



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

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

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

PRESENTATIONS

Life Saving and Civilian Recognition

PUBLIC COMMENTS

REPORTS

CONSENT AGENDA

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

Item No. 1 - Meeting Minutes

Consider approval of the June 12, 2018
Regular Council Meeting Minutes.

Item No. 2 - Easement

Consider easement access for Lake
Apopka Natural Gas to provide service to
two (2) downtown businesses.

NEW BUSINESS

Item No. 3 - No Parking Signs
Southern Villas

Installing No-Parking signs in Southern
Villas

Item No. 4 - Variance Request
Nelson

Consider request to allow a side yard
setback for a carport in the Central
Business District to be zero feet for
property located at 838 W. Montrose
Street.

Item No. 5 - Variance Request
Kinsey

Consider request to allow for a front yard
setback of 22 feet for property located at
1149 West Montrose Street.

Item No. 6 - Lien Reduction Request

Consider request for property located at
165 Carroll Street.

Item No. 7 - Utility Agreement
Florida Islamic Center

Consider Utility Services Agreement for
Water Services to construct a new house
of worship on Old Hwy 50.

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

Item No. 8 - Livestock Land Development
Regulations

Discussion to allow chickens as
livestock.

ADJOURN

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

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

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

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
June 12, 2018

The City Council met in a regular meeting on Tuesday, June 12, 2018 in the Clermont City Council Chambers. Mayor Ash called the meeting to order at 6:30pm with the following Council Members present: Council Members Brishke, Travis, Bates, and Goodgame. Other City officials present were City Manager Gray, City Attorney Mantzaris, and Deputy City Clerk Zinker.

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Carlos Aviles, Jr. gave the invocation followed by the Pledge of Allegiance.

PRESENTATIONS

East Avenue Complete Street Study

Economic Development Director Schmidt introduced Jamie Krimizkie of HDR Consultant who presented the East Avenue Complete Street Study. Mr. Krimizkie discussed the project's purpose, background, scope and schedule, as well as outreach opportunities. The first public meeting will be held on June 21, 2018. A second public meeting will occur once there are draft concepts available to present to the public. City Manager Gray clarified the first public meeting will take place at the Highlander building at Waterfront Park with notices going out in the mail on June 13, 2018.

Council Member Goodgame expressed concern regarding the curves in the street on East Avenue and speeding on the road. Mr. Krimizkie stated traffic calming solutions could be considered.

2018 Fiscal Year Quarterly Budget Report

Finance Director Van Zile provided highlights of the City of Clermont Quarterly Budget Report. He reviewed the top 10 revenues, major fund revenues, major fund expenditures, departmental expenditures, and master plan expenditures. The budget workshops will take place in the month of July.

PUBLIC COMMENTS

Dr. Robert Olsen, representative of Clermont Chain of Lakes Foundation, expressed concern with a lack of an open process for boat ramp relocation ideas and requested Council accept public input at the Workshop next week.

Sharon Kowalski, 368 Villa Court, expressed concern for the street in Southern Villas neighborhood with parking in the road way resulting in the clogging of the road and causing issues with emergency vehicles as well as trash pick-up. On April 10, 2017, a neighborhood meeting was held where officers Colon and Rogers were present on behalf of the City. On April 27, there was an HOA meeting with Officer Colon and Rogers where a survey was recommended. The HOA conducted the survey and received 33 responses. The results were forwarded to the Police Department on September 30, 2017, but no response was received. Ms. Kowalski brought the issue up to Council on February 13, 2018 requesting approval of the installation of the signs. City Manager Gray stated the matter will be brought to Council on the first meeting in July.

Jim Johnson, 630 W. Highway 50, expressed concern with the fire inspection fee and with delayed billing.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
June 12, 2018

Daniel Santuchi, 1421 16th Street, conveyed interest in having hens within City limits without having residents go through the permitting process and would like to bring the matter to Council. City Manager Gray stated Council could discuss the matter at a future Council Workshop.

REPORTS

City Manager Gray requested Item 6 under the Consent Agenda be pulled in order for the item to be rebid and for item 9 to be tabled to August 14, 2018.

Item No. 9 – Resolution 2018-14R, *King’s Car Wash, Table to August 14, 2018*

Deputy City Clerk Zinker read Resolution 2018-14R aloud by title only.

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.

Council Member Bates moved to table Resolution 2018-14R to August 14, 2018; seconded by Council Member Goodgame. The motion passed with all members present voting aye.

City Manager Gray requested items 11 and 12 be tabled to June 26, 2018.

Item No. 11 – Resolution No. 2018-16R, *Kings Crossing*

Deputy City Clerk Zinker read Resolution No. 2018-16R aloud by title only.

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.

Item No. 12 – Variance Request, *Kings Crossing*

Council Member Goodgame moved to table Resolution 2018-16R and the Variance Request to June 26, 2018; seconded by Council Member Bates. The motion passed with all members present voting aye.

City Manager Gray reported updated information regarding Minnehaha Avenue will be brought to the Council at the meeting on July 10, 2018. There will be a workshop next Tuesday in regards to the boat ramp concept and budget information for the budget workshops which take place in July. The Budget Workshops are scheduled for July 17 and 18.

City Attorney Mantzaris – No report.

Council Member Bates – No report.

Council Member Goodgame – No report.

Council Member Brishke – No report.

City of Clermont
MINUTES
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June 12, 2018

Council Member Travis – No report.

Mayor Ash reported on May 23, she went to the track at the National Training Center to see Pure Athletics Program in action. The local youth received training in track by an Olympic relay medal winner, David Verburg. College women were also on the field practicing for the upcoming PFX sponsored softball championship. On May 24, Mayor Ash attended the Old Bag Auction at the City Center where the proceeds went to benefit the Quality of Life Foundation. On May 26, Mayor Ash was at Legends Field for the opening of the National Association of Intercollegiate Athletics Tournament. On May 28, observances were held at the waterfront pavilion. The championship game for the National Association Intercollegiate Athletics was held at Legends Field on May 31. Mayor Ash stated it is an extreme honor to serve as Mayor of Clermont and that she will be running for re-election.

CONSENT AGENDA

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

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| Item No. 1 – Meeting Minutes | Consider approval of the May 22, 2018 Regular Council Meeting Minutes. |
| Item No. 2 – Plat Approval | Consider plat approval of the South Lake Medical Arts Center (SLMAC). |
| Item No. 3 – Surplus Request | Consider approval to declare end of life inventory as surplus from various departments and dispose of in accordance with the Purchasing Policy. |
| Item No. 4 – Bid Award and Budget Amendment | Consider awarding bid to Guardian Fueling Technologies, LLC. to provide replacement of fuel dispenser and monitoring system in the amount of \$58,644.53 and a budget amendment. |
| Item No. 5 – Bid Award | Consider awarding bid to TFR Enterprises, Inc., Ceres Environmental Services, Inc., and KDF Enterprises, LLC. to provide emergency vegetative debris removal services. |
| Item No. 6 – Bid Award and Budget Amendment | Consider awarding bid to contractor for the removal of a burned down single family residence in Kings Ridge and budget amendment. |
| Item No. 7 – Appointments for CDBG application | Consider appointing members to the Citizens Advisory Task Force (CATF) for the Community Development Block Grant. |
| Item No. 8 – Resolution No. 2018-20R | Consider approval of updated Building Services and Fire Review Inspection Services fees. |

City of Clermont
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REGULAR COUNCIL MEETING
June 12, 2018

Jim Purvis requested item 6 be pulled.

Council Member Bates moved to approve Consent Agenda Items 1, 2, 3, 4, 5, 7 and 8; seconded by Council Member Goodgame. The motion passed with all members present voting aye.

Jim Purvis, 4206 Hammersmith Drive, requested the Council to approve a not to exceed amount for item 6 so City Manager Gray can move forward once the bid comes in without bringing the item back to Council.

City Attorney Mantzaris stated the item is not a budgeted item and would have to return to Council for a budget amendment. However, research could be done to find if there is a way for City Manager Gray to proceed with the item without returning to Council.

NEW BUSINESS

Item No. 10 – Resolution 2018-15R, 242-244 E. Highland Avenue

Deputy City Clerk Zinker read Resolution 2018-15R aloud by title only.

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.

Development Services Director Henschel presented the request to amend a Conditional Use Permit to allow a medical and dental professional office use in R-3 Residential/Professional zoning district. The medical and dental office use provides a minimum traffic impact and will not require any additional parking as there are 9 spaces on site to cover the 1,800 square foot building. The proposed request does comply with the intent of the land development code and comprehensive plan. Therefore, staff recommended approval of the request.

Paul Fallman, applicant, was present to answer any questions.

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

Council Member Goodgame moved to approve item 10; seconded by Council Member Bates. The motion passed with all members present voting aye.

Item No. 13 – Ordinance No. 2018-21, Introduction, Central Business District

Deputy City Clerk Zinker read Ordinance No. 2018-21 aloud by title only.

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.

Council Member Goodgame moved to introduce Ordinance No. 2018-21; seconded by Council Member Bates. The motion passed with all members present voting aye.

City of Clermont
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Item No. 14 – Ordinance No. 2018-22, *Introduction, Jordan Annexation*

Deputy City Clerk Zinker read Ordinance No. 2018-22 aloud by title only.

An Ordinance of the City Council of the City of Clermont, Lake County, Florida, providing for the annexation of a certain parcel of land contiguous to the present City boundaries; providing for an effective date, severability, recording, and publication.

Council Member Goodgame moved to introduce Ordinance No. 2018-22; seconded by Council Member Bates. The motion passed with all members present voting aye.

Item No. 15 – Ordinance No. 2018-23, *Introduction, Jordan Annexation*

Deputy City Clerk Zinker read Ordinance No. 2018-23 aloud by title only.

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.

Council Member Goodgame moved to introduce Ordinance No. 2018-23; seconded by Council Member Bates. The motion passed with all members present voting aye.

Item No. 16 – Ordinance No. 2018-24, *Introduction, Jordan Rezoning*

Deputy City Clerk Zinker read Ordinance No. 2018-24 aloud by title only.

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

Council Member Goodgame moved to introduce Ordinance No. 2018-24; seconded by Council Member Bates. The motion passed with all members present voting aye.

Item No. 17 – Ordinance No. 2018-25, *Introduction, Victory Pointe Condominiums Rezoning*

Deputy City Clerk Zinker read Ordinance No. 2018-25 aloud by title only.

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

Council Member Goodgame moved to introduce Ordinance No. 2018-25; seconded by Council Member Bates. The motion passed with all members present voting aye.

City of Clermont
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June 12, 2018

ADJOURN: With no further comments, this meeting adjourned at 7:24 pm.

APPROVED:

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date			
Tuesday, July 10, 2018			
Agenda Item Name			
Easement			
Requested Action			
Staff Report			
At the request of two (2) downtown business owners, Corelli's Pantry and upcoming Bourbon and Wine Bar both located on Montrose Street, Lake Apopka Natural Gas is seeking easement permission to run a 2-inch line to provide the businesses natural gas. The line will run through current city property, which serves to provide parking along Minneola Ave.			
Additional Analysis			
Fiscal Impact Summary			
No fiscal impact.			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
Exhibits Attached (copies of original agreements)			
1.	LANG City of Clermont Easement W Montrose St r061318	LANG City of Clermont Easement W Montrose St r061318.pdf	

Record and Return to: Lake Apopka Natural Gas District 1320 Winter Garden-Vineland Road Winter Garden, Florida 34787	THIS INSTRUMENT WAS PREPARED FROM INFORMATION FURNISHED BY ITS PARTIES. TITLE RESEARCH OR OTHER ASSURANCE OF TITLE WAS NEITHER REQUESTED FROM NOR PERFORMED.
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NON-EXCLUSIVE UTILITY EASEMENT

THIS GRANT OF A NON-EXCLUSIVE UTILITY EASEMENT is made and entered into this _____ day of _____, 2018, by the CITY OF CLERMONT, a Florida municipal corporation, whose address is 685 West Montrose Street, Clermont, Florida 34711 (“Grantor”), in favor of Lake Apopka Natural Gas District, a public body corporate organized and existing under the laws of the State of Florida, whose principal address is 1320 Winter Garden- Vineland Road (CR-535), Winter Garden, Florida, 34787, its successors and assigns (“Grantee”) (The terms “Grantor” and “Grantee” include the singular or the plural as the context requires).

