

ORDINANCE 2004-02-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AMENDING ORDINANCE PERTAINING TO THE GROVELAND COMPREHENSIVE PLAN; AMENDING SAID PLAN PURSUANT TO CHAPTER 163.3187 (1), FLORIDA STATUTES, BY AMENDING THE FUTURE LAND USE ELEMENT, THE HOUSING ELEMENT, THE CONSERVATION ELEMENT AND THE RECREATION ELEMENT; AMENDING THE LAND USE PLAN FROM CITY OF GROVELAND SINGLE FAMILY LOW DENSITY TO CITY OF GROVELAND MIXED-USE DEVELOPMENT AND CONSERVATION, FOR THE HEREIN DESCRIBED PROPERTY OWNED BY OSPREY COVE INC. (SITE 1); AMENDING THE LAND USE PLAN FROM LAKE COUNTY RURAL TO CITY OF GROVELAND GROVELAND NORTH RESIDENTIAL NEIGHBORHOOD DEVELOPMENT AND CONSERVATION FOR THE HEREIN DESCRIBED PROPERTY OWNED BY INVESTMENT GROUP OF FLORIDA, LLC (SITE 2); AMENDING THE LAND USE PLAN FROM LAKE COUNTY SUBURBAN TO CITY OF GROVELAND SINGLE FAMILY LOW DENSITY AND CONSERVATION FOR THE HEREIN DESCRIBED PROPERTY OWNED BY INVESTMENT GROUP OF FLORIDA, LLC AND CARCER ENTERPRISES, INC. (SITE 3); AMENDING THE LAND USE PLAN FROM LAKE COUNTY RURAL/CONSERVATION TO CITY OF GROVELAND CONSERVATION FOR THE HEREIN DESCRIBED PROPERTY OWNED BY DANIEL J. HESSBURG (SITE 4); AMENDING THE LAND USE PLAN FROM LAKE COUNTY RURAL/CONSERVATION TO CITY OF GROVELAND CONSERVATION FOR THE HEREIN DESCRIBED PROPERTY OWNED BY PIERRE AND DENISE GRIMM (SITE 5); AMENDING THE LAND USE PLAN FROM LAKE COUNTY RURAL/CONSERVATION TO CITY OF GROVELAND CONSERVATION FOR THE HEREIN DESCRIBED PROPERTY OWNED BY DANIEL J. HESSBURG (SITE 6); AMENDING THE LAND USE PLAN FROM LAKE COUNTY TRANSITIONAL AND RURAL/CONSERVATION TO CITY OF GROVELAND GREEN SWAMP SINGLE FAMILY RURAL DEVELOPMENT AREA AND CONSERVATION FOR THE HEREIN DESCRIBED PROPERTY OWNED BY ROSS L. GOLDEN (SITE 7); AMENDING THE LAND USE PLAN FROM LAKE COUNTY SUBURBAN AND RURAL TO CITY OF GROVELAND INDUSTRIAL AND CONSERVATION FOR THE HEREIN DESCRIBED PROPERTY OWNED BY PHILLIP APPLE (SITE 8); AMENDING THE LAND USE PLAN FROM LAKE COUNTY SUBURBAN TO CITY OF GROVELAND INDUSTRIAL AND CONSERVATION FOR THE HEREIN DESCRIBED PROPERTY OWNED BY CLINTON R. AND JENNIFER P. WADE (SITE 9); AMENDING THE LAND USE PLAN FROM LAKE COUNTY URBAN EXPANSION AND SUBURBAN TO CITY OF GROVELAND SINGLE FAMILY MEDIUM DENSITY AND CONSERVATION FOR THE HEREIN DESCRIBED PROPERTY OWNED BY R. E. OSWALT AND GLORIA L. OSWALT (SITE 13); AMENDING THE LAND USE PLAN FROM LAKE COUNTY URBAN EXPANSION TO CITY OF GROVELAND SINGLE FAMILY MEDIUM DENSITY AND CONSERVATION FOR THE HEREIN DESCRIBED PROPERTY OWNED BY R. E. OSWALT AND GLORIA L. OSWALT (SITE 14); AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN

EFFECTIVE DATE; AND, PROVIDING FOR THE FORWARDING OF THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS.

