



**CITY OF CLERMONT
COUNCIL MEETING AGENDA
6:30 PM, Tuesday, January 9, 2018**

Welcome to our Council meeting. In the interest of time efficiency and ensuring that everyone who wishes to address the Council is given the opportunity to do so, the following will apply to all comments made by the public. Each speaker will be permitted 3 minutes to address the Council. These time limits may be changed by the Mayor. Thank you for participating in your City Government.

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS

FY 2017 Quarterly Budget Presentation

PUBLIC COMMENTS

REPORTS

CONSENT AGENDA

The next portion of the meeting is the consent agenda which contains items that have been determined to be routine and non-controversial. If anyone in the audience wishes to address a particular item on the consent agenda, now is the opportunity for you to do so. Additionally, if staff or members of the City Council wish to speak on a consent item, they have the same opportunity.

Item No. 1 - Purchase Approval

Consider single/sole source purchase from CUES, Inc. to acquire software upgrade and parts for existing equipment in the total budgeted amount of \$177,740.

Item No. 2 - Bid Award

Consider bid award to William Medley Construction, Inc. d/b/a Medley Sports Construction to provide Hancock Park Renovations Phase II, in the total budgeted amount of \$212,500.

Item No. 3 - Bid Award and Budget Amendment

Consider bid award to William Medley Construction, Inc. d/b/a Medley Sports Construction to provide Lake Felter Park Renovations, in the total amount of \$184,950 and a budget amendment to the Infrastructure Fund in the amount of \$49,950.

Item No. 4 - Contract Award

Consider request to piggyback Volusia County B.C.C. contract with Cintas Corporation No. 2 to provide uniform rental, lease and purchase services in an estimated annual budgeted amount of \$50,000.

CITY OF CLERMONT
COUNCIL MEETING AGENDA
6:30 PM, Tuesday, January 9, 2018

- | | |
|--|---|
| Item No. 5 - Contract Award | Consider request to piggyback the Lake County B.C.C. contracts with Team Equipment, Inc., Ten-8 Fire Equipment, Inc., Technical Rescue.com, Inc. to provide fire equipment parts, supplies and service in the estimated budget amount of \$100,000. |
| Item No. 6 - Event and Open Container Request | Consider allowing The Singles Run 5K to have open container for their event on February 10, 2018 at Waterfront Park. |
| Item No. 7 - Temporary Parking/Access Easement Agreement | Consider agreement approval with Wallace & Wolfe Properties, Inc. for the City of Clermont Boat Ramp. |

UNFINISHED BUSINESS

- | | |
|--|--|
| Item No. 8 - Resolution No. 2017-52
<i>Quick Lane</i> | Consider a Conditional Use Permit to expand the Ford of Clermont Automotive dealership located at 1101 E. Hwy. 50. |
|--|--|

NEW BUSINESS

- | | |
|--|--|
| Item No. 9 - Variance Request
<i>Spencer</i> | Consider request for setback variances for a new single family residence. |
| Item No. 10 - Lien reduction or waiver request | Consider request for a reduction or waiver of liens placed against the property in the amount of \$139,250.00. |
| Item No. 11 - Event and Road Closure Request | Consider Downtown Partnership request to host weekly Farmer's Market and Merchant Faire with road closures for 12 months. |
| Item No. 12 - Fee Reduction Request
<i>2018 Spring Games</i> | Consider PFX Athletics request for fee reduction and concession stand usage. |
| Item No. 13 - Board Appointments | Appointment to the Planning and Zoning Commission for the remaining term ending December 2018 and the Lake County Arts and Cultural Alliance for the remaining two-year term ending July 31, 2018. |
| Item No. 14 - Ordinance No. 2017-37 <i>Introduction Public Works</i> | Consider annexation of 35.87 acres, south of Hooks Street, north of Trade Avenue and East of Hancock Road. |

**CITY OF CLERMONT
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6:30 PM, Tuesday, January 9, 2018**

Item No. 15 - Ordinance No. 2018-01 *Introduction
Land Development Code Changes*

Consider ordinance introduction to amend the code related to minimum acreage requirements for PUD's, variance requests, and construction activity/noise.

Item No. 16 - Ordinance No. 2018-02 *Introduction
Comprehensive Plan Text Change*

Consider ordinance introduction to allow the floor area ratio (FAR) of 1.0 for residential storage facilities in the Commercial Land Use category.

ADJOURN

Any person wishing to appeal any decision made by the City Council at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. In accordance with the Americans with Disabilities Act (ADA), if any person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding he/she should contact Clermont, City Clerk's Office, 352-241-7330.

Please be advised that if you intend to show any document, picture, video or items to the Council or Board in support or opposition to any item on the agenda; a copy of the document, picture, video or item must be provided to the City Clerk for the City's records.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 9, 2018		
Agenda Item Name		
Purchase Approval		
Requested Action		
Recommend to approve single/sole source purchase from CUES, Inc. to acquire software upgrade and parts for existing equipment.		
Staff Report		
The Purchasing Department and the Environmental Services Department recommend approval of the above action. In accordance with the direction of City Council, the Purchasing Department issued a Request for Interest (RFI) number 1812-002 to verify whether the specifications for the commodity specified are non-restrictive and capable of being met by more than one company. The City of Clermont Purchasing Policy provides that a purchase may be made without competition when there is only one source for the required product or service. Therefore a single/sole source purchase is justified if there is only one product of service that can reasonably meet the City's need and there is only one company that can provide such product or service. The RFI was posted on the City's website for seven (7) business days. At the completion of the RFI, the Purchasing Department received no interest. Based on this, staff recommends that Council approve the single/sole source purchase.		
Additional Analysis		
Fiscal Impact Summary		
The fiscal impact of \$177,740 is included in the current year approved budget.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. RFI and Single/Sole Source Justification		RFI 1812-002.pdf



REQUEST FOR INFORMATION

Justification of Sole Source Acquisition from CUES, Inc.

CONTACT INFORMATION:	RFI No. 1812-002	ISSUED DATE: December 11, 2017
Freddy Suarez Purchasing Director EMAIL: fsuarez@clermontfl.org Phone: (352) 241-7350	NOTICE OF INTENT TO SOLE SOURCE PURCHASE NOTICE END DATE: <u>December 19, 2017 at 2:00 P.M. (EST)</u> DEADLINE FOR WRITTEN QUESTIONS: <u>Not Applicable</u>	

SOLICITATION RESPONSE: Responses will be received until the notice end date specified above or as otherwise amended. No late responses will be accepted.

Responses may be submitted electronically to the Purchasing Director by email.

Hardcopy responses may be delivered to: City of Clermont Purchasing Department, 685 West Montrose Street, 2nd Floor, Clermont, FL 34711.

This Request for Information (RFI) is intended to verify whether the specifications for the commodity specified below are non-restrictive and capable of being met by more than one company. **This is not an invitation to submit a bid or quote.** This notice will be posted for seven (7) business days.

The City of Clermont Purchasing Policy provides that a purchase may be made without competition when there is only one source for the required supply or service. Therefore a "sole source" purchase is justified if there is only one product or service that can reasonably meet the City's need and there is only one vendor who can provide the product or service.

1 – SOLE SOURCE INFORMATION

(a) Department: Environmental Services Department

(b) Company Information: CUES, Inc.

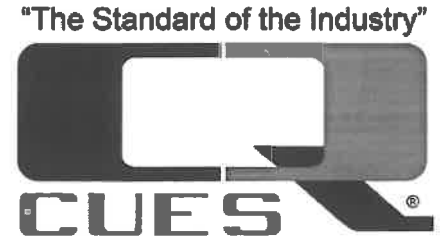
(c) Product or Service Provided: To provide wastewater pumps, parts, factory reconditioning & services

(d) Sole Source Justification: There's only one manufacturer who can provide the software upgrade and attachment parts to existing equipment.

2 – ACTION TO BE TAKEN

No action is required if you agree the proposed purchase is a valid sole source. If you disagree that the proposed purchase is a valid sole source, please contact the Purchasing Director by email or by mail prior to the "Notice End Date" indicated above to advise whether your company can provide the product or service mentioned above.

Prospective respondents are requested to provide information regarding their ability to provide the product or service described. **Respondents are not to provide pricing.** All responses will be evaluated by the Purchasing Department and the Department requesting the product or service which will be the sole determining power in establishing the approved equal status of the commodity offered by the respondent.



100% Full Circle Compatibility Note

CUES current cameras, lightheads, Power Control Units, Footage Systems are 100% compatible with your existing CUES TV equipment. This full circle compatibility allows older equipment to operate on newer TV systems and newer equipment to operate on older systems.

Justification

- CUES, Inc. is the sole manufacturer and supplier of OEM (*Original Equipment Manufacturer*) products/parts for your existing CUES TV equipment.
- The proposed purchase of new equipment and parts is **100% compatible** with your existing CUES TV equipment.
- CUES, Inc. is the sole manufacture of the ProData, Summit System and Granite XP video/footage capture system. CUES, Inc. has the only in-house software support team. Other products in the market are 3rd party add-on programs and offer no in house support.
- The CUES DUC, OZII and OZIII Pan/Tilt Cameras, Ultra Shorty Tractor, Pipe Ranger are solely manufactured by CUES in Orlando, Florida.
- The CUES Mini Push 2020 and MP+ Lateral Inspection units are solely manufactured by CUES in Orlando, Florida. The MiniPush translator adapter allows full interconnect to your TV unit's existing VCR, Monitor and data system.
- CUES, Inc. maintains over \$20 million dollars in parts and supplies that eliminates the need for you to have an extensive part inventory.
- The manufacturing center, customer support center and stockroom are located in Orlando, Florida.

Other manufactures may claim to have components i.e. cameras, etc. that can be modified to operate on your existing CUES system, however this may require special one of a kind cables or modifications to the internal electronics of your camera, Power Control Unit, etc. Any modification to the system's electronics voids the manufactures warranty and the life-time loaner policy.



TV Retrofit Quote

CLERMONT CITY OF (FL)

Jerrone McLaren
Clermont, FL 34711
jmclaren@clermontfl.org

Thank you for your time and the opportunity to provide you pricing on retrofitting your existing CUES TV Inspection Vehicle. By upgrading, it will allow for much more efficient and effective inspections to be completed. We are always upgrading our technology and materials to meet customer demand and now more than ever having the proper equipment for infrastructure inspection is essential.

Retrofits are complex and we do our best to make sure the quote is all inclusive of all items needed to complete the retrofit. We, of course, have not thoroughly tested any of the equipment that will remain as part of your retrofit so there is always a possibility of a repair, replacement, or extra item needed at any point during the retrofit process. We do not anticipate this, however, it is important to make you aware.

Finally, please review the entire document for full product descriptions and to ensure accuracy of the quote. I again, appreciate your time and the opportunity to provide pricing and hope to earn your business.

DELIVERY ESTIMATE	PAYMENT TERMS	EXPIRATION DATE
90 – 120 DAYS AFTER RECEIPT OF ORDER ¹	NET 30 W.A.C ²	30 DAYS FROM 11/1/2017
		PRICE
LAMP2 RETROFIT ONTO EXISTING CUES TRUCK		\$143,780.00
- PLEASE REVIEW FULL COMPONENT LIST FOR DETAILED DESCRIPTION		
DISCOUNT		-\$26,020.00
TOTAL		\$117,760.00³
OPTIONAL ADD-ON'S (NOT INCLUDED IN BASE QUOTE ABOVE)		PRICE

Sincerely,

Chris Parker

Regional Sales Manager – Florida

Cell: 407.446.7445 | Office: 800.327.7791 x330
cparker@cuesinc.com

¹ Delivery is an estimate based on Production and Inventory as of date of quote and are subject to change based date of order received. For accurate delivery information, please contact your CUES Representative at time of order for updated delivery terms.

² NET 30 is based on an active and current CUES account with approved credit application on file with CUES Accounting.

³ Pricing does not include any applicable local sales tax that may be applied to your order based on your tax-exempt status.

Specifications For: Clermont, FL**1 SELF PROPELLED LATERAL INSPECTION / EVALUATION SYSTEM, WHEELED, FOR 6" - 30" MAINLINE AND 3" - 8" LATERAL INSPECTION, WITH LATERAL PAN & TILT CAMERA AND PAN AND TILT / ZOOM MAINLINE CAMERA, AND WIRELESS CONTROL TO INCLUDE:**

- 1 Mainline Pan, Tilt, and Zoom Camera to Include:
 - 1 Mainline Solid State Color Sewer TV Camera with:
 - 1 Pan, Tilt & Rotate Camera Head
 - 1 40:1 Zoom Ratio, 10x Optical Zoom, 4x Digital Zoom, NTSC Color Standard
 - 1 360 Degree Range of Rotation, 270 Pan Viewing Angle, Panning 360 Degrees
 - 1 Auto Iris, Auto Focus, Manual Override of Focus and Iris
 - 1 Camera will also be Used for:
 - 1 Monitoring Lateral Pan & Tilt Camera During Extend / Retract Operation
 - 1 Light Assembly, Pan & Tilt Zoom Camera, 6" - 72" lines
 - 1 White LED Field Replaceable Lamps
 - 1 Automatic Centering
- 1 Lateral Pan & Tilt Camera to Include:
 - 1 Solid State Color Sewer TV Camera with:
 - 1 Continuous 360 Degree Rotation, 360 Degree Pan, and 270 Degree Tilt
 - 1 Sonde, Built in, for Locating Purposes with:
 - 1 Switchable Frequencies, Choice of 8kHz and 512 Hz
 - 1 Purge and Pressurization Valve, for Lateral Pan & Tilt Camera
 - 1 Dual Wiper System Built Into Lateral Pan & Tilt Camera
 - 1 Built in Directional White LED Lighting for Lateral Pan Tilt Camera for:
 - 1 3" - 15" Line Illumination
 - 1 Powered Built in Self Leveling Feature, Manual Focus, and Auto Exposure
 - 3 Guide Probes of varying lengths for Lateral Pan & Tilt Camera 1
- Lateral Launcher, for Lateral Pan and Tilt Camera to include:
 - 1 Self Propelled Launcher Robot with Freewheel, Forward, and Power Reverse
 - 1 Camera Head Mounting Assembly with Rotation Positioning, Articulating Hinge
 - 1 Push Cable Drive Assembly - Two-Speed Extend / Retract Camera Positioning
 - 1 Rear tip-up connector
 - 1 Interconnect Cable for Launcher to Push Cable
 - 1 Interconnect Cable for Control System to Power Control Unit
 - 1 Single-point quick wheel removal system
 - 1 6 each 3.5" diameter tires for 6" pipe
 - 1 6 each 4.375" diameter tires for 8" pipe
 - 1 6 each 5" diameter tires for 10"-15" pipe
 - 1 Pneumatic Tire Kit for 12" - 15" pipe
 - 1 Rear Housing Assembly to Add Optional Rear View Color Camera
- 1 Lateral Reel / Control Assembly / Wireless Controller
 - 1 Electric Reel with Slipping and Clutch for:
 - 1 Powered Retrieve of Push Cable
 - 1 Control System to Include Launcher / Self Propelled Robot Control with:
 - 1 Extend / Retract, Left / Right Rotation, Camera Selection
 - 1 Picture In Picture Selection / Cable Drive Speed
 - 1 1000 ft. Video Cable, 8 Conductor with Cable End Termination
 - 1 Controller with Forward, Freewheel, and Power Reverse / Variable Speed Control:
 - 1 Self-Propelled Launcher Robot
- 1 All Launcher, Camera, and Reel Functions Shall be Controlled by the Wireless Hand Held Summit System Controller
- 1 Rear- View Camera
 - 1 Color NTSC Camera
 - 1 Lighting with (12) Solid State White LEDs

1 QUICK CABLE LOCK PIGTAIL COUPLER KIT**1 100' PUSH CABLE FOR LATERAL INSPECTION SYSTEM**

1 [LAPTOP] COMPUTER ONLY WINDOWS 10 [NO Granite SOFTWARE]

1 Intel Core i7-6600U (2.80 GHz, 4MB cache) CPU

1 Eight (8) GB of DDR4-2133 MHz

1 1 TB (5,400 RPM) Hard Drive

1 AMD Radeon R7 M360 W/2 GB of graphics memory

1 15.6" HD (1366x768) Anti-Glare LED-backlit Display

1 Onboard audio with built-in stereo speakers Sound

1 802.11ac + Bluetooth 4.0, Dual Band 2.4 & 5 GHz, 1x1

1 Network connector (RJ-45) Port

2 USB 2.0 Ports

1 USB 3.0 Port

1 Stereo headphone / Microphone combo jack

1 Media Card Reader (SD, SDHC, SDXC)

1 Docking Connector

1 HDMI Port

1 Integrated Widescreen HD (720p) Webcam with Single Digital Microphone

1 Windows 10 Professional 64-bit Operating System

1 62 WHr, 4-Cell Battery

1 Full size, spill-resistant keyboard

1 Video Capture Device

1 USB 3.0 Flash Drive

*Specifications Subject to Change, Component List Above Reflects Equipment to be Supplied (Minimum)

Additional Options are Available

1 DOCKING STATION

1 SLIDEOUT TRAY FOR LAPTOP

1 PACP MODULE GraniteNet SOFTWARE

1 LACP MODULE GraniteNet SOFTWARE

1 LATERAL INSPECTION MODULE GraniteNet SOFTWARE

1 DATA GIS SYSTEMS REMOTE ONLINE IMPLEMENTATION ASSISTANCE GraniteNet

1 TRAINING, ON-SITE (THREE DAYS)

1 CUSTOMER DROP-OFF/PICK-UP OF COMPLETED UNIT IN ORLANDO, FL USA



EQUIPMENT QUOTE

CLERMONT CITY OF (FL)

Jerrone McLaren
Clermont, FL 34711
jmclaren@clermontfl.org

Thank you for your time and the opportunity to provide you pricing on CUES Equipment. CUES continues to be the industry leader as it has since 1964, providing the highest quality hardware, software, service, and support for all of your pipeline inspection needs. A question everyone should ask of any potential vendor is what makes us different than all the others? In this case, *Why CUES?*

- ✓ Cues, Inc. is the leading manufacturer of CCTV video equipment in the world and has been in business for over 50 years.
- ✓ 100% American Made. All Engineering, Sales, Services, and Support are completed in-house, in the USA.
- ✓ The Cues Factory, Customer Support Center, and Stock Room are all centrally located in Orlando, FL.
- ✓ We carry over \$25 million in Parts and Loaner Inventory with over 98% of them shipping the same day.
- ✓ Loaner Equipment is Available for the Lifetime that you own Cues Products...meaning limited downtime.
- ✓ The *only* manufacturer who has its own Software Support Staff and solely manufactures the Granite Software Platforms.
- ✓ No 3rd Parties. No Dealers. We provide direct factory sales, service, and support for the lifetime of the product.
- ✓ Continued Equipment Support for years after purchase with over 175,000 Engineering Drawings on file.

DELIVERY ESTIMATE	PAYMENT TERMS	EXPIRATION DATE
8 WEEKS AFTER RECEIPT OF ORDER ¹	NET 30 W.A.C ²	30 DAYS FROM 10/25/2017
		PRICE
MARK3 ELECTRIC CART SYSTEM		\$68,025.00
DISCOUNT		-\$8,045.00
TOTAL		\$59,980.00³
OPTIONAL ADD-ON'S (NOT INCLUDED IN BASE QUOTE ABOVE)		PRICE

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Parker'.

Chris Parker

Regional Sales Manager

Cell: 407.446.7445 | Office: 800.327.7791 x330

cparker@cuesinc.com

¹ Delivery is an estimate based on Production and Inventory as of date of quote and are subject to change based date of order received. For accurate delivery information, please contact your CUES Representative at time of order for updated delivery terms.

² NET 30 is based on an active and current CUES account with approved credit application on file with CUES Accounting.

³ Pricing does not include any applicable local sales tax that may be applied to your order based on your tax-exempt status.

Specifications For: Clermont, FL

Clermont, FL-Mark3 5-24-17

1 NO CAMERA

1 NO TRANSPORTER

1 MARK3 Compact Heavy Duty Cable Reel Assembly (DUC Ready) with Automatic Cable Payout to Include:

- 1 Lightweight Aluminum Construction with Heavy Duty Welded Main Frame Assembly
- 1 Electric Motor Rewind
- 1 Heavy Duty Automatic Level Wind with Bottom entry/exit Cable Point
- 1 Automatic Payout Feature for Video/Power Cable
- 1 Manual Clutch for Freewheel Operation
- 1 12 Conductor Slip Ring
- 1 HD/DUC Slip Ring Assembly for Digital Side Scanning Camera System
- 1 Stainless Steel Hub Shaft
- 1 Emergency Hand Crank for Cable Retrieval in Case of Power Loss
- 1 Electronic Footage Encoder
- 1 Local Reel Control with Emergency Stop for Safety
- 1 Fully Enclosed Reel for Safety
- 1 Plexiglass Viewing Panels for Level Wind and Cable Drum Areas
- 1 Rear Mount for K3 Power Control Unit

1 K3 Camera and Transporter Power Control Unit (DUC Ready) to Include:

- 1 Combination Color Camera and Transporter Control System - 110 VAC/60Hz - NTSC
- 1 Electronics Mounted in Weather Proof Ventilated Enclosure with Protective Cage
- 1 Ability to Mount K3 Power Control Unit to Rear of MARK3 Reel or Independently
- 1 Illuminated Main Power Switch
- 1 Built in SD Card Reader for Digital Recording
- 2 USB Connections
- 1 Video Out Connection for Remote Monitor
- 1 System Controlled by Wireless or Wired Hand Held Controller
- 1 Integral Data Display System to Include:
 - 1 Alpha Numeric Information Display
 - 1 Multi Paging
 - 1 Defect Coding
- 1 Multi-function external AV input/output port
- 1 Interface Cable
- 1 Operation of Cues Digital Side Scanning (HD/DUC) Camera

1 MARK3 Monitor/Keyboard in Weather Proof Case to Include:

- 1 10.4" Flat Panel Sunlight Readable Monitor
- 1 Custom Keypad for Titling and Digital Recording Control
- 1 System Status Indicator
- 1 Microphone Jack
- 1 Built-in Speaker
- 1 USB Port

1 WIRED USB CONTROLLER

1 WIRELESS CONTROLLER

2 REEL, SOFT MOUNT ASSEMBLY,MK3

1 CABLE ASSY, M/C, DUC,YELLOW,1K'

1 ALL TERRAIN ELECTRIC CART WITH 600 WATT INVERTER

- 1 TIGER TAIL**
- 1 MANHOLE TOP ROLLER ASSEMBLY, TV ONLY**
- 3 POLE ASSY, RETRIEVAL/DOWNHOLE TL, 58"**
- 1 RETRIEVAL HOOK**
- 1 TRAINING, ON-SITE (TWO DAYS)**
- 1 SHIPPING AND HANDLING**



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 9, 2018		
Agenda Item Name		
Bid Award		
Requested Action		
Recommend to approve contract between the City of Clermont and William Medley Construction, Inc. d/b/a Medley Sports Construction to conduct all labor, material and equipment necessary to provide Hancock Park Renovations Phase II.		
Staff Report		
The Purchasing Department and the Public Works Department recommend approval of the above action. The Public Works Department contacted the Purchasing Department to determine the most effective manner to contract a company to provide renovations to Hancock Park. The Purchasing Department issued a Request for Bid (RFB) number 18-008 to acquire these services. The RFB was fully competed, advertised, and complies with the City of Clermont Purchasing Policy. There were three (3) responses to the RFB. Park renovations include resurfacing of existing tennis courts, removing existing fence and installing new black vinyl coated fence, installing new bleachers and shade structures, improvement to dugouts, install windscreens on outfield fence and pour new concrete walkway connecting fields 1-4 to field 5. Award is being recommended to the low responsive and responsible bidder William Medley Construction, Inc. d/b/a Medley Sports Construction at the lump sum price of \$212,500 who complied with all terms, conditions, and specifications stated in the RFB.		
Additional Analysis		
Fiscal Impact Summary		
The fiscal impact of \$212,500 is included in the current year approved budget.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Bid Tabulation RFB 18-008 Response Tabulation.pdf		
2. Award Recommendation RFB 18-008 Award Recommendation.pdf		



RESPONSE TABULATION

RFB 18-008, HANCOCK PARK RENOVATIONS PHASE II
DUE DATE/TIME: NOVEMBER 30, 2017 AT 2:00 P.M. (EST)

COMPANY NAME	ADDENDA 1	ADDENDA 2	LUMP SUM PRICE
William Medley Construction, Inc. d/b/a Medley Sports Construction	Y	Y	\$212,500.00
Derelle, Inc. – Clermont, FL	Y	Y	\$247,103.00
S.A. Casey Construction, Inc. – Orlando, FL	Y	Y	\$318,193.50

* Addenda 1 and 2 were not mandatory submittals with bid response.



FREDDY SUAREZ
Purchasing Director
Purchasing Department

352-241-7350
fsuarez@clermontfl.org

AWARD RECOMMENDATION
DECEMBER 11, 2017
RFB 18-008 – HANCOCK PARK RENOVATIONS PHASE II

Based on the results of the bid submittals, the Purchasing Department is recommending award to the low responsive and responsible bidder, William Medley Construction, Inc. d/b/a Medley Sports Construction in the lump sum price of \$212,500.



CITY OF CLERMONT

AGENDA ITEM

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Meeting Date		
Tuesday, January 9, 2018		
Agenda Item Name		
Bid Award and Budget Amendment		
Requested Action		
Recommend to approve contract between the City of Clermont and William Medley Construction, Inc. d/b/a Medley Sports Construction to conduct all labor, material and equipment necessary to provide Lake Felter Park renovations in the amount of \$184,950 and a budget amendment to the Infrastructure Fund in the amount of \$49,950.		
Staff Report		
The Purchasing Department and the Public Works Department recommend approval of the above action. The Public Works Department contacted the Purchasing Department to determine the most effective manner to contract a company to provide renovations to Lake Felter Park. The Purchasing Department issued a Request for Bid (RFB) number 18-009 to acquire these services. The RFB was fully competed, advertised, and complies with the City of Clermont Purchasing Policy. There were three (3) responses to the RFB. Lake Felter Park renovation includes the resurfacing of existing tennis courts, provide improvements to dugouts, removing existing fence and installing new black vinyl coated fence, adding a basketball court, and providing interior and exterior upgrades to existing restrooms. Award is being recommended to the low responsive and responsible bidder William Medley Construction, Inc. d/b/a Medley Sports Construction at the lump sum price of \$174,950 who complied with all terms, conditions, and specifications stated in the RFB. In addition, a contingency fund of \$10,000 is being sought for unforeseen circumstances that may occur during the construction of the new basketball court.		
Additional Analysis		
Fiscal Impact Summary		
The current year approved budget includes \$135,000 for this project. A budget amendment to the Infrastructure Fund in the amount of \$49,950 is requested.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	RFB 18-009 Response Tabulation	RFB 18-009 Response Tabulation.pdf
2.	RFB 18-009 Award Recommendation	RFB 18-009 Award Recommendation.pdf



RESPONSE TABULATION

RFB 18-009, LAKE FELTER PARK RENOVATIONS

DUE DATE/TIME: NOVEMBER 30, 2017 AT 2:00 P.M. (EST)

COMPANY NAME	ADDENDA 1	ADDENDA 2	LUMP SUM PRICE
William Medley Construction, Inc. d/b/a Medley Sports Construction	Y	Y	\$174,950.00
Derelle, Inc. – Clermont, FL	Y	Y	\$193,656.06
S.A. Casey Construction, Inc. – Orlando, FL	Y	Y	\$211,605.03

* Addenda 1 and 2 were not mandatory submittals with bid response.



