWN OF LAKE HAMILTON, FLORIDA

and

POLK COUNTY, FLORIDA

FOR A PORTION OF DETOUR ROAD FROM WHITE CLAY PIT ROAD NORTH TO THE NORTHEAST CORNER OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 09, TOWNSHIP 28 SOUTH, RANGE 27 EAST.

This is an Agreement by and between the Town of Lake Hamilton, a municipal corporation of the State of Florida (TOWN), and Polk County, a political subdivision of the State of Florida (POLK), their respective successors and assigns.

WITNESSETH

WHEREAS, Chapter 335, Florida Statutes, Subsection 335.0415(3) authorizes the transfer of public roads between jurisdictions by mutual agreement of the affected governmental entities; and

WHEREAS, Detour Road is an Urban Collector Road and is within the County Road System that lies within and adjacent to the corporate limits of the TOWN; and

WHEREAS, TOWN has requested, and POLK has agreed to the transfer of a portion of Detour Road from White Clay Pit Road north to the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 09, Township 28 South, Range 27 East, (ROAD) in order to accommodate the transfer of maintenance and operational responsibilities to TOWN; and

WHEREAS, Chapter 337, Florida Statutes, Subsection 337.29(3) provides that upon such transfer, liability for torts shall be in the governmental entity having operation and maintenance responsibility for such roads; and

WHEREAS, a transfer of the ROAD is in the best interests of TOWN and of POLK; and

NOW, THEREFORE, in consideration of the promises, mutual covenants, and conditions hereinafter contained, the parties agree as follows:

SECTION 1: Recitals

The above recitals are true and correct and incorporated herein.

SECTION 2: Description of public roads subject to agreement

THE ROAD as depicted on the map attached hereto and made a part hereof as Attachment "A", and more particularly described as:

A portion of Detour Road from White Clay Pit Road north to the Northeast corner of the Southeast ¼ of the Northeast ¼ of the Northeast ¼ of Section 09, Township 28 South, Range 27 East.

Including, but not limited to those parts of the rights-of-ways for a portion of Detour Road that lies within the above-described corridor, as depicted, or described in the following documents:

That portion of Maintained Right-of-Way as depicted on Map Book 1, Pages 14 through 17 all of the Public Records of Polk County, Florida that lies along the above-described corridor.

All lying and being in Sections 09 and 10, Township 28 South, Range 27 East, Polk County Florida.

SECTION 3: Transfer and acceptance of roads

POLK agrees to transfer, by County Deed, the ROAD as described above, and TOWN agrees to acknowledge and accept this transfer via Resolution adopted by the Governing Body of the TOWN. Upon the delivery and recording of a COUNTY Deed and affirmative acceptance by the TOWN via Resolution adopted by the Governing Body of the TOWN both parties agree that, the ROAD thus transferred will no longer be a part of the Polk County Road System, will become part of the Town of Lake Hamilton Road System, and all jurisdiction over the road and the responsibility for operation and maintenance of the road and associated infrastructure will be with TOWN.

SECTION 4: Liability for torts

As provided in Sections 335.0415 and 337.29, Florida Statutes, upon transfer of the ROAD from POLK to TOWN, liability for torts shall be in the TOWN, subject to the limitations of liability set forth in Section 768.28, Florida Statutes, and any other applicable sovereign immunity defense and /or defenses available under applicable Florida law.

Nothing contained in this Agreement shall be deemed a waiver, expressed or implied, of the Town's or County's sovereign immunity or an increase in the limits of liability contained in Section 768.28, Florida Statutes, regardless of whether any such obligations are based in tort, contract, statute, strict liability, negligence, product liability or otherwise.

SECTION 5: Costs of transfer of public roads

COUNTY will record the Agreement and County Deed. Any and all costs associated with this transfer of public roads shall be borne by TOWN.

SECTION 6: Amendments

No modification, amendment, or alterations of the terms or conditions contained herein shall be effective unless contained in the written document executed by the parties hereto with the same formality, and of equal dignity herewith.

SECTION 7: Severability

In the event any provision of this Agreement is held to be unenforceable for any reason, the unenforceability shall not effect the remainder of the Agreement which shall remain in full force and effect and enforceable in accordance with its terms.

