

ORDINANCE 2016-17

AN ORDINANCE OF THE TOWN OF MONTVERDE, FLORIDA, AMENDING SECTION 10-13 IN CHAPTER 10 OF THE TOWN OF MONTVERDE LAND DEVELOPMENT CODE TO ALLOW A MINIMUM RESIDENTIAL LOT SIZE OF LESS THAN ONE ACRE FOR CERTAIN PROPERTIES; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Montverde regulates the minimum residential lot size for properties annexed into the Town after March 7, 2000; and

WHEREAS, the Town recognizes there are certain properties which if annexed into the Town after March 7, 2000 would be desirable to develop at less than one acre; and

WHEREAS, properties located near commercial areas outside of the Town of Montverde or employment areas outside of the Town of Montverde and have a minimal effect on traffic through historic Montverde are more conducive for development having smaller lot sizes; and

WHEREAS, the Town of Montverde has determined that it is necessary to protect the health, safety, and welfare of its citizens to amend the Town's Land Development Code;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Montverde, Florida, as follows:

SECTION 1. Legislative Findings and Intent. The findings set forth in the recitals above are hereby adopted as legislative findings pertaining to this Ordinance.

SECTION 2. That Section 10-13(a) in Chapter 10, Part III (Land Development Code) of the Montverde Code of Ordinances shall be amended to read as follows:

Sec. 10-13. – Lot size.

- (a) *Minimum.* All property annexed into the town after March 7, 2000, that is subsequently used for residential purposes, shall maintain a minimum residential lot size of one acre, except as provided herein. Right-of-way, utility easements and easements of a similar nature, including right-of-way and easements dedicated to the town or other political subdivisions for public purpose, may be included when calculating the size of a lot upon the approval of the town council. All property annexed into the town after March 7, 2000, that is subsequently used for residential purposes and which is located in areas accessible to employment and commercial areas as well as being located north and west of Blackstill Lake Road may develop residential lots at less than one acre in size, but may not exceed two residential units per gross acre.


SECTION 3. Codification. It is the intent of the Town Council of the Town of Montverde that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in renumbering and codifying the provision of this Ordinance.

SECTION 4. Severability. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

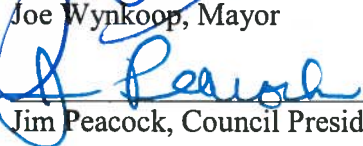
SECTION 5. Conflicts. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this Town, the provision of this Ordinance shall govern.

SECTION 6. Effective Date. This Ordinance shall become effective immediately upon adoption.

PASSED AND DULY ADOPTED by the Town of Montverde, Lake County, Florida this 10 day of January, 2017.

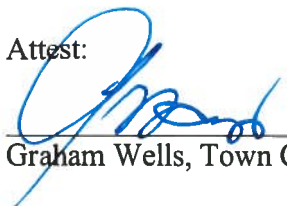


Joe Wynkoop, Mayor



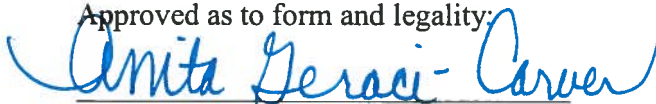
Jim Peacock, Council President

Attest:



Graham Wells, Town Clerk

Approved as to form and legality:



Anita Geraci-Carver, Town Attorney

First Reading: December 13, 2016
Second Reading: January 10, 2017

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

	YEA	NAY
Bill Bates	✓	
Glenn Burns		✓
Jim Ley	✓	
Jim Peacock	✓	
Judy Smith	✓	