



CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, June 5, 2018
City Hall – 685 W. Montrose Street, Clermont, FL

CALL TO ORDER
INVOCATION AND PLEDGE OF ALLEGIANCE
MINUTES

May 1, 2018 Planning and Zoning Minutes

REPORTS
NEW BUSINESS

Item 1 - Resolution No. 2018-11
7-Eleven Gas Station CUP
Request Table to August 7, 2018 PZ

The applicant has requested a postponement to the August 7, 2018 meeting.

Item 2 - Ordinance No. 2018-25
Victory Pointe Condominiums Rezoning

Consider ordinance to amend a Planned Unit Development (PUD) for condominiums located northwest of the intersection of 10th Street and Montrose.

Item 3 - Resolution No. 2018-14R
King's Car Wash CUP

Consider a Conditional Use Permit for a carwash facility located in the C-2 General Commercial zoning district on 1.63 acres located at the southeast corner of Oakley Seaver and SR 50.

Item 4 - Resolution No. 2018-2018-15R
242-244 E. Highland Avenue Conditional Use Permit

Consider request to amend Conditional Use Permit to allow for a medical and dental office uses for property located at 242-244 E. Highland Avenue.

Item 5 - Resolution No. 2018-16R
Kings Crossing Tire Store Conditional Use Permit

Consider Conditional Use Permit to allow for a tire store with eight bays in in the Planned Unit Development zoning district for property located at the southeast corner of Citrus Tower Blvd and US Highway 27.

Item 6 - Ordinance No. 2018-23
Jordan Small Scale Comp Plan Amendment

Consider ordinance to change the future land use from Lake County Commercial and City of Clermont Residential/Office to City of Clermont Commercial for property located at SR 50 and Omar Street.

Item 7 - Ordinance No. 2018-24
Jordan Rezoning

Consider ordinance to change the zoning from Lake County Agriculture and City of Clermont R-3 Residential/Professional to City of Clermont C-2 General Commercial for property located at SR 50 and Omar Street.

CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
6:30 PM, Tuesday, June 5, 2018
City Hall – 685 W. Montrose Street, Clermont, FL

Item 8 - Ordinance No. 2018-21
CBD Lot Size Changes

Discussion of Non-Agenda Items

ADJOURN

Any person wishing to appeal any decision made by the Planning and Zoning Commission at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Development Services at 352-241-7302.

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

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
May 1, 2018

Page 1

The meeting of the Planning & Zoning Commission was called to order 01, May, 2018 at 6:30 p.m. by Chairman Cuqui Whitehead. Other members present were Herb Smith, Carol Thayer, David Colby, Julie Santos, Max Krzyminski and Tony Hubbard. Curt Henschel Acting Development Services Director, Regina McGruder, Senior Planner, Dan Mantzaris, Legal Counsel for the City, were also in attendance.

MINUTES of Planning and Zoning Commission meeting held on April 3, 2018 were approved as written.

REPORTS:

Chairman Whitehead spoke about upcoming Mother's Day Event

Curt Henschel, Acting Development Services Director spoke about some issues and clarification on land use applications. Dan Mantzaris clarified topics that can and cannot be discussed with Board Members.

REQUEST:

Item #1: Consider Conditional Use Permit to allow for a professional office building to occupy more than 20,000 square feet of floor space for vacant parcel located on the north side of State Road 50 between Toyota of Clermont and Don Mealey Chevrolet.

APPLICANT: *Fifty West Realty Conditional Use Permit*

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

The applicant, Fifty West Realty, is requesting a Conditional Use Permit to allow for a professional office and multi-use building to occupy more than 20,000 square feet of floor space. The office building is an outparcel located within the Plaza Collina Planned Unit Development. The vacant parcel is approximately 2.0 acres and will be located between the Toyota of Clermont and Don Mealey Chevrolet Dealerships. The zoning of the subject property, which permits C-2 General Commercial uses, requires any structure occupying more than 20,000 square feet of floor space shall require a Conditional Use Permit. The proposed site plan will allow construction for a single three story building, not to exceed 35,000 square feet of professional office and multi-use building.

Staff has reviewed the application and believes that the proposed use is consistent with the Plaza Collina Planned Unit Development Master Plan and will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity and the proposed use will comply

with the regulations and conditions specified. Therefore, staff recommends approval of the request for a Conditional Use Permit to allow for a single building not to exceed 35,000 square feet.

Applicant Rick McCoy 552 S Hwy 27, Clermont, Project Engineer. Presenting because it is more than 20K square feet. Available for any questions. Owners are present if questions need to be referred to them.

Chairman Whitehead opened the floor to the public. There was no one present to speak. Chairman Whitehead immediately closed to public portion of the hearing, and returned it to the Board.

Commissioner Thayer questioned a previous issue with Car wash property and the property behind it.

Chairman requested visual for the entrances.

Smith asked about the elevation and the possible complications that could arise.

Mr. McCoy clarified that though it is a concern they are doing their best to avoid any complications.

Chairman Whitehead entertained motion for item 1. Commissioner Hubbard moves to approve the requested motion; it was seconded by Commissioner Smith. The vote was unanimous for approval. 7-0

REQUEST:

Item #2: The applicant is requesting a Conditional Use Permit to allow a 3,000 square foot convenience store with 8 fueling islands and 16 pump stations for property located at the southwest corner of State Road 50 and East Ave.

APPLICANT: *711 East Ave. Convenience Store/Gas Station CUP Table to June 5, 2018*

Chairman Whitehead entertained motion for item 2 to be tabled to June 5 Planning & Zoning Meeting. Commissioner Santos moves to approve the requested motion; it was seconded by Commissioner Thayer. The vote was unanimous for approval. 7-0

Meeting adjourned at 6:49 PM



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, June 5, 2018		
Agenda Item Name		
Resolution No. 2018-11 <i>7-Eleven Gas Station CUP</i> <i>Request Table to August 7, 2018 PZ</i>		
Requested Action		
Recommend approval of the continuance to August 7, 2018 Planning and Zoning Meeting.		
Staff Report		
The applicant has requested a continuance until the August 7, 2018 Planning and Zoning meeting.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. 7-11 Continuance Request Aug 2018	7-11 Continuance Request Aug 2018.pdf	

John E. Kruse

From: Tedrow, Tara L. <Tara.Tedrow@lowndes-law.com>
Sent: Friday, May 25, 2018 9:05 AM
To: John E. Kruse
Subject: 7-11 on East: Continuance Request

Good morning, John! Please accept this email as a formal request to continue our P&Z hearing to August, since there is no hearing in July. That would put our P&Z hearing on August 7 and our City Council hearing on August 28. Thank you so much for your time and assistance so far!

Regards,

Tara L. Tedrow
Land Use & Commercial Real Estate Attorney Lowndes, Drosdick, Doster, Kantor & Reed
215 N Eola Dr, Orlando, FL 32801
407-418-6361

Sent from my iPhone

This email message has been delivered safely and archived online by Mimecast. For more information please visit <http://www.mimecast.com>

**AGENDA ITEM**

Meeting Date	
Tuesday, June 5, 2018	
Agenda Item Name	
Ordinance No. 2018-25 Victory Pointe Condominiums Rezoning	
Requested Action	
Recommend approval of Ordinance No. 2018-25	
Staff Report	
Introduction: The Applicant, Victory Pointe LLC, has submitted an application for PUD amendment. The application requests a density amendment to the existing Victory Pointe LLC PUD to modify the density to allow for 17-units. At 25 du/ac, the current PUD would only allow for 16 total dwelling units. Included in this staff report is the application materials from the PUD approved on April 10, 2018, Revised Application and Materials dated May 23rd 2018, Community Benefit Agreement, Neighborhood Compatibility Review and Compatibility Review. In order to achieve a density above 25 du/ac, the Land Development Code (LDC) provides a density bonus provision wherein projects may be awarded density bonus for achieving certain minimum requirements and achieving superior outcomes on designated project elements. Background and Analysis On April 10, 2018 the Applicant, Victory Pointe LLC, received City Council approvals for the following: • 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. • Ordinance to rezone 0.649 +/- 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. The PUD land use and specific conditions provided the project to achieve a density of up to 25 units per acre within the project and (17) 17, single-family condominiums. Proposed Application The Applicant, Victory Pointe LLC. has provided a survey demonstrating the site contains .649 acres. At 25 du/ac maximum, the density calculation for the site area can only support 16.225 dwelling units, which results in a 16 unit project. Since the LDC provides density bonus provisions to allow up to 40 du/ac, the applicant is applying to amend the PUD to allow for one additional unit for a total of .17	

condominium units via the density bonus method. If approved, the resulting density would be 26.2 du/ac.

Project Analysis

The proposed PUD amendment allowing for 17 single family units and a 26.2 DU/Acre per the Land Development Code Sections 112-249 would conform to the Land Development Code. The proposed PUD amendment complies to the 5-mandatory criteria in the Land Development Code Section 122-249, which requires the following:

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 applicant has made no changes to the site plan submitted with the original PUD dated April 10, 2018. The applicant has provided a conceptual site plan, prepared by Germana Engineering and Associates, LLC., dated 03/29/2018, depicting the layout of the building and both parking under the condo units along with onsite parking. 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 residential, single-family units.

The proposed PUD amendment does require a Community Benefit Agreement. The Community Benefit Agreement per the Land Development Code section 122-249 requires the following:

Bonus density may be awarded to a project based upon successful compliance with one or more of the following criteria listed below. Each project must demonstrate that the ***inclusion of one or more of the following criteria justifies an increase in density***. The city shall consider the entirety of the project and the manner in which the project exceeds minimum city standards for development within the Central Business District. Those projects exemplifying maximum and superior utilization of the bonus criteria below may be awarded a higher density. The determination of the final allowable maximum density includes consideration of the criteria below as well as compliance with the neighborhood compatibility criteria below.

Staff has identified the proposed PUD amendment allowing for 17 condominium units and 26.2 du/ac demonstrates attainment of four (4) of the eight (8) criteria:

- (1) Streetscape. Streetscape treatment that meets the city's downtown streetscape plan or exceeds the minimum standards normally required of the development's location.

____ Result: Not Applicable

- (2) Transit. The site is proximate ($\frac{1}{4}$ to $\frac{1}{2}$ mile) to a sheltered transit stop. This criterion may be waived until such time as transit service is more fully provided within the downtown corridor.

Result: Not Applicable

(3) Parking structure. Parking garage is located such that it is interior to the site or lined with habitable space along all street-facing façades.

Result: **Qualifies.** Structured parking is being provided. The parking garage is entirely contained within the building column.

(4) Public parking. The project provides parking beyond the minimum required by code to accommodate public parking in the downtown.

Result: Not Applicable

(5) Environmental sustainability. Site design and building materials that exceed the minimum environmental sustainability requirements in place at the time of development. Such enhancements should consider energy efficiency, storm water design, solar, solar roofs or other renewable energy sources, recycling, and sustainable materials options, all of which should be judged against the best-available technology and any relevant and generally accepted environmental certification programs.

Result: **Qualifies.** (Project Conforms)

(6) Public open space. Publicly accessible and functional open space that is open to the sky and at least 2,500 square feet in area.

Result: Not Applicable

(7) Public art/cultural facilities. The project includes a prominent component of public art or provides space to support community cultural activities, all accessible to the public. The applicant may proffer a payment in lieu of this criterion subject to a fund established by the city for use consistent with the intent of this provision.

Result: Not Applicable

(8) Landscaping. A landscaping plan that exceeds the minimum city requirements.

Result: **Qualifies.** Project Conforms

Staff conducted both a compatibility review and Neighborhood Compatibility Report and found the project to be consistent with the context and character with neighboring Central Business District businesses and residential uses.

Recommendation

Staff has reviewed the applicant's proposal for an amendment to the PUD and believes the proposed increase in density at this location is compatible with the existing residential and commercial uses in the downtown. Staff has reviewed and is in agreement the project is in accordance with the vision of the Downtown and Waterfront Master Plan and meets the Comprehensive Plan. Staff has found the proposed PUD amendment meets the standards in regards to Section 122-315, Review Criteria for a PUD. Therefore, staff recommends approval of Ordinance for PUD Amendment 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. | CBA Victory Pointe | CBA Victory Pointe.docx |
| 2. | Victory Pointe PUD Maps June 2018 | Victory Pointe PUD Maps June 2018.pdf |
| 3. | Victory Pointe Ord. 2018-25 | Victory Pointe Ord. 2018-25.doc |

Attachment
Community Benefit Agreement (CBA)
Victory Pointe, LLC.

I. PURPOSE

This CBA between the city and Victory Pointe, LLC (Victory Pointe) is required to memorialize the commitments proffered by the applicant to achieve a residential density greater than 25 dwelling units per acre (du/ac) in the CBD zoning district. This CBA is considered a commitment by the applicant as part of the PUD zoning and is subject to compliance with all other PUD conditions.

The proposed Victory Pointe PUD contains 17 dwelling units on .649 acres, or a density of 26.2 du/ac. The project needs to increase the permitted density from 25 du/ac to 26.2 du/ac via the utilization of Section 122-249 of the City of Clermont Code of Ordinances.

II. MANDATORY REQUIREMENTS FOR PROJECTS GREATER THAN 12 DU/ACRE

The following items are mandatory components for any project in the central business district that is greater than 12 dwelling units per acre, including any project utilizing the density bonus provisions.

(1) Ownership. The project must be designed, constructed and sold as fee simple or condominium ownership structure.

Result: Project meets the requirement, as it is a for-sale residential condominium

(2) Construction materials. Durable, high-quality materials, such as stone, steel, glass, precast concrete, or masonry shall be required. Such materials and associated architectural features must wrap around all sides of the building that are visible from the public realm. Traditional stucco may be appropriate in a historic context or for a Mediterranean-style building. Buildings incorporating EIFS (exterior insulation finishing system) or other faux-stucco finish for more than ten percent of a street-facing façade do not meet this criterion. Buildings constructed primarily of wood framing do not meet this criterion.

Result: Project Conforms to Use of Construction Materials

(3) Urban design/architecture. Building placement must reinforce the walkability of downtown and embrace desired pedestrian/building relationships. The primary building entrance, if a singular entrance, must be a prominent feature that is defined and articulated with pediments, pilasters, columns, porticoes, porches, overhangs, railings, or other architecturally compatible elements. Buildings on corner lots and buildings that terminate views from the public realm must incorporate additional height or other features that emphasize their prominent location.

Result: Project Conforms to Urban Design and Architecture

(4) Pedestrian improvements. The project must include sidewalks in all public rights-of-way and a pedestrian access plan for the internal movement throughout the project.

Result: Project Conforms to Pedestrian Improvements

(5) Trail connection. The project must be adjacent to or within 1,500 feet of a publicly dedicated trail. If not adjacent, a connection between the project site and public trail must be constructed. Any planned connection must meet the minimum design criteria for a publicly accessible trail.

Result: Project Conforms in Making Trail Connections

III. CRITERIA FOR DENSITY BONUS

Bonus density may be awarded to a project based upon successful compliance with one or more of the following criteria listed below. Each project must demonstrate that the inclusion of one or more of the following criteria justifies an increase in density. The city shall consider the entirety of the project and the manner in which the project exceeds minimum city standards for development within the Central Business District. Those projects exemplifying maximum and superior utilization of the bonus criteria below may be awarded a higher density. The determination of the final allowable maximum density includes consideration of the criteria below as well as compliance with the neighborhood compatibility criteria below.

(1) Streetscape. Streetscape treatment that meets the city's downtown streetscape plan or exceeds the minimum standards normally required of the development's location.

Result: Not Applicable

(2) Transit. The site is proximate (¼ to ½ mile) to a sheltered transit stop. This criterion may be waived until such time as transit service is more fully provided within the downtown corridor.

Result: Not Applicable

(3) Parking structure. Parking garage is located such that it is interior to the site or lined with habitable space along all street-facing façades.

Result: Qualifies. Structured parking is being provided. The parking garage is entirely contained within the building column.

(4) Public parking. The project provides parking beyond the minimum required by code to accommodate public parking in the downtown.

Result: Not Applicable

(5) Environmental sustainability. Site design and building materials that exceed the minimum environmental sustainability requirements in place at the time of development. Such enhancements should consider energy efficiency, storm water design, solar, solar roofs or other renewable energy sources, recycling, and sustainable materials options, all of which should be judged against the best-available technology and any relevant and generally accepted environmental certification programs.

Result: Qualifies. (Project Conforms)

(6) Public open space. Publicly accessible and functional open space that is open to the sky and at least 2,500 square feet in area.

Result: Not Applicable

(7) Public art/cultural facilities. The project includes a prominent component of public art or provides space to support community cultural activities, all accessible to the public. The applicant may proffer a payment in lieu of this criterion subject to a fund established by the city for use consistent with the intent of this provision.

Result: Not Applicable

(8) Landscaping. A landscaping plan that exceeds the minimum city requirements.

Result: Qualifies. Project Conforms

IV. FINDINGS OF THE COMPATIBILITY REVIEW

Projects that utilize a density bonus to increase density above 25 dwelling units per acre, and are located adjacent to, or across a public street from, an adjoining zoning district other than the central business district, shall be required to undergo a compatibility review (CR). This review will ensure that the proposed density bonus results in a development that is compatible with the massing, scale, form, and design of adjoining and nearby development. A CR was conducted by the City and the following are the findings of that analysis:

- a) The current and planned uses of the surrounding area as allowed by the current future land use category(s) of surrounding properties are compatible with the Victory Pointe LLC Planned Unit Development;
- b) The resulting use of the density bonus will not have a substantially greater negative impact on the surrounding neighborhood than the project would have without utilizing a density bonus;
- c) The proposed building setbacks do not significantly decrease site lines between building sites;
- d) The proposed landscaping/buffers provide sufficient screening and enhance the proposed site; and
- e) The site plan and Planned Unit Development do not detract from the character and context of the Central Business District zoning of adjacent properties within the neighborhood. The site plan is compatible with the Victory Pointe Wetlands Park and provides pedestrian connections.

V. NEIGHBORHOOD COMPATIBILITY REPORT

The findings of the Compatibility Study are required to be compiled into a Neighborhood Compatibility Report (NCR). The NCR is required to identify whether the project met the criteria of the Compatibility Review.

The proposed development has been found to fit into the context and character of the surrounding neighborhood and adjacent dwellings. The surrounding residential and commercial features do not have consistency or a prevailing architectural theme. Further, there is a mix of uses within the area that is comprised of single family detached residential, commercial/industrial zoned lands and multi-family uses. Further, the proposed Victory Pointe project exhibits the following characteristics:

- Consistent in context with the prevailing and predominant residential characteristics of the adjacent dwellings within the Central Business District.
- The relationship of the proposed development to the surrounding neighborhood is appropriate in building materials, features, location and orientation.
- The project design provides sufficiently proportioned buffering and privacy between adjacent uses.

- The project provides for an improved visual quality of the built environment by relating to surrounding architectural styles, massing, and building, landscape and hardscape materials and colors.
- The project provides for the physical enhancement of the neighborhood in a manner that would protect and preserve nearby property values.
- The project provides for design solutions in a manner sensitive to the surrounding neighborhood.
- The project is a Mediterranean style building and complies with the design criteria for density bonus

VI. PHOTO DOCUMENTATION

The following photos illustrate the character of the surrounding neighborhood and were used to establish the findings of the Neighborhood Compatibility Report .

Multi-Family West of Property



West of Property



Southeast Aerial



Rear of Property abutting Victory Pointe Wetlands Park and Wolfe-Wallace CBS Lumber Yard



Exhibit - Location Map – Victory Pointe LLC

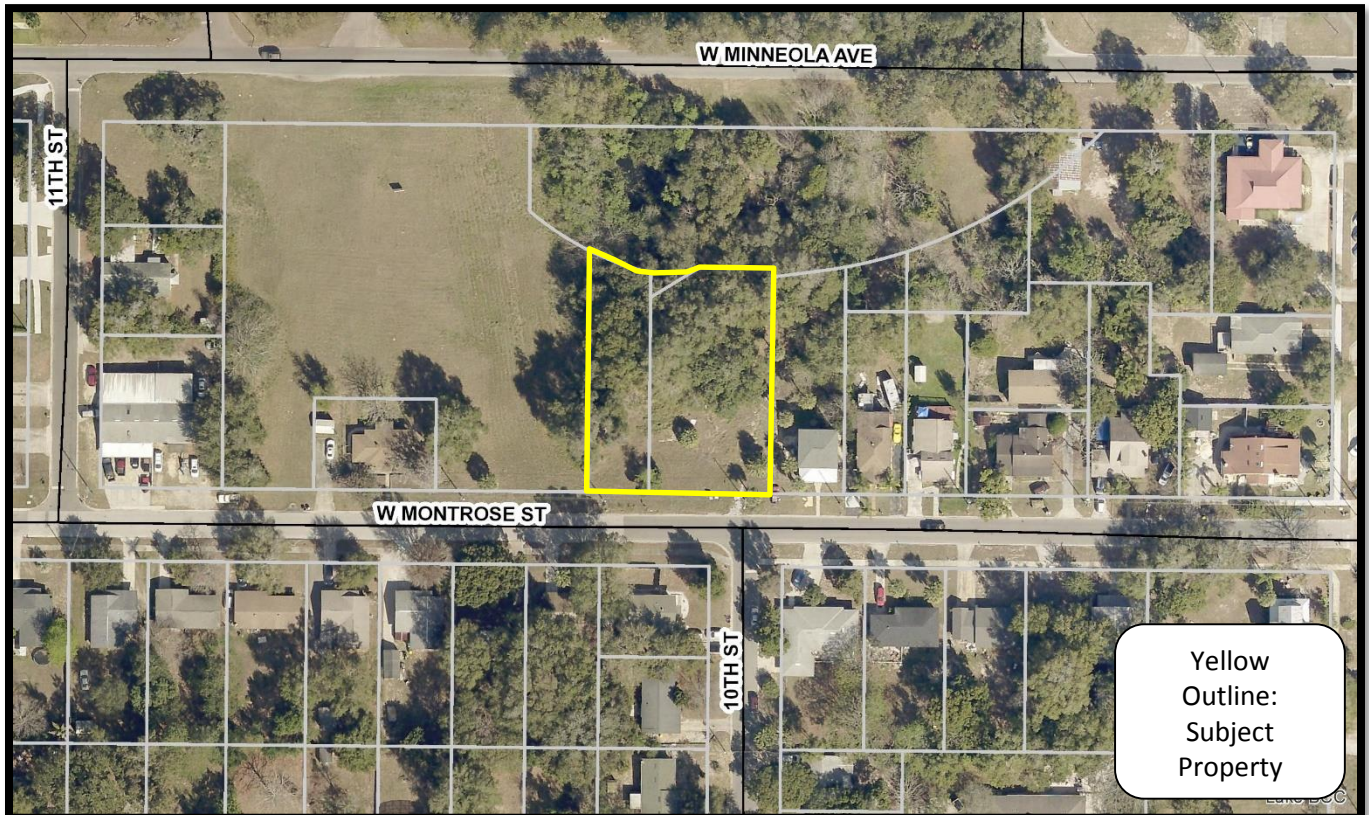
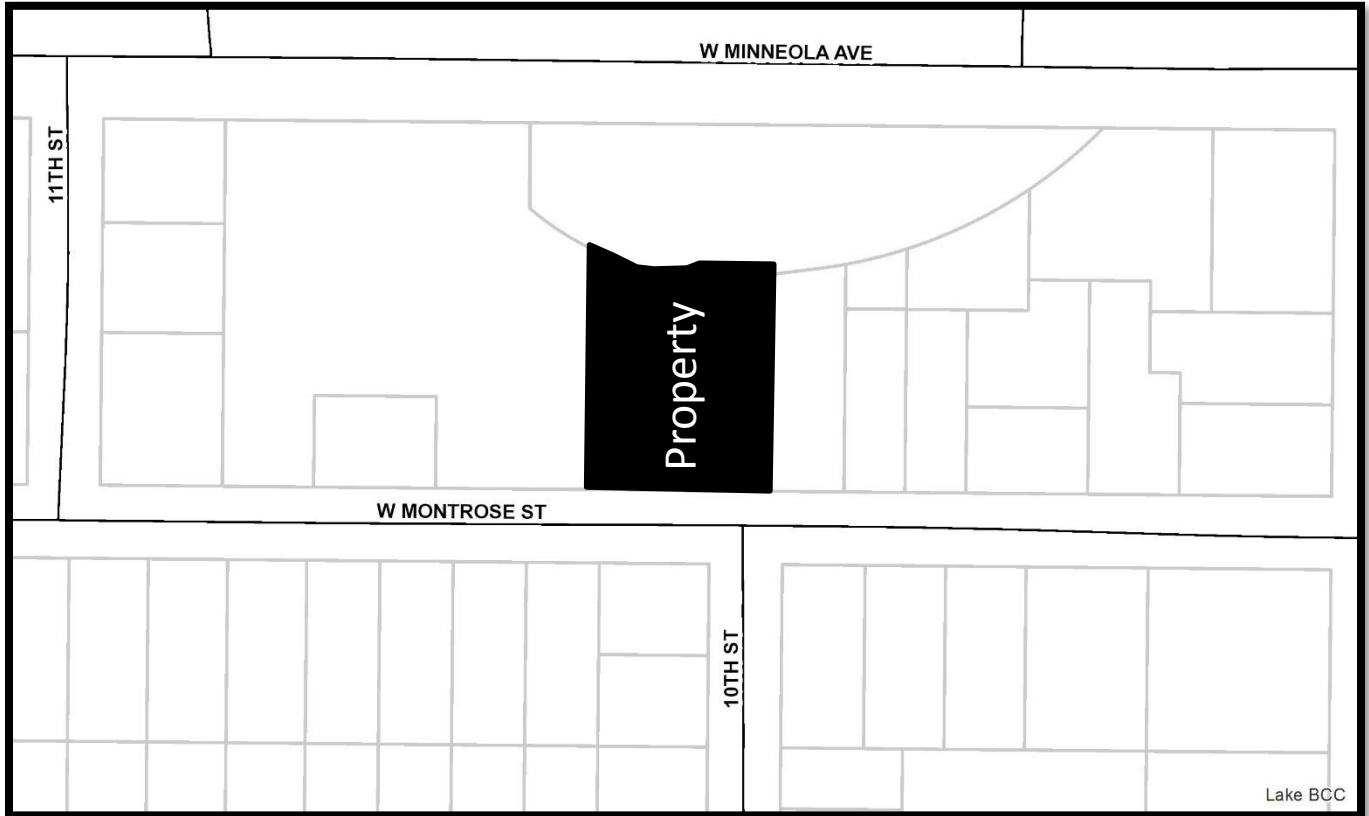
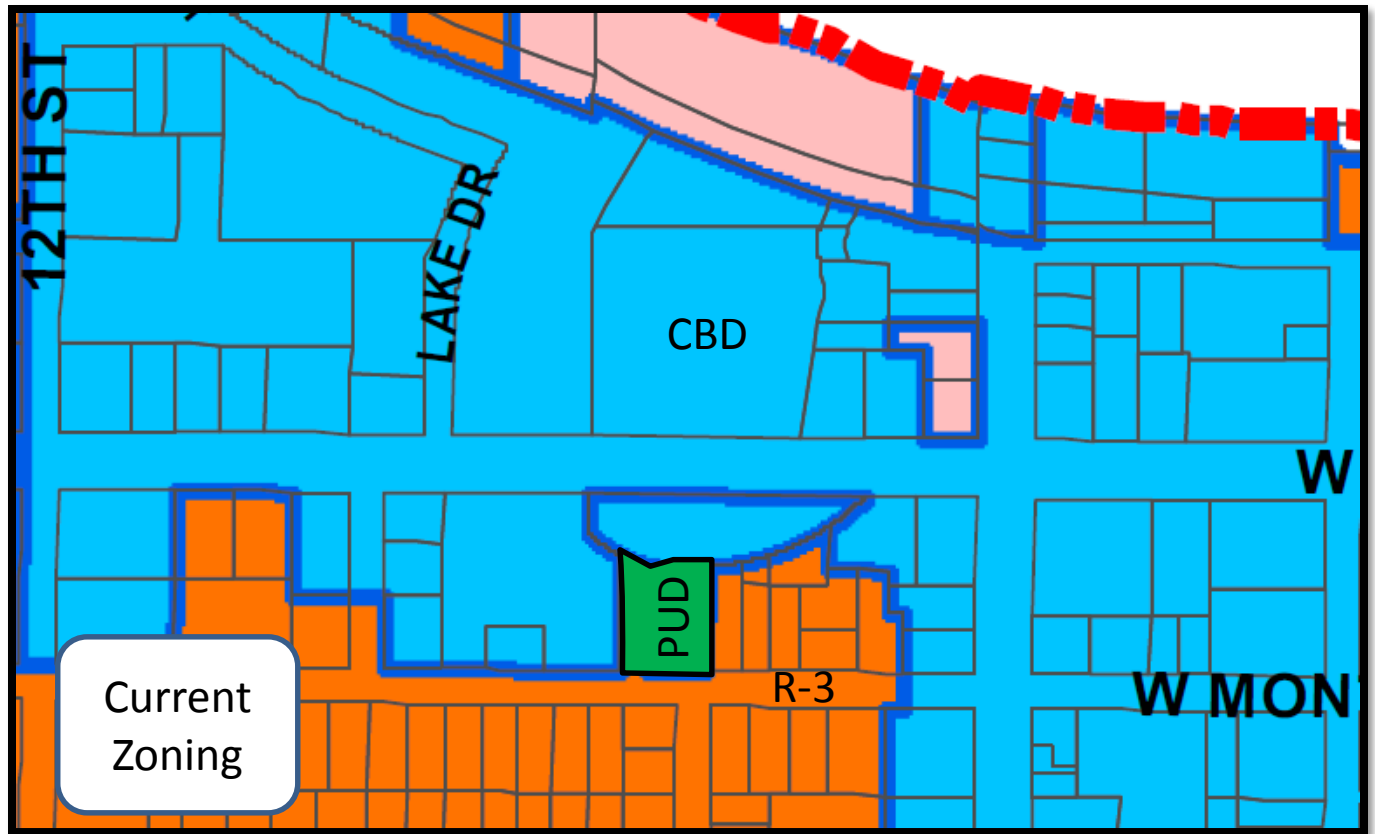


Exhibit – Zoning Map – Victory Pointe LLC





CITY OF CLERMONT
ORDINANCE NO. 2018-25

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.