SECTION 8: Term

This Agreement is effective upon approval of the parties respective Governing Bodies and execution by both parties set out below.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature: Polk County, through its Board of County Commissioners, signing by and through its Chairman, authorized to execute the same by Board action on the _____ day of _____, 2022, and by Town of Lake Hamilton, through its Town Commissioners, signing by and through its Mayor, authorized to execute the same by TOWN Commission action on the _____ day of _____, 2022.

ATTEST:

TOWN OF LAKE HAMILTON

By: _____
Brittney Sandoval Soto, Town Clerk

By: _____
Michael W. Kehoe, Mayor

This ____ day of _____, 2022

Reviewed as to form and legality

_____
, Town Attorney

ATTEST:
Stacy M. Butterfield, Clerk

By: _____
Deputy Clerk

POLK COUNTY
Board of County Commissioners

_____
, Chair

This ____ day of _____, 2022

Reviewed as to form and legality

_____
County Attorney

DELORME

ATTACHMENT "A"

DeLorme Street Atlas USA® 2010

Data use subject to license.

© DeLorme. DeLorme Street Atlas USA® 2010.

www.delorme.com

TN

MN (8.4°W)

Scale 1 : 14,400

1" = 1,200.0 ft

Data Zoom 13-7

This instrument prepared under
The direction of:
R. Wade Allen, Administrator
Polk County Real Estate Services
P. O. Box 9005, Drawer RE 01
Bartow, Florida 33831-9005
By: Chris Eisenhauer
Road Transfer: Portion of Detour Road

COUNTY DEED

THIS DEED, made this _____ day of _____, 2022 by **POLK COUNTY**, a political subdivision of the State of Florida, Grantor, to the **TOWN OF LAKE HAMILTON,** a Florida Municipal Corporation, whose address is, P.O. Box 126, Lake Hamilton, Florida 33851, Grantee

WITNESSETH: That the Grantor, for and in consideration of the sum of $1.00, to it in hand paid by the Grantee, receipt whereof is hereby acknowledged, has granted, bargained, and sold to Grantee, its successors and assigns forever, all the right, title, interest, including interests, if any, in rights which may have been reserved by operation of Section 270.11 Florida Statutes, claim, and demand, which the Grantor has in and to the following described land lying and being in Polk County, Florida, to wit:

A portion of Detour Road from White Clay Pit Road north to the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 09, Township 28 South, Range 27 East.

Including, but not limited to those parts of the rights-of-ways for a portion of Detour Road that lies within the above-described corridor, as depicted, or described in the following documents:
That portion of Maintained Right-of-Way as depicted on Map Book 1, Pages 14 through 17 all of the Public Records of Polk County, Florida that lies along the above-described corridor. All lying and being in Sections 09 and 10, Township 28 South, Range 27 East, Polk County Florida.

The purpose of this County Deed is to convey the Grantor's interest in the right-of-way pursuant to Florida Statutes 335.0415 and 337.29 for a portion of the public road.

IN WITNESS WHEREOF, said grantor has caused these presents to be executed in its name by its Board of County Commissioners, acting by the Chair or Vice-Chair of said board, the day and year aforesaid.

ATTEST:
Stacy M. Butterfield
Clerk to the Board

By: _____
Deputy Clerk

GRANTOR:

Polk County, Florida

By: _____
, Chair
Board of County Commissioners

(Seal)

Memorandum

To: Town Council

From: Town Clerk, Brittney Sandoval, CMC

Date: January 6, 2023

Subject: Monthly Update.

Staff continues to work with the CPA and Auditor to prepare the Year End Finance Reports and Audit.

We are still working towards the transition to the new accounting software. There are many steps to the process we are trying to achieve before we can go live.

Golf Cart Renewals will go out this month, we are working on preparing and sending those now.

We will begin moving the Fiscal Coordinator to the Conference room and setting up her office there. Furniture has been delivered.

We continue to train the new employees in the office. Everything is going well.

We have contacted our IT Team to update our phone systems and computers so that the correct information is announced at calls and that the calls will be routed correctly.

Town Hall is Closed on January 16th in observation of MLK Jr Day.

We are working to complete the full OPEB valuation for this year, the CPA will use this for the financial reports.

Other business as usual.

Memorandum

To: Town Council

From: Lisa Harris, Code Enforcement

Date: December 1 through December 31, 2022

Subject: Code Enforcement Report

Code Enforcement would like to advise the Town that this report is from December 1 through December 31, 2022.

