

ORDINANCE 2017-12-38

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, AMENDING ORDINANCE 2002-07-32B, THE PUD FOR THE HEREAFTER DESCRIBED LANDS WITHIN THE CITY OF GROVELAND, FLORIDA; ORSI DEVELOPMENT INC. AND SUNFIELD HOMES, INC., AND LOCATED AT CHERRY LAKE ROAD, GROVELAND, LAKE COUNTY, FLORIDA, PROVIDING FOR DIRECTIONS TO THE CITY MANAGER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Groveland adopted and approved Ordinance 2002-07-32B zoning the property described herein as PUD; and

WHEREAS, Orsi Development, Inc. and Sunfield Homes, Inc. acquired all developer rights for the hereinafter described property formerly owned by Estates at Cherry Lake LLP and now owned by Orsi Development, Inc. and Sunfield Homes, Inc.; and

WHEREAS, a 20 acre site designated for public school purposes was conveyed to the City; however, the school district is unable to fund construction of a public school by the deadline of 2025 so the property will revert to the developer if not so used; and

WHEREAS, there is a need for additional park land and park facilities in the City of Groveland to comply with policies set forth in the City's comprehensive plan; and

WHEREAS, there are other provisions in the PUD ordinance to be clarified; and

WHEREAS, the City of Groveland has advertised as required by law for one public hearing no less than 10 days prior to Council's adoption of this ordinance; and

WHEREAS, the LPA has recommended approval of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Groveland, Florida, as follows:

Section 1: Property legal description.

This ordinance relates to the following described property, being situated in the City of Groveland, Florida

LEGAL DESCRIPTION:

The Southeast¼ of the Southeast¼ of Section 33, Township 21 South, Range 25 East, Lake County, Florida; AND The Southwest ¼ of the Southwest ¼ of Section 34, Township 21 South, Range 25 East, Lake County, Florida; AND Tracts 33 and 48 according to the Plat of GROVELAND FARMS, Plat Book 2, Page 10, of Section 2, Township 22 South, Range 25 East, Lake County, Florida, being

otherwise described as the West $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 2, Township 22 South, Range 25 East, Lake County, Florida; AND The West 350 feet of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 2, Township 22 South, Range 25 East, otherwise described as the West 350 feet of the North $\frac{1}{2}$ of the South $\frac{1}{2}$ of Government Lot 5, in said Section 2, Township 22 South, Range 25 East, Lake County, Florida; AND The East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$, otherwise described as Government Lot 1, Section 3, Township 22 South, Range 25 East, Lake County, Florida; AND The West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$, otherwise described as Government Lot 2, Section 3, Township 22 South, Range 25 East, Lake County, Florida;

Southeast $\frac{1}{4}$, otherwise described as the Northeast $\frac{1}{4}$ of the South $\frac{1}{2}$ of the South $\frac{1}{4}$ of Government Lot 8, Section 3, Township 22 South, Range 25 East, Lake County, Florida; AND The North $\frac{3}{4}$ of the East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$, otherwise described as the North $\frac{3}{4}$ of Government Lot 8, all in Section 3, Township 22 South, Range 25 East, Lake County, Florida; AND The North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, otherwise described as the North $\frac{1}{2}$ of the South $\frac{1}{2}$ of Government Lot 7, in Section 3, Township 22 South, Range 25 East, Lake County, Florida; AND The South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, Section 3, Township 22 South, Range 25 East, Lake County, Florida; AND

