



**CITY OF CLERMONT
COUNCIL MEETING AGENDA
6:30 PM, Tuesday, May 12, 2020**

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

ROLL CALL

INVOCATION & PLEDGE OF ALLEGIANCE

PROCLAMATION

Better Hearing Month

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 - Plat Approval

Consider plat for Waterbrooke Phase 3 for 253 lots located at SR 50 and Emil Jahna Road.

Item No. 2 - Task Order Approval and Budget Amendment

Consider task order for the Clermont rowing course and budget amendment in the amount of \$70,495.

Item No. 3 - Change Order Approval and Contingency Fund

Consider Change Order 8, 9, 10, 11, 12, 13 and 14 to the downtown streetscapes phase 1 construction contract with Traverse Group, Inc. for additional services in the total combined amount of \$211,917.14 and adding a contingency fund in the amount of \$442,389 or 10% of current of new contract value for future change orders.

NEW BUSINESS

Item No. 4 - Variance Request
Fazoli's Restaurant

Consider request to allow two (2) variances to the Land Development Code for development of a new fast food restaurant and retail buildings for vacant parcel located at the northeast corner of S. Hwy 27 and US Hwy 27.

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Item No. 5 - Partial Lien Release

Consider partial lien release for 1800
U.S. Highway 27

Item No. 6 - Ordinance No. 2020-23 *Introduction*

Consider introduction to update the
existing flood plain management
ordinance.

ADJOURN

Public Notice

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.

Pursuant to Executive Order 20-52 of the State of Florida, and the City of Clermont Resolution 2020-14R, a Virtual or Semi-Virtual meeting of the Clermont City Council, and its boards and committees, may be held and simulcast from Clermont City Hall. The purpose of a virtual or semi-virtual meeting is to convene in order to ensure the continuity of government, the delivery of essential services, protecting the interests of property owners and preserving the public health, welfare and safety. Meetings shall be hosted from the City Council Chambers at Clermont City Hall 685 W. Montrose Street, Clermont, FL 34711.

Please note that Governor DeSantis' Executive Order 20-69 suspended the requirement of a quorum to be present in person or requires a local government body to meet at a specific public place. The Executive Order also allows local government bodies to utilize communications media technology, such as telephonic and video conferencing for local government body meetings.

Meetings will be broadcasted live via Zoom conferencing and the City's YouTube Channel:
<https://www.youtube.com/cityofclermontgovernment>

The public shall have the following communication avenues to address the City Council or the Board as may be permitted by law:

1. The public or applicant may address the council or board in person via a live video conference feed available at 685 W. Montrose Street, Clermont, FL 34711 where City will provide and operate technology to facilitate dialog. The location shall be established according to the Center for Disease Control guidelines and other reasonable precautions shall be implemented, maintained and monitored by the City.
2. The public or applicant may send a comment or statement to be read at the Council or Board meeting at the appropriate time. All emails must be received prior to the published start time of the applicable meeting. The email address shall be: cityclerk@clermontfl.org
3. The public or applicant may mail or deliver to City Hall on or before 2 p.m. EST of the day of the meeting to which the statement applies. The written statement shall be read at the Council or Board meeting at the appropriate time.

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Please visit www.clermontfl.gov for detailed instructions on how to access the virtual stream and provide public comment using any of the previously mentioned options. Meeting agendas are available on the city website and will be posted on the exterior doors of City Hall.

Should any person desire to appeal any decision of the City Council with respect to any matter to be considered at this meeting, that person shall ensure that a verbatim record of the proceedings is made including all testimony and evidence upon which any appeal may be based (F.S. 286.0105).

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in this proceeding may contact the Office of the City Clerk at (352) 241-7331 (Voice) no later than two (2) business days prior to the proceeding or by contacting the City Clerk's Office at cityclerk@clermontfl.org. TTY users may call via 711 (Florida Relay Service) no later than two (2) business days prior to the proceeding.

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.



PROCLAMATION

- Whereas,* audiologists in Clermont, Florida, observe and celebrate Better Hearing Month each year during the month of May; and
- Whereas,* Clermont City Council recognizes and values the efforts of all who work to eliminate or minimize the isolating effects of communication disorders in the one in five families affected by them; and
- Whereas,* our citizens who have overcome communication disabilities through the services of audiologists are now able to lead independent, productive, and fulfilling lives; and
- Whereas,* our veterans are returning from service with the main medical complaint of tinnitus and hearing loss as the second most common complaint, and audiologists are diagnosing and helping our veterans; and
- Whereas,* Clermont is proud and honored to have audiologists offering quality education and health care services to its citizens.

Now, Therefore, I, Gail L. Ash, Mayor of the City of Clermont in the State of Florida, do hereby proclaim the Month of May, Two-thousand and Twenty as

BETTER HEARING MONTH

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the City of Clermont to be affixed this 12th Day of May in the year Two Thousand and Twenty.

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

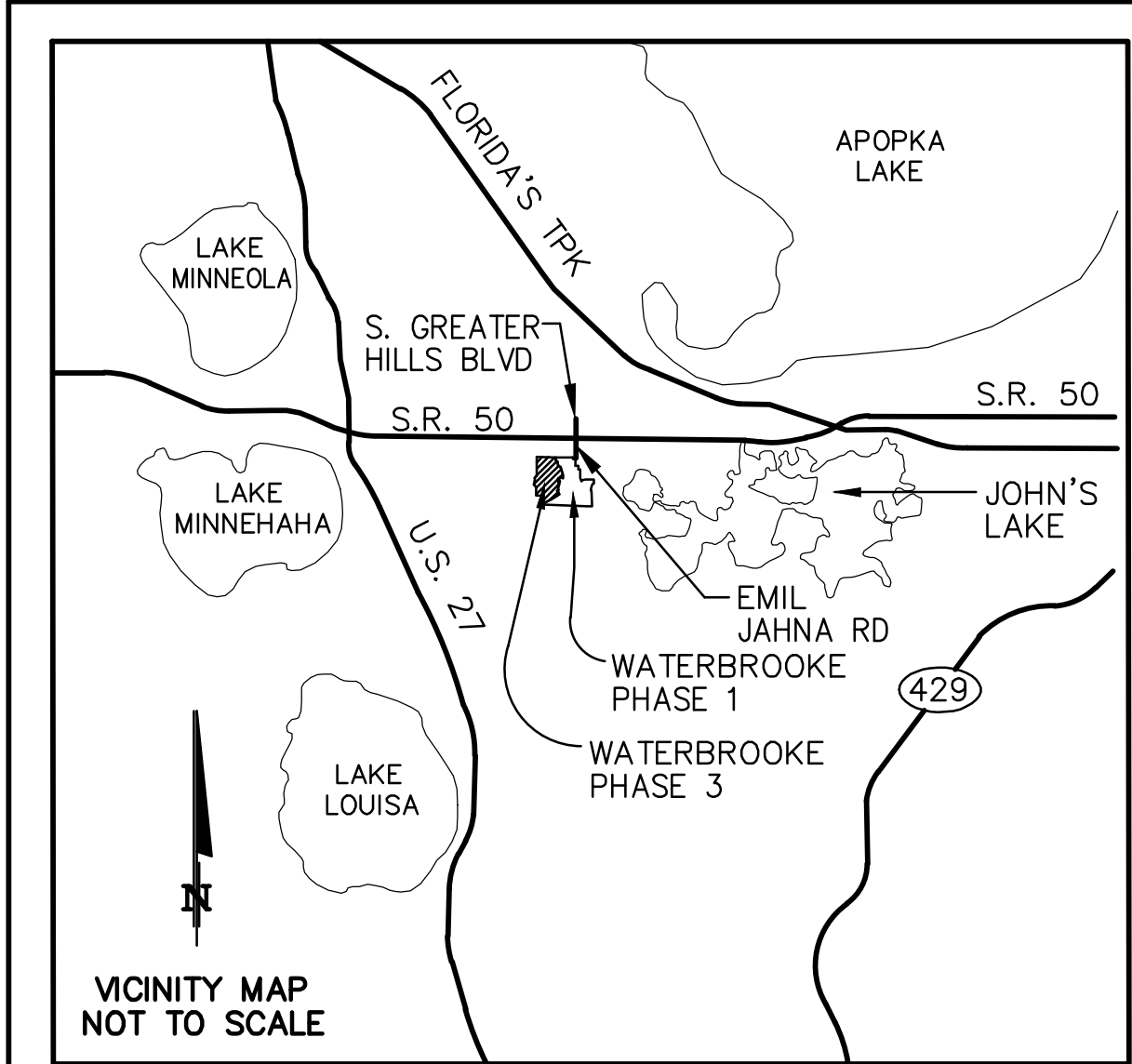


CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 12, 2020		
Agenda Item Name		
Plat Approval		
Requested Action		
Recommend approval of the plat.		
Staff Report		
Waterbrooke Phase 3 is for 253 lots in the Waterbrooke subdivision located at SR 50 and Emil Jahna Road. The plat has been reviewed and approved by the City's contracted Engineer and Surveyor.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Waterbrooke Phase 3 Plat 2020-04-03	Waterbrooke Phase 3 Plat 2020-04-03.pdf	



LEGEND (ALL SHEETS)

C53 = CURVE NUMBER (SEE TABLE)
L14 = LINE NUMBER (SEE TABLE)
Δ = CENTRAL ANGLE
R = RADIUS
L = ARC LENGTH
CB = CHORD BEARING
C = CENTERLINE
R/W = RIGHT-OF-WAY
BFE = BASE FLOOD ELEVATION
BLVD. = BOULEVARD
CT. = COURT
NT = NON-TANGENT
(R) = RADIAL
(NR) = NON-RADIAL
PI = POINT OF INTERSECTION
PT = POINT OF TANGENCY
PC = POINT OF CURVATURE
PCC = POINT OF COMPOUND CURVATURE
PRC = POINT OF REVERSE CURVATURE
ORB= OFFICIAL RECORD BOOK
PB = PLAT BOOK
PG = PAGE
DE = DRAINAGE EASEMENT
UE = UTILITY EASEMENT
DUE = DRAINAGE AND UTILITY EASEMENT
IRC = IRON ROD & CAP
IP = IRON PIPE
N&D = NAIL AND DISK
FND = FOUND
SEC = SECTION
CM = CONCRETE MONUMENT
LB = LICENSED BUSINESS
PLS = PROFESSIONAL LAND SURVEYOR
CCR = CERTIFIED CORNER RECORD
ESMT = EASEMENT
NAD83 = NORTH AMERICAN DATUM OF 1983
NGVD 29 = NATIONAL GEODETIC VERTICAL DATUM OF 1929
NW = NORTHWEST
NE = NORTHEAST
W = WEST
ID = IDENTIFICATION
SEC 27-22-26 = SECTION 27, TOWNSHIP 22 SOUTH,
RANGE 26 EAST

— = SHEET MATCH LINE

■ = DENOTES PERMANENT REFERENCE MONUMENT
(SET 4"x4" CONCRETE MONUMENT STAMPED
"PRM LB 68" UNLESS OTHERWISE NOTED)
PER CHAPTER 177, FLORIDA STATUTES.

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(FOUND 4"x4" CONCRETE MONUMENT STAMPED
"PRM LB 68" UNLESS OTHERWISE NOTED)
PER CHAPTER 177, FLORIDA STATUTES.

⊙ = DENOTES PERMANENT CONTROL POINT
(SET NAIL AND DISK STAMPED "PCP
LB 68" UNLESS OTHERWISE NOTED)
PER CHAPTER 177, FLORIDA STATUTES.

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION
OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE
SURPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT.
THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT
THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

DONALD W. MCINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068

WATERBROOKE PHASE 3

A REPLAT OF A PORTION OF LOT 5, PINE VALLEY INDUSTRIAL PARK
PLAT BOOK 29, PAGE 70, LYING IN SECTION 27, TOWNSHIP 22 SOUTH, RANGE 26 EAST AND
THAT PART OF SECTIONS 27 AND 34, TOWNSHIP 22 SOUTH, RANGE 26 EAST,
CITY OF CLERMONT, LAKE COUNTY, FLORIDA.

DESCRIPTION:

That part of Sections 27 and 34, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

BEGIN at the Northwest corner of the Southeast 1/4 of said Section 27, being the Northwest corner of WATERBROOKE PHASE 1, according to the plat thereof, as recorded in Plat Book 69, Pages 53 through 64, of the Public Records of Lake County, Florida; thence N88°59'10"W along the North line of the Southwest 1/4 of said Section 27, for a distance of 1321.81 feet to the West line of the East 3/4 of the South 1/2 of said Section 27; thence departing said North line run S00°24'50"W along said West line, 1320.76 feet to the Northeast corner of the Southwest 1/4 of the Southwest 1/4 of said Section 27; thence N89°03'05"W along the North line of said Southwest 1/4 of the Southwest 1/4 of Section 27, for a distance of 16.98 feet to the Easterly line of lands described in Official Records Book 4454, Page 98, of the Public Records of Lake County, Florida; thence run the following courses and distances along said Easterly line: S00°55'27"W, 4.66 feet; S53°23'08"W, 100.90 feet; S08°50'46"W, 57.13 feet; S33°38'56"W, 31.61 feet; S04°49'02"E, 40.96 feet; S02°58'52"E, 93.11 feet; S08°48'35"W, 60.57 feet; S20°20'22"W, 82.37 feet; S05°30'28"W, 59.91 feet; S10°59'05"W, 70.76 feet; S18°19'44"E, 68.63 feet; S32°06'31"E, 46.35 feet; S44°29'07"E, 31.79 feet; S61°25'49"E, 40.03 feet; S75°03'48"E along said Easterly line and the Southeasterly prolongation thereof, 66.68 feet to the aforesaid West line of the East 3/4 of the South 1/2 of Section 27; thence departing said Southeasterly prolongation run S00°24'50"W along said West line, 610.02 feet to the Southwest corner of the Southeast 1/4 of the Southwest 1/4 of said Section 27; thence S89°07'02"E along the South line of said Section 27, for a distance of 341.82 feet to the East line of the West 1660.00 feet of the North 1/2 of the aforesaid Section 34; thence departing said South line run S00°05'36"E along said East line, 625.88 feet to the Westernmost corner of the aforesaid plat of WATERBROOKE PHASE 1; thence run the following courses and distances along the Westerly line of said plat of WATERBROOKE PHASE 1: N61°15'04"E, 724.57 feet; N81°46'30"E, 70.15 feet; N58°37'34"E, 626.48 feet; N31°22'26"W, 190.00 feet; N58°37'34"E, 20.89 feet; N35°04'33"W, 122.95 feet; N70°04'42"E, 90.53 feet to a non-tangent curve concave Easterly having a radius of 480.00 feet and a chord bearing of N04°42'24"W; thence Northerly along the arc of said curve through a central angle of 23°42'38" for a distance of 198.64 feet to the point of reverse curvature of a curve concave Southwesterly having a radius of 25.00 feet and a chord bearing of N35°52'48"W; thence Northwesterly along the arc of said curve through a central angle of 86°03'26" for a distance of 37.55 feet to a non-tangent line; N13°59'03"E, 60.07 feet to a non-tangent curve concave Northwesterly having a radius of 25.00 feet and a chord bearing of N58°26'13"E; thence Northeasterly along the arc of said curve through a central angle of 85°47'20" for a distance of 37.43 feet to the point of tangency; N15°32'33"E, 196.42 feet to the point of curvature of a curve concave Southwesterly having a radius of 25.00 feet and a chord bearing of N31°07'33"W; thence Northwesterly along the arc of said curve through a central angle of 93°20'12" for a distance of 40.73 feet to a non-tangent line; N18°09'49"E, 60.31 feet to a non-tangent curve concave Northwesterly having a radius of 25.00 feet and a chord bearing of N59°01'06"E; thence Northeasterly along the arc of said curve through a central angle of 87°04'17" for a distance of 37.99 feet to the point of compound curvature of a curve concave Westerly having a radius of 970.00 feet and a chord bearing of N15°25'11"E; thence Northerly along the arc of said curve through a central angle of 00°07'34" for a distance of 2.13 feet to a non-tangent line; N77°02'46"W, 119.40 feet; N09°55'54"E, 150.73 feet; N03°53'39"E, 49.76 feet; S87°50'24"E, 121.02 feet to a non-tangent curve concave Westerly having a radius of 970.00 feet and a chord bearing of N00°24'21"E; thence Northerly along the arc of said curve through a central angle of 03°30'30" for a distance of 59.39 feet to a non-tangent line; N88°39'07"E, 60.00 feet to a non-tangent curve concave Northeasterly having a radius of 25.00 feet and a chord bearing of S41°54'47"E; thence Southeasterly along the arc of said curve through a central angle of 81°07'48" for a distance of 35.40 feet to the point of reverse curvature of a curve concave Southerly having a radius of 380.00 feet and a chord bearing of S77°15'28"E; thence Easterly along the arc of said curve through a central angle of 10°26'27" for a distance of 69.25 feet to the point of tangency; S72°02'14"E, 50.05 feet; N06°32'36"W, 229.16 feet; N13°23'44"W, 563.79 feet; N67°59'38"W, 212.79 feet; N00°49'38"W, 285.68 feet; N59°54'36"W, 161.71 feet; N00°29'10"E, 213.38 feet to the POINT OF BEGINNING.

Containing 104.700 acres more or less.

NOTES:

- Bearings based on the North line of the Southeast 1/4 of Section 27, Township 22 South, Range 26 East, Lake County, Florida, being N88°59'10"W, relative Florida State Plane Coordinate System, Florida East Zone, 1983 North American Datum, 1990 adjustment.
- The State Plane Coordinates shown hereon are relative to St. John's Water Management District, Lake Apopka GPS Control Network control point W56, Northing 1528029.39885, Easting 4344520.17367, Florida State Plane Coordinate System, Florida East Zone, 1983 North American Datum, 1990 adjustment average combined scale factor: 0.999997533260
- All lines intersecting curves are radial unless noted as (NR) = Non-Radial.
- Per Chapter 177.091 (28) Florida Statutes: All platted utility easements shall provide that such easements shall also be easements for the construction, installation, maintenance, and operation of cable television services; provided however, no such construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. Such construction, installation, maintenance, and operation shall comply with the National Electrical Safety Code as adopted by the Florida Public Service Commission.
- Tract C is a future right-of-way tract to be owned and maintained by Lake County, Florida for public right-of-way purposes, subject to any assignment of such maintenance obligations to another public agency. Owner shall convey fee simple title of Tract C to Lake County, Florida by separate instrument to be recorded in the Public Records of Lake County, Florida.
- Tract D is a Private Roadways tract to be owned and maintained by Waterbrooke Homeowners Association, Inc.
- There is hereby granted and dedicated for the benefit of the City of Clermont and other public service and emergency service providers, a non-exclusive easement over and through Tract D (Private Roadways) and any other privately owned internal roads, alleys, paved areas, and sidewalks for vehicular and pedestrian ingress and egress access for the purpose of providing public services and emergency services to the Subdivision, including but not limited to, postal, fire protection, police protection, emergency medical transportation, code enforcement, garbage, utilities, and other public and emergency services. The City of Clermont is hereby granted and dedicated a non-exclusive drainage and utilities easement over, under, across, and through Tract D. The City of Clermont shall only be responsible for the maintenance of utility improvements it accepts and/or installs within the aforesaid Easement Area, and Waterbrooke Homeowners Association, Inc., shall be responsible for the maintenance of all drainage improvements within Tract D.
- Tracts O and M are Open Space and Landscape Buffer tracts to be owned and maintained by Waterbrooke Homeowners Association, Inc.
- Tracts J, S, T and U are Open Space tracts to be owned and maintained by Waterbrooke Homeowners Association, Inc.
- Tract P is Community Park tract to be owned and maintained by Waterbrooke Homeowners Association, Inc.
- Tract N is a Stormwater and Open Space tract to be owned and maintained by Waterbrooke Homeowners Association, Inc.
- Easements within Lots 334 through 468, Lots 517 through 527 and Lots 566 through 587 are hereby dedicated and established as follows unless otherwise shown:

5.00 foot wide drainage easement (in favor of the Association) and utility easement (in favor of the City of Clermont) along all side and rear lot lines unless otherwise shown.

10.00 foot wide drainage easement (in favor of the Association), and utility easement (in favor of the City of Clermont) along all lot lines abutting right-of-way lines unless otherwise shown.

- All platted Drainage Easements shown hereon shall be private, non-exclusive easements in favor of the Waterbrooke Home Owner's Association, Inc., its successors or assigns, for the Association's members subject to and in accordance with the terms of the Declaration, and in favor of Mattamy Orlando LLC and its affiliates, successors, assignees or designees.
- An emergency access easement to the private storm drainage system over Tract N and over all drainage easements shown on this plat is hereby dedicated to the City of Clermont for emergency maintenance purposes in the event inadequate maintenance of the storm drainage system creates a hazard to the public health, safety, and general welfare. The emergency access easement granted above does not impose any obligation, burden, responsibility or liability upon the City of Clermont to enter upon the subject property and take any action to repair or maintain the private drainage system. A non-exclusive easement through, over, under and across all utility easements shown hereon is hereby dedicated for use by all public utilities for the purpose of constructing, maintaining and replacing their respective facilities servicing the lands encompassed by this plat.
- Lands Shown hereon are subject to Ordinance # 2006-30, recorded May 30, 2006 in Official Records Book 3171, Page 2343; provided, this reference thereto shall not re-impose the same.
- Lands Shown hereon are subject to Ordinance # 2014-80-Jahna PUD Amendment # 27-14-2, recorded January 8, 2015 in Official Records Book 4571, Page 1720; provided, this reference thereto shall not re-impose the same.
- Lands Shown hereon are subject to Ordinance # 2015-70, recorded November 5, 2015 in Official Records Book 4702, Page 897; provided, this reference thereto shall not re-impose the same.
- Lands Shown hereon are subject to Impact Fee Agreement between Lake County and Mattamy Orlando LLC, recorded April 27, 2017 in Official Records Book 4936, Page 982; provided, this reference thereto shall not re-impose the same.
- The Declaration of Covenants, Conditions, Restrictions and Easements for Waterbrooke encumbering the lands shown on this plat to be recorded in the Public Records of Lake County, Florida, and all subsequent amendments and supplements thereto independently establishes easements over portions of the lands being platted hereunder.
- Access to the lands described hereon, is provided by Emil Jahna Road pursuant to that certain Shared Access Agreement and Grant of Easement between UP Fieldgate Us Investments-Clermont Hills, LLC and Mattamy Orlando LLC, recorded March 22, 2017 in Official Records Book 4918, Page 1895, Public Records of Lake County, Florida.
- Lands Shown hereon are subject to Distribution Easement in favor of Florida Power Corporation, a Florida corporation, recorded October 26, 1994 in Official Records Book 1325, Page 2184, Public Records of Lake County, Florida.
- Lands Shown hereon are subject to Grant of Drainage Easement and/or License Rights by and between Nola Land Company, Inc. and Florida Rock Industries, Inc. recorded October 10, 2011 in Official Records Book 4081, Page 825, Public Records of Lake County, Florida.
- Lands Shown hereon are subject to City of Clermont Ordinance No. 2016-20 recorded August 31, 2018 in Official Records Book 5163, Page 472, Public Records of Lake County, Florida.

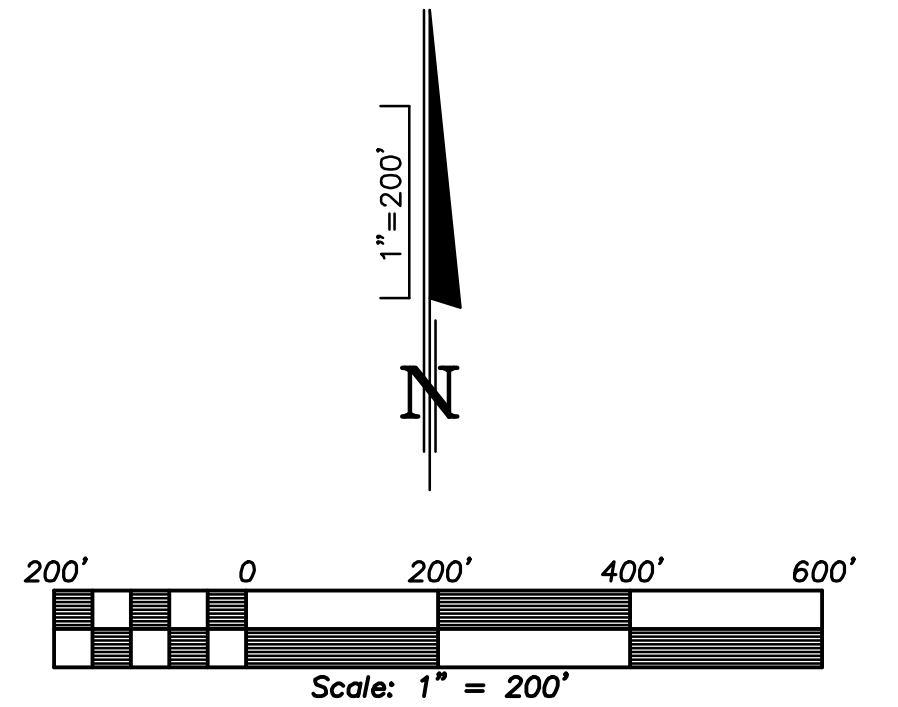
PLAT BOOK	PAGE
WATERBROOKE PHASE 3 DEDICATION	
KNOW ALL BY THESE PRESENTS, that Mattamy Orlando LLC, a Delaware limited liability company, being the owners in fee simple of the lands described in the foregoing caption to this plat, hereby dedicates said lands and plat for the uses and purposes therein expressed including as set forth in the plat notes.	
IN WITNESS WHEREOF, the Owner has caused these presents to be signed and attested to by its Authorized Agents named below on _____	
Signed, sealed, and delivered in the presence of:	By: Mattamy Orlando LLC a Delaware Limited Liability Company 1900 Summit Tower Boulevard Suite 500 Orlando, Florida 32810
Signature _____	_____
Print Name: _____	_____
Signature _____	By: _____ Print Name: _____
Print Name: _____	Title: _____
STATE OF FLORIDA COUNTY OF ORANGE	
The foregoing instrument was acknowledged before me by means of (_____) physical presence or (_____) online notarization, this _____ by _____ as _____ of Mattamy Orlando LLC, a Delaware Limited Liability Company, on behalf of the Company. He is personally known to me or has produced _____ as identification.	
IN WITNESS WHEREOF, I have hereto set my hand and seal on the above date.	
Signature of Person Taking Acknowledgment _____	
Print Name: _____ Notary Public Commission No. _____ My Commission Expires: _____	
CERTIFICATE OF APPROVAL BY MUNICIPALITY	
THIS IS TO CERTIFY, that this plat was reviewed in accordance with Section 177.081, Florida Statutes and presented to the CITY COUNCIL of Clermont, Lake County, Florida, and approved by said CITY COUNCIL of Clermont for record on the ____ day of _____, 2020, provided that this plat is recorded in the office of the Clerk of the Circuit Court of Lake County, Florida within _____ days from the date of approval by said City of Clermont, Florida.	
Attest: _____	City of Clermont
City Clerk _____	Mayor _____
PRINT NAME _____	PRINT NAME _____
REVIEWER STATEMENT	
Pursuant to Section 177.081, Florida Statutes, I have reviewed this plat for conformity to Chapter 177, Part I, Florida Statutes, and find that said plat complies with the technical requirements of that Chapter; provided, however, that my review does not include field verification of any of the coordinates, points or measurements shown on this plat.	
Signature _____	Date _____ Registration Number _____
CERTIFICATE OF SURVEYOR	
KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a registered Surveyor and Mapper, fully licensed to practice in the State of Florida, does hereby certify that this plat was prepared under his supervision, and that this plat complies with all the Survey Requirements of Chapter 177.091, Part I, Platting, Florida Statutes.	
DONALD W. MCINTOSH ASSOCIATES, INC. 2200 Park Avenue North, Winter Park, Fl 32789 Certificate of Authorization Number LB68	
_____	Date: _____
Robert "Tyler" Sears	Registration # 6950
CERTIFICATE OF CLERK	
I HEREBY CERTIFY, That I have examined the foregoing plat and find that it complies in form with all the requirements of Chapter 177, Florida Statutes and was filed for record on _____ at _____ File No. _____	
Clerk of the Circuit Court in and for Lake County, Florida	

A REPLAT OF A PORTION OF LOT 5, PINE VALLEY INDUSTRIAL PARK
PLAT BOOK 29, PAGE 70, LYING IN SECTION 27, TOWNSHIP 22 SOUTH, RANGE 26 EAST AND
THAT PART OF SECTIONS 27 AND 34, TOWNSHIP 22 SOUTH, RANGE 26 EAST,
CITY OF CLERMONT, LAKE COUNTY, FLORIDA.

