

ORDINANCE NO. 2024-011

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; REZONING FROM MEDIUM DENSITY RESIDENTIAL 1 (MDR-1) TO MEDIUM DENSITY RESIDENTIAL 2 (MDR-2) APPROXIMATELY 70.15 ACRES OF LAND LOCATED EAST OF THE NORTHERNMOST SEGMENT OF NORTH BUCKHILL ROAD AND IDENTIFIED BY THE LAKE COUNTY PROPERTY APPRAISER'S PARCEL NUMBERS 36-20-25-0004-000-00900, 36-20-25-0001-000-01000, AND 36-20-25-0004-000-01500, AS WELL AS BY ALTERNATE KEY NUMBERS 3564219, 3877787, AND 3907438; 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 enacting this ordinance, the Town Council of the Town of Howey-in-the-Hills, Florida ("Town Council"), declares the following findings, purposes, and intent:

(1) Red Jacket Development Group LLC, and Bredco Development Group now own the 70.15 ± acres of land that is to be developed as the project known as Whispering Heights.

(2) The land is located east of the northernmost segment of North Buckhill Road and is identified by the Lake County Property Appraiser's parcel numbers 36-20-25-0004-000-00900, 36-20-25-0001-000-01000, and 36-20-25-0004-000-01500 and by AltKey numbers 3564219, 3877787, and 3907438 ("Property").

(3) The owners have requested a change in the zoning of the Property from Medium Density Residential 1 (MDR-1) to Medium Density Residential 2 (MDR-2).

(4) The Town Council determines that rezoning the Property from MDR-1 to MDR-2 is consistent with both the Town’s Comprehensive Plan, as amended, and the Town’s Land Development Code (“LDC”), as amended.

Section 2. Amendments to the Official Zoning Map. The Town Council hereby amends the Official Zoning Map to change the zoning of the Property from Medium Density Residential 1 (MDR-1) to Medium Density Residential 2 (MDR-2).

Section 3. Severability. If a provision of this ordinance is declared by a court of competent jurisdiction to be void or unenforceable, all the remaining provisions 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 other ordinances existing as of the date of this enactment, this ordinance shall control and supersede.

Section 5. Codification. The amendments to the Official Zoning Map in section 2 of this ordinance shall be codified and made part of the LDC for the Town of Howey-in-the-Hills.

Section 6. Effective Date. This ordinance takes effect upon its enactment.

ORDAINED AND ENACTED this 28th day of October, 2024, by the Town Council of the Town of Howey-in-the-Hills, Florida.

[Signatures on the following page]

ORDAINED AND ENACTED this 28th day of October, 2024.

**TOWN OF HOWEY-IN-THE-HILLS,
FLORIDA**

By: its Town Council

By: _____
Hon. Martha MacFarlane, Mayor

Attest:

John Brock, Town Clerk

Approved as to form and legality
(for the use and reliance of the Town only)

Thomas J. Wilkes
Town Attorney

Planning and Zoning Meeting held **September 26, 2024**

First Reading held **October 14, 2024**

Second Reading and enactment **October 28, 2024**

Advertised **September 16, 2024** and **October 18, 2024**

#61488663 v1