



CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, February 6, 2018
City Hall – 685 W. Montrose Street, Clermont, FL

CALL TO ORDER
INVOCATION AND PLEDGE OF ALLEGIANCE

MINUTES

January 3, 2018 Planning and Zoning Minutes

REPORTS

NEW BUSINESS

Item 1 - Resolution No. 2018-03

First Baptist Church Conditional Use Permit

Consider Conditional Use Permit to allow a church facility/multi-purpose building, school and sports/recreation outdoor play area accessory uses to church in the R-1 Medium Density Residential zoning district for vacant property located at the southeast corner of Hartwood Marsh Road and Hancock Road.

Item 2 - Resolution No. 2018-04

Gonzalez Professional Office Conditional Use Permit

Consider Conditional Use Permit to allow for a professional office building occupying more than 5,000 square feet of floor space in the C-1 zoning district for property located at 236 Chestnut Street.

Item 3 - Ordinance 2018-04

Darryl Bishop Small Scale Comprehensive Plan Amendment

Consider ordinance to change the future land use from Parks to Downtown Mixed Use for a 0.20 acre parcel located east of 12th Street and north of Short Street.

Item 4 - Ordinance 2018-05

Darryl Bishop Rezoning

Consider ordinance to change the zoning from Industrial to Central Business District for a 0.20 acre parcel located east of 12th Street and north of Short Street.

Item 5 - Ordinance 2018-07

Magnolia Center Large Scale Comp Plan Amendment

Consider an ordinance to change the future land use from Lake County Regional Commercial to City Commercial for properties located at 17330 SR 50 and Pagonia Drive.

Item 6 - Ordinance 2018-08

Magnolia Center Rezoning

Consider an ordinance to allow a Planned Unit Development with C-1 Light Commercial and C-2 General Commercial uses for properties located at 17330 SR 50 and Pagonia Drive.

Discussion of Non-Agenda Items

ADJOURN

CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, February 6, 2018
City Hall – 685 W. Montrose Street, Clermont, FL

Any person wishing to appeal any decision made by the Planning and Zoning Commission 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 as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Development Services at 352-241-7302.

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 Recording Clerk for the City's records.

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
January 3, 2018

Page 1

The meeting of the Planning & Zoning Commission was called to order Wednesday, January 3rd, 2018 at 6:30 p.m. by Chairman Cuqui Whitehead. Other members present were Herb Smith, Carol Thayer, David Colby, Julie Santos, and Tony Hubbard. Shannon Schmidt, Acting Development Service Director, John Kruse, Senior Planner, Regina McGruder, Senior Planner, Dan Mantzaris, Legal Counsel for the City, were also in attendance.

Dan Mantzaris would like commission to make nominations to Chairman following nominations for Vice Chairman. Herb Smith was nominated as Vice Chairman unanimously.

Commissioner Whitehead moved to approve the minutes of the December 5, 2017 meeting as revised; seconded by Commissioner Hubbard.

REPORTS: Commissioner Whitehead thanked all new members that are joining the committee.

Commissioner Colby asked for memorandum from the attorney regarding Planning and Zoning meetings and not being able to discuss what occurs outside of the meeting. Mr. Mantzaris explained the process.

Shannon Schmidt, Economic Development Director and Acting Development Services Director welcomed Julie Santos and David Colby to the Board. Jack Martin has resigned from this position. The City Council will be making a re-appointment for his vacant position on Council Meeting taking place on January 9, 2018. Continued my communicating the upcoming Council Workshop taking place on January 16, 2018 Robert Chandler Lake County will be providing an update regarding the wellness way area plan. CEMEX Settlement has been approved by the Lake County Commissioners as of December 26, 2017. Lastly January 25, 2018 at 8 am in the City Center will be the State of The City Meeting from the City Manager.

REQUEST:

Item #1: To consider update on three sections of the Land Development Code, which includes, updates to Chapter 122 Zoning, Chapter 86 Administration, Article IV Variances; and Chapter 34 Environment, Article II Noise.

APPLICANT: City of Clermont

Senior Planner, John Kruse, presented the staff report as follows:

This request is staff initiated to update three sections of the Land Development Code. The proposal includes updates to Chapter 122 Zoning, Chapter 86 Administration, Article IV Variances; and Chapter 34 Environment, Article II Noise.

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). Staff has noted that many of the parcels downtown are less than one acre in size, and therefore are not able to rezone to a PUD due to the one acre size requirement. 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. In addition, staff benchmarked language as to provide residents with clear process and reducing confusion delivering upon the city's mission to provide exceptional services. 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 2018-1, 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.

Chairman Whitehead asked if this was just to change the ordinance.

Mr. Kruse responded by stating that the codes were packed together in one ordinance.

Ms. Schmidt informed the audience of the City's codes ancestry establishments, and attempting to update the codes to better serve the customers.

Chairman Whitehead opened the floor to the audience. No one commented. Chairman Whitehead immediately closed the public portion of the hearing, and returned it to the Board.

Commissioner Smith questioned Chapter 122 Zoning and its density. Ms. Schmidt thoroughly explained the benefits of including 1 acre properties and its density to the PUD. She also explained the introduction of the Community Benefit Agreement, in which a developer has to come into agreement with the City of Clermont prior to their development approval from the city council that they meet certain criteria.

Commissioner Hubbard is concerned that there will be an increase of clutter in the downtown area.

Ms. Schmidt responded by stating that downtowns thrive when there is an aggregate of people, whether it is people living downtown or working downtown. She proceeded by comparing Clermont to other surrounding cities, and they being 50 units per acre for mixed use.

Commissioner Smith agreed with the expansion of the future growth of City of Clermont Downtown. And is curious on knowing if there is any intention of possibly expanding City of Clermont's future land use.

Ms. Schmidt is examining the idea of expanding the use alongside the CBD along with the Community Redevelopment Area borders.

Commissioner Smith gave input on the possibly being space on the east side of the Downtown area to make this expansion possible and bringing people downtown. Ms. Schmidt agreed to this statement.

Mark Graff, 1944 Brantley Circle, Clermont, FL 34711. Mr. Graff is a consultant to the Master Plan and stated that Chapter 122 Zoning amendment is a piece of that Master Plan. He stated he spoke against his pocket book, and explained the Winter Park construction and the vast amount of maintenance that goes into those developments that are 40 units per acre. He recommended to the City that they build the best type of quality of buildings. He also stated for any City Center to thrive, there must be people living near the center.

Chairman White head asked if they could do construction with Chapter 34 Environment. Ms. Schmidt said that they cannot and would require manager approval.

Commissioner Smith moved the motion for approval seconded by Commissioner Thayer. The vote in favor was unanimous. 6-0

Commissioner Hubbard has question for the attorney. Commissioner Hubbard owns a property to the south that will be coming up in next item. Would like to know if should voice it. Mr. Mantzaris states Tony Hubbard has a conflict of interest with the vote, but is able to voice his concerns.

REQUEST: City of Clermont

Item 2: To consider Conditional Use Permit to allow for outdoor sales and storage in the M-1 Industrial zoning district for property located at the Southeast corner of Hooks St. and Highway 27 off ramp.

APPLICANT: JHL Landscape Supply / Luis Silva

Senior Planner, Regina McGruder, presented the staff report as follows:

The applicant, is requesting a conditional use permit to allow outdoor sales and storage of Sod and Landscape Materials in the M-1 Industrial zoning district. The Land Development Code, Section 122-263 (c) requires uses to be enclosed; outdoor storage; all manufacturing and commercial uses must be conducted within a completely enclosed building, except for outdoor storage, which must be completely screened from any public street and adjacent properties.

The applicant is requesting to operate a distribution facility for sales and outside storage of Sod and Landscape Materials. The existing building will be used as the office and garage without any major renovations. Concrete bins will be constructed to store landscape materials like mulch and stone. The site shall be developed in substantial accordance with the conceptual plan prepared by McCoy and Associates.

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 Conditional Use Permit to allow outdoor sales and storage of Sod and Landscape Materials in the M-1 Industrial zoning district with the conditions contained in Resolution No. 2018-01.

Developer Rick McCoy, McCoy and Associates, had nothing else to add as Regina was thorough with the presentation of your item.

Chairman Whitehead opened the floor to the audience. No one spoke, Chairman Whitehead immediately closed the public porting of the hearing, and returned it to the Board.

Mr. Kruse asked if there were any rendering from ground view. Mr. McCoy said there is none because there will not be much change and there will be a landscape buffer.

Commissioner Smith asked if both driveways that are present will be used. Mr. McCoy said yes. Ms. McGruder confirmed that there is a sidewalk on the North side, as various commissioners are concerned of the existence of the sidewalk.

Chairman Whitehead asked if there would a retention for the lake. Mr. McCoy answered with a yes. They would have St. Johns and make sure all city requirements are met.

Chairman Whitehead recommended a motion.

Commissioner Smith moved to approve item 2 seconded by Commissioner Thayer. 5-0 approval.

REQUEST

Item 3: To consider initiation to add a policy to the Commercial Land Use Category in the City's Comprehensive Plan.

APPLICANT:

Senior Planner, John Kruse, presented the staff report as follows:

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 Policy 1.9.5 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 states: "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 2018-2.

Chairman Whitehead opened the floor to the public. There were no comments, Chairman Whitehead immediately closed the public portion of the hearing, and returned it to the Board.

Commissioner Smith asked if the projects had already been passed. Mr. Kruse confirmed Commissioner Smith’s question. After Hubert and Bob Thompsons Citrus Tower were passed, they decided to add this policy to address issues of future land use.

Chairman Whitehead recommended a motion.

Commissioner Colby moved to approve item 3. Vote was unanimous.

There being no further business, the meeting was adjourned at 7:22 p.m.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, February 6, 2018		
Agenda Item Name		
Resolution No. 2018-03 <i>First Baptist Church Conditional Use Permit</i>		
Requested Action		
Recommend approval of Resolution No. 2018-03.		
Staff Report		
The applicant, is requesting a Conditional Use Permit to allow a church facility and multi-purpose buildings, Pre K-5th grade school, parking garage and outdoor recreation/sports areas accessory uses to church in the R-1 Medium Density Residential zoning district. The Land Development Code, Section 122-123 allows a church use with a Conditional Use Permit. The subject property is currently vacant and located at the southeast corner of Hancock Road and Hartwood Marsh Road. The property is approximately 38 acres+/- . The current zoning is R-1 Medium Density Residential and Future Land Use is Low Density Residential. The applicant will be required to provide a Traffic Study for review of traffic impact and concurrency. The Conceptual Master Plan will be developed in phases. The site shall be developed in substantial accordance with the conceptual plan prepared by Germana Engineering, LLC dated 11/10/17. 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 Conditional Use Permit to allow a church facility with accessory uses to church in the R-1 Medium Density Residential zoning district with the conditions contained in Resolution No. 2018-03.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Resolution No. 2018-03	2018-03 First Baptist Church New.pdf	
2. Location Map	New Location Map 1.pdf	
3. Master Concept/Site Plan	Master Concept Plan.pdf	
4. Church Elevations	Building Elevations.pdf	
5. CUP Application	CUP Application.pdf	
6. Legal Ad	CUP FIRST BAPTIST CHURCH.pdf	



CITY OF CLERMONT
RESOLUTION NO. 2018-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW A CHURCH FACILITY AND ACCESSORY USES TO CHURCH IN THE R-1 MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held February 6, 2018, recommend for approval of this Conditional Use Permit to allow a church facility/worship center, multi-purpose buildings, Pre-K – 5th grade school, recreation/sports areas, and parking garage accessory uses to church in the R-1 Medium Density Residential zoning district; at the following location:

LOCATION:

Vacant property located at the Southeast corner of Hartwood Marsh Road
and Hancock Road
(Alternate Key #1593905)

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 a church facility/multi-purpose buildings, Pre-K through 5th grade school, and recreation/sports area, and parking garage accessory uses to the church in the R-1 Medium Density Residential zoning district; be granted subject to the following conditions:

CONDITIONAL USE PERMIT 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 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.
3. The structure shall be inspected by the Fire Inspector for life safety requirements, all requirements must be met prior to any Certificate of Occupancy being issued.



CITY OF CLERMONT
RESOLUTION NO. 2018-03

4. The structure shall be inspected by the Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
5. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
6. 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.
7. The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
8. If, at a future date, parking at this site proves inadequate the applicant understands and agrees that the City may require additional parking or rescind this Conditional Use Permit.
9. If, at a future date, noise at this site proves to be a nuisance to the surrounding property owners, applicant understands and agrees that the City may require additional sound attenuation measures or rescind this Conditional Use Permit.
10. Should the church use cease operation for more than 1 years, a new Conditional Use Permit shall be required for a same or similar operation.

SECTION 2. Land Use

1. The property shall be developed in substantial accordance with the Conceptual Master Plan prepared by Germana Engineering, dated November 10, 2017. The project may be developed in phases and in accordance with the attached Conceptual Master Plan. Future Construction of the Assisted Living Facility will require an amendment to the Conditional Use Permit. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approval by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.
2. A traffic study will be required for traffic impact and concurrency for Hartwood Marsh Road and Hancock Road. Any traffic impact study will be coordinated with the Lake – Sumter Metropolitan Planning Organization for review and analysis of proposed development traffic impact and determination of any required traffic improvements.
3. A minimum five-foot wide sidewalk shall be constructed along each street right-of way to meet Americans with Disability Act requirements and provide pedestrian access.



CITY OF CLERMONT
RESOLUTION NO. 2018-03

- 4 The site shall be developed according to the City of Clermont Land Development Codes and all buildings must meet the City of Clermont Architectural Design Standards.
- 5 Interior lightening on the site shall be directed downward into the site and shall not spill over onto adjacent properties.
- 6 All landscaping, drainage/water retention and site plan approved conditions must be maintained in perpetuity for the site.
- 7 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 show location of all proposed buildings, structures, outdoor sports/recreation areas, parking, and modular classrooms as indicated in the Conditional Use Permit application. 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.



CITY OF CLERMONT
RESOLUTION NO. 2018-03

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 27th day of February, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

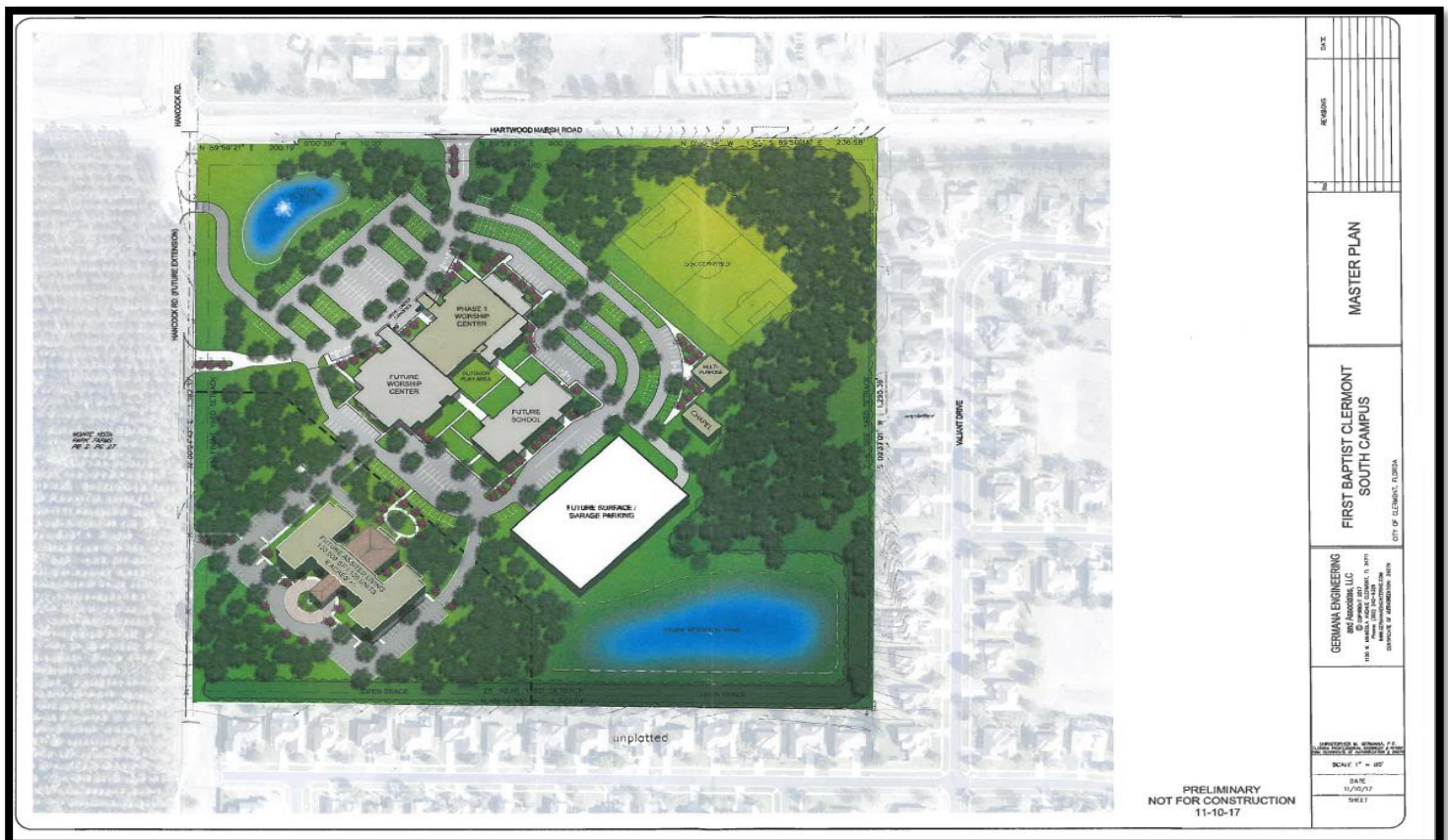
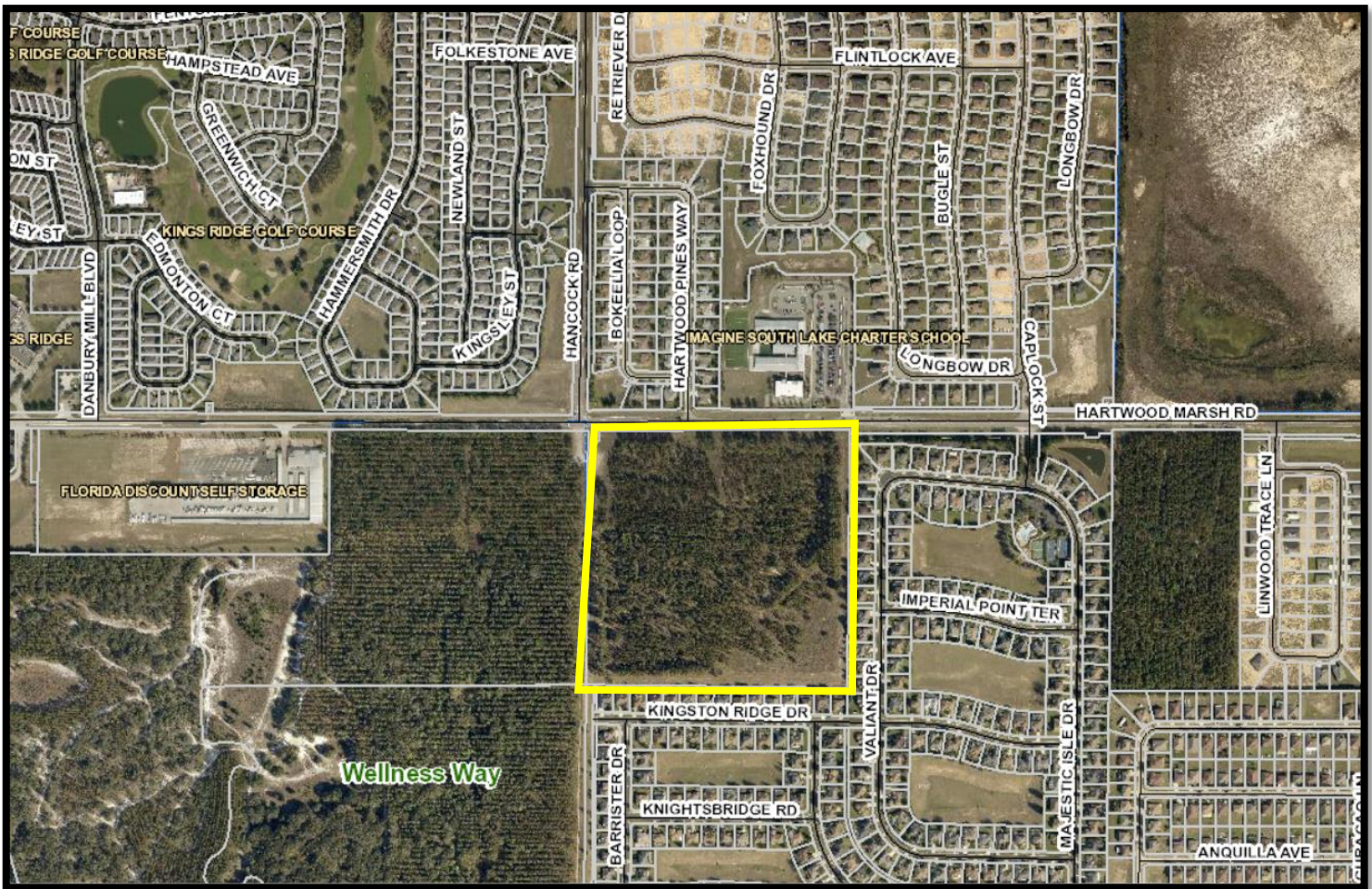
ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Location Map





MONTE VISTA
PARK FARMS
PG 2, PG 27

PRELIMINARY
NOT FOR CONSTRUCTION
11-10-17

REVISIONS		DATE
No.		
MASTER PLAN		
FIRST BAPTIST CLERMONT SOUTH CAMPUS		
CITY OF CLERMONT, FLORIDA		
GERMANA ENGINEERING and Associates, LLC © COPYRIGHT 2017 1120 W. MANEKA AVENUE CLERMONT, FL 34711 Phone: (352) 242-9329 WWW.GERMANAENGINEERING.COM CERTIFICATE OF AUTHORIZATION: 39279		
CHRISTOPHER M. GERMANA, P.E. FLORIDA PROFESSIONAL ENGINEER # 91892 PRM CERTIFICATE OF AUTHORIZATION # 39279		
SCALE 1" = 80'		
DATE 11/10/17		
SHEET		



The
McKnight
Group

McKnight & Hosterman Architects, Inc.
3301 McDowell Road P.O. Box 3702 Deer City, Ohio 43123 Phone (614) 875-1855 Homer Ray McKnight NCARB Certificate No. 13577



CLERMONT, FL JUNE 1, 2017 216332



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 12/06/2017

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): First Baptist Church of Clermont

APPLICANT: Germana Engineering and Associates, LLC

CONTACT PERSON: Christopher Germana

Address: 1120 W. Minneola Avenue

City: Clermont State: Florida Zip: 34711

Phone: 352-242-9329 Fax:

E-Mail: cgermana@germanaengineering.com

OWNER: First Baptist Church of Clermont, Inc.

Address: 498 W. Montrose Street

City: Clermont State: Florida Zip: 34711

Phone: 352-394-4221 Fax: 352-394-6732

Address of Subject Property: SE corner of Hancock Road and Hartwood Marsh Road

General Location: The subject site is located at the SE corner of Hancock Road
and Hartwood Marsh Road.

Legal Description (include copy of survey): See attached for Legal Description/Survey

Land Use (City verification required): Low Density Residential

Zoning (City verification required): R-1 Single Family Residential District



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.

The First Baptist Church of Clermont, Inc. is requesting a Conditional Use Permit from the City of Clermont to construct a new church campus at the SE corner of Hancock Road and Hartwood Marsh Road. The proposed campus will consist of a 1,200 seat worship center, associated classrooms, and parking areas. The campus, in a future phase, may include a Pre-K through 5th grade school with associated recreation/sport areas. In addition, the project may include an ALF/ILF building that is approximately 120,000 SF and contain 100 units. This project is appropriate for the area due to the continued growth in the City and the First Baptist Church of Clermont needs to expand its church. The campus is designed to integrate into the surrounding community and will provide large buffers surrounding the adjacent residential properties. The campus will be an asset to the community and will continue the trend of a high quality development along the Hartwood Marsh corridor. As part of the campus the church will provide ministries serving the community. A detailed list of the proposed ministries is attached with the application.