- December Special Magistrate hearing – No meeting
- There were approximately (12-15) new cases opened
- There are (12-15) cases with courtesy letters mailed
- There were (16-18) cases with notices sent out for January 18, 2023
- There are (16) cases with notices mailed for the January 18, 2023 SM hearing. Again, due to November hearing being cancelled some of those cases had to have amended notices sent for January 18, 2023 hearing.
- There is (6) case with notice sent out for the January 18, 2023 SM hearing and (1) case with a notice sent out for the February 15, 2023 SM hearing – closed out: total (7)
- There were (4) cases with courtesy letters sent that were closed out
- There are approximately (2-4) cases that need research before sending notices (Warehouses)
- Update for 2022, there are approximately (30 – 34) active cases. Note: there are other open cases from past years with fines / liens running. I am going to see if there is a means of getting the fine / lien cases resolved in 2023.
- Due to holidays and vacation, I was unable to start checking commercial properties.
- Next Special Magistrate hearing is scheduled for January 18, 2023 at 6:30 pm
- Picked up signs in the right of ways
- Code Enforcement will inquire foreclosure authorization in January / February, 2023
- Cleaning up all 2022 closed cases in the Iworq System. We are permitted a percentage of space therefore scanning all documents to a file folder on computer as well as a USB backup. This will be completed in January, 2023.

If the Board members or staff at the Town Hall have any questions, they are welcome to email me at harrisl@townoflakehamilton.com or call me at 863-207-1933 for specific details regarding the status of cases.

Respectfully Submitted,

Lisa Harris, Code Enforcement

Memorandum

To: Town Council

From: Community Development Department, Doug Leonard & Chris Kirby

Date: January 6, 2023

Subject: Monthly Update

---

1. **State Road 17 (Scenic Highway) Septic to Sewer Project** – Construction is underway.

   Scenic Terrace South – Construction of Phase 2 -1s largely complete and Tucker Construction is wrapping things up, but there is more to do and the before the plat.

   Phase 1 with JR Davis Construction is working on water, sewer, and streets.

2. **Weiberg West – Section** 2 located at the northeast corner of Scenic Highway and Weiberg Road and Section 5 located at the northeast corner of Detour Road and Weiberg Road Subdivision construction plans are being reviewed.

3. **Feltrim Lakes –** Ordinances for the PUD were approved at the December meeting of the Council. We are awaiting the detailed Site Development Plan

4. **Hamilton Bluff Commercial Parcel –** The PUD modification, comprehensive plan amendment, and rezoning were heard by the Planning Commission and are on the agenda for First Reading.

5. **Hamilton Bluff Construction Plans –** Plans have been reviewed and the comments returned to the Developer's Engineer.

6. **Planning Project with Calvin, Giordano & Associates (CalGA) –** The financial status of the Town has impacted the continuation of this project. The consultants remain on hold.

7. **FRDAP –** Staff is getting estimates for the construction of planned facilities at both Gunter and Detour Road Ball Park. We a moving ahead to meet the April deadline for substantial completion with a final close out June 30, 2023.

8. **Water Use Permit Renewal –** Pennoni submitted a response to the SWFWMD September RAI December 23, 2022.

9. **Repaving & Road Project** – Chastain Skillman engineer Doug Forni is working with staff to revise the plans and go out for bids. We will be meeting with the engineer to prepare a list of project for Council review since available funds are now $2.5 million.

Memorandum

To: Town Council

From: Public Services Director

Date: 1/04/2023

Subject: Monthly Update for work performed in December 2022

Sanitation: Normal Operations

Parks: Normal Operations.

Streets: Normal Operations. New street signs with the Town logo have been installed on Water Tank, Hatchineha, Smith, and Gordon. Potholes have been patched on N. Lake St.

Water: Operations have not been normal since the lighting strike that knocked out the plant's automation. Repairs have been ongoing and all the know problems are being addressed. The computer monitor has been replaced. The GST tank has a new level indicator installed by Volitron Controls. Number 2 high service pump is installed apart from the motor arriving with the wrong set of capacitors and has been returned for the correct one. A new soft start has been installed on well number 1. Barney's Pumps has their programmer coming out on January 10, 2023. They will be replacing the PLC that was damaged.

Sewer: Normal Operations for the current collection system. Septic to Sewer continues its installation. The WWTP has begun with the foundation being laid out.

MISC: Christmas decorations installed looked good and are coming down the first weeks of January. Patrick Henry is the new Public Works Director coming onboard in December.

Sincerely,

Patrick Henry

Public Works Director