WHEREAS, the City of Groveland, Florida has adopted Ordinance No. 92-02-01, as amended, and

WHEREAS, the City of Groveland has advertised as required by law for two public hearings prior to adoption of this ordinance, and

WHEREAS, the City has found it necessary to amend its Land Use Plan; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA:

Section 1: Comprehensive Plan Amendments

- (a) The future land use map of the City of Groveland Comprehensive Plan is hereby amended as described below:
- (b) The Comprehensive Plan Policies of the City of Groveland are hereby amended as described in the attachment hereto (Appendix A) for the following elements:
 - (1) Future Land Use Element
Insert New Policy 1-3.6....
 - (2) Housing Element
Amend Policy 3-1.1.4
Delete Objective 3-1.2
Delete Policy 3-1.2.1
Amend Objective 3-1.3
Amend Policy 3-1.3.2
Delete Objective 3-1.4
Amend Objective 3-1.5
Delete Policy 3-1.5.1
Delete Policy 3-1.5.2
Delete Policy 3-1.5.3
Insert New Policy 3.1....
Insert New Policy 3.1....
Insert New Policy 3.1....
Insert New Policy 3.1....
Amend Policy 3-1.7.1
Amend Policy 3-1.7.3
Insert New Policy 3-1....

Delete Policy 3-1.9.1
Delete Policy 3-1.9.2
Amend Policy 3-1.9.3
Amend Policy 3-1.9.4
Amend Policy 3-1.9.5
Amend Policy 3-1.9.7
Re-number all policies sequentially

- (3) Conservation Element
Amend Policy 5-1.6.4
Insert New Policy 5-1.13....
Insert New Policy 5-1.13....

- (4) Recreation Element:
Amend Objective 6-1.1
Amend Policy 6-1.1.1
Insert New Policy 6.1....
Delete Policy 6-1.1.2
Delete Policy 6-1.1.3
Delete Policy 6-1.1.4
Delete Objective 6-1.2
Amend Policy 6-1.2.1
Delete Policy 6-1.2.3
Insert New Policy 6.1....
Amend Policy 6-1.3.1
Amend Policy 6-1.3.2
Delete Objective 6-1.4
Delete Policy 6-1.4.1
Delete Policy 6-1.4.2
Delete Policy 6-1.4.3
Delete Policy 6-1.4.4
Amend Policy 6-1.4.3
Delete Objective 6-1.6
Delete Policy 6-1.6.1
Delete Policy 6-1.6.2
Insert New Objective 6.1....
Insert New Policy 6.1....
Insert New Policy 6.1....
Delete Policy 6-1.6.3
Amend Policy 6-1.7.1
Amend Policy 6-1.7.2
Delete Policy 6-1.7.3
Delete Policy 6-1.7.4
Insert New Policy 6-1....
Insert New Policy 6-1....
Re-number all policies sequentially

(c) **SITE 1: LAND EAST OF SR 19 (41.5 +/- ACRES)**

FROM: City of Groveland Single Family Low Density

TO: City of Groveland MD and Conservation

Legal Description

A portion of the Southwest ¼ of Section 18, Township 22 South, Range 25 East being more particularly described as follows:

Commence at the Southwest corner of the Southwest ¼ of Section 18, Township 22 South, Range 25 East; thence N 89°54'30" E along the South line of the Southwest ¼ of said Section 18, a distance of 26.53 feet to the Point of Beginning; thence continue N 89°54'30" E along said line, 1272.75 feet; thence N 00°25'48" E, 386.77 feet; thence N 89°54'31" E, 647.82 feet; thence N 00°10'26" E, 896.25 feet; thence S 89°54'35" W, 243.79 feet; thence S 00°25'48" W, 200.01 feet; thence S 89°54'35" W, 400.02 feet; thence N 00°25'48" E, 200.01 feet; thence S 89°54'35" W, 50.32 feet; thence S 00°02'49" W, 505.00 feet; thence S 89°54'36" W, 635.00 feet; thence N 00°02'49" E, 480.00 feet; thence S 89°54'35" W, 596.31 feet; thence S 00°02'00" W, 1258.04 feet to the Point of Beginning, all lying in the City of Groveland, Lake County, Florida.

SITE 2: LAND NORTH OF CHERRY LAKE ROAD (40 +/- ACRES)

FROM: Lake County Rural

TO: City of Groveland Groveland North Residential Neighborhood Development and Conservation

Legal Description

The West ¾ of the South ½ of Government Lot 6 and the East ½ of the South ¼ of Government Lot 5, LESS Cherry Lake Road, all lying in Section 2, Township 22, Range 25, Lake County, Florida.

SITE 3: LAND EAST OF VILLA CITY ROAD (97 +/- ACRES)

FROM: Lake County Suburban

TO: City of Groveland Single Family Low Density and Conservation

Legal Description

The North ½ of the Southwest ¼ of Section 12, Township 22 South, Range 24 East, LESS the North 1141.00 feet thereof AND LESS the right-of-way of C.R. 565, Lake County, Florida; AND The North 157.00 feet of the North ½ of the Southwest ¼, the South 195.00 feet of the North 1141.00 feet of the North ½ of the Southwest ¼; AND the South 208.00 feet of the North 945.00 feet of the North ½ of the Southwest ¼ of Section 12, Township 22 South, Range 24 East, LESS the right-of-way of C.R. 565, Lake

County, Florida; AND The South 208.00 feet of the North 737.00 feet of the North ½ of the Southwest ¼ of Section 12, Township 22 South, Range 24 East, LESS the right-of-way of C.R. 565, Lake County, Florida; AND The South 175.00 feet of the North 342.00 feet of the North ½ of the Southwest ¼ and the South 180.00 feet of the North 631.00 feet of the North ½ of the Southwest ¼ of Section 12, Township 22 South, Range 24 East, LESS the right-of-way of C.R. 565, Lake County, Florida; AND The North 297 feet of the South 627 feet of the Southwest ¼ of the Northwest ¼, and the South 330 feet of the Southwest ¼ of the Northwest ¼ of Section 12, Township 22 South, Range 24 East, Lake County, Florida.

SITE 4: LAND SOUTH OF SR 50 (A) (20 +/- ACRES)

FROM: Lake County Rural/Conservation

TO: City of Groveland Conservation

Legal Description

The East ½ of the Northwest ¼ of the Northwest ¼, Section 28, Township 22 South, Range 25 East, Lake County, Florida.

SITE 5: LAND SOUTH OF SR 50 (B) (101.7 +/- ACRES)

FROM: Lake County Rural/Conservation

TO: City of Groveland Conservation

Legal Description

Tracts 19, 20, 29 and 30, Section 28, Township 22 South, Range 25 East, Groveland Farms Subdivision, as recorded in Plat Book 2, Pages 10 & 11, Public Records of Lake County, Florida; together with the East ½ of the Southwest ¼ of the Northwest ¼ and the Northeast ¼ of the Northwest ¼ Section 28, Township 22 South, Range 25 East, Lake County, Florida.

SITE 6: LAND SOUTH OF SR 50 (C) (20 +/- ACRES)

FROM: Lake County Rural/Conservation

TO: City of Groveland Conservation

Legal Description

The West ½ of the Southwest ¼ of the Northwest ¼, Section 28, Township 22 South, Range 25 East, Lake County, Florida.