FREDDY SUAREZ
Purchasing Director
Purchasing Department

352-241-7350
fsuarez@clermontfl.org

AWARD RECOMMENDATION
DECEMBER 14, 2017
RFB 18-009 – LAKE FELTER PARK RENOVATIONS

Based on the results of the bid submittals, the Purchasing Department is recommending award to the low responsive and responsible bidder, William Medley Construction, Inc. d/b/a Medley Sports Construction in the lump sum price of \$174,950.



CITY OF CLERMONT

AGENDA ITEM

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Meeting Date		
Tuesday, January 9, 2018		
Agenda Item Name		
Contract Award		
Requested Action		
Recommend to approve a piggyback contract number 17-P-52RF from the Volusia County B.C.C. with Cintas Corporation No. 2 to provide uniform rental, lease and purchase services in an estimated annual budgeted amount of approximately \$50,000.		
Staff Report		
At the request of the Environmental Services and Public Works Department, the Purchasing Department sought a contract from the Volusia County B.C.C. to obtain uniform rental, lease and purchase services. In accordance with the direction of City Council, the Purchasing Department issued a Request for Interest (RFI) number 1812-003 to notify local vendors of the City's intent to utilize other governmental entities' contract. The RFI was posted on the City's website for seven (7) business days. At the completion of the RFI, the Purchasing Department received no interest. Based on this, staff recommends that Council approve to piggyback the Volusia County B.C.C. contract. The Volusia County B.C.C. contract was obtained through a fully competitive solicitation and complies with the City of Clermont Purchasing Policy.		
Additional Analysis		
Fiscal Impact Summary		
Annual estimated amount of approximately \$50,000 is included in the current year approved budget.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. RFI 1812-003	RFI 1812-003.pdf	



REQUEST FOR INFORMATION

Intent to Utilize the Volusia County B.C.C. Contract for Professional Uniform Services

CONTACT INFORMATION:	RFI No. 1812-003	ISSUED DATE: December 14, 2017
Marilyn Rodriguez Contracts Coordinator EMAIL: mrodriguez@clermontfl.org Phone: (352) 241-7350	NOTICE OF INTENT TO PIGGYBACK A CONTRACT NOTICE END DATE: <u>December 22, 2017 at 2:00 P.M. (EST)</u> DEADLINE FOR WRITTEN QUESTIONS: <u>Not Applicable</u>	

SOLICITATION RESPONSE: Responses will be received until the notice end date specified above or as otherwise amended. No late responses will be accepted.

Responses may be submitted electronically to the Purchasing Director by email.

Hardcopy responses may be delivered to: City of Clermont Purchasing Department, 685 West Montrose Street, 2nd Floor, Clermont, FL 34711.

This Request for Information (RFI) is intended to notify local vendors of the City's intent to utilize other government entities' contract. **This is not an invitation to submit a bid or quote.** If no local vendor responds to the RFI, the Purchasing Department will proceed with utilizing the referenced contract. Local vendor is defined as businesses located in South Lake County, preferably located within the City limits. This notice will be posted for seven (7) business days.

1 – PIGGYBACK CONTRACT INFORMATION

- (a) Department: Environmental Services and Public Works Department
- (b) Company Information: Cintas Corporation No. 2
- (c) Contract Number and Title: 17-P-52RF titled Professional Uniform Services
- (d) Length of Contract: Contract expires July 31st, 2020
- (e) Product or Service Provided: To provide uniform rental, lease and purchase services.

2 – ACTION TO BE TAKEN

If you're a local vendor, please contact the Purchasing Director by email or by mail prior to the "Notice End Date" indicated above to advise whether your company can provide any of the product or service mentioned above.

Prospective local vendor respondents are requested to provide information regarding their ability to provide the product or serve described. **Respondents are not to provide pricing.** All responses will be evaluated by the Purchasing Department and the Department requesting the product or service which will be the sole determining power in establishing the approved equal status of the commodity offered by the respondent.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 9, 2018		
Agenda Item Name		
Contract Award		
Requested Action		
Recommend to approve piggyback contract numbers 17-0606L, 17-0606J, 17-0606K from the Lake County B.C.C. with Team Equipment, Inc., Ten-8 Fire Equipment, Inc., Technical Rescue.com, Inc. to provide fire equipment parts, supplies and service.		
Staff Report		
The Purchasing Department and the Fire Department recommend approval of the above action. At the request of the Fire Department, the Purchasing Department sought multiple contracts from the Lake County B.C.C. to supply fire equipment parts, supplies and service. In accordance with the direction of City Council, the Purchasing Department issued a Request for Interest (RFI) number 1812-004 to notify local vendors of the City's intent to utilize other governmental entities' contract. The RFI was posted on the City's website for seven (7) business days. At the completion of the RFI, the Purchasing Department received no interest. Based on this, staff recommends that Council approve to piggyback the Lake County B.C.C. contracts. The Lake County B.C.C. contracts were obtained through a fully competitive solicitation and complies with the City of Clermont Purchasing Policy.		
Additional Analysis		
Fiscal Impact Summary		
Annual estimated cost of \$100,000 is included in the current year approved budget.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. RFI 1812-004	RFI 1812-004.pdf	



REQUEST FOR INFORMATION

Intent to Utilize Lake County B.C.C. Contract for Fire Equipment Parts, Supplies and Service

CONTACT INFORMATION:	RFI No. 1812-004	ISSUED DATE: December 18, 2017
Marilyn Rodriguez Contracts Coordinator EMAIL: mrodriguez@clermontfl.org Phone: (352) 241-7350	NOTICE OF INTENT TO PIGGYBACK A CONTRACT NOTICE END DATE: <u>December 26, 2017 at 2:00 P.M. (EST)</u> DEADLINE FOR WRITTEN QUESTIONS: <u>Not Applicable</u>	

SOLICITATION RESPONSE: Responses will be received until the notice end date specified above or as otherwise amended. No late responses will be accepted.

Responses may be submitted electronically to the Purchasing Director by email.

Hardcopy responses may be delivered to: City of Clermont Purchasing Department, 685 West Montrose Street, 2nd Floor, Clermont, FL 34711.

This Request for Information (RFI) is intended to notify local vendors of the City's intent to utilize other government entities' contract. **This is not an invitation to submit a bid or quote.** If no local vendor responds to the RFI, the Purchasing Department will proceed with utilizing the referenced contract. Local vendor is defined as businesses located in South Lake County, preferably located within the City limits. This notice will be posted for seven (7) business days.

1 – PIGGYBACK CONTRACT INFORMATION

(a) Department: Fire Department

(b) Company Information: Team Equipment, Inc., Ten-8 Fire Equipment, Inc, Technical Rescue.com, Inc.

(c) Contract Number and Title: ITB No. 17-0606L, 17-0606J, 17-0606K titled Fire Equipment Parts, Supplies and Service

(d) Length of Contract: Contract expires June 30, 2018 with optional four (4) additional one-year renewal.

(e) Product or Service Provided: To supply fire equipment parts, supplies and service.

2 – ACTION TO BE TAKEN

If you're a local vendor, please contact the Purchasing Director by email or by mail prior to the "Notice End Date" indicated above to advise whether your company can provide any of the product or service mentioned above.

Prospective local vendor respondents are requested to provide information regarding their ability to provide the product or serve described. **Respondents are not to provide pricing.** All responses will be evaluated by the Purchasing Department and the Department requesting the product or service which will be the sole determining power in establishing the approved equal status of the commodity offered by the respondent.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 9, 2018		
Agenda Item Name		
Event and Open Container Request		
Requested Action		
Recommend to approve The Singles Run 5K to have open container for their event on February 10, 2018 at Waterfront Park.		
Staff Report		
The Singles Run 5K is requesting to have a designated open container area at Waterfront Park on February 10, 2018 from 10:00 AM to 12:30 PM. The organizations open container area will be under the band shell at the Highlander Building. The organization will be using Premier Events as their licensed caterer. They have agreed to the proper number of police, medical, and staff as directed.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. The Singles Run 5K Council Packet Singles 5k.pdf		



APPLICATION FOR SPECIAL EVENTS PERMIT

PLEASE TYPE OR PRINT CLEARLY

Today's Date 11/13/2017
Name of Event The Singles Run 5k
Date(s) of Event February 10, 2018 Estimated Attendance: 500-750
Event Start Time: 9:00am Event End Time: 12:00
Before Event Setup Time: 8am After Event Cleanup Time: 1pm
Name of Organization/Applicant The Singles Run 5k - Tina Rooks

The refundable deposit will be made payable and mailed to the name and address of the applicant listed

Check Type of Organization ☐ Resident ☒ Non Resident ☐ Non-Profit ☒ Business

Non-Profit documentation must be provided with application.

Tax Exempt ☐ Yes ☒ No If yes, provide Tax Exempt # _____

If Yes, you must provide your Tax Exempt Certificate with application.

Federal ID # or Driver's License # 82-3332966

Event Contact Tina Rooks Email tmrooks@gmail.com

Day Phone 321-604-5308 Cell Phone 321-604-5308

Address 5349 Shingle Creek Dr City Orlando State FL Zip 32821

Secondary Contact Kevin Yantis Phone # 407-202-0762

Briefly Describe Event: _____

Untimed 5k designed for singles and their supportive friends to meet.

Location of Event on City Property: ☒ A ☐ B ☐ C ☐ D ☒ Map 1 ☐ Map 2

Please choose A, B, C, or D on MAP 1 or MAP 2

Other Location: _____





CITY OF CLERMONT Alcohol Request Form

Today's Date 11/29/2017
Name of Event The Singles Run 5k
Date(s) of Event February 10, 2018 Location Waterfront Park
Event Start Time: 9am Event End Time: 1pm
Name of Organization/Applicant Tina Rooks
Email tmrooks@gmail.com
Day Phone 321-604-5308 Cell Phone 321-604-5308
Address 5349 Shingle Creek Dr. City Orlando ST FL Zip 32821
Briefly Describe Event A Fun run for singles and their friends to meet.

What do you plan on serving (check all that apply): ☒ Beer ☒ Wine/Champagne ☐ Other

What is your beverage containment area? The Waterfront Pavilion

Outside event, attach diagram Waterfront Pavilion

Inside event, list rooms: _____

Who is your licensed beverage caterer*? Premier Bartending

****A copy of the caterer's license and insurance must be submitted with your request form***

I declare that all information herein is true and complete to the best of my knowledge.

I understand that approval of this request is NOT a grant of a liquor license.

Tina Rooks

11/29/2017

Applicant Signature

Date

FOR CITY STAFF USE ONLY

The foregoing application has been reviewed and

PERMISSION TO USE PARK PREMISES FOR THE SERVICE OF ALCOHOLIC BEVERAGES IS:

☐ **GRANTED ALCOHOL BEVERAGES.** In order to receive an alcohol approval for your event, applicant must meet all requirements of the City of Clermont, County and State of Florida. A certificate of insurance is required.

☐ **GRANTED ALCOHOL BEVERAGES AS AMENDED:** _____

☐ **DENIED** for the following reason(s): _____

SIGNATURE

TITLE

DATE

Please return the completed request to:

City of Clermont Parks & Recreation

Attention: Special Event Request

3700 South Highway 27, Clermont, FL 34711



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/13/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER R.V. Nuccio & Associates Insurance Brokers, Inc. 10148 Riverside Drive Toluca Lake, CA 91602	CONTACT NAME: Robert V. Nuccio	
	PHONE (A/C, No, Ext): (800) 364-2433 FAX (A/C, No): (818) 980-1595	
	E-MAIL ADDRESS: support@rvnuccio.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Fireman's Fund Insurance Company	21873
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES	CERTIFICATE NUMBER:	REVISION NUMBER:
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.		

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	✓	XXC80506761 NAEP078593	2/10/2018	02/11/2018	EACH OCCURRENCE \$ 2,000,000
	✓ COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000
	CLAIMS-MADE ☒ OCCUR					MED EXP (Any one person) \$ 0
	✓ Host Liquor Liability					PERSONAL & ADV INJURY \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE \$ 2,000,000
	✓ POLICY ☐ PRO-JECT ☐ LOC					PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$
	ANY AUTO					BODILY INJURY (Per person) \$
	ALL OWNED AUTOS	SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	HIRED AUTOS	NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident) \$
						\$
	UMBRELLA LIAB	OCCUR				EACH OCCURRENCE \$
	EXCESS LIAB	CLAIMS-MADE				AGGREGATE \$
	DED ☐	RETENTION \$				\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					WC STATU-TORY LIMITS ☐ OTH-ER ☐
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N ☐	N/A			E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - EA EMPLOYEE \$
	Liquor Liability		XXC80506761	2/10/2018	02/11/2018	E.L. DISEASE - POLICY LIMIT \$ 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Additional Insured: City of Clermont additional insured

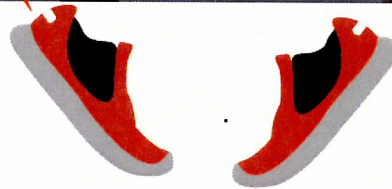
CERTIFICATE HOLDER	CANCELLATION
City of Clermont - Waterfront Park 330 3rd St Clermont, FL 34711	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Robert V. Nuccio

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**Clermont
Waterfront Park**

**February 10
9:00 am**



Meet Your Valentine Run



Register Today!

www.thesinglesrun5k.com

5K Run or Walk

Single runners have white bibs

Taken runners have red bibs

Add personality emojis to your bib

Use bib tear away to share your info

Stay for the after party and mingle

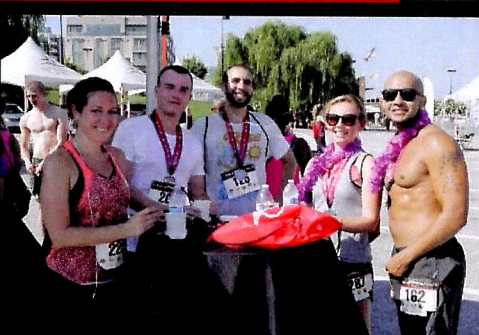
DJ – Food – Drinks - Games



The Singles Run  The Flirtiest 5k



All Runners receive a runner's bag, t-shirt and finisher's medal



Maritza Rivera

From: Tina Rooks <tmrooks@gmail.com>
Sent: Wednesday, December 27, 2017 9:59 AM
To: Maritza Rivera
Subject: Re: Special Event Application

Hi Maritza,
Nice talking with you today. We will be serving the beverages under the pavilion and will be serving from 10am-12:30pm. Thanks again.
Tina

On Wed, Dec 27, 2017 at 8:59 AM, Maritza Rivera <mrivera@clermontfl.org> wrote:

Hi Dr. Rooks,

Hope you had a great Holiday! We are working on including the Singles Run 5K into the next Council Meeting which is on January 9th for alcohol request. Please let me know the exact times that Premier Bartending will be serving the alcohol. Also, we will need the exact contained area where the alcohol is being served. Here is the information for your representative at the Council Meeting:

January 9, 2018

City Hall Council Chambers

[685 W. Montrose Street](#)

[Clermont, FL 34711](#)

6:30PM

Sincerely,

Maritza Rivera
Program Coordinator
[620 W. Montrose St.](#)

[Clermont, FL 34711](#)
Tel [352-708-5989](tel:352-708-5989) | Fax [352-394-2900](tel:352-394-2900)
mrivera@clermontfl.org





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 9, 2018		
Agenda Item Name		
Temporary Parking/Access Easement Agreement		
Requested Action		
Request approval of Temporary Parking / Access Easement Agreement with Wallace & Wolfe Properties, Inc. for temporary Parking and access for the City of Clermont Boat Ramp.		
Staff Report		
Staff was directed by Council to keep the current boat ramp open until a permanent location can be finalized and constructed. This plan of action will require two parking and access easements for offsite parking to supplement the reduced onsite parking. Staff recommends approval of Temporary Parking / Access Easement Agreement with Wallace & Wolfe Properties, Inc. for temporary parking and access for the City of Clermont Boat Ramp.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Easement wolf and wallace parking easement.jfk.doc 2. Map 1 WALLACE EASEMENT 2.docx 3. Map 2 WALLACE EASEMENT 1.docx		

This instrument prepared by and
after recording return to:

Daniel F. Mantzaris, Esq.
Clermont City Attorney
685 W. Montrose Street
Clermont, FL 34711

-----[SPACE ABOVE THIS LINE FOR RECORDING DATA]-----

**NON-EXCLUSIVE TEMPORARY PARKING LICENSE AND
EASEMENT AGREEMENT**
(1000 Carroll Street)

This **NON-EXCLUSIVE TEMPORARY PARKING LICENSE AND EASEMENT AGREEMENT** ("**Agreement**") is made and executed as of the ____ day of _____, 2017, by and between **WOLFE & WALLACE PROPERTIES, INC**, a Florida corporation ("**Wolfe**"), whose principal address of Post Office Box 120158, Clermont, Florida 34712 ("**Grantor**") and the **CITY OF CLERMONT, FLORIDA**, whose address is 685 w. Montrose Street, Clermont, Florida 34711 ("**Grantee**").

RECITALS:

WHEREAS, Grantor is the owner of a certain parcels of land located in Lake County, Florida, ("**Grantor Property**") as more particularly described as:

CLERMONT, JOHNSON'S REPLAT LOT 10--LESS E'LY 38 FT--, LOTS |
11, 12, 13, BLK 115 PB 8 PG 71 |ORB 3334 PG 1083 |

CLERMONT, JOHNSON'S REPLAT LOTS 13, 14, 15, 16, W 1/2 OF LOT|
17, BLK 119, N 1/2 OF OSCEOLA ST S OF LOTS 15, 16 & W 1/2 OF|
LOT 17, BLK 119 PB 8 PG 71 |ORB 3334 PG 1086 |

WHEREAS, Grantor has agreed to grant to Grantee a non-exclusive parking license and easement over, across, and upon a portion Grantor's Property described in **Exhibit "A"** ("**Easement Area**") attached hereto and by this reference made a part hereof.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements herein and for other good and valuable consideration, the receipt and sufficiency of which condition this agreement, the parties agree as follows:

Section 1. Recitals. The above recitals are true and correct, form a material part of this Agreement and are incorporated herein by reference.

Section 2. Grant of Temporary Parking License and Easement. Subject to the terms, conditions and limitations set forth herein, Grantor hereby grants to Grantee, for the

benefit of Grantee's Property, a non-exclusive temporary parking license and easement over the Easement Area. The rights granted herein shall be solely for the purpose of temporary vehicular parking and related pedestrian ingress and egress related to and attendant to the Grantee's boat ramp located 938 W Minneola Ave, Clermont FL 34711 and as is reasonably necessary for the convenience of Grantee, its agents, tenants, invitees, licensees and guests, to access Grantee's boathouse property. The license, easement and rights herein shall remain in full force and affect until such time as it is terminated as set forth herein.

Section 3. Non-Exclusive License and Easement. The License and Easement is non-exclusive, and Grantor specifically reserves to itself, its successors, assigns, agents, employees, tenants, invitees, licensees, guests, contractors and subcontractors the right to use the Easement Area for any and all purposes so long as such use does not unreasonably interfere with Grantee's use of the Easement Area as contemplated under this Agreement, and the right and privilege at any time and from time to time to make further grants, easements, licenses, and privileges to other persons or entities, over, under, upon and with respect to the Easement Area, so long as the foregoing will not unreasonably interfere with the right of Grantee to use the Easement for the purposes and in the manner herein described. Such further granting of easements, licenses and privileges with respect to the Easement Area shall require the written consent of Grantee.

Section 4. Grantee's Obligations. Grantee shall, at its expense, install and maintain any and all markings, signage and barriers reasonably necessary to delineate the authorized parking spaces on the Easement Area. Grantee shall maintain liability insurance in such form and amounts as Grantee maintains for its existing public access areas. To the extent permitted by law, the Grantee hereby indemnifies, and agrees to hold Grantor harmless from and against any and all claims, demands, costs, judgments and amounts whatsoever suffered by Grantor by virtue of Grantee's negligence in the use or maintenance of the temporary construction easement. Nothing herein shall be construed to constitute a waiver of the Grantee's sovereign immunity as set forth in Florida Statutes, Chapter 768.

Section 5. Parties Right to Terminate. Grantor and Grantee shall each have the right without cause to terminate Grantee's rights hereunder upon two (2) months prior written notice to the non-terminating party.

Section 6. Binding Effect. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of Grantor, Grantee and their respective heirs, representatives, successors, assigns, licensees, invitees, employees, tenants, lessees, agents, customers, guests and mortgagees. The benefits and burdens hereof shall run with the fee title to the lands herein described and be appurtenant thereto.

Section 7. Amendment. This Agreement may be amended or modified at any time only by an agreement in writing mutually agreed to, executed and acknowledged by Grantor and Grantee, or their successors or assigns in title, and thereafter duly recorded in the Public Records of Lake County, Florida.

Section 8. Further Assurances. Each of the parties hereto covenant and agree to execute and deliver such other instruments and documents, and do all matters and things, which may be reasonable and necessary, to carry out the intentions of this Agreement.

Section 9. Applicable Law. This Agreement shall be construed and governed in accordance with the laws of the State of Florida, with venue in Lake County, Florida.

Section 10. Captions. The paragraph and subparagraph captions included herein are for reference only and shall not amend, modify or be used to interpret or construe the meaning or intent of the parties as to any of the terms and provisions hereof.

Section 11. Enforcement and Remedies. In the event either party fails to comply with any term, provision or condition of this Agreement, then such party shall be in default of this Agreement. If such party fails to correct any such default within fifteen (15) days after receiving written notice from the other party of such default, or has not begun to diligently cure such default, then the non-defaulting party shall have the following remedies: (i) bring an action for damages and/or specific performance, or seek any other remedy in law or in equity; (ii) grant additional time to cure such default; or (iii) use self-help to cure such default. The failure to enforce any of the terms or provisions of this Agreement, however long continued, shall in no event be deemed a waiver of the right to enforce the same thereafter as to the same breach or violation, or as to any other breach or violation occurring prior to or subsequent thereto.

Section 12. Waiver. No waiver of, acquiescence in, or consent to any breach or default of any term or condition hereof shall constitute or be construed as a waiver of, acquiescence in or consent to any other, further or succeeding breach or default of the same or any other term or condition.

Section 13. Entire Agreement. This Agreement and the documents incorporated herein constitute the entire agreement between the parties regarding the Easements created hereunder. This Agreement shall not be construed with resort to any presumption against the preparer or maker hereof.

IN WITNESS WHEREOF, the Grantor and Grantee have caused these presents to be signed in their respective names as of the day and year first above written.

Signed, sealed and delivered in the presence of:		WOLFE & WALLACE PROPERTIES, INC., a Florida corporation
Print Name: _____		By: _____ Name: _____ Title: _____
Print Name: _____		(CORPORATE SEAL)

{Notary and Party Signatures Continued on Next Page}

STATE OF FLORIDA)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2018 by _____, the _____ of **WOLF AND WALLACE PROPERTIES, INC.**, a Florida corporation, on behalf of the corporation. He [_____] is personally known to me or [_____] has produced _____ as identification.

(NOTARY STAMP)

Name: _____
Title: Notary Public
My Commission Expires: _____

Signed, sealed and delivered in the presence of:		THE CITY OF CLERMONT, FLORIDA
Print Name: _____		By: _____ Gail L. Ash, Mayor
Print Name: _____		

STATE OF FLORIDA)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2018 by Gail L. Ash, Mayor and on behalf of the **CITY OF CLERMONT, FLORIDA**. He [_____] is personally known to me or [_____] has produced _____ as identification.

(NOTARY STAMP)

Name: _____
Title: Notary Public
My Commission Expires

Exhibit “A”

Easement Area







CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 9, 2018		
Agenda Item Name		
Resolution No. 2017-52 <i>Quick Lane</i>		
Requested Action		
Recommend approval of Resolution 2017-52.		
Staff Report		
The applicant is seeking to expand the Ford of Clermont Automotive dealership located at 1101 East Highway 50. The existing Ford dealership operates under resolution 1173 which was last approved in January of 2001 allowing the expansion and renovation of the showroom and the construction of a new body shop and service center on the south side of the site. The current proposal includes expanding the dealership parking area to the western parcel which remains unpaved with vehicle inventory on site, and also the addition of a Quick Lane service center. The proposed service center is a 12 bay center with a one bay car wash (11,000 square feet total). The service center will provide minor service and repairs such as oil changes, tire service, and maintenance services. This expansion will free up the existing service center located behind the dealership for major service and repairs. Access to the service center will be through the dealership or the existing frontage road to the northwest of the parcel. The existing commercial future land use and commercial zoning district do permit this proposed use with an approved Conditional Use Permit. Staff has reviewed the application and believes that the proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, and the proposed use will comply with the regulations and conditions specified. Therefore, staff recommends approval of the request for the expansion of the automotive dealership and service center with up to 11,000 square feet of building space in the C-2 zoning district with the conditions contained in Resolution 2017-52.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Resolution	Resolution+2017-52+(Final).docx	
2. Location Map	Location Map.docx	
3. Site Map	Quick Lane Map.pdf	
4. Elevations	Quick Lane elevations.pdf	

5.	Exhibit	Quick Lane Exhibit.pdf
6.	App	Quick Lane App.pdf
7.	Ad	Ford Legal Add.docx
8.	CUP Conditions	Conditions.docx

CITY OF CLERMONT
RESOLUTION NO. 2017-52

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT,
LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE
PERMIT TO ALLOW FOR AN EXPANSION OF AN AUTOMOTIVE
DEALERSHIP IN THE C-2 COMMERCIAL ZONING DISTRICT.**

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held October 3, 2017 recommended approval of this Conditional Use Permit to allow for an automotive dealership expansion, at the following location:

LOCATION:
1101 East Highway 50.

