



**CITY OF CLERMONT
COUNCIL MEETING AGENDA
6:30 PM, Tuesday, April 10, 2018**

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

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PROCLAMATION

North American Occupational Safety and Health Week

Water Conservation Month

PRESENTATIONS

Oakhurst Community Policing Update

Annual Police Department Awards Ceremony

PUBLIC COMMENTS

REPORTS

CONSENT AGENDA

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

Item No. 1 - Meeting Minutes

Consider approval of the March 27, 2018 Regular Council Meeting Minutes.

Item No. 2 - Resolution No. 2018-09

Consider approval of Interlocal Agreement amendment with Lake County relating to a 5-cent local option fuel tax.

Item No. 3 - Bid Award

Consider award to Folsom Services, Inc. to provide electrical services for lift station E14 in the total budgeted amount of \$56,963.

Item No. 4 - Bid Award

Consider award to LJ Power, Inc. for generator maintenance and repair services in the budgeted annual amount of \$63,850.

UNFINISHED BUSINESS

Item No. 5 - Boat Ramp

Consider boat ramp alternate sites.

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NEW BUSINESS

Item No. 6 - Variance Request
New Beginnings Greenhouse

Consider request to eliminate the required sidewalk adjacent to rights-of-way and allow continuation of existing nonconforming landscape buffers for property at 415 Citrus Tower Blvd.

Item No. 7 - Ordinance No. 2018-08 *Introduction*
Magnolia Center Rezoning

Consider 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.

Item No. 8 - Ordinance No. 2018-12 *Introduction*
607 & 619 Lake Ave Comprehensive Plan
Amendment

Consider ordinance to change the future land use from Medium Density Residential to Downtown Mixed Use for property located at the southeast corner of Lake Ave. and Minneola Ave.

Item No. 9 - Ordinance No. 2018-13 *Introduction*
607 & 619 Lake Ave Rezoning

Consider ordinance to change the zoning from R-3 Residential/Professional to Central Business District for 0.52 acres located at the southeast corner of Lake Ave. and Minneola Ave.

Item No. 10 - Ordinance No. 2018-15 *Introduction*
Goodman Commerce Center Annexation

Consider ordinance to annex a vacant parcel of land located at the northeast corner of Hancock Road and Trade Avenue.

Item No. 11 - Ordinance No. 2018-16 *Introduction*
Goodman Comprehensive Plan Amendment

Consider ordinance to change future land use from Lake County Regional Commercial to City of Clermont Industrial for property located at the northeast corner of Hancock Road and Trade Avenue.

Item No. 12 - Ordinance No. 2018-17 *Introduction*
Goodman Commerce Center Rezoning

Consider ordinance to change the zoning from Lake County MP to City of Clermont M-1 Industrial zoning for vacant property located at the northeast corner of Hancock Road and Trade Avenue.

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Item No. 13 - Ordinance No. 2018-18 *Introduction*
Victory Pointe, LLC Comprehensive Plan
Amendment

Consider ordinance to change the future land use from Medium Density Residential to Downtown Mixed Use for a 0.20 +/- acre parcel located northwest of the intersection of Montrose Street and 10th Street.

Item No. 14 - Ordinance No. 2018-19 *Introduction*
Victory Pointe, LLC Rezoning

Consider ordinance to rezone 0.62 +/- acre from Central Business District and R-3 Residential Professional to Planned Unit Development (PUD) for condominiums located northwest of the intersection of 10th Street and Montrose.

ADJOURN

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

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

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



WHEREAS, the residents of Clermont, Lake County, Florida value safe and healthy workplaces for all of our citizens; and

WHEREAS, the majority of workplace injuries and fatalities are preventable, however more than 5,000 U.S. workers die each year from job related injuries, and millions more suffer occupational injuries and illnesses; and

WHEREAS, businesses spend \$170 billion a year on costs tied to occupational injuries, illnesses and healthcare, as well as facing intangible costs of losing a loved one, friend or coworker; and

WHEREAS, safer organizations enjoy increased productivity, higher employee satisfaction and a better reputation while recording less lost time and lower workers' compensation and healthcare costs; and

WHEREAS, during the week of May 6-12, 2018, members of the American Society of Safety Engineers, Canadian Society of Safety Engineering, the Occupational Safety and Health Administration, and corporate and association partners representing thousands of businesses will mobilize throughout North America in an effort to increase public awareness of the value of following safe practices and staying safe at work while helping companies and organizations enhance their workplace safety efforts; and

WHEREAS, on May 9, 2018, occupational safety and health professionals across North America will be recognized on Occupational Safety and Health Professionals Day for their commitment to protecting people and property in their communities.

NOW, THEREFORE, I, Gail L. Ash, Mayor of the City of Clermont do hereby proclaim the week of May 6, 2018 through May 12, 2018 as

NORTH AMERICAN OCCUPATIONAL SAFETY AND HEALTH WEEK

and Wednesday, May 9, 2018, to be

OCCUPATIONAL SAFETY AND HEALTH PROFESSIONALS DAY

encouraging all organizations, community leaders, employers and employees to support activities designed to increase awareness of the importance of safe workplaces for all.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Clermont to be affixed this tenth day of April, two thousand and eighteen.

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk



WHEREAS, water is a basic and essential need of every living creature; and

WHEREAS, the State of Florida, Water Management Districts and the City of Clermont are working together to increase awareness about the importance of water conservation; and

WHEREAS, the City of Clermont and the State of Florida has designated April; typically a dry month when water demands are most acute, Florida's Water Conservation Month, to educate citizens about how they can help save Florida's precious water resources; and

WHEREAS, the City of Clermont has always encouraged and supported water conservation through various educational programs and special events; and

WHEREAS, every business, industry, school and citizen can make a difference when it comes to conserving water; and

WHEREAS, every business, industry, school and citizen can help by saving water and thus promote a healthy economy and community; and

NOW, THEREFORE, be it resolved by virtue of the authority vested in me as Mayor of the City of Clermont, I do hereby proclaim the month of April as

Water Conservation Month

The City of Clermont, Florida is calling upon each citizen and business to help protect our precious resource by practicing water saving measures and becoming more aware of the need to save water.

IN WITNESS WHEREOF, I, Gail L. Ash, Mayor of the City of Clermont, have hereunto set my hand and caused the Seal of the City of Clermont to be affixed this 10th day of April, two thousand eighteen.

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
March 27, 2018

The City Council met in a regular meeting on Tuesday, March 27, 2018 in the Clermont City Council Chambers. Mayor Ash called the meeting to order at 6:30pm with the following Council Members present: Council Members Brishke, Travis, Bates, and Goodgame. Other City officials present were City Manager Gray, City Attorney Mantzaris, and City Clerk Howe.

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Kendal Anderson gave the invocation followed by the Pledge of Allegiance.

PRESENTATIONS

Doris Bloodsworth introduced the Citizen's Academy graduates. This graduating class is the third class to complete the Citizens Academy. Joe Gustafson spoke on behalf of the class thanking the Council and acknowledging staff was passionate and proud of the City. Ms. Bloodsworth called each graduate by name to take a group photograph.

Fire Chief Bishop presented the Lifesaving awards to Brian Walker and Chris Desmond who were recognized for saving a fellow citizen's life from a mobile home fire. President Steve Smith, President of the Local Fire Union, spoke on behalf of the union commending their heroic efforts and presented them with the Badge of Bravery. Mr. Walker and Mr. Desmond are the first non-union members to receive this award.

Mayor Ash congratulated both Brian Walker and Chris Desmond.

PUBLIC COMMENTS

Stephen Franklin, 378 12th Street, met with groups regarding waterfront activities. Large scale waterfront events could become an economic boost for the City.

Charlene Forth, 939 W. Desoto Street, spoke against limiting time to speak and requested Council to place the matter on a future agenda.

REPORTS

City Manager Gray reported the April Workshop has been scheduled for April 11 at 6:30pm in the Council Chambers. If the need arises, the Workshop can be moved to the City Center to accommodate a larger audience.

City Attorney Mantzaris – No report.

Council Member Bates reported Lake County is holding nominations for community service awards and the applications are due April 2. Legends Golf Course is moving forward to close the course by the end of this month. There are two groups who have toured the facility and are possibly interested in buying the course. One of the groups interested in the property is made up of residents who are forming an LLC to purchase it themselves.

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Council Member Goodgame reported concerns over Mayor Ash's comments at the workshop regarding police cameras and again at the last Council meeting. Any speaker should be given the opportunity to conclude their thoughts. Council Member Goodgame requested the Council ask staff to review the rules previously approved by Council. There will be a public meeting at the Performing Arts Center on Monday, April 9 from 1:00pm to 3:00pm with County Commissioners and County staff regarding Lake EMS changes. County Commissioners and staff will also be at the Council Workshop on April 11 at 6:30pm.

Council Member Brishke expressed concerns about two separate meetings regarding Lake EMS and the short notice given to Council. She reported on March 16, 2018, she attended the Chamber Breakfast. Later that same evening, she attended the Tiffany concert at the Performing Arts Center.

Council Member Travis reported on March 17, she attended the presentation at Waterfront Park where USA Triathlon awarded Fred Sommer a lifetime achievement award.

Mayor Ash reported on March 14, she attended the Mayor and Manager meeting with City Manager Gray in Montverde to discuss major issues in the cities. On March 15, she attended the Homeless Task Force meeting. The number of homeless is growing in our county while affordable housing is shrinking. Clermont along with the County's Health and Human Services Manager, Allison Thall, will be hosting a special homeless forum at the Performing Arts and Recreation Center on April 26 at 8:00am. On March 16, she attended the final Citizens Academy class at the Arts and Recreation Center where graduation certificates were distributed to more than thirty members of the class. Twenty-five people have already registered for the next class. On March 17, Coffee with the Mayor was held at Lilly's on the Lake. Also on March 17, she attended the reception for Sommer Sports wherein Fred Sommer received an award from USA Triathlon. On March 18, she was at waterfront to start the Triathlon. On March 24, she attended the annual fundraiser for the Mike Conley Hospice House at the Performing Arts Center. On March 26, she attended the Board Meeting in Winter Garden for Lake Apopka Gas.

CONSENT AGENDA

Mayor Ash advised the next item on the Agenda for consideration was the Consent Agenda and requested anyone wishing to have any item pulled for discussion to please come forward at this time.

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| Item No. 1 – Meeting Minutes | Consider approval of the March 13, 2018 Regular Council Meeting Minutes. |
| Item No. 2 – Plat Approval | Consider plat approval for Highland Ranch Canyons Phase 5. |
| Item No. 3 – Board Appointments | Re-appoint Council Member Brishke to the Lake County Arts and Cultural Alliance for a two (2) year term beginning August 1, 2018. |
| Item No. 4 – Surplus Request | Consider declaring end of life inventory as surplus from various departments and dispose of in accordance with the Purchasing Policy. |

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| Item No. 5 – Bid Award | Consider award to The Lane Construction Corporation to provide street resurfacing services to Minnehaha Avenue in the budgeted amount of \$119,420 (including contingencies). |
| Item No. 6 – Bid Award | Consider award to Bentley Architects + Engineers, Inc. to provide professional architectural services for the new Public Works Facility in the budgeted amount of \$774,004.97. |
| Item No. 7 – Contract Amendment | Consider first contract amendment between the City of Clermont and Fifth Third Bank to provide commercial card services. |
| Item No. 8 – Special Event Sign Request | Consider Caribbean American Association of Lake County request to erect temporary signage for the annual “Clermont Jerk Festival” on May 19, 2018 at Waterfront Park. |

Council Member Bates moved to approve the Consent Agenda items 1 - 8; seconded by Council Member Goodgame. The motion passed with all members present voting aye.

UNFINISHED BUSINESS

Item No. 9 – Ordinance No. 2018-10, *Final, Citrus Tower Commerce Center*

City Clerk Howe read Ordinance No. 2018-10 aloud by title only.

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.

Interim Development Services Director Henschel presented the applicant’s request to rezone the subject parcel at 423 Citrus Tower Boulevard to a Planned Unit Development. The applicant also requested the following four waivers to the City Code: to allow two monument signs along Citrus Tower Boulevard, allow a 15-foot landscape buffer along Citrus Tower Boulevard, allow more than ten parking spaces in a row without a landscape island, and to allow for an internal lot line without the requirement for landscape buffers or setbacks. Staff recommended approval of Ordinance 2018-10 to rezone from C-2 General Commercial to Planned Unit Development.

Rick McCoy, McCoy and Associates, was present on behalf of the applicant. Mr. McCoy stated the property was difficult to work with due to the layout and believes the design is a good use of the property to make this site work.

Bob Thompson, applicant, stated he has two similar facilities which do not operate past 5:00 pm with deliveries being made during business hours. Mr. Thompson stated there will not be an auto repair store at this location.

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Mayor Ash opened the public hearing. There were no comments. Mayor Ash closed the public hearing.

Council Member Goodgame stated he would like to place a 9:00pm to 7:00am curfew for trucks on the property. Mr. Bob Thompson, the applicant, agreed to have the curfew.

Council Member Travis expressed concerns with the lack of a sidewalk and the narrowness of the road. City Manager Gray clarified the County plans to widen Citrus Tower Boulevard and the applicant will be required to put in a sidewalk along the road. The County also has a traffic light plan for the intersection at Mohawk Road and Citrus Tower Boulevard.

Council Member Travis expressed concern for traffic along the road.

City Attorney Mantzaris recommended amending the language to state:

“There shall be no truck traffic, loading or deliveries of any kind on the property between the hours of 9:00 pm and 7:00 am.”

Council Member Bates moved for approval with staff recommendation for the signs with the addition to the regulation on the hours the trucks are allowed to operate; seconded by Council Member Goodgame. The motion passed 5 to 0 with a roll call vote.

Item No. 10 – Ordinance No. 2018-11, *Final, Anderson Hill*

City Clerk Howe read Ordinance No. 2018-11 aloud by title only.

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.

Senior Planner Kruse presented the applicant’s request to amend the Planned Unit Development Ordinance 2017-35. The owner is seeking an amendment to the existing Planned Unit Development to remove language pertaining to the existing billboard on site and staff asked for clarification on speaker use.

Attorney David Theriaque, Attorney representing the applicant, distributed packets of information to the Council.

Mr. Quintus Roberts, owner of the property, stated there are two requests before the Council. The first request is regarding the billboard and the second request is to clarify the use of outdoor speakers. However, Mr. Roberts requested to withdraw the second request and have no change to the wording regarding no outside speakers for music or entertainment. As it relates to the billboard, the approved Planned Unit Development required removal of the billboard. The billboard has been there since 1993 and was granted by the previous owners of the property through the use of a perpetual easement, not a lease. In good faith, the applicant made attempts to remove the billboard by purchasing the billboard from Lamar Advertising. The applicant received an email wherein Lamar Advertising stated they would not sell the easement or the sign. The applicant is in a situation where they cannot force Lamar Advertising to sell the billboard and the applicant does not earn money from the billboard. Last year, along with the parcel, the billboard was annexed into the city. If the Council brings the billboard into the City as a non-conforming use, the billboard

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cannot get any bigger and, if it has damage of more than 50%, the billboard cannot be rebuilt. The applicant is in a condition where they cannot comply and as such asks the Council for help.

Mayor Ash opened the public hearing.

Council Member Goodgame, Council Member Brishke, Council Member Bates and Council Member Travis publicly disclosed they met with the applicant and discussed changes regarding the speaker and the billboard.

Stephanie Modica, 13229 Olesen Court, opposed outside speakers for any purpose.

Rose Farrell, 13215 Maria Avenue, opposed outside speakers for any purpose. Mrs. Farrell also expressed concerns with noise which will be coming from the cars going through the drive-through.

Bob Beaver, 12647 Valencia Drive, suggested limiting the decibel level of the speakers.

Rick Ault, 10723 Lake Ralph Drive, expressed concern for the resident's needs to be considered first.

Tim Srodes, 12239 Warren Road, suggested Council require speakers to be pointed towards Highway 27.

Carol Colvin, 12815 Katherine Circle, supported the billboard and opposed outside speakers for any purpose.

Tom English, 12307 Warren Road, asked Council to preserve the quietness of the neighborhood.

Jennifer Cotch, 12522 Valencia Drive, commented there were no other commercial properties in the City that is as close to residential property as this will be.

Mayor Ash closed the public hearing.

Attorney Theriaque responded to the public comments by clarifying the site plan had a commercial building labelled "E" on it which showed where the drive-through would be located. The minutes of the September meeting reflects a request from former Council Member Mullins for no speakers for entertainment or musical purposes. Exhibit 2 on page 3 of the information packet handed to the Council is the actual ordinance signed by the Mayor and the ordinance states no outside speakers are to be used for music or entertainment.

City Attorney Mantzaris clarified the applicant's only request at this time is to delete number 8 in the adopted ordinance regarding the billboard.

Council Member Travis suggested the applicant look into Florida law as it does not look kindly on contracts in perpetuity. This is an easement which is different but it could be a viable option. City Attorney Mantzaris responded there is a distinction between a lease and an easement that is a covenant which runs with the property. The covenant can exist in perpetuity.

Attorney Theriaque provided Florida Statute 704.06 to the Council which authorizes perpetual easements.

Council Member Bates stated he believed the applicant has done all they can with regard to the billboard and requested clarification of the previous ordinance regarding the speakers. City Attorney Mantzaris replied the proposed ordinance did not originally address speakers. The issue came up based on a Council Member's question. Staff was clearly working off of the direction from the Council Member. The only

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discussion was the Council did not want speakers to be used for music or entertainment. However, that language does not give the applicant the right to violate the City's noise ordinance.

Council Member Goodgame moved for approval of Ordinance 2018-11 with regard to the deletion of section 3.8; seconded by Council Member Travis. This motion passed 5 to 0 with a roll call vote.

NEW BUSINESS

Item No. 11 – Variance Request, *Lucky's Market*

Interim Development Services Director Henschel presented the variance request for additional wall signs for Lucky's Market. Applicant is asking for an additional 73 square feet for each of the additional four signs. Staff recommended approval of the variance request.

Mr. Gregory Davis, applicant, worked closely with Interim Development Services Director Henschel and City staff for this variance request. Mr. Davis is requesting the additional signage to be consistent with the other stores opened throughout Florida.

Mayor Ash opened the public hearing.

Jim Purvis, 4206 Hammersmith Drive, asked to carefully consider the request and expressed concern with signs stating beer or wine.

Mayor Ash closed the public hearing.

Council Member Travis expressed concern on the signs being labeled as neon on the designs. Applicant replied the signs have backlighting, but are not neon signs themselves. Interim Development Services Director Henschel clarified the additional signs will be the same style as the sign already in place and city code does not allow for neon signs.

Council Member Goodgame expressed concern whether there is a necessity for additional signs.

Council Member Brishke inquired if any other grocery stores in the City has additional signs. Interim Development Services Director Henschel stated there were several grocery stores within the city limits with additional signs like the ones being requested in this variance request.

Council Member Bates moved for approval of the variance request; seconded by Council Member Brishke. The motion passed with all members voting aye.

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ADJOURN: With no further comments, this meeting adjourned at 8:25 pm.

APPROVED:

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk



CITY OF CLERMONT

AGENDA ITEM

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Meeting Date		
Tuesday, April 10, 2018		
Agenda Item Name		
Resolution No. 2018-09		
Requested Action		
Consider approval of Resolution 2018-09.		
Staff Report		
Presented for consideration and approval is the restated Interlocal Agreement between Lake County and Lake County Municipalities. The agreement provides that the local option fuel tax proceeds will be distributed based on a formula using population and the actual street miles maintained by each municipality. The agreement is consistent with prior agreements and provides that it will only be effective if it is approved by the County and Municipalities representing a majority of the incorporated population of Lake County.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Resolution 2018-09 with agreement 2018-09 Interlocal 5-Cent Gas Tax Agreement w. attachment.docx		



CITY OF CLERMONT
RESOLUTION NO. 2018-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, APPROVING THE AMENDED AND RESTATED INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY AND THE LAKE COUNTY MUNICIPALITIES REGARDING THE FORMULA FOR DISTRIBUTION OF THE LOCAL OPTION FUEL TAX AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clermont, Lake County, Florida, that:

SECTION 1.

The City Council does hereby approve the acceptance of the Interlocal Agreement regarding the formula for distribution of the local option fuel tax between Lake County and the Municipalities, subject to the conditions contained in the agreement as incorporated and attached hereto.

SECTION 2.

This Resolution shall take effect immediately upon its adoption.



CITY OF CLERMONT
RESOLUTION NO. 2018-09

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida this 10th day of April, 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

AMENDED AND RESTATED INTERLOCAL AGREEMENT
BETWEEN
LAKE COUNTY
AND
MUNICIPALITIES
RELATING TO
LOCAL OPTION FUEL TAX

THIS AMENDED AND RESTATED AGREEMENT (“Agreement”) entered into by and between the Board of County Commissioners of Lake County, Florida, hereinafter referred to as “County”, and the Municipalities who have signed this Agreement, hereinafter referred to as “Municipalities”.

WHEREAS, Section 336.025 (1)(a), Florida Statutes, allows the governing body of a county to impose, in addition to other taxes allowed by law, a one-cent, two-cent, three-cent, four-cent, five-cent, or six-cent local option fuel tax, upon every gallon of motor fuel and diesel fuel sold in that county and taxed under Chapter 206, Florida Statutes; and

WHEREAS, County imposed the first two cents (the first and second cents) in 1984 beginning September 1, 1984 for an initial period of ten years, and subsequently extended it further until December 31, 2043; and

WHEREAS, County imposed the second two cents (the third and fourth cents) beginning September 1, 1985 for an initial period of thirty years, and subsequently extended it further until December 31, 2043; and

WHEREAS, County imposed the third two cents (the fifth and sixth cents) in 1986 beginning September 1, 1986 for an initial period of thirty years, and subsequently extended it further until December 31, 2043; and

WHEREAS, on or about May 29, 2014, the County and Municipalities entered into an Interlocal Agreement Relating to Local Option Fuel Tax (“Initial Agreement”) setting forth a formula for distribution of the one-cent, two-cent, three-cent, four-cent, five-cent, or six-cent local option fuel tax, collectively known as the “6-Cent Gas Tax;” and

WHEREAS, Section 336.025(1)(b), Florida Statutes allows the governing body of a county to impose, in addition to other taxes allowed by law, a 1-cent, 2-cent, 3-cent, 4-cent, or 5-cent local option fuel tax upon every gallon of motor fuel sold in a county and taxed under the provisions of part I, Chapter 206, Florida Statutes, known as the “5-Cent Gas Tax;” and

WHEREAS, County is considering levying, subject to approval by a referendum, a 5-cent local option fuel tax upon every gallon of motor fuel sold in Lake County allowed by Section 336.025(1)(b), Florida Statutes; and

WHEREAS, Section 336.025(1)(b)(2), Florida Statutes, authorizes the County to enter into interlocal agreements with one or more municipalities located herein, representing a majority of the population of the incorporated area within the county, setting forth a distribution formula for dividing the entire proceeds of the local option fuel tax among county government and all eligible municipalities within the county; and

WHEREAS, Municipalities are desirous of entering into an amended and restated agreement with each other and with the County to amend the Initial Agreement in order to restate the formula for the distribution of the imposed 6-Cent Gas Tax and to set forth a formula for the distribution of the 5-Cent Gas Tax, should any or all of the 1-cent, 2-cent, 3-cent, 4-cent, or 5-cent local option fuel tax be approved by referendum.

NOW, THEREFORE, IN CONSIDERATION of the mutual terms, understandings, conditions, premises, and covenants hereinafter set forth, and intending to be legally bound, County and Municipalities hereby agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and incorporated herein.
2. **Authority.** This Interlocal Agreement is entered into by County and Municipalities pursuant to the authority provided by Section 336.025, Florida Statutes, and Section 163.01, Florida Statutes.
3. **Scope of Agreement.** This Agreement shall apply to all or any of the 6-Cent Gas Tax authorized in Section 336.025(1)(a), Florida Statutes. This Agreement shall also apply to the levy of the 5Cent Gas Tax authorized in Section 336.025(1)(b), Florida Statutes, should such 5-Cent Gas Tax be imposed by County and approved by referendum. This Agreement shall not apply to the one-cent tax on every net gallon of motor and diesel fuel sold in Lake County which is known as the Ninth-Cent Fuel Tax and which is authorized by Section 336.021(1)(a), Florida Statutes.
4. **Effective Date; Existing Agreements.**
 - a. This agreement shall become effective upon the date that it is approved by the County and Municipalities representing a majority of the incorporated population of Lake County.
 - b. The Initial Agreement Relating to Local Option Fuel Tax dated May 29, 2014 and any other previous agreement between the parties relating to local option fuel tax or gas tax

shall be replaced by this Agreement upon its Effective Date and the formula shall continue to be implemented by the Department of Revenue.

5. **6-Cent Gas Tax Distribution Formula.** County and Municipality agree that the proceeds of the 6-Cent Gas Tax levied upon every gallon of motor fuel and diesel fuel sold in Lake County, shall be distributed between County and Municipalities within Lake County based on the formula as follows:

- a. County Share. Beginning September 1, 2014 and thereafter, 66.38% of the 6-Cent Gas Tax shall be distributed to County.
- b. Municipal Share. Beginning September 1, 2014, and thereafter, the municipal share of the 6-Cent Gas Tax shall be distributed to Municipalities in Lake County as follows: one-half (1/2) of the proceeds shall be based on the population distribution among each municipality and one-half (1/2) of the proceeds shall be based upon road miles of public roads maintained by each municipality. Population shall be determined utilizing the population estimates provided to the Governor by the Office of Economic and Demographic Research as provided in Section 186.901, Florida Statutes. Maintained road miles shall be determined from information reported by municipalities to the Florida Department of Transportation as provided in Section 218.322, Florida Statutes. The percentages set forth in this paragraph shall be recalculated each year beginning January 1, 2016, and the newly calculated percentages shall become effective on January 1st of each following year.
- c. The County Manager, or designee, is hereby directed to determine the percentage allocations as provided in this section and to provide copies to all Municipalities within Lake County, and to the Department of Revenue prior to October 1 of each year that the 6Cent Gas Tax is in effect.
- d. County and municipal governments shall utilize moneys received from the 6-Cent Gas Tax only for transportation expenditures defined as expenditures by the local government from local or state shared revenue sources, excluding expenditures of bond proceeds, for the following programs:
 - i. Public transportation operations and maintenance.
 - ii. Roadway and right-of-way maintenance and equipment and structures used primarily for the storage and maintenance of such equipment.
 - iii. Roadway and right-of-way drainage.
 - iv. Street lighting installation, operation, maintenance, and repair.

- v. Traffic signs, traffic engineering, signalization, and pavement markings, installation, operation, maintenance, and repair.
 - vi. Bridge maintenance and operation.
 - vii. Debt service and current expenditures for transportation capital projects in the foregoing program areas, including construction or reconstruction of roads and sidewalks.
- e. Any dispute as to the determination of distribution proportions shall be resolved as provided in Section 336.025(5)(b), Florida Statutes.

6. **5-Cent Gas Tax Distribution Formula.** If the levy of any or all of the 5-Cent Gas Tax is imposed by County and approved by referendum, County and Municipality agree that the proceeds of the 5-Cent Gas Tax shall be distributed as follows:

- a. County Share. Beginning on the statutory effective date, 66.38% of the 5-Cent Gas Tax shall be distributed to County.
- b. Municipal Share. Beginning on the statutory effective date, the municipal share of the 5Cent Gas Tax shall be distributed to Municipalities in Lake County as follows: one-half (1/2) of the proceeds shall be based on the population distribution among each municipality and one-half (1/2) of the proceeds shall be based upon road miles of public roads maintained by each municipality. Population shall be determined utilizing the population estimates provided to the Governor by the Office of Economic and Demographic Research as provided in Section 186.901, Florida Statutes. Maintained road miles shall be determined from information reported by municipalities to the Florida Department of Transportation as provided in Section 218.322, Florida Statutes. The percentages set forth in this paragraph shall be recalculated each year beginning January 1st and the newly calculated percentages shall become effective on January 1st of each following year.
- c. The County Manager, or designee, is hereby directed to determine the percentage allocations as provided for herein and to provide copies to all Municipalities within Lake County, and to the Department of Revenue prior to October 1 of each year that the 5-Cent Gas Tax is in effect.
- d. County and municipal governments shall utilize moneys received from the 5-Cent Gas Tax for transportation expenditures needed to meet the requirements of the capital improvements element of an adopted comprehensive plan or for expenditures needed to meet immediate local transportation problems and for other transportation-related expenditures that are critical for building comprehensive roadway networks. Pursuant to

Section 336.025(1)(b)(3), Florida Statutes, expenditures for the construction of new roads, the reconstruction or resurfacing of existing paved roads, or the paving of existing graded roads shall be deemed to increase capacity and such projects shall be included in the capital improvements element of an adopted comprehensive plan; provided, however, expenditures for the routine maintenance of roads shall not be an allowable expense.

- e. Any dispute as to the determination of distribution proportions shall be resolved as provided in Section 336.025(5)(b), Florida Statutes.

7. **Term of Agreement; Modification; Severability.**

- a. Once effective, this agreement shall remain in effect until modified or terminated by the parties, or until the termination of the local option fuel taxes.
- b. This Agreement may be modified or terminated only by agreement in writing and approved by County and Municipalities representing a majority of the unincorporated population within Lake County, Florida.
- c. The parties shall review and hold public hearings on the terms of this Agreement every ten
(10) years.
- d. If any provision of this Agreement is found by a court of competent jurisdiction to be invalid, it shall be considered deleted here from, and shall not invalidate the remaining provisions.

IN WITNESS WHEREOF, the parties hereto have caused their duly authorized representatives to execute and deliver this Amended and Restated Interlocal Agreement Regarding Local Option Fuel Tax as of the dates set forth below:

ATTEST:

LAKE COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

Neil Kelly, Clerk of the Board of County Commissioners

Timothy I. Sullivan, Chairman

of Lake County, Florida

This ____ day of _____, 2018.

Approved as to form and legality:

Melanie Marsh
County Attorney

**Amendment to Interlocal Agreement Between Lake County and Municipalities Relating to Local
Option Fuel Tax_ 2018 (5cent)**

MUNICIPALITY

Printed Name: _____

This _____ day of _____, 20____.

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Attorney



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 10, 2018		
Agenda Item Name		
Bid Award		
Requested Action		
Recommend to approve contract between the City of Clermont and Folsom Services, Inc. to provide electrical services for lift station E14 in the total budgeted amount of \$56,963.		
Staff Report		
The Purchasing Department and the Environmental Services Department recommend approval of the above action. The Environmental Services Department contacted the Purchasing Department to determine the most effective manner to contract a company to provide electrical services to lift station E14. The Purchasing Department issued a Request for Bid (RFB) number 18-019 to acquire these services. The RFB was fully competed, advertised, and complies with the City of Clermont Purchasing Policy. There were two (2) responses to the RFB. The work involves: Replace existing NF disconnect with new NF 600a 316 SS disconnect. Replace existing 600a meter socket new CT enclosure and CT meter socket. Replace existing 600a main breaker with new 600a main breaker in 4X 316 SS enclosure. The complete scope of work is provided in Attachment A - Statement of Work. Award is being recommended to the low responsive and responsible bidder Folsom Services, Inc. at the total amount of \$56,963.00 who complied with all terms, conditions, and specifications stated in the RFB.		
Additional Analysis		
Fiscal Impact Summary		
The contract amount of \$56,963 is included in the current year budget.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. RFB 18-019 Response Tabulation	RFB 18-019 Response Tabulation.pdf	
2. RFB 18-019 Award Recommendation	RFB 18-019 Award Recommendation.pdf	
3. Attachment A - Statement of Work	Attachment A - Statement of Work.pdf	



RESPONSE TABULATION

RFB 18-019, ELECTRICAL SERVICES FOR LIFT STATION 14

DUE DATE/TIME: MARCH 22, 2018 AT 2:00 P.M. (EST)

COMPANY NAME, CITY, STATE	ADDENDA 1	ADDENDA 2	TOTAL LUMP SUM PRICE
Folsom Services, Inc. – St. Cloud, FL	Y	Y	\$56,963.00
Carter Electric Inc. – Apopka, FL	Y	Y	\$82,625.00



FREDDY SUAREZ
Purchasing Director
Purchasing Department

352-241-7350
fsuarez@clermontfl.org

AWARD RECOMMENDATION
MARCH 28, 2018
RFB 18-019 – ELECTRICAL SERVICES FOR LIFT STATION E14

Based on the results of the bid submittals, the Purchasing Department is recommending award to the low responsive and responsible bidder, Folsom Services, Inc., in the total price of \$56,963.

SECTION – B STATEMENT OF WORK

Successful contractor shall provide all labor, materials, equipment and tools necessary to perform electrical services at lift station 14. All respondents shall hold a valid electrical license, general license and any other contractor's license, issued by the State of Florida, which may be required to complete the work. **A copy of all licenses pertaining to this work must be submitted with the bid.** Successful respondent shall have been in the commercial/industrial electrical business for a minimum of five (5) years and provide evidence of such with their bid.

Respondents shall provide experienced technicians to perform all labor and provide all materials, tools, equipment, permits and licensing necessary to perform the work. Successful respondent is solely responsible for the safety of their employees and sub-contractors relative to the work, work procedures, material, equipment, transportation, signage and related activities and equipment.

1 – SCOPE OF WORK

- Replace existing NF disconnect with new NF 600a 316 SS disconnect
- Replace existing 600a meter socket new CT enclosure and CT meter socket
- Replace existing TVSS with new TVSS
- Replace existing 600a main breaker with new 600a main breaker in 4X 316 SS enclosure
- Replace existing ATS with new 600a ATS (ASCO 4x 316 stainless steel ATS) or (Ring Power 4x 316 SS ATS)
- Use existing generator to temporary by-pass electrical service or bypass pumping at 200% pumping rate while work is being done to keep lift station running. Fuel for generator will be provided by the City.
- Pull in new wire from the transformer to the new non-fused disconnect.
- Pull new wire from the non-fused disconnect to main breaker.
- Pull new wire from the main breaker to the new transfer switch and from the transfer switch to the control cabinet.
- Install 316 SS strut as needed to mount ATS and switch gear (all mounting hardware to 316 stainless steel).
- Ground new equipment to existing grounding system.
- Restore gravel to existing condition
- Provide testing and training to City employees.
- Include signed sealed drawings if needed for the permitting process.
- Pull all necessary electrical permits and arrange for inspections as required.
- Post all applicable permits at job site.
- Warranty shall be one (1) year parts and labor.

END OF SECTION – B



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 10, 2018		
Agenda Item Name		
Bid Award		
Requested Action		
Recommend to approve contract between the City of Clermont and LJ Power, Inc. to provide generator maintenance and repair services in the budgeted annual amount of \$63,850.		
Staff Report		
The Purchasing Department, Environmental Services Department and the Public Works Department recommend approval of the above action. It is recommended that the Council approve and execute a fixed unit price term contract with LJ Power, Inc. to provide generator maintenance services in the amount of \$63,850 for generators in the Environmental Services, Public Works, Police and Fire departments. The initial term contract is for a year (3) year period with up to three (3) additional one (1) year renewal periods at the option of the City. The Purchasing Department issued a RFB number 18-018 on February 8, 2018 to establish an annual term contract to provide generator maintenance and repair services. The intent of the RFB was to secure the services of a factory authorized service center that is actively engaged in field repair and service of generators. The contract services include a preventative full maintenance inspection and fuel & oil analysis conducted every twelve (12) months and load bank analysis conducted every thirty-six (36) months. The RFB was fully competed, advertised, and complies with the City of Clermont Purchasing Policy. There were seven (7) responses to the solicitation. Award is being recommended to LJ Power, Inc. whose company headquarters is in Texas but have service offices throughout Florida including Melbourne, Florida.		
Additional Analysis		
Fiscal Impact Summary		
The contract annual amount of \$63,850 is included in the current year approved budget.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		

1.	RFB 18-018 Response Tabulation	RFB 18-018 Response Tabulation.pdf
2.	Scope of Work	Scope of Work.pdf
3.	RFB 18-018 Award Recommendation	RFB 18-018 Award Recommendation.pdf



RESPONSE TABULATION

RFB 18-018, GENERATOR MAINTENANCE AND REPAIR
DUE DATE/TIME: MARCH 8, 2018 AT 2:00 P.M. (EST)

COMPANY NAME	ADDENDA 1 AND 2	TABLE A PRICE	TABLE B PRICE	TABLE C PRICE	TOTAL COMBINED PRICE TABLE A+B+C
LJ Power, Inc. – Austin, TX	Y	\$21,300	\$34,150	\$8,400	\$63,850
CJ's Sales and Service of Ocala, Inc. d/b/a CJ's Power Systems – Ocala, FL	N	\$23,706	\$42,410	\$8,400	\$74,516
Ring Power Corporation – Ocala, FL	Y	\$32,846	\$41,754	\$23,331	\$97,931
Cummins, Inc. d/b/a Cummins Power South – Orlando, FL	Y	\$35,836	\$50,971	\$24,444	\$111,251
Accurate Power and Technology, Inc. – Eustis, FL	Y	\$36,725	\$50,360	\$44,100	\$131,185
Flanders Electric Motor Services, Inc. – Lakeland, FL	Y	\$35,750	\$55,440	\$50,400	\$141,590
TAW Power Systems, Inc. – Riverview, FL	N	\$50,155	\$70,370	\$25,200	\$145,725

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

SECTION – B

STATEMENT OF WORK

The City of Clermont owns and operates generators of various sizes and kilowatt ratings in order to provide backup electrical power for critical equipment at various locations. The intent of these specifications is to secure the services of a factory authorized service center that is actively engaged in field repair and service of generators. All work and equipment shall be furnished as outlined within the specifications provided herein.

The Full Maintenance Service to be performed every twelve (12) months. Successful Contractor shall coordinate all service activities with the City of Clermont Environmental Services Department and mutually agreeable service schedule shall be developed prior to performing the work. Contractor shall supply a field service report that includes a general inspection and maintenance checklist on condition and recommendations for correction.

1 –MAINTENANCE SERVICES

Each generator included in this RFB shall receive maintenance once every twelve (12) months. Load bank analysis shall be conducted once every thirty six (36) months. The maintenance services shall include as a minimum, but not be limited to, the following:

- PMI.
- Replace engine lubricating oil.
- Replace oil, fuel, and coolant filters and add corrosion inhibitor as needed.
- Natural Gas/LPG Fueled Engines – Inspect spark plugs, spark plug wires, and rotor and cap and replace as needed.
- Replace air filter and crankcase breathers as needed.
- Adjust belts as needed (Make note on report if replacement is needed).
- Inspect generator set for loose, bare, and broken wiring or connections.
- Check fuel system, including fuel lines, connections, and hoses; drain any water from separator, and check fuel pressure.
- Check Air and Exhaust system including air inlet system, exhaust manifold, valves and valve rotators, and exhaust duct.
- Check starting system including batteries, connections, battery charger, and starting motor.
- Check DC voltage and current for input and output.
- Verify condition of all fuses and inspect electronic connections.
- Check all capacitors to make sure they are within the manufacturer's specifications.

SECTION – B
STATEMENT OF WORK

- Conduct a load test analysis and check operation of transfer switch.
- A fuel test must be performed at each inspection. The following must be considered a minimum of test criteria:
 - o Appearance, haze;
 - o Water content (including emulsified, dissolved, and free water content)
 - o Microbes (bacteria, algae, fungus)
 - o Sediment
 - o Other contamination
 - o Diesel Cetane level
 - o Fuel corrosion
 - o ASTM D975 (Standard specification for diesel fuel oils)
 - o ASTM D396 (Standard specification for off-road diesel and fuel oils)
 - o A copy of the completed quality test must be provided to the Environmental Services Department with the invoice. Invoices will not be processed without the report.
- Submit a written report advising of any further work needed at the time of service per generator.

All leaks shall be noted on the report. The technician shall ensure no fluid leaks are present before departure of job site, and wipe clean and properly dispose of any fluids that may have been spilled during the service.

2 – PREVENTATIVE MAINTENANCE SERVICE SITES

Contractor shall remove all debris and properly dispose of all used materials upon completion of the maintenance service and load bank Testing performed at each site.

Service site location and related generator information is listed below.

