

RESOLUTION 2024-156

RESOLUTION 2024-156

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, FLORIDA, GRANTING A VARIANCE FROM SECTION 10-52 IN CHAPTER 10 OF THE MONTVERDE LAND DEVELOPMENT CODE FROM THE REAR YARD SETBACK FOR THE REAL PROPERTY LOCATED AT 17632 9TH STREET, MONTVERDE, FLORIDA, OWNED BY GIOVANNI CUNHA; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Giovanni Cunha and Graziela Franco as owners have petitioned for a variance from the minimum rear setback for a shed as set forth in the Montverde Land Development Code, for property assigned Alt. Key No. 3037511 located at 17632 9th St. in the Town of Montverde, Florida; and

WHEREAS, applicant requests a variance from the Town of Montverde's minimum 25-ft. rear setback for sheds established for property in the R1M Single-Family Medium-Density Residential zoning district in the municipal boundaries of Montverde; and

WHEREAS, applicant asserts a variance to reduce the 25-ft. minimum rear setback to 7.5-ft. for a shed is necessary due to the existing site consideration, including (a) the presence of a historic oak tree that would need to be removed in order to meet the required minimum setback; and

WHEREAS, the variance being granted is the minimum available that will allow reasonable use of the land because an alternative would not meet property setback requirements; and

WHEREAS, a public hearing on this Resolution was held by the Planning and Zoning Board and property owners within 300 feet of the subject site were provided written notice no less than fourteen prior the public hearing delivered by U.S. Mail containing the name of the applicant, the nature of the requested variance and the date and time of the public hearing; and

WHEREAS, a public hearing on this Resolution was held by the Town Council after public notice advertising this resolution no less than 14 days prior to Town Council holding the public hearing; and

WHEREAS, the Planning and Zoning Board and Town Council of the Town of Montverde have considered the petition in accordance with the standards for granting variances contained in Section 10-12 of the Montverde Land Development Code and there is competent substantial evidence in support of the requested variance.

NOW THEREFORE, be it resolved by the Town Council of the Town of Montverde, Florida, as follows:

Section 1. The petition for variance filed by Giovanni Cunha, for real property located 17632 9th St., Montverde, Florida, more particularly described as:

Lot 3, Block 5, Division F, according to the MAP OF MONTVERDE, filed July 2, 1988 in the Public Records of Sumter County, Florida, now being a part of Lake County, Florida; Parcel ID No. 01-22-26-1200-005-00300; Alt. Key 3037511

is **GRANTED** with the following conditions:

1. One shed may encroach into the 25-ft rear setback; however, it must maintain a minimum rear setback of 7.5-ft., and must otherwise comply with Town Code.
2. Issuance of a Variance Permit shall not constitute zoning clearance or permit approval from the Town of Montverde.
3. Such Variance shall expire sixty (60) days from the effective date of this Resolution if owner does not obtain any required permit and/or zoning clearance.

Section 2. This resolution shall be effective after adoption in accordance with law.

Passed and adopted by the TOWN COUNCIL of the TOWN OF MONTVERDE, Florida this ____ day of _____, 2024.

Joe Wynkoop, Mayor

Attest:

Sandy Johnson, Town Clerk

Approved as to form and legality:

Anita Geraci-Carver, Town Attorney



STAFF REPORT

VARIANCE REQUEST

Public Hearings: Planning & Zoning Board (P&Z): December 11, 2024
Town Council (TC): January 14, 2025

Resolution No.: Resolution 2024-156

Applicant/Owner: Giovanni Cunha

Application No.: Z24-000004 – 20'x30' Shed Installation

Requested Action: The applicant seeks a variance for one (1) exception to the current zoning regulations as follows:

- 1). Reduce the rear yard setback from 25-feet to 7.5-feet.

Staff Determination: Staff finds the variance request is not consistent with the Variance Criteria in the Town of Montverde Land Development Regulations (LDR).

Subject Property Information

Size: .42 Acre

Location: 17632 9th Street, Montverde, FL

Alternate Key No.: 3037511

Zoning District: Single-Family Medium-Density Residential (R1M)

Setbacks for R1M: 25' front, 25' rear, 7.5' sides

Accessory Structure Criteria

Size and Location: Per Ordinance 2023-31, the proposed 600 SF shed has special architectural requirements and must be placed in the back yard only. (See Exhibit B attached).



STAFF REPORT

Variance Criteria

The Variance Criteria as outlined in the Town of Montverde Land Development Regulations, Sec 10-12 states a variance can be granted if ALL of the following are true:

- 1) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district, such on-site conditions may include, but are not limited to, topography, preservation of vegetation, access, vehicular and pedestrian safety and preservation of scenic views;
The Variance Request does not meet this criterion.
- 2) That the special conditions and circumstances do not result from the actions of the applicant;
The Variance Request does not meet this criterion.
- 3) That literal interpretation of the provisions would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant;
The Variance Request meets this criterion.
- 4) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
The Variance Request meets this criterion.
- 5) That the granting of the variance will be in harmony with the general intent and purpose of this Code and the Comprehensive Plan, will not be injurious to the neighborhood or otherwise detrimental to the public welfare;
The Variance Request meets this criterion.
- 6) The granting of the variance will not be detrimental to the property or improvements in the area in which the property is located.
The Variance Request meets this criterion.



STAFF REPORT

Background Information

The applicant requested a permit to install a shed which will match the updated look of the primary structure. The applicant states that the new house color will be white, while trims, doors, and gutters will all be black. The shed will be also white in the majority of the structure, and black for trims, windows, roof, and doors. The panels on the shed will be vertical to match with the panels being installed on the main structure. Note: The variance request was updated after the initial application. The current request is to allow the 7.5-foot rear-yard setback.

Supporting Documents

Exhibit A – Resolution 2024-156

Exhibit B – Ordinance 2023-31

Planning and Zoning Board & Town Council Motion Considerations: Quasi-Judicial Actions

Resolution 2024-156

1. **Recommend approval** of Resolution 2024-156, allowing the variance at 17632 9th Street, Montverde, FL. Alt Key Number: 3037511.
2. **Recommend denial** of Resolution 2024-156, denying the variance at 17632 9th Street, Montverde, FL. Alt Key Number: 3037511. [Provide specific reasons for recommendation of denial.]
3. **Continue action** on Resolution 2024-156, for the property located at 17632 9th Street, Montverde, FL. Alt Key Number: 3037511. Pending additional information requested by the Planning and Zoning Board or Town Council. [Provide specific additional information requested.]

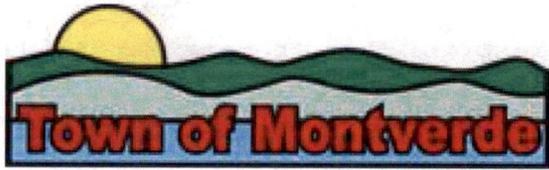
The Planning & Zoning Board (P&Z) recommended APPROVAL on December 11, 2024.



STAFF REPORT

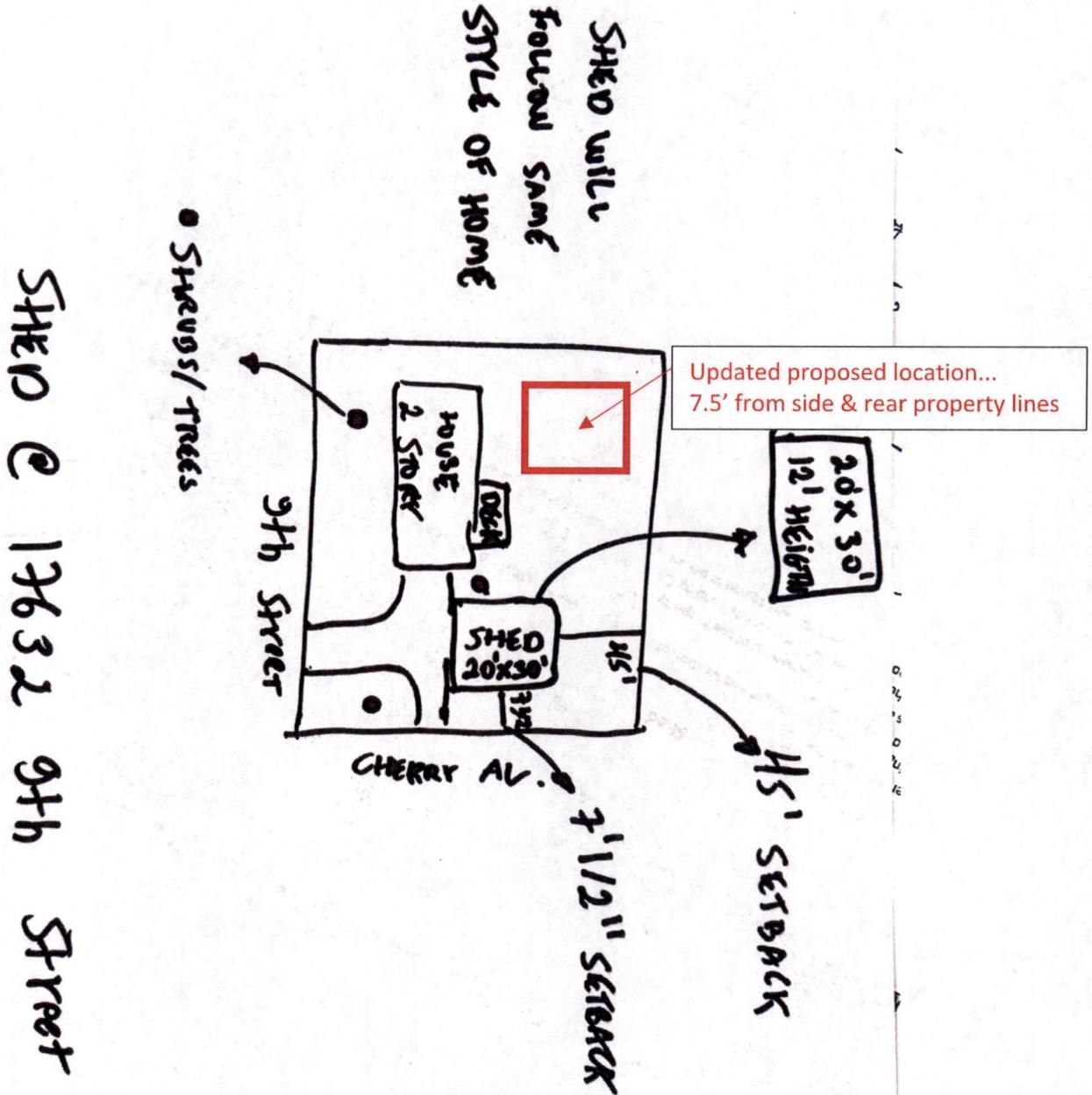
Figure 1 (Subject Property)





STAFF REPORT

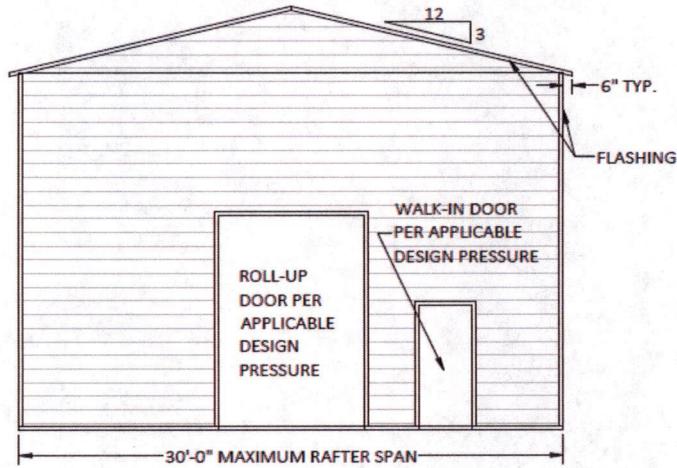
Figure 2 (Site Plan)



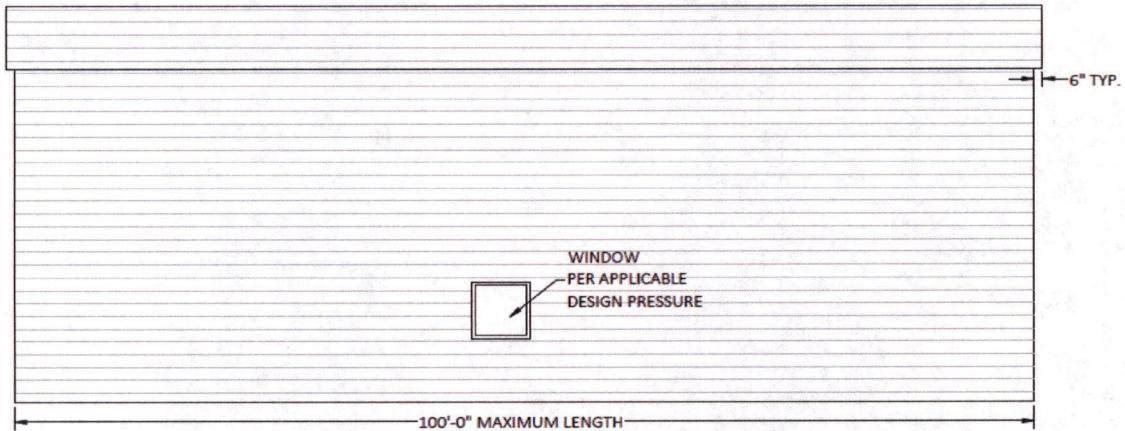


STAFF REPORT

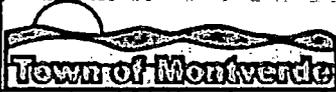
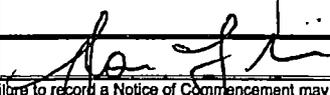
Figure 4 (Elevations)



TYPICAL END ELEVATION - BOX EAVE



TYPICAL SIDE ELEVATION - HORIZONTAL ROOF

		TOWN OF MONTEVERDE PERMIT APPLICATION		Permit Number B24-000221		
Alternate Key Number		Parcel Number		Project Address 17632 9th Street		
				Project Description Shed		
Owner's Name GIANNI CUNNE		Mailing Address 17632 9th St		City, State, Zip (MONTEVERDE), FL		
Email Address:				Telephone 4078732511		
Fee Simple Titleholder's Name		Mailing Address		City, State, Zip		
General Contractor		Mailing Address		City, State, Zip		
Owner		Builder		same as above		
Email Address:				State License Number:		
Construction Contractor TITAN METAL STRUCTURES		Mailing Address SALES@TITANMETALONLINE.COM		City, State, Zip DUBLIN, FL 31021		
Electrical Contractor		Mailing Address		City, State, Zip		
Email Address:				State License Number:		
Plumbing Contractor		Mailing Address		City, State, Zip		
Email Address:				State License Number:		
HVAC Contractor		Mailing Address		City, State, Zip		
Email Address:				State License Number:		
Roofing Contractor		Mailing Address		City, State, Zip		
Email Address:				State License Number:		
Legal Description						
Bonding Company						
Bonding Company Address						
Architect's Name						
Architect's Address						
Project Information			Job Name:			
			Subdivision Name		Lot No.	Phase
Zone	Lot Area					
			Setbacks (ft)			
			Front	Rear	Side	
			Corner			
Project (check one)		Area	Electrical	Hvac	Water (check one)	
New	Living		Service Size	Type	Municipal	
Alteration	Garage			Efficiency	Well	
Addition	Porch(s)			Alrhandler	Plumbing (check one)	
Repair	Other			Condenser	Sewer	
Other	Total				Septic	
Garage (check one)		Number of Bedrooms	Estimated Cost		Code In Effect	
Attached					6th Edition Florida Building Code	
Detached						
Signature of Applicant 			Date 10/16/24			
<p>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. The issuance of a building permit does not assure the building setbacks have been met or that the structure does not encroach on an easement. The owner and/or contractor have the sole responsibility of determining compliance with setbacks and non-encroachment of easements. If the Town of Montverde determines the structure does not meet applicable setbacks or improperly encroaches on an easement, the owner is responsible for moving the structure, restoring the easement to its original condition, or otherwise making the structure comply with Town setbacks and other land use requirements. Permits expire 6 months after issuance</p>						
<p>The foregoing instrument was acknowledged before me this <u>16th</u> day of <u>OCTOBER</u>, 20<u>24</u>, by _____ who is personally known to me or has produced _____ as identification and who did _____ or did not _____ take an oath.</p>						
(Seal)						
Notary Public						

NOTICE OF PUBLIC HEARINGS

You are receiving this notice because you own property within 300-feet of a property that has requested a Variance. The Town of Montverde is required by law to notify you of the upcoming Planning and Zoning Board and Town Council meetings. If you have no questions, or do not wish to attend the meeting, you may disregard this notice. No action is required of you.

To: Surrounding Property Owners
From: Paul Larino, Town Manager
Date: November 25, 2024
Re: Notice of Public Hearing for Variance

Notice is hereby given for public hearings to be held in the Town of Montverde Town Hall, 17404 Sixth Street, Montverde, Florida, regarding a Variance request at 17632 9th Street, Montverde, FL. 34756, Alt Key #: 3037511. (See Figure 1).

