

ORDINANCE NO. 2021-006

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; AMENDING THE FUTURE LAND USE MAP OF THE TOWN'S COMPREHENSIVE PLAN FOR A 10.04-ACRE PARCEL LOCATED WEST OF SOUTH FLORIDA AVENUE AND SOUTH OF NUMBER TWO ROAD, AS LEGALLY DESCRIBED IN THE ORDINANCE, FROM LAKE COUNTY DESIGNATION OF "URBAN LOW DENSITY" TO THE TOWN'S DESIGNATION OF "MEDIUM DENSITY RESIDENTIAL"; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA:

Section 1. Findings. The Town Council of the Town of Howey-in-the-Hills, Florida hereby finds and declares the following:

- i. Germana Engineering and Associates, as agent for the property owner, Venezia Partners, LLC, has petitioned the Town to annex into its Town limits the 10.04-acre parcel legally described in Attachment A. The parcel has been or is expected soon to be annexed into the Town through the enactment of Ordinance 2021-005; and
- ii. Germana Engineering and Associates, has applied on behalf of the property owner, Venezia Partners, LLC, for a change in the Future Land Use Map designation for the subject parcel from Lake County designation of "Urban Low Intensity" to Town designation of "Medium Density Residential," as shown in Attachment B; and
- iii. The Town Council has determined that the proposed amendment from Lake County "Urban Low Intensity" to Town "Medium Density Residential" is consistent with the Town's Comprehensive Plan and promotes the public health, safety, and welfare.

Section 2. Approvals. The Town's Future Land Use Map is amended hereby to change the land-use designation for the subject parcel from Lake County "Urban Low Intensity" to Town "Medium Density Residential" as shown in Attachment B.

Section 3. Severability. If any portion of this ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, the remaining portions of this ordinance shall remain in full effect. To that end, this ordinance is declared to be severable.

Section 4. Conflicts. In the event of a conflict between this ordinance and one or more existing ordinances, this ordinance shall supersede the existing ordinances and shall govern.

Section 5. Codification. The amendments enacted by this ordinance to the Future Land Use Map of the Town's Comprehensive Plan shall be codified and made part of the Town's Land

Development Code, but not the Town's Code of Ordinances.

Section 6. Effective Date. This Ordinance takes effect upon the later of:

- i. The effective date of Ordinance 2021-005 annexing the subject parcel into the boundaries of the Town; or
- ii. The 31st day following the date of enactment of this Ordinance 2021-006, if no challenge is timely filed under applicable state law governing local comprehensive plans; or
- iii. If this amendment is timely challenged, then upon the Department of Economic Opportunity or the Administration Commission entering a final order declaring effectively that the adopted amendment to the Future Land Use Map is in compliance with state law.

PASSED AND ORDAINED this 26th day of July, 2021 by the Town Council of the Town of Howey-in-the-Hills, Florida:

Town of Howey-in-the-Hills, Florida
By: its Town Council

By: _____
Martha MacFarlane, Mayor

ATTEST:

John Brock
Town Clerk

APPROVED AS TO FORM AND LEGALITY
(for use and reliance of the Town of Howey-in-the-Hills, Florida, only).

Thomas J. Wilkes
Town Attorney

First reading of the ordinance held on 7/13/2021
Planning and Zoning Board meeting held on 5/27/2021
Second reading, public hearing and adoption held on 7/26/2021

