

Planning will advertise. See correspondence folder for related emails.




Interoffice Memorandum

DATE: September 3, 2021

TO: Katie A. Smith, Deputy Clerk of the
Board of County Commissioners,
County Comptroller's Office

THROUGH: Cheryl Gillespie, Supervisor,
Agenda Development Office

FROM: Christopher Testerman, AICP, 
Deputy County Administrator

CONTACT PERSON: **Misty Mills**
Planner III
(407) 836-5570 or misty.mills@ocfl.net

SUBJECT: First Amendment to the Joint Planning Area (JPA)
Interlocal Agreement between Orange County and
the City of Mount Dora

Applicant:	N/A
Type of Hearing:	Joint Planning Area (JPA) Agreement
Commission District:	2
BCC Public Hearing Required by:	N/A, however, JPA requires a public hearing
Clerk's Advertising Requirements:	At least 10 days before the BCC public hearing date, a regular enactment advertisement in <i>The Orlando Sentinel</i> describing the particular request, the general location of the subject property, and the in compliance with Florida Statutes No. 125.66(4)(b)(1)&(2)

Spanish Contact Person: IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, CONTACT THE ORANGE COUNTY PLANNING DIVISION: Email: planning@ocfl.net or phone, 407-836-5600

PARA MÁS INFORMACIÓN, REFERENTE A ESTA VISTA PUBLICA CON RESPECTO A UNA AUDENCIA PUBLICA SOBRE PROPIEDAD EN SU AREA/VECINDAD, FAVOR COMUNICARSE CON LA DIVISIÓN DE PLANIFICACION, AL NUMERO, 407-836-5600

Material Provided:

- (1) Proposed First amendment to the Joint Planning Area (JPA) Interlocal Agreement between Orange County and the City of Mount Dora

Special instructions to the Clerk:

- (1) Please schedule this public hearing for October 12, 2021.
 - (2) The Deputy County Administrator will submit two originals already executed by the City of Mount Dora to the Clerk's office. Please transmit both fully executed originals to the Planning Division upon approval.
- c: Chris R. Testerman, AICP, Deputy County Administrator
Jon V. Weiss, Director, Planning, Environmental, and Development Services Department
Alberto Vargas, March, Manager, Planning Division
Gregory Gologowski, Chief Planner, Planning Division

**FIRST AMENDMENT TO
JOINT PLANNING AREA INTERLOCAL AGREEMENT
BETWEEN
ORANGE COUNTY
AND
THE CITY OF MOUNT DORA**

THIS FIRST AMENDMENT TO THE JOINT PLANNING AREA INTERLOCAL AGREEMENT ("First Amendment") is made and entered into between **ORANGE COUNTY, FLORIDA**, a Charter County and political subdivision of the State of Florida, (the "County"), and the **CITY OF MOUNT DORA, FLORIDA**, a Florida municipal corporation (the "City").

RECITALS

WHEREAS, the County and the City entered into a certain Joint Planning Area Interlocal Agreement ("Agreement") on November 19, 1996, with the purpose of engaging in coordinated planning of an approximately 1,265-acre area located in Orange County and adjacent to the City's municipal boundaries;

WHEREAS, The Parks of Mt. Dora, LLC ("Parks of Mt. Dora"), has applied to Orange County for a future land use map amendment for an approximately 63-acre parcel of property within Orange County, described as Parcel Identification Number 04-20-27-0000-00-001 ("Property"), from Growth Center-Planned Development-Office/Low-Medium Density Residential (GC-PD-O/LMDR) to Growth Center-Planned Development-Low-Medium Density Residential (GC-PD/LMDR) (Orange County Future Land Use Map Amendment Number 2021-1-A-2-1);

WHEREAS, the Parks of Mt. Dora's requested future land use map amendment necessitates that the County and the City amend the existing Joint Planning Area Conceptual Map ("JPACM") to change the designation on the JPACM for the Property from Office and Low-Medium Density to Low-Medium Density Residential;

First Amendment to the Joint Planning Area Interlocal Agreement between Orange County and the City of Mount Dora

WHEREAS, if the future land use map amendment is adopted by the County, the Parks of Mt. Dora intends to seek to rezone the Property to construct up to 188 single family detached dwelling units on the Property, consistent with the Low-Medium Density Residential designation;

WHEREAS, the adoption of the Parks at Mt. Dora's pending future land use map amendment application before the County is contingent upon the County and the City entering into this First Amendment; and

WHEREAS, pursuant to Section 163.3171(3), Florida Statutes (2021), this First Amendment has been approved by the Mount Dora City Council and the Orange County Board of County Commissioners at separate advertised public hearings.

NOW THEREFORE, in consideration of the premises and the mutual covenants contained herein, the County and the City hereby agree as follows:

Section 1. Recitals. The above Recitals are true and correct and are incorporated herein by reference.

Section 2. Authority. This First Amendment is entered into pursuant to (1) Chapters 125, 163 and 166, Florida Statutes (2021), and (2) the Agreement.

Section 3. Amendment of JPACM. The Agreement is hereby amended to delete the **Exhibit "A,"** JPACM, in its entirety and replace the same with **Exhibit "A,"** the revised JPACM, attached hereto. The sole purpose for substituting the new Exhibit "A" with a revised JPACM is to change the designation for the Property from Low-Medium Density and Office to Low-Medium Density Residential. Accordingly, **Exhibit "A"** attached hereto shall supersede the JPACM, attached to the Agreement.

First Amendment to the Joint Planning Area Interlocal Agreement between Orange County and the City of Mount Dora

Section 4. No Third Party Beneficiaries. Nothing in this First Amendment, expressed or implied, is intended or shall be construed to confer upon or give any person or entity, including The Parks of Mt. Dora, or neighboring property owners, any right, remedy, or claim under or by reason of this First Amendment or any provisions or conditions hereof, other than the parties hereto.

Section 5. Remaining Provisions Unchanged. Except as expressly set forth herein, all other provisions of the Agreement shall remain unchanged and in full force and effect.

Section 6. Effective Date. This First Amendment shall become effective upon the date of approval by the Board of County Commissioners or the date of approval by the City Council, whichever date is later.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

First Amendment to the Joint Planning Area Interlocal Agreement between Orange County and the City of Mount Dora

IN WITNESS WHEREOF, the County and the City have approved and executed this First Amendment on the dates inscribed below.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Jerry L. Demings
Orange County Mayor


Date: _____, 2021

ATTEST: Phil Diamond, CPA, County
Comptroller as Clerk of Board of County
Commissioners

By: _____
Deputy Clerk

First Amendment to the Joint Planning Area Interlocal Agreement between Orange County and the City of Mount Dora

**CITY OF MOUNT DORA, a Florida
Municipal Corporation**

By: 
Cathy T. Hoechst
Mayor of the City of Mount Dora, Florida

Date: September 7, 2021

ATTEST:


Jessica Burnham
City Clerk

For the use and reliance of City of Mount Dora only.
Approved as to form and legal sufficiency.

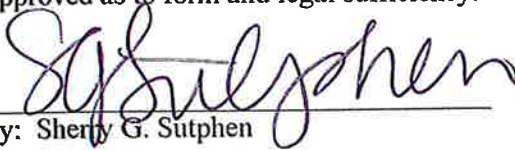

By: Sherry G. Sutphen
City Attorney

EXHIBIT "A"