The Planning and Zoning Board will hold a public meeting on **December 11, 2024, at 6:30 p.m.** and the Town Council will hold a meeting on **January 14, 2025, at 7:00 p.m.**, to deliberate the following.

RESOLUTION 2024-156

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, FLORIDA, GRANTING A VARIANCE FROM SECTION 10-52 IN CHAPTER 10 OF THE MONTVERDE LAND DEVELOPMENT CODE FROM THE REAR YARD SETBACK FOR THE REAL PROPERTY LOCATED AT 17632 9TH STREET, MONTVERDE, FLORIDA, OWNED BY GIOVANNI CUNHA; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Specifically: The Planning and Zoning Board and the Town Council will deliberate on whether or not to issue a Variance for the rear-yard setback for installation of a shed.

The public is invited to attend these meetings. Information is available at the Town Clerk's Office, 17404 Sixth Street, Montverde, Florida, Monday - Thursday, from 7am – 6pm. Interested parties may appear at the meetings and be heard with respect to the proposed variance request. Persons with disabilities needing assistance to participate in this proceeding should contact the Town Clerk at least 48 hours before the meetings.

Persons are advised that if they decide to appeal any decision made at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made which includes the testimony and evidence upon which the appeal is based, per Section 286.0105, Florida Statutes.

Paul Larino, Town Manager
Town of Montverde

Figure 1
Subject Property
17632 9th Street, Montverde, FL
Alt Key No.: 3037511



Certified Mail Addresses to Property Owners within 300'

OwnerName	OwnerAddress	OwnerCity	OwnerState	OwnerZip
17548 NINTH LLC	17531 COUNTY ROAD 455	MONTVERDE	FL	34756
8TH STREET VISION LLC	2215 CLUSTER OAK DR STE	CLERMONT	FL	34711
ALEXANDER JAMES & APRIL	17635 EIGHTH ST	MONTVERDE	FL	34756
ARELLANO JOHN & KARIN	17531 COUNTY ROAD 455	MONTVERDE	FL	34756
CATAPANO JOHN J &	17708 NINTH ST	MONTVERDE	FL	34756
CHARLENE B WARNKEN TRUST	17624 NEAL DR	MONTVERDE	FL	34756
CLARK MARLINES I	17641 NEAL DR	MONTVERDE	FL	34756
CRESON LINDA M	17707 EIGHTH ST	MONTVERDE	FL	34756
CUNHA GIOVANNI G & GRAZIELA K FRANC	17632 9TH ST	MONTVERDE	FL	34756
DAVAN TIMOTHY B	17708 KIRKLAND RD	MONTVERDE	FL	34756
GRACE JACK E & DEBORA M	17623 8TH ST	MONTVERDE	FL	34756
HUNT RACHEL &	17652 9TH ST	MONTVERDE	FL	34756
KEOPPEN NEIL & KELLEY	17702 9TH ST	MONTVERDE	FL	34756
LOPEZ CHRISTINA A & JUAN M L HERNAND	17620 8TH ST	MONTVERDE	FL	34756
MONTVERDE ACADEMY INC	17235 SEVENTH ST	MONTVERDE	FL	34756-3210
MYLNIKOV SERGEI	17703 NEAL DR	MONTVERDE	FL	34756
NEUBAUR ARTHUR T	17606 9TH ST	MONTVERDE	FL	34756-3170
PATEL JAY B & AMRITA	17599 8TH ST	MONTVERDE	FL	34756
POPESCU GINA	17711 9TH ST	MONTVERDE	FL	34756-3127
REYES CHRISTIAN R & MEGHAN M	PO BOX 560202	MONTVERDE	FL	34756-0202
ROSS RHONDA	17636 KIRKLAND RD	MONTVERDE	FL	34756
SEYBERT JOHN H & CONNIE L	17651 9TH ST	MONTVERDE	FL	34756
SMITH JUDY S AND ANNA A MEYER	PO BOX 560271	MONTVERDE	FL	34756-0271
STALNAKER ERIC ET AL	17531 8TH ST	MONTVERDE	FL	34756
WADSWORTH AARON D & ANDREA M	17647 NINTH ST	MONTVERDE	FL	34756

ORDINANCE NO. 2023-31

AN ORDINANCE OF THE TOWN OF MONTVERDE, FLORIDA, AMENDING SEC. 10-82 IN CHAPTER 10 OF THE TOWN OF MONTVERDE LAND DEVELOPMENT CODE TO IMPOSE A MAXIMUM SIZE OF EIGHT HUNDRED SQUARE FEET FOR ACCESSORY BUILDINGS, IMPOSE A MAXIMUM HEIGHT FOR ACCESSORY BUILDINGS AND CLARIFY DESIGN REQUIREMENTS FOR CERTAIN ACCESSORY BUILDINGS WITHIN THE TOWN OF MONTVERDE; PROVIDING FOR CODIFICATION AND SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town finds that accessory buildings of a certain square footage should be aesthetically consistent with the architectural style of the principle structure by using similar materials and colors as the primary structure and therefore clarification of the code is needed; and

WHEREAS, the Town of Montverde also finds that accessory buildings exceeding the height of the primary structure is not aesthetically appealing and should not exceed 14-ft. or the height of the primary structure, whichever is less; and

WHEREAS, the Town Council is authorized pursuant to Ch. 166, and 163, Florida Statutes, to adopt this ordinance, and recognize municipal authority to enact regulations to protect health, safety, and welfare; and

WHEREAS, the Planning and Zoning Board of the Town of Montverde considered this ordinance at a public meeting and has made a recommendation to Town Council; and

WHEREAS, the Town Council of the Town of Montverde held a public hearing which was advertised in accordance with law and held such public hearing no less than 10 days after the day advertisement was published.

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 10-82 of Article III in Chapter 10, Part III (Land Development Code) of the Montverde Code of Ordinances shall be amended to read as follows:

Sec. 10-82. Location, design and maximum floor area of accessory buildings and uses in residential districts.

- (a) The first floor area of an accessory building structure within a residential district shall be no greater than 800 square feet or 50% of the square footage of the primary structure

whichever is lesser and shall not exceed a height of 14-ft. or the height of the primary structure whichever is lesser. the first floor area of the primary structure.

- (b) When an accessory building is attached to a main structure by a breezeway or any other structure requiring a Town of Montverde building permit it shall comply with the setback requirements of the main building.
- (c) All accessory buildings must be issued a permit by the town prior to installation or construction.
- (d) Accessory buildings 90 square feet or less shall be set back and located a minimum of seven and one-half feet from ~~any~~ the side property line. Accessory buildings greater than 90 square feet shall conform to the applicable zoning setbacks.
- (e) Accessory buildings greater than 150 feet² must be constructed or installed to be similar to the architectural style and materials of the principal structure. Properties located in agriculture zoning district are exempt from this requirement.
- (f) Each residential lot (determined by ALT key or parcel identification number) may have no more than two accessory buildings.
- (g) Temporary storage structures shall be limited to 60 consecutive days and no more than 120 days in any calendar year and shall be located a minimum of ten feet from all property lines.
- (h) Accessory buildings may not be placed in the front yard. Accessory buildings shall be placed in side or rear yards only, except if a corner lot, then accessory buildings shall only be placed in the rear yard.

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 ____ day of _____, 2023.

Joe Wynkoop, Mayor

Attest:

Sandy Johnson, Town Clerk

Approved as to form and legality:

Anita Geraci-Carver, Town Attorney

First Reading _____

Second Reading _____

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

	YEA	NAY
Bill Bates, Councilmember		
Allan Hartle, Vice Mayor		
Jim Ley, Councilmember		
Jim Peacock, Councilmember		
Joe Wynkoop, Mayor		

ORDINANCE NO. 2024-43

ORDINANCE 2024-43

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, LAKE COUNTY, FLORIDA, AMENDING THE TOWN OF MONTVERDE'S COMPREHENSIVE PLAN PURSUANT TO 163.3187, FLORIDA STATUTES, BY AMENDING THE COMPREHENSIVE LAND-USE PLAN DESIGNATION FROM TOWN OF MONTVERDE SINGLE-FAMILY MEDIUM TO TOWN OF MONTVERDE OFFICE, RESIDENTIAL, COMMERCIAL (ORC) ON THE FUTURE LAND-USE MAP FOR THE HEREIN DESCRIBED PROPERTY CONSISTING OF APPROXIMATELY 0.365 +/- ACRES ; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; THE DIRECTING THE TOWN MANAGER TO AMEND SAID COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE FORWARDING OF THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE;

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 Planning and Zoning Board sitting as 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 0.365 +/- 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 Town of Montverde Single-Family Medium Density and designating the Property on the Future Land Use Map to:

TOWN OF MONTVERDE OFFICE, RESIDENTIAL, COMMERCIAL (ORC)

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. Scrivener’s Errors.

Scrivener’s errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 5. Direction to the Town Manager

Upon the Effective Date of this ordinance, the town manager or designee is hereby authorized to amend the comprehensive plan and future land-use map as identified herein after compliance with F.S. 163.3187 and F.S. 163.3184(11).

Section 6. Repeal

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

Section 7. Adoption

After adoption, a copy hereof shall be forwarded to the Department of Economic Opportunity.

Section 8. Effective Date

This ordinance shall become effective upon the 31st day after adoption unless timely challenged, and then will 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.

BE IT ORDAINED at a meeting of the Town Council of the Town of Montverde, Lake County, Florida, this _____ day of _____, 20__.

Joe Wynkoop, Mayor

Attest:

Sandy Johnson, Town Clerk

Approved as to form and legality:

Anita Geraci-Carver, Town Attorney

First Reading _____

Second Reading _____

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

	YEA	NAY
Vice Mayor Jim Peacock		
Councilmember Jim Ley		
Councilmember Allan Hartle		
Councilmember Carol Womack		
Mayor Joe Wynkoop		

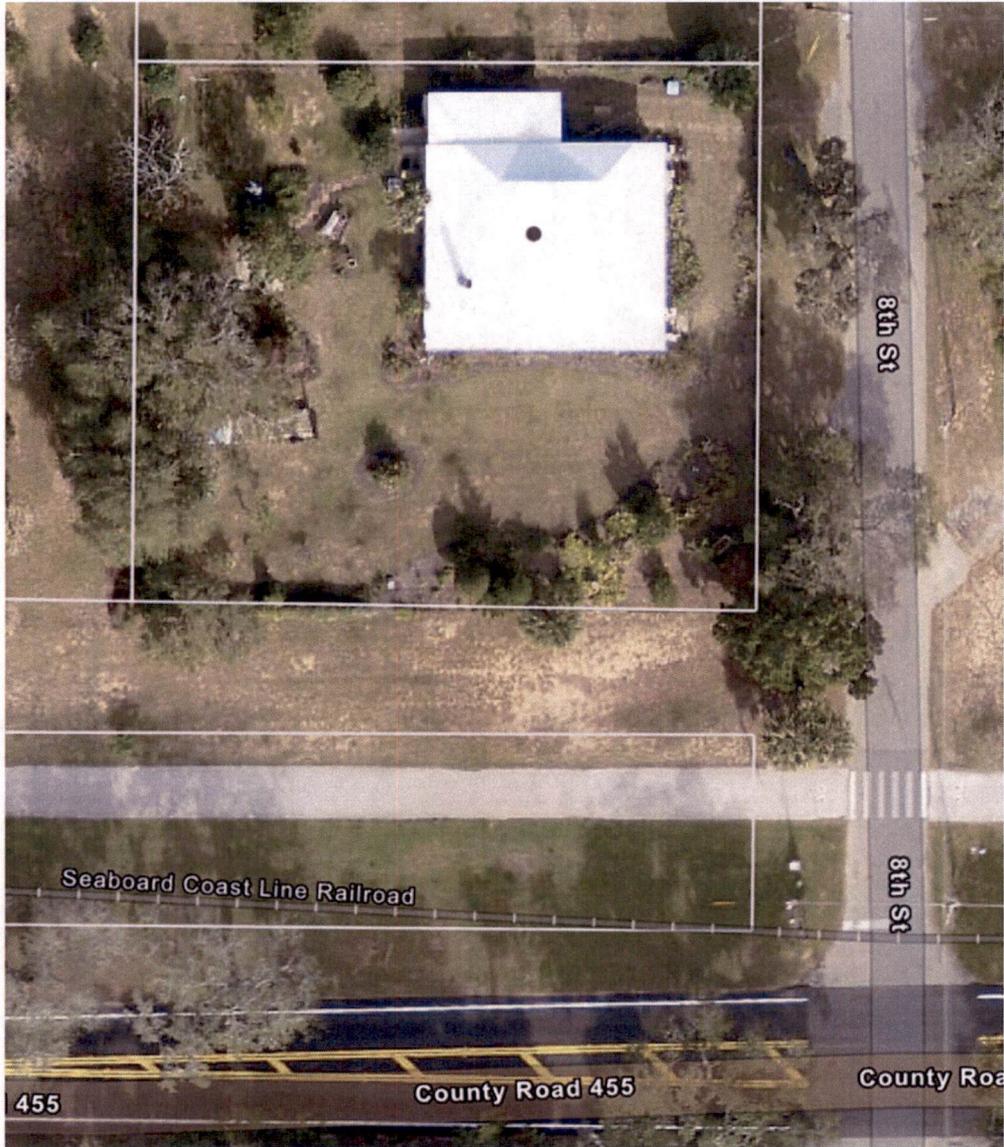
EXHIBIT A

Legal Description of Property

**Lot 4, Block 9, Division F, Town of Montverde in Section 2, Township 22 South, Range 26,
Public Records of Lake County, Florida (the “Property”)**

Lake County Florida Property Appraiser Parcel Identification Number:
01-22-26-1200-009-00400

EXHIBIT B





STAFF REPORT

FUTURE LAND USE MAP AMENDMENT AND REZONING

Public Hearings: Planning & Zoning Board (P&Z): December 11, 2024
Town Council (TC): January 14, 2025, and February 11, 2025

Ordinance No.: Ordinance 2024-43 and Ordinance 2024-42

Applicant/Owner: Michael and Marie Theresa Kay

Requested Action: The applicant seeks a Future Land Use Map Amendment and Rezoning of approximately 0.365 +/- acres from Single Family Medium (SFM) Future Land Use and Single-Family Medium Density (R1M) Zoning District to Office, Residential, Commercial District (ORC) Future Land Use and Zoning District.

Staff Determination: Staff finds both the Future Land Use Map amendment and the rezoning application consistent with the Comprehensive Plan and Land Development Regulations (LDR). This is based on the analysis provided below.

Subject Property Information

Size: 0.365 +/- Acres

Location: 17510 County Road 455, Montverde, FL 34756 (Home built in 1900)

Alternate Key No.: 1462568

Existing Zoning District: Single Family Medium District (R1M)

Proposed Zoning District: Office, Residential, Commercial (ORC)

Existing Future Land Use Category: Single Family Residential (SFR)

Proposed Future Land Use Category: Office, Residential, Commercial (ORC)



STAFF REPORT

Adjacent Property Land Use

Direction	Future Land Use	Zoning	Existing Use	Comments
North	SFR	R1M	Vacant Residential	
South	C1	C1	Single Family Residential	The zoning is C1 although there is a single-family home on the property.
East	SFR	R1M	Single Family Residential	
West	SFR	R1M	Single Family Residential	

Staff Analysis

The applicant seeks a Future Land Use Map Amendment and Rezoning of approximately 0.365 +/- acres from Single Family Medium (SFM) Future Land use and Single-Family Medium-Density (R1M) Zoning District to Office, Residential, Commercial District (ORC) Future Land Use and Zoning District.

Existing and Proposed Development Standards Zoning District Maximum

	Zoning District	Maximum Density	Maximum Floor Area Ratio	Maximum ISR	Minimum Open Space*	Maximum Building Height
Existing	R1M	4 dwelling units/acre	NA	60%	15%	35 feet
Proposed	ORC	NA	0.7 FAR	80%	30%	35 feet

* Please note that a Comprehensive Plan Amendment is currently being processed by the Town that will require a minimum of 25% Open Space for R1M.

Standards for Review

- 1) Land Development Code (LDC) Sec. 10-7 requires that a rezoning request to commercial district and office/residential/commercial district must include a conceptual site plan. The applicant has provided a proposed conceptual site plan that shows development consistent with a nonresidential use. This supports the request for rezoning as nonresidential uses are not permitted in the current R1M Zoning District designation.