Christopher Germana

Applicant Name (print)

Roy W. Caldwell

Owner Name (print)

Roy W. Caldwell
Applicant Name (signature)
OWNER
X Christopher Germana
Owner Name (signature)
APPLICANT

***** 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

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10072666
Phone: (352) 241-7331
Date: 01/23/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a	01/29/2018	02/19/2018	\$161.84

LEGAL NOTICE February 19, 2018

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow a church facility and accessory uses in the R-1 Single Family Medium Density Residential Zoning District, at the following location:

LOCATION

Vacant parcel on the Southeast corner of Hancock Road and Hartwood Marsh Road (Alternate Key - 1593905)

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, February 6, 2018 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, February 27, 2018 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

Ad No: 10072666
January 29, 2018 &

Payment Info	
Ad Price	\$161.84
Tax	\$0.00
Sub Total	\$161.84
Prepaid Amount	\$0.00
Balance Due	\$161.84



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, February 6, 2018		
Agenda Item Name		
Resolution No. 2018-04 <i>Gonzalez Professional Office Conditional Use Permit</i>		
Requested Action		
Recommend approval of Resolution No. 2018-04		
Staff Report		
The applicant, is requesting a Conditional Use Permit to allow construction of a 5, 250 square foot professional office building in the C-1 Light Commercial zoning district. The Land Development Code, Section 122-203; species any structure occupying more than 5,000 square feet of floor space requires a Conditional Use Permit. The total site area is 1.75 acres. The existing site currently has a 10, 190 square foot medical building. The proposed development as submitted will require three variances to the Land Development Code to meet compliance for construction of the new 5,250 square foot professional building. The requested variances are for a parking deficit of 11 spaces, rear landscape buffer width and a maximum of 11 parking spaces without a landscape break. The site shall be developed in substantial accordance with the conceptual plan prepared by Unroe Engineering, Inc. 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 Conditional Use Permit to allow a 5,250 square foot professional office in the C-1 Light Commercial zoning district with the conditions contained in Resolution No. 2018-04.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Resolution No. 2018-04	CUP RES 2018-04 Gonzalez.pdf
2.	Location Map	New Location Map.pdf
3.	Site Plan	Site Plan.pdf
4.	CUP Application	CUP Application.pdf
5.	Legal Ad	CUP GONAZLEZ MEDIAL BUILDING.pdf



CITY OF CLERMONT
RESOLUTION NO. 2018-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A PROFESSIONAL OFFICE BUILDING OCCUPYING MORE THAN 5,000 SQUARE FEET OF FLOOR AREA IN THE C-1 LIGHT COMMERCIAL ZONING DISTRICT

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held February 6, 2018 recommended approval of the Conditional Use Permit to allow a professional office building occupying more than 5,000 square feet of floor area in the C-1 Light Commercial zoning district, at the following location:

LOCATION:

236 Chestnut Street, Clermont, FL
(Alternate Key #1611504, 1611491, and 1611474)

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 a professional office building occupying more than 5,000 square feet of floor area in the C-1 Light Commercial zoning district, be granted subject to the following conditions:

CONDITIONAL USE PERMIT 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 expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
3. 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.
4. The structure shall be inspected by the Fire Inspector for life safety requirements and all requirements must be met prior to any Certificate of Occupancy being issued.



CITY OF CLERMONT
RESOLUTION NO. 2018-04

5. The structure shall be inspected by the Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
6. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met and all impact fees have been paid per City standards.
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. The applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
10. No business can occupy any portion of the building(s) after construction and final Certificate of Occupancy, unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
11. 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.

SECTION 2. Land Use

1. The property shall be developed in substantial accordance with the Conceptual Site Plan prepared by Unroe Engineering, Inc. January 10, 2018. Any new development on the subject property must be submitted for site plan review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The conceptual site plans submitted with the Conditional Use Permit application are not the approved construction plans.
2. The Conditional Use Permit is to allow a 5,250 square feet professional office building in the C-1 Light Commercial zoning district.
3. The site may also be used for any permitted use in the C-1 Light Commercial zoning district as indicated in the Land Development Code, Section 122-203.



CITY OF CLERMONT
RESOLUTION NO. 2018-04

4. The site shall be developed according to the City of Clermont Land Development Codes and all building must comply with the City of Clermont Architectural Design Standards.
5. Interior lighting on the site shall be directed downward into the site and shall not spill over onto adjacent properties.
6. All landscaping, drainage/water retention and site plan approval conditions must be maintained in perpetuity for the site.
7. A minimum five-foot-wide concrete sidewalk shall be constructed adjacent to any right-of-ways that meet Americans with Disabilities Act requirements and provide pedestrian access.



CITY OF CLERMONT
RESOLUTION NO. 2018-04

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 27th day of February, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

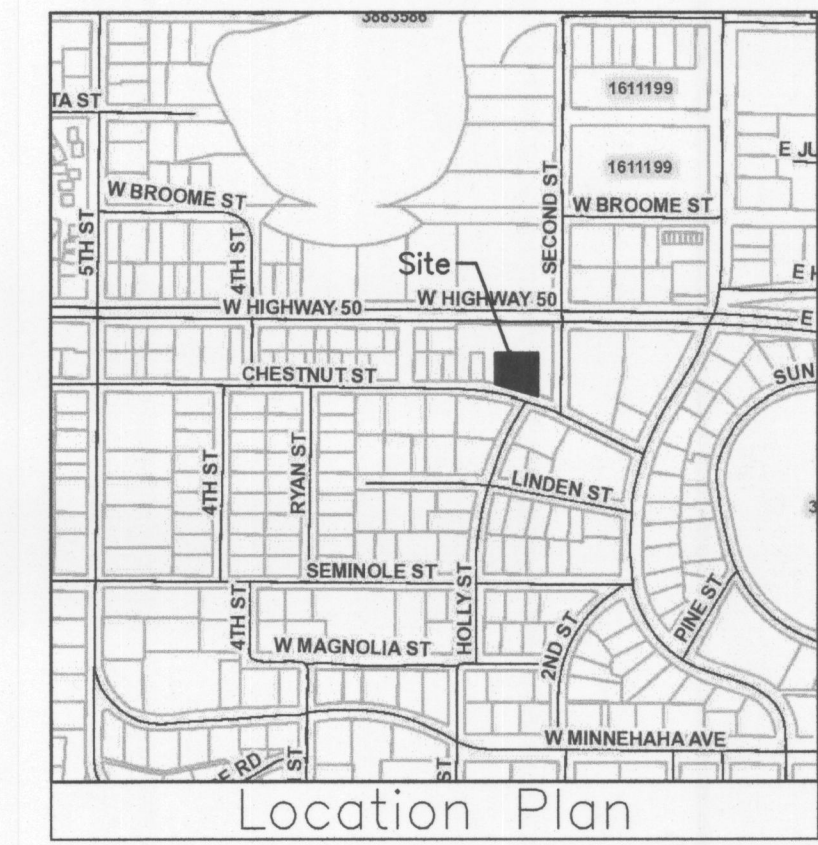
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Gonzalez Medical - Building 2

S.R. - 50



Project Description

Project Description
New 5,250 sf Medical Office building on an existing Medical Office Site.

Legal Description

Legal Description
LOTS 4, 6 & 8, BLOCK 17, ACCORDING TO THE
OFFICIAL MAP OF THE CITY OF CLERMONT AS
RECORDED IN PLAT BOOK 8, PAGES 17 THROUGH 23,
INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY,
FLORIDA.

Owner:
Gonzalez Holdings, LLC
1010 TERRACE BLVD
ORLANDO, FL 32803

Architect:
TBD

Engineer:
Darcy Unroe PE
Unroe Engineering, Inc
PO Box 690942
Orlando, Florida 32869
Ph (407) 299-0650
Darcy@UnroeEngineering.com

Surveyor:
Blackburn Surveying, Inc.
642 W. Highway 50
P.O. Box 121022
Clermont, Florida 34712
Ph (352) 394-4417
Fax (352) 394-7058

Site Statistics

General Information

General Information
Total Site Area 76,121 Ac (1.75 sf)

Future Land Use - Office
Zoning Classification - C-1/Light Commercial

Existing Bldg GFA	- 10,190 sf
New Building GFA	- 5,250 sf
Total Buidng GFA	- 15,440 sf
New Building FAR	- 0.20

<u>Setbacks</u>	<u>Provided</u>
-----------------	-----------------

Setbacks	Provided
Front (S)	77.4'
Side (E)	11.0'
Rear (N)	6.0'
Side (W)	9.0'

Parking Required (Based on Gross Rentable Area)

Parking Required (Based on Gross Rentable Area)
1 space per 200 sf (15,440 sf) = 77 spaces
HDCP Required (75-100 range) = 4 spaces

Parking Provided

<u>Parking Provided</u>	
Ex Standard Spaces	- 47 spaces
Ex HDCP Spaces	- 3 spaces
New Standard Spaces	- 15 spaces
HDCP Spaces	- 1 spaces
<u>Total spaces provided</u>	- 66 spaces

Impervious Areas	Pre	Post
Building Footprint	10,190 sf	15,440 sf
Parking and Access	26,250 sf	33,697 sf
Walks, Pads and Misc.	2,169 sf	3,121 sf
Total Impervious	38,609 sf	52,258 sf
Percent Impervious	50.7%	68.7%
Percent Open Space	49.3%	31.3%

Waiver Requests			
LDC Provision	Description	LDC Requirement	Proposed
118.38	Rear Buffer	15'	8'
118.38(b)(2)	Maximum parking spaces without a break	10 spaces	11 spaces
98.14(b)	Minimum Parking Requirement	77 spaces	66 spaces

[illegible]

Unroe Engineering, Inc
Civil Engineering/Planning/Scientific Evaluation
P.O. Box 690942, Orlando, FL 32869-0942
Business Authorization Number - EB 00006579 ph (407) 299-0650

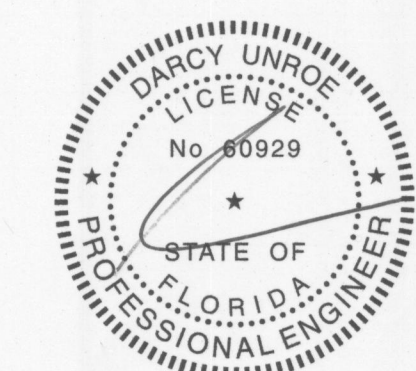
Special Exception/Variance Site Plan
Gonzalez Medical - Building 2
 236 Chestnut Street, Clermont, Florida

DP	Drawn
DP	Checked
1"=20'	Scale
10-16-17	Date
GMB-CO	File

Dwg. No.

C0

1 of 1



Darcy Unroe PE 60929



Paz 2/16/18
CC 2/27/18

**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 10/18/2017

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): Gonzalez Retail / Office.

APPLICANT: John Nehmatallah / Gonzalez Holdings LLC.

CONTACT PERSON: John Nehmatallah

Address: 1010 Terrace Blvd

City: Orlando State: FL Zip: 32803

Phone: 407-488-2762 Fax: 866-689-2204

E-Mail: john.elitecapital@gmail.com

OWNER: Gonzalez Holdings LLC.

Address: 1010 Terrace Blvd

City: Orlando State: FL Zip: 32803

Phone: 407-488-2762 Fax: 866-689-2204

Address of Subject Property: Alt key 1611491, Alt key

General Location: 1611474, Alt key 1611504.

Chestnut and East Ave.

Legal Description (include copy of survey): see Alt key above
for the Three parcels

Land Use (City verification required): OR

Zoning (City verification required): O-1



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.

5,500 sq ft pro the general office

Section 122-204 building over 5,000 sq ft in C-1

John Nehmatallah
Applicant Name (print)

Jaimie Gonzalez
Owner Name (print)

X
Applicant Name (signature)

X
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. 34712-0219
(352) 394-4083 Fax: (352) 394-3542



**CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
FILING INSTRUCTIONS**

Page 2

In addition to the attached application, the applicant shall provide the follow information:

1. Proof of ownership, i.e. tax receipt, deed, or Lake County Property record card.
2. A complete legal description and survey of the subject property.
3. A preliminary site plan clearly depicting the proposed project, showing the location and dimensions of the site, topographic features including floodplains and wetlands, all existing and proposed structures, architectural elevations (all sides), signs, driveways, parking areas and landscaping, etc. Maximum size for plans is 11" x 17" (two full size copies for detail as needed, depending on type of CUP)
4. One PDF copy of the Site Plan on disk, as directed by City staff. This will depend if the project borders a Lake County right-of-way.
5. Plans for the provision of services and infrastructure, and if required, traffic studies, Transportation Proportionate Fair Share information, or School Concurrency information.
6. Landscape plans in conformance with Chapter 118 of the Code. (see #3 above)
7. Original signature application

APPLICATION FEE: \$845.00, plus the cost of the advertisement

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

A handwritten signature in black ink, consisting of a stylized 'W' or 'M' shape.



**CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
FILING INSTRUCTIONS**

1. Prior to submitting an application, a meeting with the Development Services Director is required. Call 394-4083 to schedule a meeting.
2. After meeting with the Planning Manager, the applicant shall prepare and submit 6 sets of preliminary site plans for review by the Site Review Committee (SRC) (if required). The preliminary site plan shall clearly depict the proposed project, showing the location and dimensions of the site, topographic features including floodplains and wetlands, all existing and proposed structures, architectural elevations (all sides), signs, driveways, parking areas and landscaping, etc.
3. After the preliminary site plans are reviewed by the Site Review Committee (SRC), a list of review comments will be forwarded to the applicant. The applicant will then revise the preliminary site plan, addressing the comments from the SRC. The revised plans must be approved by the SRC prior to submitting the CUP application.
4. Upon preliminary site plan approval, the applicant will submit a complete CUP application, including the revised preliminary site plan. The revised preliminary site plan is for purposes of the conditional use permit only, and is not an approved site plan for construction.*
5. Complete CUP applications that are submitted to and accepted by the Development Services Director on or before the 1st of the month will be scheduled for public hearings the following month. Public hearings are scheduled for the 1st and 4th Tuesdays of the following month for the Planning & Zoning Commission and the City Council respectively.
6. Your presence at the Public Hearings is strongly recommended. Staff will present the application, but it is the applicant's responsibility to make a case for their request.

** The site plan submitted with the CUP application is not the final site plan approved for construction. After the CUP is approved by the Council, site plans and the site review application shall be submitted to the Site Review Committee for review and approval, pursuant to Chapter 86 of the City of Clermont's Land Development Regulations. Construction can commence only after the final site plans have been approved and a zoning clearance has been issued.*

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10072660
Phone: (352) 241-7331
Date: 01/22/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a i	01/30/2018	02/19/2018	\$166.00

LEGAL NOTICE

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow for a medical office building occupying more than 5,000 square feet of floor space in the C-1 zoning district.

LOCATION

236 Chestnut Street, Clermont, FL
(Alternate Key 1611504, 1611491,
and 1611474)

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, February 6, 2018 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, February 27, 2018 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

Ad No: 10072660
January 30, 2018 &
February 19, 2018

Payment Info	
Ad Price	\$166.00
Tax	\$0.00
Sub Total	\$166.00
Prepaid Amount	\$0.00
Balance Due	\$166.00



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, February 6, 2018		
Agenda Item Name		
Ordinance 2018-04 <i>Darryl Bishop Small Scale Comprehensive Plan Amendment</i>		
Requested Action		
Recommend approval of Ordinance 2018-04.		
Staff Report		
This request is an administrative request with the property owner's consent to seek a small-scale comprehensive plan amendment for a piece of property that is approximately 0.20 +/- acres in size. The property is wedged in between 12th Street and the South Lake Trail at West Beach, north of Short Street. This property, along with a vacated right-of-way and additional property to the south, is owned by Mr. Bishop and is currently operated under the premise of one business. After much discussion with staff and Mr. Bishop, it was determined that this piece would be best served with the Downtown Mixed Use future land use designation since it is adjacent to the trail and West Beach and matches the remaining portion of Mr. Bishop's property. The City inadvertently changed the future land use of the property to Parks when it rewrote its Comprehensive Plan in 2009 and was later discovered by the property owner and staff. Therefore, staff recommends approval of Ordinance 2018-04, for a small-scale comprehensive plan amendment to change the future land use from Parks to Downtown Mixed Use.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Maps	Bishop Maps.pdf	
2. Application	CPA Application Bishop.pdf	
3. CPA Legal Ad	CPA Ad Bishop.pdf	
4. Ordinance 2018-04	Formatted CPA ORD 2018-04 Bishop.doc	

Exhibit - Location Map
333 North 12th Street – Darryl Bishop

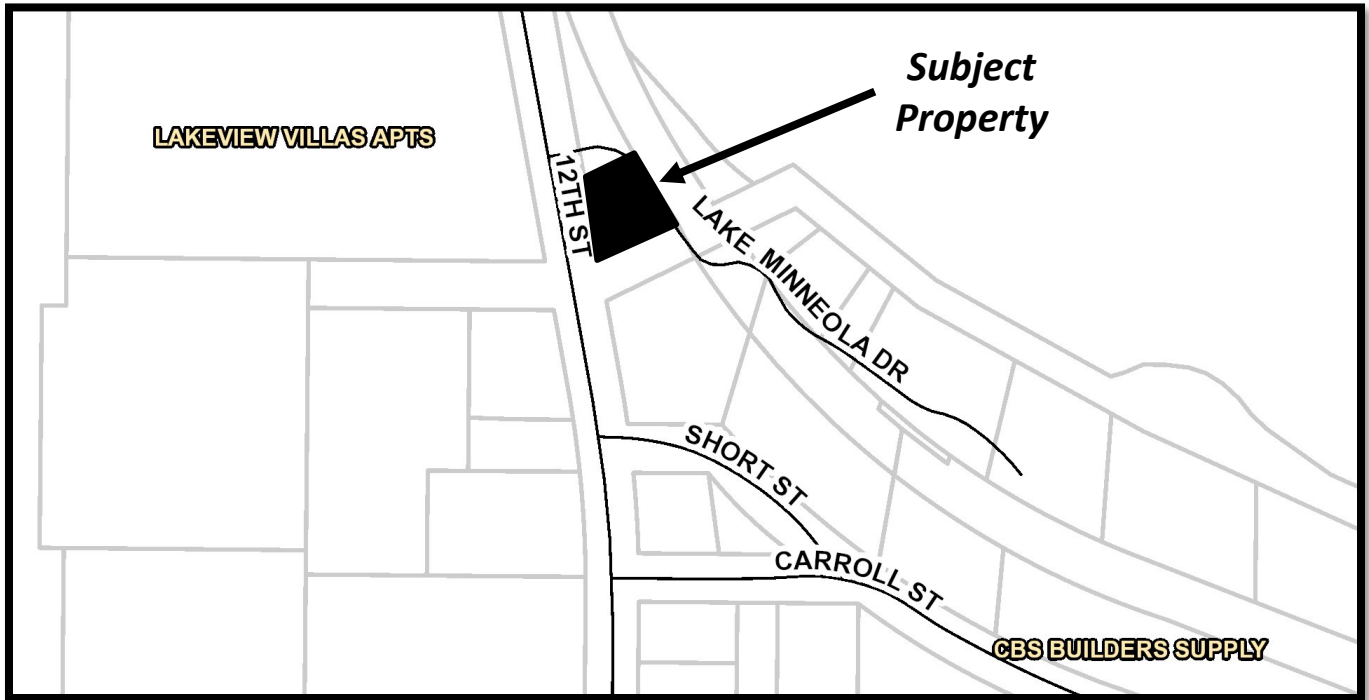


Exhibit – Future Land Use Map
333 North 12th Street – Darryl Bishop

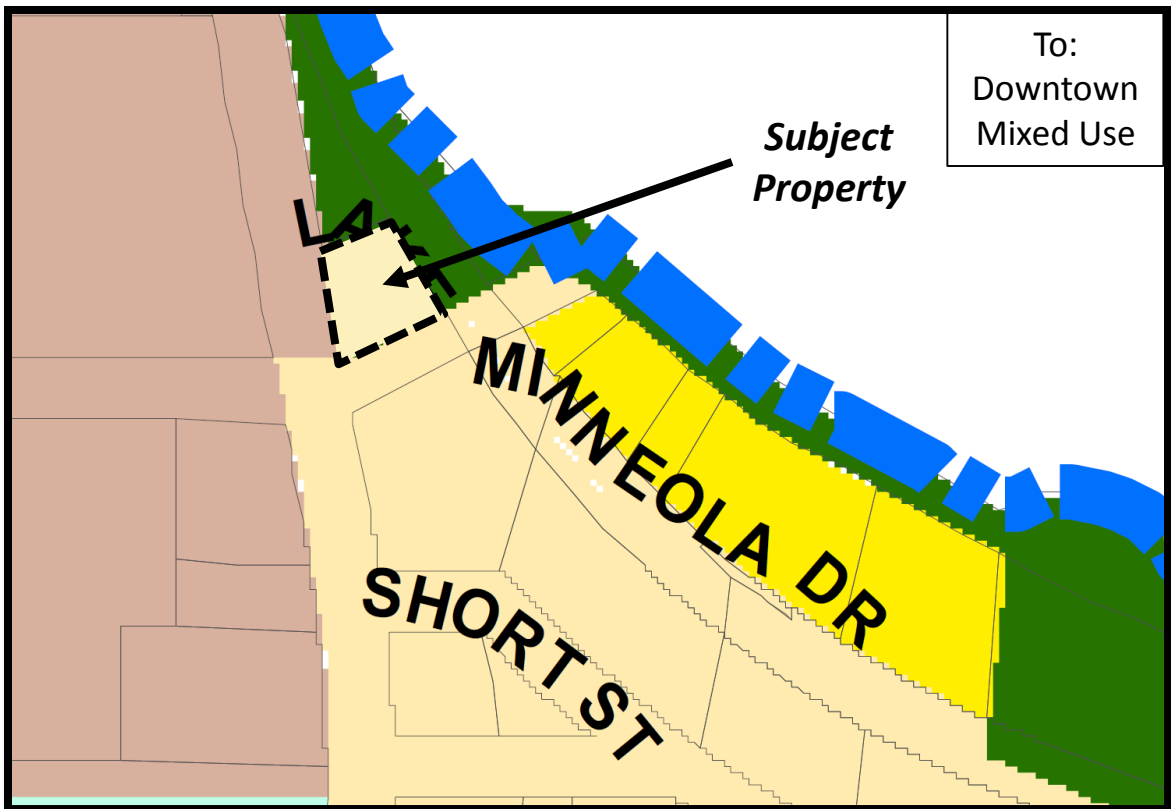
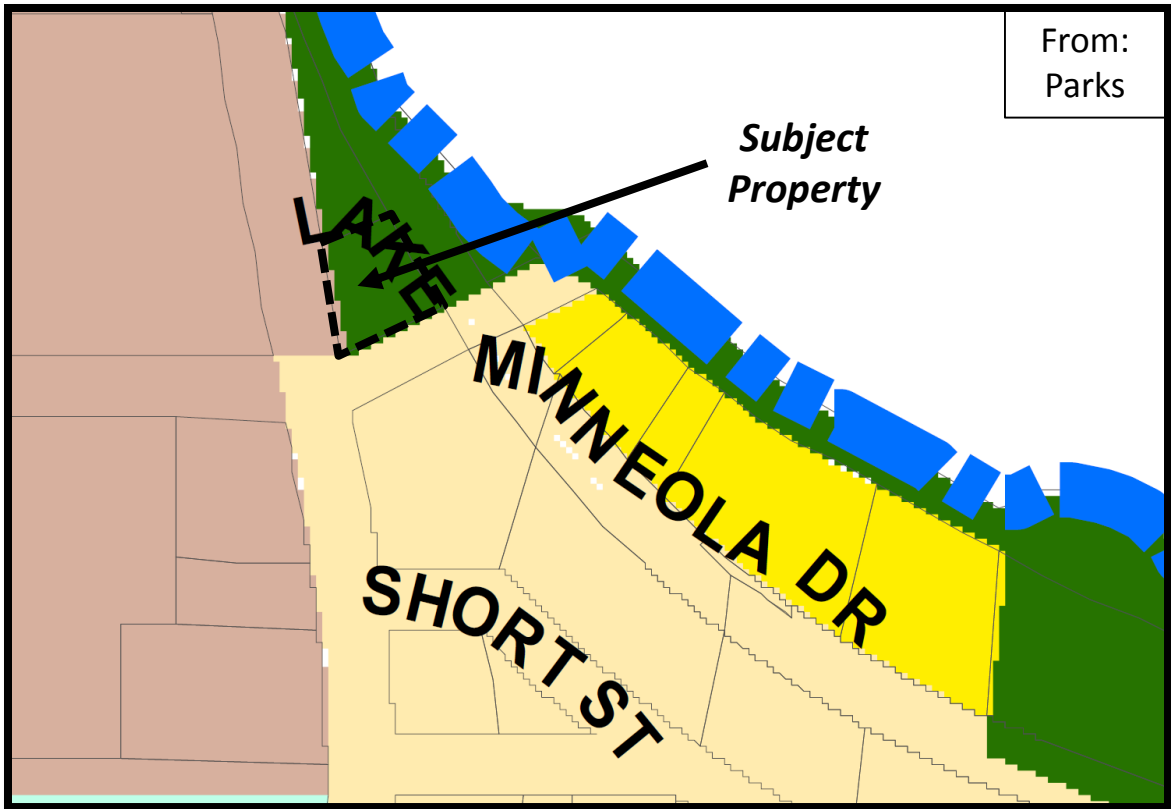
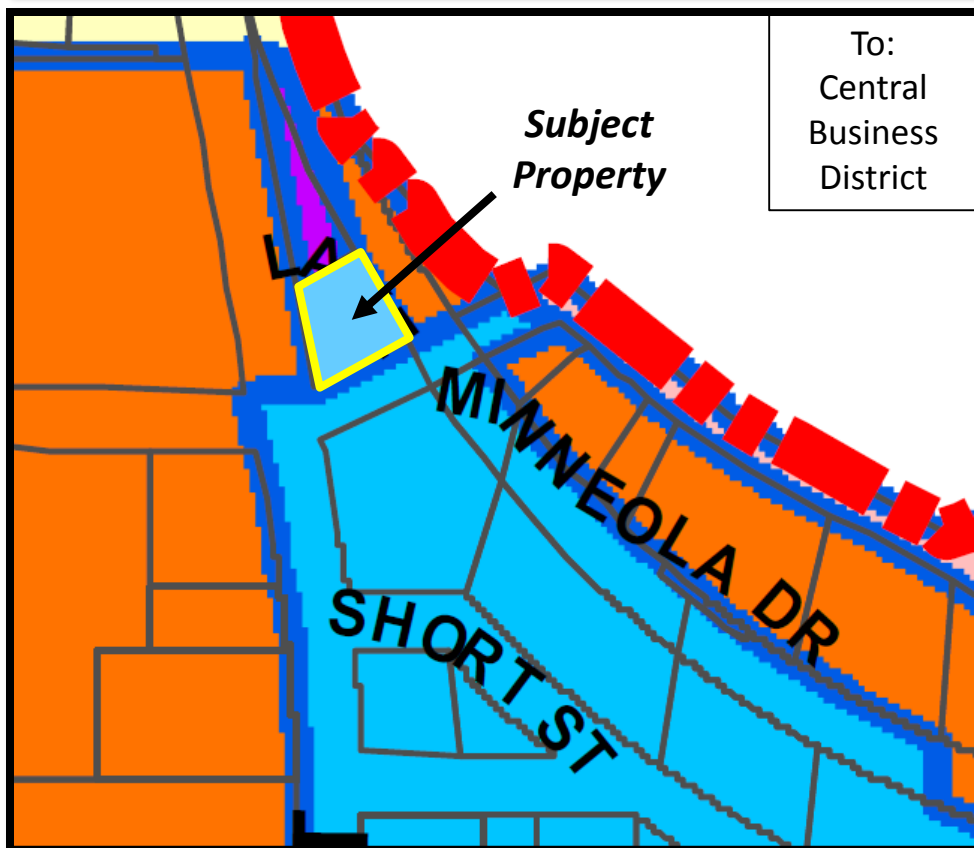
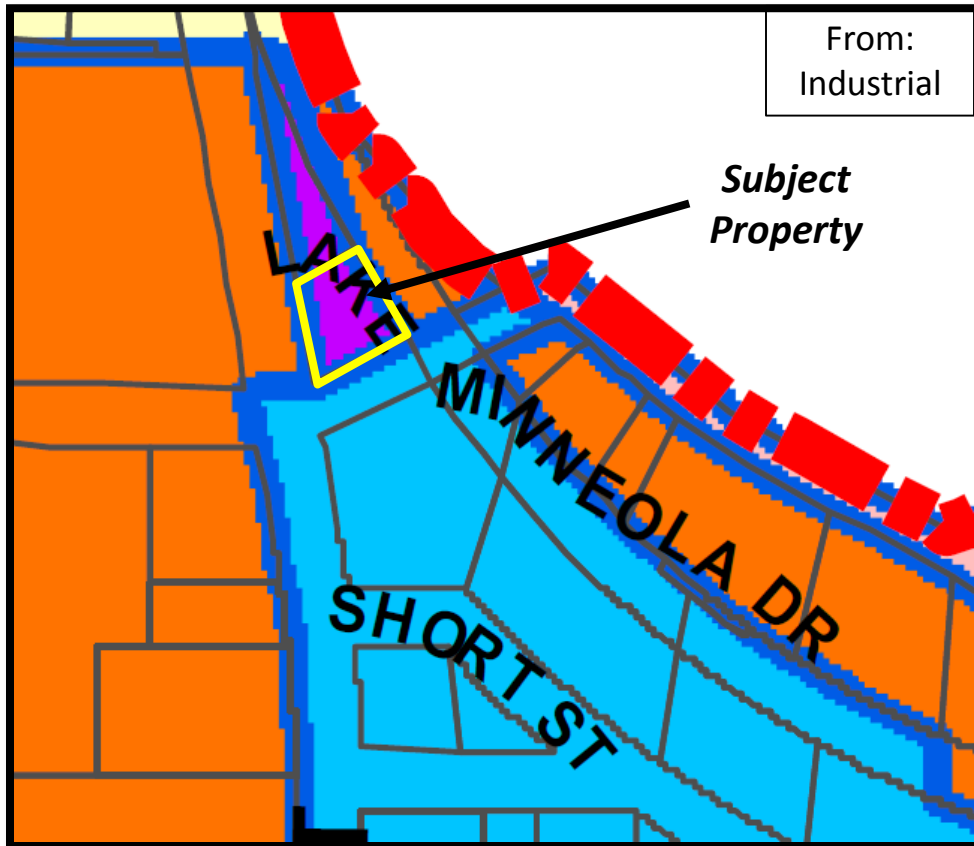