Generator	Kw.	Address	Model	Make	Serial No.	Volts
LS# 3	35	1801 Rosewood Dr.	DGDB-5872326	CUMM	G070082069	240
LS# 4	40	1399 West Ave.	DGBC-5872322	CUMM	G070082071	240
LS# 5	40	1140 Linton Ct.	DGHD-7082204	CUMM	D080173134	240
LS# 6	200	1004 -L- Carrol St.	200DFAA	CUMM	C950571177	480
LS# 7	40	819 W. Desoto St.	DGHD-7082204	CUMM	D080173132	240

SECTION – B
STATEMENT OF WORK

Generator	Kw.	Address	Model	Make	Serial No.	Volts
LS# 9	50	614-L W. Lakeshore Dr.	50DGCA	CUMM	J960620550	240
LS# 10	30	Seminole & Ryan St.	DSKCA-595071	CUMM	E090004929	240
LS# 11	30	1834 Settle St.	DSKCA-595071	CUMM	E090004927	240
LS# 13	125	301-L Crystal Lake Dr.	125DSHAE-5864200	CUMM	F070067822	240
LS# 14	30	512 Carrol St.	DSKCA-595071	CUMM	E090004928	240
LS# 15	100	295-L Lake Minneola Dr.	100DGDB	CUMM	J960619601	240
LS# 16	40	180 W. Desoto St.	DGHD-7082204	CUMM	D080173135	240
LS# 17	50	142-L Sunnyside Dr.	DGBC-5872322	CUMM	G070082070	240
LS# 18	50	575-L E. Lakeshore Dr.	50.0DCA	CUMM	J960619886	240
LS# 23	80	590-L North St.	DSFAE5864199	CUMM	F070067821	240
E-1	100	1151 North Ridge Blvd.	100.0DGFA	CUMM	J960619600	480
E-2	150	1401 North Ridge Blvd.	150.0DGFA	CUMM	J960619807	480
E-3	150	334 Citrus Tower Blvd.	150.0DGFA	CUMM	J9060619808	480
E-4	200	13410 Lake Wilma Rd.	200.0DFAA	CUMM	J960619833	480
E-5	200	13641 Gilbert St.	200 DFAA-84153	CUMM	J960619834	480
E-6	450	13030 Hancock Rd.	450DFEC	CUMM	J96062087	480
E-7	150	2101 Kings Ridge Blvd.	150.0GDFA	CUMM	J96061980	480
E-8	250	2302 Hartwood Marsh Rd.	250DFAC	CUMM	B980695119	480
E-8A	25	4242 Bokeelia Loop	DKAF5602455	CUMM	D030491269	240
E-9	250	13641 EMIL Jahna Rd.	DFAC-4487919	CUMM	J000159535	480
E-10	100	16834 Highway-50	100.0DGDB	CUMM	D980727045	480
E-11	60	13236 Whisper Bay Dr.	98A01891-5	OLY	2041110	480

SECTION – B
STATEMENT OF WORK

Generator	Kw.	Address	Model	Make	Serial No.	Volts
E-12	40	12930 Magnolia Pointe Blvd.	98A01890-S	OLY	2041109	480
E-13	25	17450 Cobblestone Court.	98A01898-5	OLY	2041115	240
E-14	275	3115 US Highway 27	DFBF3374598	CUMM	F990932950	480
E-15	275	14520 John Lake Rd.	DFBF3374598	CUMM	F990932951	480
E-16	150	1299 Summit Greens Blvd.	DGFA4476235	CUMM	B000068644	480
E-17	230	1010 Jacks Lake Rd.	3306 CAT	CAT	6YR03840	480
E-18	50	2835 Highland View Circle	DGCA-4488156	CUMM	I000153096	240
E-19	125	1457 Lake Mist Ln.	125DGEA-94979	CUMM	D980727054	480
E-19A	80	1221 Legendary Blvd.	DGCG5707961A	CUMM	C050761638	480
E-20	125	1292 N. Hancock Rd.	DGEA4959458	CUMM	G010071607	480
E-21	100	523-L Pitt Street	100.0DGDB	CUMM	K960619606	480
E-21A	25	301-L Pitt Street	DKAF-7088163	CUMM	D080170582	240
E-21B	125	800 Skyridge Rd.	DGEA4959458	CUMM	E010241686	480
E-22	80	3231 White Blossom Ln.	DGDA5549933	CUMM	A020325200	240
E-22B	35	11827 Wind Flower Ct.	DGGD556519	CUMM	H020398225	240
E-23	40	12066 Still Meadows Dr.	DDHD5693367	CUMM	J040704026	240
E-24	230	4660 Barbados Loop	DFAB5695070	CUMM	K040714455	480
E-25	40	10614 Lake Louisa Rd.	DGHD5702826	CUMM	A050739866	240
E-26	35	838 Grand Highway	DGBB-5872326	CUMM	G070082068	240
E-27	35	4587 Barrister Dr.	DGGD-7082202	CUMM	D080173133	240
E-28	275	2835 Majestic Isle Dr.	275DFBF	CUMM	I930518939	480

SECTION – B
STATEMENT OF WORK

Generator	Kw.	Address	Model	Make	Serial No.	Volts
E-29	125	2278 Caledonian Dr.	DGEA5554670	CUMM	D020354469	480
E-30	230	3644 Peaceful Valley Dr.	DGFS5747272	CUMM	A060870767	480
E-31	80	1903 Harrier Ave.	DGCG5740501	CUMM	I050832691	480
E-32	230	391 Balboa Blvd.	DGFS57683307B	CUMM	F060940151	480
E-33	35	3605 Crestfield Blvd.	DGBB5770158K	CUMM	G060951754	480
E-34	250	3125 Heritage Hills Blvd.	LC5	CAT	GSA01608	480
E-35	35	277 Giovani Blvd.	DGGD-574918	CUMM	B060882245	240
E-36	100	11349 Lake Louisa Rd.	DSGAA-7093421	CUMM	E080184402	480
E-37	100	626 South Ave.	100DGDB	CUMM	J960619896	480
E-38	40	16700 Caju Rd.	DSFAB7254971	CUMM	J080213122	240
E-39	100	2890 Hartwood Marsh Rd.	DSHAF-6157185	CUMM	A080147281	480
E-40	40	17645 Old Hwy 50	DSFAB-1345437	CUMM	140627960	480
E-41	60	Good Hearth Blvd.	DSFAD-1403534	CUMM	C140658344	240
E-42	200	700 Blackstill Rd.	DSGAE-1418468	CUMM	K140764430	480
E-43	71.86	3995 Grand Blossom Rd.	GD03C-1526001	CUMM	J150877923	480
E-44	40	220 Camelot Lp.	DDHD-5693367	CUMM	J040701755	240
E-45	25	3403 Shallow Cove Ln.	GD03C-1526001	CUMM	E1700188076	480
PORT5375	55	3335 Hancock Rd.	50ROZJ-71	KOHLER	376160	240
PORT5377	60	3335 Hancock Rd.	60REOZJB	KOHLER	2039970	240
PORT5378	60	3335 Hancock Rd.	60REOZJB	KOHLER	2039969	240
PORT3300	300	3335 Hancock Rd.	DF-3300SSK	CUMM	3691261	480
Portable	50	1102 Bloxam Ave.	DGHE-5602081	CUMM	D030488639	480
Hancock#3	350	3301 Hancock Rd. (Park)	DFCC84154M	ONAN	J960619216	480

SECTION – B
STATEMENT OF WORK

Generator	Kw.	Address	Model	Make	Serial No.	Volts
#1 Well	1403	15512 Charter Oaks Trl.	1260REOZMB	KOHLER	220168	480
#2 Well	275	Royal Oak Trail	DFCB5669593	ONAN	1930518939	480
#5 Sunburst	1000	2799 Sunburst Lane	DFHD-5748536	ONAN	B-060890196	480
#4 Well	300	2190 E. Hwy. 50	DFCB-5001427	ONAN	J010292324	480
#6 Well	300	3050 Heritage Hills Blvd.	DFCB-5669593	ONAN	D040628117	480
Warehouse	1000	3335 Hancock Road	DQFAD-5938062	CUMM	A080147593	480
Lab	1250	3335 Hancock Road	DFLC-5006398	CUMM	A020327954	480
Westside FM	250	400 - 12th Street	C9	CAT	G5A01472	480
Police Dept.	600	3600 US-27	2806C-E18TAG3	PERK	JGDF5335N01883 B	480
Fire Dept.	50	439 W. Hwy. 50 FS #1	D50FPJ4	CUMM	LM34908268084	240
Fire Dept.	60	2200 Hartwood Marsh Rd. FS #2	TP-60UL	T/WIND	00022507	240
Fire Dept.	50	13341 Hartle Rd. FS #4	D3400T-GEN1	GENER	TP9E00216	240
Fire Dept.	175	2155 Legendary Way FS #3	MQP1751V	MQ	MX-132593-0509	480

3 – ADDITIONAL REPAIRS

If the technician discovers repair work is necessary for proper operation during the maintenance service or load bank analysis, the repair item(s) will be discussed with the Environmental Services Department for evaluation. If authorization to repair is granted, the repair work will be performed by the factory trained technician and the Contractor will be compensated for the repair costs. Cost estimates shall be provided to the City representative(s) prior to repair work being performed. The Contractor shall also represent and warrant that all repair parts will be priced competitively at below list price levels.

The City shall maintain the right to obtain offers for all repair work if the Contractor submits a cost estimate that appears excessive.

SECTION – B
STATEMENT OF WORK

All repair work authorized by the City shall be performed in a timely manner. Contractor shall complete all repair work and shall ensure the generator unit(s) are operating properly. Under no circumstances shall the Contractor's technician(s) remove or bypass safety devices, guards, or shields that would compromise the safety of personnel or jeopardize proper operation of the equipment when service is complete.

4 – CONTRACTOR QUALIFICATIONS

Contractor must provide technician(s) that are highly skilled with repair, setup, diagnostics, and preventive maintenance work associated with the generators listed herein. Technician(s) shall provide their own tools and supplies at each job site. Technician(s) shall perform all services in a timely manner to minimize the time in which each generator is out of service. Technician(s) are required to remove all debris, discarded parts and materials and other fluids from each job site. Proper disposal is the responsibility of the Contractor's technician(s).

Pricing submitted in this solicitation shall include expenses that will be required during the course of the contract. Respondent shall submit total pricing for all services, materials, labor, and other expenses that can be reasonably anticipated for the services outlined in these specifications. Respondent must provide information regarding the experience of their company and the technicians employed by them with their response. Respondents that fail to provide this information may have their bids deemed nonresponsive.

END OF SECTION – B



FREDDY SUAREZ
Purchasing Director
Purchasing Department

352-241-7350
fsuarez@clermontfl.org

AWARD RECOMMENDATION
MARCH 14, 2018
RFB 18-018 – GENERATOR MAINTENANCE AND REPAIR

Based on the results of the bid submittals, the Purchasing Department is recommending award to the low responsive and responsible bidder, LJ Power, Inc. in the total combined price of \$63,850.



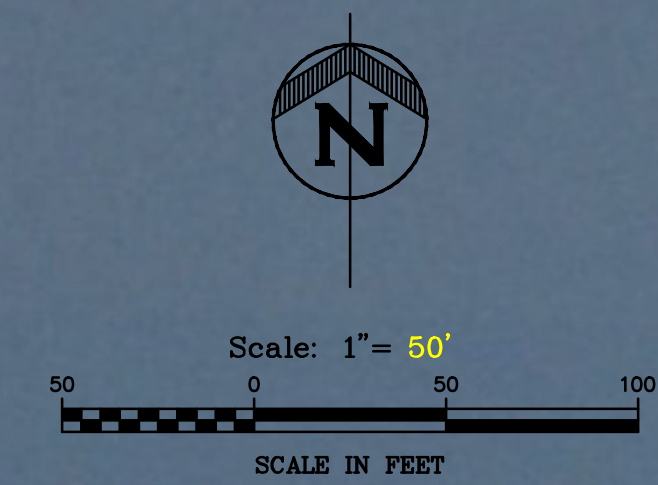
CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 10, 2018		
Agenda Item Name		
Boat Ramp		
Requested Action		
Staff Report		
At the March 13th Council Meeting, staff was directed to provide conceptual drawings demonstrating the feasibility of the future boat ramp site. Site 1 is an expansion of the existing boat ramp site and site 2 is at the Bell Ceramics site.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. BOAT RAMP SITE 1 BOAT RAMP SITE 1.pdf		
2. BOAT RAMP SITE 2 BOAT RAMP SITE 2.pdf		

BOAT RAMP CONCEPT EXISTING SITE



LAKE MINNEOLA BR

SHORT ST

CARROLL ST

S LAKE TRAIL (LAKE APOPHA TRAIL)

LAKE DR

77 SPACES





Scale: 1" = 50'



SCALE IN FEET

BOAT RAMP CONCEPT BELL CERAMICS SITE

RESTROOM/
BATH HOUSE

FIRE
BOATHOUSE

FIRE DEPT.
PARKING

77 SPACES

PAVILION

FUTURE USE
AREA

FUTURE USE
AREA

EAST AVE

PALM ST

GRAND HWY





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 10, 2018		
Agenda Item Name		
Variance Request <i>New Beginnings Greenhouse</i>		
Requested Action		
Recommend denial of the variance requests.		
Staff Report		
The applicant, is requesting two variances to the Land Development Code, (1) to eliminate the required sidewalk adjacent to rights-of-way as required by the Land Development Code, Section 110-265, and (2) to allow continuation of existing nonconforming landscape buffers instead of requirements in the Land Development Code, Section 86-281, for property located at 415 Citrus Tower Blvd. The applicant; New Beginnings Organization provides services to the citizens and residents of Lake County and Clermont. The requested variances will allow installation of a new 10'x 20' greenhouse to grow fresh vegetables for the community. The Land Development code requires any new development, additions or changes to a site will require sidewalks adjacent to all rights-of- way abutting the parcel. The sidewalks must meet ADA requirements and will provide pedestrian safety accessibility to all City and Lake Country streets in Clermont. The subject parcel was developed before the adoption and requirements of the Land Development Code. The parcels located to the east and west of subject property currently do not have sidewalks. The construction of the required sidewalk will not provide a continual pedestrian pathway. In the future, if the adjacent parcels apply for redevelopment, new development or changes to the site, sidewalks will be required. Citrus Tower Blvd does have sidewalks existing on the opposite side of the street. City Code, Section 86-281(2) requires any existing nonconforming land/property, may not be increased, enlarged, extended, moved or change unless the existing nonconforming status be subject to City Code compliance and conformance. The Landscape Buffer as existing does not meet City Code, the applicant would be required to conform to the regulations of the Land Development Code regarding landscape buffers and provide additional landscape materials. The applicant is requesting a variance to allow the landscape buffers as they exist to remain with no additional vegetation or trees as required by the Land Development Code. Section 86-174 of the Land Development Code requires a positive finding on five items in order to grant the variances, and staff believes that two of the five do not meet these findings. Therefore, staff recommends denial of the two variance requests by the applicant to the Clermont Land Development Code.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)		
1.	New 86-174 Review Criteria-New Beginnings Greenhouse	New 86-174 Review Criteria-New Beginnings Greenhouse.docx
2.	Location Maps	Location Maps.pdf
3.	Concept Site Plan	Concept Site Plan.pdf
4.	Pictures	Pictures.pdf
5.	Greenhouse Elevations	Greenhouse Elevations.pdf
6.	Application	Application.pdf
7.	Legal Ad	New Beginnings Greenhouse Variance Legal AD.pdf

New Beginnings Greenhouse Variance

The requirements for a variance are as follows:

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

FINDINGS:

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;
Applicant response: Property slopes at a rate that would require a retaining wall prior to installing sidewalks. Engineer has inspected property and helped eliminate requirements and costs. The greenhouse set up is an accessory building that will enable us to grow fresh vegetables for residents in our program and the community. This is a non-permanent structure needing no concrete slab or electricity. It is self-contained with a low voltage solar panels powering it.

Staff comments: The requested variances will not interfere with the reasonable enjoyment of the adjacent property owners. The proposed greenhouse is a 10' x 20' accessory structure, that will not require a concrete slab or increase the existing impervious surface for subject property.

Positive finding

- (2) The variance will allow reasonable use of the property; which use is not out of character with other properties in the same zoning category;
Applicant response: The properties on both sides of this parcel do not have sidewalks at this time.

Staff comments: Other properties in the area that have re-developed have installed sidewalks.

Negative finding

- (3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance was denied;
Applicant response: We will be able to provide fresh green vegetables on site that can be used in our established plant based cooking classes for residents in our program and the community.

Staff comments: The City envisions sidewalks on both sides of Citrus Tower Blvd. As sites redevelop it is expected to construct these interconnecting sidewalks within the city limits.

Negative finding

- (4) The granting of the variance is consistent with the city's comprehensive plan;
Applicant response: We will also be able to teach people how to grow and harvest vegetables from a sustainable greenhouse source.

Staff comments: Staff does not feel there are inconsistencies with the comprehensive plan.

Positive finding

- (5) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure of the benefits that would be achieved under the other variance criteria by granting of the variance outweigh the benefits under this criteria if the variance was denied;

Applicant response: There is a financial benefit to New Beginnings because any grown food does not have to be purchased. Not only will there be a cost savings but a significant increase in using fresh vegetables instead of store bought produce that needs to be used immediately before it spoils.

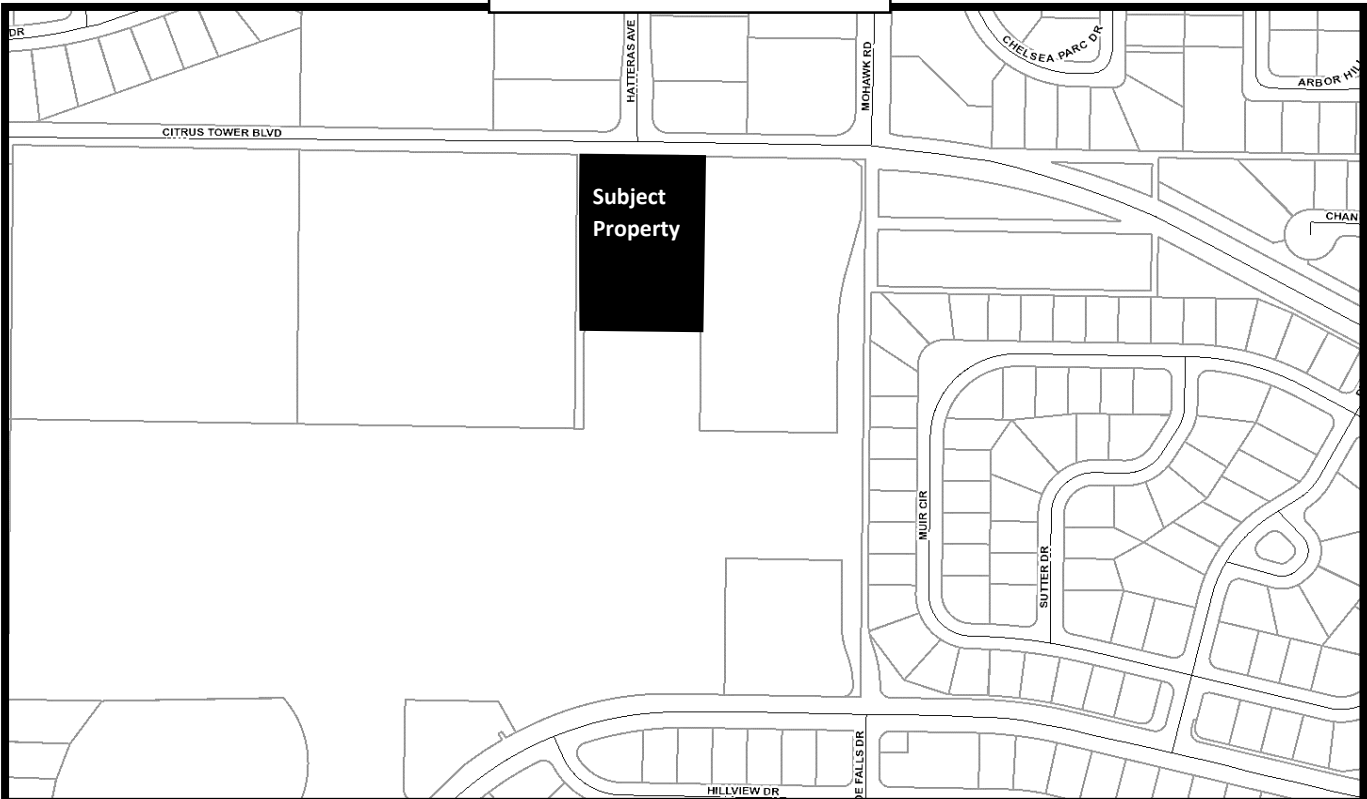
Staff comments: The variance request is the minimum variance that will allow reasonable use of the land; and the benefits achieved under granting of the variance outweigh the benefits under this criterion if the variance was denied. The proposed greenhouse structure is only 200 square feet and will provide the applicant an opportunity to grow and use fresh vegetables for the community.

Positive finding

STAFF RECOMMENDATION:

Staff recommends **denial** of the variance request to the Land Development Code.

Location Map



NEW BEGINNINGS
415 CITRUS TOWER BLVD



268.72'

ASPHALT
PARKING

ASPHALT
PARKING

EXISTING THRIFT STORE
AND OFFICES

359.2'

359.2'



DUMPSTER

8'x40' CONT.

8'x40' CONT.

PROPOSED
LOCATION
18' x 20'
GREENHOUSE



8'x20'
10'x20'
Greenhouse

268.72'

PLOT PLAN



Imagery ©2018 Lake County, U.S. Geological Survey, Map data ©2018 Google 0 50 ft



415 Citrus Tower Blvd
Clermont, FL 34711

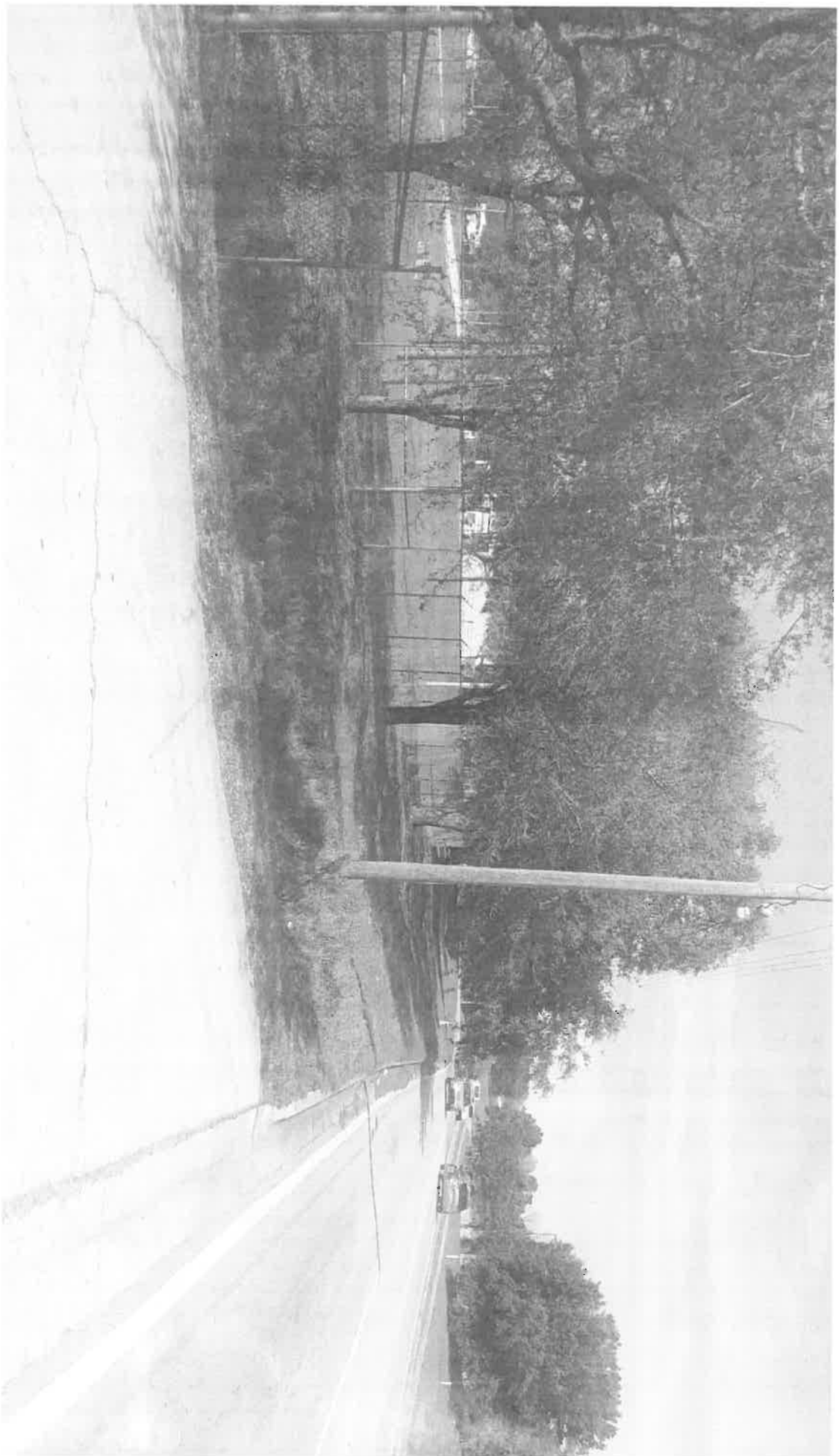


At this location





Approx. Slope in front of New Beginnings



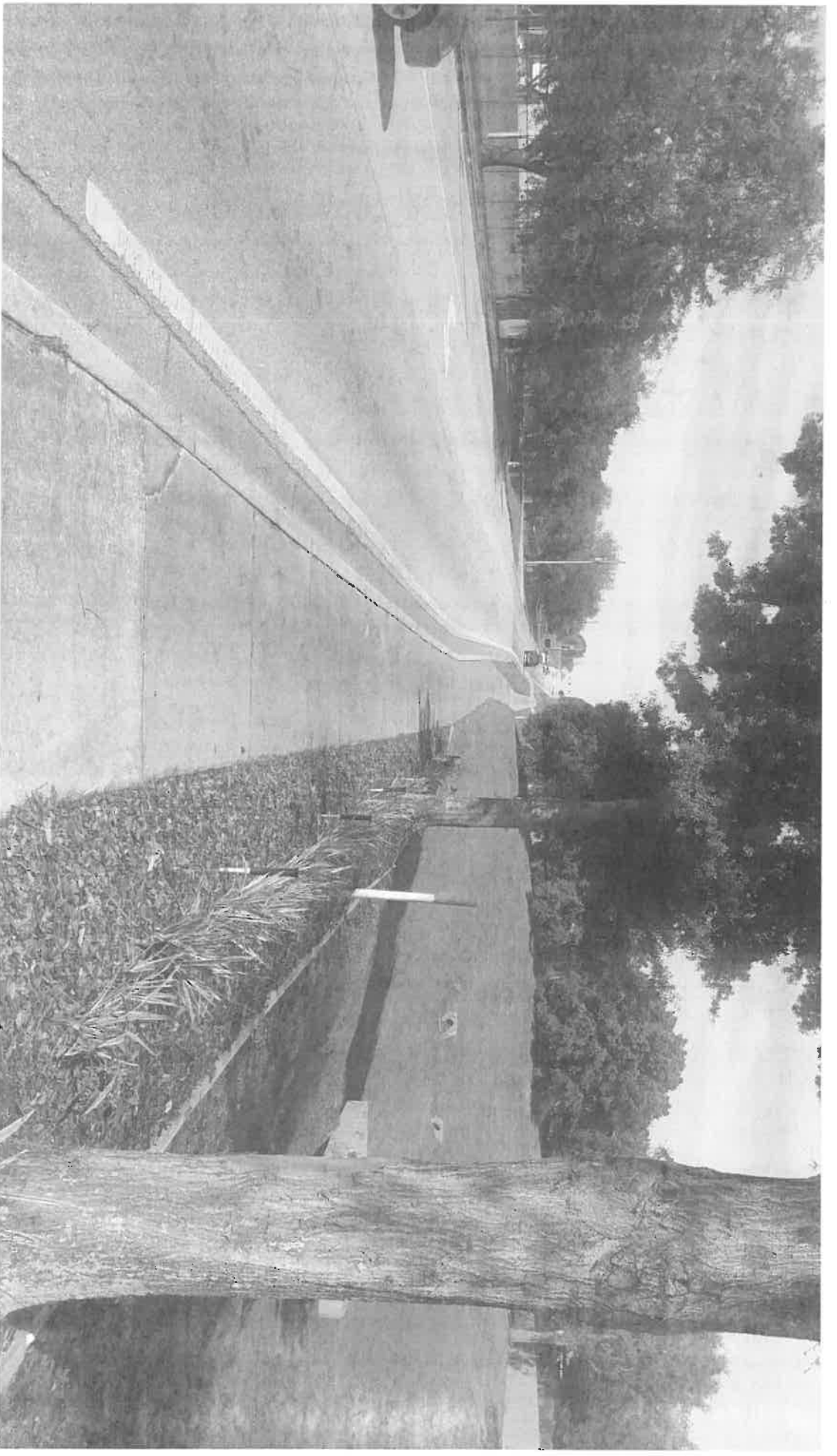
Looking West from New Beginnings on same
side of street. No side walk



Looking East from New Beginnings on same
side of street. No side walk

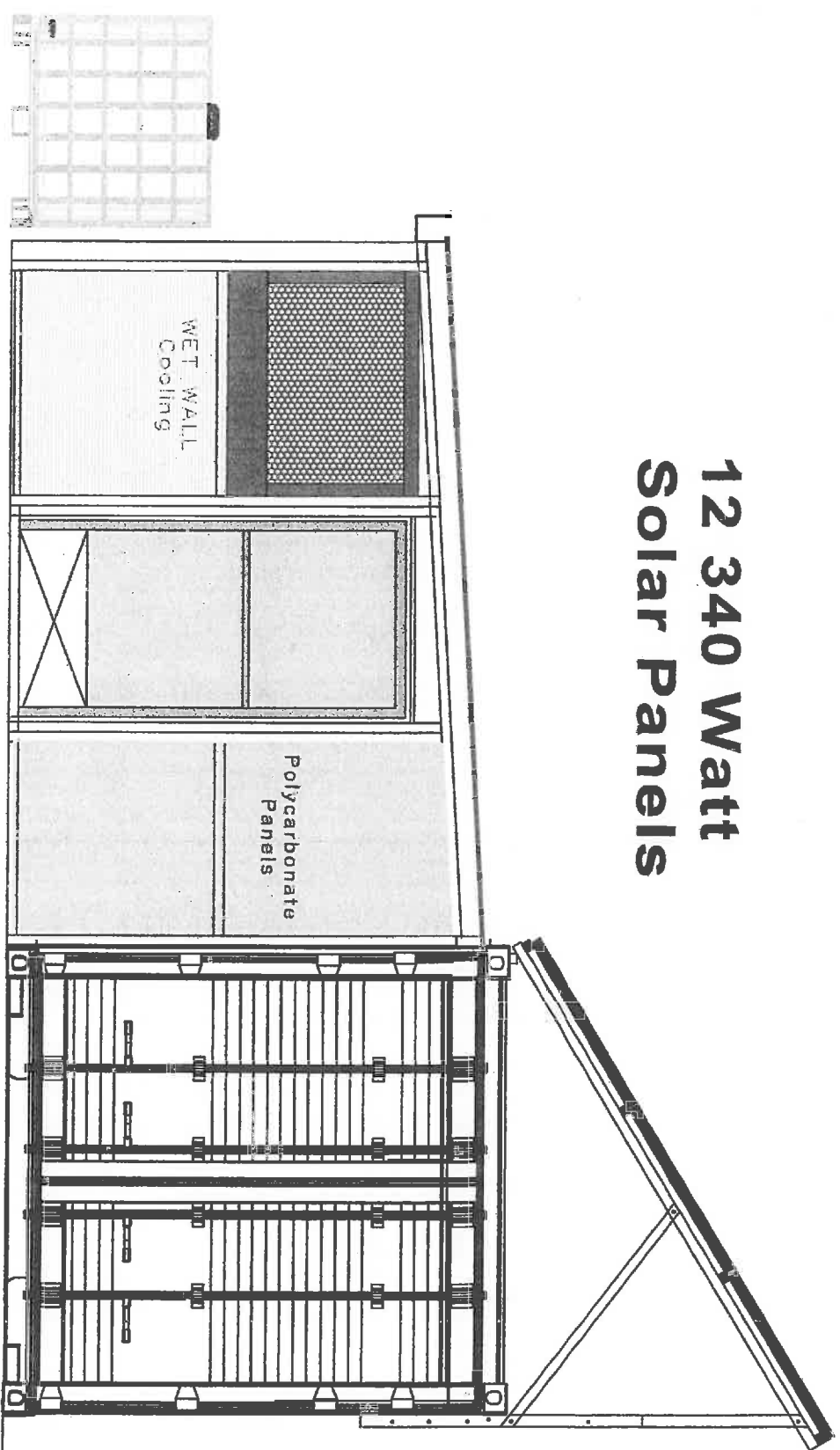


Looking East on opposite side of street.
Sidewalk already exists.



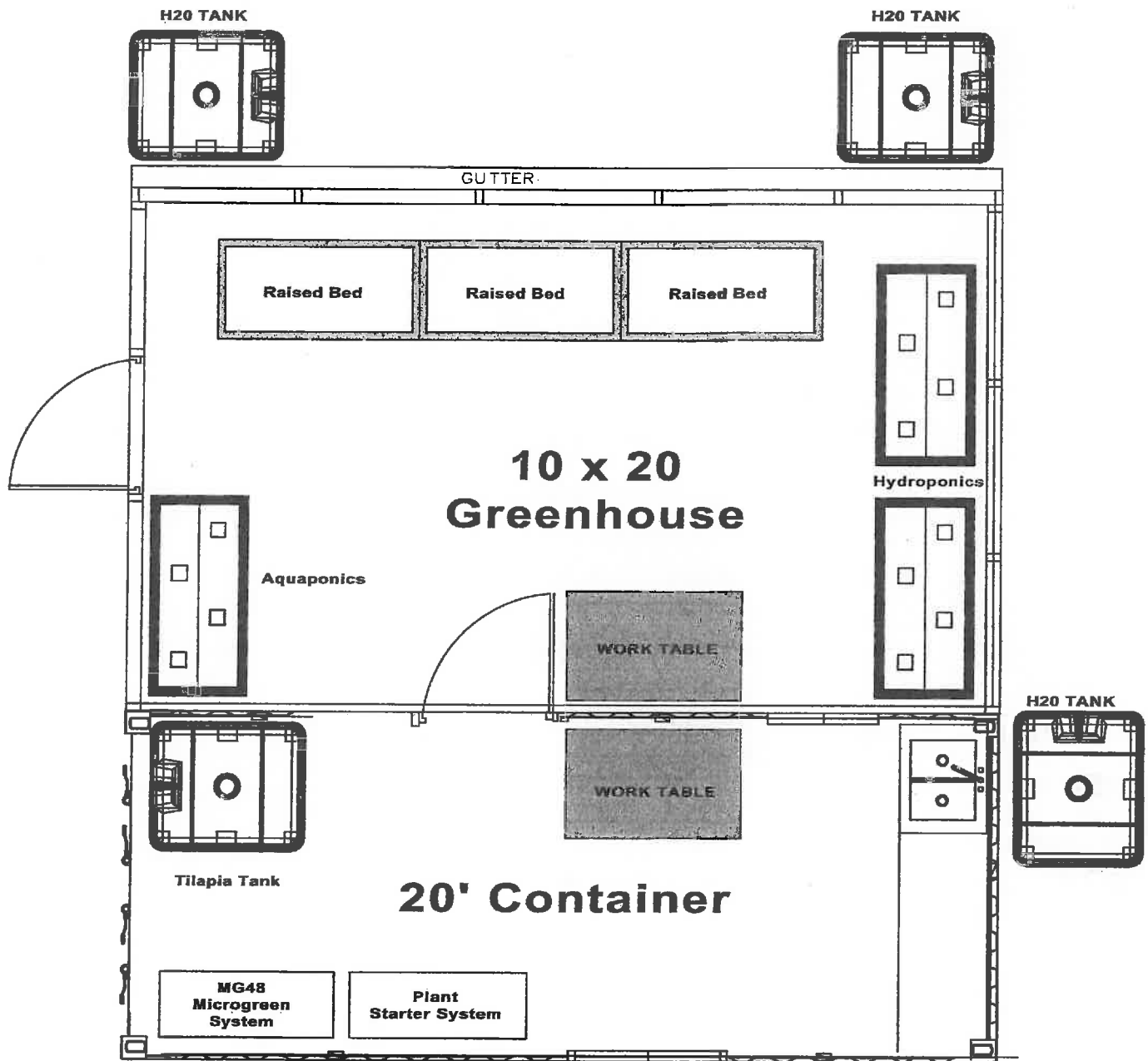
Looking west on opposite side of street.
Sidewalk already exists.

**12 340 Watt
Solar Panels**



NEW BEGINNINGS PROJECT

EAST SIDE



PLAN VIEW
NEW BEGINNINGS PROJECT

VAR 1803-0001



CITY OF CLERMONT
VARIANCE
Application

DATE: 3/5/18

FEE: \$600

PROJECT NAME (if applicable): New Beginnings - Greenhouse

APPLICANT: New Beginnings of Central Florida

CONTACT PERSON: Keith M. Rush Operations mgr.

Address: 415 Citrus Tower Blvd.

City: Clermont State: FL Zip: 34711

Phone: 352-404-6946 Cell: 352-871-4253

E-Mail: Keith@NBCFL.ORG

OWNER: New Beginnings of Central Florida

Address: P.O. Box 121129

City: Clermont State: FL Zip: 34712

Phone: 352-404-6946 Fax: _____

Address of Subject Property: 415 Citrus Tower Blvd. Clermont

General Location: Greenhouse to be located towards
South East portion of Property

Legal Description (include copy of survey): 324.2 FT OF W. 268.72 FT
OF TRACT 5 PB 3 PG 30 ORB 4600 PG 1887
SEE ATTACHED TAX FORM

Land Use (City verification required): _____



Zoning (City verification required): _____

CITY OF CLERMONT

VARIANCE

Application

Page 2

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

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

The requirement for a sidewalk as part of any new construction. The requirement for more trees, landscaping and irrigation

What are you proposing to do that would require a variance and why? Install self sustaining greenhouse Garden to defray costs of feeding people and offer training to teach how to grow food.

How does the Code create a hardship? Requires a sidewalk to be installed across the front of property. Estimated costs are between \$10,000 and \$20,000 from Engineer - We are a non profit Organization Greenhouse is being donated by Real Life Church to help feed people.

*** The following justifications must be completed ***

for any variance requested:

Variance requested – subject and code section: _____

Sec. 86-174. Review criteria and findings.

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

(1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;

Property slopes at a rate that would require a retaining wall prior to installing sidewalk Engineer has inspected property and helped estimate requirements + costs.

The greenhouse set up is an accessory bldg that will enable us to grow fresh vegetables for the residents in our program and the community. This is a non-permanent structure needing no concrete slab or electricity. It is self contained with all low voltage solar panels powering it.



(2) The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;

The properties on either side of this property do not have sidewalks at this time.

The hardship for New Beginnings is raising funds needed to pay for required sidewalk. **CITY OF CLERMONT**

VARIANCE

Application

Page 3

3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;

We will be able to provide fresh grown vegetables on site that can be used in our already established plant based cooking classes for residents in our program and the community.

(4) The granting of the variance is consistent with the city's comprehensive plan; and

We will also be able to teach people how to grow and harvest fresh vegetables from a sustainable greenhouse source.

(5) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied.

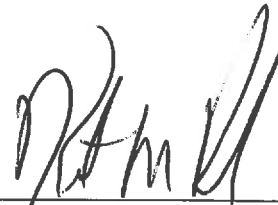
There is a financial benefit to New Beginnings because any grown food does not have to be purchased. Not only will there be a cost savings but a significant

increase in using fresh vegetables verses bought produce that needs to be used immediately before it spoils.



CITY OF CLERMONT
VARIANCE
Application
Page 4

Keth m. Rush Operations mgr
Applicant Name (print)

x 
Applicant Name (signature)

Stephane Harris Exec. Pres
Owner Name (print)

x 
Owner Name (signature)

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

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

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

ARTICLE IV. VARIANCES

Sec. 86-171. Permitted variances; exclusions.

(a) *Hardship relief.* A hardship may exist in which the strict application of one or several requirements of this land development code would render a parcel incapable of reasonable use. Specified provisions set forth in this land development code or in the development standards may be waived when, because of the particular physical shape,

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider a request for the following two variances: (1) to eliminate the required sidewalk adjacent to rights-of-way as required by the Land Development Code, Section 110-265; (2) to allow continuation of existing nonconforming landscape buffers instead of requirements in the Land Development Code, Section 86-281; at the following location:

LOCATION:

415 Citrus Tower Boulevard
Alternate Key #3801361

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

This request will be heard by the City Council at a public hearing to be held on Tuesday, April 10, 2018 at 6:30 P.M. in the Clermont 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. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearings.

Tracy Ackroyd, MMC
City Clerk

Daily Commercial
April 2, 2018



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 10, 2018		
Agenda Item Name		
Ordinance No. 2018-08 <i>Introduction Magnolia Center Rezoning</i>		
Requested Action		
Recommend introduction 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. The Planning and Zoning Commission recommended unanimously for approval. 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. Draft site plan	Draft site plan.pdf	
3. Maps	2018 Magnolia Center Maps.pdf	
4. Lake County Ord. 2009-8	2009-8 PUD Ordinance Magnolia Center.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



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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.



