

ORDINANCE NO. 2024-008

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; REZONING A 4.45-ACRE PARCEL OF LAND LOCATED ON THE WEST SIDE OF STATE ROAD 19 AND SOUTH OF REVELS ROAD AND IDENTIFIED WITH LAKE COUNTY PROPERTY APPRAISER PARCEL NUMBER 02-21-25-0002-000-00500 AND ALTERNATE KEY NUMBER 1704171; AMENDING THE TOWN’S ZONING MAP TO ZONE THE PROPERTY FROM “VILLAGE MIXED USE PLANNED USE DEVELOPMENT” TO “NEIGHBORHOOD COMMERCIAL”; PROVIDING FOR CONFLICTING ORDINANCES, 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. In adopting this ordinance, the Town Council of the Town of Howey-in-the-Hills, Florida hereby makes the following findings:

(1) By enacting its Ordinance No. 2024-007 on July 22, 2024, the Town Council amended the Future Land Use Element of the Town’s Comprehensive Plan to designate the 4.45-acre parcel of land described in **Attachment A** to this ordinance for the future land use of “Neighborhood Commercial” on the Town’s Future Land Use Map.

(2) The Town Council has determined that rezoning the Property from “Village Mixed Use Planned Unit Development” to “Neighborhood Commercial” is consistent with both the Town’s Comprehensive Plan and the Town’s Land Development Code (LDC) and will not adversely affect the public health, safety, and welfare of the Town.

Section 2. Amendment of the Official Zoning Map. The Town Council hereby amends the Town’s Official Zoning Map to zone the subject property Neighborhood Commercial. Use of the Property under its Neighborhood Commercial zoning is subject to the conditions, requirements, restrictions, and other terms of the following:

- (1) Ordinance 2024-007 and this Ordinance 2024-008;
- (2) The Town’s Land Development Code; and
- (3) All other Town ordinances governing the development of property zoned Neighborhood Commercial.

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

Section 4. Conflicts. In a conflict between this ordinance and other existing ordinances, this ordinance shall control and supersede.

Section 5. Codification. The amendment to the Official Zoning Map described in Section 2 shall be codified and made part of the Town’s LDC and Official Zoning Map.

Section 6. Effective Date. This ordinance shall take effect upon the later of (i) its enactment by the Town Council or (ii) the date on which Ordinance 2024-007, designating the future land use for the subject property, takes effect.

PASSED AND ORDAINED this 22nd day of July, 2024, 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:

APPROVED AS TO FORM AND LEGALITY
(for use and reliance of the Town only)

John Brock, Town Clerk

Thomas J. Wilkes, Town Attorney

Planning and Zoning hearing held **May 23, 2024**

First Reading held **June 24, 2024**

Second Reading and Adoption held **July 22, 2024**

Advertised **July 12, 2024**

ATTACHMENT A

LEGAL DESCRIPTION

THE SOUTH 740 FEET OF THE EAST 262 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

NORTH HALF OF GOVERNMENT LOT 3, SECTION 2, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA. LYING WEST OF THE RIGHT OF WAY FOR STATE ROAD 19.

Lake County Property Appraiser Parcel No. 02-21-25-0002-000-00500

ALTKEY No. 1704171