PLAT
BOOK

PAGE

SHEET 2 OF 15



CURVE TABLE (THIS SHEET ONLY)					
NUMBER	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	480.00'	23°42'38"	198.64'	197.22'	S04°42'24"E
C2	25.00'	86°03'26"	37.55'	34.12'	N35°52'48"W
C3	25.00'	85°47'20"	37.43'	34.03'	N58°26'13"E
C4	25.00'	93°20'12"	40.73'	36.37'	N31°07'33"W
C5	25.00'	87°04'17"	37.99'	34.44'	N59°01'06"E
C6	970.00'	0°07'34"	2.13'	2.13'	N15°25'11"E
C7	970.00'	3°30'30"	59.39'	59.38'	N00°24'21"E
C8	25.00'	81°07'48"	35.40'	32.52'	S41°54'47"E
C9	380.00'	10°26'27"	69.25'	69.15'	S77°15'28"E

LINE TABLE (THIS SHEET ONLY)		
NUMBER	BEARING	DISTANCE
L1	N31°22'26"W	190.00'
L2	N58°37'34"E	20.89'
L3	N35°04'33"W	122.95'
L4	N70°04'42"E	90.53'
L5	N13°59'03"E	60.07'
L6	N15°33'33"E	196.42'
L7	N18°09'49"E	60.31'
L8	N77°02'46"W	119.40'
L9	N09°55'54"E	150.73'
L10	N03°53'39"E	49.76'
L11	S87°50'24"E	121.02'
L12	N88°39'07"E	60.00'
L13	S72°02'14"E	50.05'

SEE SHEET 1 FOR NOTES AND LEGEND

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

E 1/4 CORNER SEC 34-22-26
FND 4"X4" CM NO ID (CCR #38693)
FND 1" IP NO ID (1.34'N,0.35'W)



DONALD W. McINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068

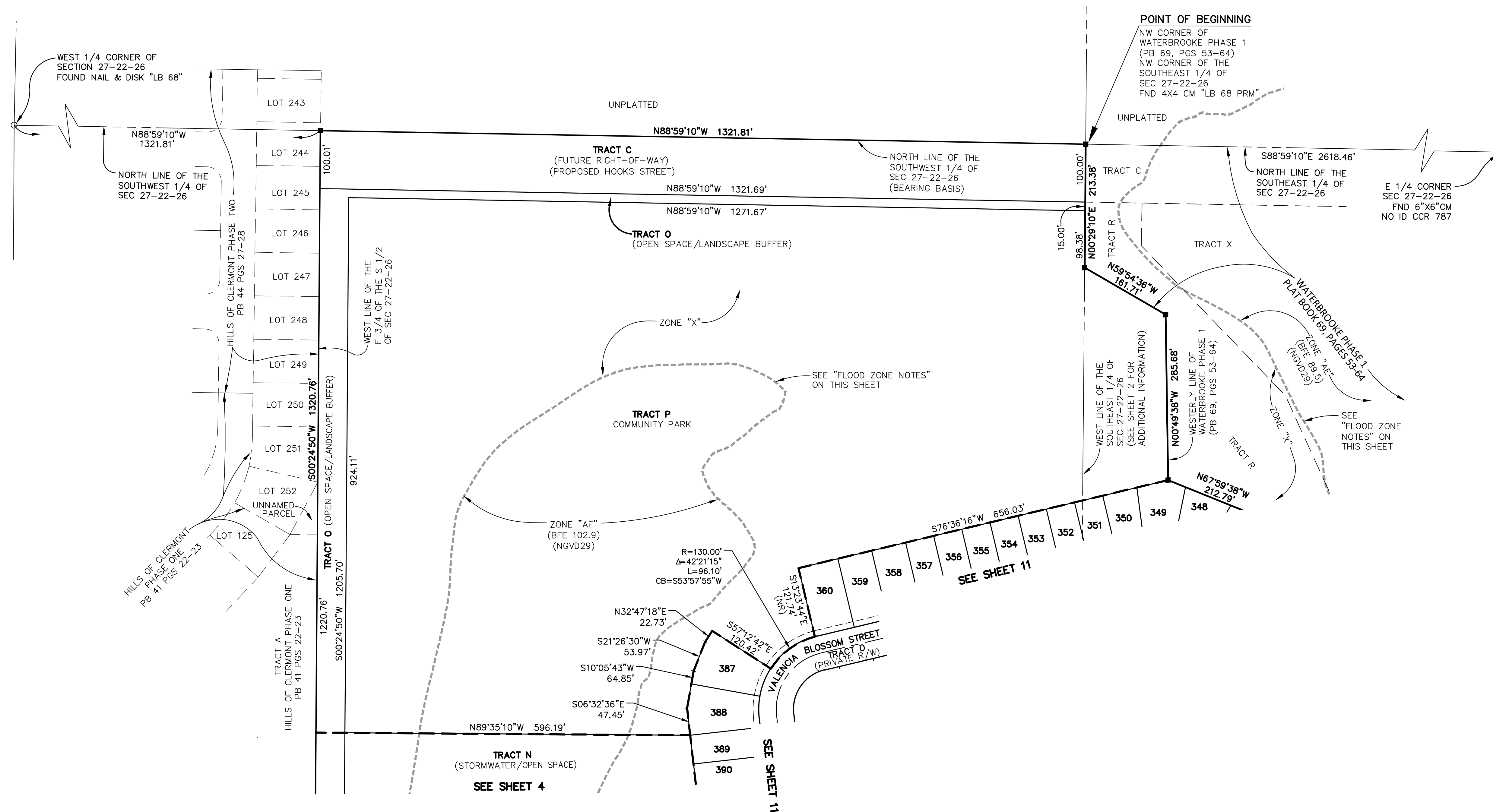
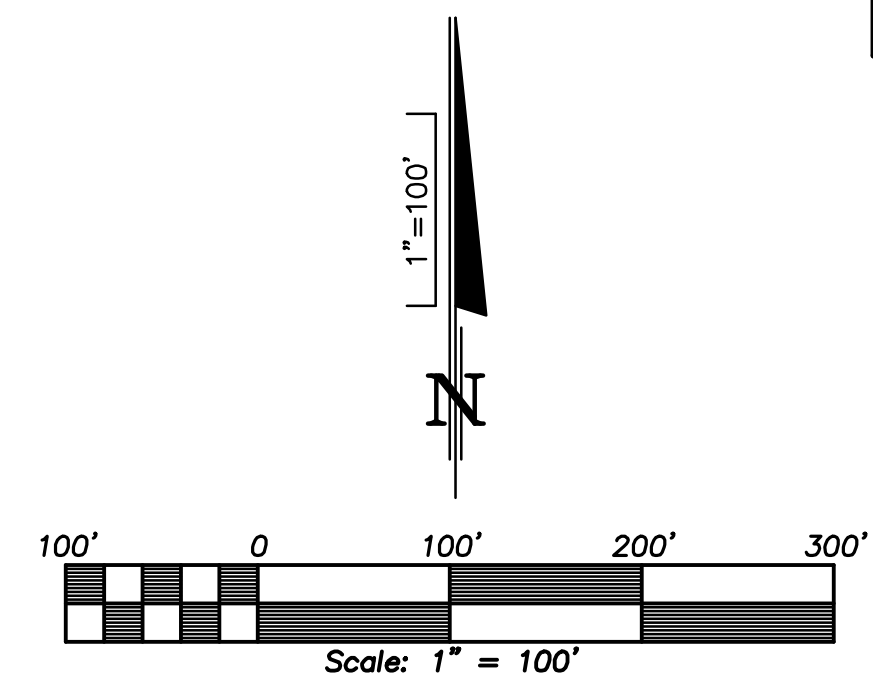
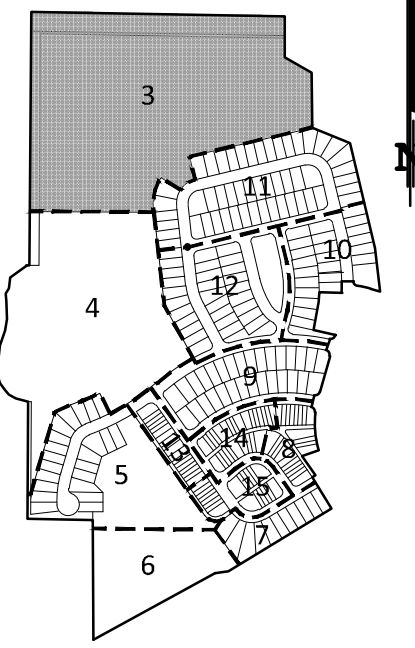
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PAGE

SHEET INDEX
NOT TO SCALE

 = CURRENT SHEET

3 = SHEET NUMBER



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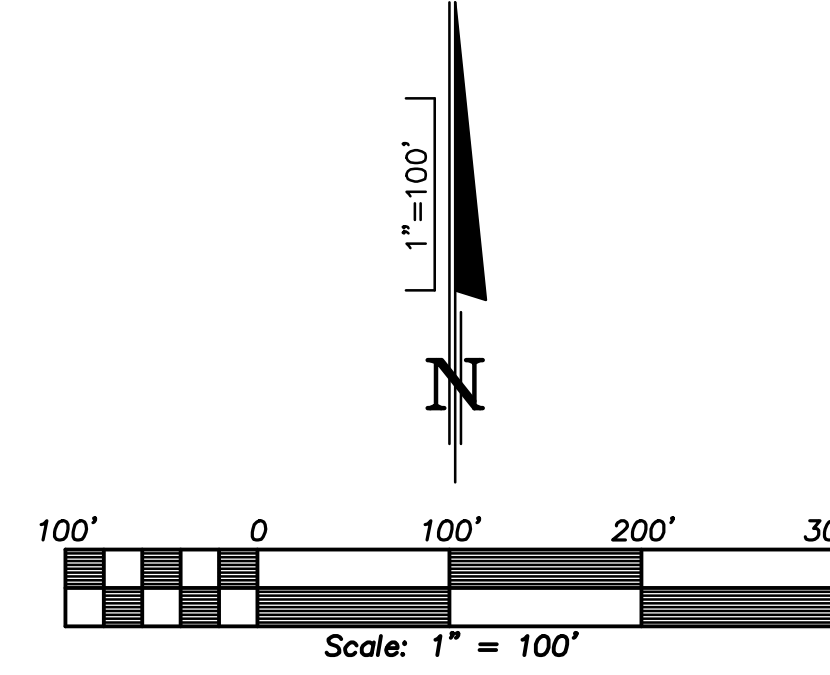
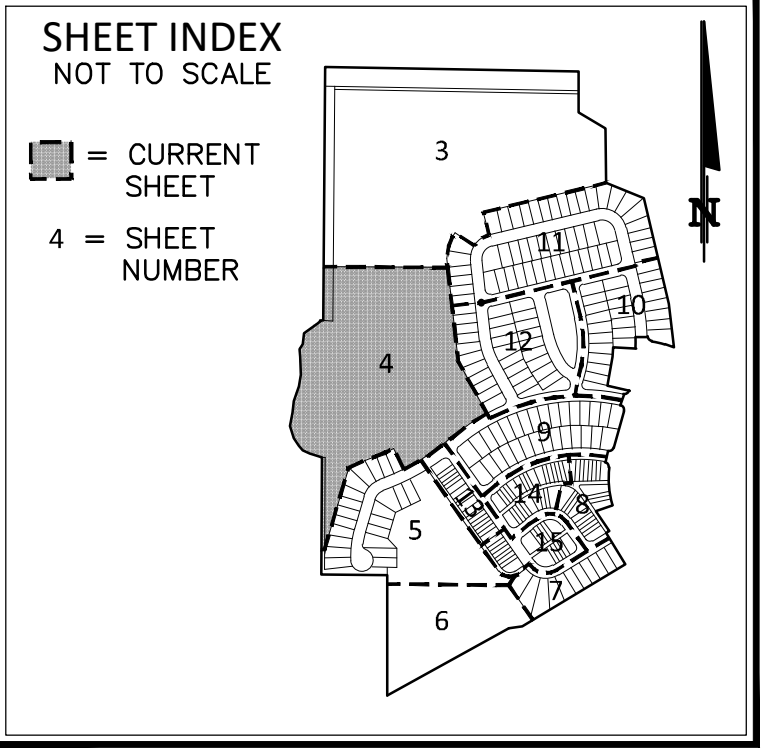
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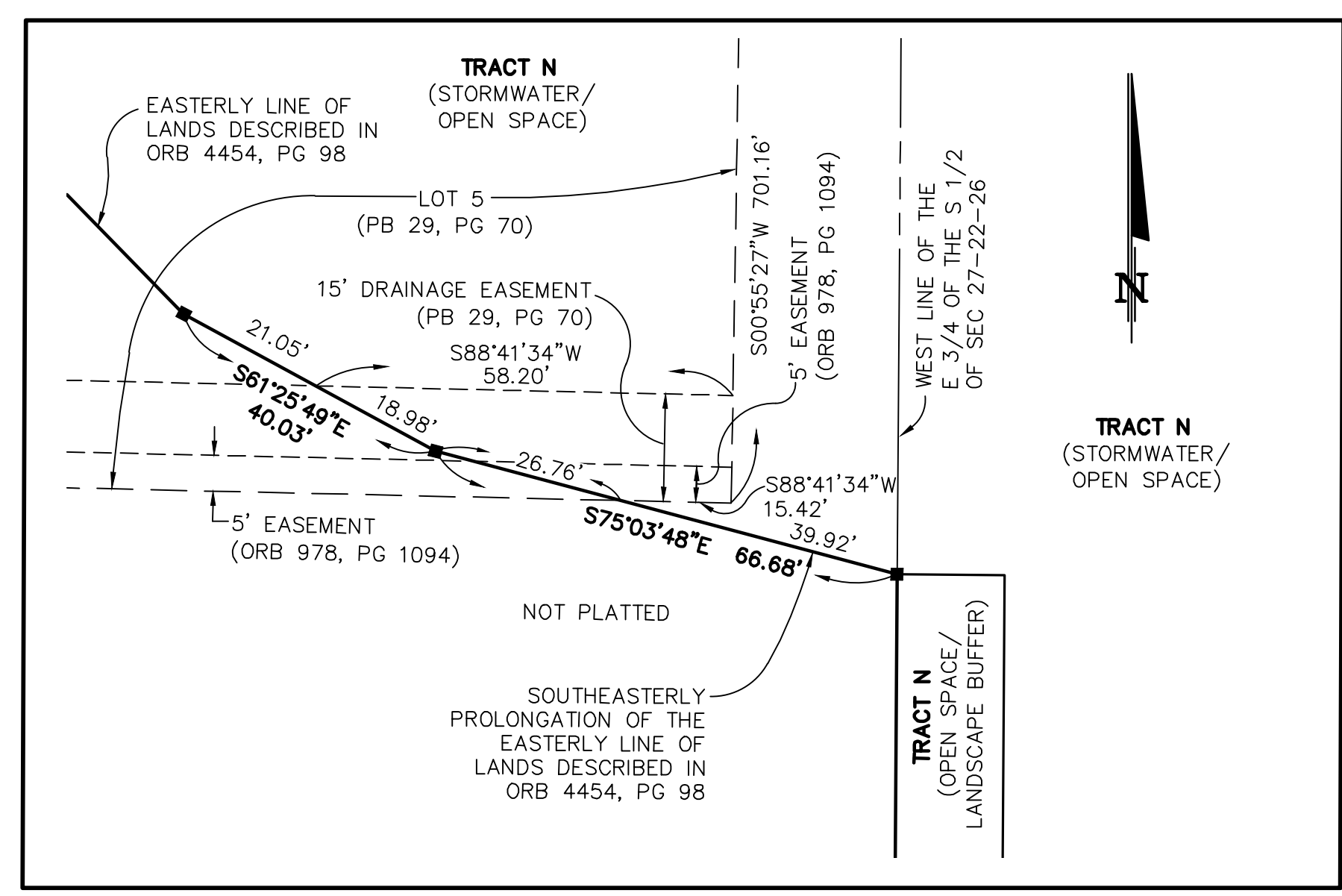
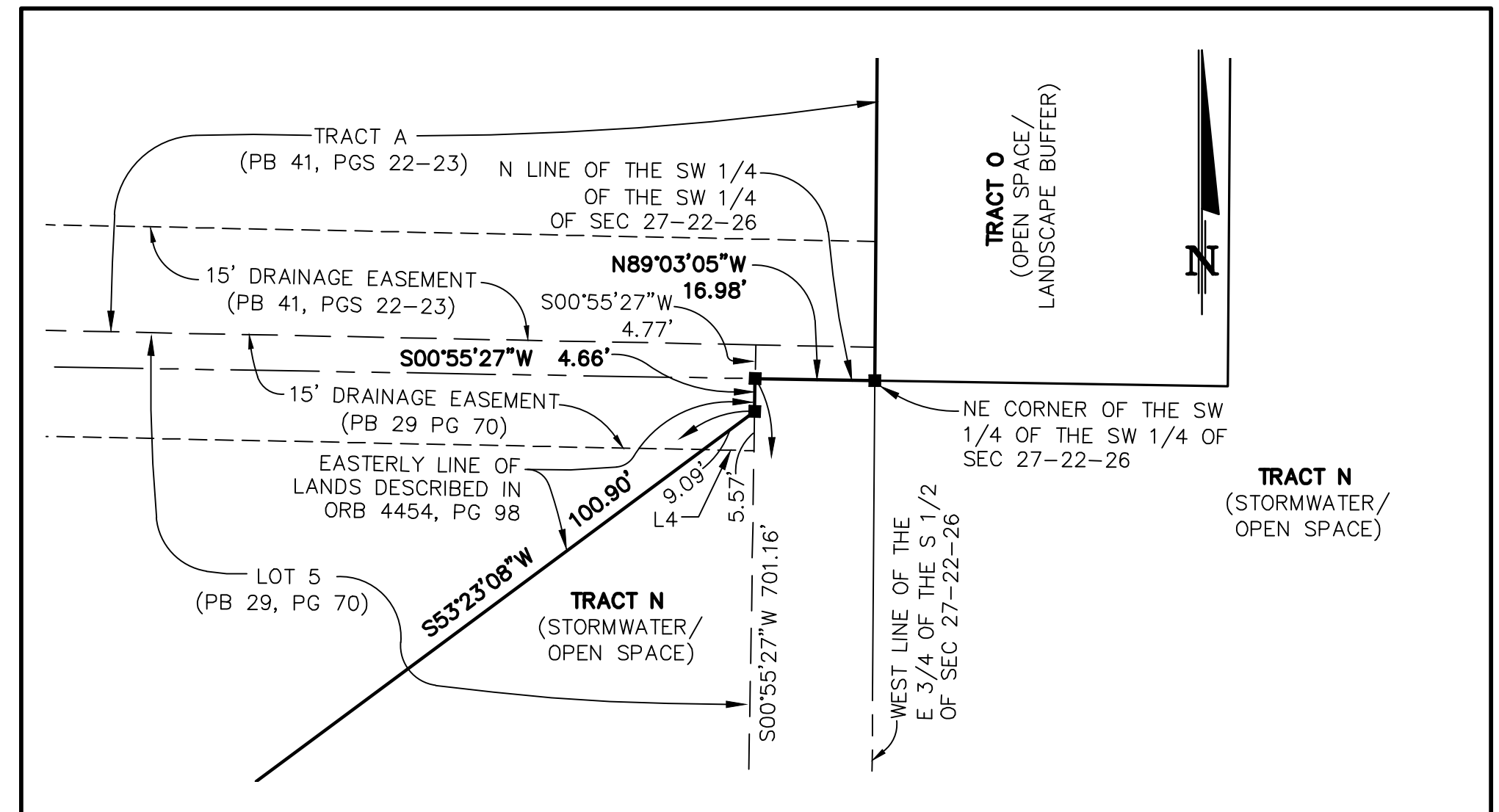
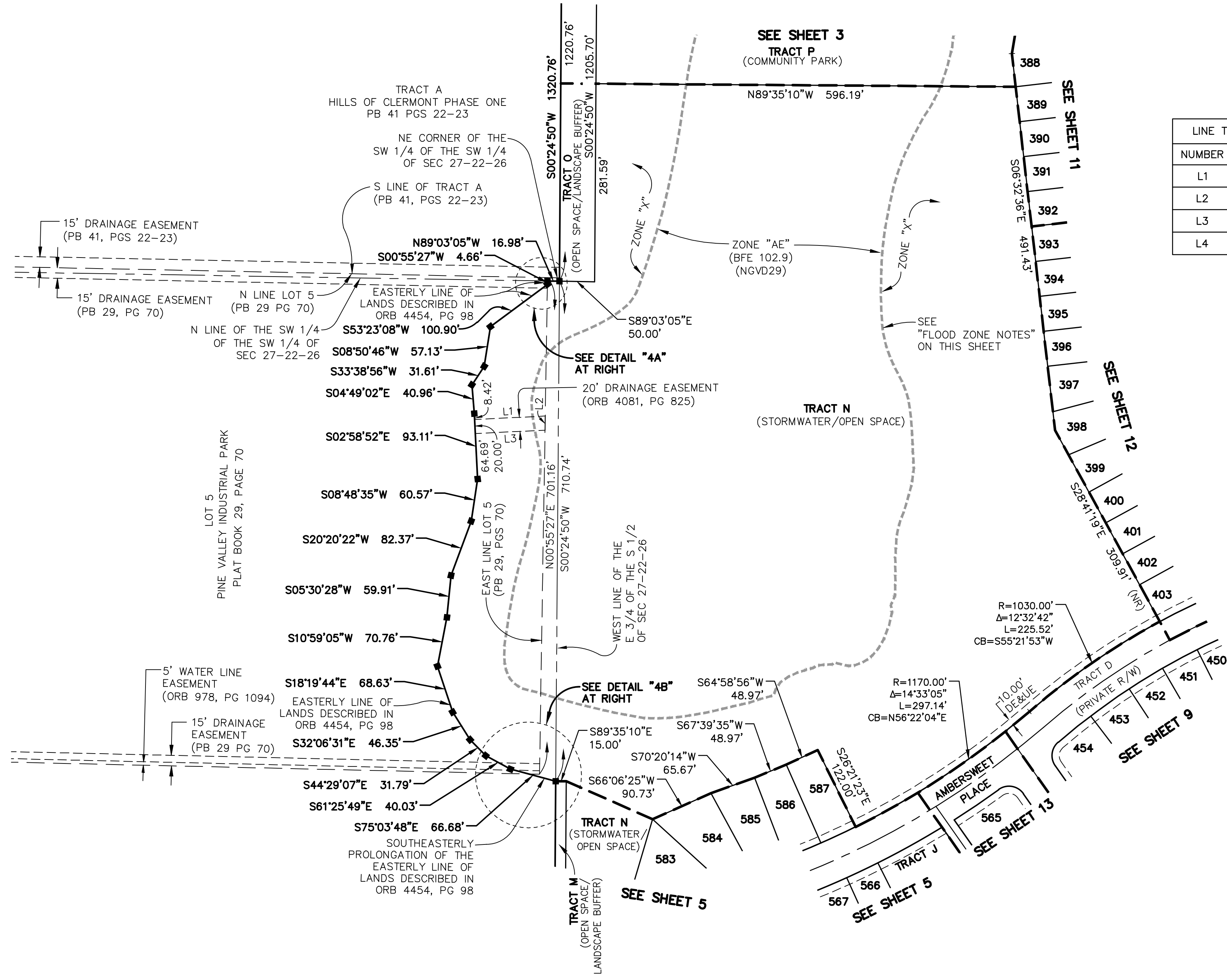
PLAT
BOOK

PAGE

SHEET 4 OF 15



LINE TABLE (THIS SHEET ONLY)		
NUMBER	BEARING	DISTANCE
L1	S87°10'50"W	100.51'
L2	N00°55'27"E	20.04'
L3	S87°10'50"W	99.15'
L4	S88°50'08"E	7.20'



SEE SHEET 1 FOR NOTES AND LEGEND

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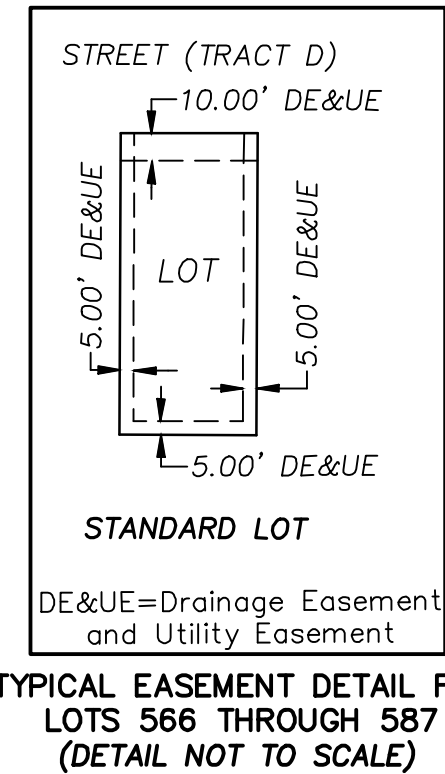
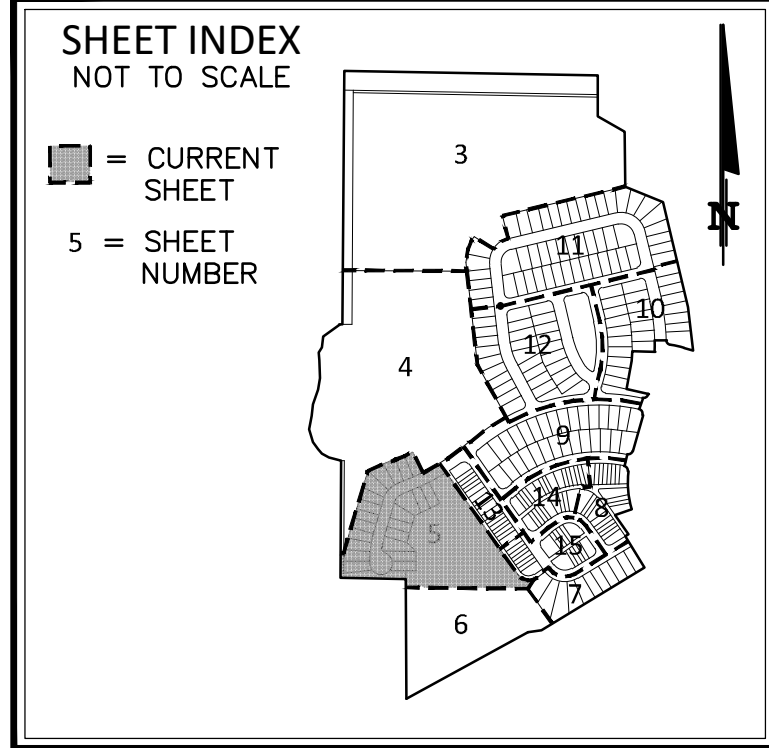
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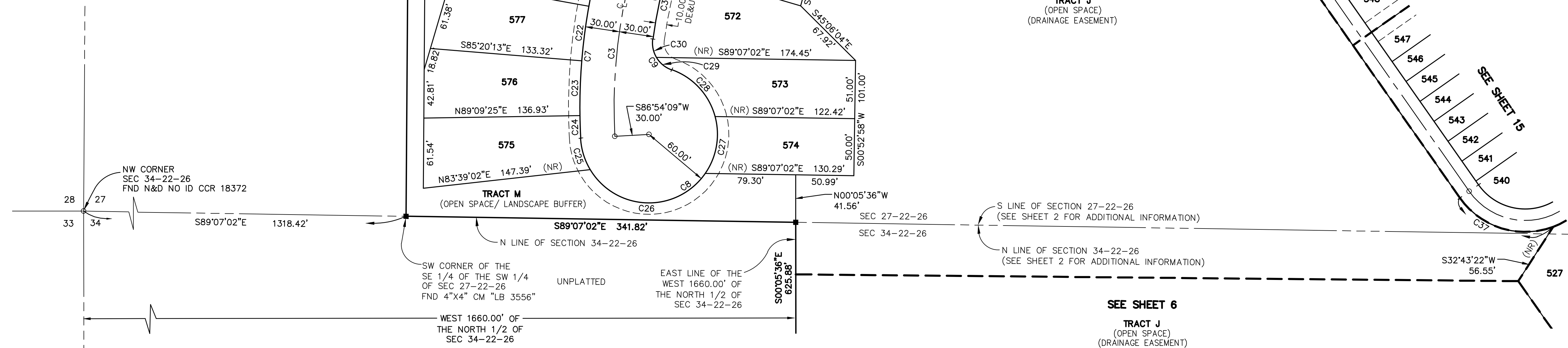
PLAT
BOOK

PAGE

SHEET 5 OF 15



CURVE TABLE (THIS SHEET ONLY)					
NUMBER	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	1200.00'	21°18'15"	446.20'	443.63'	N59°44'40"E
C2	100.00'	53°57'36"	94.18'	90.74'	S43°24'59"W
C3	470.00'	19°32'02"	160.24'	159.46'	S06°40'10"W
C4	1200.00'	12°15'35"	256.77'	256.28'	N64°16'00"E
C5	1170.00'	21°18'15"	435.04'	432.54'	N59°44'40"E
C6	130.00'	53°57'36"	122.43'	117.96'	S43°24'59"W
C7	500.00'	19°32'02"	170.46'	169.64'	S06°40'10"W
C8	60.00'	247°31'14"	259.20'	99.76'	N53°08'32"E
C9	25.00'	78°25'48"	34.22'	31.61'	S31°24'11"E
C10	440.00'	8°37'28"	66.23'	66.17'	S12°07'27"W
C11	70.00'	53°57'36"	65.92'	63.52'	S43°24'59"W
C12	1230.00'	11°52'18"	254.85'	254.40'	N64°27'38"E
C13	1170.00'	2°40'39"	54.67'	54.67'	N64°58'56"E
C14	1170.00'	2°40'39"	54.67'	54.67'	N67°39'35"E
C15	1170.00'	1°23'53"	28.55'	28.55'	N69°41'51"E
C16	130.00'	9°02'03"	20.50'	20.48'	S65°52'46"W
C17	130.00'	18°58'39"	43.06'	42.86'	S51°52'25"W
C18	130.00'	18°58'34"	43.06'	42.86'	S32°53'48"W
C19	130.00'	6°58'20"	15.82'	15.81'	S19°55'21"W
C20	500.00'	0°39'22"	5.72'	5.72'	S16°06'30"W
C21	500.00'	5°35'19"	48.77'	48.75'	S12°59'10"W
C22	500.00'	5°31'43"	48.25'	48.23'	S07°25'39"W
C23	500.00'	5°30'22"	48.05'	48.03'	S01°54'36"W
C24	500.00'	2°15'15"	19.67'	19.67'	S01°58'13"E
C25	60.00'	27°50'03"	29.15'	28.86'	S17°00'52"E
C26	60.00'	114°18'12"	119.70'	100.81'	S88°05'00"E
C27	60.00'	49°53'41"	52.25'	50.61'	N09°49'04"E
C28	60.00'	55°29'18"	58.11'	55.86'	N42°52'26"W
C29	25.00'	40°00'55"	17.46'	17.11'	S50°36'37"E
C30	25.00'	38°24'53"	16.76'	16.45'	S11°23'43"E
C31	440.00'	8°22'35"	64.33'	64.27'	S12°00'01"W
C32	440.00'	0°14'53"	1.90'	1.90'	S16°18'45"W
C33	1230.00'	2°25'44"	52.14'	52.14'	N69°10'55"E
C34	1230.00'	2°17'30"	49.20'	49.19'	N66°49'19"E
C35	1230.00'	2°17'30"	49.20'	49.19'	N64°31'49"E
C36	1230.00'	4°51'35"	104.32'	104.29'	N60°57'17"E
C37	70.00'	75°23'59"	92.12'	85.61'	S72°46'32"E