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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
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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:

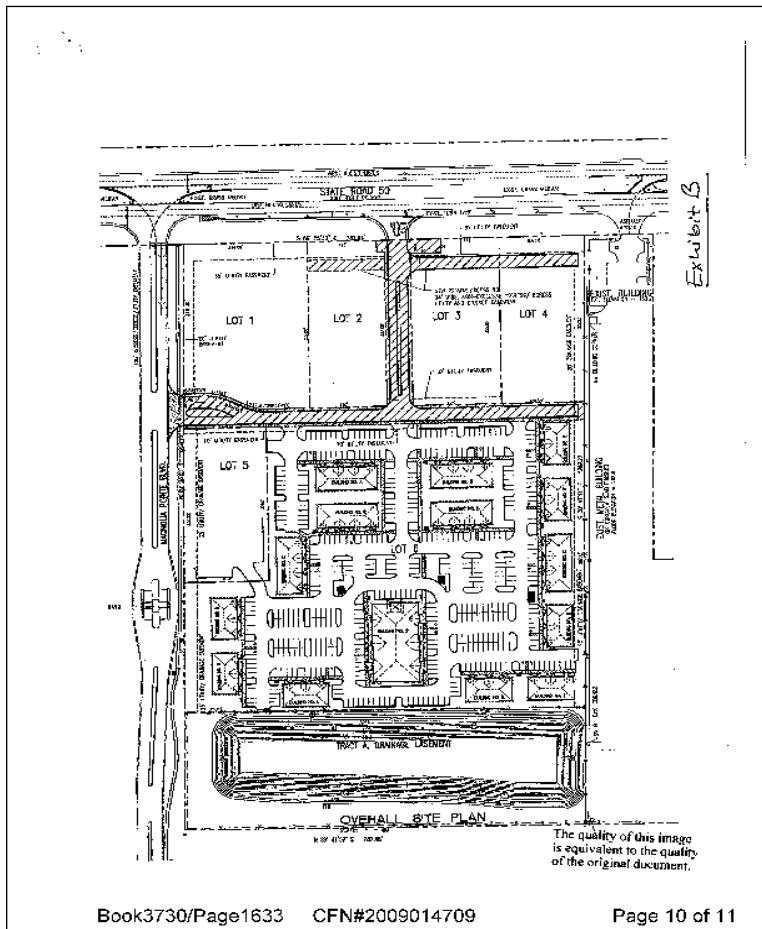
1. Construction traffic shall access the property via State Road 50 and avoid Magnolia Pointe Boulevard unless prohibited by the Florida Department of Transportation or Lake County Public Works.



CITY OF CLERMONT
ORDINANCE NO. 2018-08

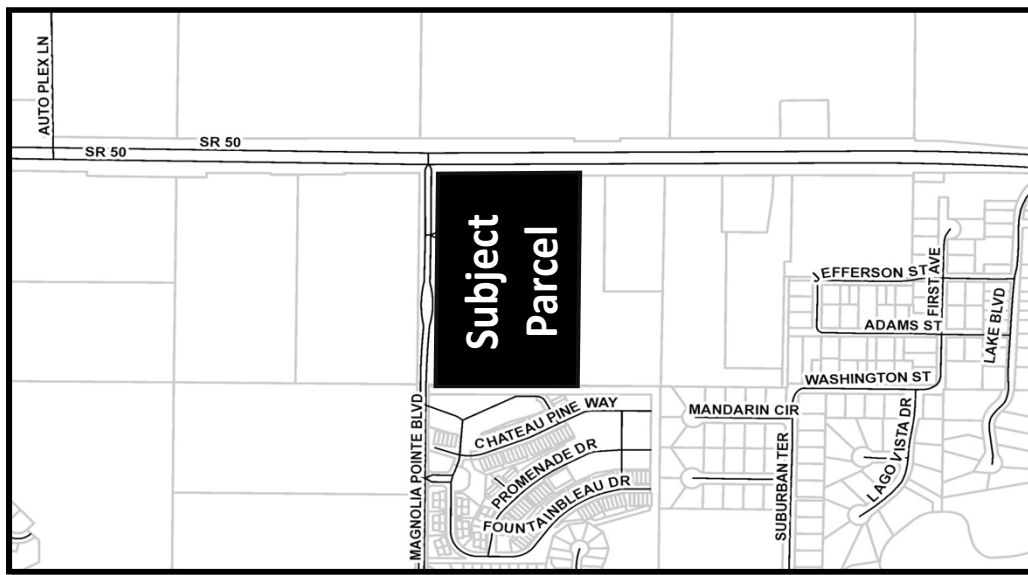
2. Access to the site will be limited to the existing private road; Magnolia Pointe Boulevard, a right in/out from State Road 50 near the middle of the property line as shown on “Exhibit B”.
- H. Water and Sewer: Connection to central water and central sewer shall be required with all development.
- 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:



Book3730/Page1633 CFN#2009014709

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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

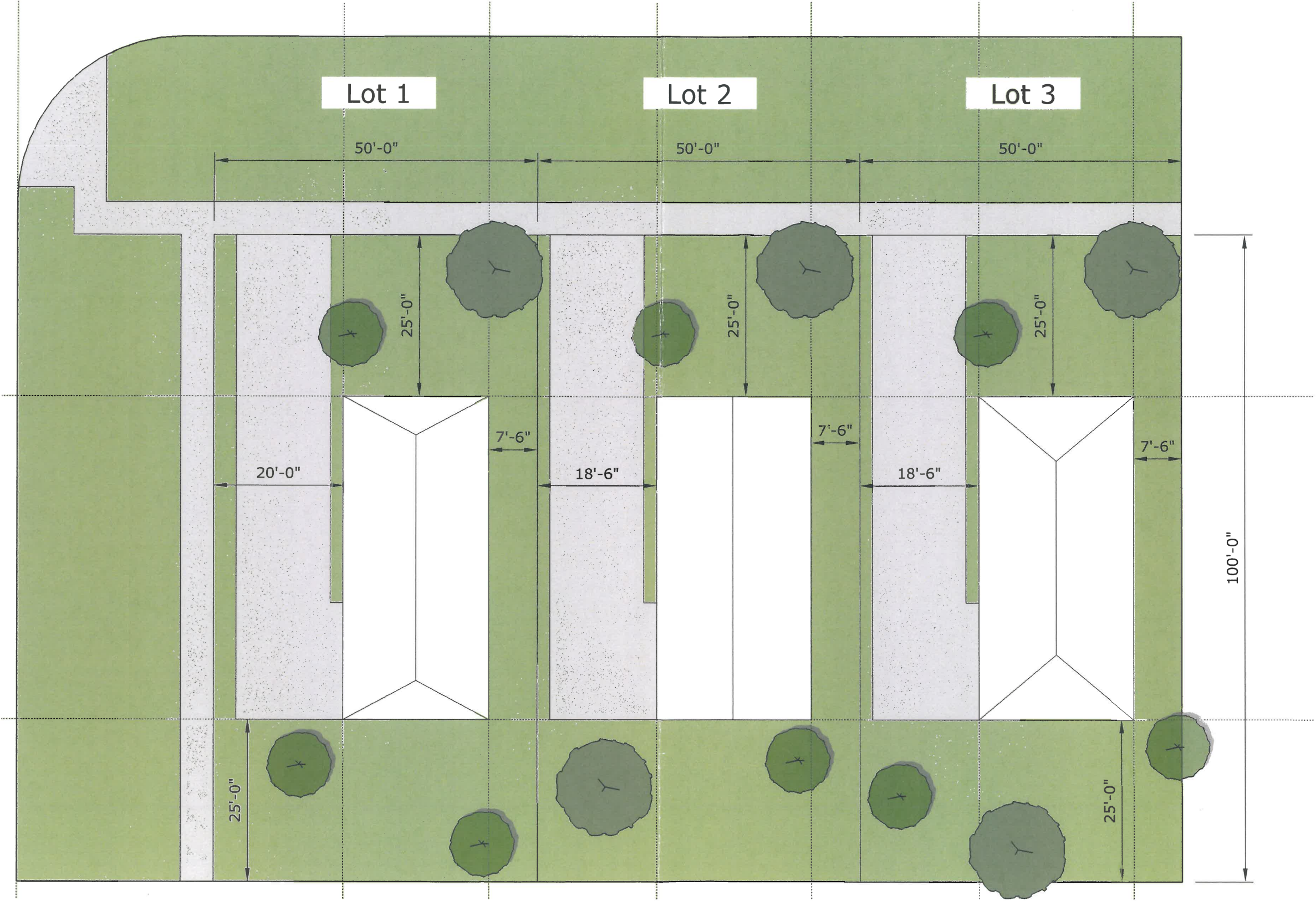
Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

MINNEOLA AVE

 **DRAFT**

LAKE AVE



 **DRAFT**

Exhibit - Location Map Magnolia Center

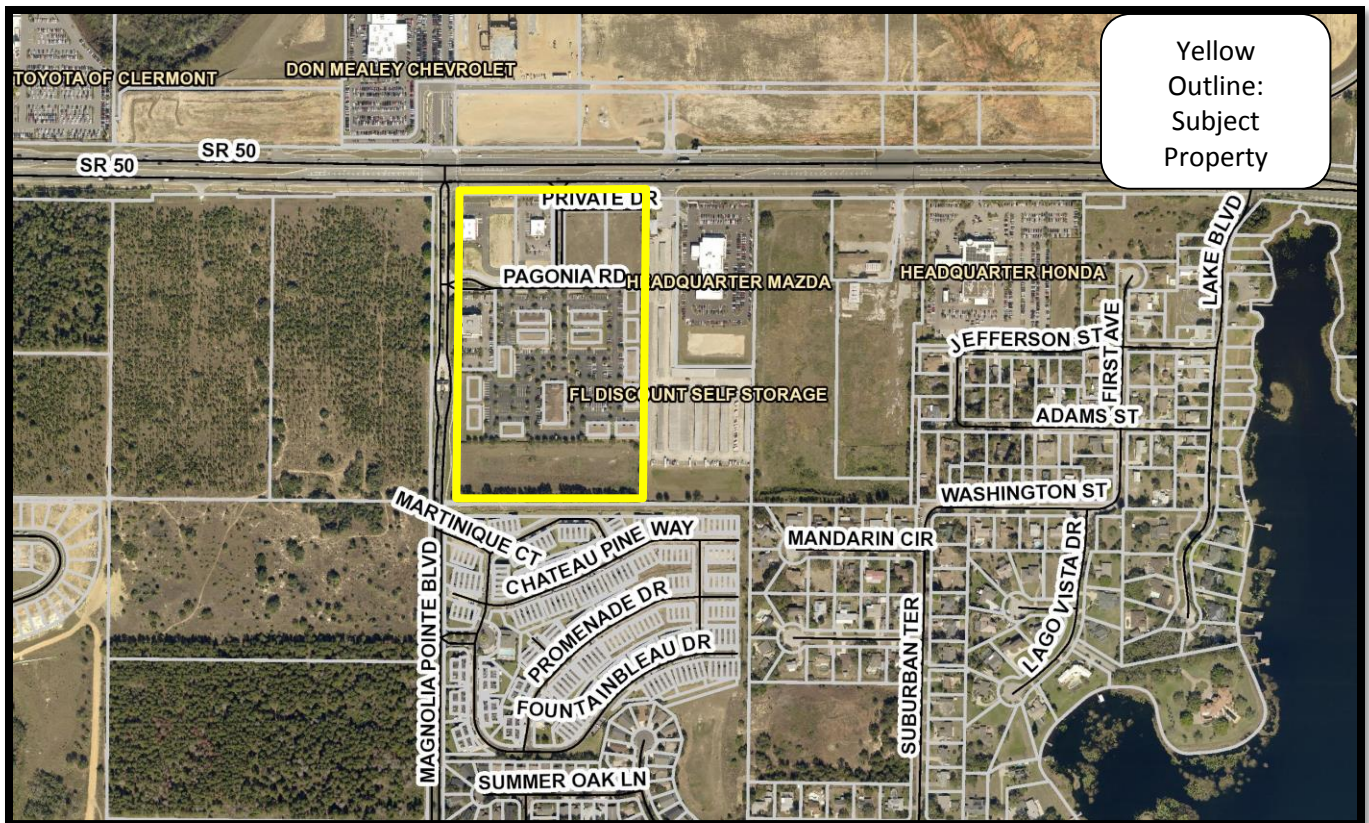
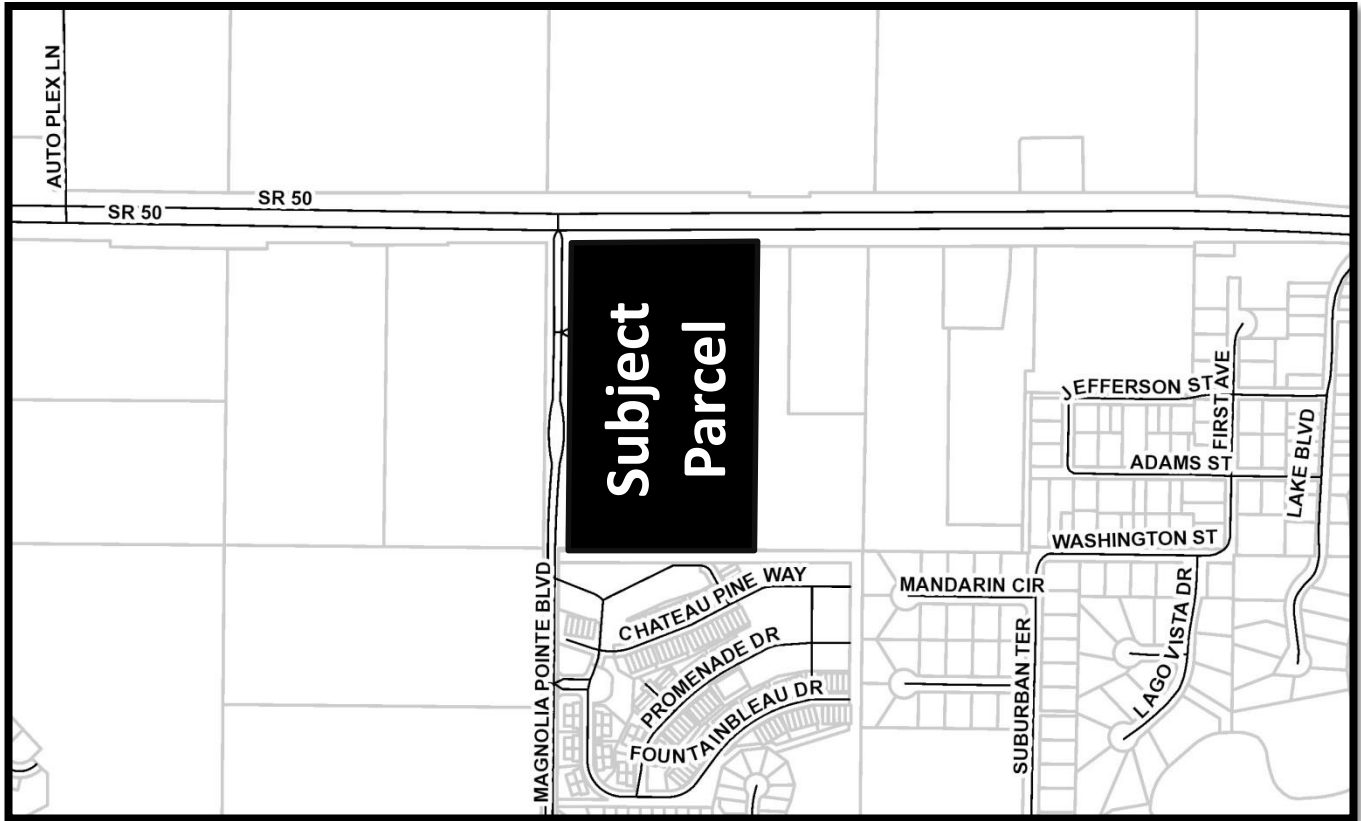


Exhibit – Future Land Use Magnolia Center

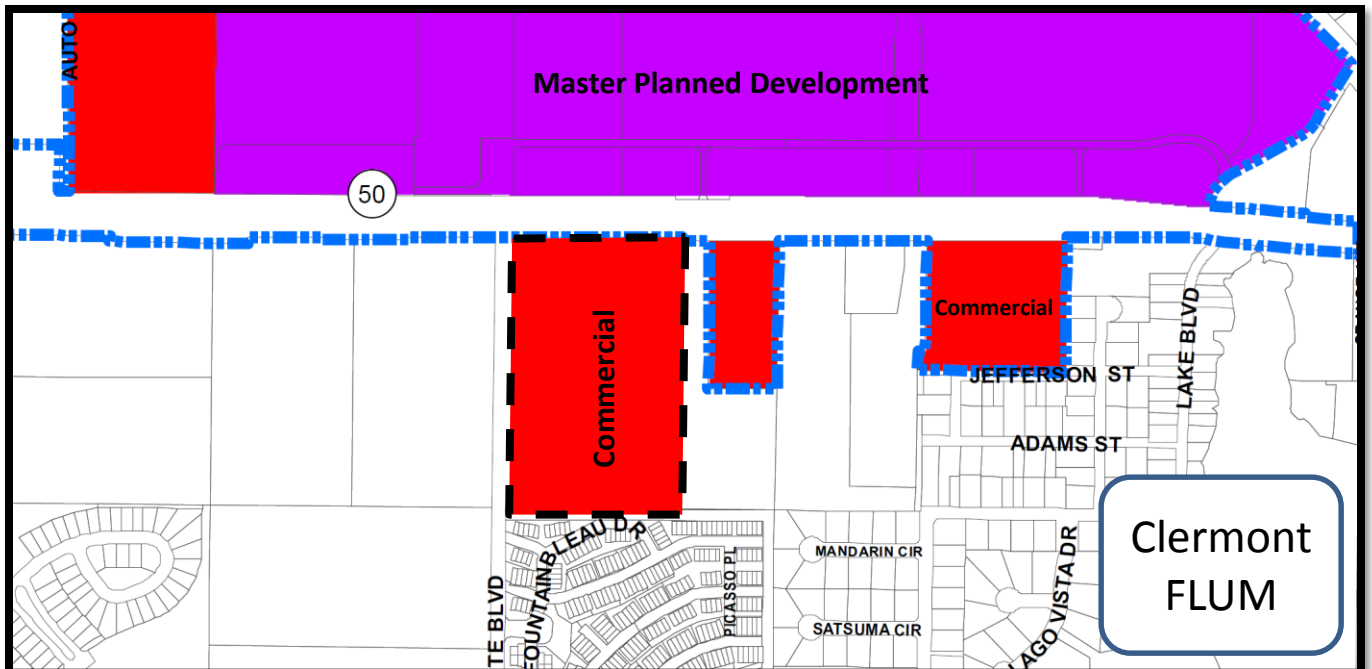
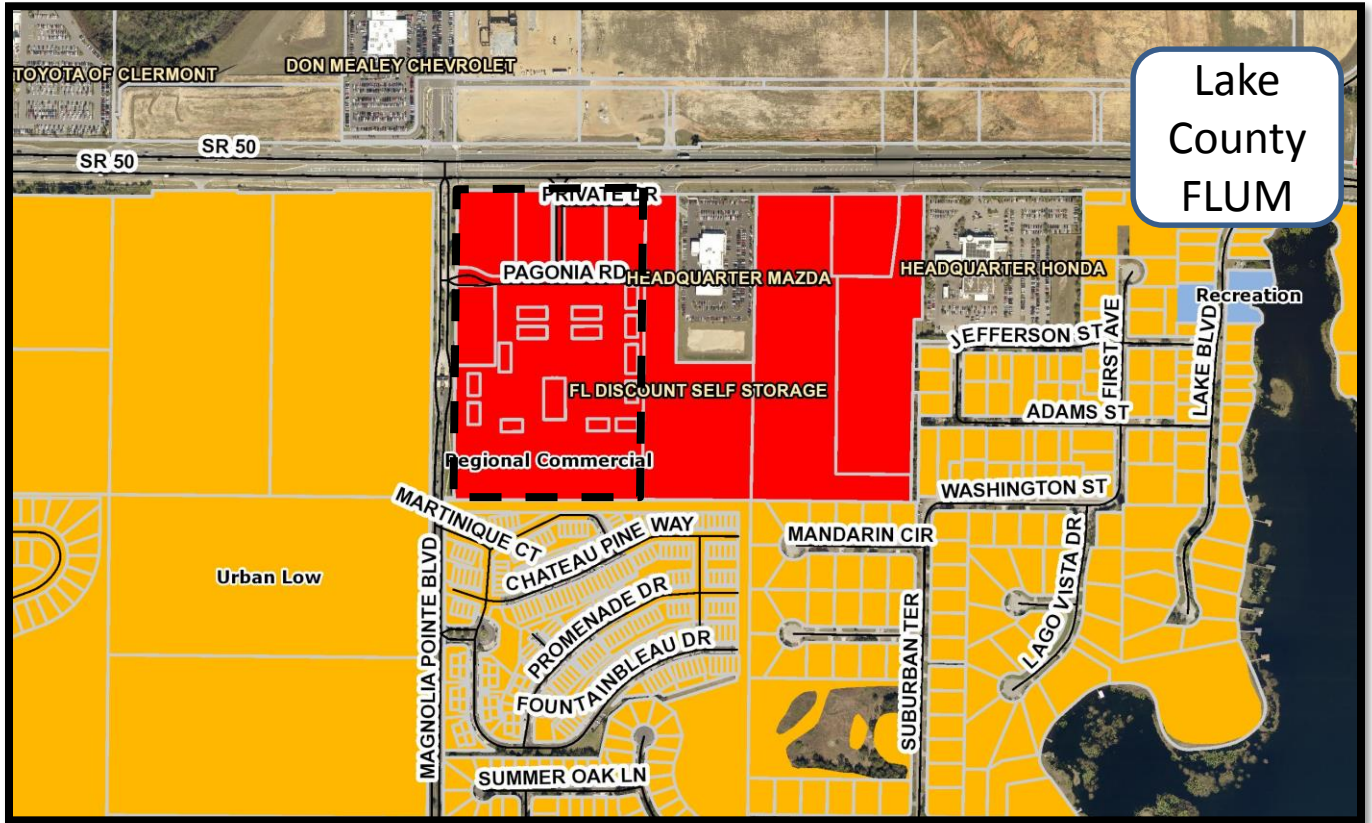
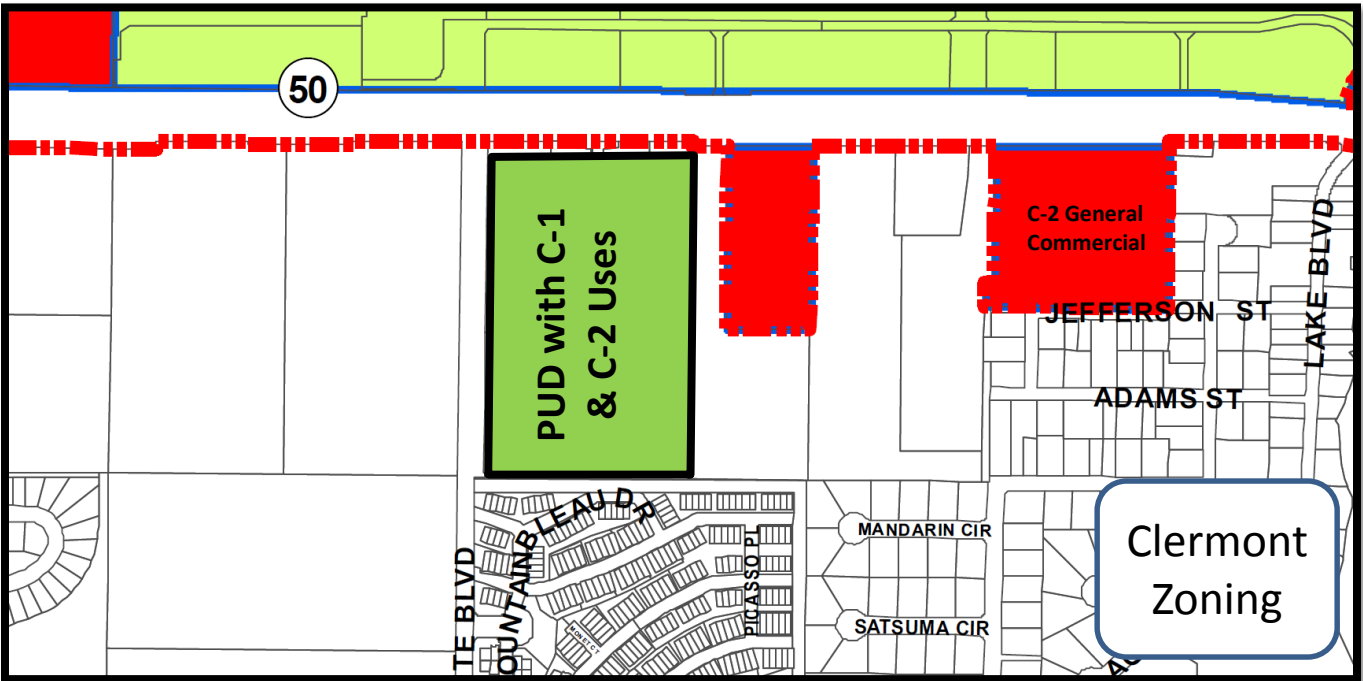
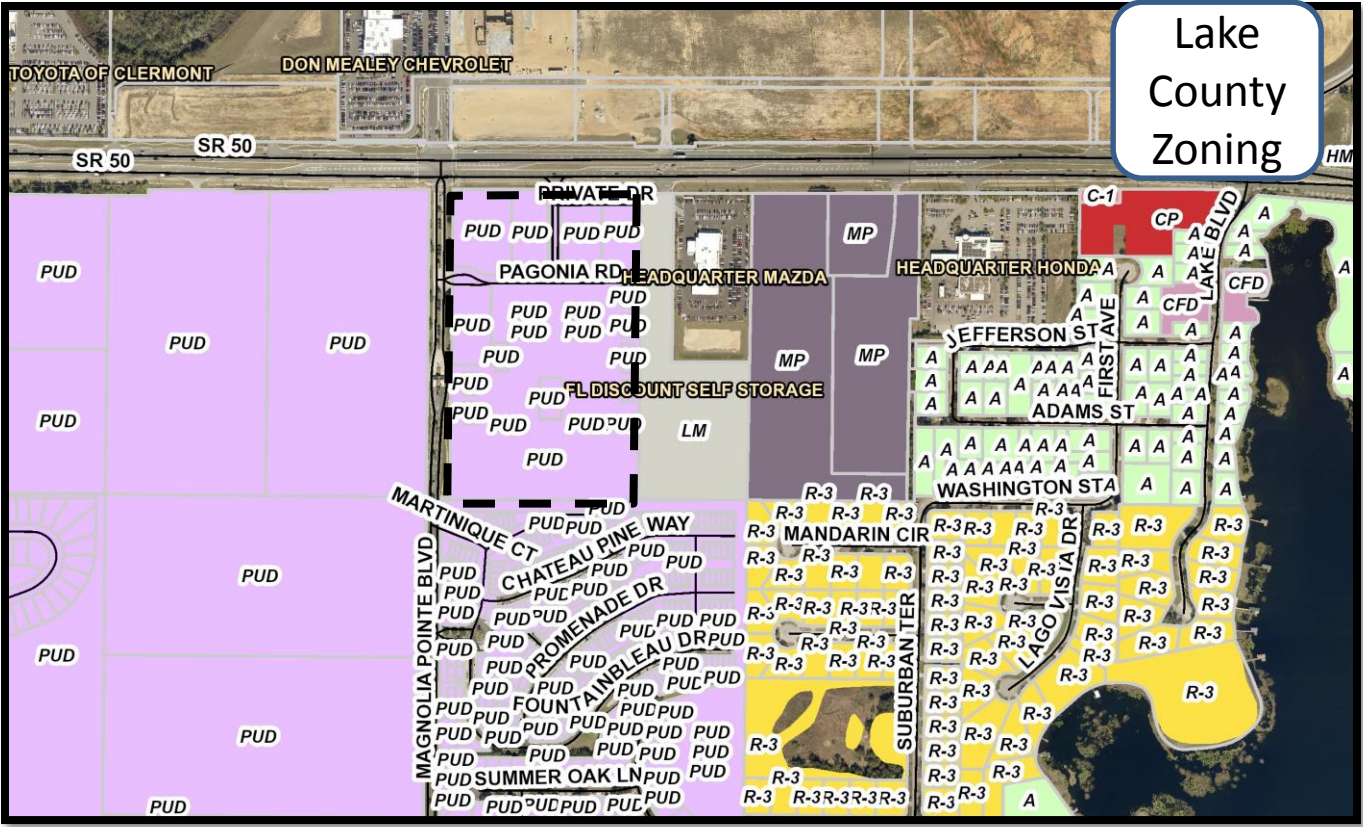


Exhibit – Zoning Magnolia Center



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

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

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

ORDINANCE NO. #2009-8
(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 EFFECTIVE February 5, 2009.
33
34
35
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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

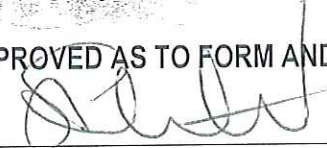
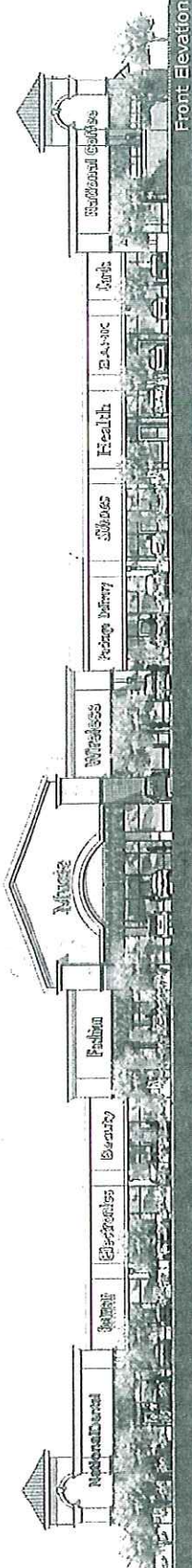

SANFORD A. MINKOFF, County Attorney

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.



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. Some minor 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.

Daily Commercial

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



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 10, 2018		
Agenda Item Name		
Ordinance No. 2018-12 <i>Introduction</i> <i>607 & 619 Lake Ave Comprehensive Plan Amendment</i>		
Requested Action		
Recommend introduction of Ordinance No. 2018-12		
Staff Report		
The applicants, OMBS LLC and Hunters Trace LLC, are seeking a small-scale comprehensive plan amendment for property that is approximately 0.52 +/- acres in size. This is a joint application that consists of two parcels. The property is located east of the Clermont City Center parking lot, southeast of the Minneola Ave. and Lake Ave. intersection. The OMBS property had a residential structure that was removed in the past few years and will be redeveloped in the near future. The Hunters Trace property currently has a structure that is being used and may be redeveloped in the future. The future land use is currently Medium Density Residential. The applicants desire a change to Downtown Mixed Use. The Downtown Mixed Use is adjacent to the property on two sides, the west and the south. The conversion would make a logical expansion of the Downtown Mixed Use to the north and east. This change would be a natural progression outward of the uses allowed in the Downtown Mixed Use. Comprehensive Plan Objectives & Policies supporting the change include: Objective 1.1: Discourage Urban Sprawl. The City shall discourage and/or reduce urban sprawl through a future land use pattern that promotes orderly, compact development and the provision of public facilities and services that minimize costs and environmental impacts and maximize efficiency. Policy 1.1.3: The City shall encourage infill through the use of higher density and intensity land use designations and mixed-use designations in appropriate areas. Policy 1.12.4: The City shall encourage the development of undeveloped pockets and enclaves within developed areas to utilize existing facilities efficiently. Since the requested change promotes an orderly expansion and supported by the Comprehensive Plan, staff recommends approval of Ordinance 2018-12 for a small-scale comprehensive plan amendment to change the future land use from Medium Density Residential 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.	2018-12 607 619 Lake Ave CPA	2018-12 607 619 Lake Ave CPA.doc

2.	607 Lake Ave Maps	607 Lake Ave Maps.pdf
3.	CPA Application	CPA Application.pdf
4.	CPA Legal Ad Proof	CPA Legal Ad Proof.pdf



CITY OF CLERMONT
ORDINANCE NO. 2018-12

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

Lots 1, 2, and 3, Block 56, the City of Clermont, according to the plat thereof as recorded in Plat Book 8, Pages 17 through 23, inclusive, Public Records of Lake County, Florida.

LOCATION

Southeast corner of the intersection of Lake Ave. & West Minneola Ave.
Alternate Key 1613191 & 1613205



CITY OF CLERMONT
ORDINANCE NO. 2018-12

CHANGE IN FUTURE LAND USE CLASSIFICATION

FROM: MEDIUM DENSITY RESIDENTIAL
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.

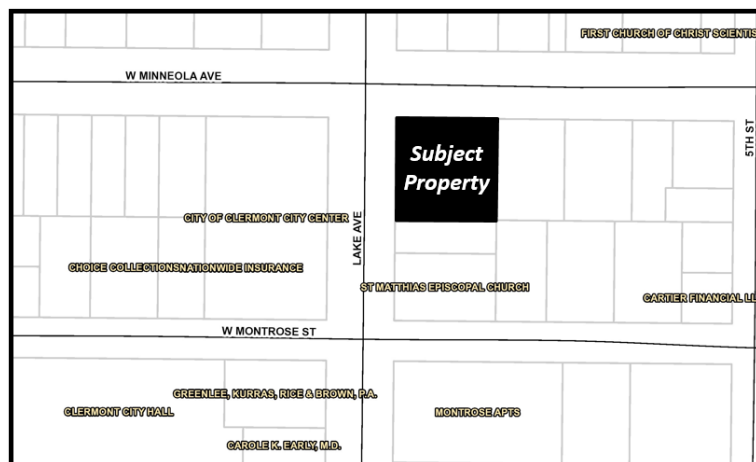
SECTION 3.

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. 2018-12

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

Exhibit - Location Map
607 Lake Ave. & 619 Lake Ave.

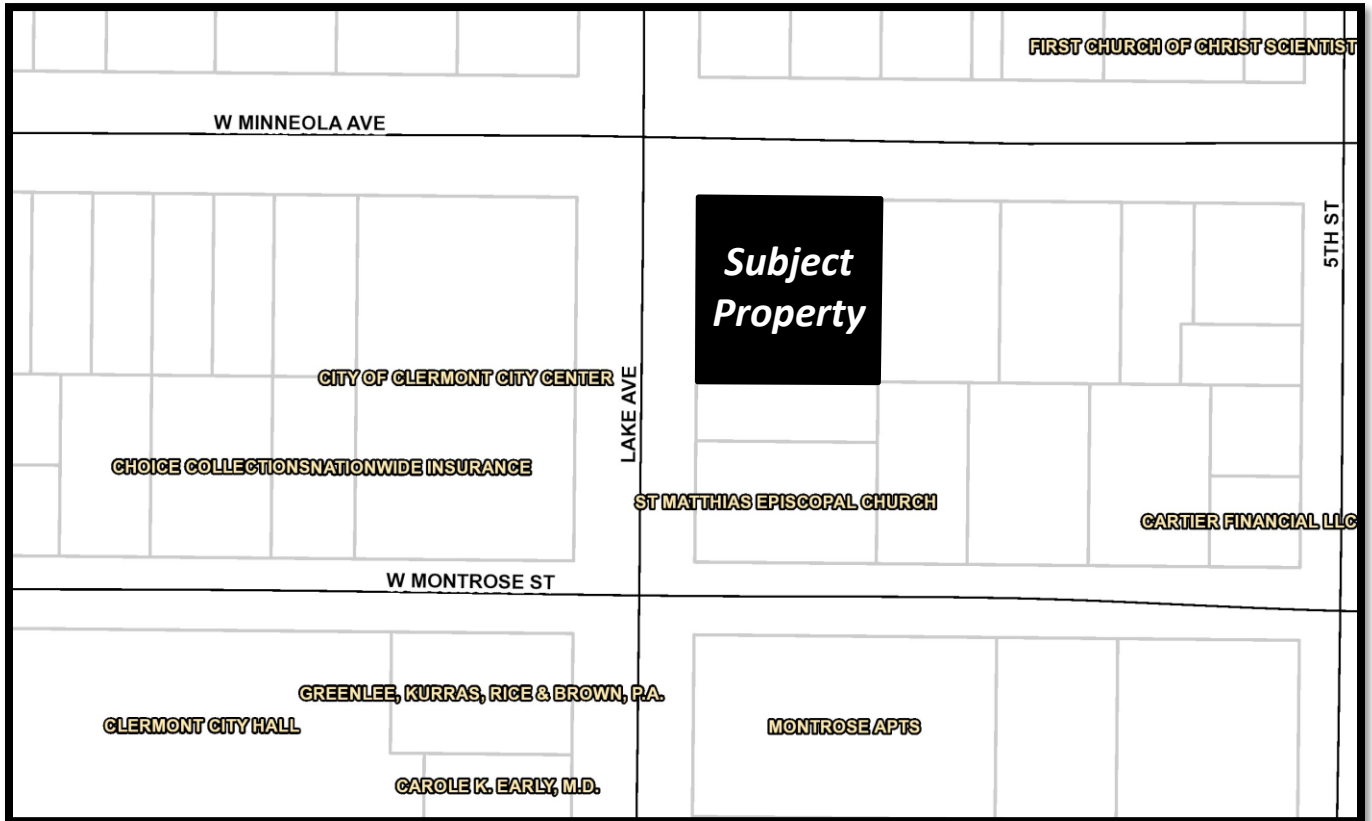


Exhibit – Future Land Use Map
607 Lake Ave. & 619 Lake Ave.

