

**ORDINANCE 2016-19**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, LAKE COUNTY, FLORIDA, AMENDING THE TOWN OF MONTVERDE'S COMPREHENSIVE PLAN PURSUANT TO 163.3184, FLORIDA STATUTES, BY AMENDING THE COMPREHENSIVE LAND-USE PLAN DESIGNATION FROM LAKE COUNTY URBAN LOW AND RURAL TRANSITION TO TOWN OF MONTVERDE SINGLE FAMILY LOW DENSITY RESIDENTIAL - PLANNED UNIT DEVELOPMENT (PUD) ON THE FUTURE LAND-USE MAP FOR THE HEREIN DESCRIBED PROPERTY; AUTHORIZING THE MAYOR TO AMEND SAID COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE FORWARDING OF THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY**

**WHEREAS**, the Town of Montverde desires to amend the Comprehensive Plan for the Town of Montverde by assigning a future land use designation to the property more particularly described below and amending the future land use map to reflect the assigned future land use designation; 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 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 Council of the Town of Montverde hereby finds and determines that the plan amendment is internally consistent with the Town's Comprehensive Plan; and

**WHEREAS**, it is in the best interests of the Town of Montverde to amend the Comprehensive Plan for the Town of Montverde as set forth herein.

**Now, therefore, it be ordained by the Town Council of the Town of Montverde, Florida:**

**Section 1. Legislative Findings**

The recitals set forth above are hereby adopted as legislative findings of the Town Council of the Town of Montverde.

**Section 2. Future Land Use Designation Amendment.**

- A. The Property is legally described in **Exhibit A** attached hereto. The location of the property is depicted on **Exhibit B** for visual reference.

The Property consists of 117.314 +/- acres.

- B. That portion of the Future Land Use Element referenced as the Future Land Use Map of the Town of Montverde Comprehensive Plan is hereby amended by changing the Town of Montverde Future Land Use Map designation of the property described in **Exhibit A** (the "Property") from Lake County Urban Low and Rural Transition and designating the Property on the Future Land Use Map to:

**TOWN OF MONTVERDE SINGLE FAMILY LOW DENSITY  
RESIDENTIAL - PLANNED UNIT DEVELOPMENT (PUD)**

**Section 3. Severability**

Upon a determination that by a court of competent jurisdiction that a portion of this ordinance or the comprehensive plan adopted hereby is void, unconstitutional or unenforceable, all remaining portions shall remain in full force and effect.

**Section 4. Direction to the Mayor**

Upon the Effective Date of this ordinance, the Mayor or designee is hereby authorized to amend the comprehensive plan and future land-use map as identified herein after compliance with F.S. 163.3184 and F.S. 163.3184(11).

**Section 5. Repeal**

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

**Section 6. Transmittal**

After the first public hearing, a copy hereof shall be transmitted to the Department of Economic Opportunity, the water management district, the Department of Environmental Protection, the Department of State, the Department of Transportation, Lake County, and any other unit of local government or governmental agency in the State of Florida that has filed a written request with the Clerk of the Town of Montverde, Florida.

**Section 7. Effective Date**

This ordinance shall become effective upon the date a final order is issued by the Department of Economic Opportunities 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 ADOPTED at a regular meeting of the Town Council of the Town of Montverde, Lake County, Florida, this 13 day of JUNE, 2017

  
\_\_\_\_\_  
Joe Wynkoop, Mayor

Jim Peacock  
Jim Peacock, Council President

Attest:  
Graham Wells  
Graham Wells, Town Clerk

Approved as to form and legality:  
Anita Geraci-Carver  
Anita Geraci-Carver, Town Attorney

First Reading December 13, 2016  
Second Reading JUNE 13, 2017

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

	YEA	NAY
Billy Bates	✓	
Glenn Burns	RESIGNED	
Jim Ley	✓	
Jim Peacock	✓	
Judy Smith	ABSENT	



## EXHIBIT A

A parcel of land lying in Sections 10 and 15, Township 22 South, Range 26 East, Lake County, Florida, being more particularly described as follows:

Commence at the West 1/4 Corner of said Section 10, thence South 89°35'08" East along the North line of the Southwest 1/4 of said Section 10 for a distance of 1046.68 feet; thence South 00°19'53" West, departing said North line, for a distance of 25.00 feet to the South Right of Way of Fosgate Road according to that Right of Way Deed recorded in Official Records Book 968, Page 200 of the Public Records of Lake County, Florida and the Point of Beginning; thence South 89°35'08" East along said South Right of Way for a distance of 1578.21 feet to the West Right of Way of Blackstill Lake Road according to that Right of Way Deed recorded in Official Records Book 968, Page 200 of the Public Records of Lake County, Florida; thence South 00°31'57" West along said West Right of Way for a distance of 1296.05 feet; thence South 89°32'53" East for a distance of 10.00 feet to the West Right of Way of Blackstill Lake Road according to the Plat of Lake Highlands Company as recorded in Plat Book 3, Page 51 of the Public Records of Lake County, Florida; thence South 00°31'57" West along said West Right of Way for a distance of 990.80 feet; thence South 89°31'09" East continuing along said platted Right of Way for a distance of 156.00 feet to a point on a non-tangent curve concave Easterly, having a radius of 239.46 feet; thence from a tangent bearing of South 23°17'27" West along said curve through a central angle of 19°05'09" for a distance of 79.77 feet to the Point of Reverse Curvature of a curve concave Westerly, having a radius of 708.13 feet; thence Southerly along said curve through a central angle of 07°51'11" for a distance of 97.06 feet to the Point of Compound Curvature of a curve concave Westerly having a radius of 2806.54 feet; thence Southerly along said curve through a central angle of 02°40'50" for a distance of 131.31 feet; thence South 13°44'40" West for a distance of 29.70 feet; thence North 89°30'35" West for a distance of 74.00 feet; thence South 00°30'59" West for a distance of 783.37 feet; thence North 89°10'32" West for a distance of 38.75 feet; thence South 00°49'28" West for a distance of 115.88 feet to the Point of Curvature of a curve concave Northwesterly having a radius of 226.48 feet; thence Southwesterly along the arc of said curve through a central angle of 87°03'00" for a distance of 344.09 feet to the Point of Tangency; thence South 87°52'28" West for a distance of 108.70 feet to the Northeasterly Right of Way of the Sunshine State Parkway (Florida Turnpike); thence North 35°37'32" West along said Northeasterly Right of Way for a distance of 3012.46 feet; thence South 89°32'53" East departing said Northeasterly Right of Way for a distance of 542.46 feet; thence North 00°19'53" East for a distance of 1310.02 feet to the Point of Beginning.

Contains 5,110,191 Square Feet or 117.314 Acres, more or less.

# EXHIBIT B

