

**DRAFT ORDINANCE 2019-08
TOWN OF LADY LAKE, FLORIDA**

AN ORDINANCE REDESIGNATING ZONING CLASSIFICATION FOR CERTAIN PROPERTY BEING APPROXIMATELY 0.076 ACRES OF LAND OWNED BY THE VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT; PORTION OF LAND REFERENCED WITHIN ALTERNATE KEY NUMBER 3750047; ADDRESSED AS 1401 PARADISE DRIVE, WITHIN THE ORANGE BLOSSOM GARDENS UNIT 1, IN LAKE COUNTY, FLORIDA; REZONING SUBJECT PROPERTY FROM LADY LAKE MIXED RESIDENTIAL MEDIUM DENSITY (MX-8) TO LADY LAKE PUBLIC FACILITIES DISTRICT (PFD); PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on December 2, 1991, the Town of Lady Lake adopted a Comprehensive Plan (Ordinance 91-21) pursuant to the requirements of Chapter 163, Part H, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on January 23, 1992, the Florida Department of Community Affairs determined that the Town of Lady Lake Comprehensive Plan was in compliance with the requirements of Chapter 163, Part 2, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on August 15, 1994, the Town of Lady Lake adopted the Land Development Regulations of the Town of Lady Lake, Florida, and Official Zoning Map in accordance with the Town of Lady Lake Comprehensive Plan and the requirements of Chapter 163, Part 2, Florida Statutes; and

WHEREAS, the Town Commission of the Town of Lady Lake held a public hearing to consider a proposed amendment to the Official Zoning Map and determined that said amendment as proposed is consistent with the Town of Lady Lake Comprehensive Plan and meets the requirements of the Town of Lady Lake Land Development Regulations.

NOW, THEREFORE, be it ordained by the Town Commission of the Town of Lady Lake, in Lake County, Florida:

SECTION 1. Petition

Based upon the petition of certain landowner of property, which is located within the Town's limits, and described in Exhibit "A" hereto, a request has been made that the property be zoned "Lady Lake Public Facilities District" (PFD). Said petition has been approved by the Town Commission of the Town of Lady Lake in accordance with the Town of Lady Lake Comprehensive Plan, the Land Development Regulations of the Town of Lady Lake, the Charter of the Town of Lady Lake, and the Florida Statutes. The property described in Exhibit "A" hereto

1 is hereby rezoned from “Lady Lake Mixed Residential Medium Density” (MX-8) to “Lady Lake
2 Public Facilities District” (PFD).

3 **SECTION 2. Severability**

4 The provisions of this Ordinance are declared to be separable and if any section, sentence,
5 clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional,
6 such decision shall not affect the validity of the remaining sections, sentences, clauses or
7 phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this
8 Ordinance shall stand notwithstanding the invalidity of any part.

9 **SECTION 3. Effective Date**

10 This ordinance shall become effective immediately upon its passage by the Town Commission,
11 except as limited by the provisions of Section 171.06, Florida Statutes, as said provisions pertain
12 to newly annexed property and the final adoption of a Comprehensive Plan Amendment by the
13 Town Commission.

14 **PASSED AND ORDAINED** at the regular meeting of the Town Commission of the Town of Lady
15 Lake, Florida, held on the 15th day of **July, 2019**.