CITY OF CLERMONT
ORDINANCE NO. 2018-25

LOCATION

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

From: Planned Unit Development (PUD)
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. Provided the project conforms to the following criteria to achieve a density of up to 27 units per acre within the project, seventeen (17) single-family condominiums may be permitted:

Ownership. The project must be designed, constructed and sold as fee simple or condominium ownership structure. Victory Pointe LLC Planned Unit Development is an ownership model, fee simple.

Construction materials. Durable, high-quality materials, such as stone, steel, glass, precast concrete, or masonry shall be required. Such materials and associated architectural features must wrap around all sides of the building that are visible from the public realm. Traditional stucco may be appropriate in a historic context or for a Mediterranean-style building. Buildings incorporating EIFS (exterior insulation finishing system) or other faux-stucco finish for more than ten percent of a street-facing façade do not meet this criterion. Buildings constructed primarily of wood framing do



CITY OF CLERMONT
ORDINANCE NO. 2018-25

not meet this criterion. Victory Pointe LLC Planned Unit Development, will be comprised of complete block construction and will meet all of the durable, high quality construction materials criteria.

Urban design/architecture. Building placement must reinforce the walkability of downtown and embrace desired pedestrian/building relationships. The primary building entrance, if a singular entrance, must be a prominent feature that is defined and articulated with pediments, pilasters, columns, porticoes, porches, overhangs, railings, or other architecturally compatible elements. Buildings on corner lots and buildings that terminate views from the public realm must incorporate additional height or other features that emphasize their prominent location.

Trail connection. The project must be adjacent to or within 1,500 feet of a publicly dedicated trail. If not adjacent, a connection between the project site and public trail must be constructed. Any planned connection must meet the minimum design criteria for a publicly accessible trail. Victory Pointe LLC is making connections to the trail network surrounding Victory Pointe Wetlands Park.

Transit. The site is proximate ($\frac{1}{4}$ to $\frac{1}{2}$ mile) to a sheltered transit stop. This criterion may be waived until such time as transit service is more fully provided within the downtown corridor. Victory Pointe LLC is not currently within the proximate to a transit stop and the requirement is waived until service is provided more fully into the downtown. Bicycle parking is provided onsite as part of an active transportation component for residents.

Parking structure. Parking garage is located such that it is interior to the site or lined with habitable space along all street-facing façades. Victory Pointe LLC parking structure will be located under the dwelling structures. Bicycle parking is also provided onsite for residents use.

Environmental sustainability. Site design and building materials that exceed the minimum environmental sustainability requirements in place at the time of development. Such enhancements should consider energy efficiency, stormwater design, solar, solar roofs or other renewable energy sources, recycling, and sustainable materials options, all of which should be judged against the best-available technology and any relevant and generally accepted environmental certification programs.

Landscaping. A landscaping plan that exceeds the minimum city requirements.

Compatibility Review:

- a) The current and planned uses of the surrounding area as allowed by the current future land use category(s) of surrounding properties are compatible with the Victory Pointe LLC Planned Unit Development; and



CITY OF CLERMONT
ORDINANCE NO. 2018-25

- b) The resulting use of the density bonus will not have a substantially greater negative impact on the surrounding neighborhood than the project would have without utilizing a density bonus;
 - c) The proposed building setbacks do not significantly decrease site lines between building sites; and
 - d) The proposed landscaping/buffers provide sufficient screening and enhance the proposed site; and
 - e) The site plan and Planned Unit Development do not detract from the character and context of the Central Business District zoning of adjacent properties within the neighborhood. The site plan is compatible with the Victory Pointe Wetlands Park and provides pedestrian connections.
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.
 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.



CITY OF CLERMONT
ORDINANCE NO. 2018-25

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.

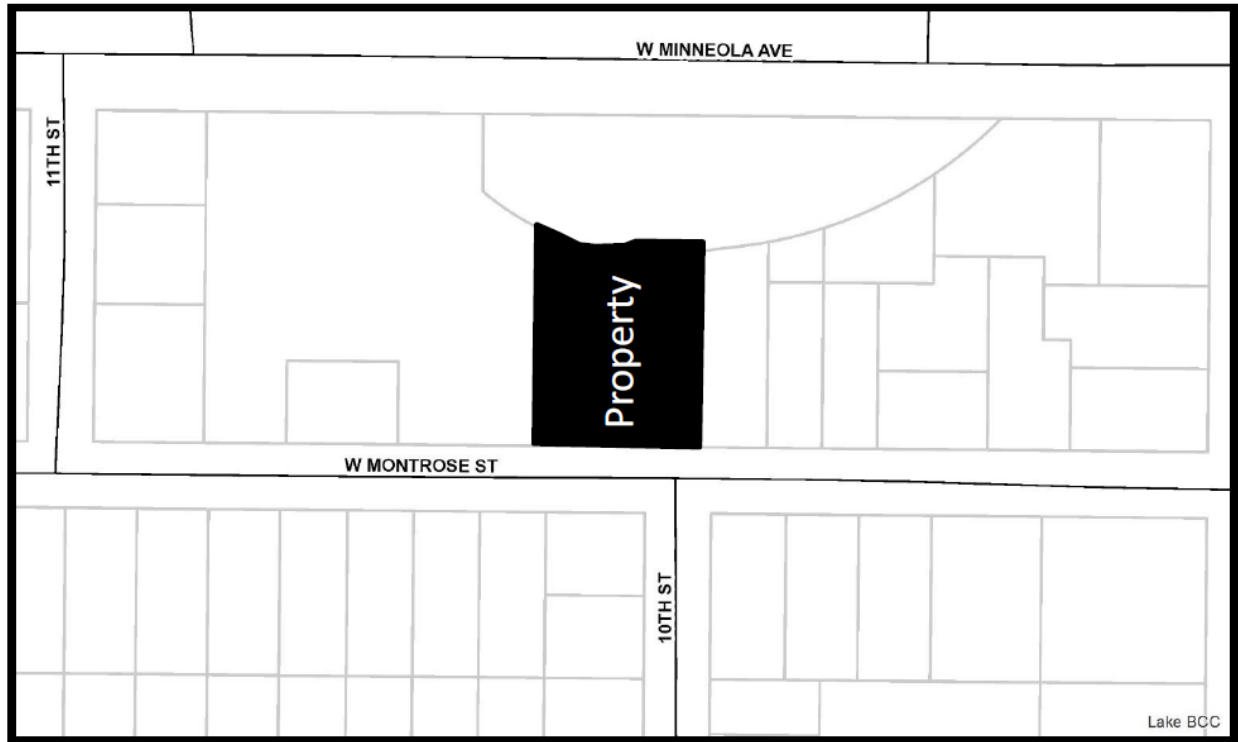
SECTION 6.

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



CITY OF CLERMONT
ORDINANCE NO. 2018-25

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2018-25

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 26th day of June, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, June 5, 2018	
Agenda Item Name	
Resolution No. 2018-14R <i>King's Car Wash CUP</i>	
Requested Action	
Recommend denial of a request for a conditional use permit for a carwash at the subject site.	
Staff Report	
The applicant, Aspire Engineering, Inc., is requesting a conditional use permit for an automotive carwash facility in the C-2 General Commercial district. Section 122-224 of the Land Development Code permits this type of use only through a conditional use permit. The property is located at the southeast corner of SR 50 and Oakley Seaver Drive. The property is approximately 1.63 acres in size and is the former PNC Bank site. The existing bank building will be demolished if the carwash is approved, and the site will be redeveloped. The applicant is proposing a 4,860 square foot express tunnel carwash building with self-service outdoor vacuum spaces. The applicant has indicated that the noise producing vacuum equipment will be placed inside of the building to reduce noise outside. Overhead canopies will be installed over the twenty-five (25) vacuum spaces and the pay stations. The project will access from the current access points on SR 50 and Oakley Seaver Drive. The hours of operation will be 7 AM to 7 PM, seven days a week. The applicant has not identified any variance requests and will redevelop the site to meet the City's Architectural Standards and Land Development Code. Staff has reviewed the application in accordance with the Land Development Code and has reviewed the existing carwash facilities within the City. Staff has identified the nearest carwash is located at the next traffic light, approximately ¼ mile to the west, the Mister Carwash facility. Other carwash facilities are also located throughout the SR 50 corridor. The levels of service range from the small basic carwash facility as an accessory use with a convenience/gas station to a larger, more comprehensive facility on an outparcel. These numbers do not include the carwash services offered by the automotive dealerships that are located along SR 50 as well. When evaluating a request for a conditional use permit, Section 86-144 of the Land Development Code requires specific development standards that need to be met. Staff has reviewed the proposed carwash facility with the standards and finds the proposed use does not meet the general criteria for granting the conditional use permit. The areas of concern from the proposed carwash facility are: 1) the intensity and character of the development is not compatible with the surrounding development and the proposed development is usually associated with excessive noise and having high traffic generations 2) the view and aesthetics does not appear to blend in and complement the existing development pattern in the area, and 3) the proposed landscaping does not offer adequate screening of certain aspects of the facility that would appear to be undesirable to the public. The proposed use may be considered undesirable at the particular location. Therefore, staff recommends denial of the request for a conditional use permit for a carwash facility in the C-2 General Commercial zoning district.	
Additional Analysis	
Fiscal Impact Summary	

Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	CUP 2018-14R Kings Carwash	2018-14R CUP Kings Carwash.docx
2.	Kings Carwash Maps	Kings Carwash Maps.pdf
3.	Site Plan -1117	Site Plan -1117.pdf
4.	KINGS CARWASH-CLERMONT-ELV	KINGS CARWASH-CLERMONT-ELV.pdf
5.	Landscape Plan -1117	Landscape Plan -1117.pdf
6.	Photos	Photos.pdf
7.	Rendering 1	Rendering 1.pdf
8.	Rendering 2	Rendering 2.pdf
9.	Rendering 3	Rendering 3.pdf
10.	Traffic Report	Traffic Report.pdf
11.	Clermont - Kings Car Wash Executed Application (04.24.18)	Clermont - Kings Car Wash Executed Application (04.24.18).pdf
12.	Legal Ad Proof	Legal Ad Proof.pdf



CITY OF CLERMONT
RESOLUTION NO. 2018-14R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A CARWASH FACILITY IN THE C-2 GENERAL COMMERCIAL ZONING DISTRICT.

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

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida, at a meeting held June 5, 2018, recommended approval of this Conditional Use Permit to allow for a carwash facility, at the following location:

LOCATION:

Southeast corner of SR 50 and Oakley Seaver Drive
Former PNC Bank Site
Alternate Key #3800830
1.63+/- Acres

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

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

This application for a Conditional Use Permit to allow a carwash facility in the C-2 General Commercial zoning district; be granted subject to the following conditions:

SECTION 1. General Conditions

1. This Resolution shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor in title or interest, and shall be subject to each and every condition herein set out.
2. Upon approval of the resolution the aforementioned property shall only be used for the purposes described herein. No further expansion of the use or additions to this project shall be permitted except as approved by another Conditional Use Permit. Any other proposed use shall be specifically authorized by amendment and approval of the City of Clermont City Council.
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,



CITY OF CLERMONT
RESOLUTION NO. 2018-14R

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. Prior to the issuance of any permits, the applicant shall be required to submit formal site plans for review and approval by the City of Clermont Site Review Committee. The site plans shall meet all submittal requirements and comply with the conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended.
5. No business can occupy any portion of the building unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
6. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
7. The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
8. The structure shall be inspected by the Fire Marshal for life safety requirements. All requirements must be met prior to any Certificate of Occupancy being issued.
9. The structure shall be inspected by the City Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
10. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
11. This permit shall become null and void if substantial work has not begun within two (2) years of the date of issuance of this Conditional Use Permit.
12. Should the carwash cease operation for more than 180 days, a new Conditional Use Permit shall be required for a same or similar operation.

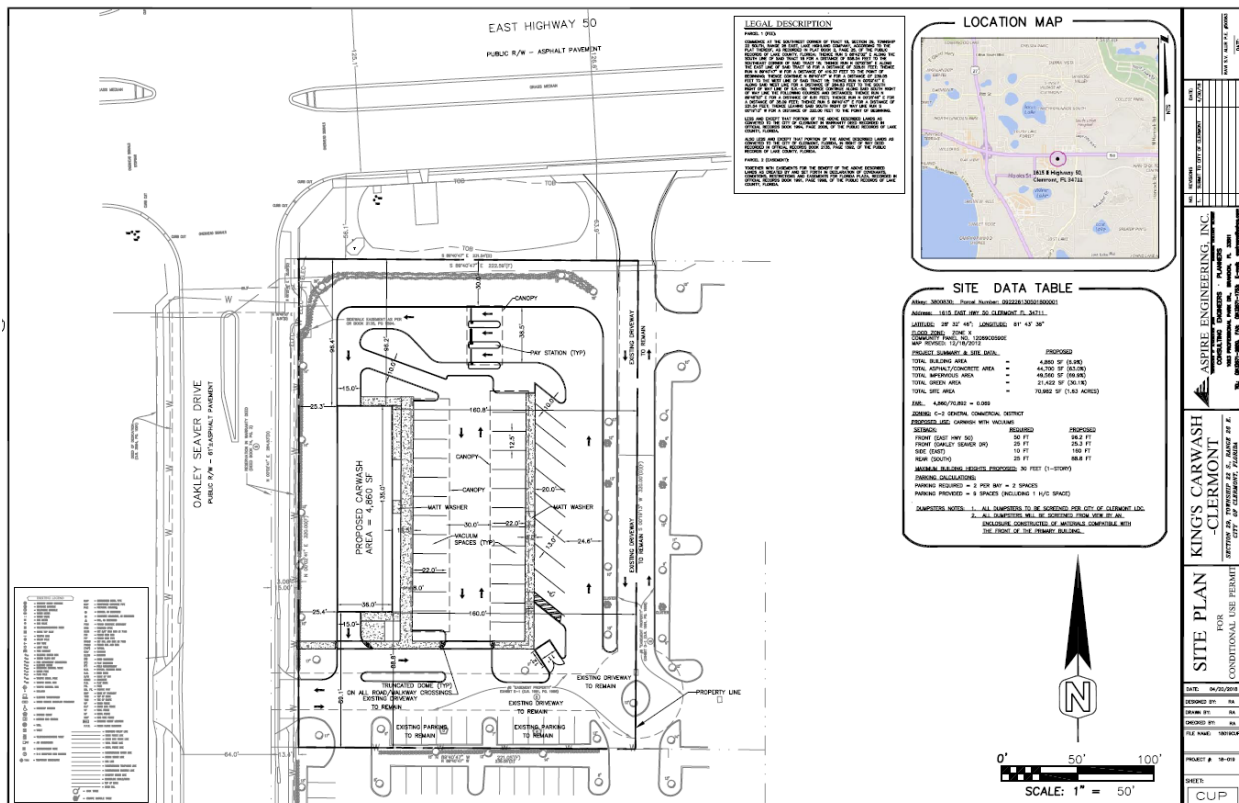
SECTION 2. Land Uses and Specific Conditions:

1. This Conditional Use Permit is for a carwash facility with associated vacuum spaces and equipment. The single building shall not exceed 5,000 square feet.
2. The hours of operation will be 7 AM until 7 PM, seven days a week.

CITY OF CLERMONT
RESOLUTION NO. 2018-14R

3. The property shall be developed in substantial accordance with the Site Plan prepared by Aspire Engineering, Inc., dated April 20, 2018. The conceptual plan submitted with the Conditional Use Permit application is not an approved site plan. 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 site will be developed to meet the City's Architectural Standards and Land Development Code.
4. The building shall be constructed in a manner that closely resembles the architectural style and elevation as depicted in the King's Car Wash elevation exhibits prepared by Sofarelli & Associates Architecture (SAA), Inc.
5. The site may also be used for any permitted use in the C-2 General Commercial zoning district. All uses must adhere to the requirements of the Land Development Code.

Conceptual Site Plan:





CITY OF CLERMONT
RESOLUTION NO. 2018-14R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 12th day of June, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – King's Carwash CUP

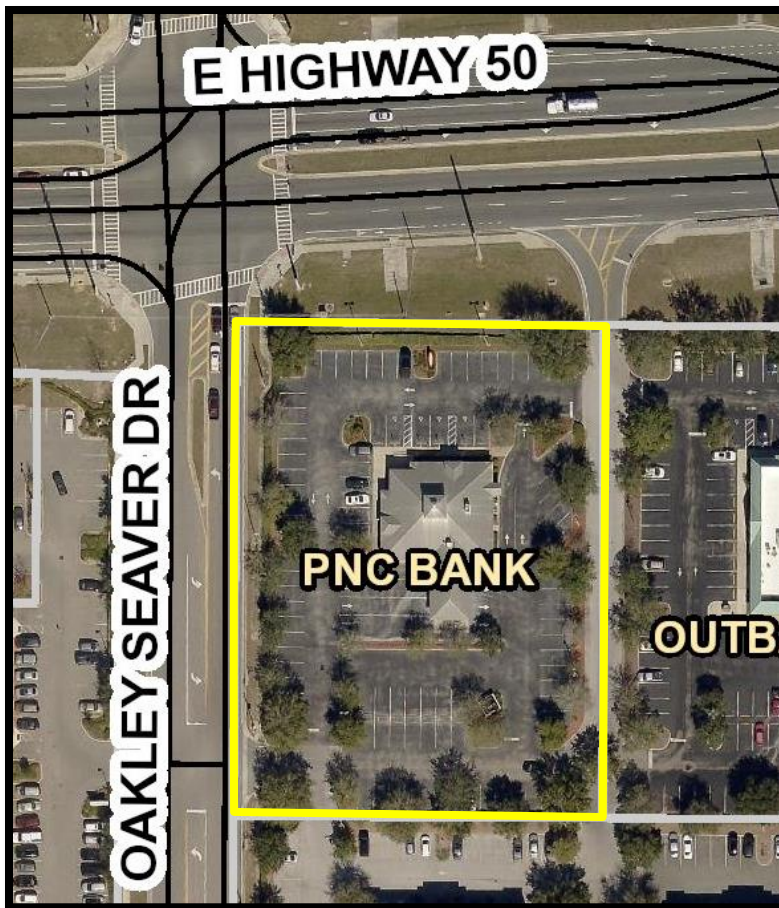
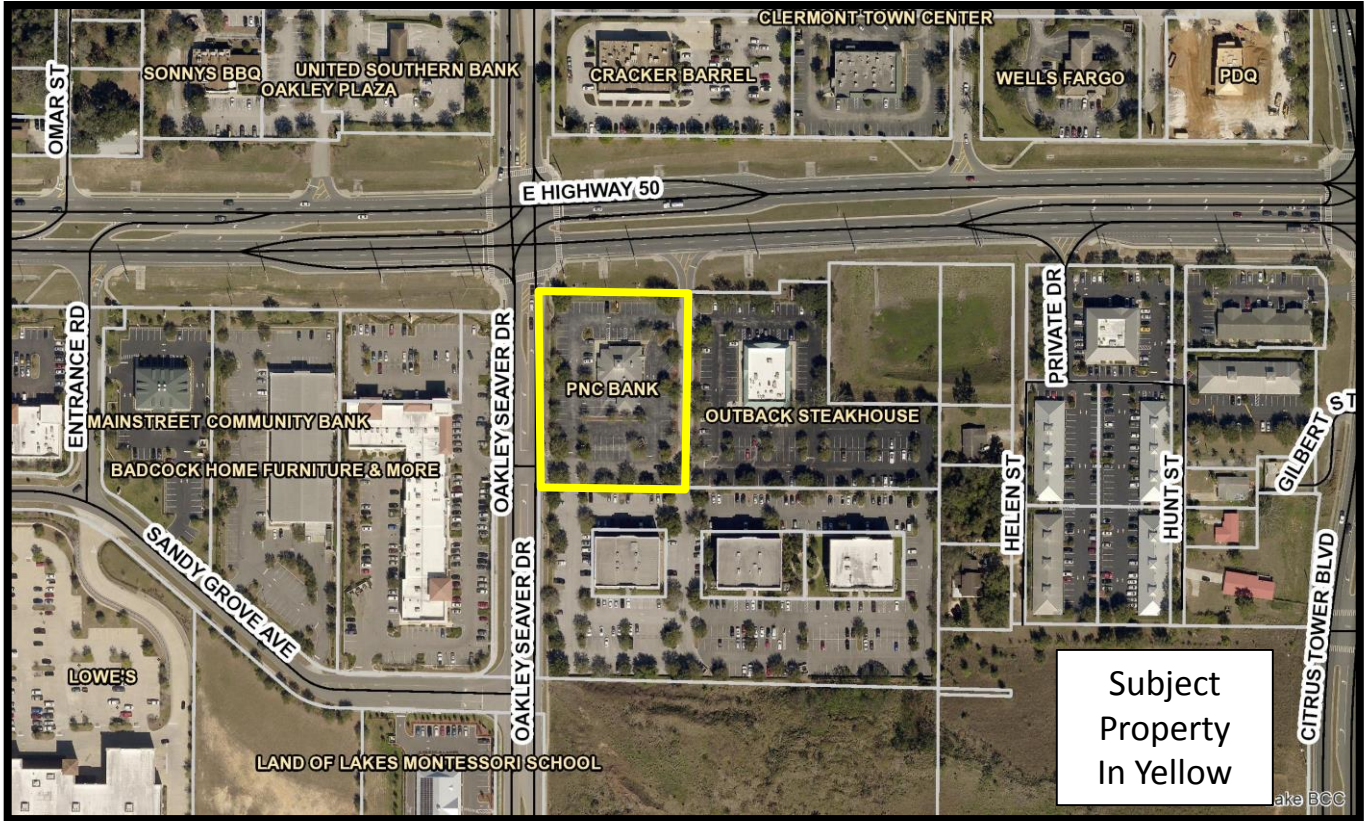
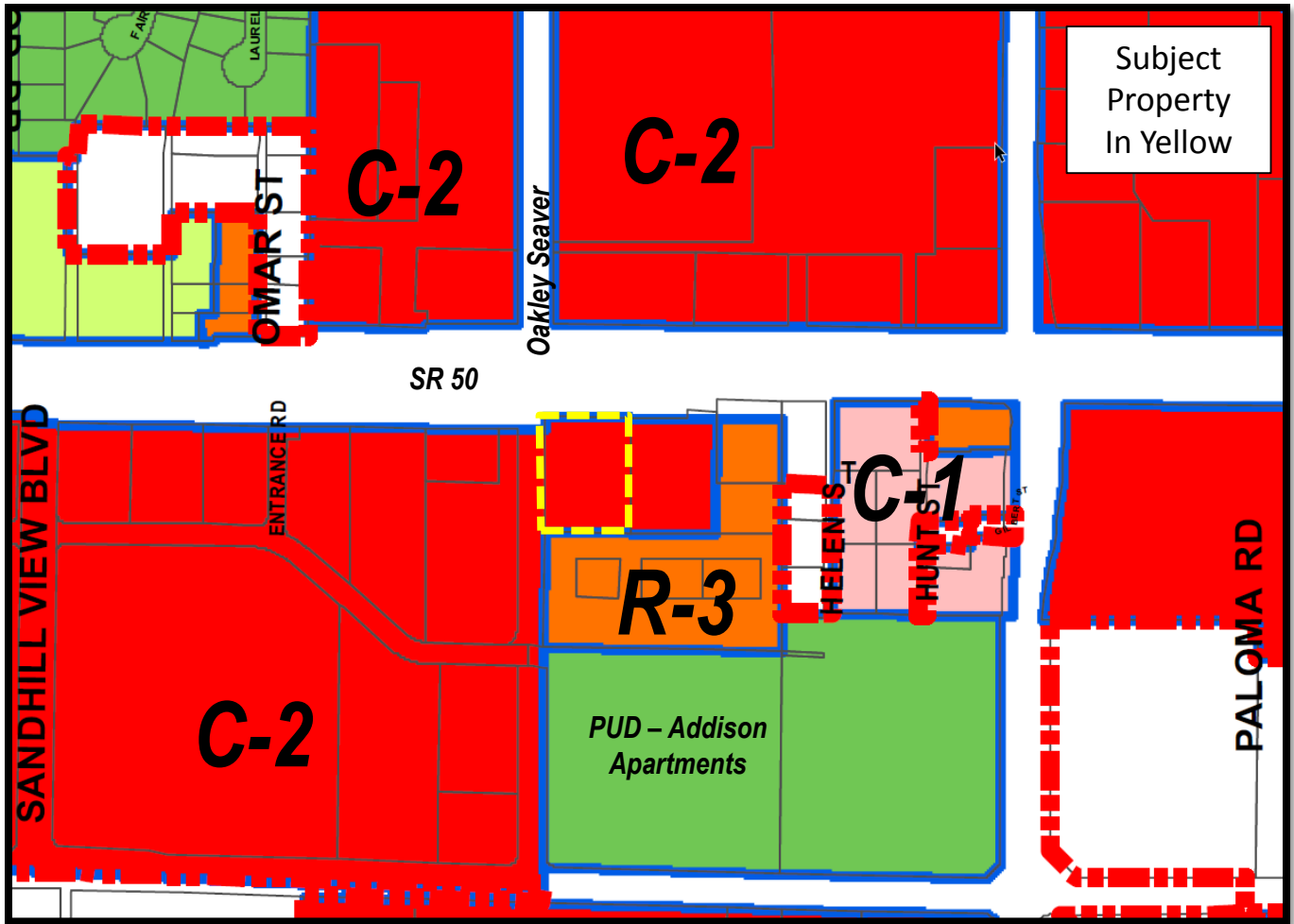


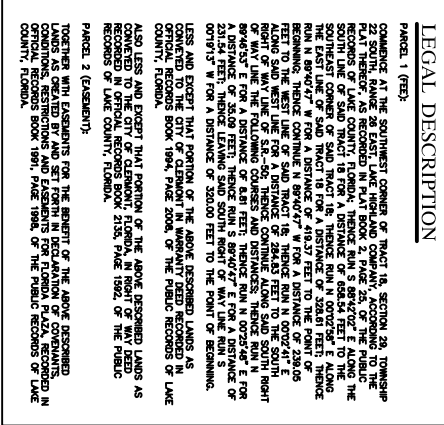
Exhibit – Zoning Map – King’s Carwash CUP



Zoning Designations

-  UT URBAN TRANSITION DISTRICT
-  UE URBAN ESTATE LOW DENSITY RESIDENTIAL DISTRICT
-  R-1-A SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICT
-  R-1 SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT
-  R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT
-  R-3-A RESIDENTIAL/PROFESSIONAL DISTRICT
-  R-3 RESIDENTIAL/PROFESSIONAL DISTRICT
-  O-1 OFFICE DISTRICT
-  C-1 LIGHT COMMERCIAL DISTRICT
-  C-2 GENERAL COMMERCIAL DISTRICT
-  CBD CENTRAL BUSINESS DISTRICT
-  M-1 INDUSTRIAL DISTRICT
-  CD COMMERCE DISTRICT
-  PR PARKS AND RECREATION DISTRICT
-  PUD PLANNED UNIT DEVELOPMENT
-  AREAS NOT WITHIN THE CITY LIMITS

PUBLIC R/W - ASPHALT PAVEMENT

[illegible]

Address: 1616 EAST HWY. 50, CLEMMONT, FL 34711

Latitude: 28° 32' 46" Longitude: 81° 43' 38"

FLOOD ZONE: ZONE X
COMMUNITY PANEL NO. 12069C0590E
MAP REVISION: 12/16/2012

PROJECT SUMMARY & SITE DATA

TOTAL BUILDING AREA	=
TOTAL ASPHALT/CONCRETE AREA	=
TOTAL IMPERVIOUS AREA	=
TOTAL GREEN AREA	=
TOTAL SITE AREA	=

PROCESSED

4,980 SF (6.9%)
44,700 SF (63.0%)
49,580 SF (69.9%)
21,482 SF (30.1%)
70,982 SF (1.63 ACRES)

FAR. 4.860/70.892 = 0.069

ZONING: C-2 GENERAL COMMERCIAL DISTRICT

PROPOSED USE: CARWASH WITH VACUUMS

SETBACK:

	REQUIRED	PROPOSED
FRONT (EAST HWY 50)	50 FT	96.2 FT
FRONT (OAKLEY SEAVER DR)	25 FT	25.3 FT
SIDE (EAST)	10 FT	160 FT
REAR (SOUTH)	25 FT	88.8 FT

MAXIMUM BUILDING HEIGHTS PROPOSED: 30 FEET (1-STORY)

PARKING CALCULATIONS:

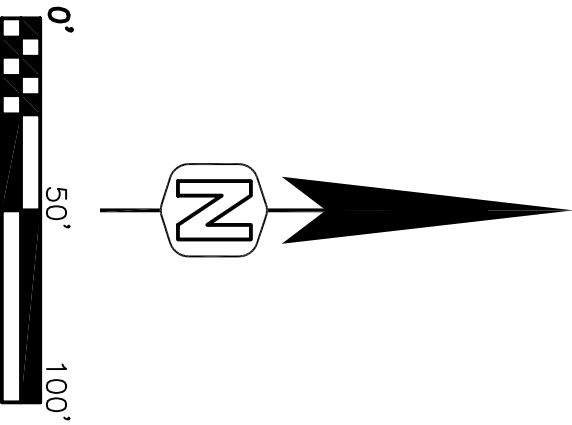
PARKING REQUIRED = 2 PER BAY = 2 SPACES

PARKING PROVIDED = 9 SPACES (INCLUDING 1 H/C SPACE)

DUMPSTERS NOTES: 1. ALL DUMPSTERS TO BE SCREENED PER CITY OF CLEMONT LDC.

2. ALL DUMPSTERS TO BE SCREENED FROM VIEW BY ANY ENCLOSURE CONSTRUCTED OF MATERIALS COMPATIBLE WITH THE FRONT OF THE PRIMARY BUILDING.