WHEREAS, the granting of this Conditional Use Permit will not adversely affect the officially adopted Comprehensive Plan of the City; such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity; the proposed use will comply with the regulations and conditions specified in the codes for such use; and the proposed use may be considered desirable at the particular location;

WHEREAS, the applicant has applied for a Conditional Use Permit to allow an automotive dealership expansion in the Commercial Zoning District;

The City Council deems it advisable in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clermont, Lake County, Florida that:
This application for a Conditional Use Permit to allow an automotive dealership expansion in the C-2 Commercial zoning district; be granted subject to the following conditions:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No further expansion of the use, additions to the use, or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. The property shall be developed in substantial accordance with the conceptual site plan dated August 31st 2017 prepared by Avid Group; incorporating all conditions of this Conditional Use Permit. Said plans shall be submitted for review and approval of

CITY OF CLERMONT
RESOLUTION NO. 2017-52

the Site Review Committee prior to authorization and issuance of a development permit.

4. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
5. Prior to the issuance of any permits, the applicant shall be required to submit formal site plans for review and approval by the City of Clermont Site Review Committee. The site plans shall meet all submittal requirements and comply with the conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended .
6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
7. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
8. The Conditional Use Permit must be executed and filed in the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
9. This permit shall become null and void if substantial construction work has not begun within two (2) years of the date of this Conditional Use Permit is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

CITY OF CLERMONT
RESOLUTION NO. 2017-52

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1. The applicant shall submit a grading and erosion control plan for the site during the site plan review process that must be approved by the Site Review Committee prior to initiation of development activity.
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Section 3 - Transportation Improvements

1. Right-of-way shall be dedicated along Hook Street so as to create 50 feet of right-of-way from the centerline of the existing right-of-way. If the right of way is not needed for the construction of Hook St. it will be returned to Rolling Hills Ford.
2. Driveway access shall be provided from the current frontage

CITY OF CLERMONT
RESOLUTION NO. 2017-52

road to the main entrance of the dealership. When the vacant lot (Phase 5) is developed, unobstructed driveway access shall be provided between the frontage road and the main entrance to the dealership.

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4. Irrigation shall be provided by irrigation well.
5. Sidewalks shall be provided along S.R. 50.

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1. Install grease trap or oil and grease separators to serve car wash, Quick lube and other locations as determined by the Public Works Director.
2. New and existing facilities shall connect to City water and sewer systems. Connection to the City sewer system shall be made at the time of Hook St. construction or when a sewer line is available along the Hook St. frontage, whichever occurs first.
3. A 10" water main shall be installed along the west property boundary from the northwest corner of the property to Hook St.

CITY OF CLERMONT
RESOLUTION NO. 2017-52

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 9th day of January, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

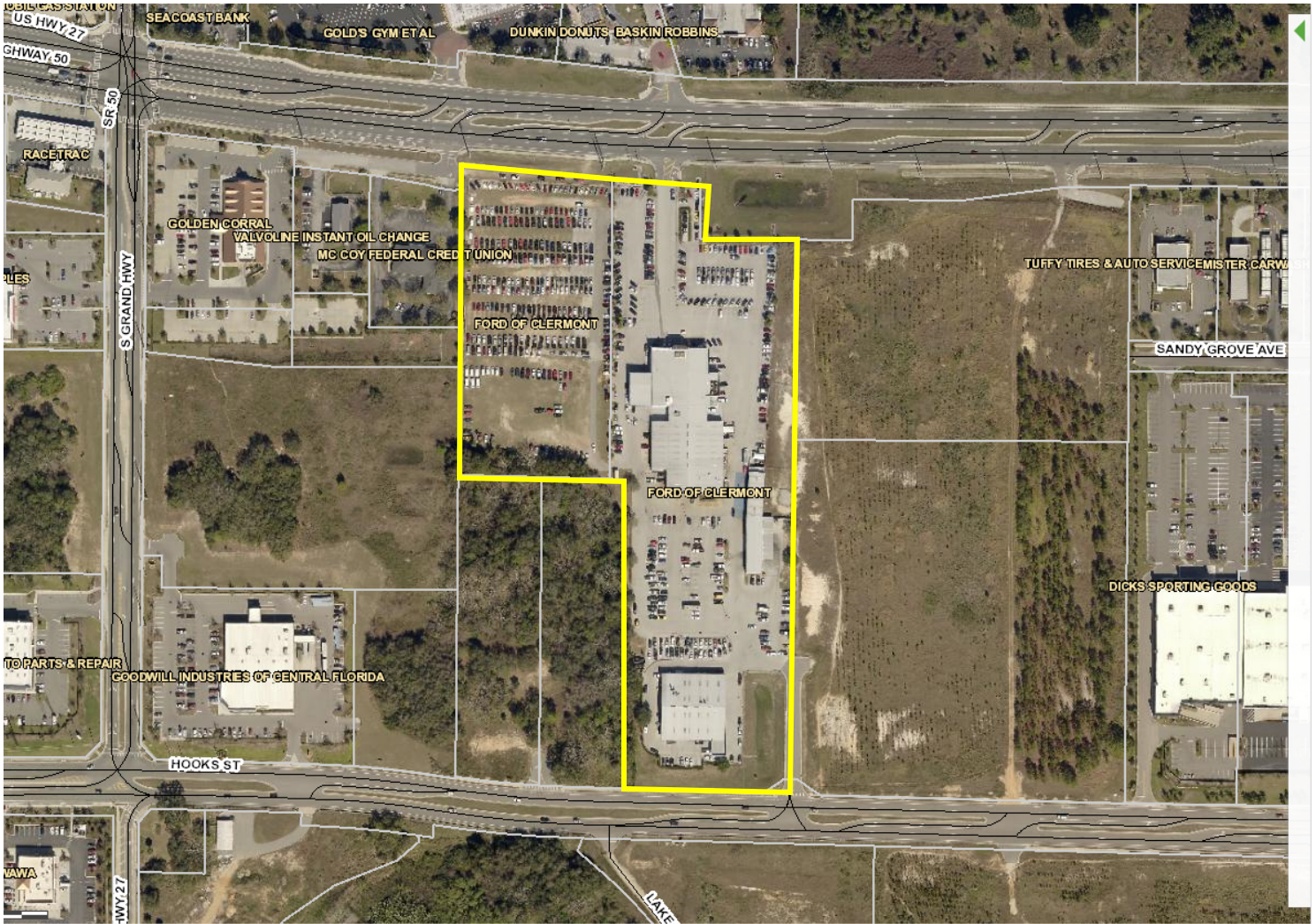
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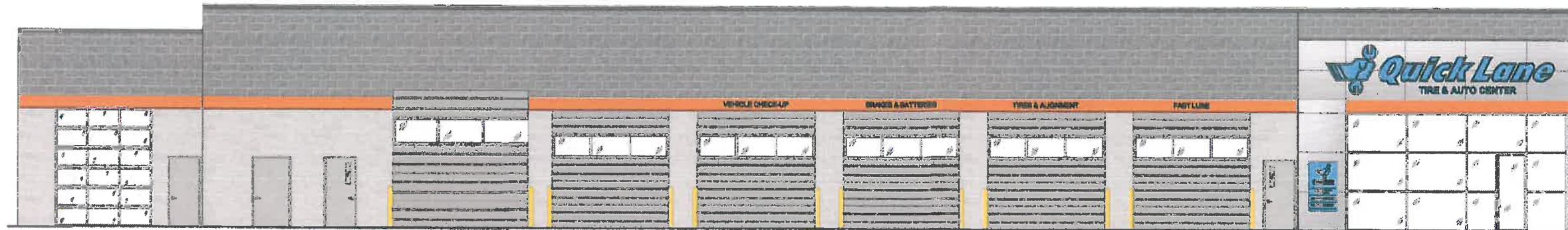
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

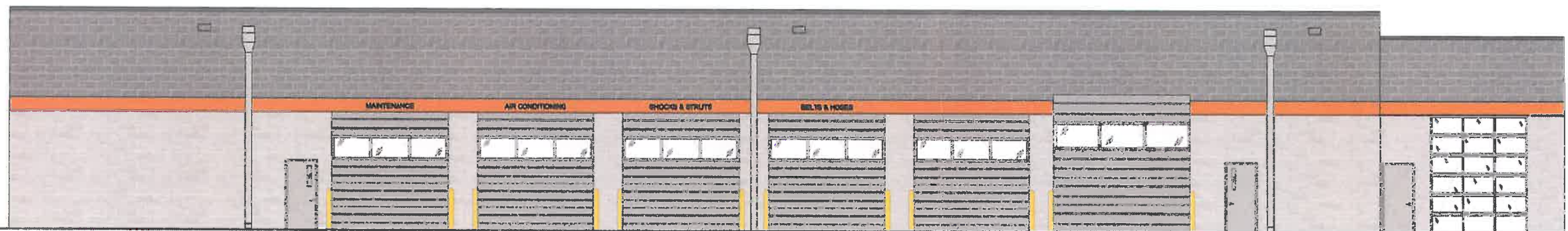
Daniel F. Mantzaris, City Attorney

Location Map

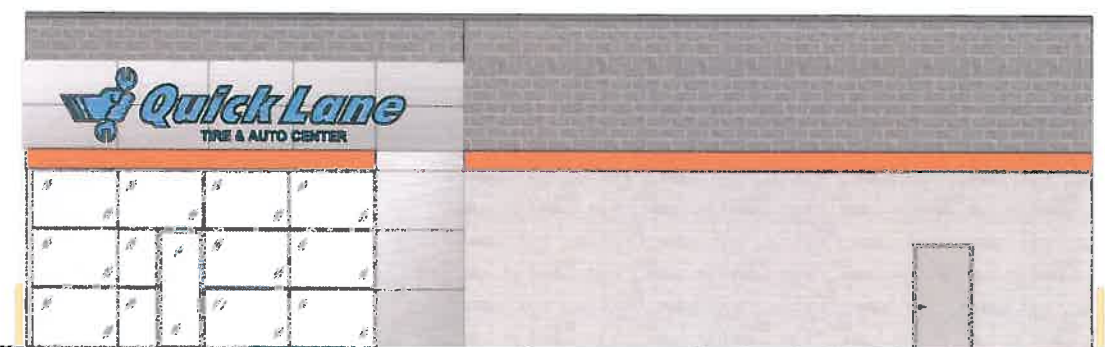




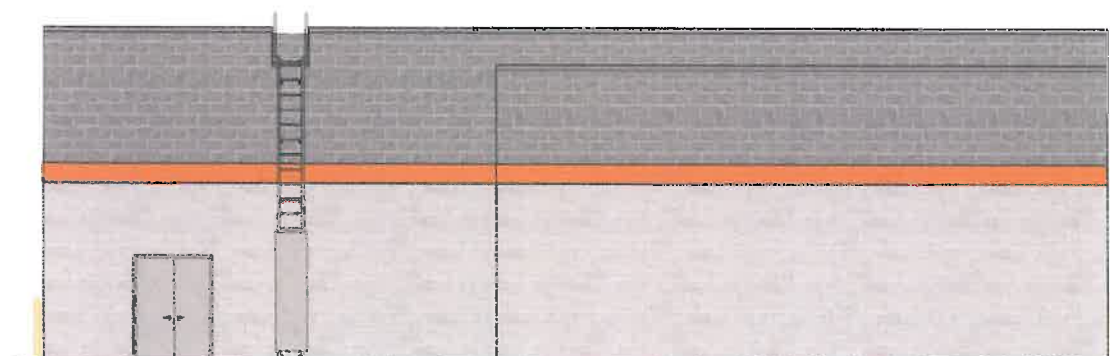
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SCALE: NTS



2 WEST ELEVATION
SCALE: NTS



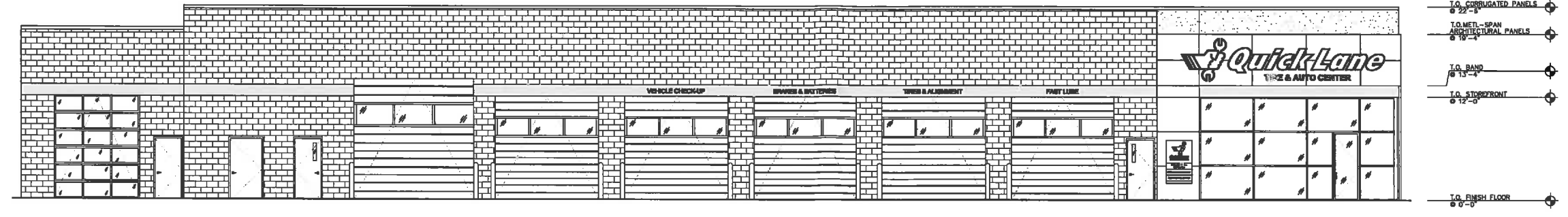
3 NORTH ELEVATION
SCALE: NTS



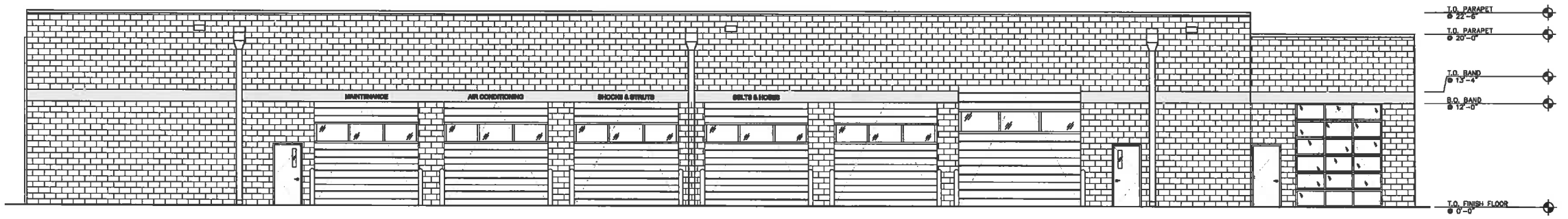
4 SOUTH ELEVATION
SCALE: NTS

PATRICK
G. BLEES
architecture . planning . interior design
PATRICK G. BLEES, ARCHITECT, PLLC
800 WASHINGTON AVE. N. SUITE 208
MINNEAPOLIS, MN 55401
PHONE: (612) 547-1300
FAX: (612) 547-1301
E-MAIL: gblees@patrickblees.com
CONTACT: AMANDA PREISLER

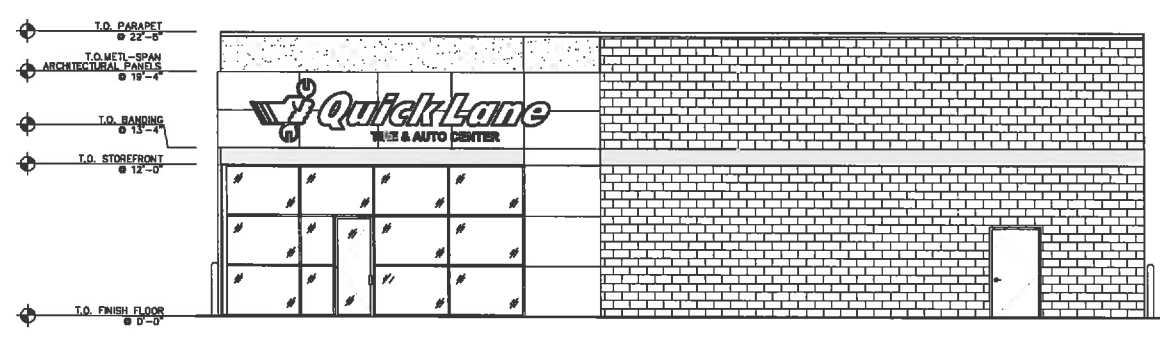
CONSULTANTS:



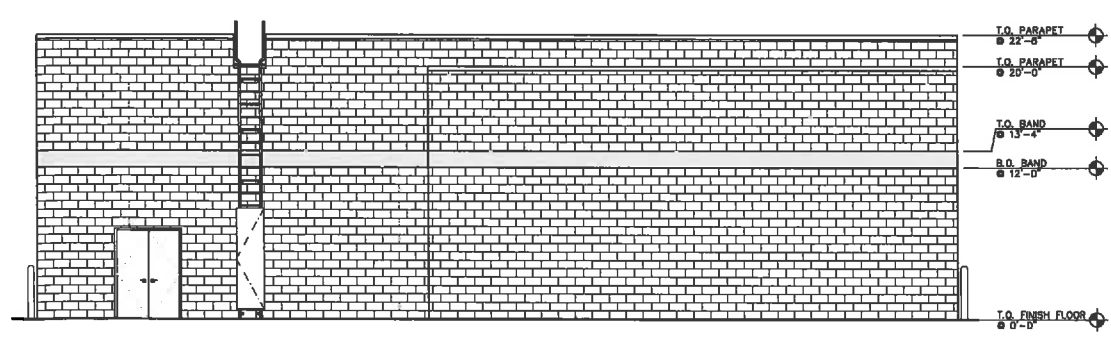
1 FRONT ELEVATION
A5 3/16"=1'-0"



2 FRONT ELEVATION
A5 3/16"=1'-0"



3 SIDE ELEVATION
A5 3/16"=1'-0"



4 SIDE ELEVATION
A5 3/16"=1'-0"

Quick Lane
TIRE & AUTO CENTER
QUICK LANE
E. HIGHWAY 50
CLERMONT, FL 34711

NEW CONSTRUCTION

SHEET TITLE:
EXTERIOR ELEVATIONS
12-BAY WITH CARWASH

REVISIONS:		
NO.	DATE:	BY:

PROJECT NO: 17180.001
DRAWN BY: JDH

A5(12)

COPYRIGHT PATRICK G. BLEES, AIA 2017

Quick Lane at Ford of Clermont Conditional Use Permit Application

Narrative & Justification Statement

Project Description:

Subject property is a total of 13.39 acres comprised of two parcels of land located on the south side of State Road 50, between S Grand Highway and Sandhill View Boulevard in the city of Clermont. The 4.37-acre parcel where the site improvements are proposed is owned by Deardoff Limited (herein after referred to as Parcel 1). The 9.02-acre parcel with the existing Ford of Clermont automobile dealership and service center is owned by Ford of Clermont Inc. (herein after referred to as Parcel 2).

The parcels are zoned C-2 (General Commercial District) with a future land use map designation of C (Commercial). The developer seeks a conditional use permit to expand the existing uses of the property, which are: "automobile and truck services, carwashes, and automobile, truck, boat and farm equipment sales" and "automobile and truck repair garages; and painting, welding and body shops".

Parcel 1 is part of the existing Ford of Clermont auto dealership and currently serves as unpaved parking for the dealership. The owners wish to develop the property with a 12-bay service building, 1 bay car wash, and paved parking for the dealership. The proposed expansion will provide dedicated space for performing minor service and repairs (oil changes, tires, etc.) and free up the existing 27-bays for performing major service and repairs. No improvements are proposed on Parcel 2, except for ancillary/incidental improvements such as drive aisle connections between the parcels and utility work (water and sewer connections and replacement of the aged water/fire line).

Vehicular access will be through the dealership's existing driveway onto State Road 50 and through the frontage road stub-out and shared driveway onto State Road 50 located in front of the adjacent McCoy Federal Credit Union property. The driveway is also shared with two other commercial uses to the west (Valvoline and Golden Corral). The dealership also connects to a shared access at the rear onto Hooks Street.

The conditional use site plan is attached, which shows the overall layout of the existing and proposed site improvements. Architectural renderings for the new building are also attached.

Conditional Use Permit Evaluation Criteria:

Pursuant to Land Development Code (LDC) Section 86.144.(c), the Planning Commission and City Council may grant by resolution a conditional use permit that meets the following four general criteria and seven specific development standards. In furtherance of this requirement, the applicants' professional land planning and engineering consultant has made the following findings in support of the project:

General Criteria

1. **The granting of the conditional use permit will not adversely affect the officially adopted comprehensive plan of the city;**

Applicant's finding: The development will not adversely affect the City's comprehensive plan. The conditional use permit is requested for the purpose of an established and successful business to expand upon the already existing uses, which are consistent with the properties underlying Commercial future land use map designation and the C-2 zoning district.

2. **Such use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity;**

Applicant's finding: The proposed expansion is consistent with the range of services typically provided at an automobile dealership and service center and is consistent with the City's C-2 General Commercial District (LDC Sec. 122-223). The development is located on a state highway and surrounded by commercially zoned and developed properties. Similar uses are located within close proximity to both the west and the east on State Road 50.

3. **The proposed use will comply with the regulations and conditions specified in the codes for such use; and**

Applicant's finding: The development will comply with the regulations and conditions specified for said uses within the City's C-2 General Commercial District (LDC Sec. 122-223).

4. **The proposed use may be considered desirable at the particular location.**

Applicant's finding: The proposed use is an expansion of the existing automobile dealership and service center that is already successfully operating at this particular location.

Specific Development Standards

1. ***Density or intensity, character and type of development.*** The density or intensity, character and type of development shall be in conformance with the city's comprehensive plan, future land use map, future land use district designation and zoning district classification.

Applicant's finding: The proposed expansion is consistent with the character and type of development that is allowed within the City's land use and zoning classifications of Commercial and C-2 General Commercial District, respectively, which allow a maximum density of 12 du/ac (none proposed) and a maximum intensity of 0.25 FAR and 0.80 ISR. There are no residential units proposed and the conditional use permit site plan shows the project's proposed increase in intensity by 10,919 sq.ft. for a total of 70,568 sq.ft. of building area on 13.40 acres (0.12 FAR).

2. ***Compatibility of development.*** The compatibility of the development with terrain and surrounding development as to type and size of unit and height shall be considered. The development shall be so located and designed to avoid undue noise, odor, traffic or other nuisances and dangers to abutting property owners.

Applicant's finding: The development is compatible with the terrain and surrounding development pattern. The proposed expansion area already serves as grass parking for the existing automobile dealership. There are no known complaints of nuisances or dangers to abutting property owners. The expansion will utilize existing driveway connections (no new curb cuts) and stormwater runoff will be treated and released at pre-development rates.

3. ***Transportation.*** The city transportation system or streets must be of sufficient width and capacity to serve the demands created by the development. Dedication of rights-of-way, frontage or reverse frontage roads and other necessary improvements shall be considered and addressed.

Applicant's finding: The right-of-way and street widths are adequate to serve the project. The developer is proposing to access the site via the existing automobile dealership's access and will construct the cross connection to the existing frontage road that serves three commercial sites to the west.

4. ***Utilities.*** Sanitary sewer, potable water, reuse water, fire hydrants and other utilities must be available and have capacity to serve the development. For commercial or industrial development, the quality of the wastewater must be in conformance with section 66-76 et seq.

Applicant's finding: City utilities are available to serve the development. Potable water and sewer exist on the adjacent automobile dealership. The owners will install water and fire service connections as needed to serve the development, including replacement of the aging water main that runs down the west side of Parcel 2. Wastewater discharge shall comply with the requirements of Code Section 66-76.

5. ***Stormwater management.*** The capability, capacity and location of the city storm sewer system for serving the development must be considered, as well as adequacy of project design to provide retention and positive outfall of stormwater.

Applicant's finding: The development does not outfall into a City-maintained system. It drains into the FDOT right-of-way. The project's design will abide by all of the stormwater release rate and volume criteria of FDOT, SJRWMD, and the City.

The rates and volumes of water to be discharged from the property were anticipated in the design of FDOT's SR 50 drainage system. The project is not anticipated to overburden any downstream drainage systems.

The project will include an outfall structure to allow its permitted discharges, as well as allowing runoff from storms greater than the design storm to exit the site without creating adverse on-site flooding conditions.

6. **Site planning.** The development shall be planned and designed to consider:
- a. Effectiveness of plotting or building layout (street patterns, required yards, etc.).
 - b. Orientation of units (setback, open space).
 - c. Avoidance of environmentally sensitive areas (floodplain, steep slopes, unstable soil, drainage or wetland areas).
 - d. Consideration of visual resources (view and aesthetics).
 - e. Landscaping, buffering and screening (for privacy and to screen parking or undesirable features).
 - f. Provision of open space areas or private recreation areas.
 - g. Off-street parking and loading areas, where required, with particular attention to noise, glare or odor as they may affect adjoining properties. Adequate off-street parking shall be provided in conformance with city codes. Residential construction must be provided with required off-street parking in all districts.
 - h. Ingress and egress to property and proposed structures thereon, with particular reference to automobile and pedestrian safety, traffic flow and control and access in case of fire. Access to refuse collection areas shall be provided.

Applicant's finding: All of these items have been taken into consideration in the planning and design of the development. The building location is similar to other buildings along the corridor. The stormwater pond will be located to the rear of the site, along with underground chambers within the parking lot as shown on the site plan. There is only one row of parking in front of the building. Site access is via existing driveways as discussed in previous findings above, in order to minimize impacts on traffic flow and provide for safe and convenient vehicular circulation within the development. Sidewalks are provided for pedestrian safety and interconnectivity to the abutting street.

7. **Solid waste disposal.** For commercial and industrial development, the capacity to dispose of solid waste, with particular reference to any hazardous wastes generated.

Applicant's finding: There is adequate capacity to dispose of domestic solid waste from the development. Hazardous waste disposal to be consistent with all regulatory rules and regulations.

Prepared by:
AVID Group



Peter Pensa, AICP
Director of Planning



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 8/31/17

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): Quick Lane @ Ford of Clermont

APPLICANT: AVID Group

CONTACT PERSON: Peter Pensa, AICP

Address: 2300 Curlew Road, Suite 201

City: Palm Harbor State: FL Zip: 34683

Phone: 727-234-8015 (cell) Fax: N/A

E-Mail: peter.pensa@avidgroup.com

OWNER: (1) Deardoff Limited & (2) Ford of Clermont Inc.

Address: 1850 E Merritt Island Causeway

City: Merritt Island State: FL Zip: 32952

Phone: 321-452-9285 Fax: N/A

Address of Subject Property: (1) TBD & (2) 1101 E Hwy 50, Clermont, FL 34711

General Location: South side of State Road 50, between Grand Highway and Sandhill View
Boulevard.

Legal Description (include copy of survey): see attached legal description

Land Use (City verification required): C (Commercial)

Zoning (City verification required): C-2 (General Commercial)





CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION
Page 2

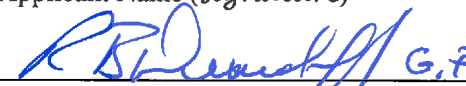
Detailed Description of request (What are you proposing to do and why is it appropriate for this location? Attach additional page is necessary.

See attached project narrative & justification statement.