Exhibit - Zoning Map
333 North 12th Street – Darryl Bishop





CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

REC
8-16-17

Process After 1.1.18

DATE: 8-15-17

FEE: STAFF

Project Name (if applicable): _____

Applicant: DARRYL & CHRISTINE BISHOP

Contact Person: Darryl Bishop

Address: 14743 GREEN VALLEY BLVD.

City: CLERMONT State: FLORIDA Zip: _____

Phone: 407-342-7989 Fax: _____

E-Mail: DBISHOP1541@GMAIL.COM

OWNER: SAME

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

E-Mail: _____

General Location: 333 NORTH 12TH STREET

Legal Description (include copy of survey): SEE ATTACHED #1
SECTIONS AK 1622573 & AK 1622603

Only for 1622573

Property size (in acres or square feet): ~ 9,000 sq

Flood hazard area (yes) _____ and approx. acreage .8 (no) X

Existing (Actual) Land Use: INDUSTRIAL PARKS

Existing Zoning: M-1

Existing Future Land Use: PARKS

Proposed Future Land Use: Downtown Mixed Use

Type of development proposed: _____



Proposed density (dwelling units/acre) or intensity: _____

Proposed Zoning District: CENTRAL BUSINESS DISTRICT

Summary of the proposed amendment content and effect that describes any changed conditions that would justify the proposed amendment, and why there is a need for the proposed amendment (use additional sheets if necessary).

PROPERTY WAS IN PARKS FLU, WHICH
IS FOR PUBLIC USE. HOWEVER, PRIVATE PERSON
OWNS THE LOT FOR THEIR USE.

The City of Clermont may require additional information to justify, clarify or explain the necessity of the requested Comprehensive Plan Amendment which may include the following:

- Information regarding the compatibility of the proposed land use amendment(s) with the Goals, Objectives and Policies of the Future Land Use Element and any other affected comprehensive plan elements.
- A description of how the proposed amendment(s) will result in an orderly and logical development pattern with existing and proposed land use(s) of the area.
- A description of the present availability of, and estimated demand on the following public facilities: potable water, sanitary sewer, transportation system and recreation, as appropriate.

***** 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. 34712-0219
(352) 394-4083 Fax: (352) 394-3542



APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

DARRYL R. BISHOP & CHRISTINE ELLEN BISHOP, who being

by me first duly sworn on oath, deposes and says:

1. That he (she) affirms and certifies that he (she) understands and will comply with all ordinances, regulations and policies of Lake County, 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.
2. That he (she) desires a Future Land Use Amendment from PARKS to Downtown Mixed Use for the property legally described on the attachment of this application.
3. That the submittal requirements for the application have been completed and attached hereto as part of the application.

DARRYL R. BISHOP
Affiant - Applicant Name (print)
CHRISTINE E. BISHOP

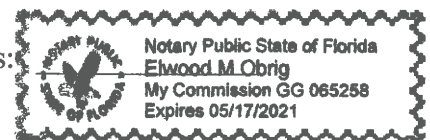
X Darryl R Bishop as trustee
Affiant - Applicant Name (signature)
Christine Bishop as trustee

SWORN to and SUBSCRIBED before me by

or personally known by me this 15th day of AUGUST, 2017.

X Elwood M. O'Brig
Notary Public, State of Florida at Large

My Commission Expires:



PROPERTY RECORD CARD

General Information

Owner Name: BISHOP DARRYL R & CHRISTINE E TRUSTEES
Alternate Key: 1622573

Mailing Address: 14743 GREEN VALLEY BLVD
 CLERMONT, FL 34711
[Update Mailing Address](#)

Parcel Number: 23-22-25-0400000000003
Millage Group and City: 00C1 (CLERMONT)
Total Certified Millage Rate: 18.0915
Trash/Recycling/Water/Info: [My Public Services Map](#)

Property Location: LAKE MINNEOLA DR
 CLERMONT FL 34711
[Update Property Location](#)

Property Name: --
[Submit Property Name](#)

School Locator: [School and Bus Map](#)

Property Description: CLERMONT, JOHNSON'S REPLAT BEG AT INTERSECTION OF E'LY R/W |
 LINE OF 12TH ST WITH THE N'LY R/W LINE OF LAKE SHORE DRIVE, |
 RUN N'LY ALONG E'LY R/W OF 12TH ST 100 FT, N 86DEG E 59.64 |
 FT TO W'LY LINE OF RR R/W, SE'LY ALONG SAID W'LY LINE OF RR |
 R/W 100 FT TO N'LY LINE OF LAKE SHORE DR, W'LY 94.5 FT TO |
 POB PB 8 PG 71 |
 ORB 1458 PG 1938 ORB 4085 PG 2016 |

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT INDUSTRIAL (4000)	0	0		8712	SF	\$0.00	\$8,712.00

Miscellaneous Improvements

There is no improvement information to display.

Sales History

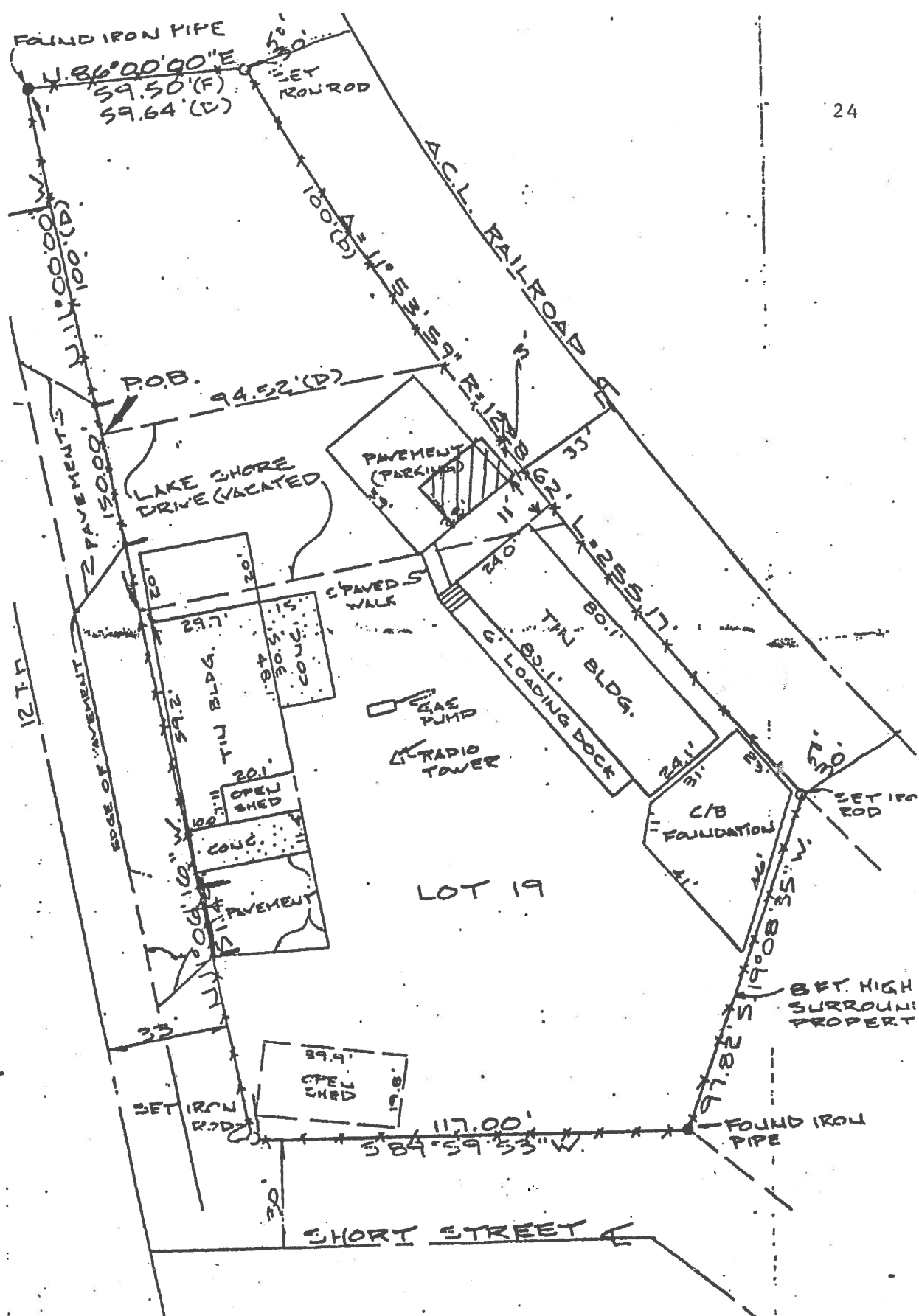
Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
<u>4085 / 2016</u>	9/13/2011	Quit Claim Deed	Multi-Parcel	Vacant	\$100.00
<u>1458 / 1938</u>	7/1/1996	Warranty Deed	Multi-Parcel	Vacant	\$56,000.00
<u>1407 / 515</u>	12/1/1995	Warranty Deed	Multi-Parcel	Vacant	\$1.00
<u>1172 / 2084</u>	6/1/1992	Certificate of	Multi-Parcel	Vacant	\$1,000.00

EXHIBIT "A"

D.R. 1458 PAGE 1942
BOOK

[That part of Government Lot 1 in Section 23, Township 22 South, Range 25 East, in the City of Clermont, Florida, bounded and described as follows: Begin at the intersection of the Easterly line of the right of way of Twelfth Street with the Northerly line of the right of way of Lake Shore Drive as shown upon the Plat of Johnson's Replat recorded in Plat Book 8, Page 71, Public Records of Lake County, Florida; thence run North 11° West along the Easterly line of the right of way of Twelfth Street 100 feet; thence run North 86° East 59.64 feet to a point on the Westerly line of the right of way of the Seaboard Coastline Railroad; thence run Southeasterly along the Westerly line of the said railroad right of way 100 feet, more or less, to the Northerly line of the right of way of Lake Shore Drive; thence run South $79^{\circ} 30'$ West along the Northerly line of the right of way of Lake Shore Drive 94.52 feet to the Point of Beginning.] ALSO: Lot 19, Block 115 in Johnson's Replat of Blocks 141, 142, 143, 144, 145, 146, 115, 117, 118, 119 and 120 in the City of Clermont, Florida, according to the plat thereof, recorded in Plat Book 8, Page 71, Public Records of Lake County, Florida. ALSO: that part of Lake Shore Drive, now closed, lying between the Easterly line of the right of way of Twelfth Street and the Westerly line of the right of way of the Seaboard Coastline Railroad.

333 12th Street
Clermont, FL 34712



SURVEY OF SUBJECT PROPERTY

EXHIBIT "A"

That part of Government Lot 1 in Section 23, Township 22 South, Range 25 East, in the City of Clermont, Florida, bounded and described as follows: Begin at the intersection of the Easterly line of the right of way of Twelfth Street with the Northerly line of the right of way of Lake Shore Drive as shown upon the Plat of Johnson's Replat recorded in Plat Book 8, Page 71, Public Records of Lake County, Florida; thence run North 11° West along the Easterly line of the right of way of Twelfth Street 100 feet; thence run North 86° East 59.64 feet to a point on the Westerly line of the right of way of the Seaboard Coastline Railroad; thence run Southeasterly along the Westerly line of the said railroad right of way 100 feet, more or less, to the Northerly line of the right of way of Lake Shore Drive; thence run South $79^{\circ} 30'$ West along the Northerly line of the right of way of Lake Shore Drive 94.52 feet to the Point of Beginning. ALSO: Lot 19, Block 115 in Johnson's Replat of Blocks 141, 142, 143, 144, 145, 146, 115, 117, 118, 119 and 120 in the City of Clermont, Florida, according to the plat thereof, recorded in Plat Book 8, Page 71, Public Records of Lake County, Florida. ALSO: that part of Lake Shore Drive, now closed, lying between the Easterly line of the right of way of Twelfth Street and the Westerly line of the right of way of the Seaboard Coastline Railroad.

LEONARD H. BAIRD, JR.

ATTORNEY AT LAW

POST OFFICE DRAWER 121066

CLERMONT, FLORIDA 34712-1066

E-MAIL ADDRESS: LEONARDHBAIRDJR@AOL.COM

635 WEST HIGHWAY 50
SUITE A

TELEPHONE (352) 394-2114
TELECOPIER (352) 394-0180

Darryl -

The part of the street that's in question
was ~~conveyed~~ conveyed to Dexter Watson by the
city in OK 724, p. 661 and OK 724, p. 662.

\$125.00

DARRYL BISHOP
407-342-7989

DBISHOP1541@GMAIL.COM

66 13367

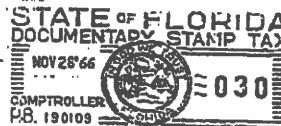
U. S.
BOOK

324 PAGE 661

DREW'S FORM S.E. 33

Manufactured and for sale by The H. & W. B. Drew Company
Jacksonville, FloridaWARRANTY DEED
FROM CORPORATIONRec 2.25
\$1.30This Warranty Deed Made and executed the 22nd day of November A. D. 1966 byCITY OF CLERMONT, a Florida municipality,
a corporation existing under the laws of Florida, and having its principal place of
business at 702 Montrose Street, Clermont, Florida,
hereinafter called the grantor, toWATSON GROVE SERVICE, INC., a Florida corporation,
whose postoffice address is 333 12th Street, Clermont, Florida,

hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and
the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)**Witnesseth:** That the grantor, for and in consideration of the sum of \$ 10.00 and other
valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell,
alien, remise, release, convey and confirm unto the grantee, all that certain land situate in Lake
County, Florida, viz:All that portion of Minneola Lake Shore Drive lying South
and East of the center line of said Minneola Lake Shore
Drive and lying between the Easterly right-of-way line of
12th Street and the Southerly right-of-way of the Atlantic
Coast Line Railroad, according to the Official Map of the
City of Clermont, recorded in Plat Book 8, pages 17-23,
inclusive, Public Records of Lake County, Florida**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in any
wise appertaining.**To Have and to Hold,** the same in fee simple forever.**And** the grantor hereby covenants with said grantee that it is lawfully seized of said land in fee
simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully war-
rants the title to said land and will defend the same against the lawful claims of all persons whomsoever;
and that said land is free of all encumbrancesLAKE
COUNTY**In Witness Whereof**the grantor has caused these presents to
be executed in its name, and its corporate seal to be hereunto affixed, by its
proper officers thereunto duly authorized, the day and year first above written.

(CORPORATE SEAL)

Attest *[Signature]*
City Clerk

Signed, sealed and delivered in the presence of:

[Signature]
*[Signature]*CITY OF CLERMONT, a Florida
municipality,By *[Signature]*
MayorSTATE OF FLORIDA,
COUNTY OF LAKE.I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments,
personally appeared

JOSEPH BON JORN and A. M. JOHNSON

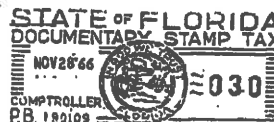
well known to me to be the Mayor and City Clerk

in the foregoing deed, and that they severally acknowledged execution of the same in the presence of two subscribing witnesses freely and voluntarily
under authority duly vested in them by said Corporation and that the seal affixed thereto is the true corporate seal of said corporation.Witness my hand and official seal in the County and State last aforesaid this 22nd day of November A. D. 1966.NOTARY PUBLIC STATE OF FLORIDA at LARGE
MY COMMISSION EXPIRES AUG. 19, 1969
BONDED THROUGH FRED W. DIEBELHORST*[Signature]*

66 NOV 28 AM 9:55

Rec. 2.25
St. 30This Warranty Deed Made and executed the 22nd day of November A. D. 1966 byCITY OF CLERMONT, a Florida municipality,
a corporation existing under the laws of Florida and having its principal place of
business at 702 Montrose Street, Clermont, Florida
hereinafter called the grantor, toDEXTER M. WATSON and JOHNIE P. WATSON, his wife,
whose postoffice address is 1713 Virginia Drive, Clermont, Florida,

hereinafter called the grantees:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and
the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)**Witnesseth:** That the grantor, for and in consideration of the sum of \$ 10.00 and other
valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell,
alien, remise, release, convey and confirm unto the grantees, all that certain land situate in Lake
County, Florida, viz:All that portion of Minneola Lake Shore Drive lying North
and West of the center line of said Minneola Lake Shore
Drive and lying between the Easterly right-of-way line of
12th Street and the Southerly right-of-way of the Atlantic
Coast Line Railroad, according to the Official Map of the
City of Clermont, recorded in Plat Book 8, pages 17-23
inclusive, Public Records of Lake County, Florida.**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in any-
wise appertaining.**To Have and to Hold,** the same in fee simple forever.**And** the grantor hereby covenants with said grantees that it is lawfully seized of said land in fee
simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully war-
rants the title to said land and will defend the same against the lawful claims of all persons whomsoever;
and that said land is free of all encumbrancesLAKE
COUNTY**In Witness Whereof**the grantor has caused these presents to
be executed in its name, and its corporate seal to be hereunto affixed, by its
proper officers thereunto duly authorized, the day and year first above written.

(CORPORATE SEAL)

ATTEST

City Clerk

Signed, sealed and delivered in the presence of:

A handwritten signature in cursive script, appearing to read "Delores W. Carroll".

STATE OF FLORIDA,
COUNTY OF LAKE.I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments,
personally appeared

JOSEPH BON JORN and A. M. JOHNSON

well known to me to be the Mayor and City Clerk

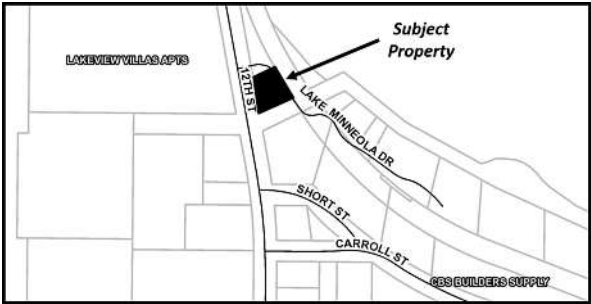
respectively of the corporation named as grantor
in the foregoing deed, and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily
under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.WITNESS my hand and official seal in the County and State last aforesaid this 22nd day of November, A. D. 1966.NOTARY PUBLIC STATE OF FLORIDA at LARGE
MY COMMISSION EXPIRES AUG. 19, 1969
BONDED THROUGH FRED W. DIESTELHORST

A handwritten signature in cursive script, appearing to read "Florence Johnson".

66 NOV 28 AM 9:55

CITY OF CLERMONT
NOTICE OF PROPOSED LAND
USE CHANGE
Small-Scale Comprehensive
Plan Amendment
ORDINANCE NO. 2018-04

The City of Clermont will hold public hearings on Tuesday, February 6, 2018 at 6:30 p.m. before the Planning and Zoning Commission; and Tuesday, February 13, 2018 at 6:30 p.m. (1st reading of the adoption ordinance) and Tuesday, February 27, 2018 (final reading of the adoption ordinance) at 6:30 p.m. before the City Council to consider a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the 0.20 +/-acre parcel below from Parks to Downtown Mixed Use. Alternate Key 1622573.



Location:
East of 12th Street and North of Short Street
Ordinance #2018-04:

An ordinance of the City Council of the City of Clermont, Lake County, Florida, adopting the small-scale comprehensive plan amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting forth the authority for adoption of the small-scale comprehensive plan amendment; setting forth the purpose and intent of the small-scale comprehensive plan amendment; providing for the adoption of the small-scale comprehensive plan amendment; establishing the legal status of the small-scale comprehensive plan amendment; providing a severability clause; and providing an effective date.

The public hearings are in the Council chambers of City Hall, 685 W. Montrose Street, and are open to public comment. Please call (352) 394-4083, Ext. 4 if you have any questions.

The proposed amendment may be inspected at the City's Development Services Department (1st floor, City Hall) between 8 a.m. and 5 p.m. Monday-Friday.

Please be advised that under state law, any person deciding to appeal a decision made at the public hearings 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) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

D038299 - January 27 & February 13, 2018

☐ **PROOF O.K. BY:** _____ ☐ **O.K. WITH CORRECTIONS BY:** _____

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

LF-D038299 (100%)

ADVERTISER: CITY OF CLERMONT-LEGALS
SALES PERSON: LFD001
SIZE: 2X10
PUBLICATION: LF-DAILY COMMERCIAL

PROOF CREATED AT: 1/25/2018 8:03:31 AM
NEXT RUN DATE: 01/27/18
PROOF DUE: 01/26/18 12:59:55



CITY OF CLERMONT
ORDINANCE NO. 2018-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTING THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT FOR THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; SETTING FORTH THE PURPOSE AND INTENT OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR THE ADOPTION OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Comprehensive Plan of the City of Clermont was adopted by the City of Clermont on June 23, 2009, 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 Statute 163.3187; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Clermont have held public hearings on the proposed amendment to the plan in light of written comments, proposals and objections from the general public;

NOW THEREFORE BE IT RESOLVED AND ENACTED, by the City Council of the City of Clermont, Lake County, 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 Map of the Comprehensive Plan of the City of Clermont is hereby amended by changing the following described property as shown:

LEGAL DESCRIPTION

That part of Government Lot 1 in Section 23, Township 22 South, Range 25 East, in the City of Clermont, Florida, bounded and described as follows: Begin at the intersection of the Easterly line of the right of way of Twelfth Street with the Northerly line of the right of way of Lake Shore Drive as shown upon the Plat of Johnson's Replat recorded in Plat Book 8, Page 71, Public Records of Lake County, Florida; thence run North 11° West along the Easterly line of the right of way of Twelfth Street 100 feet; thence run North 86° East 59.64 feet to a point on the Westerly line of the right of way of the Seaboard Coastline Railroad; thence run Southeasterly along the Westerly line of the said railroad

right of way 100 feet, more or less, to the Northerly line of the right of way of Lake Shore Drive; thence run South 79° 30' West along the Northerly line of the right of way of Lake Shore Drive 94.52 feet to the Point of Beginning.
Alternate Key 1622573

CHANGE IN FUTURE LAND USE CLASSIFICATION

FROM: PARKS
TO: DOWNTOWN MIXED USE

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.