Background. Grantor is the owner of certain real property situate in Lake County, Florida, which is more particularly described in **Exhibit “A”** attached hereto and made a part hereof by this reference (the “Grantor’s Real Property”). Grantor desires to obtain natural gas service from Grantee, and, for that purpose, Grantor grants to Grantee this Non-Exclusive Utility Easement in, under and across certain real property (hereinafter referred to as the “Easement Area”), more particularly described as follows:

See attached Exhibit “B”

The Sketch of Description depicting the Easement Area is attached hereto and incorporated herein as **Exhibit “B”**. The width of the Easement Area shall be Six (6’) on either side of the line as installed, for a total of Twelve Feet (12’). Grantee desires to obtain a perpetual, non-exclusive utility easement for the construction, maintenance and repair of utilities, together with ingress and egress under and across the Easement Area, and Grantor is willing to grant Grantee this utility easement for said purposes, subject to the terms and conditions set forth below:

Grant of Easement. In consideration of the covenants and obligations set forth herein and the sum of Ten and no/100 Dollars (\$10.00) paid by Grantee to Grantor, the receipt of which is hereby acknowledged, Grantor hereby grants, conveys and transfers unto Grantee, its successors and assigns, a perpetual, non-exclusive utility easement for the construction, maintenance and repair of underground utilities and above ground meter and meter set, together with ingress and egress in, upon, over, under and across the Easement Area, more particularly described in Exhibit “B”, attached hereto and incorporated herein, for the construction, installation, replacement, operation, maintenance or repair work related to Grantee’s natural gas pipelines and appurtenant facilities (the “Facilities”).

Use By Grantor.

(a). Grantor reserves the right and privilege to use the Easement Area in common with the Grantee for the limited purposes herein granted.

(b). Grantor agrees not to place permanent structures in the Easement Area.

(c). Grantor shall have the right to require the Easement Area be relocated. If instructed, Grantee shall, within sixty (60) days after receipt of written request from Grantor, relocate the Facilities to another mutually agreed upon location in Grantor's Parcel, provided that prior to the relocation of the Facilities: (1) Grantor pays to Grantee the full cost of the relocation of the Facilities; (2) Grantor shall execute and deliver to Grantee at no cost, a new easement in the same form as this easement; and (3) the Grantee shall execute such document or documents as Grantor may request to terminate and release the herein conveyed easement. Upon the completion of the relocation, the Easement herein shall be considered canceled as to the portion vacated by the relocation.

Maintenance. Grantor shall be responsible for maintaining the Easement Area pursuant to its normal/standard procedures. However, Grantee is responsible for repairing any damage whatsoever and of any nature caused directly or indirectly by Grantee, its employees, invitees, or agents, and restoring the Easement Area to no less than its condition and appearance immediately prior to construction, installation, replacement, maintenance or repair work. Grantee, further, agrees and acknowledges that Grantor is neither obligated to maintain the Easement Area in any particular condition, nor is Grantor obligated to repair any damage to the Easement Area, except damage caused by Grantor or Grantor's employees, invitees, or agents.

Indemnification of Grantor. Grantee and Grantor, to the extent provided and limited by Section 768.28, Florida Statutes, shall indemnify and hold harmless the other party, their successors and assigns from any claim, loss, liability, suit, demand or costs, including any attorneys fees incurred by indemnified party through trial and appellate level, on account of any injuries or damages received or sustained by any person or persons or property, arising out of, or occasioned by, the acts or omissions of a party in connection with the Facilities or the exercise of its rights to and in the Easement and/or Easement Area granted herein, unless the same shall be due to the sole negligence of the other party, its agents, employees or contractors, and provided that nothing herein is intended, nor shall anything herein be construed, to be a waiver of Grantee's sovereign immunity.

Insurance. Grantee shall maintain satisfactory insurance coverage (including without limitation, public liability coverage and contractual liability coverage and other coverages regularly maintained by companies in the business of constructing and operating natural gas transmission pipelines) for all risks associated with the easement granted in this Agreement.

Covenants Run with the Land. All rights, privileges, benefits and burdens created herein are covenants running with the land, and shall be binding upon and inuring to the benefit of Grantor, Grantee, and their respective assigns and successors in title. References to Grantor and Grantee shall include their respective successors in title.

Default. In the event of a default by either party hereunder and failure to cure such default within thirty (30) days after receipt of written notice thereof, the parties shall have all rights and remedies at law and equity including, without limitation, the rights to seek specific performance of the other party's obligations hereunder. The prevailing party shall be entitled to recover attorneys' fees and costs. Venue for any action shall be in Lake County, Florida.

Notice. Any written notice permitted or required shall be addressed to the intended recipient at its address set forth below. Either party may change the place for service of notice by sending to the other party a written notice in accordance herewith stating the change in such party's address. Notice shall be made by U.S. certified mail, return receipt requested, prepaid postage, or by courier service.

Grantor: City of Clermont
685 West Montrose Street
Clermont, Florida 34711

Grantee: Lake Apopka Natural Gas District
1320 Winter Garden-Vineland Road
Winter Garden, Florida 34787

Title. Grantor does hereby covenant that Grantor is lawfully seized and possessed of title to the Easement Area and that Grantor has good and lawful right to convey the easement granted in this Agreement. Grantor warrants that the Grantor's Real Property and the Easement Area are not the Grantor's homestead and are not adjacent to the Grantor's homestead. The Grantor is not a resident of the State of Florida.

Incidental Rights. Each of the rights and benefits granted herein shall include all those additional rights and benefits which are necessary for the full enjoyment thereof and are customarily included incidental thereto.

Individuals Benefited. The rights and privileges granted herein to Grantee and its successors in title may be used by and shall inure to the benefit of its officers, employees and agents.

Captions. The captions included herein are for reference only and should not be used in construing any of the terms hereof.

Governing Law. This Agreement shall be construed and enforced in accordance with the laws of the State of Florida.

Documentary Stamps. This easement is granted under the threat of a taking through the exercise by Grantee of its power of eminent domain and is therefore exempt from documentary stamp tax.

Counterparts. This easement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which, together, shall constitute one and the same instrument. Grantor's signature hereon shall evidence the prior approval, if required, of any

mortgagee on the Grantor's real property.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date first above stated.

TWO WITNESSES REQUIRED

Signed in the presence of:

WITNESS: _____

Print Name: _____

WITNESS: _____

Print Name: _____

GRANTOR:

CITY OF CLERMONT, a Florida
municipal corporation

By: _____

Print Name: _____

Title: _____

Date: _____

STATE OF _____

COUNTY OF _____

The forgoing instrument was acknowledged before me this ____ day of _____, 2018 by _____, who upon his/her oath deposed and said that he/she is the _____ of **CITY OF CLERMONT**, a Florida municipal corporation, and that he/she is vested with full and plenary authority to execute the above and foregoing NON-EXCLUSIVE UTILITY EASEMENT. _____ is personally appeared before me, is personally known to me or has produced _____ as identification.

Notary Public

Print Name: _____

My Commission Expires: _____

TWO WITNESSES REQUIRED

Signed in the presence of:

WITNESS: _____

Print Name: _____

WITNESS: _____

Print Name: _____

GRANTEE

LAKE APOPKA NATURAL GAS DISTRICT, a public body corporate organized and existing under the laws of the State of Florida

By: _____

Print Name: _____

Title: _____

Date: _____

STATE OF FLORIDA
COUNTY OF ORANGE

The forgoing instrument was acknowledged before me this ____ day of _____, 2018, by _____, who is the _____ of **LAKE APOPKA NATURAL GAS DISTRICT**, a public body corporate organized and existing under the laws of the State of Florida. _____ is personally known to me or has produced _____ as identification.

Notary Public

Print Name: _____

My Commission Expires: _____

NON-EXCLUSIVE UTILITY EASEMENT

EXHIBIT “A”

Legal Description of Grantor’s Property

752 and 732 West Montrose Street, Clermont, Florida 34711, consisting of 2 Parcel ID numbers, as follows:

Parcel Number 24-22-25-010008001201, Alternate Key number 1614503, with Legal Description being:

The West 20 feet of Lots 12 and Lot 13, together with East 33 feet of Lots 14 and Lot 15, East 20 feet of Lot 17, North 63 feet of the West 20 feet of Lot 17, and North 63 feet of Lot 19, Block 80, as recorded in Plat Book 8, Page 17, of the City of Clermont, Lake County, Florida;

Together With:

Parcel Number 24-22-25-010008001100, Alternate Key number 1087210, with Legal Description being:

Lot 11, Block 80, as recorded in Plat Book 8, Page 17, of the City of Clermont, Lake County, Florida.

NON-EXCLUSIVE UTILITY EASEMENT

EXHIBIT “B”

The EASEMENT AREA

Sketch of Description Attached



Run 2" Poly Line that is shown with the blue dotted line to supply gas to 752 and 732 W. Montrose Street in Clermont, Florida



CITY OF CLERMONT

AGENDA ITEM

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Meeting Date		
Tuesday, July 10, 2018		
Agenda Item Name		
No Parking Signs <i>Southern Villas</i>		
Requested Action		
Installation of No Parking signs in Southern Villas		
Staff Report		
The City of Clermont has been requested to install No-Parking signs in Southern Villas by the HOA board of Southern Villas. The board of Southern Villas, after taking survey of it's residents, feels these signs are needed due to the road being blocked quite often and they are having trouble driving and they are also concerned about emergency vehicles being able to get through. The Board approached the City Manger at a Council Meeting and made this request.		
Additional Analysis		
Fiscal Impact Summary		
The cost of <u>each</u> sign including hardware is \$68.00. At this time we do not know how many signs are requested. This is not a budgeted line item.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		

AGENDA ITEM

Meeting Date	
Tuesday, July 10, 2018	
Agenda Item Name	
Variance Request <i>Nelson</i>	
Requested Action	
Recommend approval of the variance request.	
Staff Report	
The applicants, Karl & Tammy Nelson, are requesting a variance to the Land Development Code (LDC) to allow a side yard setback to be zero (0) feet instead of 7 ½ feet as required by Section 122-246 of the Land Development Code. The applicants would like to install a 12 feet by 21 feet carport over the existing parking area on their property located at 838 West Montrose. The property is currently being used for single-family use and is located in the Central Business District (CBD) zoning designation. The CBD allows commercial uses to have a zero lot line for the side yard setback. Residential uses require a 7.5 feet side yard setback. The area between the existing structure and the eastern property line is approximately 12 feet. The proposed carport and rain gutters, as submitted, will provide a zero feet side yard setback between the house and eastern property   line. Staff has reviewed the applicant's request and is able to support the reduction in the side setback to zero feet. The evidence, as presented, will not have a negative visual impact from the proposed carport due to the adjacent property having no windows or doors facing the accessory structure. The carport will also be well behind the front building setback line of the existing home, making it less noticeable from the street. The applicants have indicated that the carport will be designed to match the house color as well. In addition, rain gutters will be installed to control stormwater runoff that reduces the impact on the adjoining property. The installation of the carport would not create a conflict with the City's Comprehensive Plan. Section 86-174 of the Land Development Code requires a positive finding on the Review Criteria and Findings in order to grant a variance. Staff has evidence that all five meet these findings in a positive way and recommends approval of the request.	

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Application	Application.pdf
2.	Variance Location Map with Photos	Variance Location Map with Photos.pdf
3.	Directional Photos	Directional Photos.pdf
4.	Site Plan	Site Plan.pdf
5.	Section 86-174 Review Criteria-838 W Montrose	Section 86-174 Review Criteria-838 W Montrose.docx
6.	Legal Ad - 838 W Montrose	Legal Ad - 838 W Montrose.pdf



VAR1806-0002

CITY OF CLERMONT
VARIANCE
Application

REC'D 6-20-18

DATE: 6-5-2018

FEE: \$300 ^{CK} #1133

PROJECT NAME (if applicable): Carport

APPLICANT: Karl Nelson / Tammy Nelson

CONTACT PERSON: Karl Nelson

Address: 838 W. Montrose St

City: Clermont State: FL Zip: 34711

Phone: (907) 232-1673 Fax: 352-255-2852 (Tammy)

E-Mail: nelsonk+11@yahoo.com

OWNER: SAME AS ABOVE

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Address of Subject Property: 838 W. Montrose Street

General Location: North side of Montrose between
8th and West Avenue

Legal Description (include copy of survey): Survey enclosed. This
property was divided upon purchase.

AK 1615054

? Land Use (City verification required): Downtown Mixed Use



Zoning (City verification required): CBD

**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:
We are requesting zero lot line consideration, since our structure is located within CBD

What are you proposing to do that would require a variance and why? Erect a carport on the east side of my house under which to park my vehicle and which will shade my air conditioner from the sun.

How does the Code create a hardship? East edge of house is 12 feet from line of the property next door which is an office building. Carport will extend to lot line beyond which is only a small strip of grass and a sidewalk on the west side of the building next door.

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

? **Variance requested – subject and code section:** 122-246 (2)

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;

We reside in the CBD which has zero lot line zoning for business. This residence has been, according to the seller, used as a business in the past. A carport will in no way negatively impact the standard of living (or conducting business) of the citizens.



(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;

Our zoning is zero lot line for business use. Our structure has been used for business purposes in the past and surely will be used as such in the future.

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;

This carport will have NO affect on the City of Clermont's objective.

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

Yes it is consistent. Will make carport match house and add gutters so no runoff on property on east side.

? (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.

YES Since we are making the most of the area between the property line of 838 & 836 and still have a functional carport slash shade for the air conditioning unit.