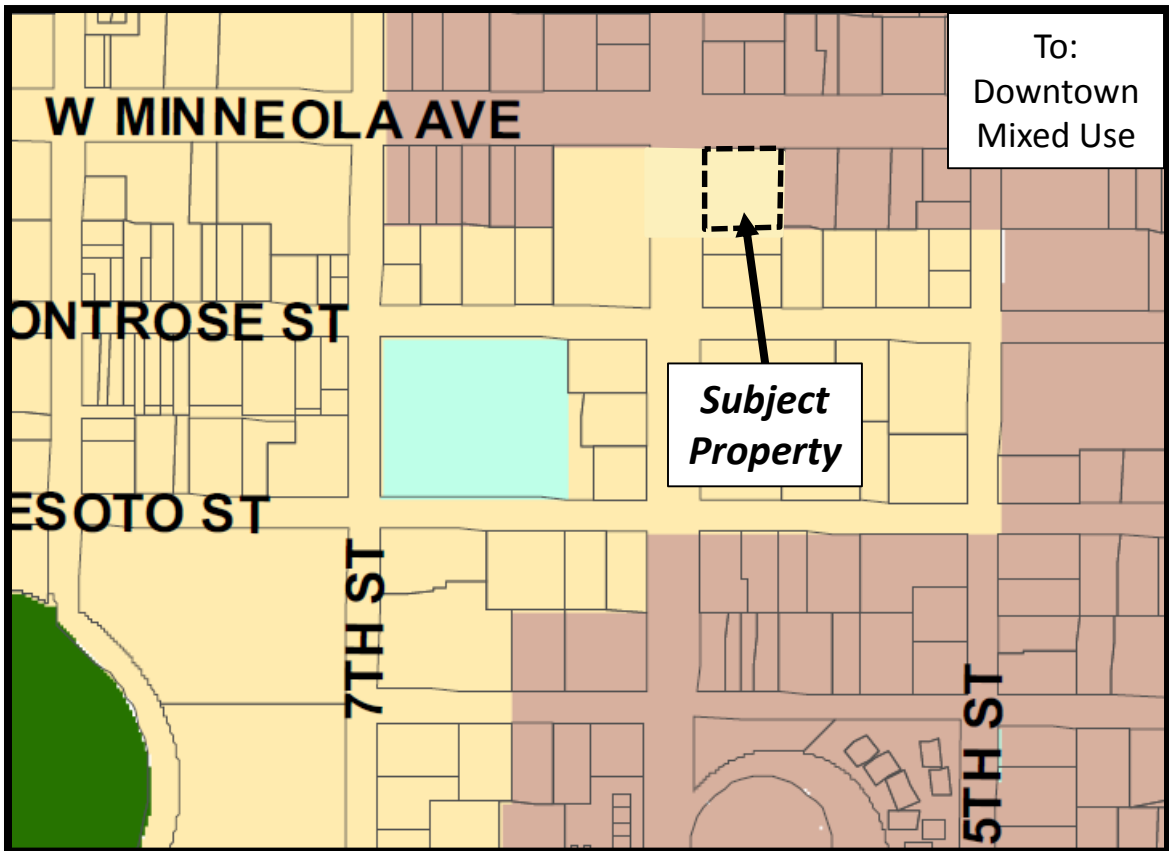
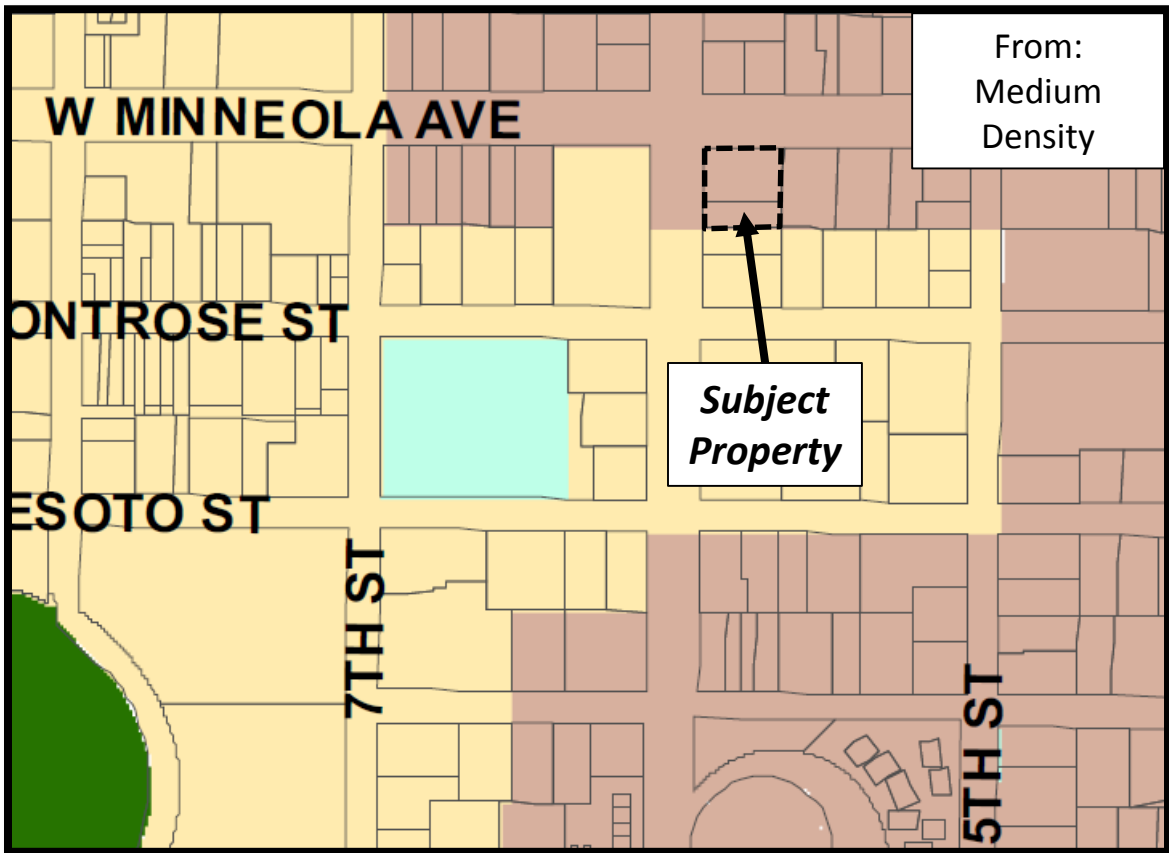
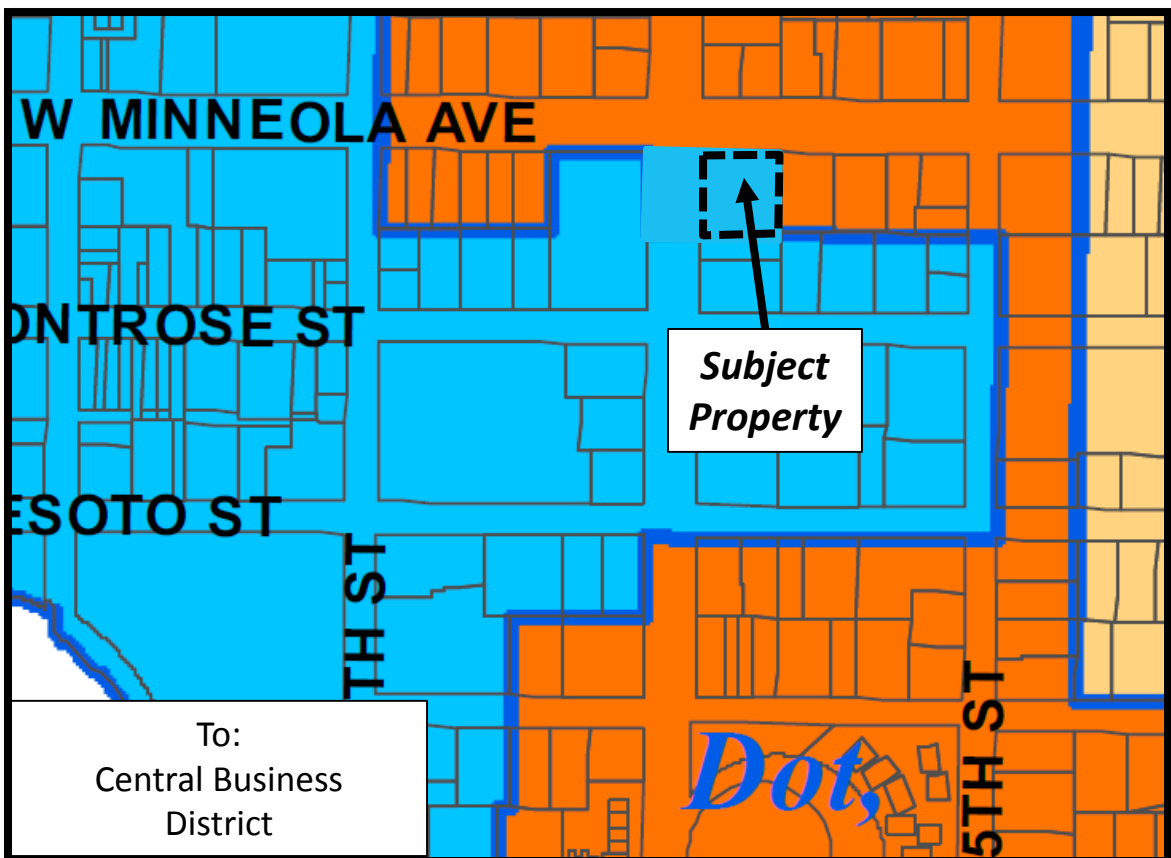
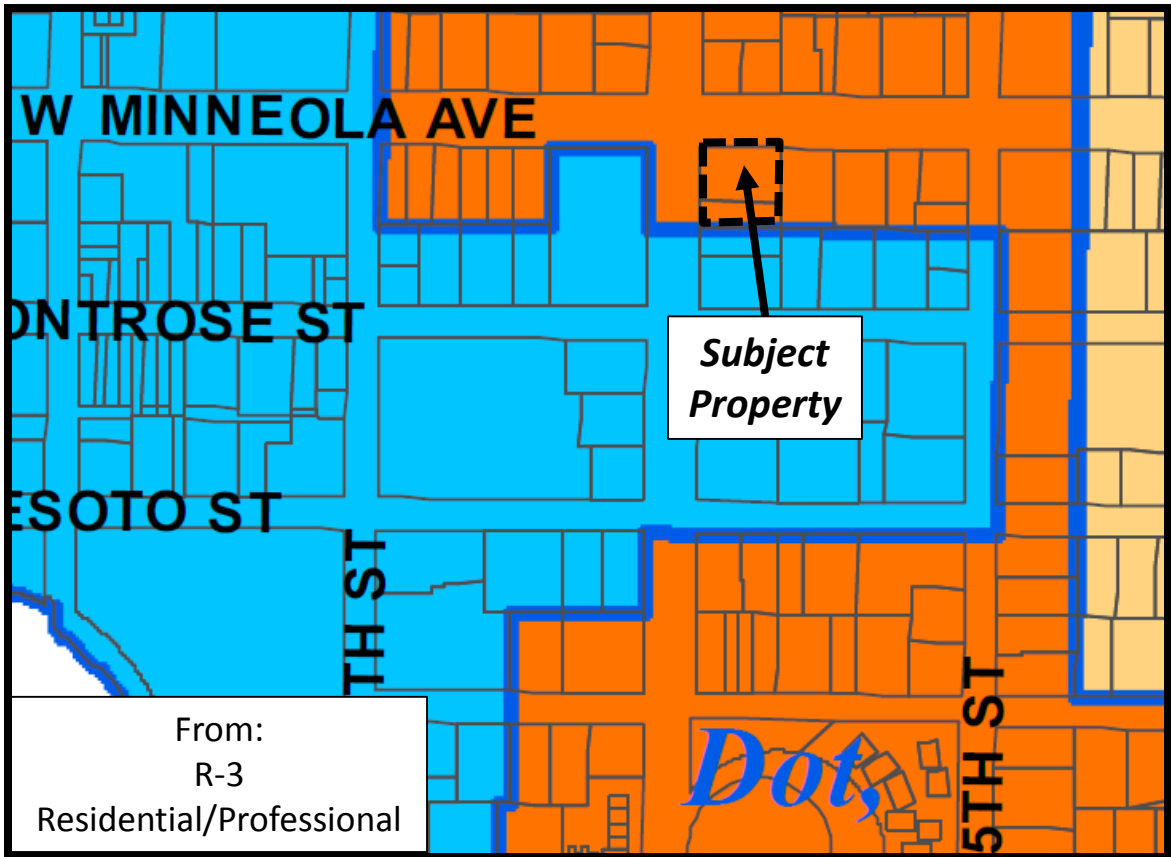


Exhibit - Zoning Map
607 Lake Ave. & 619 Lake Ave.





CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

DATE: 3.1.18

FEE: 755 + AD

Project Name (if applicable): _____

Applicant: Omb's LLC & Hunter's trace LLC

Contact Person: Jayson A Stringfellow

Address: 1455 W Lakeshore Drive

City: Clermont State: FL Zip: 34711

Phone: 352-267-1104 Fax: _____

E-Mail: Envyxl@gmail.com

OWNER: Same as Applicant

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

E-Mail: _____

General Location: 607 Lake Ave

2
619 Lake Ave

Legal Description (include copy of survey):
Clermont lots 1, 2 BLK 56 PD 8 pg 17 ORB 5018
pg 703 / Clermont Lot 3 BLK 56 PD 8 pg 17
ORB 2171 pg 1870

Property size (in acres or square feet): 15,000 / 7500

Flood hazard area (yes) _____ and approx. acreage 0.52 (no) X

Existing (Actual) Land Use: Medium Density

Existing Zoning: R-3

Existing Future Land Use: Downtown Medium Density

Proposed Future Land Use: CBD Downtown

Type of development proposed: _____



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

Proposed Zoning District: CBD

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).

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
--



OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Jayson Stringfellow, 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 MEDIUM DENSITY to Downtown Mixed Use for the property legally described on the attachment of this application.
3. That the owner of said property has appointed _____ 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.

Jayson Stringfellow
Affiant - Applicant Name (print)

X [Signature]
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 15 day of March, 2018



X L. Widican
Notary Public, State of Florida at Large

My Commission Expires: Dec 13, 2019



APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Jayson Stringfellow, who being

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

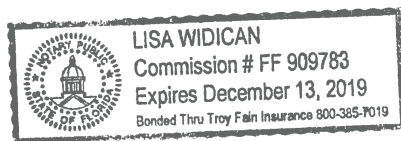
1. That he (she) affirms and certifies that he (she) understands and will comply with all ordinances, regulations and policies of Lake County, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his (her) knowledge and belief, and further, that this application 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 Medium Density 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.

Jay Stringfellow
Affiant - Applicant Name (print)

X [Signature]
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 15 day of March, 2018.



X [Signature]
Notary Public, State of Florida at Large

My Commission Expires: Dec 13, 2019



OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Tracy Wade, who being

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

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TRACY WADE
Affiant - Applicant Name (print)

X Tracy Wade
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 15th day of March, 2018.



X Dawn Stalaker
Notary Public, State of Florida at Large

My Commission Expires: 8-30-20

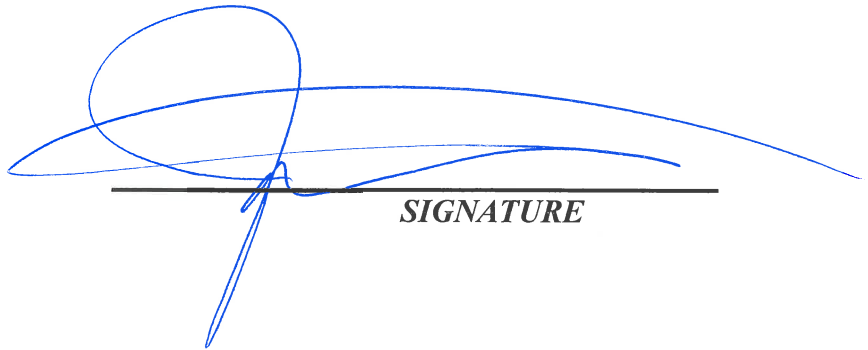
**Description of CUP Application for OMBS, LLC .
Supplement to page 2**

Applicant is requesting to decrease the minimum lot size and width for the referenced vacant lot located adjacent to the CBD in the downtown historic district. Applicant is requesting 50' wide lots with a reduction from 7500 square feet for each detached home to 5000 Square feet

Applicant is further using this application to encourage the City to explore the benefits of increased densities while maintaining the single family detached character of the downtown area. Currently the literal interpretation of the land development code provision incentivizes attached residential over smaller lot size detached single family. Allowing smaller lot sizes for detached dwellings would help maintain the character and promote economic stability in the downtown neighborhoods.

The intent of the code is to promote infill. This CUP will provide an example of how to transition from mixed-use areas to a comfortable urban residential neighborhoods.

Jayson A .Stringfellow
Applicant /Owner Name



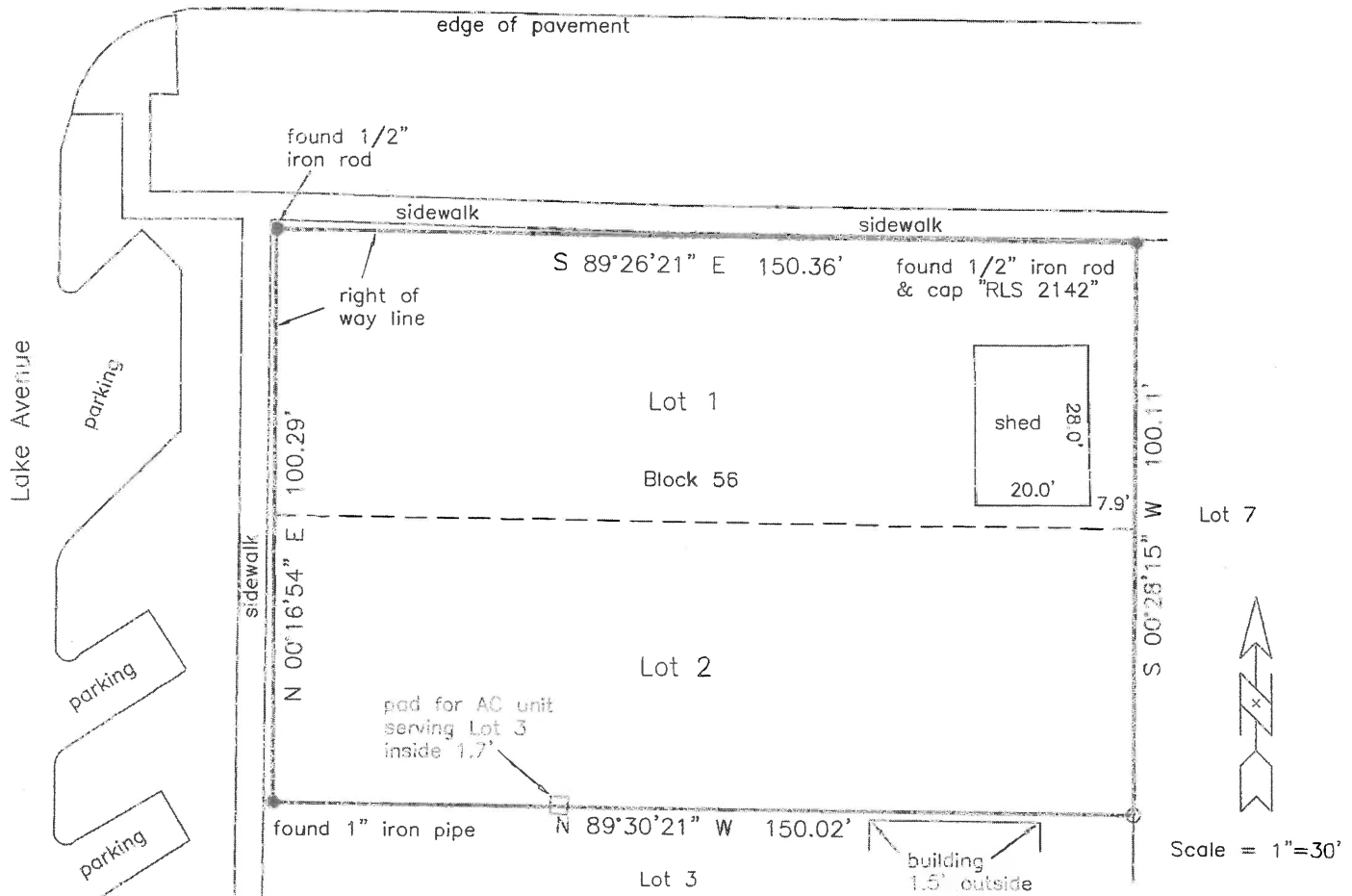
SIGNATURE

Map of Boundary Survey

West Minneola Avenue

Description:

Lots 1 and 2, Block 56, THE CITY OF CLERMONT, according to the map or plat thereof, as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida.



City of Clermont

I hereby declare that based on my examination of the Flood Insurance Rate Map number 12069C 0570 E dated Dec. 18, 2012, and that to the best of my knowledge, belief and my professional opinion that the subject property lies within flood zone X.

Notes:

- Bearings based on the West right of way of Lake Ave. as being N 00°16'54" E, an assumed meridian.
- Legal description from title commitment.
- Title commitment by Old Republic National Title Insurance Company file #00285-059 dated 10-02-17 was provided for this Survey.
- No adjacent or underground improvements, other than those shown, located this date.
- Subject property contains 0.345 acres, more or less.

LEGEND:

- Denotes set 1/2" iron rod & cap marked "LB 6980"

Surveyor's Certification

I hereby certify to OMBS, L.L.C.,

Old Republic National Title Insurance Company and Law Office of Anita Geraci-Carver, P.A. that this Map of Boundary Survey meets the Standards of Practice for surveys as set forth in Chapter 5J-17 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Jeffrey P. Rhoden
JEFFREY P. RHODEN PSM #5322
STATE OF FLORIDA

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS MAP/REPORT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

10/18/17

Field Date 10/18/17	Prepared for: OMBS, L.L.C.	17067.001
Drawn by: JPR	Rhoden Land Surveying, Inc. LB #6980 420 E. Minnehaha Ave. Clermont, FL 34711 352-394-6255	
Scale: 1"=30'		



CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

DATE: 3.1.18

FEE: 755 + AD

Project Name (if applicable): _____

Applicant: Omb's LLC & Hunter's trace LLC

Contact Person: Jayson A Stringfellow

Address: 1435 W Lakeshore Drive

City: Clermont State: FL Zip: 34711

Phone: 352-267-1104 Fax: _____

E-Mail: Envyxl@gmail.com

OWNER: Same as Applicant

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

E-Mail: _____

General Location: 607 Lake Ave

&

619 Lake Ave

Legal Description (include copy of survey): _____

Clermont lots 1, 2 BLK 56 PD 8 pg 17 ORB 5018
pg 703 / Clermont lot 3 BLK 56 PD 8 pg 17
ORB 2171 pg 1870

Property size (in acres or square feet): 15,000 / 7500

Flood hazard area (yes) _____ and approx. acreage 0.52 (no) X

Existing (Actual) Land Use: Medium Density

Existing Zoning: R-3

Existing Future Land Use: Downtown Medium Density

Proposed Future Land Use: CBD Downtown

Type of development proposed: _____



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

Proposed Zoning District: CBD

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).

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:

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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



OWNER'S AFFIDAVIT

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COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

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Jayson Stringfellow
Affiant - Applicant Name (print)

X [Signature]
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 15 day of March, 2018



X L. Widican
Notary Public, State of Florida at Large

My Commission Expires: Dec 13, 2019



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COUNTY OF LAKE:

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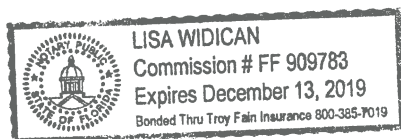
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Jay Stringfellow
Affiant - Applicant Name (print)

[Signature]
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

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[Signature]
Notary Public, State of Florida at Large

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COUNTY OF LAKE:

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Affiant - Applicant Name (print)

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Affiant - Applicant Name (signature)

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X Dawn Stalaker
Notary Public, State of Florida at Large

My Commission Expires: 8-30-20

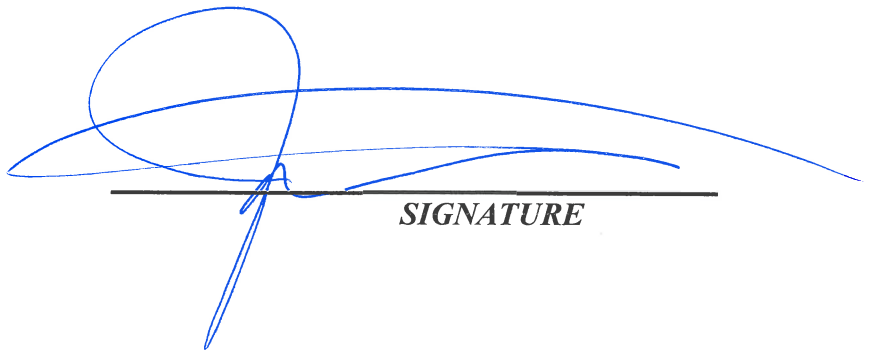
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Jayson A .Stringfellow
Applicant /Owner Name



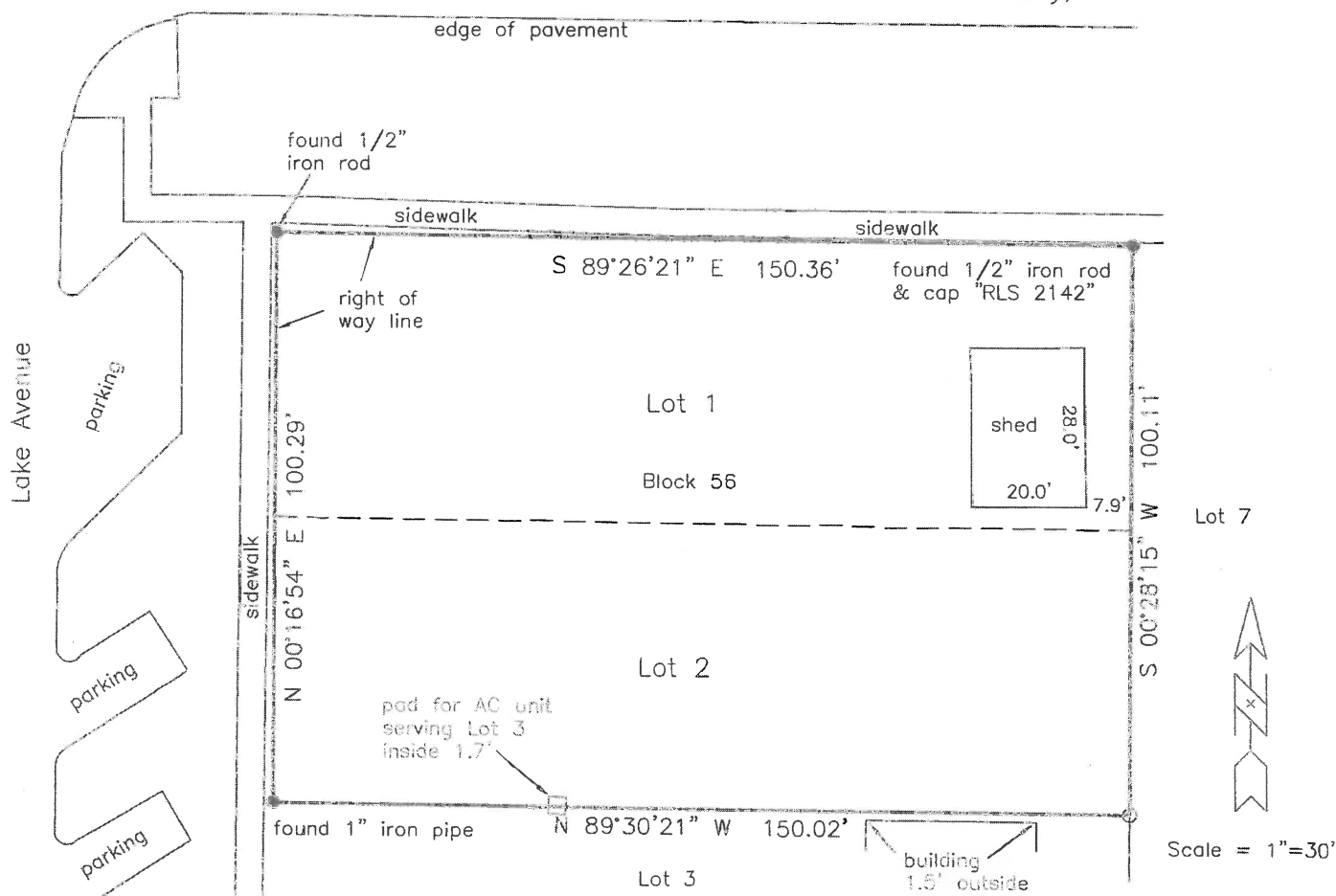
SIGNATURE

Map of Boundary Survey

West Minneola Avenue

Description:

Lots 1 and 2, Block 56, THE CITY OF CLERMONT, according to the map or plat thereof, as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida.



City of Clermont

I hereby declare that based on my examination of the Flood Insurance Rate Map number 12069C 0570 E dated Dec. 18, 2012, and that to the best of my knowledge, belief and my professional opinion that the subject property lies within flood zone X.

Notes:

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- Title commitment by Old Republic National Title Insurance Company file #00285-059 dated 10-02-17 was provided for this Survey.
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Surveyor's Certification

I hereby certify to OMBS, L.L.C., Old Republic National Title Insurance Company and Law Office of Anita Geraci-Carver, P.A. that this Map of Boundary Survey meets the Standards of Practice for surveys as set forth in Chapter 5J-17 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Jeffrey P. Rhoden
JEFFREY P. RHODEN PSM #5322
10/18/17

STATE OF FLORIDA
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LEGEND:

- Denotes set 1/2" iron rod & cap marked "LB 6980"

Field Date 10/18/17	Prepared for: OMBS, L.L.C.	17067.001
Drawn by: JPR	Rhoden Land Surveying, Inc. LB #6980 420 E. Minnehaha Ave. Clermont, FL 34711 352-394-6255	
Scale: 1"=30'		

COPY

Prepared by and return to:

Anita Geraci-Carver

Attorney at Law

Law Office of Anita Geraci-Carver, P.A.

1560 Bloxam Avenue

Clermont, FL 34711

352-243-2801

File Number: 00285-059

Will Call No.:

_____[Space Above This Line For Recording Data]_____

Warranty Deed

This Warranty Deed made this **25th** day of **October, 2017** between **Stephen Briddon and Nicola Briddon, husband and wife** whose post office address is **8707 Eton Court, Celebration, FL 34747**, grantor, and **OMBS, LLC, a Florida limited liability company** whose post office address is **1455 W. Lakeshore Drive, Clermont, FL 34711**, grantee:

(Whenever 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Lake County, Florida** to-wit:

Lots 1 and 2, Block 56, THE CITY OF CLERMONT, according to the map or plat thereof as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida.

Parcel Identification Number: 2422250100-056-00100

DOCUMENTARY STAMPS IN THE AMOUNT OF \$595.00 HAVE BEEN PAID. THE PURCHASE PRICE IS \$85,000.00

The property herein conveyed DOES NOT constitute the HOMESTEAD property of the Grantors.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants 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 encumbrances, except taxes accruing subsequent to **December 31, 2016**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Donna L. Divine
Witness Name: Donna L. Divine

Anita Geraci-Carver
Witness Name: Anita Geraci-Carver

Stephen Briddon (Seal)
Stephen Briddon

Nicola Briddon (Seal)
Nicola Briddon

State of Florida
County of Lake

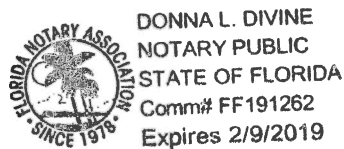
The foregoing instrument was acknowledged before me this 25th day of October, 2017 by Stephen Briddon and Nicola Briddon, who ☐ are personally known or ☒ have produced a driver's license as identification.

[Notary Seal]

Donna L. Divine
Notary Public

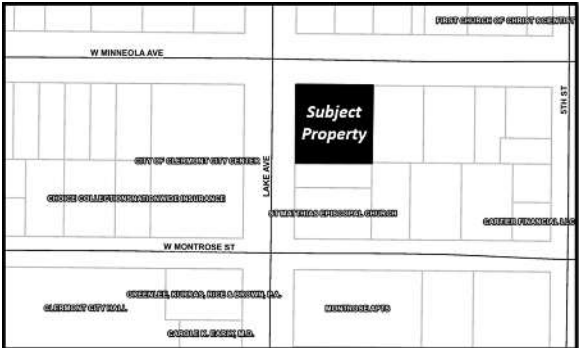
Printed Name: Donna L. Divine

My Commission Expires: February 9, 2019



CITY OF CLERMONT
NOTICE OF PROPOSED LAND
USE CHANGE
Small-Scale Comprehensive
Plan Amendment
ORDINANCE NO. 2018-12

The City of Clermont will hold public hearings on Tuesday, April 3, 2018 at 6:30 p.m. before the Planning and Zoning Commission; and Tuesday, April 10, 2018 at 6:30 p.m. (1st reading of the adoption ordinance) and Tuesday, April 24, 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 0.52 +/-acre parcel below from Medium Density Residential to Downtown Mixed Use. Alternate Key 1613191 & 1613205.



Location:
Southeast corner of the intersection of Lake Ave. & West Minneola Ave.

Ordinance #2018-12:

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

D038344 - March 24 & April 10, 2018

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

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

LF-D038344 (100%)

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

PROOF CREATED AT: 3/7/2018 3:01:41 PM
NEXT RUN DATE: 03/24/18
PROOF DUE: 03/23/18 12:59:55



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 10, 2018		
Agenda Item Name		
Ordinance No. 2018-13 <i>Introduction</i> 607 & 619 Lake Ave Rezoning		
Requested Action		
Recommend introduction of Ordinance No. 2018-13		
Staff Report		
The applicants, OMBS LLC and Hunters Trace LLC, are seeking a rezoning from R-3 Residential/Professional District to Central Business District on property that is approximately 0.52 +/- acres in size. This zoning would coincide with the Downtown Mixed Use future land change that is also being requested by the applicants. The Central Business District zoning is currently adjacent to the property on the west and south. The change would be an orderly outward movement of the Central Business District. The zoning change would provide greater development potential on the property and expand the Central Business District. The OMBS property had a residential structure that was removed in the past few years and will be redeveloped in the near future. The Hunters Trace property has a structure that was built in 1910 and the zoning change would provide opportunities for redevelopment of this parcel as well. Since the zoning change would encourage greater opportunities for redevelopment and new development in the Central Business District and is consistent with the overall intent of the Downtown Master Plan, staff recommends approval of Ordinance 2018-13 to rezone the parcels from R-3 Residential/Professional 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.	2018-13 607 619 Lake Ave REZ	2018-13 607 619 Lake Ave REZ.doc
2.	607 Lake Ave Maps	607 Lake Ave Maps.pdf
3.	Draft site plan	Draft site plan.pdf
4.	REZ Application	REZ Application.pdf
5.	REZ Legal Ad Proof	REZ Legal Ad Proof.pdf



CITY OF CLERMONT
ORDINANCE NO. 2018-13

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

Lots 1, 2, and 3, Block 56, the City of Clermont, according to the plat thereof as recorded in Plat Book 8, Pages 17 through 23, inclusive, Public Records of Lake County, Florida.

LOCATION

Southeast corner of the intersection of Lake Ave. & West Minneola Ave.
Alternate Key 1613191 & 1613205

**From: R-3 Residential/Professional District
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.

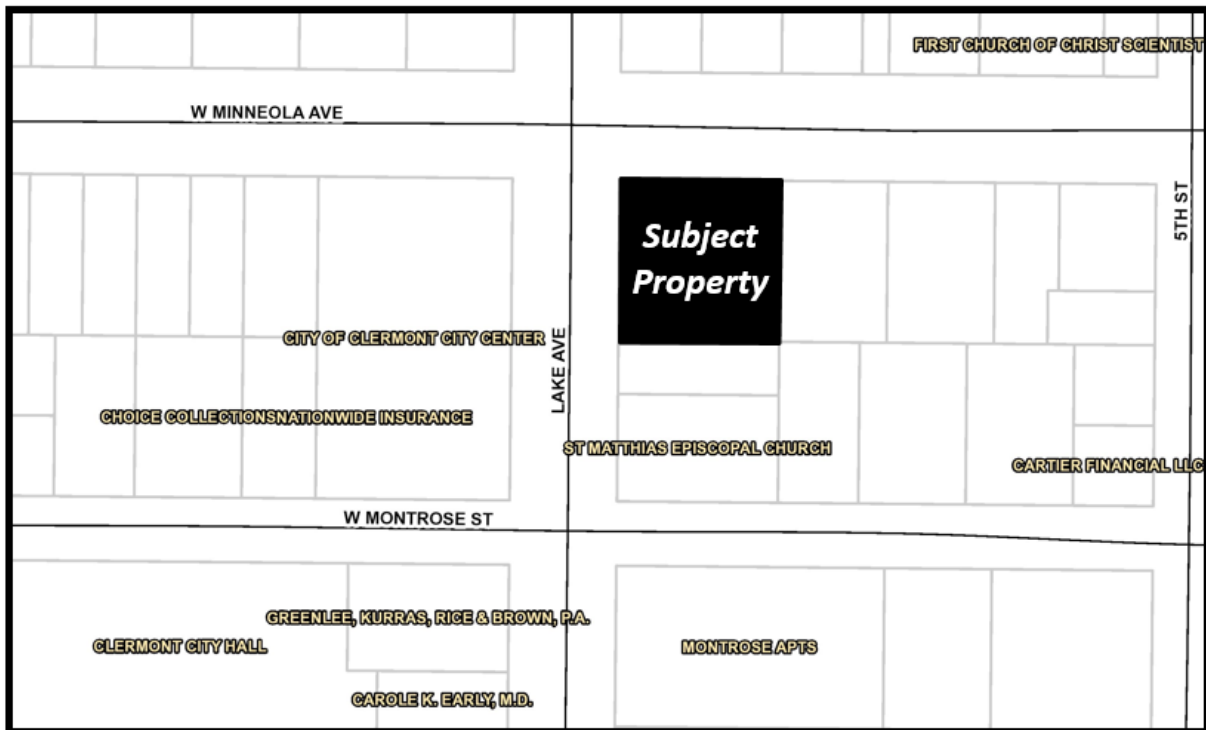
SECTION 4.

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



CITY OF CLERMONT
ORDINANCE NO. 2018-13

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2018-13

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on 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
607 Lake Ave. & 619 Lake Ave.

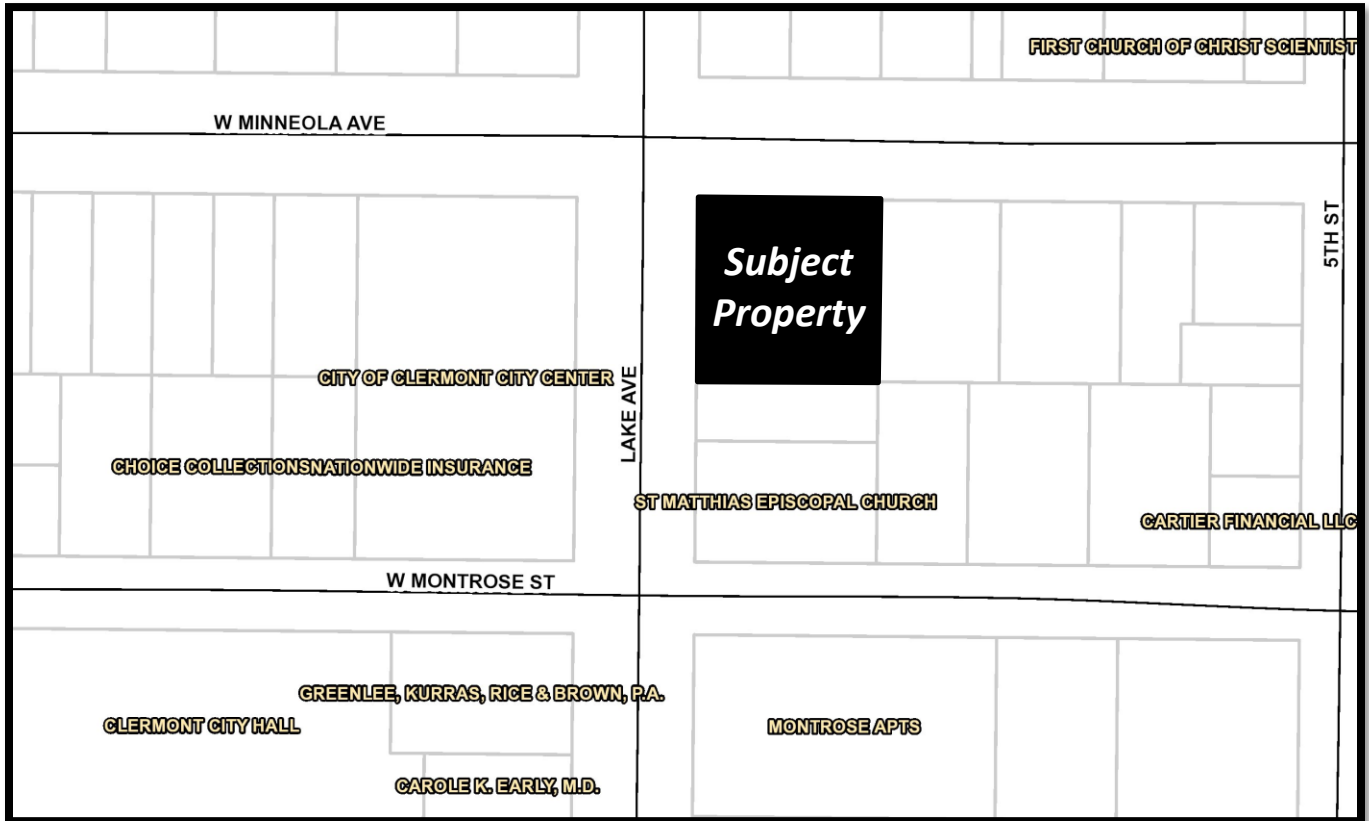


Exhibit – Future Land Use Map
607 Lake Ave. & 619 Lake Ave.