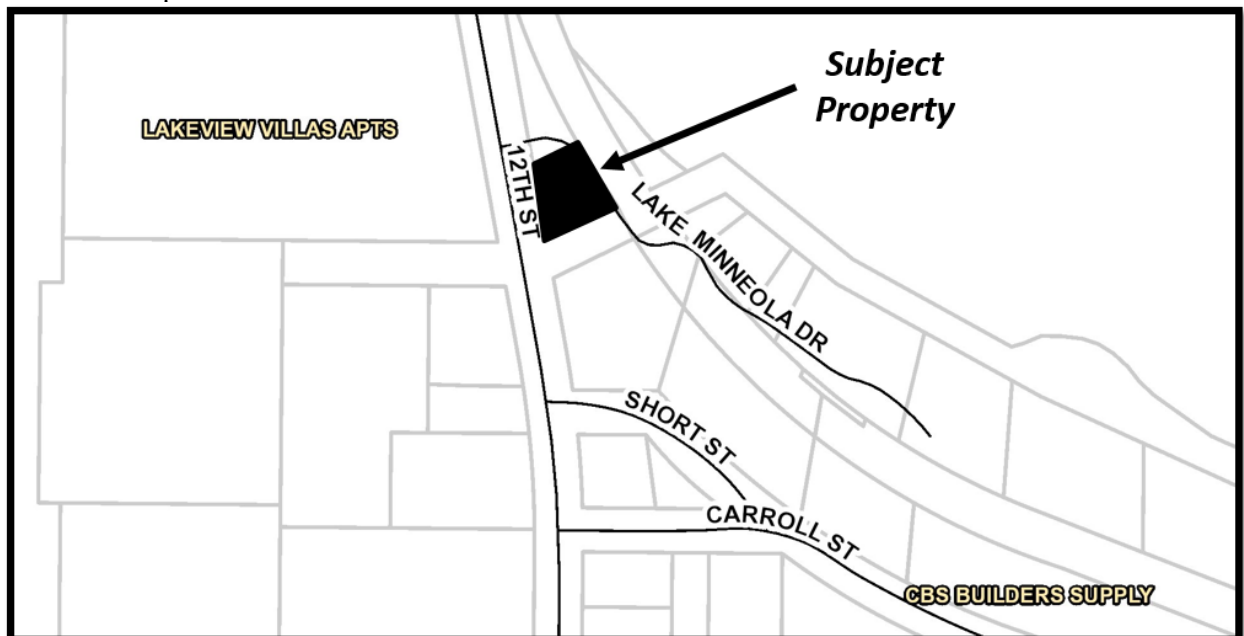
SECTION 3.

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.

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2018-04

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 27th day of February, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, February 6, 2018		
Agenda Item Name		
Ordinance 2018-05 <i>Darryl Bishop Rezoning</i>		
Requested Action		
Recommend approval of Ordinance 2018-05.		
Staff Report		
This request is an administrative request with the property owner's consent to seek a rezoning for a piece of property that is approximately 0.20 +/- acres in size. The property is wedged in between 12th Street and the South Lake Trail at West Beach, north of Short Street. This property, along with a vacated right-of-way and additional property to the south, is owned by Mr. Bishop and is currently operated under the premise of one business. The property currently has a mixture of zoning designations, which include Industrial and Central Business District. The majority of the property was rezoned to Central Business District when city staff in 2015 enlarged the Central Business District to coincide with the existing Downtown Mixed Use future land use. This was done to set the framework for the goals outlined in the Downtown and Waterfront Master Plan. Unfortunately, the 0.20 acre parcel was not included since the future land use had the designation of Parks. This parcel is undergoing a future land use change from Parks to Downtown Mixed Use. The zoning should also be changed to match the majority of the remaining property and conform with the Downtown Mixed Use category. The owner intends to redevelop the property with uses that are compatible within the Central Business District. Therefore, staff recommends approval of Ordinance 2018-05 to rezone the parcel from Industrial to Central Business District.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance 2018-05	Formatted REZ 2018-05.doc	
2. Maps	Bishop Maps.pdf	
3. Application	REZ application Bishop.pdf	
4. Rez Legal Ad	REZ Ad Bishop.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2018-05

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, AND PUBLICATION.

The City Council of the City of Clermont, Lake County, Florida hereby ordains that:

SECTION 1.

The official Zoning Map of the City of Clermont, Lake County, Florida referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances, is hereby amended by rezoning the following described property:

LEGAL DESCRIPTION

That part of Government Lot 1 in Section 23, Township 22 South, Range 25 East, in the City of Clermont, Florida, bounded and described as follows: Begin at the intersection of the Easterly line of the right of way of Twelfth Street with the Northerly line of the right of way of Lake Shore Drive as shown upon the Plat of Johnson's Replat recorded in Plat Book 8, Page 71, Public Records of Lake County, Florida; thence run North 11° West along the Easterly line of the right of way of Twelfth Street 100 feet; thence run North 86° East 59.64 feet to a point on the Westerly line of the right of way of the Seaboard Coastline Railroad; thence run Southeasterly along the Westerly line of the said railroad right of way 100 feet, more or less, to the Northerly line of the right of way of Lake Shore Drive; thence run South 79° 30' West along the Northerly line of the right of way of Lake Shore Drive 94.52 feet to the Point of Beginning.

LOCATION

Alternate Key 1622573

From: Industrial
To: Central Business District

SECTION 2.

All Ordinances or parts of this Ordinance in conflict herewith are hereby repealed.

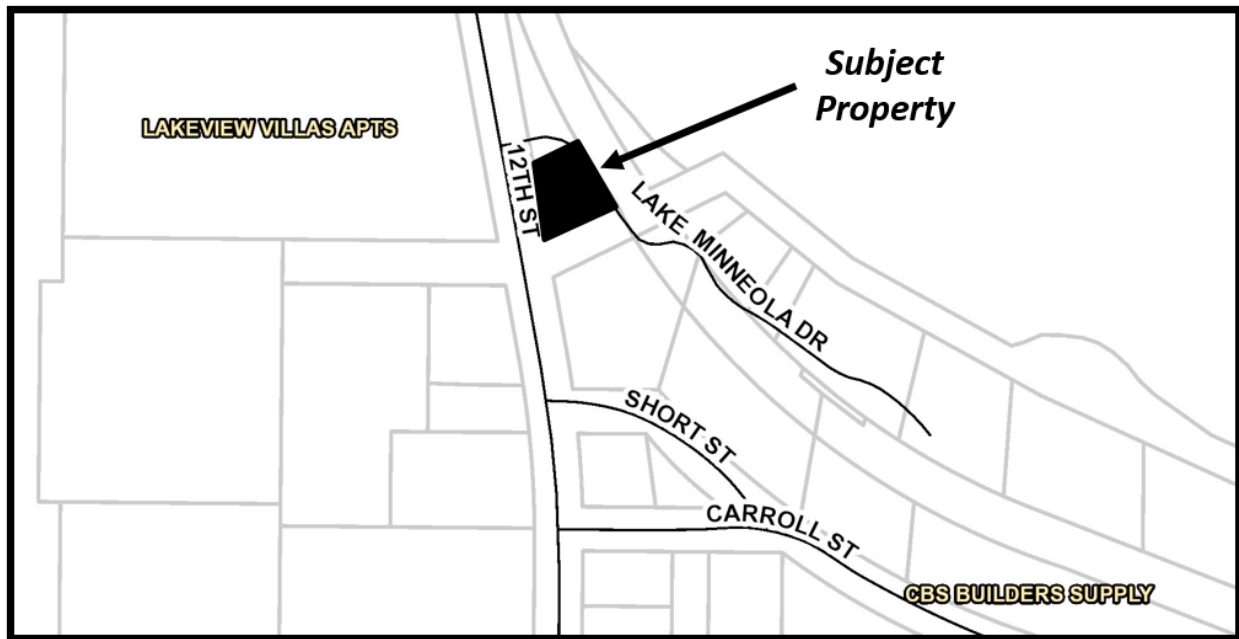
SECTION 3.

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

SECTION 4.

The provisions of this Ordinance shall be effective as provided by law.

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2018-05

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 27th day of February, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map
333 North 12th Street – Darryl Bishop

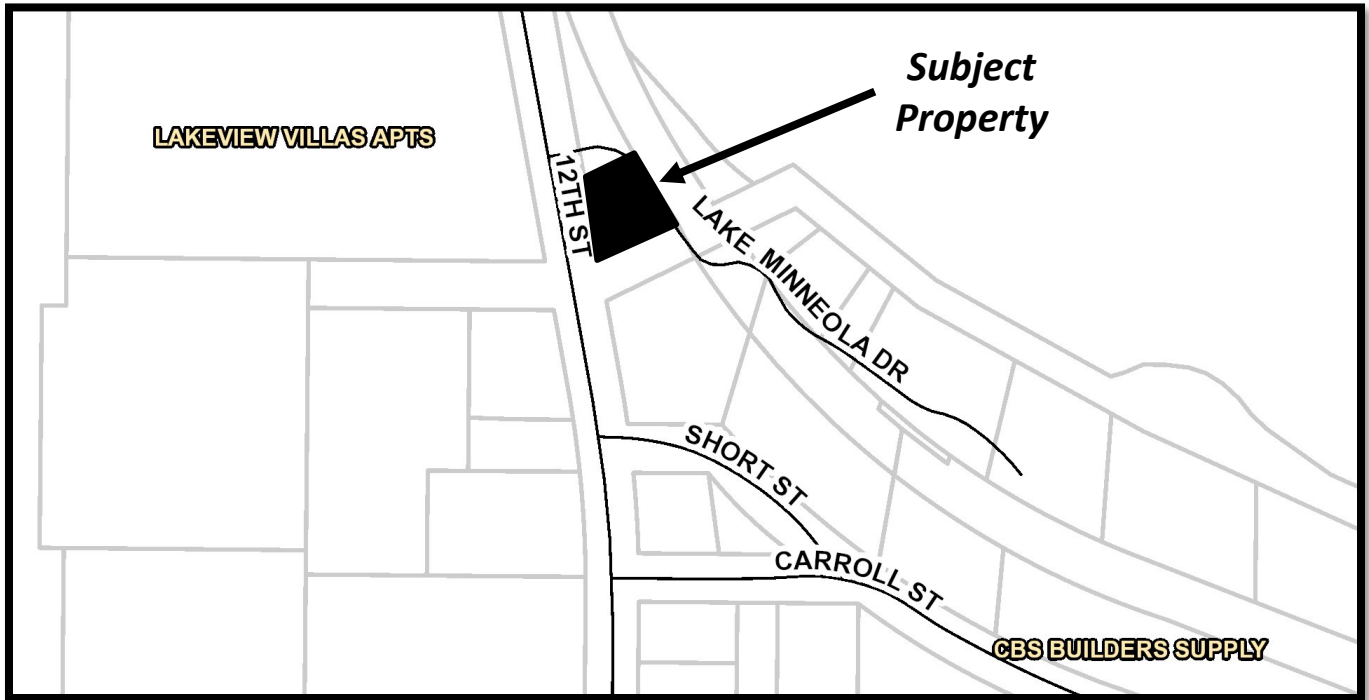


Exhibit – Future Land Use Map
333 North 12th Street – Darryl Bishop

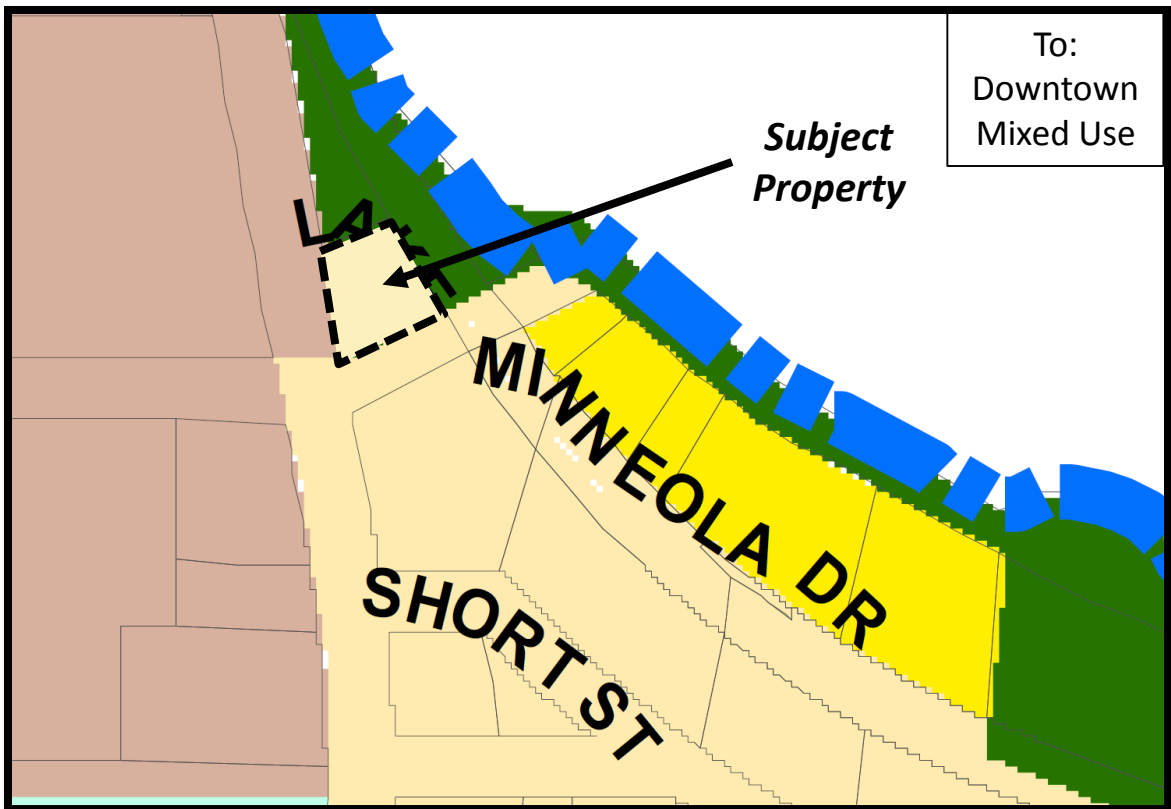
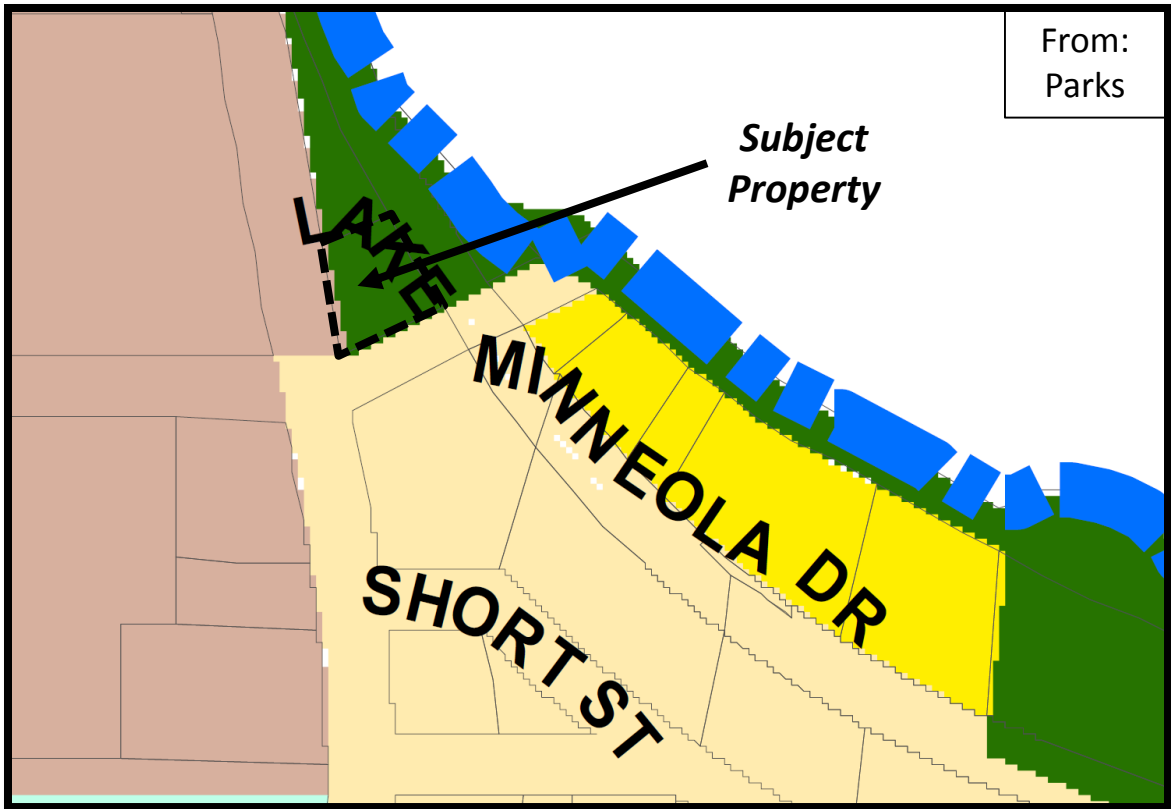
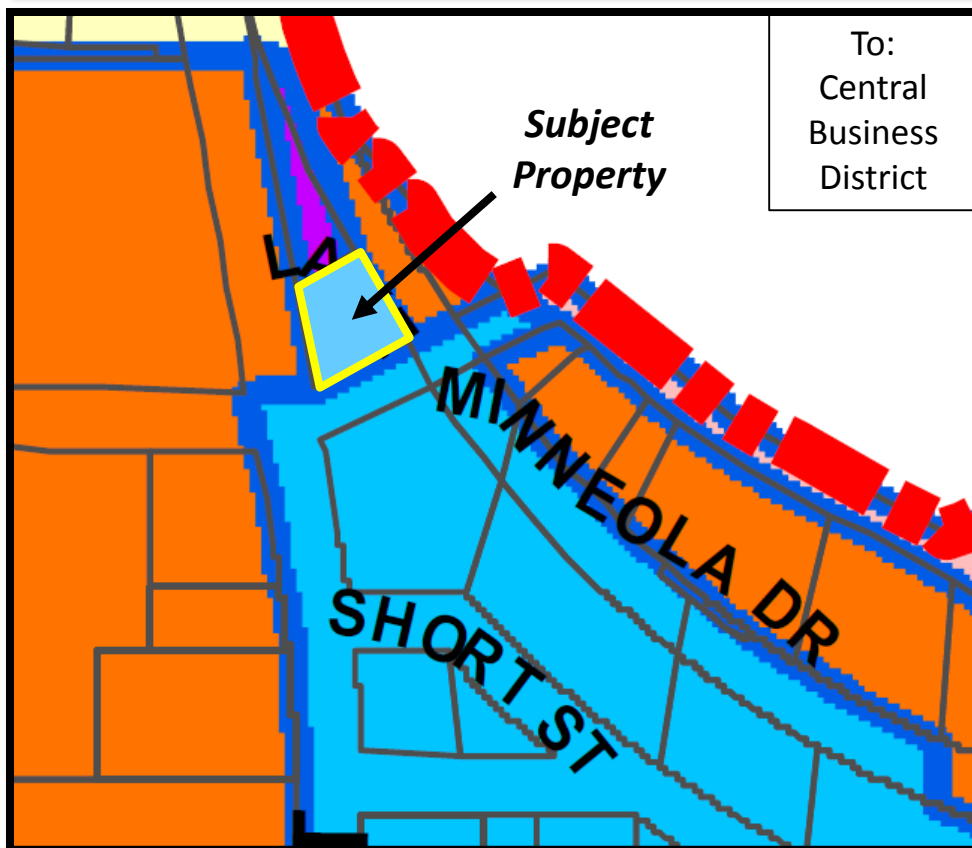
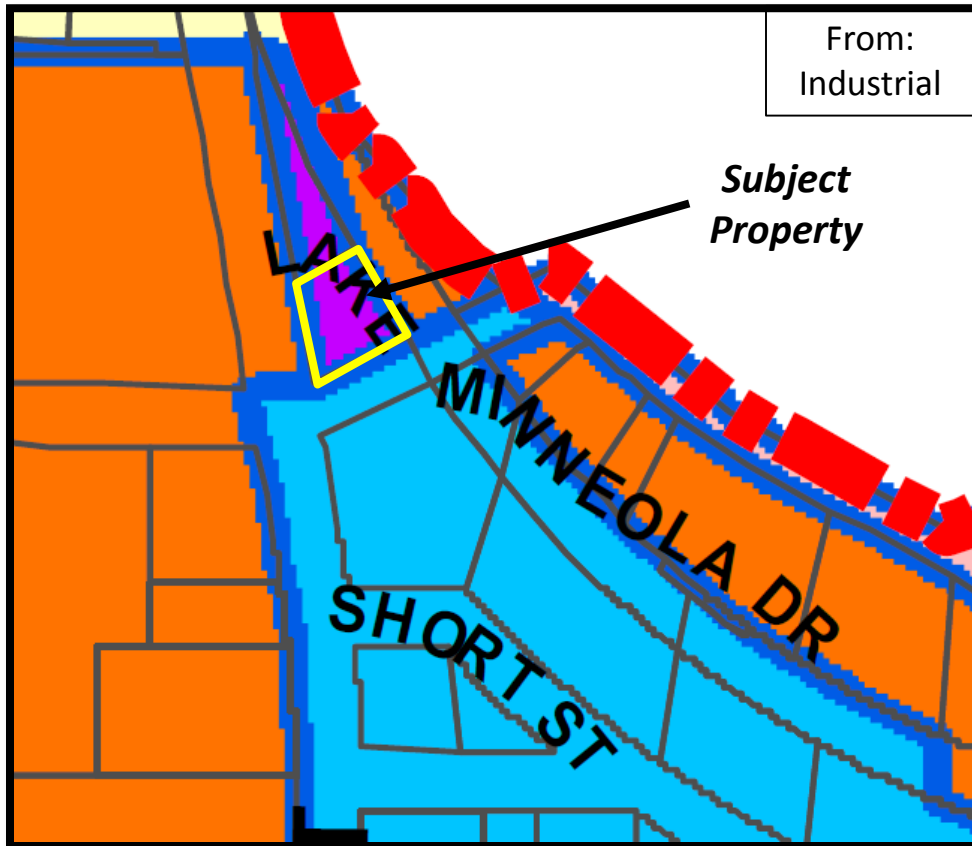


Exhibit - Zoning Map
333 North 12th Street – Darryl Bishop





CITY OF CLERMONT
REZONING
APPLICATION

REC. 8.16.17

PROCESS AFTER 1-1-18

DATE: 8-15-

FEE: \$542.⁰⁰ STAFF
+ cost of advertisement

PROJECT NAME (if applicable): _____

APPLICANT: DARRYL E CHRISTINE BISHOP

CONTACT PERSON: DARRYL BISHOP

Address: 14743 GREEN VALLEY BLVD

City: CLERMONT State: FLORIDA Zip: 34711

Phone: 407-342-7989 Fax: NA

E-Mail: DBISHOP1541@GMAIL.COM

OWNER: SAME AS APPLICANT

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Address of Subject Property: 333 N, 12TH ST CLERMONT, FL 34711

Legal Description (include copy of survey): SEE ATTACHED

AK 1622573 & 1622603

Acreage: 1.0 +/- ACRE Land Use: Downtown Mixed Use
(City verification required)

Present Zoning: M-1 Proposed Zoning: CBD
(City verification required)





OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

DARRYL R BISHOP & CHRISTINE ELLEN BISHOP, who being

by me first duly sworn on oath, deposes and says:

1. That he (she) is the fee-simple owner of the property legally described on the attachment of this application.
2. That he (she) desires a Future Land Use Amendment from PARKS to DOWNTOWN MIXED USE for the property legally described on the attachment of this application.
3. That the owner of said property has appointed SELF to act as agent on his (her) behalf to accomplish the above. The owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his (her) stead.

Darryl R. Bishop
Affiant - Applicant Name (print)
Christine E. Bishop

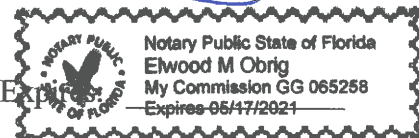
X Darryl R Bishop as TEE
Affiant - Applicant Name (signature)
Christine E. Bishop as trustee

SWORN to and SUBSCRIBED before me by

or personally known by me this 15 day of AUGUST, 20 17.

X Elwood M. Obrig
Notary Public, State of Florida at Large

My Commission Expires





CITY OF CLERMONT
REZONING
APPLICATION
Page 2

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

What are you proposing to do that would require a rezoning?

REZONE THIS PROPERTY AT 333 N 12TH ST
SECTION A1622573 & A1622603 FROM
M-1 INDUSTRIAL TO CENTRAL BUSINESS DISTRICT.