CITY OF CLERMONT
VARIANCE
Application
Page 4

Karl Nelson
Applicant Name (print)

x [Signature]
Applicant Name (signature)

Karl Nelson
Owner Name (print)

x [Signature]
Owner Name (signature)

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

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

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

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,

6-5-2018

Our intent is to erect a metal carport over an existing cement pad for the purpose of creating shade on the east side of the property to cover the air conditioning unit and also to provide shade for the parking of one vehicle. The east edge of our structure is 12 feet from the lot line of 836 W. Montrose St. Our carport would extend to the lot line. 836 is an office building with only grass and a sidewalk between ^{our structures.} Our carport would in no way interfere with their property or daily function of their business. Also considering we are located in the CBD which has zero lot line zoning for business use, our structure might be used in the future for such purposes, at which time, there would be no reason for said variance to be applied for. In the meantime, shaded parking would be much appreciated. We will have gutters on the east/west side to maintain rain fall runoff.

Tammy Nelson

PROPERTY RECORD CARD

General Information

Owner Name:	NELSON KARL & TAMMY	Alternate Key:	1615054
Mailing Address:	838 W MONTROSE ST CLERMONT, FL 34711-2124 Update Mailing Address	Parcel Number:	24-22-25-010009200003
		Millage Group and City:	00C1 (CLERMONT)
		Total Certified Millage Rate:	17.76
		Trash/Recycling/Water/Info:	My Public Services Map
Property Location:	838 WEST MONTROSE ST CLERMONT FL 34711 Update Property Location	Property Name:	-- Submit Property Name
		School Locator:	School and Bus Map
Property Description:	CLERMONT E 50 FT OF W 250 FT OF S 100 FT, BLK 92 PB 8 PG 17 ORB 1362 PG 1165		

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
---------------	--

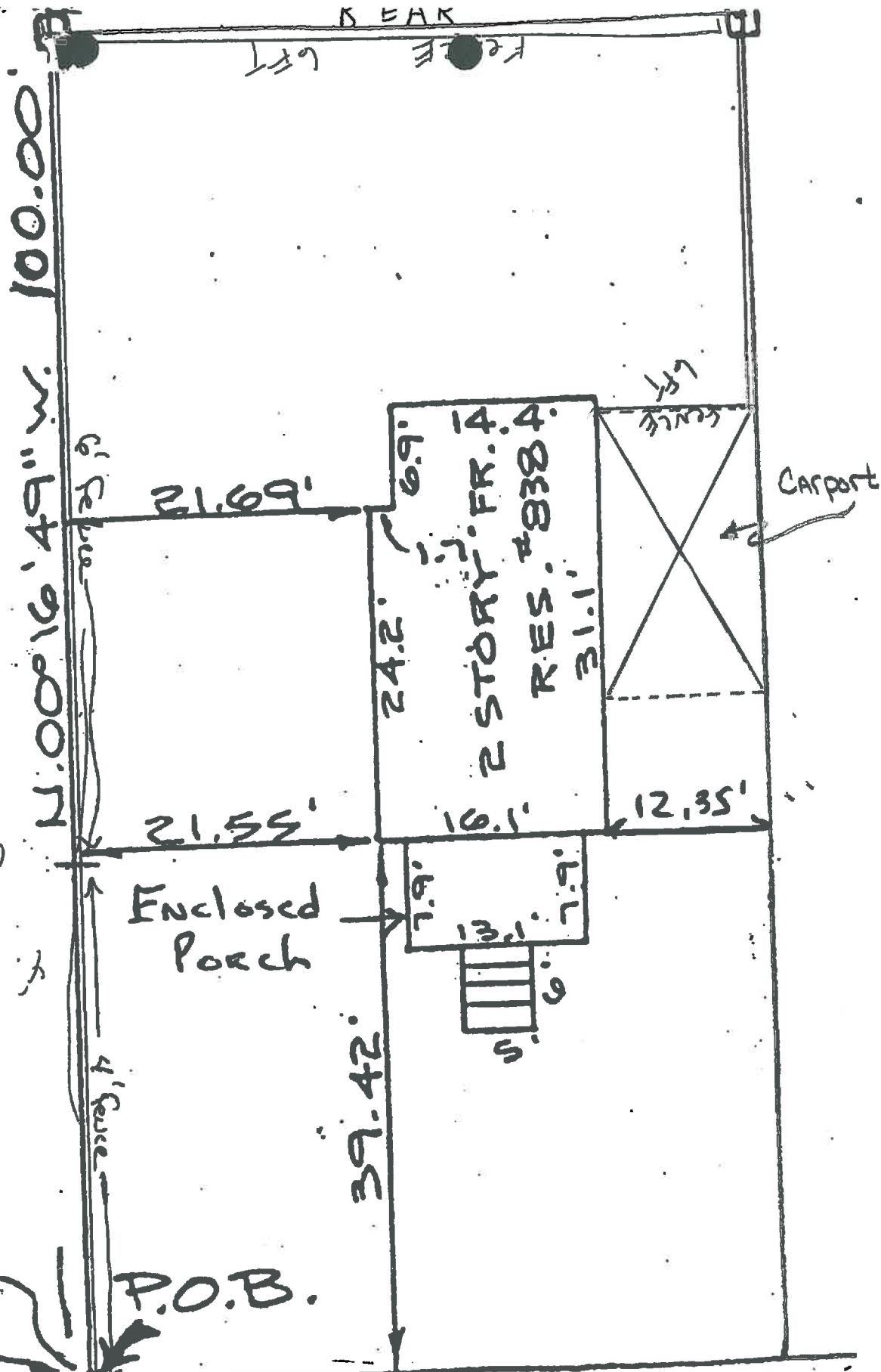
Sec. 122-246. - Yards.

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 feet. The minimum front yard setback for other residential uses and nonresidential uses shall be zero feet.
- (2) *Side yard.* The minimum side yard setback for single-family and two-family dwelling units shall be 7½ feet, except on corner lots, where 25 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 feet. The minimum rear yard setback for other residential uses and nonresidential uses shall be zero feet.
- (4) *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).
- (5) *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.

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

SCAU



SET IRON
ROD

200'

P.O.B.

SW. COR. BLK.

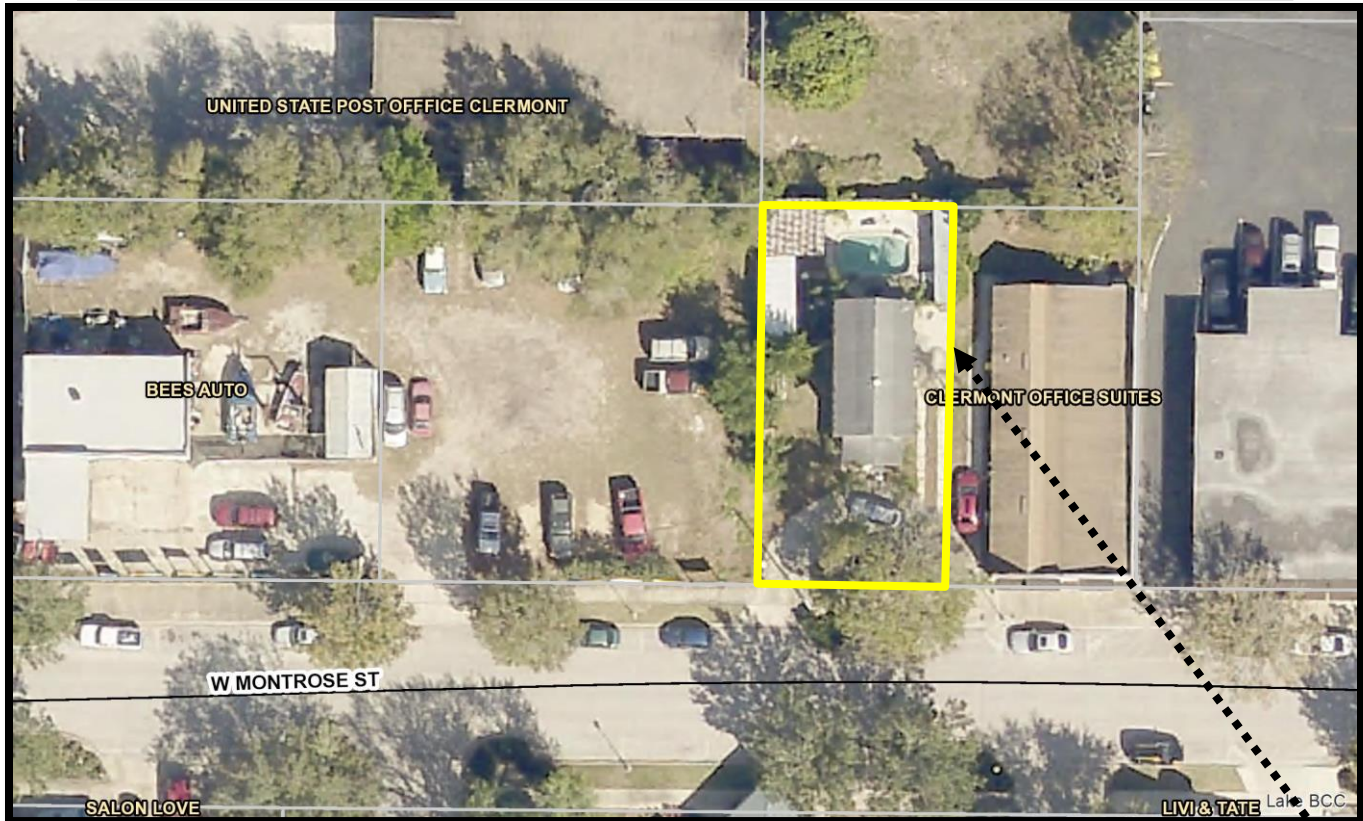
92

WEST 50 OF EA 100'

FRONT

Karl Nelson

838 West Montrose St. – Nelson Variance



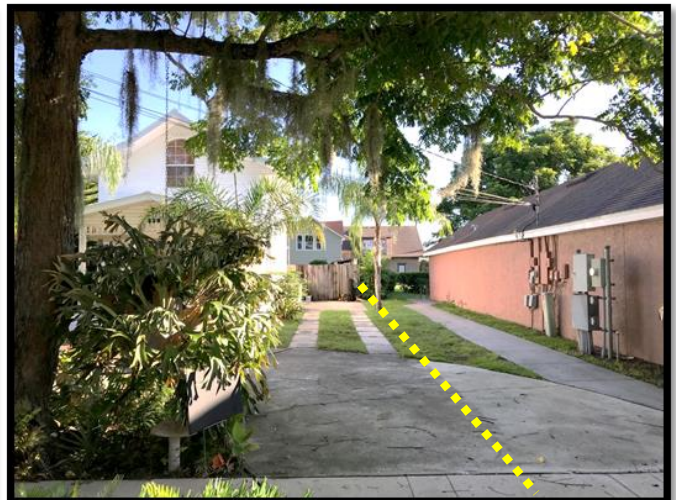
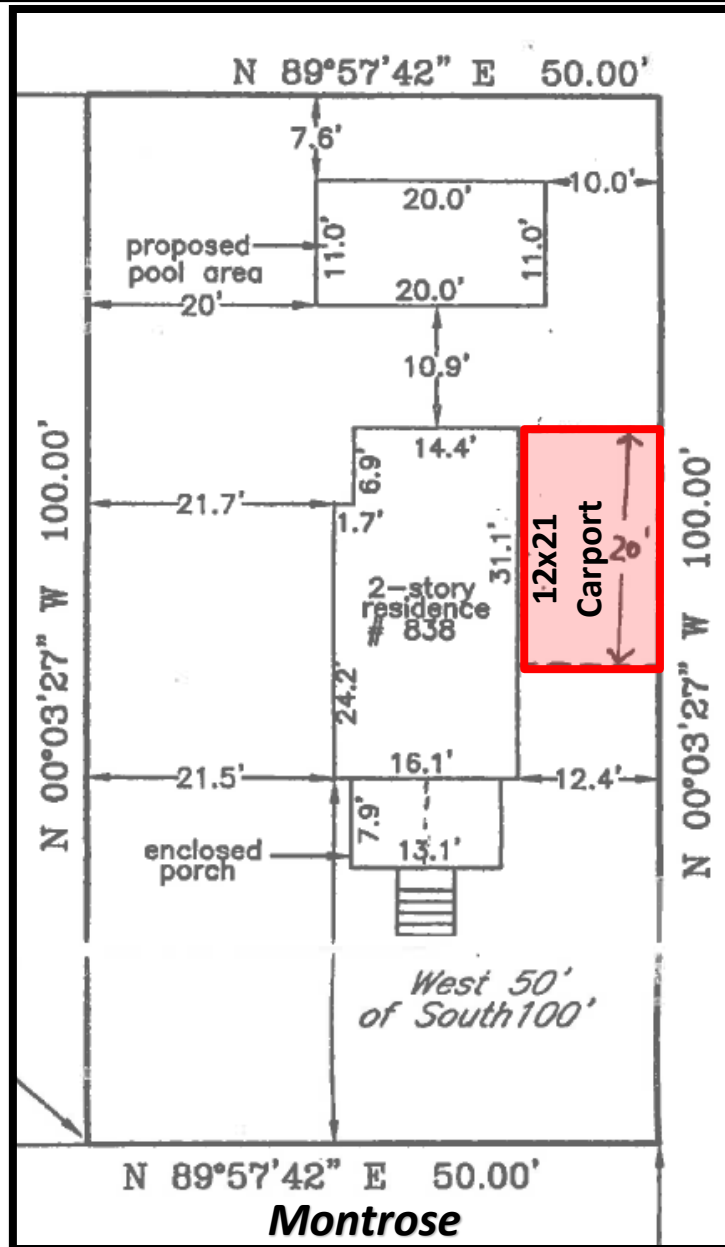
Variance:

1: to allow for a side yard setback of zero (0) feet – rather than a 7.5 feet setback



Palm tree will remain and is approx. location of property line

838 West Montrose St. – Nelson Variance



Yellow line-Approx. Property Line

838 West Montrose St. – Nelson Variance



The above picture is an example of what would be similar in nature that would be constructed. The carport would also have gutters installed along the edges to capture and route stormwater onsite. The color combination would match the existing home, which is white with some black trim.

