

ORDINANCE 2022-\_\_\_\_\_

**AN ORDINANCE OF THE TOWN OF HOWEY IN THE HILLS, FLORIDA, PERTAINING TO LAND USE; PROVIDING FINDINGS OF THE TOWN COUNCIL; AMENDING THE TOWN'S OFFICIAL ZONING MAP TO REZONE FROM MDR-1 AND MDR-2 TO PLANNED UNIT DEVELOPMENT CERTAIN LANDS LOCATED IN THE SOUTHEAST QUADRANT OF THE INTERSECTION OF STATE ROAD 19 AND REVELS ROAD, AS MORE PARTICULARLY DESCRIBED IN ATTACHMENT A TO THIS ORDINANCE; INCORPORATING CONDITIONS, REQUIREMENTS, RESTRICTIONS, AND OTHER TERMS GOVERNING THE USE AND DEVELOPMENT OF THE PROPERTY; PROVIDING FOR SEVERABILITY, CONFLICTS, 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 makes the following findings and declarations:

- (1) The land described in **Attachment A**, located generally in the southeast quadrant of the intersection of State Road 19 and Revels Road ("**Property**"), is located within the town limits of the Town of Howey-in-the-Hills;
- (2) The Town's Comprehensive Plan designates the Property on the Town's Future Land Use Map for medium density residential future land use, and current zoning of the Property is MDR-1 and MDR-2.
- (3) The owner of the Property intends to use and develop the Property for single-family residential purposes.
- (4) The Town Council finds that rezoning the Property from MDR-1 and MDR-2 to Planned Unit Development 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 amends the Town's Official Zoning Map to zone the Property for Planned Unit Development.

**Section 3. Use and Development of the Property.** Use and development of the Property under its Planned Unit Development zoning is subject to the conditions, requirements, restrictions, and other terms of the following:

- (1) This Ordinance 2022- \_\_\_\_;
- (2) A development agreement, to be approved by Town Council and executed by the Mayor, setting forth the specific conditions, requirements, restrictions and other terms for the use and development of the Property;
- (3) The Town's Land Development Code; and
- (4) All other Town ordinances governing the development of the Property.

**Section 4. 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 5. Conflicts.** If this ordinance conflicts with other ordinances in regulation of the use and development of the Property, this ordinance shall control and supersede to the extent of the conflict.

**Section 6. Codification.** The amendment to the Official Zoning Map in Section 2 shall be codified and made part of the Town's LDC and Official Zoning Map.

**Section 7. Effective Date.** This ordinance shall take effect upon the later of (i) its enactment by the Town Council or (ii) the date by which a development agreement for the Property has been approved by Town Council and taken effect.

*[ Signatures on the next page ]*

**ENACTED AND ORDAINED** this \_\_\_\_ day of \_\_\_\_\_, 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: \_\_\_\_\_  
Hon. 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 Meeting held \_\_\_\_\_, **2022**  
First Reading held \_\_\_\_\_, **2022**  
Second Reading and Adoption held \_\_\_\_\_, **2022**  
Advertised \_\_\_\_\_, **2022**, \_\_\_\_\_, **2022**  
and \_ \_\_\_\_\_, **2022**

**Attachment A  
To  
Ordinance 2022 - \_\_\_\_**

---

**LEGAL DESCRIPTION**

(35-20-25-0150-000-01200)  
ORB 2732, PG 1039

LOT 12; ALSO BEGIN 99 FEET SOUTH 1°32' WEST OF THE NORTHWEST CORNER OF LOT 16, THENCE RUN EAST TO THE SOUTHEASTERN BOUNDARY OF LOT 16; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERN BOUNDARY OF LOT 16; THENCE NORTHERLY ALONG THE WESTERN BOUNDARY OF LOT 16 TO THE POINT OF BEGINNING; LOTS 26 AND 27, LESS THAT PART INCLUDED IN CLAY PIT, ALL ACCORDING TO THE PLAT OF FIRST SUBDIVISION OF HOWEY, RECORDED IN PLAT BOOK 5, PAGE 32, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.  
ORB 2732 PG 1041

PARCEL NO. 1 (35-20-25-0150-000-00100)  
LOT 1 IN 1ST SUBDIVISION OF HOWEY, ACCORDING TO THE TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 32, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL NO.2 (35-20-25-0150-000-00100)  
THAT PART OF 1ST SUBDIVISION OF HOWEY, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 32, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE NORTH LINE OF SECTION 1, TOWNSHIP 21 SOUTH, RANGE 25 EAST, IN LAKE COUNTY, FLORIDA, WITH THE EASTERLY LINE OF THE RIGHT OF WAY OF SUNSET DRIVE AS SHOWN UPON SAID PLAT AND RUN THENCE EAST ALONG SAID NORTH LINE TO A POINT ON THE WATERS-EDGE OF LAKE BERTHA, SAID POINT BEING HEREBY DESIGNATED AS POINT "A". BEGIN AGAIN AT THE POINT OF BEGINNING AND RUN SOUTHERLY AND SOUTHEASTERLY ALONG THE EASTERLY LINE OF SAID RIGHT OF WAY TO THE WESTERLY LINE OF LOT 4 AS SHOWN UPON SAID PLAT; THENCE NORTHEASTERLY ALONG THE WESTERLY LINE OF SAID LOT 4 TO THE WATERS OF LAKE BERTHA; THENCE WESTERLY AND NORTHERLY ALONG AND WITH THE WATERS OF LAKE BERTHA TO THE ABOVE-DESIGNATED POINT "A".

PARCEL NO. 3 (02-21-25-0001-000-03700)  
THAT PART OF THE NORTH 1/2 OF GOVERNMENT LOTS 1 AND 2 IN SECTION 2, TOWNSHIP 21 SOUTH, RANGE 25 EAST, IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID SECTION

2, RUN THENCE SOUTH 00°06'05" EAST ALONG THE EAST LINE THERE OF, 1139.8 FEET; THENCE RUN NORTH 89°29'20" WEST 2668.76 FEET TO THE WEST LINE OF SAID GOVERNMENT LOT 2; THENCE RUN NORTH 00°09'00" WEST ALONG SAID WEST LINE 1125.96 FEET TO THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 2; THENCE RUN SOUTH 89°46'40" EAST ALONG THE NORTH LINE OF SAID SECTION 2 FOR 2669.20 FEET TO THE POINT OF BEGINNING.

Total Acreage: 99.19