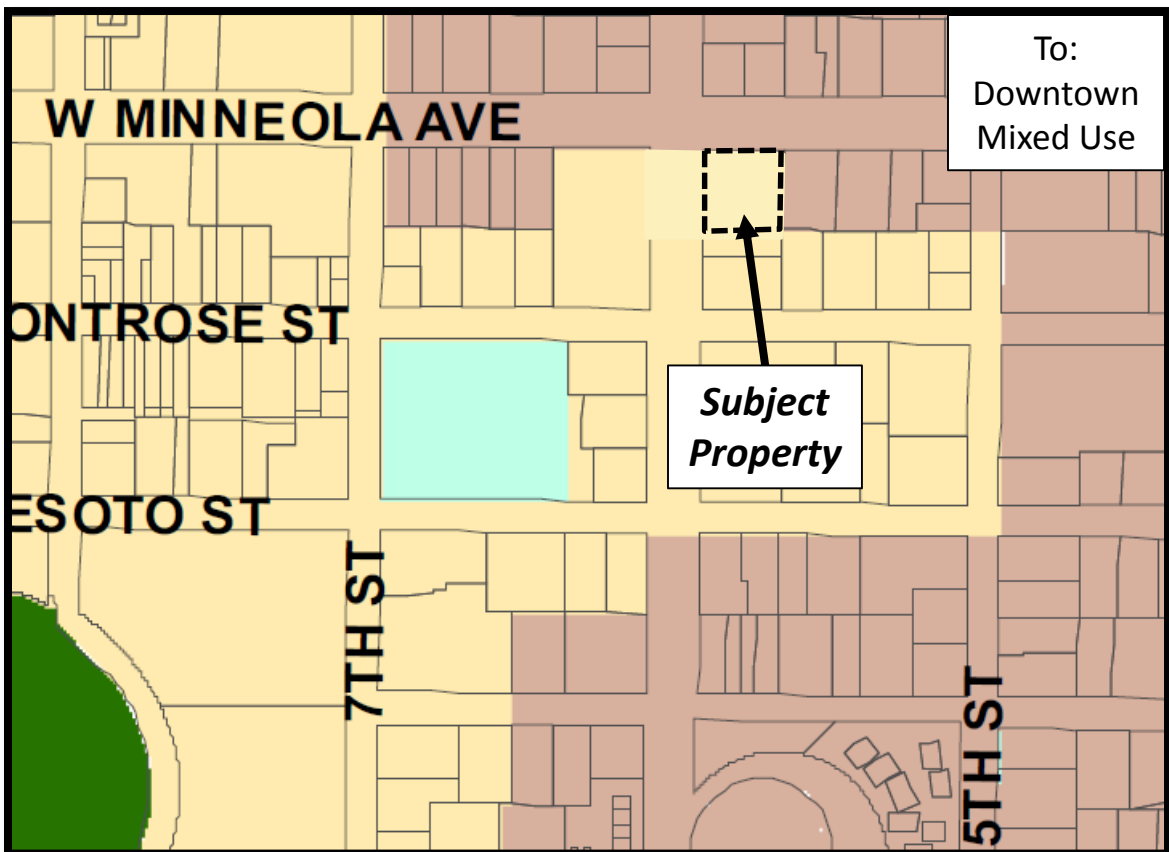
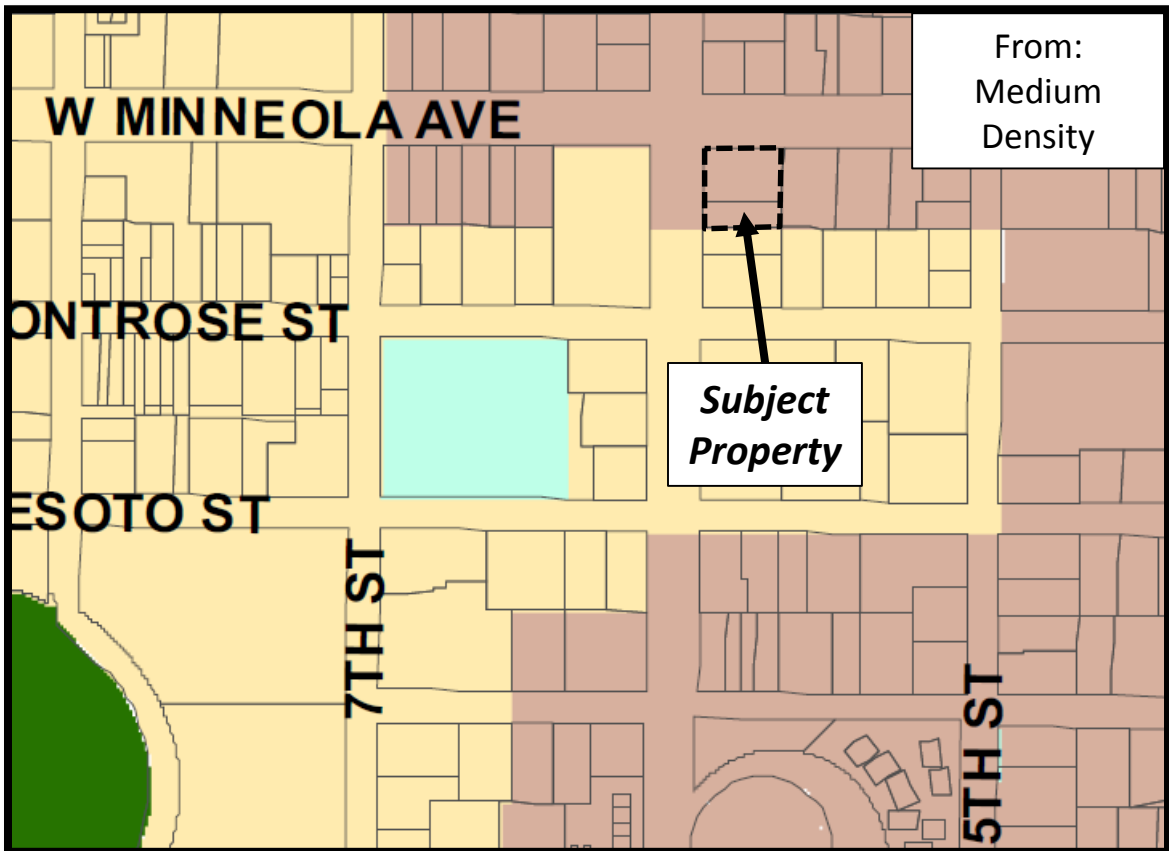
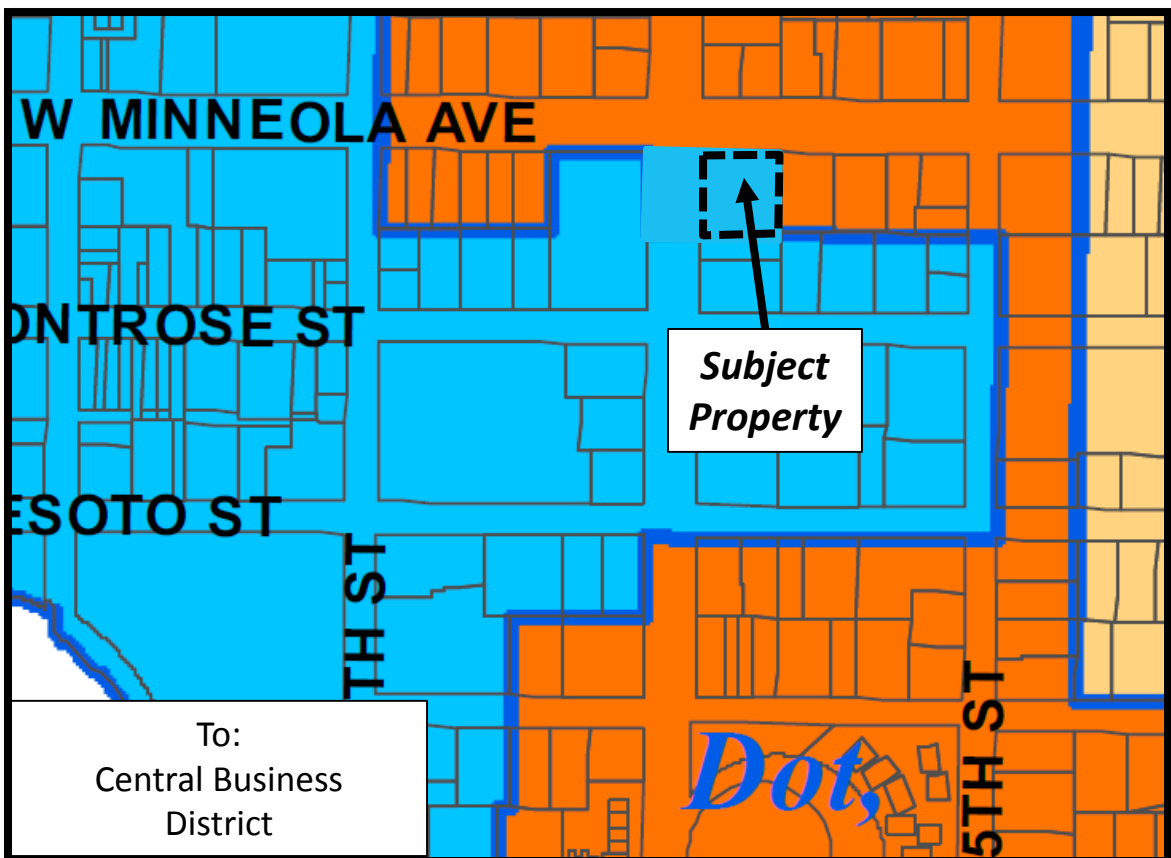
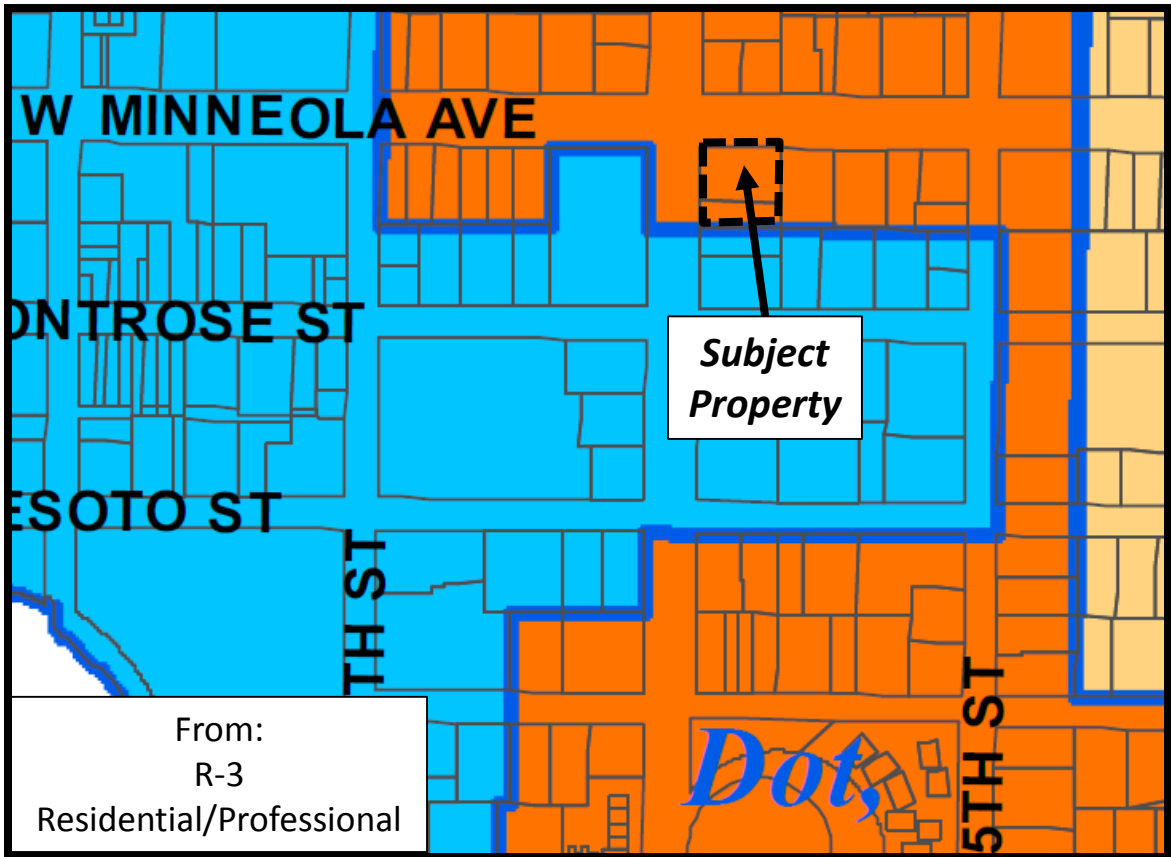


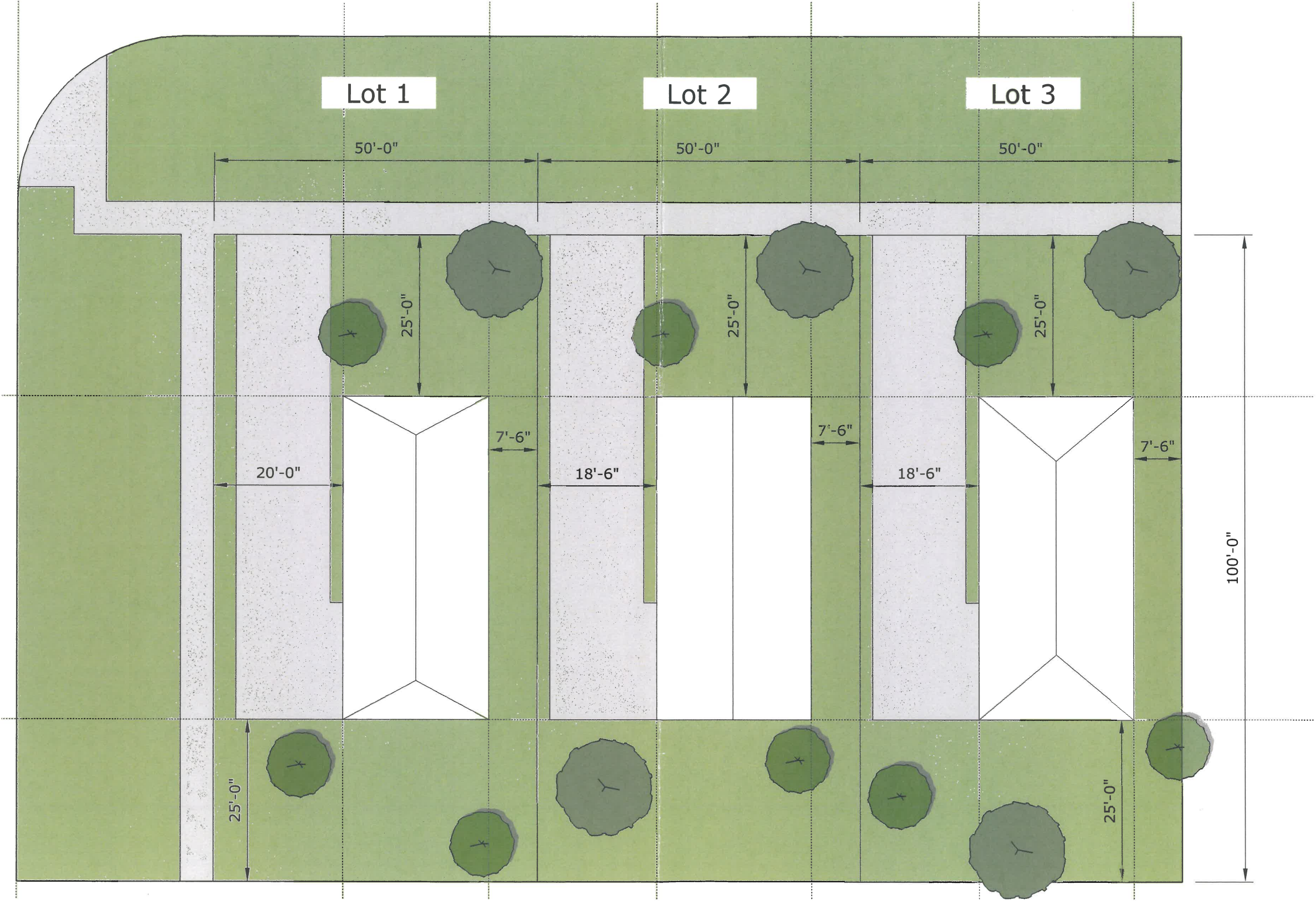
Exhibit - Zoning Map
607 Lake Ave. & 619 Lake Ave.



MINNEOLA AVE

 **DRAFT**

LAKE AVE



 **DRAFT**



Rez1802-0001



CITY OF CLERMONT
REZONING
APPLICATION

DATE: 2-7-18

FEE: \$542.⁰⁰
+ cost of advertisement

PROJECT NAME (if applicable): 607 Lake & 619 Lake Ave

APPLICANT: Ombs LLC & Hunters Trace LLC

CONTACT PERSON: Jayson Stringfellow

Address: 1455 W Lakeshore Drive

City: Clermont State: FL Zip: 34711

Phone: 352.267.1104 Fax: _____

E-Mail: Envyx1@gmail.com

OWNER: Same as Contact person

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Address of Subject Property: 607 Lake Ave & 619 Lake Ave

Legal Description (include copy of survey): A: Clermont lot 1, 2 Blk

56 Pg 8 Pg 17 ORB 5018 Pg 703

B: Clermont lot 3, Block 56

Pb 8 pages 17 ORB 2171 pg 1870

Acreage: _____ Land Use: Medium Density
(City verification required)

Present Zoning: R-3 Proposed Zoning: CBD
(City verification required)



**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?

See attached Site plan

Jaysan Stringfellow

Applicant Name (print)

X [Signature]

Applicant Name (signature)

A. Jaysan Stringfellow

Owner Name (print)

X [Signature]

Owner Name (signature)

B. Tracy Wade

Owner Name print

X TRACY WADE

Signature

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

PROPERTY RECORD CARD

General Information

Owner Name:	OMBS LLC	Alternate Key:	1613191
Mailing Address:	1455 W LAKESHORE DR CLERMONT, FL 34711 Update Mailing Address	Parcel Number:	24-22-25- 010005600100
		Millage Group and City:	00C1 (CLERMONT)
		Total Certified Millage Rate:	17.76
		Trash/Recycling/Water/Info:	My Public Services Map ⓘ
Property Location:	607 LAKE AVE CLERMONT FL 34711 Update Property Location ⓘ	Property Name:	-- Submit Property Name ⓘ
		School Locator:	School and Bus Map ⓘ
Property Description:	CLERMONT LOTS 1, 2 BLK 56 PB 8 PG 17 ORB 5018 PG 703		

NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT RESIDENTIAL (0000)	100	150		2	LT	\$0.00	\$30,000.00

Miscellaneous Improvements

No.	Type	No. Units	Unit Type	Year	Depreciated Value
0001	GARAGE DETACHED (DGF)	560	SF	1930	\$3,602.00

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description above and/or recorded and indexed with the Clerk of Court. [Follow this link to search all documents by owner's name.](#)

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
5018 / 703	10/25/2017	Warranty Deed	Qualified	Vacant	\$85,000.00
4571 / 445	12/19/2014	Warranty Deed	Qualified	Improved	\$85,000.00
3056 / 1603	8/1/2005	Warranty Deed	Unqualified	Improved	\$0.00
2864 / 2005	6/2/2005	Warranty Deed	Unqualified	Improved	\$0.00
1368 / 73	5/16/1995	Personal Rep Deed	Unqualified	Improved	\$0.00
88 / 934	12/18/1962	Misc Deed/Document	Unqualified	Improved	\$0.00

PROPERTY RECORD CARD

General Information

Owner Name:	HUNTER'S TRACE LLC	Alternate Key:	1613205
Mailing Address:	PO BOX 1171 MINNEOLA, FL 34755-1171 Update Mailing Address	Parcel Number:	24-22-25-010005600300
		Millage Group and City:	00C1 (CLERMONT)
		Total Certified Millage Rate:	17.76
		Trash/Recycling/Water/Info:	My Public Services Map ⓘ
Property Location:	619 LAKE AVE CLERMONT FL 34711 Update Property Location ⓘ	Property Name:	-- Submit Property Name ⓘ
		School Locator:	School and Bus Map ⓘ
Property Description:	CLERMONT LOT 3, BLK 56 PB 8 PG 17 ORB 2171 PG 1870		
NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.			

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	MULTI FAMILY <5 UNITS (0800)	50	150		1	LT	\$0.00	\$25,000.00

Residential Building(s)

Building 001

Residential	Quadrplex	Building Value: \$96,341.00						
Summary								
Year Built: 1910	Total Living Area: 2838 ⓘ	Central A/C: Yes	Attached Garage: No					
Bedrooms: 4	Full Bathrooms: 4	Half Bathrooms: 0	Fireplaces: 0					
Incorrect Bedroom, Bath, or other information? ⓘ								
Section(s)								
Section No.	Section Type	Ext. Wall Type	No. Stories	Floor Area	Finished Attic	Basement	Basement Finished	Map Color
1	FINISHED LIVING AREA (FLA)	Wood (001)	2	1419	N	4%	20%	
2	ENCLOSED PORCH	Wood (001)	1	24	N	0%	0%	



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

Detail by Entity Name

Florida Limited Liability Company
HUNTER'S TRACE, LLC

Filing Information

Document Number	L02000008788
FEI/EIN Number	42-7944974
Date Filed	04/12/2002
Effective Date	04/09/2002
State	FL
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	02/05/2011

Principal Address

13344 COUNTY RD 561
CLERMONT, FL 34711

Changed: 02/05/2011

Mailing Address

P.O. BOX 1171
MINNEOLA, FL 34755

Changed: 03/06/2007

Registered Agent Name & Address

WADE, TRACY .
13344 COUNTY RD 561
CLERMONT, FL 34711

Name Changed: 02/15/2013

Address Changed: 02/15/2013

Authorized Person(s) Detail

Name & Address

Title MGRM

WADE, TRACY B
P.O. BOX 1171
MINNEOLA, FL 34755



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

Detail by Entity Name

Florida Limited Liability Company
OMBS, L.L.C.

Filing Information

Document Number	L13000122402
FEI/EIN Number	46-3548649
Date Filed	08/28/2013
State	FL
Status	ACTIVE
Last Event	LC STMNT OF AUTHORITY
21	
Event Date Filed	01/10/2018
Event Effective Date	NONE

Principal Address

1455 W. LAKESHORE DRIVE
CLERMONT, FL 34711

Mailing Address

1455 W. LAKESHORE DRIVE
CLERMONT, FL 34711

Registered Agent Name & Address

GERACI-CARVER, ANITA, P.A.
1560 BLOXAM AVENUE
CLERMONT, FL 34711

Authorized Person(s) Detail

Name & Address

Title MGRM

STRINGFELLOW, JAYSON
1455 W. LAKESHORE DRIVE
CLERMONT, FL 34711

Annual Reports

Report Year	Filed Date
2015	02/02/2015
2016	01/30/2016
2017	02/06/2017

Advertising Receipt

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

Account Number: 7101866
Order Number: 10074422
Phone: (352) 241-7331
Date: 03/07/18
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	03/27/2018	04/10/2018	\$208.56

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. 2018-13

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.

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: 10074422
March 27, 2018 &
April 10, 2018

LOCATION

Southeast corner of the intersection
of Lake Ave. & West Minneola Ave.
Alternate Key 1613191 &
1613205

LEGAL DESCRIPTION

Lots 1, 2, and 3, Block 56, THE CITY OF CLERMONT, according to the plat thereof as recorded in Plat Book 8, Pages 17 through 23, inclusive, Public Records of Lake County, Florida. Alternate Key 1613191 & 1613205

The above described tract of land contains 0.520 acres more or less.

From: R-3 Residential/Professional
To: Central Business District

This request will be considered by the Planning & Zoning Commission on Tuesday, April 3, 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.

Payment Info	
Ad Price	\$208.56
Tax	\$0.00
Sub Total	\$208.56
Prepaid Amount	\$0.00
Balance Due	\$208.56



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 10, 2018		
Agenda Item Name		
Ordinance No. 2018-15 <i>Introduction</i> <i>Goodman Commerce Center Annexation</i>		
Requested Action		
Recommend introduction of Ordinance No. 2018-15		
Staff Report		
The applicant, is requesting voluntary annexation of the subject property. The property is located at the Northeast corner of Hancock Road and Trade Avenue. The subject property is contiguous to the City of Clermont boundaries under Chapter 171 of the Florida Statutes for annexation. The vacant parcel is approximately 9.40 +/- acres and is within the City's utility service area. The property is located within the ISBA and the JPA. The applicant wishes to receive services from the City for development of two warehouse/flex-space and office buildings on the property. This request is being heard concurrently with the applications for a small scale comprehensive plan amendment, rezoning, and a conditional use permit to allow two buildings that occupy more than 20,000 square feet of floor space and to allow a total floor area greater than 100,000 square feet in the M-1 Industrial zoning district. The related request for a comprehensive plan amendment would change the Future Land Use from Lake County's Regional Commercial to City Industrial designation. The rezoning request is to change the zoning from Lake County MP to City of Clermont M-1 Industrial zoning classification. Since the subject property is adjacent to the City limits and the City can provide urban services, staff recommends approval of Ordinance No. 2018-15.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance No. 2018-15	2018-15 Goodman Commerce ANN.pdf	
2. LOCATION MAP	LOCATION MAP.pdf	
3. Concept-Site Plan	Concept-Site Plan.pdf	
4. Application	Application.pdf	
5. Legal AD	Legal AD.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2018-15

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

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

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

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

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

SECTION 1.

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

LEGAL DESCRIPTION

Parcel 1: East 241 feet of North 1/2 of that portion of the following described land lying North of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida: The South 1575 feet of the West 1660 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, Lake County, Florida, Less the North 726 feet of East 900 feet thereof.

Parcel 2: The North 1/2 of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida. And {The East 241 feet of} The South 1/2 of that portion of the following described land lying North of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida: The South 1575 feet of the West 1660 feet of the North 1/2 of



CITY OF CLERMONT
ORDINANCE NO. 2018-15

Section 34, Township 22 South, Range 26 East, Lake County, Florida, Less the North 726 feet of the East 900 feet thereof.

Parcel 3: Commence at the Northeast corner of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida, thence run South 00°30'05" East along the East line of said Tract B for a distance of 30.00 feet to the centerline of said Tract B; thence run North 89°57'31" West along said centerline for a distance of 241.00 feet to the Point of Beginning; thence continue North 89°57'31" West along said centerline for a distance of 479.00 feet to the East right of way line of Hancock Road; thence run North 00°30'05" West along said East right of way line for a distance of 30.00 feet to the Northwest corner of said Tract B; thence run North 89°57'27" West for a distance of 15.00 feet to the East right of way line of Hancock Road; thence run North 00°30'05" West along said East right of way line for a distance of 168.92 feet; thence run South 89°57'27" East for a distance of 494.00 feet; thence run South 00°30'05" East for a distance of 198.91 feet to the Point of Beginning, less and except any portion lying within the North 1/2 of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

Parcel 4: Commence at the Northeast corner of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida, thence run South 00°30'05" East along the East line of said Tract B for a distance of 30.00 feet to the centerline of said Tract B; thence run North 89°57'31" West along said centerline for a distance of 241.00 feet; thence run North 00°30'05" West for a distance of 198.91 feet to the Point of Beginning; thence run North 89°57'27" West for a distance of 494.00 feet to the East right of way line of Hancock Road; thence run North 00°30'05" West along said East right of way line for a distance of 177.00 feet; thence run South 89°57'27" East for a distance of 494.00 feet; thence run South 00°30'05" East for a distance of 177.00 feet to the Point of Beginning.

Parcel 5: Commence at the Northeast corner of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida, thence run South 00°30'05" East along the East line of said Tract B for a distance of 30.00 feet to the centerline of said Tract B; thence run North 89°57'31" West along said centerline for a distance of 241.00 feet; thence run North 00°30'05" West for a distance of 375.91 feet to the Point of Beginning; thence run North 89°57'27" West for a distance of 494.00 feet to the East right of way line of Hancock Road; thence run North 00°30'05" West along said East right of way line for a distance of 177.00 feet to the North line of the South 1575.00 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, thence run South 89°57'27" East along said North line for a distance of 494.00 feet; thence run South 00°30'05" East for a distance of 177.00 feet to the Point of Beginning.

Site contains 9.408+/- acres.



CITY OF CLERMONT
ORDINANCE NO. 2018-15

LOCATION

Vacant property on the Northeast corner of Hancock Road and Trade Avenue
(Alternate Key # 3844778, 3840721, 3840720, 3840010 and 3840011)

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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

SECTION 5.

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

SECTION 6.

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

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2018-15

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

CITY OF CLERMONT

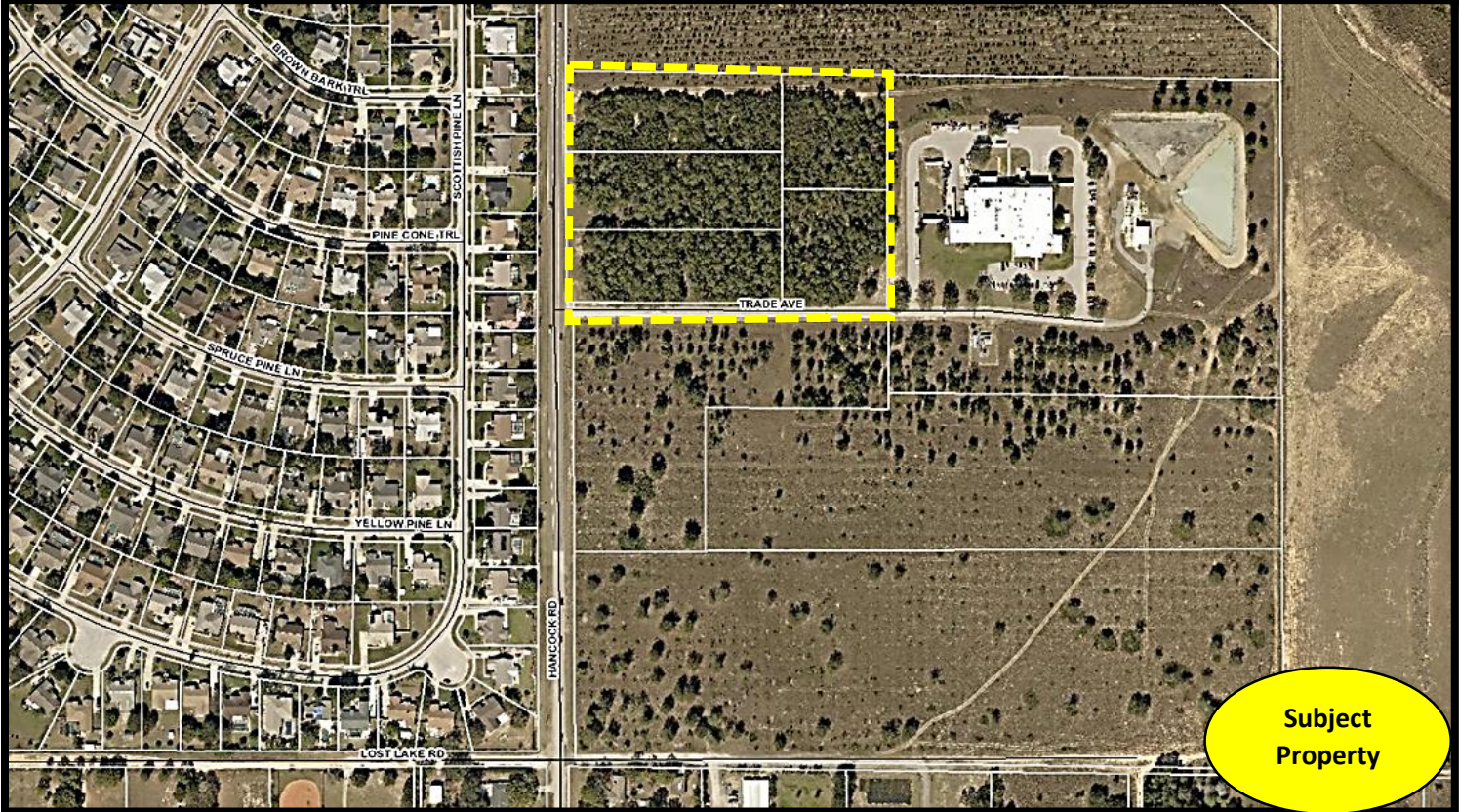
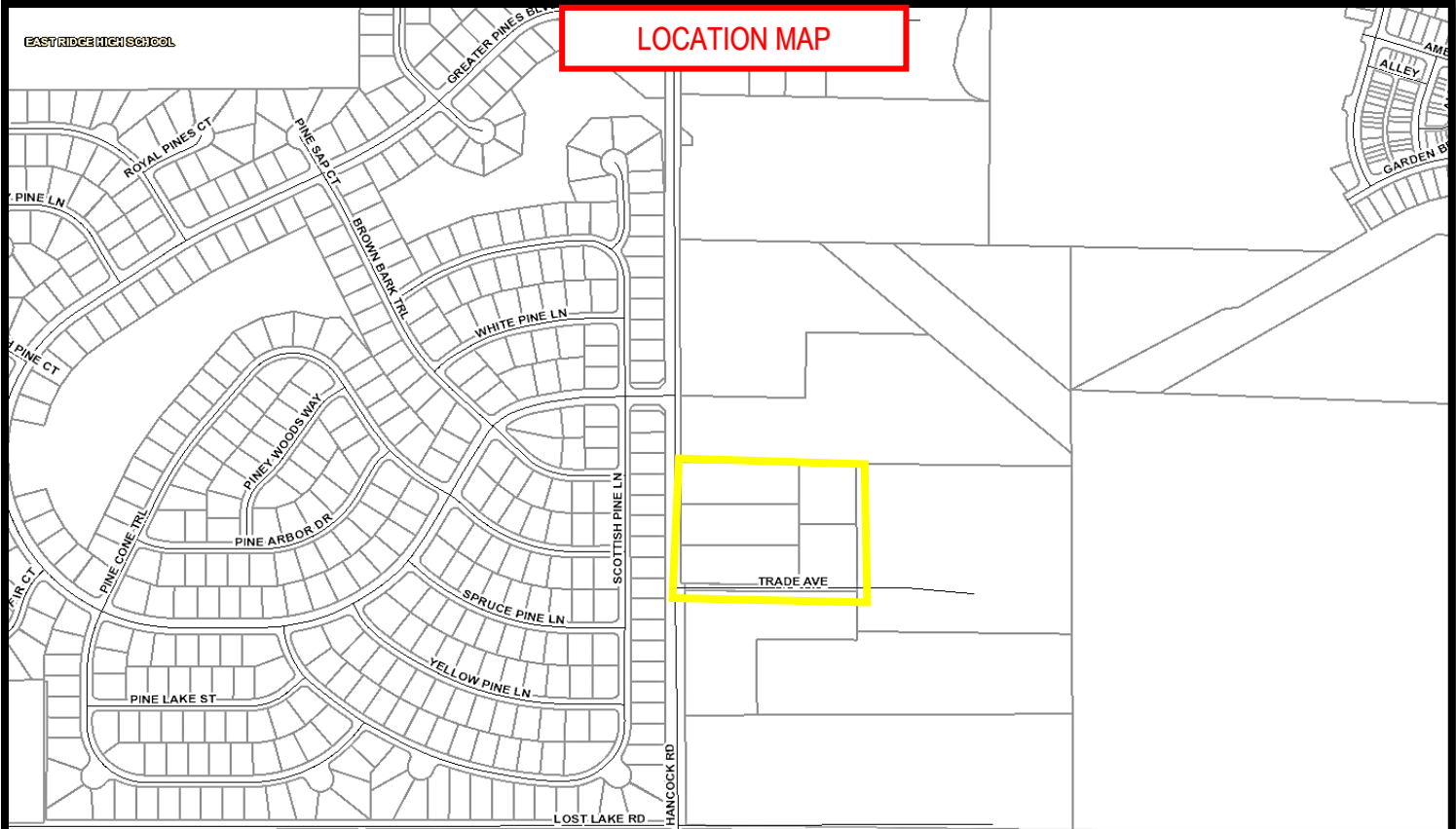
Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney





CHECK LIST & FILING INSTRUCTIONS

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

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

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

PROCEDURES:

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



APPLICATION & PETITION

DATE: 3-1-18

FEE: \$155.⁰⁰
+ cost of advertising

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

PROJECT NAME (if applicable): Clermont Commerce Center

APPLICANT: MACQ, LLC

Address: 3715 Northside Parkway Bldg 200, Suite 700
City: Atlanta State: GA Zip: 30327
Phone: 407-536-5323 Fax: —

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

OWNER: LADD Development, Inc.

Address: 1135 East Avenue
City: Clermont State: FL Zip: 34711
Phone: — Fax: —

AGENT NAME (Affidavit required): Greg Toepp (MACQ LLC)

Address: 3715 Northside Parkway Bldg 200, Suite 700
City: Atlanta State: GA Zip: 30327
Phone: 407-536-5323 Fax: —

E-Mail: gtoepp@mcdco.com

Property address and/or general location: Northeast Corner of
Hancock Road and Trade Avenue.

Area of property: 9.4 +/- acres, and/or 409,812 +/- sq. ft.

The property is PRESENTLY used for: Vacant

The property is PROPOSED to be used for: Warehouse / Office



Existing Lake County Land Use* : Vacant Future - Regional Commercial
Existing Lake County Zoning* : MP Planned Industrial District

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

Number of existing structures on the property and their present use: 0

State the reason or basis for this request: Please see project narrative.

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

Section 34, Township 22S, Range 26E
See attached

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



OWNER / AGENT AFFIDAVIT (ANNEXATION)

Date: 3-1-2018

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

1. That said authority is the fee-simple owner of the property legally described in this application.
2. That said authority desires an ANNEXATION to allow:
M-1 Industrial Zoning
Industrial Land Use
3. That said authority (owner) has appointed (agent's name) _____
to act in its behalf to accomplish the above, and
before me the undersigned authorized agent personally appeared and being by me duly
sworn on oath, deposes and says:

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

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

X _____
Owner (signature)

X Gregory M. Tapp
Agent's (signature)

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

Sworn to and subscribed before
me this 1 day of March,
2018.

Notary Public, State of FL
My commission expires:

Douglas A. Hurelbrink
Notary Public, State of FL
My commission expires:

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



DOUGLAS A. HURELBRINK
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF138804
Expires 7/2/2018

LEGAL NOTICE

The City Council of the City of Clermont will consider the enactment of the following proposed Ordinance at the regularly scheduled meeting to be held Tuesday, April 10, 2018 at 6:30 P.M. (Introduction) and on Tuesday, April 24, 2018 at 6:30 P.M. (Final Adoption) at City Hall located at 685 West Montrose Street. All interested parties will be given an opportunity to express their views on this matter.

ORDINANCE NO. 2018-15

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

LOCATION:

Vacant property at the Northeast corner of Hancock Road and Trade Avenue
(Alternate Key# 3844778, 3840721, 3840720, 3840010 and 3840011)

LEGAL DESCRIPTION

Parcel 1: East 241 feet of North 1/2 of that portion of the following described land lying North of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida: The South 1575 feet of the West 1660 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, Lake County, Florida, Less the North 726 feet of East 900 feet thereof.

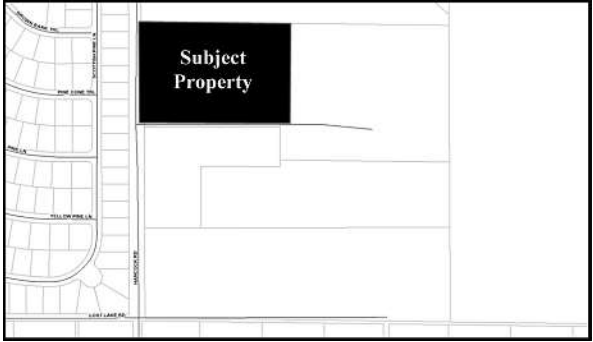
Parcel 2: The North 1/2 of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida. And (The East 241 feet of) The South 1/2 of that portion of the following described land lying North of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida: The South 1575 feet of the West 1660 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, Lake County, Florida, Less the North 726 feet of the East 900 feet thereof.

Parcel 3: Commence at the Northeast corner of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida, thence run South 00°30'05" East along the East line of said Tract B for a distance of 30.00 feet to the centerline of said Tract B; thence run North 89°57'31" West along said centerline for a distance of 241.00 feet to the Point of Beginning; thence continue North 89°57'31" West along said centerline for a distance of 479.00 feet to the East right of way line of Hancock Road; thence run North 00°30'05" West along said East right of way line for a distance of 30.00 feet to the Northwest corner of said Tract B; thence run North 89°57'27" West for a distance of 15.00 feet to the East right of way line of Hancock Road; thence run North 00°30'05" West along said East right of way line for a distance of 168.92 feet; thence run South 89°57'27" East for a distance of 494.00 feet; thence run South 00°30'05" East for a distance of 198.91 feet to the Point of Beginning, less and except any portion lying within the North 1/2 of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

Parcel 4: Commence at the Northeast corner of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida, thence run South 00°30'05" East along the East line of said Tract B for a distance of 30.00 feet to the centerline of said Tract B; thence run North 89°57'31" West along said centerline for a distance of 241.00 feet; thence run North 00°30'05" West for a distance of 198.91 feet to the Point of Beginning; thence run North 89°57'27" West for a distance of 494.00 feet to the East right of way line of Hancock Road; thence run North 00°30'05" West along said East right of way line for a distance of 177.00 feet; thence run South 89°57'27" East for a distance of 494.00 feet; thence run South 00°30'05" East for a distance of 177.00 feet to the Point of Beginning.

Parcel 5: Commence at the Northeast corner of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida, thence run South 00°30'05" East along the East line of said Tract B for a distance of 30.00 feet to the centerline of said Tract B; thence run North 89°57'31" West along said centerline for a distance of 241.00 feet; thence run North 00°30'05" West for a distance of 375.91 feet to the Point of Beginning; thence run North 89°57'27" West for a distance of 494.00 feet to the East right of way line of Hancock Road; thence run North 00°30'05" West along said East right of way line for a distance of 177.00 feet to the North line of the South 1575.00 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, thence run South 89°57'27" East along said North line for a distance of 494.00 feet; thence run South 00°30'05" East for a distance of 177.00 feet to the Point of Beginning. Site contains 9.408+/- acres.