DARRYL R. BISHOP
Applicant Name (print)

X Darryl R Bishop
Applicant Name (signature)

DARRYL R. BISHOP

Darryl R. Bishop as TEE

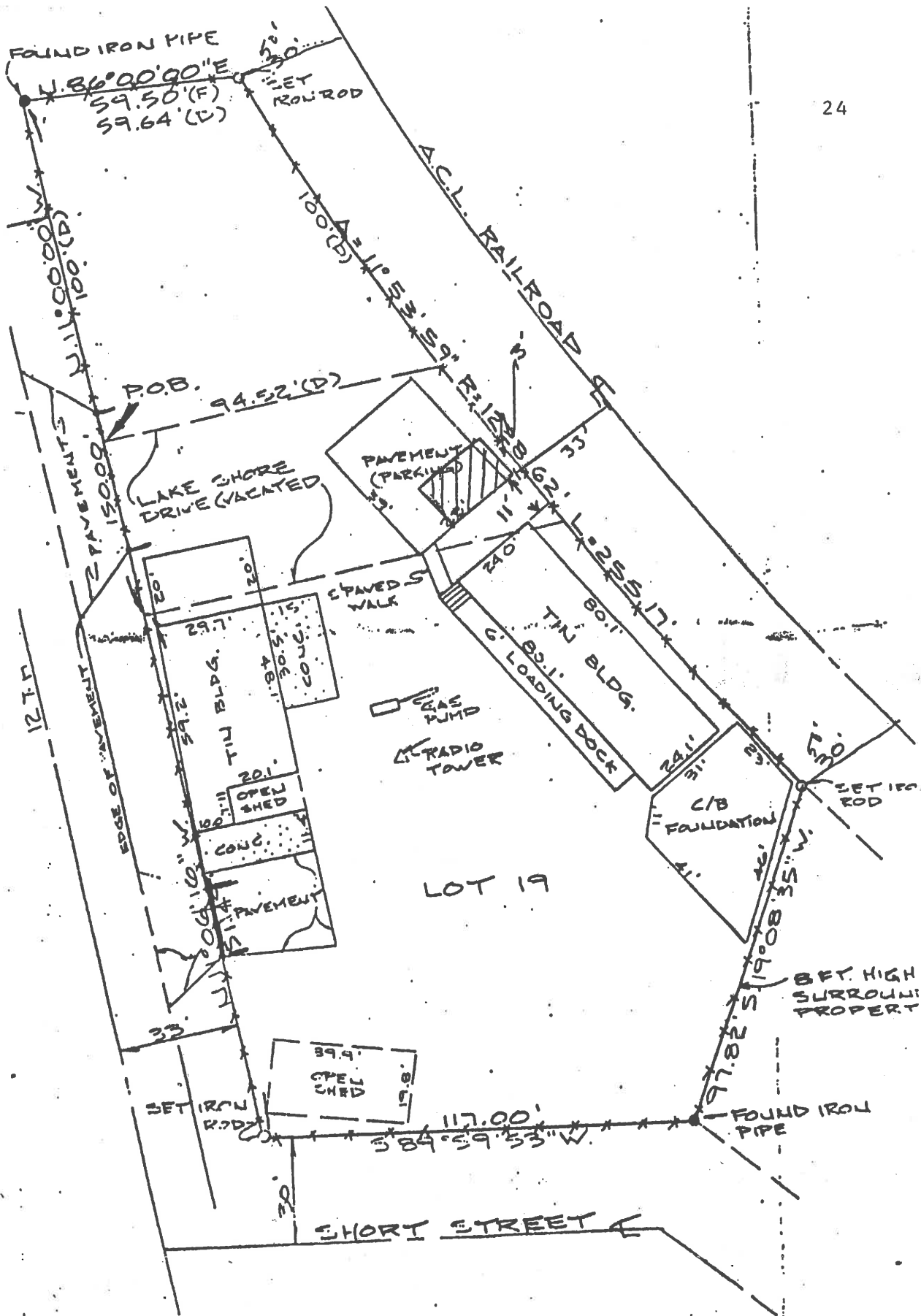
CHRISTINE E BISHOP
Owner Name (print)

X Christe Bishop as TEE
Owner Name (signature)

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

EXHIBIT "A"

That part of Government Lot 1 in Section 23, Township 22 South, Range 25 East, in the City of Clermont, Florida, bounded and described as follows: Begin at the intersection of the Easterly line of the right of way of Twelfth Street with the Northerly line of the right of way of Lake Shore Drive as shown upon the Plat of Johnson's Replat recorded in Plat Book 8, Page 71, Public Records of Lake County, Florida; thence run North 11° West along the Easterly line of the right of way of Twelfth Street 100 feet; thence run North 86° East 59.64 feet to a point on the Westerly line of the right of way of the Seaboard Coastline Railroad; thence run Southeasterly along the Westerly line of the said railroad right of way 100 feet, more or less, to the Northerly line of the right of way of Lake Shore Drive; thence run South $79^{\circ} 30'$ West along the Northerly line of the right of way of Lake Shore Drive 94.52 feet to the Point of Beginning. ALSO: Lot 19, Block 115 in Johnson's Replat of Blocks 141, 142, 143, 144, 145, 146, 115, 117, 118, 119 and 120 in the City of Clermont, Florida, according to the plat thereof, recorded in Plat Book 8, Page 71, Public Records of Lake County, Florida. ALSO: that part of Lake Shore Drive, now closed, lying between the Easterly line of the right of way of Twelfth Street and the Westerly line of the right of way of the Seaboard Coastline Railroad.



SURVEY OF SUBJECT PROPERTY



**CITY OF CLERMONT
REZONING
FILING INSTRUCTIONS**

Any person requesting a Rezoning shall file a complete application and pay a fee as established by resolution of the City Council in the Development Services Department on or before the 1st day of the month; Complete applications may then be scheduled for Public Hearings the following month - on the 1st Tuesday (Planning & Zoning Commission), 2nd Tuesday (City Council first reading only) and 4th Tuesday (City Council adoption). All applications must be complete, and include applicable site plans and/or pertinent descriptive materials in order to be processed. 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 hearings.

A Pre-Application meeting with the Development Services Director (or designated staff) may be required prior to submittal of the application. Please check with the Development Services Department staff.

The Applicant shall provide the following information with this application:

- ▶ Completed application. Include all signatures:
 - ◊ Applicant's signature (if different from owner of record)
 - ◊ Owner's signature (owner of record) unless power of attorney or notarized letter authorizing the applicant to act as the duly authorized agent for the owner is submitted with the application.
- ▶ Proof of ownership — (i.e. Lake County Property record card, tax receipt, deed, or tax receipt)
- ▶ Plot plan (drawn to scale) 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 rezoning request. Maximum size for plans is 11" x 17" (two full size copies for detail as needed, depending on rezoning)
 - a. Name, address and phone number of the applicant.
 - b. North arrow, date and scale.
 - c. Property lines, existing structures, proposed structures and contiguous streets.
 - d. A short description of the proposed structural usage.
 - e. A topographical map with five (5) foot contour lines (if deemed necessary for clarification purposes by City staff).
- ▶ Fee: \$542.⁰⁰ plus the cost of the advertisement

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10072759
Phone: (352) 241-7331
Date: 01/24/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cler	01/30/2018	02/13/2018	\$214.40

LEGAL NOTICE

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

along the Northerly line of the right of way of Lake Shore Drive 94.52 feet to the Point of Beginning. Alternate Key 1622573

The above described tract of land contains 0.20 acres more or less.

ORDINANCE NO. 2018-05

An ordinance under the Code of Ordinances of the City of Clermont, Lake County, Florida amending the official zoning map of the City of Clermont, referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances; Rezoning the real properties described herein as shown below, providing for severability, an effective date and publication.

From: Industrial
To: Central Business District

This request will be considered by the Planning & Zoning Commission on Tuesday, February 6, 2018 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, February 27, 2018 at 6:30 p.m. for final enactment.

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

This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose St., 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 may need to ensure that a verbatim record is made.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10072759
January 30, 2018 &
February 13, 2018

LOCATION

East of 12th Street and North of
Short Street
Alternate Key 1622573

LEGAL DESCRIPTION

That part of Government Lot 1 in Section 23, Township 22 South, Range 25 East, in the City of Clermont, Florida, bounded and described as follows: Begin at the intersection of the Easterly line of the right of way of Twelfth Street with the Northerly line of the right of way of Lake Shore Drive as shown upon the Plat of Johnson's Replat recorded in Plat Book 8, Page 71, Public Records of Lake County, Florida; thence run North 11o West along the Easterly line of the right of way of Twelfth Street 100 feet; thence run North 86o East 59.64 feet to a point on the Westerly line of the right of way of the Seaboard Coastline Railroad; thence run Southeasterly along the Westerly line of the said railroad right of way 100 feet, more or less, to the Northerly line of the right of way of Lake Shore Drive; thence run South 79o 30' West

Payment Info	
Ad Price	\$214.40
Tax	\$0.00
Sub Total	\$214.40
Prepaid Amount	\$0.00
Balance Due	\$214.40



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, February 6, 2018		
Agenda Item Name		
Ordinance 2018-07 <i>Magnolia Center Large Scale Comp Plan Amendment</i>		
Requested Action		
Recommend approval of Ordinance 2018-07.		
Staff Report		
This administrative request is being heard concurrently with requests for annexation and rezoning. The City is requesting annexation of the subject parcel as authorized by the utility agreement with the property owner. The agreement with the City was executed on April 19, 2005. Approximately one-half of the property is improved and is receiving water and sewer services from the City of Clermont. The remainder of the site is vacant and will be developed. The property, approximately 22.78 acres, is being developed as a shopping center and professional offices. The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Commercial. The related rezoning request will change the zoning from Urban Estate (currently Planned Unit Development District in Lake County) to the City's Planned Unit Development zoning classification with C-1 & C-2 uses. Upon approval by the City Council, the proposed amendment would be transmitted to the Florida Department of Economic Opportunity (DEO) and the reviewing agencies for review. DEO would then issue an Objections, Recommendations and Comments letter to the City, and the amendment would then be scheduled for a final public hearing in April. Staff recommends approval of the transmittal of the large-scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to Commercial in the City.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Maps	2018 Magnolia Center Maps.pdf	
2. Utility Agreement	2002-31 Utility Agreement.pdf	
3. Ordinance 2018-07	Formatted 2018 Magnolia Center CPA Ord. 2018-07.doc	

Exhibit - Location Map Magnolia Center

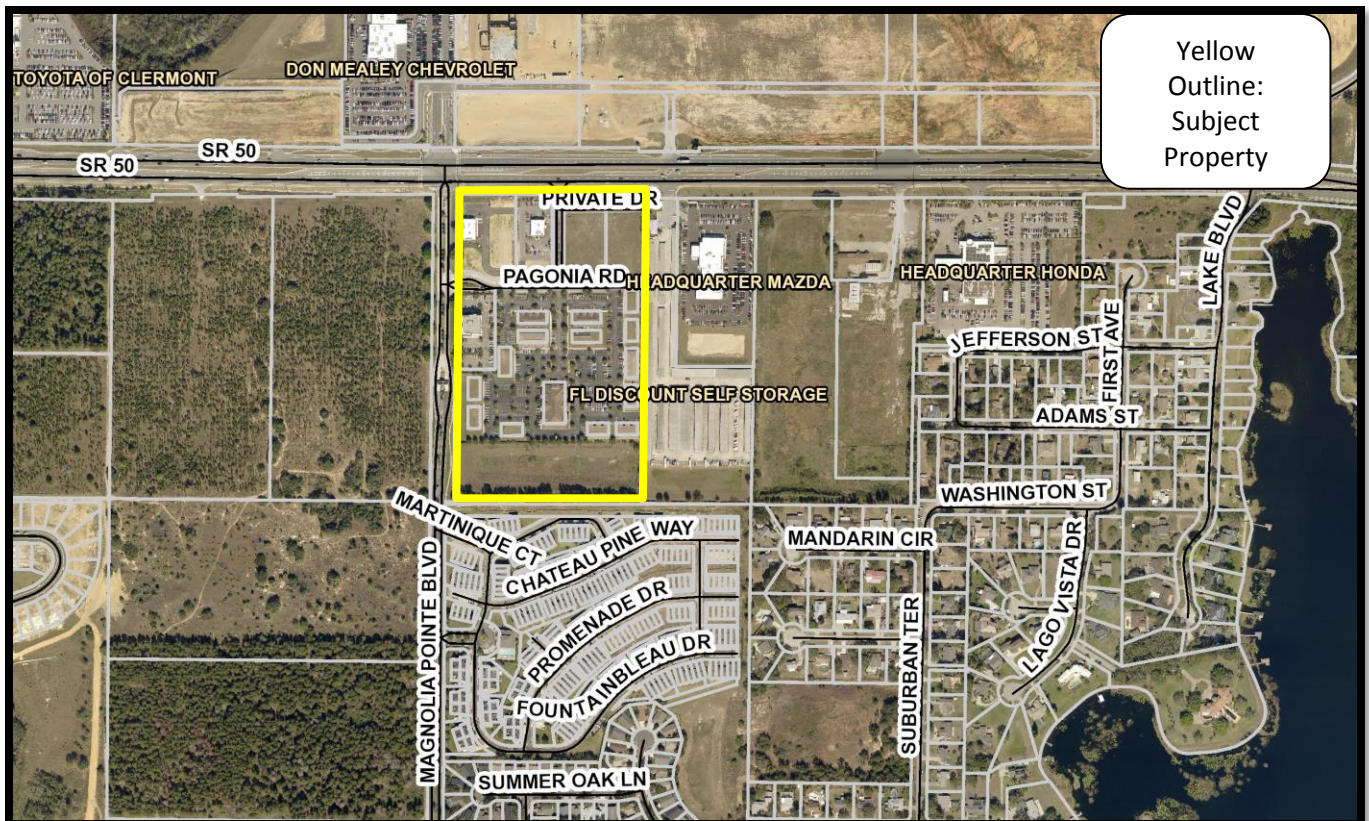
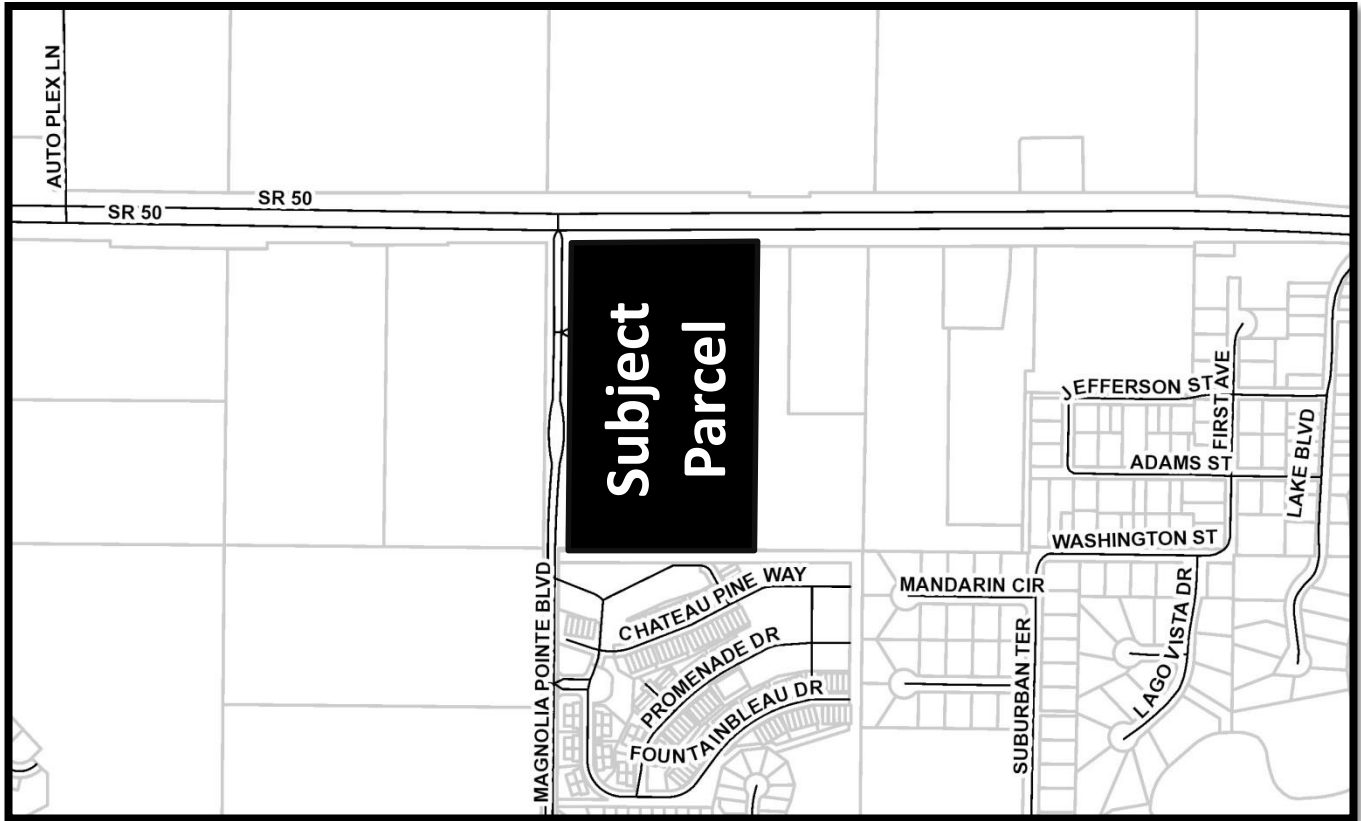


Exhibit – Future Land Use Magnolia Center

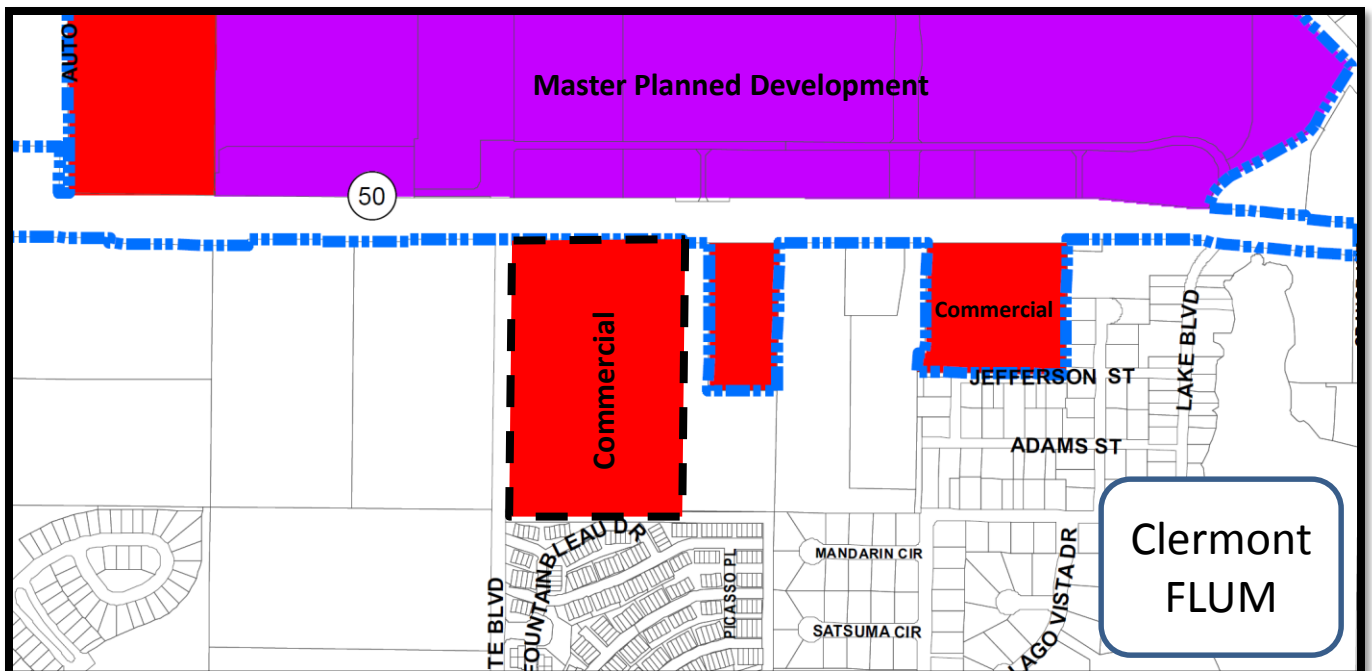
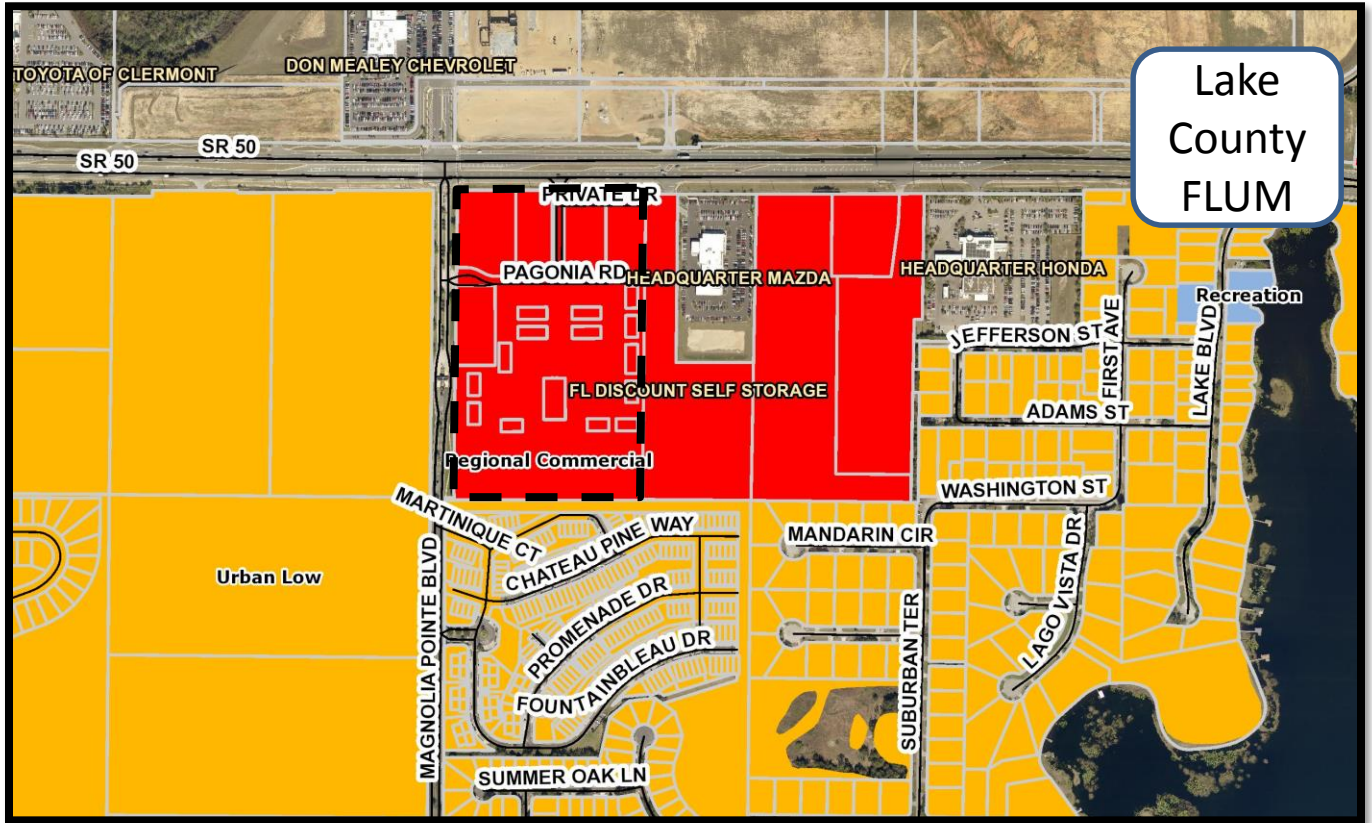
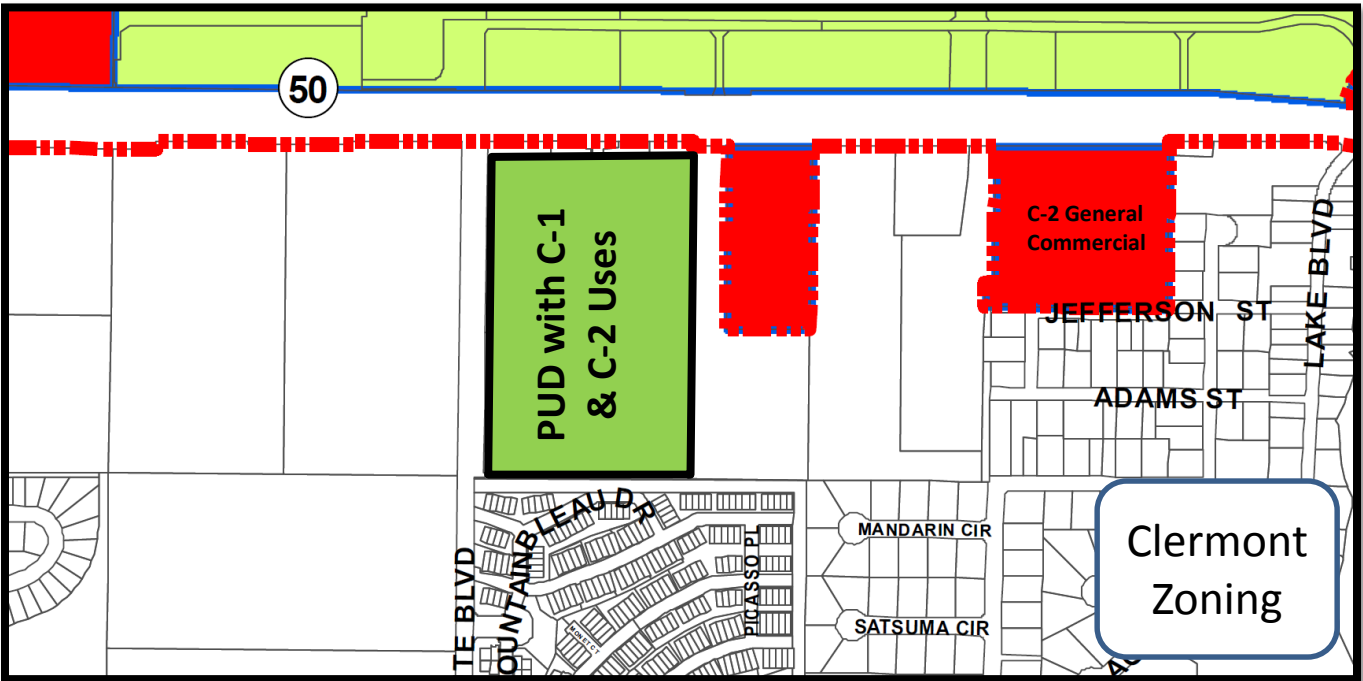
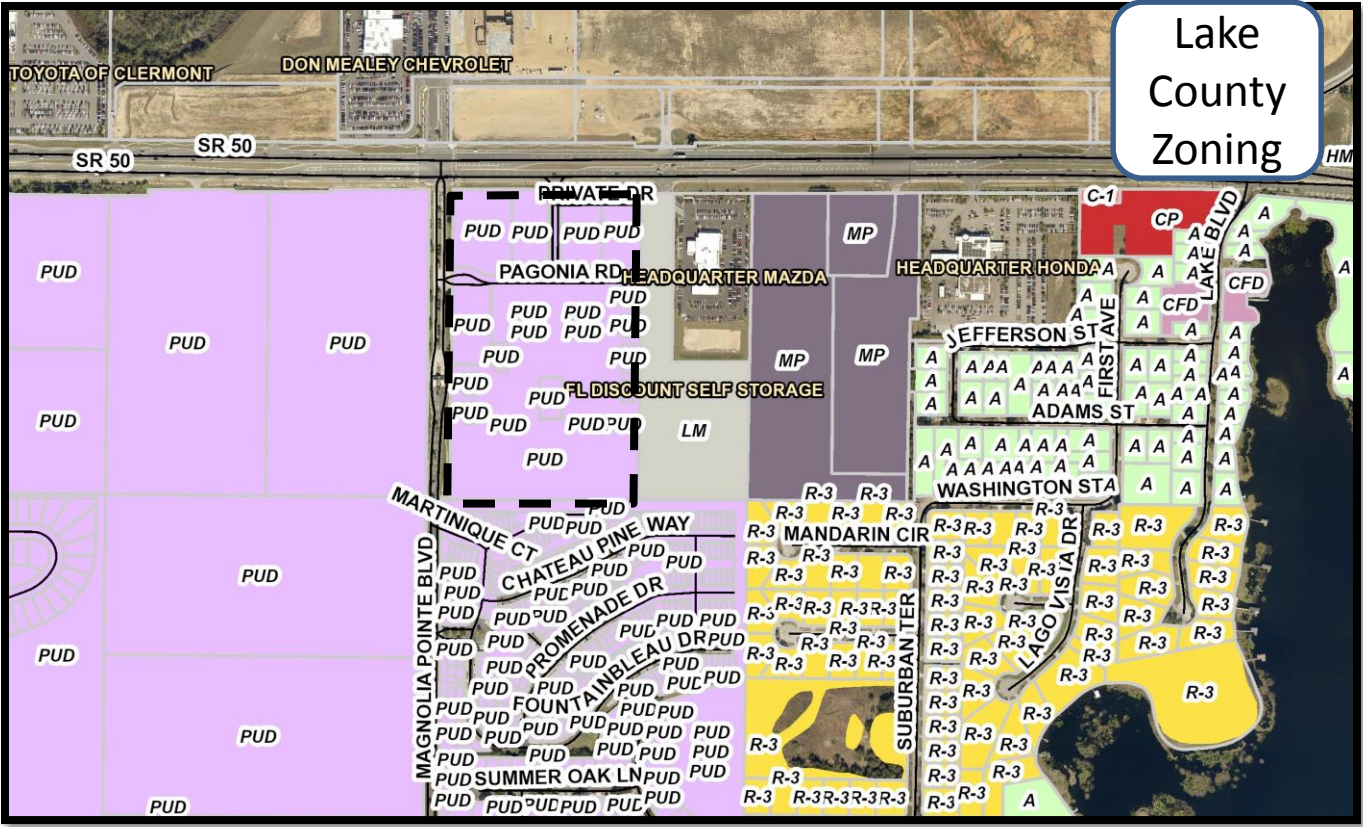