SEE SHEET 1 FOR NOTES AND LEGEND

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WATERBROOKE PHASE 3

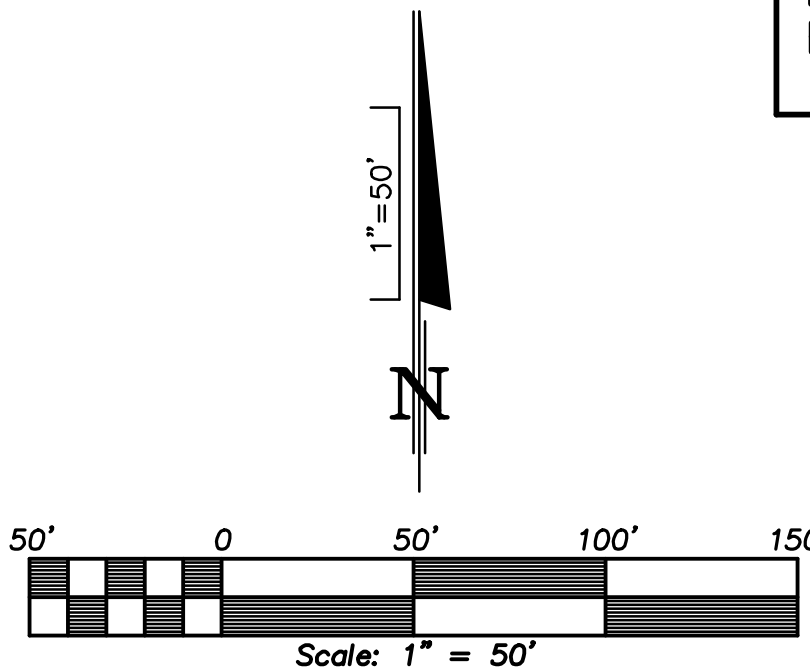
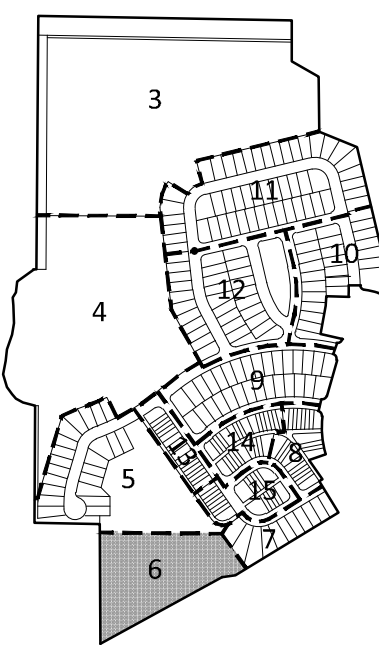
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NOT TO SCALE
= CURRENT
SHEET
6 = SHEET
NUMBER



TRACT J
(OPEN SPACE)
(DRAINAGE EASEMENT)

SEE SHEET 5

SEC 27-22-26
SEC 34-22-26
S LINE OF SECTION 27-22-26
(SEE SHEET 2 FOR ADDITIONAL INFORMATION)
N LINE OF SECTION 34-22-26
(SEE SHEET 2 FOR ADDITIONAL INFORMATION)

EAST LINE OF THE
WEST 1660.00' OF
THE NORTH 1/2 OF
SEC 34-22-26

TRACT J
(OPEN SPACE)
(DRAINAGE EASEMENT)

SEE SHEET 7

527
N55°04'33" W 222.17'
526
65.26'
N81°46'30"E 70.15'
N58°37'34"E 626.48'

UNPLATTED

S00°05'36"E 625.88'

N6°15'04"E 724.57'

WATERBROOKE PHASE 1
PLAT BOOK 69, PAGES 53-64

TRACT LL
(OPEN SPACE / PASSIVE PARK)

SEE "FLOOD ZONE NOTES"
ON THIS SHEET

TRACT JJ
(STORMWATER / OPEN SPACE)

ZONE "X"

ZONE "AE"
(BFE 86.3)
(NGVD29)

UNPLATTED

WESTERNMOST CORNER OF
WATERBROOKE PHASE 1
(PB 69, PGS 53-64)

170' FLORIDA POWER
CORPORATION EASEMENT
(ORB 320, PG 610)
(ORB 3736, PG 2189)
30' FLORIDA POWER
CORPORATION EASEMENT
(ORB 422, PG 552)

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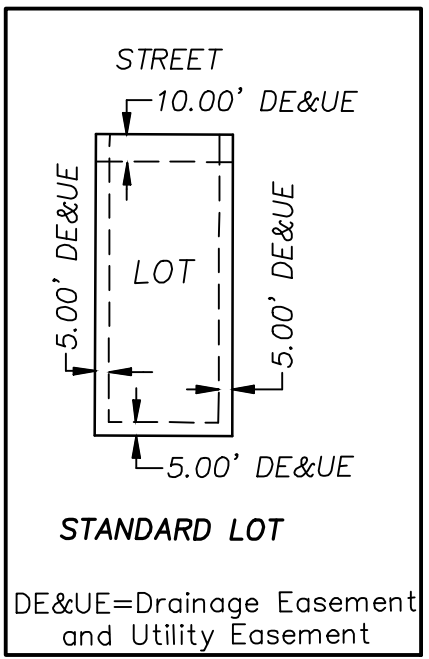
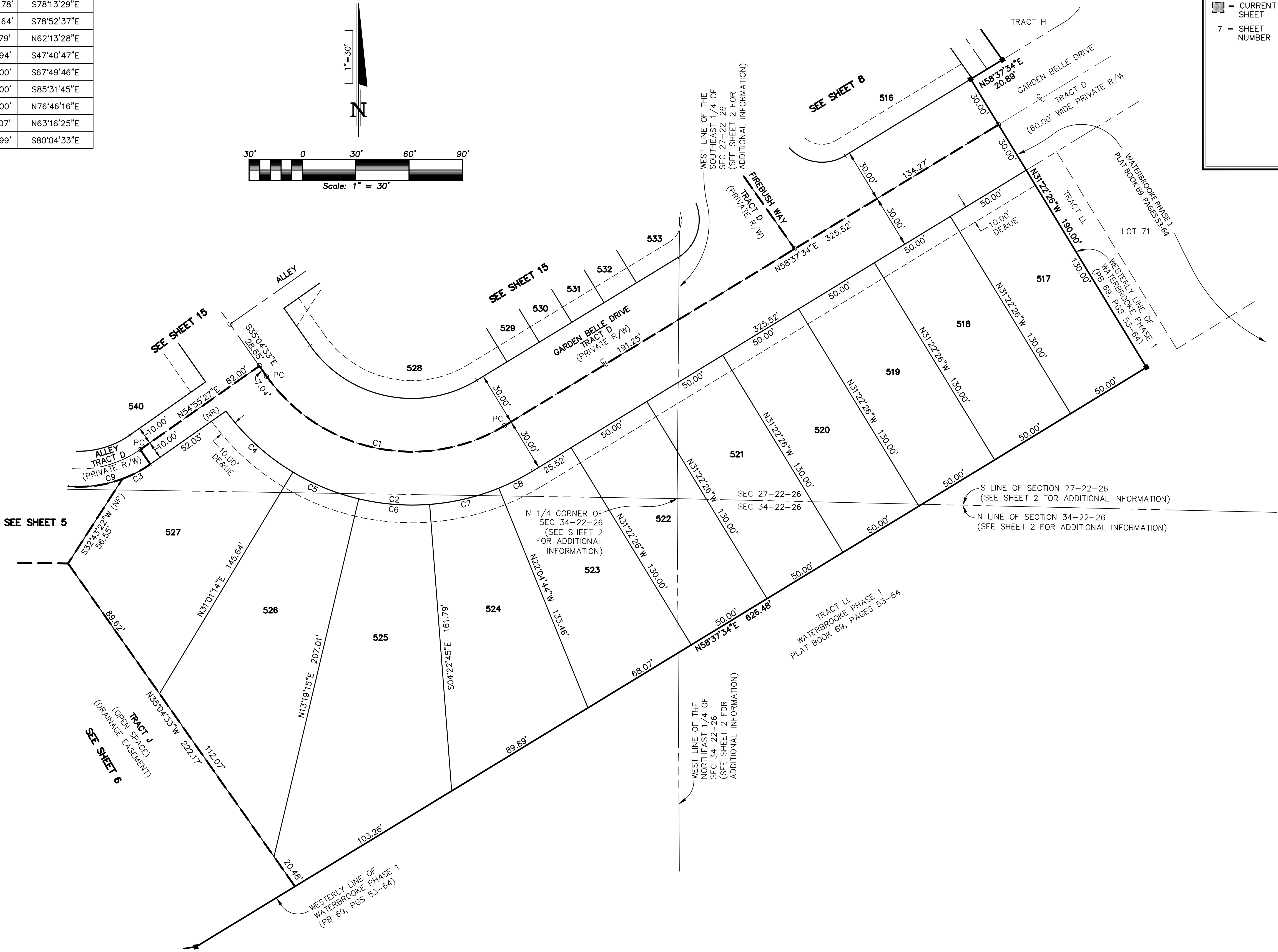
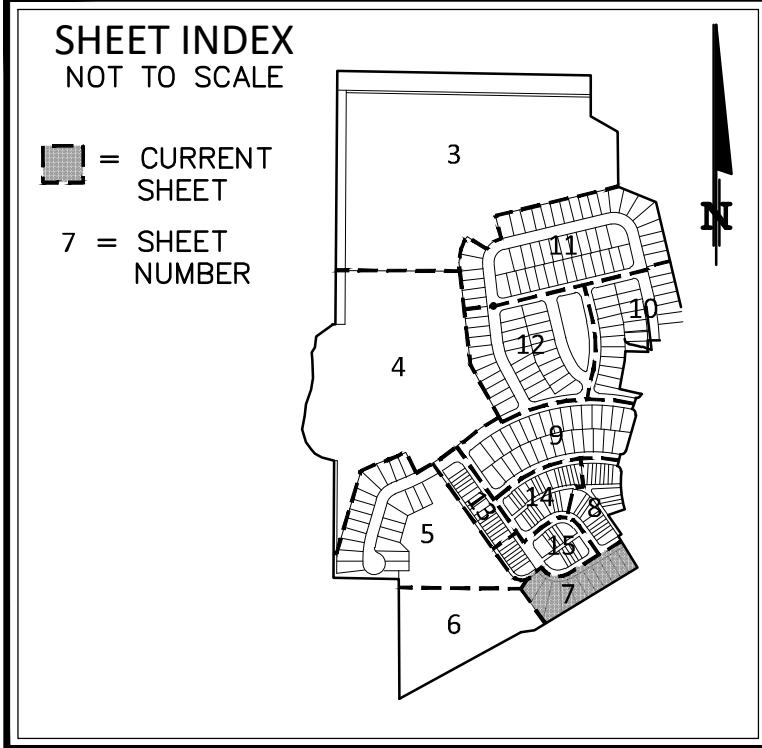
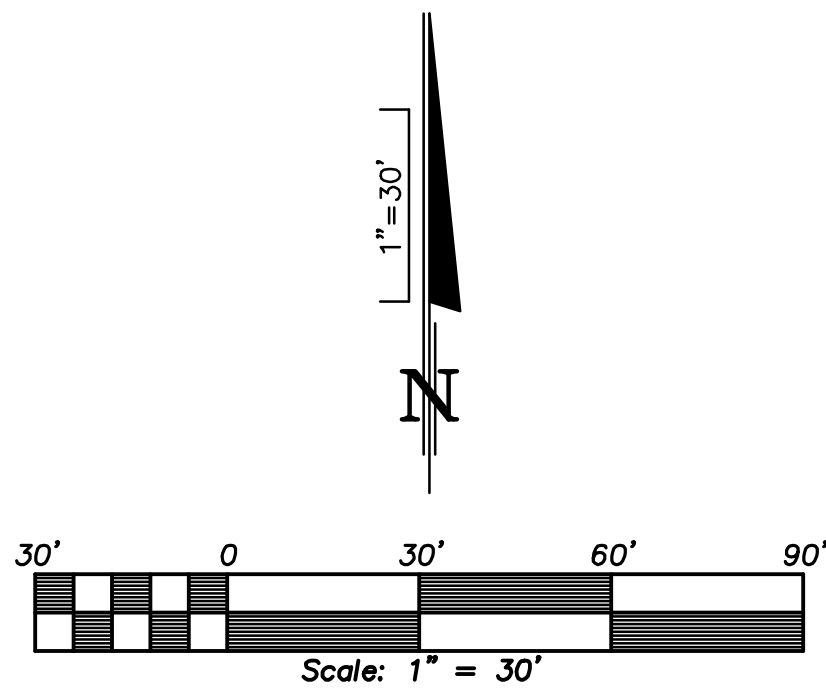
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SHEET 7 OF 15

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C1	100.00'	86°17'53"	150.62'	136.78'	S78°13'29"E
C2	130.00'	84°59'38"	192.84'	175.64'	S78°52'37"E
C3	70.00'	14°36'01"	17.84'	17.79'	N62°13'28"E
C4	130.00'	22°35'58"	51.28'	50.94'	S47°40'47"E
C5	130.00'	17°41'59"	40.16'	40.00'	S67°49'46"E
C6	130.00'	17°41'59"	40.16'	40.00'	S85°31'45"E
C7	130.00'	17°41'59"	40.16'	40.00'	N76°46'16"E
C8	130.00'	9°17'42"	21.09'	21.07'	N63°16'25"E
C9	70.00'	90°00'00"	109.96'	98.99'	S80°04'33"E



TYPICAL EASEMENT DETAIL FOR
LOTS 517 THROUGH 527
(DETAIL NOT TO SCALE)

SEE SHEET 1 FOR NOTES AND LEGEND

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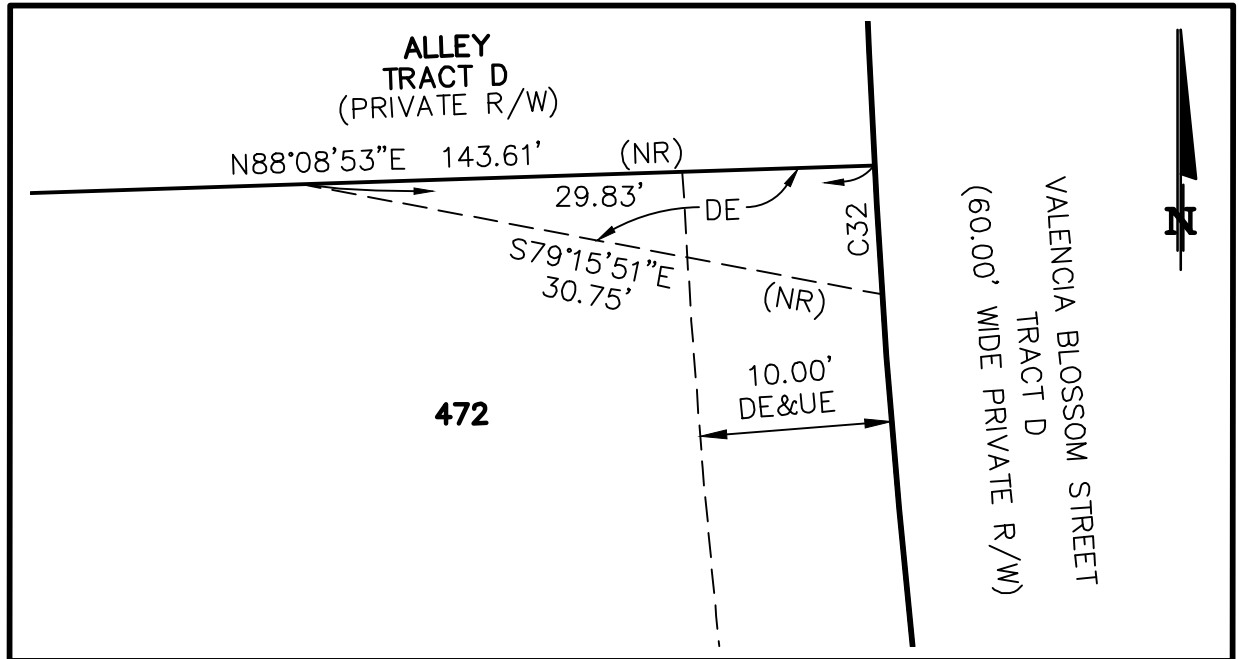
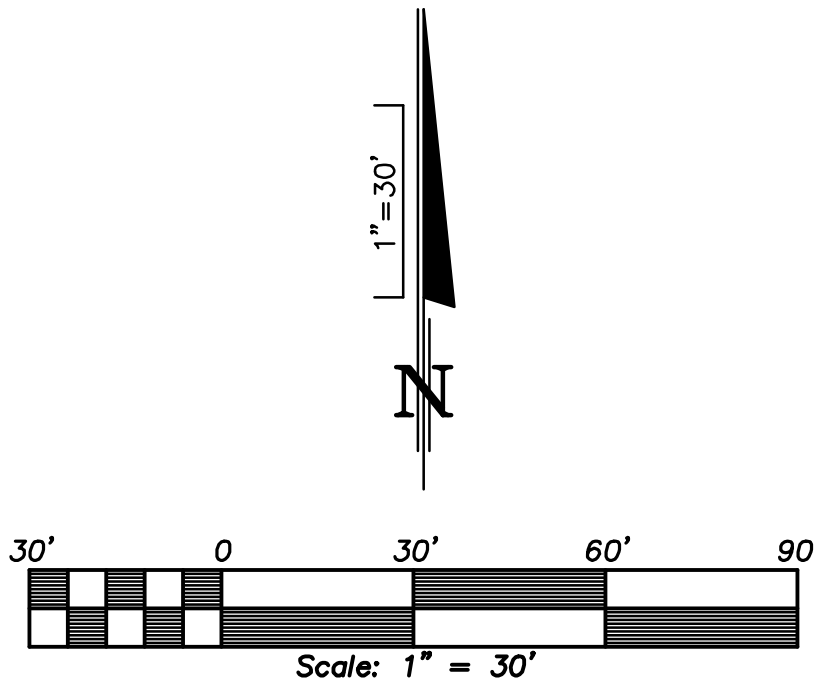
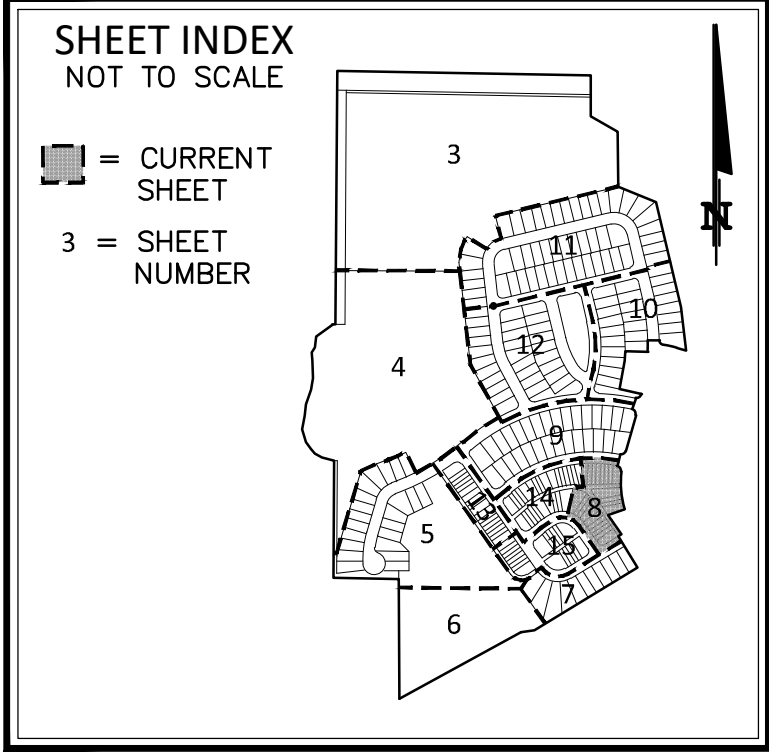
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SHEET 8 OF 15



DETAIL 8-A
SCALE 1"=10'

CURVE TABLE (THIS SHEET ONLY)					
NUMBER	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	100.00'	83°43'51"	146.138'	133.48'	N76°56'28"W
C2	694.00'	50°38'04"	613.314'	593.55'	S75°53'58"W
C3	664.00'	50°30'34"	585.352'	566.58'	S75°50'12"W
C4	130.00'	83°43'51"	189.979'	173.52'	N76°56'28"W
C5	25.00'	86°17'53"	37.655'	34.19'	N78°13'29"W
C6	427.00'	35°14'16"	262.611'	258.49'	S68°12'04"W
C7	100.00'	59°06'16"	103.157'	98.64'	N64°37'41"W
C8	10.00'	123°13'25"	21.507'	17.59'	S26°32'10"W
C9	130.00'	12°10'44"	27.633'	27.58'	N71°31'28"W
C10	427.00'	0°34'26"	4.278'	4.28'	S85°31'58"W
C11	100.00'	42°20'40"	73.905'	72.23'	N73°00'28"W
C12	130.00'	9°27'18"	21.452'	21.43'	N60°42'27"W
C13	100.00'	12°25'28"	21.685'	21.64'	N45°37'24"W
C14	130.00'	9°26'12"	21.411'	21.39'	N51°15'43"W
C15	100.00'	4°20'08"	7.567'	7.57'	N37°14'36"W
C16	130.00'	11°28'04"	26.020'	25.98'	N40°48'35"W
C17	664.00'	3°14'09"	37.499'	37.49'	S86°20'35"W
C18	664.00'	1°50'48"	21.401'	21.40'	S88°53'04"W
C19	664.00'	1°50'35"	21.358'	21.36'	N89°16'15"W
C20	664.00'	1°50'28"	21.337'	21.34'	N87°25'44"W
C21	664.00'	1°50'28"	21.337'	21.34'	N85°35'15"W
C22	664.00'	1°50'35"	21.360'	21.36'	N83°44'44"W
C23	664.00'	1°50'49"	21.405'	21.40'	N81°54'01"W
C24	664.00'	2°04'06"	23.969'	23.97'	N79°56'34"W
C25	480.00'	7°48'25"	65.402'	65.35'	S03°14'43"W
C26	480.00'	1°11'37"	10.001'	10.00'	S01°15'18"E
C27	480.00'	1°11'37"	10.001'	10.00'	S02°26'56"E
C28	480.00'	4°24'00"	36.861'	36.85'	S05°14'45"E
C29	480.00'	2°33'01"	21.366'	21.36'	S08°43'15"E
C30	480.00'	2°32'48"	21.336'	21.33'	S11°16'10"E
C31	480.00'	4°01'09"	33.670'	33.66'	S14°33'08"E
C32	480.00'	0°48'01"	6.705'	105.51'	S03°26'45"E
C33	437.00'	37°33'57"	286.518'	281.41'	S69°21'54"W

SEE SHEET 1 FOR NOTES AND LEGEND

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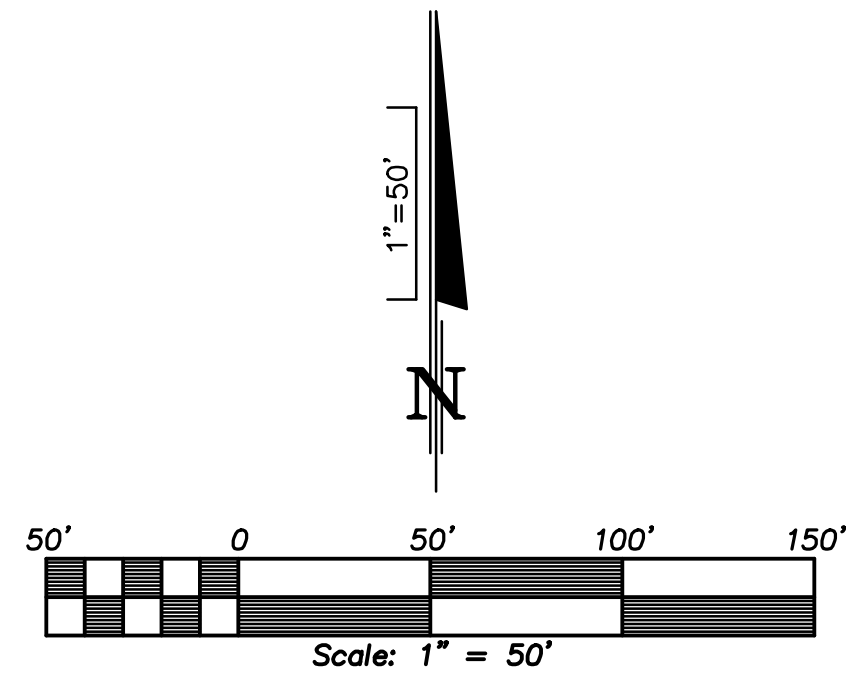
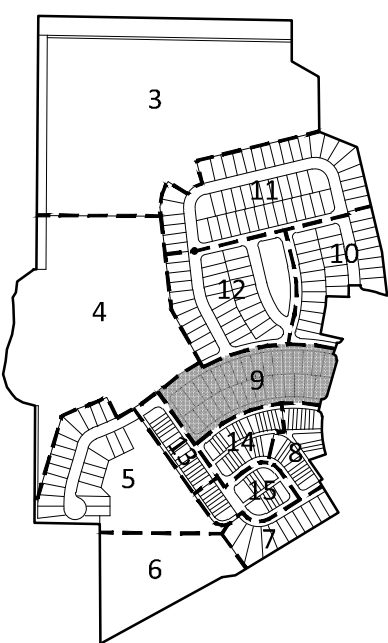
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SHEET 9 OF 15

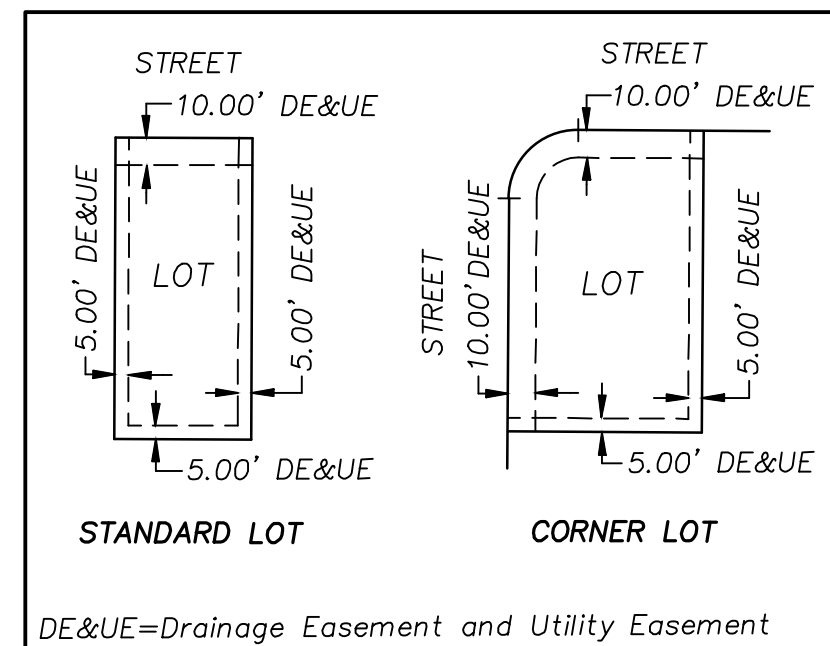
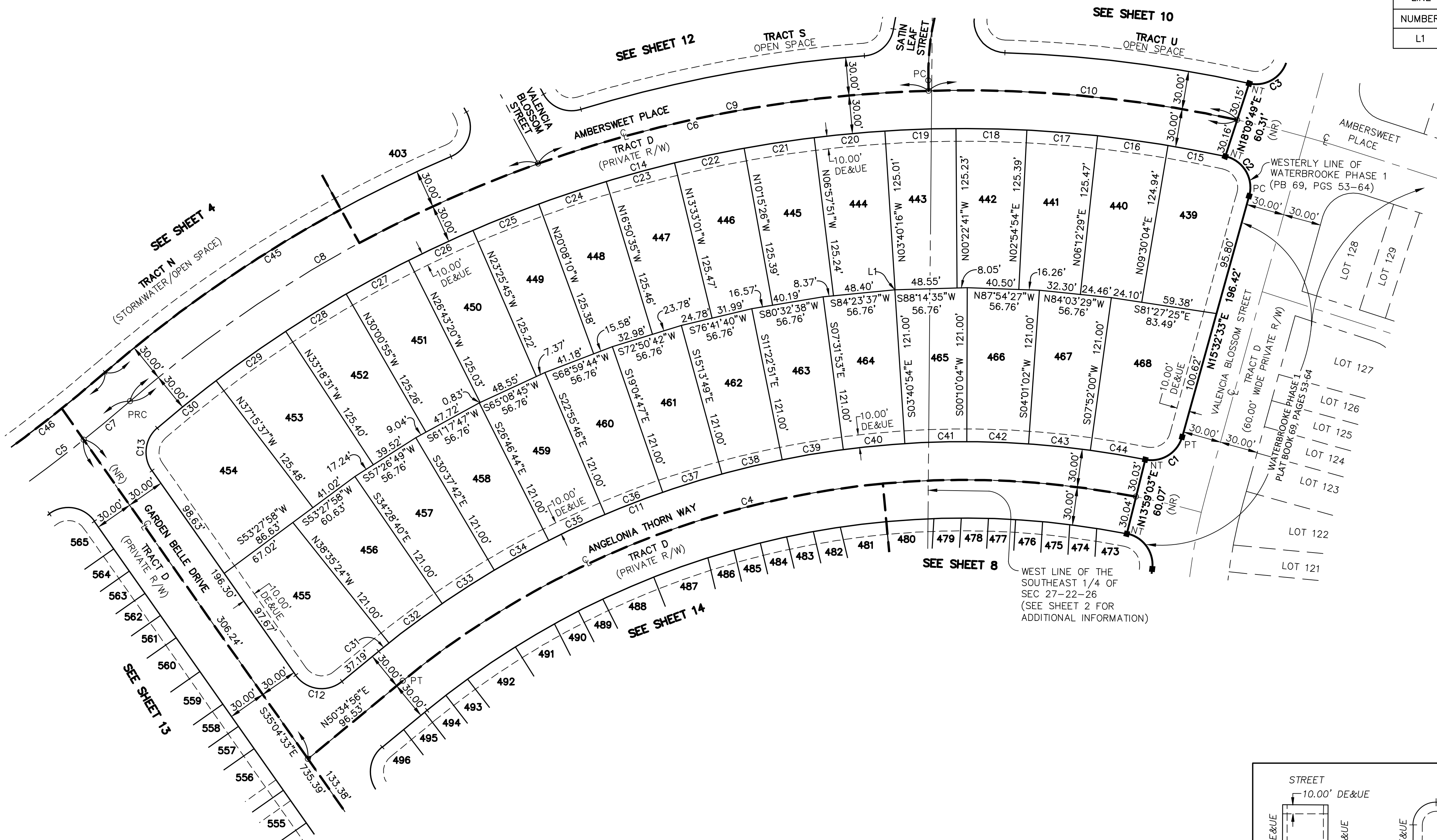
SHEET INDEX
NOT TO SCALE