ALL DUMPSTERS TO BE SORENEED PER CITY OF CLERMONT LOCAL ORDINANCE 15-10. ALL DUMPSTERS WILL BE SORENEED FROM VIEW BY AN ENCLOSURE CONSTRUCTED OF MATERIALS COMPATIBLE WITH THE FRONT OF THE PRIMARY BUILDING.



CUP

SHEET:

PROJECT # 18-019

DATE: 04/20/2018

DRAWN BY: RA

CHECKED BY: RA

FILE NAME: 18019CUP

SITE PLAN

FOR

CONDITIONAL USE PERMIT

KING'S CARWASH
-CLERMONT

SECTION 29, TOWNSHIP 22 S., RANGE 26 E.
CITY OF CLERMONT, FLORIDA



ASPIRE ENGINEERING, INC.

CORPORATE OF ARCHITECTURE (P&S) ENGINEERING EXCELLENCE DELIVERED

CONSULTING ENGINEERS • PLANNERS

1083 PROFESSIONAL PARK DR., BRANDON, FL 33611

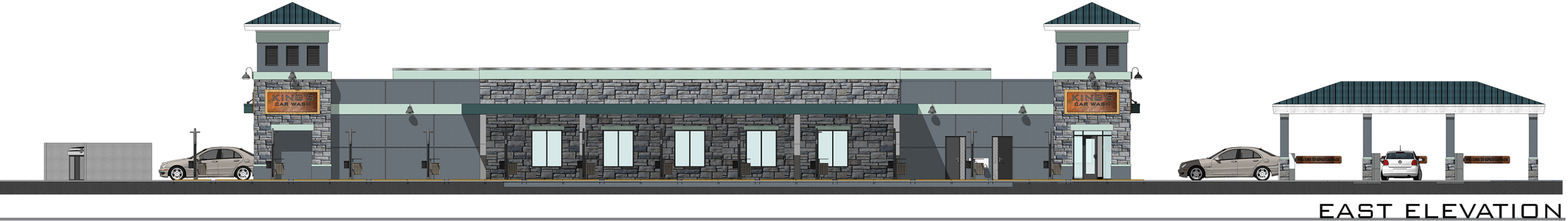
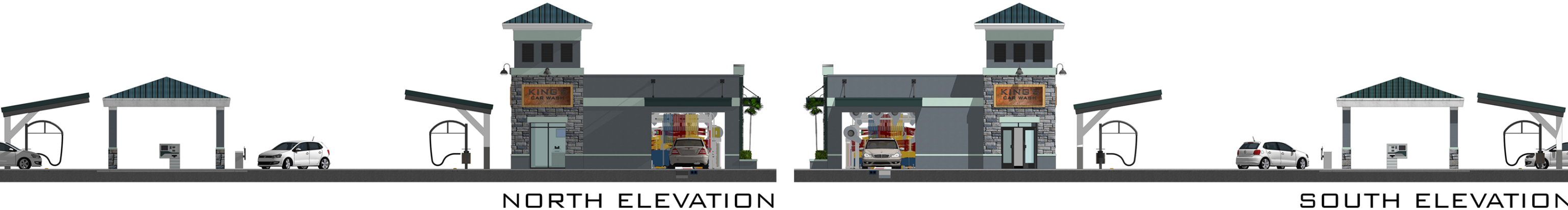
TEL: (813)571-2880, FAX: (813)571-1783, E-mail: esp@engr@aspire.com

NO.	REVISIONS	DATE:
1.	SUBMIT TO CITY OF CLERMONT	4/30/18

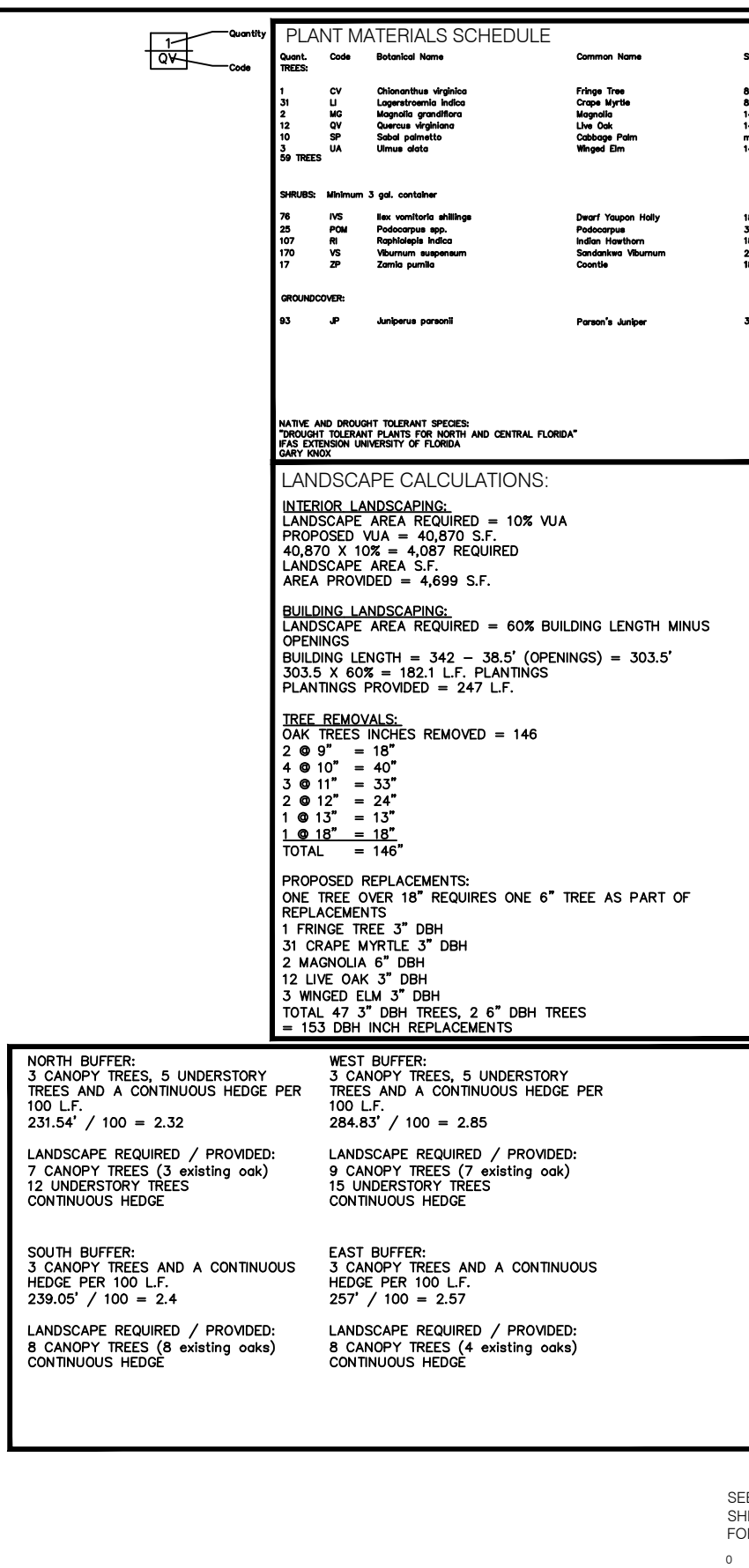
RAM S.V. ALUR P.E. #50583

DATE:

KING'S CAR WASH



CLERMONT FLORIDA



NATIVE AND DROUGHT TOLERANT SPECIES:
"DROUGHT TOLERANT PLANTS FOR NORTH AND CENTRAL FLORIDA"
 IFAS EXTENSION UNIVERSITY OF FLORIDA
 GARY KNOX

LANDSCAPE CALCULATIONS:

INTERIOR LANDSCAPING:
 LANDSCAPE AREA REQUIRED = 10% VUA
 PROPOSED VUA = 40,870 S.F.
 $40,870 \times 10\% = 4,087$ REQUIRED
 LANDSCAPE AREA S.F.
 AREA PROVIDED = 4,699 S.F.

BUILDING LANDSCAPING:
 LANDSCAPE AREA REQUIRED = 60% BUILDING LENGTH MINUS OPENINGS
 BUILDING LENGTH = $342 - 38.5'$ (OPENINGS) = $303.5'$
 $303.5 \times 60\% = 182.1$ L.F. PLANTINGS
 PLANTINGS PROVIDED = 247 L.F.

TREE REMOVALS:
 OAK TREES INCHES REMOVED = 146

- 2 @ 9" = 18"
- 4 @ 10" = 40"
- 3 @ 11" = 33"
- 2 @ 12" = 24"
- 1 @ 13" = 13"

Bare root trees are not acceptable. If balled and burlapped trees are installed, all non-biodegradable wrappings must be removed and burlap will be folded down to enhance water absorption. If wire baskets are used in conjunction with balled and burlapped trees, remove the first few rows of each basket at time of installation. Install rootball level with existing finish grade, 3"-5" above finish grade on sites containing clay. Tree wrapping or pruning point onto pruned branches shall not be acceptable.

Planting area must be a minimum of 5' x 10' without lime rock, asphalt or other deleterious materials.

Keep mulch 3" from trunk

3" Mulch

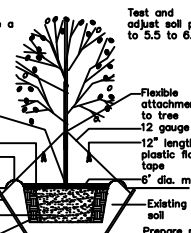
3" Tree well

Finish grade

2x4 pt stake

Root ball containerized

Native soil backfill



Test and adjust soil pH to 5.5 to 6.5

Flexible attachment to tree - 12 gauge wire

12" length red plastic flag

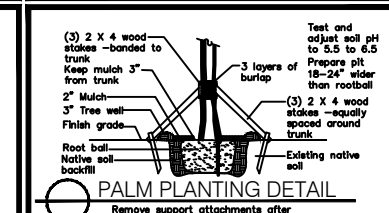
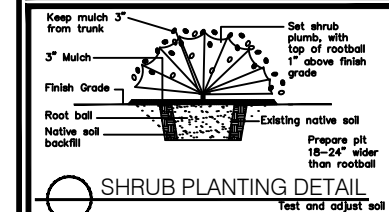
6" dia. mulch ring

Existing native soil

Prepare pit 18"-24" wider than rootball

TREE PLANTING DETAIL

Remove support attachments after



Know what's **below**.
Call before you dig.

48 HOURS
 BEFORE YOU DIG

COPLEY DESIGN ASSOCIATES, INC.		Clearwater, Florida 727.787.2840 Steeleboro, Ohio 330.474.7776																																		
LANDSCAPE ARCHITECTURE		copleydesign@gmail.com www.copleydesign.org																																		
Landscape Development Plan		King's Carwash Clermont East Highway 50, Clermont, Florida																																		
REVISIONS <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Date</th> <th style="width: 10%;">Revision</th> <th style="width: 80%;">Description</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> PROJECT INFORMATION Prepared by: Richard D. Copley Checked by: Richard D. Copley Designed by: Richard D. Copley Drawn by: Richard D. Copley Scale: 1" = 50'-0" DATE Issue Date: 04/20/18 Scale: 1" = 50'-0" Design: 04/20/18 Construction: 05/18				Date	Revision	Description																														
Date	Revision	Description																																		
DESIGNER'S CERTIFICATION I, the undersigned, being a duly Licensed Professional Landscape Architect, do hereby certify that I am the author of the design herein shown, and that I am a duly Licensed Professional Landscape Architect in the State of Florida. _____ Richard D. Copley Professional Seal CLIENT'S CERTIFICATION I, the undersigned, being a duly Licensed Professional Landscape Architect, do hereby certify that I am the author of the design herein shown, and that I am a duly Licensed Professional Landscape Architect in the State of Florida. _____ Richard D. Copley Professional Seal																																				
PROJECT INFORMATION Project Name: King's Carwash Clermont Project Location: East Highway 50, Clermont, Florida Project Date: 04/20/18 Project Scale: 1" = 50'-0"																																				
PROJECT INFORMATION Project Name: King's Carwash Clermont Project Location: East Highway 50, Clermont, Florida Project Date: 04/20/18 Project Scale: 1" = 50'-0"																																				

Site Photos – King’s Carwash CUP



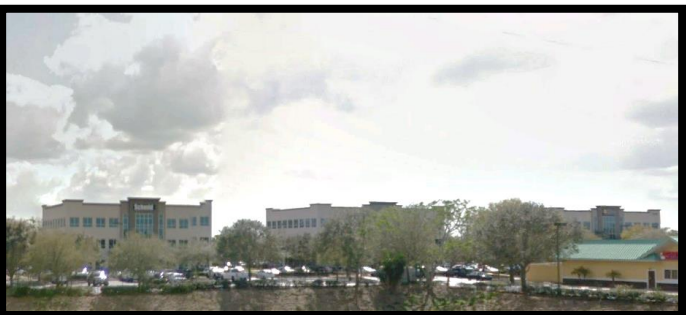
Site from SR 50



Outback Restaurant east of subject site



Oakley Seaver Plaza west of subject site



Three 3-story office buildings
south of subject site and Outback Restaurant



Cracker Barrel north of subject site

KING'S CAR WASH



CLERMONT FLORIDA

KING'S CAR WASH



CLERMONT FLORIDA

KING'S CAR WASH



CLERMONT FLORIDA

KING'S CARWASH –CLERMONT –TRIPS

EXISTING TRIPS (BASED ON BANK USE):

Average Weekday = 654 VPD

Average Weekend = 381 VPD

Peak AM = 55 VPD; Peak PM = 114 VPD

PROPOSED TRIPS (BASED ON CARWASH USE):

Average Weekday = 108 VPD (BASED ON SIMILAR USE AS ITE DOES NOT HAVE AVERAGE DATA)

Average Weekend = 216 VPD (BASED ON SIMILAR USE AS ITE DOES NOT HAVE DATA)

Peak AM = NA; Peak PM = 69 VPD

KINGS CARWASH -CLERMONT -EXISTING TRIPS
Summary of Trip Generation Calculation
For 4.413 Th.Sq.Ft. GFA of Drive-in Bank
May 15, 2018

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	148.15	97.36	1.00	654
7-9 AM Peak Hour Enter	6.92	0.00	1.00	31
7-9 AM Peak Hour Exit	5.43	0.00	1.00	24
7-9 AM Peak Hour Total	12.35	7.38	1.00	55
4-6 PM Peak Hour Enter	12.91	0.00	1.00	57
4-6 PM Peak Hour Exit	12.91	0.00	1.00	57
4-6 PM Peak Hour Total	25.82	18.37	1.00	114
Saturday 2-Way Volume	86.32	36.65	1.00	381
Saturday Peak Hour Enter	13.80	0.00	1.00	61
Saturday Peak Hour Exit	12.73	0.00	1.00	56
Saturday Peak Hour Total	26.53	16.03	1.00	117

Note: A zero indicates no data available.
Source: Institute of Transportation Engineers
Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTRANS

KINGS CARWASH -CLERMONT -PROPOSED TRIPS
Summary of Trip Generation Calculation
For 4.860 Th.Sq.Ft. GFA of Automated Car Wash
May 15, 2018

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	0.00	0.00	1.00	0
7-9 AM Peak Hour Enter	0.00	0.00	1.00	0
7-9 AM Peak Hour Exit	0.00	0.00	1.00	0
7-9 AM Peak Hour Total	0.00	0.00	1.00	0
4-6 PM Peak Hour Enter	7.06	0.00	1.00	34
4-6 PM Peak Hour Exit	7.06	0.00	1.00	34
4-6 PM Peak Hour Total	14.12	0.00	1.00	69
Saturday 2-Way Volume	0.00	0.00	1.00	0
Saturday Peak Hour Enter	7.06	0.00	1.00	34
Saturday Peak Hour Exit	7.06	0.00	1.00	34
Saturday Peak Hour Total	14.12	0.00	1.00	69

Note: A zero indicates no data available.
Source: Institute of Transportation Engineers
Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTRANS



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

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

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



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

Page 2

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

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

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

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



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 4/23/18

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): KING'S CARWASH -CLERMONT

APPLICANT: ASPIRE ENGINEERING INC

CONTACT PERSON: RAVI ALUR, P.E

Address: 1023 PROFESSIONAL PARK DRIVE

City: BRANDON State: FL Zip: 33511

Phone: 813-571-2850 Fax: 813-571-1753

E-Mail: aspireeng@yahoo.com

OWNER: VAN 1615 CLERMONT, LLC

Address: 400 CARILLON PARKWAY SUITE 230

City: ST. PETERSBURG State: FL Zip: 33716

Phone: 727.302.8040 Fax: N/A

Address of Subject Property: 1615 EAST HWY 50, CLERMONT

General Location: SE CORNER OF EASY HWY 50 AND OAKLEY SEAVER DRIVE

Legal Description (include copy of survey): SEE ATTACHED SURVEY

Land Use (City verification required): GENERAL COMMERCIAL

Zoning (City verification required): C-2



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

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

PROPOSED CARWASH WITH VACUUMS.
SEE ATTACHED ADDITIONAL PAGE.

RAVI ALUR

Applicant Name (print)

R. Scott Collins

Owner Name (print)

X *[Signature]*

Applicant Name (signature)

X *[Signature]*

Owner Name (signature)

R. Scott Collins, Manager

***** NOTICE *****

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

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

DESCRIPTION OF THE PROJECT KING'S CARWASH –CLERMONT

We are proposing to build a state of the art express tunnel car wash to service the community of Clermont. This facility will be built on 1.63 acres, making it larger and more spacious than the older, smaller car wash that is a quarter of a mile west, and the newly proposed smaller car wash that is 2.5 miles east. This car wash will have a 145' conveyor, allowing for additional equipment that is not found in the smaller competitors. This equipment results in a cleaner vehicle.

Our building will be 135' x 36', allowing us to install the only 'Dry and Shine' equipment in Clermont. 'Dry and Shine' removes excess water left behind from traditional dryer blowers, leaving the customer's vehicles dry and streak free. The larger building allows us to put the noise producing, high output vacuums inside the building, eliminating the noise created by the vacuums placed in the self vacuum area. We will have 25 extra-wide vacuum spaces for our customers to self vacuum their vehicles, after their vehicle is washed. The extra width allows customers to open their vehicles doors without touching the vehicle next to them. Our large site allows for 5 self-service bug prep/vehicle clean up spaces. These spaces allow customers to clean out the bed of their trucks or apply extra bug prep to the front of their vehicle(mainly during love bug season.). These five prep/clean-out spaces free up the vacuum spaces, allowing our customers to spend less time getting their vehicle washed. Our customers will experience a cleaner, dryer vehicle in a shorter time frame than they can get elsewhere in Clermont.

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: 10076904
Phone: (352) 241-7331
Date: 05/15/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a	05/29/2018	06/05/2018	\$167.68

LEGAL NOTICE

Ad No: 10076904
May 29, 2018 &
June 05, 2018

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

LOCATION

Southeast corner of SR 50 and
Oakley Seaver Drive
Former PNC Bank Site
Alternate Key #3800830

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

This request will be considered by the Planning & Zoning Commission on Tuesday, June 5, 2018 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, June 12, 2018 at 6:30pm.

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

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

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

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

Payment Info	
Ad Price	\$167.68
Tax	\$0.00
Sub Total	\$167.68
Prepaid Amount	\$0.00
Balance Due	\$167.68



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, June 5, 2018		
Agenda Item Name		
Resolution No. 2018-2018-15R <i>242-244 E. Highland Avenue Conditional Use Permit</i>		
Requested Action		
Recommend approval of Resolution No. 2018-15R.		
Staff Report		
The applicant, is requesting to amend a Conditional Use Permit to allow for a medical and dental office use in the R-3 Residential/Professional zoning district. The property is located at 242/244 East Highland Avenue. The Land Development Code, Section 122-184 (1) requires a Conditional Use Permit for medical and professional offices in the R-3 zoning district. The subject property was granted a Conditional Use Permit in 2002 (Resolution No 1268) to allow for a professional office use only; any other use, including medical or dental offices, will require another Conditional Use Permit. The proposed site as developed will not require any additional parking. The site is currently a professional office use; with an access point off East Highland Avenue. The medical and dental office use provides a minimum traffic impact because most medical offices usually only see patients with appointments. When evaluating a request for a Conditional Use Permit, the Land Development Code, Section 86-144 requires specific development standards be met for granting the request. Staff has reviewed the proposed development in accordance with the development standards and finds the proposed use does meet the general criteria for granting the requested Conditional Use Permit. Staff finds the following facts of compliance for the proposed request to amend the Conditional Use Permit to allow for a medical and dental office at this location. 1) The intensity and character of a medical and dental office use is consistent and compatible with the surrounding development patterns and the intent of the R-3 Residential/ Professional zoning district. 2) The proposed use of medical and dental office does not require additional parking per the Land Development Code, Section 98.14. 3) The proposed use of a medical or dental office will comply with the regulations and the conditions specified in the codes and will not be detrimental to the health, safety and general welfare of persons residing or working in the vicinity. The proposed request to amend the Conditional Use Permit to allow for a medical and dental office use does comply with the intent of the land development code and comprehensive plan. Therefore, staff recommends approval of the request to amend the Conditional Use Permit to allow for a medical and dental office use with the conditions contained in Resolution No. 2018-15R.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1. Final CUP RES 2018-15R	Final CUP RES 2018-15R.pdf
2. 242 E Highland Avenue Location Map	242 E Highland Avenue Location Map.pdf
3. Exhibit Zoning Map-242-244 E Highland Avenue	Exhibit Zoning Map-242-244 E Highland Avenue.pdf
4. CUP Application	CUP Application.pdf
5. Legal AD Proof	Legal AD Proof.pdf



CITY OF CLERMONT
RESOLUTION NO. 2018-15R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A MEDICAL AND DENTAL PROFESSIONAL OFFICE USE IN R-3 RESIDENTIAL/PROFESSIONAL ZONING DISTRICT.

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

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held June 5, 2018 recommended approval of this Conditional Use Permit to allow for a medical and dental professional office use in the R-3 Residential/Professional Zoning District; at the following location:

LOCATION:

242-244 East Highland Ave. Clermont, FL
(Alt. Key 2666404)

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

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

This application for a Conditional Use Permit to allow for a medical and dental professional office use in the R-3 Residential/Professional Zoning District; be granted subject to the following conditions:

CONDITIONAL USE PERMIT CONDITIONS:

SECTION 1. General Conditions

1. This Resolution shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor in title or interest, and shall be subject to each and every condition herein set out.
2. Upon approval of the resolution the aforementioned property shall only be used for the purposes described herein. No further expansion of the use or additions to this project shall be permitted except as approved by another Conditional Use Permit. Any other proposed use shall be specifically authorized by amendment and approval of the City of Clermont City Council.



CITY OF CLERMONT
RESOLUTION NO. 2018-15R

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. Prior to the issuance of any permits, the applicant shall be required to submit formal site plans for review and approval by the City of Clermont Site Review Committee. The site plans shall meet all submittal requirements and comply with the conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended.
5. No business can occupy any portion of the building unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
6. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
7. The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
8. The structure shall be inspected by the Fire Marshal for life safety requirements. All requirements must be met prior to any Certificate of Occupancy being issued.
9. The structure shall be inspected by the City Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
10. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
11. This permit shall become null and void if substantial work has not begun within two (2) years of the date of issuance of this Conditional Use Permit.
12. Should the medical and dental office cease operation for more than 180 days, a new Conditional Use Permit shall be required for a same or similar operation.



CITY OF CLERMONT
RESOLUTION NO. 2018-15R

13. In the event that parking at this site proves inadequate, the City reserves the right to open the Conditional Use Permit for further review and additional conditions which may include additional parking requirements or revocation of the Conditional Use Permit.

SECTION 2. Land Use

1. The property is approved for a Conditional Use Permit to allow a medical and dental professional office use within the R-3 Residential/Professional Zoning District.
2. The site may also be used for any permitted use in the R-3 Residential Zoning District. All uses must adhere to the requirements of the Land Development Code.



CITY OF CLERMONT
RESOLUTION NO. 2018-15R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 12th day of June, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LOCATION MAP

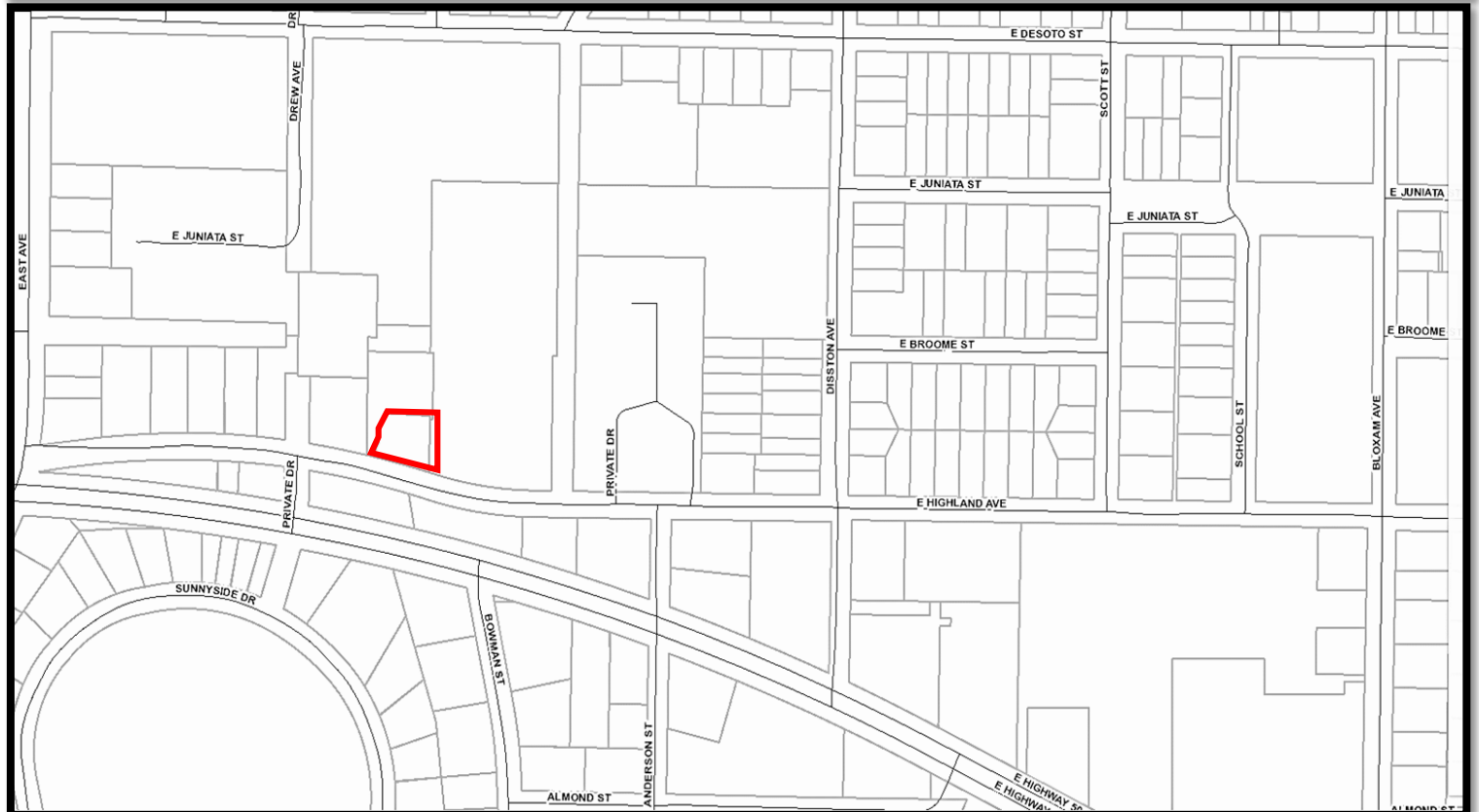
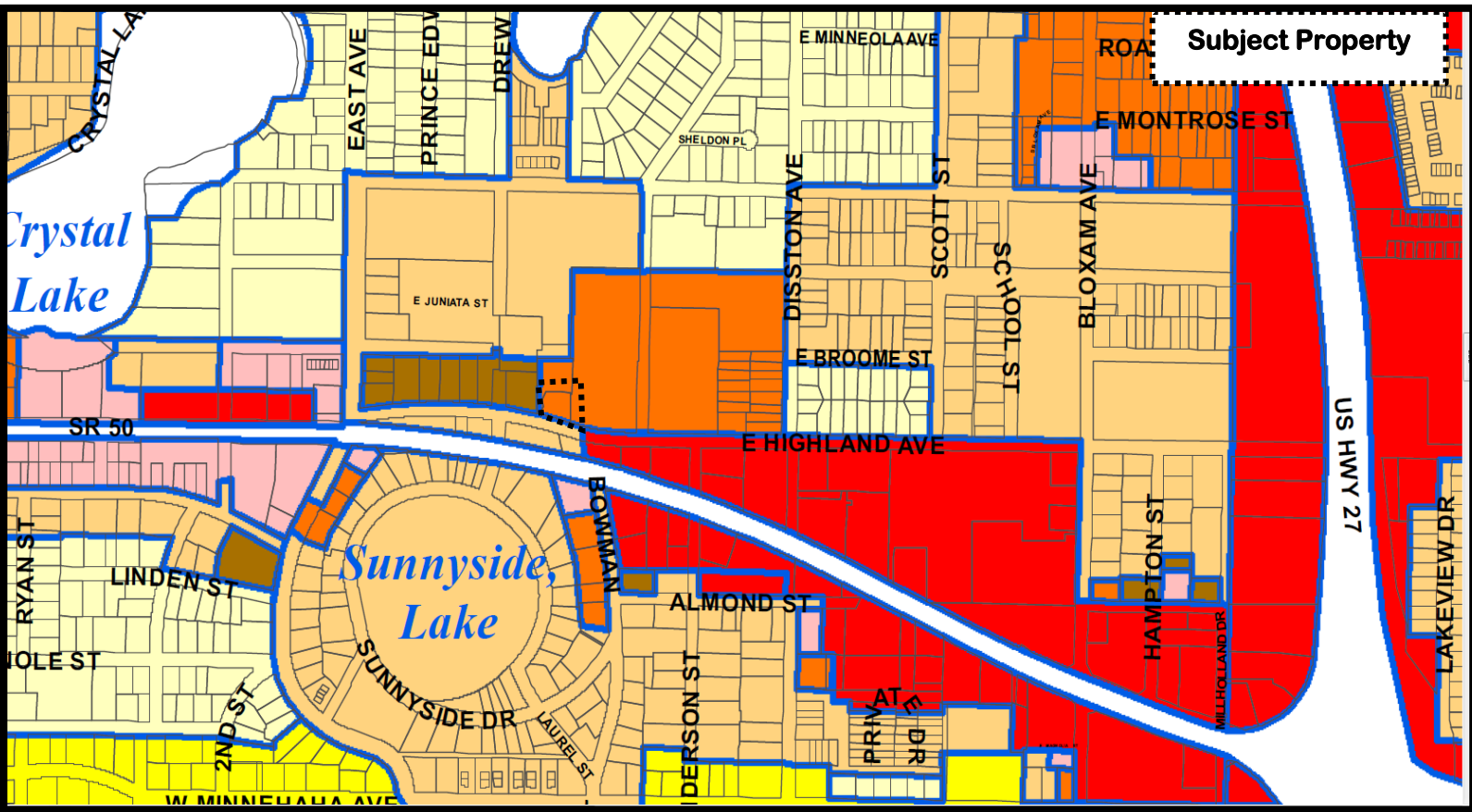


Exhibit – Zoning Map – 242/244 East Highland Avenue



Zoning Designations

- UT URBAN TRANSITION DISTRICT
- UE URBAN ESTATE LOW DENSITY RESIDENTIAL DISTRICT
- R-1-A SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICT
- R-1 SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT
- R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT
- R-3-A RESIDENTIAL/PROFESSIONAL DISTRICT
- R-3 RESIDENTIAL/PROFESSIONAL DISTRICT
- O-1 OFFICE DISTRICT
- C-1 LIGHT COMMERCIAL DISTRICT
- C-2 GENERAL COMMERCIAL DISTRICT
- CBD CENTRAL BUSINESS DISTRICT
- M-1 INDUSTRIAL DISTRICT
- CD COMMERCE DISTRICT
- PR PARKS AND RECREATION DISTRICT
- PUD PLANNED UNIT DEVELOPMENT
- AREAS NOT WITHIN THE CITY LIMITS



PAID

**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

CUP1805-0003

PAID CK #
002063

DATE: 5/3/2018

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): _____

APPLICANT: Paul Fallman

CONTACT PERSON: Paul Fallman

Address: 1932 Brantley Circle

City: Clermont State: FL Zip: 34711

Phone: 352-250-7388 Fax: _____

E-Mail: fallmandc@gmail.com

OWNER: Christopher P. and Debra J. Fallman

Address: PO Box 121746

City: Clermont State: FL Zip: 34712

Phone: 352-250-7388 Fax: _____

Address of Subject Property: 242/244 E. Highland Avenue, Clermont, FL 34711

General Location: _____

Legal Description (include copy of survey): Change existing CUP to allow medical and dental office use.

