

ORDINANCE NO: 2017-08

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, AMENDING THE MASTER PLAN CONDITIONS OF THE SUMMERVIEW AT WOLF CREEK RIDGE (FORMERLY NAMED "WOLF CREEK RIDGE") PLANNED UNIT DEVELOPMENT (PUD) TO INCREASE THE MAXIMUM RESIDENTIAL UNITS FROM 254 TO 260; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR CONFLICTS; SEVERABILITY; NON-CODIFICATION AND SCRIVENER'S ERRORS AND SETTING AN EFFECTIVE DATE.

WHEREAS, the Summerview at Wolf Creek Ridge (formerly named "Wolf Creek Ridge") Planned Unit Development (PUD) was approved by City Council on February 17, 2004, by Ordinance No. 838, and amended by Ordinance No. 2014-07 adopted on January 20, 2015; and

WHEREAS, Hallmark Equity Partners, LLC, the property owner has requested an amendment to the Summerview at Wolf Creek Ridge Planned Unit Development (PUD) Master Plan terms and conditions to increase the residential units from 254 to 260; and

WHEREAS, the Summerview Wolf Creek Ridge PUD Master Plan, was developed as single-family residential project with unique design and zoning performance standards along with a community park and trail system; and

WHEREAS, the developer has requested revisions to certain PUD conditions in keeping with current housing trends and previously engineered drawings; and

WHEREAS, the Summerview Wolf Creek Ridge Planned Unit Development (PUD) Master Plan conditions are consistent with the City's Comprehensive Plan and the underlying Residential Low-Medium Density (4 dwelling units per acre or less) Future Land Use designation; and

WHEREAS, the Planning and Zoning Commission, sitting as the local planning agency, has found this ordinance to be consistent with the City's Comprehensive Development Plan; and

WHEREAS, the amendments to the Summerview Wolf Creek Ridge PUD Master Plan are consistent with the City's Land Development Code.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MOUNT DORA, FLORIDA:

SECTION 1: LEGISLATIVE FINDINGS AND INTENT.

The recitals set forth above are hereby adopted as legislative findings and intent of the City Council of the City of Mount Dora.

SECTION 2. REZONING ESTABLISHED.

That certain parcel of property described below is hereby rezoned from R-1 (Single Family Residential) to PUD (Planned Unit Development) by Ordinance No. 838 on February 17, 2014, amended by Ordinance No. 2014-07 on January 20, 2015, and is subject to the conditions set forth in the amended ordinance. The PUD Master Plan "Summeerview at Wolf Creek Ridge PUD Amendment" and shall hereby be incorporated by reference as Exhibit "1." The property is more particularly described as:

The North 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 27, Township 19 South, Range 27 East, Lake County, Florida; AND The East 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 28, Township 19 South, Range 27 East, Lake County, Florida; AND The Northwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 28, Township 19 South, Range 27 East, Lake County, Florida; AND The Southwest 1/4 of the Northeast 1/4 of the Northeast 1/4, and the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 19 South, Range 27 East, Lake County, Florida.

SECTION 3. AMENDMENT OF PUD CONDITIONS.

The conditions within "Section 4" of the Wolf Creek Ridge Planned Unit Development (PUD) amended by Ordinance No. 2014-07 adopted on January 20, 2015, are hereby amended as follows:

- A. *The developer shall be allowed to construct ~~254~~ 260 single-family homes on the property described in Section 2.*

Note: Underlined words constitute the additions to the existing text of the amended PUD Ordinance No. 2014-07 adopted on January 20, 2015, and ~~strikethroughs~~ constitute deletions to the existing text of said Ordinance.

SECTION 4. IMPLEMENTING ADMINISTRATIVE ACTIONS.

The City Manager, or designee(s), are hereby authorized and directed to take such actions as may be necessary and appropriate in order to implement the provisions of this Ordinance.

SECTION 5: CONFLICTS.

All Ordinances or part of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 6: SEVERABILITY.

Upon a determination by a Court of competent jurisdiction that a portion of this Ordinance is void, unconstitutional, or unenforceable, all remaining portions shall remain in full force and

effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7: NON-CODIFICATION; SCRIVENER'S ERRORS.

(a). The provisions of this Ordinance shall not be codified in the *Code of Ordinances, City of Mount Dora, Florida*; provided, however, the property shall be incorporated and included in all appropriate maps of the city limits of the City of Mount Dora by the City Manager, and the City Manager is hereby directed to take any and all appropriate actions relative to land use planning pertaining to the property pursuant to this Ordinance.

(b). The sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate during codification.

(c). Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected without the need for a public hearing.

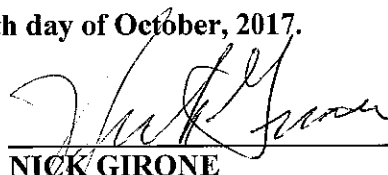
SECTION 8: EFFECTIVE DATE.

This Ordinance shall become effective immediately upon enactment.

FIRST READING: September 21, 2017

SECOND READING: October 17, 2017

PASSED AND ADOPTED this 17th day of October, 2017.



NICK GIRONE
MAYOR of the City of Mount Dora, Florida

ATTEST:


GWEN KEOUGH-JOHNs, MMC
CITY CLERK

For the use and reliance of City of Mount Dora only.
Approved as to form and legality.



William Colbert or Jennifer Cockcroft
City Attorney

EXHIBIT #1

