

ORDINANCE NO. 2022-005

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; REZONING A 1.82-ACRE PARCEL OF PROPERTY LOCATED SOUTH OF EAST REVELS ROAD AND WEST OF SUNSET DRIVE AND IDENTIFIED WITH LAKE COUNTY PROPERTY APPRAISER PARCEL NUMBER 35-20-25-0100-000-02300 AND ALTERNATE KEY NUMBER 3771630; AMENDING THE TOWN'S ZONING MAP TO ZONE THE PROPERTY FOR TOWN AGRICULTURE; 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 and expresses the following findings, purposes, and intent:

(1) By enacting its Ordinance No. 2022-003 on May 23, 2022, the Town annexed 1.82 acres of land more specifically described in the legal description attached hereto as **Attachment A**, located south of East Revels Road, west Sunset Drive ("**Property**").

(2) On May 23, 2022, the Town Council enacted its Ordinance 2022-004 to amend the Town's Comprehensive Plan and designate the Property on the Town's Future Land Use Map for Town Rural Lifestyle future land use.

(3) The Town Council has determined that rezoning the Property from Lake County "Agriculture" to Town of Howey-in-the-Hills "Agriculture" 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 to the Official Zoning Map. The Town Council hereby approves an amendment to the Town's Official Zoning Map to zone the Property for Town Agriculture. Development and use of the Property under its Town Agriculture zoning is subject to the conditions, requirements, restrictions, and other terms of the following:

(1) Ordinance 2022-003 and this Ordinance 2022-004;

- (2) The Town's Land Development Code; and
- (3) All other Town ordinances governing the development of the Property.

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 ordinances, this ordinance shall control and supersede.

Section 5. Codification. The amendment to the Official Zoning Map as 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, (ii) the date on which Ordinance 2022-004, designating the future land use for the Property on the Town's Future Land Use Map, takes effect.

[Signatures on the next page]

PASSED AND ORDAINED this 23rd day of May, 2022, 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 **April 28, 2022**

First Reading held **May 9, 2022**

Second Reading and Adoption held **May 23, 2022**

Advertised **May 13, 2022**

ATTACHMENT A
Legal Description of the Property

Parcel ID No.: 35-20-25-0100-000-02300

Alternate Key No.: 3771630

Legal Description: LOTS 23,24 AND 25, LESS THAT PART INCLUDED IN THE CLAY PIT. 1ST SUBDIVISION OF HOWEY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 32, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.