Exhibit – Zoning Magnolia Center



22000001 B
City of Clermont
TRAC / Ack Royal
P.O. Box 120019
Clermont, FL 34712-0219

WATER & WASTEWATER SERVICE AGREEMENT

RECEIVED
APR 19 2005

This document constitutes an agreement between the CITY of Clermont, hereby referred to as CITY, a municipality of the State of Florida, and Yolo Land Development, LLC, a Corporation (individual, corporation, partnership) and its successors or assigns, hereby referred to as OWNER.

WITNESSETH

Whereas, OWNER is proposing to develop Yolo Magnolia Center, which is located on real property (the "Property") described on Exhibit 'A', attached hereto and by this reference made a part hereof; and

Whereas, the Property is located in the unincorporated area of Lake County and the OWNER is requesting water and sewer service from the CITY; and

Whereas, as a condition of CITY providing said water and sewer service to the Property, OWNER is to extend water and sewer lines to serve the Property and lines and appurtenances must be sized to meet the minimum requirements of CITY Land Development Regulations and to meet the flow demands for the subdivision; and

Whereas, the CITY may, at the sole option of the CITY, elect to enlarge or oversize the water and/or sewer lines and appurtenances in order to provide additional capacity to other properties; and

Whereas, as a condition of the provision of water and sewer service to the Property by the CITY, OWNER agrees that this Agreement shall constitute an unconditional application to annex the Property into the City of Clermont, if CITY chooses to do so; and

Whereas, OWNER and CITY are entering into this Agreement to set forth the terms and conditions under which water and sewer service shall be extended and sized.

NOW THEREFORE, in consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

Section 1. OFF-SITE WATER/SEWER – Each and all of the foregoing premises are incorporated into and constitute a part of this Agreement.

- 1.1 CITY shall provide water and sewer service for the Property.
- 1.2 OWNER shall connect to the existing City system at connection point or points approved by CITY.
- 1.3 The route of any off site lines shall be according to engineering plans produced by OWNER and approved by the CITY.
- 1.4 The OWNER shall construct the facilities, lines and appurtenances necessary to serve the development and provide such documentation necessary for the CITY to ascertain that the lines shall meet the minimum line size requirements as specified by the CITY Land Development Regulations.

CFN 2005062941
BR 02821 Pgs 0284 - 2891 (6pgs)
DATE: 04/27/2005 11:16:45 AM
JAMES C. MATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES \$2.00

- 1.5 In the event the CITY chooses to oversize the lines or appurtenances, the CITY shall provide to the OWNER the specifications regarding sizes to be included in the final improvement plans.
- 1.6 The OWNER shall be responsible for the construction of all on site and off site lines and appurtenances to serve the project. No building permits shall be issued until water and sewer are provided to the site or until a bond or letter of credit is in place to guarantee completion of off-site improvements. No Certificate of Occupancy shall be issued until water and sewer extensions have been completed and accepted by the CITY.
- 1.7 The OWNER shall be responsible for all costs of on site and off site improvements, including but not limited to design, material, permitting and installation of sufficient size lines, lift stations and other appurtenances necessary to allow the CITY to serve the Property.
- 1.8 The CITY shall be responsible for the difference in cost of materials to oversize the line if the CITY chooses to oversize based on plans and cost estimates provided by OWNER to CITY, and approved in advance by the CITY.
- 1.9 The OWNER shall provide to the CITY a cost estimate for materials for the minimum size lines and appurtenances and a cost estimate for materials for the approved oversize. Cost estimate shall be contractors bid. The CITY shall review and either approve or reject the costs.
- 1.10 The OWNER and CITY shall agree on the cost difference, which will be the responsibility of the CITY, prior to commencement of construction.
- 1.11 The OWNER shall be responsible for all costs including design, permitting, materials and construction of the water and sewer lines and appurtenances, both on site and off site, required to serve the Property, with reimbursement for the difference in costs as determined in Section 1.9 from the CITY in the form of Impact Fee Credits.
- 1.12 The Impact Fee Credits shall be established subject to Sections 1.9 and 1.11, and at the time of issuance of each building permit by applying the then current impact fee, which shall be deducted from the Impact Fee Credit balance until credit is used.
- 1.13 Impact Fee Credits may not be transferred outside of the Property described on Exhibit 'A' but should be assignable to any heirs, assigns or successors in interest or title to part or all of said Property.

Section 2. DEVELOPMENT STANDARDS

The project shall be developed according to the CITY Land Development Regulations unless otherwise stipulated in this Agreement or subsequent amendments to this Agreement.

Section 3. ANNEXATION

- 3.1 Owner agrees that CITY may annex the Property into the City of Clermont if CITY chooses to do so. All land transfers will contain a deed restriction or covenant noting the existence of this requirement to annex, such restriction to be recorded as a covenant to run with the land.

- 3.2 This agreement shall be recorded in the Public Records of Lake County, Florida at cost to OWNER, and this agreement, upon recording, shall constitute an irrevocable application by the undersigned owner to annex the property described on Exhibit 'A', attached hereto, into the City of Clermont, which right to annex the City may exercise at any time in the future.

Section 4. SEVERABILITY

In the event that any provision of this agreement shall be held invalid or unenforceable, the provision shall be deleted from this agreement without affecting in any respect whatsoever the validity of the remainder of this agreement.

Section 5. NOTICES

All notices, demands, or other writings required to be given or made or sent in this Agreement, or which may be given or made or sent, by either party to the other, shall be deemed to have been fully given or made or sent when in writing and addressed as follows:

CITY

OWNER

City of Clermont
City Manager
P.O. Box 120219
Clermont, FL 34712-0219

Section 6. AMENDMENTS

Any amendment to this agreement is not effective unless the amendment is in writing and signed by all parties.

Section 7. EFFECTIVE DATE

The effective date of this agreement shall be the day of execution of the agreement required hereunder.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the date listed below. CITY through its City Manager, authorized to execute same by City Council action, and OWNER through Daniel Hessberg of V.O.L.O Land Development, LLC.

DATED this 22 day of October, 2002.

CITY OF CLERMONT

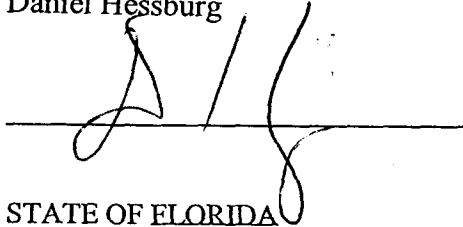
ATTEST:


Harold S. Turville Jr., Mayor


Joseph E. Van Zile, City Clerk

OWNER

Y.O.L.O Land Development, LLC
Daniel Hessburg



STATE OF FLORIDA
COUNTY OF LAKE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Daniel S. Hessburg as MANAGING MEMBER of Yolo Land Development, LLC who provided identification in the form of MEMBER or who is personally known to be the person described in and who executed the foregoing, and that he acknowledged before me that he executed the same.

Witness my hand and official seal this 19th day of April, 2005.



Eileen S. Vieira
Commission #DD236080
Expires: Jul 29, 2007
Bonded Thru
Atlantic Bonding Co., Inc


Notary Public

Exhibit A

State Road 50

132.00

75.00

30.00

Magnolia Pointe
Boulevard

500'
INGRESSES/
EGRESS
ESMT.

South Right-of Way

N89°58'59"W

778.25'

MAIN INGRE
DRIVE

694.74'

MAIN INGRE
DRIVE

1260.47'

N00°47'07"E

MINI-STORAGE (UNDER CONSTRUCTION)

S00°48'41"W

1253.56'

PARCEL 5
MAGNOLIA CENTER

MASTER STORMWATER
AREA
3.3 ACRES

S89°28'27"E

778.76'

247.00
272.00
PARCEL 1
1.54 ACRES

155.00
PARCEL 2
0.97 ACRES

195.00
PARCEL 3
1.22 ACRES

PARCEL 4
9.674 ACRES

12,000 SF
RETAIL

FUTURE EXPANSION
FOR FOOD STORE

50,000 SF
FOOD STORE

15,000 SF
RETAIL

24,000 SF
RETAIL

The quality of this image
is equivalent to the quality
of the original document.

Office of Ed Havill

Lake County Property Appraiser

April 27, 2005

Property Record Card**View Map of Property**

General Information:			
Alternate Key:	1037450	Parcel:	25-22-26-000200001500
Name:	YOLO LAND DEVELOPMENT LLC	Millage Group:	0003
Address:	548 US HIGHWAY 27 STE C MINNEOLA, FL 34715-	Loc Notes:	17400 STATE ROAD 50 CLERMONT FL 34711
Legal Description:	BEG 448.6 FT W OF SE COR OF NW 1/4, RUN N 01DEG 00MIN 01SEC E 1260.31 FT TO S R/W OF SR 50, W'LY ALONG SAID R/W TO W LINE OF SE 1/4 OF NW 1/4, S TO SW COR OF SE 1/4 OF NW 1/4, E'LY ALONG S LINE OF NW 1/4 TO POB--LESS W 100 FT-- ORB 2149 PG 0423		

Land Data:								
Line	Use Code	Frontage	Depth	Notes	No. Units	Type	Class Value	Just Value
1	1000	.0	.0		22.11	AC	0	1381875

Building Characteristics:					
Bldg No.	Section Type	Section No.	Ext Wall Type	No. of Stories	Floor Area

Residential:									
Fireplaces	Baths (2 Fix)	Baths (3 Fix)	Baths (4 Fix)	Baths (Ex Fix)	Bed	A/C	Built In Kitchen	Sq. Ft.	Year Built

Miscellaneous Improvements:					
No.	Type	No. Units	Type	Year	Depr Value

Sales History :						
O.R. Book	O.R. Page	Sale Date	Instrument	Q/U	Vac Impr	Sale Price
2149	0423	7/22/2002	WD	Q	V	\$1,600,000.00

Value:	
Total Just Value:	\$1,381,875.00
Total Exempt Value:	\$0.00
Total Taxable Value:	\$1,381,875.00 *May Reflect Save-Our-Homes Limitations

Draw Building

The quality of this image is equivalent to the quality of the original document.



CITY OF CLERMONT
ORDINANCE NO. 2018-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTING THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT FOR THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; SETTING FORTH THE PURPOSE AND INTENT OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR THE ADOPTION OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE LARGE SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Comprehensive Plan of the City of Clermont was adopted by the City of Clermont on June 23, 2009, 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 Statute 163.3187; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Clermont have held public hearings on the proposed amendment to the plan in light of written comments, proposals and objections from the general public;

NOW THEREFORE BE IT RESOLVED AND ENACTED, by the City Council of the City of Clermont, Lake County, 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 Map of the Comprehensive Plan of the City of Clermont is hereby amended by changing the following described property as shown:

LEGAL DESCRIPTION

A parcel of land lying in Section 25, Township 22 South, Range 26, Lake County, Florida, more particularly described as follows:

Beginning 448.6 feet West of Southeast corner of Northwest $\frac{1}{4}$, run North 01°00'01" East 1260.31 feet to South right-of-way of State Road 50, Westerly along said right-of-way to West line of Southeast $\frac{1}{4}$ of Northwest $\frac{1}{4}$ South to Southwest corner of Southeast $\frac{1}{4}$ of Northwest $\frac{1}{4}$, Easterly along South line of Northwest $\frac{1}{4}$ to Point of Beginning – less West 100 feet, Official Records Book 2149, Page 0423

Containing 22.78 acres, more or less

LOCATION

Magnolia Center
Southeast corner of Highway 50 and Magnolia Pointe Boulevard

CHANGE IN FUTURE LAND USE CLASSIFICATION

FROM: LAKE COUNTY – REGIONAL COMMERCIAL
TO: CITY OF CLERMONT COMMERCIAL

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.

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2018-07

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of April, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC City Clerk

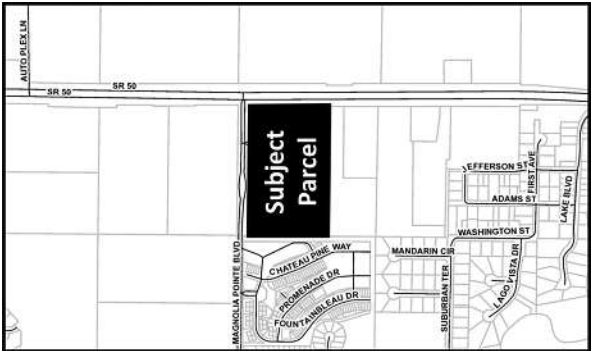
Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

CITY OF CLERMONT
NOTICE OF PROPOSED
AMENDMENT
TO COMPREHENSIVE PLAN
ORDINANCE NO. 2018-07

The City of Clermont will hold public hearings Tuesday, February 6, 2018 at 6:30 p.m. before the Planning and Zoning Commission and Tuesday, February 13, 2018 at 6:30 p.m. before the City Council to consider transmittal of a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the parcel below from Lake County Regional Commercial to Commercial.

The City of Clermont will hold public hearings on Tuesday, April 24, 2018 (final reading of the ordinance) beginning at 6:30 p.m. before the City Council to consider the adoption of the proposed change to the City's Future Land Use Map.



Location: Magnolia Center, 22.78 +/- acres
Property located at the southeast corner of Highway 50
And Magnolia Pointe Blvd.

Ordinance # 2018-07:
An ordinance of the City Council of the City of Clermont, Lake County, Florida, adopting the large-scale comprehensive plan amendment for the City of Clermont, Florida, pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Part II, Florida Statutes; setting forth the authority for adoption of the large-scale comprehensive plan amendment; setting forth the purpose and intent of the large-scale comprehensive plan amendment; providing for the adoption of the large-scale comprehensive plan amendment; establishing the legal status of the large-scale comprehensive plan amendment; providing a severability clause; and providing an effective date.

The public hearings are in the Council chambers of City Hall, 685 W. Montrose Street, and are open to public comment. Please call (352) 394-4083, Ext. 4 if you have any questions.

The proposed amendment may be inspected at the City's Development Services Department (1st floor, City Hall) between 8 a.m. and 5 p.m. Monday-Friday.

Please be advised that under state law, any person deciding to appeal a decision made at the public hearings 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) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

D038583 - January 27 & April 10, 2018

☐ **PROOF O.K. BY:** _____ ☐ **O.K. WITH CORRECTIONS BY:** _____

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

LF-D038583 (100%)

ADVERTISER: CITY OF CLERMONT-LEGALS
SALES PERSON: LFD001
SIZE: 2X10
PUBLICATION: LF-DAILY COMMERCIAL

PROOF CREATED AT: 1/23/2018 7:35:14 AM
NEXT RUN DATE: 01/27/18
PROOF DUE: 01/26/18 12:59:55



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, February 6, 2018		
Agenda Item Name		
Ordinance 2018-08 <i>Magnolia Center Rezoning</i>		
Requested Action		
Recommend approval of Ordinance 2018-08.		
Staff Report		
This administrative request is being heard concurrently with requests for annexation and a Large-Scale comprehensive plan amendment. The City is requesting annexation of the subject parcel as authorized by the utility agreement with the property owner. The agreement with the City was executed on February April 19, 2005. Approximately one-half of the property is improved and is receiving water and sewer services from the City of Clermont. The remainder of the site is vacant and will be developed. The property, approximately 22.78 acres, is being developed as a shopping center and professional offices. The proposed request is to rezone the property to a planned unit development (PUD) with a retail shopping center and outparcels for office use. This development is currently approved in Lake County. Staff has reviewed the Lake County PUD (Ordinance # 2009-8) and has transferred over to the new PUD those conditions and the entitlements contained within the documents. The proposed rezoning is from Urban Estate (currently Planned Unit Development District in Lake County) to the City's Planned Unit Development zoning classification. The related request for a comprehensive plan amendment would change the future land use from Lake County's Regional Commercial to the City's Commercial designation. Staff recommends approval of Ordinance 2018-08 to rezone the property to a Planned Unit Development zoning with C-1 & C-2 uses.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Ordinance 2018-08	Formatted 2018 Magnolia Center PUD Ord 2018-08.docx
2.	Maps	2018 Magnolia Center Maps.pdf
3.	Lake County Ord. 2009-8	2009-8 PUD Ordinance Magnolia Center.pdf
4.	Legal Ad	REZ AD Magnolia Center Final Proof.pdf



CITY OF CLERMONT
ORDINANCE NO. 2018-08

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, AND PUBLICATION.

The City Council of the City of Clermont, Lake County, Florida hereby ordains that:

SECTION 1.

The Official Zoning Map of the City of Clermont, Lake County, Florida referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances, is hereby amended by rezoning the following described property:

LEGAL DESCRIPTION

A parcel of land lying in Section 25, Township 22 South, Range 26, Lake County, Florida, more particularly described as follows:

Beginning 448.6 feet West of Southeast corner of Northwest $\frac{1}{4}$, run North 01°00'01" East 1260.31 feet to South right-of-way of State Road 50, Westerly along said right-of-way to West line of Southeast $\frac{1}{4}$ of Northwest $\frac{1}{4}$ South to Southwest corner of Southeast $\frac{1}{4}$ of Northwest $\frac{1}{4}$, Easterly along South line of Northwest $\frac{1}{4}$ to Point of Beginning – less West 100 feet, Official Records Book 2149, Page 0423

Containing 22.78 acres, more or less

LOCATION

Magnolia Center
Southeast corner of Highway 50 and Magnolia Pointe Boulevard

From: Urban Estate
To: Planned Unit Development

SECTION 2. General Conditions

This application for a Planned Unit Development to allow for C-1 Light Commercial and C-2 General Commercial; be granted subject to the following conditions

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.



CITY OF CLERMONT
ORDINANCE NO. 2018-08

2. The property shall be developed in substantial accordance with the approved PUD Master Conceptual Site Plan, Exhibit B, as approved under Lake County Ordinance No. 2009-8, recorded in the Lake County Clerk of Courts, Official Records Book 3730, Pages 1624-1634. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The conceptual site plans submitted with the Planned Unit Development application are not the approved construction plans.
3. 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.
4. The final Certificate of Occupancy shall not be issued until each of the stated conditions has been met.
5. The combining of Buildings E and F on Lot 6 shall not require an amendment to this Planned Unit Development.
6. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental agencies.
7. The transfer of ownership or lease of any or all of the property described in this PUD shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to this Planned Unit Development, and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures contained in the City of Clermont Land Development Code, as amended.

SECTION 3. Land Use

A. Land Uses:

1. Permitted Uses: Development of the site shall be limited to uses permitted within the C-1 and C-2 zoning districts, as amended with the exception to the following uses:
 - a. Adult Use
 - b. Automotive Repair
 - c. Automotive Service Station/Convenience Store
 - d. Auto-parts or other auto-related uses, except as expressly permitted below



CITY OF CLERMONT
ORDINANCE NO. 2018-08

- e. Bar or Tavern
 - f. Carwash
 - g. Hotel/Motel
 - h. Recreation, Commercial
 - i. Self-Service Laundry or Dry-Cleaning
 - j. Self-Service Storage
 - k. Theater
 - l. Recreational Vehicles
 - m. Truck Yard
 - n. Bingo Parlors and all other types of gambling establishments
 - o. Pawn Shops and establishments specializing in the resale of second hand goods
 - p. Vehicle Storage: No storage of commercial, disabled, abandoned or non-licensed vehicles shall be permitted for any purpose
2. Commercial Uses Permitted with Specific Conditions: The following uses shall be permitted subject to the specific criteria provided below:
- a. Retail, Convenience: No fuel sales shall be permitted.
 - b. Restaurant, Fast Food:
 - i. Shall be allowed only on Lots 1, 2, 3, and 4
 - ii. No more than three (3) Fast Food Restaurants shall be permitted
 - iii. No more than one (1) stand-alone Fast Food Restaurant shall be permitted
 - iv. Lot 1 shall not permit a stand-alone Fast Food Restaurant
 - v. Drive-through windows shall not be permitted for any stand-alone Fast Food Restaurant
 - vi. No Fast Food Restaurant shall occupy an end cap suite or have a drive-thru on Lot 1
 - vii. No Fast Food Restaurant shall occupy an end cap suite or have a drive-through on Lot 1 if Lots 1 and 2 are combined into a single lot and developed within a common building. This condition does not apply to Lot 2 if combined
 - viii. Hours of operation shall be limited to 5:00am to 11:00pm



CITY OF CLERMONT
ORDINANCE NO. 2018-08

- c. Restaurant, General: Restaurants are permitted beer, wine, and alcohol sales in conjunction with sale of food.
 - d. Vehicular Sales: Vehicular sales are prohibited, with the exception of Lot 4, which may allow a motorcycle dealership subject to the following regulations:
 - i. Inside sales only
 - ii. Daytime display of vehicles is permitted. All vehicles shall be moved inside at night.
 - iii. Test driving within the development or rental of vehicles is not permitted.
 - iv. Any service or repair work area shall be completely enclosed, including air compressors
 - v. Hours of operation shall be limited to 8:00am to 6:00pm
 - e. Wholesale and Warehouse:
 - i. Gross leasable area shall not exceed 10,000 square feet
 - ii. Limited to wholesale consumer products only; such as wines, food, or restaurant supply
 - iii. Warehousing or wholesaling of building, hardware or manufacturing goods or products is prohibited
 - f. Lot 5 shall be limited to medical and professional office uses.
 - g. Buildings H, J, K, L, M, N, and P of Lot 6 shall be limited to:
 - i. Medical Service and Professional Office
 - ii. Personal Care Services; excluding self-service laundry mats, and laundry drop-off and pick-up stations
 - iii. Retail sales of health and beauty products, including marketing and training
 - iv. The total square footage of Personal Care Services; including retail sales of health and beauty products, on Lot 6 shall not exceed 10,000 square feet
 - v. Dance studio within Building P only. Hours shall be limited to 7:00am to 9:00pm
 - h. Lots 1 and 2 may be combined and developed with a common building or developed individually. Lots 3 and 4 may also be combined and developed with a common building or developed individually. If combined, common building(s) on Lots 1 and 2 and/or Lots 3 and 4 shall contain architectural enhancements to the facades on the front and rear sides.
3. Manufacturing and industrial uses shall not be permitted.