ATTACHMENT A

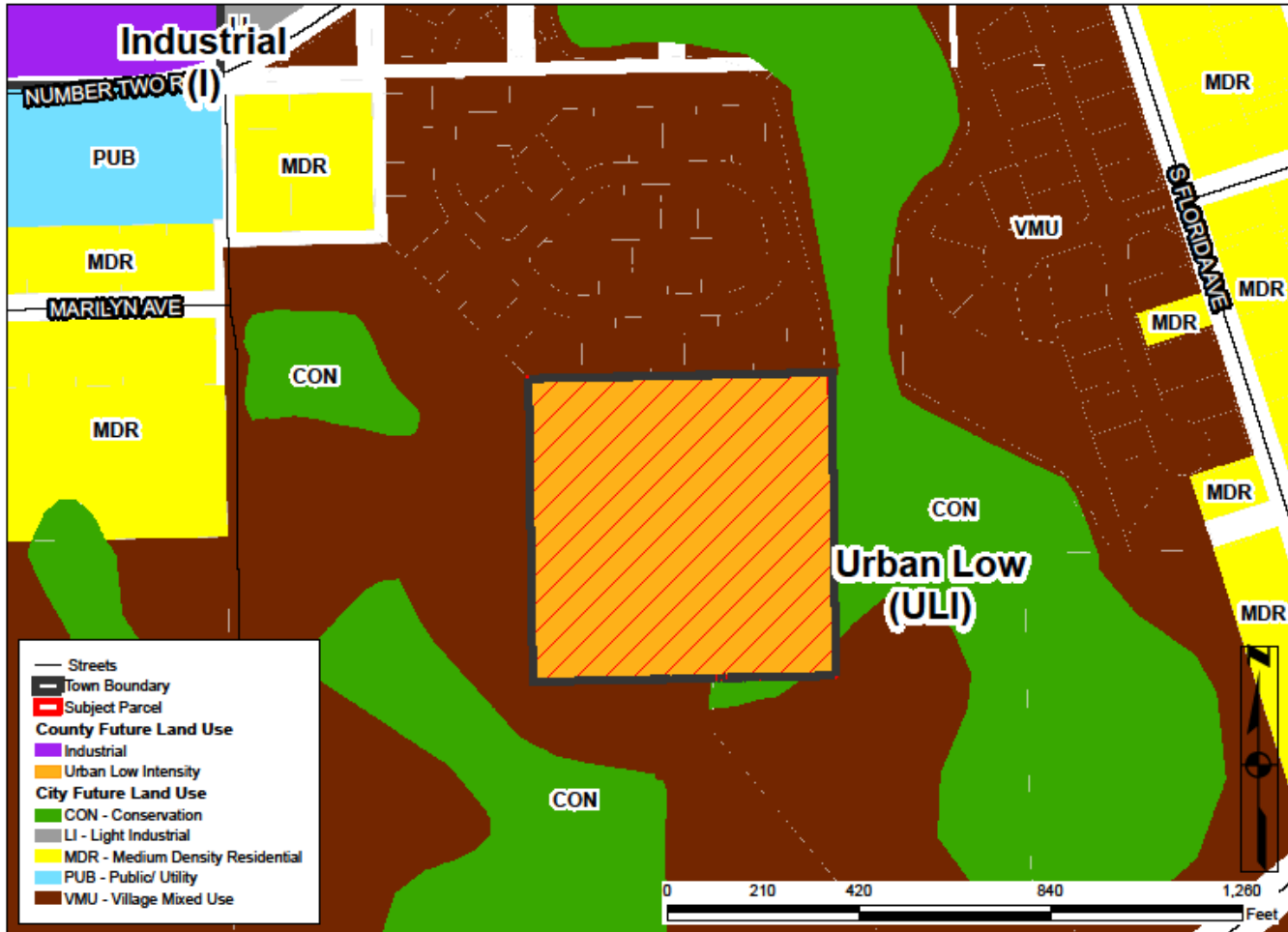
THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 20 SOUTH OF RANGE 25 EAST OF TALLAHASSEE MERIDIAN, LAKE COUNTY, FLORIDA.

DESCRIBED AS:

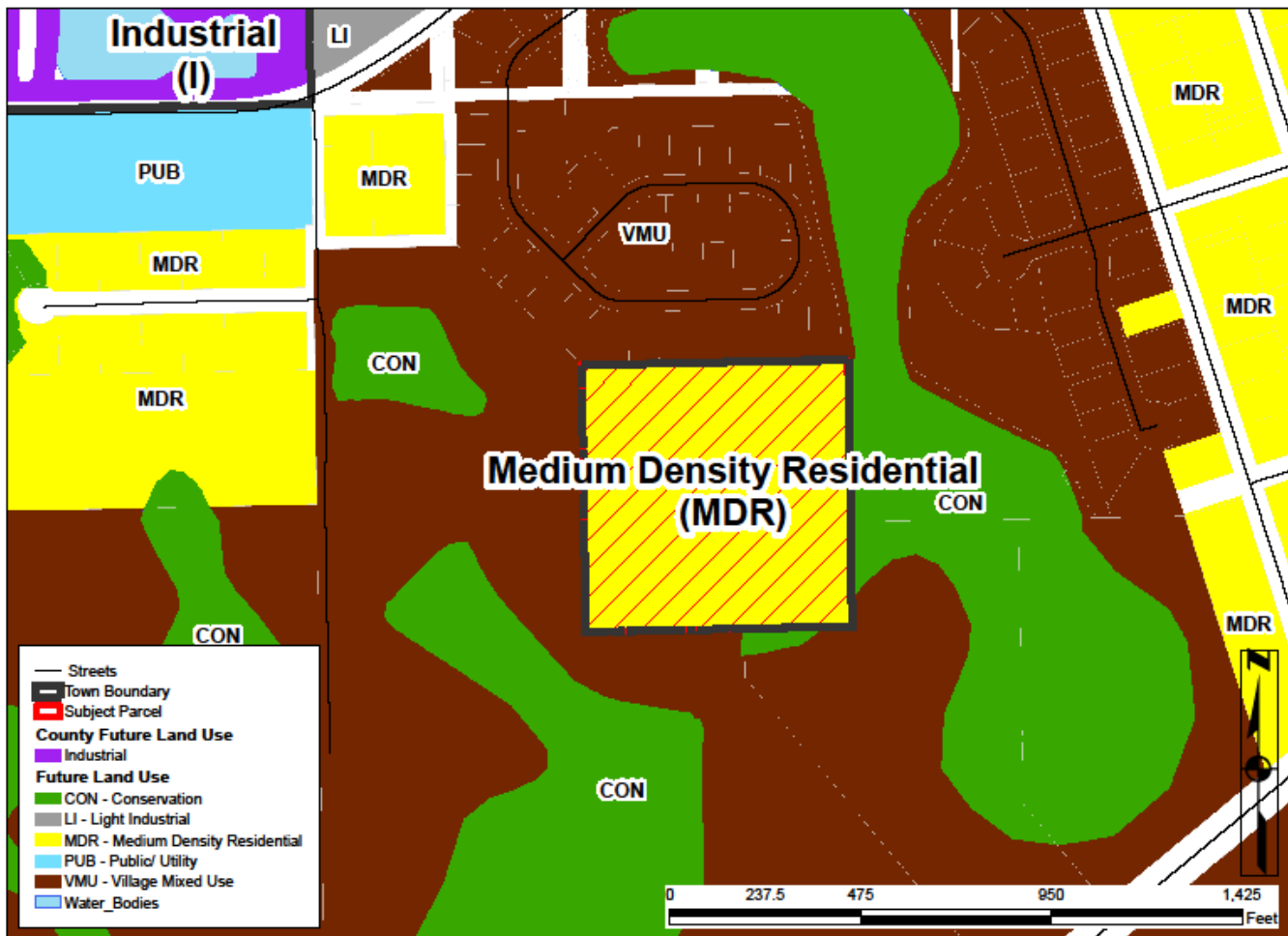
COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, THENCE RUN SOUTH 89°27'45" EAST, ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 35, A DISTANCE OF 661.44 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35; THENCE RUN SOUTH 00°34'04" WEST, ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35, A DISTANCE OF 662.94 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35 AND THE POINT OF BEGINNING; THENCE RUN SOUTH 89°25'04" EAST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35, A DISTANCE OF 659.88 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35; THENCE RUN SOUTH 00°27'45" WEST, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35, A DISTANCE OF 662.82 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35; THENCE RUN NORTH 89°22'50" WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35, A DISTANCE OF 661.08 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35; THENCE RUN NORTH 00°33'59" EAST, ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35, A DISTANCE OF 662.39 FEET TO THE POINT OF BEGINNING.
CONTAINING 437,633.7512± SQUARE FEET OF 10.04± ACRES.

ATTACHMENT B

Current Future Land Use



Proposed Future Land Use



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