■ = CURRENT
SHEET
9 = SHEET
NUMBER



LINE TABLE (THIS SHEET ONLY)		
NUMBER	BEARING	DISTANCE
L1	S88°14'35"W	0.16'

CURVE TABLE (THIS SHEET ONLY)					
NUMBER	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	25.00'	85°47'20"	37.43'	34.03'	N58°26'13"E
C2	25.00'	93°20'12"	40.73'	36.37'	N31°07'33"W
C3	25.00'	87°04'17"	37.99'	34.44'	N59°01'06"E
C4	694.00'	50°38'04"	613.31'	593.55'	S75°53'58"W
C5	1200.00'	21°18'15"	446.20'	443.63'	N59°44'40"E
C6	1000.00'	53°17'35"	930.14'	896.97'	S75°44'19"W
C7	1200.00'	2°15'38"	47.34'	47.34'	N50°13'21"E
C8	1000.00'	21°22'11"	372.97'	370.81'	S59°46'37"W
C9	1000.00'	17°56'42"	313.20'	311.92'	S79°26'04"W
C10	1000.00'	13°58'42"	243.97'	243.36'	N84°36'14"W
C11	724.00'	50°44'57"	641.28'	620.52'	S75°57'24"W
C12	25.00'	94°20'32"	41.16'	36.67'	S82°14'48"E
C13	25.00'	84°18'14"	36.78'	33.55'	S07°04'34"W
C14	970.00'	52°58'40"	896.90'	865.29'	S75°43'01"W
C15	970.00'	2°42'18"	45.79'	45.79'	N79°08'48"W
C16	970.00'	3°17'35"	55.75'	55.74'	N82°08'44"W
C17	970.00'	3°17'35"	55.75'	55.74'	N85°26'19"W
C18	970.00'	3°17'35"	55.75'	55.74'	N88°43'54"W
C19	970.00'	3°17'35"	55.75'	55.74'	S87°58'32"W
C20	970.00'	3°17'35"	55.75'	55.74'	S84°40'57"W
C21	970.00'	3°17'35"	55.75'	55.74'	S81°23'22"W
C22	970.00'	3°17'35"	55.75'	55.74'	S78°05'47"W
C23	970.00'	3°17'35"	55.75'	55.74'	S74°48'12"W
C24	970.00'	3°17'35"	55.75'	55.74'	S71°30'37"W
C25	970.00'	3°17'35"	55.75'	55.74'	S68°13'02"W
C26	970.00'	3°17'35"	55.75'	55.74'	S64°55'27"W
C27	970.00'	3°17'35"	55.75'	55.74'	S61°37'52"W
C28	970.00'	3°17'36"	55.76'	55.75'	S58°20'17"W
C29	970.00'	3°57'06"	66.90'	66.89'	S54°42'56"W
C30	970.00'	3°30'41"	59.45'	59.44'	S50°59'02"W
C31	724.00'	0°49'40"	10.46'	10.46'	S50°59'46"W
C32	724.00'	4°06'44"	51.96'	51.95'	S53°27'58"W
C33	724.00'	3°50'58"	48.64'	48.63'	S57°26'49"W
C34	724.00'	3°50'58"	48.64'	48.63'	S61°17'47"W
C35	724.00'	3°50'58"	48.64'	48.63'	S65°08'45"W
C36	724.00'	3°50'58"	48.64'	48.63'	S68°59'44"W
C37	724.00'	3°50'58"	48.64'	48.63'	S72°50'42"W
C38	724.00'	3°50'58"	48.64'	48.63'	S76°41'40"W
C39	724.00'	3°50'58"	48.64'	48.63'	S80°32'38"W
C40	724.00'	3°50'58"	48.64'	48.63'	S84°23'37"W
C41	724.00'	3°50'58"	48.64'	48.63'	S88°14'35"W
C42	724.00'	3°50'58"	48.64'	48.63'	N87°54'27"W
C43	724.00'	3°50'58"	48.64'	48.63'	N84°03'29"W
C44	724.00'	3°27'53"	43.78'	43.77'	N80°24'03"W
C45	1030.00'	17°52'41"	321.39'	320.09'	S58°01'52"W
C46	1170.00'	21°18'15"	435.04'	432.54'	N59°44'40"E



TYPICAL EASEMENT DETAIL FOR
LOTS 439 THROUGH 468
(DETAIL NOT TO SCALE)

SEE SHEET 1 FOR NOTES AND LEGEND



DONALD W. MCINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068

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WATERBROOKE PHASE 3

A REPLAT OF A PORTION OF LOT 5, PINE VALLEY INDUSTRIAL PARK
PLAT BOOK 29, PAGE 70, LYING IN SECTION 27, TOWNSHIP 22 SOUTH, RANGE 26 EAST AND
THAT PART OF SECTIONS 27 AND 34, TOWNSHIP 22 SOUTH, RANGE 26 EAST,
CITY OF CLERMONT, LAKE COUNTY, FLORIDA.

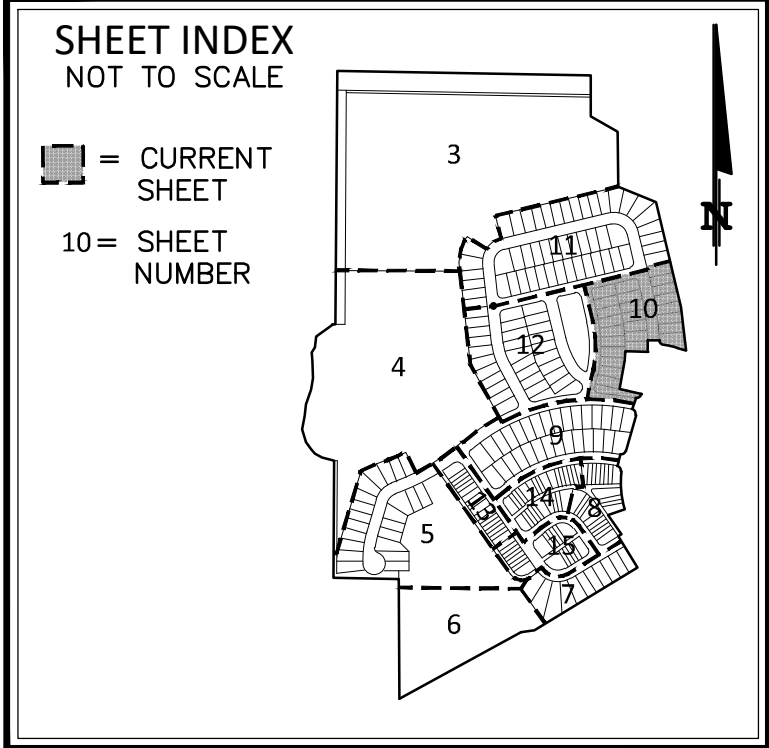
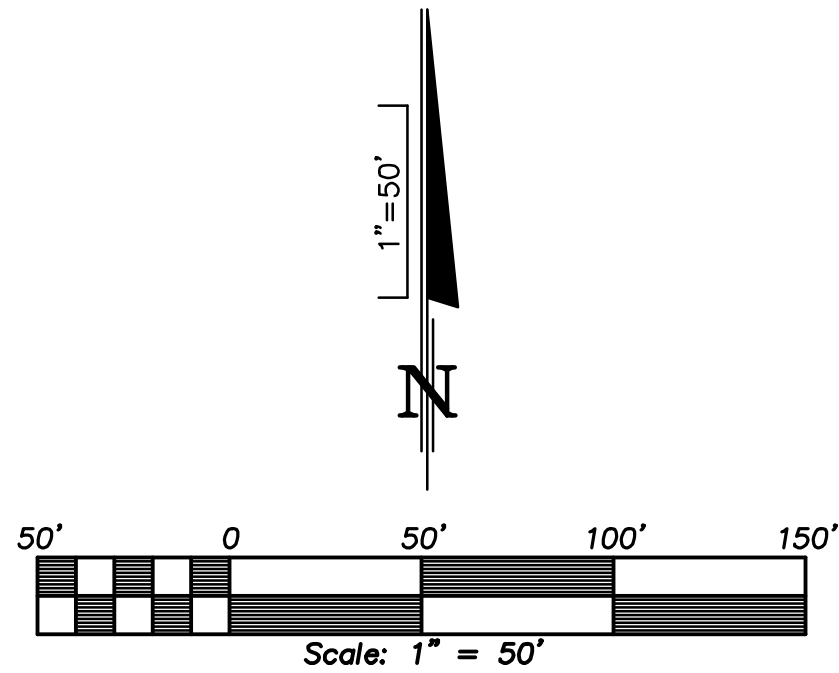
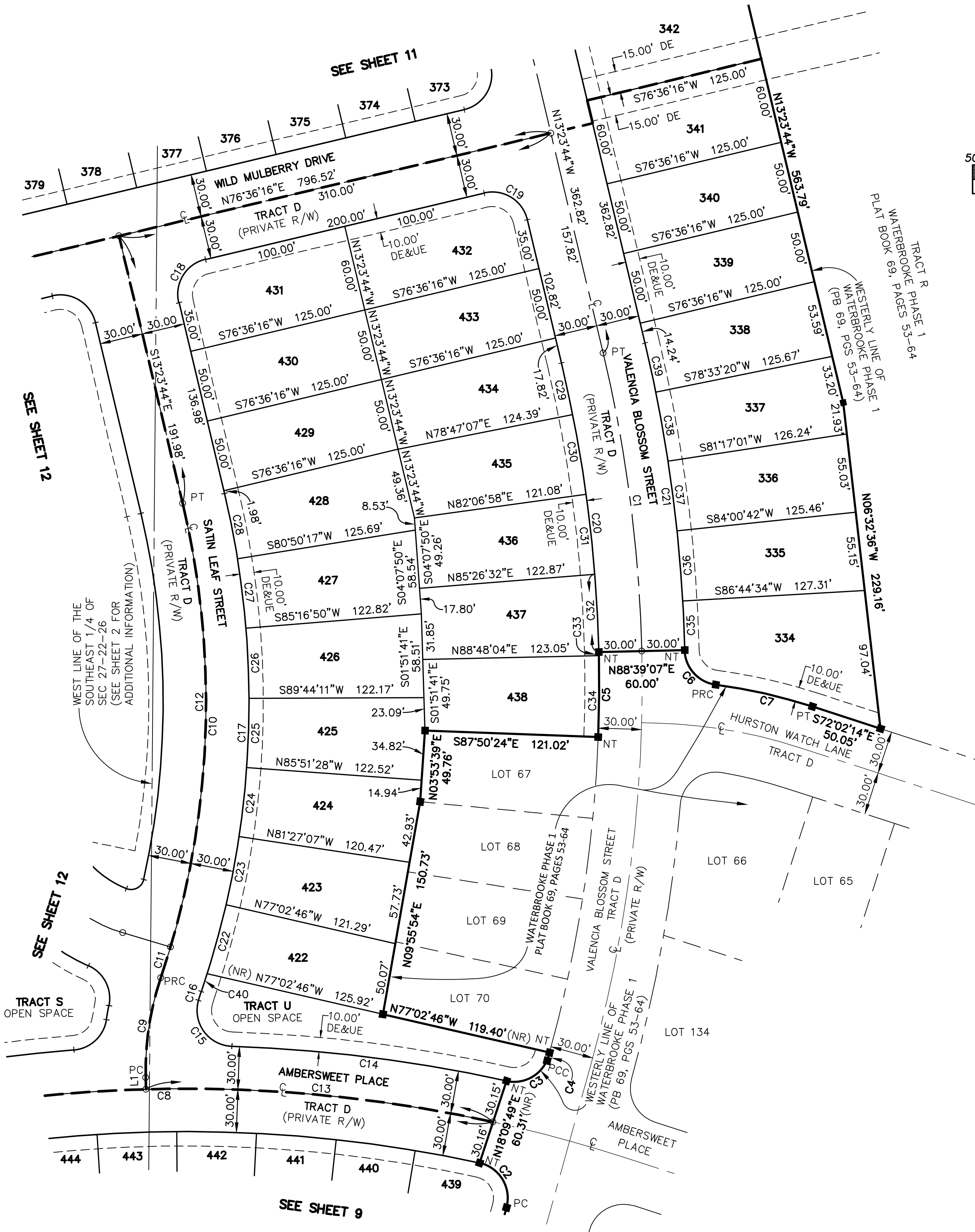
PLAT
BOOK

PAGE

SHEET 10 OF 15

LINE TABLE (THIS SHEET ONLY)		
NUMBER	BEARING	DISTANCE
L1	S01°35'35"E	8.15'

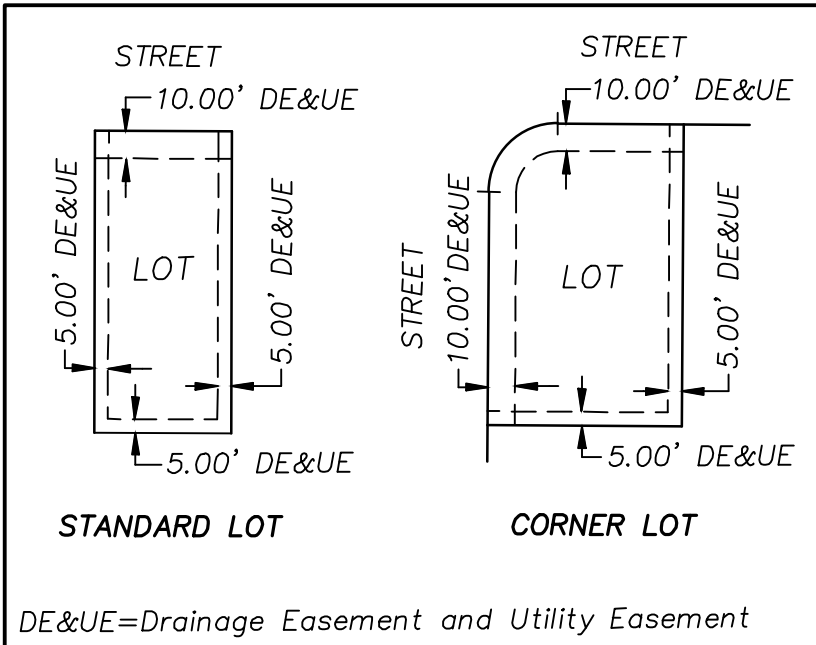
CURVE TABLE (THIS SHEET ONLY)					
NUMBER	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	1000.00'	12°02'51"	210.27'	209.88'	N07°22'19"W
C2	25.00'	93°20'12"	40.73'	36.37'	N31°07'33"W
C3	25.00'	87°04'17"	37.99'	34.44'	N59°01'06"E
C4	970.00'	0°07'34"	2.13'	2.13'	N15°25'11"E
C5	970.00'	3°30'30"	59.39'	59.38'	N00°24'21"E
C6	25.00'	81°07'48"	35.40'	32.52'	S41°54'47"E
C7	380.00'	10°26'27"	69.25'	69.15'	S77°15'28"E
C8	1000.00'	53°17'35"	930.14'	896.97'	S75°44'19"W
C9	200.00'	20°16'54"	70.80'	70.43'	S08°32'52"W
C10	600.00'	32°05'03"	335.98'	331.61'	N02°38'47"E
C11	600.00'	2°09'17"	22.56'	22.56'	N17°36'41"E
C12	600.00'	29°55'46"	313.42'	309.87'	N01°34'09"E
C13	1000.00'	13°58'42"	243.97'	243.36'	N84°36'14"W
C14	1030.00'	10°46'09"	193.60'	193.31'	N82°49'50"W
C15	25.00'	104°42'33"	45.69'	39.59'	S35°51'38"E
C16	170.00'	2°11'40"	6.51'	6.51'	S17°35'29"W
C17	630.00'	32°05'03"	352.78'	348.19'	N02°38'47"E
C18	25.00'	90°00'00"	39.27'	35.36'	S31°36'16"W
C19	25.00'	90°00'00"	39.27'	35.36'	N58°23'44"W
C21	1030.00'	12°02'51"	216.58'	216.18'	N07°22'19"W
C22	630.00'	4°33'07"	50.05'	50.04'	N15°13'47"E
C23	630.00'	4°24'21"	48.44'	48.43'	N10°45'03"E
C24	630.00'	4°24'21"	48.44'	48.43'	N06°20'42"E
C25	630.00'	4°24'21"	48.44'	48.43'	N01°56'21"E
C26	630.00'	4°27'21"	48.99'	48.98'	N02°29'30"W
C27	630.00'	4°26'33"	48.85'	48.83'	N06°56'26"W
C28	630.00'	4°14'01"	46.55'	46.54'	N11°16'44"W
C29	970.00'	2°10'51"	36.92'	36.92'	N12°18'19"W
C30	970.00'	3°19'50"	56.39'	56.38'	N09°32'58"W
C31	970.00'	3°19'35"	56.31'	56.31'	N06°13'15"W
C32	970.00'	3°12'34"	54.34'	54.33'	N02°57'10"W
C33	970.00'	0°08'58"	2.53'	2.53'	N01°16'25"W
C34	970.00'	3°21'32"	56.86'	56.86'	N00°28'50"E
C35	1030.00'	1°54'33"	34.32'	34.32'	N02°18'10"W
C36	1030.00'	2°43'52"	49.10'	49.09'	N04°37'22"W
C37	1030.00'	2°43'41"	49.04'	49.04'	N07°21'09"W
C38	1030.00'	2°43'41"	49.04'	49.04'	N10°04'50"W
C39	1030.00'	1°57'04"	35.08'	35.07'	N12°25'12"W
C40	630.00'	1°10'58"	13.00'	13.00'	N18°05'50"E



SEE SHEET 1 FOR NOTES AND LEGEND

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TYPICAL EASEMENT DETAIL FOR
LOTS 334 THROUGH 341 AND LOTS 422 THROUGH 438
(DETAIL NOT TO SCALE)

WATERBROOKE PHASE 3

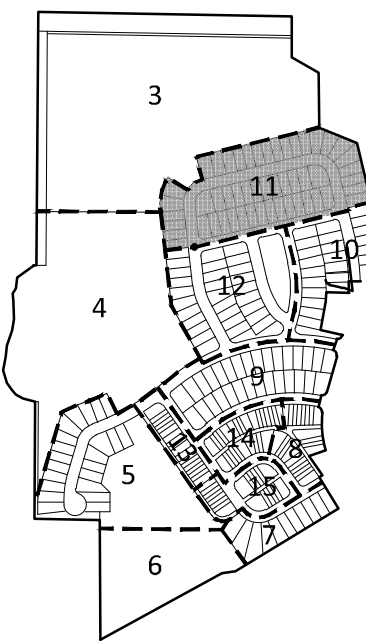
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CITY OF CLERMONT, LAKE COUNTY, FLORIDA.

PLAT
BOOK

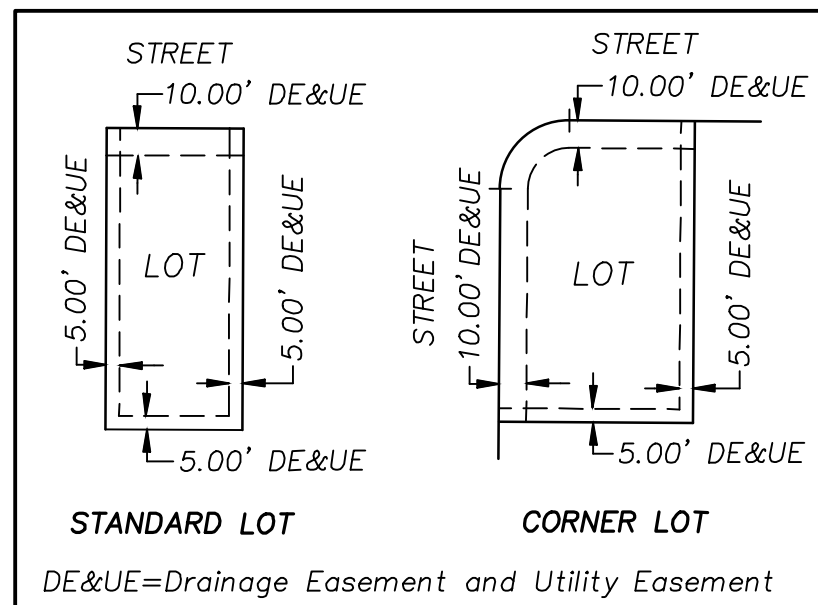
PAGE

SHEET 11 OF 15

SHEET INDEX
NOT TO SCALE
= CURRENT
SHEET
11 = SHEET
NUMBER



CURVE TABLE (THIS SHEET ONLY)					
NUMBER	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	100.00'	90°00'00"	157.08'	141.42'	N58°23'44"W
C2	100.00'	83°08'52"	145.12'	132.72'	S35°01'50"W
C3	130.00'	90°00'00"	204.20'	183.85'	N58°23'44"W
C4	130.00'	83°08'52"	188.66'	172.53'	S35°01'50"W
C5	25.00'	96°51'08"	42.26'	37.41'	S54°58'10"E
C6	70.00'	83°08'52"	101.58'	92.90'	S35°01'50"W
C7	70.00'	90°00'00"	109.96'	98.99'	N58°23'44"W
C8	25.00'	90°00'00"	39.27'	35.36'	N31°36'16"E
C9	130.00'	8°08'45"	18.48'	18.47'	N17°28'06"W
C10	130.00'	18°59'04"	43.07'	42.88'	N31°02'01"W
C11	130.00'	18°59'04"	43.07'	42.88'	N50°01'05"W
C12	130.00'	18°59'04"	43.07'	42.88'	N69°00'10"W
C13	130.00'	18°59'04"	43.07'	42.88'	N87°59'14"W
C14	130.00'	5°54'58"	13.42'	13.42'	S79°33'45"W
C15	130.00'	1°27'44"	3.32'	3.32'	S75°52'24"W
C16	130.00'	42°21'15"	96.10'	93.93'	S53°57'55"W
C17	130.00'	22°41'35"	51.49'	51.15'	N31°26'30"W
C18	130.00'	16°38'19"	37.75'	37.62'	S01°46'33"W

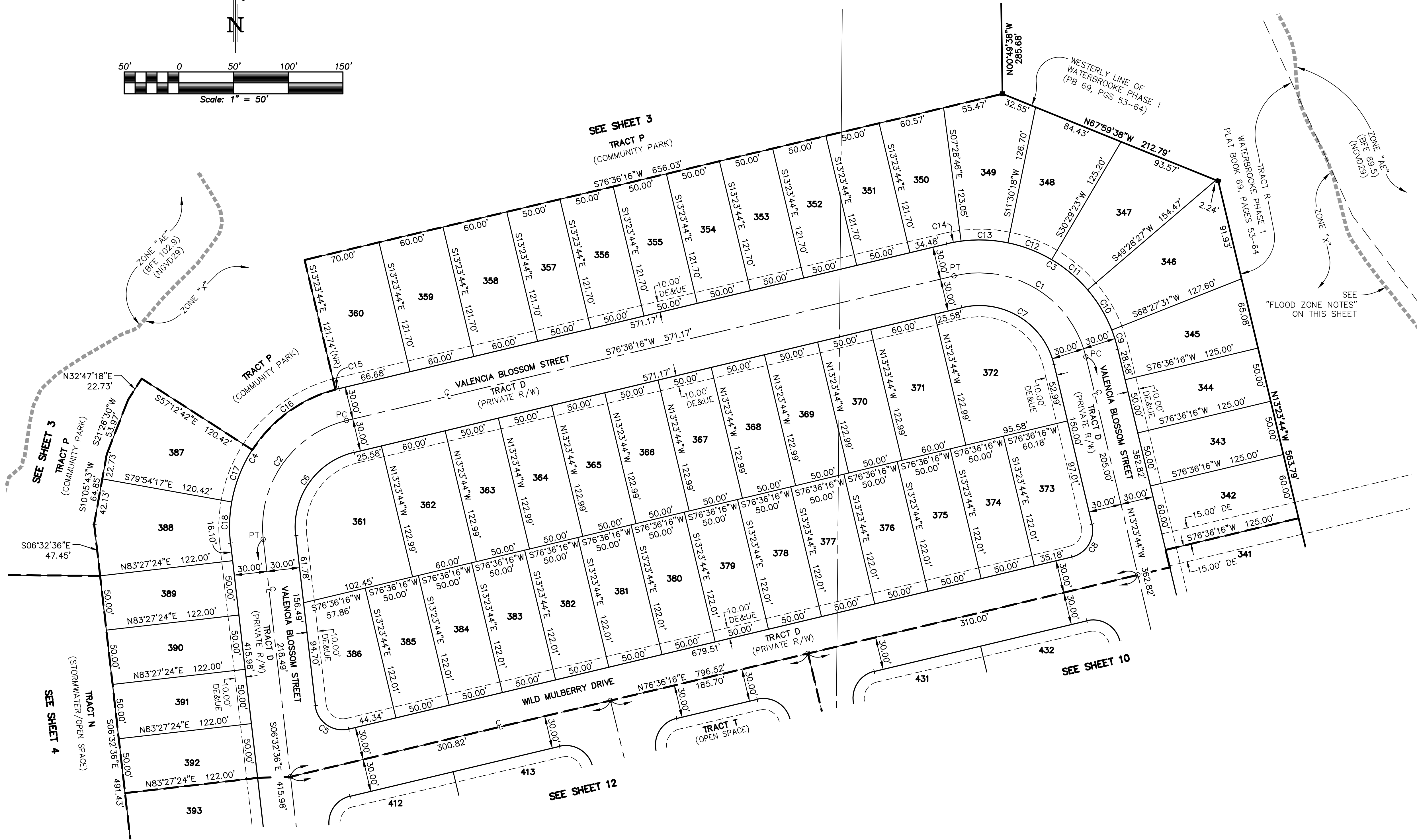
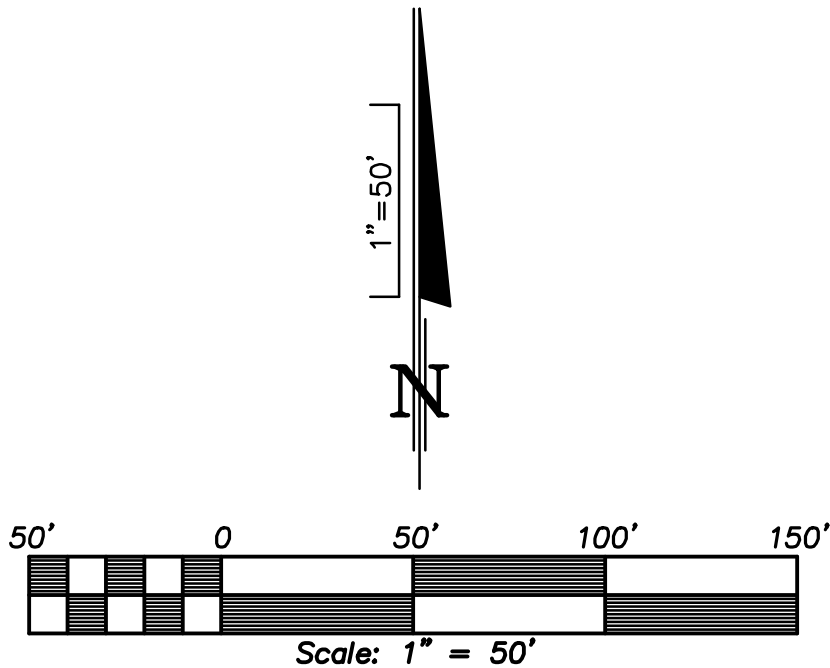


TYPICAL EASEMENT DETAIL FOR
LOTS 342 THROUGH 392
(DETAIL NOT TO SCALE)

FLOOD ZONE NOTES:

THE LOCATION OF FLOOD ZONE LIMITS SHOWN HEREON
ARE APPROXIMATE AND WERE SCALED FROM FEMA FLOOD
INSURANCE RATE MAP COMMUNITY PANEL NO. 120133
0590 E, MAP REVISED DECEMBER 18, 2012, AS AMENDED
BY LETTER OF MAP REVISION (LOMR), CASE NO.
19-04-1054P, EFFECTIVE DATE JANUARY 28, 2020.

THESE LINES ARE REQUIRED TO BE SHOWN BY LAKE
COUNTY LAND DEVELOPMENT CODE NO. 14.07.04 (90)
AND ARE FOR INFORMATIONAL USE ONLY. THEY ARE NOT
TO BE USED FOR ANY FEMA FLOOD DETERMINATIONS OR
CERTIFICATIONS.