16 Town of Lady Lake, Florida

17 _____
18 Jim Richards, Mayor

19 Attest:

20 _____
21 Kristen Kollgaard, Town Clerk

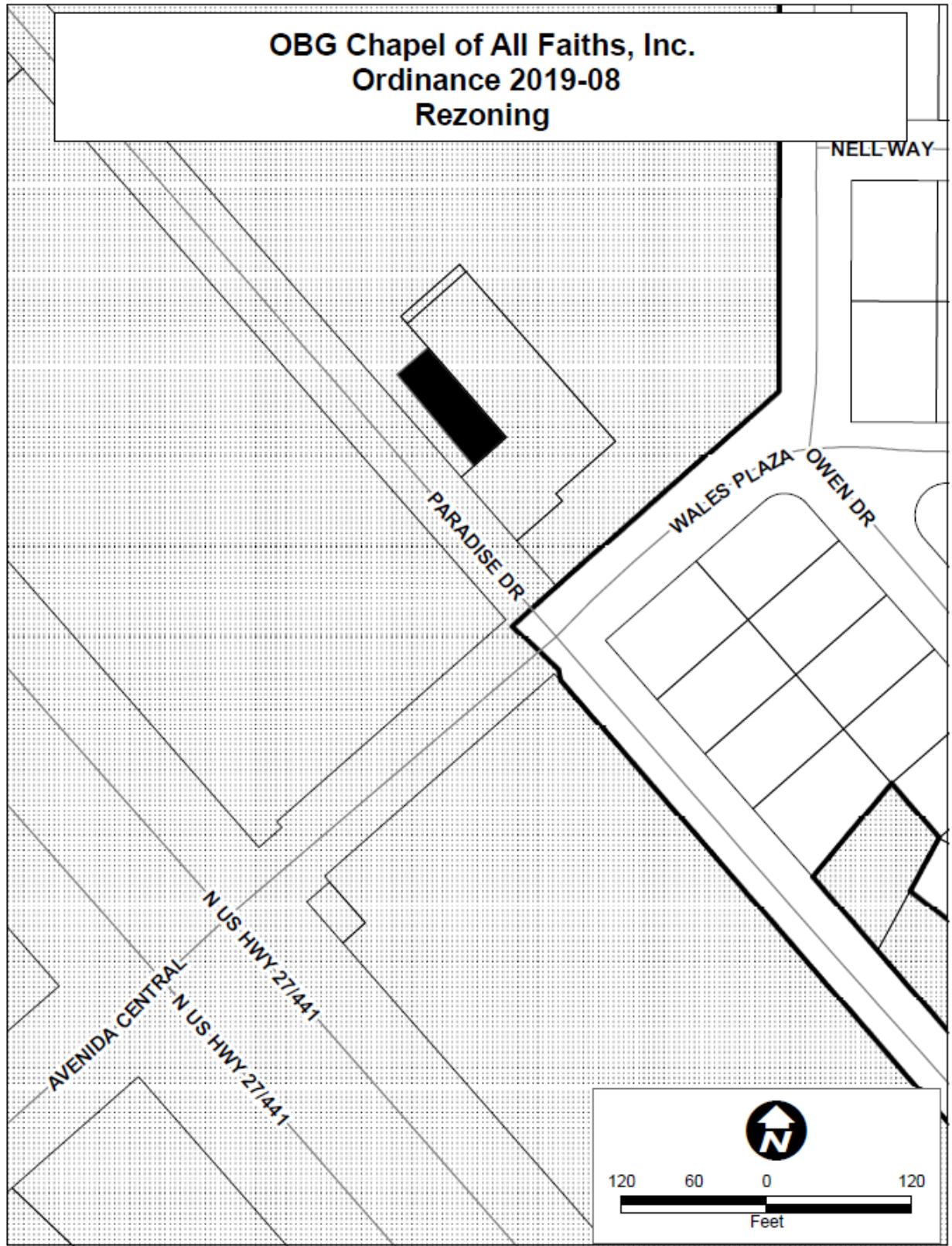
22 Approved as to form:

23 _____
24 Derek Schroth, Town Attorney

EXHIBIT A — Legal Description and Map

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Portion of Parcel ID#: 06-18-24-1100-000-01300; Commence at the most westerly corner of Lot 6, Orange Blossom Gardens Unit One, according to the plat thereof as recorded. In Plat Book 18, Page 9, Public Records of Lake County, Florida; thence run North 41 degrees 21 minutes 30 seconds West a distance of 60.00 feet to the intersection of the northwesterly right-of-way line of Wales Plaza with the Northwesterly extension of the northeasterly right-of-way line of Paradise Drive; thence along said northeasterly right-of-way line of Paradise Drive continue North 41 degrees 21 minutes 30 seconds West a distance of 120.10 feet to the most westerly corner of property described in official records book 1874, page 2324, public records of Lake County, Florida; thence along the westerly line of aforesaid property run North 48 degrees 38 minutes 30 seconds East a distance of 14.00 feet for the point of beginning; thence continue North 48 degrees 38 minutes 30 seconds East a distance of 36.00 feet to the southerly boundary of property described in official records book 698, page 2493, public records of Lake County, Florida; thence along said southerly boundary run North 41 degrees 21 minutes 30 seconds West a distance of 98.00 feet; thence departing said line run South 49 degrees 53 minutes 30 seconds West, a distance of 34.00 feet; thence South 40 degrees 11 minutes 26 seconds East, a distance of 98.76 feet to the point of beginning.