Location Map:



This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose Street, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M. Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. 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

D038352 - March 26 & April 16, 2018

☐ **PROOF O.K. BY:** _____

☐ **O.K. WITH CORRECTIONS BY:** _____

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

LF-D038352 (100%)

ADVERTISER: CITY OF CLERMONT-LEGALS
SALES PERSON: LFD001
SIZE: 2X15
PUBLICATION: LF-DAILY COMMERCIAL

PROOF CREATED AT: 3/16/2018 7:32:23 AM
NEXT RUN DATE: 03/26/18
PROOF DUE: 03/23/18 12:59:55



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 10, 2018		
Agenda Item Name		
Ordinance No. 2018-16 <i>Introduction</i> <i>Goodman Comprehensive Plan Amendment</i>		
Requested Action		
Recommend introduction of Ordinance No. 2018-16.		
Staff Report		
The applicant, is requesting a small scale comprehensive plan amendment for the subject property. The vacant parcel is approximately 9.40 +/- acres. The applicant would like to develop the property and have City services available. The City of Clermont has adequate services and facilities with sufficient capacity to maintain the level of service standards concurrent with the impacts of the proposed development. The small scale comprehensive plan amendment would change the Future Land Use from Lake County Regional Commercial to City Industrial. The City's Industrial Future Land Use allows a maximum intensity of 1.0 Floor Area Ratio. The proposed development is consistent with the comprehensive plan policies for the Industrial land use category. The Clermont Future Land Use Element: Policy 1.10.2: Uses allowed in the industrial category include manufacturing, assembling, and distribution activities; warehousing and storage activities; general commercial activities; and other similar land uses which shall be regulated through appropriate land development regulations. Heavy metal fabrication, batch plants, salvage yards, chemical or petroleum manufacturing or refining, rubber or plastic manufacturing or other uses generating potentially harmful environmental or nuisance impacts shall be prohibited. Staff recommends approval of Ordinance No. 2018-16, small scale comprehensive plan amendment to change the future land use from Lake County Regional Commercial to City Industrial land use.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance 2018-16	2018-16 Goodman Commerce CPA.pdf	
2. FLU MAPS	FLU MAPS.pdf	
3. Application	Application.pdf	

4.	Goodman CPA Legal AD	Goodman CPA Legal AD.pdf
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CITY OF CLERMONT
ORDINANCE NO. 2018-16

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

Parcel 1: East 241 feet of North 1/2 of that portion of the following described land lying North of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida: The South 1575 feet of the West 1660 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, Lake County, Florida, Less the North 726 feet of East 900 feet thereof.



CITY OF CLERMONT
ORDINANCE NO. 2018-16

Parcel 2: The North 1/2 of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida. And {The East 241 feet of} The South 1/2 of that portion of the following described land lying North of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida: The South 1575 feet of the West 1660 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, Lake County, Florida, Less the North 726 feet of the East 900 feet thereof.

Parcel 3: Commence at the Northeast corner of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida, thence run South 00°30'05" East along the East line of said Tract B for a distance of 30.00 feet to the centerline of said Tract B; thence run North 89°57'31" West along said centerline for a distance of 241.00 feet to the Point of Beginning; thence continue North 89°57'31" West along said centerline for a distance of 479.00 feet to the East right of way line of Hancock Road; thence run North 00°30'05" West along said East right of way line for a distance of 30.00 feet to the Northwest corner of said Tract B; thence run North 89°57'27" West for a distance of 15.00 feet to the East right of way line of Hancock Road; thence run North 00°30'05" West along said East right of way line for a distance of 168.92 feet; thence run South 89°57'27" East for a distance of 494.00 feet; thence run South 00°30'05" East for a distance of 198.91 feet to the Point of Beginning, less and except any portion lying within the North 1/2 of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

Parcel 4: Commence at the Northeast corner of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida, thence run South 00°30'05" East along the East line of said Tract B for a distance of 30.00 feet to the centerline of said Tract B; thence run North 89°57'31" West along said centerline for a distance of 241.00 feet; thence run North 00°30'05" West for a distance of 198.91 feet to the Point of Beginning; thence run North 89°57'27" West for a distance of 494.00 feet to the East right of way line of Hancock Road; thence run North 00°30'05" West along said East right of way line for a distance of 177.00 feet; thence run South 89°57'27" East for a distance of 494.00 feet; thence run South 00°30'05" East for a distance of 177.00 feet to the Point of Beginning.

Parcel 5: Commence at the Northeast corner of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida, thence run South 00°30'05" East along the East line of said Tract B for a distance of 30.00 feet to the centerline of said Tract B; thence run North 89°57'31" West along said centerline for a distance of 241.00 feet; thence run North 00°30'05" West for a distance of 375.91 feet to the Point of Beginning; thence run North 89°57'27" West for a distance of 494.00 feet to the East right of way line of Hancock Road; thence run North 00°30'05" West along said East right of way line for a distance of 177.00 feet to the North line of the South 1575.00 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, thence run South 89°57'27" East along said North line for a distance of 494.00 feet; thence run South 00°30'05" East for a distance of 177.00 feet to the Point of Beginning. Site contains 9.408+/- acres.



CITY OF CLERMONT
ORDINANCE NO. 2018-16

LOCATION

Vacant property on the Northeast corner of Hancock Road and Trade Avenue
(Alternate Key # 3844778, 3840721, 3840720, 3840010 and 3840011)

CHANGE IN FUTURE LAND USE CLASSIFICATION

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

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. 2018-16

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

CITY OF CLERMONT

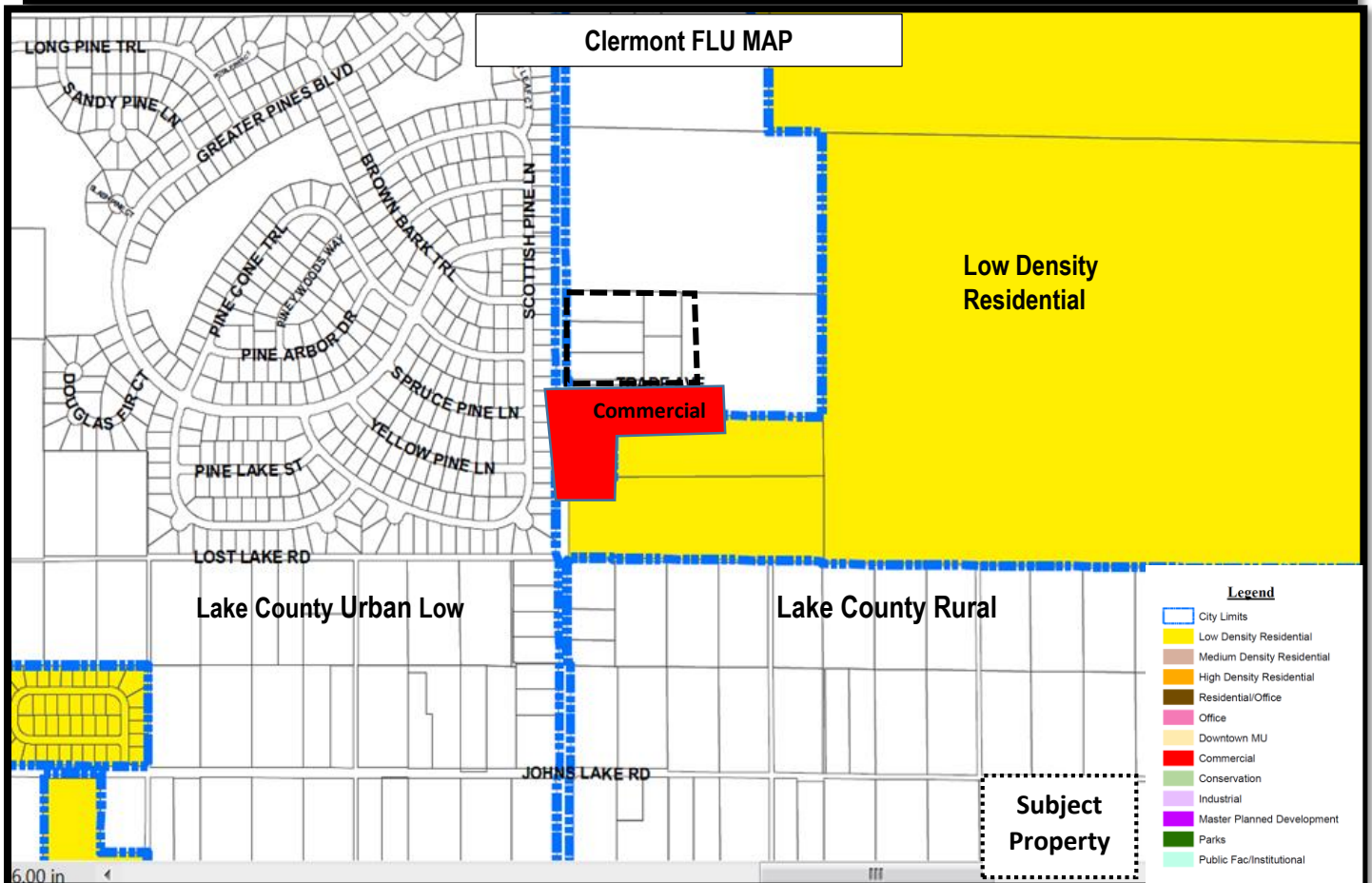
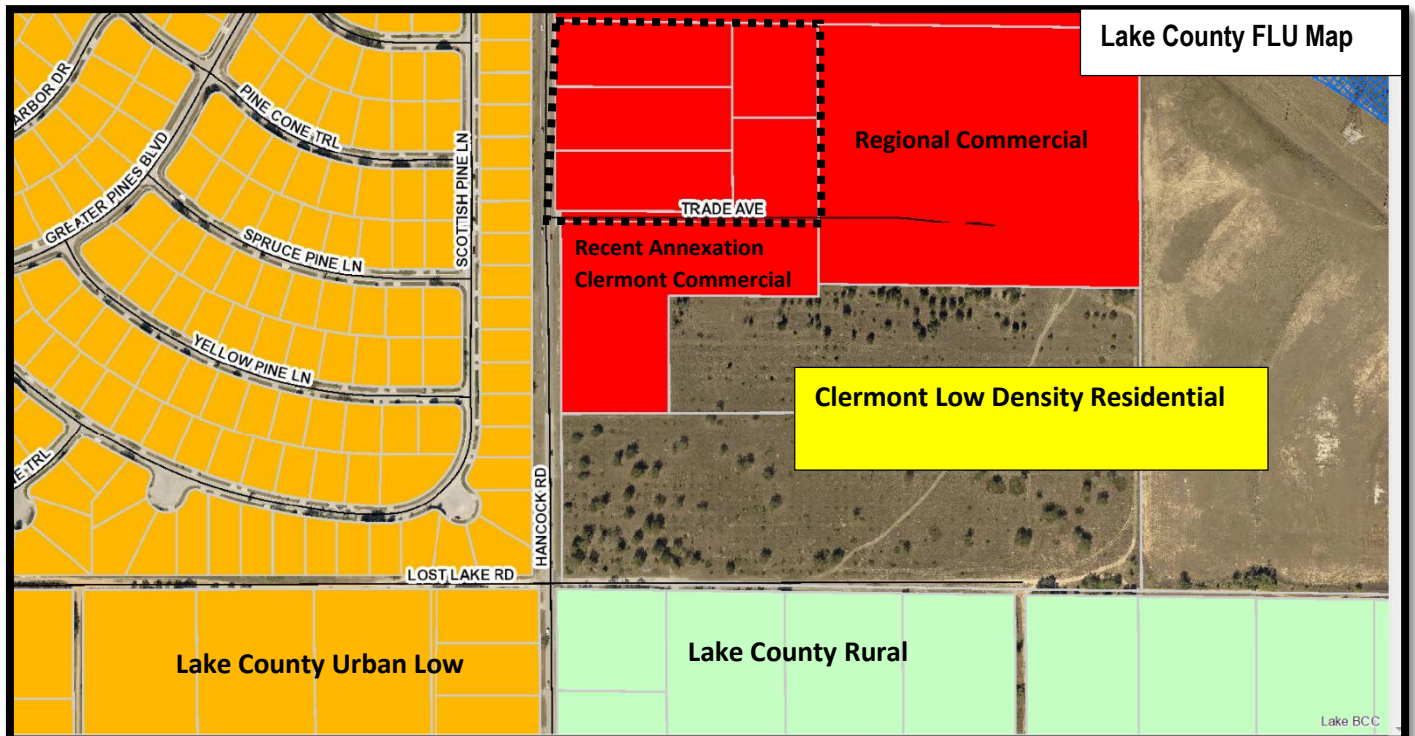
Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney





CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

DATE: 3-1-18

FEE: \$755.00

Project Name (if applicable): Clermont Commerce Center

Applicant: MACCO, LLC

Contact Person: Greg Tapp

Address: 3715 Northside Parkway Bldg 200 Suite 200

City: Atlanta State: GA Zip: 30327

Phone: 407-536-5323 Fax: _____

E-Mail: gtapp@macco.com

OWNER: LADD Development, Inc.

Address: 1135 East Avenue

City: Clermont State: FL Zip: 31711

Phone: _____ Fax: _____

E-Mail: _____

General Location: Northeast corner of Hancock Road and Trade Ave.

Legal Description (include copy of survey): See attached

Property size (in acres or square feet): 9.4[±] Acres

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

Existing (Actual) Land Use: Vacant

Existing Zoning: MF Planned Industrial District

Existing Future Land Use: Regional Commercial

Proposed Future Land Use: Industrial

Type of development proposed: Warehouse / office



Proposed density (dwelling units/acre) or intensity: 107,400 sf

Proposed Zoning District: M-1 Industrial 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).

Please see project narrative.

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

Gregory M. Toepf, 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 Regional Commercial to Industrial 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.

Gregory M. Toepf
Affiant - Applicant Name (print)

X [Signature]
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by Gregory M. Toepf
or personally known by me this 1 day of March, 2019.

X [Signature]
Notary Public, State of Florida at Large



DOUGLAS A. HURELBRINK
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF138804
Expires 7/2/2018

My Commission Expires: 7-2-2018

CITY OF CLERMONT
NOTICE OF PROPOSED LAND
USE CHANGE
Small-Scale Comprehensive
Plan Amendment
ORDINANCE NO. 2018-16

The City of Clermont will hold public hearings on Tuesday, April 3, 2018 at 6:30 p.m. before the Planning and Zoning Commission; and Tuesday, April 10, 2018 at 6:30 p.m. (1st reading of the adoption ordinance) and Tuesday, April 24, 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 9.4 +/- acre parcel below from Lake County Regional Commercial to City of Clermont Industrial. Alternate Key 3844778, 3840721, 3840720, 3840010 and 3840011.



Location:
Vacant property on the Northeast corner of Hancock Road and Trade Avenue
Alternate Key # 3844778, 3840721, 3840720, 3840010 and 3840011.

Ordinance No. 2018-16
An ordinance of the City of Clermont, 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) 241-7305 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) 241-7331, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

D038353 - March 19 & April 16, 2018

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

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

LF-D038353 (100%)

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

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NEXT RUN DATE: 03/19/18
PROOF DUE: 03/16/18 12:59:55



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 10, 2018		
Agenda Item Name		
Ordinance No. 2018-17 <i>Introduction</i> <i>Goodman Commerce Center Rezoning</i>		
Requested Action		
Recommend introduction of Ordinance No. 2018-17		
Staff Report		
The applicant, is requesting a rezoning of the subject property. This request is being heard concurrently with requests for annexation, small scale comprehensive plan amendment, and a conditional use permit. Upon annexation, the applicant is requesting to change the current zoning of the property from Lake County M-P to City M-1 Industrial zoning, this will allow development of two warehouse/flex-space and commercial buildings. The proposed M-1 Industrial zoning category is consistent with the surrounding properties and the City's Comprehensive Plan. The maximum allowed Impervious Surface Coverage is 80 percent. The property located to the south was recently annexed into the City and has C-2 zoning to allow a residential mini storage facility. The property located to the north of subject parcel, has PUD zoning with M-1 Industrial uses. The proposed development is consistent with the adjacent parcels and compatible with the uses and improvements of the surrounding areas. Staff has reviewed the rezoning application and believes that M-1 Industrial zoning is consistent with the comprehensive plan policies and objectives and compatible with the surrounding area. The warehouse/flex space use has a very low trip generation rate for traffic impact and the City has adequate public infrastructure facilities to support the development. Staff recommends approval of Ordinance No. 2018-17, rezoning subject property from Lake County MP to City M-1 Industrial zoning.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Ordinance No. 2018-17	2018-17 Goodman Commerce REZ.pdf	
2. Goodman Commerce Zoning Maps	Goodman Commerce Zoning Maps.pdf	
3. Application	Application.pdf	
4. ORDINANCE NO. 2018-17 Legal AD	ORDINANCE NO. 2018-17.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2018-17

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

Parcel 1: East 241 feet of North 1/2 of that portion of the following described land lying North of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida: The South 1575 feet of the West 1660 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, Lake County, Florida, Less the North 726 feet of East 900 feet thereof.

Parcel 2: The North 1/2 of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida. And {The East 241 feet of} The South 1/2 of that portion of the following described land lying North of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida: The South 1575 feet of the West 1660 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, Lake County, Florida, Less the North 726 feet of the East 900 feet thereof.

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CITY OF CLERMONT
ORDINANCE NO. 2018-17

Parcel 4: Commence at the Northeast corner of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida, thence run South 00°30'05" East along the East line of said Tract B for a distance of 30.00 feet to the centerline of said Tract B; thence run North 89°57'31" West along said centerline for a distance of 241.00 feet; thence run North 00°30'05" West for a distance of 198.91 feet to the Point of Beginning; thence run North 89°57'27" West for a distance of 494.00 feet to the East right of way line of Hancock Road; thence run North 00°30'05" West along said East right of way line for a distance of 177.00 feet; thence run South 89°57'27" East for a distance of 494.00 feet; thence run South 00°30'05" East for a distance of 177.00 feet to the Point of Beginning.

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Site contains 9.408+/- acres. Alternate Key # 3844778, 3840721, 3840720, 3840010 and 3840011.

LOCATION

Vacant property on the Northeast corner of Hancock Road and Trade Avenue
(Alternate Key # 3844778, 3840721, 3840720, 3840010 and 3840011)

From: Lake County MP Planned Industrial District
To: City of Clermont M-1 Industrial 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.

CITY OF CLERMONT
ORDINANCE NO. 2018-17

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2018-17

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

CITY OF CLERMONT

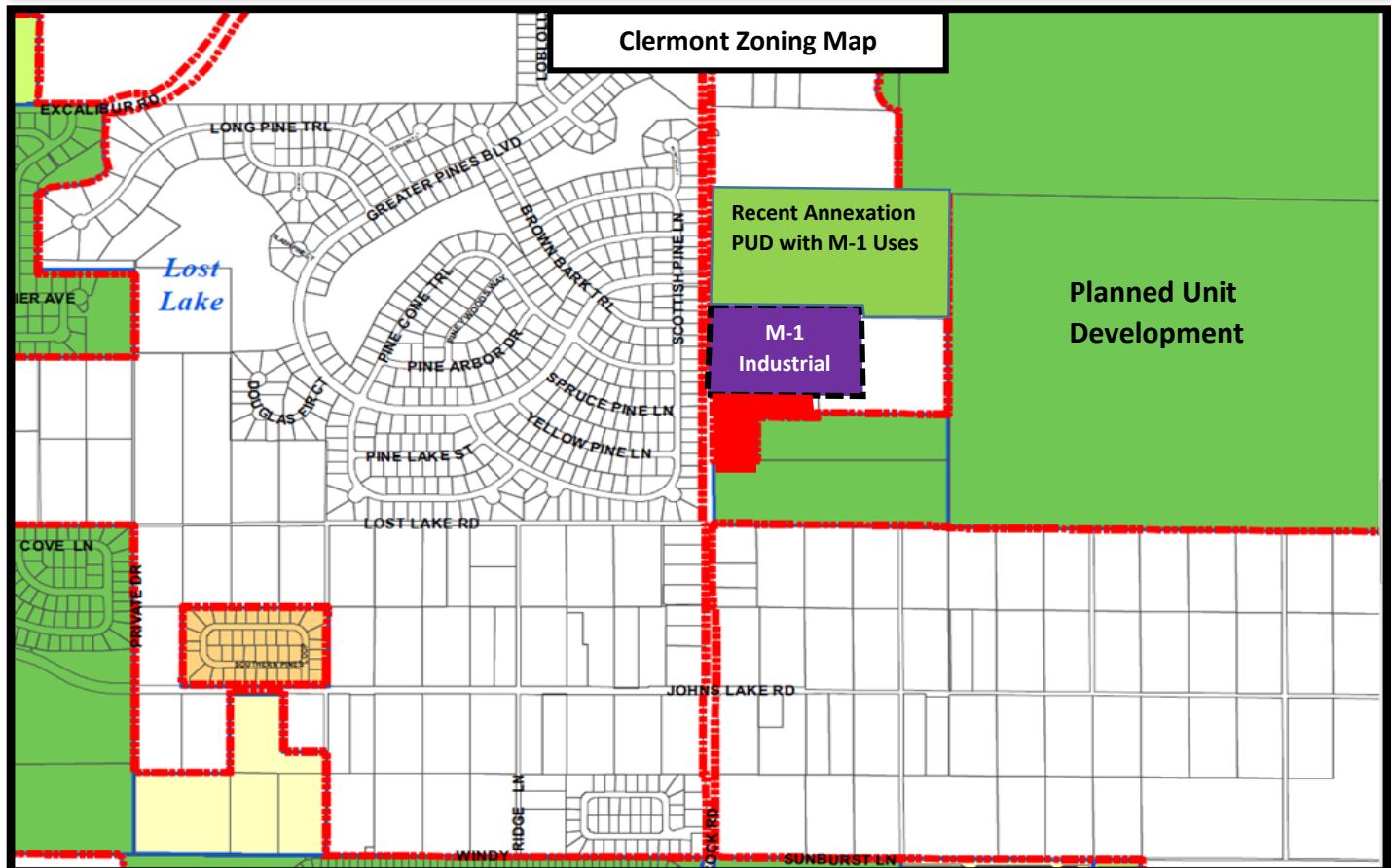
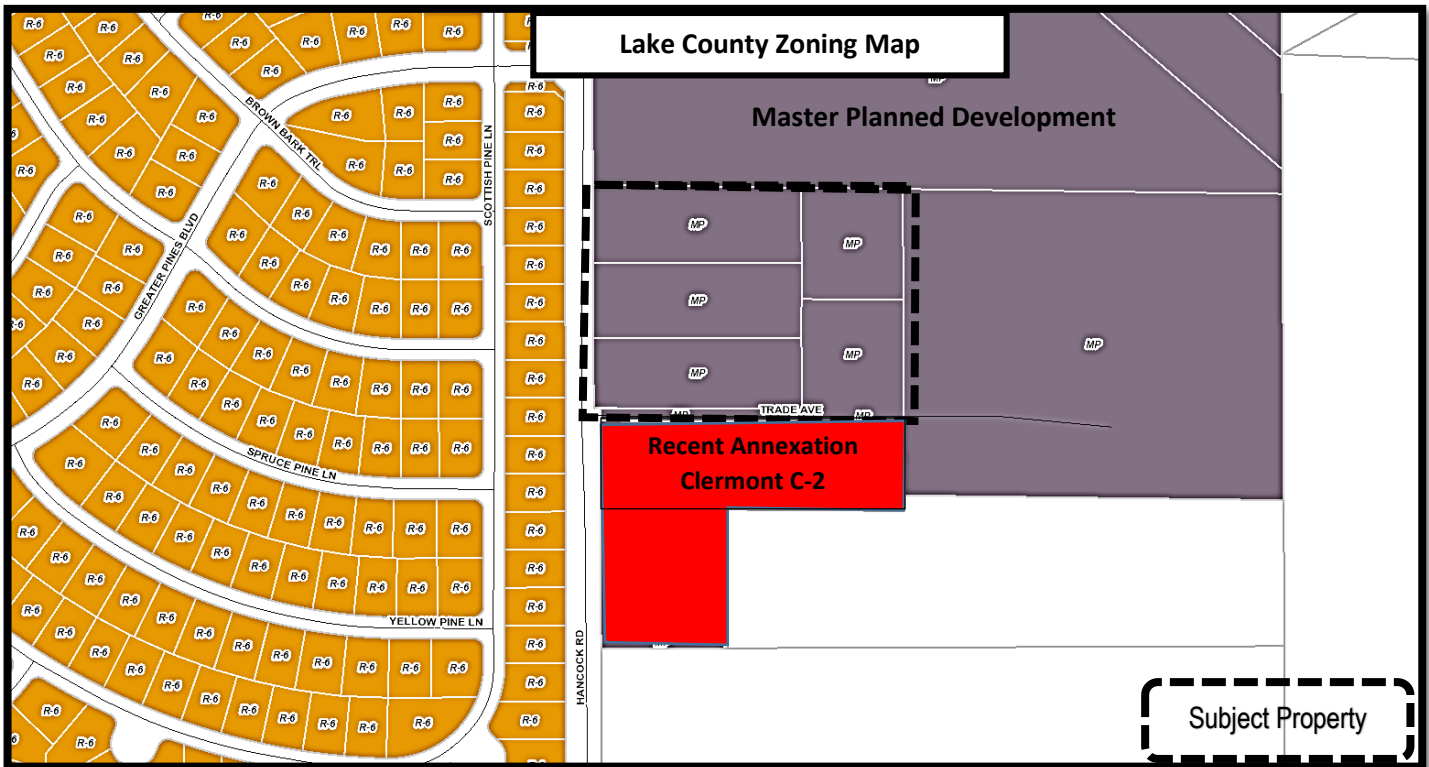
Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney





CITY OF CLERMONT
REZONING
APPLICATION

DATE: 3-1-18

FEE: \$542.⁰⁰
+ cost of advertisement

PROJECT NAME (if applicable): Clermont Commerce Center

APPLICANT: MACQ, LLC

CONTACT PERSON: Greg Toepp

Address: 3715 Northside Parkway Bldg 200 Suite 700

City: Atlanta State: GA Zip: 30327

Phone: 407-536-5323 Fax: _____

E-Mail: gtoepp@mcaco.com

OWNER: LAA Development Inc.

Address: 1135 East Avenue

City: Clermont State: FL Zip: 34711

Phone: _____ Fax: _____

Address of Subject Property: Northeast corner of Hancock Road and Trade Ave.

Legal Description (include copy of survey): See attached

Acreage: 9.4± Acres Land Use: Vacant
(City verification required)

Present Zoning: MP Planned Industrial Proposed Zoning: M-1 Industrial
(City verification required)



**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?

Attached, please see project narrative.

Gregory M. Toepf
Applicant Name (print)

X *Gregory M. Toepf*
Applicant Name (signature)

Owner Name (print)

X
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

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: 10074758
Phone: (352) 241-7331
Date: 03/16/18
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	03/19/2018	04/16/2018	\$561.88

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. 2018-17

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

Vacant property on the Northeast corner of Hancock Road and Trade Avenue
Alternate Key #3844778, 3840721, 3840720, 3840010 and 3840011

LEGAL DESCRIPTION

Parcel 1: East 241 feet of North 1/2 of that portion of the following described land lying North of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida: The South 1575 feet of the West 1660 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, Lake County, Florida, Less the North 726 feet of East 900 feet thereof.

Parcel 2: The North 1/2 of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida. And (The East 241 feet of) The South 1/2 of that portion of the following described land lying North of Tract B, Manlow Park, according to the plat thereof, as

recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida: The South 1575 feet of the West 1660 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, Lake County, Florida, Less the North 726 feet of the East 900 feet thereof.

Parcel 3: Commence at the Northeast corner of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida, thence run South 00°30'05" East along the East line of said Tract B for a distance of 30.00 feet to the centerline of said Tract B; thence run North 89°57'31" West along said centerline for a distance of 241.00 feet to the Point of Beginning; thence continue North 89°57'31" West along said centerline for a distance of 479.00 feet to the East right of way line of Hancock Road; thence run North 00°30'05" West along said East right of way line for a distance of 30.00 feet to the Northwest corner of said Tract B; thence run North 89°57'27" West for a distance of 15.00 feet to the East right of way line of Hancock Road; thence run North 00°30'05" West along said East right of way line for a distance of 168.92 feet; thence run South 89°57'27" East for a distance of 494.00 feet; thence run South 00°30'05" East for a distance of 198.91 feet to the Point of Beginning, less and except any portion lying within the North 1/2 of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida.

Parcel 4: Commence at the Northeast corner of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake

County, Florida, thence run South 00°30'05" East along the East line of said Tract B for a distance of 30.00 feet to the centerline of said Tract B; thence run North 89°57'31" West along said centerline for a distance of 241.00 feet; thence run North 00°30'05" West for a distance of 198.91 feet to the Point of Beginning; thence run North 89°57'27" West for a distance of 494.00 feet to the East right of way line of Hancock Road; thence run North 00°30'05" West along said East right of way line for a distance of 177.00 feet; thence run South 89°57'27" East for a distance of 494.00 feet; thence run South 00°30'05" East for a distance of 177.00 feet to the Point of Beginning.

Parcel 5: Commence at the Northeast corner of Tract B, Manlow Park, according to the plat thereof, as recorded in Plat Book 50, Pages 86 and 87, Public Records of Lake County, Florida, thence run South 00°30'05" East along the East line of said Tract B for a distance of 30.00 feet to the centerline of said Tract B; thence run North 89°57'31" West along said centerline for a distance of 241.00 feet; thence run North 00°30'05" West for a distance of 375.91 feet to the Point of Beginning; thence run North 89°57'27" West for a distance of 494.00 feet to the East right of way line of Hancock Road; thence run North 00°30'05" West along said East right of way line for a distance of 177.00 feet to the North line of the South 1575.00 feet of the North 1/2 of Section 34, Township 22 South, Range 26 East, thence run South 89°57'27" East along said North line for a distance of 494.00 feet; thence run South 00°30'05" East for a distance of 177.00 feet to the Point of Beginning. Site contains 9.408 +/- acres.

FROM: Lake County M-P Planned Industrial District
TO: City of Clermont M-1 Industrial

This request will be considered by the Planning & Zoning Commission on Tuesday, April 3, 2018 at 6:30 p.m. A public meeting to consider the request will be held before the City Council on Tuesday, April 10, 2018 at 6:30 p.m. for Introduction and on Tuesday, April 24, 2018 for Final Adoption. 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. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10074758
March 19, 2018 &
April 16, 2018

Payment Info	
Ad Price	\$561.88
Tax	\$0.00
Sub Total	\$561.88
Prepaid Amount	\$0.00
Balance Due	\$561.88



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, April 10, 2018		
Agenda Item Name		
Ordinance No. 2018-18 <i>Introduction Victory Pointe, LLC Comprehensive Plan Amendment</i>		
Requested Action		
Recommend introduction of Ordinance No. 2018-18.		
Staff Report		
This request is being heard concurrently with a request for a rezoning. The applicant is requesting a small-scale comprehensive plan amendment for the subject property located northwest of the intersection of Montrose Street and 10th street. The property is approximately 0.20 +/- acre in size. The property is currently vacant and the applicant desires to develop the property with the adjoining property, which already has the Downtown Mixed Use future land use in place. The small-scale comprehensive plan amendment would change the Future Land Use from Medium Density Residential to the Downtown Mixed Use designation. This property adjoins the City's Victory Pointe project and is contiguous on two sides with the Downtown Mixed Use future land use. The highest and best use of the property would be served by the Downtown Mixed Use future land use and the Downtown Master Plan. Comprehensive Plan Objectives & Policies supporting the change include: Objective 1.1: Discourage Urban Sprawl. The City shall discourage and/or reduce urban sprawl through a future land use pattern that promotes orderly, compact development and the provision of public facilities and services that minimize costs and environmental impacts and maximize efficiency. Policy 1.1.3: The City shall encourage infill through the use of higher density and intensity land use designations and mixed-use designations in appropriate areas. Policy 1.12.4: The City shall encourage the development of undeveloped pockets and enclaves within developed areas to utilize existing facilities efficiently. Since the requested change promotes infill and is supported by the Comprehensive Plan, staff recommends approval of Ordinance 2018-18 for a small-scale comprehensive plan amendment to change the future land use from Medium Density Residential 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. 2018-18 Victory Pointe CPA 2018-18 Victory Pointe CPA.doc		
2. Victory Pointe CPA Maps Victory Pointe CPA Maps.pdf		
3. CPA application CPA application.pdf		



CITY OF CLERMONT
ORDINANCE NO. 2018-18

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

Lot 1, Block 114, Official Map of the City of Clermont, according to the plat thereof, as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida.

AND

All that portion of Tenth Street, bounded on the South by the North right of way line of Montrose Street, and bounded on the North by the shores of West Lake, according to the



CITY OF CLERMONT
ORDINANCE NO. 2018-18

Official Map of the City of Clermont, as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida. (abandoned by Ordinance 112-M in ORB 654, Page 2171)

Less the East 10.00 feet of Tenth Street.

Description:

Lot 2, Block 114, Official Map of the City of Clermont, according to the Plat thereof, as recorded in Plat Book 8, Page 17, of the Public Records of Lake County, Florida.

Description:

Commence at the Southwest corner of Lot 1, Block 114, Official Map of the City of Clermont, according to the plat thereof, as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida, thence run N 00°31'43" E along the West line of said Lot 1 for a distance of 159.95 feet to the POINT OF BEGINNING; thence run N 00°31'43" E for a distance of 18.21 feet to the beginning of a curve concave to the Northeast, having a radius of 242.98 feet, a chord bearing of N 70°01'59" W and a chord distance of 53.05 feet; thence run Northwesterly along the arc of said curve for a distance of 53.15 feet through a central angle of 12°32'00" to a point on the West line of Lot 2, said plat of the Official Map of the City of Clermont; thence leaving said West line of Lot 2 run S 82°44'40" E for a distance of 90.73 feet; thence run S 58°20'13" W for a distance of 47.37 feet to the Point of Beginning.

LOCATION

Northwest of the intersection of Montrose Street and 10th Street
Alternate Key 3826383

CHANGE IN FUTURE LAND USE CLASSIFICATION

FROM: MEDIUM DENSITY RESIDENTIAL
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.

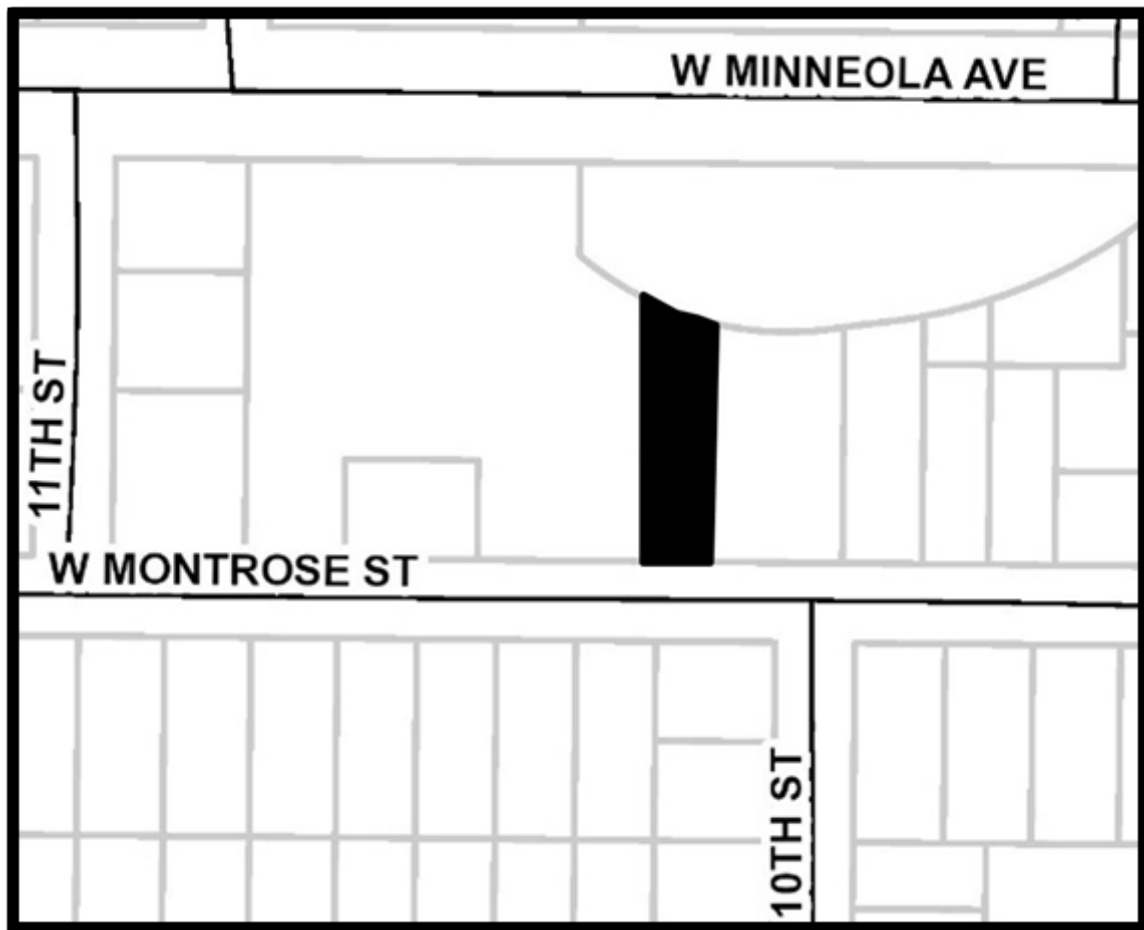
SECTION 3.