SEE SHEET 1 FOR NOTES AND LEGEND



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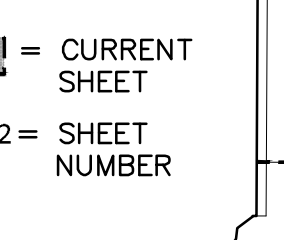
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PAGE

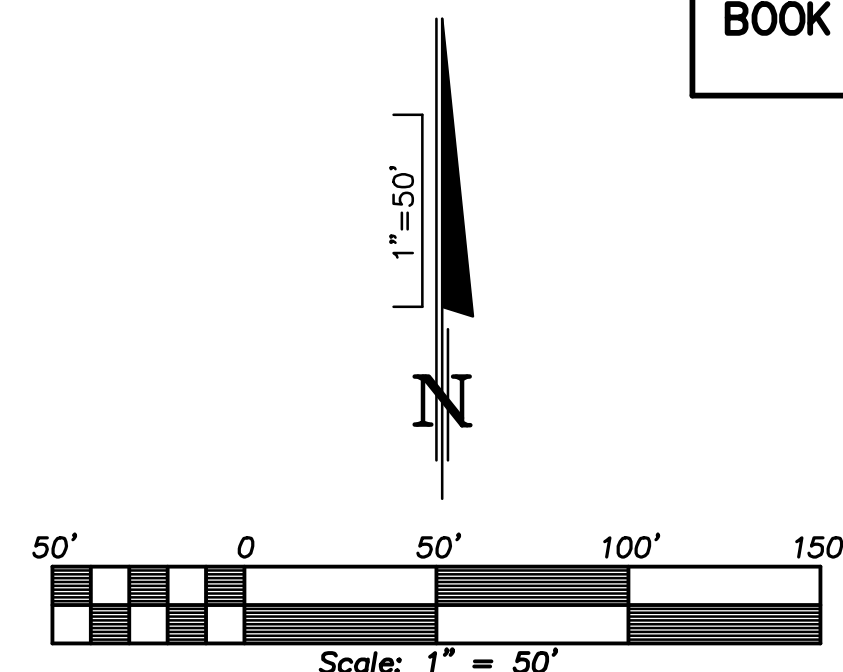
SHEET INDEX
NOT TO SCALE

 = CURRENT SHEET

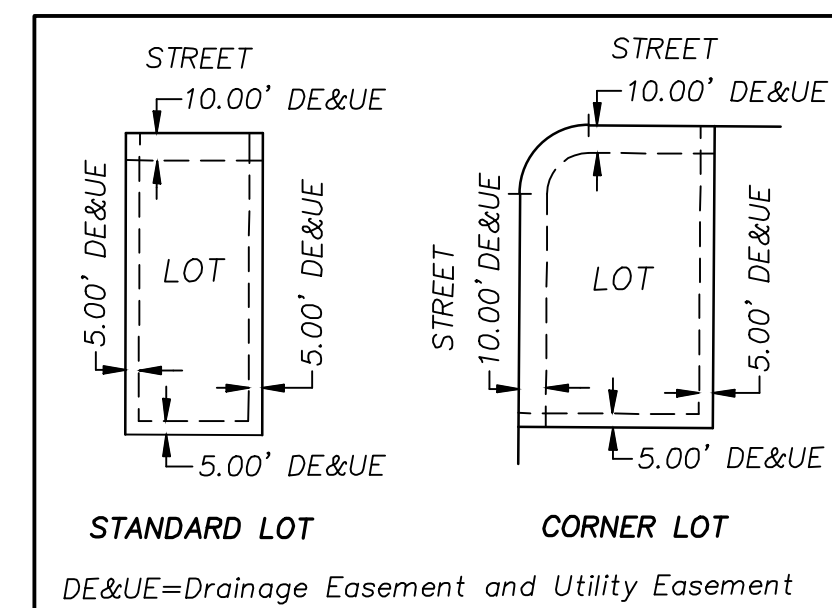
12 = SHEET NUMBER



The map shows a residential subdivision with 15 lots. Lot 12 is shaded and labeled '12'. Other lots are labeled with numbers 1 through 15. The map is divided into sections labeled 3, 4, 6, and 12. A north arrow is located in the top right corner.



LINE TABLE (THIS SHEET ONLY)		
NUMBER	BEARING	DISTANCE
L1	S01°35'35"E	8.15'
L2	S73°27'58"E	34.79'



TYPICAL EASEMENT DETAIL FOR
LOTS 393 THROUGH 421
(DETAIL NOT TO SCALE)

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Printed: Fri 03-Apr-2020 - 09:59AM
E:\Proj2014\14202\Schw\NCM20\plot\Phase 3\Winterbrook\Phase 3 Plot.dwg

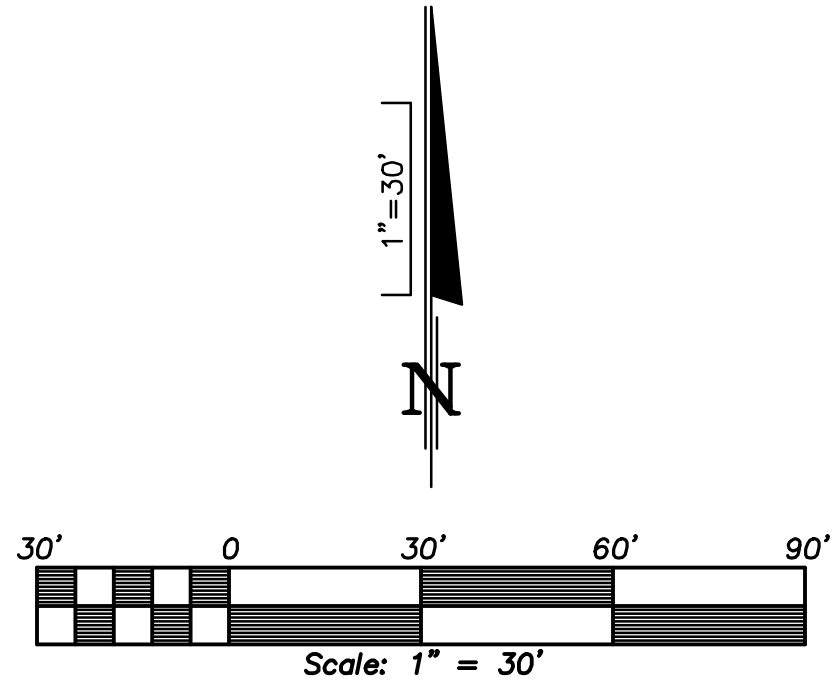
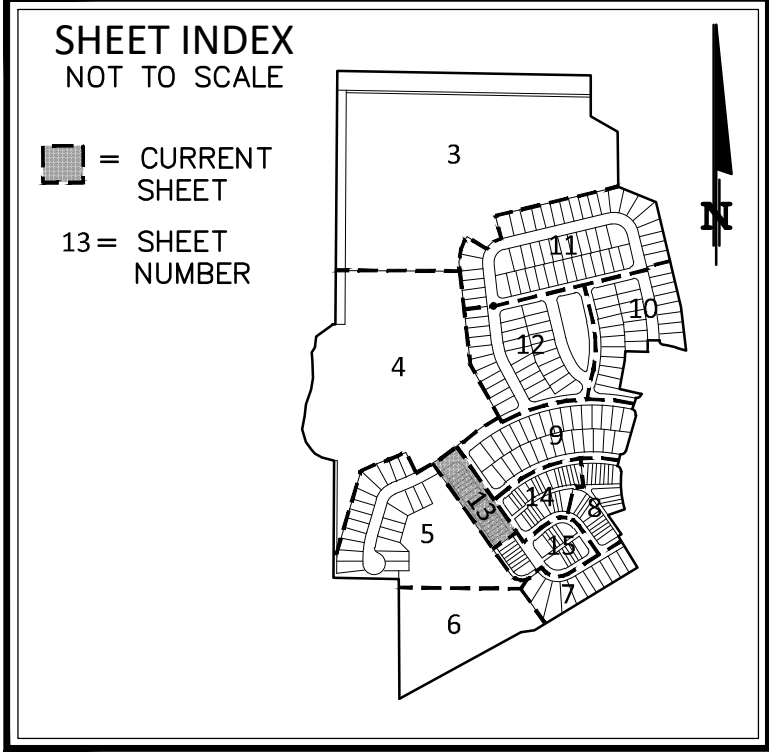
WATERBROOKE PHASE 3

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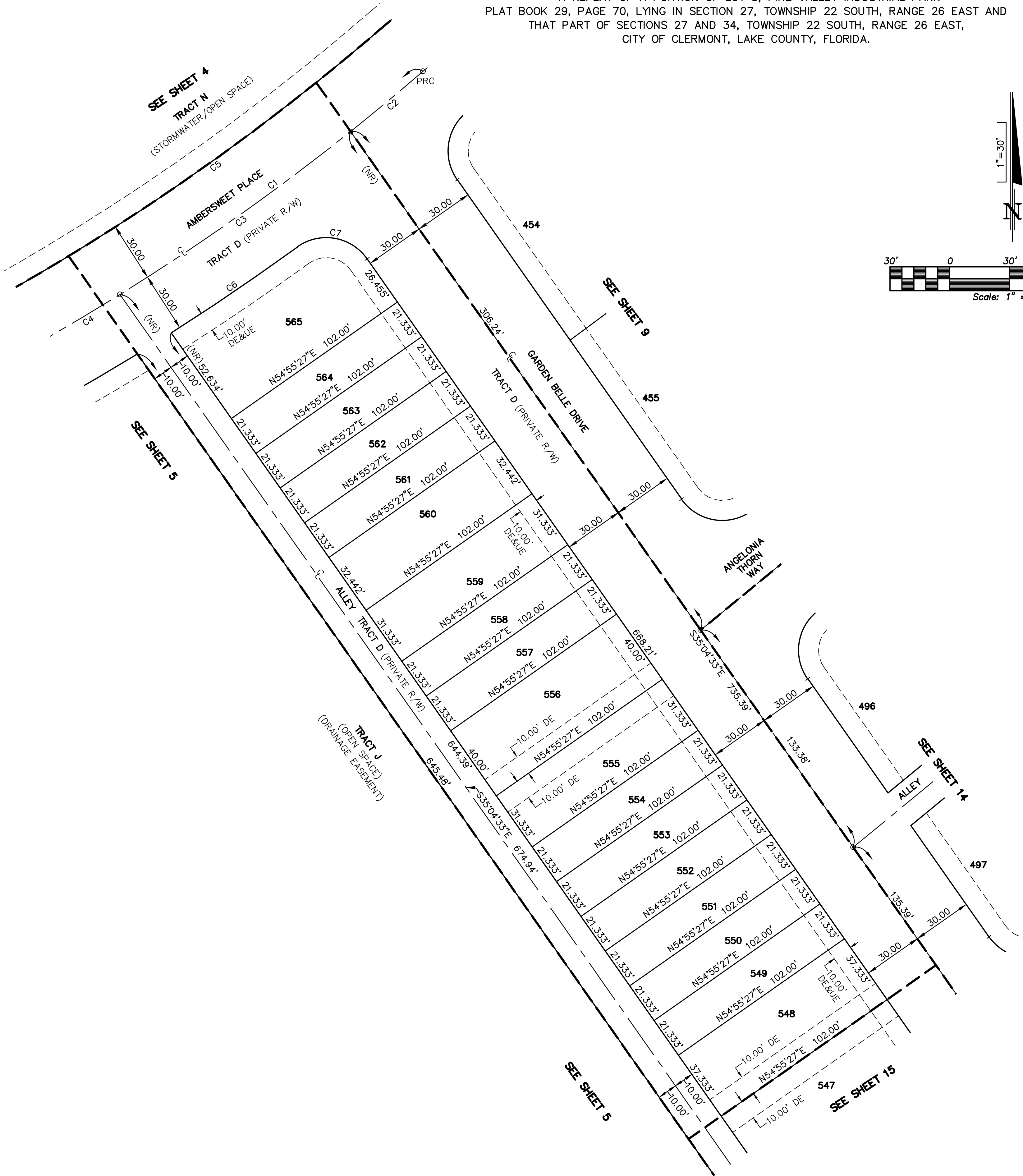
PLAT
BOOK

PAGE

SHEET 13 OF 15



CURVE TABLE (THIS SHEET ONLY)					
NUMBER	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	1200.00'	21°18'15"	446.20'	443.63'	N59°44'40"E
C2	1200.00'	2°15'38"	47.34'	47.34'	N50°13'21"E
C3	1200.00'	6°47'02"	142.08'	142.00'	N54°44'41"E
C4	1200.00'	12°15'35"	256.77'	256.28'	N64°16'00"E
C5	1170.00'	21°18'15"	435.04'	432.54'	N59°44'40"E
C6	1230.00'	3°34'10"	76.63'	76.62'	N55°48'25"E
C7	25.00'	90°54'07"	39.66'	35.63'	S80°31'36"E



SEE SHEET 1 FOR NOTES AND LEGEND

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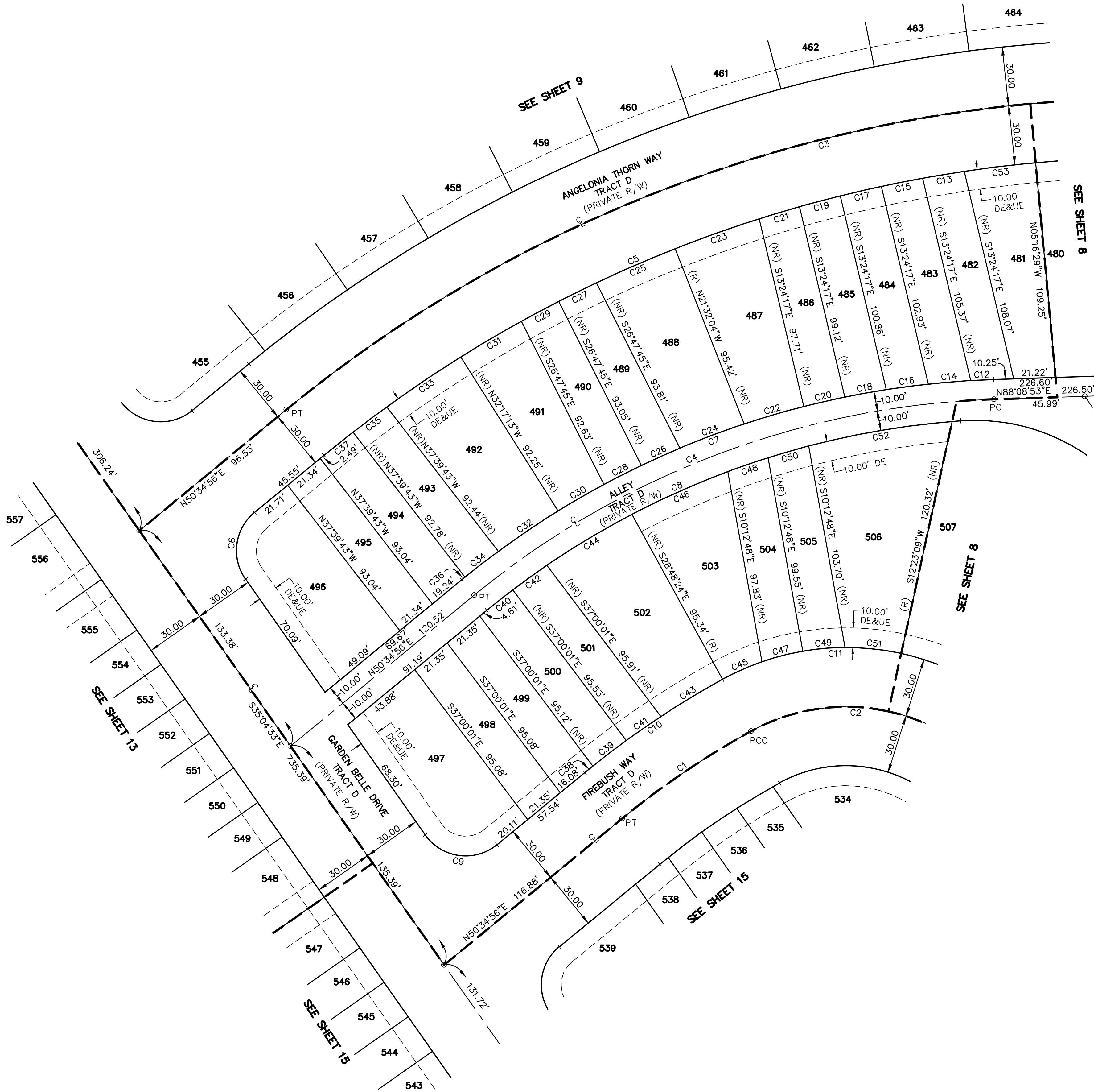
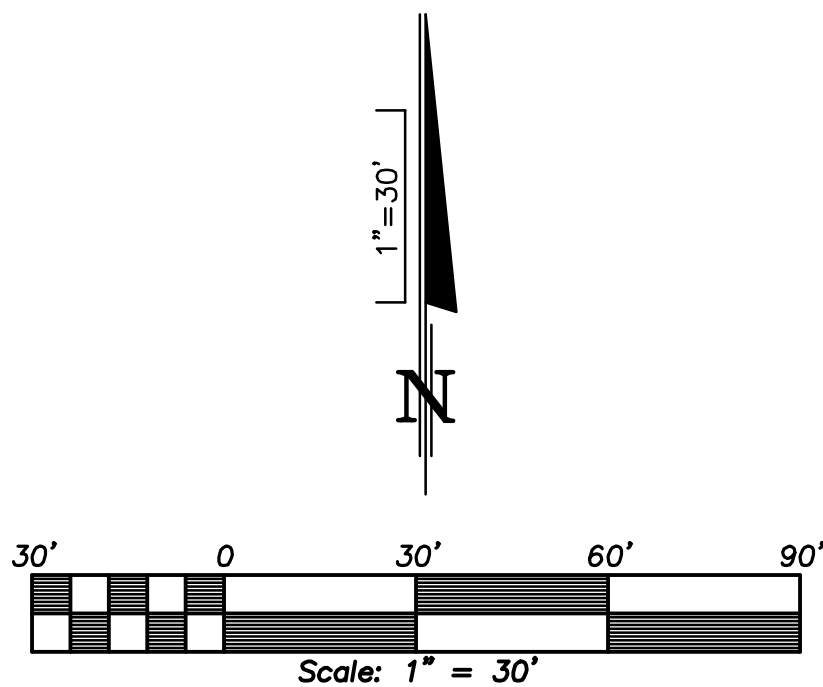
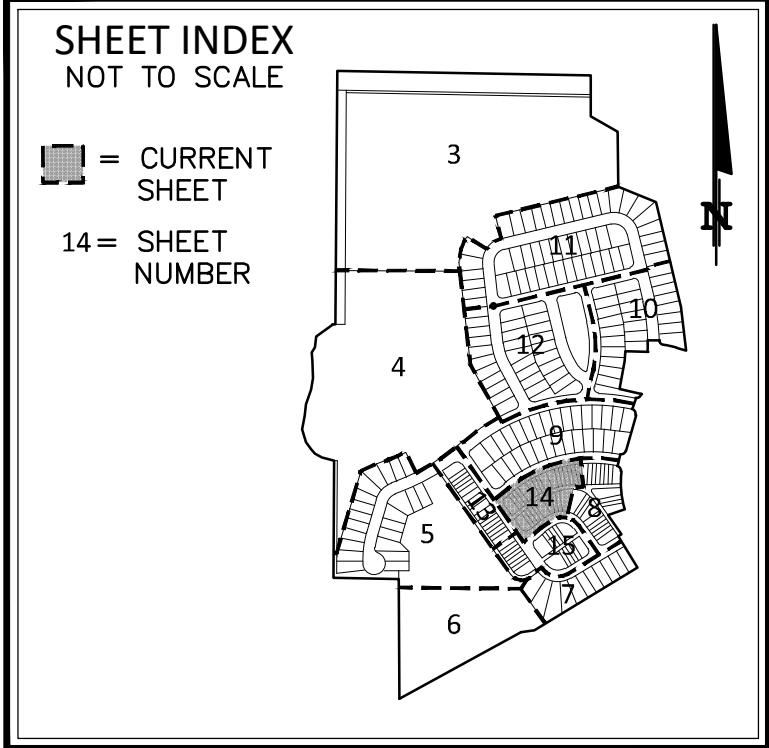
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PLAT
BOOK

PAGE

SHEET 14 OF 15



CURVE TABLE (THIS SHEET ONLY)					
NUMBER	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	428.00'	10°36'41"	78.896'	78.78'	S55°53'16"W
C2	100.00'	83°43'51"	146.138'	133.48'	N76°56'28"W
C3	694.00'	50°38'04"	613.314'	593.55'	S75°53'58"W
C4	437.00'	37°33'57"	286.518'	281.41'	S69°21'54"W
C5	664.00'	50°30'34"	585.352'	566.58'	S75°50'12"W
C6	25.00'	85°39'28"	37.375'	33.99'	S07°45'12"W
C7	447.00'	37°33'57"	293.075'	287.85'	S69°21'54"W
C8	427.00'	35°14'16"	262.611'	258.49'	N68°12'04"E
C9	25.00'	94°20'32"	41.165'	36.67'	N82°14'48"W
C10	456.00'	10°36'41"	84.452'	84.33'	S55°53'16"W
C11	130.00'	83°43'51"	189.979'	173.52'	N76°56'28"W
C12	447.00'	1°28'24"	11.495'	11.49'	S87°24'41"W
C13	664.00'	1°50'44"	21.388'	21.39'	S80°39'17"W
C14	447.00'	2°46'00"	21.584'	21.58'	S85°17'29"W
C15	664.00'	1°50'32"	21.350'	21.35'	S78°48'39"W
C16	447.00'	2°44'58"	21.450'	21.45'	S82°32'00"W
C17	664.00'	1°50'27"	21.335'	21.33'	S76°58'09"W
C18	447.00'	2°44'20"	21.369'	21.37'	S79°47'21"W
C19	664.00'	1°50'29"	21.341'	21.34'	S75°07'41"W
C20	447.00'	2°44'05"	21.336'	21.33'	S77°03'08"W
C21	664.00'	1°50'38"	21.370'	21.37'	S73°17'07"W
C22	447.00'	4°01'54"	31.454'	31.45'	S73°40'08"W
C23	664.00'	3°53'52"	45.172'	45.16'	S70°24'52"W
C24	447.00'	4°28'02"	34.851'	34.84'	S69°25'10"W
C25	664.00'	3°45'04"	43.470'	43.46'	S66°35'24"W
C26	447.00'	2°44'15"	21.358'	21.36'	S65°49'02"W
C27	664.00'	1°50'28"	21.335'	21.33'	S63°47'38"W
C28	447.00'	2°44'05"	21.335'	21.33'	S63°04'51"W
C29	664.00'	1°50'29"	21.339'	21.34'	S61°57'10"W
C30	447.00'	3°26'33"	26.857'	26.85'	S59°59'32"W
C31	664.00'	3°04'55"	35.718'	35.71'	S59°29'28"W
C32	447.00'	4°41'03"	36.545'	36.53'	S55°55'44"W
C33	664.00'	3°54'03"	45.205'	45.20'	S55°59'59"W
C34	447.00'	2°44'05"	21.335'	21.33'	S52°13'10"W
C35	664.00'	1°50'28"	21.336'	21.34'	S53°07'44"W
C36	447.00'	0°16'12"	2.106'	2.11'	S50°43'01"W
C37	664.00'	1°37'34"	18.848'	18.84'	S51°23'43"W
C38	456.00'	0°39'43"	5.269'	5.27'	S50°54'47"W
C39	456.00'	2°40'51"	21.336'	21.33'	S52°35'04"W
C40	427.00'	2°14'41"	16.730'	16.73'	S51°42'16"W

CURVE TABLE (THIS SHEET ONLY)					
NUMBER	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C41	456.00'	2°40'58"	21.352'	21.35'	S55°15'59"W
C42	427.00'	2°51'49"	21.341'	21.34'	S54°15'32"W
C43	456.00'	4°35'08"	36.495'	36.49'	S58°54'02"W
C44	427.00'	6°44'04"	50.189'	50.16'	S59°03'28"W
C45	130.00'	9°39'01"	21.896'	21.87'	S66°01'07"W
C46	427.00'	7°08'22"	53.208'	53.17'	S65°59'41"W
C47	130.00'	9°26'19"	21.416'	21.39'	S75°33'47"W
C48	427.00'	2°53'48"	21.588'	21.59'	S71°00'46"W
C49	130.00'	9°27'08"	21.447'	21.42'	S85°00'30"W
C50	427.00'	2°52'41"	21.449'	21.45'	S73°54'01"W
C51	130.00'	12°39'05"	28.705'	28.65'	N83°56'23"W
C52	427.00'	9°54'24"	73.829'	73.74'	S80°17'33"W
C53	664.00'	3°08'52"	36.479'	36.47'	S83°09'05"W

SEE SHEET 1 FOR NOTES AND LEGEND

DONALD W. McINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

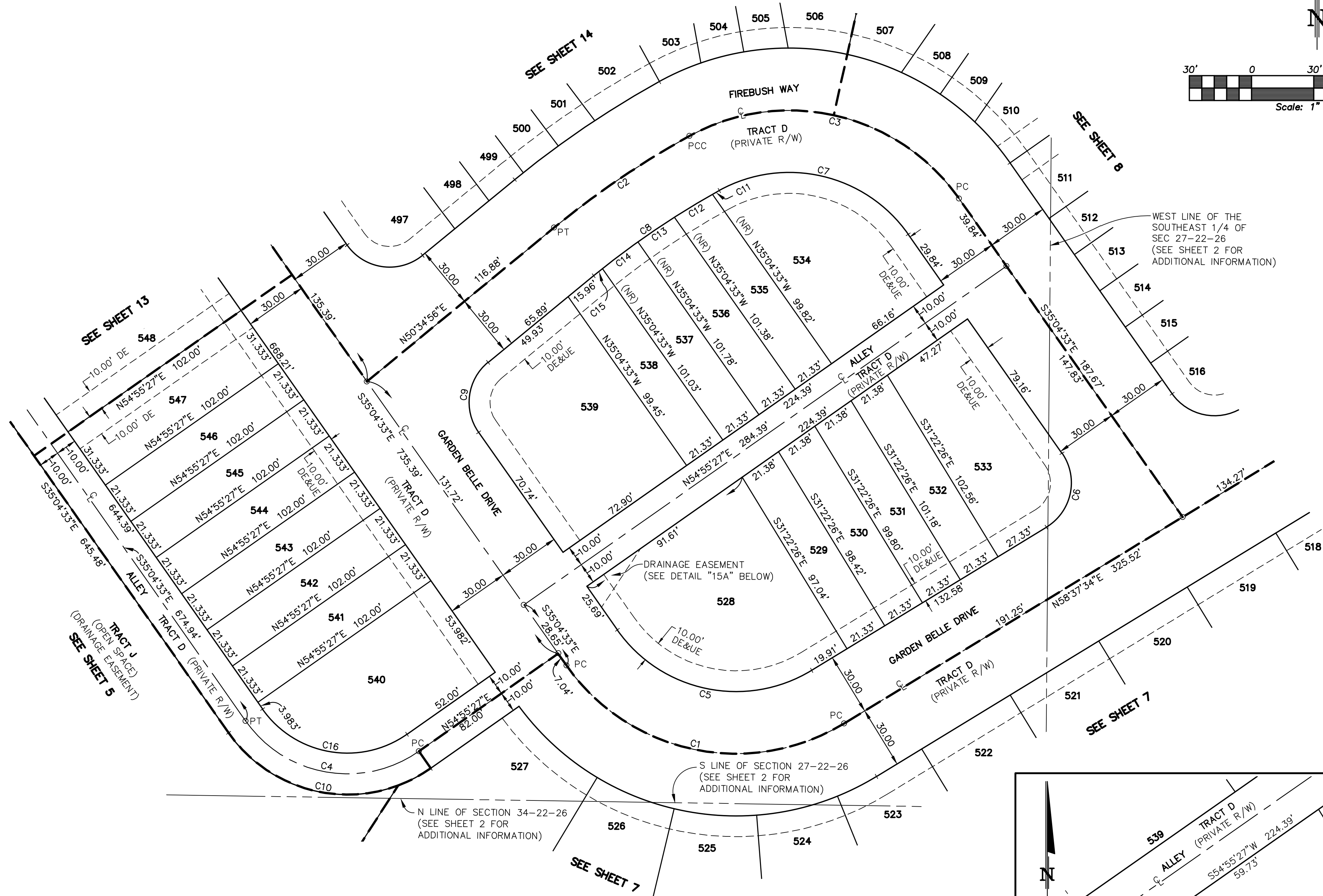
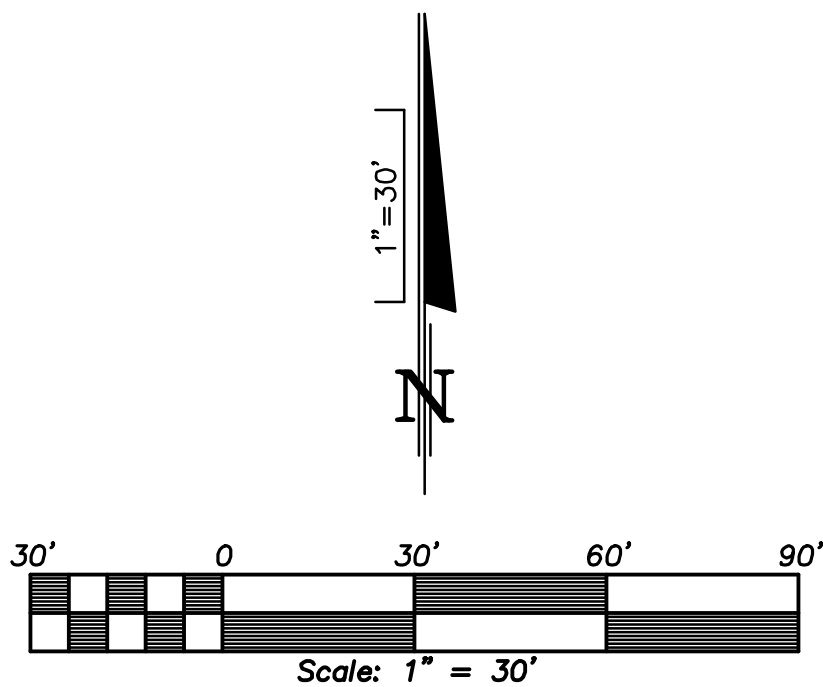
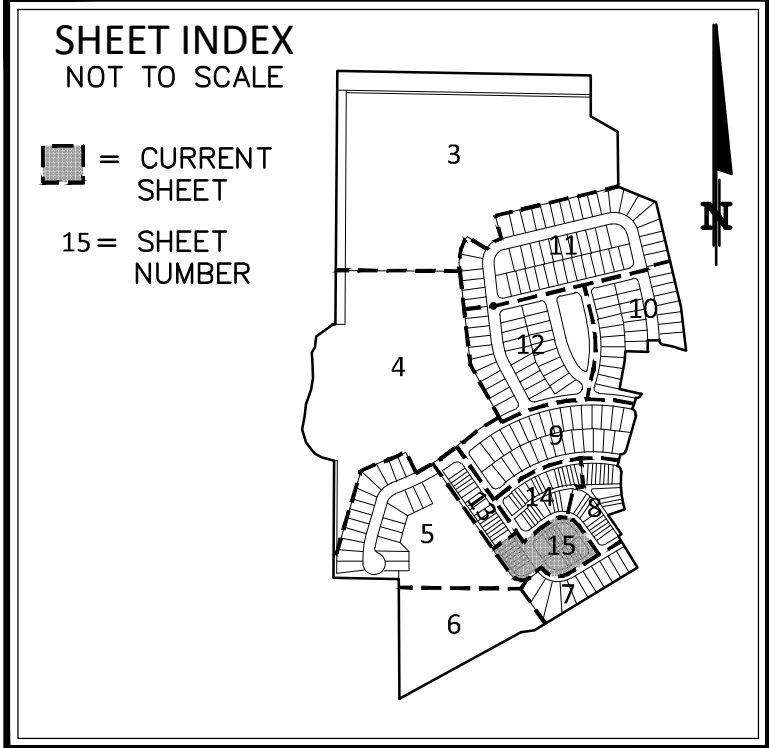
WATERBROOKE PHASE 3

A REPLAT OF A PORTION OF LOT 5, PINE VALLEY INDUSTRIAL PARK
PLAT BOOK 29, PAGE 70, LYING IN SECTION 27, TOWNSHIP 22 SOUTH, RANGE 26 EAST AND
THAT PART OF SECTIONS 27 AND 34, TOWNSHIP 22 SOUTH, RANGE 26 EAST,
CITY OF CLERMONT, LAKE COUNTY, FLORIDA.