Land Use (City verification required): OFFICE

Zoning (City verification required): R3 Residential Professional

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

242/244 East Highland Avenue



Select Language ▼

PROPERTY RECORD CARD

General Information

Owner Name: FALLMAN
CHRISTOPHER P & DEBRA J
Alternate Key: 2666404

Mailing Address: PO BOX 121746
CLERMONT, FL 34712-1746
[Update Mailing Address](#)

Parcel Number: 24-22-25-015000Q01800
Millage Group and City: 000C (CLERMONT)
Total Certified Millage Rate: 17.76
Trash/Recycling /Water/Info: [My Public Services Map](#) ⓘ

Property Location: 242 EAST
HIGHLAND AVE
CLERMONT FL 34711
[Update Property Location](#) ⓘ

Property Name: —
[Submit Property Name](#) ⓘ

Property Description: **School Locator:** [School and Bus Map](#) ⓘ

CLERMONT THAT PART OF LOTS 18, 19, 20, BLK Q DESCRIBED AS: |
FROM NE COR OF LOT 11, BLK Q, RUN S 1DEG 55MIN 58SEC E |
140.57 FT TO POB, CONT S 1DEG 55MIN 58SEC E 128.66 FT TO |
N'LY R/W OF HIGHLAND AVE, N 78DEG 39MIN 30SEC W ALONG SAID |
R/W LINE 143.13 FT, N 20DEG 57MIN 45SEC E 36.78 FT, N 03DEG |
32MIN 03SEC W 27.93 FT, N 19DEG 58MIN 32SEC E 40.66 FT, E |
110.67 FT TO POB PB 3 PG 5 |
ORB 2144 PG 1451, ORB 2173 PG 2252 |

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	OFFICE 1 STORY (1700)	0	0		14663	SF	\$0.00	\$87,978.00

Residential Building(s)

Building 002

Residential Single Family Building Value: \$17,503.00

Summary

Year Built: 1947 Total Living Area: 716 ⓘ Central A/C: No Attached Garage: No
Bedrooms: 2 Full Bathrooms: 1 Half Bathrooms: 0 Fireplaces: 0

Advertising Receipt

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

Account Number: 7101866
Order Number: 10076989
Phone: (352) 241-7331
Date: 05/22/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a	05/29/2018	06/05/2018	\$161.84

LEGAL NOTICE June 05, 2018

Notice is hereby given that the City of Clermont will consider a request to amend a Conditional Use Permit to allow medical and dental office use in the R-3 Residential/Professional Zoning District, at the following location:

LOCATION

242/244 E. Highland Avenue
(Alternate Key - 2666404)

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

This request will be considered by the Planning & Zoning Commission on, Tuesday, June 5, 2018 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, June 12, 2018 at 6:30pm. 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) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10076989
May 29, 2018 &

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



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, June 5, 2018		
Agenda Item Name		
Resolution No. 2018-16R <i>Kings Crossing Tire Store Conditional Use Permit</i>		
Requested Action		
Recommend denial of Resolution No. 2018-16R		
Staff Report		
The applicant, is requesting a Conditional Use Permit to allow a tire store with eight bays in the Planned Unit Development zoning district. The property was part of the Lost Lake DRI, it was later sold and rezoned to PUD (Ordinance No. 2017-02); with C-1 Light Commercial uses. The Land Development Code, Section 122-204 (12) requires a Conditional Use Permit for any automotive and truck services business in the C-1 zoning district. The subject property is located at the southeast corner of US Highway 27 and Citrus Tower Boulevard. The applicant is proposing a 5,400 square feet tire store with eight service bays. The project will provide access points on US Highway 27. The applicant has identified one variance request to allow for a parking deficient of four spaces instead of the 38 spaces required by the Land Development Code, Section 98-14. When evaluating a request for a Conditional Use Permit, the Land Development Code, Section 86-144 requires specific development standards be met for granting the request. Staff has reviewed the proposed development in accordance with the development standards and finds the proposed use does not meet the general criteria for granting the requested Conditional Use Permit. Staff finds the following areas of concern for the proposed tire store with eight bays are: 1) the intensity and character of automotive sales and services establishments are a better fit in the C-2 General Commercial zoning district; the intent of the Code for C-1 Light Commercial zoning is for a less intense development such as office, retail and personal services. 2) The proposed development is not consistent and not compatible with the existing development pattern in the area and the intent of the C-1 zoning code, other approved development in the area include professional office, retail and Dunkin Doughnuts, which are classified as less intense developments that are in character with the surrounding areas and neighborhoods. 3) The proposed landscaping does not provide adequate screening of the bay doors and any outside storage of tires and other aspects of the facility that may be undesirable to the public. The proposed use of automotive services will be out of character and does not comply with the intent of the C-1 Light Commercial zoning district at this location. Therefore, staff recommends denial of the request for a Conditional Use Permit for a tire store with eight bays in the PUD zoning district with C-1 Light Commercial permitted uses.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)		
1.	Final CUP RES 2018-16R	Final CUP RES 2018-16R.pdf
2.	Kings Crossing Tire Store Location Map-NEW	Kings Crossing Tire Store Location Map-NEW.pdf
3.	Aerial Map	Aerial Map.pdf
4.	Exhibit - Zoning Map	Exhibit - Zoning Map.pdf
5.	Preliminary Site Plan	Preliminary Site Plan.pdf
6.	Preliminary Landscape Plan	Preliminary Landscape Plan.pdf
7.	Building Elevations	Building Elevations.pdf
8.	CUP Application	CUP Application.pdf
9.	Legal Ad	KINGS CROSSING TIRE STORE CUP.pdf



CITY OF CLERMONT
RESOLUTION NO. 2018-16R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A TIRE STORE WITH EIGHT SERVICE BAYS IN THE KINGS CROSSING PLANNED UNIT DEVELOPMENT ZONING DISTRICT.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held June 5, 2018 recommended approval of this Conditional Use Permit to allow for a tire store with eight service bays, at the following location:

LOCATION:

Kings Crossing Tire Store
Vacant parcel located at the southeast corner of Citrus Tower Blvd and Highway 27
(Alternate Key - 1707307)

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

WHEREAS, the applicant has applied for a Conditional Use Permit to allow a tire store and tire service facility in the Planned Unit Development Zoning District, the subject parcel is part of the Kings Crossing Planned Unit Development Master Plan;

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

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

This application for a Conditional Use Permit to allow for a tire store with eight service bays in the Planned Unit Development zoning district, be granted subject to the following conditions:

SECTION 1. General Conditions

1. This Resolution shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor in title or interest, and shall be subject to each and every condition herein set out.
2. Upon approval of the resolution the aforementioned property shall only be used for the purposes described herein. No further expansion of the use or additions to this project shall be permitted except as approved by another Conditional Use Permit. Any other proposed use shall be specifically authorized by amendment and approval of the City of Clermont City Council.



CITY OF CLERMONT
RESOLUTION NO. 2018-16R

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. Prior to the issuance of any permits, the applicant shall be required to submit formal site plans for review and approval by the City of Clermont Site Review Committee. The site plans shall meet all submittal requirements and comply with the conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended.
5. No business can occupy any portion of the building unless the proposed business has applied for and obtained a Local Business Tax Receipt from the Development Services Department.
6. The Conditional Use Permit must be executed and processed through the office of the City Clerk within 90 days of its date of grant by the City Council or the permit shall become null and void.
7. The Applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
8. The structure shall be inspected by the Fire Marshal for life safety requirements. All requirements must be met prior to any Certificate of Occupancy being issued.
9. The structure shall be inspected by the City Building Inspector and all building code violations must be corrected prior to a Certificate of Occupancy being issued.
10. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution.
11. This permit shall become null and void if substantial work has not begun within two (2) years of the date of issuance of this Conditional Use Permit.



CITY OF CLERMONT
RESOLUTION NO. 2018-16R

SECTION 2. Land Uses and Specific Conditions:

1. This Conditional Use Permit is for a 5,400 square feet tire store with eight (8) service bays located in the Kings Crossing Planned Unit Development Master Plan (Ordinance No. 2017-02). The PUD allows C-1 Light Commercial uses.
2. The property shall be developed in substantial accordance with the Preliminary Conceptual Site Plan prepared by Native Engineering. The conceptual plan submitted with the Conditional Use Permit application is not an approved site plan. 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 site will be developed to meet the City's Architectural Standards and Land Development Codes.
3. The site may also be used for any permitted use in the C-1 Light Commercial zoning district. All uses must adhere to the requirements of the Land Development Code.
4. No outside storage of any tires will be allowed. Any tire storage shall be completely enclosed and screened from public view and any public streets. All enclosures shall be designed to be compatible and complement the architecture color and materials of the primary building.
5. All service bays shall be designed not to face US Highway 27. Automotive service areas shall be completely screened from public view and public streets with walls and landscaping. No outside auto service operations shall be permitted.



CITY OF CLERMONT
RESOLUTION NO. 2018-16R

DONE AND RESOLVED by the City Council of the City of Clermont, Lake County, Florida, this 12th day of June, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

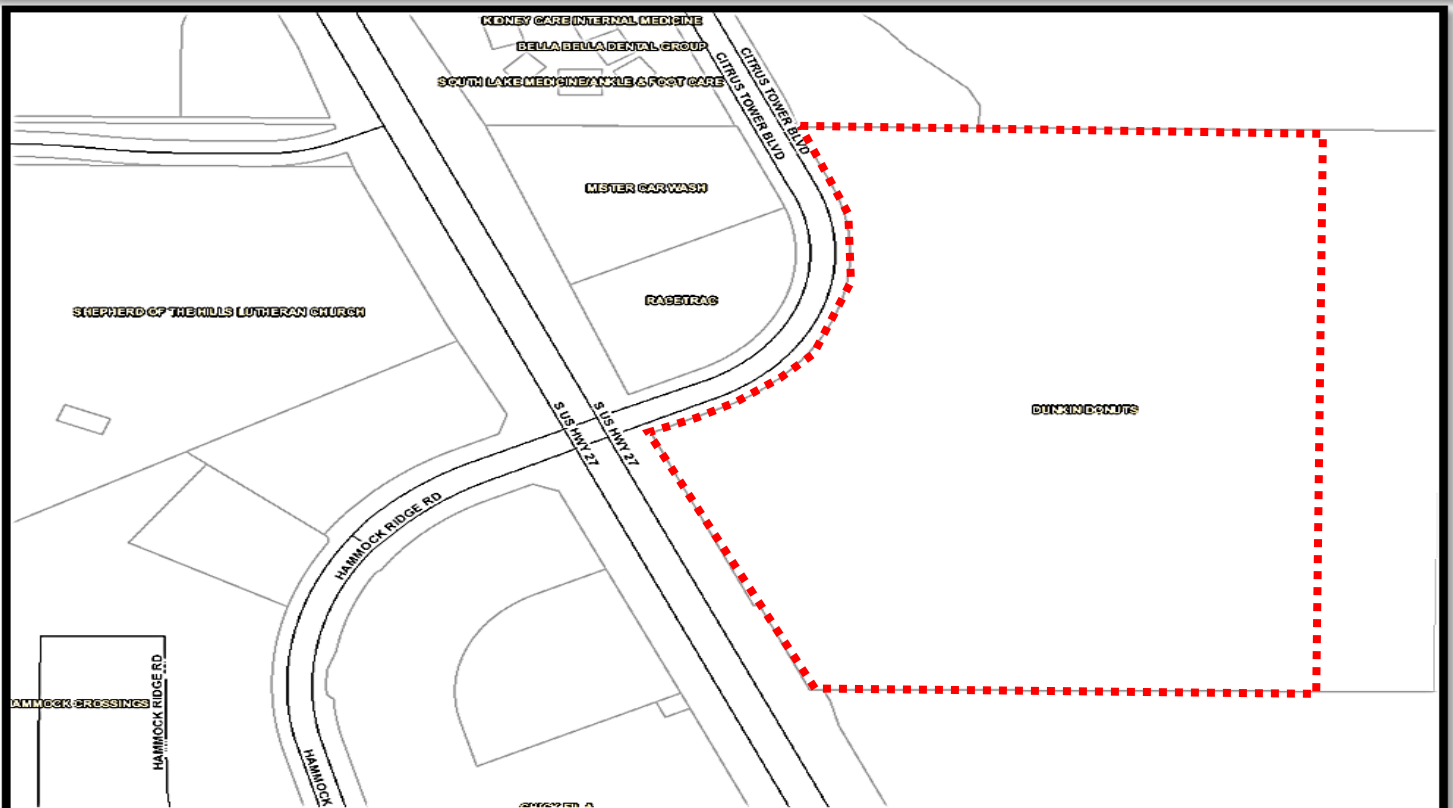
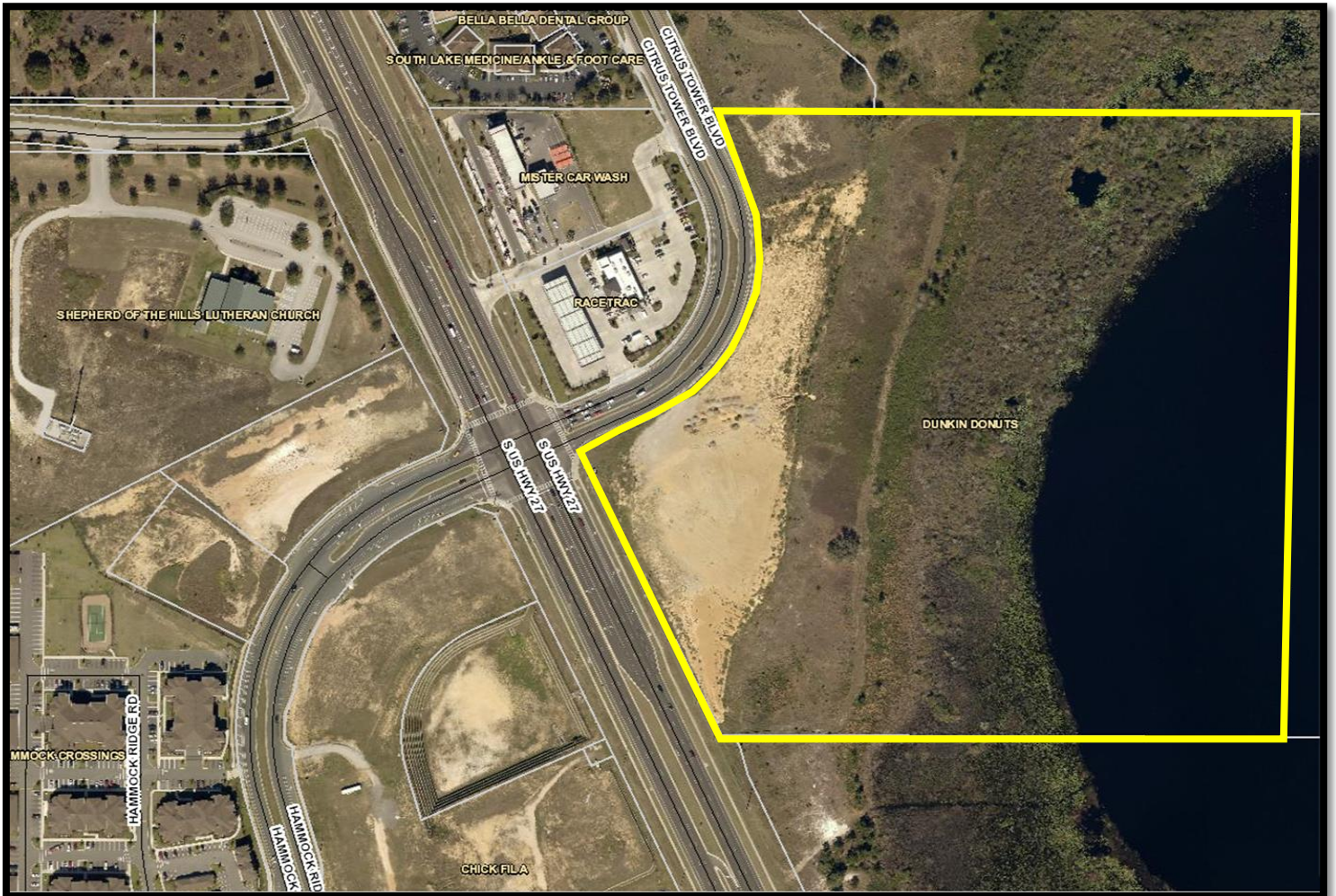
ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Kings Crossing Tire Store



\\MESERVER\Server\Native Engineering\Clintia\Amrop\Projects\Clermont Kings Crossings - Lot 2\Drawings\Exhibits\Aerial Map Exhibit.dwg - Apr 30, 2018 @ 4:58pm



AERIAL MAP
EXHIBIT

SHEET NUMBER
EX
S-T-R
05-23-26

TIRE STORE @ CLERMONT KINGS CROSSING
FOR
AMPROP VENTURES, LLC
4201 WEST CYPRESS STREET
TAMPA, FL 33607 (813) 854-2211



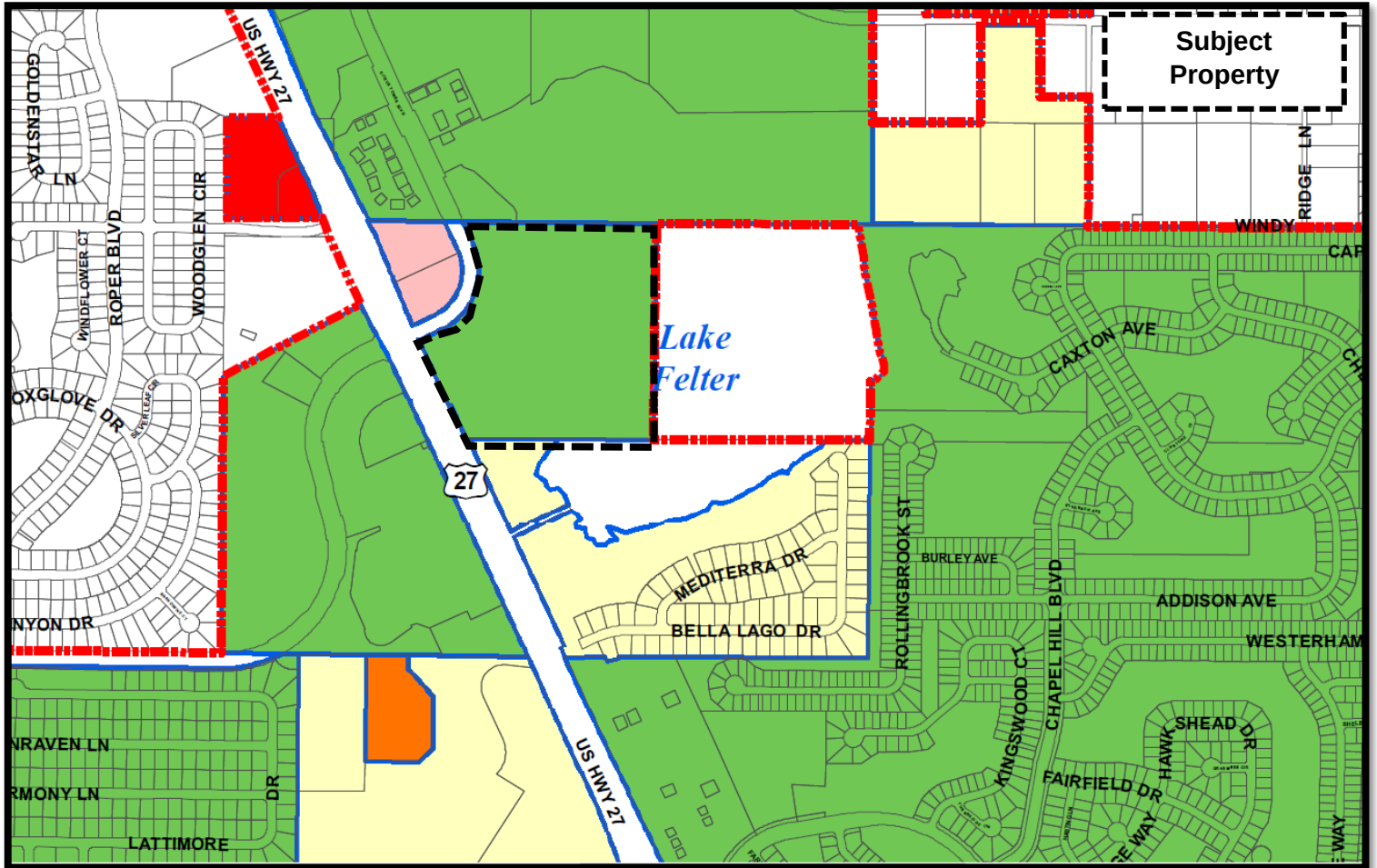
NATIVE
engineering,plc

P.O. BOX 2865
LAND O' LAKES, FL 34639
(813) 412-3210
CERTIFICATE OF
AUTHORIZATION NUMBER: 28758

REVISIONS

NO.	DATE	DESCRIPTION

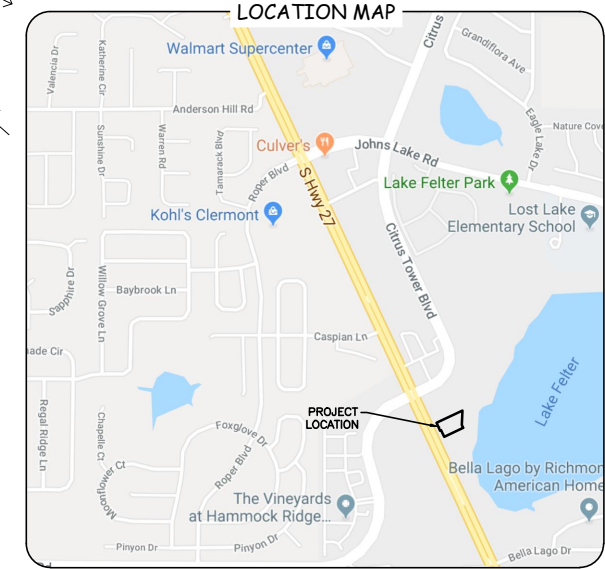
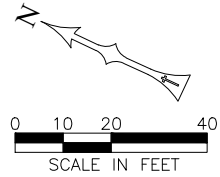
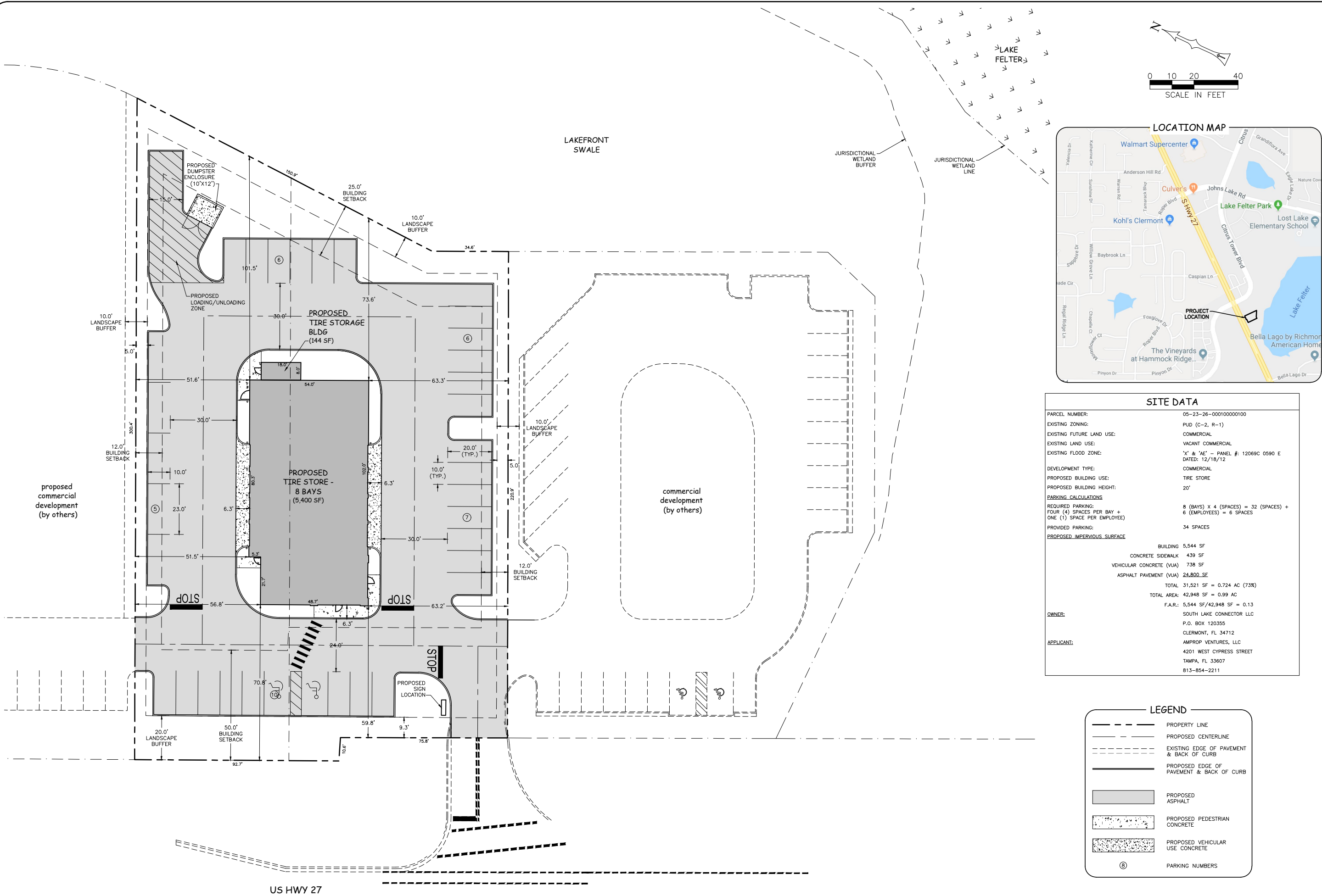
Exhibit – Zoning Map – Kings Crossing Tire Store



Zoning Designations

	UT URBAN TRANSITION DISTRICT
	UE URBAN ESTATE LOW DENSITY RESIDENTIAL DISTRICT
	R-1-A SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICT
	R-1 SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT
	R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT
	R-3-A RESIDENTIAL/PROFESSIONAL DISTRICT
	R-3 RESIDENTIAL/PROFESSIONAL DISTRICT
	O-1 OFFICE DISTRICT
	C-1 LIGHT COMMERCIAL DISTRICT
	C-2 GENERAL COMMERCIAL DISTRICT
	CBD CENTRAL BUSINESS DISTRICT
	M-1 INDUSTRIAL DISTRICT
	CD COMMERCE DISTRICT
	PR PARKS AND RECREATION DISTRICT
	PUD PLANNED UNIT DEVELOPMENT
	AREAS NOT WITHIN THE CITY LIMITS

F:\Google Drive\Native Engineering\Clients\Amprop\Projects\Clermont Kings Crossings - Lot 2\Drawings\PSD\Preliminary Site Plan.dwg - Apr 30, 2018 @ 11:47pm



