

RESOLUTION 2013-09-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, GRANTING A VARIANCE FROM THE CITY OF GROVELAND'S CODE SEC. 133-67 WHICH REQUIRES A LANDSCAPE BUFFER BETWEEN INTERNAL PHASES; AND A VARIANCE FROM SEC. 133-67 WHICH REQUIRES A 15 FOOT OR 20 FOOT WIDTH BUFFER AROUND THE ENTIRE SUBDIVISION TO BE REDUCED TO 10 FOOT WIDTH BUFFER FOR 25% OF THE B BUFFER BETWEEN THE ADJACENT PROPERTIES; PROVIDING FOR CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Cypress Oaks is located North of Jack Underwood Road and East of the Marina Del Rey subdivision (the "property"); and

WHEREAS, the property was zoned as a Planned Unit Development in Ordinance 2004-08-23 and gained preliminary plat approval in 2006 but Construction plans were never submitted; and

WHEREAS, Hanover Capital Partners, LLC (the "applicant") is interested in picking up the subdivision and is requesting variances pursuant to Section 153.61 from Section 133-67 of the Landscaping Code of the Land Development Regulations; and

WHEREAS, the applicant would like to alter the required pavement width from 24 feet as stated in Sec. 149-134 of the code to be a minimum of 24 foot pavement and curb width; and

WHEREAS, the applicant would like to eliminate the requirement in Sec. 133-67 which requires a landscape buffer between internal phases of a subdivision; and

WHEREAS, the applicant desires reducing the 15 ft or 20 ft landscape buffer B required between the property and adjacent properties to 10 ft in 25% of the buffer; and

WHEREAS, this Resolution was properly advertised once in a newspaper of general circulation in Lake County, Florida no less than 10 days prior to Council's consideration of this resolution and property owners within 150 ft of the subject site were timely provided written notice delivered by U.S. mail, Return Receipt Requested;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA as follows:

Section 1.

The applicant filed for a variance from Section 149-134 (a), Table 133-3, Section 133-67(c)(1), of the City of Groveland's Land Development Regulations set forth in the Code of Ordinances, for the property located North of Jack Underwood Road and East of the Marina Del Rey

subdivision in the City of Groveland, Florida, more particularly described below. The application is GRANTED in part and DENIED in part.

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 ½ of the Northeast ¼ of the Northwest ¼ Section 15, Township 22, Range 25; AND 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 ½ of the Southeast ¼ of the Northwest ¼ 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, all lying in Lake County, Florida.

A variance from Section 149-134(a), of the City of Groveland Code of Ordinances is DENIED. A variance from Section 133.67(c)(1) and Table 133-3 of the City of Groveland Code of Ordinances is GRANTED subject to the conditions set forth below:


Conditions:

1. A landscape buffer will not be required between internal phases of the development.
2. Allow for 25% of the landscape buffers between the subject property and the adjacent properties to be 10 feet in width while keeping the same landscaping requirements as detailed in Table 133-3 in the City's Code of Ordinances.

Section 2. Expiration/Revocation.

These variances may be revoked by City Council if the above conditions are not followed by the applicant.

PASSED and ADOPTED at a regular meeting of the City Council of the City of Groveland, Lake County, Florida, this 13th day of SEPTEMBER, 2013



HONORABLE JAMES GEARHART, MAYOR
City of Groveland, Florida

Attest:

—

Teresa Begley
TERESA BEGLEY
City Clerk

Approved as to form and legality:

Anita Geraci-Carver
Anita Geraci-Carver, City Attorney

First Reading 09/23/2013

Council Member SMITH moved the passage and adoption of the above and foregoing Resolution. Motion was seconded by Council Member LOUCKS and upon roll call on the motion the vote was as follows:

	YEA	NAY
James Gearhart	✓	
John Griffin	✓	
Tim Loucks	✓	
Jared Mincey	✓	
James Smith	✓	