STAFF REPORT

- 2) LDC Sec. 10-9. Stipulates additional review criteria for a proposed rezoning application that the Town must consider in its evaluation for approval. Each of these are discussed below:
- a) **The need and justification for the change**- as stated in 1) above, the applicant has provided a proposed conceptual site plan that shows development consistent with a nonresidential use. This supports the request for rezoning as nonresidential uses are not permitted in the current R1M Zoning District designation.
 - b) **The effect of the change, if any, on the particular property and on surrounding properties**- the rezoning to ORC for this property will enable it to expand the list of permitted uses beyond what is currently allowed in R1M, which is primarily single family residential, home occupation, public facilities, and limited agriculture without retail sales. The ORC Zoning District permits these same uses but also allows office and specialty retail, which is more limited than the Commercial (C1) Zoning District. The proposed rezoning would provide a transition of intensities between the abutting R1M properties from the properties zoned C1 to the South across County Road 455. Please see the attached Future Land Use map and Rezoning Map that show the relationship of this property between the C1 properties to the South and the R1M properties to the North, West, and, East.
 - c) **The amount of undeveloped land having the same classifications as that requested in the general area and throughout the town**- there is limited land for the ORC Zoning District in the City. The Future Land Use Map Amendment and Rezoning provides the Town with the opportunity to continue to build a commercial corridor along County Road 455 while also limiting the intensity of development abutting residential properties.
 - d) **The relationship of the proposed amendment to the purposes of the Town's Comprehensive Plan, with appropriate consideration as to whether the proposed change will further the purposes of this LDC and the Plan**- as identified in b) and c) above, the Future Land Use Map Amendment and Rezoning is consistent with providing a transition between residential and commercial properties. It also is consistent with the Comprehensive Plan policies regarding protection of residential properties from nonresidential development based on the following Comprehensive Plan policies:
 - i) *Future Land Use Policy 1-1.1.3: Mitigation of Impacts from Adjacent Development. Residential areas delineated on the Future Land Use Map shall be protected from the encroachment of incompatible nonresidential development.* The proposed Future Land Use Map amendment and Rezoning to ORC will provide this transition between Single Family Residential and Commercial properties.
 - ii) *Future Land Use Policy 1-1.5.2: Criteria for Identifying Commercial Sites. The location and distribution of commercial land use districts delineated on the Future Land Use Map shall be determined according to the following criteria: (A) Access and vicinity to C.R. 455...* The proposed Future Land Use Map



STAFF REPORT

amendment and Rezoning to ORC is consistent with this Policy as the subject property directly abuts County Road 455.

- iii) *Future Land Use Policy 1-1.5.3: General Pattern of Commercial Land Use. ...The office, residential, commercial category serves to prevent high intensive commercial from dispensing throughout the rest of the Town.*
- iv) *Economic Prosperity Policy 1-1.4.4: The Town shall promote the following targeted industries: ... •Small scale retail that is consistent with the Towns small town charm and locally owned small business.*

e) **The availability and provision of adequate services and facilities-** as the property is currently developed, there are existing services and facilities. Any required improvements will be reviewed as required by a subsequent development plan and permitting process.

f) **The impact on the natural environment-** the property is located within the central commercial core of the Town. This location promotes protection of the natural environment as it promotes pedestrian access between residential and commercial uses.

g) **Other criteria as may be applicable-**

- i) Approval of the Future Land Use Map Amendment and Rezoning does not grant approval of a specific use for the property, nor does it approve the conceptual plan. LDC Sec. 6.2 (a) requires a separate site plan application process for all office and commercial (including specialty retail) projects proposed in the Town. This would be a separate application following the Future Land Use Map Amendment and Rezoning, which would also require formal consideration by the Planning and Zoning Board and Town Council.
- ii) Only the uses listed as a permitted use in LDC Sec. 10-57 (b) are allowed and include:
 - (1) Single-family dwelling units having a minimum living area of 1,100 square feet for one- or two-bedroom residences and 1,250 square feet for three or more-bedroom residences, exclusive of garages, carports, and screened areas
 - (2) Family day care homes
 - (3) Community residential homes with six or fewer residents
 - (4) Buildings, structures or uses maintained or operated by the town
 - (5) Home occupations conducted within single-family dwelling units and operated in accordance with this chapter
 - (6) Office
 - (7) Specialty retail.
- iii) LDC Sec. 10-57 (c) list uses that may be permitted as a conditional use if approved by Town Council. If this Future Land Use Map Amendment and Rezoning are approved, and an application proposes any of the uses below, such will be required to come back before the Planning and Zoning Board



STAFF REPORT

and Town Council for approval. These uses are not allowed unless expressly approved by Town Council in a public hearing. They include:

- (1) Houses of worship
- (2) Office development (requires site plan approval)
- (3) Commercial development (requires site plan approval)
- (4) Public or semi-public facilities or structures owned or operated by the town, county, the state or the federal government
- (5) Utility facilities, including electric transformers, gas regulator stations, telephone switching equipment, gas pipelines, transmission lines and poles
- (6) Boathouses without living quarters
- (7) Cemeteries
- (8) Uses which, as determined after consideration by the planning and zoning board and approval of the town council, will not have a more adverse affect upon the public health, safety, and welfare than other permitted or conditional uses in the zoning district.

Planning and Zoning Board & Town Council Motion Considerations:

Legislative Action 1

Future Land Use Map Amendment- Ordinance 2024-43

1. **Recommend approval** of Ordinance 2024-43, amending the Future Land Use Map designation from Single Family Residential (SFR) to Office, Residential, Commercial (ORC) for the property located at 17510 COUNTY ROAD 455, MONTVERDE FL, 34756, Alternate Key No.: 1462568.
2. **Recommend denial** of Ordinance 2024-43, amending the Future Land Use Map designation from Single Family Residential (SFR) to Office, Residential, Commercial (ORC) for the property located at 17510 COUNTY ROAD 455, MONTVERDE FL, 34756, Alternate Key No.: 1462568. based on the following reasons inconsistent with the Comprehensive Plan and Land Development Code. [Provide specific reasons for recommendation of denial.]
3. **Continue action** on Ordinance 2024-43, amending the Future Land Use Map designation from Single Family Residential (SFR) to Office, Residential, Commercial (ORC) for the property located at 17510 COUNTY ROAD 455, MONTVERDE FL, 34756, Alternate Key No.: 1462568. pending additional information requested by the Planning and Zoning Board and/or Town Council. [Provide specific additional information requested.]

The Planning & Zoning Board recommended APPROVAL on December 11, 2024.



STAFF REPORT

Quasi-Judicial Action 2

Rezoning- Ordinance 2024-42

1. **Recommend approval** of Ordinance 2024-42, changing the Zoning Map designation from Single Family Medium District (R1M) to Office, Residential, Commercial (ORC) for the property located at 17510 COUNTY ROAD 455, MONTVERDE FL, 34756, Alternate Key No.: 1462568.
2. **Recommend denial** of Ordinance 2024-42, changing the Zoning Map designation from Single Family Medium District (R1M) to Office, Residential, Commercial (ORC) for the property located at 17510 COUNTY ROAD 455, MONTVERDE FL, 34756, Alternate Key No.: 1462568. based on the following reasons inconsistent with the Comprehensive Plan and Land Development Code. [Provide specific reasons for recommendation of denial.]
3. **Continue action** on Ordinance 2024-42, changing the Zoning Map designation from Single Family Medium District (R1M) to Office, Residential, Commercial (ORC) for the property located at 17510 COUNTY ROAD 455, MONTVERDE FL, 34756, Alternate Key No.: 1462568. pending additional information requested by the Planning and Zoning Board and/or Town Council. [Provide specific additional information requested.]

The Planning & Zoning Board recommended **APPROVAL** on December 11, 2024.

Please note:

Ordinance 2024-43, amending the Future Land Use Map designation from Single Family Residential (SFR) to Office, Residential, Commercial (ORC) is considered a *Small-Scale Comprehensive Plan Amendment* by Florida Statutes (FS).

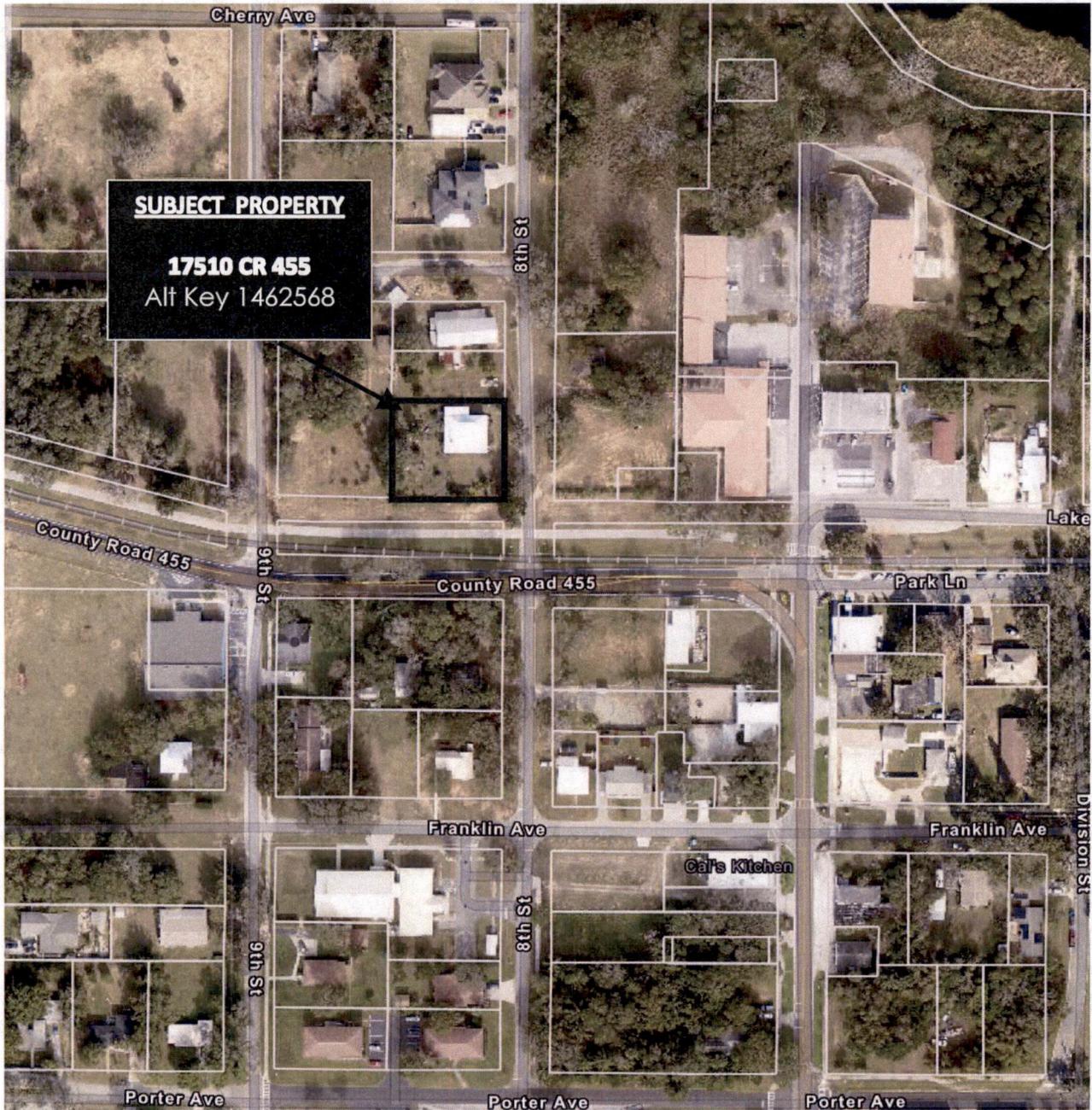
FS 163.3187 (5) (c) requires that small scale development amendments may not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments may not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted small scale development amendment is in compliance.

The rezoning (Ordinance 2024-42) would also not become effective until Ordinance 2024-43 is effective since the rezoning is contingent on the Future Land Use Map amendment.



STAFF REPORT

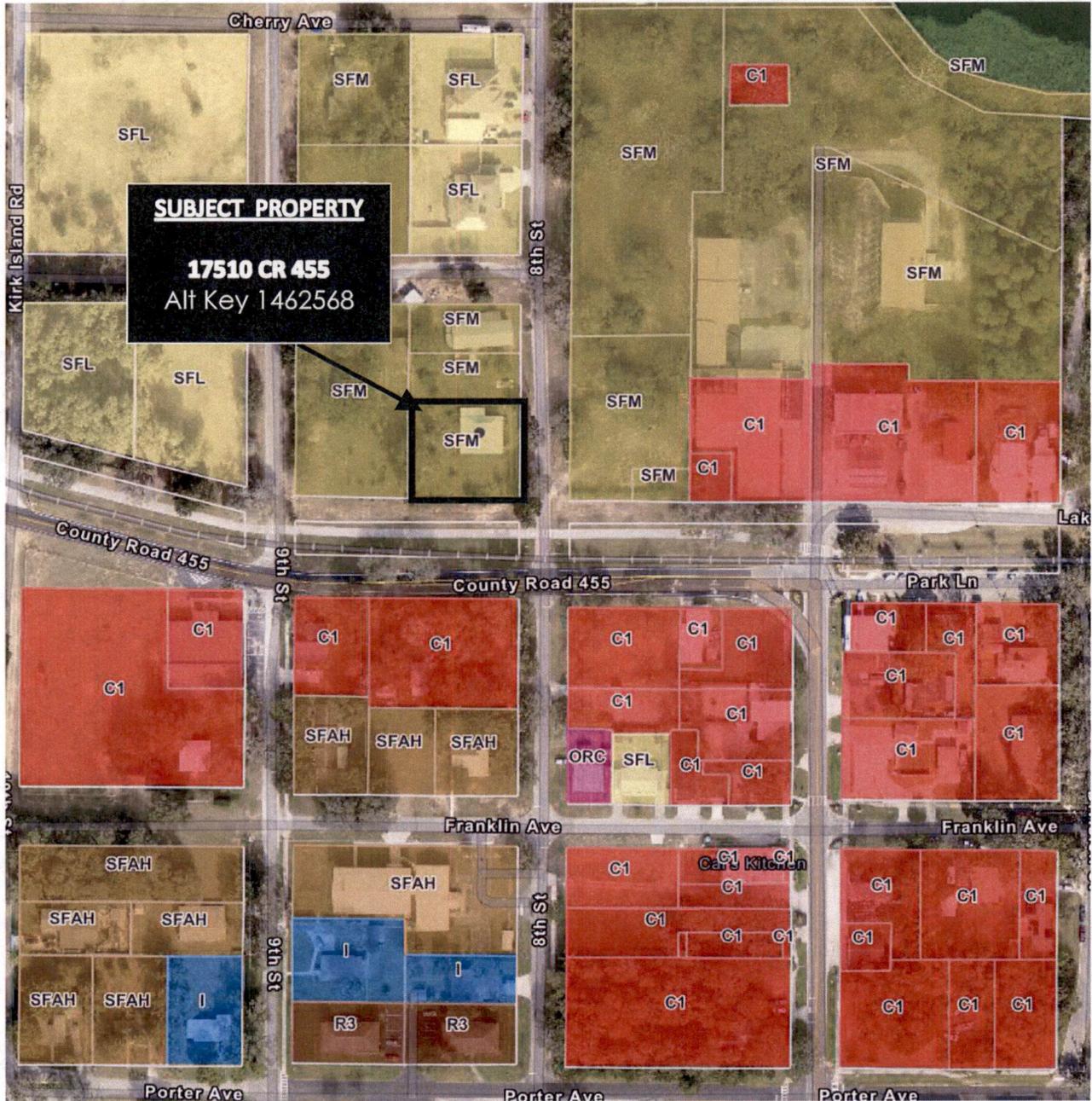
Figure 1
Subject Property





STAFF REPORT

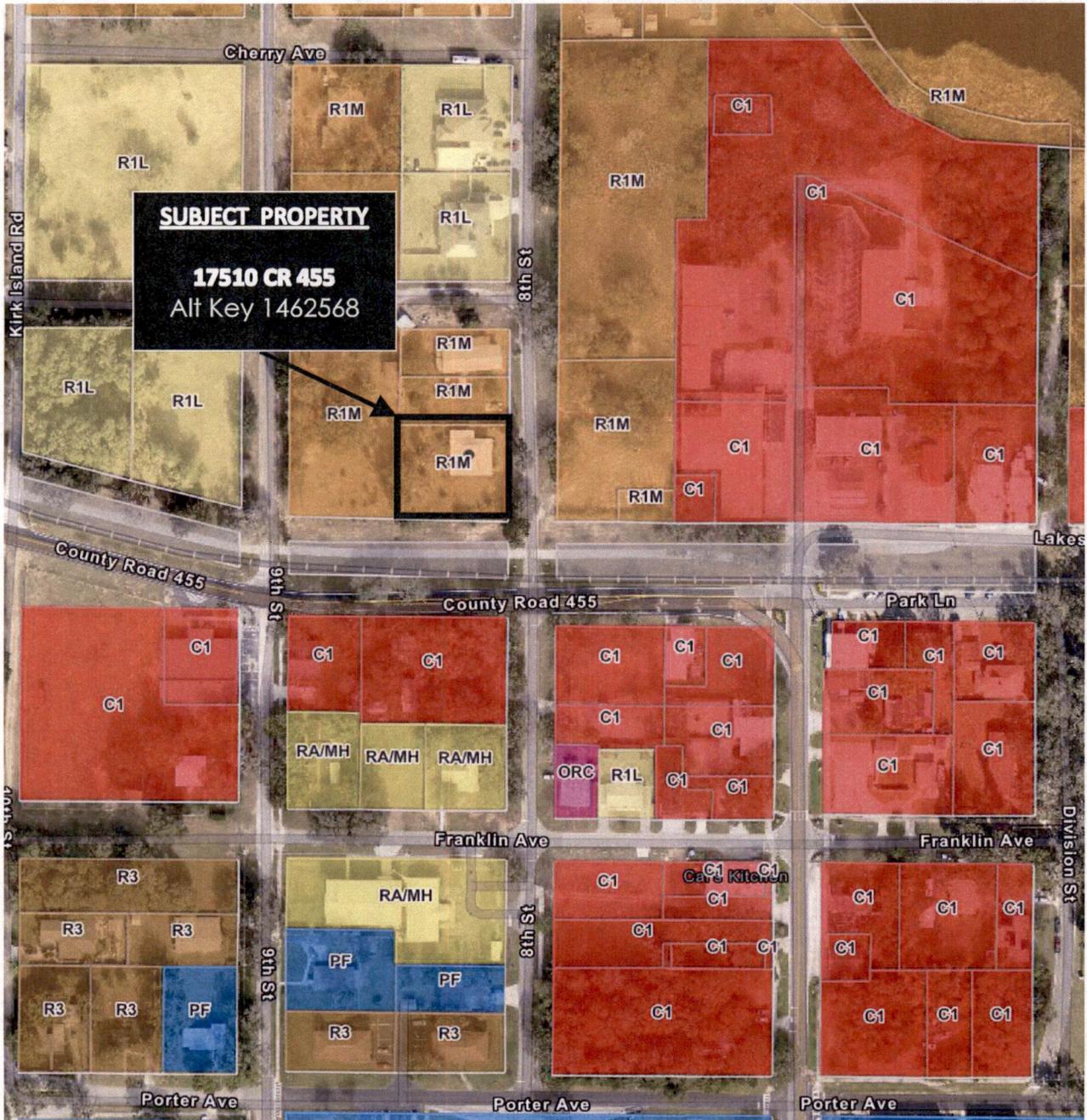
Figure 2
Future Land Use Map
Current FLU: Single Family Medium (SFM)