SITE DATA	
PARCEL NUMBER:	05-23-26-000100000100
EXISTING ZONING:	PUD (C-2, R-1)
EXISTING FUTURE LAND USE:	COMMERCIAL
EXISTING LAND USE:	VACANT COMMERCIAL
EXISTING FLOOD ZONE:	'X' & 'AE' - PANEL #: 12069C 0590 E DATED: 12/18/12
DEVELOPMENT TYPE:	COMMERCIAL
PROPOSED BUILDING USE:	TIRE STORE
PROPOSED BUILDING HEIGHT:	20'
PARKING CALCULATIONS	
REQUIRED PARKING:	8 (BAYS) X 4 (SPACES) = 32 (SPACES) + FOUR (4) SPACES PER BAY + ONE (1) SPACE PER EMPLOYEE
PROVIDED PARKING:	34 SPACES
PROPOSED IMPERVIOUS SURFACE	
BUILDING 5,544 SF	
CONCRETE SIDEWALK 439 SF	
VEHICULAR CONCRETE (VUA) 738 SF	
ASPHALT PAVEMENT (VUA) 24,800 SF	
TOTAL 31,521 SF = 0.724 AC (73%)	
TOTAL AREA: 42,948 SF = 0.99 AC	
F.A.R.: 5,544 SF/42,948 SF = 0.13	
OWNER:	
SOUTH LAKE CONNECTOR LLC	
P.O. BOX 120355	
CLERMONT, FL 34712	
APPLICANT:	
AMPROP VENTURES, LLC	
4201 WEST CYPRESS STREET	
TAMPA, FL 33607	
813-854-2211	

LEGEND	
	PROPERTY LINE
	PROPOSED CENTERLINE
	EXISTING EDGE OF PAVEMENT & BACK OF CURB
	PROPOSED EDGE OF PAVEMENT & BACK OF CURB
	PROPOSED ASPHALT
	PROPOSED PEDESTRIAN CONCRETE
	PROPOSED VEHICULAR USE CONCRETE
	PARKING NUMBERS

PRELIMINARY
SITE
PLAN

REVISIONS

NO. DATE DESCRIPTION

TIRE STORE @ CLERMONT KINGS CROSSING - LOT 2

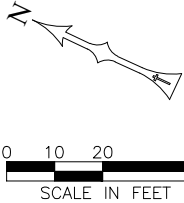
FOR
AMPROP VENTURES, LLC
4201 WEST CYPRESS STREET
TAMPA, FL 33607 (813) 854-2211

SHEET NUMBER
C5
S-T-R
05-23-26

NATIVE
engineering,pllc

P.O. BOX 2995
LAND O' LAKES, FL 34639
(813) 412-3210
CERTIFICATE OF
AUTHORIZATION NUMBER: 28759

www.amprop.com



VUA LANDSCAPING REQUIREMENT

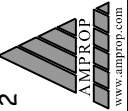
OVERALL SITE: 10% OF TOTAL VUA REQUIRED
2,489 SF OF 24,800 SF PROVIDED = 10%

60% OF VUA TREES REQUIRED TO BE LIVE OAK
5 OF 8 VUA TREES ARE LIVE OAK = 63%

MATERIALS SCHEDULE							
SYMBOL	QTY.	COMMON NAME		BOTANICAL NAME	SIZE	NATIVE	DROUGHT TOL.
TREES							
	QVI	22	Live Oak	Quercus virginiana	12' HT 3" CAL	Yes	Yes
	MGR	3	Southern Magnolia	Magnolia grandiflora	12' HT 3" CAL	Yes	Yes
	CFL	5	Flowering Dogwood	Cornus florida	8' HT 2" CAL	Yes	Yes
	LIN	8	Crape Myrtle	Lagerstroemia indica	8' MULTI TRUNK 3 TRUNK MIN. 1" CAL. PER TRUNK	Yes	Yes
SHRUBS							
	SRE	47	Saw Palmetto	Serenoa repens	MIN 36" TALL MIN 7 GAL 30" O.C.	Yes	Yes
	VOD	208	Sweet Viburnum	Viburnum odoratissimum	MIN 36" TALL MIN 7 GAL. 30" O.C.	Yes	Yes
	ICO	158	Burford Holly	Ilex cornuta burfordii 'nana'	MIN 24" TALL MIN 7 GAL 30" O.C.	No	Yes
	EPU	90	Silverthorn	Elaeagnus pungens	MIN 36" TALL MIN 7 GAL 30" O.C.	No	Yes
GROUND COVER							
	JCO	262	Shore Juniper	Juniperus conferta	1 GAL MIN 18" O.C.	No	Yes

[illegible]

NATIVE 
engineering,pllc



FOR
AMPROP VENTURES, LLC
 4201 WEST CYPRESS STREET
 TAMPA, FL 33607 (813) 854-2211

PRELIMINARY LANDSCAPE PLAN

SHEET NUMBER

L1

S-T-R
5-23-26



CITY OF CLERMONT
VARIANCE
Application

DATE: 4-27-18

FEE: \$600.00

PROJECT NAME (if applicable): GOVERNOR'S LAKE - LOT 2

APPLICANT: AMPROP VENTURES, LLC

CONTACT PERSON: ERIC SCHOESSLER

Address: 4201 W CYPRESS ST.

City: TAMPA State: FL Zip: 33607

Phone: 813-854-2211 Fax: _____

E-Mail: ERIC@AMPROP.COM

OWNER: SOUTH LAKE CONNECTOR, LLC

Address: P.O. BOX 120355

City: CLERMONT State: FL Zip: 34712

Phone: 407-947-6037 Fax: _____

Address of Subject Property: TBD

General Location: ALONG EAST SIDE OF US HWY 27,
APPROXIMATELY 200' SOUTH OF CITRUS
TOWER BLVD.

Legal Description (include copy of survey): REFER TO ATTACHED

Land Use (City verification required): VACANT COMMERCIAL (FLU = COMMERCIAL)



Zoning (City verification required): PUD (C-2, R-1)

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:

SEC. 98-14.(a)

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

DECREASE THE TOTAL REQUIRED PARKING SPACES FROM 38 TO 34.

How does the Code create a hardship?

THE CODE REQUIRES AN EXCESSIVE AMOUNT OF PARKING SPACES. TYPICALLY, THESE BUILDINGS REQUIRE 18 TOTAL PARKING SPACES. WE CAN ONLY FIT 34 PARKING SPACES ON-SITE.

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

for any variance requested:

Variance requested – subject and code section: WE REQUEST A VARIANCE TO CODE SECTION 98-14(a) TO REDUCE THE TOTAL AMOUNT OF PARKING REQUIRED FROM 38 SPACES TO 34 SPACES.

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;

THE SUBJECT SITE IS PART OF A COMMERCIAL SUBDIVISION AND IS NOT IMMEDIATELY ADJACENT TO RESIDENTIAL. THIS IS NOT A QUICK LUBE WHERE VEHICLES

STACK UP WAITING FOR THE NEXT BAY TO OPEN.

REDUCING THE TOTAL PARKING SPACES BY 4 TOTAL WILL NOT ADVERSELY AFFECT THE TRAFFIC IN THE SURROUNDING AREAS. MOST STORES CURRENTLY ACROSS CENTRAL FLORIDA PROVIDE BETWEEN 18 & 28 PARKING SPACES WITHOUT AN ISSUE.



(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 SITE EXISTS WITHIN A PUD ZONING ALLOWING C-2 USES WHICH ALLOWS AUTOMOTIVE REPAIR WITH A CONDITIONAL USE PERMIT (CONCURRENTLY SUBMITTED FOR.)

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;

OTHER THAN CONCURRENTLY SUBMITTING FOR A C.U.P. TO ALLOW FOR AUTOMOTIVE REPAIR WE DO NOT PROPOSE ANY OTHER VARIANCES - WE SHOULD BE ABLE TO MEET ALL OTHER CITY CODE REQUIREMENTS EXCEPT FOR PARKING.

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

THE FUTURE LAND USE FOR THE SUBJECT PROPERTY IS "COMMERCIAL" AND WE PROPOSE A COMMERCIAL USE.

(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.

IF THE VARIANCE WAS DENIED, THIS REPAIR SHOP COULD NOT BE DEVELOPED ON-SITE. WE PROPOSE ALL THE PARKING WE COULD POSSIBLY FIT WHICH IS 4 PARKING SPACES SHORT OF THE CODE - REQUIRED PARKING.



CITY OF CLERMONT
VARIANCE
Application
Page 4

ERIC SCHOESSLER

Applicant Name (print)

x

A handwritten signature in blue ink, appearing to be 'Eric Schoessler', written over a horizontal line.

Applicant Name (signature)

MICHAEL LANGLEY

Owner Name (print)

x

A handwritten signature in blue ink, appearing to be 'Michael R. Langley', written over a horizontal line. To the right of the signature are the initials 'MM'.

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. 34712-0219
(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,



**CONDITIONAL USE PERMIT (CUP)
APPLICATION**

DATE: 4-27-18

FEE: \$845
+ cost of advertisement

PROJECT NAME (if applicable): GOVERNOR'S LAKE - LOT 2

APPLICANT: AMPROP VENTURES, LLC

CONTACT PERSON: ERIC SCHOESSLER

Address: 4201 W CYPRESS ST.

City: TAMPA State: FL Zip: 33607

Phone: 813-854-2211 Fax: _____

E-Mail: ERIC@AMPROP.COM

OWNER: SOUTH LAKE CONNECTOR, LLC

Address: P.O. BOX 120355

City: CLERMONT State: FL Zip: 34712

Phone: 907-947-6037 Fax: _____

Address of Subject Property: TBD

General Location: ALONG EAST SIDE OF US HWY 27,
APPROXIMATELY 200' SOUTH OF CITRUS
TOWER BLVD.

Legal Description (include copy of survey): REFER TO ATTACHED

Land Use (City verification required): VACANT COMMERCIAL (FLU = COMMERCIAL)

Zoning (City verification required): PUD (C-2, R-1)



**CITY OF CLERMONT
CONDITIONAL USE PERMIT (CUP)
APPLICATION**

Page 2

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

WE PROPOSE AN 8 BAY TIRE STORE WITH 34
PARKING SPACES AND ASSOCIATED DRIVE AISLES.
DRAINAGE IS PROPOSED OFF-SITE BY OTHERS. TIRE
STORE USE IS ALLOWED WITH CONDITIONAL USE
PERMIT APPROVAL. THE SUBJECT SITE IS 1.0 ACRE
IN SIZE MOL AND THE PROPOSED BLDG IS 5,400 SF
W/ AN ADDITIONAL DETACHED 144 SF TIRE STORAGE
BLDG. PER CITY CODE, THE MINIMUM PARKING
REQUIRED IS 38 SPACES (8 BAYS X 4 SPACES/BAY +
6 EMPLOYEES X 1 SPACES/EMPLOYEE). WE ARE
ALSO REQUESTING A VARIANCE TO REDUCE THE
REQUIRED PARKING FROM 38 TO 34.

ERIC SCHOESSLER

Applicant Name (print)

X

Applicant Name (signature)

MICHAEL LANGLEY

Owner Name (print)

X

Owner Name (signature)

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

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

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

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: 10076938
Phone: (352) 241-7331
Date: 05/16/18
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City of Clermont will consider a	05/29/2018	06/05/2018	\$167.68

LEGAL NOTICE

Ad No: 10076938
May 29, 2018 &
June 05, 2018

Notice is hereby given that the City of Clermont will consider a request for a Conditional Use Permit to allow for a tire store with eight service bays in the Planned Unit Development Zoning District, at the following location:

LOCATION

Vacant parcel at the southeast corner of Citrus Tower Blvd and US Highway 27
(Alternate Key - 1707307)

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

This request will be considered by the Planning & Zoning Commission on, Tuesday, June 5, 2018 at 6:30pm.

A public meeting to consider the request will be held before the City Council on Tuesday, June 12, 2018 at 6:30pm. 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 needing assistance to participate in any of these proceedings should contact the City Clerk's office at 352-241-7330, 48 hours in advance of the public hearing.

Tracy Ackroyd Howe, MMC
City Clerk

Payment Info	
Ad Price	\$167.68
Tax	\$0.00
Sub Total	\$167.68
Prepaid Amount	\$0.00
Balance Due	\$167.68



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, June 5, 2018		
Agenda Item Name		
Ordinance No. 2018-23 <i>Jordan Small Scale Comp Plan Amendment</i>		
Requested Action		
Recommend approval of Ordinance 2018-23.		
Staff Report		
The applicant, Greg Beliveau with LPG Urban & Regional Land Planners, Inc., is requesting a small scale comprehensive plan amendment for the subject property. The overall property is approximately 3.28 +/- acres in size. This request is being heard concurrently with requests for annexation and rezoning. The applicant wishes to develop the property and use City services. The small scale comprehensive plan amendment would change the Future Land Use from Lake County's Commercial and the City's Residential/Office to the City's Commercial designation. The property fronts on a major six-lane arterial roadway encouraging commercial use and has existing commercial uses to the east and across SR 50 to the south. The Commercial designation is supported by the proximity of the property on SR 50 and the existing development pattern of comparable intensity in the area. The City's Commercial future land use would be comparable with Lake County's Commercial designation. The Commercial future land use is the most appropriate based upon the development pattern of the surrounding area, mainly commercial along the SR 50 corridor. Staff recommends approval of the small scale comprehensive plan amendment to change the future land use from Lake County Commercial and City Residential/Office to Commercial in the City.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. 2018-23 Ed Jordan CPA FINAL	2018-23 Ed Jordan CPA FINAL.doc	
2. Jordan Maps PZ CC	Jordan Maps PZ CC.pdf	
3. Signed Comp Plan_Application	Signed Comp Plan_Application.pdf	
4. ORD 2018-23 CPA AD Proof	ORD 2018-23 CPA AD Proof.pdf	



CITY OF CLERMONT
ORDINANCE NO. 2018-23

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 4 through 7, less South 42 feet thereof, Walton Subdivision according to the map or plat thereof, as recorded in Plat Book 8, Page 5, Public Records of Lake County, Florida, less and except that portion of fee simple right of way described in OR Book 657, Page 473, Public Records of Lake County, Florida, less road right of way.

AND



CITY OF CLERMONT
ORDINANCE NO. 2018-23

Lots 49 through 54, Lots 62 through 67, and Lots 75 through 80, Walton Subdivision according to the map or plat thereof, as recorded in Plat Book 8, Page 5, Public Records of Lake County, Florida.

Containing a total of 3.28 Acres, more or less.

LOCATION

Alternate Key 1695813, 1695872, 1695881, 1695899, 1695911, 2587199, and 2691280.

CHANGE IN FUTURE LAND USE CLASSIFICATION

FROM: COUNTY COMMERCIAL and CITY OF CLERMONT
RESIDENTIAL/OFFICE
TO: CITY OF CLERMONT COMMERCIAL

SECTION 2.

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

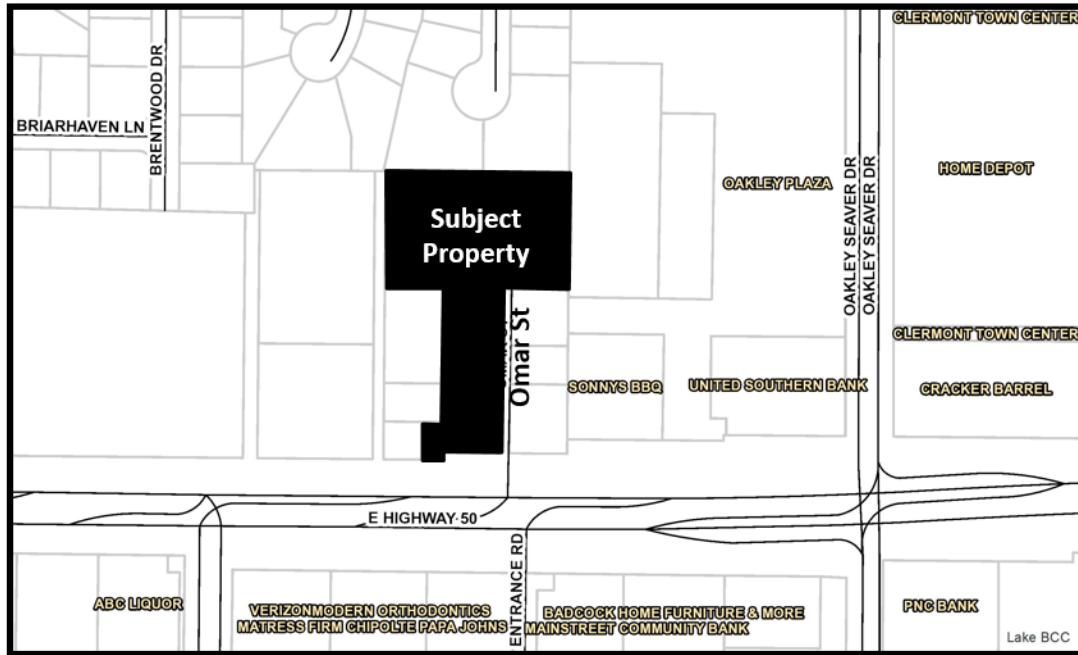
SECTION 3.

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

SECTION 4.

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

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2018-23

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 26th day of June, 2018.

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – Edward and Debra Jordan

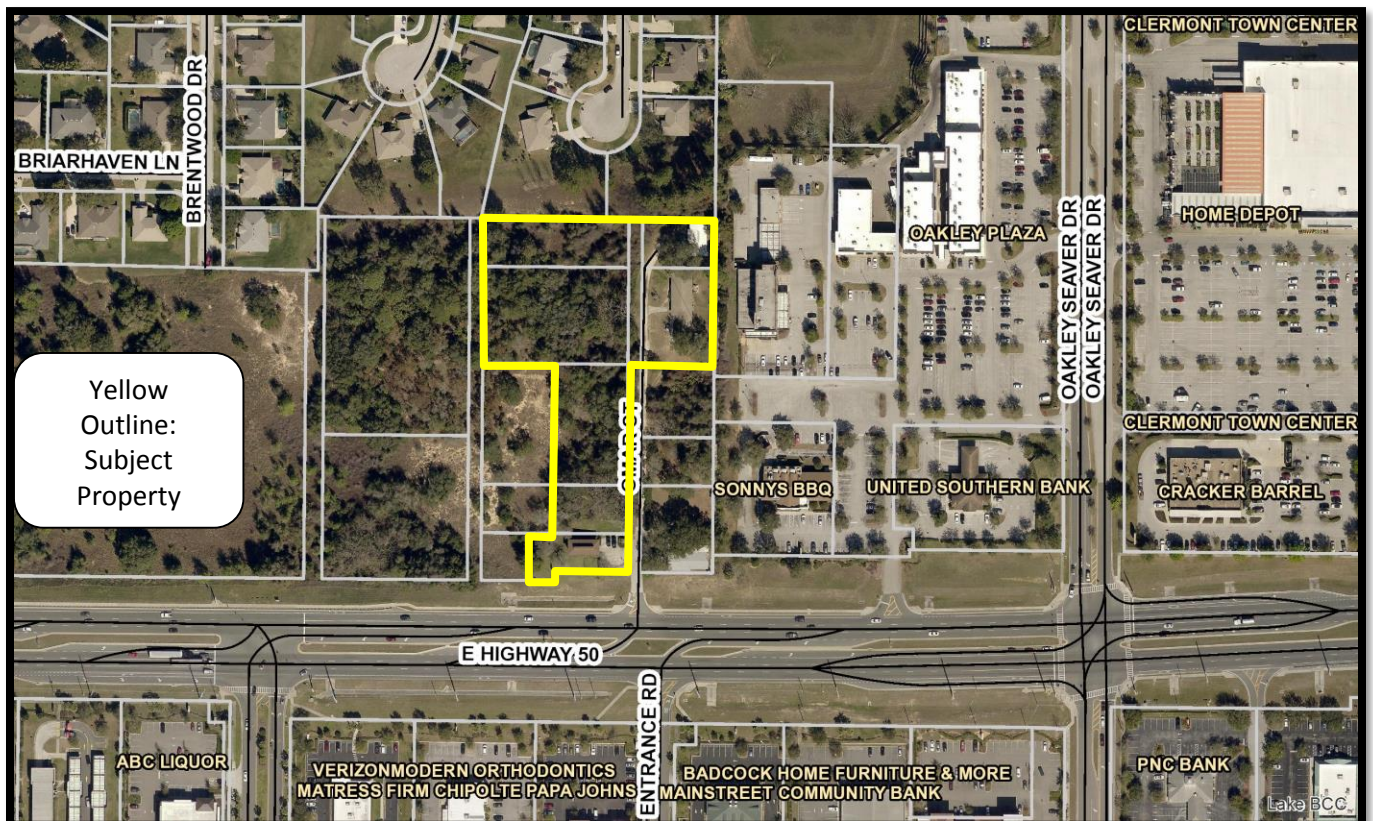
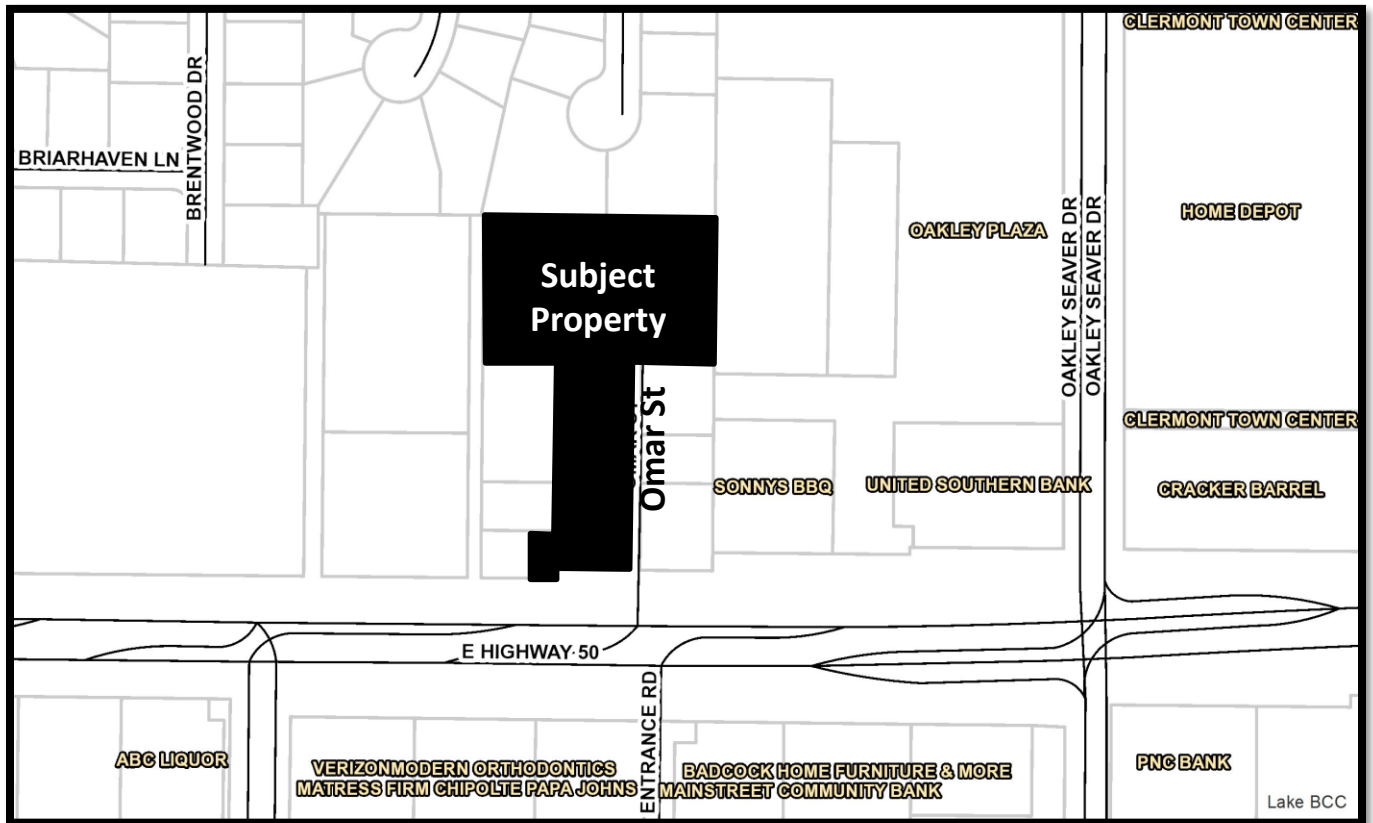


Exhibit – Future Land Use Map – Edward and Debra Jordan

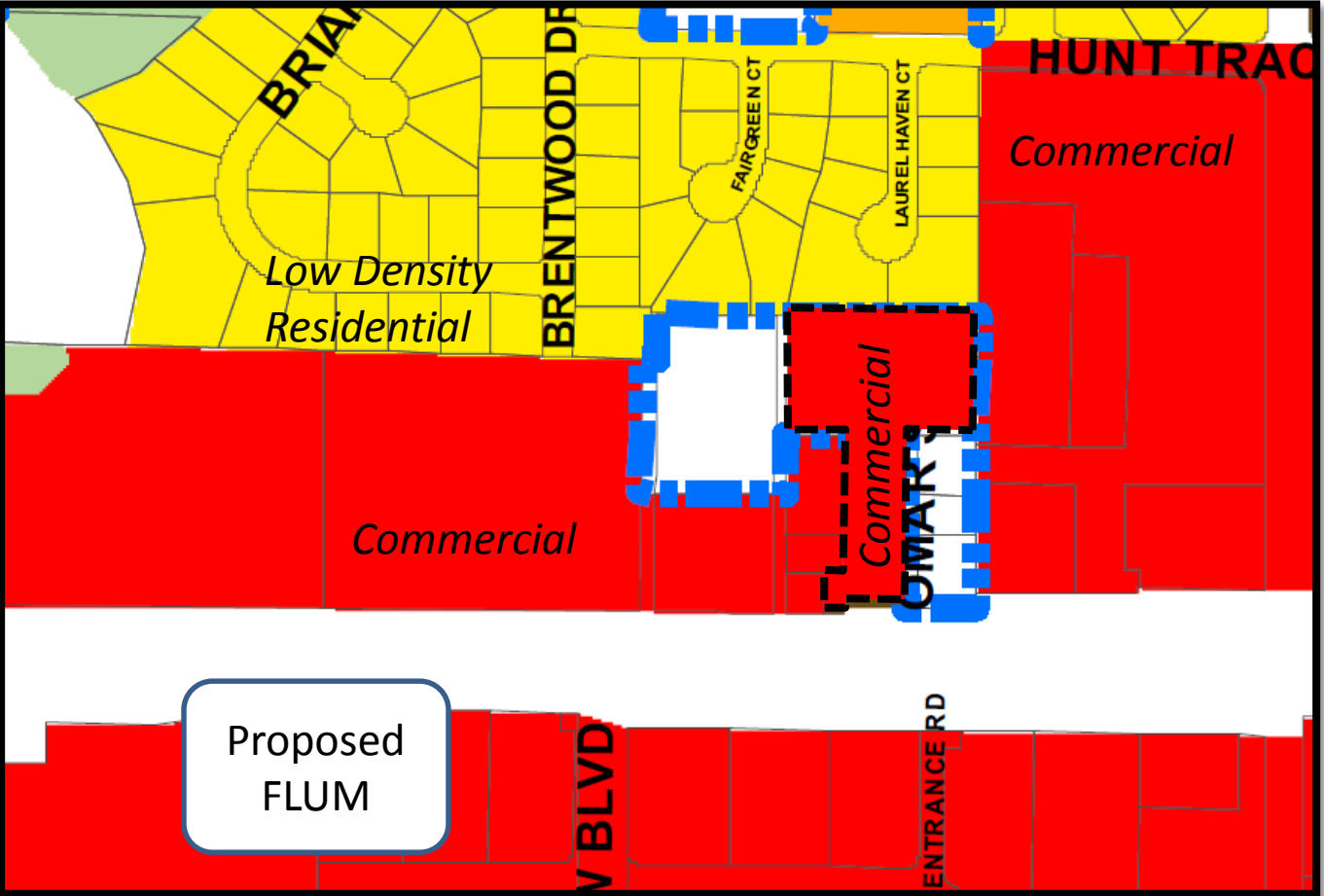
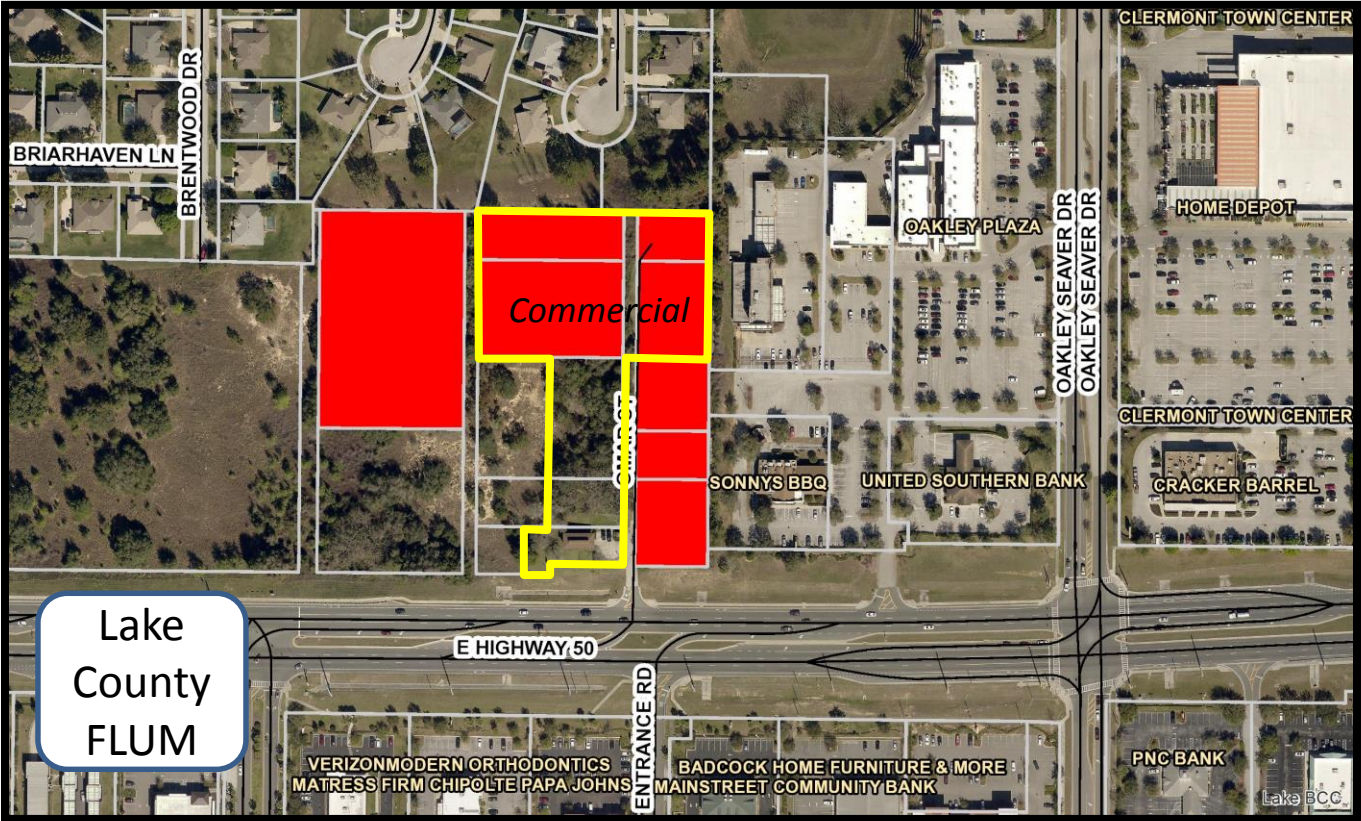


