

RECORD AND RETURN TO:
TOWN OF MONTVERDE
P.O. BOX 56008
MONTVERDE, FL 34756

ORDINANCE 2015-29

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE TOWN OF MONTVERDE, LAKE COUNTY, FLORIDA; CHANGING THE FUTURE LAND USE DESIGNATION FOR TWO SEPARATE BUT ADJACENT PARCELS APPROXIMATELY 0.52 +/- ACRES IN SIZE COMBINED, LOCATED SOUTH OF CR 455 AND WEST OF TENTH STREET, LYING IN SECTION 2, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, FROM A TOWN OF MONTVERDE FUTURE LAND USE DESIGNATION OF SINGLE FAMILY LOW DENSITY (R1-L) TO A DESIGNATION OF OFFICE-RESIDENTIAL-COMMERCIAL (ORC); AUTHORIZING THE MAYOR TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR THE FORWARDING OF THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the request for this small scale plan amendment is initiated by the owner and applicant, John and Karin Arellano; and

WHEREAS, the Town of Montverde has the authority to amend its Comprehensive Plan under Part II, Chapter 163, Florida Statutes; and

WHEREAS, the Local Planning Agency of the Town of Montverde held a public hearing on this ordinance which was advertised in accordance with law; and

WHEREAS, the Town Council has received objections, recommendations, and comments from the Town of Montverde Town Council, acting as the Local Planning Agency, regarding amendment of the Comprehensive Plan of the Town of Montverde, and has made recommendations to the Town Council for amendment of the Plan; and

WHEREAS, the Town Council of the Town of Montverde public hearing has been advertised as required by law for two public hearings with the first public hearing occurring at least 7 days after the first advertisement was published and the second public hearing for adoption of this ordinance occurring at least 5 days after the day of the second advertisement; and

WHEREAS, the Town of Montverde desires to amend the Comprehensive Plan for the Town of Montverde as set forth below and believes such amendment is in the best interest of the Town of Montverde.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, LAKE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Comprehensive Plan Amendment.

The Growth Management Plan of the Town of Montverde, Florida, pursuant to the Local Government Planning and Land Development Regulations Act of 1985, Chapter 163, Part II, Florida Statutes, after public hearing by the Town Council of the Town of Montverde, is hereby amended in the following manner:

The Future Land Use Map is amended by changing the designation of two parcels of land generally located south of CR 455 and west of Tenth Street, lying in Section 2, Township 22 South, Range 26 East, Lake County, Florida, having the following Lake County Property Appraiser Parcel Identification Numbers: 02-22-26-0001-0000-01000 and 02-22-26-0001-0000-1001 and legally described as:

Parcel 1: From the Northeast corner of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2, Township 22 South, Range 26 East, Lake County, Florida, run South 375.38 feet to the Southerly right-of-way line of highway, thence Southeasterly along the South line of highway right-of-way 424.15 feet for a Point of Beginning, thence continue along said right-of-way 65.02 feet, thence South 12° West to the shore of Lake Florence and Point "A". Return to the Point of Beginning and run South 12° West to the shore of Lake Florence, thence Southeasterly along the lake shore to Point "A".

Parcel 2: From the Northeast corner of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2, Township 22 South, Range 26 East, Lake County, Florida, run South 375.38 feet, to the Southerly right-of-way line of highway, thence Southeasterly along the South line of highway right-of-way 361.64 feet for a Point of Beginning, run thence South $14^{\circ}05'49''$ West 149.47 feet, thence North $75^{\circ}49'58''$ West 5 feet, thence South $14^{\circ}05'49''$ West 190.85 feet to the shores of Lake Florence and Point "A". Begin again at the Point of Beginning and run Southeasterly along the South line of highway right-of-way 62.51 feet, thence South 12° West to the shores of Lake Florence, thence Northwesterly along lake to Point "A".

from a designation of Single-Family-Low-Density (R1-L) as designated by the Town of Montverde, Florida, comprehensive plan to a designation of Office-Residential-Commercial (ORC) as designated by Town of Montverde comprehensive plan.

Section 2. Authorizing the Town Mayor.

After passage of this Ordinance, the Town Mayor or designee is hereby directed to amend the Future Land Use Map of the Town of Montverde Comprehensive Plan to designate the subject property as Office-Residential-Commercial (ORC).

Section 3. Conflicts And Ordinances Repealed.

All ordinances or parts of ordinances in conflict are hereby repealed.

Section 4. Adoption.

Upon final passage and adoption of this Ordinance, a copy hereof shall be forwarded to the State Land Planning Agency and any other unit of local government or governmental agency in the State of Florida that has timely filed written comments with the Clerk of the Town of Montverde, Lake County, Florida.

Section 5. Effective Date.

This Ordinance shall become effective upon the thirty-first day after adoption unless challenged. If challenged, this Ordinance shall not become effective until the date a final order is issued by the state land planning agency or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED AND ORDAINED in regular session by the Town of Montverde, Lake County, Florida this 12 day of JANUARY, 2016

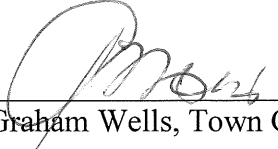


Joe Wynkoop, Mayor



Billy Bates, Council President

Attest:



Graham Wells, Town Clerk

Approved as to form and legality:



Anita Geraci-Carver, Town Attorney

Transmittal December 8, 2015

Adoption Hearing January 12, 2016

Council Member BATES moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member SMITH and upon roll call on the motion the vote was as follows:

	YEA	NAY
Billy Bates	✓	
Glenn Burns	✓	
Jim Ley	✓	
Judy Smith	✓	