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EXHIBIT B—MEMORANDUM OF AGREEMENT

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This Memorandum of Agreement dated this ____ of _____, 2019, between the Town of Lady Lake, Florida, a Florida municipal corporation (the “Town”), whose mailing address is 409 Fennell Blvd., Lady Lake, Florida 32159, and Orange Blossom Gardens Chapel of All Faiths, Inc., whose mailing address is 1401 Paradise Drive, Lady Lake, FL 32159.

RECITALS

The Village Center Community Development District is the current owner of the subject parcel to be rezoned. Orange Blossom Gardens Chapel of All Faiths, Inc. is the current owner of another parcel abutting the subject parcel, as depicted and described in the Bubble Plan of Exhibit “C” and will be pursuing the purchase of the subject parcel upon rezoning ordinance being adopted.

The real property described as Parcel “A” in the legal description and Bubble Plan of Exhibit “C” enclosed is currently zoned Mixed Residential Medium Density “MX-8” pursuant to the zoning ordinances and Land Development Regulations of the Town and a Future Land Use of Recreation “P”. The real property described as Parcel “B” in the legal description and Bubble Plan of Exhibit “C” enclosed has a Future Land Use Map designation of Religious Facilities “RF” and is currently zoned Public Facilities District “PFD”.

The applicant wishes to change the current future land use of Parcel “A” to Religious Facilities (RF) and the zoning designation to Lady Lake Public Facilities District (PFD), consistent with Parcel “B” and with the Lady Lake Comprehensive Plan and Land Development Code.

This memorandum of Agreement in no way implies the authority of any governmental agency to interfere with the lawful activities or ministries of the church or to infringe upon the “Objective” of the Orange Blossom Gardens Chapel of All Faiths, Inc:

The general nature or objective of this corporation is to conduct religious worship and instruction, churches, pastorium, and other institutions connected therewith of a religious, educational, charitable or benevolent character to the end that its own members and others may be generally instructed and guided. The mission is to “advance spiritual growth and enlightenment among its membership by loving people into a life changing relationship with Jesus Christ”.

NOW THEREFORE, in recognition of the foregoing, the parties agree to the following terms and conditions as part of the proposed PFD zoning for that property depicted and described in the attached legal description of Exhibit “A” and depicted and described in the attached bubble map.

Lots: The Orange Blossom Gardens Chapel of All Faiths, Inc. property consists of two parcels.

1 Permitted Uses: Permitted uses within the Public Facilities District under Chapter 5, Section 4).
2 q). of the Town of Lady Lake Land Development Regulations to include house of worship, church
3 office with associated ministries including community outreach, Christian education,
4 congregation meetings, and worship, area to promote home and foreign missions, area for
5 men’s and women’s fellowship meetings, area for AA weekly meetings, classrooms
6 (educational), kitchen or café area with seating capacity for 25 to 35 guests, and future church
7 expansion.

8 Uses Expressly Prohibited: Any and all uses other than those aforementioned as “permitted
9 uses” shall be expressly prohibited.

10 Design Standards:

- 11 • The maximum impervious surface ratio (which includes building coverage) shall be 75 percent.
- 12 • The maximum building height is 35 feet unless adequate fire protection measures are provided as
13 stipulated in the current fire codes.
- 14 • Setback requirements shall be:
 - 15 • Front Yard Setback (where facing a public street): twenty feet minimum
 - 16 • Rear Yard Setback: ten feet minimum
 - 17 • Side Yard Setback: ten feet minimum

18 All structures must be permitted by the Town pursuant to site plans being submitted, and the
19 owner shall install and complete all required site improvements prior to the Town issuing a
20 Certificate of Occupancy for any permitted structure. Site plan approval shall be based upon
21 adherence to Chapter 7 of the Town’s Land Development Regulations.

22 Parking: Parking requirements shall be as required pursuant to Chapter 7 of the Town’s Land
23 Development Regulations for the specific use. A parking lot agreement between the Orange
24 Blossom Gardens Chapel of All Faiths, Inc. and the Village Center Community Development
25 District (VCCDD) has been entered into since October 30, 1998 and continues to be in effect since
26 the Church’s inception. The VCCDD owned property suitable for such improvements and the
27 Church agreed to pay for construction of the parking lot in exchange for first rights of free usage
28 of 62 regular, two Florida ADA accessible, and ten golf cart parking spaces during Church
29 services and other designated times as follows: at a minimum, subject to the agreement of the
30 parties, Sundays, Wednesdays, and other additional hours of the week as needed for special
31 events.

