

**Summary of Ordinance**

This Ordinance amends Section 3.01.02.A., Lake County Code, Appendix E, Land Development Regulations, entitled *Residential Uses*, and Section 9.10.02., Lake County Code, Appendix E, Land Development Regulations, entitled *Design Standards*, to delete the roof pitch requirement for both single family homes and commercial development.

Changes are shown as follows: ~~Strikethrough~~ for deletions and Underline for additions to existing Code sections. The notation “\* \* \*” shall mean that all preceding or subsequent text remains unchanged (excluding any renumbering or relettering that might be needed).

**ORDINANCE NO. 2023-\_\_**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING THE FOLLOWING SECTIONS OF THE LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS: SECTION 3.01.02.A, ENTITLED *RESIDENTIAL USES*; AMENDING SECTION 9.10.02., ENTITLED *DESIGN STANDARDS*; REMOVING THE ROOF PITCH REQUIREMENTS FOR COMMERCIAL DEVELOPMENT AND SINGLE FAMILY HOMES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, as part of Ordinance 2003-85, the Board of County Commissioners (Board) imposed a minimum width regulation and roof pitch requirement on all single-family dwelling units in response to a Florida law that required regulations on mobile homes and modular homes be applied without regard to the type of construction for such structures, thereby resulting in a code requirement that all single-family dwelling units be no less than 23 feet 4 inches in width; and

**WHEREAS**, the Board adopted Ordinance 2019-67 in December 2019, for purposes of promoting architectural and site design treatments that enhance the visual appearance of the built environment, to create and maintain an image of commercial quality, and to provide visual interest and a sense of place, while allowing design flexibility; and

**WHEREAS**, residents and business owners have expressed concerns regarding the roof pitch requirements as interfering with design flexibility when there are other ways in which to accomplish the intent of the Land Development Regulations; and

**WHEREAS**, the Board has determined that removing these requirements are in best interests of the public health, safety, and welfare of the residents of Lake County, Florida.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County, Florida as follows:





1 intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and  
2 the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and held  
3 to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions  
4 thereof shall be held inapplicable to any person, groups of persons, property, kind of property,  
5 circumstances or set of circumstances, such holding shall not affect the applicability thereof to any  
6 other person, property or circumstances.

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8 **Section 5. Inclusion in the Code.** It is the intent of the Board of County  
9 Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake  
10 County Code and that the sections of this Ordinance may be renumbered or relettered and the word  
11 "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in  
12 order to accomplish such intentions.

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14 **Section 6. Filing with the Department of State.** The Clerk shall be and is hereby  
15 directed forthwith to send an electronic copy of this Ordinance to the Secretary of State for the  
16 State of Florida in accordance with Section 125.66, Florida Statutes.

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18 **Section 7. Effective Date.** This Ordinance shall become effective as provide for by  
19 law.

20  
21 Enacted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

22  
23 Filed with the Secretary of State \_\_\_\_\_, 2023.

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26  
27 BOARD OF COUNTY COMMISSIONERS  
28 OF LAKE COUNTY, FLORIDA

29  
30  
31 ATTEST:

32 \_\_\_\_\_  
33 Gary J. Cooney, Clerk of the  
34 Board of County Commissioners  
35 of Lake County, Florida

36 \_\_\_\_\_  
37 Kirby Smith, Chairman

38 This \_\_\_\_ day of \_\_\_\_\_, 2023.

39 Approved as to form and legality:

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41  
42 \_\_\_\_\_  
43 Melanie Marsh, County Attorney