SITE 7: LAND NORTH OF MONTEVISTA ROAD (361 +/- ACRES)

FROM: Lake County Transitional & Rural/Conservation

TO: City of Groveland Green Swamp Single Family Rural Development Area and Conservation

Legal Description

The Northwest ¼ of the Northwest ¼ of Section 34, Township 22 South, Range 25 East, the West ½ of the Southwest ¼ of Section 27, Township 22 South, Range 25 East, Tract 23 less the West 150 feet, Tracts 24-28, 36-41, 44, 45, 51-53, 50, 60-63 and the West ½ of Tract 59, Groveland Farms as recorded in Plat Book 2, Pages 10-11, Public Records of Lake County, Florida, lying in Section 28, Township 22 South, Range 25 East; the West ½ of Tract 6 which lies East and North of CR 565A, Tract 7 East of CR 565A and Tract 8, Groveland Farms as recorded in Plat Book 2, Pages 10-11, Public Records of Lake County, Florida, lying in Section 33, Township 22 South, Range 25 East, all lying in Lake County, Florida.

SITE 8: LAND SOUTH OF LIBBY ROAD NO. 3 (A) (58.8 +/- ACRES)

FROM: Lake County Suburban and

TO: City of Groveland Industrial & Conservation

Legal Description

Beginning at the Northeast corner of the Northwest 1/4 of the Southeast 1/4 of Section 26, Township 21 South, Range 25 East, Lake County, Florida; thence South 89°49'14" West along the North line of the said Northwest 1/4 of the Southeast 1/4, a distance of 625.00 feet; thence South 04°03'14" East 1205.98 feet to an iron rod at fence corner; thence South 02°27'50" East along the West side of said fence and the extension thereof, 773 feet, more or less, to the South line of the North 1/2 of the Southwest 1/4 of the Southeast 1/4; thence Easterly along said South line 517 feet, more or less, to the East line of the West 1/2 of the Southeast 1/4; thence Northerly along said East line 1972 feet, more or less to the point of beginning. Less the North 761.00 feet of the following described parcel: Beginning at the Northeast corner of the Northwest 1/4 of the Southeast 1/4 of Section 26, Township 21 South, Range 25 East, Lake County, Florida thence South 89°49'14" West along the North line of the said Northwest 1/4 of the Southeast 1/4 a distance of 625.00 feet; thence South 04°03'14" East, 1205.98 feet to an iron rod at fence corner; thence South 02°27'50" East along the West side of said fence and the extension thereof, 773 feet, more or less to the South line of the North 1/2 of the Southwest 1/4 of the Southeast 1/4; thence Easterly along said South line, 517 feet, more or less, to the East line of the West 1/2 of the Southeast 1/4, thence Northerly along said East line 1972 feet, more or less to the Point of Beginning. Less the North 33.00 feet thereof for road right of way; AND Beginning 300 feet South of the Northeast corner of the Southeast 1/4 of the Southeast 1/4 of Section 26, Township 21 South, Range 25 East; thence run Northwesterly along lake to the North line of said Southeast 1/4 of the Southeast 1/4; thence West to the Northwest corner of said Southeast 1/4 of Southeast 1/4; thence South 1320.00 feet; thence East 1320.00 feet; thence North to the point of beginning: AND Lot 24, Minni Flora Heights, as recorded in Plat Book 12, Page 43, of the Public Records of Lake County, Florida.

SITE 9: LAND SOUTH OF LIBBY ROAD NO.3 (B) (27 +/- ACRES)

