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WHEREAS, the Town Council of the Town of Howey-in-the-Hills, Lake County, Florida, has adopted a comprehensive plan pursuant to, and in compliance with Chapter 163 of Florida Statutes.

WHEREAS, the Town of Howey-in-the-Hills has determined that an amendment to the Town of Howey-in-the-Hill’s Land Development Code to add “Historic and Archeological Property Overlay” as a new overlay district intended to support the preservation and adaptive reuse of historic and archeological resources is necessary to implement the comprehensive plan.

WHEREAS, the Town Council has decided it is appropriate to amend the Town's adopted Land Development Code in response to the application for the amendment.

Section 1. The Town Council hereby approves the revisions to the Land Development Code for the Town of Howey-in-the-Hills as indicated by the underlined and strikethrough language in the amended Land Development Code attached hereto as **Attachment A.**

Ordinance No. Page 1

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37 **Section 3.** All ordinances made in conflict with this Ordinance are hereby repealed.

38 **Section 4.** All other provisions of the Land Development Code shall remain unchanged,
39 ratified, and confirmed by this ordinance.

40 **Section 5.** The revisions reflected in the Attachments shall be codified and incorporated
41 into the Land Development Code of the Town of Howey-in-the-Hills, Lake County, Florida.

42 **PASSED AND ORDAINED** this ____ day of _____, 2017, by the Town Council of
43 the Town of Howey-in-the-Hills, Florida.

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49 _____
50 Chris Sears, Mayor

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52 **ATTEST:**

53 **APPROVED AS TO FORM AND LEGALITY**
54 For use and reliance by the Town of Howey-in-the- Hills, Florida, only.
55

56 _____
57 Dairian Burke
58 Interim Town Clerk

59 _____
60 Heather M. Ramos
61 Town Attorney

62 Town Council First Reading held July 24, 2017.
63 Town Council Second Reading and Adoption held August 14, 2017.
64 Advertised for Town Council July 16, 2017 and August 8, 2017.
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ATTACHMENT A

2.03.04 Historic and Archeological Property Overlay

- A. Purpose:** The Historic and Archeological Property Overlay is intended to preserve historic and archeological assets by designating sites which meet the specified criteria; by providing for alternative and adaptive reuse opportunities for designated properties consistent with neighborhood conditions; result in the preservation of the historic or archeological resource. The overlay is intended to preserve the underlying zoning as the base use for the property and the zoning which will be effective on the property should the designated resource be removed for any reason.
- B. Applicability:** The overlay designation may be applied to one or more parcels in any zoning district if both of the following conditions are met.
1. The historic or archeological asset is listed on the National Register of Historic Places; designated by the State of Florida as a historic or archeological resource; or as approved by the Town Council as a locally significant site.
 2. The original use of the building or site no longer functions in the current environment or would create negative secondary impacts to the surrounding neighborhood if utilized for its original use.
- C. Review and Approval Process:** An application for designation as a Historic Property Overlay shall follow the following procedures.
1. The applicant shall submit an application for rezoning to the historic property overlay as required by Section 4.11.00 Special Overlay Districts including compliance with the requirements for review of the application and notice procedures.
 2. The adoption process for the Historic Property Overlay shall follow requirements of 4.15.04 and 4.15.05 so as to follow the same requirements as established for Land Development Code Amendment requirements.
 3. Once approved the Historic Property Overlay shall be denoted by the addition of the designation "H" to the underlying zoning classification.
 4. For the area included within the Historic Property Overlay, the special development plan required by Section 4.11.01B shall consist of the Historic Resource Management Plan (HRMP). In addition to the requirement specified in Section 4.11.01.B, the HRMP shall address all requirements specified by the Town Planner, which may include some or all of the following: permitted uses; a conceptual site plan; site development requirements including but not limited to access, parking, landscaping, signage, and dimensional requirements; any waivers from code provisions essential to implement the HRMP; and other provisions found necessary to implement the HRMP.

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125 The HRMP shall also include a plan and program to preserve the supporting historic or
126 archeological resource including a time frame for implementation of necessary
127 renovations, restoration or other related improvements including compliance with U.S.
128 Secretary of the Interior’s “Illustrated Guidelines for Rehabilitating Historic Buildings.”
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130 **D. Vacation of the Historic Property Overlay:** Should the historic or archeological
131 resource which forms the basis of the Historic Property Overlay be destroyed or removed
132 from the property for any reason, the Historic Property Overlay shall be vacated and the
133 property shall assume the designation of the underlying zoning.
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Affidavit of Publication

DAILY COMMERCIAL

Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared

Linda Rostomily

Linda Rostomily
who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

ORD 2017-002

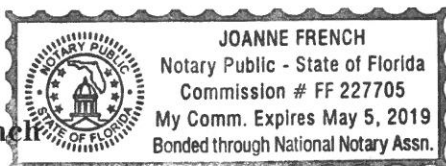
was published in said newspaper in the issues of:

July 16 + Aug. 08, 2017

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 9 day of Aug, A.D., 2017.

Joanne French
Notary Public



Joanne French
(Print, Type or Stamp Name of Notary Public)

AD#

D036916

NOTICE OF HOWEY-IN-THE-HILLS PUBLIC HEARINGS

The Town of Howey-in-the-Hills proposes to adopt the following ordinance:

ORDINANCE NO. 2017-002

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA AMENDING THE LAND DEVELOPMENT CODE BY ADDING A NEW SUB-SECTION "HISTORIC AND ARCHEOLOGICAL PROPERTY OVERLAY" TO SECTION 2.03 ESTABLISHMENT AND PURPOSE OF OVERLAY DISTRICTS; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

The Town Council for the Town of Howey-in-the-Hills will hold the first public hearing for Ordinance 2017-002 on July 24, 2017, at 6:00 p.m. (or as soon thereafter as the matter may be considered). The Town Council for the Town of Howey-in-the-Hills will hold the second and final public hearing for Ordinance 2017-002 on August 14, 2017, at 6:00 p.m. (or as soon thereafter as the matter may be considered). All public hearings will be held in Town Hall at 101 North Palm Avenue, Howey-in-the-Hills, Florida.

At the final public hearing, the Town Council will approve, approve subject to conditions, or disapprove the ordinance to amend the Land Development Code. Interested parties may appear at any or all of the Town Council meetings and be heard with respect to the proposed Land Development Code amendment.

This proposed Ordinance is available at the Town Clerk's Office, 101 North Palm Avenue, Howey-in-the-Hills, Florida 34737, for inspection during normal business hours of Mon-Thurs 8:00 a.m. - 5:00 p.m., Fri 8:00 a.m. - 3:45 p.m. Persons with disabilities needing assistance to participate in this proceeding should contact the Town Clerk 48 hours before the meeting.

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 insure 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 F.S.

Dairian Burke, Interim Town Clerk
Town of Howey-in-the-Hills

D036916 - July 16 & August 8, 2017