STAFF REPORT

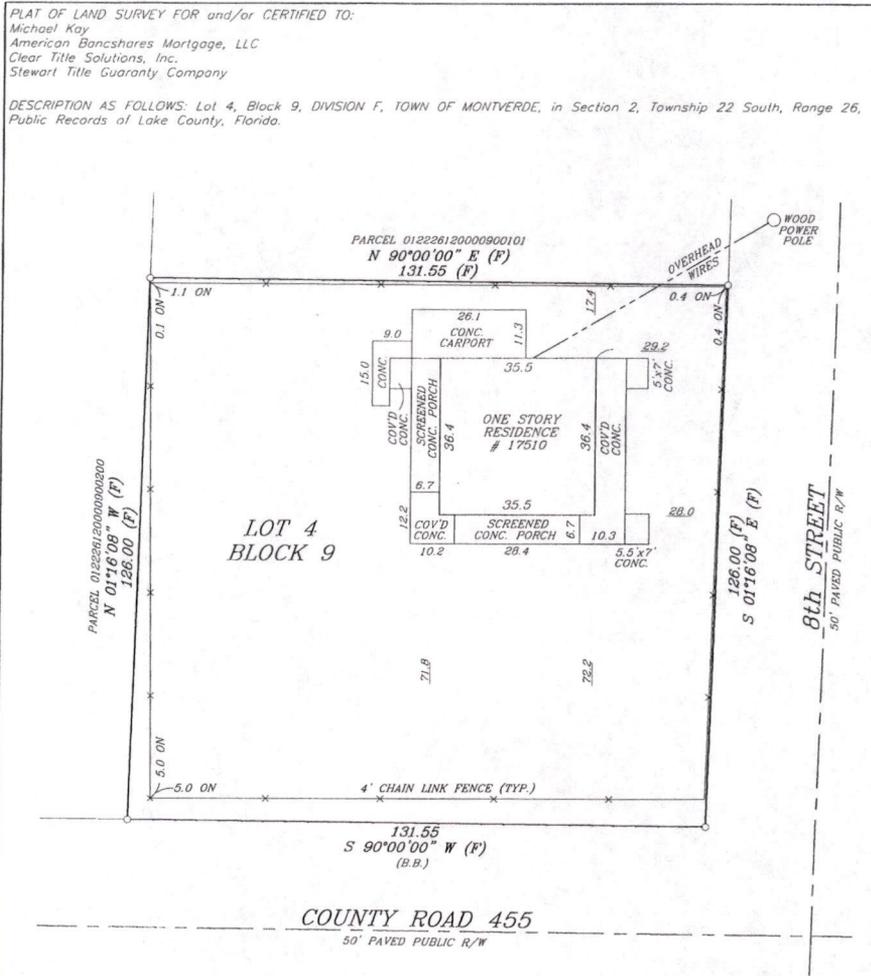
Figure 3
Zoning Map
Current Zoning: Single-Family Medium-Density (R1M)





STAFF REPORT

Survey



THE SEAL DEPICTED HEREON WAS AUTHORIZED BY JOHN W. WALKER PLS 3362 DATED 8-17-24

○ = REC. 1" I.P.
 NO ID



WALKER LAND SURVEYING, INC.

THE UNDERSIGNED DEES HEREBY CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS IN CHAPTER 12417, FLORIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTER 455-101, FLORIDA STATUTES, UNLESS SIGNED AND ENDORSED WITH SURVEYOR'S SEAL. THIS SURVEY IS NOT VALID.

THIS SURVEY WAS PREPARED FROM TITLE INFORMATION FURNISHED TO THE SURVEYOR THERE MAY BE OTHER RESTRICTIONS OR ENCUMBRANCES THAT AFFECT THIS PROPERTY. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN. THIS SURVEY IS PREPARED FOR THE SOLE BENEFIT OF THOSE CERTIFIED TO AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY.

ENCLOSURES SHOWN FOR THE LOCATION OF IMPROVEMENTS HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.

ELEVATIONS, IF SHOWN ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 UNLESS OTHERWISE NOTED.

BEARINGS BASED ON THE NORTH R/W LINE OF COUNTY ROAD 455 SAID BEARING BEING S 90°00'00" W (F)

BEARINGS AND DISTANCES ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.

MEASUREMENTS SHOWN ARE BASED ON THE STANDARD U.S. SURVEY FOOT.

ADDITIONS OR DELETIONS TO THIS SURVEY IS PROHIBITED WITHOUT CONSENT FROM SIGNING SURVEYOR.

SCALE: 1" = 20'

FIELD DATE: BOUNDARY 8-13-24 17510 COUNTY ROAD 455

CERTIFIED BY: *[Signature]* M.L.S. NO. 5262

THIS BUILDING/PROPERTY DOES NOT LIE WITHIN THE ESTABLISHED SPECIAL FLOOD HAZARD AREA PER "FIRM". IT LIES IN ZONE: X

PANEL # 1500PC 052616 MAP DATE: 12-18-12

DRAWN BY: NICK

CHECKED BY:



STAFF REPORT

Application



PERMIT PROJECT
FILE #: 24-000313
17510 455 MONTVERDE FL 34756
REZONE FROM R1M TO COMMERCIAL

🔍 📄 📧 📅 📁 📎 📌 📄 📄 📄

PERMIT #: 224-000002

Permit Type: Planning Application

Subtype: Rezoning Application

Work Description: Rezone from R1M to Commercial

Applicant: Theresa Kay

Status: Online Application Received

Valuation: 0.00

FEES & PAYMENTS

Plan Check Fees	5,275.00
Permit Fees	0.00
Total Amount	5,275.00
Amount Paid	0.00
Balance Due	5,275.00
Non-Billable	

PERMIT DATES

Application Date: 09/03/2024

Approval Date:

Issue Date:

Expiration Date:

Close Date:

Last Inspection:

LAKE COUNTY ALT KEY # (LIST ALL)

LAKE COUNTY ALT KEY #	TAX IDENTIFICATION #
1462568	01-22-26-1200-009-00400

[Add Row](#)

Applicant is: Owner

PROPERTY INFORMATION

Legal Description of Property to be Rezoned
Image 9-3-24 at 11:51:11AM.jpeg

Property is Located in the Vicinity of the Following Streets
 County Road 455 & 8th St

Square Feet or Acres?

Acres: 0.37

Square Feet Calculated: 16,117.20

UTILITIES

Requesting the Following Utilities?

Central Water

Central Sewer

Well

Septic Tank

ZONING

Existing Zoning of Property: R1M

Requested Zoning of Property: Commercial

Number, Square Footage and Present use of the Existing Structures on the Property
 1 Residential Home 1225 Sqft

Proposed Use of the Property: Coffee, Beer & wine

Has any land use application been filed within the last year in connection with this property?
 No

DOCUMENTS (CLICK BLUE TEXT TO DOWNLOAD)

Applicant Affidavit
[Affidavit.pdf](#)

Plans
[455replan.pdf](#)

Survey
[455Survey.pdf](#)

Signature
[signature.png](#)



STAFF REPORT

FEE						
FEE	DESCRIPTION	QUANTITY	AMOUNT	TOTAL		
Application Fee				250.00		
Review Deposit				5,000.00		
Permit Technology Administration Fee				25.00		
			Plan Check Fees	5,275.00		
			Permit Fees	0.00		
			Total Fees	5,275.00		

PAYMENTS						
DATE	TYPE	REFERENCE	NOTE	RECEIPT #	RECEIVED FROM	AMOUNT
						Amount Paid
						0.00
						Balance Due
						5,275.00

NOTICE OF PUBLIC HEARINGS

You are receiving this notice because you own property within 600-feet of a property requesting a change in the Zoning and Future Land Use maps (see below). The Town of Montverde is required by law to notify you of the upcoming Town Council meetings. If you have no questions, or do not wish to attend the meeting, you may disregard this notice. No action is required of you.

From: Paul Larino, Town Manager

Date: December 23, 2024

Re: Notice of Public Hearing for Ordinance 2024-42 and 2024-43

Notice is hereby given for public hearings to be held in the Town of Montverde Town Hall, 17404 Sixth Street, Montverde, Florida, regarding the parcel described below.

The Town of Montverde Town Council will hold public hearings on **January 14, 2025, at 7:00 p.m.** and **February 11, 2025, at 7:00 p.m.** at the Town Hall Auditorium located at 17404 Sixth Street, Montverde, Florida to deliberate on the following:

ORDINANCE 2024-42

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MONTVERDE CHANGING THE ZONING DESIGNATION OF REAL PROPERTY OWNED BY MICHAEL AND MARIE THERESA KAY AND LOCATED AT 17510 CR 455, MONTVERDE, LAKE COUNTY, FLORIDA, FROM A SINGLE-FAMILY MEDIUM DENSITY (R1M) DESIGNATION TO OFFICE, RESIDENTIAL, COMMERCIAL (ORC); PROVIDING FOR DIRECTIONS TO THE TOWN MANAGER; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICT; AND SETTING AN EFFECTIVE DATE.

ORDINANCE 2024-43

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, LAKE COUNTY, FLORIDA, AMENDING THE TOWN OF MONTVERDE'S COMPREHENSIVE PLAN PURSUANT TO 163.3187, FLORIDA STATUTES, BY AMENDING THE COMPREHENSIVE LAND-USE PLAN DESIGNATION FROM TOWN OF MONTVERDE SINGLE-FAMILY MEDIUM TO TOWN OF MONTVERDE OFFICE, RESIDENTIAL, COMMERCIAL (ORC) ON THE FUTURE LAND-USE MAP FOR THE HEREIN DESCRIBED PROPERTY CONSISTING OF APPROXIMATELY 0.365 +/- ACRES ; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS;

DIRECTING THE TOWN MANAGER TO AMEND SAID COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE FORWARDING OF THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE;

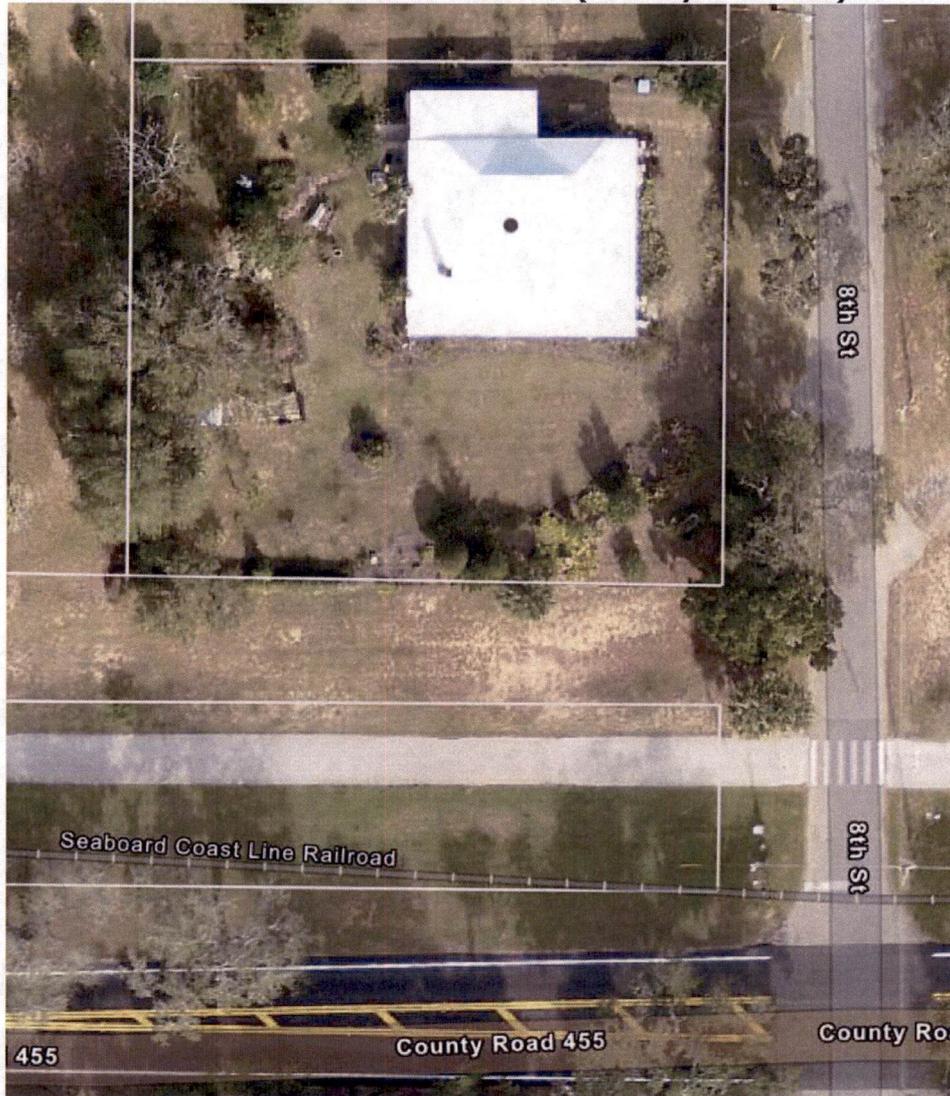
Interested parties may appear at the public hearings and be heard with respect to the proposed ordinances. Persons with disabilities needing assistance to participate in this proceeding should contact the Town Clerk at least 48 hours before the meetings at 407-469-2681.

This ordinance is available at the Town Clerk's Office, at Town Hall located at 17404 Sixth Street, Montverde, Florida, for inspection on Monday through Thursday, from 7:00 a.m. to 6:00 p.m.

Persons are advised that if they decide to appeal any decision made at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made which includes the testimony and evidence upon which the appeal is based, per Section 286.0105, Florida Statutes.