Exhibit – Zoning Map – Edward and Debra Jordan

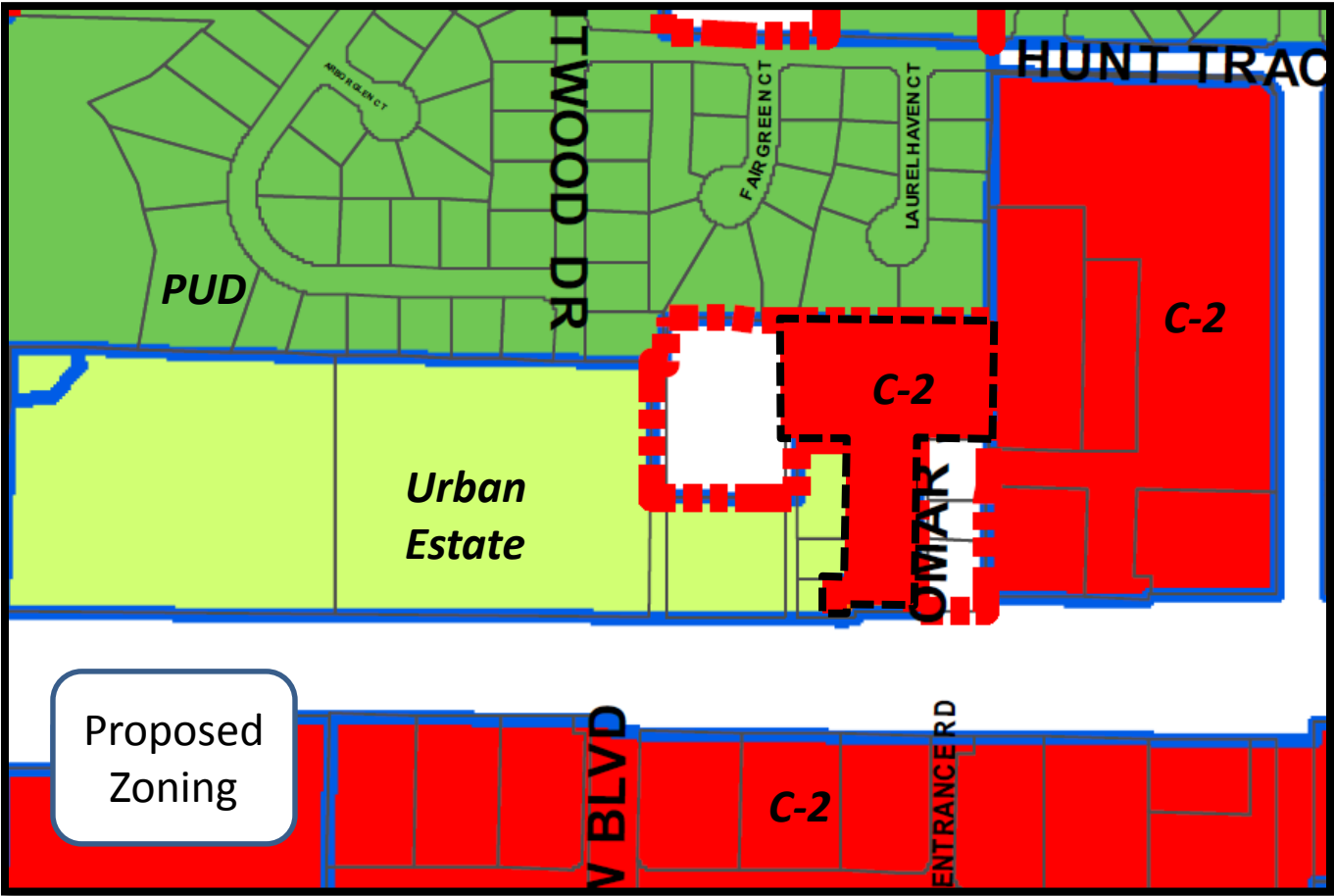
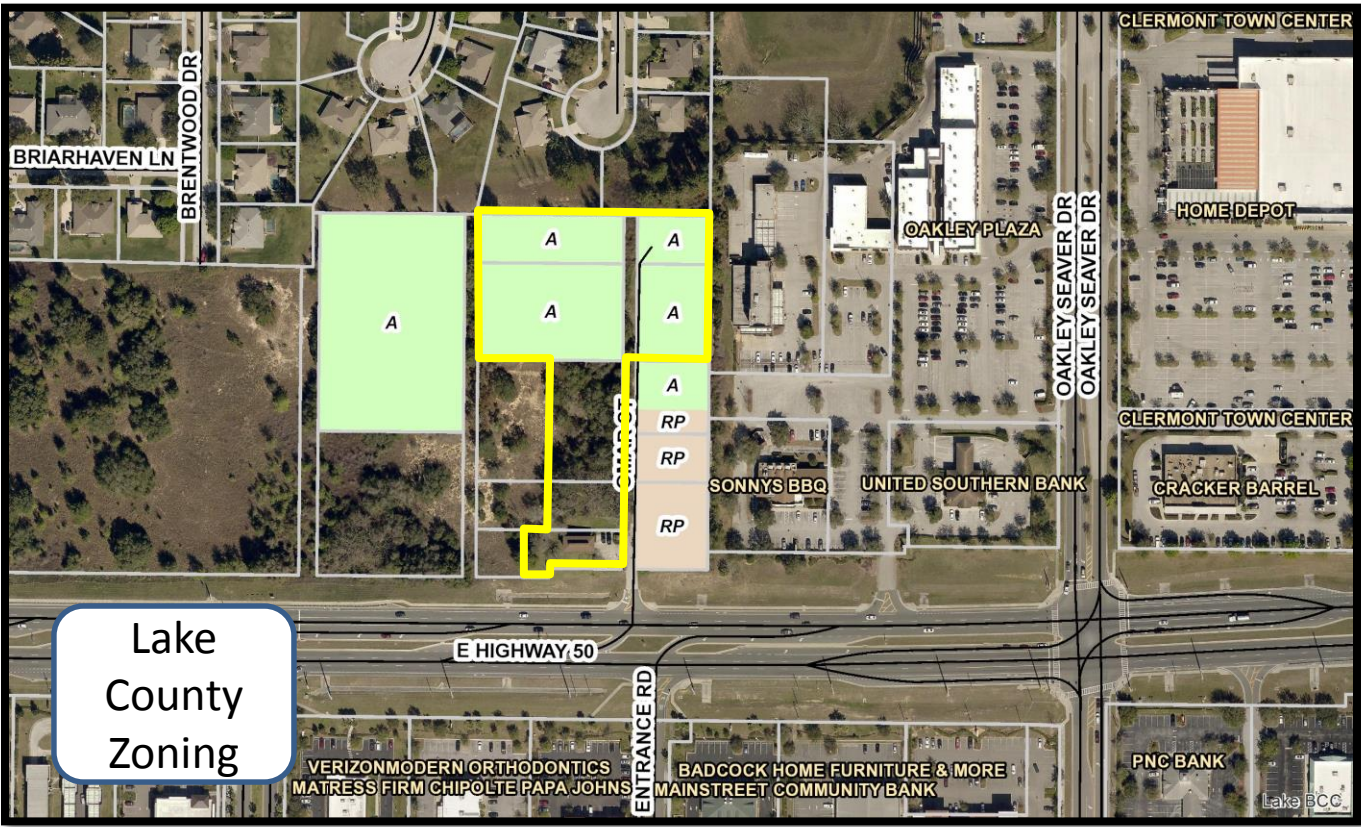
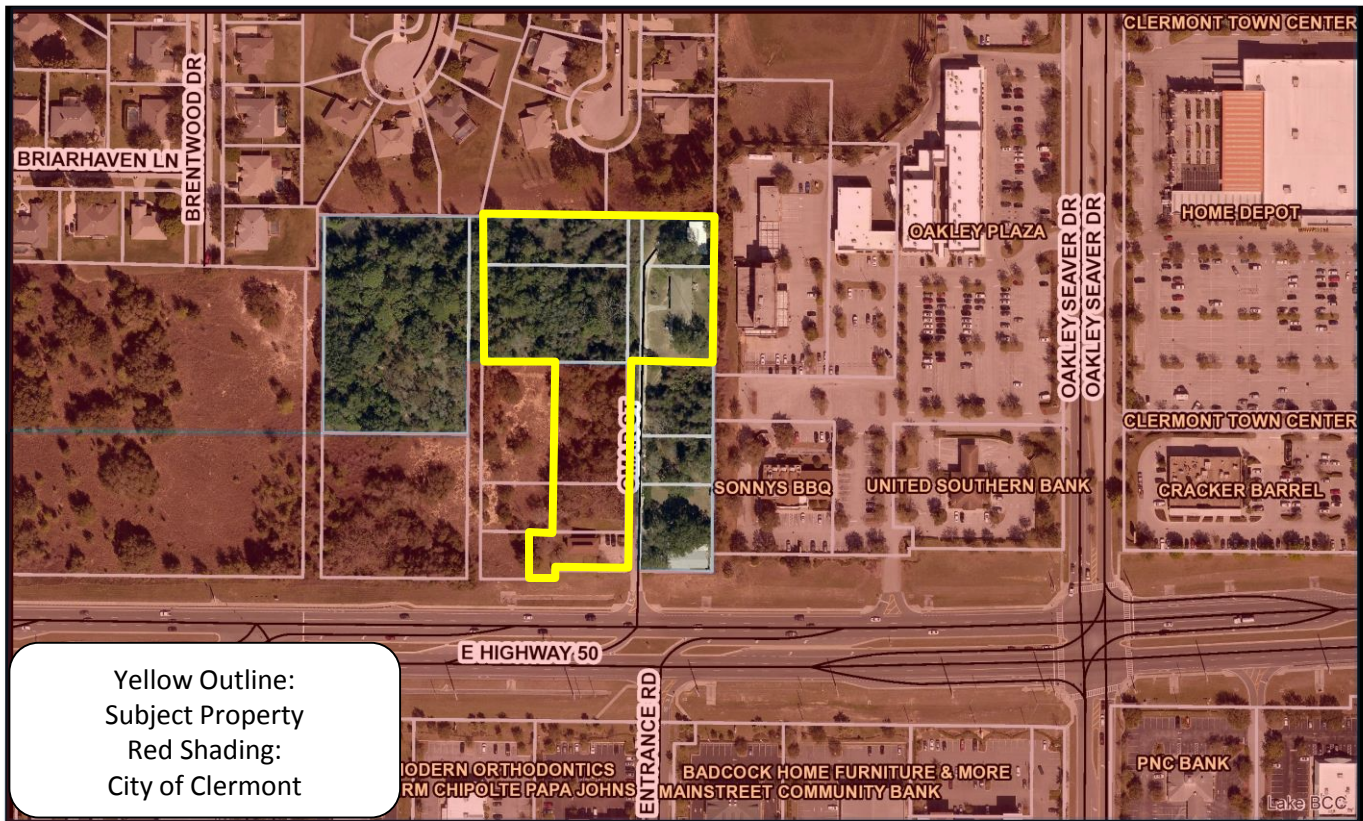
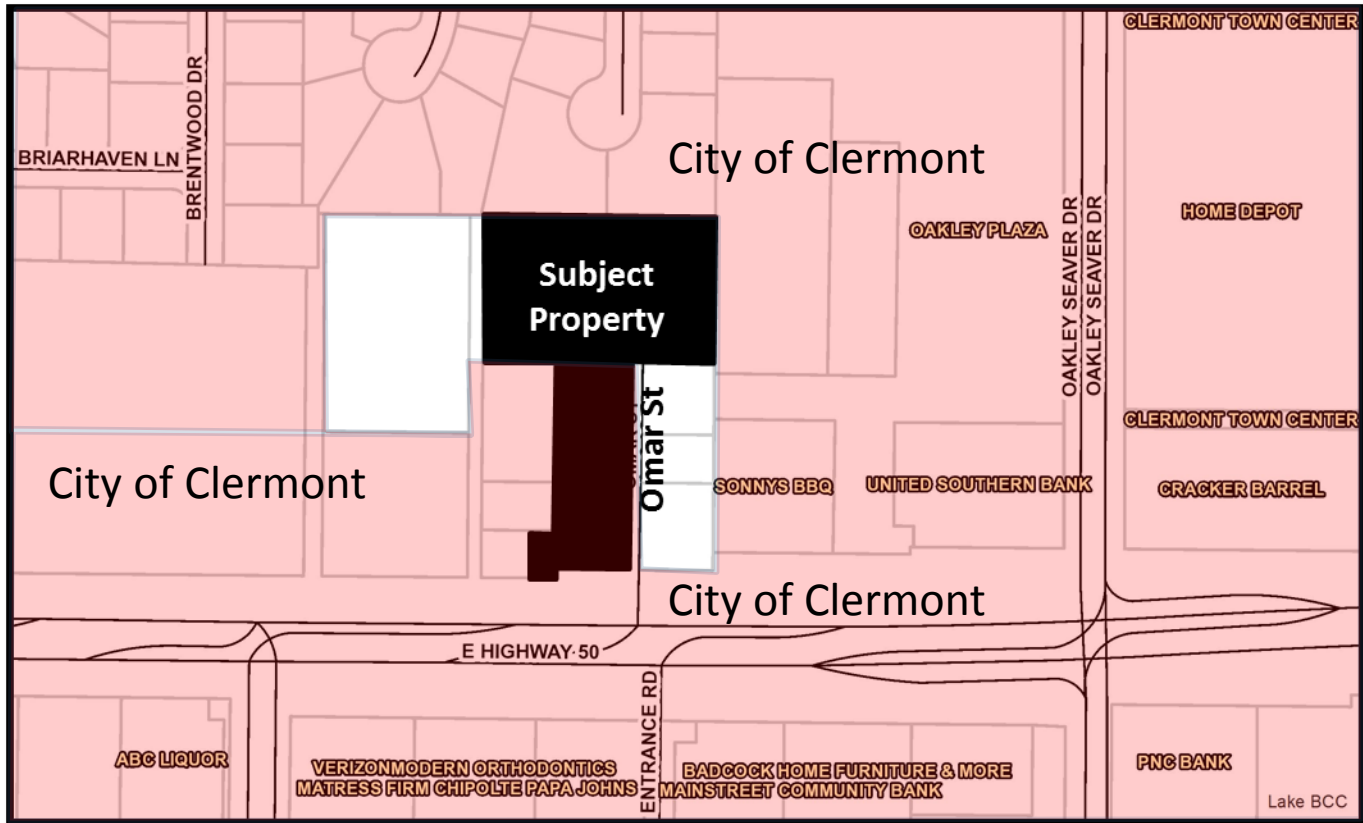


Exhibit - Annexation Map – Edward and Debra Jordan





CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application Instructions

APPLICATION FEE:

- **Large Scale Comprehensive Plan Amendment** - \$2,325 plus cost of advertisement
Includes text amendments that impact the Goals, Objectives and Policies of the comprehensive plan; Future Land Use Map or map series amendment over 10 acres
- **Small Scale Comprehensive Plan Amendment** - \$755.00 plus cost of advertisement
Includes Future Land Use Map amendments of less than 10 acres, with no impact to the Goals, Objectives and Policies.
- **Development of Regional Impact (DRI)** - \$10,000 escrow plus actual costs of advertising for a DRI amendment.

APPLICATION PROCESS:

Applicants must schedule a pre-application meeting with the City's Site Review Committee prior to submitting a completed application. Once an application has been completed, please call a staff planner, (352) 394-4083, to schedule the pre-application meeting.

After the Site Review Committee meeting, and after any requests for additional information have been met by the applicant, the City's planning staff will prepare the amendment with its supporting data and analysis and schedule the Planning & Zoning Commission hearing. The Planning & Zoning Commission meets the first Tuesday of the month, and will make a recommendation on the proposed amendment to the City Council. The Council will then review the proposed amendment at a public hearing and may vote to approve (small scale amendment) or to transmit it (large scale amendment) to the Florida Department of Economic Opportunity (DEO) and all reviewing agencies.

DEO will review the amendment within 60 days and notify the City of any concerns. Other public agencies may file objections separately.

AMENDMENT TIME FRAME:

- *Small Scale Amendments* and *Large Scale Amendments* – may take up to three months to process depending on meeting schedules, review time frames, staff preparation time, etc. The City does try to consolidate amendments as much as possible to help save on advertising costs. Applicants must have attended a pre-application meeting prior to submitting applications for the deadlines. Please note that all hearing dates are tentative and subject to change.



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

Application Information Required

A complete application includes the items below in addition to the attached application:

- Completed application. - Include all signatures
- Proof of ownership – (i.e. Lake County Property record card, tax receipt, deed, or tax receipt)
- Complete legal description in Word (not all caps) emailed to rchidlow@clermontfl.org
- Current survey and location map (acreage included)
- Signed owner affidavit (unless power of attorney or notarized letter authorizing the applicant to act as the duly authorized agent for the owner is submitted with the application)
- Signed Applicant affidavit
- Application fee

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



**CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application**

DATE: April 16, 2018

FEE: _____

Project Name (if applicable): _____

Applicant: LPG Urban & Regional Planners, Inc.

Contact Person: Greg Beliveau

Address: 1162 Camp Ave.

City: Mount Dora State: FL Zip: 32757

Phone: 352-385-1940 Fax: 352-383-4824

E-Mail: Gregb@lpgurp.com

OWNER: Edward Jordon, Trustee and Debra Jordan, Trustee

Address: 1460 E. Highway 50

City: Clermont State: FL Zip: 34711-3201

Phone: 352-394-1000 Fax: 352-394-2999

E-Mail: Edward@ePJordanlaw.com

General Location: 13836 Omar Street, Clermont, FL 347711

Legal Description (include copy of survey): See Attached

Property size (in acres or square feet): 3.28 ± acres

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

Existing (Actual) Land Use: Vacant commercial and residential

Existing Zoning: Agriculture and Residential Professional

Existing Future Land Use: Regional Commercial and Residential Office

Proposed Future Land Use: Commercial

Type of development proposed: Commercial, retail sales, offices



Proposed density (dwelling units/acre) or intensity: 80% ISR

Proposed Zoning District: General Commercial (C-2)

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 property is located on the north side of Highway 50 within an existing area of commercial development. A portion of the site is being annexed into the City and the proposed future land use designation is consistent and compatible with the Lake County Future Land Use; therefore, no net change is anticipated.

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

Greg Beliveau, 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 & Residential Office to Commercial 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.

Greg Beliveau
Affiant - Applicant Name (print)

X [Signature]
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 30th day of April, 2018.

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



Sherie D. Lindh
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG058426
Expires 1/23/2021

My Commission Expires: 1/23/2021



OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Edward P. Jordan, 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 Regional Commercial & Residential Office Commercial for the property legally described on the attachment of this application.
3. That the owner of said property has appointed Greg Beliveau 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.

Edward P. Jordan
Affiant - Applicant Name (print)

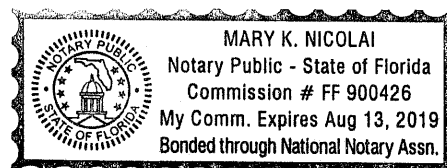
X [Signature]
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 16th day of April, 2018.

X Mary K. Nicolai
Notary Public, State of Florida at Large

My Commission Expires: _____





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date														
Tuesday, June 5, 2018														
Agenda Item Name														
Ordinance No. 2018-24 <i>Jordan Rezoning</i>														
Requested Action														
Recommend approval of Ordinance 2018-24.														
Staff Report														
The applicant, Greg Beliveau with LPG Urban & Regional Land Planners, Inc., is requesting a rezoning of the subject property. The property is approximately 3.28 +/- acres in size. This request is being heard concurrently with requests for annexation and a small scale comprehensive plan amendment. The northern portion of the property is located in Lake County and is currently zoned Agriculture. The property east of Omar Street is currently being used for single-family residential use. The property to the west of these homes is currently vacant. Upon annexation, the zoning would default to Urban Estate. The southern portion of the property on the west side of Omar Street is currently in the City with a zoning designation of R-3 Residential/Professional. A small office is currently on this portion of the property along SR 50. The applicant is requesting a change to C-2 General Commercial. The owner is requesting to develop the property as a mixed-use commercial development with all permitted C-2 uses allowed. The concept site plan was only provided to ensure the parcel could accommodate future development. This was submitted as a "fit test" to show buildings and parking could be laid out within the site. Staff has reviewed the applicant's proposal and believes general commercial uses at this location is compatible with the uses in the area. Therefore, staff recommends approval of the request for a rezoning to C-2 General Commercial.														
Additional Analysis														
Fiscal Impact Summary														
Fiscal Impact	Fund Number and Description	Available Budget Amount												
Exhibits Attached (copies of original agreements)														
<table border="0"><tr><td>1.</td><td>2018-24 Ed Jordan REZ FINAL</td><td>2018-24 Ed Jordan REZ FINAL.doc</td></tr><tr><td>2.</td><td>Jordan Maps PZ CC</td><td>Jordan Maps PZ CC.pdf</td></tr><tr><td>3.</td><td>Jordan Concept 04-25-2018</td><td>Jordan Concept 04-25-2018.pdf</td></tr><tr><td>4.</td><td>Signed Rezoning_Application</td><td>Signed Rezoning_Application.pdf</td></tr></table>			1.	2018-24 Ed Jordan REZ FINAL	2018-24 Ed Jordan REZ FINAL.doc	2.	Jordan Maps PZ CC	Jordan Maps PZ CC.pdf	3.	Jordan Concept 04-25-2018	Jordan Concept 04-25-2018.pdf	4.	Signed Rezoning_Application	Signed Rezoning_Application.pdf
1.	2018-24 Ed Jordan REZ FINAL	2018-24 Ed Jordan REZ FINAL.doc												
2.	Jordan Maps PZ CC	Jordan Maps PZ CC.pdf												
3.	Jordan Concept 04-25-2018	Jordan Concept 04-25-2018.pdf												
4.	Signed Rezoning_Application	Signed Rezoning_Application.pdf												



CITY OF CLERMONT
ORDINANCE NO. 2018-24

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 4 through 7, less South 42 feet thereof, Walton Subdivision according to the map or plat thereof, as recorded in Plat Book 8, Page 5, Public Records of Lake County, Florida, less and except that portion of fee simple right of way described in OR Book 657, Page 473, Public Records of Lake County, Florida, less road right of way.

AND

Lots 49 through 54, Lots 62 through 67, and Lots 75 through 80, Walton Subdivision according to the map or plat thereof, as recorded in Plat Book 8, Page 5, Public Records of Lake County, Florida.

Containing a total of 3.28 Acres, more or less.

LOCATION

North and Northwest of the intersection of SR 50 and Omar Street
Alternate Keys 1695813, 1695872, 1695881, 1695899, 1695911, 2587199, and 2691280

**From: Lake County Agriculture District and
City of Clermont Residential/Professional District
To: City of Clermont C-2 General Commercial District**

SECTION 2.

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

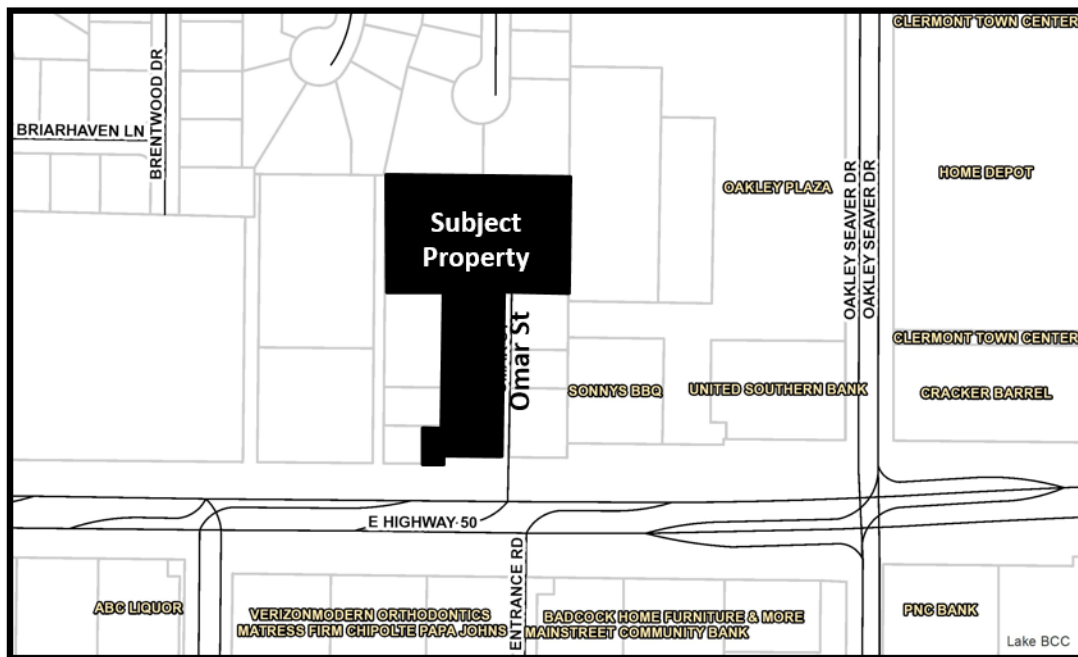
SECTION 3.

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

SECTION 4.