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. 2018-18

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

Exhibit - Location Map – Victory Pointe LLC

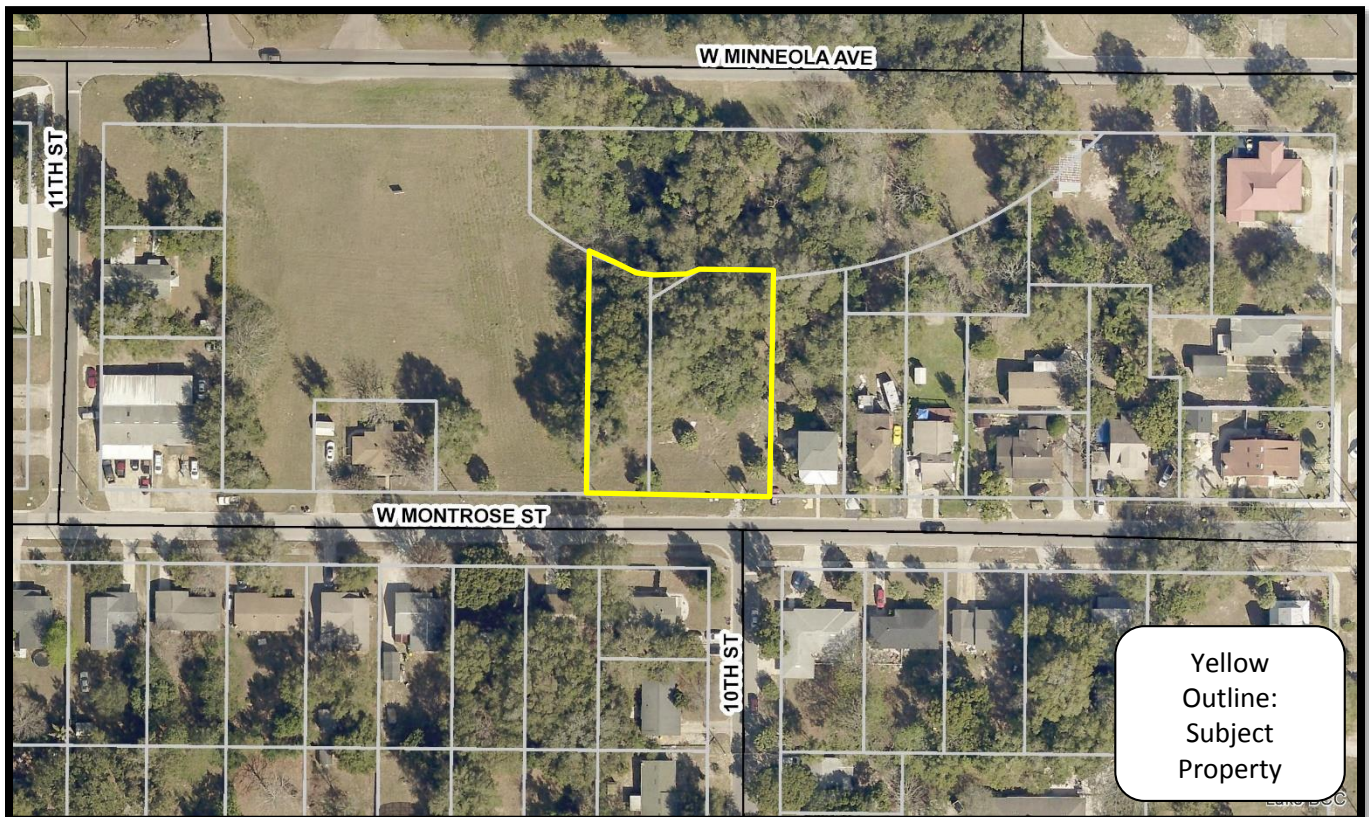
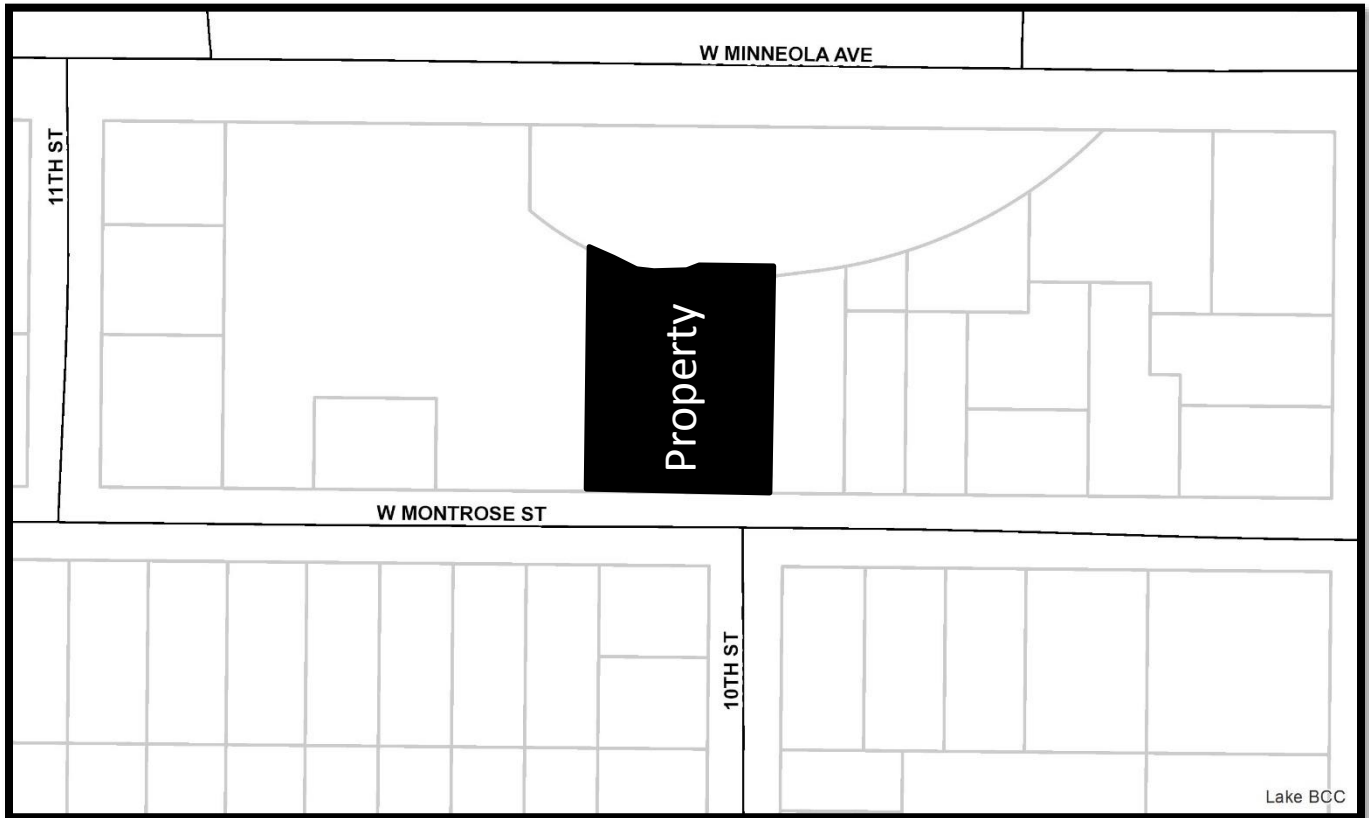
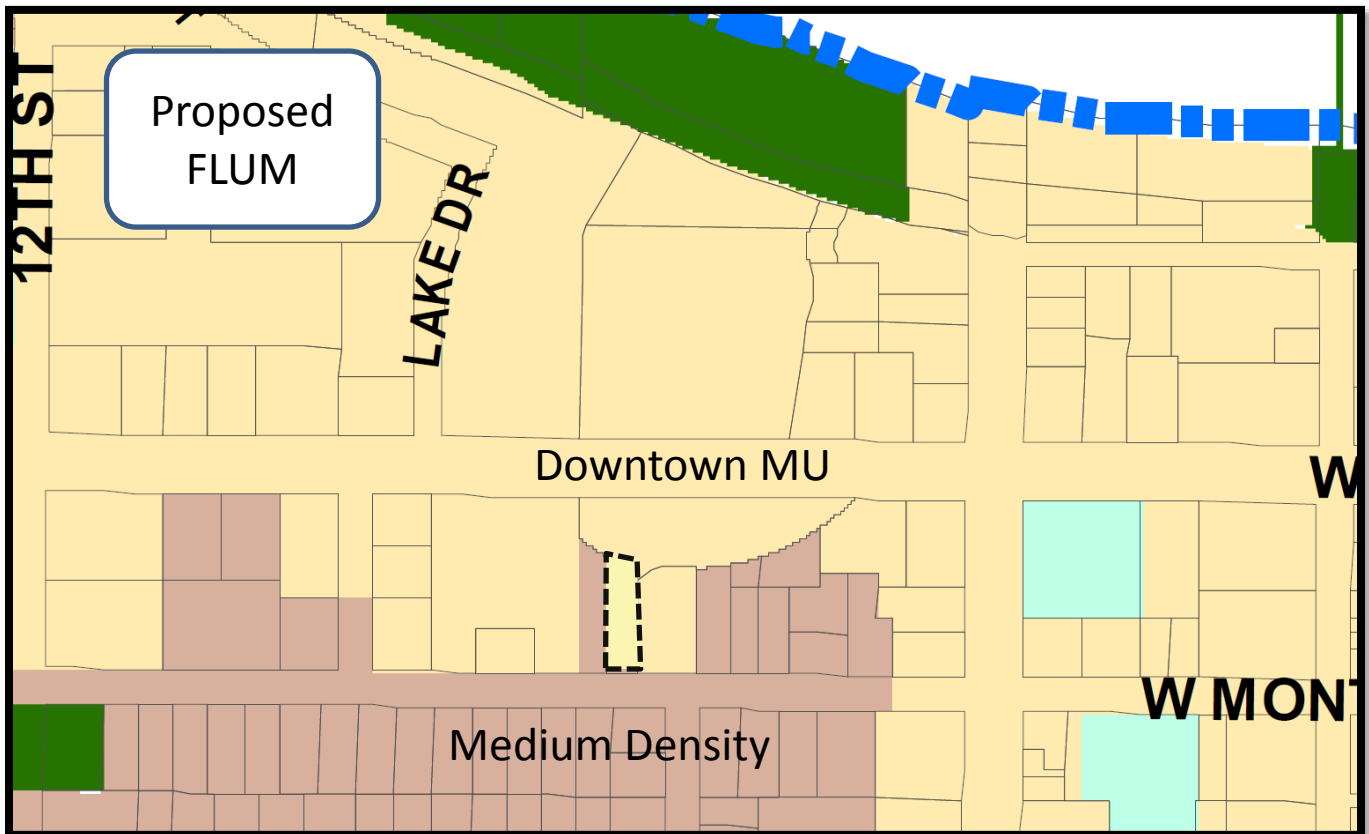
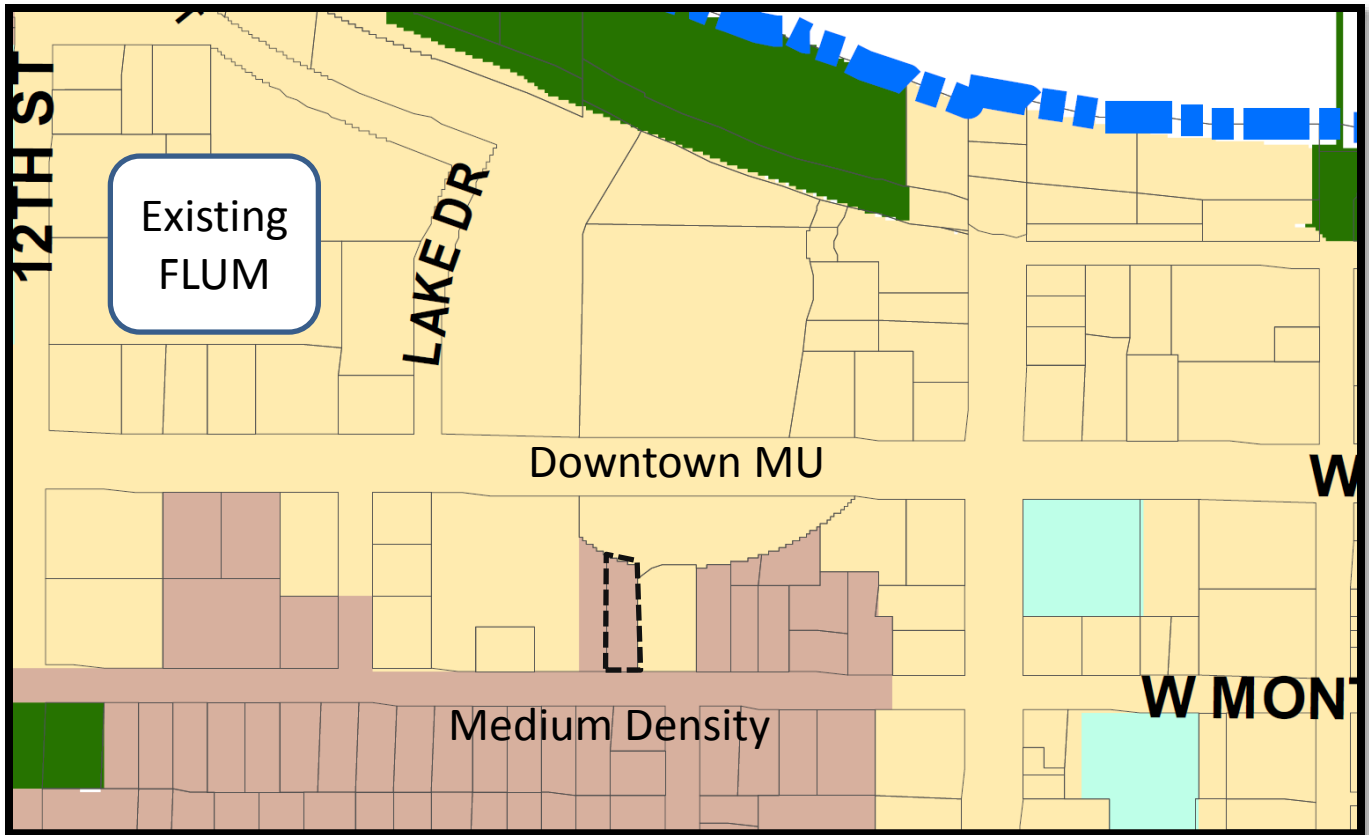


Exhibit – Future Land Use Map – Victory Pointe LLC





Comp 1803-0001

CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

REC-Check 1027

DATE: 11/21/17

FEE: 755.00

+ ADVERTISEMENT
COSTS

Project Name (if applicable): _____

Applicant: Paul Gaynor

Contact Person: Paul Gaynor

Address: 1200 Oakley Seaver Drive, Suite 203

City: Clermont State: Florida Zip: 34711

Phone: 352-552-2623 Fax: _____

E-Mail: pgaynor@graftholdings.com

OWNER: Victory Pointe, LLC

Address: 1200 Oakley Seaver Drive, Suite 203

City: Clermont State: Florida Zip: 34711

Phone: 352-552-2623 Fax: _____

E-Mail: pgaynor@graftholdings.com

General Location: W. Montrose Street and 10th Street

Legal Description (include copy of survey): Clermont Lot 2, Block 114 Plat Book 8, Page 17.

AK 3826383

Clermont Lot 1, Block 114 Plat Book 8, Page 17 and all that portion of Tenth Street, bounded on the South by the North right of way line of Montrose Street, and bounded on the North by the shores of West Lake, according to the Official Map of The City of Clermont, as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida. (abandoned by Ordinance 112-M in ORB 654, Page 2171) Less the East 10.00 feet of Tenth Street.

Property size (in acres or square feet): _____

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

Existing (Actual) Land Use: Vacant

Existing Zoning: R-3 and CBD

Existing Future Land Use: Medium Density Residential

Proposed Future Land Use: PUD

Type of development proposed: Single Family Condos



Proposed density (dwelling units/acre) or intensity: Maximum Density Downtown Mixed Use

Proposed Zoning District: PUD

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).

Utilizing vacant land around downtown Clermont to create high end housing close to the City Center.

We believe having this density close to the City Center would assist in revitalizing downtown.

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



OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Paul Graynor, Victory Pointe, LLC., 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 Medium Density Residential to Downtown Mixed Use for the property legally described on the attachment of this application.
3. That the owner of said property has appointed _____ 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.

Paul Graynor
Affiant - Applicant Name (print)

X [Signature]
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 28 day of November 2017.

X Cathlin E Graff
Notary Public, State of Florida at Large

My Commission Expires: 4/3/20



After Recording Return to:
Kim Bolderson
Metes and Bounds Title Company
17301 Pagonia Drive #310
Clermont, FL 34711

This Instrument Prepared by:
Kim Bolderson
Metes and Bounds Title Company
17301 Pagonia Drive #310
Clermont, FL 34711
as a necessary incident to the fulfillment of conditions
contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s):
24-22-25-0100-114-00200
File No.: 17-0331

WARRANTY DEED

This Warranty Deed, Made the 20 day of November, 2017, by Juan Heriberto Ramos-Jusino and Betsy Ann Ramos, as husband and wife, whose post office address is: 5113 Millstream Road, Ocoee, FL 34761, hereinafter called the "Grantor", to Victory Pointe, LLC, a Florida limited liability company, whose post office address is: 1200 Oakley Seaver Dr., Ste 203, Clermont, FL 34711, hereinafter called the "Grantee".

WITNESSETH: That said Grantor, for and in consideration of the sum of Fifty Two Thousand Dollars and No Cents (\$52,000.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Lake County, Florida, to wit:

Lot 2, Block 114, of THE CITY OF CLERMONT, according to the Plat thereof, as recorded in Plat Book 8, Page 17, of the Public Records of Lake County, Florida.

The property is not the homestead of the Grantor(s) under the laws and constitution of the state of Florida in that neither Grantor(s) or any member of the household of Grantor(s) reside thereon.
TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants 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 encumbrances, except taxes accruing subsequent to 2017, reservations, restrictions and easements of record, if any.

(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES
TWO SEPARATE DISINTERESTED WITNESSES REQUIRED

Witness Signature: [Signature] [Signature]
Printed Name: Kim Bolderson Juan Heriberto Ramos-Jusino

Witness Signature: [Signature] [Signature]
Printed Name: Diana S. Beighley Betsy Ann Ramos

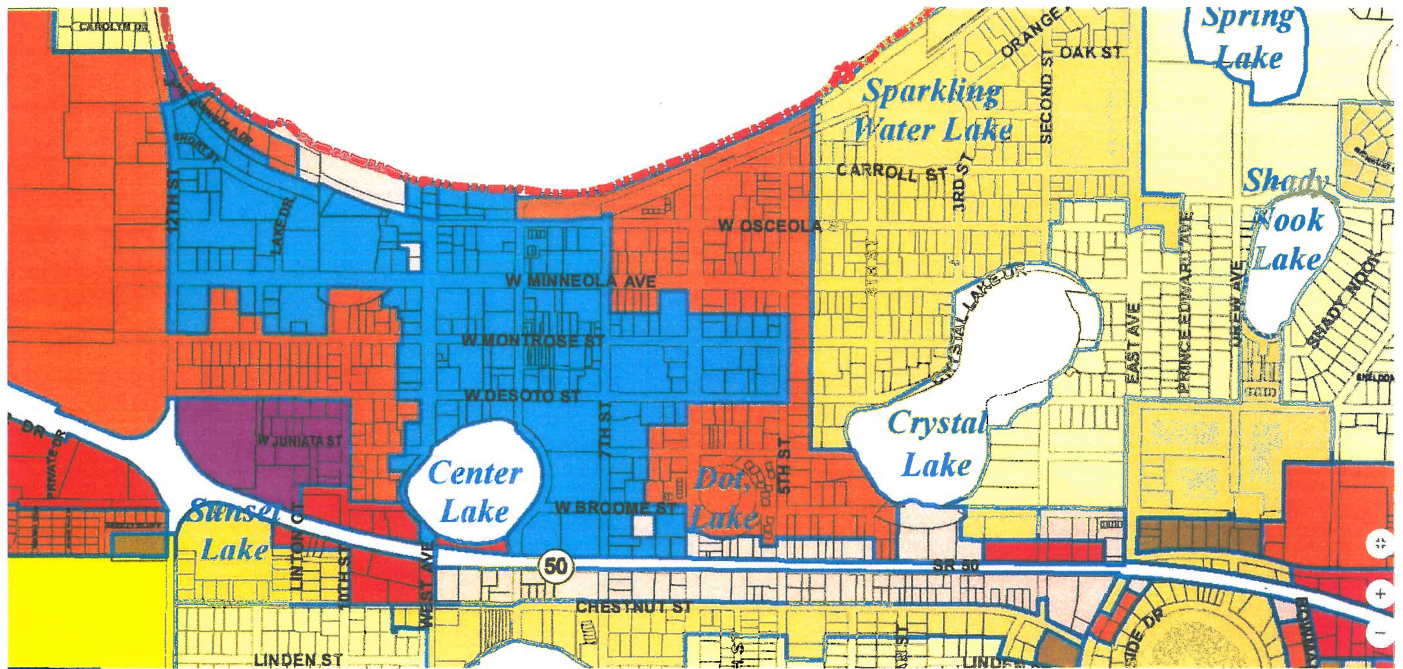
State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 20th day of November, 2017, by Juan Heriberto Ramos-Jusino and Betsy Ann Ramos, as husband and wife, who is/are personally known to me or has/have produced driver license(s) as identification.

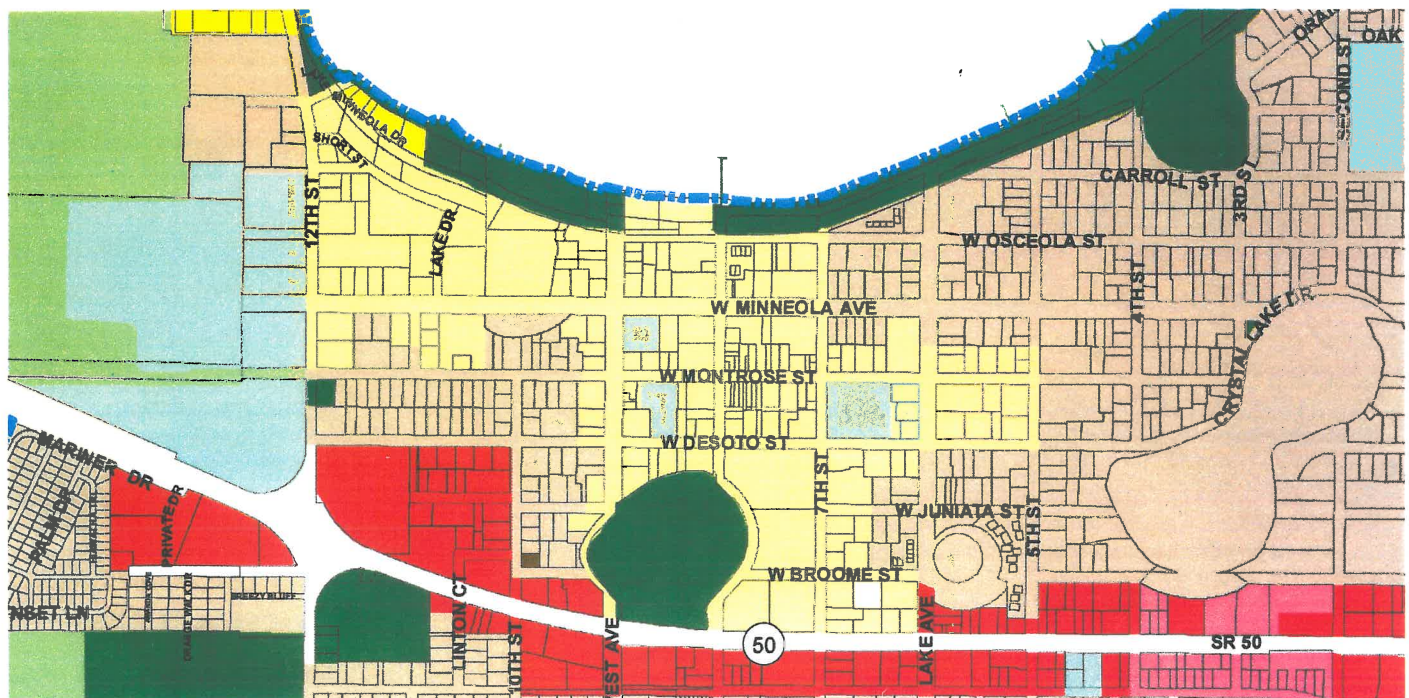
[Signature] My Commission Expires: _____
Notary Public Signature (SEAL)
Printed Name: DIANA S. BEIGHLEY



Zoning: Change from R-3 to Central Business District (CBD)

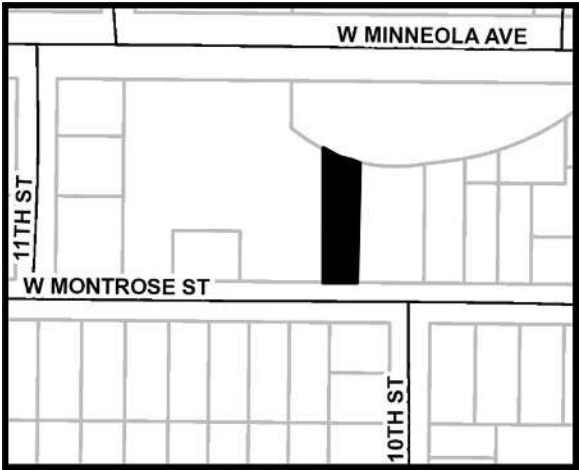


Future Land Use: Change from Medium Density Residential to Downtown Mixed Use



CITY OF CLERMONT
NOTICE OF PROPOSED LAND
USE CHANGE
Small-Scale Comprehensive
Plan Amendment
ORDINANCE NO. 2018-18

The City of Clermont will hold public hearings on Tuesday, April 3, 2018 at 6:30 p.m. before the Planning and Zoning Commission; and Tuesday, April 10, 2018 at 6:30 p.m. (1st reading of the adoption ordinance) and Tuesday, April 24, 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 0.22 +/-acre parcel below from Medium Density Residential to Downtown Mixed Use. Alternate Key 3826383.



Location:
Northwest of the intersection of Montrose Street and 10th Street
Ordinance #2018-18:

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

D038349 - March 24 & April 10, 2018

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

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

LF-D038349 (100%)

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

PROOF CREATED AT: 3/14/2018 11:18:48 AM
NEXT RUN DATE: 03/24/18
PROOF DUE: 03/23/18 12:59:55



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, April 10, 2018	
Agenda Item Name	
Ordinance No. 2018-19 <i>Introduction Victory Pointe, LLC Rezoning</i>	
Requested Action	
Recommend introduction of Ordinance No. 2018-19.	
Staff Report	
This request is being heard concurrently with a request for a small scale comprehensive plan amendment. The applicant, Paul Gaynor, is requesting a change from the R-3 Residential/Professional District and CBD Central Business District to a Planned Unit Development (PUD). The property is approximately 0.62 +/- acre in size and is currently vacant. The applicant has indicated on the application that they would like to construct 17 single-family condos. The applicant would like to utilize the recent increase in density in the Downtown Mixed Use future land use in order to develop the lot. The project contains the five mandatory components for density greater than 12 dwelling units per acre, as indicated in Section 122-249. The items meeting these requirements are: (1) the project will be condominium ownership; (2) the construction will consist of durable, high-quality materials, (3) the use of urban design/architecture is incorporated into the site, (4) pedestrian connection and improvements are incorporated into the project, and (5) a trail connection from the project to the adjoining City property. The project is located adjacent to the Victory Pointe Wetlands Park and overlooks Triathlon Beach. The project is being developed in a manner to promote walkability and increased residential opportunities and density in the downtown area. One of the key elements of the Downtown and Waterfront Master Plan is to maximize the number of people who come downtown, by living, which this project would achieve. The applicant has provided a conceptual site plan, prepared by Germana Engineering and Associates, LLC., dated 03/29/2018, showing the layout of the building and parking on the site. The project will consist of one four-story building with a total of 17 condominium units. Level 1 will consist of understructure parking, storage for bicycles, elevator entrance and two stair wells. Levels 2, 3 & 4 will consist of the two bedroom condos, with a maximum of 17. The proposal is for residential use only with no commercial aspects proposed. The applicant would also like to have the ability to have a roof top amenity for the owners as well. The applicant understands that the site will be challenging to develop and the very nature of the PUD zoning allows flexible development designs. The property slopes down from Montrose Street towards the Victory Pointe Master Stormwater Project. The applicant is requesting cut and fill up to 15 feet. This is mainly due to the construction of the understructure garage feature of the project on the first level. In order to provide parking under the structure and allow parking to operate efficiently, the parking stall widths have been reduced to 8 and ½ feet wide and 18 feet deep. The applicant is requesting retaining wall height up to 10 feet to deal with the grades on the site and to construct the understructure parking garage. The overall height of the structure from the lowest point to the highest point is sixty-two (62) feet. Again, this is due to the grade change, a portion of the building being constructed into the ground, and an architectural feature of the building. The landscaping that is being proposed will vary due to the	

availability of planting width and utility placement. The project will provide a connection to downtown via a pedestrian connection at the City's property on the Victory Pointe Master Stormwater Project. In addition, the project will connect into the City's Victory Pointe Master Stormwater System for their stormwater requirements.

Staff has reviewed the applicant's proposal and believes the proposed use at this location is compatible with the uses in the area. Staff believes the project is in accordance with the vision of the Downtown and Waterfront Master Plan and meets the Comprehensive Plan. Staff believes the proposal meets the standards in regards to Section 122-315, Review Criteria for a PUD. Therefore, staff recommends approval of Ordinance 2018- 19 for a PUD to be developed in substantial accordance with the conceptual plan prepared by Germana Engineering and Associates, LLC., dated 03/29/2018.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|----|------------------------------------|--|
| 1. | 2018-19 Victory Pointe LLC Rez PUD | 2018-19 Victory Pointe LLC Rez PUD.doc |
| 2. | Victory Pointe REZ Maps | Victory Pointe REZ Maps.pdf |
| 3. | PUD Elevations | PUD Elevations.pdf |
| 4. | PUD Conceptual Site Plan 3-29-18 | PUD Conceptual Site Plan 3-29-18.pdf |
| 5. | REZ Application | REZ Application.pdf |
| 6. | REZ Legal Ad Proof | REZ Legal Ad Proof.pdf |



CITY OF CLERMONT
ORDINANCE NO. 2018-19

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

Lot 1, Block 114, Official Map of the City of Clermont, according to the plat thereof, as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida.

AND

All that portion of Tenth Street, bounded on the South by the North right of way line of Montrose Street, and bounded on the North by the shores of West Lake, according to the Official Map of the City of Clermont, as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida. (abandoned by Ordinance 112-M in ORB 654, Page 2171)

Less the East 10.00 feet of Tenth Street.

Description:

Lot 2, Block 114, Official Map of the City of Clermont, according to the Plat thereof, as recorded in Plat Book 8, Page 17, of the Public Records of Lake County, Florida.

Description:

Commence at the Southwest corner of Lot 1, Block 114, Official Map of the City of Clermont, according to the plat thereof, as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida, thence run N 00°31'43" E along the West line of said Lot 1 for a distance of 159.95 feet to the POINT OF BEGINNING; thence run N 00°31'43" E for a distance of 18.21 feet to the beginning of a curve concave to the Northeast, having a radius of 242.98 feet, a chord bearing of N 70°01'59" W and a chord distance of 53.05 feet; thence run Northwesterly along the arc of said curve for a distance of 53.15 feet through a central angle of 12°32'00" to a point on the West line of Lot 2, said plat of the Official Map of the City of Clermont; thence leaving said West line of Lot 2 run S 82°44'40" E for a distance of 90.73 feet; thence run S 58°20'13" W for a distance of 47.37 feet to the Point of Beginning.

LOCATION



CITY OF CLERMONT
ORDINANCE NO. 2018-19

Northwest of the intersection of Montrose Street and 10th Street
Alternate Key 3826383 & 178419

From: R-3 Residential/Professional and Central Business District (CBD)
To: Planned Unit Development (PUD)

SECTION 2. General Conditions

This application is for a Planned Unit Development to allow for a residential condominium development, 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.
2. The property shall be developed in substantial accordance with the Site Plan prepared by Germana Engineering, dated 03/29/2018. 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.
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.

SECTION 3. Land Uses and Specific Conditions

1. A total of up to seventeen (17) single-family condominiums may be permitted on the site, not to exceed a density of 25 units per acre within the project.
2. The project may have elevation changes of up to 15 feet in height over the project site through the use of cut and fill. These changes will be submitted to the City Engineer at the time of final engineering.
3. Driveway access and parking for the project may be below the centerline of the adjoining road and will be subject to the approval of the City Engineer.
4. Retaining wall heights up to 10 feet in height are allowed to deal with the grades on the site and the construction of the below level parking garage.
5. Interior landscape islands under the structure will not be required and in the exterior parking area, they will be a minimum of sixty (60) square feet of green space.
6. The height of the structure measured from the lowest point to the highest point shall not exceed sixty-two (62) feet and will require an elevator.



CITY OF CLERMONT
ORDINANCE NO. 2018-19

7. Parking stall widths shall be a minimum of eight and one-half (8.5) feet wide by eighteen (18) feet deep, as shown on the conceptual site plan.
8. The building shall be constructed in a manner that closely resembles the architectural style and elevation as depicted in the Victory Pointe Luxury Condominium exhibit prepared by Elite Universal Architecture.
9. The northern landscape buffer along the parking area shall consist of a continuous shrub row, with the exception of the outdoor picnic area.
10. The eastern and western landscape buffer shall be landscaped with groundcover and shrubs only.
11. The southern landscape buffer shall consist of groundcover, shrubs, and understory trees.
12. Decorative ornamental fencing may be installed along the perimeter of the property line.
13. For connectivity to downtown, a pedestrian connection to the City's Victory Pointe Stormwater property shall be provided. This connection may be gated.
14. A rooftop amenity for the condominium owner's use only may be allowed.
15. The proposed project will be allowed to connect to the City's Victory Pointe Master Stormwater System to meet the stormwater requirements of the City of Clermont and St. Johns River Water Management District.
16. School concurrency shall be met prior to site plan approval in accordance with the Comprehensive Plan and Land Development Code.
17. The project shall be developed according to the Central Business District (CBD) zoning designation in the Land Development Code, unless expressly stated above.

SECTION 4.

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

SECTION 5.

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 6.

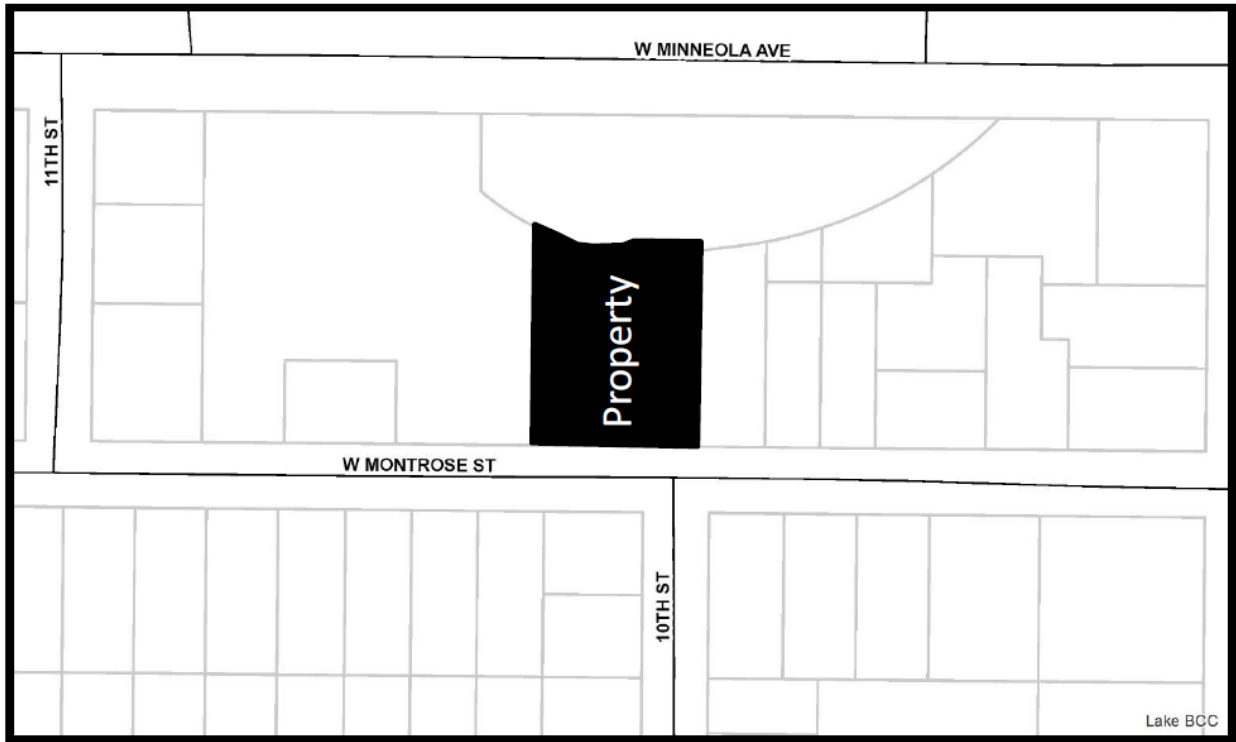
This Ordinance shall be published as provided by law, and it shall become law and take effect



CITY OF CLERMONT
ORDINANCE NO. 2018-19

upon its Second Reading and Final Passage.

Location map:



CITY OF CLERMONT ORDINANCE NO. 2018-19



SITE DATA TABLE

1. PROPERTY AREA	= 0.627 ACRES
2. SITE LOCATION	MONTROSE STREET CLERMONT, FLORIDA 34711
3. PROPERTY DESCRIPTION	CURRENT CONDITION: UNDEVELOPED
4. BUILDING DATA	BUILDING AREA/FLOOR = 10,400 SF TOTAL GROSS SQUARE FOOTAGE = 41,074 GSF HEIGHT = 4 STORY, 34'-8"
5. PARKING DATA	REQUIRED CODE MULTIFAMILY = 2.0 SPACE PER 2 BEDROOM UNIT WITH OFFICE = 2.0 SPACE X (17) 2 BEDROOM UNITS = 34 SPACES REQUIRED SPACES = 34 SPACES PROVIDED SURFACE PARKING 18 STANDARD SPACES GARAGE PARKING 17 STANDARD SPACES 1 HANDICAP SPACE PROVIDED SPACES = 35 SPACES

SIGNAGE, STRIPING, AND CURB LEGEND

- 1 24" WHITE STOP SIGN (PAINTED)
- 2 STOP SIGN 30" (24"-1)
- 3 DO NOT ENTER SIGN (BACK OF POST)
- 4 12" WHITE PAINTED CROSSWALK
- 5 DIRECTIONAL ARROW

LEGEND

- PROPOSED 4" CONCRETE SIDEWALK (SEE SHEET 03)
- PROPOSED 8" REINFORCED CONCRETE FOR COMPACTOR
- PROPOSED CURB
- 10 PARKING SPACE COUNT

ALL NOTES:
ONE SHALL COMPLY WITH THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION, 2017 EDITION.

SEE SPECIFICATIONS:
STAKEOUT SHALL BE PERFORMED UNDER THE DIRECTION OF A FLORIDA REGISTERED SURVEYOR. AUTOCAD FILE WILL BE PROVIDED TO A/E IN THE SITE CONSTRUCTION STAKEOUT. ANY DISCREPANCIES FOUND BEFORE THE SURVEYOR FILED SHALL BE BROUGHT TO THE ENGINEER'S ATTENTION FOR CLARIFICATION PRIOR TO THAT STAKEOUT.

SEE STAKEOUT NOTE:
FOR SITE CONSTRUCTION STAKEOUT SHALL BE PERFORMED UNDER THE DIRECTION OF A FLORIDA REGISTERED SURVEYOR. AUTOCAD FILE WILL BE PROVIDED TO A/E IN THE SITE CONSTRUCTION STAKEOUT. ANY DISCREPANCIES FOUND BEFORE THE SURVEYOR FILED SHALL BE BROUGHT TO THE ENGINEER'S ATTENTION FOR CLARIFICATION PRIOR TO THAT STAKEOUT.