32 Landscaping: Approved uses shall comply with appropriate landscaping and buffering
33 requirements as required.

34 Signage: Signage shall be allowed pursuant to the provisions of Chapter 17 of the Town’s Land
35 Development Regulations.

1 Water Retention Areas: The drainage and storm water retention requirements of the Town and
2 the appropriate regulatory agencies shall be met and approved by the Town Consulting
3 Engineer. These areas shall be properly maintained by the developer.

4 Lighting: Parking lots that are to be used after dark shall be adequately lighted. All lighting for
5 the proposed facilities shall be designed and located such that light and/or glare shall be
6 directed upon the subject property only.

7 Potable Water, Sanitary Sewer and Reuse: The properties described in Exhibit "A" shall connect
8 to the VCCDD's water, central sewer, and reclaim/reuse systems at time of development. All
9 costs associated with design, permitting, engineering, materials, construction and inspections
10 shall be the sole cost of the owner/developer.

11 1. The terms and conditions as set forth in this Memorandum of Agreement shall insure to the
12 benefit of and shall constitute a covenant running with the land and under the terms, conditions
13 and provisions hereof, and shall be legally binding upon any heirs, assigns and successors in
14 title or interest, and shall be subject to each and every condition herein set out.

15 2. The properties shall be developed in substantial accordance with an approved bubble plan
16 incorporating all conditions of this Memorandum of Agreement. Approved uses shall comply
17 with access management requirements.

18 3. All applicable rules and regulations for development within the Town shall be met, including
19 but not limited to, final site plan approval, landscaping, drainage, parking, sign regulations, and
20 yard setbacks.

21 4. Enforcement of this Memorandum of Agreement shall be through the Town of Lady Lake
22 Town Commission. Upon approval of this agreement, the aforementioned property shall only be
23 used for the purposes described herein. No change in use, further expansion of the uses,
24 additions to the uses, or additions to the facilities shall be permitted except as approved by
25 formal amendment of this Memorandum of Agreement. Any other proposed use shall be
26 specifically authorized by amendment and approval of the Town of Lady Lake Town
27 Commission and shall be legally binding upon any heirs, assigns, and successors in title or
28 interest.

29 5. The owners shall be responsible for and shall comply with all county, state and federal rules
30 and regulations related to the proposed development of the property.

31 6. This agreement shall be governed by the State of Florida.

32 7. This Memorandum shall be recorded in the public record of Lake County, Florida.

1 8. Any amendments to this Memorandum of Agreement are binding only upon execution by
2 both the Orange Blossom Gardens Chapel of All Faiths, Inc. and the Town of Lady Lake.

3 **IN WITNESS WHEREOF**, the parties hereto have executed this Agreement on the date first
4 written.

5 Town of Lady Lake, Florida

6 _____
7 Jim Richards, Mayor

8 Attest:

9 _____
10 Kristen Kollgaard, Town Clerk

11 Approved as to form:

12 _____
13 Derek Schroth, Town Attorney

14 **AUTHORIZED REPRESENTATIVE**

15 _____
16 OBG Chapel of All Faiths, Inc.

17 **STATE OF FLORIDA**

18 **COUNTY OF LAKE**

19 The foregoing instrument was acknowledged before me this ____ day of _____, 2019 by
20 _____, Owners/Authorized Signer of the Property, who is
21 personally known to me or has produced _____ as identification.