The South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the South $\frac{1}{2}$ of Government Lot 8, Section 3, Township 22 South, Range 25 East, Lake County, Florida; AND The Southwest $\frac{1}{4}$ of the South $\frac{1}{2}$ of Government Lot 8, Section 3, Township 22 South, Range 25 East, Lake County, Florida; AND The North 990 feet of the West $\frac{1}{2}$ of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 4, Township 22 South, Range 25 East, Lake County, Florida; AND The Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 3, Township 22 South, Range 25 East, also known as Tracts 17, 18, 31 and 32, according to the Plat of GROVELAND FARMS, of said Section 3, Township 22 South, Range 25 East, Lake County, Florida; AND the East 660 feet of Government Lot 1, Section 4, Township 22 South, Range 25 East, also described as the East 660 feet of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of said Section 4, Township 22 South, Range 25 East, Lake County, Florida; AND the East 970 feet of the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 2, Township 22 South, Range 25 East, Lake County, Florida, Otherwise known as HILTON HILLS SUBDIVISION, as recorded in Plat Book 8, Page 83, Public Records of Lake County, Florida. LESS Lot 7, Block 1, HILTON HILLS SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 8, Page 83, Public Records of Lake County, Florida. ALSO LESS AND EXCEPT the road right of way set forth on the Plat of HILTON HILLS SUBDIVISION, as recorded in Plat Book 8, Page 83, Public Records of Lake County, Florida; LESS AND EXCEPT from Parcel I through 19: Right of Way for Cherry Lake Road per occupation and Lake County Maintenance Map.

Section 2: Amendments to Ordinance 2002-07-32B.

That Ordinance 2002-07-32B shall remain in effect and is only amended as set forth herein:

Land Uses

The Concept Plan for the Project attached as Exhibit "A" to Ordinance 2002-07-32B is amended to be consistent with the land uses as described herein. Elements in the Concept Plan include single-family detached homes, villas, townhomes, commercial, community facilities and recreation. The approximate acreage devoted to each land use shall be as follows:

| | |
|---|---|
| Residential Total | 333 acres (net acreage per FLU policy 1.1.12) |
| Single Family | 323 acres |
| Townhomes/Villas | 10 acres |
| Retail/office/community facilities (with apartments above) | 31 acres |
| Recreation | 80 acres |
| Public Services/Utility | 2 acres |
| RV/Boat Storage | 5 acres |
| Boat/Trailer Parking | 2 acres |
| Open space total | 279 acres |
| Upland | 222 acres |
| Wetlands & lakes | 57 acres |

Non-substantial deviations from the acreages shall be allowed provided there is no increase in density or intensity.

Residential The development shall have a maximum residential density of 4 dwelling units per net acre, comprising single family homes, townhomes, and apartments above commercial development. Home occupation will be encouraged close to the village center.

Commercial/Office/Community Facilities An area of 31 +/- acres is identified for a village center. Within this area a maximum of 175,000 square feet of commercial development and a maximum of 50,000 square feet of office development will be permitted. Community facilities will also be permitted in the village center. In addition, up to a maximum of 10 acres of community facility uses will be on land adjoining the village center. Apartments may be constructed above the commercial/office development at second floor level or above.

Recreation The project will have a minimum of five recreation areas. These will comprise of a village center park (including a children's play area), a community sports area and community parks on Cherry Lake and Wilson Lake. A community boat ramp will be permitted on each lake. There will be 2 – 20 acre public parks donated to the City of Groveland. The City Council is given the right to name the 2 -20 acre public parks without any restriction. Any reversionary language contained in deeds transferring title to

the two properties shall be removed and the only restriction is that the two properties be used for recreation areas. The deeds will be re-executed and recorded within 60 days of the adoption of this ordinance.

In addition to the uses set forth above, the Project will also include stormwater management ponds, preserved wetlands, internal road rights-of-ways and a multi-purpose trail.

Phasing

The Project may be constructed in up to 12 phases. Each phase shall be developed in conformance with this ordinance and the Concept Plan.

Street and Sidewalks

The development shall have a connected street system that serves vehicles, pedestrians and bicycles and which connects the village center to adjacent residential/community areas.

Streets shall be laid out to promote pedestrian circulation and ease of access to the community areas. The road which connects Cherry Lake Road to the land to the north of the site shall have an eighty foot (80') right-of-way with a minimum of twelve (12) feet of pavement per lane. Minor street shall have a fifty foot (50') right-of-way with a minimum 20 foot pavement width. Provision shall be made for underground utilities. A typical minor street layout is illustrated in Exhibit C attached to Ordinance 2002-07-32B. A minimum of a four foot (4') sidewalk shall be constructed along both sides of all residential roads. A minimum of eight foot (8') sidewalk shall be constructed in the village center area.

Within the village center maximum opportunities for shared parking shall be utilized.

Street trees shall comply with the City's Landscape Regulations in effect at the time of adoption of this ordinance.