Peter Pensa, AICP, Director of Planning,
Applicant Name (print) AVID Group

R.B. Deardoff
Owner Name (print) Deardoff Limited

X 
Applicant Name (signature)

X  G.P.
Owner Name (signature)

***** NOTICE *****

**IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL
BE SUBJECT TO A DELAY ON PROCESSING AND WILL NOT BE SCHEDULED
UNTIL CORRECTIONS ARE MADE.**

City of Clermont
Development Services Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-021 9
(352) 394-4083 Fax: (352) 394-3542



CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION
Page 2

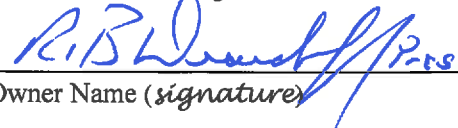
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Applicant Name (print) AVID Group

R. B. Deardo Jr
Owner Name (print) Ford of Clermont Inc.

X 
Applicant Name (signature)

X 
Owner Name (signature)

* * * * * **NOTICE** * * * * *

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City of Clermont
Development Services Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-021 9
(352) 394-4083 Fax: (352) 394-3542

LETTER OF AUTHORIZATION

To Whom It May Concern:

This letter does hereby authorize AVID Group to act as our agent for and with all regulatory agencies, departments, and their personnel for the City of Clermont, Lake County, Florida Department of Economic Opportunity, Florida Department of Transportation, St. Johns River Water Management District, Florida Department of Environmental Protection, US Army Corps of Engineers, and any other utility providers or regulatory agencies in an effort to receive all approvals necessary for developing the proposed project on an approximately 9.38 acres, m.o.l. tract that is generally located on the south side of State Road 50, between Grand Highway and Sandhill View Boulevard in the City of Clermont (annexation proposed), Lake County, Florida.

Parcel ID Number:	Site Acreage	Street Address (if assigned):
09-22-26-130502300001	9.38 acres m.o.l.	1101 E Highway 50 Clermont, FL 34711

Property Owner:

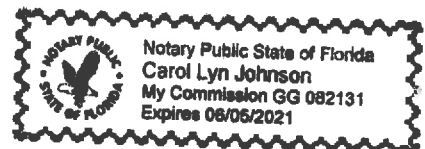
R.B. Deardorff
Name: R.B. Deardorff
Title: President
Ford of Clermont Inc.
1850 E Merritt Island Causeway
Merritt Island, FL 32952-2665

STATE OF Florida COUNTY OF Brevard On
this the 16 day of Aug 2017 before me, the undersigned Notary Public of
the State of Florida, personally appeared R.B. Deardorff and whose
name(s) is/are subscribed to the within instrument, and acknowledge that he/she/they executed
it. The individual(s) are ☒ personally known to me, or ☐ presented the following
identification: _____.

WITNESS MY HAND AND SEAL:

NOTARY SEAL &
COMMISSION EXPIRATION:

[Signature]
NOTARY SIGNATURE



LETTER OF AUTHORIZATION

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Parcel ID Number:	Site Acreage	Street Address (if assigned):
09-22-26-130502300000	4.14 acres m.o.l.	No Address, State Road 50 Clermont, FL 34711

Property Owner:


Name: R.B. Deardoff
Title: General Partner
Deardoff Limited
1850 E Merritt Island Causeway
Merritt Island, FL 32952-2665

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it. The individual(s) are ☒ personally known to me, or ☐ presented the following
identification: _____.

WITNESS MY HAND AND SEAL:

NOTARY SEAL &
COMMISSION EXPIRATION:


NOTARY SIGNATURE



LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a Conditional Use Permit to allow for the expansion of an automotive dealership in the C-2 General Commercial zoned district.

LOCATION

Ford of Clermont 1101 East Highway 50.
Alternate Key 1103924, 1648343,

A complete legal description may be obtained in the Development Services Department located at 685 W. Montrose Street, Clermont, FL 34711.

This request will be considered by the Planning & Zoning Commission on Tuesday, October 3, 2017 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, November 14, 2017 at 6:30pm.

All meetings will be held in City Hall located at 685 West Montrose Street.

All interested parties will be given an opportunity to express their views on this matter.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made.

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
September 26, 2017
November 7, 2017

CUP Conditions:

Section 1 - General Conditions

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
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3. The property shall be developed in substantial accordance with the conceptual site plan dated August 31st 2017 prepared by Avid Group; incorporating all conditions of this Conditional Use Permit. Said plans shall be submitted for review and approval of the Site Review Committee prior to authorization and issuance of a development permit.
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CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 9, 2018		
Agenda Item Name		
Variance Request <i>Spencer</i>		
Requested Action		
Recommend denial of variance requests.		
Staff Report		
The applicant is requesting the following variance to the Land Development Code (LDC): To allow for a rear yard setback of 7 feet instead of 9 feet as required by the LDC, Section 122-105 To allow a side yard setback of 21 feet instead of 35 feet as required by the LDC, Section 122-105 The applicant is requesting a variance to allow the construction of a new single family residence to be located in the Indian Shores residential development (lot 63). The applicants proposal is to construct a 3,525 square foot house with an attached swimming pool. The house front and secondary front setback per code requires a 35 foot setback from the right-of-way. The applicant is requesting a 25 foot setback for the front, and a 21 foot setback for the secondary front (up to a 14 foot encroachment.) The swimming pool per current code requires a 9 foot rear yard setback, the applicant is requesting a 7 foot rear yard setback (two foot encroachment.) Starting in 1999 many lots within Indian Shores subdivision were granted setback variances. Many moved forward and constructed the houses based on the approved setback variances. This lot was originally approved for a 20 foot setback from the south property line, but because development did not happen within the one year time frame, the variance was no longer valid. Section 86-174 of the LDC requires a positive finding on eight items in order to grant a variance, and staff believes that two of the eight do not meet these findings. Therefore, staff recommends denial of the variance requests by the applicant to the Clermont Land Development Code.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Location Map	Location Map.docx	

2.	Findings	Review Criteria.docx
3.	Application	Application.pdf
4.	Site Plan	Site Plan.pdf

Spencer Variance

The requirements for a variance are as follows:

“Sec. 86-174, Review Criteria and Finding. When reviewing an application for a variance, the board of zoning adjustment shall not vary the requirements of any provision of this land development code unless it makes a positive finding, based on substantial competent evidence, on each of the following:”

There are eight items that the applicant is required to respond to. Staff’s comments, based on the eight requirements for a positive finding as they relate to this request, are as follows:

FINDINGS:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;
Applicant response: There have been multiple variances granted throughout this subdivision allowing larger homes and pools to be built, to the same extent as I am requesting
Staff comments: The subject parcel is currently vacant and provides no special conditions or circumstances that are peculiar to the land or building which are not applicable to other lands or building in the same zoning district.
Negative finding
- (2) The condition giving rise to the requested variance has not been created by any person presently having an interest in the property;
Applicant response: I (the owner) have only interest in property.
Staff comments: The current owner/ builder is who is requesting this variance request.
Negative finding
- (3) Literal interpretation and enforcement of the land development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code, and would work unnecessary and undue hardship on the applicant;
Applicant response: There has been multiple variances given in this neighborhood so others could build the house and pool they desire.
Staff comments: Other nearby parcels have been granted similar variances.
Positive finding
- (4) The variance request is not based exclusively upon a desire to reduce the cost of developing the site or otherwise economically founded;
Applicant response: No, I am requesting variance so I can build a larger home.
Staff comments: No evidence of decreased costs due to the requested variances.
Positive finding
- (5) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;
Applicant response: Yes, Since this is a corner lot with the current setbacks I would only be able to build a 59’ x 47’ home with a pool area only extending out 16’.
Staff comments: The applicant is trying to maximize the potential use of the site by requesting the variances for a reduction of required setbacks. The requested variances are the minimum variances necessary for development and improvement of the site.
Positive finding

- (6) Granting of the variance request will not confer on the applicant any special privilege that is denied by the land development code to other lands, buildings or structures in the same zoning district;

Applicant response: None that I am aware of, others in this subdivision have already been granted the same variances as I am requesting.

Staff comments: The City Council has granted similar variance requests in the past for other properties in the same zoning district.

Positive finding

- (7) The proposed variance will not substantially diminish property value in, or alter the essential character of the area surrounding the site; and

Applicant response: No, building a nicer/larger home will increase value and overall look of neighborhood.

Staff comments: The proposed variances appear not to substantially diminish property values or alter the essential character of the area and surrounding properties.

Positive finding

- (8) The granting of the variance will be in harmony with the general intent and purpose of this land development code, and will not be injurious to the surrounding properties or detrimental to the public welfare.

Applicant response: Since many others have already been granted the same or similar variances I am requesting in this subdivision it should not have an impact on any surrounding properties.

Staff comments: Staff feels that the proposed project will be in harmony with the general intent and purpose of the land development code.

Positive finding

STAFF RECOMMENDATION:

Section 86-174 of the LDC requires a positive finding on eight items in order to grant a variance, and staff believes that **two** of the eight do not meet these findings. Therefore, staff recommends **denial** of the variance requests by the applicant to the Clermont Land Development Code.



CITY OF CLERMONT
VARIANCE
Application

DATE: 11/16/17

FEE: \$ 300
OK 1201

PROJECT NAME (if applicable): _____

APPLICANT: JARROD SPENCER

CONTACT PERSON: JARROD SPENCER

Address: 11133 CROOKED RIVER CT.

City: CLERMONT State: FL Zip: 34711

Phone: 321-231-2608 Fax: —

E-Mail: JARROD34711@GMAIL.COM

OWNER: JARROD SPENCER

Address: 11133 CROOKED RIVER CT.

City: CLERMONT State: FL Zip: 34711

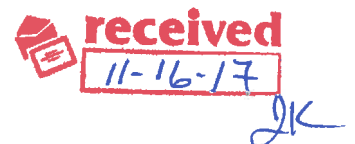
Phone: 321-231-2608 Fax: —

Address of Subject Property: LOT 63 INDIAN SHORES

General Location: LOT DIRECTLY TO RIGHT OF
1245 SHORECREST CIR.

Legal Description (include copy of survey): CLERMONT INDIAN SHORES
REPLAT SUB LOT 63 PB 36 PG 71-72 ORB
4232 PG 1585

Land Use (City verification required): SFR





Zoning (City verification required): _____

**CITY OF CLERMONT
VARIANCE**

**Application
Page 2**

Answers to the following questions are required to complete this application.

City Zoning Ordinance (Land Development Code Section) from which you are requesting relief:

CHANGE FRONT SETBACK TO 25', SIDE SETBACK NEAR STREET 20'
AND POOL/POOL DECK TO 7' SEC 122-105 (1) & (2) + (3)

What are you proposing to do that would require a variance and why? CONSTRUCT SFR

How does the Code create a hardship? CURRENT SETBACKS DO NOT ALLOW
US TO BUILD THE SIDE HOUSE WE WOULD LIKE

*** * * * The following justifications must be completed * * * *
for any variance requested:**

Variance requested – subject and code section: FRONT SETBACK 25'
SIDE SETBACK - STREET SIDE 20' POOL/POOL DECK 7'

Sec. 86-174. Review criteria and findings.

When reviewing an application for a variance, the City Council shall not vary the requirements of any provision of this land development code unless it makes a positive finding, based on substantial competent evidence, on each of the following:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;

THERE HAVE BEEN MULTIPLE VARIANCES GRANTED
THROUGHOUT THIS SUBDIVISION ALLOWING LARGER HOMES
& POOLS TO BE BUILT, TO THE SAME EXTENT AS I AM
REQUESTING

- (2) The condition giving rise to the requested variance has not been created by any person presently having an interest in the property;

I (THE OWNER) HAVE ONLY INTEREST IN PROPERTY



CITY OF CLERMONT

VARIANCE

Application

Page 3

3) Literal interpretation and enforcement of the land development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code, and would work unnecessary and undue hardship on the applicant;

THERE HAS BEEN MULTIPLE VARIANCES GIVEN IN THIS NEIGHBORHOOD SO OTHERS COULD BUILD THE HOUSE & POOL THEY DESIRE

(4) The variance request is not based exclusively upon a desire to reduce the cost of developing the site or otherwise economically founded;

NO, I AM REQUESTING VARIANCE SO I CAN BUILD A LARGER HOME

(5) The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;

YES, SINCE THIS IS A CORNER LOT, WITH THE CURRENT SETBACKS I WOULD ONLY BE ABLE TO BUILD A 59' x 47' HOME WITH A POOL AREA ONLY EXTENDING OUT 16'

(6) Granting of the variance request will not confer on the applicant any special privilege that is denied by the land development code to other lands, buildings or structures in the same zoning district;

NONE THAT I AM AWARE OF, OTHERS IN THIS SUBDIVISION HAVE ALREADY BEEN GRANTED THE SAME VARIANCES AS I AM REQUESTING

(7) The proposed variance will not substantially diminish property value in, or alter the essential character of, the area surrounding the site; and

NO, BUILDING A NICER/LARGER HOME WILL INCREASE VALUE & OVERALL LOOK OF NEIGHBORHOOD



**CITY OF CLERMONT
VARIANCE**

Application

Page 4

(8) The granting of the variance will be in harmony with the general intent and purpose of this land development code, and will not be injurious to the surrounding properties or detrimental to the public welfare.

SINCE MANY OTHERS HAVE ALREADY BEEN GRANTED THE SAME
OR SIMILAR VARIANCES I AM REQUESTING IN THIS SUBDIVISION
IT SHOULD NOT HAVE AN IMPACT ON ANY SURROUNDING PROPERTIES

JARROD SPENCER
Applicant Name (print)

X [Signature]
Applicant Name (signature)

JARROD SPENCER
Owner Name (print)

X [Signature]
Owner Name (signature)

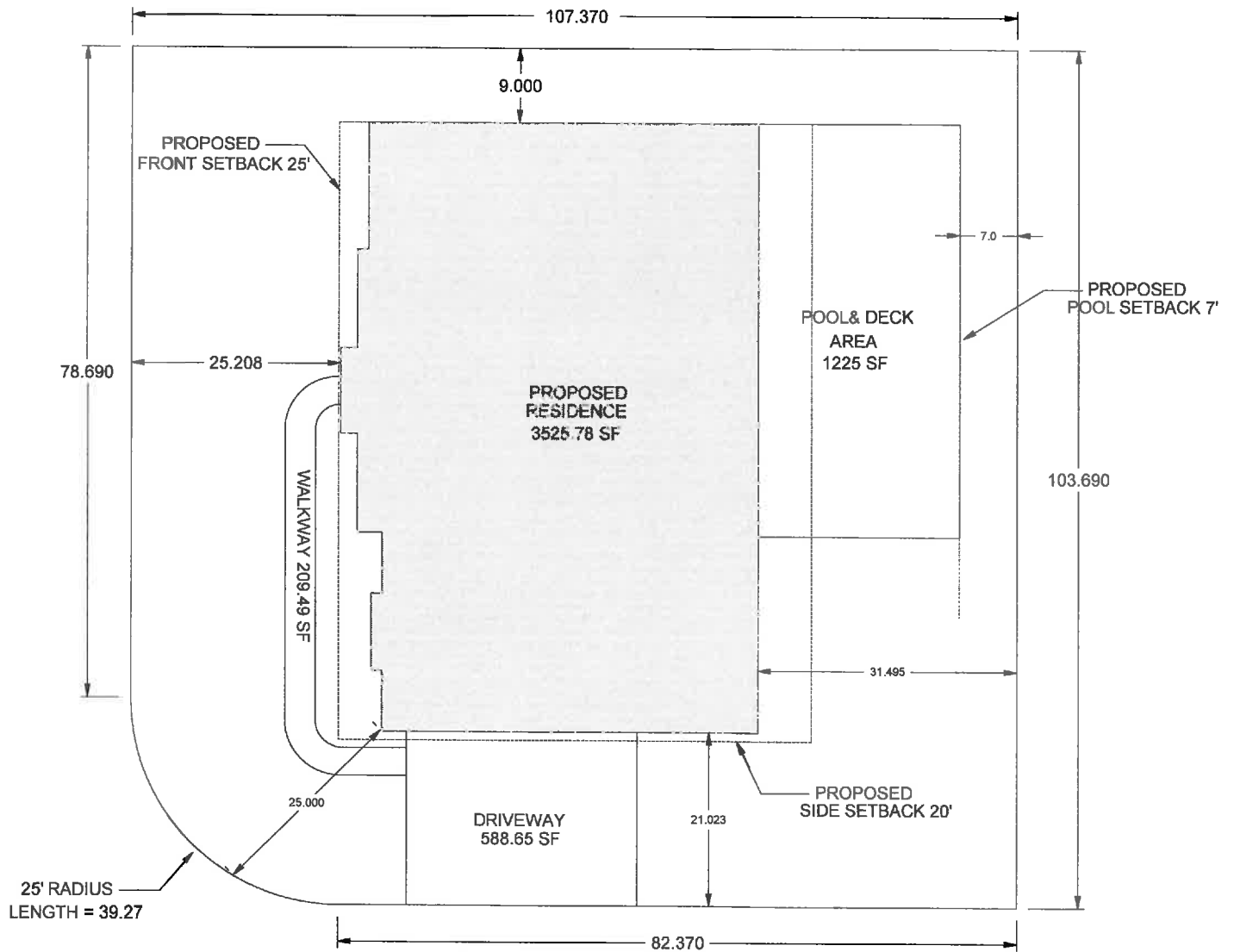
******* NOTICE *******

IF THIS APPLICATION IS SUBMITTED INCOMPLETE OR INACCURATE, IT WILL BE SUBJECT TO A DELAY IN PROCESSING AND WILL NOT BE SCHEDULED UNTIL SUCH CORRECTIONS ARE MADE. APPLICATION FOR VARIANCE DOES NOT GUARANTEE APPROVAL. THE APPLICANT MUST BE PRESENT AT ANY MEETINGS TO JUSTIFY AND SUPPORT THE REQUEST.

City of Clermont
Development Services Department.
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-021 9
(352) 394-4083 Fax: (352) 394-3542

LOT 63 INDIAN SHORES

↑
N
SCALE: 1" = 20'



CURRENT SETBACKS:

FRONT = 35'
SIDE = 9'
SIDE BY STREET = 35'
REAR = 25'
POOL/POOL DECK = 9'

PROPOSED SETBACKS:

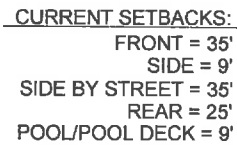
FRONT = 25'
SIDE = 9'
SIDE BY STREET = 20'
REAR = 25'
POOL/POOL DECK = 7'

******NOTE******

THERE IS BELIEVED TO BE
A VARIANCE ON RECORD FOR
THE SIDE BY THE STREET
ALREADY FOR 20'

TOTAL LOT AREA = 10,999 SF

 SCALE: 1" = 20'



NOTE
THERE IS BELIEVED TO BE
A VARIANCE ON RECORD FOR
THE SIDE BY THE STREET
ALREADY FOR 20'

TOTAL LOT AREA = 10,999 SF



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 9, 2018		
Agenda Item Name		
Lien reduction or waiver request		
Requested Action		
Request approval of reduction or waiving of lien amount.		
Staff Report		
In 2014, a tenant walked up to the front counter and complained about the listed violations at this address where he lived: rats, openings in floor and walls and no permit for fixed plumbing. It went to a hearing in 2015 where owner was found in violation under Florida State Statute (F.S.S.) 162. On June 30, 2016 a lien was imposed for the amount of \$69,500.00 (fines that accrued daily due to non-compliance of violations on property) from September 21, 2015 through June 21, 2016 (278 days). In 2017, same violations plus electrical and fire equipment hazards were observed. Therefore, acquiring the status as repeat offender under F.S.S. 162.12 . The case was presented in the Code Hearing in which the Special Magistrate found it in violation of "REPEAT VIOLATION". Due to the REPEAT VIOLATION the lien has continued accruing at \$250 per day until March 27, 2017 (557 days) until property came into compliance. The fines had stopped that day and total amount for the lien is \$139,250.00.		
Additional Analysis		
Fiscal Impact Summary		
The outstanding liens for the property are \$139,250.00		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Lien Waiver Request	Michelle Peters.pdf	
2. Code Enforcement Report	17-108 972 W Juniata Rpt VN.pdf	

June 19, 2017

970 W. Juniata Street

Clermont, FL. 34711

REQUEST FOR A WAIVER OR REDUCTION OF LIEN CASE
#C2014-010044

To Clermont City Council:

I am contacting you in reference to a Code Enforcement case at the above location. I am humbly and respectfully requesting a hearing to appear before Clermont City Council, to request a waiver or reduction of the lien that has been imposed to the above location. I am requesting the opportunity to provide information and documentation in reference to the violations and the extent of time to repair.

I would like to resolve and close this case.

Thank You


Michelle Peters

Mailing address

12406 Lake Valley Drive

Clermont, FL. 34711

352-348-1903

City of Clermont

March 30, 2017

Michelle Peters (Grady)
12406 Lake Valley Dr
Clermont, FL 34711

9171 9690 0935 0153 1534 52

RE : **Case #C2014-010044**

Property address: 970 W Juniata St, Clermont, FL 34711

Violations: minimum housing; electrical; mechanical; fire protection.

Dear Michelle Peters (Grady),

This is to notify you that the abovementioned Code Enforcement case has not been closed due to the **outstanding lien** that remains on the property.

A lien in the amount of \$69,500.00 was imposed on June 30, 2016, for accrued fines from September 21, 2015, through June 21, 2016. (278 days). The lien has continued accruing at \$250 per day from June 22, 2016, to March 27, 2017, for a total of 557 days. **Total amount of lien is \$139,250.00**

In order to close this case, you are requested to:

1. Submit full payment of the lien at the City Clerk's Office before **August 1, 2017**,
OR
2. Appear before the Clermont City Council to **request waiver or reduction of lien**.
You are required to submit a letter requesting to appear before the City Council before **June 30, 2017**. Please include the case information provided above.

Thank you for your attention in this matter.

Sincerely,



Lori Crain
Code Enforcement Officer
(352) 241-7343
lcraim@clermontfl.org

**CODE ENFORCEMENT BOARD OF THE
CITY OF CLERMONT, FLORIDA**

**CITY OF CLERMONT,
Petitioner,**

**Case No: C2014-010044
970 W JUNIATA ST**

VS.

**MICHELLE & GRADY TAYLOR,
Respondents.**

9171 9690 0935 0124 5578 52

9171 9690 0935 0124 5578 45

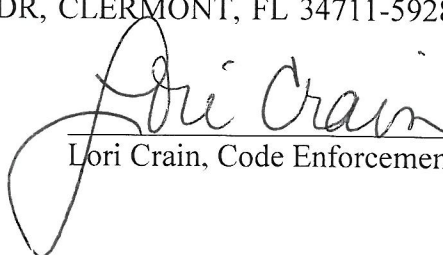
**NOTICE OF HEARING AND MOTION FOR
ORDER IMPOSING FINE AND CREATING LIEN ON PROPERTY**

YOU ARE HEREBY ADVISED that the Code Enforcement Board shall conduct a hearing on Tuesday, June 21, 2016, at 6:00 PM in the Council Chambers, City Hall, 685 West Montrose Street, Clermont, Florida, to consider the petitioner's request as set forth below for authorization to impose a fine and create a code enforcement lien in this matter.

This motion is pursuant to Chapter 162, Florida Statutes. At its September 15, 2015, hearing, the Code Enforcement Board issued a Findings of Fact, Conclusion of Law, Order of Repeat Violation and Imposing Fine finding that a City Code had been violated on the above property related to the following violations of Clermont City Code **Chapter 14, Sections, 304.14, 309.1, 309.2, 605.1, 605.2, 704.1, 704.2, Section 10-46, 34-134, 34-139, 34-61, 34-62.** As a result of these violations, the Board imposed a fine in the amount of \$250 to accrue for each day the violation continues past September 20, 2015. The Respondent has failed to completely comply.

WHEREFORE, the City of Clermont requests the Code Enforcement Board authorize recording of an Order Imposing Administrative Fine/Lien as provided in Chapter 162, Florida Statutes in the amount of **\$69,500.** (\$250 per day fine accruing for 278 days-September 21, 2015, through June 21, 2016) which shall continue to accrue at \$250 per day until compliance has been met.

I HEREBY CERTIFY that on this 21st day of April, 2016, a true and correct copy of this Order has been furnished by certified and regular first class mail to the Respondents, MICHELLE & GRADY TAYLOR, 12406 LAKE VALLEY DR, CLERMONT, FL 34711-5928; AND 970 W JUNIATA ST, CLERMONT, FL 34711.


Lori Crain, Code Enforcement Officer

**CODE ENFORCEMENT BOARD OF THE
CITY OF CLERMONT, FLORIDA**

CITY OF CLERMONT,

Petitioner,

vs.

Case No: C2014-010044

970 W. Juniata Street

Clermont, Florida

9171 9690 0935 0133 4979 89

9171 9690 0935 0133 4979 96

MICHELLE TAYLOR and GRADY TAYLOR,

Respondents.

_____ /

ORDER IMPOSING ADMINISTRATIVE FINE AND CREATING LIEN

THIS CAUSE came on for public hearing before the Code Enforcement Board on June 21, 2016, after due notice to Respondents upon Petitioner's Motion for Order Imposing Fine and Creating Lien, at which time the Board was advised that the Respondent did not timely comply with the Board's Order of September 15, 2015.

It is hereby ORDERED THAT:

1. A fine is imposed in the amount of SIXTY-NINE THOUSAND FIVE HUNDRED DOLLARS (\$69,500), which shall continue to accrue at the rate of TWO HUNDRED AND FIFTY DOLLARS (\$250.00) per day until compliance has been met as set forth in the Board's Order of September 15, 2015.

2. This Order shall be recorded in the Public Records of Lake County and thereafter shall constitute a lien against the following described land on which the violation exists and upon any other real or personal property owned by Respondents.

Parcel Id No. 24-22-25-010009701500

Alt Key: 1615445

Legal Description:

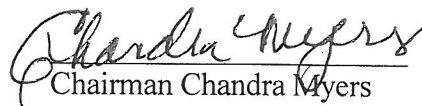
CLERMONT S 140 FT OF LOT 15, BLK 97 PB 8 PG 17
ORB 3147 PG 2372
AS LISTED IN LAKE COUNTY PUBLIC RECORDS

Case No: C2014-010044

3. This Order shall be in addition to any other Order of this Board Imposing a Fine and Creating a Lien in this matter.

DONE and ORDERED this 30th day of June, 2016.

CODE ENFORCEMENT BOARD OF THE
CITY OF CLERMONT, FLORIDA


Chairman Chandra Myers

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 30 day of June, 2016, by Chandra Myers, as Chairman of the City of Clermont Code Enforcement Board who is personally known to me or produced FL Dr Lic. as identification.