838 West Montrose St. – Nelson Variance



North



East



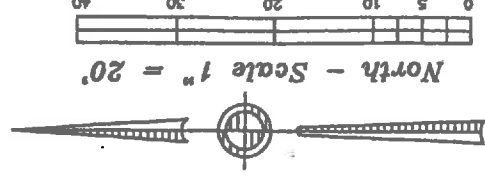
West



South

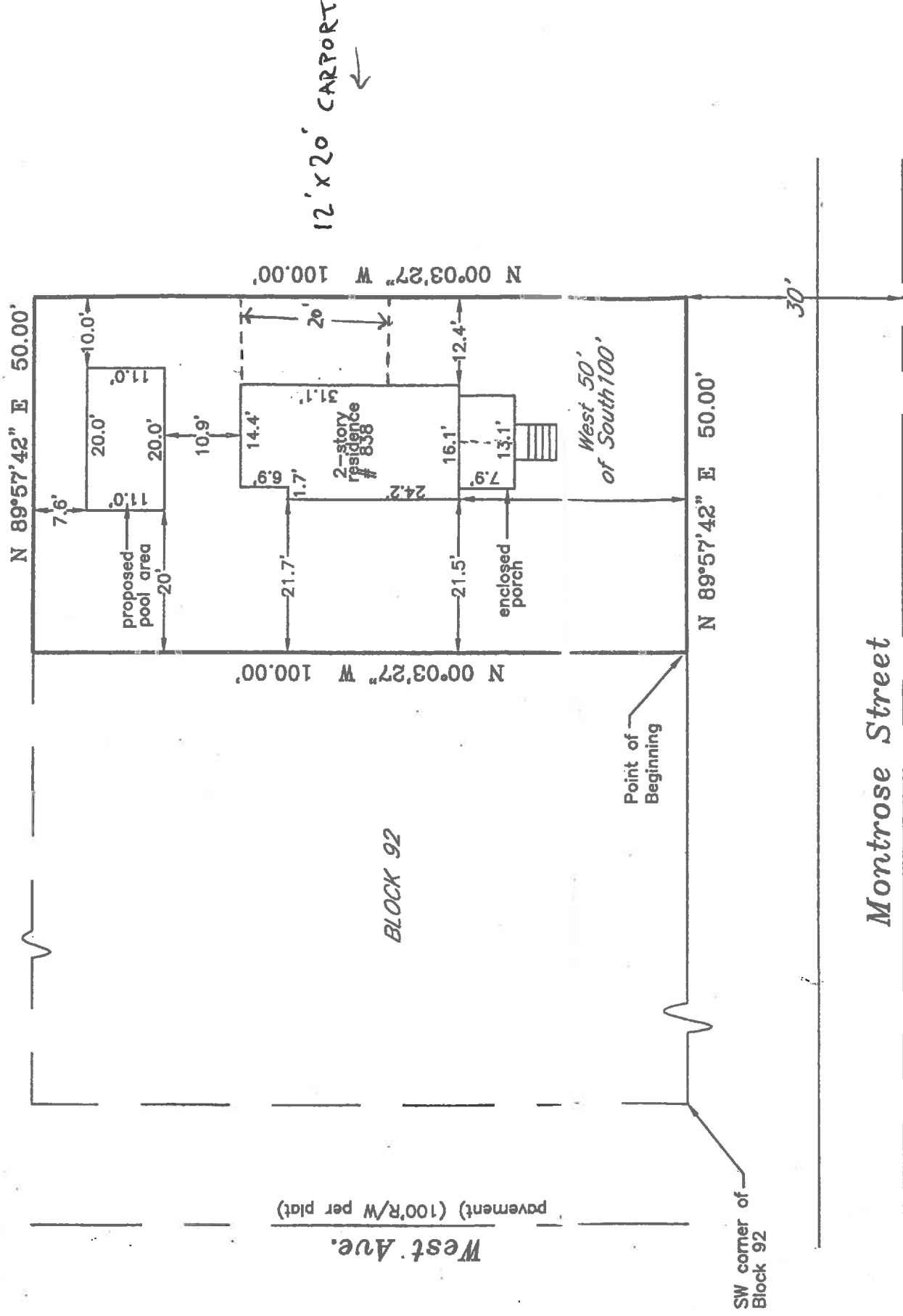
ATT. A-X

Site Plan



DESCRIPTION:

The West 50 feet of the South 100 feet of the following described property: Starting 200 feet East from the Southwest corner of Block 92, City of Clermont, Florida, thence East with the North line of Montrose Street 100 feet to a stake; thence North 150 feet to the center line of said Block 92; thence West with said center line 100 feet to a stake; thence South 150 feet to the said North line of Montrose Street; The Place of Beginning, comprising 100 by 150 feet, as shown on the Official Map of The City of Clermont, Lake County, Florida, a copy of which map is of record in the office of the Clerk of the Circuit Court of said County, in Plat Book 8, Pages 17 to 23, inclusive, Public Records of Lake County, Florida.



Montrose Street

(24' pavement) (60'R/W per plat)

2001060189

SS
OF CLERMONT

Notes:
- Bearings based on the West line of Block 92 as being N 00°03'27" W.
- Legal description supplied by client.
- NO BOUNDARY SURVEY OR INTERIOR IMPROVEMENTS HAVE BEEN LOCATED TO DATE.

FLORIDA GEODETIC SURVEYING & MAPPING, INC./LB-7063

JAMES H. WALTERS JR. PLS #2565 5/11/01

STATE OF FLORIDA

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A

FLORIDA

LICENSED SURVEYOR AND MAPPER, THIS MAP/REPORT IS FOR

INFORMATIONAL

PURPOSES ONLY AND IS NOT VALID.

Project#: 92235.004

Prepared for:

Karl Nelson

Field Survey n/a

Party Chief n/a

Computed by JC

Drawn by JC

Scale 1"=20'

Florida Geodetic Surveying & Mapping, Inc.

720 West Montrose Street

Clermont, Florida 34711

(352) 394-3000 / FAX (352) 394-1305

838 W. Montrose – Nelson Variance

The requirements for a variance are as follows:

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

FINDINGS:

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners of negatively impact the standard of living of the citizens of the city;
Applicant response: We reside in the CBD, which has zero lot line zoning for business. This residence has been, according to the seller, used as a business in the past. A carport will in no way negatively impact the stands of living (or conducting business) of the citizens.

Staff comments: The subject property is located within the Central Business District (CBD). The applicant is correct in that commercial uses (nonresidential) may have a zero lot line for the side yard setback. The adjoining property to the east appears to have a solid wall with no windows or doors. Therefore, the construction of the carport does not appear to interfere with the reasonable enjoyment of this property.

Positive finding

- (2) The variance will allow reasonable use of the property; which use is not out of character with other properties in the same zoning category;
Applicant response: Our zoning is zero lot line for business use. Our structure has been used for business purposes in the past and surely will be used as such in the future.

Staff comments: The home was built in 1881, according to the property appraiser’s website. The proposed carport will have the same color combination of the existing home. The addition of the carport in the proposed location, which is currently being used for parking, would allow reasonable use of the property.

Positive finding

- (3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance was denied;
Applicant response: This carport will have no effect on the City of Clermont’s objective.

Staff comments: There is no evidence that granting the variance would impede the City’s objective in the Central Business District.

Positive finding

- (4) The granting of the variance is consistent with the city’s comprehensive plan;
Applicant response: Yes, it is consistent. Will make carport match house and add gutters so no runoff on property on east side.

Staff comments: Granting of the requested variance is consistent with the City’s Comprehensive Plan.

Positive finding

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

Applicant response: Yes since we are making the most of the area between the property line of 838 and 836 and still have a functional carport/shade for the air conditioning unit.

Staff comments: The variance request will make reasonable use of the land by allowing the carport to be placed over the current parking area.

Positive finding

STAFF RECOMMENDATION: Section 86-174 of the Land Development Code requires a positive finding on Review Criteria and Findings in order to grant a variance, and staff believes that all five meet a positive finding. Therefore, staff recommends **approval** of the variance request to the Land Development Code.

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: 10078147
Phone: (352) 241-7331
Date: 06/26/18
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 Cle	07/03/2018	07/03/2018	\$99.76

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider the request for the following Variance: 1) To allow a reduction in the side yard setback to be zero (0) feet instead of 7 ½ feet as required by Section 122-246 of the Land Development Code; at the following location:

LOCATION

838 West Montrose Street
Alternate Key 1615054

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

This request will be heard by the City Council at a public hearing to be held on Tuesday, July 10, 2018 at 6:30 P.M. in the Clermont City Hall located at 685 West Montrose Street.

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

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7331, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe
City Clerk, MMC

Ad No: 10078147
July 03, 2018

Payment Info	
Ad Price	\$99.76
Tax	\$0.00
Sub Total	\$99.76
Prepaid Amount	\$0.00
Balance Due	\$99.76



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, July 10, 2018	
Agenda Item Name	
Variance Request <i>Kinsey</i>	
Requested Action	
Recommend approval of variance request.	
Staff Report	
The applicant, Zurny Ford, is requesting a variance to the Land Development Code (LDC) to allow a front yard setback to be 22 feet instead of 25 feet as required by Section 122-186 of the Land Development Code. The applicants would like to construct a 6 foot by 21 foot front porch addition to the property located at 1149 West Montrose Street. The property is currently being used for single-family residential and is located in the R-3 Residential/Professional zoning district. The R-3 zoning requires a 25 feet front yard setback and the applicant is requesting to encroach in to the front yard setback 3 feet, which will create a 22 feet front yard setback for subject property.  Staff has reviewed the applicant's request and is able to support the 3 foot variance to allow a 22 foot front yard setback for construction of the proposed front porch addition. The application, as presented, will not have a negative visual impact to the surrounding neighborhood and properties. The front porch addition will be designed to match the existing house. The variance approval will not create a conflict with the City's Comprehensive Plan. Section 86-174 of the Land Development Code requires a positive finding on the Review Criteria and Findings in order to grant a variance. Staff has evidence that all five meet these findings in a positive way and recommends approval of the request.	

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	New 86-174 Review Criteria-1149 West Montrose Street Variance	New 86-174 Review Criteria-1149 West Montrose Street Variance.pdf
2.	1149 Montrose Location Map1	1149 Montrose Location Map1.pdf
3.	Directional Photos	Directional Photos.pdf
4.	Site Plan -1149 West Montrose Street-2	Site Plan -1149 West Montrose Street-2.pdf
5.	Front Porch Elevations (2)	Front Porch Elevations (2).pdf
6.	Application	Application.pdf
7.	LEGAL AD 1149 W MONTROSE STREET	LEGAL AD 1149 W MONTROSE STREET.pdf

1149 West Montrose Street - Variance

The requirements for a variance are as follows:

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

FINDINGS:

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners of negatively impact the standard of living of the citizens of the city;
Applicant response: *No impact on adjacent or rear neighbor's properties, requesting a 3-foot encroachment into front setback.*

Staff comments: *The variance request is for a 3 feet encroachment into the required 25 feet front yard setback to allow construction of a front porch addition to an existing single family home. The proposed front porch will be similar in design to the existing home. The variance request will not interfere with the reasonable enjoyment of the adjacent property owners.*

Positive finding

- (2) The variance will allow reasonable use of the property; which use is not out of character with other properties in the same zoning category;
Applicant response: *The proposed porch is like other front porches in the area, and impacts setback very little.*

Staff comments: *The variance request of three feet into the required 25-feet front yard setback will allow construction of a front porch addition. The variance will allow reasonable use of the property and will not be out of character with other front porch additions in the R-3 zoning district.*

Positive finding

- (3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance was denied;
Applicant response: *The proposed variance will not impact land development code and regulations, encroachment in front setback of three feet.*

Staff comments: *The requested variance to the land development code will not further any legitimate city objective, there are other properties in the R-3 zoning district and surrounding neighborhoods that have front porch additions.*

Positive finding

- (4) The granting of the variance is consistent with the city's comprehensive plan;
Applicant response: *The granting of the variance would be consistent with the land code and if approved would not be visible to the naked eye.*

Staff comments: *The variance request is consistent with the comprehensive plan goals, objectives and policies for single family residential dwelling units.*

Positive finding

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

Applicant response: *The variance approval will be for a front porch addition that would meet single family residential use.*

Staff comments: *The variance request is the minimum variance that will allow reasonable use of the land; and the benefits achieved under granting of the variance outweigh the benefits under this criterion if the variance was denied.*

Positive finding

STAFF RECOMMENDATION: Section 86-174 of the Land Development Code requires a positive finding on Review Criteria and Findings in order to grant a variance; staff has reviewed the application as submitted and believes that five of the five criteria can meet a positive finding. Therefore, staff recommends **approval** of the variance requests to the Land Development Code.

1149 West Montrose Street - Location Map



1149 West Montrose Street. – Nelson Variance



Subject Property



North

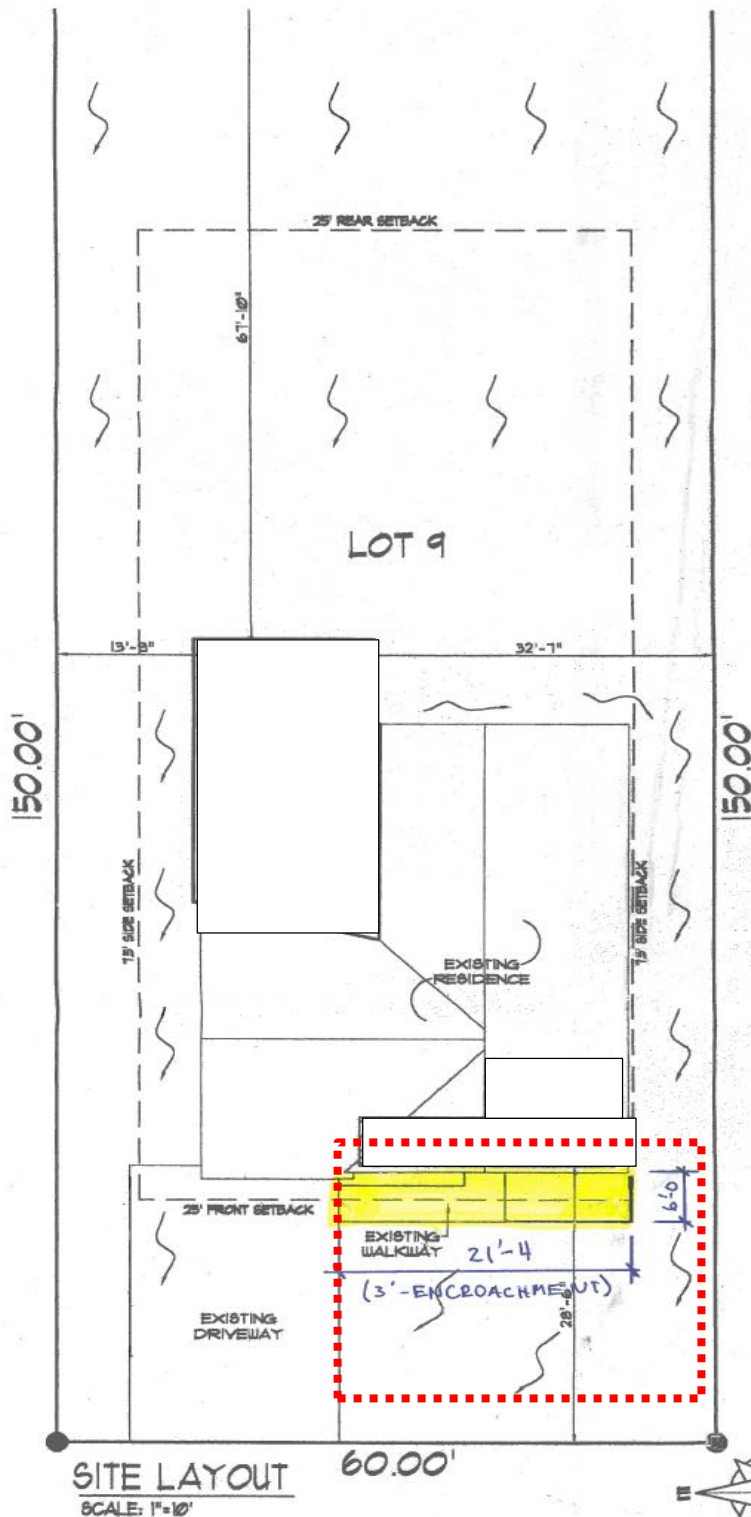


West



East

Site Plan



ELEVATION BY OTHERS.
3. SEPTIC SYSTEM AND DRAINAGE
BY OTHERS.
4. MECHANICAL BY OTHERS

LEGAL DESCRIPTION

CLERMONT W 30 FT OF LOT 9, E 30 FT
PG 17 ORB 136 G 2299,

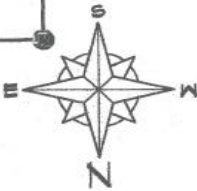
SITE NOTES:
THIS SITE PLAN DEPICTS THE APPROXIMATE LOT.
THIS IS NOT A SURVEY. RCDG, INC. DOES NOT ASSUME THE RESPONSIBILITY FOR THE PLACEMENT OF CONTRACTOR ARE TOTALLY RESPONSIBLE FOR PLACEMENT ON LOT.
IT IS THE OWNER AND BUILDER RESPONSIBILITY TO CONSTRUCT THAT NO PORTION OF THE LOT IS LOCATED WITHIN THE EASTMENT AND ELEVATION MEETS LAKE COUNTY STANDARDS.
THIS IS NOT A

COVERAGE CALCULATION

LOT AREA:	9,100
EXISTING RESIDENCE FLOOR FOOTPRINT	1,200
NEW ADDITION FLOOR FOOTPRINT	126
NEW FRONT TOTAL ADDED	1,326
TOTAL PERVIOUS AREA	7,774

SHEET INDEX

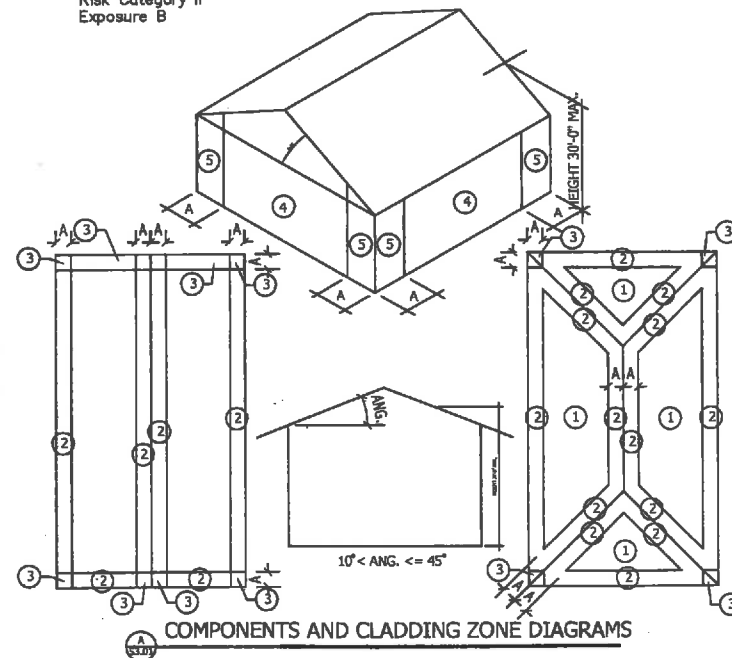
Sheet Number	Sheet Title
CVR	COVER SHEET
A1	EXISTING FLOOR AND ELEVATIONS
A2	FOUNDATION AND DETAIL
A3	FRAMING AND ROOF PLAN
A4	DEMOLITION PLAN AND NEW FLOOR
A5	NEW ELEVATIONS AND DETAIL
A6	NEW ELECTRICAL PLAN AND DETAIL
A7	GENERAL DETAILS



GENERAL NOTES

1. All Work shall be performed in accordance with these plans and specifications and the requirements of the local governing authority.
2. The general contractor and all sub-contractors shall verify all conditions, details, roof pitches, dimensions and quantities. No changes to plans to be made without written or verbal approval by the architect / engineer. Report any discrepancies to the architect / engineer.
3. Manufacturers names and model numbers listed in the specifications or on the schedules are for the purpose of establishing a quality of manufacturer or a specific design configuration. Equal products will be usually acceptable from other manufacturers provided that note #2 is met.
4. The architect / engineer shall not have control or charge of and shall not be responsible for construction means, methods, techniques, sequences, or procedures in connection with the work, for the acts or omissions of the contractor, sub-contractor, or any other person performing any of the work, or for the failure of any of them to carry out the work in accordance with the contract documents.
5. The general contractor is responsible for all safety precautions or safety programs used to provide a safe working environment on the job site. The general contractor is responsible for all structural shoring and / or bracing during work.
6. All work to be first rate, high quality, and accomplished in a workmanlike manner by skilled craftsman using acceptable practices and methods acceptable to the trade involved.
7. The contractor / owner shall be responsible to obtain all required permits, approvals, and final certificates of occupancy. No construction or fabrication shall begin until the contractor has received and thoroughly reviewed all plans and other documents approved by all the permitting authorities.
8. The contractor and suppliers to verify all sizes of items on site before ordering these items (windows, trusses, doors etc.).
9. THESE PLAN WERE DESIGN IN ACCORDANCE WITH THE 2017 FBC 6TH EDITION
10. ALL EXTERIOR WALLS 4" FRAMED

This structure has been designed with following design parameters:
Wind Speed = 140 MPH
Enclosed Residential Building
Risk Category II
Exposure B

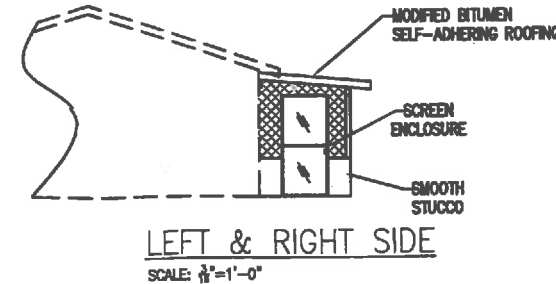
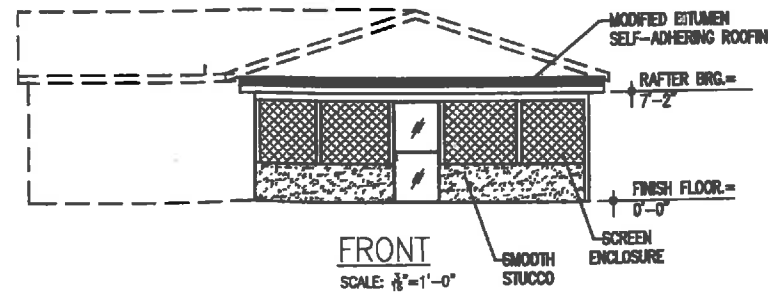
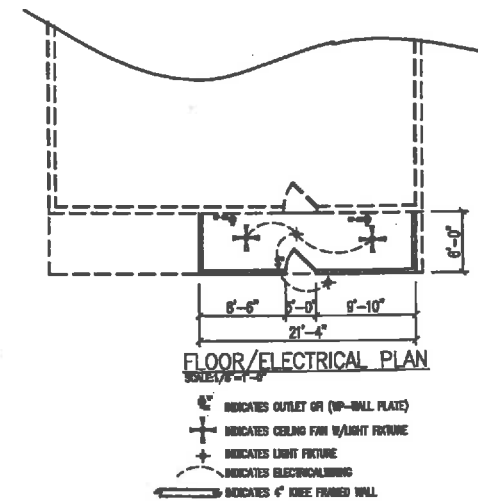
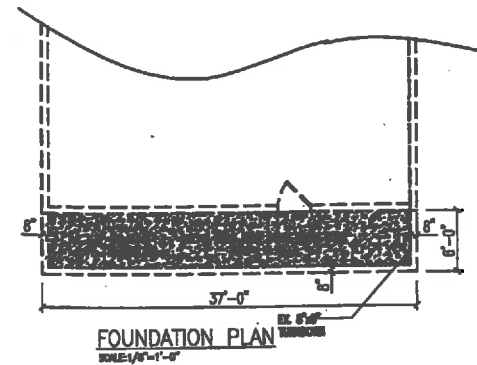
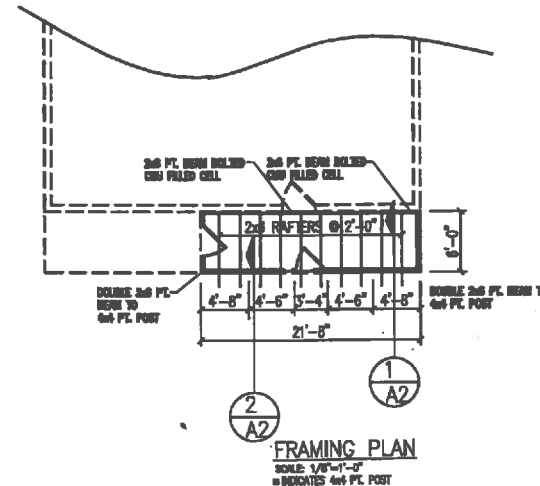


GROSS WIND PRESSURES FOR COMPONENTS AND CLADDING								
a	V (mph)	1	A (sq-ft)	ZONE 1 (psf)	ZONE 2 (psf)	ZONE 3 (psf)	ZONE 4 (psf)	ZONE 5 (psf)
8'-6"	110	1.0	<10	12.5	-19.9	-34.7	-21.8	-21.8
8'-6"	110	1.0	20	11.4	-19.4	-31.9	-20.8	-21.2
8'-6"	110	1.0	50	10.0	-18.8	-28.2	-19.5	-20.5
8'-6"	110	1.0	100	10.0	-18.1	-25.5	-18.5	-20.5
8'-6"	110	1.0	200	10.0	-18.1	-25.5	-17.5	-20.7
8'-6"	110	1.0	>500	10.0	-18.1	-25.5	-16.2	-20.7

* PRESSURES SHOWN ABOVE ARE NOMINAL (ASD) PRESSURES

WIND DIAGRAM NOTES:

1. a INDICATES END ZONE WIDTH IN FEET.
V INDICATES BASIC WIND SPEED IN MPH PER HOUR
1 INDICATES THE BUILDINGS IMPORTANCE FACTOR
A INDICATES THE TRIBUTARY AREA IN SQUARE FEET.
2. GROSS PRESSURES SHALL BE LINEARLY INTERPOLATED FOR TRIBUTARY AREAS (A) NOT SHOWN IN TABLE.
3. POSITIVE PRESSURES INDICATE PRESSURES ACTING TOWARDS A PROJECTED SURFACE. NEGATIVE PRESSURES INDICATE PRESSURES ACTING AWAY FROM A PROJECTED SURFACE.
4. ROOF ZONES ARE 1 - 3.
5. WALL ZONES ARE 4 & 5.



FORD GROUP
DESIGN

THE FORD DESIGN GROUP, LLC
EMAIL: fordrecovery@gmail.com
PHONE: 321-231-4518

PLANS AND DETAILS
KINSEY RESIDENCE
1149 WEST MONTROSE STREET
CLERMONT, FLORIDA

REV: -
DATE: 2/20/2018
A1

* July 10, 2018 - CC Meeting

\$ 300.00

pd w/cc 2032

6/15/18



2017-196-17/18
1719 Kensington

CITY OF CLERMONT
VARIANCE
Application

DATE: 4/11/18

FEE: _____

PROJECT NAME (if applicable): Kinsey Residence

APPLICANT: The Ford Design Group, LLC

CONTACT PERSON: Zurny D. Ford

Address: 1541 Reflections Street

City: Clermont State: FL Zip: _____

Phone: 321-231-9518 Fax: _____

E-Mail: fordrecovery@gmail.com

OWNER: Nathaniel Kinsey

Address: 1149 W. Montrose Street

City: Clermont State: FL Zip: 34711

Phone: 352-871-9950 Fax: _____

Address of Subject Property: 1149 W. Montrose

General Location: Off Hwy 50 corner of
12th & Montrose

Legal Description (include copy of survey): Clermont W 30ft of
Lot 9, E 30 ft of Lot 11, BLK 122 PB8
PG 17 ORB 736 & 2299, ORB 1107 PG 1187

Land Use (City verification required): SFR



Zoning (City verification required): _____

CITY OF CLERMONT

VARIANCE

Application

Page 2

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

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

12.01.00 Residential Accessory

What are you proposing to do that would require a variance and why? Front Porch
the would encroach into front setback a
length of three to five feet

How does the Code create a hardship? ~~the~~ the owner would
like to add a front porch for added value
and use

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

Variance requested – subject and code section: Sec. 122-115, 165/155

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;

NO, impact on adjacent or near
by properties from 3-5' encroachment
of front setback



(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 proposed porch is like other front porches in the area, and impacts setback very little

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;

This proposed variance would not impact land development code and ideas at all, encroachment in front setback of 3 to 5'

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

the granting of the variance would be consistent w/ the land code and if approved would not be visible to the naked eye

(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.

the variance approval would be for a front porch addition that would meet set use



**CITY OF CLERMONT
VARIANCE**

**Application
Page 4**

Zurny DeShawn Ford
Applicant Name (print)

x [Signature]
Applicant Name (signature)

Nathaniel Kinsy
Owner Name (print)

x [Signature]
Owner Name (signature)

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

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

City of Clermont

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

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,

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: 10078159
Phone: (352) 241-7331
Date: 06/26/18
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 Cle	07/03/2018	07/03/2018	\$92.28

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider a request for the following variance: (1) to allow for a front yard setback less than 25 feet as required by the Land Development Code, Section 122-186 at the following location:

LOCATION

1149 West Montrose Street
(Alternate Key 1615861)

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

This request will be heard by the City Council at a public hearing to be held on Tuesday, July 10, 2018 at 6:30 P.M. in the Clermont City Hall, Council Chambers located at 685 West Montrose Street.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10078159
July 03, 2018

Payment Info	
Ad Price	\$92.28
Tax	\$0.00
Sub Total	\$92.28
Prepaid Amount	\$0.00
Balance Due	\$92.28



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date											
Tuesday, July 10, 2018											
Agenda Item Name											
Lien Reduction Request											
Requested Action											
Staff Report											
This request is regarding a lien on property located at 165 Carroll St. (Alternate Key 1627851). The property is owned by Bank of America. The property had a code case (C2016-000678) for property maintenance violations. Fines started accruing on March 13, 2017. The order imposing an administrative lien was approved on September 26, 2017 and was recorded in the Public Records of Lake County. The City's Code Enforcement Division issued an Affidavit of Compliance on December 6, 2017. Fines of \$67,250 accrued at \$250/day while the property was out of compliance. The applicant has requested a reduction, but has not specified an amount. Should the Council consider a reduction, staff recommends a minimum reduction to 10% of the overall lien with the provision that it be paid within 30 days or the lien would revert back to the original amount of \$67,250. Upon Council approval, and after payment, if applicable, has been processed, the lien will be released from the property.											
Additional Analysis											
Fiscal Impact Summary											
Fiscal Impact	Fund Number and Description	Available Budget Amount									
Exhibits Attached (copies of original agreements)											
<table><tr><td>1.</td><td>Location Map</td><td>Location Map.docx</td></tr><tr><td>2.</td><td>Order</td><td>Order.pdf</td></tr><tr><td>3.</td><td>Request Letter</td><td>Request Letter.pdf</td></tr></table>			1.	Location Map	Location Map.docx	2.	Order	Order.pdf	3.	Request Letter	Request Letter.pdf
1.	Location Map	Location Map.docx									
2.	Order	Order.pdf									
3.	Request Letter	Request Letter.pdf									

Location Map: 165 Carroll St



**CODE ENFORCEMENT SPECIAL MAGISTRATE OF THE
CITY OF CLERMONT, FLORIDA**

**CITY OF CLERMONT,
Petitioner,**

**Case No: C2016-000678
165 CARROLL ST
CLERMONT, FL**

VS.

**BANK OF AMERICA, N.A.,
Respondent.**

9171 9690 0935 0149 4817 43

ORDER IMPOSING ADMINISTRATIVE FINE/LIEN

THIS CAUSE came on for public hearing before the Code Enforcement Special Magistrate on September 19, 2017, after due notice to Respondent and upon Petitioner's Motion for Order Imposing Fine and Creating Lien, at which time the Special Magistrate was advised by Code Enforcement Officer Lori Crain that the Respondent has not complied with the Special Magistrate's Order of February 21, 2017, by failing to timely take the corrective action as required by the Order and having noted that Respondent was represented by Attorney Cindy Diaz.

It is hereby ORDERED THAT:

1. A fine is imposed in the amount of \$39,750 and shall continue to accrue at the rate of \$250.00 per day from August 15, 2017, until the property is brought into compliance.
2. This Order shall be recorded in the Public Records of Lake County and thereafter shall constitute a lien against the following described land on which the violation exists and upon any other real or personal property owned by Respondent.

Tax Id No. 24-22-25-040000100600

Alt Key: 1627851

Legal Description:

CLERMONT, SUNSET HEIGHTS W 25 FT OF LOT 6, LOT 7, BLK 1 PB 5 PG 42 ORB 4732 PG 2425 AS LISTED IN LAKE COUNTY PUBLIC RECORDS
--

3. This Order shall supersede any prior Order of the Code Enforcement Board or the Special Magistrate Imposing a Fine and Creating a Lien in this matter.

Done and Ordered this 26 day of September, 2017.



Leigh A. Kyer, Esq.
Special Magistrate
Fla Bar No.: 192325

An aggrieved party, including the City Council of the City of Clermont, may appeal a final administrative order of the Code Enforcement Board to the Circuit Court. Any such appeal shall be filed within thirty (30) days of the rendition of this Order as set forth in Section 162.11, Florida Statutes.

STATE OF FLORIDA
COUNTY OF LAKE

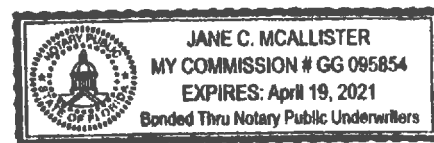
The foregoing instrument was acknowledged before me this 26th day of September, 2017, by Leigh A. Kyer, as City of Clermont Code Enforcement Special Magistrate who is personally known to me or produced _____ as identification.



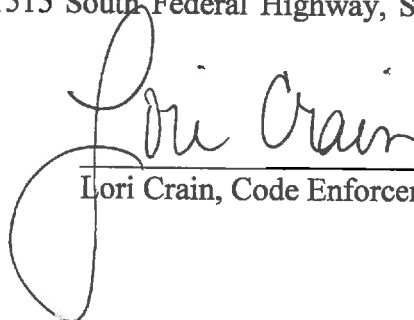
Signature of person taking acknowledgment

JANE C. McALLISTER

Name of Officer taking acknowledgment typed,
printed or stamped



I HEREBY CERTIFY that on this 27th day of September, 2017, a true and correct copy of this Order has been furnished by certified and regular first class mail to the Respondent, Bank of America, N.A., 7105 Corporate Drive, Plano, TX 75024 and Cindy Diaz, Attorney for Respondent, Gladstone Law Group, 1515 South Federal Highway, Suite 100, Boca Raton, FL 33432.



Lori Crain, Code Enforcement Officer



Safeguard
Properties

Customer Service = Resolution

7887 Safeguard Circle
Valley View, OH 44125

800 852.8306
216 739.2900
216 739.2700

City of Clermont
Code Enforcement
3335 Hancock Rd.
Clermont, FL 34711

5/7/18

Re: Fine Reduction request for 165 Carroll St – Case C2016-000678

Hello,

Safeguard is requesting a reduction of the fines assessed to 165 Carroll St on behalf of the owner, Bank of America. The property has been going thru the foreclosure process. The following violations were cured and Certificate of Compliance was issued on 12/6/17.

- replaced the deck/porches attached to the house
- remove dilapidated pool and hot tub deck, fill in hole
- remove or replace dilapidated sheds, fence and gate
- remove overgrown vegetation, yard waste and debris.

Feel free to contact me if additional information is needed.

Thank you,

Mike Hamm
Code Violations Specialist
Safeguard Properties
800-852-8306 x1657
(216) 447-8245 – Fax
7887 Safeguard Circle (HUB PKWY)
Valley View, OH 44125
mike.hamm@safeguardproperties.com



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, July 10, 2018	
Agenda Item Name	
Utility Agreement <i>Florida Islamic Center</i>	
Requested Action	
Staff Report	
Florida Islamic Center is requesting Utility Services Agreement for water service to construct a new house of worship on Old Highway 50. Sewer service is not requested, as the location for the utility exceeds the 1000 foot requirement. This parcel is located within the Joint Planning Area with Lake County, and is adjacent to city utilities. The parcel is not adjacent to any city jurisdictional boundaries. Applicant/ Owner: Florida Islamic Center Project: House of Worship Size: 2.61 acres Location: Old Highway 50. Building Size: 12,848 sf County Future Land Use: Urban Low Density County Zoning: CFD Status of project: The property has the proper land use and zoning with Lake County. Projected water use: 1,500 gallons per day When a site obtains a utility agreement form the city, the site is expected to develop to city standards as stated within the agreement. In this case, the applicant has identified a few areas where they are not able to meet city standards. These standards are as follows: 1) The applicant is requesting to utilize grass parking for the house of worship. This is a typical request as the parking is not utilized like a typical commercial parking lot. The size of the proposed parking stalls will be 9 feet by 18 feet (city requires 10' by 20' stalls). 2) The applicant is requesting a 10 foot landscape buffer adjacent to Old Highway 50. City code requires a 20 foot landscape buffer in this area. Most of the right-of-way buffer contains the required 20 foot buffer, but areas for the handicap parking and the proposed turn-a-round extend into the buffer by 10 feet. 3) The applicant is requesting to utilize smaller landscape materials than city code allows. At planting, city code requires 3 inch caliper trees, the applicant is requesting to use 2.5 inch caliper trees due to the availability of nursery stock. The applicant is also requesting to plant shrubs at 36 inches on center rather than the code maximum of 30	

inches on center.

If the request is approved, the agreement will still be conditioned upon deferral of annexation to occur when legally appropriate. The project will therefore be developed pursuant to the attached Utility Services Agreement for Water.

Additional Analysis	
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Fiscal Impact Summary	
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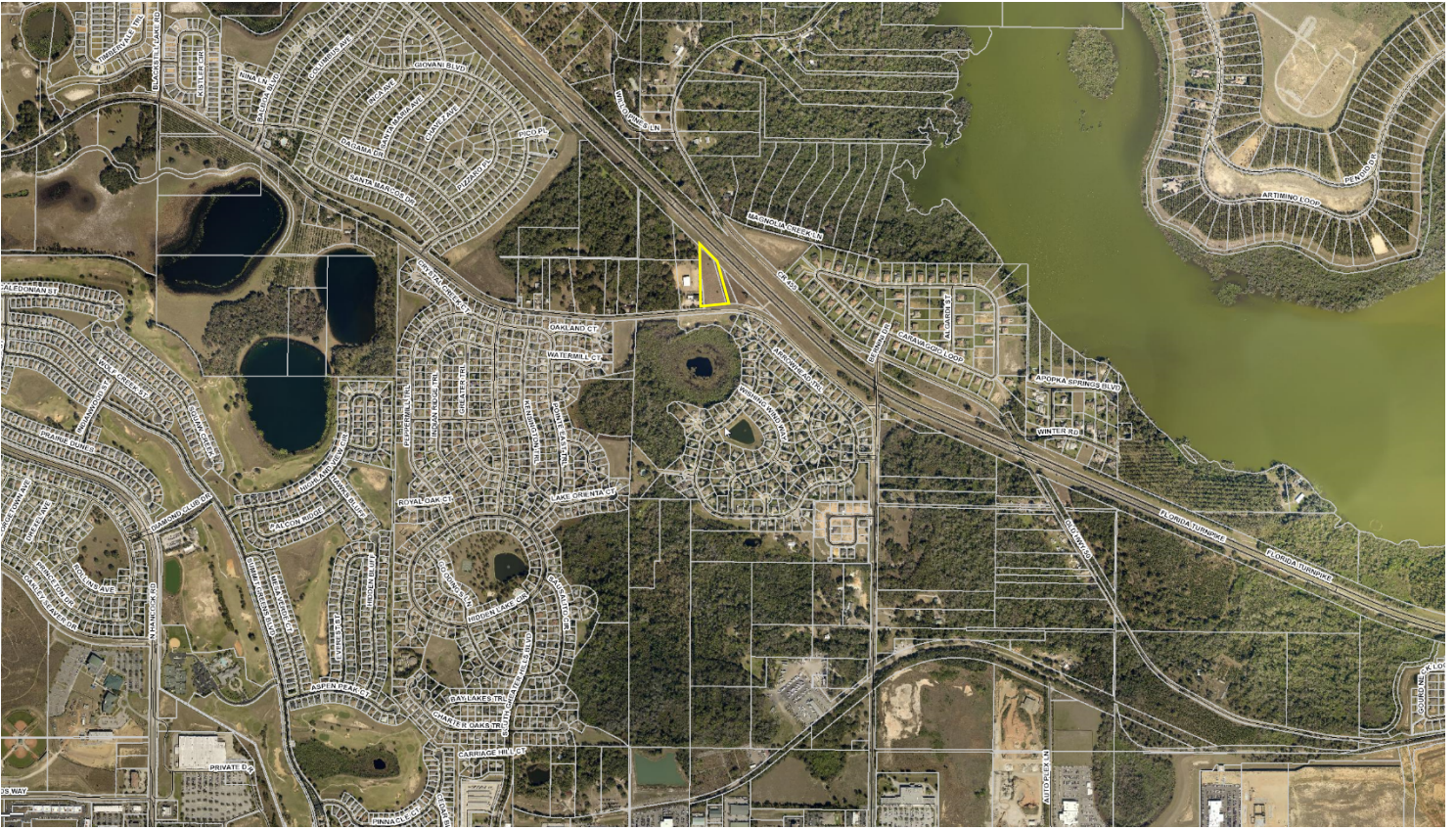
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Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
--	--

1.	Location Map	Location Map.docx
2.	Site Plan	Site Plan.docx
3.	Florida Islamic Center Utility Agreement	Florida Islamic Center+Utility+Agreement 2.doc
4.	Application	Application.pdf

Location Map



UTILITY SERVICE AGREEMENT FOR WATER

This document constitutes an agreement between the CITY of Clermont, hereby referred to as **CITY**, a municipality of the State of Florida, and Florida Islamic Center Inc. and any successors or assigns, hereby referred to as **OWNER**.

WITNESSETH

Whereas, OWNER is requesting service for an office establishment a House of Worship, with up to 12,900 sq. ft., which is located on real property (the "Property") described on Exhibit 'A', attached hereto and by this reference made a part hereof; and

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

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

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

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

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

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

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

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

- 1.5 In the event the CITY chooses to oversize the lines or appurtenances, the CITY shall provide to the OWNER the specifications regarding sizes to be included in the final improvement plans.
- 1.6 The OWNER shall be responsible for the construction of all on site and off site lines and appurtenances to serve the project. No building permits shall be issued until water is provided to the site or until a bond or letter of credit, acceptable to CITY, is in place to guarantee completion of off-site improvements. No Certificate of Occupancy shall be issued until water extensions have been completed and accepted by the CITY.
- 1.7 The OWNER shall be responsible for all costs of on site and off site improvements, including but not limited to design, material, permitting and installation of sufficient size lines, lift stations and other appurtenances necessary to allow the CITY to serve the Property.
- 1.8 Irrigation shall be provided by a private well.
- 1.9 The CITY shall be responsible for the difference in cost of materials to oversize the line if the CITY chooses to oversize based on plans and cost estimates provided by OWNER to CITY, and approved in advance by the CITY.
- 1.10 The OWNER shall provide to the CITY a cost estimate for materials for the minimum size lines and appurtenances and a cost estimate for materials for the approved oversize. Cost estimate shall be contractors bid as certified by OWNER'S project engineer. The CITY shall review and either approve or reject the costs.
- 1.11 The OWNER and CITY shall agree on the cost difference, which will be the responsibility of the CITY, prior to commencement of construction.
- 1.12 The OWNER shall be responsible for all costs including design, permitting, materials and construction of the water lines and appurtenances, both on site and off site, required to serve the Property, with reimbursement for the difference in costs as determined in Section 1.12 and 1.13 from the CITY in the form of Impact Fee Credits.
- 1.13 The Impact Fee Credits shall be established subject to Sections 1.12 and 1.13 and at the time of issuance of each building permit by applying the then current impact fee, which shall be deducted from the Impact Fee Credit balance until credit is used.
- 1.14 Impact Fee Credits may not be transferred outside of the Property described on Exhibit "A" but may be assignable to any heirs, assigns or successors in interest or title to part or all of said Property.
- 1.15 The OWNER shall be responsible for all applicable fees including but not limited to impact fees, connection fees and permitting fees.
- 1.16 The City may require a looped system to provide reliability and redundancy to the property.
- 1.18 The OWNER must coordinate with Lake County and the Metropolitan Planning Organization (MPO) for compliance with Transportation Concurrency, and the Transportation Concurrency Management System (TCMS).
- 1.19 The development shall be in substantial compliance with the Dimension Plan shown in

Exhibit "C". Major changes as determined by the Clermont Site Review Committee may require an amendment to this Agreement.

- 1.20 This Agreement shall be voided after five (5) years if building permits have not been issued and building construction has not started.
- 1.21 The Agreement shall be for commercial utility flow/demand for water at 1,500 gpd based on an annual average.

Section 2. DEVELOPMENT STANDARDS

The project shall be developed according to the JPA Land Development Regulations (Lake County Ordinance No. 2005-64). Items not addressed in the JPA Land Development Regulations must be developed to City standards unless otherwise stipulated in this Agreement or subsequent amendments to this Agreement.

Wavers to the City Standards:

- 1) Grass parking shall be allowed as depicted in the site plan prepared by Riddle Newman Engineering dated 8/30/17.
- 2) The right-of-way landscape buffer adjacent to Old Highway 50 may be reduced to 10 feet where the handicap stalls and the turn-a-round encroach into the buffer.
- 3) The caliper of canopy trees shall be a minimum of 2.5 inches in caliper.
- 4) Shrubs shall be allowed to be planted at 36 inches on center.

Section 3. ANNEXATION

OWNER agrees that CITY may annex the Property into the City of Clermont if CITY, in its sole discretion, chooses to do so. In conjunction herewith, OWNER shall provide to CITY a *Notice of Encumbrance to Annex* Property in a form substantially in compliance with the form set forth in Exhibit "B", attached hereto and incorporated herein. The CITY shall record this Notice in the public records of Lake County whereupon it is agreed it shall serve as an enforceable encumbrance on the real property described in Exhibit "A". The Notice of Encumbrance shall be executed by all owners of the real property described in Exhibit "A" and shall be accompanied, at OWNER'S expense, by a current certificate of title or opinion letter acceptable to CITY and issued by a licensed title company or attorney identifying all owners in interest of the real property. All land transfers by OWNER shall contain a deed restriction or covenant noting the existence of this encumbrance to annex, such restriction to be recorded as a covenant to run with the land.

Section 4. SEVERABILITY

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

Section 5. NOTICES

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

CITY

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

OWNER

Florida Islamic Center
60 Center Street
Minneola, FL 34715

Section 6. AMENDMENTS

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

Section 7. EFFECTIVE DATE

The effective date of this agreement shall be the day of execution of the agreement required hereunder. This Agreement shall be valid for no longer than five (5) years

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the date listed below. CITY through its City Manager, authorized to execute same by City Council action, and OWNER through _____.

DATED this _____ day of _____, 2018.

CITY OF CLERMONT

ATTEST:

Gail L. Ash, Mayor

Tracy Ackroyd, City Clerk

OWNER: Florida Islamic Center Inc.

Signature Title: _____

Print Name

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me on this _____ day of _____, 2018, by _____, who is personally known to me or who has produced _____ as identification and who did not take an oath.

Notary Public _____ SEAL:

Type/print name _____

EXHIBIT "A"

PROPERTY DESCRIPTION

Owners:

Florida Islamic Center Inc.

Description:

LAKE HIGHLANDS 23-22-26 FROM SW COR OF SEC 14-22-26 RUN N |
0-26-15 W 779.22 FT TO S'LY R/W LINE OF SUNSHINE STATE |
PARKWAY, S 47-22-04 E ALONG SAID S'LY R/W LINE A DIST OF |
896.57 FT FOR POB, CONT S 47-22-04 E 370 FT, S 23-26-27 E |
425.93 FT TO A POINT OF INTERSECTION WITH THE N'LY R/W LINE |
OF SR 438 & A POINT ON A NON-TANGENT CURVE, SAID CURVE BEING |
CONCAVE S'LY & HAVING A RADIUS OF 813.94 FT, THENCE W'LY |
ALONG THE ARC OF SAID CURVE & SAID N'LY R/W LINE THRU A |
CENTRAL ANGLE OF 10-03-18, AN ARC DIST OF 142.84 FT, A CHORD |
BEARING OF S 89-34-55 W 142.66 FT TO A POINT OF TANGENCY, |
THENCE RUN S 84-33-18 W ALONG N'LY R/W LINE 216.85 FT, S |
05-26-42 E 25 FT, S 84-33-14 W 19.84 FT, N 05-26-42 W 692.89 |
FT TO POB--LESS FROM SW COR OF SW 1/4 OF SEC 14-22-26 RUN N |
0-26-15 W 779.22 FT TO S'LY R/W LINE OF SUNSHINE STATE |
PARKWAY, S 47-22-04 E ALONG SAID S'LY R/W LINE 1118.73 FT |
FOR POB, CONT S 47-22-04 E 147.85 FT, S 23-26-27 E 425.93 FT |
TO A POINT OF INTERSECTION WITH N'LY R/W LINE OF SR 438 & A |
POINT ON A NON-TANGENT CURVE, SAID CURVE BEING CONCAVE S'LY |
& HAVING A RADIUS OF 813.94 FT, THENCE W'LY ALONG THE ARC OF |
SAID CURVE & SAID N'LY R/W LINE OF SR 438 THRU A CENTRAL |
ANGLE OF 08-54-52, AN ARC DIST OF 126.64 FT, A CHORD BEARING |
& DIST OF N 89-50-52 W 126.51 FT, THENCE RUN N 17-10-58 W |
513.50 FT TO POB--PB 4 PG 11 |
ORB 4897 PG 1243 |

Lake County Alternate Key Numbers:

3832861

EXHIBIT "B"

Notice of Encumbrance
to Annex to City of Clermont

City of Clermont
685 W. Montrose Street
Clermont, FL 34712

THIS INSTRUMENT, Made this **10th day of July 2018**, between **Florida Islamic Center Inc.**, property owners in the County of Lake, State of Florida Grantor*, and the **CITY OF CLERMONT, FLORIDA**, A Municipal Corporation, Grantee*:

WITNESSETH, NOTICE is given that heretofore or contemporaneously herewith Grantor has petitioned the Grantee for it to permit voluntary annexation of Grantor's property below described into the corporate limits of the City of Clermont, and

GRANTOR, for and in consideration of the sum of ONE and 00/100 (\$1.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, DOES HEREBY ENCUMBER the below – described real property situate, lying and being in Lake County, Florida with the absolute requirement that the subject real property may be, at the sole discretion, and upon request of Grantee, annexed into the city limits of the City of Clermont at such time that the annexation of said real property is in accordance with applicable law,

GRANTOR, further agrees, on his/hers/theirs/its own behalf and that of Grantors' heirs and assigns to perform all ministerial functions necessary of the Grantor or Grantor's heirs and/or assigns (as the case may be) then required by law to enable the described real property to be incorporated into the city limits of the City of Clermont and where such ministerial functions consist of a simple written request or the renewal of the petition of which notice is given above, then this instrument shall be considered such request and/or renewal. The subject property is described as:

Grantor is used for singular or plural, as the context requires. IN WITNESS THEREOF,

GRANTOR has hereunto set Grantor's hand and seal the day and year first above written.