22 My Commission Expires:

23 _____
24 Notary Public Signature

EXHIBIT “C” — LEGAL DESCRIPTIONS AND BUBBLE PLAN

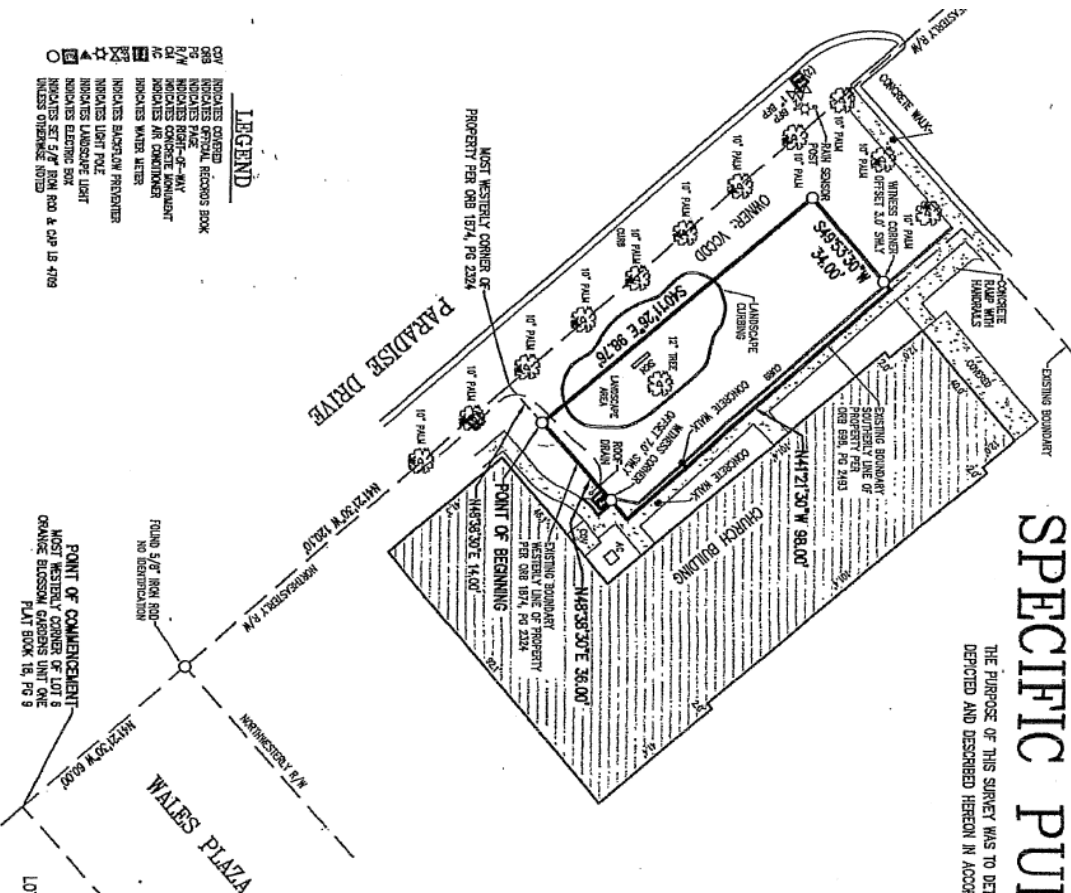
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Parcel “A”: 06-18-24-Portion of Parcel ID#: 06-18-24-1100-000-01300; COMMENCE AT THE MOST WESTERLY CORNER OF LOT 6, ORANGE BLOSSOM GARDENS UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED. IN PLAT BOOK 18, PAGE 9, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN NORTH 41 DEGREES 21 MINUTES 30 SECONDS WEST A DISTANCE OF 60.00 FEET TO THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY LINE OF WALES PLAZA WITH THE NORTHWESTERLY EXTENSION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF PARADISE DRIVE; THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF PARADISE DRIVE CONTINUE NORTH 41 DEGREES 21 MINUTES 30 SECONDS WEST A DISTANCE OF 120.10 FEET TO THE MOST WESTERLY CORNER OF PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 1874, PAGE 2324, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG THE WESTERLY LINE OF AFORESAID PROPERTY RUN NORTH 48 DEGREES 38 MINUTES 30 SECONDS EAST A DISTANCE OF 14.00 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 48 DEGREES 38 MINUTES 30 SECONDS EAST A DISTANCE OF 36.00 FEET TO THE SOUTHERLY BOUNDARY OF PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 698, PAGE 2493, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID SOUTHERLY BOUNDARY RUN NORTH 41 DEGREES 21 MINUTES 30 SECONDS WEST A DISTANCE OF 98.00 FEET; THENCE DEPARTING SAID LINE RUN SOUTH 49 DEGREES 53 MINUTES 30 SECONDS WEST, A DISTANCE OF 34.00 FEET; THENCE SOUTH 40 DEGREES 11 MINUTES 26 SECONDS EAST, A DISTANCE OF 98.76 FEET TO THE POINT OF BEGINNING.

