

ORDINANCE NO. 855

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA PERTAINING TO ZONING; PROVIDING FOR A PLANNED UNIT DEVELOPMENT ON CERTAIN LANDS OWNED BY DONALD E. STEPHENS, CAROL S. STEPHENS, RONALD S. STEPHENS, PATRICIA G. STEPHENS, ROBERT L. VAUGHN, JR., LINDA S. VAUGHN, GARARD M. DILLARD AND BARBARA A. DILLARD; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH DEVELOPMENT; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOUNT DORA, FLORIDA:

Section 1. That certain parcel of property described below is hereby rezoned from R-1A (Single Family Residential) to PUD (Planned Unit Development), subject to the conditions set forth in this ordinance. The property is more particularly described as:

A PORTION OF LAND LYING IN SECTIONS 28 AND 33, TOWNSHIP 19,SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH ¼ CORNER OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 27 LAKE COUNTY, FLORIDA; THENCE S00°54'14"E, A DISTANCE OF 40.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF WOLF BRANCH ROAD (NOW HAVING A 70.00 FOOT RIGHT OF WAY); THENCE ALONG THE SOUTHERLY RIGHT OF WAY LINE OF WOLF BRANCH ROAD N89°5'31"E, A DISTANCE OF 320.46 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE AFORESAID SOUTHERLY RIGHT OF WAY LINE N89°55'31"E, A DISTANCE OF 1007.62 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE S01°00'39"E, A DISTANCE OF 3287.59 FEET; THENCE S89°59'43"E, A DISTANCE OF 656.18 FEET; THENCE S01°00'39"E, A DISTANCE OF 665.99 FEET; THENCE N89°59'43"W, A DISTANCE OF 400.00 FEET; THENCE S00°44'04"E, A DISTANCE OF 1301.68 FEET TO A POINT LINE ON THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 46; THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 46, S89°46'43"W, A DISTANCE OF 179.15 FEET TO A POINT OF CURVATURE OF A CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS 2894.77 FEET; THENCE ALONG THE ARC

OF SAID CURVE AND ARC DISTANCE OF 1456.95 FEET, (SAID CURVE BEING SUBTENDED BY A CHORD BEARING OF S75°21'36"W, AND A CHORD DISTANCE OF 1441.62 FEET). TO A POINT OF TANGENCY BEING NON TANGENT; THENCE N01°00'39"W, A DISTANCE OF 329.00 FEET; THENCE S89°46'43"W, A DISTANCE OF 1319.11 FEET; THENCE N01°25'07"W, A DISTANCE OF 664.95 FEET; THENCE N89°55'52"W, A DISTANCE OF 990.21 FEET TO THE EASTERLY LINE OF STATE ROAD NUMBER 500; THENCE ALONG THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 500 N02°04'43"W, A DISTANCE OF 110.08 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE S89°55'52"E, A DISTANCE OF 991.48 FEET; THENCE N01°25'07"W, A DISTANCE OF 558.82 FEET; THENCE N89°48'41"E, A DISTANCE OF 1328.61 FEET; THENCE N01°00'39"W, A DISTANCE OF 1997.88 FEET; THENCE N89°56'26"W, A DISTANCE OF 1325.20 FEET; THENCE N01°06'55"W, A DISTANCE OF 638.81 FEET; THENCE N89°56'23"E, A DISTANCE OF 60.01 FEET; THENCE N01°06'55"W, A DISTANCE 25.00 FEET; THENCE N89°56'23"E, A DISTANCE OF 1266.91 FEET; THENCE N00°54'14"W, A DISTANCE OF 808.35 FEET; THENCE N89°57'53"E, A DISTANCE OF 320.02 FEET; THENCE N00°55'13"W, A DISTANCE OF 484.27 FEET TO THE POINT OF BEGINNING.

Section 2. Property ownership and development.

The subject property was at the time of annexation owned by Donald E. Stephens, Carol S. Stephens, Ronald S. Stephens, Patricia G. Stephens, Robert L. Vaughn, Jr., Linda S. Vaughn, Garard M. Dillard and Barbara A. Dillard. The property may or may not be developed by the Owner. For the purposes of this Ordinance, the term "Developer" shall refer to any person, corporation or entity, which carried out any building activity, makes any natural change in the use or appearance of any structure or land, or divides the property into two or more parcels.

Section 3. The parcel of property rezoned hereby shall be subject to all conditions set forth in the Land Development Regulations for a parcel of property zoned R1-A except as set forth below.

- A. The developer shall be allowed to construct 571 homes, consisting of 144 townhomes, 381 patio homes and 46 estate homes, on the property. The residential lots shall meet the following minimum standards for the three lot types indicated;

Setbacks
Front Side Rear

Townhouses:	22' x 110'	20'	0'	20'
Patio Homes:	50' x 110'	20'	5'	20'
Estate Homes:	75' x 120'	20'	7.5'	20'

The minimum setback from any wetland shall be 50 feet.

- B. Access to the site shall be provided at U. S. Highway 441, Wolf Branch Road and State Road 46. Additional access shall be provided to the Batson Property to the east to promote neighborhood interconnectivity. The access point at U. S. Highway 441 shall initially be designated as a right-in, right-out access only; however, the developer shall have the opportunity to present a future request for a change to the traffic movement at this access point.
- C. Creek to Sink Connections - In order to protect the water quality and environmental function of this sensitive area the developer shall provide a 100-foot natural buffer adjacent to Wolf Branch Creek. Further, the developer shall provide educational brochures informing property owners within the property of the of the necessity of, and the methods for, protecting the creek to sink buffer. A reference to this restriction shall be placed in the restrictive covenants for the project. The brochures shall be developed and available for distribution prior to the issuance of any residential building permit.
- D. Trail - The developer shall construct a public trail within the development, with such trail connecting State Road 46 and Wolf Branch Road. Parking for users of the trail shall be provided at at least one end of the trail. Further, the developer shall construct bike lanes along all roadways within the development.
- E. Utility Easements - The developer shall provide twenty-five foot (25') wide utility easements along SR 46 and Wolf Branch Road to ensure that property is available to construct the utility lines outside of the right-of-way.
- F. Park Site – The developer shall provide a park site for the development. The park shall be used for passive recreation or conservation only.
- G. Stormwater - The stormwater system must be designed to meet Outstanding Florida Water standards.
- H. Groundwater Recharge - A groundwater recharge analysis shall be conducted to ensure that post development recharge is at least equal to pre-development recharge. This must be provided with the submittal of the final construction plans.
- I. Florida Friendly Landscape Requirements - All individual building lots and common landscape areas must meet the Florida Friendly Landscape Requirements. Further, the developer shall provide educational brochures informing property owners within the property not only of the benefits of Florida Friendly Landscaping, but also how

to maintain Florida Friendly Landscaping.

- J. Architectural Design - Elevation drawings depicting the proposed architectural design for the homes shall be included with the Final PUD Plan.
- K. Traffic Engineering - Four traffic impact analyses shall be conducted during development on the following schedule:
 - 1) 150 building permits issued;
 - 2) 300 building permits issued;
 - 3) 450 building permits issued; and,
 - 4) 500 certificates of occupancy issued.

Any roadway improvements required as a result of any of these studies shall be the responsibility of the developer, who shall make the improvements prior to the next study point or prior to the issuance of the 525th certificate of occupancy if the study in question is the last study.

As an alternative, the developer may prepay all traffic impact fees for the development prior to commencing residential construction. In that event, the above studies will be waived.

- L. Energy Efficiency - Individual dwelling units shall be constructed to meet or exceed Energy Star standards for efficient and economical energy consumption.
- M. Exterior Lighting - The developer shall install downward directed exterior lighting to meet the requirements of the Dark Sky Society.
- N. Surface Water Monitoring - With the submission of the Final PUD Plan, the developer shall provide a surface water monitoring plan to ensure that the quality of water exiting the property is maintained. This will be reviewed by the City's engineer to ensure that adequate protections are provided to the Wolf Branch Sink.
- O. The developer shall reuse stormwater to supplement onsite reclaimed water irrigation.


Section 4. Severability.

Should any section or part of this Ordinance be declared invalid by any court of competent jurisdiction, such adjudication shall not apply or affect any other provision of this Ordinance, except to the effect that the entire section or part of the section may be inseparable in meaning and effect from section to which such holding shall apply.

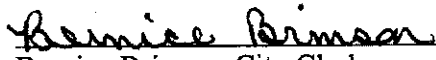
Section 5. Effective date.

This ordinance shall take effect immediately upon its final adoption by the City Council of the City of Mount Dora, Florida.

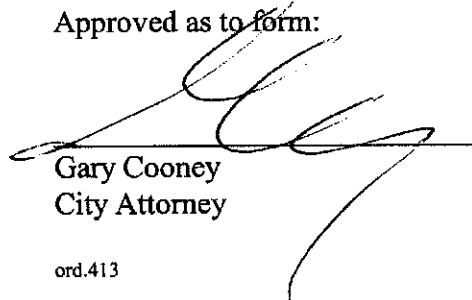
PASSED AND ORDAINED this 20th day of JULY, 2004 by the City Council of the City of Mount Dora, Florida.


James E. Yatsuk, Mayor
City of Mount Dora

Attest:


Bernice Brinson, City Clerk
City of Mount Dora

Approved as to form:


Gary Cooney
City Attorney

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