Access to the 2 – 20 acre parks will be provided from two (2) internal roads.

All streets shall be constructed to the City of Groveland standards.

Landscaping Requirements Language relating to a landscape buffer between the village center and the elementary school is deleted. Otherwise, there are no revisions to this section of Ordinance 2002-07-32B.

Lighting

Street lighting shall be installed at every intersection, at the end of each cul-de-sac and at intervals of 300 feet. Street lighting shall be installed by the Owner/Developer. Within residential areas, this street lighting may be provided by individual yard lamps so long as those lamps are illuminated by bulbs of at least 60 watts and are no more than 100 feet

apart. All lighting for the commercial portions of the Project shall be directional, shielded lighting designed to minimize offsite impact and light pollution.

Except to the extent amended herein, Ordinance 2002-07-32B remains in effect.

Section 3: Consistent with Comprehensive Plan.

That the zoning classification is consistent with the Comprehensive Plan of the City of Groveland, Florida.

Section 4: Official Zoning Map.

That the City Manager, or designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Groveland, Florida, to include said designation.

Section 5: Severability.

That if any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.


Section 6: Conflict.

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7: Effective Date.

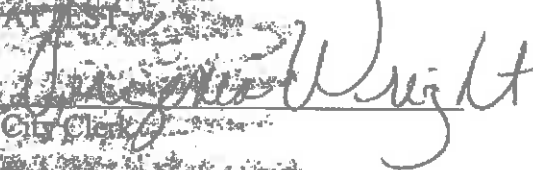
This Ordinance shall become effective immediately upon its approval and adoption by the City Council.

PASSED AND ORDAINED in regular session of the City Council of the City of Groveland, Lake County, Florida, this 18th day of December, 2017.



Dina Sweatt *Mayor as of the date of signing
And council member on date of approval

City of Groveland, Florida



City Clerk



Approved as to Form:

Anita Geraci-Carver

Anita Geraci-Carver

City Attorney

Passed First Reading 12-4-2017

Passed Second Reading 12-18-2017

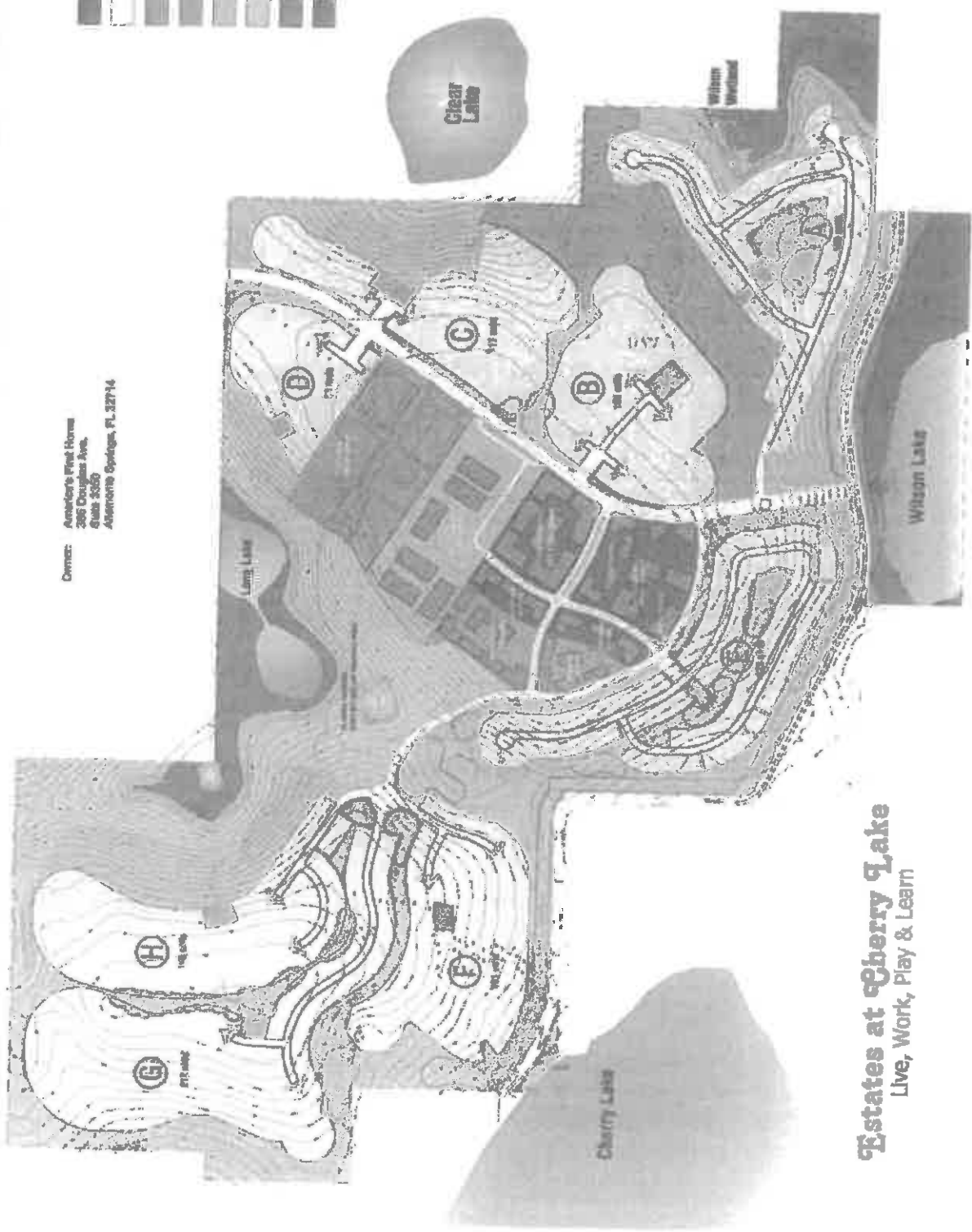
Council Member Griffin moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member Vice Mayor Sweatt and upon roll call on the motion the vote was as follows:

| | YEA | NAY |
|--------------------|-----|-----|
| John Griffin | ✓ | |
| George Rosario | ✓ | |
| Mike Radzik | ✓ | |
| Duane "Mike" Smith | ✓ | |
| Dina Sweatt | ✓ | |



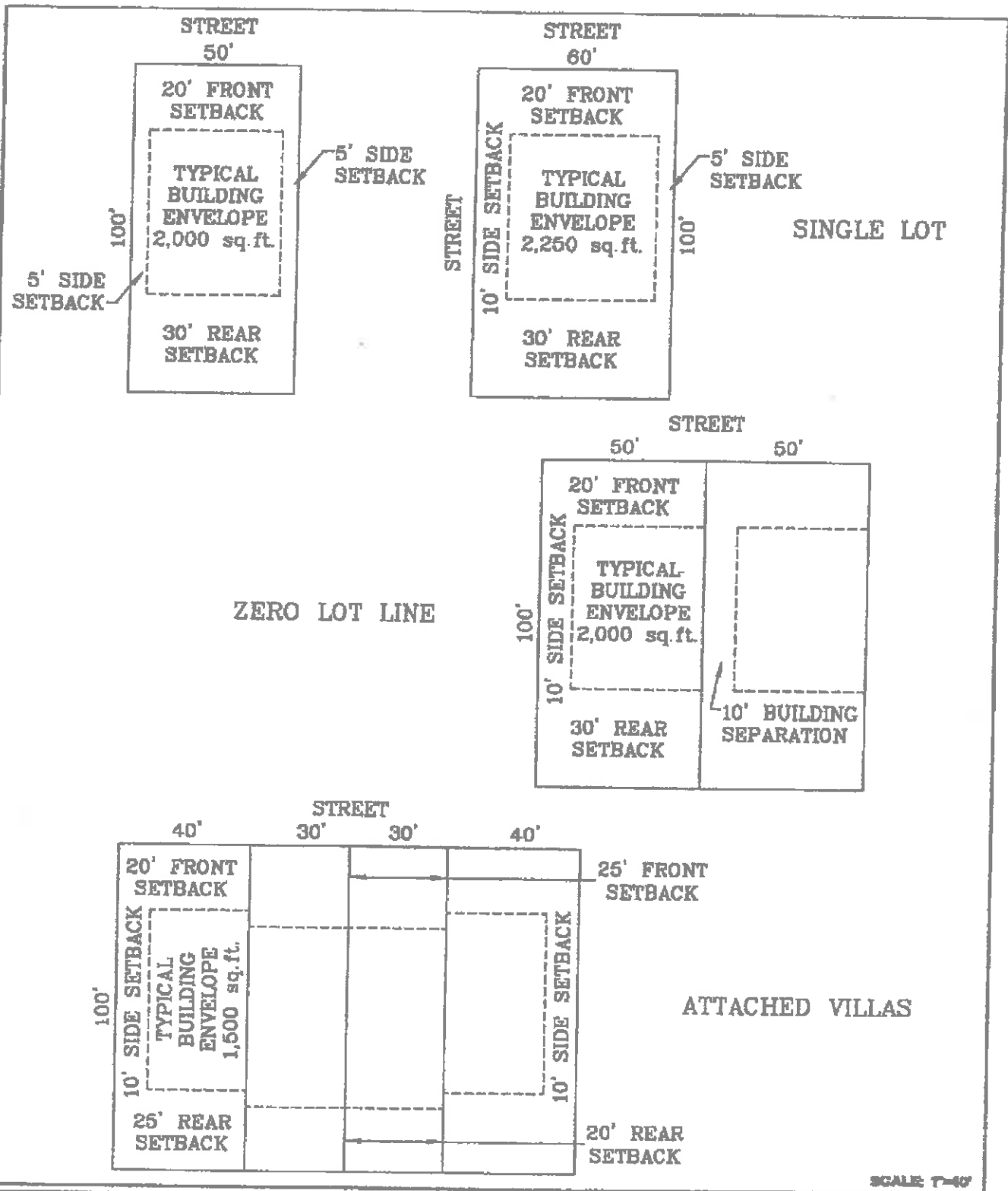
Owner: **Aspen Grove Plant Homes**
 285 Orange Ave.
 Suite 2050
 Asheville, NC, 28714