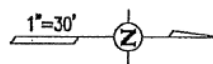
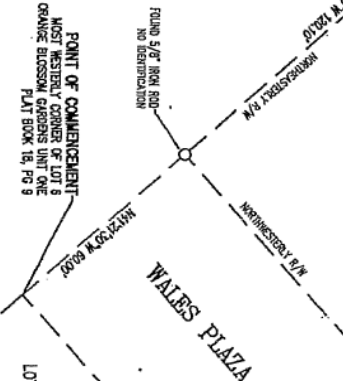
Parcel “B”: 06-18-24-0003-000-01100; AK 1278546; BEG AT THE INTERSECTION OF E'LY R/W OF WALES PLAZA & N'LY R/W OF PARADISE DR, BEING SW COR LOT 6 ORANGE BLOSSOM U-1, N 41DEG 21MIN 30SEC W 305 FT, N 48DEG 39MIN 30SEC E 50 FT TO POB, CONT N 48DEG 39MIN 30SEC E 65 FT, S 41DEG 21MIN 30SEC E 186.90 FT, S 48DEG 39MIN 30SEC W 65 FT, N 41DEG 21MIN 30SEC W 186.90 FT TO POB, FROM INTERSECTION OF NW'LY R/W LINE OF WALES PLAZA & SE'LY PROJECTION OF NE'LY R/W LINE OF PARADISEDR, THENCE PROCEED NW'LY ALONG SAID PROJECTION OF PARADISE DR 50.10 FT FOR POB, RUN N 48DEG 38MIN 30SEC E PARALLEL WITH SAID R/W LINE OF WALES PLAZA A DIST OF 50 FT, N 41DEG 21MIN 58SEC W PARALLEL WITH SAID R/W OF PARADISE DR A DIST OF 70 FT, S 48DEG 38MIN 30SEC W PARALLEL WITH SAID NW'LY R/W LINE A DIST OF 50 FT TO A POINT ON SAID NE'LY R/W LINE OF PARADISE DR, S 41DEG 21MIN 58SEC E ALONG SAID NE'LY R/W LINE A DIST OF 70 FT TO POB ORB 697 PG 2012, ORB 698 PG 2493, ORB 1259 PG 2489, ORB 1270 PG 1258, ORB 1874 PG 2324.

SPECIFIC PURPOSE SURVEY

THE PURPOSE OF THIS SURVEY WAS TO DETERMINE THE LINES OF THE PARCEL DEPICTED AND DESCRIBED HEREON IN ACCORDANCE WITH CLIENT'S INSTRUCTIONS.



- LEGEND**
- INDICATES CORNER
 - INDICATES POINT
 - INDICATES PLATE
 - INDICATES RIGHT-OF-WAY
 - INDICATES CONCRETE ADJUTANT
 - INDICATES AIR CONDUIT
 - INDICATES WATER METER
 - INDICATES AIRWAY PERMITTER
 - INDICATES LIGHT POLE
 - INDICATES LANDSCAPE LIGHT
 - INDICATES ELECTRIC BOX
 - INDICATES SET 5/8\"/>



LEGAL DESCRIPTION

COMMENCE AT THE MOST WESTERLY CORNER OF LOT 6, ORANGE BLOSSOM GARDENS UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 18, PAGE 9, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN N41°21'30\"/>

NOTES:

1. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL BLIND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. REVISIONS SHOWN HEREON ARE ASSUMED HERETO BE MADE ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF PARADISE DRIVE AS BEING N41°21'30\"/>

DATE: 6/14/17
 NAME: M. JAMESON, PROFESSIONAL SURVEYOR & MAPPER
 FLORIDA LICENSE NO. 10182

CLIENT	PROJECT
ORANGE BLOSSOM GARDENS UNIT ONE	CONCRETE ADJUTANT
1875 NW 57TH AVE	
LAKE COUNTY, FLORIDA	
DATE: 6/14/17	
SCALE: AS SHOWN	
DATE: 6/14/17	
DATE: 6/14/17	



4400 W. Lake Road • Winter Springs, FL 32789 • (407) 748-1128
GARNER
 SURVEYORS & ENGINEERS, INC.
 12 SURVEYORS