Paul Larino, Town Manager
Town of Montverde

Figure 1
17510 CR 455, Montverde, FL (Alt Key 1462568)



Future Land Use Map

Current: Single Family Medium (SFM)

Proposed: Office, Residential, Commercial (ORC)

Zoning

Current: Single Family Medium Density (R1M)

Proposed: Office, Residential, Commercial (ORC)

NOTICE OF PUBLIC HEARINGS - 600' CERTIFIED MAIL ADDRESSES

OwnerName	OwnerAddress	OwnerCity	OwnerState	OwnerZip
16909 FRANKLIN LLC	17531 COUNTY ROAD 455	MONTVERDE	FL	34756
17425 SEVENTH STREET LLC	17101 PORTER AVE # 56017	MONTVERDE	FL	34756
17548 NINTH LLC	17531 COUNTY ROAD 455	MONTVERDE	FL	34756
8TH STREET VISION LLC	2215 CLUSTER OAK DR STE	CLERMONT	FL	34711
ARELLANO JOHN & KARIN	17531 COUNTY ROAD 455	MONTVERDE	FL	34756
BAUMANN ERIN & MATTHEW	1122 IMPERIAL EAGLE ST	GROVELAND	FL	34736
BENNETT TROY A AND ANNE BENNETT	16006 VETTA DR	MONTVERDE	FL	34756
BRECHEEN GLEN D &	17424 SCOTT LN	MONTVERDE	FL	34756-3294
BURCH JOHN F JR	PO BOX 560340	MONTVERDE	FL	34756-0340
CARROLL JOHN B	PO BOX 560483	MONTVERDE	FL	34756-0483
CHARLENE B WARNKEN TRUST	17624 NEAL DR	MONTVERDE	FL	34756
COLLINS THOMAS R & MARIAN E	PO BOX 560113	MONTVERDE	FL	34756-0113
CORRAL EVARISTA	17548 SUNSET TER	WINTER GARDE	FL	34787
CUNHA GIOVANNI G & GRAZIELA K FRANCO	17632 9TH ST	MONTVERDE	FL	34756
DAVID HARDEN AKA DONALD DAVID HARDEN REVOCABLE TRUST	PO BOX 560085	MONTVERDE	FL	34756-0085
DERMASTART LABS LLC	2037 SAILBOROUGH CT	WINTER GARDE	FL	34787
ERIC T BLOMSTROM AND GINA M BLOMSTROM INTER VIVOS REVOCABLE	16729 KAMALIN CT	CLERMONT	FL	34715
FENDER CHERYL L	PO BOX 560470	MONTVERDE	FL	34756-0470
FILEGAR JOHN F & MARY K	PO BOX 560652	MONTVERDE	FL	34756-0652
FIRST BAPTIST CHURCH OF MONTVERDE	17409 8TH ST	MONTVERDE	FL	34756
FLORIDA TELEPHONE CORP	1025 ELDORADO BLVD	BROOMFIELD	CO	80021
FRANKLIN CENTER EAST INC	12637 KATHERINE CIR	CLERMONT	FL	34711-0007
FRANKLIN HOYT J ESTATE	12637 KATHERINE CIR	CLERMONT	FL	34711
FRANKLIN POSTAL BUILDING INC	PO BOX 560112	MONTVERDE	FL	34756-0112
FRANKLIN STORE BUILDING INC	12637 KATHERINE CIR	CLERMONT	FL	34711
FULMORE WILLIE J JR	906 SUNNY DELL DR	ORLANDO	FL	32809
GRACE JACK E & DEBORA M	17623 8TH ST	MONTVERDE	FL	34756
HICKS KATHERINE L	17405 9TH ST	MONTVERDE	FL	34756
HORVATH EVA	PO BOX 560362	MONTVERDE	FL	34756-0362
HOUGHTON JUSTINE L	17549 KIRKLAND RD	MONTVERDE	FL	34756
HOWEY HOLDINGS LLC	884 S DILLARD ST	WINTER GARDE	FL	34787
KAY MICHAEL & MARIE T	17633 KIRKLAND RD	MONTVERDE	FL	34756
KUMQUAT BEACH II LLC	16316 BURKE ST	MONTVERDE	FL	34756
LOPEZ CHRISTINA A & JUAN M L HERNANDEZ	17620 8TH ST	MONTVERDE	FL	34756
MC GRATH JAMES F III & VEDA C	5990 SW 97TH AVE	MIAMI	FL	33173-1452
MONTVERDE ACADEMY INC	17235 SEVENTH ST	MONTVERDE	FL	34756-3210
NEUBAUR ARTHUR T	17606 9TH ST	MONTVERDE	FL	34756-3170
PATEL JAY B & AMRITA	17599 8TH ST	MONTVERDE	FL	34756
POOL ELAINE M &	PO BOX 560023	MONTVERDE	FL	34756-0023
PUBLIC DEDICATION CITY	PO BOX 560008	MONTVERDE	FL	34756-0008
SMITH BESSIE P ESTATE	12637 KATHERINE CIR	CLERMONT	FL	34711
SMITH L NEAL & BESSIE P	PO BOX 121004	CLERMONT	FL	34712-1004
STALNAKER ERIC ET AL	17531 8TH ST	MONTVERDE	FL	34756
TAYLOR JANE B	17349 7TH ST	MONTVERDE	FL	34756-0086
THE CHURCH AT MONTVERDE INC	17015 PORTER AVE	MONTVERDE	FL	34756
TOWN OF MONTVERDE	PO BOX 560008	MONTVERDE	FL	34756-0008
UNKNOWN	1122 IMPERIAL EAGLE ST	GROVELAND	FL	34736
UNKNOWN	884 S DILLARD ST	WINTER GARDE	FL	34787
WADSWORTH AARON D & ANDREA M	17647 NINTH ST	MONTVERDE	FL	34756



STAFF REPORT

EXHIBIT A

Ordinance 2024-42

Ordinance 2024-43

ORDINANCE 2024-42

RECORD AND RETURN TO:
TOWN OF MONTVERDE
P.O. BOX 560008
MONTVERDE, FL 34756

ORDINANCE 2024-42

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MONTVERDE CHANGING THE ZONING DESIGNATION OF REAL PROPERTY OWNED BY MICHAEL AND MARIE THERESA KAY AND LOCATED AT 17510 CR 455, MONTVERDE, LAKE COUNTY, FLORIDA, FROM A SINGLE-FAMILY MEDIUM DENSITY (R1M) DESIGNATION TO ORC OFFICE, RESIDENTIAL, COMMERCIAL; PROVIDING FOR DIRECTIONS TO THE TOWN MANAGER; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICT; AND SETTING AN EFFECTIVE DATE.

WHEREAS, Michael and Marie Theresa Kay, Owners, are requesting to change the zoning designation for the real property described below from Single-Family Medium Density to Office, Residential, Commercial in order to have a coffee shop on the property; and

WHEREAS, the property has a future land use designation of Office, Residential, Commercial (ORC) as shown on the Town of Montverde Comprehensive Plan Future Land Use Map; and

WHEREAS, the requested zoning is consistent with the future land use designation of the property; and

WHEREAS, the Planning & Zoning Committee has considered this ordinance at a duly noticed public hearing; and

WHEREAS, the Town of Montverde has advertised as required by law prior to adoption of this ordinance, and provided surrounding property owners notice; and

WHEREAS, the Town Council has considered adoption of this ordinance at a public hearing

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, FLORIDA as follows:

Section 1. Zoning Classification. Based on the petition by Michael and Marie Theresa Kay the property hereinafter described which petition has been approved by the Town Council of the Town of Montverde, Florida, pursuant to the provisions of the Laws of Florida, the zoning designation of the said property located in the Town of Montverde, Lake County, Florida, is hereby changed from Single-Family Medium Density to **Office, Residential, Commercial (ORC)** as designated by Town of Montverde, to wit:

Lake County Florida Property Appraiser Parcel Identification Number:
01-22-26-1200-009-00400

Lot 4, Block 9, Division F, Town of Montverde in Section 2, Township 22 South, Range 26, Public Records of Lake County, Florida (the “Property”)

The Property is depicted on **Exhibit A** attached hereto.

Section 2. Consistent with Comprehensive Plan. The zoning classification is consistent with the Comprehensive Plan of the Town of Montverde, Florida.

Section 3. Official Zoning Map. The town manager, or designee, is hereby directed to amend, alter, and implement the official zoning maps of the Town of Montverde, Florida, to include said designation consistent with this Ordinance.

Section 4. Severability. That if any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 5. Scrivener’s Errors. Scrivener’s errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 6: Conflict. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. Effective Date. This ordinance shall be effective immediately upon adoption by the Town Council of the Town of Montverde.

PASSED AND ORDAINED in regular session of the Town Council of the Town of Montverde, Lake County, Florida, this _____ day of _____, 2024.

Joe Wynkoop, Mayor

Attest:

Sandy Johnson, Town Clerk

Approved as to form and legality:

Anita Geraci-Carver, Town Attorney

First Reading _____

Second Reading _____

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

	YEA	NAY
Vice Mayor Jim Peacock		
Councilmember Jim Ley		
Councilmember Allan Hartle		
Councilmember Carol Womack		
Mayor Joe Wynkoop		

EXHIBIT A



Lake County Florida Property Appraiser Parcel Identification Number:
01-22-26-1200-009-00400

ORDINANCE 2024-44

ORDINANCE 2024-44

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, FLORIDA, TO CHANGE THE ZONING FROM LAKE COUNTY AGRICULTURE TO TOWN OF MONTVERDE SINGLE-FAMILY RESIDENTIAL PUD FOR THE HEREIN DESCRIBED PROPERTY OWNED BY MONTVERDE LANDCO, LLC AND LOCATED NORTH OF OSGOOD ROAD, WEST OF LAKE APOPKA AND PARTIALLY EAST OF KIRK ISLAND RD; DIRECTING THE TOWN MANAGER TO AMEND THE ZONING MAP AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; APPROVING VARIANCES FROM TOWN CODE WITH CONDITIONS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SCRIVENER'S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Thomas Settle, as applicant on behalf of the owner, Montverde LandCo, LLC., requested a rezoning from Lake County Agriculture to Town of Montverde Single-Family Residential PUD; and

WHEREAS, the subject properties consist of 111.411+/- acres located, and is more particularly described in **Exhibit "A"** attached hereto, consisting of Lake County Parcel Id Nos. 01-22-26-1500-000-000C00 (1066352); 35-21-26-0004-000-00400 (1064112); 36-21-26-0003-000-00100 (1028124); and 02-22-26-0001-000-00100 (1031168); and

WHEREAS, the property has a future land use designation of Single-Family Low Density Residential PUD and establishing a minimum lot size for residential dwelling units at ½ acre as shown on the Town of Montverde Comprehensive Plan Future Land Use Map with the following limitation: The minimum lot; and

WHEREAS, the proposed zoning is consistent with the future land use designation; and

WHEREAS, all property owners within 600 feet of the Property were provided written notice of a requests for variances from the Town's Code and such requests were considered based on the standards set forth in Sec. 10-12, Art. I, Ch. 10 of the Land Development Code; and

WHEREAS, the Town of Montverde Planning and Zoning Board held a public hearing on this ordinance and made a recommendation to the Town Council; and

WHEREAS, the Town has held such public hearing, and the records of the Town provide that the owners of the land affected have been notified as required by law; and

WHEREAS, this Ordinance has been advertised in a newspaper of general circulation in the town no less than 10 days prior to the public hearing.

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

Section 1: Zoning Classification.

That the Property shall be designated as Town of Montverde Single-Family Residential PUD in accordance with Land Development Code of the Town of Montverde, Florida, and this Ordinance.

See attached legal description attached hereto as **Exhibit A**.

Lake County Parcel Id Nos. 01-22-26-1500-000-000C00 (1066352); 35-21-26-0004-000-00400 (1064112); 36-21-26-0003-000-00100 (1028124); 02-22-26-0001-000-00100 (1031168) (the "Property").

The Property is more particularly depicted in **Exhibit B** attached hereto and incorporated herein.

Section 2: Terms.

The uses of the Property will be limited to those uses specified in this Ordinance and generally consistent with the Conceptual Plan attached as **Exhibit C**. To the extent there are conflicts between **Exhibit C** and this Ordinance, this Ordinance will take precedence.

A. Permitted Land Uses.

1. Residential -- a maximum of 139 single-family dwelling units. Each residential lot shall be a minimum of 0.5 acres in size.
2. Accessory uses directly associated with the single-family dwelling units may be approved by the town manager or designee.
3. Any other use of the Property not specified herein will require approval of an amendment to this Ordinance by the Town Council.

B. Setbacks. The minimum setback for residential development shall be as follows:

- Front: 20 feet from the property line
- Side: 7.5 feet from the property line (unobstructed – for example no a/c pads)
- Rear: 20 feet from the property line (50' for waterfront and wetland lots)
- Side Corner: 10 feet from the property line
- Pool, screen and decking: 5 feet from any property line
- Driveway: 3 feet from any property line. There shall be no development such as hardscape or gravel within this setback. Landscape and sod are the only permissible uses within 3-ft of each property line pursuant to Town code.
- Accessory Structures Rear Yard Only: 7.5 feet setback from all property lines (50' for waterfront and wetland lots)
- A/C pads/pool equipment: Shall only be located at the rear of the house.

NOTE: For purposes of determining setbacks, the rear setback will be measured from the conservation easement/LID easement line and NOT the Lot's rear property line unless no conservation easement/LID easement is located on the lot.

1. Lot sizes shall be in compliance with the PUD; however modifications may be made during the final engineering process as long as:
 - a. There will be no increase in the total density beyond what is approved in the PUD.
 - b. The minimum lot size must be at least half an acre.
 - c. The general street network and drainage layout remain unchanged.
 - d. Allowed minimum lot width is 60-ft.; however, no more than six 60-ft. wide lots are approved. Remaining lot widths must be consistent with Exhibit C.

2. All development, including but not limited to fences, sheds, and accessory structures, excluding permitted docks shall adhere to a minimum setback of 50 feet from the delineation of the seasonal high-water elevation or jurisdictional wetland line (whichever line is higher). The seasonal high-water elevation and jurisdictional wetland line shall be established by a qualified professional using soil conditions and vegetative indicators. In ground concrete or fiber-glass pools and associated pool decking are permitted within the 50-foot setback but must be at least 25-feet from the seasonal high-water elevation or wetland jurisdictional line (whichever line is higher). Sec. 10-90, Art. III, Ch. 10, LDC.

3. Any setback not specified must be in accordance with the Town of Montverde Land Development Code, as amended.

C. Environmental Requirements.

1. Prior to any development, a current environmental assessment must be submitted to identify impacts to wetlands, habitat, wildlife corridors, flora, and fauna. The environmental assessment must identify the location of nuisance and/or exotic plant species (According to UF-IFAS) and proposed methods to remove these plant species.
2. Must adhere to all Comprehensive Plan and Land Development Code regulations, as amended.
3. Figure xx depicts conservation easements and open space for the proposed development. These areas shall be managed by the HOA in perpetuity to protect natural and water resources. Structures, vehicles, and non-native landscaping are not permitted in these areas including within easements located on individual lots.

D. Stormwater Management. The stormwater management system shall be designed in accordance with all applicable Town of Montverde and St. Johns River Water Management District (SJRWMD) requirements; as amended. It is the responsibility of the HOA to maintain all stormwater systems inclusive of drainage easements in perpetuity.

E. Utilities.

1. The provision of potable water must be permitted in accordance with Florida Department of Health, Florida Department of Environmental Protection, Town of Montverde Comprehensive Plan and Town of Montverde Code of Ordinance regulations.
2. The provision of wastewater service must be permitted in accordance with Florida Department of Health, Florida Department of Environmental Protection, Town of Montverde Comprehensive Plan and Town of Montverde Code of Ordinance regulations. The developer will be responsible for the installation and maintenance of a Florida DEP approved sewer system.
3. The parties will enter into a utility agreement, if required by the Town, before or simultaneously with preliminary plat approval by Town Council.
4. The developer must install dry lines within the development in accordance with Town Code.
5. The developer must permit and construct an irrigation water line and related equipment from Lake Apopka to the Property. A utility easement along Osgood Road in favor of the Town for the Town to operate the irrigation to the Property is required.
6. Each lot must include utility easements in favor of the Town – 5-ft. side, 10-ft. front, and 10-ft. rear.
7. All homes must be Water Star Certified.

F. Recreation areas.

1. Recreation areas must be allocated on the site in accordance with Policy 1-1.14.1 (C), Montverde Comprehensive Plan.
2. Provide an 80-ft ROW along Abrams Avenue in the southeastern corner of the Property from Lake Apopka to the western extent of Temple Street to accommodate access to and parking for the boat ramp. (Existing Town ROW is 40-ft)..
3. Public access from the ROW to the Rec-Tract 3 is required.

G. Open space/Impervious Surface Ratio.

1. Minimum open space standard is 25 percent in accordance with Policy 1-1.1.2, Montverde Comprehensive Plan.

2. Maximum area of site to be covered by impervious surface is 50 percent in accordance with Policy 1-2.27(B), Montverde Comprehensive Plan.
3. Maximum area of each individual lot to be covered by impervious surface is strictly 50 percent in accordance with the Town's Comprehensive Plan and LDC.

H. Parking.

1. Parking shall be accomplished in accordance with the Town of Montverde Neighborhood Standards and Guidelines Manual for New Subdivisions.

I. Transportation.

1. Transportation including roads, trails, sidewalks, and access shall be constructed in accordance with the Town of Montverde Neighborhood Standards and Guidelines Manual for New Subdivisions, the "Montverde Walks" Plan, and with approval from Lake County Public Works and Trails.
2. All roads within the Property must be designed and constructed in accordance with City of Mount Dora standard providing for 2-travel lanes, 22-ft wide travel lanes of asphalt and 1-ft. ribbon curb on each side for a total width of 24-ft.
3. The following access roads leading into the development, 8th St, 9th St, and Temple St., must be improved to meet City of Mount Dora standard providing for 2-travel lanes, 22-ft. wide travel lanes of asphalt and 1-ft. ribbon curb on each side for a total width of 24-ft. be 2-lanes and 22' wide and also meet Lake County Fire Safety standards. Additionally, an 8' sidewalk on one side of the road is required, with the location designated by the Town. Each time a building permit application is submitted, the builder may request from the Town a partial impact fee credit towards the Town's transportation impact fee for the particular lot..

J. Lighting.

1. Lighting shall be constructed in accordance with the Town of Montverde Neighborhood Standards and Guidelines Manual for New Subdivisions and must be consistent with "Dark Sky" criteria per the International Dark Sky Association (IDA) standards.
2. HOA is responsible for the costs of the lighting, electrical and maintenance.

K. Signage.

1. Signage shall be constructed in accordance with the Town of Montverde Neighborhood Standards and Guidelines Manual for New Subdivisions.