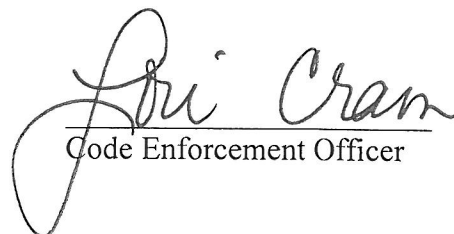

Signature of person taking acknowledgment

Joell Folmar
Name of Officer taking acknowledgment--typed,
printed or stamped



JOELL FOLMAR
MY COMMISSION # FF 009885
EXPIRES: June 26, 2017
Bonded Thru Budget Notary Services

I HEREBY CERTIFY that on this 30th day of June, 2016, a true and correct copy of this Order has been furnished by certified and regular mail to the Respondents, Grady Taylor, 970 W. Juniata Street, Clermont, FL 34711 and Michelle Taylor, 12406 Lake Valley Drive, Clermont, FL 34711.


Code Enforcement Officer

Case No. 2017-000108
Michelle Peters & Grady Taylor

972 W Juniata St
Clermont, Florida 34711
Parcel #242225010009701500

Repeat Violation
City Code

**Chapter 14-9, Sections: 309.1 & 309.2-Pest Elimination; 605.1-Electrical
Equipment; 704.1 & 704.2 Fire Protection Systems**

W DESOTO ST

10TH ST

WEST AVE

983
SOUTH LAKE MONTESSORI SCHOOL
1758670

955
1615411

939
1758661

915
1615372
FAITH FELLOWSHIP

801

1614953

885

830
1615381

1615429
843

972
1
1615445

1615453
966

1615402

854
1615399

883
1615437

940

3881164
849

W JUNIATA ST

999
1615518

965
1615496

963
1714095

909
1615461

981
1615500

930
1615470

943
1615534

1615542

IGLESIA NUEVO AMANECER INC
1615551

15488



2017/04/05 12:42



2017/03/29 08:03







2017/03/29 08:06



2017/03/29 08:06



2017/03/29 08:07







2017/03/29 08:16

MODEL N
VOLTS 2
SINGLE S

TOTAL
MULTIPLE
CKT #1
CKT #2
CKT #3

INDOOR B
SUPPLY WIR
UNIT HAS
TEST EXT



2017/03/29 15:45





2017/03/29 15:49

Case No. 2017-000108
Michelle Peters & Grady Taylor

09/15/15 CEB found in violation C2014-010044;
FOF issued 09/22/15: Current lien on property; Came into
compliance 03/27/17
03/29/17 Initial inspection in response to complaint
03/30/17 Repeat Violation Notice & Hearing Notice sent
04/05/17 Posted property with notices
04/06/17 Phone call with Michelle-rec'd notices

Case No. 2017-000108
Michelle Peters & Grady Taylor
972 W Juniata St
Clermont, Florida 34711

STAFF RECOMMENDATION TO THE SPECIAL MAGISTRATE:

**TO FIND RESPONDENTS IN REPEAT VIOLATION OF SECTIONS
STATED, AND ASSESS FINE OF \$500 PER DAY SINCE MARCH 29,
2017, AND FOR EVERY DAY VIOLATION EXISTS UNTIL
COMPLIANCE IS MET.**



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 9, 2018		
Agenda Item Name		
Event and Road Closure Request		
Requested Action		
Consider allowing the Clermont Downtown Partnership's request to host weekly Farmer's Market and Merchant Faire with road closures for 12 months.		
Staff Report		
The Clermont Downtown Partnership is requesting to host their weekly Farmer's Market & Merchant Faire every Sunday (except Easter) for 12 months starting on February 4, 2018 from 9:00 AM - 2:00 PM in Downtown Clermont. The organization is requesting to close off roads starting at 5:30AM until 4:00PM at the following intersections: -Montrose Street between Lake Avenue and 7th Street -Montrose Street at previous Police Station entrance -8th Street and Montrose Street -8th Street and Minneola Avenue -7th Street and entrance to parking lot in between Montrose Street & Minneola Ave. -7th Street and Desoto -Public parking lot area next to South League Animal League on east side. (14 parking spaces) (see attached map for specifics)		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Farmers Market Application and Map 2018 Farmers Market Application 2018.pdf		



APPLICATION FOR SPECIAL EVENTS PERMIT

PLEASE TYPE OR PRINT CLEARLY

Today's Date November 7, 2017
Name of Event Farmers Market & Merchant Faire
Date(s) of Event Every Sunday except Holiday Estimated Attendance: 1800 per Sunday
Event Start Time: 9:00 am Event End Time: 2:00 pm
Before Event Setup Time: 5:30 am After Event Cleanup Time: 4:00 pm (2 hrs)
Name of Organization/Applicant Clermont Downtown Partnership Inc.

The refundable deposit will be made payable and mailed to the name and address of the applicant listed

Check Type of Organization ☐ Resident ☐ Non Resident ☒ Non-Profit ☐ Business

Non-Profit documentation must be provided with application.

Tax Exempt ☒ Yes ☐ No If yes, provide Tax Exempt # 501-C-6 (should be on file)

If Yes, you must provide your Tax Exempt Certificate with application.

Federal ID # or Driver's License # 59-3749760
Event Contact Sandy Farnsworth Email info@clermontdowntownpartnership.com
Day Phone 352-989-5399 Cell Phone 352-617-8788
Address Po Box 120734 City Clermont State FL Zip 34712-0734
Secondary Contact Keith Mullins Phone # 352-394-9805

Briefly Describe Event: Weekly out-door, open air market. Vendors beneath canopy pop-up tents offering fresh produce (conventional, hydroponic, organic) eggs, cheese, fish, honey, jams, bakery, olives, coffee, dips, Cottage Industry edibles, fresh plants, soaps, oils, handmade crafts, jewelry, furniture and more. Food trucks. Plus Downtown Brick & Mortar's display under tents

Location of Event on City Property: ☐ A ☐ B ☐ C ☐ D ☐ Map 1 ☐ Map 2

Please choose A, B, C, or D on MAP 1 or MAP 2

Other Location: See attached floor plan from Lake to old PD on Montrose. DeSoto to just North of Montrose-7th; 8th St. to Minneola on Montrose

PLEASE COMPLETE THE FOLLOWING QUESTIONNAIRE AND RETURN WITH YOUR APPLICATION

Alcohol Served: ☐ Yes ☒ No

If Yes, State Alcoholic Beverage License REQUIRED for sale for alcoholic beverages 1-800-375-6975 and approval from the City of Clermont City Manager and Council.

Canopy/Tent Use: ☒ Yes ☐ No Size of Tent* 10X10

*Tents larger than 900 sq. ft. will require an additional permit

Electrical Use: ☒ Yes ☐ No Describe the need: low amp- fans, heaters, grills, etc
Additional permits may be required based on use

Electrical Power Provided: ☐ Generator ☐ Temporary Power Drop ☒ Property Power

Gas Fueled Equipment: ☒ Yes ☐ No Describe Use: Some food trucks utilize propane
If Yes, subject to permits as required by the Building/Fire Safety Division.

Fuel Source ☒ Propane ☐ Natural Gas ☐ Diesel Fuel ☐ Gasoline

Cooking Equipment Use: ☒ Yes ☐ No

If Yes, subject to approval as required by the Florida DBPR, Division of Hotels and Restaurants. Contact number 1-850-487-1395

Cooking Types: ☐ Fryers ☐ Propane Grill ☐ Charcoal Grill ☐ Concession Trailer ☒ Food Trucks

Insurance may be required by provider

Rides: ☐ Yes ☒ No occasionally - will provide certificate of insurance to CDP & City

Ride Types: ☐ Mechanical ☒ Bounce Houses ☒ Animals pony rides
Insurance may be required by provider

Pyrotechnic/Fireworks Displays: ☐ Yes ☒ No

If Yes, requires separate approval process completed by Company with the Fire Prevention Division.
The release of Sky Lanterns is not permitted under state law.

Streets to be Closed or Traffic Control: ☒ Yes ☐ No

Written submission for road closure is required and will require city council approval

Fire or Law Enforcement Stand-by Requested: ☐ Yes ☒ No

If Yes, requires separate approval process completed by applicant with the Clermont Police Department and Clermont Fire Department.
Law enforcement or fire/ems stand-by may be required by the City for certain events/activities and at the applicant's cost.

Live Television or Radio Broadcast: ☐ Yes ☒ No

DJ, Band, Music or Sound Amplification Devices: ☒ Yes ☐ No

Describe: DJ, Street musicians - low amp - mostly for atmosphere
If loud sounds are created that require a permit under the City Noise Ordinance, a letter requesting a permit for such activity must accompany this permit application.

Banners or Attention Getting Devices: ☒ Yes ☐ No

If Yes, Attention Getting Devices and Banners require a separate permit with the Building/Fire Safety Division. Temporary signage is not permitted in right-of-ways.

Banners at 8th/Hwy 50 - sized to fit City Requirements
18" x 24" "real estate" type signs for day of event use only
in Downtown business district



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, January 9, 2018	
Agenda Item Name	
Fee Reduction Request <i>2018 Spring Games</i>	
Requested Action	
Recommend approval of reduction of fees for the 2018 Spring Games.	
Staff Report	
In 2017, The Spring Games was classified by the City Council as a "Community Partner Event" along with Pig On The Pond and The Sommer Sports Triathlon Series. Each year college softball teams from around the country compete at Hancock Park, Legends Way, Sleepyhollo Softball Complex in Leesburg and the Minneola Athletic Complex from late February through late March. Previous to being named a "Community Partner Event", the City Council had annually waived 50% of field rental fees. In 2016, the City Council waived 50% of field rental fees and provided a credit in the amount of \$4,613.24 for facility improvement work provided by PFX for a total waiver of \$15,231.99. PFX paid a total of \$6,005.51 to the City. In 2017, the City Council credited PFX \$28,630.95 for upgrades made to Hancock Park. Further, the City Council waived 50% of field rental fees (\$10,618.75), agreed to pay for daily field maintenance typically paid for by PFX (\$7,256.25) and waived the cost of the daily porters (\$6,357). There was no payment due to the City from PFX, and PFX was then issued a credit in the amount of \$3,987.70. Staff is requesting that 100% of field usage fees (approximately \$22,000), and the cost of the daily porters (approximately \$6,300) be waived. In addition, the City would pay the \$3,987.50 credit owed to PFX directly towards PFX's balance with AGH for additionally requested field maintenance. City policy states that only leagues are permitted to rent and utilize the concession stands located within Hancock Park and Palatlakaha Park. All equipment and goods contained within each concession stand is the sole property of the league renting the concession stand. PFX has generously provided a combination of money and/or hard goods to Clermont Girls Fast Pitch ("CGFP") over the years in exchange for the revenue lost by the league during the month that PFX utilizes Hancock Park. This year, PFX has declined to make a monetary and/or product donation to the league and has proposed to offer discounted program registrations to PFX camps and clinics along with free tickets to PFX events in an effort "to support a meaningful exchange of value and partnership". CGFP does not support this proposal. PFX has requested that if an agreement cannot be worked out between PFX and CGFP for the City Council to permit PFX to utilize the concession stand without using any CGFP equipment, except for the equipment that PFX had previously donated to CGFP.	

Additional Analysis		
Fiscal Impact Summary		
Approximate costs incurred by the City for The Spring Games: Facility Fees - \$22,000 Porters - \$6,300 PFX Credit - \$3,987.70 Total = \$32,287.70 **Total fees unknown until after the event.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. PFX Spring Games 2018 Request	Request from Sarah 11_20_17.pdf	

Dear Scott,

Thank you for your time Friday and for your efforts to assist in the creation of a working relationship between PFX Athletics and Clermont Girls Fastpitch Softball (CGFS). As you know, we are most interested in an agreement between the City, CGFS, and PFX that represents an equal exchange of value. As we approach the December City Council meeting and the decision of the Council to accept THE Spring Games as a City of Clermont "Signature Event," there are a couple points I would like to be sure we address. They are set forth below.

1. Please provide me with a draft agreement for THE Spring Games as a signature event and include the points we discussed at our last meeting with Alison and Darren. On that note, if you would kindly send me the notes from the meeting (as you did for our last meeting), I would appreciate it as they were very helpful!
2. Regarding the use of the City concession stand during the event, it is true that in past years PFX has paid Clermont Girls (originally CGSL, now CGFS) money or the equivalent to use their equipment located inside of the facility. Again, the Board of the CGFS has requested PFX pay for use of the equipment and during the 2018 Spring Games.

As we discussed in our last meeting, PFX has left miscellaneous equipment in the concession stand after THE Spring Games event. As I understand it, CGFS has used this equipment for its fundraising efforts both during its regular season and throughout the year at weekend travel ball tournaments hosted by other organizations like NSA and USSSA; we are thrilled to have been able to support the league in this capacity!

Last year (2017), we also funded CGFS's opening and closing ceremonies. Our intention in so doing was to establish and support an ongoing relationship between PFX (the City's leading women's softball organization) and CGFS (the City's titled youth softball organization). We believe that the collegiate, professional, and Olympic athletes we bring to Clermont are able to teach and inspire our youth - this result has been seen year after year through our Adopt A Team program at Clermont Elementary (now in its 4th year).

As Alison explained to you at our last meeting, PFX is looking to be able to have a meaningful impact (not just write a check) to the 200+ girls in the CGFS league. Rather than pay money to the league this year (as we understand the league has been operating the concession stand during weekend travel ball tournaments and is no longer in need of funds), this year PFX is prepared to offer any one of the following to CGFS to support a meaningful exchange of value and partnership between the City, CGFS, and PFX:

- All active members of CGFS will be invited to participate in PFX events (including THE Spring Games, the NAIA World Series, and our annual Practice with the Pros) at 50% off the regularly advertised rate. If all 200 children participated in the Practice with the Pros camp for just one day, for example, the monetary benefit to the girls would be in excess of \$10,000; for a session during the NAIA World Series, the benefit would be over \$1,000!
- All active members of the CGFS will be provided FREE tickets to the championship game of

the NAIA World Series (a \$2,000+ value).

- All active members of the CGFS will be invited to participate in our Spring Games Bat Girl program (a FREE activity to the kids) where they can be in the dugouts and on the field with a Spring Games team during an actual college softball game.
- All active members of the CGFS will be provided FREE admission to the NAIA World Series Champions of Character event (value: TBD).

These savings (and more importantly the experiences they represent) will really add up for the children. The children who have participated in our programs have expressed such joy at the opportunity to interact with women who play softball at the highest levels and their parents tell us how these programs have inspired their children; I trust that the results with girls who already have an interest in softball would be even greater!

We are happy to be offering these opportunities to the girls in our community and ask only that, in return, we be able to open the City concession stand at Hancock Park during THE Spring Games, to use the equipment left in the stand during that time (whether it belongs to CGFS or the City), and that CGFS help spread the word within its own organization about THE Spring Games, the NAIA World Series, and the Practice with the Pros events (including the discounts offered as part of this partnership) via its Facebook page and email at least once per week in the two months leading up to and during the events.

Though we sincerely wish to be able to have a meaningful partnership with CGFS, we understand if the feeling is not mutual or if we are asking too much from the Board in our request to use their equipment and communicate our events to their membership. If this is the case, then we ask simply that we have access to the City's concession stand without using the CGFS equipment (though we would like to use the equipment in the stand that PFX donated).

I do not want the issue of equipment to delay the pending agreement between the City and PFX for THE Spring Games as a signature event. Accordingly, please let me know which resolution works best for you and CGFS no later than Tuesday, November 28 so we are prepared for the upcoming City Council meeting.

Again, thank you for your efforts in taking the lead on the partnership between the three entities involved. I look forward to your response!

Sarah

Sarah Rotta
Director
PFX Athletics
srotta@pfxathletics.com
352-988-8175



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, January 9, 2018		
Agenda Item Name		
Board Appointments		
Requested Action		
Appoint a citizen to serve on the Planning and Zoning board and a Council member to serve on the Arts and Cultural Alliance.		
Staff Report		
Lake County requests appointment of an individual to represent the City of Clermont on the Lake County Arts and Cultural Alliance board for the remainder of former Council Member Keith Mullins two-year term ending July 31, 2018. Mr. Martin resigned from the Planning and Zoning Commission. This is a request to appoint a citizen to serve for the remainder of the term ending December 2018. The list of individuals requesting appointment is attached.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Letter re: Lake County Arts & Cultural Alliance	Ltr from Lake County re. Arts & Cultural Alliance.pdf	
2. Planning & Zoning Requests	Board Appointment Requests 2017 part 2.pdf	



November 8, 2017

Mr. Darren Gray, City Manager
City of Clermont
685 West Montrose Street
Clermont, FL 34712-0219

January 9th Council meeting

RE: **Lake County Arts and Cultural Alliance**

Dear Mr. Gray:

Lake County Ordinance 2007-21 created the Lake County Arts and Cultural Alliance, and Ordinance 2014-50 amended membership requirements (copies attached). The Alliance makes decisions regarding cultural and arts activities within Lake County.

The Alliance is comprised of a total of seven (7) members and includes one (1) member each from the municipalities of Clermont, Eustis, Leesburg, Minneola, Mount Dora, and Tavares. In addition, there is one (1) member who represents each of the following smaller municipalities on a rotating basis: Astatula, Fruitland Park, Groveland, Howey-in-the Hills, Lady Lake, Mascotte, Montverde, and Umatilla.

All individuals acting as a representative of a municipality shall be selected by the governing body of that municipality. The Board of County Commissioners appoints members to the Alliance as recommended by the municipality.

Mr. Keith Mullins was appointed to the Arts and Cultural Alliance as the City of Clermont's representative on June 21, 2016 with a term ending on July 31, 2018.

At this time, we would greatly appreciate your selection of an individual to represent your municipality for the remainder of Mr. Mullins two-year term ending July 31, 2018. **Please provide us with the name, home address, home phone, business phone, FAX number, and email address of your selection within 60 days of this notification as outlined in the attached Ordinance, Section 2-90.37(b) Membership.**

Thank you in advance for your assistance.

Sincerely,

Timothy I. Sullivan
Chairman

/klb

cc: Kathy Pagan
Robert Chandler

COUNTY MANAGER'S OFFICE

P.O. BOX 7800 ♦ 315 W. MAIN ST. ♦ SUITE 308 ♦ TAVARES, FLORIDA 32778-7800 ♦ P 352.343.9888 ♦ F 352.343.9495

Board of County Commissioners ♦ www.lakecountyfl.gov

1
2 **Staff Summary**
3

4 This ordinance dissolves the Lake County Cultural Affairs Council and creates the Lake
5 County Arts and Cultural Alliance as an advisory body to the Board of County Commissioners.
6 The ordinance also designates the Lake County Office of Tourism and Business Relations as the
7 Lake County local arts agency and authorizes the office to apply for grants to support the arts.
8

9 **ORDINANCE 2007 -21**
10

11 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE**
12 **COUNTY, FLORIDA, DISSOLVING THE LAKE COUNTY CULTURAL AFFAIRS**
13 **COUNCIL; CREATING DIVISION 10, ARTICLE IV, CHAPTER II OF THE LAKE**
14 **COUNTY CODE, ENTITLED LAKE COUNTY ARTS AND CULTURAL ALLIANCE;**
15 **CREATING THE ALLIANCE AS AN ADVISORY BODY; PROVIDING FOR**
16 **MEMBERSHIP; PROVIDING FOR DUTIES OF THE ALLIANCE; PROVIDING**
17 **PROCEDURES FOR ALLIANCE MEETINGS, PUBLIC HEARINGS AND RULES;**
18 **DESIGNATING THE LAKE COUNTY OFFICE OF TOURISM AND BUSINESS**
19 **RELATIONS AS ITS LOCAL ARTS AGENCY; PROVIDING FOR INCLUSION IN**
20 **THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN**
21 **EFFECTIVE DATE.**
22

23
24 **WHEREAS**, on April 18, 1995, the Board of County Commissioners adopted Resolution
25 1995-72, creating the Lake County Cultural Affairs Council; and
26

27 **WHEREAS**, on April 9, 1996, the Board of County Commissioners adopted Resolution
28 1996-61, amending the membership terms of the Lake County Cultural Affairs Council; and
29

30 **WHEREAS**, on June 15, 1999, the Board of County Commissioners adopted Resolution
31 1999-111, extending and amending the membership terms of the Lake County Cultural Affairs
32 Council; and
33

34 **WHEREAS**, the Board recognizes the importance of cultural activities and desires to
35 encourage and facilitate opportunities for residents to participate in cultural events in all areas of
36 the County; and
37

38 **WHEREAS**, the Board now wishes to reorganize the membership and duties of the
39 committee that makes decisions regarding cultural and arts activities within the County; and
40

41 **WHEREAS**, the reorganization of the committee will promote efficiency and
42 effectiveness in providing cultural events for the citizens of Lake County; and
43

44 **WHEREAS**, having members on the committee from the cities will provide a more
45 comprehensive perspective of cultural issues in Lake County; and
46

1 **WHEREAS**, the Board now desires to dissolve the Cultural Affairs Council and create
2 the Arts and Cultural Alliance as an advisory body to advise the Board on cultural and arts issues
3 in the County.

4
5 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of
6 Lake County, Florida that:

7
8 **Section 1. Recitals.** The foregoing recitals are true and correct and incorporated herein
9 by reference.

10
11 **Section 2. Dissolution.** The Lake County Cultural Affairs Council is hereby
12 dissolved.

13
14 **Section 3. Creation.** Division 10, Article IV, Chapter II of the Lake County
15 Code, entitled Lake County Arts and Cultural Alliance, consisting of Sections 2-90.36-2-90.41 is
16 created to read as follows:

17
18 **DIVISION 10. Lake County Arts and Cultural Alliance**

19
20 **Section 2-90.36. Title.**

21
22 The Lake County Arts and Cultural Alliance is hereby created, hereinafter referred to as
23 the "Alliance."

24
25 **Section 2-90.37. Membership.**

26
27 (a) The Alliance shall have seven (7) members and shall include one (1) member who
28 is a resident of the following municipalities: Clermont, Eustis, Minneola, Leesburg, Tavares,
29 and Mount Dora. Additionally, there shall be one (1) member who shall represent the following
30 municipalities on a rotating basis: Astatula, Fruitland Park, Groveland, Howey-in-the-Hills,
31 Lady Lake, Mascotte, Monteverde and Umatilla. The member representing the smaller
32 municipalities shall serve one (1) year terms, rotating in alphabetical order.

33
34 (b) All individuals acting as a representative of a municipality shall be recommended
35 by the governing body of that municipality. The Board of County Commissioners will appoint
36 members to the Alliance as recommended by the municipality. In the event that a municipality
37 fails to recommend a member to serve on the Alliance within sixty (60) days after notification of
38 a vacancy, the appointment shall be made by the Board. In the event that the municipality
39 representing the smaller cities fails to recommend a member to serve on the Alliance within sixty
40 (60) days after notification of its term, the governing body of the next municipality shall make a
41 recommendation to fill the position.

42
43 (c) Each permanent member shall be appointed for a term of two (2) years; provided,
44 however, the initial terms of the members representing Clermont, Leesburg, and Minneola shall
45 expire July 31, 2008. The initial terms of the remainder of the members shall expire July 31,
46 2009. Thereafter, all membership terms shall for be two (2) years. If a vacancy occurs, the

1 Board shall appoint a replacement member to serve the remainder of the term as set forth above.
2 Members may be reappointed.

3
4 (d) Committee members may be removed by the Board of County Commissioners at
5 any time. Regular attendance at meetings is required.

6
7 (e) A member of the Lake County Board of County Commissioners shall serve as a
8 non-voting liaison to the Committee.

9
10
11 **Section 2-90.38. Duties.**

12
13 The Alliance shall advise the Board of County Commissioners on matters relating to arts
14 and cultural affairs within the County. The Alliance shall:

15
16 (a) Encourage and facilitate more efficient use of public and private resources for the
17 development and support of the arts.

18
19 (b) Assess opportunities for the arts, artists, art institutions, community arts
20 organizations and the citizens of the County relating to the arts.

21
22 (c) Provide recommendations regarding use of Florida Arts License Plate fees
23 received pursuant to Section 320.08058(12), Florida Statutes.

24
25 (d) Provide recommendations to the Board regarding technical assistance to the arts
26 community, including advising the Board on available local, state or federal grants that may be
27 available for application.

28
29 (e) Stimulate public awareness and appreciation of the arts in Lake County.

30
31 (f) Perform any other functions as directed by the Board of County Commissioners
32 regarding matters related to the arts.

33
34
35 **Section 2-90.39. Procedures.**

36
37 (a) The Alliance shall meet at least quarterly or more often as determined by the
38 Alliance.

39
40 (b) The members of the Alliance shall elect a chairman and vice-chairman.

41
42 (c) All meetings shall be held in a public place and shall be open to the public pursuant
43 to Section 286.011, Florida Statutes.

44
45 (d) All meetings shall be noticed and minutes recorded.

1 (e) Robert's Rules of Order, Newly Revised, shall be the reference source on all
2 questions of parliamentary procedure.

3
4 (f) A quorum for conducting business shall be a majority of the currently appointed
5 members.

6
7 Sections 2-90.40-41. Reserved.

8
9 **Section 4. Designation.** The Lake County Board of County Commissioners hereby
10 designates the Lake County Office of Tourism and Business Relations as the Lake County local
11 arts agency to receive Florida Arts License Plate fees pursuant to Section 320.08058(12), Florida
12 Statutes. The Office of Tourism and Business Relations shall use the fees to support arts
13 organizations, arts programs and art activities within the County. The Office is also authorized
14 to apply for state, federal, or private grants that will support the arts in Lake County.

15
16 **Section 5. Inclusion in Code.** It is the intent of the Board of County
17 Commissioners that the provisions of this Ordinance shall become and be made a part of the
18 Lake County Code and that the sections of this Ordinance may be renumbered or relettered and
19 the word "ordinance" may be changed to "section", "article", or such other appropriate word or
20 phrase in order to accomplish such intentions.

21
22 **Section 6. Severability.** If any section, sentence, clause, or phrase of the Ordinance
23 is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding
24 shall in no way affect the validity of the remaining portion of this Ordinance.

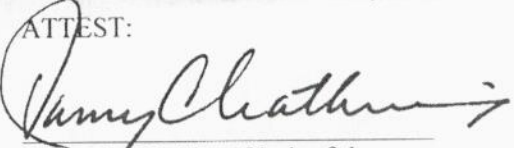
25
26 **Section 7. Effective Date.** This Ordinance shall become effective as provided for by
27 law.

28
29 Enacted this 15th day of May, 2007.

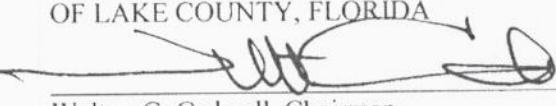
30
31 Filed with the Secretary of State May 24 2007.