CITY OF CLERMONT
ORDINANCE NO. 2018-08

- B. Open Space, Impervious Surface Ratio, and Intensity:
1. Total development of the site shall not exceed a maximum gross square footage of 300,000 square feet.
 2. A minimum 25% open space shall be implemented with the development plan.
 3. A maximum impervious surface ratio of 65% over the entire commercial development shall be implemented into the design criteria for all development.
- C. Setbacks:
1. All setbacks shall conform to the landscape buffering requirements outlined in the Lake County Land Development Regulations, as amended.
 2. Building structures shall maintain a 200-foot setback from the south property line of Lot 6.
 3. No loading docks or dumpsters shall be located within 400 feet of any property line of any lot of the Magnolia Pointe Subdivision.
- D. Buffering/Screening:
1. Landscaping of Lot 6 shall be consistent with the approved landscape plan, approved May 8th, 2007.
 2. A landscaped buffer shall be provided between all commercial, multifamily, right-of-way and residential land uses pursuant to the City of Clermont Land Development Code, as amended.
 3. Lake County Type “A” buffer shall be required along Magnolia Ponte Boulevard and the east boundary of Lot 4.
 4. A 25-foot buffer of solid pine trees shall be maintained along the south boundary of the Planned Unit Development; adjacent to Magnolia Pointe Condos. In the event that the 25-foot buffer of solid pine trees along the south boundary of the subject property is destroyed or removed for any reason, a 25-foot landscape buffer shall be installed within ninety (90) days thereafter.
 5. A six-foot high masonry or brick wall shall be constructed along the west boundary line, starting south of the guard house to the southern boundary of the retention pond, then along said southern boundary line to the eastern boundary line of the property.
 6. The wall or berm shall be constructed at the beginning of construction on Lot 6.



CITY OF CLERMONT
ORDINANCE NO. 2018-08

7. All outside storage shall be screened by a wooden fence and/or vegetative buffer substantial enough to screen the uses from adjacent properties.
8. Any additional landscape requirements not specifically outlined by items 1 through 7 of this Section shall be applied in accordance with the Land Development Regulations, as amended.

E. Architectural Design Standards:

1. Design:

- a. No pre-engineered metal buildings shall be permitted in the development.
- b. Buildings on Lot 6 shall be themed in a Mediterranean manner, and shall have tile roofs.
- c. Design shall comply with the City of Clermont commercial design guidelines and the Lake County Land Development Regulations, as amended.

2. Height:

- a. Any structure on Lots 1, 2, 3, 4, & 6 shall not be taller than 35 feet.
- b. Any structure on Lot 5 shall not be taller than 45 feet.

3. Orientation: The building on Lot 5 shall face west toward Magnolia Pointe Boulevard.

F. Lighting:

1. Lighting for parking lot, driveways, and utility areas; whether mounted on poles or walls of buildings, shall conform to Illuminating Engineering Society ("I.E.S.") standards for "cutoff" lighting fixtures.
2. Lighting "trespass" onto adjacent property shall not exceed 0.1 foot candles at the property line.
3. Ornamental and spotlighting for aesthetic effect, landscape accent, signage, etcetera, shall be directed onto the subject property.

G. Access Standards:

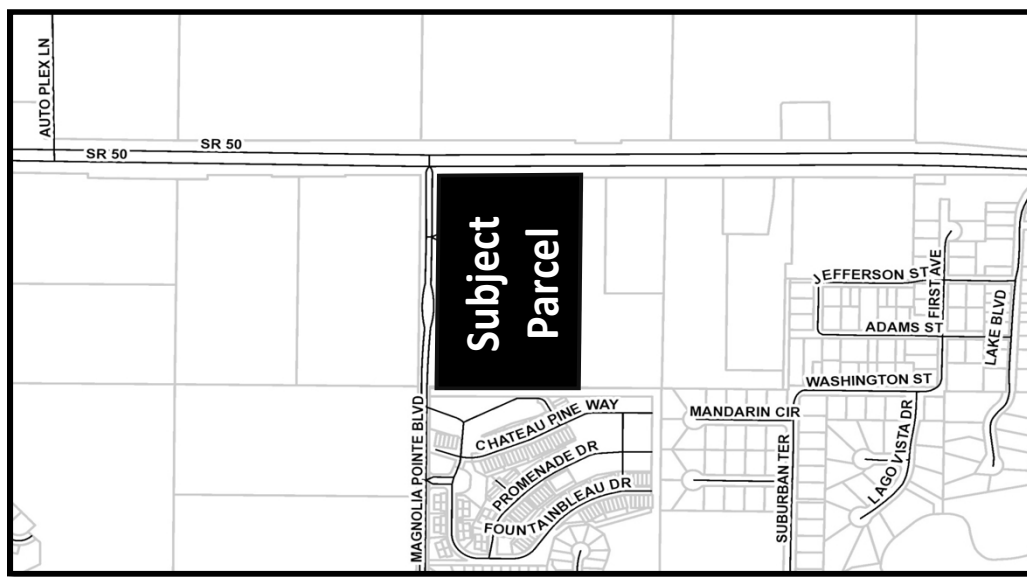
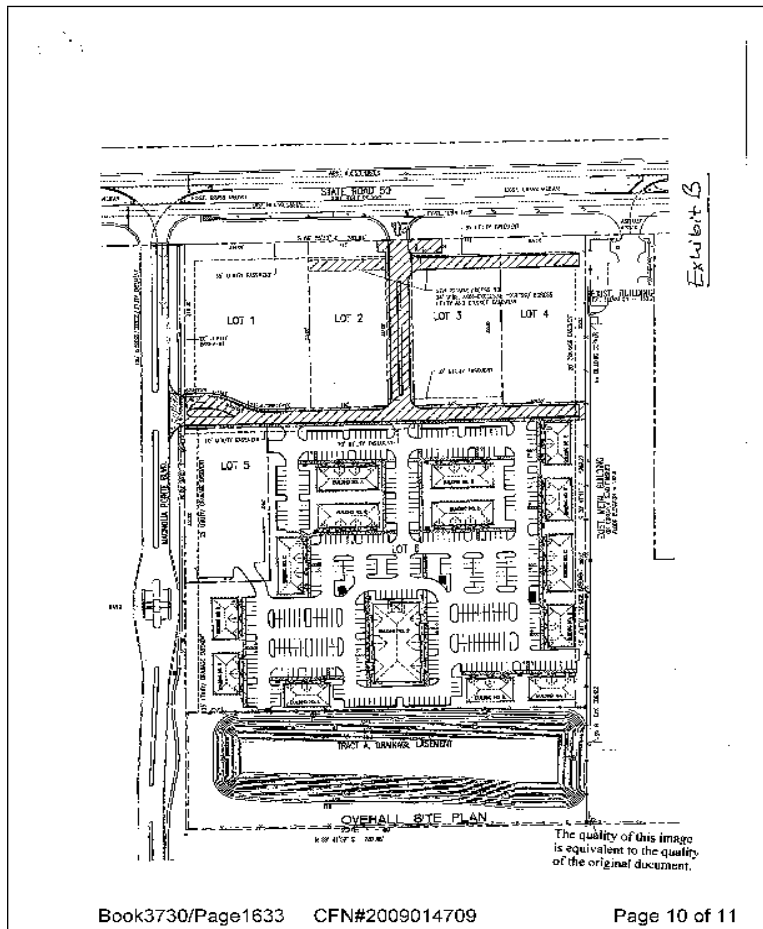
1. Construction traffic shall access the property via State Road 50 and avoid Magnolia Pointe Boulevard unless prohibited by the Florida Department of Transportation or Lake County Public Works.



CITY OF CLERMONT
ORDINANCE NO. 2018-08

2. Access to the site will be limited to the existing private road; Magnolia Pointe Boulevard, a right in/out from State Road 50 near the middle of the property line as shown on “Exhibit B”.
- H. Water and Sewer: Connection to central water and central sewer shall be required with all development.
- I. Concurrency Management Review: Prior to requesting approval, the Owner must undergo Lake County Concurrency Management Review or sign an affidavit of deferral, deferring concurrency management review.
- J. Development Review and Approvals: Prior to the issuance of any permits, the Owner shall be required to submit a formal site plan; as applicable, for review and approval by City of Clermont. The site plan shall meet all submittal requirements and comply with all City codes and ordinances, as amended.
- K. Future Development Orders: Any requested development order must comply with the City of Clermont Land Development Code, as amended, and the City of Clermont Comprehensive Plan, as amended.
- L. Concurrency Management Review and Vested Development Rights: Future rights to develop the property are subject to a finding that the development will meet the concurrency standards contained in the Lake County Comprehensive Plan and Land Development Regulations through Concurrency Management Review; without such a Review, no vested development rights shall have been granted by the County or acquired by the Applicant.
- M. Future Amendments to Statutes, Code, Plan and/or Regulations: The specific references in this Planned Unit Development to the Florida Statutes, Florida Administrative Code, City of Clermont Comprehensive Plan, and City of Clermont Land Development Code include any future amendments to the Statutes, Code, Plan, and/or Regulations.

Exhibit B:





CITY OF CLERMONT
ORDINANCE NO. 2018-08

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 24th day of April, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map Magnolia Center

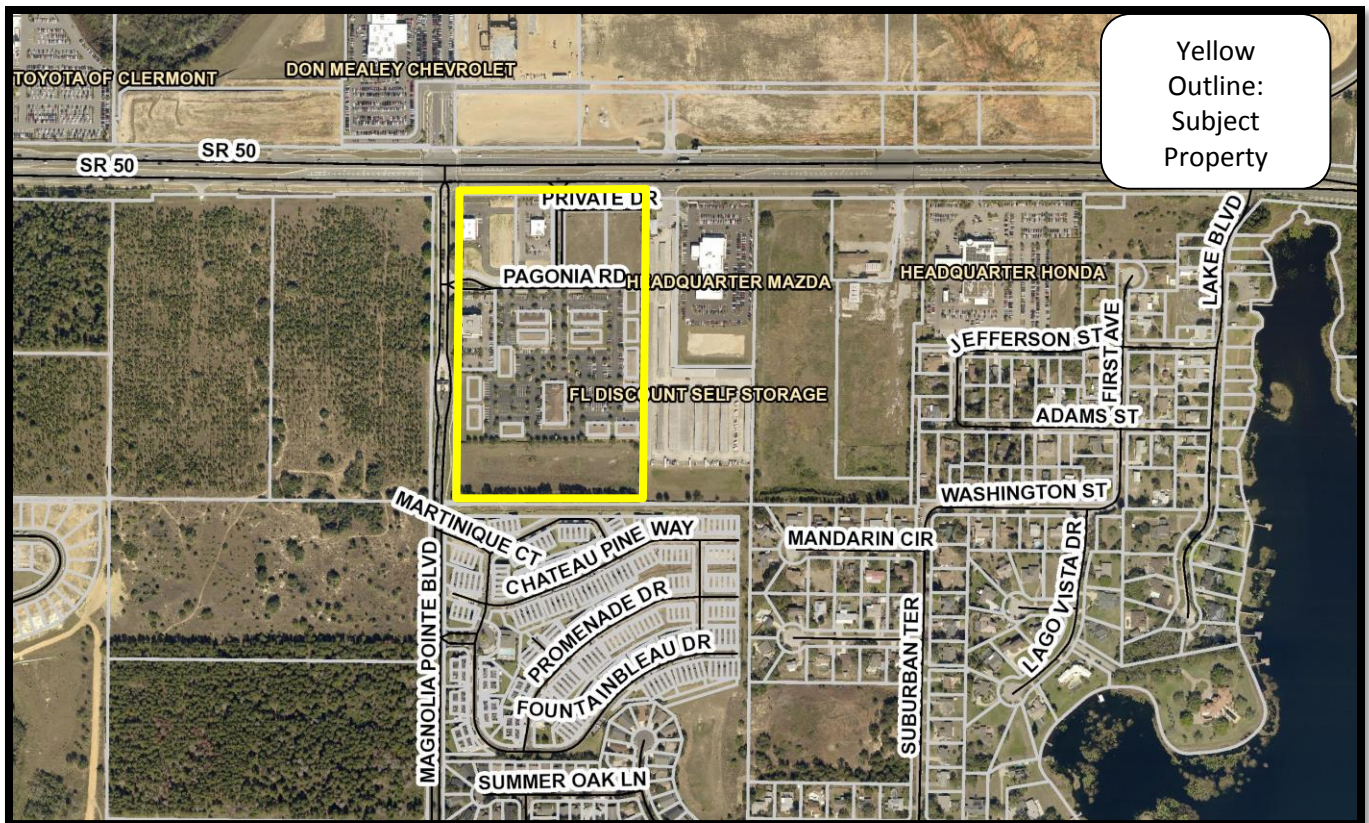
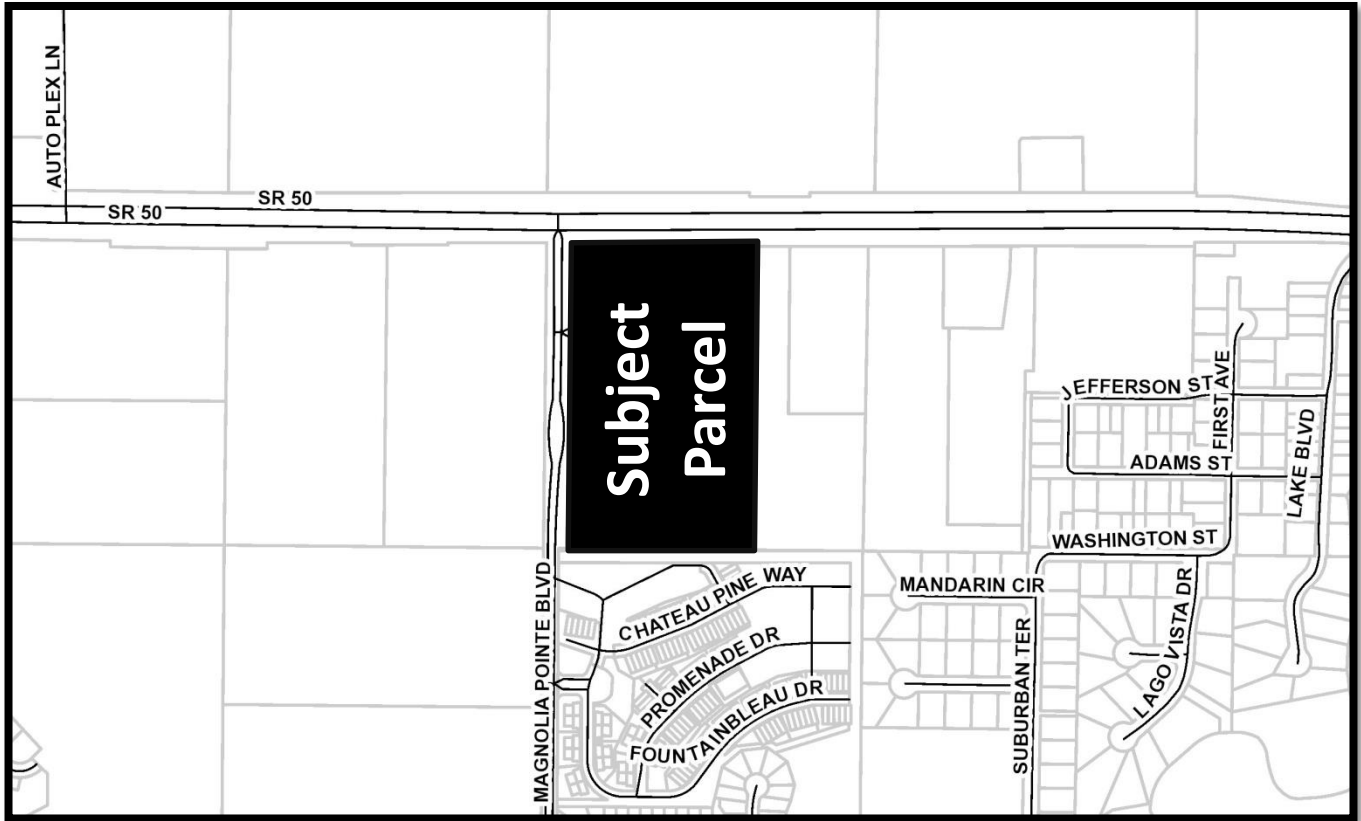


Exhibit – Future Land Use Magnolia Center

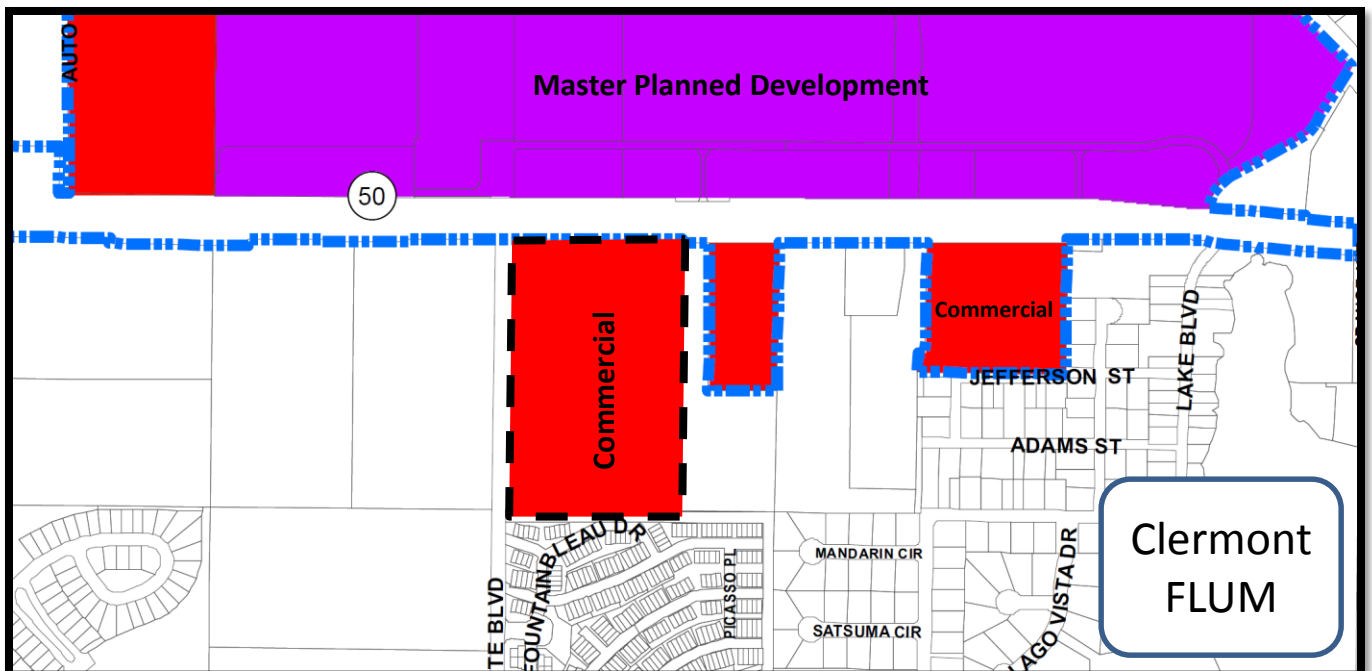
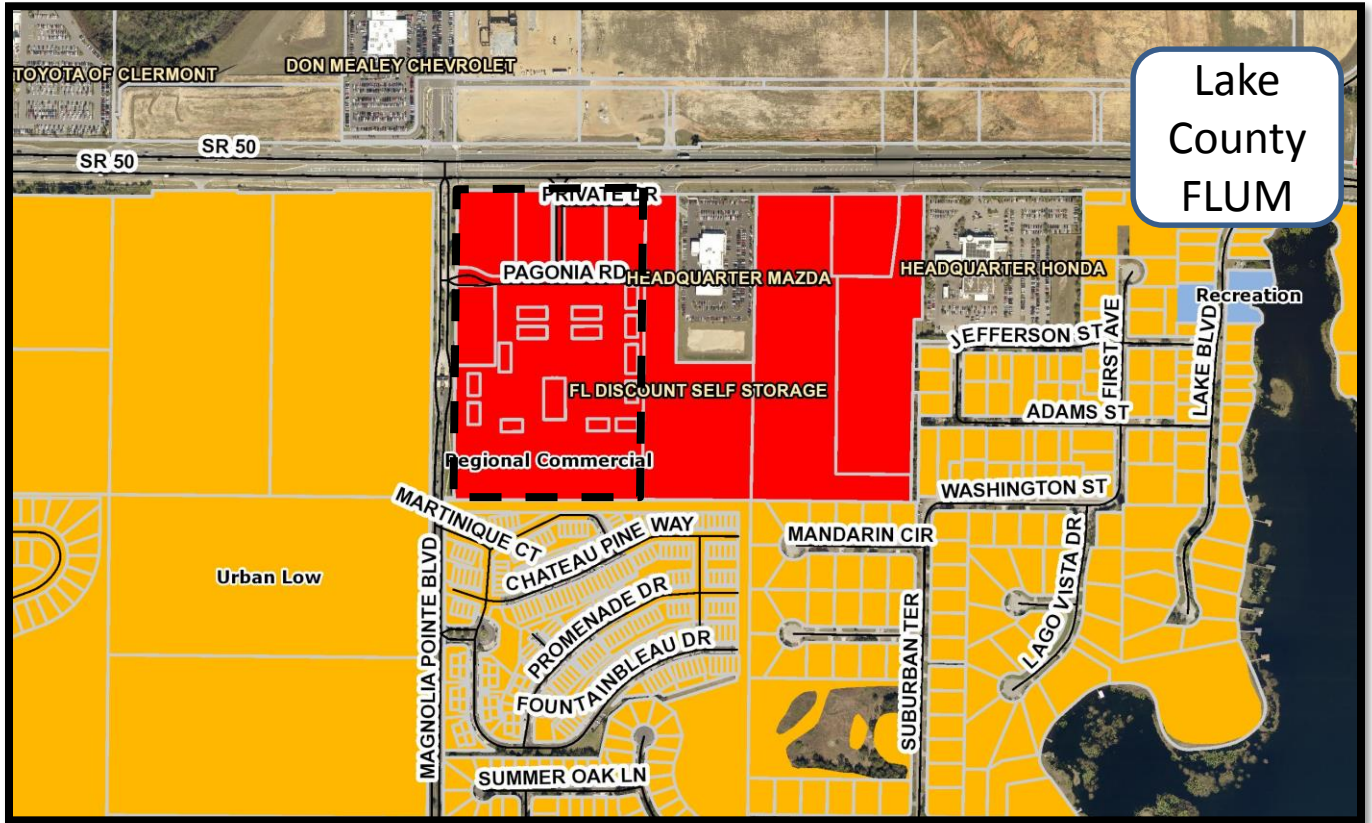
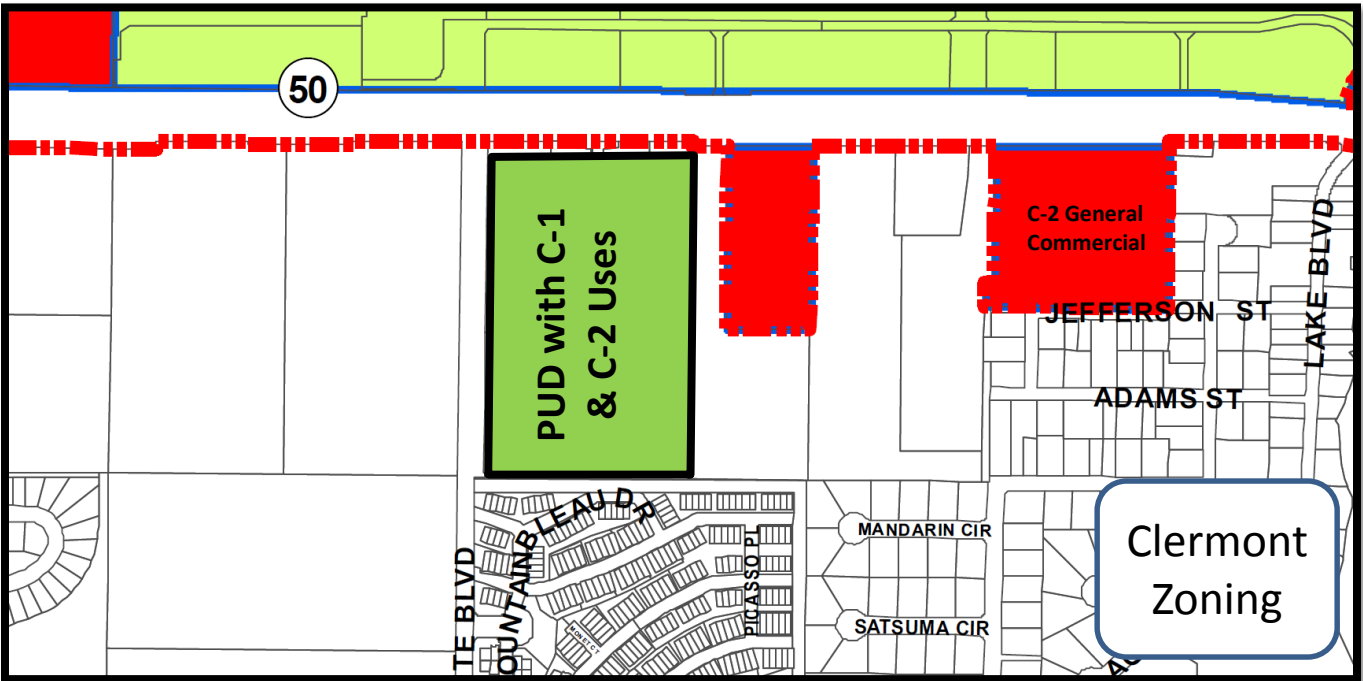
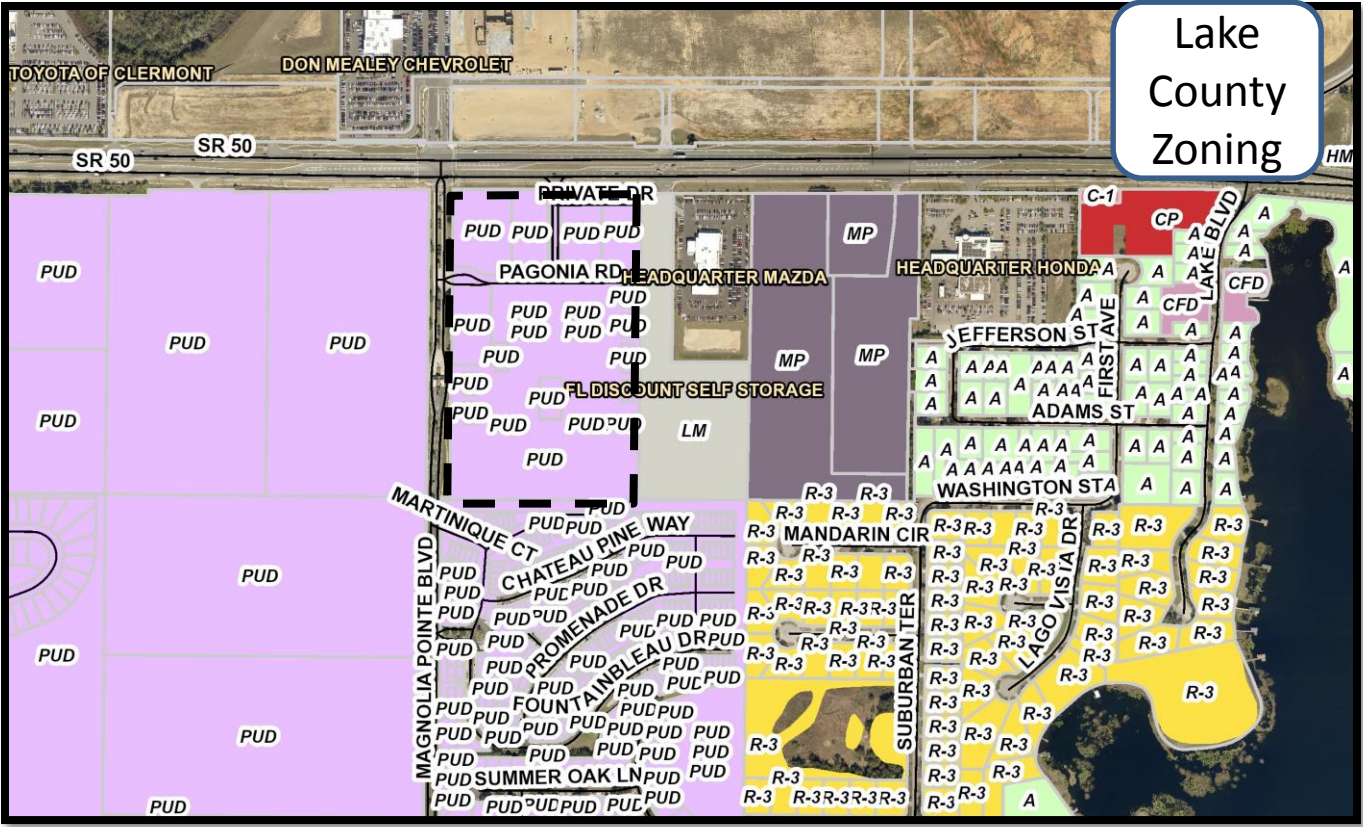