FROM: Lake County Suburban

TO: City of Groveland Industrial & Conservation

Legal Description

Begin at a concrete monument set at the Southeast corner of the Northeast 1/4 of the Southeast 1/4 of Section 26, Township 21 South, Range 25 East, in Lake County, Florida; run thence South along the East line of the Southeast 1/4 of said Section 300 feet, more or less, to the shore of School House Lake, thence Northwesterly along the shore of said lake to intersect the South line of said Northeast 1/4 of Southeast 1/4 of said section, thence South 89°27' West along said South line of the Northeast 1/4 of the Southeast 1/4 of said section, to a point located 275 feet East of the Southwest corner of said Northeast 1/4 of the Southeast 1/4 of said section; run thence North 0°17'30" West 856.31 feet to a point in lake, thence North 89°27' East parallel with the South line of said Northeast 1/4 of the Southeast 1/4 of said section, 534.4 feet; thence run North 4°12' East to intersect the North line of said Northeast 1/4 of the Southeast 1/4 of said section; thence North 89°27' East along said North line of the Northeast 1/4 of the Southeast 1/4 of said section to the Northeast corner of said Northeast 1/4 of the Southeast 1/4 of said section; run thence South 0°19' East along the East section line 1310.1 feet to the Point of Beginning. (Subject to road right-of-way).

SITE 13: LAND NORTH OF CR 565A (A) (80 +/- ACRES)

FROM: Lake County Urban Expansion and Suburban

TO: City of Groveland Single Family Medium Density and Conservation

Legal Description

Tracts 8 and 9, Section 15, Township 22, Range 25, and Tracts 1, 2, 15 and 16, Section 15, township 22, Range 25, GROVELAND FARMS, according to the Plat thereof as recorded in Plat Book 2, Pages 10 and 11; AND the West 1/2 of the Northeast 1/4 of the Northwest 1/4 Section 15, Township 22, Range 25, all lying in Lake County, Florida.

SITE 14: LAND NORTH OF CR 565A (B) (36 +/- ACRES)

FROM: Lake County Urban Expansion

TO: City of Groveland Single Family Medium Density and Conservation

Legal Description

Tracts 17 and 18, in Section 15, Township 22 South, Range 25 East, GROVELAND FARMS, according to the Plat thereof as recorded in Plat Book 2, Pages 10 and 11, Public Records of Lake County, Florida; AND the fractional West 1/2 of the Southeast 1/4 of the Northwest 1/4 lying North of the Seaboard Coastline

Railroad (formerly Atlantic Coastline Railroad) in Section 15, Township 22 South, Range 25 East, Lake County, Florida; AND That part of the former Atlantic Coastline Railroad right of way lying within the West ½ of the Southeast ¼ of the northwest ¼ in Section 15, Township 22 South, Range 25 East, Lake County, Florida.

Section 2. Severability,

Upon a determination by a court of competent jurisdiction that a portion of this ordinance or the comprehensive plan adopted hereby is void, unconstitutional, or unenforceable, all remaining portions shall remain in full force and effect.

Section 3.

The City Manager is hereby authorized to amend the Comprehensive Plan as indicated herein.

Section 4.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5.

Upon final passage and adoption of this Ordinance, a copy hereof shall be forwarded to the State Land Planning Agency and the East Central Florida Regional Planning Council and any other unit of local government or governmental agency in the State of Florida that has filed a written request with the Clerk of the City of Groveland, Lake County, Florida.

Section 6.

Should any section, phrase, sentence, provision or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 7. Effective Date,

This Ordinance shall become effective, after passage, adoption, and approval, and after publication upon the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective. If a final development order of noncompliance is issued by the Administration Commission, this Ordinance may nevertheless be made effective by adoption of a Resolution affirming its effective status, a copy of which shall be sent to the Department of Community Affairs.

Council Member J. Smith moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member R. Smith and upon roll call on the motion the vote was as follows:

AYES

Mr. Griffin
Mr. R. Smith
Mr. Pike
Mr. J. Smith
Mrs. Fleetwood

NAYS

PASSED AND ORDAINED in regular session of the City Council of the City of Groveland, Lake County, Florida, this 2nd day of August, 2004.

Connie Fleetwood

HONORABLE CONNIE FLEETWOOD, MAYOR
City of Groveland Florida

ATTEST:

Jason L. Yarborough
City Manager

(SEAL)

Passed First Reading 2-16-04
Passed Second Reading 8-2-04