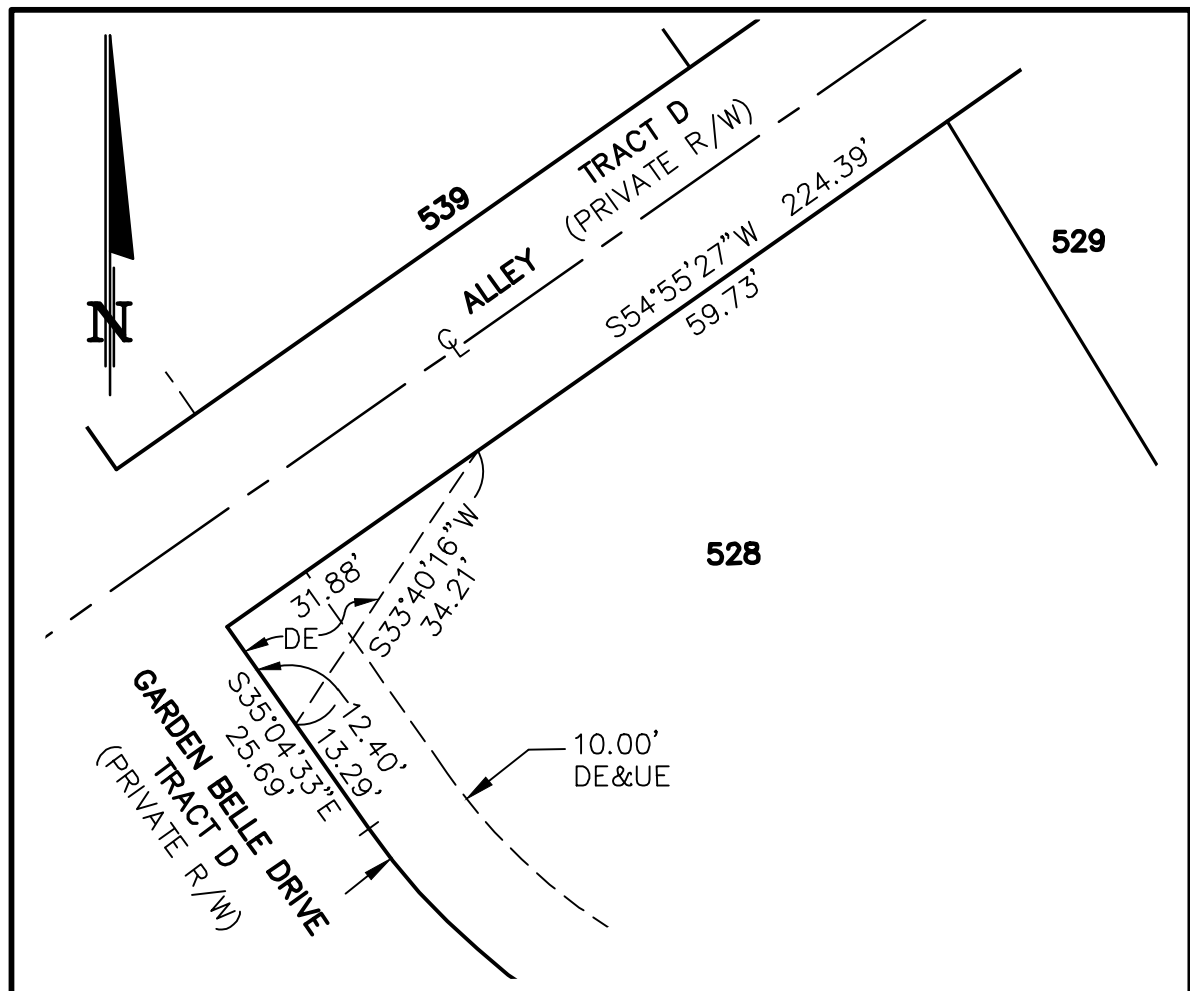
PLAT
BOOK

PAGE

SHEET 15 OF 15



CURVE TABLE (THIS SHEET ONLY)					
NUMBER	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	100.00'	86°17'53"	150.619'	136.78'	S78°13'29"E
C2	426.00'	10°36'41"	78.896'	78.78'	S55°53'16"W
C3	100.00'	83°43'51"	146.138'	133.48'	N76°56'28"W
C4	60.00'	90°00'00"	94.248'	84.85'	S80°04'33"E
C5	70.00'	86°17'53"	105.433'	95.75'	S78°13'29"E
C6	25.00'	93°42'07"	40.885'	36.48'	N11°46'31"E
C7	70.00'	83°43'51"	102.297'	93.43'	S76°56'28"E
C8	396.00'	10°36'41"	73.340'	73.23'	N55°53'16"E
C9	25.00'	85°39'28"	37.375'	33.99'	N07°45'12"E
C10	70.00'	90°00'00"	109.956'	98.99'	S80°04'33"E
C11	396.00'	0°33'14"	3.828'	3.83'	N60°54'59"E
C12	396.00'	3°05'43"	21.392'	21.39'	N59°05'31"E
C13	396.00'	3°05'15"	21.340'	21.34'	N56°00'02"E
C14	396.00'	3°05'20"	21.349'	21.35'	N52°54'44"E
C15	396.00'	0°47'09"	5.431'	5.43'	N50°58'30"E
C16	50.00'	90°00'00"	78.540'	70.71'	S80°04'33"E



DETAIL 15A
SCALE 1"=20'

SEE SHEET 1 FOR NOTES AND LEGEND

DONALD W. McINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068

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CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 12, 2020		
Agenda Item Name		
Task Order Approval and Budget Amendment		
Requested Action		
Recommend approval of task order for the Clermont rowing course and request approval of budget amendment in the amount of \$70,495.		
Staff Report		
Recommend approval of task order to conduct a bathymetric survey of the Clermont rowing course requested by the Florida Department of Environmental Protection (FDEP) in the total amount of \$70,495. The task order was prepared by Booth, Ern, Straughan & Hiott, Inc., an engineering firm awarded in the city's On-Call Professional Engineering Services contract number 2014-102. The fiscal impact of \$70,495 is not included in the current year approved budget, therefore a budget amendment is recommended.		
Additional Analysis		
Fiscal Impact Summary		
The current year approved budget does not have funds budgeted for this project. A budget amendment to the General Fund (10572-66900) in the amount of \$70,495 is recommended.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. BESH Proposal 3-4-20 revised 4-2-20 BESH Proposal 3-4-20 revised 4-2-20.pdf		

CIVIL ENGINEERING AND SURVEYING SERVICES PROPOSAL/AGREEMENT

OR

ROWING COURSE
CLERMONT, FLORIDA, LAKE COUNTY
(CONTRACT #2014-102 ON-CALL PROFESSIONAL ENGINEER SERVICES)

ENGINEER:

Booth, Ern, Straughan & Hiott, Inc.
902 N. Sinclair Avenue
Tavares, Florida 32778
(352) 343-8481 – Phone
(352) 343-8495 – Fax

CLIENT:

James Kinzler, CPM, EA
Director of Capital Planning, Grants, and
Projects
City of Clermont
685 W. Montrose Street
Clermont, Florida 34711
(352) 241-7358 - Phone
(352) 394-4087 - Fax
jkinzler@clermontfl.org

PROJECT: Rowing Course, Clermont, Florida, Lake County
CLIENT: City of Clermont
DATE: March 2, 2020, revised April 2, 2020

CIVIL ENGINEERING AND SURVEYING SERVICES PROPOSAL/AGREEMENT

Booth Ern Straughan & Hiott, Inc. (BESH) is pleased to submit the following Scope of Services.

TASK 001 INITIAL BATHYMETRIC SURVEY (APPROXIMATELY 53.4 ACRES +/-)

Conduct initial bathymetric survey of rowing course without the 100ft surrounding area as initially requested by FDEP.

Frequency of shots will be 100-150 feet and overlaid on published bathymetric contouring to determine if published information is accurate enough for FDEP needs.

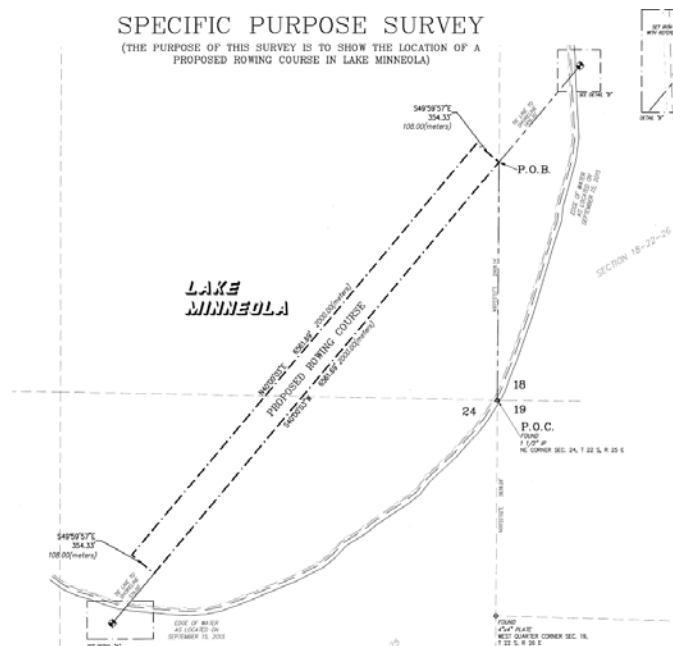
FEE: \$20,000.00

TASK 002 ADDITIONAL BATHYMETRIC SURVEY

This task will only be undertaken in the event Task 001 does not meet the permitting needs of FDEP and or major discrepancies are found in the published bathymetric information that will require more detailed survey.

Frequency of lake bottom shots will be 25-50 feet and combined with shots from task 001 and new bottom contour map created.

FEE: \$22,000.00



PROJECT: Rowing Course, Clermont, Florida, Lake County
CLIENT: City of Clermont
DATE: March 2, 2020, revised April 2, 2020

Portions lying in:
Township 22 South, Range 25 East
Lake Minneola
Clermont, Florida
Lake County
Alternate Key #3883576

NOTES:

The Survey will be prepared under the direction and supervision of a Professional Surveyor and Mapper licensed in the State of Florida. The Survey will be in accordance with the adopted "Standards of Practice" for land surveying as required by Chapter 5J-17.052, Florida Administrative Code pursuant to Section 472.027, Florida State Statutes.

Estimated completion time is 20-25 business days upon receiving executed Authorization to Proceed.

Requests made for surveys to be sent overnight will be paid by the client. A Federal Express account number will be required.

Any Boundary Surveys requiring title commitment review, with the addition of adding exceptions to survey will be at an additional quoted fee after receiving the title commitment.

When the survey has been completed, and copies of the signed & sealed survey have been delivered to the client or his/her representatives, then this contract will be considered complete and fulfilled. Although if a mistake (typo, missing dimension, etc.) is found it will be corrected at no charge and a new survey will be issued. If further additions to the survey are requested or mistakes from a third party are found and are requested to be corrected on the survey then an additional fee will be required. A change order to the original contract will be issued outlining what corrections will be made, with a fee amount required to make said corrections. If additional mistakes from a third party are found at a later date, then an additional change order and fee will be required.

TASK 003 ENVIRONMENTAL SERVICES

See attached proposal prepared by Ecological Consulting Solutions, Inc. (ECS) dated February 26, 2020.

FEE: \$5,075.00

TASK 004 ONSITE CIVIL DESIGN

Prepare Civil Engineering Site Plan for the proposed installation of Rowing Course on Lake Minneola. Buoy location, type, and installation method, and associated construction detail drawings shall be provided by the City and/or the rowing association. Any letters required from adjacent land owners will be procured and provided by the City and/or the rowing association.

ENGINEERING TECHNICIAN I	80 hours @ \$95.00/hour =	\$7,600.00
PROFESSIONAL ENGINEER	50 hours @ \$130.00/hour =	<u>\$6,500.00</u>
TOTAL FEE:		\$14,100.00

TASK 005 FDEP ERP STORMWATER PERMITTING

Prepare and submit FDEP application form, including required exhibits. Review FDEP staff comments, make necessary plan and/or calculation changes necessary for obtaining permit. Application to address previous RAI comments. Task to include one (1) meeting with staff if required. Buoy location, type, and installation method, and associated construction detail drawings shall be provided by the City and/or the rowing association. Any letters required from adjacent land owners will be procured and provided by the City and/or the rowing association.

PROFESSIONAL ENGINEER	32 hours @ \$130.00/hour =	<u>\$4,160.00</u>
TOTAL FEE:		\$4,160.00

TASK 006 ARMY CORPS OF ENGINEERS DREDGE AND FILL PERMITTING

Prepare plans and exhibits as needed to support ECS with submittal and permitting for ACOE Permit.

ENGINEERING TECHNICIAN I	16 hours @ \$95.00/hour =	\$1,520.00
PROFESSIONAL ENGINEER	28 hours @ \$130.00/hour =	<u>\$3,640.00</u>
TOTAL FEE:		\$5,160.00

SUMMARY FEE SCHEDULE

TASK 001	\$20,000.00
TASK 002	\$22,000.00
TASK 003	\$5,075.00
TASK 004	\$14,100.00
TASK 005	\$4,160.00
TASK 006	\$5,160.00
TOTAL	\$70,495.00

PROPOSAL DOES NOT INCLUDE THE FOLLOWING:

1. FEMA Map Amendment
2. NPDES Permitting
3. Bid Documents & Bidding
4. Construction Administration
5. Written Specifications
6. Cost Estimating
7. Wetland Flagging/Delineation
8. Geotechnical Investigations
9. Reimbursables to be billed based upon direct expense incurred by Booth, Ern, Straughan & Hiott, Inc., for blueprints, copies, mylars, reproductions, postage, etc.
10. Advance of permit fees, impact fees, title search fees, recording or advertising fees.
11. The above prices allow for up to two (2) response submittals for any request for additional information letters from referenced agencies. Any additional request's will be billed on an hourly basis based on the attached hourly rate schedule.

**HOURLY RATE SCHEDULE
(2014)**

Professional Services shall be charged at the following rate schedule:

ENGINEERING

PROFESSIONAL ENGINEER (PRINCIPAL)	\$145.00/HOUR
PROFESSIONAL ENGINEER	\$130.00/HOUR
PROJECT ENGINEER	\$110.00/HOUR
ENGINEER TECHNICIAN I	\$95.00/HOUR
ENGINEER TECHNICIAN II	\$75.00/HOUR
BUILDING INSPECTOR	\$65.00/HOUR
CONSTRUCTION ENGINEER	\$85.00/HOUR
EXPERT TESTIMONY PROFESSIONAL ENGINEER	\$300.00/HOUR

SURVEYING

PROFESSIONAL SURVEYOR (PRINCIPAL)	\$145.00/HOUR
PROFESSIONAL SURVEYOR	\$110.00/HOUR
3 MAN FIELD CREW	\$145.00/HOUR
2 MAN FIELD CREW	\$125.00/HOUR
SURVEY TECHNICIAN I	\$95.00/HOUR
SURVEY TECHNICIAN II	\$75.00/HOUR
SURVEY TECHNICIAN III	\$30.00/HOUR
TITLE RESEARCHER	\$110.00/HOUR
EXPERT TESTIMONY PROFESSIONAL SURVEYOR	\$300.00/HOUR

All printing for this project shall be billed out at the following rate schedule, plus sales tax:
(Outside Copying Services will be billed at cost)

Engineering Bond Copies

Black & White

11 x 17.....	\$1.25
24 x 36.....	\$2.50

Color Copies

11 x 17.....	\$2.00
24 x 36.....	\$6.00

Black & White Copies

8 ½ x 11.....	\$0.10
8 ½ x 14.....	\$0.15
11 x 17.....	\$0.20

Color Copies

8 ½ x 11.....	\$1.20
8 ½ x 14.....	\$1.45
11 x 17.....	\$1.70

Other Printing Services

24 x 35 Vellum.....	\$9.00
24 x 36 Mylar.....	\$12.00
24 x 36 Photo Paper, Color.....	\$36.00
24 x 36 Foam Board.....	\$20.00

Other Services

Fax.....	\$1.00/Copy
Postage (Fed-Ex, Certified Mail, Etc)....@	cost
Concrete Monuments.....	\$10.00
Rebar.....	\$2.00
Mileage (T/M Projects Only).....	\$0.59

PROJECT: Rowing Course, Clermont, Florida, Lake County
CLIENT: City of Clermont
DATE: March 2, 2020, revised April 2, 2020

AUTHORIZATION TO PROCEED

**PROPOSAL FOR CIVIL ENGINEERING AND SURVEYING SERVICES
AS DESCRIBED IN THE ATTACHED PROPOSAL**

To acknowledge your agreement with the terms and conditions set forth in this Agreement (consisting of the Proposal for Services, the Terms and Conditions, the Hourly Rate Schedule and this Authorization to Proceed), and to provide Booth, Ern, Straughan & Hiott, Inc. (BESH) with Client's authorization to proceed with the work described in the Agreement, please fill out and sign the Authorization to Proceed below and return it to our office. We will schedule the work upon receipt of the executed Authorization to Proceed. The contract prices, hourly rates, and costs for printing and similar expenses set forth in this Agreement shall be valid for ninety (90) days from the date of this proposal. If this Agreement is not accepted by Client within said period of ninety (90) days, BESH reserves the right to modify any and all of the contract prices, hourly rates and cost figures set forth herein.

Retainer Amount: \$ _____

THIS PROPOSAL/AGREEMENT ACCEPTED THIS _____ DAY OF _____, 2020.

Booth, Ern, Straughan & Hiott, Inc.

Client

Signature



Signature

By:

Duane K. Booth, P.E.

By:

Title:

Principal

Title:

PROJECT: Rowing Course, Clermont, Florida, Lake County
CLIENT: City of Clermont
DATE: March 2, 2020, revised April 2, 2020

CLIENT INFORMATION FORM

To assist Booth, Ern, Straughan & Hiott, Inc., to prepare the requested proposal, please complete the information below:

PRINT NAME & TITLE: _____

COMPANY NAME: _____

BILLING ADDRESS: _____

PHONE: _____

FAX: _____

E-MAIL: _____

DATE: _____

CLIENT REPRESENTATIVE:

IS CLIENT THE OWNER OF THE SUBJECT PROPERTY?:

YES: _____

NO: _____

(If no, Booth, Ern, Straughan & Hiott, Inc., reserves the right to require a retainer prior to commencing services.)

Is the property accessible? If gated/locked, who shall BESH contact to gain access to the property?

NAME AND PHONE NUMBER: _____

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS TRUE TO THE BEST OF MY KNOWLEDGE.

SIGNATURE: _____



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, May 12, 2020	
Agenda Item Name	
Change Order Approval and Contingency Fund	
Requested Action	
Recommend approval of Change Order 8, 9, 10, 11, 12, 13 and 14 to the downtown streetscapes construction contract with Traverse Group, Inc. for additional additional in the total combined amount of \$211,917.14. Recommend of adding a contingency fund in the amount of \$442,389 or 10% for future change orders.	
Staff Report	
As per the City's adopted Purchasing Policy and Procedures, change orders for construction projects exceeding 10% of total contract value or \$100,000, which ever is greater, require City Council approval. The following change orders are being sought for approval. Change Order #8: Accident repair at the intersection of West Osceola and 8th Street in the amount of \$10,378.40 Change Order #9: Additional 10-inch dip watermain and sanitary sewer at the City's request in the a mount of \$150,330 Change Order #10: Addition of driveway off W. Osceola Street into grass parking lot on the south side between 7th and 8th Street at the City's request in the total amount of \$3,302.25 Change Order #11: Sewer/stormdrain conflict STS 12+00 to 15+00, upgrade from 18-inch HDPE to 14x23 ERCP in the total amount of \$23,547 Change Order #12: Benches AKA bollards at Meet in the Middle / Veteran Park intersection of 8th and W. Osceola Street in the total amount of \$22,467 Change Order #13: Deductive change order for LId area on W. Osceola Street redesign in the total amount of - \$12,553 Change Order #14: Upgrade from 18-inch HDPE to 24-inch RCP along West Avenue (W. Osceola Street to Montrose Street) in the total amount of \$14,445.49 A contingency fund of \$442,389 or 10% is being sought for unforeseen circumstances that may occur during the construction process. The fiscal impact of \$4,866,278.23 includes contingency values for future change orders on this contract.	
Additional Analysis	

Fiscal Impact Summary		
The fiscal impact of \$4,866,278.23 for this contract includes contingency values for future change orders. This project's funding is from the Master Plan Proceeds and Utility Funds and there are adequate funds budgeted in these areas for the future change orders.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Streetscapes Phase 1 Change Orders	Streetscapes Phase 1 Change Orders.pdf	

CHANGE ORDER FORM

Contract / P.O. Number: <u>2019-55</u>	Bid Number: _____
Change Order Number: <u>8</u>	Change Order Date: <u>4.27.2020</u>
Project Name: <u>STREETSCAPE PH 1</u>	Department: _____
Job Location: <u>WEST AVE AND W OSCEOLA ST</u>	

VENDOR INFORMATION:

Company Name: <u>TRAVERSE GROUP, INC.</u>	
Address: <u>PO BOX 121754</u>	City, St., Zip: <u>CLERMONT, FL 34712</u>
Contact Name: <u>ALICIA ROEHN</u>	Telephone: <u>352.409.6630</u>

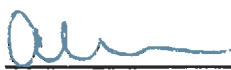
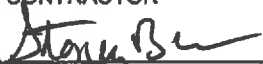
DESCRIPTION OF CHANGE:

Alteration, deviation, addition, or deletion caused by conditions encountered during construction not covered by the specifications and drawings of the project (attach additional pages if necessary).

ACCIDENT REPAIR AT THE INTERSECTION OF WEST OSCEOLA AND 8TH STREET. SEE INDIVIDUAL BREAKDOWN

ITEM		AMOUNT
A.	ORIGINAL CONTRACT VALUE	\$ 3,997,913.13
B.	AMOUNT OF THIS CHANGE ORDER: <i>Must be within the overall scope of services in accordance with contract specifications.</i>	\$ 10,378.40
C.	PERCENT OF CONTRACT VALUE THIS CHANGE ORDER (B/A)	% 0.3%
D.	AMOUNT OF PREVIOUS CHANGE ORDERS:	\$ 214,058.96
E.	TOTAL AMOUNT OF ALL CHANGE ORDERS (B+D) <i>Council approval required if over \$49,999 (\$100,000 for construction) of original contract price OR if funds are not available in the approved budget for the Department.</i>	\$ 224,437.36
F.	PERCENT OF CONTRACT OF ALL CHANGE ORDERS (E/A): 10% Maximum	% 5.6%
G.	NEW CONTRACT VALUE (A+E)	\$ 4,222,350.49

This Change Order is not valid without the following signatures:

 _____ CONTRACTOR	<u>4-27-2020</u> Date	 _____ PROJECT ARCHITECT / ENGINEER	<u>4/28/2020</u> Date
 _____ DEPARTMENT DIRECTOR	<u>4-28-20</u> Date	_____ PURCHASING DIRECTOR / CITY MANAGER	_____ Date

Change Orders over 10%, not to exceed \$49,999 (\$100,000 for construction projects) of the original contract OR not budgeted, require the following signatures:

CITY OF CLERMONT		ATTEST:	
Gail L. Ash, Mayor	Date	Tracy Ackroyd Howe, City Clerk	Date

Streetscape Phase 1: Accident Repair at West Osceola and 8th Street ORDER # 8					CHANGE
L.N.	General Description	Qty.	Unit	Unit Price	Extended Price
	Mobilization	1	LS	\$ 500.00	\$ 500.00
	Temp Construction Fence (3 Panels)	1	LS	\$ 500.00	\$ 500.00
	Overtime Labor (4 men 3 hours each)	12	HRS	\$ 75.00	\$ 900.00
	Barricade & Sign	1	LS	\$ 250.00	\$ 250.00
	Remove and Dispose 6" Concrete Sidewalk 34'x8'	1	LS	\$ 2,000.00	\$ 2,000.00
	Remove and Replace 6" Concrete Sidewalk 34'x8'	272	SF	\$ 10.95	\$ 2,978.40
	Remove and Replace Miami Curb 50'	50	LF	\$ 50.00	\$ 2,500.00
	Remove and Replace ADA Ramp	1	EA	\$ 750.00	\$ 750.00
Accident at the Intersection of W Osceola St and 8th St					
					\$ 10,378.40

OK *[Signature]*
4/24/20

CHANGE ORDER FORM

Contract / P.O. Number: 2019-55 Bid Number: _____
 Change Order Number: 9 Change Order Date: 4.27.2020
 Project Name: STREETSCAPE PH 1 Department: _____
 Job Location: WEST AVE AND W OSCEOLA ST

VENDOR INFORMATION:

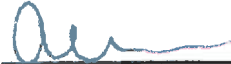
Company Name: TRAVERSE GROUP, INC.
 Address: PO BOX 121754 City, St., Zip: CLERMONT, FL 34712
 Contact Name: ALICIA ROEHN Telephone: 352.409.6630

DESCRIPTION OF CHANGE:

Alteration, deviation, addition, or deletion caused by conditions encountered during construction not covered by the specifications and drawings of the project (attach additional pages if necessary).
ADDITIONAL 10" DIP WATERMAIN AND SANITARY SEWER AT THE CITY'S REQUEST. SEE INDIVIDUAL BREAKDOWN

ITEM		AMOUNT
A.	ORIGINAL CONTRACT VALUE	\$ 3,997,913.13
B.	AMOUNT OF THIS CHANGE ORDER: <i>Must be within the overall scope of services in accordance with contract specifications.</i>	\$ 150,330.00
C.	PERCENT OF CONTRACT VALUE THIS CHANGE ORDER (B/A)	% 3.8%
D.	AMOUNT OF PREVIOUS CHANGE ORDERS:	\$ 224,437.36
E.	TOTAL AMOUNT OF ALL CHANGE ORDERS (B+D) <i>Council approval required if over \$49,999 (\$100,000 for construction) of original contract price OR if funds are not available in the approved budget for the Department.</i>	\$ 374,767.36
F.	PERCENT OF CONTRACT OF ALL CHANGE ORDERS (E/A): 10% Maximum	% 9.4%
G.	NEW CONTRACT VALUE (A+E)	\$ 4,372,680.49

This Change Order is not valid without the following signatures:

 4-27-2020  4/28/2020
 CONTRACTOR Date PROJECT ARCHITECT / ENGINEER Date
 4-28-20 _____
 DEPARTMENT DIRECTOR Date PURCHASING DIRECTOR / CITY MANAGER Date

Change Orders over 10%, not to exceed \$49,999 (\$100,000 for construction projects) of the original contract OR not budgeted, require the following signatures:

CITY OF CLERMONT		ATTEST:	
_____	_____	_____	_____
Gail L. Ash, Mayor	Date	Tracy Ackroyd Howe, City Clerk	Date

Streetscape Phase 1: Additional 10" DIP Watermain at City's Request and Sanitary Sewer
CHANGE ORDER # 9 Additional 14 days to contract

L.N.	General Description	Qty.	Unit	Unit Price	Extended Price
100 - GENERAL					\$ 1,650.00
1.06	As-Built Drawings	1	LS	\$ 900.00	\$ 900.00
1.11	Survey Layout	1	LS	\$ 750.00	\$ 750.00
400-WATER SUPPLY					\$ 146,730.00
4.11	8" Watermain	8	LF	\$ 55.00	\$ 440.00
4.16	14x2 Wet Tap (Credit)	3	EA	\$ (2,500.00)	\$ (7,500.00)
4.19	14x6 Wet Tap (Credit) STA 14+45	1	EA	\$ (8,500.00)	\$ (8,500.00)
4.20	14x10 Wet Tap STA 17+50	1	EA	\$ 10,500.00	\$ 10,500.00
4.24	10" DIP Watermain	780	LF	\$ 65.00	\$ 50,700.00
4.25	10" Gate Valve	10	EA	\$ 2,750.00	\$ 27,500.00
4.26	10" Cap Plug	10	EA	\$ 400.00	\$ 4,000.00
4.28	Pressure Test	1	LS	\$ 2,000.00	\$ 2,000.00
4.29	Bacty Test	1	LS	\$ 990.00	\$ 990.00
4.31	8x8 Wet Tap STA 15+60	1	EA	\$ 9,500.00	\$ 8,500.00
4.32	8" Sleeves - 8x12 MJ repair sleeve (fitting)	2	EA	\$ 400.00	\$ 800.00
4.33	8x10 Reducer	1	EA	\$ 250.00	\$ 250.00
4.34	8" Line Stop	1	EA	\$ 8,750.00	\$ 8,750.00
4.35	10x2 Taps	8	EA	\$ 750.00	\$ 6,000.00
4.17	2" Poly Water Service	80	LF	\$ 10.00	\$ 800.00
4.18	Connect 2" Poly Water Service To Existing Services Or Meter	8	EA	\$ 1,500.00	\$ 12,000.00
4.36	12x10 Wet Tap STA 9+75	1	EA	\$ 10,150.00	\$ 10,150.00
4.38	8" DIP Mega Lug Kit	10	EA	\$ 95.00	\$ 950.00
4.39	10" Fittings (45 Bend, Sleeves)	14	EA	\$ 600.00	\$ 8,400.00
4.40	Remove and Replace 8" DIP Conflict STA 15+75	1	LS	\$ 3,000.00	\$ 3,000.00
4.41	10" DIP Joint Restraints	20	EA	\$ 350.00	\$ 7,000.00
600 - SANITARY SEWER					\$ 1,950.00
6.02	Install New 6" Lateral STA 12+00	2	EA	\$ 750.00	\$ 1,500.00
6.03	Install 6" Clean Outs	3	EA	\$ 150.00	\$ 450.00
ADDITIONAL 14 DAYS TO CONTRACT					\$ 150,330.00

[Signature]
4/27/2020

Duane Booth

From: ~Alicia Roehn~ <aroehn@traverse-group.com>
Sent: Friday, April 24, 2020 8:53 AM
To: Duane Booth; Scott Harp
Cc: Alex Shafer
Subject: Line 4.40 Change Order 9

Duane,

Here is a detailed description of line 4.40 on Change Order 9, the conflict at STA 15+75 where we had to remove and replace 8" due to a conflict (the 8" DIP was in the middle of 15" sanitary sewer). As stated in the meeting this can not be done by LF due to the fittings and minimal pipe involved but the massive man hours and labor.

