

**ORDINANCE 2018-08-20**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF GROVELAND'S COMPREHENSIVE PLAN PURSUANT TO 163.3187(1), FLORIDA STATUTES, BY AMENDING THE COMPREHENSIVE LAND-USE PLAN DESIGNATION FROM CITY OF GROVELAND HIGH DENSITY RESIDENTIAL TO CITY OF GROVELAND PUBLIC/INSTITUTIONAL ON THE FUTURE LAND-USE MAP FOR THE HEREIN DESCRIBED PROPERTY CONSISTING OF 10 OR LESS ACRES OF LAND; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE FORWARDING OF THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY.**

**WHEREAS**, the City of Groveland, Florida adopted Ordinance 92-02-01, adopting the Comprehensive Plan for the City of Groveland which has since been amended, and

**WHEREAS**, the request for this small scale plan amendment is initiated by the applicant, SECO Energy, a non-profit, on behalf of the owner, Jeffrey S. Boykin, M. Kenneth Boykin and Kenneth C. Boykin; and

**WHEREAS**, the applicant desires to use the property for expansion of its District office; and

**WHEREAS**, the Local Planning Agency of the City of Groveland held a public hearing on this ordinance which was advertised in accordance with law prior to the LPA meeting, and

**WHEREAS**, the City Council of the City of Groveland public hearing has been advertised as required by law for one public hearing with the public hearing occurring at least 5 days after the advertisement was published; and

**WHEREAS**, the City Council of the City of Groveland hereby finds and determines that the plan amendment is internally consistent with the City's Comprehensive Plan; and

**WHEREAS**, it is in the best interests of the City of Groveland to amend the Comprehensive Plan for the City of Groveland as set forth herein.

**WHEREAS**, the City of Groveland desires to amend the Comprehensive Plan for the City of Groveland as set forth below.

**Now, therefore, it be ordained by the City Council of the City of Groveland, Florida:**

**Section 1. Legislative Findings.**

The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Groveland.

**Section 2. Comprehensive Plan Amendment**

- A. The Property is legally described in **Exhibit A** attached hereto and incorporated herein, consisting of 6.6 acres, more or less, (the "Property").
- B. That portion of the Future Land Use Element referenced as the Future Land Use Map of the City of Groveland Comprehensive Plan is hereby amended by changing the designation of the Property, on the City of Groveland Future Land Use Map from City of Groveland High Density Residential and designating the Property on the Future Land Use Map to:

**PUBLIC/INSTITUTIONAL**

**Exhibit B (attached hereto and incorporated herein) – Future Land Use Map amendment**

**Section 3. Severability**

Upon a determination that by a court of competent jurisdiction that a portion of this ordinance or the comprehensive plan adopted hereby is void, unconstitutional or unenforceable, all remaining portions shall remain in full force and effect.

**Section 4. Direction to the City Manager.**

Upon the Effective Date of this ordinance, the City Manager is hereby authorized to amend the comprehensive plan and future land-use map as identified herein after compliance with F.S. 163.3187 and F.S. 163.3184(11).

**Section 5. Scrivener's Errors.** Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

**Section 6. Repeal**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 7. Adoption**

After adoption, a copy hereof shall be forwarding to the Department of Economic Opportunity.

**Section 8. Effective Date**

This ordinance shall become effective upon the 31<sup>st</sup> day after adoption unless timely challenged, and then will become effective upon the date a final order is issued by the Department of Economic Opportunities or Administration Commission finding the amendment in compliance in accordance with Section 163.3187, Florida Statutes. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED and ADOPTED at a regular meeting of the City Council of the City of Groveland, Lake County, Florida, this 20<sup>th</sup> day of August, 2018.

Dina Sweatt

Dina Sweatt, Mayor  
City of Groveland, Florida

Attest:

Virginia Wright  
Virginia Wright, City Clerk



Approved as to form and legality:

Anita Geraci-Carver

Anita Geraci-Carver, City Attorney

First Reading August 16, 2018

Second Reading August 20, 2018

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

	YEA	NAY
John Griffin	✓	
Tim Loucks	✓	
Mike Radzik	✓	
Mike Smith	✓	
Dina Sweatt	✓	

**EXHIBIT A**  
**Legal Descriptions of the Property**

The North  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , LESS the North 150 feet and LESS road right of way; AND the North  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , LESS road right of way, all in Section 13, Township 22 South, Range 24 East, Lake County, Florida.

The North 150 feet of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , LESS road right of way, in Section 13, Township 22 South, Range 24 East, Lake County, Florida.

The West 155 feet of the East  $\frac{1}{2}$  of the North  $\frac{1}{2}$  of the South  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; and the south 15 feet of the North 90 feet of the East 175 feet of the East  $\frac{1}{2}$  of the North  $\frac{1}{2}$  of the South  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , in Section 13, Township 22 South, Range 24 East, Lake County, Florida.