L. Sidewalks.

Sidewalks inside the development must be 6' in width. A minimum of 16 sidewalk stamps shall be installed at various sidewalk location within the subdivision. The

sidewalk stamps shall be installed in accordance with the intent of the “Montverde Walks” plan.

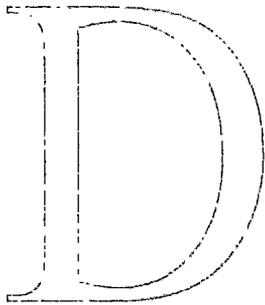
M. Driveways and Road Aprons.

Driveways and road aprons must be constructed in accordance with Section 4-84 of the Montverde Land Development Code.

N. Landscaping.

1. Historic/Heritage trees on the Property must be preserved unless approved for removal by Town Council.
2. Landscaping shall be accomplished in accordance with the Town of Montverde Neighborhood Standards and Guidelines Manual for New Subdivisions, and shall also include:

- i. Within each residential lot, no more than 55 percent of the total landscape coverage is permitted to contain turfgrass.
- ii. All landscape materials throughout the subdivision shall be Florida Friendly landscape materials.
- iii. Landscape perimeter buffers must be comprised of 100 percent Florida native plants.
- iv. The project will have a 30’ perimeter buffer adjacent to the existing development and will utilize the recommended plant quantities for this size of buffer listed in the Standards and Guidelines Manual.
- v. In accordance with Town LDC, the minimum number of trees and shrubs on each lot shall be as follows. (1) Florida native canopy tree in the front yard with 4” caliper minimum; (2) Florida native canopy trees in the rear yard 4” caliper minimum; and one more accent tree from the Florida Friendly TM list such as crepe myrtle 2” caliper. Shrubs must be 18” tall at the time of planting. The number of shrubs required in the front yard is based on 50% of the lot width (for example a 50-ft wide lot requires 25 shrubs, a 60-ft wide lot requires 30 shrubs planted in the front yard or within 15’ of the front building line of the residence in the side yard.. These are intended to be foundational shrubs. The HOA shall be responsible for ensuring the minimum number of trees required on each lot per the PUD is maintained in perpetuity.
- vi. All trees installed for canopy coverage in areas including Residential Lots, Right-of-Way, Open Space, and Common Areas must be comprised of 100% Florida native plants. This does not prevent the use of specimen fruit trees in appropriate areas. Canopy coverage utilizing palm trees must include palm species native to Florida. Trees that grow up to 30’ should be planted at least 4’ from any sidewalk, 30’-50’ trees should be planted at least 6’ from any sidewalk, and trees that grow to over 50’ should be planted at least 8’ from any sidewalk (including fruit trees approved by UF-IFAS). Any trees planted in addition to the



minimum number of 100 percent Florida Native Florida trees must be classified as Florida Friendly per UF-IFAS.

- vii. Canopy trees planted closer than 8' to any sidewalk or pavement shall be planted with root barriers to avoid damage. In no case shall be closer than 4' to sidewalks or pavement.
- viii. Invasive Plant Species (as identified by the USDA Federal Noxious Weed List or UF-IFAS) are prohibited and must be removed from the entire Property prior to construction.
- ix. Irrigation *during first year of landscape plantings*. All landscaping must be irrigated during the first year of being planted to encourage healthy growth of the root system and establishment of the landscaping. The HOA shall be responsible for keeping landscaping maintained in the Right-of-Way, Open Space and Common Areas.
- x. Outreach Materials Landscaping - The developer/builder shall provide an educational brochure as part of the homeowners manual to each homeowner indicating to the homeowner acceptable landscape materials as defined by the Neighborhood Standards and Guidelines Manual for New Subdivisions. The brochure shall include information concerning the use of fertilizers pursuant to the Town's code and proper use recommendations from UF-IFAS.
- xi. A picket fence must be installed to delineate the property line at the rear of the adjacent new lots.
- xii. Low Impact Development techniques will be used for swales and revegetation throughout the stormwater collection system. The revegetation will focus on establishing native habitats throughout the community.
- xiii. Lots shall incorporate a maximum of 55 percent landscape coverage with turfgrass within a standard lot depth of 120 feet. The areas within the designated drainage easement will be stabilized as required by the St. Johns River Water Management District (SJRWMD) and Town of Montverde LDC.
- xiv. HOA documents must include provisions for maintaining in perpetuity all common area features, and LID elements. The town must review and approve HOA documents. Documents must provide a mechanism, such as mandatory reserve accounts to ensure financial sustainability for maintenance as required herein.

O. Neighborhood Standards and Guidelines Manual for New Subdivisions.

1. The development must adhere to all other design criteria within the Neighborhood Standards and Guidelines Manual for New Subdivisions including, but not limited to:

- i. Low Impact Development (LID) principles in accordance with the Neighborhood Standards and Guidelines Manual for New Subdivisions must be incorporated into the site plan and construction plans prior to the Town's Final Plat approval.
- ii. Fences. Acceptable fencing includes wrought iron or aluminum, picket fences (wood or vinyl), and "Montverde Style" fence. Prohibited fence styles include chain link, wire mesh, wood or vinyl stockade style fences of any size, barbed wire, chicken wire (or similar), field fences, and wire fences of any type or construction with opaque fabric. Fences of any type are discouraged in front yards but permitted so long as they are 4 ft in height or less. Privacy fences are permitted around pools and spas but not on property boundaries.
- iii. Outreach Materials LID – In order for a development to successfully sustain LID and Landscaping techniques planned for installation, it is important for all stakeholders in a project to understand the LID measures and use of native landscapes and each individual's role to protect the water and landscape environment. Contractors should understand the proper installation methods; builders should understand the value of proper installation and maintenance of the LID measures; and future/potential property purchasers and owners should be made aware of the value that inclusion of LID in the site design has for the owner, as well as understand the importance of, and ensuring that future maintenance and operation occurs.

HOA Responsibilities for a Conservation Oriented Neighborhood.

- 1. A printed, bounded, color manual shall be given to each homeowner. The manual shall describe the natural resources within and adjacent to the residential subdivision. At a minimum, but not limited to, the manual shall provide the following. This information must be included in the final plat provided then included in HOA documents as an exhibit to the recorded declarations.
 - i. The manual shall inform the homeowners regarding the ecological and hydrologic importance of the buffer areas and easements and the requirement for these areas to remain passive, free from structures and vehicles, and non-native plants. The subdivision's LID design and intent shall be discussed in this manual.
 - ii. The manual shall provide a list of preferred and prohibited plant and tree species and graphically depict the limits of sod use to a maximum of 55 percent coverage.
 - iii. The manual shall graphically (in color) depict permitted fence types.
 - iv. The manual shall provide information on fertilizer restrictions.

2. Signs shall be installed noting the limits and restrictions of the easements. The signs shall be visible to each lot and shall contain language noting the area as a conservation easement and that no structures or landscaping shall be installed beyond the point of the sign. The signs shall also note that the area is to be maintained by the HOA and not the homeowner.
3. A management plan for the open space, shoreline areas and conservation easements must be provided to the Town prior to construction activities. The management plan must be prepared by a qualified conservation biologist who is experienced in managing conservation easements. The plan must provide assurances that perpetual management activities include the on-going removal of any nuisance/exotic vegetative species that may occur.

Section 3: Waivers approved with conditions.

1. **Waiver from:** Section V.B. Housing Model/Style Variety. No street block should have more than two consecutive single-family homes with the same house model.

Granted with the following conditions:

- a) Proposed development may have more than two consecutive single-family homes with the same or similar house model. However, façades will differ in style, finishings, and color to maintain a non-monotonous street frontage.
- b) The developer shall provide raised medians for traffic calming measures.

2. **Waiver from:** Section V.E. Architectural Standards. Prohibited Styles. Modern Contemporary or Modern Ranch "Garage Dominated" style homes with garage doors that exceed 30 percent of the front, street facing façade.

Granted with the following conditions:

- a) Garages facing the street will not exceed 50 percent of the front elevation on the street-facing façade. This is proportionally well balanced with the Accepted Styles given in the Standards and Guidelines Manual (V.E.2.) and are still relative to Acceptable Styles with front-loaded garages.
 - b) Should a garage door exceed 30 percent of the front façade, pavers shall be used for the driveway and lead walk in lieu of poured concrete, except for the driveway apron.
 - c) All garage doors will be "upgraded" from standard 32 panel garage doors.
3. **Waiver from:** Exterior Finishes: Residential structures should support Montverde traditions and maintain a level of craft in the process of construction. Exterior finishes should be primarily hardy board, brick, rock, and masonry. Stucco is acceptable if consistent with an approved architectural style. Brick and stone veneer are prohibited.

Granted with the following condition:

a) Cultured brick and stone veneer must be used. The veneer must have an average thickness of 2-1/2" when applied to the walls or columns adding texture and shadow. The veneer must vary in pattern style and color to enhance the architectural style and paint scheme.

4. **Waiver from:** Where lots are 50-ft. or less in width, garages must be alley-loaded. *Justification:* There are a minimal number of 50-ft. lots proposed, which are not alley-loaded. They are all a minimum of 400-ft. deep and thus are not practical nor feasible for alleys or alley-loaded garages.

5. **Waiver from:** No more than 50 percent of the lots in proposed subdivision (all phases) are permitted to contain front loaded garages. *Justification:* Alleys and alley-loaded garages are not practical nor feasible for the proposed lot configurations and all lots have an average depth of over 250-ft, front loaded garages shall be allowed.

Granted with the following conditions:

a) The builder will provide side-loaded garages on 10 percent of the lots that are 60' or more in width.

6. **Waiver from:** Garages must be at a minimum 27 ft x 29 ft interior size.

Granted with the following condition:

a) Homes will feature standard two-car garages which will be a minimum of 20 ft x 20 ft.

7. **Waiver from:** Section V.F. Staying Connected – Walkable Neighborhoods. Traffic Calming. Intersections along primary entry road(s) to neighborhoods of ten (10) or more homes must contain a traffic circle at the main entry point of first intersection. Traffic circle size shall be determined by *FDOT's Florida Green Book*.

Granted with the following conditions:

a) Proposed Traffic Calming measures will not necessarily be consistent with *FDOT's Florida Green Book*. Instead, appropriate Traffic Calming measures as illustrated on page 26 of the Standards and Guidelines Manual must be utilized. Complete Streets Design Measures (V.F.3.) will be implemented and include canopy street trees to provide shaded sidewalks, speed control devices (see traffic circle exhibit on page 26 of Standards and Guidelines Manual), and on street parallel parking spaces where appropriate as determined by the Town.

8. **Waiver from:** Block Length. Connectivity shall be promoted with short blocks, wide sidewalks, pathways, and a mix of uses within walking distance. There shall be a maximum block length of 500 feet and circumference of 1,300 feet. The applicant may vary this requirement up to 25 percent provided site conditions or engineering considerations justify

the variance. *Justification:* The required block length and circumference specifications are not feasible considering the existing site conditions and the proposed large lot, low density master plan that mandates minimum half acre lot sizes. The entire site is walkable with on street canopy trees providing shaded sidewalks.

Granted with the following condition:

- a) The builder shall provide a 4' wide raised median which will be implemented throughout the development. This median will help calm traffic and provide safe crossing points for pedestrians, improving walkability while supporting the low-density character of the development.

- 9. Waiver from:** Section V.H. Conservation Criteria. Landscaping. Canopy Coverage Requirements. All trees installed for canopy coverage in areas including Residential lots, Right-of-Way, Open Space, and Commons Areas must be native to Florida. This does not preclude the use of specimen fruit trees in appropriate areas. Canopy coverage utilizing palm trees must include palm species native to Florida. Trees that grow up to 30' should be planted at least 4' from any sidewalk, 30'-50' trees should be planted at least 6' from any sidewalk, and trees that grow to over 50' should be planted at least 8' from any sidewalk (including fruit trees approved by UF-IFAS). *Justification:* 3-ft to 4-ft from sidewalks is standard practice in the industry and 8-ft is deemed to be excessive and unnecessary.

Granted with the following conditions:

- a) Canopy trees must adhere to the native species requirements.
- b) When canopy trees are planted closer than 8' to sidewalks, trails, and pavement, root barriers must be utilized to prevent damage. In no case shall a tree be planted less than 4' from a sidewalk, trail, or road.

- 10. Waiver from:** H1.f. Landscaping. Water Conservation. Consistent with the Town's Comprehensive Plan, for any proposed subdivision having more than 25 lots, non-potable sources for landscape irrigation must be provided. *Justification:* As non-potable water sources are not available for this community, the Developer may be using potable water for temporary irrigation systems to be utilized during the landscape establishment period.

- 11. Waiver from:** Design Standards. Article III. Hillside Development. Sec. 4-52.e. If a retaining wall is required, then the wall should be shown with the grading plan and design certified by a state registered engineer, if over 36 inches in height. Walls over 60 inches will not be allowed. Any wall 36 inches and over shall be installed with a decorative aluminum handrail, as required by the Florida Building Code. Wood retaining walls are prohibited. *Justification:* The proposed development will require retaining wall heights greater than 60 inches due to the severe topography of the site. This will limit the use of tiered retaining walls to allow for easier maintenance and provide more usable yard space.

Granted with the following condition:

- a) Walls must be a maximum height of 60” unless the applicant proves to the town that the wall needs to be higher, then the increased height may be granted by the town manager town planner, or town engineer.

The following conditions shall be adhered to with approval of the waivers requested above:

1. At least six (6) (3 locations) highly visible interpretative kiosks (signs) shall be placed in common areas to showcase the archaeological significance of the site. Additionally, the kiosks may describe the natural resources within and adjacent to the residential subdivision. The interpretive kiosks shall be a minimum size of 4x8’ with a roof/cover and shall be maintained by the HOA.
2. To provide an opportunity for community engagement and activity, the developer will create recreational features, such as tot lots or outdoor exercise equipment with final concept plan to be approved before final plat.
3. The developer shall provide cultural and wayfinding signage to be displayed across the site to promote connectivity and emphasize site heritage.
4. The developer/builder will ensure non-monotonous street frontage by using different techniques which will be determined at the time of final engineering.
5. A 30-ft landscape buffer with a trail included must be constructed along Osgood Road, at the southern boundary of the site.
6. To further interconnectivity, a trail connection to the Lake Co. Trail System must be constructed.
7. Construction drawings cannot be submitted for review until the utility agreement is approved.

Section 5: General Conditions.

- a) No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, add other uses, or alter the land in any manner within the boundaries of the above described land without first obtaining the necessary approvals in accordance with the Town of Montverde Code, as amended, and obtaining the permits required from the other appropriate governmental agencies.
- b) This Ordinance will ensure to the benefit of, and will constitute a covenant running with the land and the terms, conditions, and provisions of this Ordinance, and will be binding upon the present Owner and any successor, and will be subject to each and every condition in this Ordinance.
- c) The transfer of ownership or lease of any or all of the property described in this Ordinance must include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions established by this Ordinance and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing

plans and conditions by following procedures contained in the Land Development Code, as amended.

- d) Action by the Town Code Enforcement Special Master. The Town Code Enforcement Special Master will have authority to enforce the terms and conditions set forth in this ordinance and to recommend that the ordinance be revoked.

Section 6: Consistent with Comprehensive Plan.

That the zoning classification is consistent with the Comprehensive Plan of the Town of Montverde, Florida.

Section 7 Official Zoning Map.

That the Town Manager, or designee, is hereby directed to amend, alter, and implement the official zoning maps of the Town of Montverde, Florida, to include said designation consistent with this Ordinance.

Section 8: Severability.

That if any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 9: Scrivener's Errors. Scrivener's errors in the legal description may be corrected without a public hearing or at a public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 10: Conflict.

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 11: Effective Date.

This Ordinance shall become effective immediately upon its approval and adoption by the Town Council of the Town of Montverde.

ADOPTED AND APPROVED by the Town Council of the Town of Montverde, Lake County, Florida this ___ day of _____, 2025.

Joe Wynkoop, Mayor

Attest:

Approved as to form and legality:

Town Clerk/Town Manager

Anita Geraci-Carver, Town Attorney

First Reading _____

Second Reading _____

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

	YEA	NAY
Vice Mayor Carol Womack		
Councilmember Jim Ley		
Councilmember Allan Hartle		
Councilmember Joe Morganelli		
Mayor Joe Wynkoop		

DRAFT



STAFF REPORT

REZONING TO PLANNED URBAN DEVELOPMENT (PUD)

Public Hearings: Planning & Zoning Board (P&Z): December 11, 2024*
Town Council (TC): January 14, 2024, and February 11, 2025

Public Notice Requirement:

This application has been properly advertised in accordance with Town's Land Development Code (LDC). As required, certified mail notices were transmitted to all property owners within 300-ft of the proposed project site. Additionally, the Town transmitted certified mail in December 2024 (a second time) to property owners within 600-ft of the proposed project site. Although the 600-ft notice was not required, the Town transmitted the notices as good measure to address notice concerns that arose during the December 11, 2024, hearing. This application was advertised in the Daily Commercial in accordance with the Town's LDC and was noticed on the Town's website www.mymontverde.com.

Ordinance No.: Ordinance 2024-44

Applicant/Owner: Thomas Settle on behalf of Montverde LandCo.

Application No.: Z24-000001 (PUD) and P24-000001 (PDP*)

Requested Action: The applicant seeks a rezoning of their property from Lake County Agriculture (A) to Montverde Single Family Planned Urban Development (PUD) and approval of their Preliminary Development Plan (PDP)

Staff Determination: Staff finds the rezoning application consistent with the Comprehensive Plan and Land Development Regulations (LDR) and recommends that if this application is approved, that it be approved with the conditions outlined in the Ordinance. This is based on the analysis provided below.

*** P&Z Recommendation:** The Preliminary Development Plan (PDP) presented at the 12/11/24 P&Z meeting was "Continued" with the following change request:



STAFF REPORT

Allowed minimum lot width is 60-ft.; however, no more than six (6) 60-ft. wide lots are approved. Remaining lot widths must be consistent with the Preliminary Development Plan (Conceptual Plan). The PDP must be presented to the Planning & Zoning Board for a second time at a future hearing (date TBD).

Subject Property Information

Size: 111.41 +/- Acres

Location: 17950 Dodie Trail, Montverde, FL. (Located north of Osgood Road, West of Lake Apopka, and East of Kirk Island Rd).

Alternate Key No.: 1066352, 1064112, 1028124, 1031168

Existing Zoning District: Lake County Agriculture (A)

Proposed Zoning District: Montverde Single Family Residential (PUD)

Future Land Use Designation: Single Family Low Density

Adjacent Property Land Use

Direction	Zoning	Existing Use	Comments
North	N/A	N/A	Lake Apopka
East	N/A	N/A	Lake Apopka
South	R1M & RA/MH	Residential	Within Town Limits
West	R1M & R1L	Residential	Mostly in Lake County

R1M: Single Family Medium Density

R1M & RA/MH: Residential Affordable/Manufactured Housing

Staff Analysis

The applicant seeks a rezoning of 111.41 +/- acres from Lake County Agriculture (A) to Single Family Planned Urban Development (PUD).



STAFF REPORT

Existing and Proposed Development Standards Zoning District Maximum

	Zoning District	Maximum Density	Maximum Floor Area Ratio	Maximum ISR	Minimum Open Space*	Maximum Building Height
Existing	LC-A	NA	NA	NA	NA	NA
Proposed	R1L PUD	½ Acre Lots		50%	25%	35 feet

* Please note that a Comprehensive Plan Amendment is currently being processed by the Town that will require a minimum of 25% Open Space for R1L and PUD.

Preliminary Development Plan Purpose and Stage of Proposal

Sec 8-.5 The purpose of the preliminary development plan is to provide for an initial review of the development proposal and the basic development concepts prior to proceeding with the detailed phases of the preliminary development plan. The applicant will provide a concise statement and description of the development proposal. The expenses for engineering studies, detailed surveying, legal information and planning studies may not be necessitated at this stage.

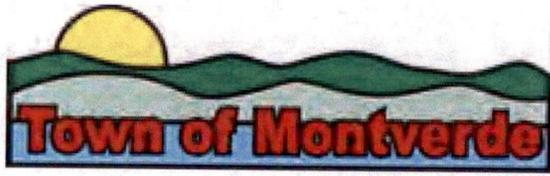
(Ord. No. 2003-01, § 6.4, 3-11-2003)

Background Information

Ordinance 2022-21, amending the Town of Montverde's Comprehensive Land Use Plan Designation from Lake County Agriculture to Town of Montverde Single Family Residential on the Future Land Use Map for the herein described property. Passed 3:2 on March 21, 2022.

Standards for Review

- 1) Land Development Code (LDC) Sec. 10-7 requires that a rezoning request must include a conceptual site plan. The applicant has provided a proposed Preliminary Development Plan that shows development consistent with Single-Family Low-Density land use. This supports the request for rezoning from Lake County Agriculture to Montverde Single Family PUD zoning district.



STAFF REPORT

- 2) LDC Sec. 10-9. Stipulates additional review criteria for a proposed rezoning application that the Town must consider in its evaluation for approval. Each of these are discussed below:
- a) **The need and justification for the change-** as stated in 1) above, the applicant has provided a proposed Preliminary Development Plan that shows development consistent with Single-Family Low-Density land use.
 - b) **The effect of the change, if any, on the particular property and on surrounding properties-** the rezoning to Single Family PUD for this property will enable the applicant to develop the property as agreed upon during the approval process. The proposed rezoning would provide a housing density that complements the surrounding residential R1L, R1M, and AH/MH zoned properties. Please see the attached Rezoning Map that show the relationship of this property to the surrounding zoning districts.
 - c) **The amount of undeveloped land having the same classifications as that requested in the general area and throughout the town-** there is limited land for PUDs in the Town. The rezoning provides the Town with the opportunity to be consistent or better with the type of residential properties available throughout the Town and negotiate the best possible outcome for a mutually beneficial new lakefront community.
 - d) **The relationship of the proposed amendment to the purposes of the Town's Comprehensive Plan, with appropriate consideration as to whether the proposed change will further the purposes of this LDC and the Plan-** as identified in c) above, the Rezoning is consistent with residential properties throughout the Town. It also is consistent with the Comprehensive Plan policies regarding residential development:
 - e) **The availability and provision of adequate services and facilities-** the developer will be providing its own sewer system and will hook into the Town's potable water service.
 - f) **The impact on the natural environment-** as the property is located between Lake Apopka on the north and east and wetlands on the west, both the developer and the Town are taking measures to protect the natural environment surrounding the property.



STAFF REPORT

- g) **Other criteria as may be applicable-** Approval of the Rezoning and the Preliminary Development Plan allows the developer to move forward to the next stage of planning which is the Final Development Plan. This would be a separate application following the Rezoning, which would also require formal consideration by the Planning and Zoning Board and Town Council.

Sec. 8-4. – Procedures for review of development plans and plats.

There shall be a three-step process for the approval of all subdivision plats. This process is intended to permit full and adequate review by the town in order to ensure and protect the public interest. This process will also benefit the applicant by identifying conceptual problems with the development and offering solutions to alleviating those problems prior to the preparation of detailed plans. This three-step process shall be as follows:

- (1) Preliminary development plan;
- (2) Final development plan; and
- (3) Record plat.

(Ord. No. 2003-01, § 6.3, 3-11-2003)

Sec. 8-5. - Preliminary development plan—Purpose and stage of proposal.

The purpose of the preliminary development plan is to provide for an initial review of the development proposal and the basic development concepts prior to proceeding with the detailed phases of the preliminary development plan. The applicant will provide a concise statement and description of the development proposal. The expenses for engineering studies, detailed surveying, legal information and planning studies may not be necessitated at this stage.

(Ord. No. 2003-01, § 6.4, 3-11-2003)

Sec. 8-6. - Same—Review and approval procedure.

(a) Initial point and deadline. All submittals must be made to the town clerk in order to be reviewed by the town's consultants and scheduled for a planning and zoning committee hearing.

(b) Submittals and fees. Preliminary development plan submittals shall be as required. Appropriate fees shall be paid at the time of submittal.

(c) Review process. Each preliminary development plan shall follow a standard review process as outlined below:



STAFF REPORT

- (1) All submittals will be compiled and circulated by the town clerk to the consultants for review and comment.
- (2) The submittals shall be reviewed by the consultants and a written report will be forwarded to the mayor for review.
- (3) If significant problems with the design layout or physical properties with the site are indicated, the consultants may request that the applicant provide additional information as deemed necessary before making a decision on the preliminary development plan as submitted.
- (4) The application will be forwarded to the planning and zoning committee along with the consultant's recommendations.
- (5) The application will then be forwarded to the town council with the planning and zoning committee's recommendation and the consultant's recommendations.

(d) Street names. All street names must be approved by the addressing division of the county public works department.

(e) Time limit on approval. An approved preliminary development plan will automatically lapse if a final development plan has not been submitted for the site within one year of preliminary development plan approval. An extension to the one-year time limit may be considered by the planning and zoning committee upon written request by the applicant prior to the expiration date which shows good cause for extension. Up to two six-month extensions may be allowed before a reapplication is required.

(Ord. No. 2003-01, § 6.4.1, 3-11-2003)

Sec. 8-7. - Same—Required submittals.

The preliminary development plan shall be drawn at a scale of not less than 100 feet to one inch, submitted in 15 copies, and shall show the following:

- (1) Title block.
- (2) Legend, title, scale, north arrow, approximate acreage to be subdivided, current zoning, total number of lots, minimum lot size and name, address and telephone number of the applicant or the applicant's representative.
- (3) Legal description of the tract to be subdivided.



STAFF REPORT

- (4) Vicinity map, showing relationship between area proposed for development and surrounding streets and public facilities, shall be at a scale of not less than one-inch equals 2,000 feet.
- (5) Existing streets. The name, location and right-of-way width of all existing streets which abut the proposed subdivision and existing easements on the property and location of all existing driveways and median openings within 100 feet.
- (6) Proposed streets and the width of proposed street right-of-way.
- (7) Lots and preliminary lot layout with approximate dimensions shown.
- (8) Soil classification map drawn on the face of the plan for comparison with proposed development activities shall be provided and shall indicate soil classifications on the plat as identified by the United States Department of Agriculture Soil Conservation Service in the Lake County Area Soil Survey. An applicant may challenge this designation by securing competent expert evaluation, at the applicant's own expense, demonstrating that the identified soils are not classified correctly. If said determination is concurred in by the town's consulting engineer, the soils shall be correctly identified for the purpose of this LDC. Soil analysis by a qualified soil engineer shall be furnished, upon request of the town's consulting engineer, for submittal with the preliminary plat.
- (9) Topography, contours at one-foot intervals for the tract being subdivided and extending 25 feet beyond the property line, including water surface elevations and date recorded.
- (10) Other natural features, including lakes, marshes or swamps, watercourses and other pertinent features as shown on a recent aerial photo. Location of all trees on site which are a minimum of six inches in diameter measured three feet above ground. Trees with a diameter of 24 inches or greater shall be identified by type, height, diameter and canopy spread.
- (11) Limits of floodplain, indicating flood elevation, drawn on the face of the plan, for a 100-year flood as established by the United States Geological Survey Map series entitled, Map of Flood Prone Areas, the Department of Housing and Urban Development Flood and Floodway Boundary Maps or the Federal Emergency Management Agency (FEMA). An applicant may challenge this designation by securing competent expert evaluation, at the applicant's own expense, demonstrating that the property does not fall within the designated flood delineation.



STAFF REPORT

If the expert determines that the property in question is not within a Flood Prone area, and this determination is concurred by the town's engineering consultant, the purpose of this section shall be fulfilled.

(12) Utilities: proposed source of water, sewer, electric and gas.
(13) Drainage concept plan, indicating general flow directions and retention areas.

(14) Boundaries of the tract shown by a heavy line.

(15) Zoning of adjacent properties.

(16) Names of abutting subdivisions, if any, and the recordation date and plat book and page number.

(17) Other existing improvements including buildings on the tract.

(18) Proposed and existing easements.

(19) Concurrency review.

(Ord. No. 2003-01, § 6.4, 3-11-2003)

Sec. 8-8. - Final development plan—Purpose and stage of proposal.

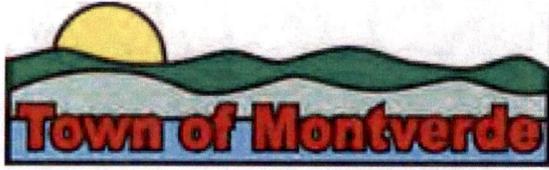
The purpose of the final development plan is to permit complete and accurate presentation of technical data and engineering drawings in such a manner as to allow complete review and evaluation of the proposed development and its impact upon both the site and surrounding areas.

(Ord. No. 2003-01, § 6.5, 3-11-2003)

Town Council Motion Considerations: Quasi-Judicial Action

Rezoning - Ordinance 2024-44

1. **Recommend approval** of Ordinance 2024-44, changing the Zoning Map designation from Lake County Agriculture (A) to Single Family PUD for the property located at 17950 Dodie Trail, Montverde, FL. Alt Key Numbers: 1066352, 1064112, 1028124, and 1031168.



STAFF REPORT

2. **Recommend denial** of Ordinance 2024-44, changing the Zoning Map designation from Lake County Agriculture (A) to Single Family PUD for the property located at 17950 Dodie Trail, Montverde, FL. Alt Key Numbers: 1066352, 1064112, 1028124, and 1031168 based on the following reasons inconsistent with the Comprehensive Plan and Land Development Code. [Provide specific reasons for recommendation of denial.]

3. **Continue action** on Ordinance 2024-44, changing the Zoning Map designation from Lake County Agriculture (A) to Single-Family PUD for the property located at 17950 Dodie Trail, Montverde, FL. Alt Key Numbers: 1066352, 1064112, 1028124, and 1031168, pending additional information requested by the Planning and Zoning Board. [Provide specific additional information requested.]

The Planning & Zoning Board (P&Z) recommended APPROVAL of the PUD on December 11, 2024; however, the Preliminary Development Plan was Continued and is pending the changes requested by P&Z.

Please note:

The developer has requested waivers from the Town of Montverde Neighborhood Standards & Guidelines Manual for New Subdivisions.

These waivers and conditions are outlined in the PUD Ordinance.



STAFF REPORT

Rezoning Map





STAFF REPORT

Current Future Land Use Map

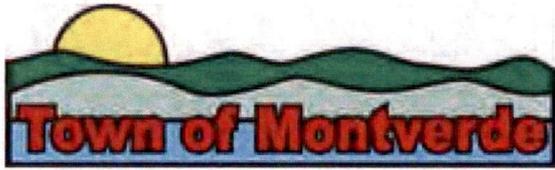




STAFF REPORT

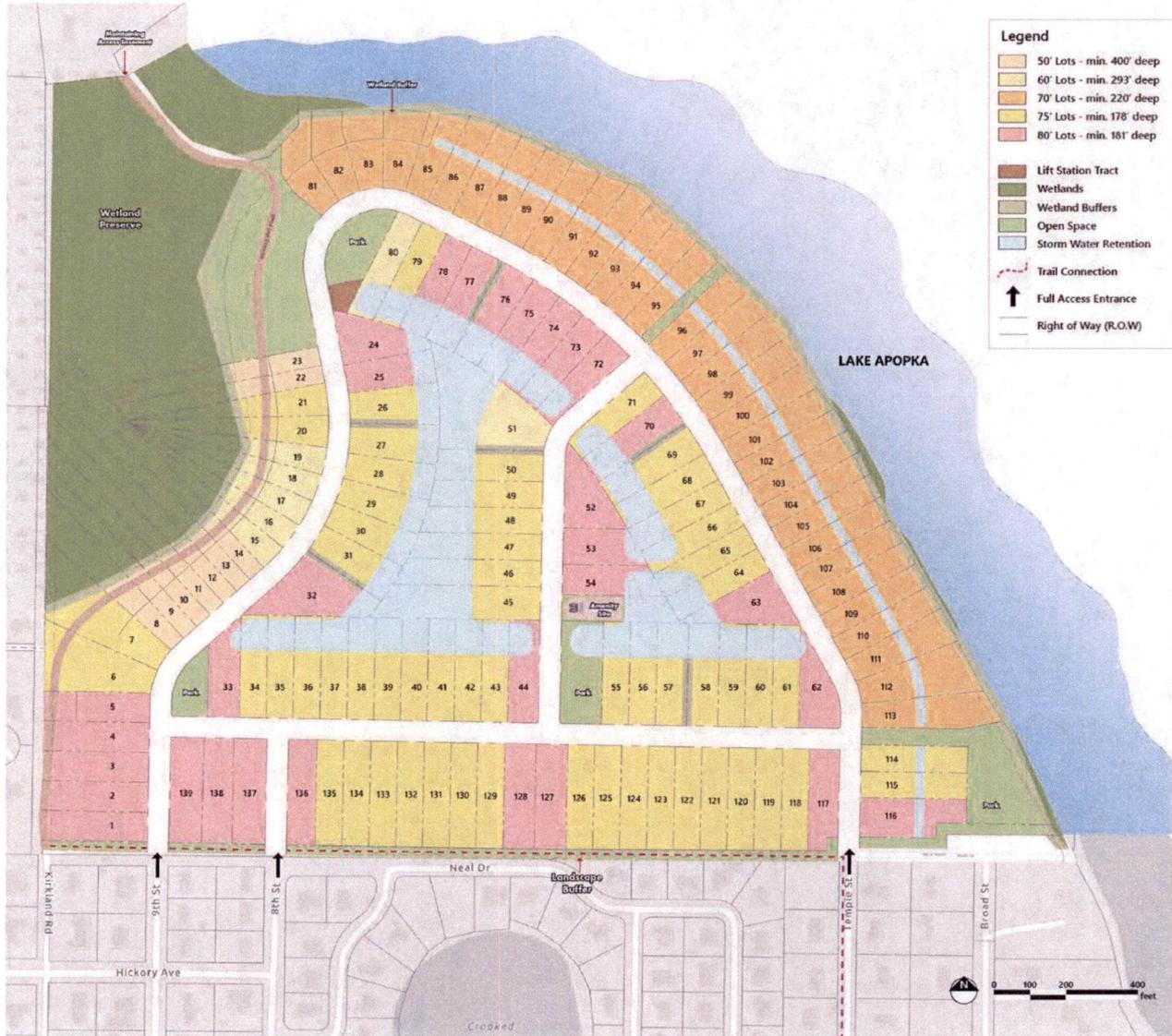
Aerial View





STAFF REPORT

Conceptual Site Plan (139) Half-Acre Lots





STAFF REPORT

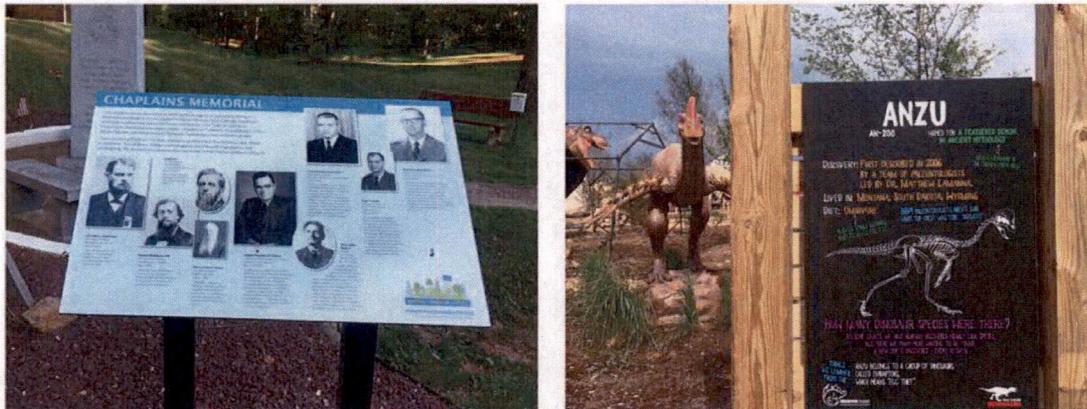
**Exhibit A
Ordinance 2024-44**

**Exhibit A1
Draft Utility Agreement**



STAFF REPORT

Exhibit B Kiosk Concepts





STAFF REPORT

Exhibit C Photographs



Overview of property and Lake Apopka from Osgood Road



View of the southern boundary along Osgood Road from Lake Apopka



STAFF REPORT

**Exhibit D
Advertising Information**

NOTICE OF PUBLIC HEARINGS

You are receiving this notice because you own property within 600-feet of a new residential development (see below). The Town of Montverde is required by law to notify you of the upcoming Town Council meetings. If you have no questions, or do not wish to attend the meeting, you may disregard this notice. No action is required of you.

To: Surrounding Property Owners
From: Paul Larino, Town Manager
Date: December 30, 2024
Re: Notice of Public Hearing for PUD & Preliminary Development Plan

Notice is hereby given for public hearings to be held in the Town of Montverde Town Hall, 17404 Sixth Street, Montverde, Florida, regarding the Osgood development located north of Osgood Road in Montverde, Florida.

The Town Council will hold public hearings on **January 14, 2025, at 7:00 p.m.** and **February 11, 2025, at 7:00 p.m.**

ORDINANCE 2024-44

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, FLORIDA, TO CHANGE THE ZONING FROM LAKE COUNTY AGRICULTURE TO TOWN OF MONTVERDE SINGLE-FAMILY RESIDENTIAL PUD FOR THE HEREIN DESCRIBED PROPERTY OWNED BY MONTVERDE LANDCO, LLC AND LOCATED NORTH OF OSGOOD ROAD, WEST OF LAKE APOPKA AND PARTIALLY EAST OF KIRK ISLAND RD; DIRECTING THE TOWN MANAGER TO AMEND THE ZONING MAP AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; APPROVING VARIANCES FROM TOWN CODE WITH CONDITIONS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SCRIVENER'S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

Specifically: The Town Council will deliberate on whether or not to issue a Planned Unit Development (PUD) zoning designation for the Osgood Development (see Figure 1) that is within Town limits.

The public is invited to attend these meetings. Information is available at the Town Clerk's Office, 17404 Sixth Street, Montverde, Florida, Monday - Thursday, from 7am – 6pm. Interested parties may appear at the meetings and be heard with respect to the proposed ordinance. Persons with disabilities needing assistance to participate in this proceeding should contact the Town Clerk at least 48 hours before the meetings.

Persons are advised that if they decide to appeal any decision made at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made which includes the testimony and evidence upon which the appeal is based, per Section 286.0105, Florida Statutes.

Paul Larino, Town Manager
Town of Montverde



Figure 1

Current Zoning: "Lake County Agriculture"
Proposed Zoning: "Town of Montverde Single-Family Residential PUD"

Osgood - Certified Mail addresses for property owners within 600'

OwnerName	OwnerAddress	OwnerCity	OwnerState	OwnerZip
ALBONICO MARJORIE M LIFE ESTATE	17638 WINDY PINE ST	MONTVERDE	FL	34756
ALEXANDER JAMES & APRIL	17635 EIGHTH ST	MONTVERDE	FL	34756
ANDERSON MICHAEL J & KIM E	17644 DORIS ST	MONTVERDE	FL	34756
ANDREU STEVEN C & BARBARA A CALLAN-	17640 BROAD ST	MONTVERDE	FL	34756
ARBOGAST ZACHARY Q ET AL	PO BOX 560642	MONTVERDE	FL	34756-0642
ARELLANO GLORIA P TRUSTEE	17531 COUNTY ROAD 455	MONTVERDE	FL	34756
ASHCRAFT ALICIA M & GERALD C	17621 DORIS ST	MONTVERDE	FL	34756
AVERY WILLIAM J & JEANETTE E	03014 GLENWOOD BEACH DR	BOYNE CITY	MI	49712
BABBITT MARK A	17631 DORIS ST	MONTVERDE	FL	34756
BALL ANN	17649 BROAD ST	MONTVERDE	FL	34756
BARRY MARALYN J	16634 PINE TIMBER AVE	MONTVERDE	FL	34756
BASKIN ADAM D	17620 BROAD ST	MONTVERDE	FL	34756
BELCHER LANCE A SR & PATRICIA	PO BOX 560259	MONTVERDE	FL	34756-0259
BLACKBURN RANDY L	PO BOX 560072	MONTVERDE	FL	34756-0072
BLOSSOMS INVESTMENTS PROPERTIES LLC	17900 COUNTY ROAD 455	MONTVERDE	FL	34756
BONATTI ROBSON T & MARIANA B DE ANGELO	17650 DORIS ST	MONTVERDE	FL	34756
BOOTH SAMANTHA J & KYLE E	PO BOX 560603	MONTVERDE	FL	34756-0603
BROWN MAE S	17608 WINDY PINE ST	MONTVERDE	FL	34756-0171
BURTON KYLE & SARA	16300 COUNTY ROAD 455 UNIT 6	BELLA COLLINA	FL	34756
C & D SMITH ENTERPISES LLC	271 SAPPHIRE DR UNIT 202	BRADENTON	FL	34209
CARBONO CHRISTIAN M AND DIANA M OREJUE	17625 KIRKLAND RD	MONTVERDE	FL	34756
CAROLYN J KOTAR REVOCABLE TRUST	17668 WINDY PINE ST	MONTVERDE	FL	34756-3118
CATAPANO JOHN J &	17708 NINTH ST	MONTVERDE	FL	34756
CHANDLER MARY L	138 PEBBLE CREEK RD	FRANKLIN	TN	37064
CHARLENE B WARNKEN TRUST	17624 NEAL DR	MONTVERDE	FL	34756
CHRISTOS ANTHONY REVOCABLE TRUST AND	532 N BLUFFORD AVE	OCOEE	FL	34761
CLARK MARLINES I	17641 NEAL DR	MONTVERDE	FL	34756
COX JAMES E JR & PAMELLA A	17705 BROAD ST	MONTVERDE	FL	34756
CRAIG RUSSELL L & MARTHA J	16537 EAGLE VALLEY LN	MONTVERDE	FL	34756
CRESON LINDA M	17707 EIGHTH ST	MONTVERDE	FL	34756
CUNHA GIOVANNI G & GRAZIELA K FRANCO	17632 9TH ST	MONTVERDE	FL	34756
DAGGETT JOHN M & BEATRICE A	17718 9TH ST	MONTVERDE	FL	34756
DAVAN TIMOTHY B	17708 KIRKLAND RD	MONTVERDE	FL	34756
DAVIDSON REBEKAH K & KEVIN S	PO BOX 560438	MONTVERDE	FL	34756-0438
DEBORAH L ANTHONY QPR TRUST &	532 N BLUFORD AVE	OCOEE	FL	34761
DEBORAH L ANTHONY QPR TRUST AND CHRIS	532 N BLUFORD AVE	OCOEE	FL	34761
ESTRELLA-MARTINEZ ALEXANDER J &	17616 WINDY PINE ST	MONTVERDE	FL	34756
FITZGERALD JOHN & THERESA	17641 WINDY PINE ST	MONTVERDE	FL	34756
GAGNE JAYDEL	PO BOX 560405	MONTVERDE	FL	34756-0405

GEORGE AND RHONDA GANZENMULLER REVOC	PO BOX 560266	MONTVERDE	FL	34756-0266
GOMES LIMA DE SOUSA LIBNI & CECILIA OLIVE	17705 VIRGINIA CIR	MONTVERDE	FL	34756
GRACE JACK E & DEBORA M	17623 8TH ST	MONTVERDE	FL	34756
GUSTIN DEBRA L	13232 SUGARBLUFF RD	CLERMONT	FL	34715
HANSON JENNIFER	17624 NEAL DR	MONTVERDE	FL	34756
HOFFMAN GEORGE R & MARGO E	17609 WINDY PINE ST	MONTVERDE	FL	34756
HRYCZUK MELISSA D C	PO BOX 560097	MONTVERDE	FL	34756-0097
HUNT RACHEL &	17652 9TH ST -	MONTVERDE	FL	34756
HURLEY RAYMOND & CANDY	17648 BROAD ST	MONTVERDE	FL	34756
IH3 PROPERTY FLORIDA LP	1717 MAIN ST STE 2000	DALLAS	TX	75201
J & R MANAGEMENT INC	17530 FOSGATE RD	MONTVERDE	FL	34756
KAY LOIS ET AL	17719 TEMPLE ST	MONTVERDE	FL	34756
KAY MICHAEL B	17633 KIRKLAND RD	MONTVERDE	FL	34756
KEOPPEN NEIL & KELLEY	17702 9TH ST	MONTVERDE	FL	34756
KHUZIAKHMETOV ADEL I & DINARA M GAYNUTI	17708 VIRGINIA CIR	MONTVERDE	FL	34756
KOCIELKO JERRY TRUSTEE &	15245 ARABIAN WAY	MONTVERDE	FL	34756-3316
LICITRA RYAN A & BRITTANI C	16603 PINE TIMBER AVE	MONTVERDE	FL	34756
LOPEZ CHRISTINA	17623 TEMPLE ST	MONTVERDE	FL	34756
LOPEZ CHRISTINA A & JUAN M L HERNANDEZ	17620 8TH ST	MONTVERDE	FL	34756
MALCOMB DERRICK & ANGELA	17717 EIGHTH ST	MONTVERDE	FL	34756
MC CALL GORDON C & LUZ G LIFE ESTATE	17665 WINDY PINE ST	MONTVERDE	FL	34756
MC ROBERTS HOWARD D JR & JOYCE A	17654 WINDY PINE ST	MONTVERDE	FL	34756-3118
MEMBRENO HENRY & YUISA	16611 PINE TIMBER AVE	MONTVERDE	FL	34756
MEYER ROCHELLE L	17648 TEMPLE ST	MONTVERDE	FL	34756-3219
MIZELL SCOTT & JANET	17601 WINDY PINE ST	MONTVERDE	FL	34756
MONTVERDE ACADEMY INC	17235 SEVENTH ST	MONTVERDE	FL	34756-3210
MONTVERDE LANDCO LLC	2 N TAMIAMI TRL STE 800	SARASOTA	FL	34236
MORRIN DEBI F	PO BOX 560257	MONTVERDE	FL	34756-0257
MYLNIKOV SERGEI	17703 NEAL DR	MONTVERDE	FL	34756
NAUD RAYMOND J	17660 WINDY PINE ST	MONTVERDE	FL	34756
NORRIS KATHLEEN W OR MICHAEL W	17623 BROAD ST	MONTVERDE	FL	34756
NOWLAN ANDREA L	16643 EAGLE VALLEY LN	MONTVERDE	FL	34756
PALASKY CHRISTOPHER M & HEATHER R	17719 KIRKLAND RD	MONTVERDE	FL	34756-0381
PARROTT LINDA LIFE ESTATE	17642 VIRGINIA CIR	MONTVERDE	FL	34756
PERKINS JEAN IRENE	PO BOX 560196	MONTVERDE	FL	34756-0196
PERTE FLORIAN	17624 TEMPLE ST	MONTVERDE	FL	34756
PETERS WINSTON SR	17643 VIRGINIA CIR	MONTVERDE	FL	34756
PETRIE G CRAIG & CINDY	PO BOX 560141	MONTVERDE	FL	34756-0141
PHILLIPS JOHN H & LYNETTE M	17630 WINDY PINE ST	MONTVERDE	FL	34756
PINES OF MONTVERDE HOA INC TRUSTEE	PO BOX 783367	WINTER GARDEN	FL	34778-3367
POPESCU GINA	17711 9TH ST	MONTVERDE	FL	34756-3127
RALBAG J HOWARD & ANNY	225 W 86TH ST	NEW YORK	NY	10024

RAMGOBIN ANNE	PO BOX 560316	MONTVERDE	FL	34756-0316
REIT MARISSA & PAUL	PO BOX 560391	MONTVERDE	FL	34756-0391
REYES CHRISTIAN R & MEGHAN M	PO BOX 560202	MONTVERDE	FL	34756-0202
RODRIGUEZ JOSE C & LINET	17657 WINDY PINE ST	MONTVERDE	FL	34756
ROSS JACK	16619 PINE TIMBER AVE	MONTVERDE	FL	34756
SAGE GREGORY T	17150 OSGOOD RD	MONTVERDE	FL	34756
SANCHEZ JEREMY T & YAZETTE SOLANO	17634 VIRGINIA CIR	MONTVERDE	FL	34756
SANTOS EDWIN &	PO BOX 691957	ORLANDO	FL	32869-1957
SANTOS SANDRA V G & JOSEPH	16627 PINE TIMBER AVE	MONTVERDE	FL	34756
SCARLETT GREGORY A & TRACIE P	16635 PINE TIMBER AVE	MONTVERDE	FL	34756
SCHWARZ LESLEY A & WERNER R LIFE ESTAT	17646 WINDY PINE ST	MONTVERDE	FL	34756
SEYBERT JOHN H & CONNIE L	17651 9TH ST	MONTVERDE	FL	34756
SFR JV-2 2022-1 BORROWER LLC	15771 RED HILL AVE STE 100	TUSTIN	CA	92780
SILVA LUIS E &	17633 WINDY PINE ST	MONTVERDE	FL	34756-3119
SMITH JUDY S AND ANNA A MEYER	PO BOX 560271	MONTVERDE	FL	34756-0271
SOLOMON MICHAEL T	17705 KIRKLAND RD	MONTVERDE	FL	34756
STATE OF FLORIDA	3900 COMMONWEALTH BLVD	TALLAHASSEE	FL	32399-3000
STOW MARK	PO BOX 560289	MONTVERDE	FL	34756-0289
SWABY LEROY M	17631 VIRGINIA CIR	MONTVERDE	FL	34756
TAMARU CHRISTOPHER & MARTHA A ALVAREZ	PO BOX 560624	MONTVERDE	FL	34756-0624
TEASDALE ISAAC	17625 WINDY PINES	MONTVERDE	FL	34756
THURBER ARIC & LEAH	17708 TEMPLE ST	MONTVERDE	FL	34756
TOWN OF MONTVERDE	PO BOX 560008	MONTVERDE	FL	34756-0008
VAZQUEZ JUAN C &	17617 WINDY PINE ST	MONTVERDE	FL	34756
VINTON THOMAS P LIFE ESTATE	17716 VIRGINIA CIR	MONTVERDE	FL	34756
WADSWORTH AARON D & ANDREA M	17647 NINTH ST	MONTVERDE	FL	34756
WARNKEN JONATHAN	17642 NEAL DR	MONTVERDE	FL	34756
WEST JOHN M	17756 NEAL DR	MONTVERDE	FL	34756
WHIDDEN MICHAEL A & KAREN W	17635 BROAD ST	MONTVERDE	FL	34756
WHITTIE LINDA	17649 WINDY PINE ST	MONTVERDE	FL	34756
WYNKOOP JOSEPH	PO BOX 560276	MONTVERDE	FL	34756-0276
ZACCARO ROBERT & SARAH	17618 VIRGINIA CIR	MONTVERDE	FL	34756
ZEIDAN OMAR & LARA THALJI	913 ALGARE LOOP	WINDERMERE	FL	34786

REMINDERS AND ADJORNMENT