

**Record and Return to:**  
TOWN OF MONTVERDE  
P.O. BOX 560008  
MONTVERDE, FL 34756

## **ORDINANCE 2022-12**

**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 SINGLE FAMILY LOW DENSITY TO AGRICULTURAL ON THE FUTURE LAND-USE MAP FOR THE HEREIN DESCRIBED PROPERTY CONSISTING OF LESS THAN 50 ACRES OWNED BY PARQUE VERDE, LLC; AUTHORIZING THE TOWN MANAGER TO AMEND SAID COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE FORWARDING OF THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY**

**WHEREAS**, the Town of Montverde desires to amend the Comprehensive Plan for the Town of Montverde by assigning a future land use designation to the property more particularly described below and amending the future land use map to reflect the assigned future land use designation; and

**WHEREAS**, the Planning and Zoning Committee serving 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 one public hearing with the adoption of this ordinance occurring at least 10 days after the date of the 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 as:

**Tracts 17, 18, 31 and 32 lying southeasterly of Fosgate Road, Map of Section 10, Township 22 S. Range 26 E. Lake County, Florida, as laid off by Lake Highland Company, according to the plat thereof as recorded in Plat Book 3, Page 51, Public Records of Lake County, Florida, Section 10, Township 22 South, Range 26 East (the “Property”)**

Lake County Florida Property Appraiser Parcel Identification Number:  
09-22-26-0201-017-00000

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

The Property consists of 18 +/- acres and has an address of xxx Fosgate Road, Montverde, FL

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 above from Single Family Low Density and designating the Property on the Future Land Use Map to:

**TOWN OF MONTVERDE AGRICULTURAL**

**Section 3. 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 4. Repeal**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 5. 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 6. 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 7. Effective Date**

This ordinance shall become effective upon the 31<sup>ST</sup> day after adoption, unless challenged and then shall become effective upon the date a final order is issued by the Department of Economic

Opportunities or Administration Commission finding the amendment in compliance in accordance with Section 163.3187, Florida Statutes. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

**PASSED AND ORDAINED** in regular session of the Town Council of the Town of Montverde, Lake County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
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, Council Member		
Allan Hartle, Council Member		
Jim Ley, Vice Mayor		
Judy Smith, Council Member		
Joe Wynkoop, Mayor		

**EXHIBIT A**

Map of the Property

**Parcel No.** 09-22-26-0201-017-00000