PRELIMINARY

NOT FOR CONSTRUCTION/PERMITTING
03-29-18

DATE	
REVISIONS	
NO.	
DESCRIPTION	
SITE PLAN	
VICTORY POINTE RESIDENTIAL CONDOMINIUMS	
Germana Engineering 1000 N. UNIVERSITY AVENUE, SUITE 200 CLERMONT, FLORIDA 34711 PHONE: 813.224.5500 WWW.GERMANAENGINEERING.COM Copyright 2018	
CUSTOMER: M. GERMANA, A FLORIDA PROFESSIONAL ENGINEER # 4 0001 (PROFESSIONAL ENGINEER)	
SCALE: 1"=10'	
DATE: 02/12/2018	
SHEET	
CONCEPT	



CITY OF CLERMONT
ORDINANCE NO. 2018-19

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida
on 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 – Victory Pointe LLC

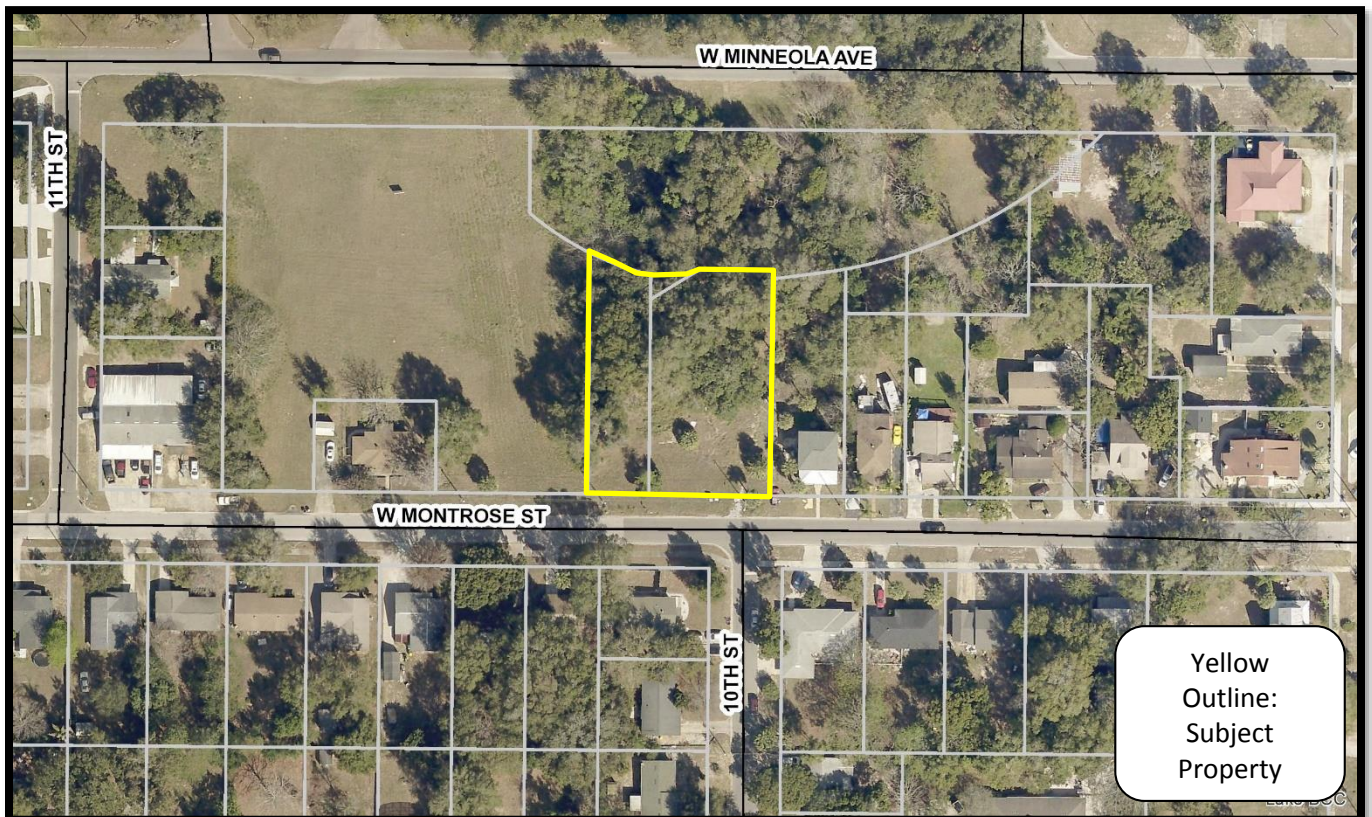
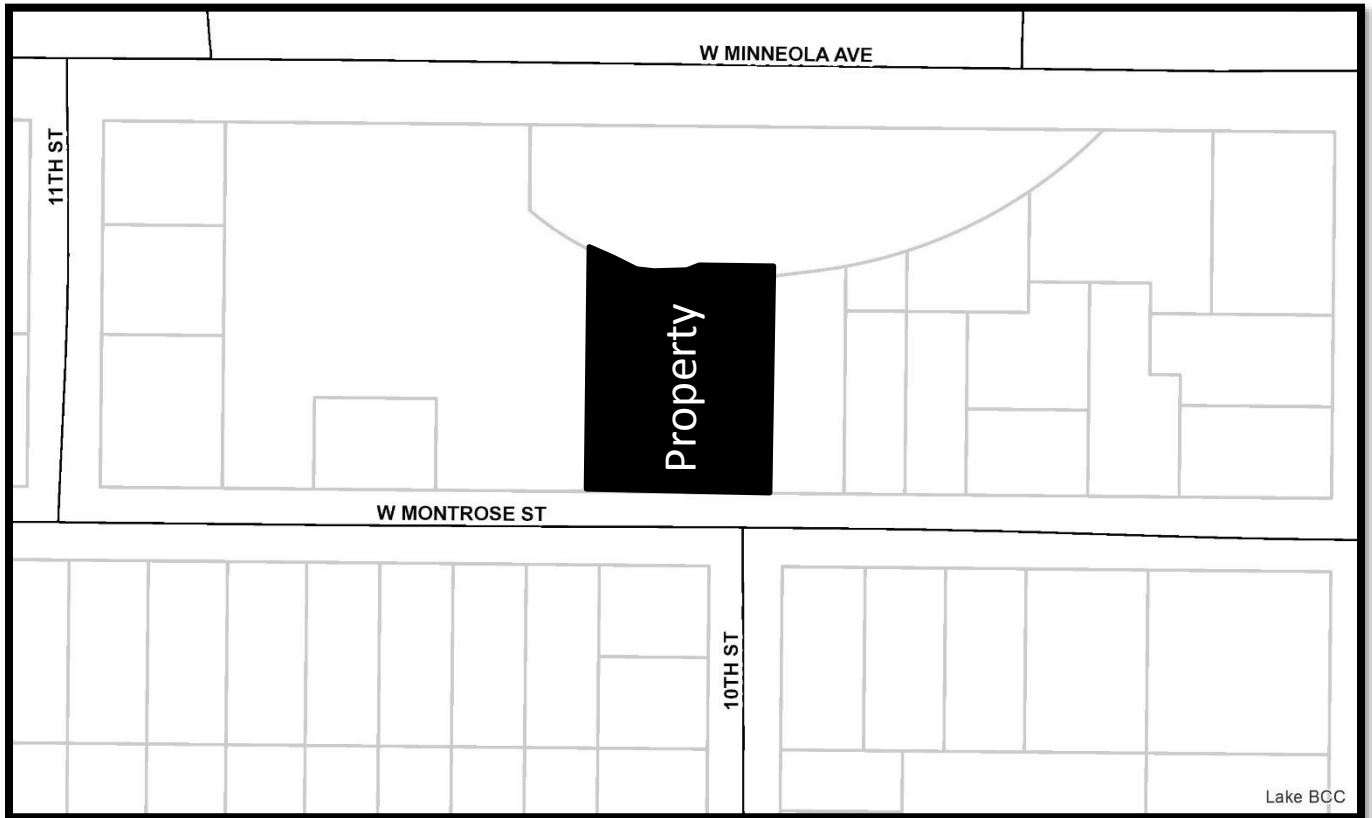
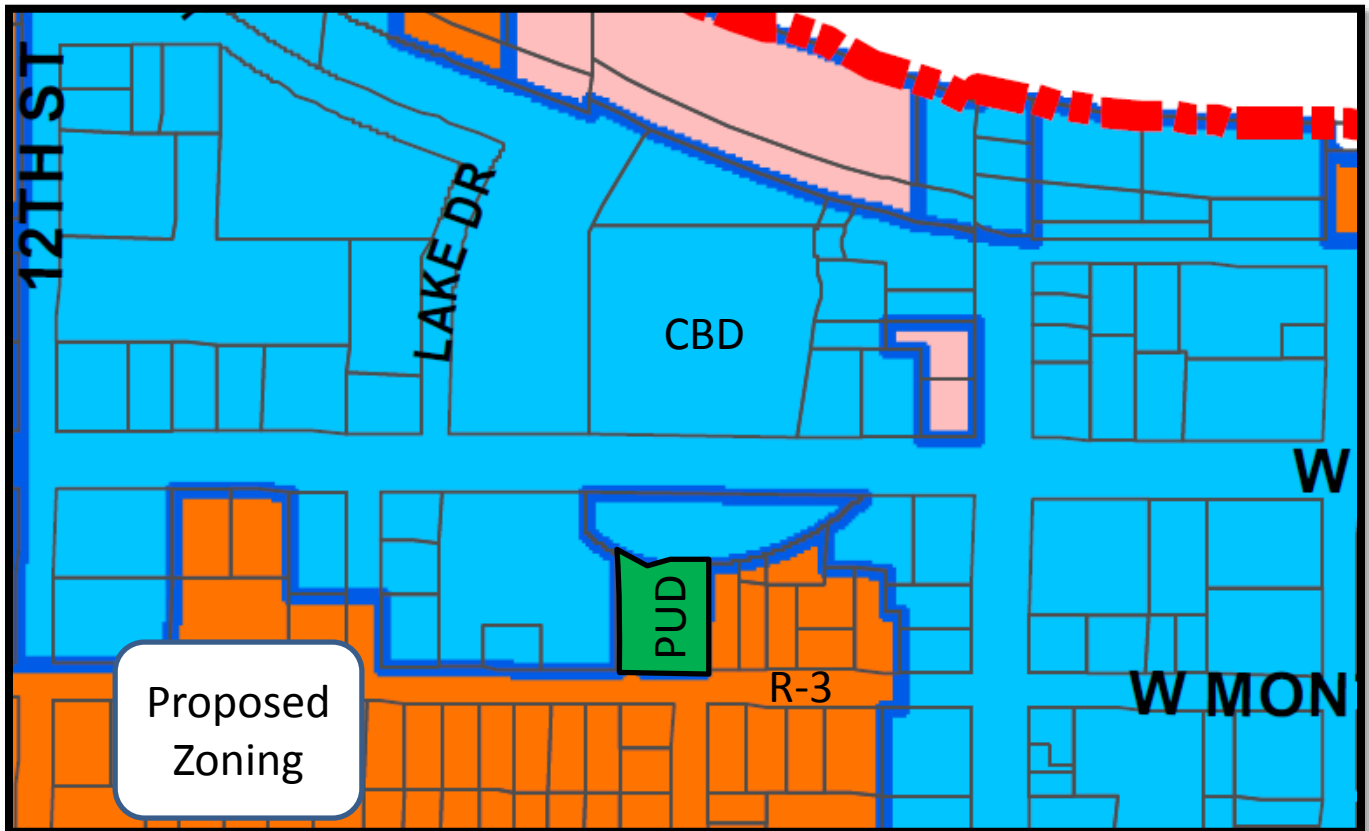
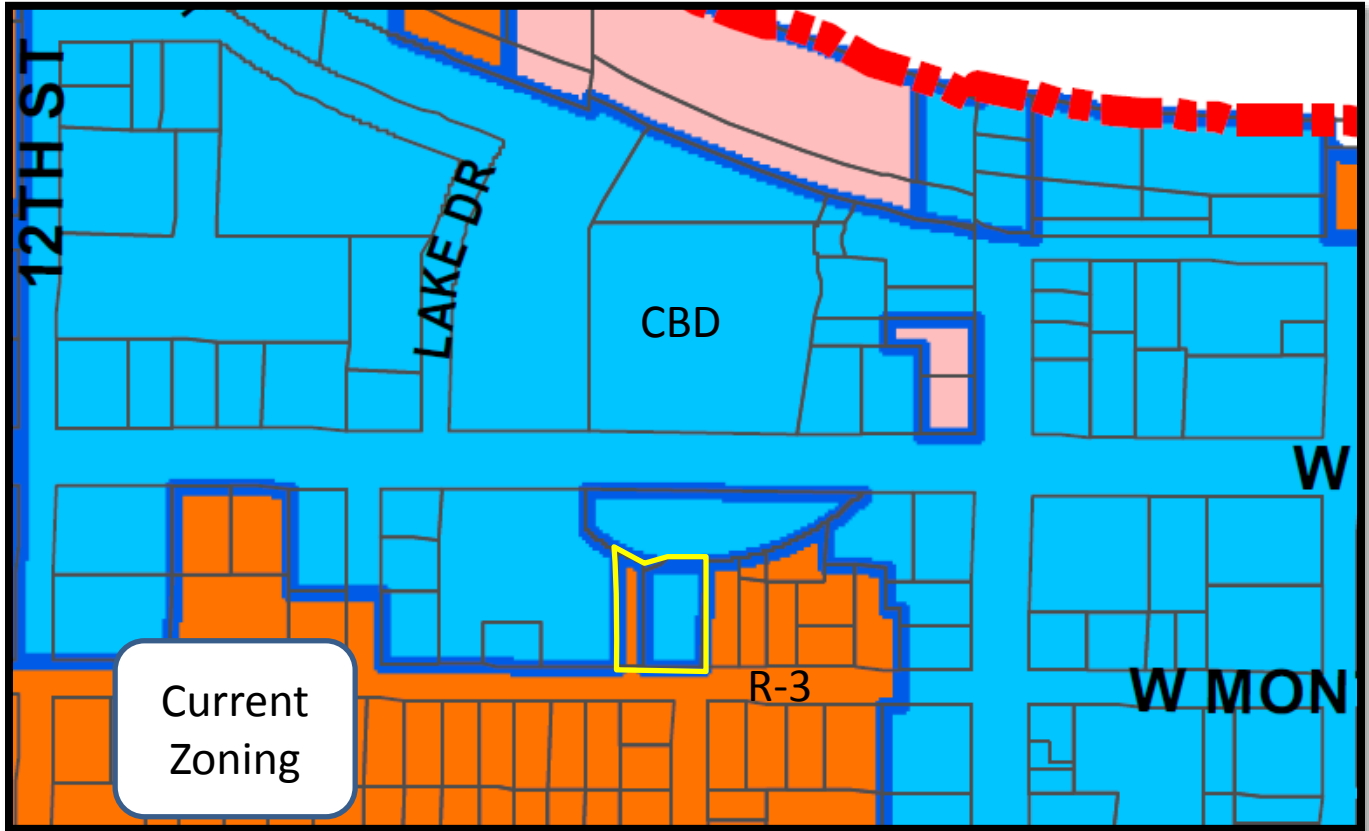


Exhibit – Zoning Map – Victory Pointe LLC



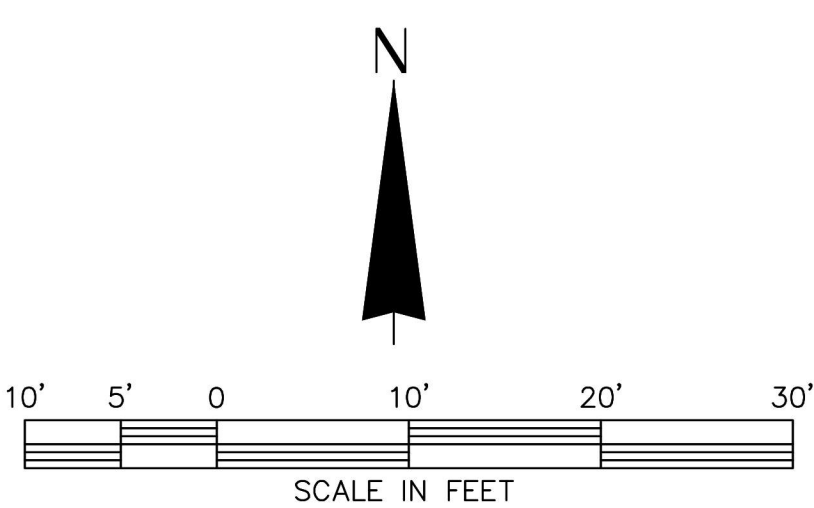


VICTORY POINTE LUXURY CONDOMINIUM



VICTORY POINTE LUXURY CONDOMINIUM

Lot 3



SITE DATA TABLE

1.	PROPERTY AREA:	= 0.627 ACRES
2.	SITE LOCATION:	MONTROSE STREET CLERMONT, FLORIDA 34711
3.	PROPERTY DESCRIPTION	CURRENT CONDITION: UNDEVELOPED
4.	BUILDING DATA	BUILDING AREA/FLOOR = 10,400 SF TOTAL GROSS SQUARE FOOTAGE = 41,074 GSF HEIGHT = 4 STORY, 54'-8"
5.	PARKING DATA	
	REQUIRED CODE	
	MULTIFAMILY	= 2.0 SPACE PER 2 BEDROOM UNIT WITH OFFICE = 2.0 SPACE X (17) 2 BEDROOM UNITS = 34 SPACES REQUIRED SPACES = 34 SPACES
	PROVIDED SURFACE PARKING	18 STANDARD SPACES
	GARAGE PARKING	17 STANDARD SPACES 1 HANDICAP SPACE PROVIDED SPACES = 36 SPACES

SIGNAGE, STRIPING, AND CURB LEGEND

- 1
- 24" WHITE STOP BAR (PAINTED)
- 2
- STOP SIGN 30" (R1-1)
- 3
- DO NOT ENTER SIGN (BACK OF POST)
- 4
- 12" WHITE PAINTED CROSSWALK
- 5
- DIRECTIONAL ARROW

LEGEND

-
- PROPOSED 4" CONCRETE SIDEWALK (SEE SHEET C9)
-
- PROPOSED 8" REINFORCED CONCRETE FOR COMPACTOR
-
- PROPOSED CURB
-
- PARKING SPACE COUNT

ADA NOTE:
SITE SHALL COMPLY WITH THE FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION, 2017 EDITION.

SITE STAKEOUT NOTE:
THE SITE CONSTRUCTION STAKEOUT SHALL BE PERFORMED UNDER THE DIRECTION OF A FLORIDA REGISTERED SURVEYOR. AUTOCAD FILE WILL BE PROVIDED TO AID IN THE SITE CONSTRUCTION STAKEOUT. ANY DISCREPANCIES FOUND BETWEEN THE AUTOCAD FILES SHALL BE BROUGHT TO THE ENGINEERS ATTENTION FOR CLARIFICATION PRIOR TO THAT STAKEOUT.

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PRELIMINARY
INFORMAL COPY
NOT FOR CONSTRUCTION/PERMITTING
03-29-18

DATE

REVISIONS

No.

SITE PLAN

VICTORY POINTE
RESIDENTIAL CONDOMINIUMS

CLERMONT, FLORIDA

Germana Engineering
and Associates, LLC

CERTIFICATE OF AUTHORIZATION # 29279
1120 W. MINNEOLA AVENUE
Phone: (352) 242-9329
WWW.GERMANAENGINEERING.COM
© COPYRIGHT 2018

CHRISTOPHER M. GERMANA, P.E.
FLORIDA PROFESSIONAL ENGINEER # 61682
FIRM CERTIFICATE OF AUTHORIZATION 29279

SCALE: 1"=10'

DATE
02/12/2018

SHEET

CONCEPT

ReZ 1802-0002



**CITY OF CLERMONT
REZONING
APPLICATION**

REC. CHECK 1027

DATE: 02/28/18

FEE: \$542.⁰⁰
+ cost of advertisement

PROJECT NAME (if applicable): _____

APPLICANT: Paul Gaynor

CONTACT PERSON: Paul Gaynor

Address: 1200 Oakley Seaver Drive, Suite 203

City: Clermont State: Florida Zip: 34711

Phone: 352-552-2623 Fax: _____

E-Mail: pgaynor@graftholdings.com

OWNER: Victory Pointe, LLC

Address: 1200 Oakley Seaver Drive, Suite 203

City: Clermont State: Florida Zip: 34711

Phone: 352-552-2623 Fax: _____

Address of Subject Property: Northwest Corner of W. Montrose Street and 10th Street

Legal Description (include copy of survey): AK 3826383 : 1789419

Clermont Lot 2, Block 114 Plat Book 8, Page 17.

Clermont Lot 1, Block 114 Plat Book 8, Page 17 and all that portion of Tenth Street, bounded on the South by the North right of way line of Montrose Street, and bounded on the North by the shores of West Lake, according to the Official Map of The City of Clermont, as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida. (abandoned by Ordinance 112-M in ORB 654, Page 2171) Less the East 10.00 feet of Tenth Street.

Acreage: 0.627 acres Land Use: Mixed Density Residential
(City verification required)

Present Zoning: R-3 and CBD Proposed Zoning: PUD
(City verification required)



**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?

Build new custom, high end, single family condos.

Paul Gaynor
Applicant Name (print)

Paul Gaynor
Owner Name (print)

x [Signature]
Applicant Name (signature)

x [Signature]
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

After Recording Return to:
Kim Bolderson
Metes and Bounds Title Company
17301 Pagonia Drive #310
Clermont, FL 34711

This Instrument Prepared by:
Kim Bolderson
Metes and Bounds Title Company
17301 Pagonia Drive #310
Clermont, FL 34711
as a necessary incident to the fulfillment of conditions
contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s):
24-22-25-0100-114-00200
File No.: 17-0331

WARRANTY DEED

This Warranty Deed, Made the 20 day of November, 2017, by Juan Heriberto Ramos-Jusino and Betsy Ann Ramos, as husband and wife, whose post office address is: 5113 Millstream Road, Ocoee, FL 34761, hereinafter called the "Grantor", to Victory Pointe, LLC, a Florida limited liability company, whose post office address is: 1200 Oakley Seaver Dr., Ste 203, Clermont, FL 34711, hereinafter called the "Grantee".

WITNESSETH: That said Grantor, for and in consideration of the sum of **Fifty Two Thousand Dollars and No Cents (\$52,000.00)** and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Lake County, Florida, to wit:

Lot 2, Block 114, of THE CITY OF CLERMONT, according to the Plat thereof, as recorded in Plat Book 8, Page 17, of the Public Records of Lake County, Florida.

The property is not the homestead of the Grantor(s) under the laws and constitution of the state of Florida in that neither Grantor(s) or any member of the household of Grantor(s) reside thereon.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants 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 encumbrances, except taxes accruing subsequent to 2017, reservations, restrictions and easements of record, if any.

(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES
TWO SEPARATE DISINTERESTED WITNESSES REQUIRED

Witness Signature: [Signature]

Printed Name: Kimberly Bolderson

[Signature]
Juan Heriberto Ramos-Jusino

Witness Signature: [Signature]

Printed Name: Diana S. Beighley

[Signature]
Betsy Ann Ramos

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 20th day of November, 2017 by Juan Heriberto Ramos-Jusino and Betsy Ann Ramos, as husband and wife, who is/are personally known to me or has/have produced driver license(s) as identification.

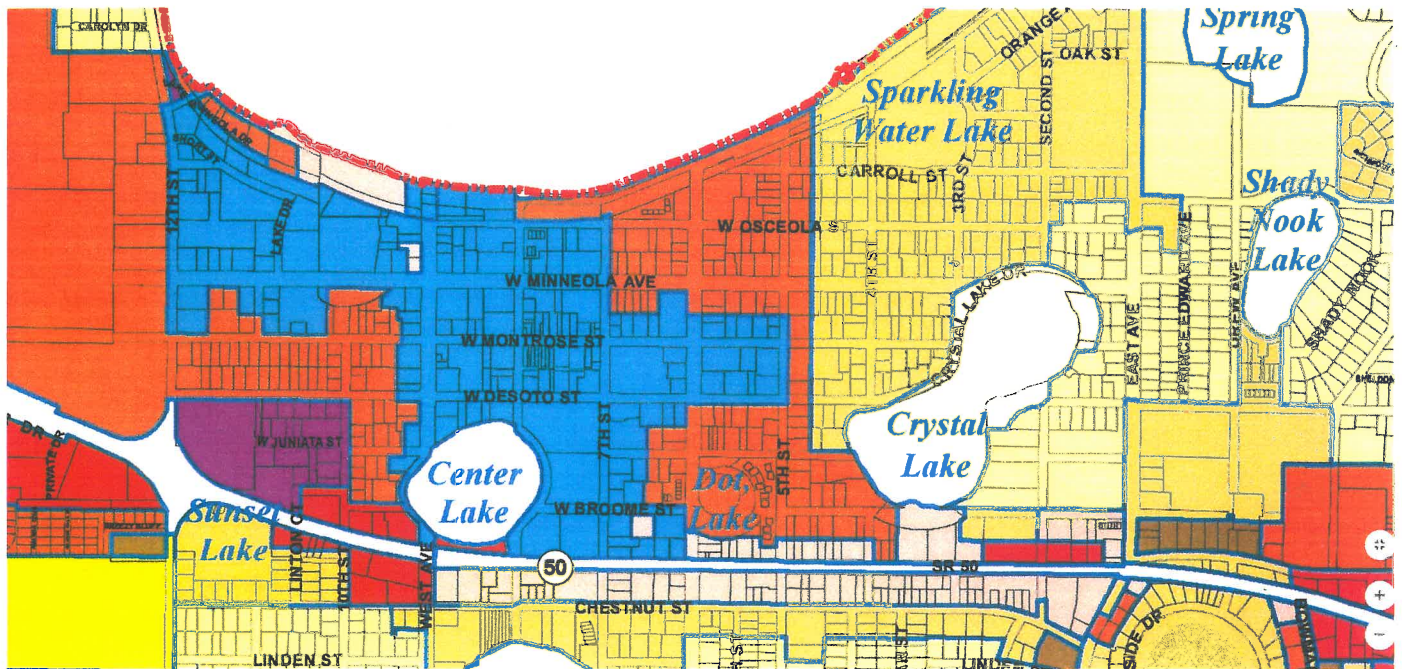
[Signature]
Notary Public Signature

Printed Name: DIANA S. BEIGHLEY

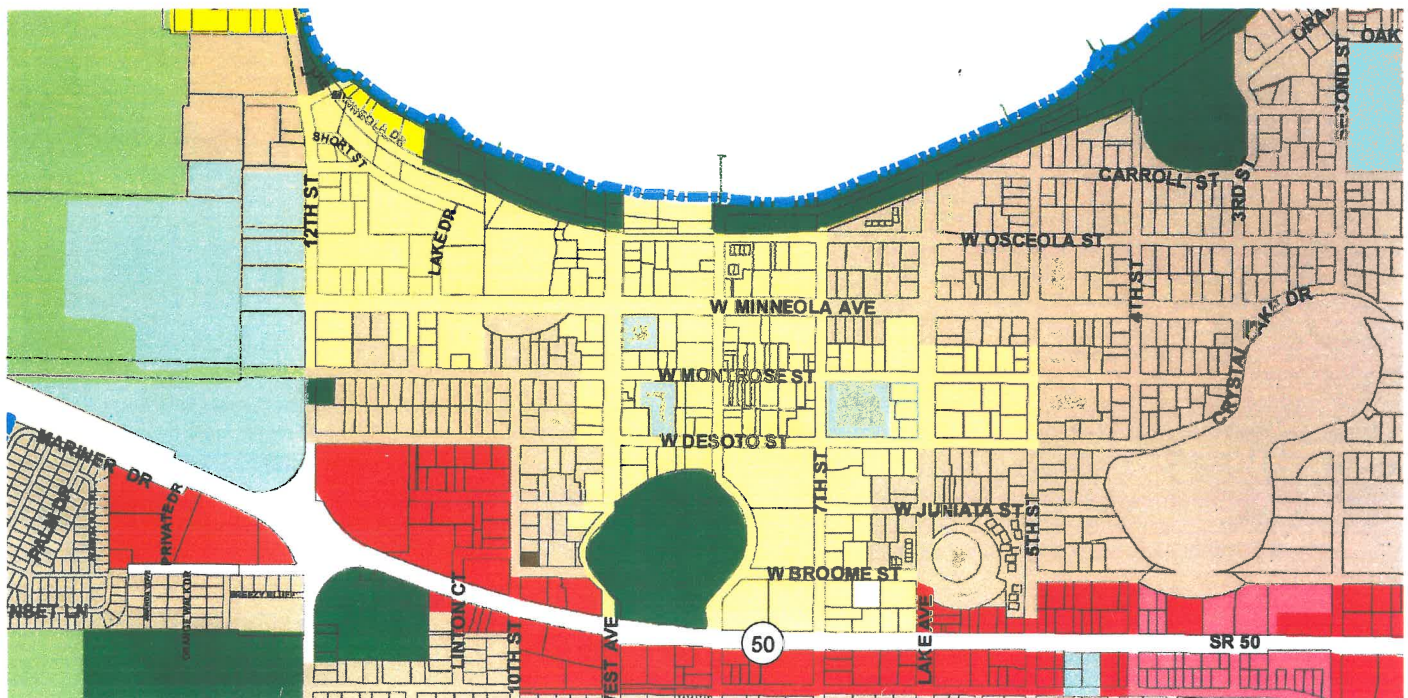
My Commission Expires: _____
(SEAL)

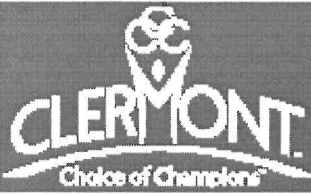


Zoning: Change from R-3 to Central Business District (CBD)



Future Land Use: Change from Medium Density Residential to Downtown Mixed Use





Cash Register Receipt

City of Clermont

Receipt Number
R15243

DESCRIPTION	ACCOUNT	QTY	PAID
ProjectTRAK			\$542.00
REZ1802-0002 Address: 1000 WEST MONTROSE ST Apn: 1789419			\$542.00
PUBLIC HEARING APPLICATION			\$542.00
REZONING APPLICATION FEE	10329-32900	0	\$542.00
TOTAL FEES PAID BY RECEIPT: R15243			\$542.00

Date Paid: Tuesday, March 06, 2018

Paid By: VICTORY POINTE LLC

Cashier: LW

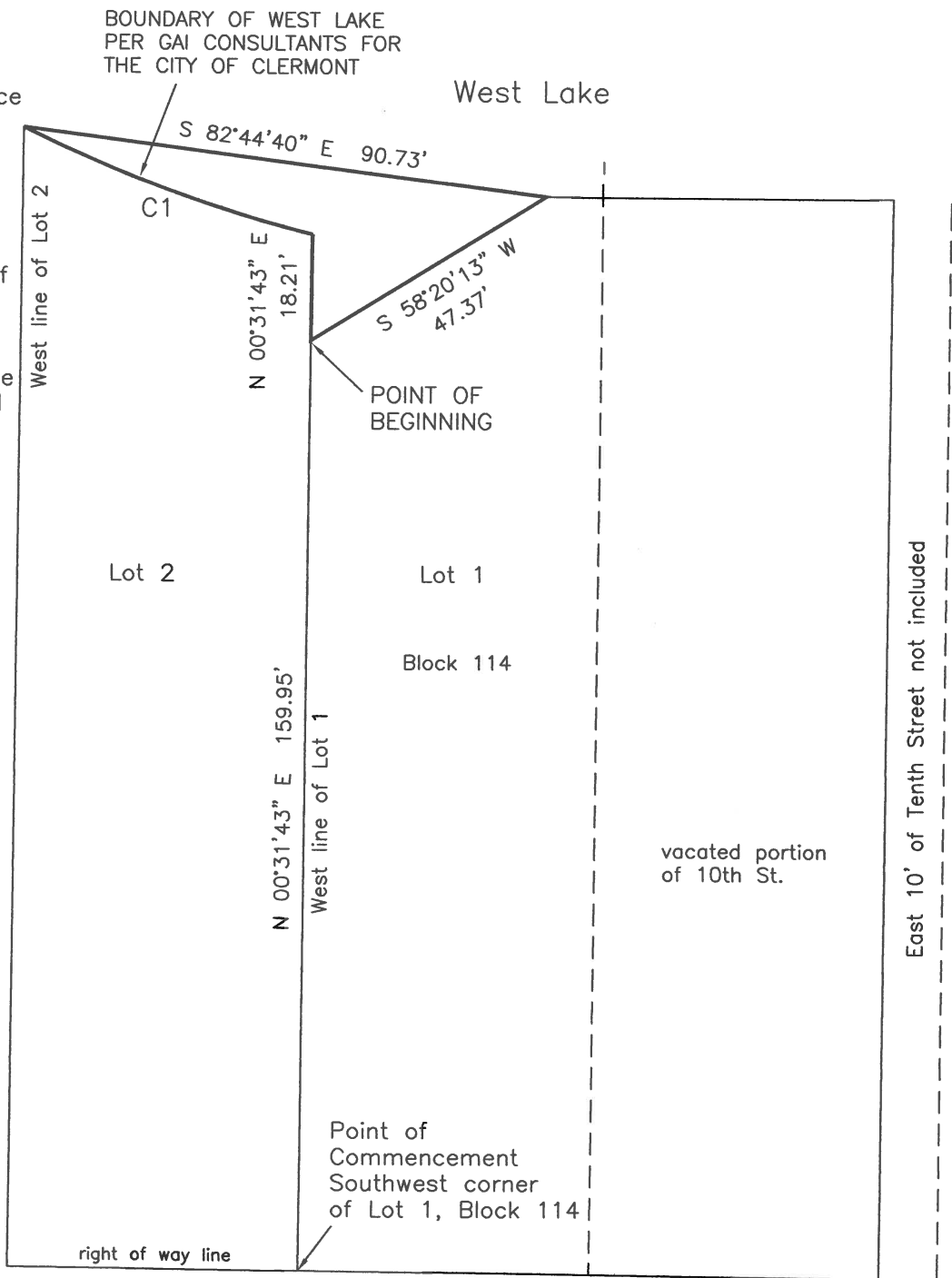
Pay Method: CHECK 1027

Description:

Commence at the Southwest corner of Lot 1, Block 114, Official Map of The City of Clermont, according to the plat thereof, as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida, thence run N 00°31'43" E along the West line of said Lot 1 for a distance of 159.95 feet to the POINT OF BEGINNING; thence run N 00°31'43" E for a distance of 18.21 feet to the beginning of a curve concave to the Northeast, having a radius of 242.98 feet, a chord bearing of N 70°01'59" W and a chord distance of 53.05 feet; thence run Northwesterly along the arc of said curve for a distance of 53.15 feet through a central angle of 12°32'00" to a point on the West line of Lot 2, said plat of the Official Map of The City of Clermont; thence leaving said West line of Lot 2 run S 82°44'40" E for a distance of 90.73 feet; thence run S 58°20'13" W for a distance of 47.37 feet to the Point of Beginning. Containing 946 square feet or 0.022 acres, more or less.

Map of Description

CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	242.98'	53.15'	53.05'	N 70°01'59" W	12°32'00"



Jeffrey P. Rhoden

02/19/18

JEFFREY P. RHODEN PSM #5322

STATE OF FLORIDA

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS MAP/REPORT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

Prepared for:

16076.007

Victory Pointe, LLC

Rhoden Land Surveying, Inc.

LB #6980

420 E. Minnehaha Ave.
Clermont, FL 34711

352-394-6255

Map of Topographic Survey

Page 1 of 2

Description:

Lot 2, Block 114, of THE CITY OF CLERMONT, according to the Plat thereof, as recorded in Plat Book 8, Page 17, of the Public Records of Lake County, Florida.

Lake County

I hereby declare that based on my examination of the Flood Insurance Rate Map number 12069C 0570 E dated Dec. 18, 2012, and that to the best of my knowledge, belief and my professional opinion that the subject property lies within flood zones X & A. Limits of flood zones scaled from FEMA FIRM map.

Description:

Lot 1, Block 114, Official Map of The City of Clermont, according to the plat thereof, as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida.

AND

All that portion of Tenth Street, bounded on the South by the North right of way line of Montrose Street, and bounded on the North by the shores of West Lake, according to the Official Map of The City of Clermont, as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida. (abandoned by Ordinance 112-M in ORB 654, Page 2171)

Less the East 10.00 feet of Tenth Street.

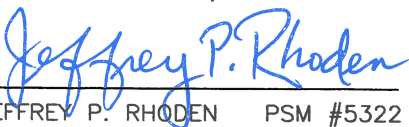
Notes:

- Bearings based on the South line of Lot 2 as being N 89°28'40" W, an assumed meridian.
- Legal description from title commitment.
- Title commitment by Alliant National Title Insurance Company # 17-0331 dated 10/12/17 was provided for this Survey.
- No adjacent or underground improvements, other than those shown, located this date.
- Lots 1, 2 and portion of 10th St. contains 27,329 SF or 0.627 acres, more or less.
- Elevations based on NAVD 1988 datum.

CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	242.98'	53.15'	53.05'	S 70°01'59" E	12°32'00"

Surveyor's Certification

I hereby certify to Victory Pointe, LLC that this Map of Topographic Survey meets the Standards of Practice for surveys as set forth in Chapter 5J-17 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.


JEFFREY P. RHODEN PSM #5322
STATE OF FLORIDA

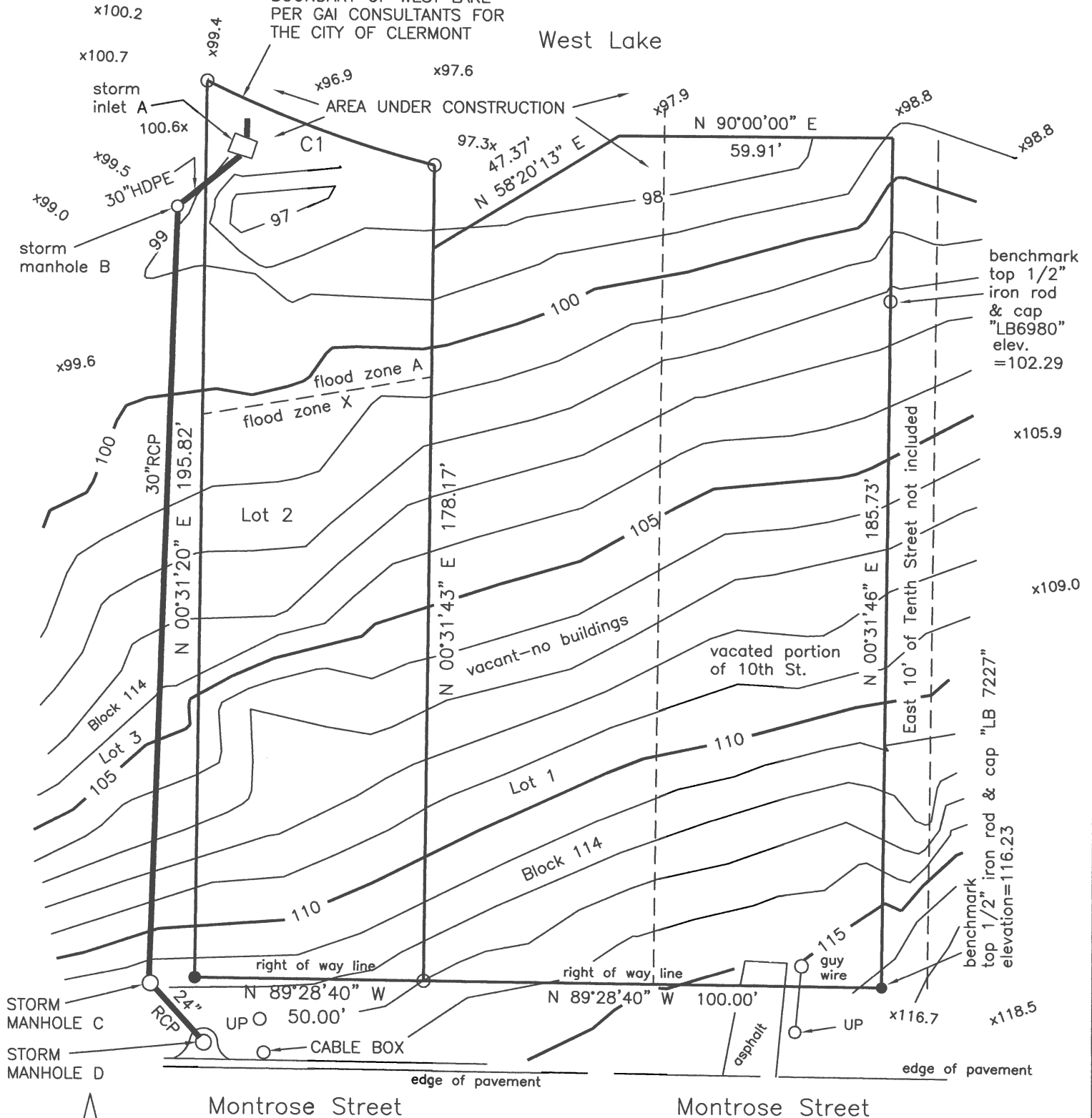
UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS MAP/REPORT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

Field Date 12/27/17	Prepared for: Victory Pointe, LLC
Drawn by: JPR	Rhoden Land Surveying, Inc. LB #6980 420 E. Minnehaha Ave. Clermont, FL 34711 352-394-6255
Scale: 1"=30'	

Storm inlet A
top=99.01
SW inv=93.61
N inv=90.71
30" HDPE pipes

Storm manhole B
top=99.54
NE inv=93.69
S inv=94.14

West Lake



Storm manhole C
top=111.85 N inv=99.40 SE inv=107.35

Storm manhole D
top=113.46 NW inv=107.61
SE inv=107.91

Scale = 1"=30'

UP DENOTES UTILITY POLE

Field Date
12/27/17

Prepared for: 16076.006
Victory Pointe, LLC

Drawn by:
JPR

Rhoden Land Surveying, Inc.

Scale:
1"=30'

LB #6980
420 E. Minnehaha Ave.
Clermont, FL 34711
352-394-6255

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: 10074701
Phone: (352) 241-7331
Date: 03/14/18
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	03/27/2018	04/10/2018	\$369.16

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. 2018-19

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

Northwest of the intersection of
Montrose Street and 10th Street
Alternate Key 3826383 & 178419

LEGAL DESCRIPTION

Lot 1, Block 114, Official Map of The City of Clermont, according to the plat thereof, as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida.

AND

All that portion of Tenth Street, bounded on the South by the North right of way line of Montrose Street, and bounded on the North by the shores of West Lake, according to the Official Map of The City of Clermont, as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida. (abandoned by Ordinance 112-M in ORB 654, Page 2171)
Less the East 10.00 feet of Tenth Street.

Description:

Lot 2, Block 114, Official Map of The City of Clermont, according to the

Plat thereof, as recorded in Plat Book 8, Page 17, of the Public Records of Lake County, Florida.

Description:

Commence at the Southwest corner of Lot 1, Block 114, Official Map of The City of Clermont, according to the plat thereof, as recorded in Plat Book 8, Page 17, Public Records of Lake County, Florida, thence run N 00°31'43" E along the West line of said Lot 1 for a distance of 159.95 feet to the POINT OF BEGINNING; thence run N 00°31'43" E for a distance of 18.21 feet to the beginning of a curve concave to the Northeast, having a radius of 242.98 feet, a chord bearing of N 70°01'59" W and a chord distance of 53.05 feet; thence run Northwesterly along the arc of said curve for a distance of 53.15 feet through a central angle of 12°32'00" to a point on the West line of Lot 2, said plat of the Official Map of The City of Clermont; thence leaving said West line of Lot 2 run S 82°44'40" E for a distance of 90.73 feet; thence run S 58°20'13" W for a distance of 47.37 feet to the Point of Beginning.
Containing 946 square feet or 0.022 acres, more or less.

The above described tracts of land contain 0.627 acres more or less.

From: R-3 Residential/Professional and Central Business District
To: Planned Unit Development (PUD)

This request will be considered by the Planning & Zoning Commission on Tuesday, April 3, 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.

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

Ad No: 10074701
March 27, 2018 &
April 10, 2018

Payment Info	
Ad Price	\$369.16
Tax	\$0.00
Sub Total	\$369.16
Prepaid Amount	\$0.00
Balance Due	\$369.16