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

Location map:





CITY OF CLERMONT
ORDINANCE NO. 2018-24

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 26th day of June, 2018.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

Exhibit - Location Map – Edward and Debra Jordan

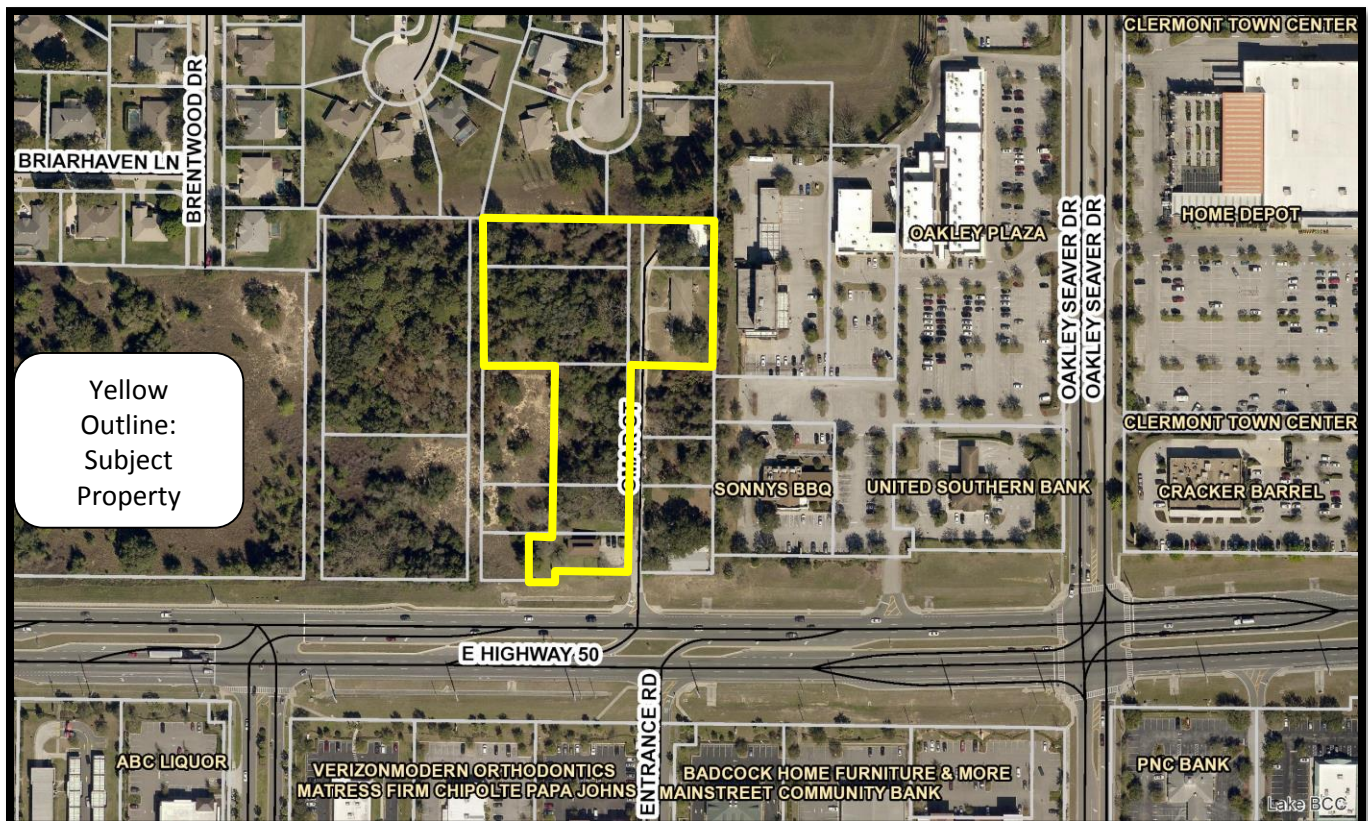
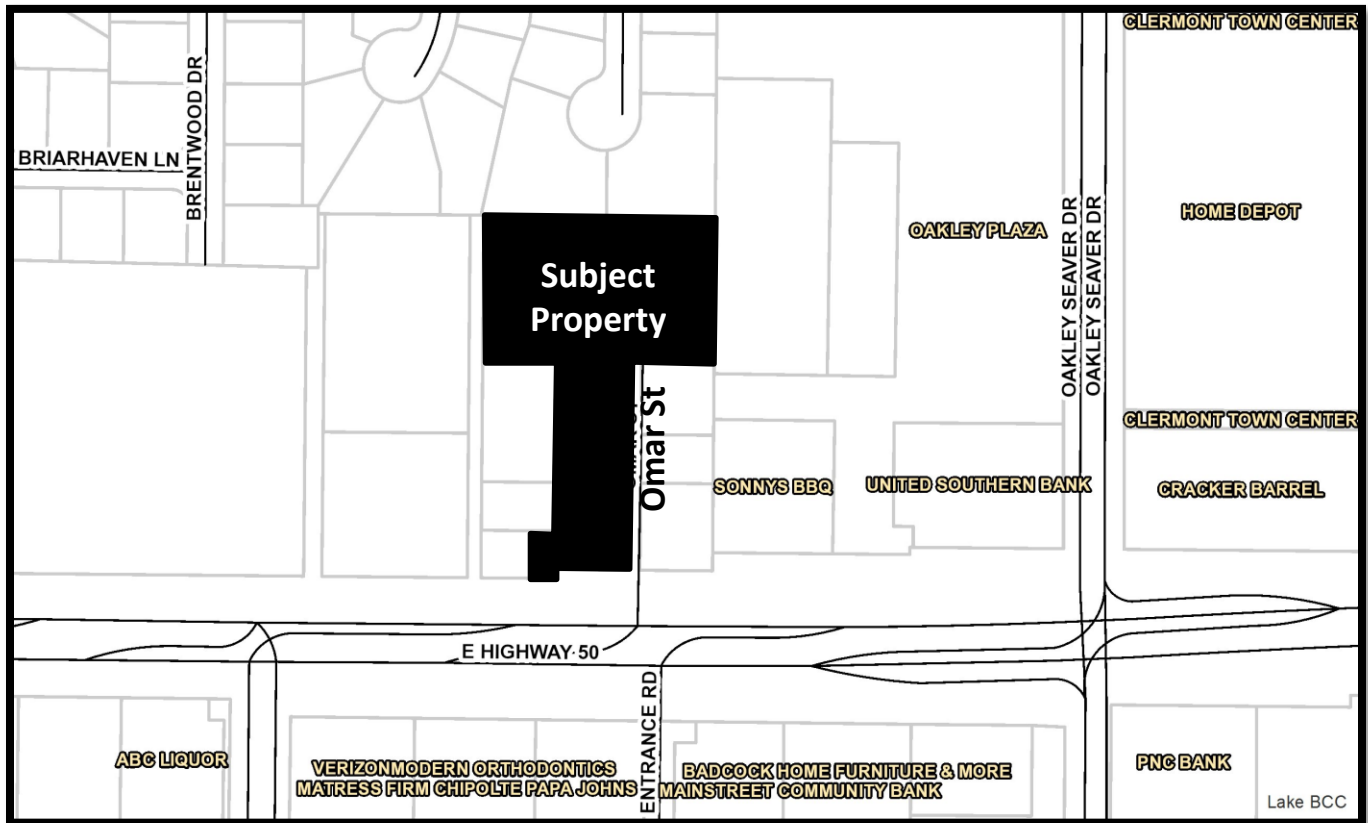


Exhibit – Future Land Use Map – Edward and Debra Jordan

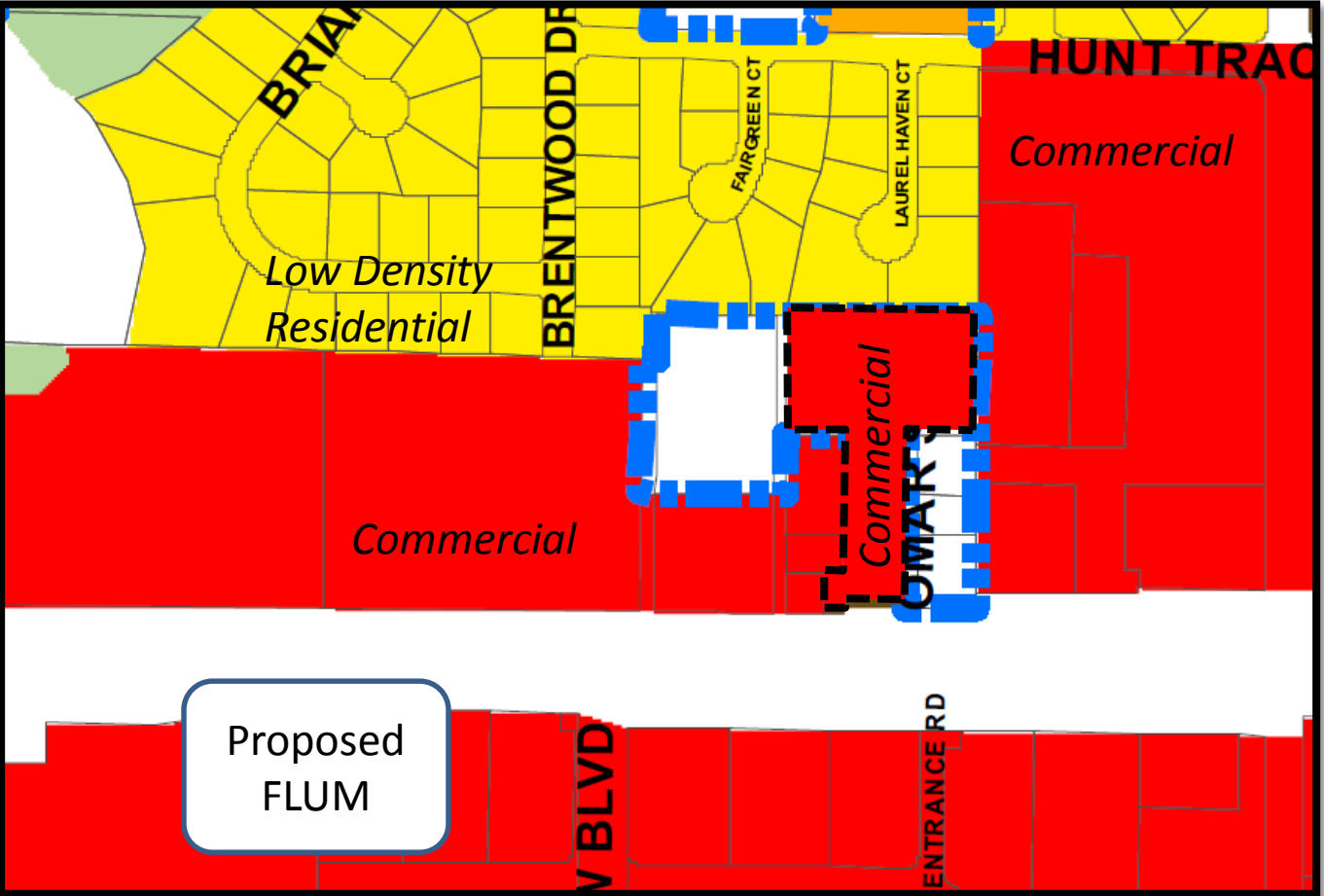
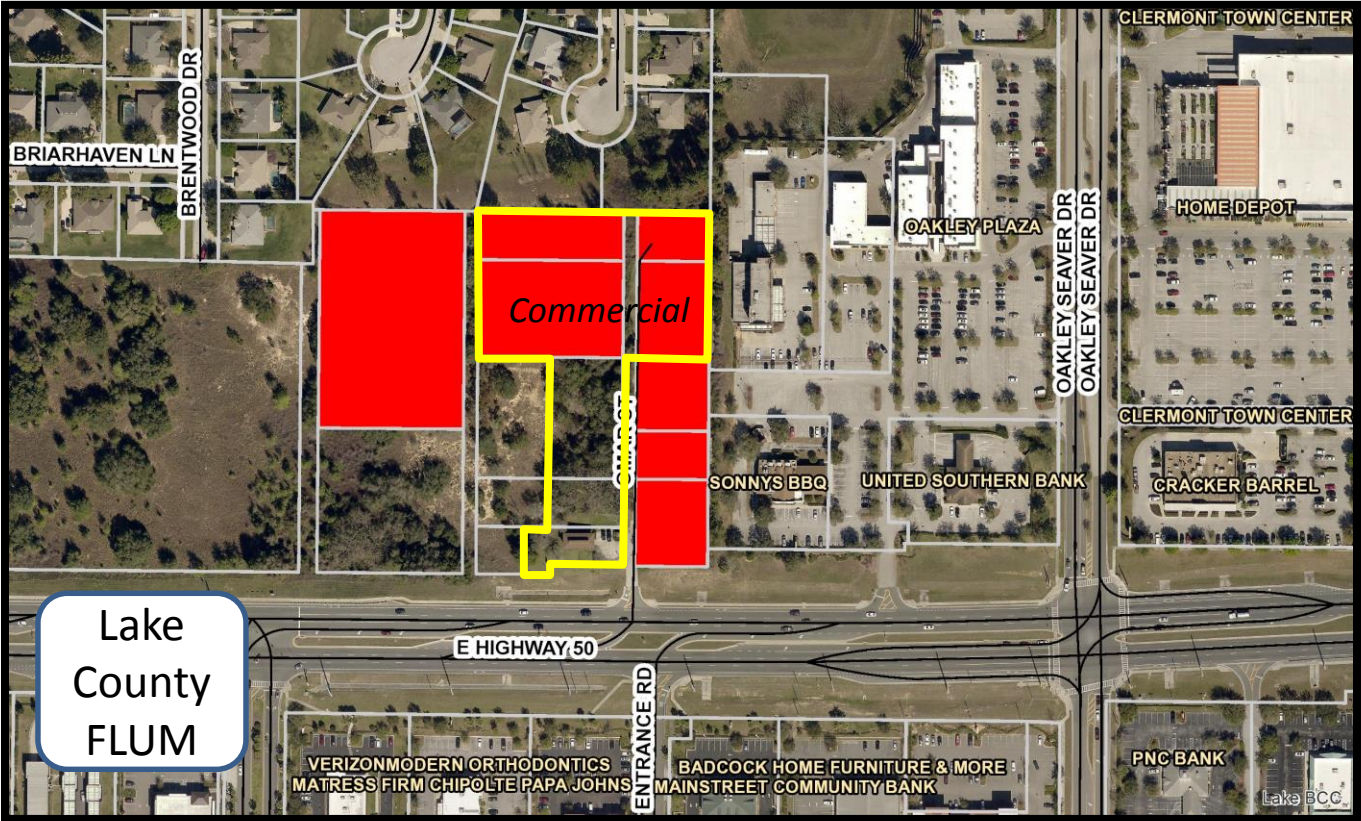


Exhibit – Zoning Map – Edward and Debra Jordan

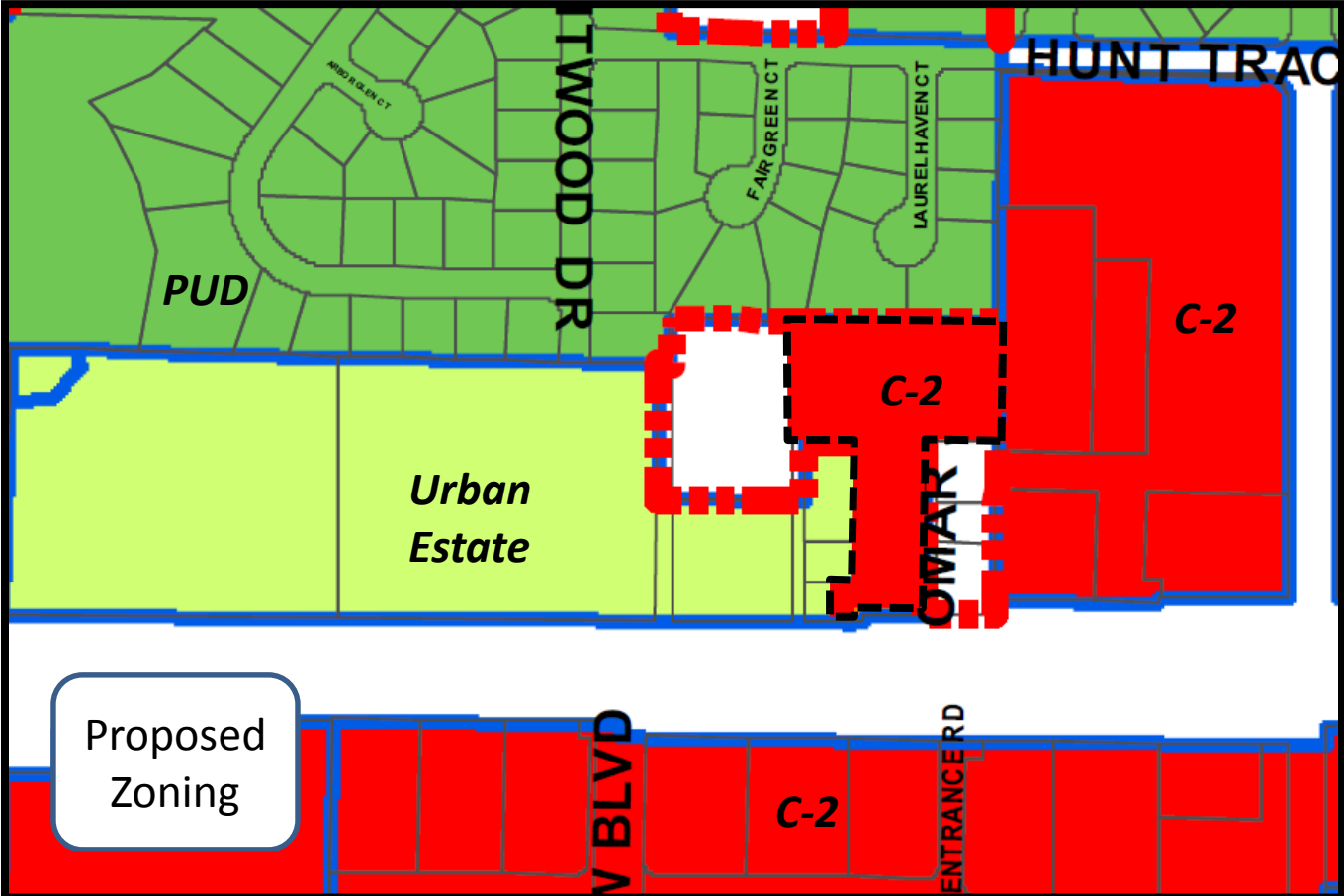
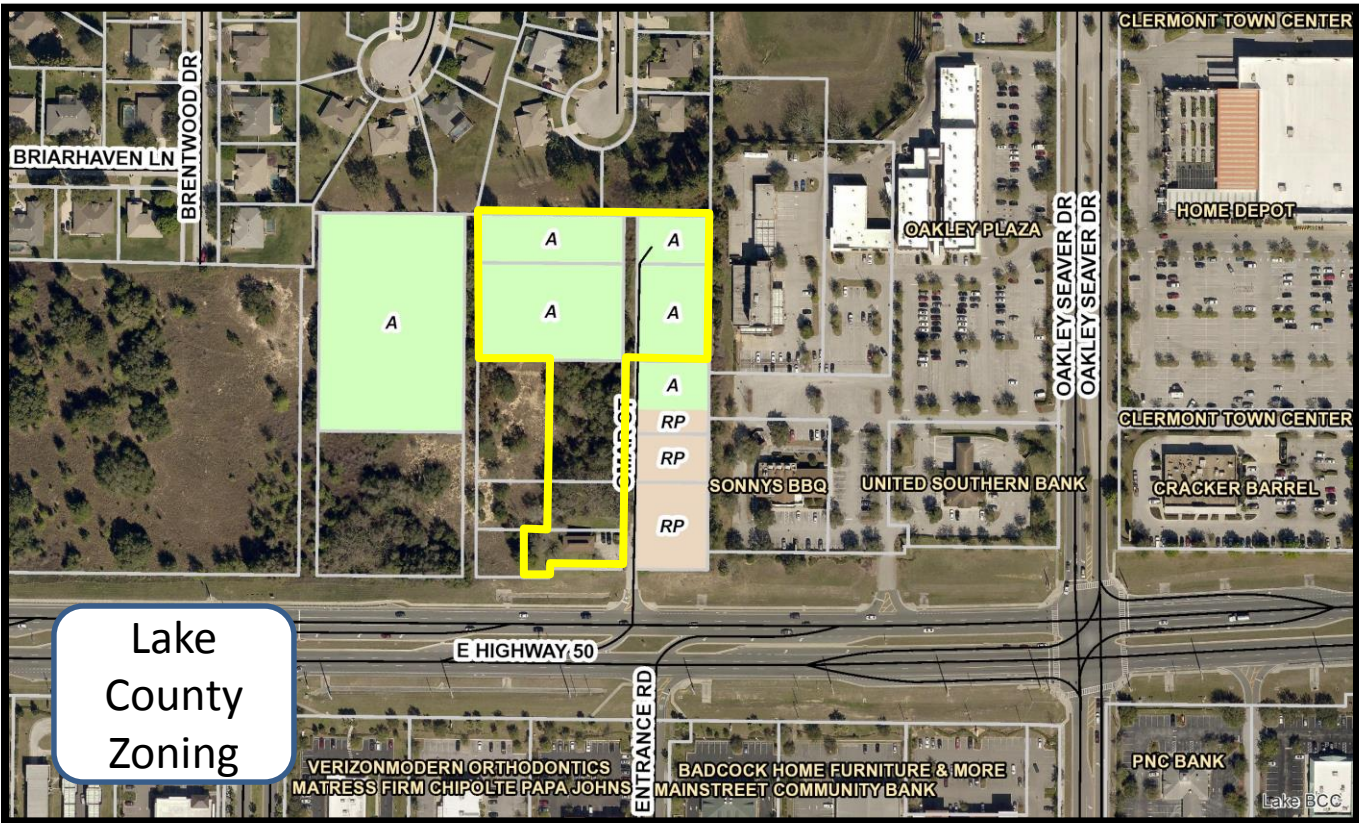
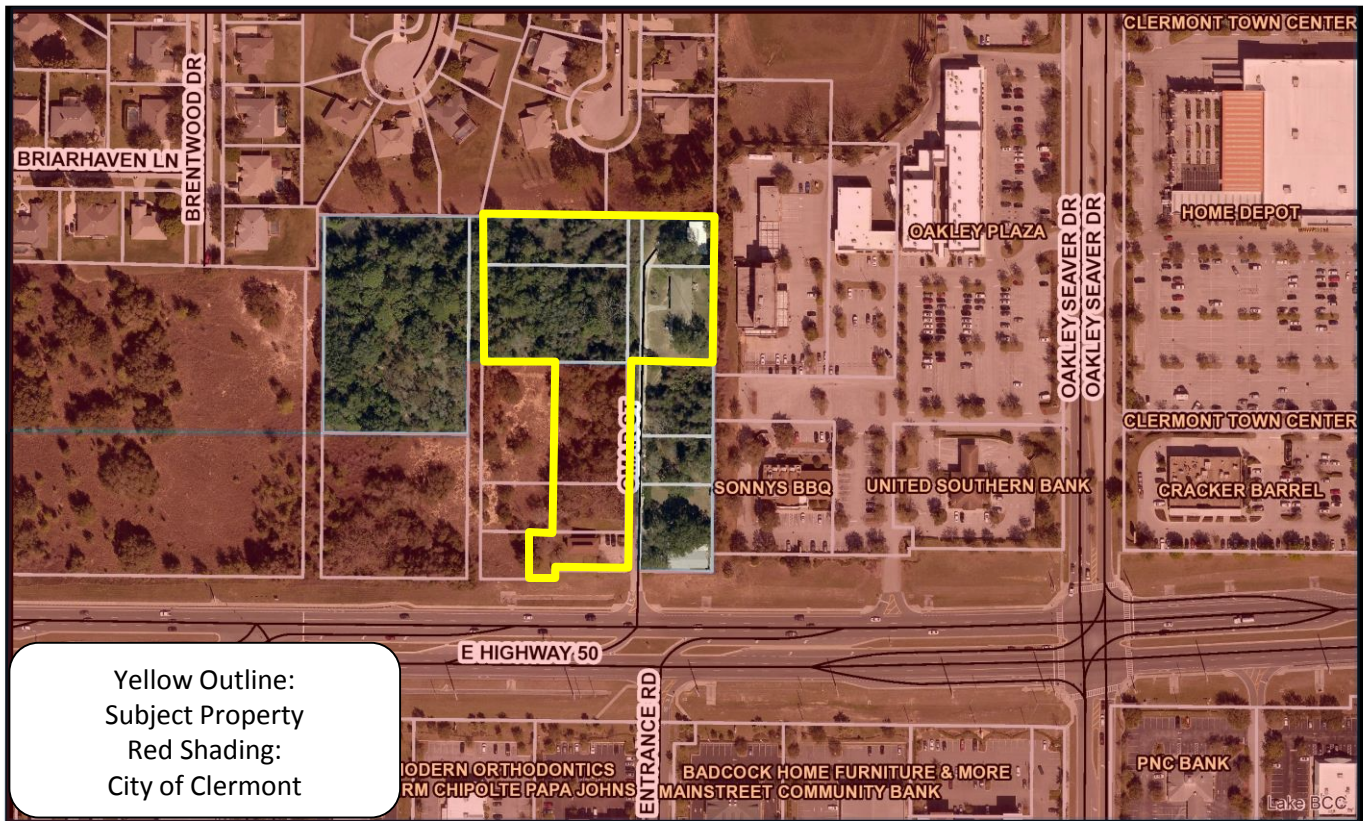
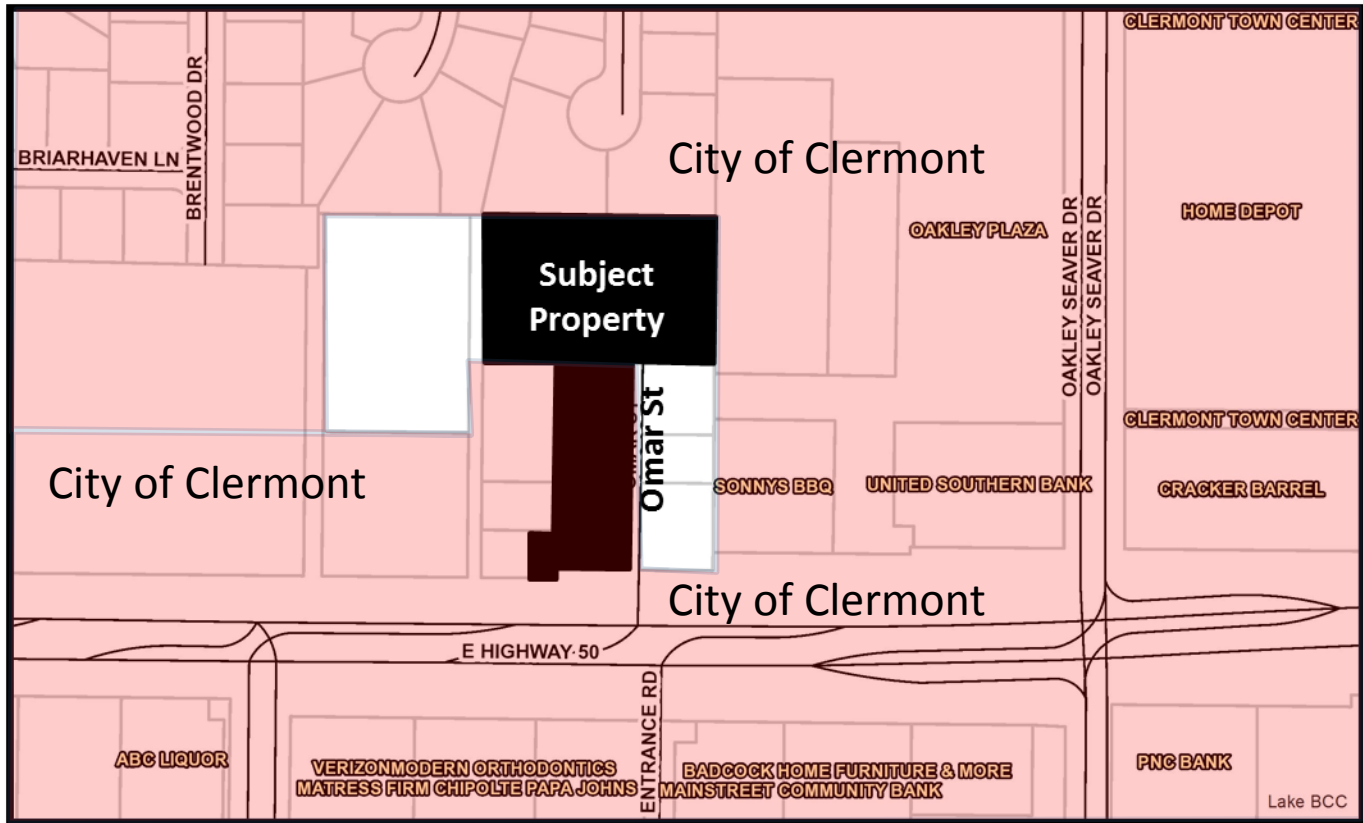


Exhibit - Annexation Map – Edward and Debra Jordan

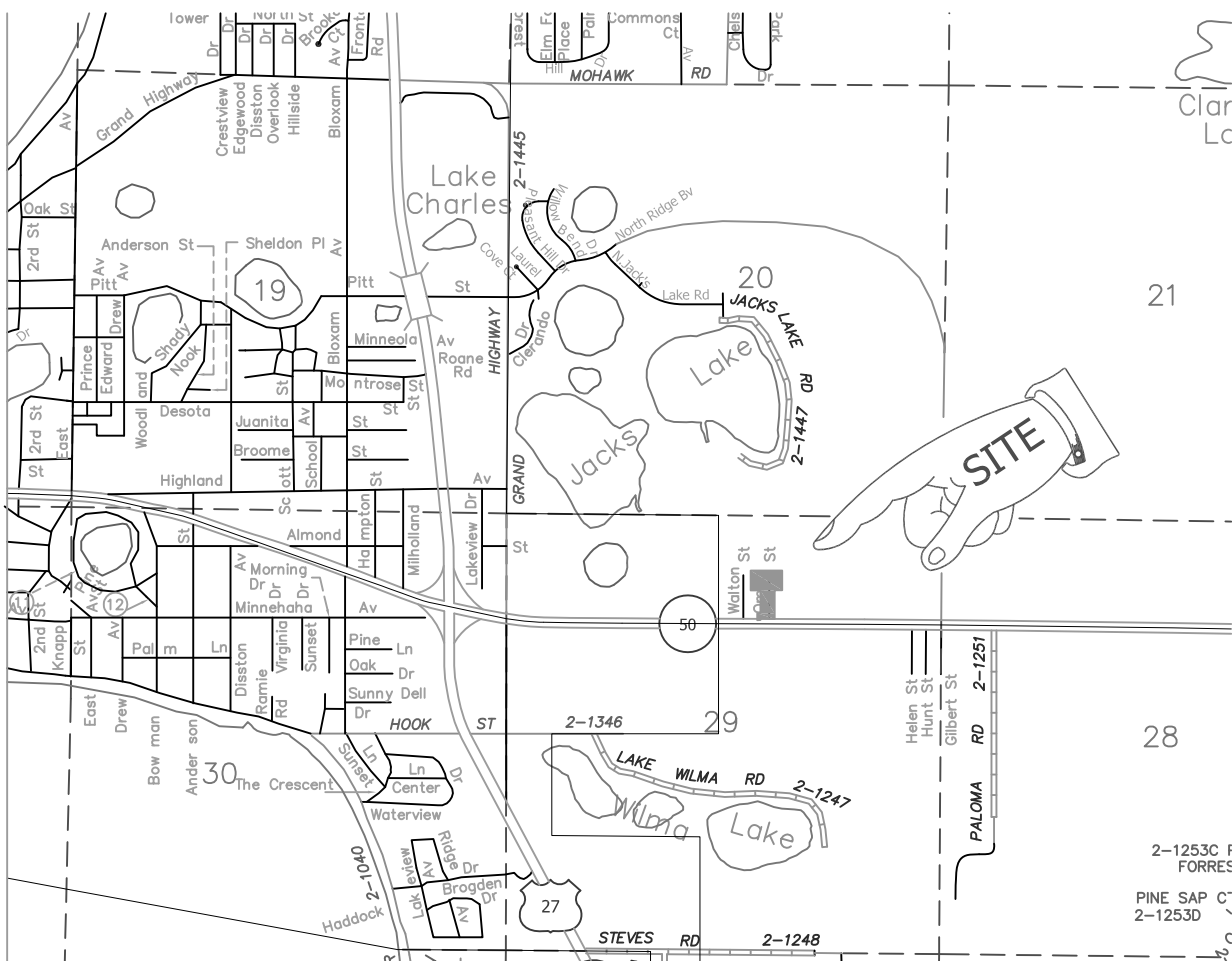


PUD

UE

C2

RP



Location Map
no scale

Owner:
Edward P Jordan II and Debra L Jordan, Trustee
8812 Lake Glona Ct.
Clermont, Florida 34711

Notes:

Total acreage: 3.28 acres+/- (142,877 square feet+/-)
Zoning of parcel: Lake County A/RP, Clermont R-3
Proposed Zoning: City of Clermont C-2
Adjacent Zoning:

North - Clermont PUD
South - Clermont C2
East - Clermont UE A
West - Clermont C2

Proposed Land Use: Mixed Use Commercial Development
Proposed Use: Mixed use commercial/office 19,000 SF
100 year flood elevation: NA

Wetland acreage: NA
Open Space: 0.66 acres - 20%

Notes:

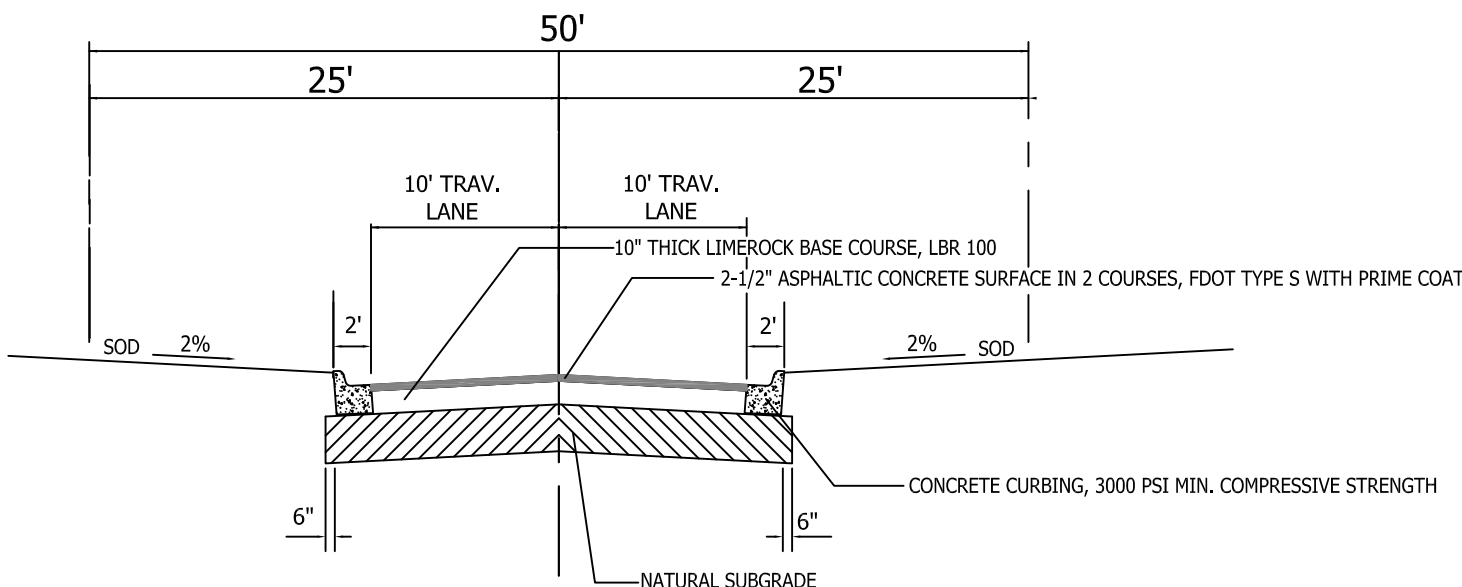
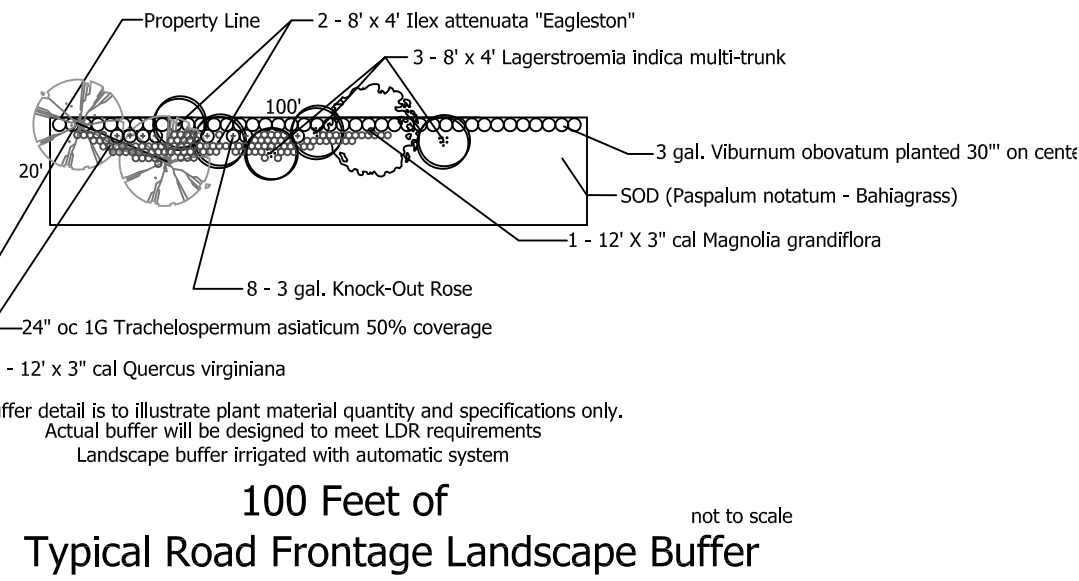
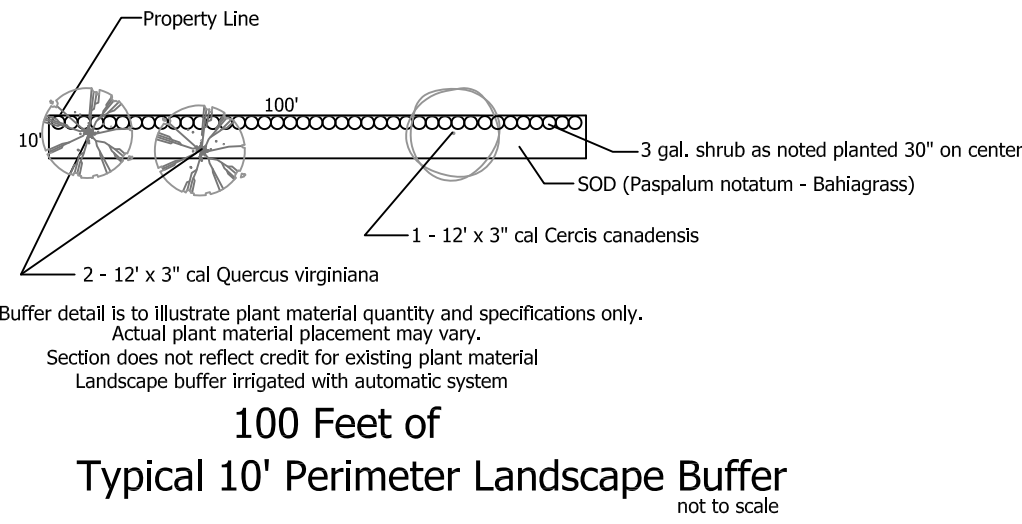
- * This plan is conceptual in nature and is subject to change due to engineering and other influences*
- * Maximum commercial FAR .25
- * Maximum commercial ISR .8
- * Proposed ISR .5
- * Maximum allowable building height 55'
- * Commercial building setbacks:
 - From Arterial Road - 50'
 - Front - 25'
 - Rear - 25'
 - Side - 12' (a total of 24' between buildings)
 - Street Side - 25'
- * Buffers:
 - North - 20'
 - South - 20'
 - East - 10'
 - West - 10'
- * Utilities, water, sewer and fire protection will be provided by City of Clermont
- * Stormwater mangement will be through a system of swales and retention ponds as required.
- * Existing vegetation to be utilized in landscape buffers wherever possible.
- * Project to be constructed in multiple phases
- * Parking - 1 space per 200 sf.
- * Parking spaces required - 95
- * Parking spaces provided - 95
- * All permitted C-2 uses allowed

Legal Description:

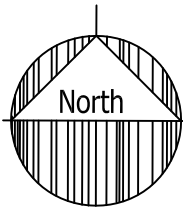
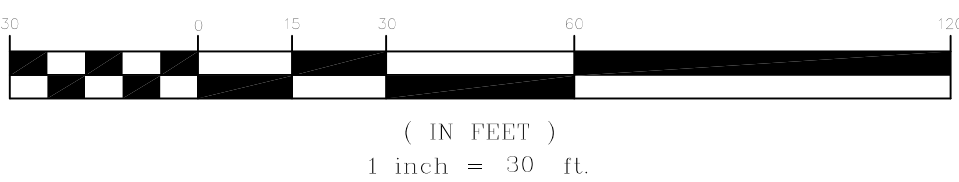
Lots 4 through 7, less South 42 feet thereof, Walton Subdivision according to the map or plat thereof, as recorded in Plat Book 8, Page 5, Public Records of Lake County, Florida, less and except that portion of fee simple right of way described in OR Book 657, Page 473, Public Records of Lake County, Florida, less road right of way.

AND

Lots 49 through 54, Lots 62 through 67, and Lots 75 through 80, Walton Subdivision according to the map or plat thereof, as recorded in Plat Book 8, Page 5, Public Records of Lake County, Florida.



April 25, 2018
GRAPHIC SCALE



Conceptual Development Plan

Jordan Property

Clermont, Florida

Urban & Regional Planners, Inc.
1162 CAMP AVENUE - MT. DORA, FL 32757
(352)385-1940 / FAX (352)383-4824

File: 1698-1 Jordon Concept 04-25-2018.dwg

1 of 1



**CITY OF CLERMONT
REZONING
FILING INSTRUCTIONS**

Any person requesting a Rezoning shall file a complete application and pay a fee as established by resolution of the City Council in the Development Services Department on or before the 1st day of the month; Complete applications may then be scheduled for Public Hearings the following month - on the 1st Tuesday (Planning & Zoning Commission), 2nd Tuesday (City Council first reading only) and 4th Tuesday (City Council adoption). All applications must be complete, and include applicable site plans and/or pertinent descriptive materials in order to be processed. Dependent upon the scope and/or magnitude of a particular project, scheduling of one or more City Council workshop(s) may also be necessary and additional time may be required prior to being scheduled for public hearings.

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

The Applicant shall provide the following information with this application:

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



CITY OF CLERMONT
REZONING
APPLICATION

DATE: April 16, 2018

FEE: \$542.⁰⁰
+ cost of advertisement

PROJECT NAME (if applicable): Edward Jordan

APPLICANT: Greg Beliveau, LPG Urban & Regional Planners, Inc.

CONTACT PERSON: Greg Beliveau

Address: 1162 Camp Ave.

City: Mount Dora State: FL Zip: 32757

Phone: 352-385-1940 Fax: 352-383-4824

E-Mail: Gregb@lpgurp.com

OWNER: Edward Jordan, Trustee and Debra Jordan, Trustee

Address: 1460 E Highway 50

City: Clermont State: FL Zip: 34711-3201

Phone: 352-394-1000 Fax: 352-394-2999

Address of Subject Property: 13836 Omar Street

Legal Description (include copy of survey): See Attached

Acreage: 3.28 +/- Land Use: Commercial
(City verification required)

Present Zoning: Ag and R-3 Proposed Zoning: C-2
(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?

An annexation and small scale comp plan amendment has been filed simultaneously with this application.
In order to comply with the comprehensive plan a rezoning is required. The subject site is within an existing area
of commercial development and the proposed rezoning would be consistent with the comprehensive plan and the
general area.

Greg Beliveau
Applicant Name (print)

x [Signature]
Applicant Name (signature)

Edward Jordan
Owner Name (print)

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

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: 10076890
Phone: (352) 241-7331
Date: 05/15/18
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	05/29/2018	06/12/2018	\$264.04

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. 2018-24

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

North and Northwest of the intersection of SR 50 and Omar Street Alternate Keys 1695813, 1695872, 1695881, 1695899, 1695911, 2587199, and 2691280

LEGAL DESCRIPTION

Lots 4 through 7, less South 42 feet thereof, Walton Subdivision according to the map or plat thereof, as recorded in Plat Book 8, Page 5, Public Records of Lake County, Florida, less and except that portion of fee simple right of way described in OR Book 657, Page 473, Public Records of Lake County, Florida, less road right of way.

AND

Lots 49 through 54, Lots 62 through 67, and Lots 75 through 80, Walton Subdivision according to the map or plat thereof, as recorded in Plat Book 8, Page 5, Public Records of Lake County, Florida.
Containing a total of 3.28 Acres, more or less.

FROM: Lake County Agriculture and City R-3 Residential/Professional District

TO: City C-2 General Commercial

This request will be considered by the Planning & Zoning Commission on Tuesday, June 5, 2018 at 6:30 p.m. A public meeting to consider the request will be held before the City Council on Tuesday, June 12, 2018 at 6:30 p.m. for Introduction and on Tuesday, June 26, 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) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10076890
May 29, 2018 &
June 12, 2018

Payment Info	
Ad Price	\$264.04
Tax	\$0.00
Sub Total	\$264.04
Prepaid Amount	\$0.00
Balance Due	\$264.04



CITY OF CLERMONT
ORDINANCE NO. 2018-21

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 122 ZONING, SECTION 122-243 “PERMITTED USES”, SECTION 122-245 “LOT AND HEIGHT REQUIREMENTS”, SECTION 122-246 “YARDS”, PROVIDING FOR CODIFICATION; SEVERABILITY; EFFECTIVE DATE; AND PUBLICATION.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on June 5, 2018 and following such hearing found this Ordinance to be in the best interest of the City of Clermont, and recommended that the City Council adopt this Ordinance; and

WHEREAS, the City Council of the City of Clermont desires to amend Chapter 122 Zoning, Section 122-243 Permitted Uses; Section 122-245 Lot and Height Requirements; and Section 122-246 Yards; of the City of Clermont’s Code of Ordinances;

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

SECTION 1.

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

SECTION 2.

The Land Development Code of the City of Clermont Code of Ordinances is hereby amended to read as follows:

Section 122-243 Permitted uses

(a) *Generally.* Permitted uses in the central business district are as follows:

- (1) Retail businesses which supply commodities on the premises, such as but not limited to groceries, baked goods or other foods, drugs, dry goods, clothing, decorations, hardware, furniture, appliances, sporting goods, flowers, etc.
- (2) Personal service establishments, such as but not limited to beauty shops or barbershops, tailor or dressmaking shops, shoe repair, music, dancing and photographic studios and dry cleaners. Permanent makeup service may be allowed as an accessory use (with a business tax receipt, and with medical supervision) within an existing salon, beauty shop, barber shop, medical office, or similar use. Such service shall be limited to the face area and would consist of cosmetic permanent makeup for eyeliner, eyebrow and mouth/lip liner definition.



CITY OF CLERMONT
ORDINANCE NO. 2018-21

- (3) Professional offices, doctors' offices, banks and loan companies (excluding drive-through facilities except with a conditional use permit), insurance and real estate offices and similar businesses.
- (4) Dwelling units, single-family and two-family, permitted in the R-2 district, and other residential uses as permitted in the R-3 district.
- (5) Buildings, structures and uses maintained or operated by the city.
- (6) Lodges and clubs.
- (7) Restaurants less than 3,000 square feet.
- (b) *Floor space.* Any business establishment or structure proposing to occupy 3,000 square feet of total floor space or more shall require application for a conditional use permit.
- (c) *Uses to be enclosed, outdoor storage.* All uses must be within a completely enclosed building, except for outdoor storage, which must receive site plan approval and be screened from public streets and adjacent property.
- (d) *Sidewalk use.* Business establishments may utilize outside private or public sidewalk area for patron use to include non-fastened small tables and chairs, or benches during business hours only. Compact outside display areas may also be utilized provided the display has a maximum width of 25 percent of a retail store width or ten feet in width, whichever is less, four feet in depth, and six feet in height. Businesses which utilize this type of sidewalk use shall maintain at least a four-foot wide open area for passage from one property to the next, from the inside of any curb toward the business front, and in accordance with the Americans with Disabilities Act. Where such four-foot open space is not available, table and chairs or displays shall not be allowed. All such uses shall be approved by the city manager or his designee.

(Code 1998, § 122-243; Ord. No. 281-C, § 1(ch. 7), 11-8-1994; Ord. No. 299-C, § 2, 6-27-2000; Ord. No. 355-C, § 122-243, 10-23-2007; Ord. No. 2010-05-C, § 2, 3-23-2010; Ord. No. [2014-24](#), § 2, 9-23-2014)

Section 122-245 Lot and height requirements

Lot and height requirements for the CBD district are as follows:

- (1) *Impervious surface coverage and floor area ratio.* The maximum is 100 percent for commercial, provided requirements for stormwater retention can be satisfied. For single family and two-family residential the maximum is 80 percent.
- (2) *Stormwater abatement requirements.*
 - a. Except as otherwise provided in this section, each structure and land use located within the designated central business district shall provide or be provided with a stormwater abatement system in conformance with level of service standards as provided in the adopted city comprehensive plan. In lieu of providing all of the required stormwater abatement system, development within the central business district may substitute for provision of such a system by payment of a one-time stormwater abatement fee as set forth by resolution of the City Council and on file



CITY OF CLERMONT
ORDINANCE NO. 2018-21

in the City Clerk's office. Such fee shall be payable in full to the City prior to the issuance of any development permit for the site. An approved site plan, data and calculations shall be provided which shall indicate the entire volume of stormwater that is required to be retained and shall indicate the volume of stormwater that will be exchanged for the central business district stormwater abatement fee.

- b. Reservation of stormwater retention area capacity shall be considered effective for a period of one year from the date of receipt of the stormwater abatement fee. One extension, not to exceed 180 days, may be granted upon written approval of the administrative official. Such approval shall be based upon a finding of fact that substantial construction of the project has commenced, and that a certificate of occupancy can be reasonably expected to occur within the 180-day extension period.
 - c. Required stormwater abatement systems shall be located on the same parcel as the use they are intended to serve, except those exchanged for the central business district stormwater abatement fee. A stormwater abatement plan, including data and calculations signed and sealed by a professional engineer licensed in the state, shall be provided with all applications for individual development approval. All stormwater abatement systems shall be designed and constructed in accordance with the City's adopted engineering standards and criteria established in chapter 94, article V, division 3.
- (3) *Height.* Maximum height of 55 feet shall be allowable for the finished height of all buildings or structures, including architectural features. The height limitations of this chapter shall also apply to church spires, belfries, cupolas and domes not intended for human occupancy and may be a maximum of 55 feet in height. Facilities owned by the city are exempt from the height regulations. Accessory structures shall not exceed the height of the dwelling unit or twenty-five (25) feet, whichever is greater.
- (4) *Lot width.* The minimum lot width for a single-family dwelling unit and other residential uses shall be 40 feet located on a publicly maintained street. Residential lots less than 50 feet in width will be required to have rear-loaded garages instead of front loaded garages, if applicable.
- (5) *Lot Size.* The minimum lot size for single family and two family units shall be 3,500 square feet per dwelling unit.

(Code 1998, § 122-245; Ord. No. 281-C, § 1(ch. 7), 11-8-1994; Ord. No. 287-C, § II, 5-26-1998; Ord. No. 355-C, § 122-245, 10-23-2007)

Section 122-246 Yards

Minimum yard requirements for the CBD district are as follows:

- (1) *Front yard.* The minimum front yard setback for single-family and two-family dwelling units on all streets shall be 20 feet.
- (2) *Side yard.* The minimum side yard setback for single-family and two-family dwelling units shall be 5 feet, except on corner lots, where 15 feet shall be required on all sides adjacent to any road rights-of-way.



CITY OF CLERMONT
ORDINANCE NO. 2018-21

- (3) *Rear yard.* The minimum rear yard setback for single-family and two-family dwelling units shall be 10 feet.
- (4) Commercial uses and commercial built structures shall be allowed a zero foot building setback.
- (5) *Other setbacks.* The building line for any lakefront property shall be measured from the established 100-year floodplain elevation as determined from national flood insurance rate maps (FIRM) of the Federal Emergency Management Agency (FEMA).
- (6) *Roof projections.* Properties located within the central business district may have roof projections (eaves) extending over public rights-of-way. However, such roof projections shall not be less than eight feet above ground level or the finished first floor elevation, whichever is greater, and shall not extend more than eight feet over the public right-of-way, or two feet from the back of the curb, whichever is less. Nothing in this subsection shall be construed to allow roof projections over public streets, alleys or parking areas which would inhibit or impair the free flow of traffic.
- (7) *Accessory Structure setbacks.* Accessory structures such as garages, sheds, or covered patios within the CBD district shall be allowed a building setback of 3 feet for side and rear property lines, and must be located behind the primary front building setback. Accessory structures that are part of a phased development may share a common wall with a zero setback on the side yard. If the accessory structure is constructed with a common wall, use of the accessory structure shall not be permitted until the primary structure is completed. Accessory Structures for residential uses shall have a maximum square footage of 50% of the heated and cooled area of the primary residential structure.
- (8) Residential driveways within the CBD district shall be allowed a 3-foot setback from the side and rear setback line.

(Code 1998, § 122-246; Ord. No. 281-C, § 1(ch. 7), 11-8-1994)



CITY OF CLERMONT
ORDINANCE NO. 2018-21

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 26th day of June, 2018.

CITY OF CLERMONT

Gail Ash., Mayor

ATTEST:

Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



CITY OF CLERMONT
ORDINANCE NO. 2018-21

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 122 ZONING, SECTION 122-243 “PERMITTED USES”, SECTION 122-245 “LOT AND HEIGHT REQUIREMENTS”, SECTION 122-246 “YARDS”, PROVIDING FOR CODIFICATION; SEVERABILITY; EFFECTIVE DATE; AND PUBLICATION.

WHEREAS, pursuant to the provisions of Chapter 163, Florida Statutes, the City of Clermont Planning and Zoning Commission, acting as the Local Planning Agency of the City, has held a public hearing on June 5, 2018 and following such hearing found this Ordinance to be in the best interest of the City of Clermont, and recommended that the City Council adopt this Ordinance; and

WHEREAS, the City Council of the City of Clermont desires to amend Chapter 122 Zoning, Section 122-243 Permitted Uses; Section 122-245 Lot and Height Requirements; and Section 122-246 Yards; of the City of Clermont’s Code of Ordinances;

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

SECTION 1.

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

SECTION 2.

The Land Development Code of the City of Clermont Code of Ordinances is hereby amended to read as follows:

Section 122-243 Permitted uses

(a) *Generally.* Permitted uses in the central business district are as follows:

- (1) Retail businesses which supply commodities on the premises, such as but not limited to groceries, baked goods or other foods, drugs, dry goods, clothing, decorations, hardware, furniture, appliances, sporting goods, flowers, etc.
- (2) Personal service establishments, such as but not limited to beauty shops or barbershops, tailor or dressmaking shops, shoe repair, music, dancing and photographic studios and dry cleaners. Permanent makeup service may be allowed as an accessory use (with a business tax receipt, and with medical supervision) within an existing salon, beauty shop, barber shop, medical office, or similar use. Such service shall be limited to the face area and would consist of cosmetic permanent makeup for eyeliner, eyebrow and mouth/lip liner definition.



CITY OF CLERMONT
ORDINANCE NO. 2018-21

- (3) Professional offices, doctors' offices, banks and loan companies (excluding drive-through facilities except with a conditional use permit), insurance and real estate offices and similar businesses.
- (4) Dwelling units, single-family and two-family, permitted in the R-2 district, and other residential uses as permitted in the R-3 district, **provided that lot size and coverage regulations of the respective district can be accommodated and the lot width of this district is met.**
- (5) Buildings, structures and uses maintained or operated by the city.
- (6) Lodges and clubs.
- (7) Restaurants less than 3,000 square feet.
- (b) *Floor space.* Any business establishment or structure proposing to occupy 3,000 square feet of total floor space or more shall require application for a conditional use permit.
- (c) *Uses to be enclosed, outdoor storage.* All uses must be within a completely enclosed building, except for outdoor storage, which must receive site plan approval and be screened from public streets and adjacent property.
- (d) *Sidewalk use.* Business establishments may utilize outside private or public sidewalk area for patron use to include non-fastened small tables and chairs, or benches during business hours only. Compact outside display areas may also be utilized provided the display has a maximum width of 25 percent of a retail store width or ten feet in width, whichever is less, four feet in depth, and six feet in height. Businesses which utilize this type of sidewalk use shall maintain at least a four-foot wide open area for passage from one property to the next, from the inside of any curb toward the business front, and in accordance with the Americans with Disabilities Act. Where such four-foot open space is not available, table and chairs or displays shall not be allowed. All such uses shall be approved by the city manager or his designee.

(Code 1998, § 122-243; Ord. No. 281-C, § 1(ch. 7), 11-8-1994; Ord. No. 299-C, § 2, 6-27-2000; Ord. No. 355-C, § 122-243, 10-23-2007; Ord. No. 2010-05-C, § 2, 3-23-2010; Ord. No. [2014-24](#), § 2, 9-23-2014)

Section 122-245 Lot and height requirements

Lot and height requirements for the CBD district are as follows:

- (1) *Impervious surface coverage and floor area ratio.* The maximum is 100 percent **for commercial**, provided requirements for stormwater retention can be satisfied. **For single family and two-family residential the maximum is 80 percent.**
- (2) *Stormwater abatement requirements.*
 - a. Except as otherwise provided in this section, each structure and land use located within the designated central business district shall provide or be provided with a stormwater abatement system in conformance with level of service standards as provided in the adopted city comprehensive plan. In lieu of providing all of the required stormwater abatement system, development within the central business



CITY OF CLERMONT
ORDINANCE NO. 2018-21

district may substitute for provision of such a system by payment of a one-time stormwater abatement fee as set forth by resolution of the City Council and on file in the City Clerk's office. Such fee shall be payable in full to the City prior to the issuance of any development permit for the site. An approved site plan, data and calculations shall be provided which shall indicate the entire volume of stormwater that is required to be retained and shall indicate the volume of stormwater that will be exchanged for the central business district stormwater abatement fee.

- b. Reservation of stormwater retention area capacity shall be considered effective for a period of one year from the date of receipt of the stormwater abatement fee. One extension, not to exceed 180 days, may be granted upon written approval of the administrative official. Such approval shall be based upon a finding of fact that substantial construction of the project has commenced, and that a certificate of occupancy can be reasonably expected to occur within the 180-day extension period.
 - c. Required stormwater abatement systems shall be located on the same parcel as the use they are intended to serve, except those exchanged for the central business district stormwater abatement fee. A stormwater abatement plan, including data and calculations signed and sealed by a professional engineer licensed in the state, shall be provided with all applications for individual development approval. All stormwater abatement systems shall be designed and constructed in accordance with the City's adopted engineering standards and criteria established in chapter 94, article V, division 3.
- (3) *Height.* Maximum height of 55 feet shall be allowable for the finished height of all buildings or structures, including architectural features. The height limitations of this chapter shall also apply to church spires, belfries, cupolas and domes not intended for human occupancy and may be a maximum of 55 feet in height. Facilities owned by the city are exempt from the height regulations. Accessory structures shall not exceed the height of the dwelling unit or twenty-five (25) feet, whichever is greater.
- (4) *Lot width.* The minimum lot width for a single-family dwelling unit and other residential uses shall be 400 40 feet located on a publicly maintained street. Residential lots less than 50 feet in width will be required to have rear-loaded garages instead of front loaded garages, if applicable.
- (5) *Lot Size.* The minimum lot size for single family and two family units shall be 3,500 square feet per dwelling unit.

(Code 1998, § 122-245; Ord. No. 281-C, § 1(ch. 7), 11-8-1994; Ord. No. 287-C, § II, 5-26-1998; Ord. No. 355-C, § 122-245, 10-23-2007)

Section 122-246 Yards

Minimum yard requirements for the CBD district are as follows:

- (1) *Front yard.* The minimum front yard setback for single-family and two-family dwelling units on all streets shall be 25 20 feet. The minimum front yard setback for other residential uses and nonresidential uses shall be zero feet.



CITY OF CLERMONT
ORDINANCE NO. 2018-21

- (2) *Side yard.* The minimum side yard setback for single-family and two-family dwelling units shall be ~~7½~~ **5** feet, except on corner lots, where ~~25~~ **15** feet shall be required on all sides adjacent to any road rights-of-way. ~~The minimum side yard for other residential uses and nonresidential uses shall be zero feet.~~
- (3) *Rear yard.* The minimum rear yard setback for single-family and two-family dwelling units shall be ~~25~~ **10** feet. ~~The minimum rear yard setback for other residential uses and nonresidential uses shall be zero feet.~~
- (4) **Commercial uses and commercial built structures shall be allowed a zero foot building setback.**
- (5) *Other setbacks.* The building line for any lakefront property shall be measured from the established 100-year floodplain elevation as determined from national flood insurance rate maps (FIRM) of the Federal Emergency Management Agency (FEMA).
- (6) *Roof projections.* Properties located within the central business district may have roof projections (eaves) extending over public rights-of-way. However, such roof projections shall not be less than eight feet above ground level or the finished first floor elevation, whichever is greater, and shall not extend more than eight feet over the public right-of-way, or two feet from the back of the curb, whichever is less. Nothing in this subsection shall be construed to allow roof projections over public streets, alleys or parking areas which would inhibit or impair the free flow of traffic.
- (7) ***Accessory Structure setbacks.* Accessory structures such as garages, sheds, or covered patios within the CBD district shall be allowed a building setback of 3 feet for side and rear property lines, and must be located behind the primary front building setback. Accessory structures that are part of a phased development may share a common wall with a zero setback on the side yard. If the accessory structure is constructed with a common wall, use of the accessory structure shall not be permitted until the primary structure is completed. Accessory Structures for residential uses shall have a maximum square footage of 50% of the heated and cooled area of the primary residential structure.**
- (8) **Residential driveways within the CBD district shall be allowed a 3 foot setback from the side and rear setback line.**

(Code 1998, § 122-246; Ord. No. 281-C, § 1(ch. 7), 11-8-1994)



CITY OF CLERMONT
ORDINANCE NO. 2018-21

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 26th day of June, 2018.

CITY OF CLERMONT

Gail Ash., Mayor

ATTEST:

Tracy Ackroyd, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney