

ORDINANCE 2011- 40
LPA#11-7-1
Clonts Groves, Inc.

DEPARTMENT OF COMMUNITY AFFAIRS
TALLAHASSEE
2011 JUL 29 AM 9:43
FILED

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, AMENDING THE LAKE COUNTY 2030 COMPREHENSIVE PLAN FUTURE LAND USE MAP BY ASSIGNING THE URBAN LOW DENSITY FUTURE LAND USE CATEGORY ON THE APPROXIMATELY 711 ACRES ALSO KNOWN AS THE CLONT'S PROPERTY; PROVIDING FOR PROOF OF PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Community Planning Act is set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, Chapter 125, Florida Statutes, Section 125.01(g), authorized the Board of County Commissioners of Lake County to prepare and enforce comprehensive plans for the development of the county; and

WHEREAS, Section 163.3184, Florida Statutes, sets forth the process for adoption of comprehensive plan amendments; and

WHEREAS, pursuant to Chapters 163 and 125, Florida Statutes, on the 25th day of May, 2010, the Board of County Commissioners enacted Ordinance No. 2010-25, adopting the Lake County 2030 Comprehensive Plan Amendment; and

WHEREAS, on the 23rd day of July, 2010, the State of Florida Department of Community Affairs published a Notice of Intent finding the Lake County 2030 Comprehensive Plan Amendment "In Compliance" with Chapter 163, Florida Statutes; and

WHEREAS, on the 13th day of August, 2010, Clonts Groves, Inc. filed a Petition for an Administrative Hearing challenging the adoption of Lake County Ordinance No. 2010-25 and the related Notice of Intent filed by the Department of Community Affairs; and

WHEREAS, on the 26th day of July, 2011, the State of Florida Department of Community Affairs, the Lake County Board of County Commissioners and Clonts Groves, Inc. did enter into a Compliance Agreement for DOAH Case Number 10-8957GM, as permitted by Section 163.3184(6), Florida Statutes; and

WHEREAS, on the 26th day of July, 2011, this Ordinance was heard at a public hearing before the Lake County Board of County Commissioners pursuant to Section 163.3184, Florida Statutes; and

WHEREAS, it serves the health, safety and general welfare of the residents of Lake County to adopt these amendments to the Lake County Comprehensive Plan;

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that:

Section 1. Future Land Use Map Amendment. The Future Land Use Map is hereby amended to

change the Future Land Use Category on the following described parcel from Rural Transition (up to 1 du/net acre) to Urban Low Density (maximum 4 du/1 net acre) as shown in Exhibit A, attached hereto:

The parcel of land generally located on the south side of the City of Clermont on the east side of U.S. Highway 27 between Schofield Road and N. Bradshaw Road, consisting of approximately 711 acres, described as:

Tracts 33, 48, 49 and 64, less the East 33 feet thereof; all of Tracts 34, 35, 36, 44, 45, 46, 47, 50, 51, 52, 53, 59, 60, 61, 62 and 63, and that part of Tracts 37, 38, 39, 40, 41, 54, 55 and 58 lying east of the right-of-way of U.S. Highway No. 27 in Section 21, Township 23 South, Range 26 East, in Lake County, Florida, according to the plat of Monte Vista Park Farms recorded in Plat Book 2, Page 27, Public Records of Lake County, Florida.

Also, all that part of Section 28, Township 23 South, Range 26 East in Lake County, Florida, lying East of the right-of-way of U.S. Highway No. 27, less the East 33 feet thereof.

Section 2. Advertisement. This Ordinance was advertised pursuant to Section 163.3184(11), Florida Statutes.

Section 3. Severability. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 4. Effective Date. This Ordinance shall become effective as provided for by law.

ENACTED this 26 day of July, 2011.

FILED with the Secretary of State July 29, 2011.

EFFECTIVE July 29, 2011

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA



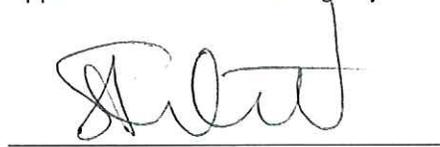
Jennifer Hill, Chairman
This 26 day of July, 2011.

ATTEST:



Neil Kelly, Clerk of the
Board of County Commissioners,
Lake County, Florida

Approved as to form and legality:



Sanford A. Minkoff
County Attorney

EXHIBIT A
Clonts Groves, Inc.