| |
|-------------------|
| Concrete |
| Asphalt |
| Gravel |
| Grass |
| Topsoil/Plantings |
| Water |
| Pool |
| Deck |
| Walkway |
| Driveway |
| Foundation |
| Foundation |
| Foundation |
| Foundation |
| Foundation |
| Foundation |



Estates at Cherry Lake
 Live, Work, Play & Learn



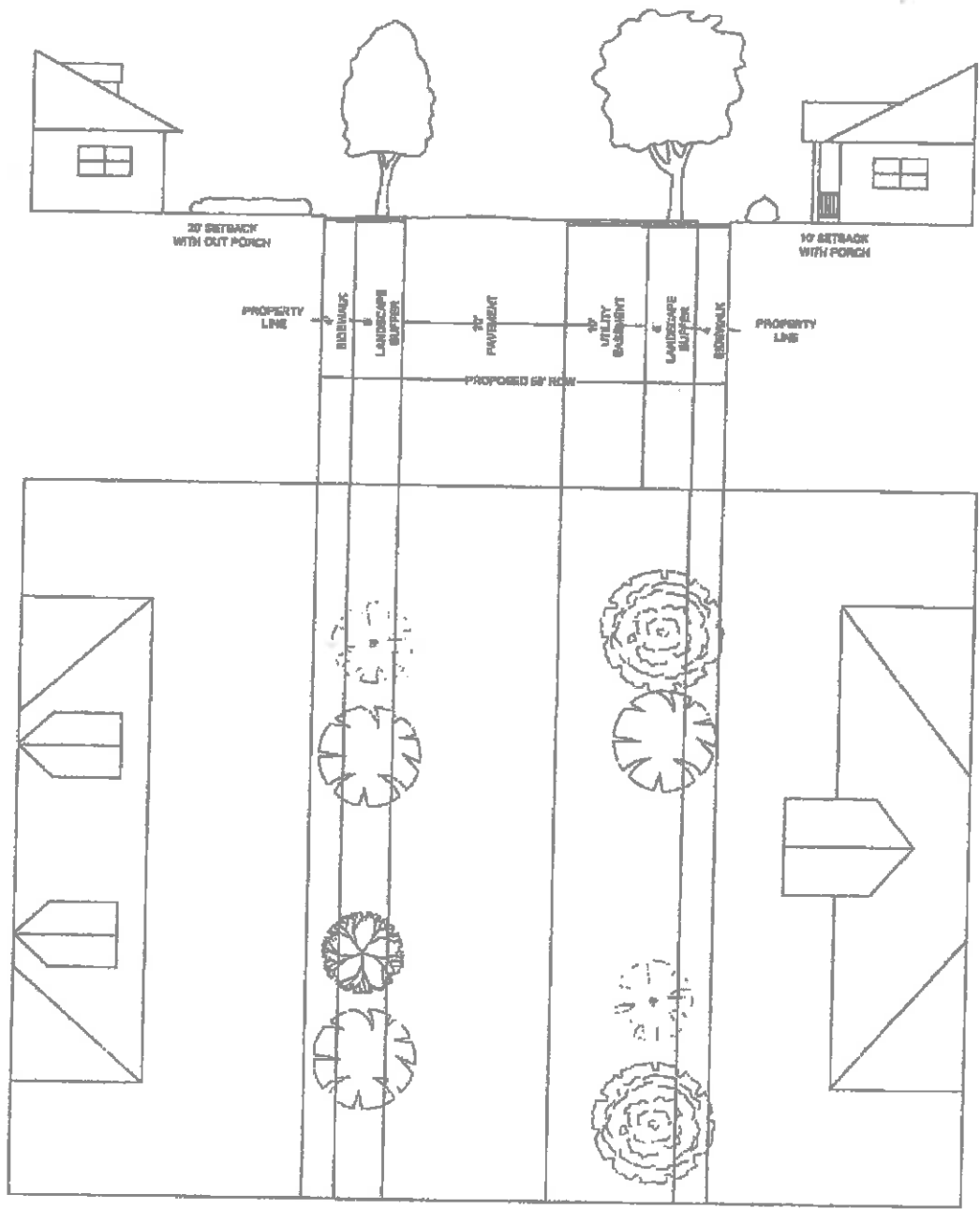


SCALE 1"=40'

**CITY OF GROVELAND
LAKE COUNTY, FLORIDA
EXHIBIT B
TYPICAL LOT LAYOUTS**

Urban & Regional Planners, Inc.
2001 OLD U.S. HIGHWAY 441, RT. 208A, FL 32757
(352)363-1444/FAX (352)363-3077/LP@URPINC.COM

| | | | |
|-------------------|--------------|----------|------------|
| FILE#: 50702-2003 | DATE: 7/3/02 | REVISED: | DRAWN: NTL |