The north side of 8" DIP was encased in concrete and had to be manually chipped and cut out to prevent pipe damage including the labor on pipe fitting. There were two emergency pick ups from Ferguson for the materials needed. These materials included (4) 8" fittings, (1) 8" 45 bend, (2) long sleeves, (1) 8" 11.25 bend, (8) 8" DIP mega lugs and kits, (10) 8" DIP pipe and misc small items for the manual chipping.

Please let us know if you need additional information.

Stay dry!
Alicia Roehn
Traverse Group, Inc.
PO Box 121754
Clermont, FL 34712
Phone (352) 409-6630
Fax (877) 532-8247

CHANGE ORDER FORM

Contract / P.O. Number: <u>2019-55</u>	Bid Number: _____
Change Order Number: <u>10</u>	Change Order Date: <u>4.27.2020</u>
Project Name: <u>STREETSCAPE PH 1</u>	Department: _____
Job Location: <u>WEST AVE AND W OSCEOLA ST</u>	

VENDOR INFORMATION:

Company Name: <u>TRAVERSE GROUP, INC.</u>	
Address: <u>PO BOX 121754</u>	City, St., Zip: <u>CLERMONT, FL 34712</u>
Contact Name: <u>ALICIA ROEHN</u>	Telephone: <u>352.409.6630</u>

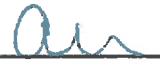
DESCRIPTION OF CHANGE:

Alteration, deviation, addition, or deletion caused by conditions encountered during construction not covered by the specifications and drawings of the project (attach additional pages if necessary).

ADDT OF DRIVEWAY OFF W OSCEOLA ST INTO GRASS PARKING LOT ON THE SOUTH SIDE BETWEEN 7TH AND 8TH STREET AT THE CITY'S REQUEST. SEE INDIVIDUAL BREAKDOWN

ITEM		AMOUNT
A.	ORIGINAL CONTRACT VALUE	\$ 3,997,913.13
B.	AMOUNT OF THIS CHANGE ORDER: <i>Must be within the overall scope of services in accordance with contract specifications.</i>	\$ 3,302.25
C.	PERCENT OF CONTRACT VALUE THIS CHANGE ORDER (B/A)	% 0.1%
D.	AMOUNT OF PREVIOUS CHANGE ORDERS:	\$ 374,767.36
E.	TOTAL AMOUNT OF ALL CHANGE ORDERS (B+D) <i>Council approval required if over \$49,999 (\$100,000 for construction) of original contract price OR if funds are not available in the approved budget for the Department.</i>	\$ 378,069.61
F.	PERCENT OF CONTRACT OF ALL CHANGE ORDERS (E/A): 10% Maximum	% 9.5%
G.	NEW CONTRACT VALUE (A+E)	\$ 4,375,982.74

This Change Order is not valid without the following signatures:

 _____ CONTRACTOR	<u>4-27-2020</u> _____ Date	 _____ PROJECT ARCHITECT / ENGINEER	<u>4/28/2020</u> _____ Date
 _____ DEPARTMENT DIRECTOR	<u>4-28-20</u> _____ Date	_____ PURCHASING DIRECTOR / CITY MANAGER	_____ Date

Change Orders over 10%, not to exceed \$49,999 (\$100,000 for construction projects) of the original contract OR not budgeted, require the following signatures:

CITY OF CLERMONT	ATTEST:
Gail L. Ash, Mayor	Tracy Ackroyd Howe, City Clerk
_____	_____
Date	Date

Streetscape Phase 1: Driveway off W Osceola St into parking lot on South side between 7th and 8th St CHANGE ORDER # 10					
L.N.	General Description	Qty.	Unit	Unit Price	Extended Price
300- Earthwork and Grading					\$ 610.00
3.03	Grading (for Driveway Apron)	255	SY	\$ 2.00	\$ 510.00
1000- Concrete Curb and sidewalk					\$ 2,792.25
10.20	20"x10"x6" Driveway Concrete	255	SF	\$ 10.95	\$ 2,792.25
					\$ 3,302.25

R
4/24/2020

CHANGE ORDER FORM

Contract / P.O. Number: <u>2019-55</u>	Bid Number: _____
Change Order Number: <u>11</u>	Change Order Date: <u>4.27.2020</u>
Project Name: <u>STREETSCAPE PH 1</u>	Department: _____
Job Location: <u>WEST AVE AND W OSCEOLA ST</u>	

VENDOR INFORMATION:

Company Name: TRAVERSE GROUP, INC.

Address: PO BOX 121754 City, St., Zip: CLERMONT, FL 34712

Contact Name: ALICIA ROEHN Telephone: 352.409.6630

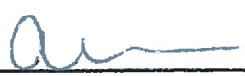
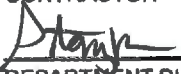
DESCRIPTION OF CHANGE:

Alteration, deviation, addition, or deletion caused by conditions encountered during construction not covered by the specifications and drawings of the project (attach additional pages if necessary).

**SEWER/STORMDRAIN CONFLICT STA 12+00 TO 15+00, UPCHARGE FROM 18" HDPE TO 14X23 ERCP.
SEE INDIVIDUAL BREAKDOWN**

ITEM		AMOUNT
A.	ORIGINAL CONTRACT VALUE	\$ 3,997,913.13
B.	AMOUNT OF THIS CHANGE ORDER: <i>Must be within the overall scope of services in accordance with contract specifications.</i>	\$ 23,547.00
C.	PERCENT OF CONTRACT VALUE THIS CHANGE ORDER (B/A)	% 0.6%
D.	AMOUNT OF PREVIOUS CHANGE ORDERS:	\$ 378,069.61
E.	TOTAL AMOUNT OF ALL CHANGE ORDERS (B+D) <i>Council approval required if over \$49,999 (\$100,000 for construction) of original contract price OR if funds are not available in the approved budget for the Department.</i>	\$ 401,616.61
F.	PERCENT OF CONTRACT OF ALL CHANGE ORDERS (E/A): 10% Maximum	% 10.0%
G.	NEW CONTRACT VALUE (A+E)	\$ 4,399,529.74

This Change Order is not valid without the following signatures.

 _____ CONTRACTOR	<u>4-27-2020</u> _____ Date	 _____ PROJECT ARCHITECT / ENGINEER	<u>4/28/2020</u> _____ Date
 _____ DEPARTMENT DIRECTOR	<u>4-28-20</u> _____ Date	_____ PURCHASING DIRECTOR / CITY MANAGER	_____ Date

Change Orders over 10%, not to exceed \$49,999 (\$100,000 for construction projects) of the original contract OR not budgeted, require the following signatures:

CITY OF CLERMONT	ATTEST:
_____ Gail L. Ash, Mayor	_____ Tracy Ackroyd Howe, City Clerk
Date	Date

Streetscape Phase 1: Sewer / Stormdrain Conflict W Osceola St - Upcharge from 18" HDPE to 14x23 ERCP
CHANGE ORDER # 11

L.N.	General Description	Qty.	Unit	Unit Price	Extended Price
100 - GENERAL					\$ 500.00
1.11	Survey Layout	1	LS	\$ 500.00	\$ 500.00
500- STORM DRAINAGE					\$ 23,047.00
5.13	CREDIT 18" HDPE	160	LF	\$ (42.50)	\$ (6,800.00)
5.38	14x23 ERCP STA 12+00-15+00	160	LF	\$ 57.45	\$ 9,192.00
5.39	Storm Inlet Modification (Core/Cut) Structures D127; D125; D124; D128; D121; D120; D130; D131; DS10	9	EA	\$ 2,295.00	\$ 20,655.00
					\$ 23,547.00

D
4/24/20

CHANGE ORDER FORM

Contract / P.O. Number: <u>2019-55</u>	Bid Number: _____
Change Order Number: <u>12</u>	Change Order Date: <u>4.27.2020</u>
Project Name: <u>STREETSCAPE PH 1</u>	Department: _____
Job Location: <u>WEST AVE AND W OSCEOLA ST</u>	

VENDOR INFORMATION:

Company Name: <u>TRAVERSE GROUP, INC.</u>	
Address: <u>PO BOX 121754</u>	City, St., Zip: <u>CLERMONT, FL 34712</u>
Contact Name: <u>ALICIA ROEHN</u>	Telephone: <u>352.409.6630</u>

DESCRIPTION OF CHANGE:

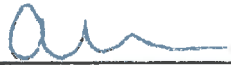
Alteration, deviation, addition, or deletion caused by conditions encountered during construction not covered by the specifications and drawings of the project (attach additional pages if necessary).

BENCHES AKA BOLLARDS AT MEET IN THE MIDDLE/VETERAN PARK INTERSECTION OF 8TH AND W OSCEOLA ST.

SEE INDIVIDUAL BREAKDOWN

ITEM		AMOUNT
A.	ORIGINAL CONTRACT VALUE	\$ 3,997,913.13
B.	AMOUNT OF THIS CHANGE ORDER: <i>Must be within the overall scope of services in accordance with contract specifications.</i>	\$ 22,467.00
C.	PERCENT OF CONTRACT VALUE THIS CHANGE ORDER (B/A)	% 0.6%
D.	AMOUNT OF PREVIOUS CHANGE ORDERS:	\$ 401,616.61
E.	TOTAL AMOUNT OF ALL CHANGE ORDERS (B+D) <i>Council approval required if over \$49,999 (\$100,000 for construction) of original contract price OR if funds are not available in the approved budget for the Department.</i>	\$ 424,083.61
F.	PERCENT OF CONTRACT OF ALL CHANGE ORDERS (E/A): 10% Maximum	% 10.6%
G.	NEW CONTRACT VALUE (A+E)	\$ 4,421,996.74

This Change Order is not valid without the following signatures:

 _____ CONTRACTOR	<u>4-27-2020</u> _____ Date	 _____ PROJECT ARCHITECT / ENGINEER	<u>4/28/2020</u> _____ Date
 _____ DEPARTMENT DIRECTOR	<u>4-28-20</u> _____ Date	_____ PURCHASING DIRECTOR / CITY MANAGER	_____ Date

Change Orders over 10%, not to exceed \$49,999 (\$100,000 for construction projects) of the original contract OR not budgeted, require the following signatures:

CITY OF CLERMONT	ATTEST:
Gail L. Ash, Mayor	Tracy Ackroyd Howe, City Clerk
_____	_____
Date	Date

**Streetscape Phase 1: Benches aka Bollards 8th and W Osceola Intersection
CHANGE ORDER #12**

L.N.	General Description	Qty.	Unit	Unit Price	Extended Price
					\$ 22,467.00
3.19	Excavate Footing	4	EA	\$ 300.00	\$ 1,200.00
7.7	F & I Pull Boxes (12"X12"X12")	2	EA	\$ 750.00	\$ 1,500.00
7.16	Bench Lights	4	EA	\$ 400.00	\$ 1,600.00
7.17	Sealed Extension Wires	4	EA	\$ 100.00	\$ 400.00
7.18	Electrician - (1) hour per bench	4	HRS	\$ 348.75	\$ 1,395.00
8.30	Conduit for Bench/Bollard and Flagpole Lighting	80	LF	\$ 20.00	\$ 1,600.00
10.1	4" Concrete	144	SF	\$ 6.75	\$ 972.00
10.13	Form & Pour Benches/Bollards	4	EA	\$ 3,450.00	\$ 13,800.00
NOTE: Included in pricing is grading of the area North of the benches for the monument and flagpole along with the adjustment of Irrigation as needed.					

\$ 22,467.00

D
4/24/2020

CHANGE ORDER FORM

Contract / P.O. Number: <u>2019-55</u>	Bid Number: _____
Change Order Number: <u>13</u>	Change Order Date: <u>4.27.2020</u>
Project Name: <u>STREETSCAPE PH 1</u>	Department: _____
Job Location: <u>WEST AVE AND W OSCEOLA ST</u>	

VENDOR INFORMATION:

Company Name: TRAVERSE GROUP, INC.

Address: PO BOX 121754 City, St., Zip: CLERMONT, FL 34712

Contact Name: ALICIA ROEHN Telephone: 352.409.6630

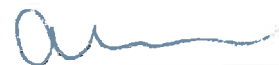
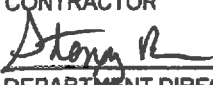
DESCRIPTION OF CHANGE:

Alteration, deviation, addition, or deletion caused by conditions encountered during construction not covered by the specifications and drawings of the project (attach additional pages if necessary).

**LID AREA ON W OSCEOLA STREET REDESIGN
SEE INDIVIDUAL BREAKDOWN**

ITEM		AMOUNT
A.	ORIGINAL CONTRACT VALUE	\$ 3,997,913.13
B.	AMOUNT OF THIS CHANGE ORDER: <i>Must be within the overall scope of services in accordance with contract specifications.</i>	\$ -12,553.00
C.	PERCENT OF CONTRACT VALUE THIS CHANGE ORDER (B/A)	% -0.3%
D.	AMOUNT OF PREVIOUS CHANGE ORDERS:	\$ 424,083.61
E.	TOTAL AMOUNT OF ALL CHANGE ORDERS (B+D) <i>Council approval required if over \$49,999 (\$100,000 for construction) of original contract price OR if funds are not available in the approved budget for the Department.</i>	\$ 411,530.61
F.	PERCENT OF CONTRACT OF ALL CHANGE ORDERS (E/A): 10% Maximum	% 10.3%
G.	NEW CONTRACT VALUE (A+E)	\$ 4,409,443.74

This Change Order is not valid without the following signatures:

 _____ CONTRACTOR	<u>4/27/2020</u> _____ Date	 _____ PROJECT ARCHITECT / ENGINEER	<u>4/28/2020</u> _____ Date
 _____ DEPARTMENT DIRECTOR	<u>4-28-20</u> _____ Date	_____ PURCHASING DIRECTOR / CITY MANAGER	_____ Date

Change Orders over 10%, not to exceed \$49,999 (\$100,000 for construction projects) of the original contract OR not budgeted, require the following signatures:

CITY OF CLERMONT	ATTEST:
Gail L. Ash, Mayor	Tracy Ackroyd Howe, City Clerk
Date	Date

Streetscape Phase 1: LID area Redesigned to Pavers CHANGE ORDER # 13					
L.N.	General Description	Qty.	Unit	Unit Price	Extended Price
					\$ (12,553.00)
10.8	12" Ribbon Curb	209	LF	\$ 30.00	\$ 6,270.00
11.5	F & I 6" X 6" White Roadway Brick Pavers	17.5	SF	\$ 27.00	\$ 472.50
11.2	F & I 2 1/4" Roadway Brick Pavers - K&W Red 2 1/4"X4"X8" - Manuf. By Glen-Gery Corporation	1528	SF	\$ 7.55	\$ 11,536.40
9.2	6" Recycled Concrete For Paver Roadway	142	SY	\$ 15.00	\$ 2,130.00
9.1	Mirafi 140n Geotextile Fabric For Paver Roadway	1274	SF	\$ 0.65	\$ 828.10
5.23	CREDIT Drainage L.I.D. Curb Box	4	EA	\$ (3,500.00)	\$ (14,000.00)
5.24	CREDIT Gabion Basket (5'x1.5'x1' Filled With 2"-3" Lime Rock Rubble)	4	EA	\$ (2,950.00)	\$ (11,800.00)
1500	CREDIT 15.2 Qty (30) African Iris; 15.22-15.26 Qty (24)	1	LS	\$ (990.00)	\$ (990.00)
10.4	CREDIT 6" Drainage L.I.D. Curb	280	LF	\$ (25.00)	\$ (7,000.00)
	NOTE: Landscaping in this area to be done by the City of Clermont with the exception of sod.				
					\$ (12,553.00)

D
4/24/20

CHANGE ORDER FORM

Contract / P.O. Number: <u>2019-55</u>	Bid Number: _____
Change Order Number: <u>14</u>	Change Order Date: <u>4.27.2020</u>
Project Name: <u>STREETSCAPE PH 1</u>	Department: _____
Job Location: <u>WEST AVE AND W OSCEOLA ST</u>	

VENDOR INFORMATION:

Company Name: <u>TRAVERSE GROUP, INC.</u>	
Address: <u>PO BOX 121754</u>	City, St., Zip: <u>CLERMONT, FL 34712</u>
Contact Name: <u>ALICIA ROEHN</u>	Telephone: <u>352.409.6630</u>

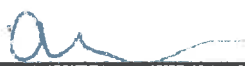
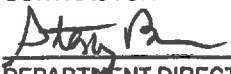
DESCRIPTION OF CHANGE:

Alteration, deviation, addition, or deletion caused by conditions encountered during construction not covered by the specifications and drawings of the project (attach additional pages if necessary).

**UPGRADE FROM 18" HDPE TO 24" RCP ALONG WEST AVE (W OSCEOLA ST TO MONTROSE)
SEE INDIVIDUAL BREAKDOWN**

ITEM		AMOUNT
A.	ORIGINAL CONTRACT VALUE	\$ 3,997,913.13
B.	AMOUNT OF THIS CHANGE ORDER: <i>Must be within the overall scope of services in accordance with contract specifications.</i>	\$ 14,445.49
C.	PERCENT OF CONTRACT VALUE THIS CHANGE ORDER (B/A)	% 0.4%
D.	AMOUNT OF PREVIOUS CHANGE ORDERS:	\$ 411,530.61
E.	TOTAL AMOUNT OF ALL CHANGE ORDERS (B+D) <i>Council approval required if over \$49,999 (\$100,000 for construction) of original contract price OR if funds are not available in the approved budget for the Department.</i>	\$ 425,976.10
F.	PERCENT OF CONTRACT OF ALL CHANGE ORDERS (E/A): 10% Maximum	% 10.7%
G.	NEW CONTRACT VALUE (A+E)	\$ 4,423,889.23

This Change Order is not valid without the following signatures:

 _____ CONTRACTOR	<u>4.27.2020</u> _____ Date	 _____ PROJECT ARCHITECT / ENGINEER	<u>4/28/2020</u> _____ Date
 _____ DEPARTMENT DIRECTOR	<u>4-28-20</u> _____ Date	_____ PURCHASING DIRECTOR / CITY MANAGER	_____ Date

Change Orders over 10%, not to exceed \$49,999 (\$100,000 for construction projects) of the original contract OR not budgeted, require the following signatures:

CITY OF CLERMONT	ATTEST:
Gail L. Ash, Mayor	Tracy Ackroyd Howe, City Clerk
_____	_____
Date	Date

Streetscape Phase 1: 18" to 24" RCP along West Ave (W Osceola to Montrose)					
CHANGE ORDER # 14					
L.N.	General Description	Qty.	Unit	Unit Price	Extended Price
					\$ 14,445.49
5.13	CREDIT 18" HDPE W Osceola to Montrose	-727	LF	\$ 42.50	\$ (30,897.50)
5.40	24" RCP W Osceola to Montrose	727	LF	\$ 62.37	\$ 45,342.99
			SF		\$ -
			SY		\$ -
			SF		\$ -
			EA		\$ -
			EA		\$ -
			LS		\$ -
			LF		\$ -
					\$ 14,445.49

D
4/28/20



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, May 12, 2020	
Agenda Item Name	
Variance Request <i>Fazoli's Restaurant</i>	
Requested Action	
Recommend denial of requested variances.	
Staff Report	
The applicant, Byblos Development, Inc. is requesting two (2) variances to the Land Development Code to allow for construction of a 3,000 square foot Fazoli's Restaurant with a drive thru service isle and two retail buildings. The vacant parcel is located at the corner of US Highway 27, adjacent to the WAWA convenience store. The zoning is C-2 General Commercial, which allows restaurants and retail services as a permitted use; the Land Use designation is Commercial. The applicant is requesting the following variances: (1) To allow a retaining wall to exceed the maximum 6 feet height requirements of the Land Development Code, Section 94-195, the applicant is requesting a retaining wall height not to exceed 15 feet. The wall would be 9 feet higher than the code allows. (2) To allow for interior landscape islands less than 300 square feet instead of requirements for Section 118-38, the code requires a total area not less than 300 square feet, the site as designed will provide 200 square foot interior landscape islands.  The proposed development as designed would provide one access point off US Highway 27 and a shared cross access point to the WAWA site. The applicant has indicated that because of existing topography changes and irregular shaped lot, the two (2) variances are required to allow for development. City Code Section 86-174 indicates a variance to the Land Development Code may be granted as a hardship relief when strict compliance to the code would render a parcel incapable of reasonable use and development. Staff finds the subject parcel is vacant therefore may be designed with a less intense development which may not require variances to the land	

development code. The site is proposing 43 parking spaces, but the code only requires 28 spaces for the proposed development. The applicant has the option of providing less parking on site to ensure internal landscape islands comply with the code. The proposed 15 foot retaining wall may be seen as undesirable and intrusive to adjacent property owners and public.

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 reviewed the application as submitted and finds the application does not meet a positive finding. Therefore, staff recommends denial of the variance request to the Land Development Code.

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	New 86-174 Review Criteria- Fazoli Resturant	New 86-174 Review Criteria- Fazoli Resturant.pdf
2.	SR LOCATION MAP	SR LOCATION MAP.pdf
3.	Site Plan	Site Plan.pdf
4.	SITE-PAVING-GRADING-DRAINAGE-PLAN	SITE-PAVING-GRADING-DRAINAGE-PLAN.pdf
5.	ArchitecturalRendering	ArchitecturalRendering.pdf
6.	2020-03-16_VarianceJustificationStatement_Fazoli	2020-03-16_VarianceJustificationStatement_Fazoli.pdf
7.	2020-03-16_VarianceApplication_Fazoli	2020-03-16_VarianceApplication_Fazoli.pdf
8.	FAZOLIS RESTAURANT VARIANCE AD	FAZOLIS RESTAURANT VARIANCE AD.pdf

Fazoli's Restaurant - Variance

The requirements for a variance are as follows:

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

FINDINGS:

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;
Applicant response: The requested variances would not have a negative impact on neighboring properties or negatively impact the standards of living of the citizens of the city as the proposed wall is internal to the site and is located at the rear of the building, which buffers the wall from street view.

Staff comments: The requested variances to the Land Development Code to allow a retaining wall with a maximum height of up to 15 feet instead of the maximum height of 6 feet allowed by the Code may negatively affect adjacent property owners because of the massive size of the walls. Although the existing site grading may provide some challenges, the property is vacant and may have to be re- designed in a different manner to accommodate the current site conditions.

Negative 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 variance will allow reasonable use of the property despite the substantial grade changes in elevation and the odd configuration of the site. If the wall height variance is not granted, there will be severe limitations on the development of the site given the constraints related to existing conditions surrounding the site.

Staff comments: The subject parcel is currently vacant and should be developed to meet the Land Development regulations, other properties in this zoning category were able to comply with the code. Although the property may have site constraints, the applicant may be able to develop a less intense development that may require fewer variances to the Land Development Code.

Negative Finding

- (3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance was denied;
Applicant response: Granting of this variance will allow development of the site in compliance with the land development regulations related to grading of other areas of the site, driveway connectivity and cross access, handicap accessibility, and safe driveway slopes. If the variance is denied, there will be severe limitations on the development of site given restraints related to the existing conditions surrounding the site. Other variances would likely be required for development of this site if this variance were not granted.

Staff comments: .The site as existing may provide some topography changes for development, but the applicant may be able to develop the property in a less intense manner, which may not require the requested variances to the code.