32
33 Effective May 24, 2007.

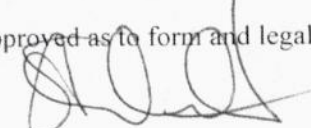
34
35 ATTEST:

36
37 
38
39 James C. Watkins, Clerk of the
40 Board of County Commissioners
41 of Lake County, Florida

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

36
37 
38
39 Welton G. Cadwell, Chairman

42
43 Approved as to form and legality:

44
45 
46
47 Sanford A. Minkoff
48 County Attorney

This 21st day of May, 2007.

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ORDINANCE 2014 - 50

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING DIVISION 10, ARTICLE IV, CHAPTER II OF THE LAKE COUNTY CODE, ENTITLED "LAKE COUNTY ARTS AND CULTURAL ALLIANCE", IN ORDER TO REMOVE THE RESIDENCY REQUIREMENT FOR THE MEMBER REPRESENTATIVES OF THE CITIES OF CLERMONT, EUSTIS, MINNEOLA, LEESBURG, TAVARES AND MOUNT DORA; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board created the Lake County Arts and Cultural Alliance in 2007 to serve as an advisory body to the Board on cultural and arts issues in the County; and

WHEREAS, having members on the Alliance representing the member municipalities will provide a comprehensive perspective of cultural issues in Lake County, and removing the residency requirement will allow for greater flexibility in appointing members;

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

Section 2. Amendment. Chapter 2 of the Lake County Code, entitled “Administration”, Article IV, entitled “Boards, Commissions, Authorities, Etc.”, Division 10, entitled “Lake County Arts and Cultural Alliance”, is hereby amended as shown below. 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:

DIVISION 10. Lake County Arts and Cultural Alliance

* * *

Section 2-90.37. Membership.

(a) The Alliance shall have seven (7) members and shall include one (1) member who is a ~~resident~~ representative of each of the following municipalities: Clermont, Eustis, Minneola, Leesburg, Tavares, and Mount Dora. Additionally, there shall be one (1) member who shall represent the following municipalities on a rotating basis: Astatula, Fruitland Park, Groveland, Howey-in-the-Hills, Lady Lake, Mascotte, Monteverde and Umatilla. The member representing the smaller municipalities shall serve one (1) year terms, rotating in alphabetical order.

* * *

Section 3. Inclusion in Code. It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake County Code and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

Section 4. Severability. If any section, sentence, clause, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this Ordinance.

Section 5. Filing with the Department of State. The clerk shall be and is hereby directed forthwith to send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

Section 6. Effective Date. This Ordinance shall become effective as provided for by law.

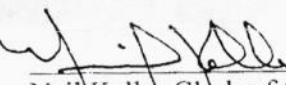
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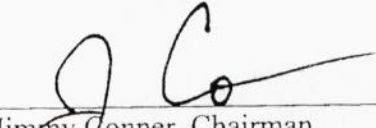
Enacted this 15 day of August, 2014.

Filed with the Secretary of State August 20, 2014.

ATTEST:

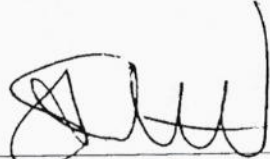
BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA


Neil Kelly, Clerk of the
Board of County Commissioners
of Lake County, Florida


Jimmy Conner, Chairman

This 17th day of August, 2014.

Approved as to form and legality:


Sanford A. Minkoff
County Attorney



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

August 20, 2014

Honorable Neil Kelly
Clerk of the Circuit Court
Lake County
550 West Main Street
P. O. Box 7800
Tavares, Florida 32778-7800

Attention: Susan Boyajan

Dear Mr. Kelly:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge of your electronic copy of Lake County Ordinance No. 2014-50, which was filed in this office on August 19, 2014.

Sincerely,

Liz Cloud
Program Administrator

LC/elr

BOARD APPOINTMENT REQUESTS

PLANNING AND ZONING COMMISSION One unexpired term	REQUESTOR	ADDRESS/SUBDIVISION		REQUEST
	Nick Jones	1320 Bowman Street; Sunnyside	2006 to date	Reappointment
	Max Krzyminski	3497 Embers Lane; Heritage Hills	None	Appointment
	Harry Mason	3667 Caladesi Road; Heritage Hills	prev. served 2013 - 2014	Appointment
	John Moore	1922 Brantley Circle; Margaree Gardens	None	Appointment
	Dallas Toth	1184 West Minnehaha Avenue; Indian Hills	None	Appointment
	Mark Vitek	1290 Northridge Boulevard Apt. 2613	None	Appointment
	Judy Proli	1020 Everest Street	2008 to date	Reappointment



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date														
Tuesday, January 9, 2018														
Agenda Item Name														
Ordinance No. 2017-37 <i>Introduction</i> <i>Public Works</i>														
Requested Action														
Consider introduction of Ordinance 2017-37.														
Staff Report														
The applicant, John Kingman Keating, is requesting voluntary annexation of the subject property. The property is located south of Hooks Street, north of Trade Avenue, and east of Hancock Road. The City limits are bordering the eastern property line and a portion of the northeast property line. This meets the requirement of continuous under Chapter 171 of the Florida Statutes for annexation. The property is approximately 35.87 +/- acres in size and is in the City's water and sewer service area. The property is located within the Interlocal Service Boundary Agreement (ISBA) and the Joint Planning Area (JPA). The applicant wishes to receive services from the City in order to develop a portion of the property into an industrial warehouse complex with outside storage. The remaining portion is under contract by the City for a future public works facility. This request is being heard concurrently with requests for a large-scale comprehensive plan amendment and a rezoning to a PUD with M-1 Industrial uses. The related request for a comprehensive plan amendment would change the Future Land Use from Lake County's Regional Commercial to the City's Industrial designation. The rezoning request is to change the zoning from Urban Estate (currently Planned Industrial District in Lake County) to the City's Planned Unit Development (PUD) zoning classification to allow M-1 Industrial uses. Since the subject property is adjacent to the City limits and the City can provide urban services, staff recommends approval of the annexation.														
Additional Analysis														
Fiscal Impact Summary														
Fiscal Impact	Fund Number and Description	Available Budget Amount												
Exhibits Attached (copies of original agreements)														
<table border="0"><tr><td>1.</td><td>Ordinance 2017-37</td><td>ANN ORD 2017-37.doc</td></tr><tr><td>2.</td><td>Maps</td><td>Hancock Public Works Maps.pdf</td></tr><tr><td>3.</td><td>App</td><td>ANN application.pdf</td></tr><tr><td>4.</td><td>Legal Ad</td><td>ANN Hancock PW legal ad.docx</td></tr></table>			1.	Ordinance 2017-37	ANN ORD 2017-37.doc	2.	Maps	Hancock Public Works Maps.pdf	3.	App	ANN application.pdf	4.	Legal Ad	ANN Hancock PW legal ad.docx
1.	Ordinance 2017-37	ANN ORD 2017-37.doc												
2.	Maps	Hancock Public Works Maps.pdf												
3.	App	ANN application.pdf												
4.	Legal Ad	ANN Hancock PW legal ad.docx												

CITY OF CLERMONT
ORDINANCE No. 2017-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND CONTIGUOUS TO THE PRESENT CITY BOUNDARIES; PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY, RECORDING, AND PUBLICATION.

WHEREAS, the City Council of the City of Clermont, Lake County, Florida has received a Petition for Annexation of a parcel of land contiguous to the present corporate limits under Section 171.044, Florida Statutes; and

WHEREAS, the City Council of the City of Clermont, Lake County, Florida, has determined that it is in the best interest of the City and of the property herein sought to be annexed that the City annex the following described property; and

WHEREAS, the City Council has determined that the area sought to be annexed is contiguous to the City and is in need of the services which the City can offer and the City has determined that such area sought to be annexed will be substantially benefited by annexation; and

WHEREAS, the City Council has determined that all requirements of Section 171.044, Florida Statutes, have been met.

SECTION 1.

NOW, THEREFORE, BE IT ORDAINED, under the provisions of Florida Statute Chapter 171 and the General and Special Laws of the State of Florida; that the City of Clermont, Lake County, Florida, does hereby annex to and make part of its corporate boundaries; the following described property contiguous to the present City boundary, to-wit:

Legal Description

That part of the West 1,660 feet of the Northwest one-quarter (1/4) of Section 34, Township 22 South, Range 26 East, less the South 1,575 feet of the North one-half (1/2) of the West 1,660 feet of said Northwest one-quarter (1/4) and less the road right-of-way of Hancock Road on the West, being more particularly described as follows:

Commence at the Northwest corner of said Section 34 for a point of reference; Thence, run South 89°07'07" East, along the North line of said Northwest one-quarter (1/4), a distance of 25.00 feet to a point lying on the Easterly right-of-way line of Hancock Road (County Road 3-1255) as described in Official Records Book 474, Page 999 of the Public Records of Lake County, Florida, said point being the Point of Beginning; Thence, departing said right-of-way line, run South 89°07'07" East, along said North line, a distance of 1,635.24 feet to the East line

CITY OF CLERMONT
ORDINANCE No. 2017-37

of the aforesaid West 1,660.00 feet; Thence, departing said North line, run South 00°05'31" East, parallel with and 1,660.00 feet East of, perpendicular measure, the West line of said Northwest one-quarter (1/4), a distance of 949.48 feet to the North line of the aforesaid South 1,575.00 feet; Thence run North 89°33'12" West, along said North line, a distance of 1,635.07 feet to the aforesaid East right-of-way line, Thence run North 00°05'31" West, along said right-of-way line, a distance of 961.89 feet to the Point of Beginning.
Containing a total of 35.87 acres, more or less. AK 1593093

SECTION 2.

That the aforescribed property shall be and hereby is made part and parcel of the City of Clermont, Lake County, Florida, and that said property shall be subject to all of the laws, ordinances, and provisions pertaining to the City of Clermont.

SECTION 3.

All property aforescribed shall henceforth be subject to ad valorem taxation by the City of Clermont, Lake County, Florida and any other general or special taxes or assessments.

SECTION 4.

Should any Section or part of a Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be separable in meaning and effect from the Section to which such holding shall apply.

SECTION 5.

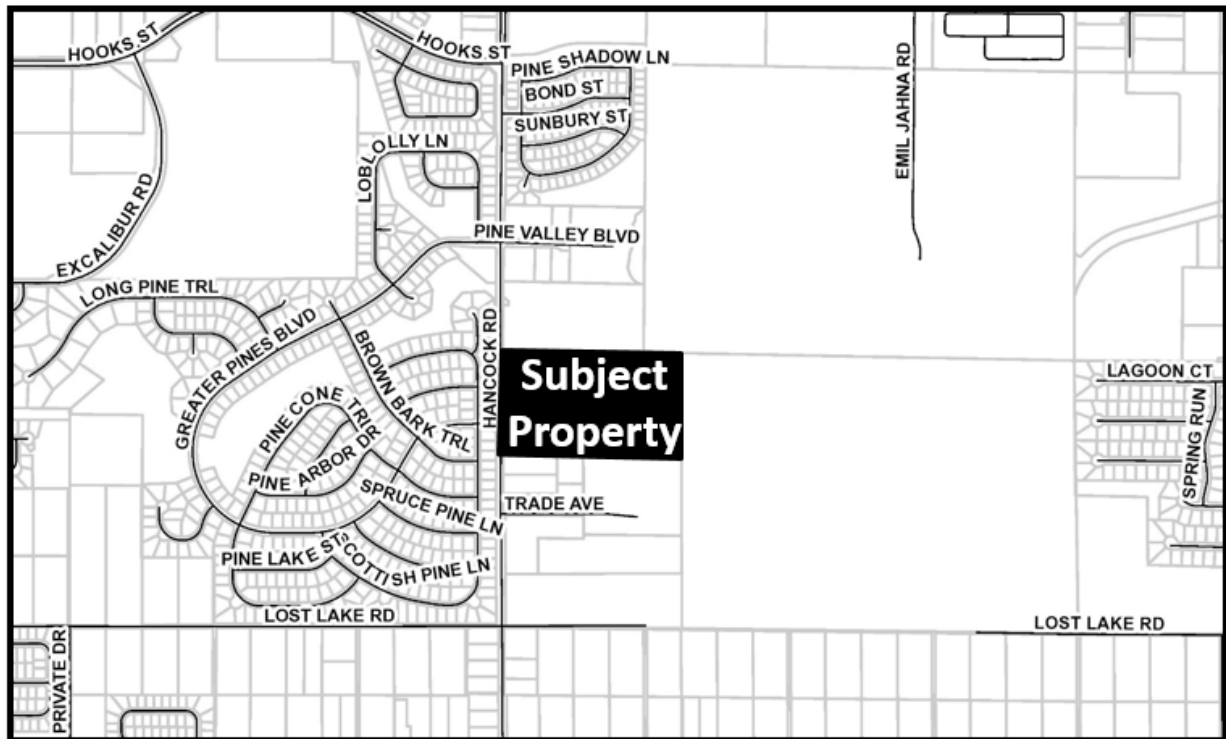
This Ordinance shall be recorded in the Public Records of Lake County, Florida.

SECTION 6.

This Ordinance shall be published as provided by law, and it shall become law and take effect upon its Second Reading and Final Passage.

CITY OF CLERMONT
ORDINANCE No. 2017-37

Location map:



CITY OF CLERMONT
ORDINANCE No. 2017-37

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 23rd day of January, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map

Keating/Hancock Public Works Site

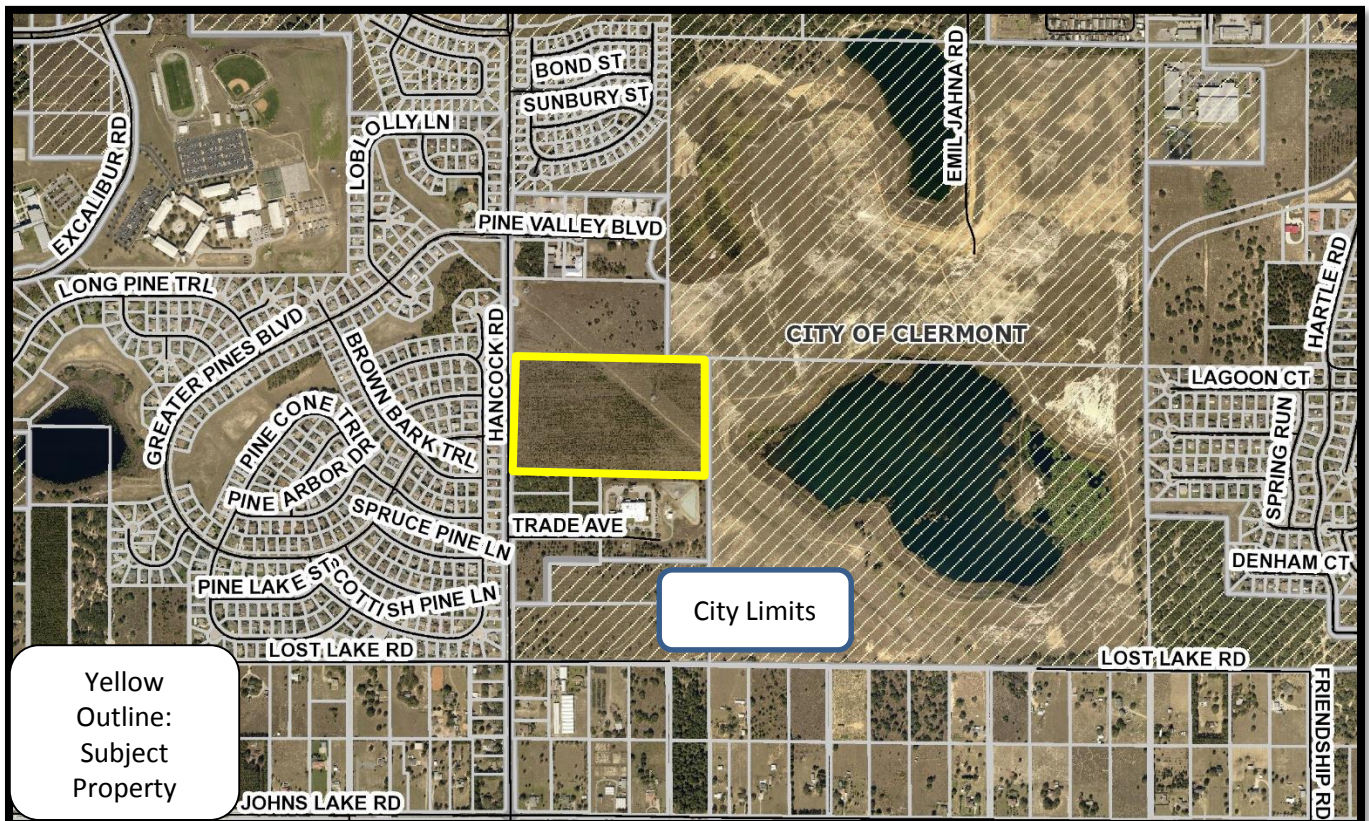
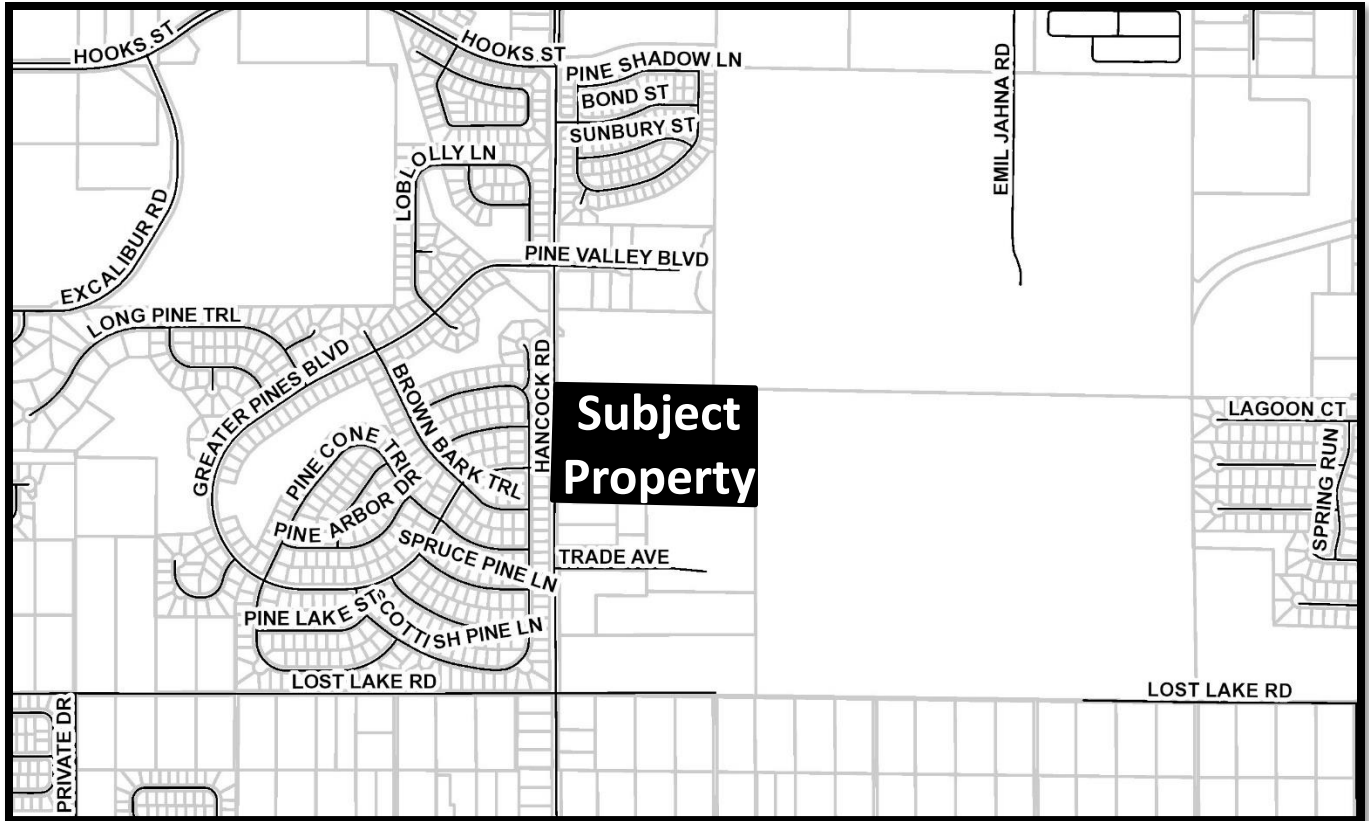


Exhibit – Future Land Use Map
Keating/Hancock Public Works Site

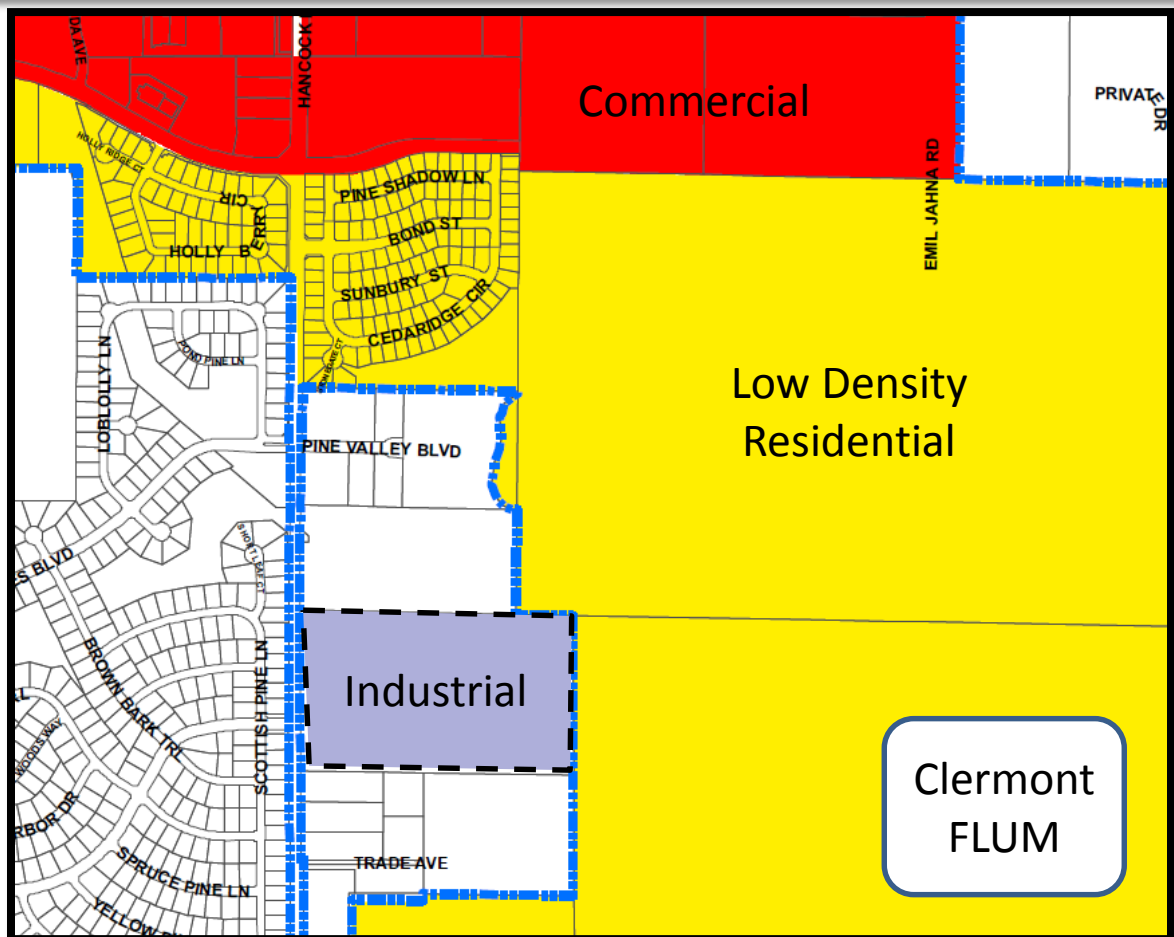
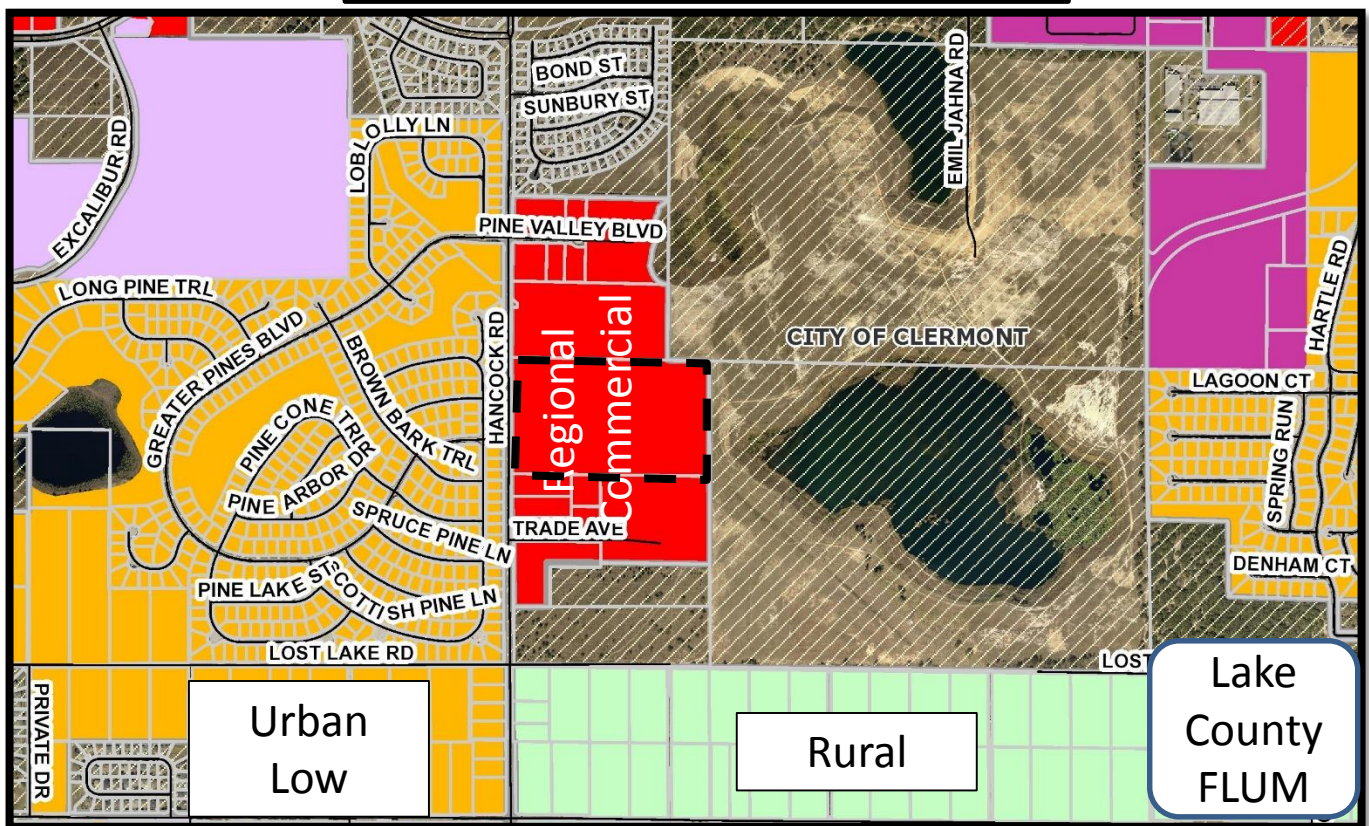
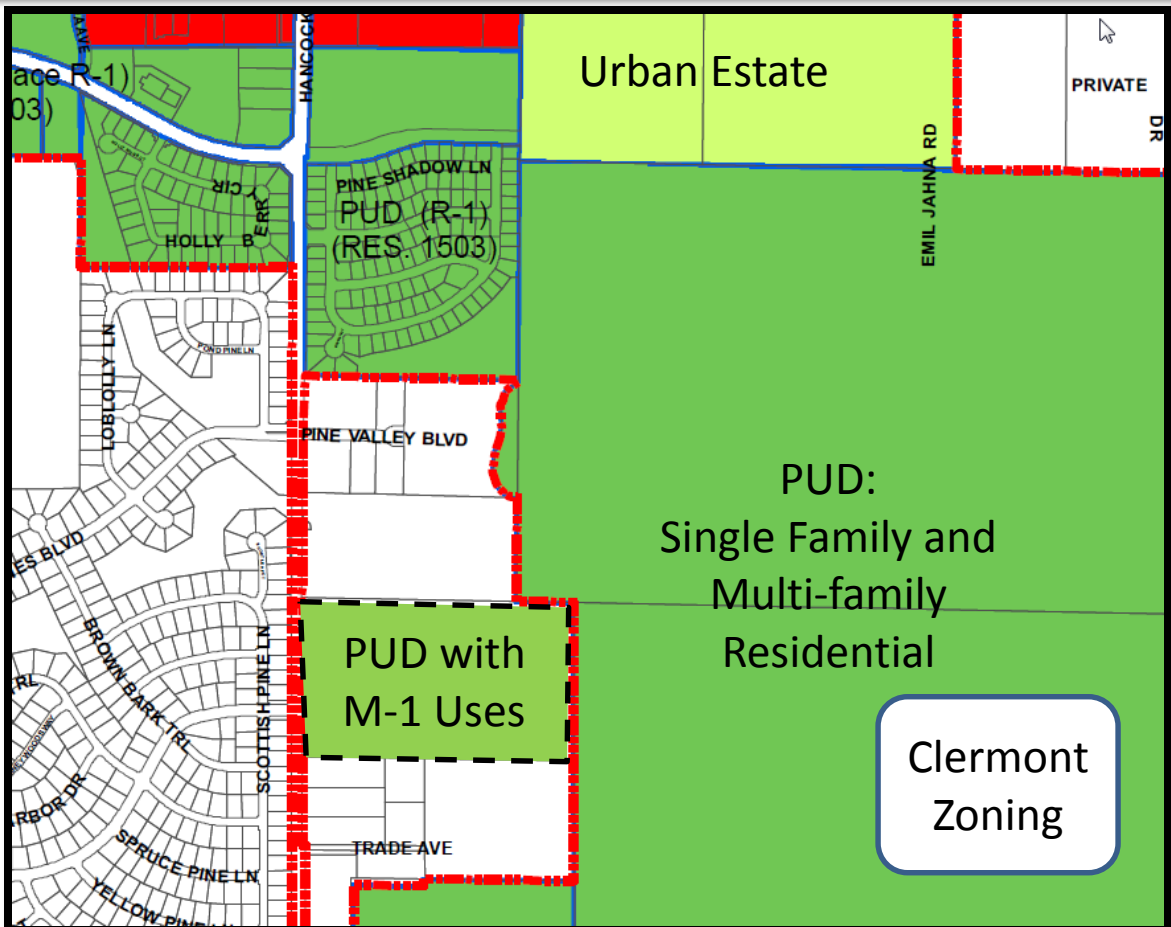
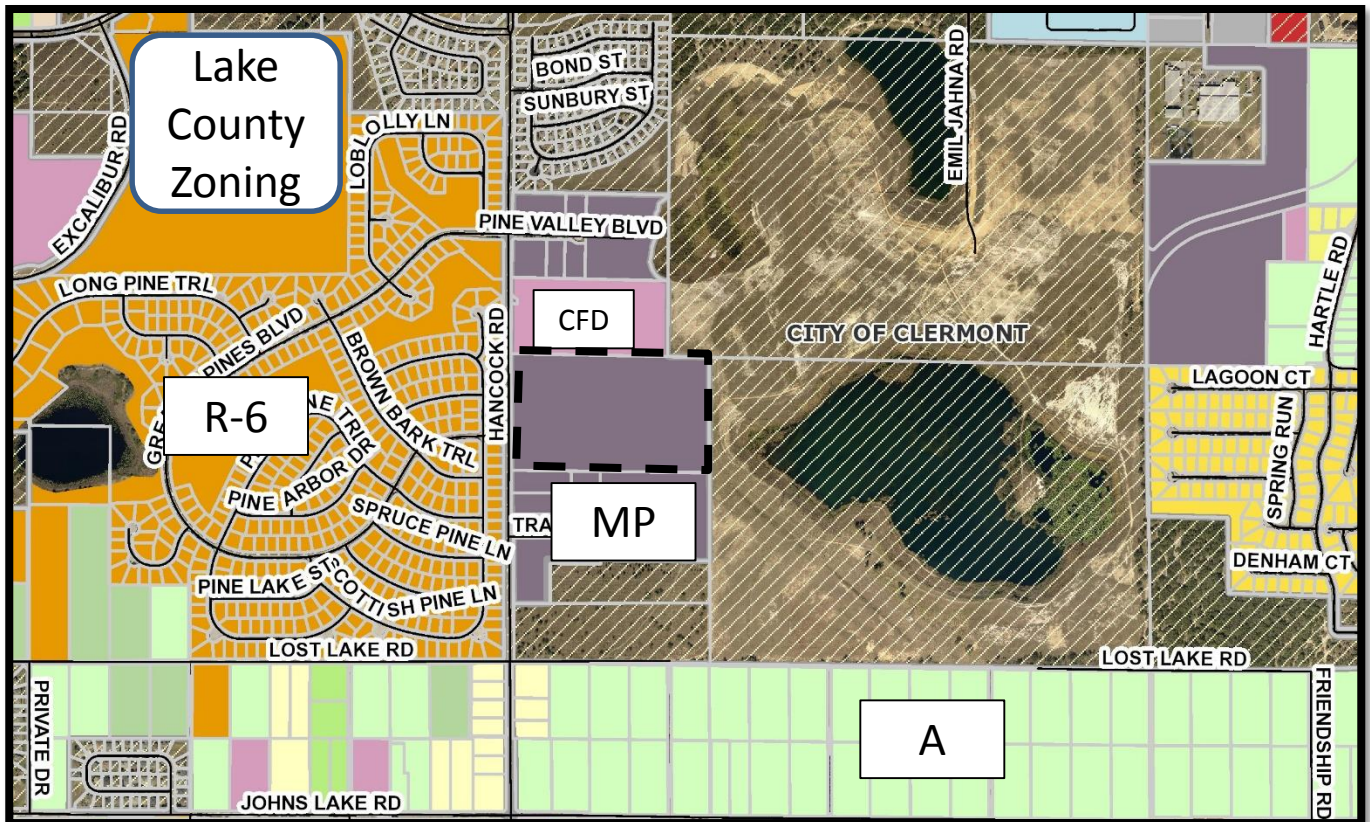


Exhibit - Zoning Map Keating/Hancock Public Works Site





CHECK LIST & FILING INSTRUCTIONS

The following required information shall be submitted when applying for an ANNEXATION.

1. _____ Application & Petition by the landowners for Annexation (pages 3 and 4).
2. _____ General application form (page 5).
3. _____ Authorization for agent/owner representation (page 6)
4. _____ LEGAL DESCRIPTION: Email legal description typed in Word (not all capitalized) to rchidlow@clermontfl.org. Include a copy of the latest TAX RECEIPT or recorded WARRANTY DEED showing the current fee simple owner.
5. _____ Map showing general area of site for which Annexation is being requested.
6. _____ Submit original application along with \$155.00 filing fee. (Price for advertisement will be invoiced once the cost has been received)

NOTE: All territory annexed into the City of Clermont is automatically zoned Urban Estate Residential (UE) Zoning District. A separate application for a Land Use Plan Amendment & Rezoning is required. Applicable fees shall apply.

PROCEDURES:

1. The proposed use of the property must be assessed to determine if there will be an increase in demand on the water or wastewater systems prior to submittal of the application. Any increase in demand on the water or wastewater systems will be subject to impact fees.
2. Any person requesting an Annexation shall file a complete application in the Development Services Department on or before the 1st day of the Month. Complete applications will then be scheduled for Public Hearing on the 4th Tuesday of the following month for the City Council meeting. All applications must be complete, to include applicable site plans and/or other pertinent descriptive materials in order to be processed. A pre-application meeting may be required prior to submission of an application. Dependent upon the scope and/or magnitude of a particular project, scheduling of one or more City Council Workshop(s) may also be necessary and additional time may be required prior to being scheduled for public hearing.
3. Upon receipt of a complete application, the Development Services Department shall proceed with the request for a public hearing in accordance with the following:
 - A: The owners of all property lying within one hundred fifty (150) feet of the property requested to be annexed shall be notified by mail.
 - B. A legal advertisement of the request shall be advertised in a local newspaper prior to the meeting date.
4. Failure to provide an accurate and complete application will result in automatic rejection and return of the application and delay of the hearing date.



APPLICATION & PETITION

✓ DATE: August 22, 2017

FEE: \$155.⁰⁰
+ cost of advertising

Please type or print – use black pen/ink only.

PROJECT NAME (if applicable): Hancock Road Property

APPLICANT: John Kingman Keating

Address: 250 East Colonial Drive, Suite 300

City: Orlando State: Florida Zip: 32801

Phone: 407-425-2907 Fax: 407-843-8964

Applicant is: Owner: ☒ Agent: ☒ Purchaser: ☐ Lessee: ☐ Optionee: ☐

OWNER: See Schedule "F," Item 1

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

AGENT NAME (Affidavit required): Same as Applicant

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

E-Mail: _____

Property address and/or general location: 1/4 mile south of Highway 50
on east side of Hancock Road

Area of property: 36 +/- acres, and/or _____ +/- sq. ft.

The property is PRESENTLY used for: Agricultural

The property is PROPOSED to be used for: See Schedule "F," Item 2



Existing Lake County Land Use* : Regional Commercial (Lake County)

Existing Lake County Zoning* : MP (Planned Industrial District) (Lake County)

*** NOTE: All property annexed into the City of Clermont is automatically zoned Urban Estate Residential (UE) Zoning District. A separate application for a Land Use Plan Amendment & Rezoning is required. Applicable fees shall apply.**

Number of existing structures on the property and their present use: _____

Power Lines

State the reason or basis for this request: _____

See Schedule "F", Item 3

EXACT LEGAL DESCRIPTION as shown on the Tax Receipt or Warrant Deed.
(attach copy).

Section 34, Township 22, Range 26

See Schedule "F", Item 4

City of Clermont
Development Services Department
685 W. Montrose St.
P.O. Box 120219
Clermont, FL. 34712-0219
(352) 394-4083 Fax: (352) 394-3542



**PETITION OF LANDOWNER(S) FOR ANNEXATION
OF CERTAIN PROPERTY TO THE CITY OF CLERMONT**

WE, the undersigned landowner(s) pursuant to the provisions of Chapter 59-1497 (Senate Bill No. 912), Laws of Florida, Regular Session 1959, entitled

AN ACT TO AMEND CHAPTER 9820, LAWS OF FLORIDA, SPECIAL ACT OF 1923, AS AMENDED, BEING THE CHARTER OF THE CITY OF CLERMONT, FLORIDA, TO PROVIDE ENABLING LEGISLATION FOR THE FUTURE ANNEXATION OF CONTIGUOUS TERRITORY BY PETITION AND CONSENT OF THE LANDOWNER(S) IN THE AREA SOUGHT TO BE ANNEXED: PROVIDING THAT SAID PROVISIONS SHALL BE CUMULATIVE: PROVIDING THAT THE PROPERTY ANNEXED SHALL BE LIABLE FOR ITS PROPORTIONATE SHARE OF THE EXISTING AND FUTURE INDEBTEDNESS OF SAID CITY, AND PROVIDING THAT SUCH ANNEXED TERRITORY SHALL BE SUBJECT TO ALL LAWS AND ORDINANCES OF SAID CITY AS IF ALL OF SUCH TERRITORY HAD BEEN A PART OF THE CITY OF CLERMONT AT THE TIME OF THE PASSAGE AND APPROVAL OF SAID LAWS AND ORDINANCES, AND FIXING EFFECTIVE DATE,

hereby petition that the hereinafter described real estate be annexed to, and become a part of the city limits of the City of Clermont, a municipal corporation in Lake County, Florida, created and existing pursuant to Chapter 9820, Laws of Florida, Special Acts of 1923, and amendatory and supplementary acts thereto, and we, jointly and severally, consent to such annexation of such area to said City of Clermont and upon annexation sought by this petition, all of the property, real and personal, within such area, and the inhabitants thereof, shall be subject to the government, jurisdiction, powers, franchises, duties and privileges of said City of Clermont, Florida and the said property shall be liable, proportionally, for all the present outstanding and existing, as well as future, indebtedness of the said City of Clermont; that all of the ordinances of the City of Clermont and all laws heretofore passed by the Legislature of the State of Florida, relating to and which now or hereafter constitute its Charter shall apply to have the same force and effect in such territory as may be annexed under the provisions hereof as if all of such territory had been part of the City of Clermont at the time of the passage and approval of said laws and ordinances.

IN WITNESS WHEREOF, we, the undersigned landowners, as petitioners, have hereunto set our hands and seals as of the ____ day of _____, 20__.

Legal description of the property: (Type, print in black ink, or attach a copy of the warranty deed or current tax receipt).

See attached Exhibit "A"
Landowner (Petitioner)

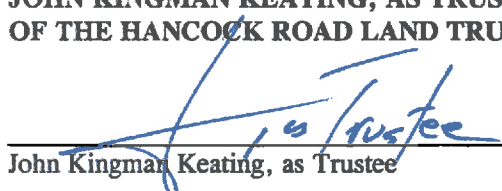
Notary Public

Date

My Commission Expires

EXHIBIT "A" - OWNER SIGNATURE PAGE
FOR PETITION OF LANDOWNER(S) FOR ANNEXATION OF CERTAIN
PROPERTY TO THE CITY OF CLERMONT

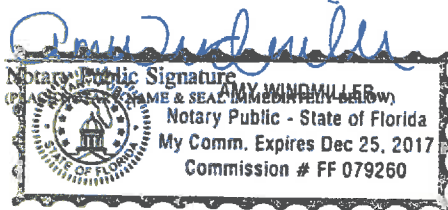
**JOHN KINGMAN KEATING, AS TRUSTEE
OF THE HANCOCK ROAD LAND TRUST**



John Kingman Keating, as Trustee

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that John Kingman Keating personally appeared before me and executed this instrument and that he is the same person executing the foregoing instrument because: ☒ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this 8th day of August, 2017.



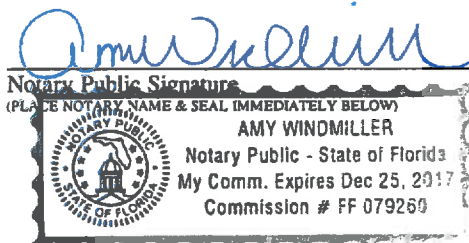
TONY H. ROPER



Tony H. Roper

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that Tony H. Roper personally appeared before me and executed this instrument and that he is the same person executing the foregoing instrument because: ☒ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this 8th day of August, 2017.



**BERT E. ROPER AND BARBARA C. ROPER
FAMILY LIMITED LIABILITY LIMITED
PARTNERSHIP**

By: _____
Charles F. Roper
As its General Partner

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that John Kingman Keating personally appeared before me and executed this instrument as General Partner of the Bert E. Roper and Barbara C. Roper Family Limited Liability Limited Partnership and that he is the same person executing the foregoing instrument because: ☐ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this _____ day of August, 2017.

Notary Public Signature
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)



OWNER / AGENT AFFIDAVIT (ANNEXATION)

Date: _____

Before me, the undersigned authority personally appeared _____
_____ (owner(s) name), who being by me duly sworn on oath,
deposes and says:

1. That said authority is the fee-simple owner of the property legally described in this application.
2. That said authority desires an ANNEXATION to allow:

3. That said authority (owner) has appointed (agent's name) _____
_____ to act in its behalf to accomplish the above, and
before me the undersigned authorized agent personally appeared and being by me duly
sworn on oath, deposes and says:

A. That he/she affirms and certifies that he/she understands and will comply with all Ordinances, Regulations, and Provisions of the City of Clermont, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the City of Clermont, Florida, and are not returnable.

B. That the Submittal requirements for the application have been completed and attached hereto as part of that application.

X _____ X _____
Owner (signature) Agent's (signature)

Sworn to and subscribed before
me this _____ day of _____,
20____.

Sworn to and subscribed before
me this _____ day of _____,
20____.

Notary Public, State of FL
My commission expires:

Notary Public, State of FL
My commission expires:

***Note:** Owner must sign affidavit. When agent is representing case, both agent and owner must sign affidavit.

OWNER/AGENT SIGNATURE PAGE
ATTACHED TO OWNER / AGENT AFFIDAVIT (ANNEXATION)

**JOHN KINGMAN KEATING, AS TRUSTEE
OF THE HANCOCK ROAD LAND TRUST
(OWNER)**



John Kingman Keating, as Trustee

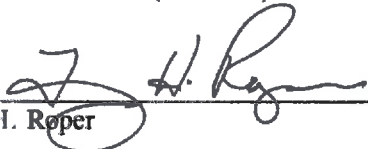
**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that John Kingman Keating personally appeared before me and executed this instrument and that he is the same person executing the foregoing instrument because: ☒ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this 8th day of August, 2017.



Notary Public Signature AMY WINDMILLER
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)
Notary Public - State of Florida
My Comm. Expires Dec 25, 2017
Commission # FF 079260

TONY H. ROPER (OWNER)



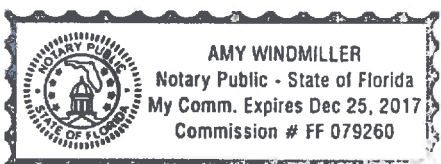
Tony H. Roper

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that Tony H. Roper personally appeared before me and executed this instrument and that he is the same person executing the foregoing instrument because: ☒ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this 8th day of August, 2017.



Notary Public Signature
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)



**BERT E. ROPER AND BARBARA C. ROPER
FAMILY LIMITED LIABILITY LIMITED
PARTNERSHIP (OWNER)**

By: _____
Charles F. Roper
As its General Partner

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that John Kingman Keating personally appeared before me and executed this instrument as General Partner of the Bert E. Roper and Barbara C. Roper Family Limited Liability Limited Partnership and that he is the same person executing the foregoing instrument because: ☐ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this _____ day of August, 2017.

Notary Public Signature
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)

JOHN KINGMAN KEATING (AGENT)

John Kingman Keating, as Agent

**STATE OF FLORIDA
COUNTY OF ORANGE**

I HEREBY CERTIFY that John Kingman Keating personally appeared before me and executed this instrument and that he is the same person executing the foregoing instrument because: ☐ I personally know him/her/them OR ☐ I have satisfactory evidence of same based upon a ☐ Florida driver's license. WITNESS my hand and official seal in the State and County aforesaid this _____ day of August, 2017.

Notary Public Signature
(PLACE NOTARY NAME & SEAL IMMEDIATELY BELOW)

LEGAL NOTICE

The City Council of the City of Clermont will consider the enactment of the following proposed Ordinance at the regularly scheduled meeting to be held Tuesday, January 23, 2018 at 6:30 P.M. at City Hall located at 685 West Montrose Street. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2017-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, PROVIDING FOR THE ANNEXATION OF A CERTAIN PARCEL OF LAND CONTIGUOUS TO THE PRESENT CITY BOUNDARIES; PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY, RECORDING, AND PUBLICATION.

LOCATION:

South of Hooks Street, North of Trade Avenue, East of Hancock Road
Alternate key 1593093

LEGAL DESCRIPTION

That part of the West 1,660 feet of the Northwest one-quarter (1/4) of Section 34, Township 22 South, Range 26 East, less the South 1,575 feet of the North one-half (1/2) of the West 1,660 feet of said Northwest one-quarter (1/4) and less the road right-of-way of Hancock Road on the West, being more particularly described as follows:

Commence at the Northwest corner of said Section 34 for a point of reference; Thence, run South 89°07'07" East, along the North line of said Northwest one-quarter (1/4), a distance of 25.00 feet to a point lying on the Easterly right-of-way line of Hancock Road

(County Road 3-1255) as described in Official Records Book 474, Page 999 of the Public Records of Lake County, Florida, said point being the Point of Beginning; Thence, departing said right-of-way line, run South 89°07'07" East, along said North line, a distance of 1,635.24 feet to the East line of the aforesaid West 1,660.00 feet; Thence, departing said North line, run South 00°05'31" East, parallel with and 1,660.00 feet East of, perpendicular measure, the West line of said Northwest one-quarter (1/4), a distance of 949.48 feet to the North line of the aforesaid South 1,575.00 feet; Thence run North 89°33'12" West, along said North line, a distance of 1,635.07 feet to the aforesaid East right-of-way line, Thence run North 00°05'31" West, along said right-of-way line, a distance of 961.89 feet to the Point of Beginning.

Containing a total of 35.87 acres, more or less. Alternate Key 1593093

See Map Below

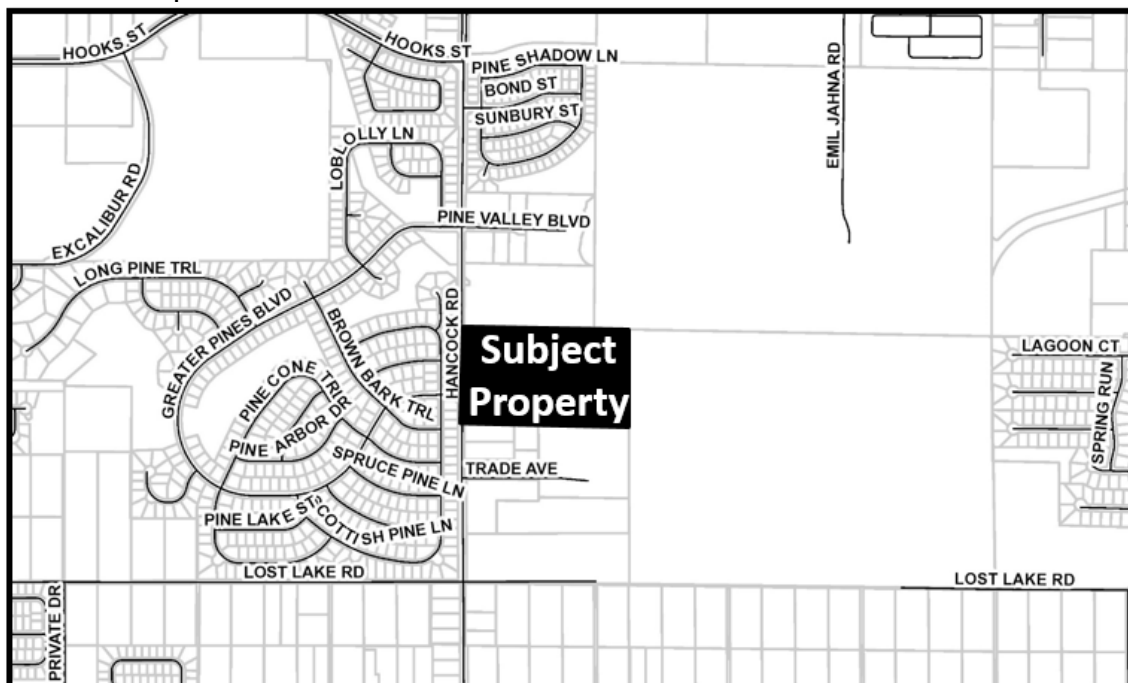
This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose Street, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made.

Tracy Ackroyd Howe, MMC

City Clerk
Daily Commercial
January 9 & January 16, 2018

Location Map:





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, January 9, 2018	
Agenda Item Name	
Ordinance No. 2018-01 <i>Introduction Land Development Code Changes</i>	
Requested Action	
Recommend approval of introduction of Ordinance 2018-01.	
Staff Report	
This request is staff initiated to update three sections of the Land Development Code. The proposal includes updates to Chapter 122 Zoning, Section 122-313; Chapter 86 Administration, Article IV Variances; and Chapter 34 Environment, Article II Noise, Section 34-35 Prohibited Acts and Section 34-38 Exceptions. The staff initiated amendment to Chapter 122 Zoning has been driven by the Downtown Master Plan and the desire to accomplish important goals identified in the plan. In order to develop at a higher density and to work within the existing site-specific characteristics, several inquiries have been made to rezone property to a Planned Unit Development (PUD). The applicant requests to go through the process to rezone the property to PUD zoning, which often provides detailed site-specific language, an inclusive site plan, and precise development standards. On many occasions, staff has to inform the applicant that PUD's are limited to one acre or more in size. This language is contained in Section 122-313. Staff has noted that many of the parcels downtown are less than one acre in size. In order to facilitate this process, staff is recommending no minimal acreage requirement in the Downtown Mixed Use Category. The applicant would still come before council for approval of a rezoning to the Planned Unit Development. The change only applies to properties in the Downtown Mixed Use Future Land Use Category. The staff initiated amendment to Chapter 86 Administration, Article IV Variances reorganizes some of the layout of the chapter while also updating the review criteria in Section 86-174. The existing review criteria includes eight criteria an applicant and staff must address. Customers and stakeholders have shared this particular process is often onerous, dated in nature compared to peer cities and confusing. On many occasions staff is unable to support a variance request due to one negative response of the eight criteria. In unique circumstances, staff believes that a variance could be granted that would continue to protect the public safety and welfare of the city and not conflict with the city's comprehensive plan. Staff benchmarked the current review criteria against peer cities, cities the City of Clermont often competes for in adding employment and economic activation to the city and thus cities Clermont could lose business to as a result of dated, confusing or non-efficient practices. In addition, staff benchmarked language as to provide resident customers with clear process and reducing confusion delivering upon the city's mission to provide exceptional services. The cities included: Winter Garden, Ocoee, Maitland, Eustis, St. Cloud, Kissimmee, Apopka, Lake Mary and Altamonte Springs. The revision will reduce the existing eight criteria to five criteria and provide for a more customer friendly experience with understandable language and format for the applicant, staff and City Council collectively. In addition, it provides staff the opportunity to review variances objectively with context to the public safety and welfare of the city and comprehensive plan. The staff initiated amendment to Chapter 34 Environment, Article II Noise, Section 34-35 Prohibited Acts and Section 34-38 Exceptions is mainly due to clarify when construction activities can occur. Currently, there is a conflict	

in the code that in one section, 34-35, that specifically mentions days and times of construction activity. The other section, 34-38 (5), only states hours and does not mention days. This has caused confusion since it has been interpreted that every day, even Sunday, construction activity can occur. The removal of this portion of the code is still addressed in Section 34-61 (5) Noises – all unnecessary or unauthorized noises and annoying vibrations, including animal noises. An addition has been added to Section 34-38 to allow the city manager or authorized designee to allow construction equipment and activity outside of the stated timeframe on a case by case basis with performance conditions in place.

Staff recommends approval of Ordinance 2018-01, which includes updates to the Land Development Code dealing with no minimum acreage requirement for a PUD in the Downtown Mixed Future Land Use, changes to the review criteria for variances, and clarification of construction activity times and days.

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance 2018-1 Markup Copy	2018-01 PUD DMU (revised).doc	
2. Legal Ad	2018-1 Legal Ad for PUD zoning - Variance - Noise Sunday Const.doc	



CITY OF CLERMONT
ORDINANCE NO. 2018-01

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 122 ZONING, SECTION 122-313 GENERAL REQUIREMENTS; CHAPTER 86 ADMINISTRATION, ARTICLE IV VARIANCES; CHAPTER 34 ENVIRONMENT, ARTICLE II NOISE, SECTION 34-35 PROHIBITED ACTS, SECTION 34-38 EXCEPTIONS PROVIDING FOR CODIFICATION; SEVERABILITY; EFFECTIVE DATE; AND PUBLICATION.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on January 3, 2018 and following such hearing found this Ordinance to be in the best interest of the City of Clermont, and recommended that the City Council adopt this Ordinance; and

WHEREAS, the City Council of the City of Clermont desires to amend Chapter 122 Zoning, Section 122-313 General Requirements; Chapter 86 Administration, Article IV Variances; and Chapter 34 Environment, Article II Noise, Section 34-35 Prohibited Acts, Section 34-38 Exceptions; of the City of Clermont's Code of Ordinances;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Clermont, Florida as follows:

SECTION 1.

The City Council of the City of Clermont has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 163 and 166, Florida Statutes.

SECTION 2.

The Land Development Code of the City of Clermont Code of Ordinances is hereby amended to read as follows (underlined indicates added and strikethrough indicates deletion):

Sec. 122-313. - General requirements.

The following general requirements and special regulations shall apply to all planned unit developments:

- (1) *Minimum area.* No site shall qualify for a planned unit development unless the development consists of a contiguous area of at least one acre or more, except in the Downtown Mixed Use Future Land Use Category, which has no minimum area.
- (2) *Unified control.* All land included for purposes of development within a planned unit development shall be owned or under control of the petitioner for such zoning designation, whether that petitioner is an individual, partnership or corporation, or group



CITY OF CLERMONT
ORDINANCE NO. 2018-01

of individuals, partnerships or corporations. The petitioner shall present firm evidence of the unified control of the entire area within the proposed planned unit development and shall state agreement that, if he proceeds with the proposed development, he shall:

- a. Do so in accord with the officially approved final master land use plan of the development, and such other conditions or modifications as may be attached to the special regulations.
 - b. Provide agreements, covenants, contracts, deed restrictions, improvements or sureties acceptable to the city council for completion of the undertaking in accordance with the formally approved final master land use plan, as well as for the continuing operation and maintenance of such areas, functions, facilities and improvements as are not to be provided, operated and maintained at general public expense.
 - c. Bind all development successors in title to any commitments made under subsections (2)a. and (2)b. of this section.
- (3) *Development approval.* Formal approval of all planned unit developments shall be granted according to comprehensive and detailed plans satisfactory to the city council. Such approval shall be contingent upon specific evaluation of project concept, uses, density or intensity, location, and recreation and open space areas. Items required for such analysis and approval may include but are not limited to:
- a. Plans detailing streets, utilities, lot or building sites, setbacks, impervious surface ratio, landscaping and the like for the overall project; and site plans, floor plans and elevations for all buildings as intended to be located, constructed or used, as related to each other, and detailed for other uses and improvements on the land as related to the buildings and structures.
 - b. A program for provision, operation and maintenance of such areas, improvements, facilities and services as will be for common use by some or all of the occupants of the planned unit development, but will not be provided, operated or maintained at general public expense.
 - c. Pertinent research studies, analysis or calculations that satisfactorily identify infrastructure impacts and indicate means for concurrency with warranted improvements.

Chapter 86 Administration, Article IV Variances.

Sec. 86-171. - ~~Permitted variances; exclusions.~~ Purpose and general provisions, definitions

The purpose of this Section is to provide for relief from certain requirements of the land development regulations when the strict administration of such regulations prevent an important need and the reasonable use of the property for which a variance is sought. In so doing, the following rules apply:

- (1) Use variances are not permitted.



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(2) All variances run with the land.

(3) All variance requests to the requirements of the Florida Americans with Disabilities Accessibility Implementation Act must be preceded through the procedures required under such act.

The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Practical difficulty means use of all or a portion of the property at issue cannot occur with reasonable physical accommodation that is economically reasonable.

Unnecessary hardship means a practical difficulty which exists due to an unintended effect of the land development regulation.

Use variance means an exception to the uses permitted in a particular zoning district by right, special exception or conditional use.

~~(a) *Hardship relief.* A hardship may exist in which the strict application of one or several requirements of this land development code would render a parcel incapable of reasonable use. Specified provisions set forth in this land development code or in the development standards may be waived when, because of the particular physical shape, surroundings or topographical condition of the property, compliance would result in a particular hardship upon the owner. A hardship is distinguished from a mere inconvenience or a desire to increase monetary gain.~~

~~(b) *Exclusions.* Requests for variances from requirements of the land development code shall generally be considered for those provisions which regulate proposed site development and the requirements applicable to existing development. The following request for variances shall not be considered:~~

~~(1) Requests for variances to the adopted comprehensive plan.~~

~~(2) Requests for variances to permit a use which is not allowed as a permitted use or as a conditional use within the specific zoning district.~~

~~(3) Requests for variances to permit the expansion of a nonconforming use of any land or structure, or the continuance of any nonconforming use which has ceased by discontinuance or abandonment for a period of one year, or the reestablishment of a nonconforming building or structure which has been destroyed or damaged by fire, explosion or act of God or in another manner to the extent of 50 percent or more of its assessed valuation.~~

~~(c) *Final decision.* Final determination of a hardship relief decision is vested in the city council sitting as the board of adjustment as provided for in this article.~~

(Code 1998, § 86-171; Ord. No. 281-C, § 1(ch. 8, § 1), 11-8-1994)



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Sec. 86-172. - ~~Application.~~ Submittal requirements for application

Application for variance shall be filed with the city on the designated form ~~made on the appropriate forms provided by the department of planning and zoning~~, and shall be accompanied by the appropriate fee as established by resolution of the city council and on file in the city clerk's office. Application for a variance shall be filed ~~in the office of the director of planning~~ on or before the date established for such submission as adopted by resolution of the city council. The following shall be submitted for variance; ~~information shall be provided~~:

- (1) Completion of the appropriate forms; ~~Proof of ownership, or notarized authorization of the owner if represented by an agent or contract purchaser.~~
- (2) Site Plan ~~Legal description of the property.~~
- (3) Reasons identifying why a variance is warranted. (Note: The burden of proof is the obligation of the applicant. Justification for compliance with the criteria for a variance must be fully documented and proven by the applicant. Each variance must stand on it's own merits. Past variance approvals will not be grounds for approval of future variances.); and Plot plan or schematic drawing of the property involved, showing the location of existing buildings or structures and the location of proposed buildings or structures, which specifically delineates and illustrates the extent of the variance request.
- (4) Payment of the requisite application fee. ~~A written statement which explains the conditions and circumstances of the alleged hardship and the necessity of the action. The written statement shall clearly justify the granting of relief from requirements of the land development code and satisfactorily address the review criteria of this article.~~

(Code 1998, § 86-172; Ord. No. 281-C, § 1(ch. 8, § 2(A)), 11-8-1994; Ord. No. 291-C, § II, 2-23-1999)

Sec. 86-173. - Notice of public hearing.

All variance requests shall be considered at public hearings, which shall be noticed as follows:

- (1) The city shall send notice of the proposed variance to the owners of all adjoining properties to the subject property. Such notice shall include the date, time and place of the public hearing before the board of zoning adjustment, along with a clear and concise description of the proposed variance. For the purposes of such notification, adjoining properties shall include those properties within 150 feet of the subject property even when separated from the subject property by a road, canal, easement, right-of-way or similar barrier.
- (2) Notice of public hearing shall be published in a newspaper of general circulation within the city no less than five days prior to the date set for the hearing, and the matter shall be entered on the agenda of the next regular meeting of the board of zoning adjustment if the meeting is five or more days forthcoming. The applicant



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shall be responsible for the cost of advertising and it shall be paid no later than 24 hours prior to the scheduled hearing date. Failure to pay this cost will delay the hearing and the applicant may occur additional advertising costs.

- (3) After an application has been filed, the applicant shall post the subject property with signage as provided by or as directed by the city. The sign or signs shall be erected on each street side of said land or where the sign or signs would be in the most conspicuous place to the passing public as determined by the administrative official or his designated representative.

(Code 1998, § 86-173; Ord. No. 281-C, § 1(ch. 8, § 2(B)), 11-8-1994; Ord. No. 306-C, § 2, 3-27-2001)

Sec. 86-174. - Review criteria and findings.

A variance may be granted from the land development regulations if the board concludes that literal enforcement of the provisions of the land development regulations would result in either practical difficulty (for setback and parking provisions) or unnecessary hardships (for all other land development regulations) for the property at issue. In order for a variance to be granted, the board must also find that, by granting the variance, the remaining regulations will protect the public safety and welfare of the city and if it finds that:

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;
- (2) The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;
- (3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;
- (4) The granting of the variance is consistent with the city's comprehensive plan; and
- (5) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied.

~~When reviewing an application for a variance, the board of zoning adjustment shall not vary the requirements of any provision of this land development code unless it makes a positive finding, based on substantial competent evidence, on each of the following:~~

- ~~(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district;~~



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- ~~(2) — The condition giving rise to the requested variance has not been created by any person presently having an interest in the property;~~
- ~~(3) — Literal interpretation and enforcement of the land development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development code, and would work unnecessary and undue hardship on the applicant;~~
- ~~(4) — The variance request is not based exclusively upon a desire to reduce the cost of developing the site or otherwise economically founded;~~
- ~~(5) — The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure;~~
- ~~(6) — Granting of the variance request will not confer on the applicant any special privilege that is denied by the land development code to other lands, buildings or structures in the same zoning district;~~
- ~~(7) — The proposed variance will not substantially diminish property value in, or alter the essential character of, the area surrounding the site; and~~
- ~~(8) — The granting of the variance will be in harmony with the general intent and purpose of this land development code, and will not be injurious to the surrounding properties or detrimental to the public welfare.~~

(Code 1998, § 86-174; Ord. No. 281-C, § 1(ch. 8, § 2(C)), 11-8-1994)

Sec. 86-175 – Review of variance applications

Under this Section, applications for variances shall be:

- (1) Reviewed by the Administrative Official. A report reviewing the circumstances surrounding the application with a recommended action shall be produced and shared with the applicant in advance of the Board of Zoning Adjustment public hearing; and
- (2) Approved, denied, or approved with conditions by the city council after one public hearing.

Sec. 86-175 176. - Time limit for commencing construction.

When any variance is granted, construction of the structure or other variance item must begin within one year ~~two years~~ from the date of grant. It shall be the obligation of the owner to file written notice with the administrative official and director of planning that he has begun the proposed construction. If no such notice is filed, the variance shall automatically lapse.

(Code 1998, § 86-175; Ord. No. 281-C, § 1(ch. 8, § 2(D)), 11-8-1994; Ord. No. 294-C, § 2, 9-28-1999; Ord. No. 2010-05-C, § 2, 3-23-2010)

Sec. 86-176 177. - Transfer.



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A variance in the zoning regulations may be transferred along with the transfer of the property ownership, but only for the specific use and approved plan originally granted.

(Code 1998, § 86-176; Ord. No. 281-C, § 1(ch. 8, § 2(D)), 11-8-1994)

Sec. 86-177 178. - Reapplication after denial.

Variance requests which have been denied may not be resubmitted for a period of one year.

(Code 1998, § 86-177; Ord. No. 281-C, § 1(ch. 8, § 2(D)), 11-8-1994)

Secs. 86-178 179—86-200. - Reserved.

Chapter 34 Environment, Article II Noise

Sec. 34-35. - Prohibited acts.

- (a) It shall be unlawful for any person to produce, cause to be produced, allow to be produced or project, by any means, any sound or noise across a property line in such manner as to create a sound level which exceeds the limits set forth for the receiving land use listed in section 34-36 when measured at or within the property line of the receiving property. For any activity or use of land or buildings not expressly listed in the zoning districts in the city, the city council, upon notice to the owner or occupant of the property producing sound, may determine the category of use under this article for which the activity or use is to be considered. Notwithstanding the foregoing, the existence of a noise which relates to the receiving land use listed in section 34-40 may be determined by the city's law enforcement officers, code enforcement officers, code inspectors, and/or their agents pursuant to section 34-40(a)(1).
- (b) Notwithstanding any violation of subsection (a) above, the following specific uses, activities and circumstances are declared to be in violation of this article:
 - (1) *Radios, television sets, exterior loudspeakers, musical instruments, and similar devices.* Operating or permitting the use or operation of any radio receiving set, exterior loudspeaker, amplified sound equipment, musical instrument, phonograph, television set, or other machine or device for the production or reproduction of sound in such a manner as to create a noise across the boundary of the property, including, without limitation, public and private rights-of-way from which the noise originates. In addition to the preceding, radios, cassette players, disk players and similar devices associated with motor vehicles or motorboats, shall not be operated or amplified in such a manner as to be felt or clearly heard at 25 feet or more from such device, when operated or parked on a public or private right-of-way or public or private space. In determining whether such devices may be clearly heard, the city's law enforcement officers, code enforcement officers, code inspectors, and/or their agents must utilize their normal auditory senses without any enhancements or hearing aids. Particular words or phrases or the name of any song or artist are not required to be identified. The detection of a rhythmic bass reverberating sound shall be sufficient to determine if

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a violation has occurred. To the extent that the Florida Uniform Traffic Control Law provisions regulate noise originating from within public or private rights-of-way, those provisions shall apply where currently existing or as amended.

- (2) *Construction equipment and activity.* Operating or causing to be operated any equipment or performing any outside activity in furtherance of construction, repair, alteration or demolition work on buildings, structures, roads, or projects within the city except between the hours of 7:00 a.m. and 9:00 p.m. Monday through Friday and between the hours of 9:00 a.m. and 9:00 p.m. on Saturday, excluding all legal, state, and nationally recognized holidays. ~~A variance may be obtained as set forth in this article from the city for such construction or repair work outside of such hours.~~ The city manager or authorized designee may allow construction equipment and activity outside of this timeframe on a case by case basis when it is determined to be in the best interest of the City. The city manager may impose conditions that limit any negative impacts to the surrounding properties.

Sec. 34-38. - Exceptions.

- (a) The following noise and sounds are exempt from this article:

- (1) Noise and sounds caused by or related to emergency vehicles, equipment, and personnel during emergencies, which shall be deemed to include all work made necessary by an emergency to restore property to a safe condition, all work made necessary by an emergency to restore public utility service and all work made necessary by an emergency to protect persons or property from imminent injury, death, or substantial harm.
- (2) Noise and sounds produced by city, county, state, and federal government vehicles, equipment and personnel during the pursuit of official duties of the respective governments, including but not limited to public works construction and maintenance, authorized safety signals, warning devices and emergency testing.
- (3) Noise and sounds produced by public utility vehicles, equipment and personnel during the pursuit of the public duty of such public utility.
- (4) Noise and sounds produced by activities or events approved by the city council where the person responsible for such activities or events obtains the city council's approval after such person clearly and expressly has advised the city council that the noise or sounds associated with the activities or events would be in violation of this article but for this exemption.
- ~~(5) Noise and sounds produced between the hours of 7:00 a.m. and 9:00 p.m. by the mowing of grass; the operation of other yard maintenance equipment; the construction of properly permitted buildings, structures and other improvements; and the operation of farm equipment during farming activities.~~
- (65) Railway locomotives and railway cars.
- (76) Aircraft and airport activity conducted in accordance with federal laws and regulations.

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- (87) Motor vehicles operating on a public right-of-way subject to F.S. § 316.293 or other provisions of the Florida Uniform Traffic Control Law that regulate noise and sounds originating from within public or private right-of-way where currently existing or as amended.
- (98) Organized athletic contests.
- (109) Noise and sounds produced from churches between the hours of 7:00 a.m. and 10:00 p.m.
- (110) Community events, such as fairs, school activities, community festivals and the like which do not extend their activities beyond 11:00 p.m. or commence before 7:00 a.m. Any community activity which extends beyond 11:00 p.m. or commences before 7:00 a.m. and would otherwise violate this article must apply for and receive prior approval from the city.
- (121) Noise and sounds produced by an electrical generator during a time period in which regular electrical utility service is temporarily unavailable to the property upon which the generator is located.
- (1312) Noise and sound associated with uses or activities for which a variance has been obtained from the city approving such noises and sounds contrary to the restrictions of this article.

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ORDINANCE No. 2018-1

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 23rd day of January, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider the enactment of the following proposed ordinance. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2018-1

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 122 ZONING, SECTION 122-313 GENERAL REQUIREMENTS; CHAPTER 86 ADMINISTRATION, ARTICLE IV VARIANCES; CHAPTER 34 ENVIRONMENT, ARTICLE II NOISE, SECTION 34-35 PROHIBITED ACTS, SECTION 34-38 EXCEPTIONS; PROVIDING FOR CODIFICATION; SEVERABILITY; EFFECTIVE DATE; AND PUBLICATION.

This ordinance will be considered by the Planning & Zoning Commission on Wednesday, January 3, 2018 at 6:30 P.M.

A public meeting to consider the ordinance will be held before the City Council on Tuesday, January 23, 2018 at 6:30 p.m. for final enactment.

All meetings will be held in City Hall, located at 685 West Montrose Street.

This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose Street, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made.

Tracy Ackroyd Howe,
MMC
City Clerk

Daily Commercial
December 20, 2017 & January 9, 2018



CITY OF CLERMONT

AGENDA ITEM

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Meeting Date		
Tuesday, January 9, 2018		
Agenda Item Name		
Ordinance No. 2018-02 <i>Introduction Comprehensive Plan Text Change</i>		
Requested Action		
Recommend approval of Ordinance 2018-02.		
Staff Report		
This request is staff initiated to add a policy to the Commercial Land Use Category in the City's Comprehensive Plan. Recently, the City has processed two residential storage facility requests, the Huber self-storage project and the Citrus Tower self-storage project. Both of the projects have the Industrial Future Land Use category with C-2 General Commercial zoning along with a conditional use permit. Staff believes that the Industrial future land use is not the most appropriate land use for this type of use. Staff believes the residential self-storage use is more compatible within the Commercial Future Land Use and the uses associated within the C-2 General Commercial zoning designation. Unfortunately, the Commercial Future Land Use only allows a floor area ratio (FAR) up to 0.25 (25%). This proposes a challenge with residential self-storage facilities since a majority of the site is buildings with very little required parking. Therefore, the sites are assigned an Industrial Future Land Use, which allows a floor area ratio up to 1.0, to allow the project to be in compliance with the comprehensive plan. The proposed addition of the policy below will allow residential self-storage facilities in the Commercial future land use. This type of use will still require C-2 General Commercial zoning along with a conditional use permit and is only applicable to residential storage facilities. Policy 1.9.5: Residential storage facilities shall be allowed as a conditional use within the commercial land use category and shall be limited to a maximum intensity of 1.0 FAR. This shall not include the storage of manufacturing or commercial products. Staff recommends approval of Ordinance 2018-02.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance 2018-2	2018-02 Residential storage facilities Policy 1.9.5 addition.doc	
2. Legal Ad	Self Storage Comp Plan Ad.doc	
3. Self Storage FLU Amendment	Self Storage FLU amendment language.docx	



CITY OF CLERMONT
ORDINANCE NO. 2018-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES BY ADOPTING TEXT CHANGES TO THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN TO AMEND THE COMMERCIAL LAND USE CATEGORY TO ALLOW FLOOR AREA RATIO (FAR) OF 1.0 FOR RESIDENTIAL SELF STORAGE FACILITIES; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE COMPREHENSIVE PLAN AMENDMENTS; SETTING FORTH THE PURPOSE AND INTENT OF THE COMPREHENSIVE PLAN AMENDMENTS; ESTABLISHING THE LEGAL STATUS OF THE COMPREHENSIVE PLAN AMENDMENTS; PROVIDING FOR SEVERABILITY, CONFLICT AND AN EFFECTIVE DATE.

WHEREAS, the Comprehensive Plan of the City of Clermont was adopted by the City of Clermont on August 13, 1991, in accordance with the Local Government Planning and Land Development Regulations Act of 1985, Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Comprehensive Plan of the City of Clermont may be amended pursuant to Florida Statutes 163.3187; and

WHEREAS, the Planning and Zoning Commission, acting as the Local Planning Agency, held a public hearing January 3, 2018 and made recommendations to the City Council for amendments to the plan; and

WHEREAS, the City Council of the City of Clermont held public hearings January 9, 2018 and January 23, 2018 on the proposed amendments to the plan in light of written comments, proposals and objections from the general public;

NOW, THEREFORE, BE IT ORDAINED and enacted by the City Council of the City of Clermont, Florida that:

Section 1.

After public hearings held by the City of Clermont Local Planning Agency and the Clermont City Council, the Future Land Use Element is hereby amended with the addition of Policy 1.9.5 under Objective 1.9: Commercial Land Use Category, as shown below.

Policy 1.9.5: Residential storage facilities shall be allowed as a conditional use within the commercial land use category and shall be limited to a maximum intensity of 1.0 FAR. This shall not include the storage of manufacturing or commercial products.



CITY OF CLERMONT
ORDINANCE NO. 2018-02

Section 2.

If any portion of this Ordinance is declared invalid, the invalidated portion shall be severed from the remainder of the Ordinance, and the remainder of the Ordinance shall continue in full force and effect as if enacted without the invalidated portion, except in cases where such continued validity of the remainder would clearly and without doubt contradict or frustrate the intent of the Ordinance as a whole.

Section 3.

All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 4.

This Ordinance shall be published as provided by law and it shall become law and shall take effect immediately upon its Second Reading and Final Passage.



CITY OF CLERMONT
ORDINANCE NO. 2018-02

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 23rd day of January, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

CITY OF CLERMONT

NOTICE OF PROPOSED AMENDMENT TO COMPREHENSIVE PLAN ORDINANCE NO. 2018-2

The City of Clermont will hold public hearings on Wednesday, January 3, 2018 at 6:30 pm before the Planning and Zoning Commission and on Tuesday, January 23, 2018 (final hearing) at 6:30 pm before the City Council to consider proposed changes to the Future Land Use Element of the City's adopted comprehensive plan.

Ordinance #2018-2:

An ordinance of the City Council of the City of Clermont, Lake County, Florida, amending the Comprehensive Plan for the City of Clermont, Florida, pursuant to the local government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes by adopting a text change to the Goals, Objectives and Policies of the Future Land Use Element of the Comprehensive Plan; setting forth the authority for adoption of the Comprehensive Plan Amendments; setting forth the purpose and intent of the Comprehensive Plan Amendments; establishing the legal status of the Comprehensive Plan Amendments; providing for severability, conflict and an effective date.

The public hearings will be in the Council chambers of City Hall, 685 W. Montrose St., and are open to public comment. Please call (352) 394-4083 Ext. 7598 if you have any questions.

The proposed amendment may be inspected at the City's Development Services Department (first floor, City Hall) between 8am and 5pm. Monday-Friday.

Please be advised that under state law, any person deciding to appeal a decision made at the public hearing will need a record of the proceedings and may need to ensure a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearing.

Tracy Ackroyd Howe, MCC
Clermont City Clerk

Daily Commercial
December 24, 2017 & January 9, 2018

Objective 1.9: Commercial Land Use Category. The commercial category is established to assure availability of sufficient office and commercial sites to serve the needs of the existing and projected population. In addition to office and commercial uses, residential uses are allowed, preferably as mixed-use, high-density developments, as well as supportive accessory uses, churches and schools as conditional uses, minor public utilities (i.e., telephone switching stations, lift stations, drainage infrastructure, and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations.

Policy 1.9.1: The commercial land use category shall accommodate activities such as general retail sales and services, professional and business offices, personal services and limited residential use. Based on current land use trends, the City estimates that the mix of uses will be 90 percent office and commercial uses and 10 percent residential, public facilities/institutional and recreation uses.

Policy 1.9.2: The maximum intensity of commercial development shall be limited to 0.25 FAR. Residential development shall be limited to 12 units per acre; however, densities higher than eight units per acre shall require a conditional use permit or a Planned Unit Development (PUD) zoning.

Policy 1.9.3: Hotels and hospitals shall be allowed as a conditional use within the commercial land use category and shall be limited to a maximum intensity of 3.0 FAR.

Policy 1.9.4: Nursing homes, assisted living facilities and independent living facilities shall be permitted in the commercial land use category as a PUD consistent with land development regulations and may have a maximum intensity of 3.0 FAR.

Policy 1.9.5: Residential storage facilities shall be allowed as a conditional use within the commercial land use category and shall be limited to a maximum intensity of 1.0 FAR. This shall not include the storage of manufacturing or commercial products.