

ORDINANCE NO. 857

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA PERTAINING TO ZONING; PROVIDING FOR A PLANNED UNIT DEVELOPMENT ON CERTAIN LANDS WITHIN THE CITY OF MOUNT DORA; 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:           LAKES OF MOUNT DORA

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

THAT PART OF SECTIONS 8, 9, 16 AND 17 OF TOWNSHIP 19 SOUTH, RANGE 27 EAST, IN LAKE COUNTY, FLORIDA. BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCE AT A 2" IRON PIPE (NO NUMBER) AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST, AND RUN S 00°16'16" W ALONG THE EAST LINE OF THE NORTHEAST 1/4 A DISTANCE OF 538.83 FEET TO A CONCRETE MONUMENT (LABELED RLS1916) AND THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN S 82°35'3" W 1,149.89 FEET TO A CONCRETE MONUMENT (NO NUMBER); THENCE S 47°09'37" W 228.12 FEET TO A CONCRETE MONUMENT LABELED PSM4614; THENCE N 00°16'16" E PARALLEL WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 17 A DISTANCE OF 851.73 FEET TO A CONCRETE MONUMENT LABELED PSM4614, SAID POINT BEING ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 17, SAID POINT ALSO BEING N 89°42'44" W 1,306.12 FEET FROM THE NORTHEAST CORNER OF THE NORTHEAST 1/4 WHEN MEASURED ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 17; THENCE CONTINUE N 00°16'16" E 1,307.16 FEET TO A CONCRETE MONUMENT LABELED PSM4614, SAID POINT BEING ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE AFOREMENTIONED SECTION 8, TOWNSHIP 19 SOUTH, RANGE 27 EAST; THENCE N 89°08'44" E ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 A

DISTANCE OF 70.22 FEET TO A CONCRETE MONUMENT LABELED RLS1916; THENCE S 00°14'14" E 162.63 FEET TO A CONCRETE MONUMENT LABELED RLS1916; THENCE S 89°42'36"E 571.46 FEET TO A CONCRETE MONUMENT LABELED PSM4614, SAID POINT BEING ON THE WEST LINE OF THE EAST 660 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 8; THENCE S 00°06'58" W ALONG THE WEST LINE OF THE EAST 660 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 A DISTANCE OF 288.01 FEET TO A CONCRETE MONUMENT LABELED PSM4614; THENCE N 89°08'44" E PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 8 A DISTANCE OF 660.00 FEET TO A CONCRETE MONUMENT LABELED RLS492, SAID POINT BEING ON THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 8, SAID POINT ALSO BEING ON THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE AFOREMENTIONED SECTION 9, TOWNSHIP 19 SOUTH, RANGE 27 EAST; THENCE N 00°06'58" E ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 9 A DISTANCE OF 462.07 FEET TO A CONCRETE MONUMENT LABELED RLS492, SAID POINT BEING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 9; THENCE N 89°33'27" E ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 A DISTANCE OF 630.83 FEET TO A CONCRETE MONUMENT LABELED PSM4614, SAID POINT BEING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 9; THENCE N 00°00'18" W ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 665.34 FEET TO A CONCRETE MONUMENT LABELED PSM4614, SAID POINT BEING AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 9; THENCE N 89°40'06" E ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 A DISTANCE OF 629.41 FEET TO A CONCRETE MONUMENT LABELED PSM4614, SAID POINT BEING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 9; THENCE N 00°07'36" W ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF

SAID SECTION 9 A DISTANCE OF 626.87 FEET TO A CONCRETE MONUMENT LABELED PSM4614, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 44; THENCE N 89°23'32" E ALONG THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 44 A DISTANCE OF 2,264.99 FEET TO A CONCRETE MONUMENT LABELED PSM4614, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF BRITT ROAD; THENCE S 01°51'15" W ALONG THE WEST RIGHT-OF-WAY LINE OF BRITT ROAD 1,298.37 FEET TO A CONCRETE MONUMENT LABELED RLS1571, SAID POINT BEING ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE AFOREMENTIONED SECTION 9; THENCE S 89°32'49" W ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 A DISTANCE OF 326.79 FEET TO A CONCRETE MONUMENT LABELED PSM4614, SAID POINT BEING AT THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 9; THENCE S 00°22'52" E ALONG THE EAST LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 A DISTANCE OF 874.28 FEET TO A CONCRETE MONUMENT LABELED PSM4614; THENCE N 89°18'53" E PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 9 A DISTANCE OF 292.71 FEET TO A CONCRETE MONUMENT LABELED PSM4614, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF BRITT ROAD; THENCE S 01°51'15" W ALONG THE WEST RIGHT-OF-WAY LINE OF BRITT ROAD 41.54 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 405 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 9; THENCE S 89°18'53" W ALONG THE NORTH LINE OF THE SOUTH 405 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 A DISTANCE OF 922.88 FEET TO A CONCRETE MONUMENT LABELED RLS492, SAID POINT BEING ON THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 9; THENCE S 00°22'16" E ALONG THE WEST LINE OF THE SOUTHEAST 1/4 A DISTANCE OF 405.01 FEET TO A 6" CONCRETE MONUMENT (NO NUMBER) AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE AFOREMENTIONED SECTION 16, TOWNSHIP 19 SOUTH, RANGE 27 EAST; THENCE S 01°04'05" W ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 16 A DISTANCE OF 2,673.40 FEET TO A CONCRETE MONUMENT LABELED PSM4614, SAID POINT BEING AT THE

SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 16, SAID POINT ALSO BEING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 16; THENCE S 01°04'05" W ALONG THE EAST LINE OF THE SOUTHWEST 1/4 A DISTANCE OF 2,663.62 FEET TO A 6" CONCRETE MONUMENT (NO NUMBER), SAID POINT BEING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 16; THENCE S 89°31'19" W ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 A DISTANCE OF 2,536.79 FEET TO A 2" IRON PIPE (NO NUMBER), SAID POINT BEING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 16, SAID POINT ALSO BEING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE AFOREMENTIONED SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST; THENCE S 89°50'15" W ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 17 A DISTANCE OF 1,105.19 FEET TO A CONCRETE MONUMENT LABELED RLS4256; THENCE CONTINUE S 89°50'15" W ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 TO THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 17, SAID POINT FALLING IN LAKE LOCK LEVEN, SAID POINT ALSO DESIGNATED AS POINT "A"; RETURN TO THE POINT OF BEGINNING AND RUN S 00°16'16" W ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE AFOREMENTIONED SECTION 16, TOWNSHIP 19 SOUTH, RANGE 27 EAST, A DISTANCE OF 2,099.49 FEET TO A 2" IRON PIPE (NO NUMBER), SAID POINT BEING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 16; THENCE S 01°53'58" W ALONG THE WEST LINE OF THE SOUTHWEST 1/4 A DISTANCE OF 1,958.11 FEET TO A CONCRETE MONUMENT (NO NUMBER); THENCE S 89°50'15" W PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE AFOREMENTIONED SECTION 17, TOWNSHIP 19 SOUTH, RANGE 27 EAST, A DISTANCE OF 1,295.98 FEET TO A CONCRETE MONUMENT LABELED PSM4614; THENCE S 12°39'55" W 333.75 FEET TO A CONCRETE MONUMENT LABELED PSM4614; THENCE S 89°50'15" W PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 17 TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 17, SAID POINT FALLING IN LAKE LOCH LEVEN; THENCE SOUTH ALONG THE WEST LINE OF THE SOUTHWEST 1/4 TO INTERSECT THE AFOREMENTIONED POINT "A".

Section 2. Property ownership and development.

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 except as set forth below.

1. There shall be a maximum 950 dwelling units.
2. Roads. Roads within the development shall be private, but shall be constructed to City of Mount Dora specifications. Cul-de-sac lengths shall be allowed to be greater than 1200 feet, but no greater than 1600 feet. Cul-de-sacs will be allowed to have greater than 45 lots. Sidewalks shall be constructed on both sides of all roads.
3. Typical Lot Sizes. Lots may be a minimum of 48 feet in width, 120 feet in length and 5760 square feet in area (with an allowed deviation of 15%) with the following sizes being typical;  
  
48 feet wide x 120 feet wide, 5760 square feet  
60 feet wide x 120 feet wide, 7200 square feet  
80 feet wide x 120 feet wide, 9600 square feet
4. Lot Setbacks. Building setbacks shall be a minimum of the following;  
  
Front - 15 feet  
Side - 5 feet  
Rear - 15 feet
5. Lot Coverage. Residential lots shall have a maximum lot coverage of 70% impervious surface, which shall include all structures and any pool.
6. Extension for Final PUD submittal. The preliminary Planned Unit Development approval shall be valid for 12 months due to the scale and complexity of the submittal. The final Planned Unit Development submittal must be submitted within that 12 month period.
7. Temporary Sales Office. The developer shall be allowed to construct a temporary portable sales office on the Property. Such sales office shall be allowed to remain until new home sales operations cease. This sales office may be connected to a

temporary well and septic tank prior to central water and wastewater services being available to the site of the sales office, which well and septic tank will be abandoned upon central water and wastewater becoming available to the site of the sales office.

8. Recreation & Parks. The list of requested uses are, but not limited to:

An eight boat slip and dock facility on Loch Leven. The developer is planning to have available for residents of the Property six to eight boats for their use, provided appropriate insurance can be obtained by the homeowners association. If insurance cannot be obtained, the developer will have the option to add a boat ramp or equivalent alternative. In the event a boat ramp or equivalent is added, the developer will limit, through enforceable restrictions, the number of boats allowed on lake Loch Leven to eight. In any event, the boats will be power limited, with engines not to exceed 25 horsepower.

Main park gathering hut. A 3,000 to 5,000 sq. ft. under roof pavillion for use of the residents.

Gazebos

Picnic tables and barbeque stands

9. Commercial Acreage. Eight acres more or less may be designated as commercial. A total maximum of 80,000 square feet of commercial space may be constructed within this area. One acre of this commercial parcel shall be made available to the City for a temporary structure for the purpose of housing a temporary inspection office. City shall be responsible for developing the one acre site and erecting any structure thereon. The site and any structure constructed or placed on this site shall meet the aesthetic standards of the development. The structure shall be removed at such time as the commercial acreage becomes marketable, or earlier by separate agreement.

10. Amenities. The developer may provide the following amenity packages on the property, to include, but not be limited to:

A 15,000 to 25,000 sq. ft. main clubhouse

An enclosed swimming pool

An outside swimming pool

Tennis courts

Bocce ball and or shuffleboard courts

and either of the following

A Golf course with clubhouse and driving range

or

Lake amenities

If the developer chooses the golf course package, the property shall be used as follows (approximate acreage shown, may deviate by a maximum of 15%):

Total Property Area	-	546.1 ± acres
Commercial Area	-	8.00 acres
Residential Area	-	148.45 acres
Clubhouse	-	8.20 acres
Driving Range	-	9.46 acres
Golf Greens	-	58.25 acres
Golf Holes & Tees	-	4.01 acres
Golf Open	-	19.20 acres
50' Right-of-Way	-	47.07 acres
Maintenance Area	-	0.68 acres
RV/Boat Storage Area-		3.49 acres
Park	-	3.76 acres
Recreation Area	-	5.23 acres
Scrub Jay Preserve	-	4.51 acres
Wetland Preserve	-	29.64 acres
Water Treatment Pond-		4.08 acres
Water Retention Area -		39.84 acres
Open Space	-	117.70 acres
Lakes	-	29.53 acres
Well Site	-	2.00 acres
Fire Station Site	-	3.00 acres

Number of Residential Units - 950

Gated Security Access

Golf Cart Access to Country Club of Mount Dora

Utility/ Emergency Access Entrance through Country Club of Mount Dora

### Scrub Jay Nest Location

If the developer chooses the lake package, the property shall be used as follows (approximate acreage shown, may deviate by a maximum of 15%):

Total Property Area	-	546.1 ± acres
Commercial Area	-	8.00 acres
Residential Area	-	147.96 acres
Clubhouse	-	14.94 acres
Man Made Lake	-	151.71 acres
50' Right-of-Way	-	45.66 acres
Maintenance Area	-	0.68 acres
RV/Boat Storage Area-		3.49 acres
Park	-	3.78 acres
Recreation Area	-	4.79 acres
Scrub Jay Preserve	-	8.21 acres
Wetland Preserve	-	8.27 acres
Water Treatment Pond-		4.08 acres
Open Space	-	136.82 acres
Existing Lakes	-	2.71 acres
Well Site	-	2.00 acres
Fire Station Site	-	3.00 acres

Number of Residential Units - 950

### Gated Security Access

Utility/ Emergency Access Entrance through Country Club of Mount Dora

### Scrub Jay Nest Location

Docks shall be allowed along the internal lakeshore with the following conditions:

- a. Docks may be no greater than five feet wide,
- b. Docks must run parallel to and be attached to the shoreline along their entire length, and
- c. Docks may be built to the property line of a subject property.

The operation of watercraft on all interior, man-made lakes within the development shall be limited to boats having a maximum length of eighteen feet (18') and a maximum draft of thirty inches (30"). Motorized watercraft shall be restricted to electric motors only; no internal combustion powered watercraft shall be permitted on said lakes.



11. Well Site. The developer shall dedicate, or otherwise transfer title to, a two acre well site for City of Mount Dora at a location to be mutually determined by the City and Developer.
12. Emergency Access. The developer shall dedicate or otherwise provide an emergency access connection to Country Club of Mount Dora for the use of emergency vehicles responding to emergency calls, with such access being at a location to be mutually determined by the City and Developer.
13. Fire Station. The developer shall dedicate, or otherwise transfer title to, a three acre site for City of Mount Dora to use as a fire station at a location to be mutually determined by the City and Developer. Any station constructed on this site shall meet the aesthetic standards of the development.
14. Tree Planting. In addition to the one frontage tree per lot requirement of the City, the developer shall plant a minimum of two other trees on each lot.
15. State Road 44 Trail. The developer shall set aside twenty-five feet (25') along Sate Road 44 to be used as a future trail to be constructed by others.
16. Open Space. The site will maintain a minimum of 60% open space on site, consisting of a maximum of 10% open space on individual lots and the balance of the open space on other portions of the Property. Open space shall be defined for this purpose as any portion of the Property which is open to the sky, including those portions of the property containing landscape materials, and which contains no impervious surfaces. Recreational uses may be allowed within the open space area. Pervious surfaces within individual residential or commercial lots do not quality as open space. Open space shall be clearly established as a part of any subdivision or plat approval of the Property.
17. Recharge. Based upon geotechnical analysis prepared a by a professional geologist or hydrologist licensed to practice in the State of Florida, the post development recharge volumes will meet or exceed the pre development recharge volumes. The final design must demonstrate a water balance that is sensitive to the groundwater recharge area. Specific data on the recharge nature of the soils and the differential heads between the surficial and Upper Floridan aquifers must be demonstrated. Such demonstration shall be a prerequisite to any plat approval. The City will coordinate the review of the geotechnical analysis with the Department of Environmental Protection and St. Johns River Water Management District.
18. If a golf course is developed, the developer shall develop and maintain the course under the auspices of the Audubon International Signature Program at least a silver level.

19. Irrigation. Neither well water nor lake water from Loch Leven shall be used for irrigation purposes. All irrigation water use must be from the City's reclaimed water system or an on site reclaimed storm water system.
20. Landscaping. Individual building lots shall be landscaped consistent with the Florida Friendly Landscape requirements developed by the University of Florida. These standards provide that little or no additional water is used for irrigation purposes and rely heavily on native and drought tolerant plantings. Further, no more than 65% of the lawn area shall be sodded.
21. Stormwater. In order to further protect water quality as a part of subdivision or plat approval, the Developer shall provide a stormwater management plan for the Property which meets City requirements and which utilizes treatment train techniques including use of grassy swales. The stormwater management plan shall include commitments for Property Owner Association maintenance of the stormwater management system.
22. As part of the development, the Developer shall provide Traffic Impact Analyses. These studies will meet all requirements of the City of Mount Dora, Lake County, and DOT including any potential roadway improvements not originally anticipated. Four traffic impact analyses shall be conducted during development on the following schedule:
  - 1) 250 building permits issued;
  - 2) 500 building permits issued;
  - 3) 750 building permits issued; and,
  - 4) 800 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 825<sup>th</sup> certificate of occupancy if the study in question is the last study.

23. Energy Efficiency. Individual dwelling units shall be constructed to meet or exceed Energy Star standards for efficient and economical energy consumption.
24. Exterior Lighting. The developer shall install downward directed exterior lighting to meet the requirements of the Dark Sky Society.

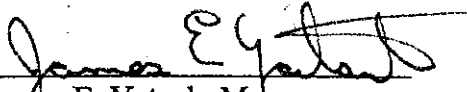
Section 4. Severability.

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.

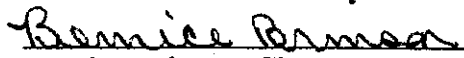
Section 5. Effective date.

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

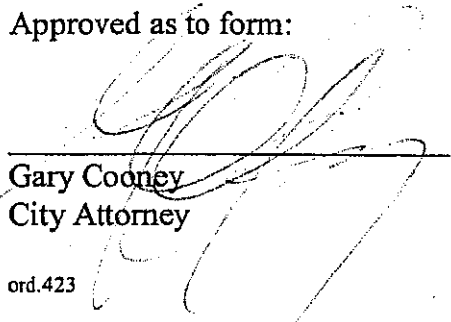
PASSED AND ORDAINED this 3rd day of August, 2004 by the City Council of the City of Mount Dora, Florida.

  
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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