

ORDINANCE NO. 2022-004

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 1.82-ACRE PARCEL LOCATED SOUTH OF EAST REVELS ROAD AND WEST OF SUNSET DRIVE, AS LEGALLY DESCRIBED IN THE ORDINANCE, FROM LAKE COUNTY DESIGNATION OF "RURAL TRANSITION" TO THE TOWN'S DESIGNATION OF "RURAL LIFESTYLE"; 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. John Hixson, as the contract purchaser of the subject property and as agent for the property owners, Benjamin A. & Laura R. MacPhee, Trustees, has petitioned the Town to annex into its town limits the 1.82-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 2022-003; and
- ii. John Hixson has applied on behalf of the property owners, Benjamin A & Laura R MacPhee, Trustees, for a change of the land use designation on the Future Land Use Map of the Town's Comprehensive Plan for the subject parcel from Lake County designation of "Rural Transition" to Town designation of "Rural Lifestyle"; and
- iii. The Town Council has determined that the proposed amendment to the land-use designation for the parcel from Lake County "Rural Transition" to Town "Rural Lifestyle" 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 "Rural Transition" to Town "Rural Lifestyle."

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 2022-003 annexing the subject parcel into the boundaries of the Town; or
- ii. The 31st day following the date of enactment of this Ordinance 2022-004, 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 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:

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

Planning and Zoning Board meeting held on 4/28/2022
First reading of the ordinance held on 5/9/2022
Second reading, public hearing and adoption held on 5/23/2022

ATTACHMENT A

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