PROPERTY OWNER(S):

Florida Islamic Center Inc.

WITNESSES (Two required):

Witnesses

By: _____
Signature

Type or print name

By: _____
Signature

Type or print name

1. _____
Signature

Type or print name

2. _____
Signature

Type or print name

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me on this _____ day of _____, 2018, by _____, who is personally known to me or who has produced _____ as identification and who did not take an oath.

Notary Public _____ SEAL:

Type/print name _____

Pursuant to Section 695.29(3)(f): this instrument exempt from Chapter 695, F.S.; Prepared by a Public Officer, City Attorney, City of Clermont, Florida 34712

EXHIBIT "C"

Florida Islamic Center

Site Plan:

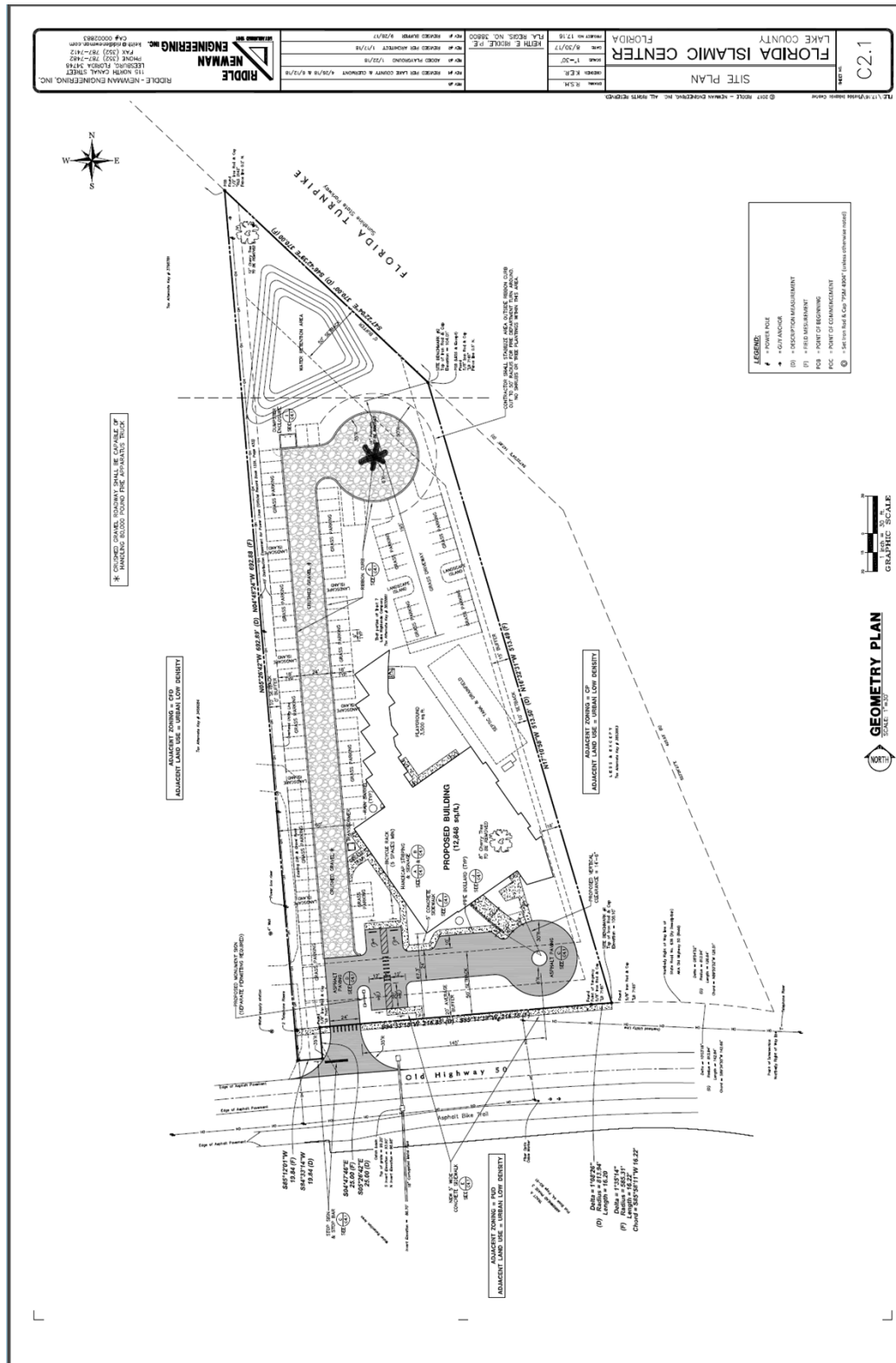
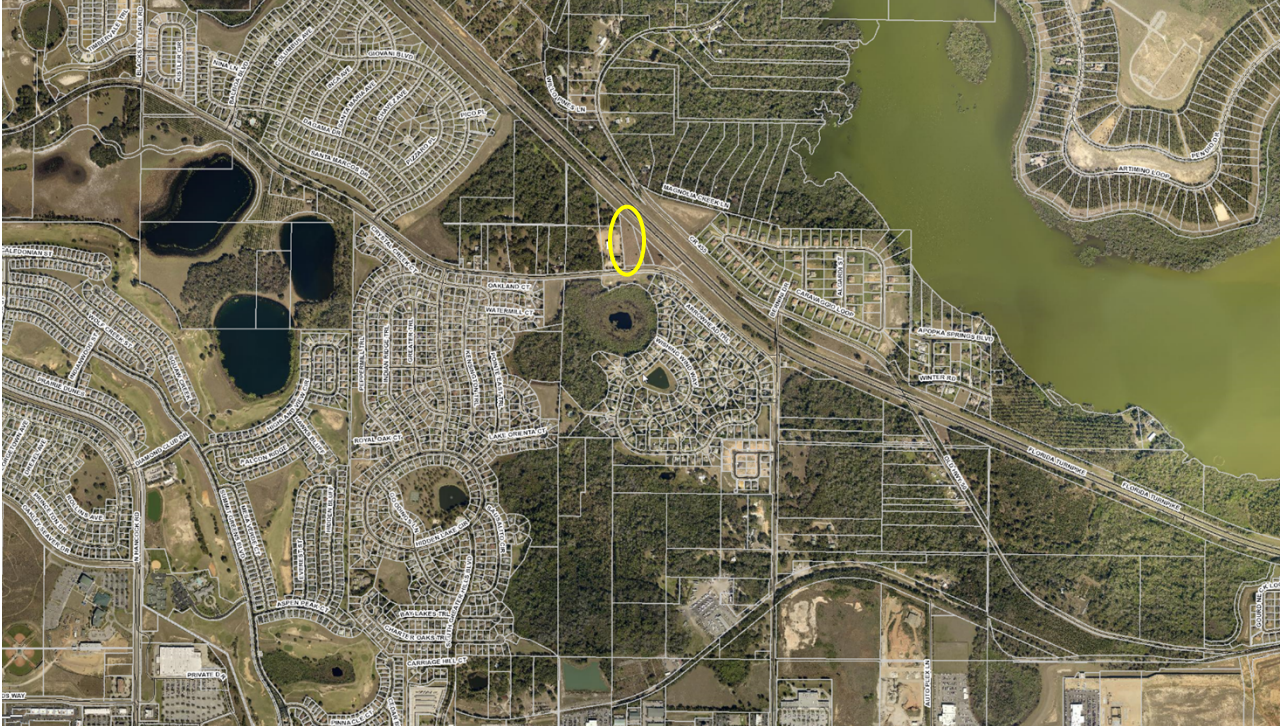


EXHIBIT "D"

LOCATION MAP

Florida Islamic Center

Aerial view:





CITY OF CLERMONT

UTILITY SERVICE AGREEMENT ~ APPLICATION

For Utilities Outside of Municipal Boundaries &
Determination of Capacity

APPLICANT: Florida Islamic Center, Inc. Date: 6/12/2018

CONTACT PERSON: Azeem Abdool, Religious Director
Address: 60 Center Street
City: Minneola State: FL Zip: 34715
Phone: 347-965-4149 Fax: _____
E-Mail: abdul_adheem@hotmail.com

OWNER: Florida Islamic Center, Inc.
Address: 60 Center Street
City: Minneola State: FL Zip: 34715
Phone: 347-965-4149 Fax: _____
E-Mail: abdul_adheem@hotmail.com

PARTY RESPONSIBLE FOR AGREEMENT: Azeem Abdool

Address of the subject property: Old Hwy 50, Clermont - Alt Key #3832861

General Location of the Property: Old Hwy 50, Clermont - Alt Key #3832861 - See Site Plan
(Include Location Map)

Area of the property: 2.61 acres

Zoning: CFD County Future Land Use Urban Low Density
*Attach development orders, ordinances and staff reports by Lake County and the
Florida Dept. of Economic Opportunity (DEO).*

Estimated Water Consumption is 5 gpd/seat = 1500 gpd Gallons per day.
(excluding irrigation)

Estimated Sewer Consumption is Not Applicable - Septic Gallons per day.
Detailed description of project: *(or attach)*

Estimated Re-Use (Gray Water) Water Consumption is NA Gallons per day.

Notes: _____

Items required for submittal include one (1) copy of the following items:

- ☒ Signed original application and materials required for processing.
- ☒ Letter of capacity and utility line location from the City of Clermont Environmental Services Dept. Phone: (352) 241-0178
- ☒ Proposed Site Plan (if applicable)
- ☒ Lake County Property Appraiser - record card
- ☒ Location map
- ☒ Any applications currently on file with Lake County
- ☒ Any Lake County staff reports
- ☐ DEO or ECFRPC correspondence
- ☐ Any information needed for determination of utility services requested

Azeem Abdool, Religious Director

Applicant Name (print)

X

Applicant Name (signature)

Azeem Abdool, Religious Director

Owner Name (print)

X

Owner Name (signature)

Prior to submitting an application, a meeting with the City of Clermont is required

To schedule a meeting please contact:

- **James Hitt, CRA & Mobility Director**
Phone: 352-241-7305
Email: jhitt@clermontfl.org

A review by the *Site Review Committee* may be required, which would require 6 sets of site plans for review by staff. Upon the receipt of all necessary information and review by staff the request will be scheduled for the next available City Council regular meeting.

City of Clermont
Development Services Department
685 W. Montrose St.
Clermont, FL. 34711
(352) 241-7305 Fax: (352) 394-3542



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date					
Tuesday, July 10, 2018					
Agenda Item Name					
Livestock Land Development Regulations					
Requested Action					
Staff Report					
Staff is seeking input for the land development code to accept chickens as a permitted use within the city limits. Staff has reviewed similar municipalities and has formed five review points for accepting the use into our land development code. Any person keeping chickens for personal use shall be subject to the following restrictions: (a) Permit Required. A Backyard Chicken permit is required for the keeping of chickens. The permit is personal to the permittee and may not be reassigned. (b) Up to five (5) chickens may be kept at one location upon receiving a permit from the City. (c) Roosters are not permitted. (d) All chickens must be housed under sanitary conditions in an escape-proof enclosure located no less than 40 feet from the nearest neighboring dwelling, church or other occupied building. (e) Chicken coops must be located in the rear yard. No coop will be allowed in any front or side yard.					
Additional Analysis					
Fiscal Impact Summary					
Fiscal Impact		Fund Number and Description		Available Budget Amount	
Exhibits Attached (copies of original agreements)					