|-------------------|--------------|----------|------------|



SCALE 1"=20'

**CITY OF GROVELAND
TYPICAL ROAD CROSS SECTION
AND DETAIL
EXHIBIT C**

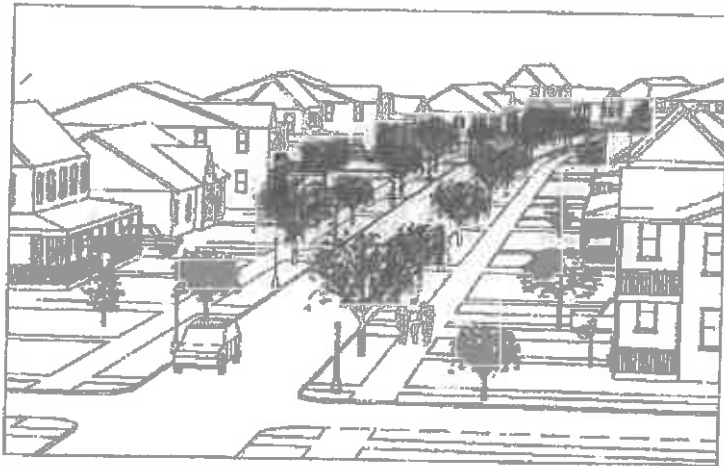


Urban & Regional Planners, Inc.

2101 OLD U.P. HIGHWAY 441, W.C. DOE, FL 32767
(850)362-1441 • FAX (850)362-3877, URP@URP.COM

| | | | |
|-------------------|---------------|----------|------------|
| FILE#: 50702-2004 | DATE: 6/13/02 | REVISED: | DRAWN: DJL |
|-------------------|---------------|----------|------------|

DESIGN PRINCIPLES



Tree lined streets provide shade for pedestrians and improve appearance of street.

Diversity of building styles improves character of development.



Reduced setback requirement for houses with front porches





Site's topography should be used in house design to maximize views of open space and lakes.



Variety in roof heights and styles add interest to streetscape.



Buildings oriented to streets with sidewalks, storefront windows for visual interest, awnings for weather protection and shade trees.

Key buildings help provide varied townscape.



Sidewalk and terrace uses provide activity, support and sense of ownership.



Mixed-use development with first floor retail and second storey offices and housing.



Detailing on buildings add variety to street scene.



Plazas and other public spaces add aesthetic and economic value to the development.





Landscape screening for parking area reduces impact.



Traditional shopfronts create interesting streetscape and enhance livability of village center.

Architectural details provide variety and enhance appearance of buildings.



FOR BILLING QUESTIONS:
TOLL-FREE: (800) 435-1232

INVOICE

| | | | | | | |
|-------------------|---------------|-------------------------|------|--------|------|-------|
| 09726 | W0#922735701 | NOTICE OF PUBLIC HEARIN | LLAK | 1X0775 | 3.20 | 49.60 |
| | INV#902317003 | 81104395147 | 2X | 15.50 | | 2.00 |
| | | LEGAL AFFIDAVIT | | | | 51.60 |
| AMOUNT DUE | | | | | | |

CITY OF GROVELAND
156 S LAKE AVE
ATTN: JASON YARBOROUGH
GROVELAND FL 347362597

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352429214101

19 **Orlando Sentinel**
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ORLANDO, FLORIDA 32801
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COUNTY OF ORANGE

City of Groveland
Disbursement Control

11853 1-512-492
Claim # Account Number

Approved By 

Before the undersigned authority personally appeared LEANNE HILL, who on oath says that he/she is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published at TAVARES in LAKE County, Florida; that the attached copy of advertisement, being a NOTICE OF PUBLIC HEARING in the matter of ORD 2002-07-32B in the LAKE Court, was published in said newspaper in the issue; of 09/26/05, 10/03/05

Affiant further says that the said Orlando Sentinel is a newspaper published at TAVARES in said LAKE County, Florida, and that the said newspaper has heretofore been continuously published in said LAKE County, Florida, each Week Day and has been entered as second-class mail matter at the post office in TAVARES in said LAKE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

The foregoing instrument was acknowledged before me this 4 day of OCT., 2005, by LEANNE HILL who is personally known to me and who did take an oath.

(SEAL)

NOTICE OF PUBLIC HEARING
ORDINANCE 2002-07-32B

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, APPROVED AND PASSED ON OCTOBER 3, 2005, THE DAY FOR THE PUBLICATION WHEREAS LANDS WITHIN THE CITY OF GROVELAND, FLORIDA OWNED BY DEWITT AT COUNTRY LAKE LTD. AND LOCATED AT COUNTRY LAKE ROAD, GROVELAND, LAKE COUNTY, FLORIDA...

The proposed Ordinance will be considered at the following public meetings:

Groveland City Council meeting at the Local Planning Agency on October 3, 2005 at 7:00 p.m. and

Groveland City Council meeting on October 3, 2005 immediately following the LPA meeting and Groveland City Council meeting on October 17, 2005 at 7:00 p.m.

The meetings will be held at the Purview Building, 503 S. Lake Ave., Groveland, Florida.

The proposed Ordinance (which includes the legal description of the site) may be inspected by the public between the hours of 8:00 a.m. to 5:00 p.m. Monday to Friday at City Hall. For further information call (352) 493-2141, Ext. 225.

Interested parties may appear at the meetings and be heard with respect to the proposed Ordinance. Unless made of the hearings on the case, all oral and written communications concerning the case, between the City Council on the one hand, and the applicant or the public on the other hand, are prohibited by Florida Law.

A person who decides to appeal any decision made by any board, agency, or official with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 206.0165).

The City of Groveland Land Development Regulations are available for inspection at the City Hall, during normal working hours 8:00 a.m. to 5:00 p.m. Persons with disabilities needing assistance in participating in...