Exhibit – Zoning Magnolia Center



CFN 2009014709
Bk 03730 Pgs 1624 - 1634; (11pgs)
DATE: 02/11/2009 11:31:36 AM
NEIL KELLY, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 95.00

ORDINANCE #2009-8

PH#51-08-2

Magnolia Property Associates, LLC

AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Lake County (the "Applicant"), pursuant to Section 125.66, Florida Statute, has initiated an amendment for property owned by Clermont-Falls Creek Development, Magnolia Property Associates LLC, B&L Properties LLC, and Magnolia Point Clermont I, LLC (the "Owner"),

AND with exception to Magnolia Point Clermont I, LLC, all property owners have joined on the County initiated application; and

WHEREAS, this petition will amend Planned Unit Development (PUD) Ordinance #2006-08 to revise allowable uses; and

WHEREAS, this petition will rescind and supersede Ordinances #2000-9 and #2006-8; and

WHEREAS, the subject property consists of roughly 22.5 acres and is located in the Clermont Joint Planning Area, along SR 50 at the southeast side of the intersection of SR 50 and Magnolia Pointe Boulevard, in Section 25 Township 22S Range 26E and having Alternate Keys #3866085, #3859724, #3871969, #1037450, #3860011, #3870740, #3870741, #3870742, #3870737, #3870739, #3870738, #3870736, #3870749, #3870750, #3870745, #3870744, #3870746, #3870747, #3870748, and #3860067, further described as:

LEGAL DESCRIPTION: [EXHIBIT "A" – ATTACHED]

WHEREAS, the property is located within the Urban Expansion, Community Activity Center, Employment Center Future Land Use Categories as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

1 **WHEREAS**, the Lake County Zoning Board, on the 7th day of January, 2009, reviewed petition PH#51-
2 08-2;

3 **AND**, after giving notice of hearing on petition for a change in the use of land, including a notice that
4 said would be presented to the Board of County Commissioners of Lake County, Florida, on the 27th day of
5 January, 2009; and

6 **WHEREAS**, the Board of County Commissioners reviewed said petition, the recommendations of the
7 Lake County Zoning Board, and any comments, favorable or unfavorable, from the Public and surrounding
8 property owners at a Public Hearing duly advertised; and

9 **WHEREAS**, upon review, certain terms pertaining to the development of the above described property
10 have been duly approved; and

11 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County,
12 Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they
13 pertain to the above tract of land, as described in EXHIBIT "A", subject to the following terms:

14 **SECTION I. Terms.** This Ordinance shall mean and include the following land uses and rescinds and
15 supersedes any and all ordinances previously granted. The County Manager or designee shall amend the
16 Official Zoning Map to PUD zoning in accordance with this Ordinance. Development of the property shall be in
17 conformance with the approved PUD Master Conceptual Plan attached hereto as **Exhibit "B"**. To the extent
18 where there are conflicts between Exhibit B, Exhibit C and this Ordinance, this Ordinance shall take
19 precedence.

20
21 A. Land Uses:

- 22
23 1. Permitted Uses. Development of the site shall be limited to uses permitted within the C-1 and C-2
24 Zoning Districts as defined in the Lake County Land Development Regulations, as amended, with
25 exception to the following uses:

- 26
27 a. Adult Use
28 b. Automotive Repair
29 c. Automotive Service Station/Convenience Store

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(PH#51-08-2) (Lake County)

- d. Auto-parts or other auto-related uses, except as expressly permitted below
- e. Bar or Tavern
- f. Carwash
- g. Hotel/Motel
- h. Recreation, Commercial
- i. Self-Service Laundry or Dry-Cleaning
- j. Self-Service Storage
- k. Theater
- l. Recreational Vehicles
- m. Truck Yard
- n. Bingo Parlors and all other types of gambling establishments
- o. Pawn Shops and establishments specializing in the resale of second hand goods
- p. Vehicle Storage: No storage of commercial, disabled, abandoned or non-licensed vehicles shall be permitted for any purpose

2. Commercial Uses Permitted with Specific Conditions. The following uses shall be permitted subject to the specific criteria provided below:

- a. Retail, Convenience: No fuel sales shall be permitted.
- b. Restaurant, Fast Food:
 - i. Shall be allowed only on Lots 1, 2, 3 and 4.
 - ii. No more than three (3) Fast Food Restaurants shall be permitted.
 - iii. No more than one (1) stand-alone Fast Food Restaurant shall be permitted.
 - iv. Lot 1 shall not permit a stand-alone Fast Food Restaurant.
 - v. Drive-through windows shall not be permitted for any stand-alone Fast Food Restaurant.
 - vi. No Fast Food Restaurant shall occupy an end cap suite or have a drive-thru on Lot 1.
 - vii. No Fast Food Restaurant shall occupy an end cap suite or have a drive-through on Lot 1 if Lots 1 and 2 are combined into a single lot and developed within a common building. This condition does not apply to Lot 2 if combined.
 - viii. Hours of operation shall be limited to 5:00 AM to 11:00PM.
- c. Restaurant, General: Restaurants are permitted beer, wine, and alcohol sales in conjunction with sale of food.
- d. Vehicular Sales. Vehicular sales are prohibited, with the exception of Lot 4, which may allow a motorcycle dealership subject to the following regulations:
 - i. Inside sales only.
 - ii. Daytime display of vehicles is permitted. All vehicles shall be moved inside at night.
 - iii. Test driving within the development or rental of vehicles is not permitted.
 - iv. Any service or repair work area shall be completely enclosed, including air compressors.
 - v. Hours of operation shall be limited to 8:00 a.m. to 6:00 p.m.

- e. Wholesale and Warehouse:
 - i. Gross leasable area shall not exceed 10,000 square feet.
 - ii. Limited to wholesale consumer products only, i.e. wines, foods, or restaurant supply.
 - iii. Warehousing or wholesaling of building, hardware or manufacturing goods or products is prohibited.
 - f. Lot 5 shall be limited to medical and professional office uses.
 - g. Buildings H, J, K, L, M, N, and P of Lot 6 shall be limited to:
 1. Medical Service and Professional Office.
 2. Personal Care Services (excluding self-service laundry mats, and laundry drop-off and pick-up stations).
 3. Retail sales of health and beauty products, including marketing and training.
 4. The total square footage of Personal Care Services, including retail sales of health and beauty products, on Lot 6 shall not exceed 10,000 square feet.
 5. Dance studio within Building P only. Hours shall be limited to: 7:00 AM to 9:00 PM.
 - h. Lots 1 & 2 may be combined and developed with a common building or developed individually. Lots 3 & 4 may also be combined and developed with a common building or developed individually. If combined, common building(s) on Lots 1&2 and/or Lots 3&4 shall contain architectural enhancements to the facades on the front and rear sides similar to those depicted on Exhibit "C".
3. Manufacturing and industrial uses shall not be permitted.
- B. Open Space, Impervious Surface Ratio, and Intensity:
1. Total development of the site shall not exceed a maximum gross square footage of 300,000 square feet.
 2. A minimum 25% open space shall be implemented with the development plan.
 3. A maximum impervious surface ratio of 65% over the entire commercial development shall be implemented into the design criteria for all development.
- C. Setbacks:
1. All setbacks shall conform to the landscape buffering requirements outlined in the Lake County Land Development Regulations, as amended.
 2. Building structures shall maintain a 200-foot setback from the south property line of Lot 6.
 3. No loading docks or dumpsters shall be located within 400 feet of any property line of any lot of the Magnolia Pointe Subdivision.

D. Buffering/Screening:

1. Landscaping of Lot 6 shall be consistent with the approved landscape plan, approved May 8th, 2007.
2. A landscaped buffer shall be provided between all commercial, multifamily, right-of-way and residential land uses pursuant to the Lake County Land Development Regulations, as amended.
3. Lake County Type "A" buffer shall be required along Magnolia Pointe Boulevard and the east boundary of Lot 4.
4. A 25-foot buffer of solid pine trees shall be maintained along the south boundary of the PUD (adjacent to Magnolia Pointe Condos). In the event that the existing 25-foot buffer of solid pine trees along the south boundary of the subject property is destroyed or removed for any reason, a Type "B" buffer shall be installed within ninety (90) days thereafter.
5. A six-foot high masonry or brick wall shall be constructed along the west boundary line, starting south of the guard house to the southern boundary of the retention pond, then along said southern boundary line to the eastern boundary line of the property.
6. The wall or berm shall be constructed at the beginning of construction on Lot 6.
7. All outside storage shall be screened by a wooden fence and/or vegetative buffer substantial enough to screen the uses from adjacent properties.
8. Any additional landscape requirements not specifically outlined by items 1 through 7 of this section shall be applied in accordance with the Land Development Regulations, as amended.

E. Architectural Design Standards:

1. Design:

- a. No pre-engineered metal buildings shall be permitted in the development.
- b. Buildings on Lot 6 shall be themed in a Mediterranean manner, and shall have tile roofs.
- c. Design shall comply with the City of Clermont commercial design guidelines and the Lake County Land Development Regulations, as amended.

2. Height:

- a. Any structure on Lot 1, 2, 3, 4, & 6 shall not be taller than 35 feet.
- b. Any structure on Lot 5 shall not be taller than 45 feet.

3. Orientation: The building on Lot 5 shall face west toward Magnolia Pointe Boulevard.

F. Lighting:

1. Lighting for parking lot, driveways, and utility areas (whether mounted on poles or walls of building) shall conform to Illuminating Engineering Society ("I.E.S.") standards for "cutoff" lighting fixtures.
2. Lighting "trespass" onto adjacent property shall not exceed 0.1 foot candles at the property line.
3. Ornamental and spotlighting for aesthetic effect, landscape accent, signage, etc. shall be directed onto the subject property.

ORDINANCE NO. #2009-8
(PH#51-08-2) (Lake County)

G. Access Standards:

1. Construction traffic shall access the property via S.R. 50 and avoid Magnolia Pointe Boulevard unless prohibited by the Florida Department of Transportation or Lake County Public Works.
2. Access to the site will be limited to the existing private road (Magnolia Pointe Boulevard), a right in/right out from S.R. 50 near the middle of the property on the north property line as shown on "Exhibit B".

H. Water and Sewer: Connection to central water and central sewer shall be required with all development.

I. Concurrency Management Review: Prior to requesting approval, the Owner must undergo Lake County Concurrency Management Review or sign an affidavit of deferral, deferring concurrency management review.

J. Development Review and Approval: Prior to the issuance of any permits, the Owner shall be required to submit formal site plan, as applicable, for review and approval by Lake County. The site plan shall meet all submittal requirements and comply with all County codes and ordinances, as amended.

K. Future Development Orders: Any requested development order must comply with the Lake County Land Development Regulations, as amended, and the Lake County Comprehensive Plan, as amended.

L. Concurrency Management Review and Vested Development Rights: Future rights to develop the property are subject to a finding that the development will meet the concurrency standards contained in the Lake County Comprehensive Plan and Land Development Regulations through Concurrency Management Review; without such a Review, no vested development rights shall have been granted by the County or acquired by the Applicant.

M. Future Amendments to Statutes, Code, Plan and/or Regulations: The specific references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County Comprehensive Plan, and Lake County Land Development Regulations include any future amendments to the Statutes, Code, Plan, and/or Regulations.

SECTION 2. Conditions as altered and amended which pertain to the above tract of land shall mean:

A. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the purposes named in this Ordinance. Any other proposed use must be specifically authorized by the Zoning Board and the Board of County Commissioners.

B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner (except for normal maintenance activities – i.e. painting screening, etc.) within the boundaries of the above described land without first submitting the necessary plans in accordance with the Lake County Land Development Regulations, as

ORDINANCE NO. #2009-8
(PH#51-08-2) (Lake County)

1 amended, and obtaining approval from the County Manager or designee upon obtaining the permits
2 required from the other appropriate governmental agencies.

3
4 C. This amendment shall inure to the benefit of, and shall constitute a covenant running with the land and the
5 terms, conditions, and provisions hereof shall be binding upon the present owner and any successor, who
6 shall be subject to each and every condition herein set out.

7
8 D. Prior to any amendment to this Ordinance, the Owner shall provide proof that a community meeting was
9 held with all owners and the adjacent residential neighborhoods.

10
11 E. The combining of Buildings E and F on Lot 6 shall not require an amendment to this Ordinance.

12
13 F. Construction and operation of the proposed use shall at all times comply with the regulations of this and
14 other governmental agencies.

15
16 G. The transfer of ownership or lease of any or all of the property described in this Ordinance shall include in
17 the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the
18 conditions pertaining to this Ordinance, and agrees to be bound by these conditions. The purchaser or
19 lessee may request a change from the existing plans and conditions by following the procedures contained
20 in the Lake County Land Development Regulations, as amended.

21
22 **SECTION 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be invalid
23 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of
24 the remaining portions of this Ordinance.

25
26 **SECTION 4. Effective Date:** This Ordinance shall become effective as provided by law.

27
28 ENACTED this 27 day of January, 2009.

29
30 FILED with the Secretary of State February 5, 2009.

31
32
33 EFFECTIVE February 5, 2009.
34
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36
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41
42

ORDINANCE NO. #2009-8
(PH#51-08-2) (Lake County)

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA


WELTON G. CADWELL, CHAIRMAN

ATTEST:


NEIL KELLY, Clerk of the
Board of County Commissioners
Lake County, Florida

APPROVED AS TO FORM AND LEGALITY

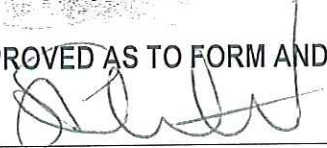

SANFORD A. MINKOFF, County Attorney

EXHIBIT "A"

THE SE ¼ OF NW ¼ OF SEC 25 TWP. 22S RGE. 26 E, LAKE COUNTY, FLORIDA; LESS AND EXCEPT THE FOLLOWING LANDS: R/W FOR SR 50; ALSO LESS AND EXCEPT: BEGIN AT THE SE CORNER OF THE NW ¼ OF SEC 25 TWP. 22S RGE. 26E, LAKE COUNTY, FLORIDA, THENCE N 89 DEG. 14'43" W, ALONG THE ¼ SECTION LINE, 448.64 FT; THENCE N 01 DEG 00'01" E 1260.31 FT TO THE S R/W LINE OF SR 50; THENCE S 89 DEG 45'47" E 448.64 FT ALONG SAID R/W LINE TO THE E LINE OF SAID ¼ SECTION; THENCE S 01 DEG 00'01" ALONG SAID ¼ SECTION LINE, 1,264.36 FT TO THE POB; ALSO LESS AND EXCEPT THE FOLLOWING DESCRIBED: THE W 100 FT OF THE SE ¼ OF NW ¼ OF SEC 25 TWP 22S RGE 26E, LAKE COUNTY, FLORIDA; PARCEL 2: (NON-EXCLUSIVE EASEMENT ESTATE) TOGETHER WITH THAT CERTAIN RESERVATION OF INGRESS AND EGRESS EASEMENT, OVER THE FOLLOWING DESCRIBED LAND: THE W 100 FT OF THE SE ¼ OF NW ¼ OF SEC 25 TWP. 22S RGE. 26E, LAKE COUNTY, FLORIDA, LESS AND EXCEPT THAT PART WITHIN THE R/W FOR SR 50.

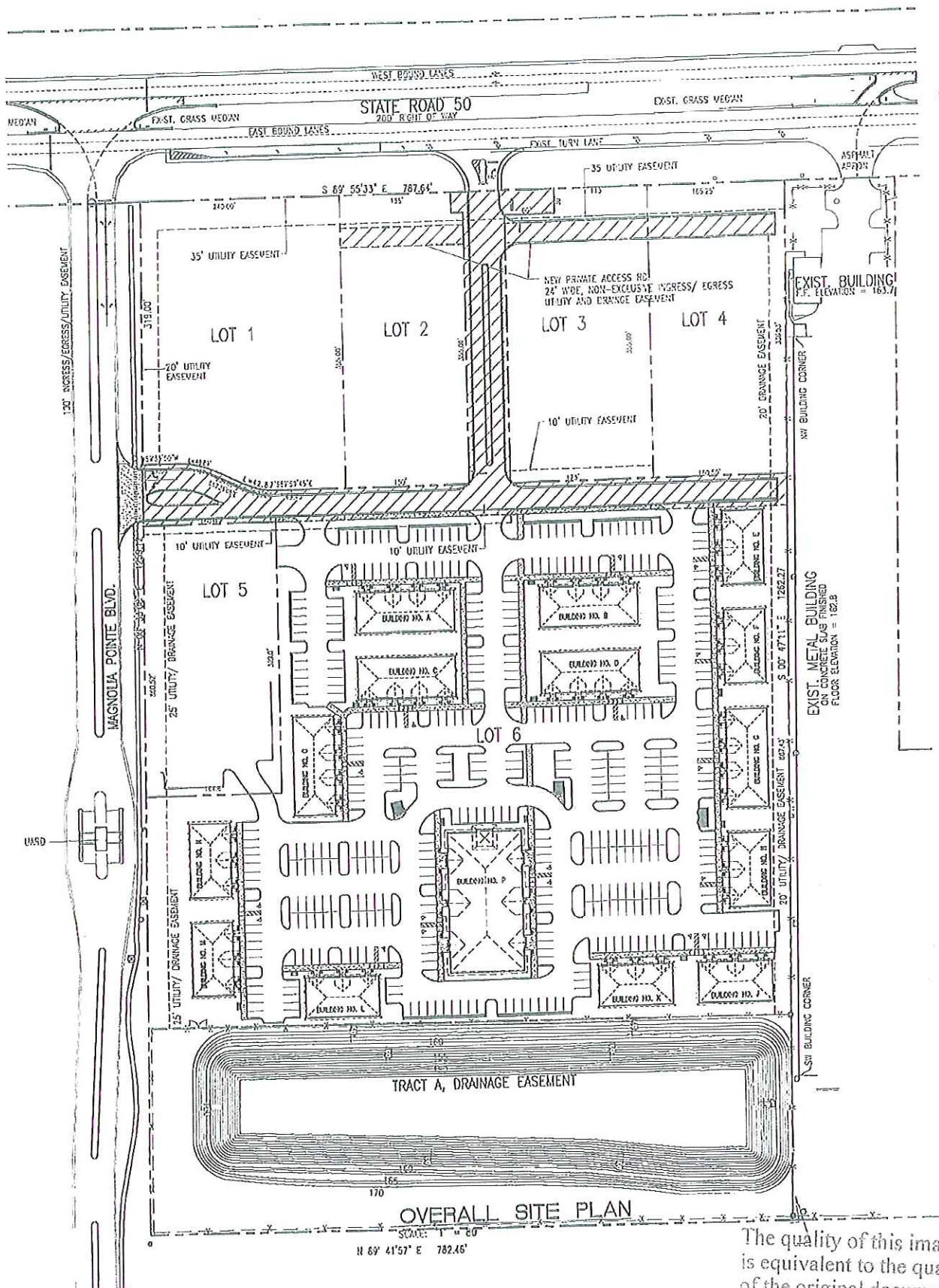
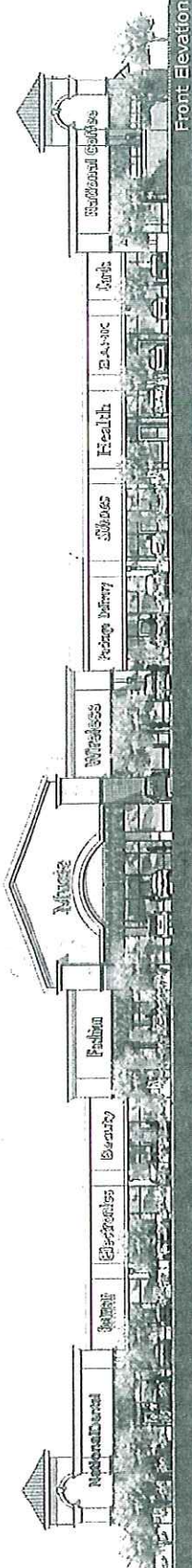


Exhibit B

The quality of this image is equivalent to the quality of the original document.



Front Elevation



Rear Elevation



Multi-Tenant Retail
Clermont, FL
04.28.08

The image and design intent shown in this rendering are general in nature. Specific representations indicated here are for illustration purposes only and do not indicate final form, shape, and color. The actual built project may vary from this rendering.



Exhibit C

The quality of this image
is equivalent to the quality
of the original document.

Advertising Receipt

The Daily Commercial
PO Box 490007
Leesburg, FL 34749-0007
Phone: (352) 365-8200
Fax: (352) 365-1951

CITY OF CLERMONT
Cristina Andres
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10072761
Phone: (352) 241-7331
Date: 01/24/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cler	01/30/2018	04/10/2018	\$234.84

LEGAL NOTICE

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

ORDINANCE NO. 2018-08

An ordinance under the Code of Ordinances of the City of Clermont, Lake County, Florida amending the official zoning map of the City of Clermont, referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances; Rezoning the real properties described herein as shown below, providing for severability, an effective date and publication.

LOCATION

Magnolia Center; 22.78 +/- acres located at the southeast corner of Highway 50 and Magnolia Pointe Boulevard

LEGAL DESCRIPTION

A parcel of land lying in Section 25, Township 22 South, Range 26, Lake County, Florida, more particularly described as follows:

Beginning 448.6 feet west of southeast corner of northwest ¼, run north 01°00'01" east 1260.31 feet to south right-of-way of SR 50, westerly along said right-of-way to west line of southeast ¼ of northwest ¼ south to southwest corner of southeast ¼ of northwest ¼, easterly along south line of northwest ¼ to point of beginning - less west 100 feet, ORB 2149 PG 0423

Containing 22.78 acres, more or less

From: Urban Estate
To: Planned Unit Development

This request will be considered by the

Planning & Zoning Commission on Tuesday, February 6, 2018 at 6:30 p.m.

A public meeting to consider the request will be held before the City Council on Tuesday, April 24, 2018 at 6:30 p.m. for final enactment.

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

This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose St., 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 may need to ensure that a verbatim record is made.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10072761
January 30, 2018 &
April 10, 2018

Payment Info	
Ad Price	\$234.84
Tax	\$0.00
Sub Total	\$234.84
Prepaid Amount	\$0.00
Balance Due	\$234.84