ORDINANCE 2022-18

AN ORDINANCE OF THE TOWN OF MONTVERDE, FLORIDA, AMENDING SECTION 4-84 IN CHAPTER 4 OF THE TOWN OF MONTVERDE LAND DEVELOPMENT CODE TO REMOVE ASPHALT AS AN OPTION FOR DRIVEWAY APRONS, INCREASE POUNDS PER SQUARE OF CONCRETE FROM 3,000 TO 3,500, AND INCLUDE DRIVEWAY APRON DETAIL; PROVIDING FOR CODIFICATION AND SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council desires to further protect the Town's streets and roads by improving material requirements for driveway aprons; and

WHEREAS, the Town Council is authorized pursuant to Ch. 166, Florida Statutes to adopt this ordinance; and

WHEREAS, the Planning and Zoning Board of the Town of Montverde considered this ordinance at a public meeting and has made a recommendation to Town Council; and

WHEREAS, the Town Council of the Town of Montverde held a public hearing which was advertised in accordance with law and held such public hearing no less than 10 days after the day advertisement was published.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Montverde, Florida, as follows:

SECTION 1. Legislative Findings and Intent. The findings set forth in the recitals above are hereby adopted as legislative findings pertaining to this Ordinance.

SECTION 2. That Section 4-84 in Chapter 4, in Part XXVII – Montverde Land Development Code of the Town of Montverde Code of Ordinances shall be amended to read as follows:

Sec. 4-84. – Road aprons.

Property owners shall be required to construct aprons to serve as connectors between private streets and driveways and public streets and roads to help avoid unnecessary wear and deterioration of streets and roads.

(1) Every application for a building permit for new construction shall have attached to it a plan or drawing for a road apron to connect the building lot with the nearest public street or road.

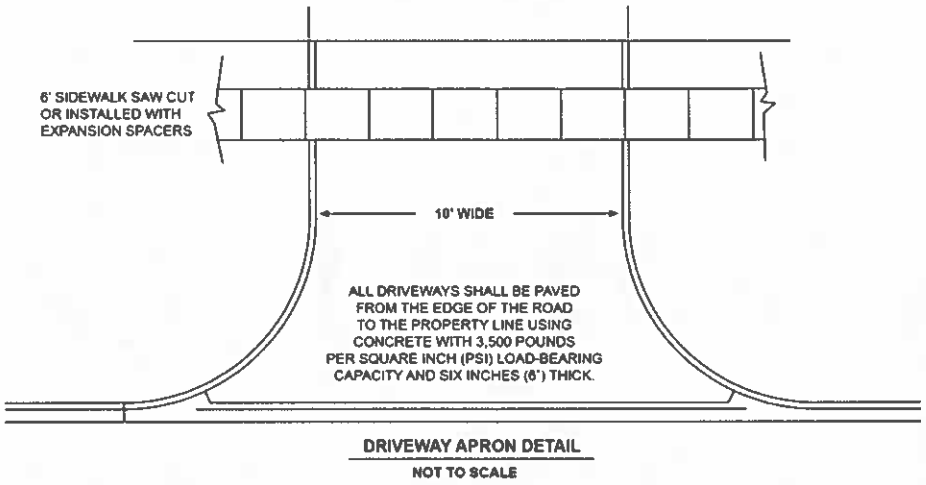
(2) The road apron shall be a minimum ten feet wide (parallel to the public road) and five feet deep and shall be constructed of ~~asphalt or~~ concrete which meets or exceeds the construction specifications of the abutting public roadway.

(3) No certificate of occupancy on any new construction shall be issued until the road apron is constructed and approved by the town or its representative.

(4) All driveways shall be paved from the edge of the paved road to the property line using concrete as specified in this section ~~or cement concrete pavement~~ with ~~3,000~~ 3,500 pounds per square inch (psi) load-bearing capacity and six inches (6") thick. See Figure 4-84.

(5) In instances where a Town road is not paved, the driveway shall extend five (5') feet beyond the sidewalk or planned sidewalk route as determined by the town manager or designee.

FIGURE 4-84



SECTION 3. Codification. It is the intent of the Town Council of the Town of Montverde that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in renumbering and codifying the provision of this Ordinance.

SECTION 4. Severability. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

SECTION 5. Conflicts. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this Town, the provision of this Ordinance shall govern.

SECTION 6. Effective Date. This Ordinance shall become effective immediately upon adoption.

PASSED AND DULY ADOPTED by the Town of Montverde, Lake County, Florida this 8th day of November, 2022.

Joe Wynkoop, Mayor

Attest:

Sandy Johnson, Town Clerk

Approved as to form and legality:

Anita Geraci-Carver, Town Attorney

First Reading 10-18-2022
Second Reading 11-8-2022

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

	YEA	NAY
Bill Bates, Councilmember	✓	
Allan Hartle, Councilmember	✓	
Jim Ley, Vice Mayor	✓	
Judy Smith, Councilmember	✓	
Joe Wynkoop, Mayor	✓	