Negative Finding

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

Applicant response: *Granting of the wall variance is not consistent with the City's comprehensive plan.*

Staff comments: *The requested variances is not in conflict with the Clermont 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;

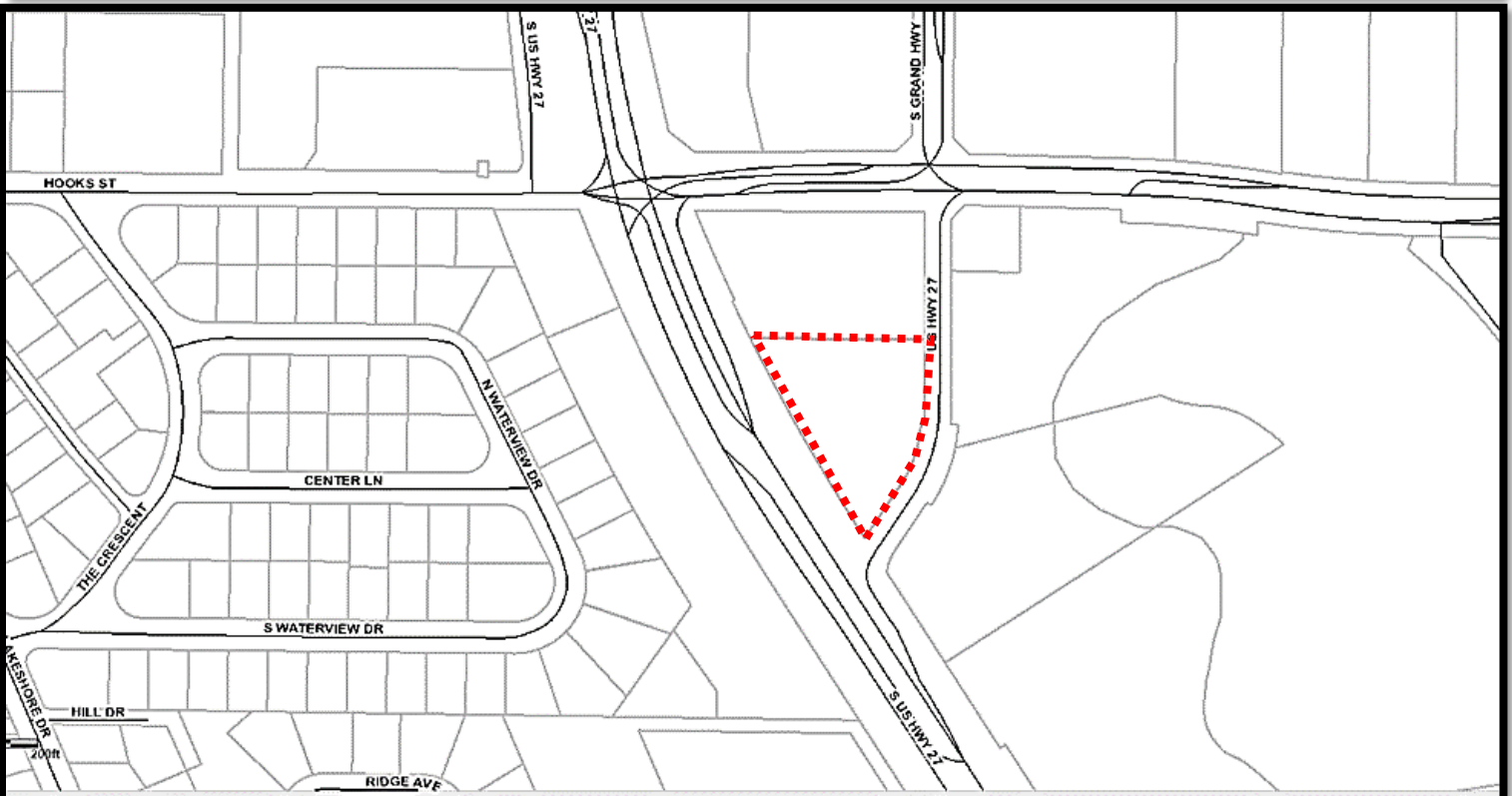
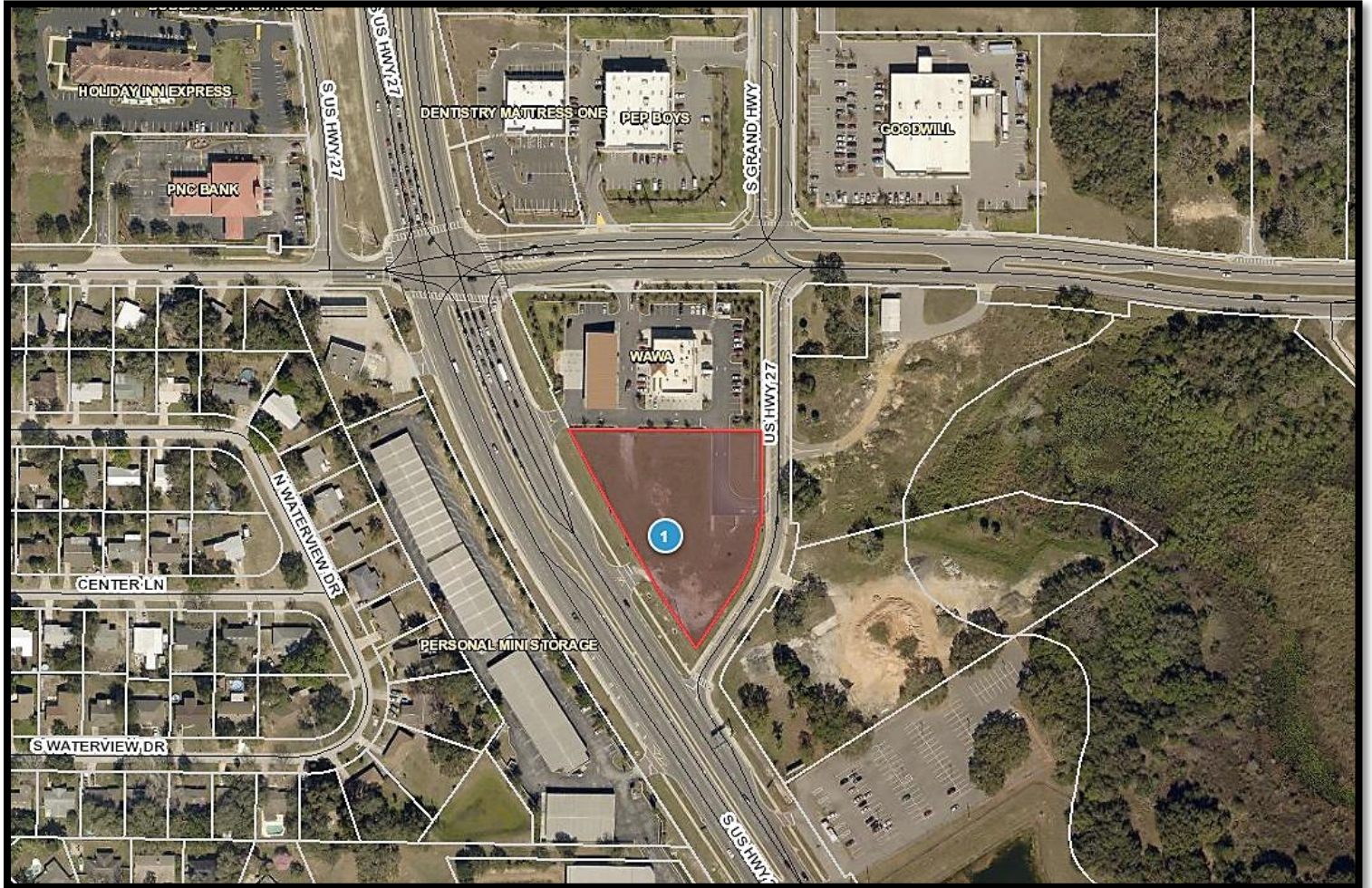
Applicant response: *The proposed height of the wall is the minimum required for reasonable use of the property. The zoning of the site allows a Floor Area Ratio of 0.25 and a FAR of 0.08 is proposed, which is minimal for commercial development. Furthermore, there is no incentive to increase the wall height as it adds to development costs. As such, the proposed height of the wall is the minimum required based on design and is limited to the extent feasible to allow for reasonable development of the site.*

Staff comments: *The request for three (3) variances to the Land Development Code to allow for development of a fast- food restaurant with a drive thru isle and two retail buildings may not be the minimum development allowed to make reasonable use of the property. The applicant has the option of developing a less intense development that may not require three (3) variances to the Code.*

Negative Finding

STAFF RECOMMENDATION: 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 reviewed the application as submitted and finds the application does not meet a positive finding. Therefore, staff recommends **denial** of the variance request to the Land Development Code.

LOCATION MAP



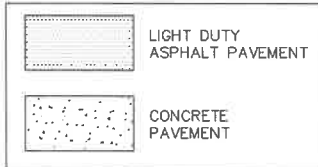
◆ SITE STRIPING & SIGNAGE KEYNOTES

- S1. PROPERTY BOUNDARY.
- S2. HANDICAP PARKING STALL, TYPICAL.
- S3. 24" THERMOPLASTIC STOP BAR WITH R1-1 HIGH INTENSITY REFLECTORIZED "STOP" SIGN.
- S4. DIRECTIONAL ARROWS PER F.D.O.T. INDEX No. 17346, TYPICAL.
- S5. CROSSWALK STRIPING PER F.D.O.T. INDEX No. 17346, TYPICAL.
- S6. 4" WHITE THERMOPLASTIC STRIPING.
- S7. "DO NOT ENTER" SIGN MOUNTED TO BACK OF R1-1 "STOP" SIGN, WHERE INDICATED ON PLANS.
- S8. 2' MIN. TALL TEXT & THERMOPLASTIC, TYPICAL.
- S9. BUSINESS DIRECTION SIGN "DRIVE-THRU".
- S10. MENU BOARD.
- S11. MENU BOARD CANOPY AND SPEAKER.
- S12. DRIVE THRU CANOPY.

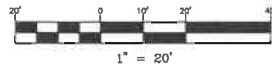
◆ SITE CONSTRUCTION KEYNOTES

- C1. 6" HEAD CURB, TYPICAL.
- C2. F.D.O.T. TYPE "F" CURB & GUTTER PER INDEX No. 520-001, TYPICAL.
- C3. 3' CURB TRANSITION, TYPICAL.
- C4. F.D.O.T. 3' VALLEY GUTTER PER INDEX No. 300, TYPICAL.
- C5. ASPHALT PAVEMENT, MEDIUM-DUTY IN DRIVE AISLES. LIGHT-DUTY IN PARKING SPACES.
- C6. CONCRETE PAVEMENT.
- C7. CONCRETE SIDEWALK, TYPICAL.
- C8. MONOLITHIC CURB & SIDEWALK, TYPICAL.
- C9. F.D.O.T. CURB CUT RAMP PER INDEX No. 522-002, FOR HANDICAP ACCESS. ROADWAY & ALL SIDEWALK CROSSINGS NOT TO EXCEED 2% CROSS SLOPE, TYPICAL.
- C10. DETECTABLE WARNING SURFACE PER FLORIDA BUILDING CODE 2004.
- C11. 11'x24' DUMPSTER W/ 6" CONCRETE PAD & 6' HIGH BLOCK WALL ENCLOSURE ON 3 SIDES. SEE STRUCTURAL PLANS (BY OTHERS).
- C12. WHEELSTOP PER F.D.O.T. INDEX No. 520-001, TYPICAL.
- C13. FIRE HYDRANT ASSEMBLY, TYPICAL. DEVELOPER TO INSTALL TYPICAL FIRE HYDRANT ASSEMBLY PER CITY OF CLERMONT'S WATER DETAIL SHEET.
- C14. SANITARY CLEAN-OUT, TYPICAL. ADD ONCE UTILITY PLAN IS DESIGNED.
- C15. SANITARY SEWER MANHOLE, TYPICAL.
- C16. PROPOSED TRANSFORMER. CONTRACTOR SHALL COORDINATE LOCATION W/ UTILITY COMPANY.
- C17. DECORATIVE METAL RAILING AROUND PATIO. RAILING ON TOP OF RETAINING WALL WHERE SHOWN.
- C18. CONCRETE PATIO.
- C19. CONCRETE FLUME. SEE PLAN FOR WIDTH AND LENGTH.
- C20. PRIVATE LIFT STATION.
- C21. PRIVATE LIFT STATION ELEC. CONTROL PANEL.
- C22. STORMWATER VAULT LIMITS.
- C23. RETAINING WALL WITH CONCRETE BARRIER AND GUARD RAIL ON TOP OF WALL. SEE STRUCTURAL PLANS BY OTHERS.
- C24. 1 BIKE RACK - INVERTED "U" RACK, LOCATION SET ON 5'x5' CONCRETE SLAB EACH. SEE DETAIL ON C-7. FIELD ADJUSTMENTS MAY BE MADE TO LOCATION BASED ON SITE CONDITIONS.
- C25. 1 1/2" DIA. HANDRAIL AT STEPS. ATTACH TO RETAINING WALL. EXTEND 12" BEYOND STAIR TOP AND BOTTOM.
- C26. 6" DIA. STEEL BOLLARD FILLED WITH CONCRETE AND PAINTED SAFETY YELLOW.
- C27. 30' LONG ADA COMPLIANT RAMP WITH HANDRAILS AND CURB ON EACH SIDE PER F.D.O.T. INDEX 515-070.
- C28. NON ADA SERVICE RAMP.
- C29. 24" DEEP CURB 12" ABOVE GRADE (RETAINING WALL) ALONG STAIRS.

LEGEND



GRAPHIC SCALE



S.U.S. HIGHWAY 27
(STATE ROAD 25)
(VARIABLE WIDTH PUBLIC R/W)

S. GRAND HWY
U.S. HIGHWAY 27
(VARIABLE WIDTH PUBLIC R/W)

SITE DATA

PROPERTY LOCATION: SOUTH U.S. HIGHWAY 27, CLERMONT, FLORIDA 34711
PROPERTY ZONING: C-2
PROPERTY FUTURE LAND USE DESIGNATION: COMMERCIAL
EXISTING USE: VACANT
PROPOSED USE: QUICK SERVICE RESTAURANT AND RETAIL SPACE
SITE AREA: 1.71 ACRES

PROPOSED GROSS FLOOR AREA: RESTAURANT: 3,000 S.F.
RETAIL: 3,008 S.F.
TOTAL: 6,008 S.F.
ALLOWABLE FLOOR AREA: RATIO: 0.3
PROPOSED FLOOR AREA: RATIO: 0.08

R.O.W. PARKING SETBACK (REQUIRED) 20'
R.O.W. PRINCIPAL BUILDING SETBACK (US 27) 50'
R.O.W. PRINCIPAL BUILDING SETBACK (GRAND HWY) 25'

BUILDING SETBACKS (REQUIRED) BUILDING SETBACKS (PROPOSED)
FRONT (WEST) 50' > 50'
SIDE (EAST) 25' > 25'
SIDE (NORTH) 12' 51.74'

MAXIMUM ALLOWABLE BUILDING HEIGHT 55'
BUILDING HEIGHT PROPOSED 31'

BUILDING CONSTRUCTION TYPE
RETAIL - TYPE II-B UNSPRINKLED; RESTAURANT - TYPE VB UNSPRINKLED

BUFFER YARDS

PROPOSED USE	REQUIRED BUFFER	PROPOSED BUFFER
FRONT (WEST)	20'	20'
SIDE (EAST)	20'	20'
SIDE (NORTH)	10'	10'

PARKING

PARKING REQUIRED	
RESTAURANT (425 S.F. OF PATRON AREA) * (1 SPACE / 50 S.F.) + (8 EMPLOYEES) * (1 SPACE / 4 EMPLOYEES) = 11 SPACES	
RETAIL (1/200 SF)	16 SPACES
TOTAL PARKING REQUIRED	27 SPACES
SPACES REQUIRED TO BE RESERVED FOR HANDICAP	1 SPACE
PARKING PROVIDED	
STANDARD PARKING SPACES	41 SPACES
HANDICAP PARKING	2 SPACE
TOTAL PARKING PROVIDED	43 SPACES

SITE AREA CALCULATIONS (EXISTING)

PAVING	6,905 ± S.F.		
IMPERVIOUS AREA	6,905 ± S.F.	0.16 ± AC.	9.26 %
PERVIOUS AREA	67,699 ± S.F.	1.55 ± AC.	90.74 %
TOTAL SITE AREA	74,604 ± S.F.	1.71 ± AC.	100.00 %

SITE AREA CALCULATIONS (PROPOSED)

BUILDING FOOTPRINT	6,008 ± S.F.		
PAVING (PROPOSED)	28,559 ± S.F.		
PAVING (EXISTING TO REMAIN)	6,532 ± S.F.		
CONCRETE	6,168 ± S.F.		
IMPERVIOUS AREA	47,267 ± S.F.	1.09 ± AC.	63.36 %
PERVIOUS AREA	27,337 ± S.F.	0.62 ± AC.	36.64 %
TOTAL SITE AREA	74,604 ± S.F.	1.71 ± AC.	100.00 %

MAXIMUM IMPERVIOUS COVER ALLOWED	80 %
IMPERVIOUS COVER PROPOSED	63 %
MINIMUM GREEN SPACE REQUIRED	10 %
GREEN SPACE PROVIDED	36 %

FLOOD ZONE

FLOOD ZONE X PER FEMA F.I.R.M. PANEL 12069C0590E DATED: 12/18/2012.

SOILS

AREAS - SCS SOIL TYPE 'B' AND Candler SAND TYPE 'A'

WETLAND STATEMENT

THERE ARE NO JURISDICTIONAL WETLANDS WITHIN THE PROJECT SITE.

HAZARDOUS MATERIALS STATEMENT

DURING CONSTRUCTION, WHEN COMBUSTIBLES ARE BROUGHT ONTO THE SITE IN SUCH QUANTITIES AS DEEMED HAZARDOUS BY THE FIRE OFFICIAL, ACCESS ROADS & A SUITABLE TEMPORARY SUPPLY OF WATER ACCEPTABLE TO THE FIRE DEPARTMENT SHALL BE PROVIDED & MAINTAINED.

SITE NOTES

- ALL CURB RADII ARE TO BE 5.0', TYPICAL, UNLESS NOTED OTHERWISE. EXCEPTION: RADII @ ISLANDS ARE TO FIT ISLAND WIDTHS, UNLESS NOTED OTHERWISE.
- LANDSCAPE ISLAND NOSE NOT TO EXCEED THE PARKING STALL DEPTH &/OR PROTRUDE INTO DRIVE ISLES, TYPICAL.

NOT VALID FOR
CONSTRUCTION UNLESS
SIGNED IN THIS BLOCK

DATE	PER COMMENTS RECEIVED FROM SJRWMD VIA EMAIL DATED 06-15-2018	NT	SJS
DATE	REVISIONS	BY	CHECKED

CONSTRUCTION PLANS
FAZOLI'S RESTAURANT
SOUTH U.S. HIGHWAY 27
CLERMONT, LAKE COUNTY, FL 34711

FEG FLORIDA
ENGINEERING
GROUP
Engineering the Future

5127 S. Orange Avenue, Suite 200
Orlando, FL 32809
Phone: 407-895-0324
Fax: 407-895-0325

www.feg-inc.us

SITE GEOMETRY PLAN

DESIGNED BY	DRAWN BY	CHECKED BY	APPROVED BY
RTA	SMH	RTA	SJS

PROJECT NO.	19-109
SCALE	1" = 20'
DATE	FEBRUARY 02, 2020
SHEET NO.	C-5
SHEET	5 OF 17



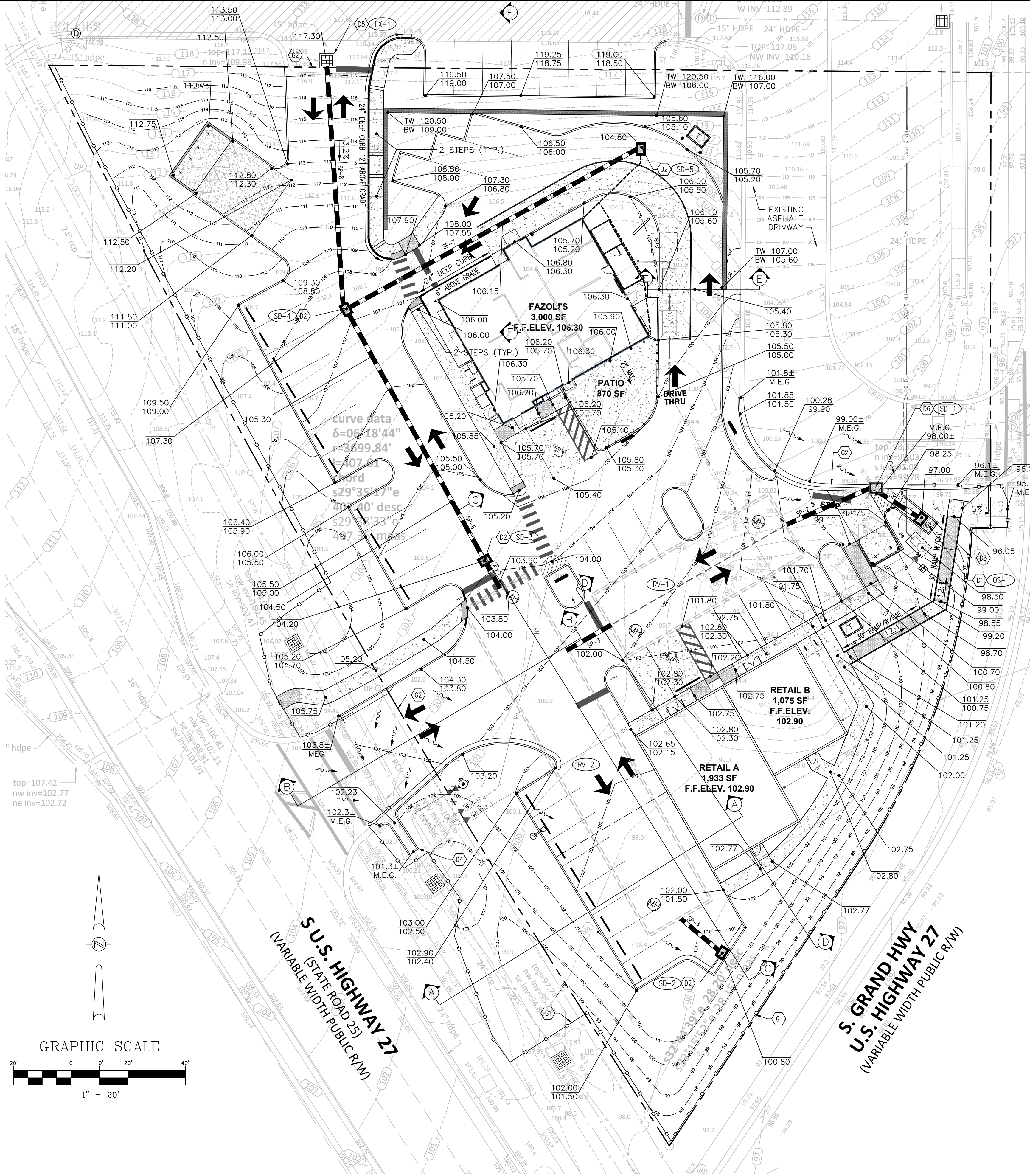
19-109_Plans.dwg

CONCRETE CONSTRUCTION NOTES

1. CONCRETE PRE-CONSTRUCTION MEETING
- A. THE CONCRETE CONTRACTOR ALONG WITH THE CONCRETE PRODUCER MAY REQUEST THROUGH THE GENERAL CONTRACTOR FOR A PRE-CONSTRUCTION MEETING PRIOR TO CONCRETE PLACEMENT
- B. ATTENDEE: CONCRETE CONTRACTOR, CONCRETE PRODUCER, GENERAL CONTRACTOR, OWNER OR OWNER'S REPRESENTATIVE(S), ENGINEER OF RECORD, ARCHITECT, SITE CONTRACTOR, GEOTECHNICAL REPRESENTATIVE(S), ETC.
- C. AGENDA: INCLUDE BUT NOT LIMITED TO THE FOLLOWINGS: (CONTRACTOR MAY CONTACT THE FLORIDA CONCRETE & PRODUCTS ASSOCIATION FOR PRE-CONSTRUCTION MEETING CHECK LISTS)
- i. MIXTURE(S) APPROVAL
- ii. CONCRETE TESTING: TYPE, LOCATION OF SAMPLINGS, ETC.
- iii. CONCRETE DELIVERY: QUANTITY/HR, PUMP, CONVEYOR, ETC.
- iv. PLACEMENT: METHOD, QUANTITY/DAY, STAGING & CLEAN OUT LOCATION, ETC.
- v. FINISHING: CURING, JOINTING, ETC.
2. JOINTS FOR CONCRETE SLABS
- A. GENERAL - A JOINTING PLAN FOR THE ENTIRE PAVING AREA SHALL BE PREPARED BY THE CONCRETE CONTRACTOR & SUBMITTED TO THE ENGINEER OF RECORD (EOR) 2 WEEKS PRIOR TO PLACEMENT OF CONCRETE FOR THE EOR APPROVAL. THE CONTRACTOR MAY ALSO CONTACT THE FLORIDA CONCRETE & PRODUCTS ASSOCIATION (FC&PA) FOR TECHNICAL RESOURCES AND ASSISTANT.
- i. A SQUARE JOINTING PATTERN IS REQUIRED WHERE POSSIBLE. IF NECESSARY, RECTANGULAR PANELS CAN BE USED IF THE LONG DIMENSION IS NO MORE THAN 1.5 TIMES THE SHORT (e.g. 8' x 12'). JOINT SPACING SHALL NOT EXCEED THE FOLLOWING: 10 FEET IN A 4" THICK SLAB, 12 FEET IN A 5" THICK SLAB OR 15 FEET IN SLAB WITH THICKNESS OF 6" OR GREATER.
- ii. BOX OUT AREA AROUND MANHOLES, CATCH BASINS, DRAINAGE STRUCTURES & OTHER BUILT-IN STRUCTURES WITHIN THE PAVING AREA SHALL BE CIRCULAR WHERE POSSIBLE. A MINIMUM OFFSET OF 12" FROM ANY EDGE OF THE STRUCTURE. OBTAIN A COPY OF THE FC&PA STANDARD DETAILS FOR REFERENCE. CONSTRUCTION & CONTROL JOINTS SHALL BE CONTINUOUS THROUGH ADJACENT LANES & EXTEND THROUGH INTEGRAL CURB. JOINTS CAN BE TERMINATED & OFFSET AT ISOLATION JOINTS. WHERE JOINTS INTERFACE ANY RADIUS OR CURVATURE, OFFSET A MINIMUM OF 12" FROM EDGE OF PAVEMENT AND FORM JOINT 90 DEGREE TO EDGE OF PAVEMENT TO AVOID ACUTE ANGLE OR SMALL WEDGES OF CONCRETE AT CURVATURES. OBTAIN A COPY OF THE FC&PA STANDARD DETAILS FOR REFERENCE.
- B. CONSTRUCTION JOINTS - A CONSTRUCTION JOINT SEPARATES ONE DAY PLACEMENT TO THE NEXT DAY PLACEMENT. A CONSTRUCTION JOINT SHALL BE A MINIMUM OF 5 FEET FROM ANY ADJACENT CONTROL JOINT. NEXT DAY PLACEMENT SHALL BUTT UP TO THE EXISTING PAVEMENT AS A COLD JOINT. THE CONSTRUCTION JOINT MAY BE HAND-TOOLED WITH MAXIMUM 0.25" RADIUS AT THE EDGE OF THE JOINT. CONTROL JOINTS FROM BOTH PLACEMENT AREAS SHALL MATCH AND BE CONTINUOUS ACROSS THE CONSTRUCTION JOINT.
- C. CONTROL/CONTRACTION JOINTS - CONTROL JOINTS ARE JOINTS WITHIN THE PAVING AREA FORMED THROUGH TOOLING OR SAW CUTTING. CONTROL JOINTS ESTABLISH WEAK PLANES TO RELIEVE STRESSES DUE TO SHRINKAGE OR TEMPERATURE CHANGE. INSTALL CONTROL JOINTS WITHIN 12 HRS FROM THE TIME THE CONCRETE HITS THE GROUND OR OBTAIN IN WRITING APPROVAL FROM THE EOR BEYOND THE 12-HR TIME LIMIT.
- i. EARLY-ENTRY SAW CUTTING METHOD: CUT JOINT TO A MINIMUM OF 1" DEEP FOR PAVEMENT THICKNESS UP TO 8". CUTTING OF JOINT SHALL NOT CAUSE RAVELING TO THE EDGES OR DEFORMATION OF THE SURFACE DUE TO EQUIPMENT OR WORKER.
- ii. OTHER METHODS: INSTALL JOINT TO A MINIMUM OF 1/3 OF PAVEMENT DEPTH. FINISH EDGES WITH 0.25" RADIUS. OPERATION SHALL NOT CAUSE ANY DEFORMATION OF THE SURFACE.
- D. ISOLATION JOINTS - THESE JOINTS USE ISOLATION MATERIALS TO PREVENT FRESH CONCRETE FROM BONDING TO HARDENED CONCRETE SUCH AS, BUT NOT LIMITED TO, BUILDING FOUNDATIONS, SIDEWALKS, DRAINAGE STRUCTURES, LIGHTING & SIGNAGE BASES, RETAINING WALLS, CURBS, ETC. THE ISOLATION MATERIAL SHALL EXTEND THE FULL-DEPTH OF THE FRESH CONCRETE THICKNESS. FROM ONE DAY PLACEMENT TO THE NEXT, WHERE JOINTS ARE MATCHED, ISOLATION MATERIAL IS NOT NECESSARY. (E.G. ONE LANE PAVING TO THE NEXT, INTEGRAL CURBS)
- E. ISOLATION JOINTS BETWEEN SLABS AT SOME GRADE SHALL BE FORMED WITH 0.25 INCH THICK NEOPRENE OR 0.50 INCH THICK ASPHALT IMPREGATED FIBER FILLER WITH HYDROCARBON RESISTANT ELASTOMERIC FILL MATERIAL AS SEALER. ALL EDGES TO BE HAND TOOLED WITH MAXIMUM 0.50 INCH RADIUS.
- F. A SATISFACTORY ISOLATION JOINT CAN BE FORMED AT METAL BUILDING CURBS BY PLACING A STRIP OF CURING PAPER AGAINST THE METAL FORM & THEN PLACING THE FRESH CONCRETE AGAINST THE PAPER. THE EDGES OF THE SLAB SHALL BE HAND TOOLED WITH MAXIMUM 0.50 INCH RADIUS.
3. JOINTS SEALANT - A JOINT SEALING PLAN FOR THE AFFECTED AREA SHALL BE PREPARED BY THE CONCRETE CONTRACTOR & SUBMITTED TO THE EOR, ALONG WITH THE JOINTING PLAN, 2 WEEKS PRIOR TO PLACEMENT OF CONCRETE FOR THE EOR APPROVAL. NOT ALL JOINT WILL BE REQUIRED SEALING. THE CONCRETE CONTRACTOR IS TO RECOMMEND THE NECESSARY LOCATION AND TO PROVIDE SUPPORTING DOCUMENTATION FOR NON-SEALING AREAS. USE A POLYURETHANE SEALANT (TREMCO THC-900/THC-901 MULTI-COMPOUND) COMPOUND OR EQUIVALENT. THE CONCRETE CONTRACTOR IS TO SUBMIT SEALANT TYPE AND MANUFACTURER INFORMATION TO THE EOR FOR APPROVAL WHEN "EQUIVALENT" IS USE. JOINTS SHALL BE PREPARED BY FOLLOWING MANUFACTURER'S RECOMMENDATIONS PRIOR TO SEALING.

GRADING KEYNOTES

- G1. F.D.O.T. TYPE "III" SILT FENCE EROSION CONTROL BARRIER PER INDEX No. 102, TYPICAL.
- G2. MATCH EXISTING PAVEMENT GRADE. SAW CUT EXISTING PAVEMENT EDGE AS NEEDED TO PROVIDE A CLEAN TRANSITION, TYPICAL.



DRAINAGE STRUCTURE LEGEND

EX-1 EXISTING INLET TOP ELEV. 117.13 INV. ELEV. 109.98 N INV. ELEV. (NEW) 109.98 S CORE DRILL FOR NEW 15" H.P.	SD-1 TYPE "V" INLET PER F.D.O.T. INDEX "425-041" TOP ELEV. 98.00 INV. ELEV. 89.32 SW INV. ELEV. 89.35 SE	SD-2 TYPE "C" INLET PER F.D.O.T. INDEX "232" TOP ELEV. 100.80 INV. ELEV. 89.18 NW
SD-3 TYPE "C" INLET PER F.D.O.T. INDEX "232" TOP ELEV. 104.20 INV. ELEV. 97.03 NW INV. ELEV. 89.11 SE	SD-4 TYPE "C" INLET PER F.D.O.T. INDEX "232" TOP ELEV. 107.30 INV. ELEV. 98.00 SE INV. ELEV. 98.00 NE INV. ELEV. 103.00 N	SD-5 TYPE "C" INLET PER F.D.O.T. INDEX "232" TOP ELEV. 104.80 INV. ELEV. 99.16 SW
RV-1 RETENTION VAULT #1 PER STRUCTURAL PLANS BOTTOM ELEV. 89.00 SEE SECTION D-D	RV-2 RETENTION VAULT #2 PER STRUCTURAL PLANS BOTTOM ELEV. 89.00 SEE SECTION A-A	
OS-1 OUTFALL STRUCTURE W/ TYPE "C" GRATE INLET AND MANHOLE TOP ELEV. 97.50 GRATE ELEV. 97.00 24" WEIR ELEV. 95.35 INV. ELEV. 89.38 NW INV. ELEV. 92.23 N * EXISTING SOUTH INVERT ON STRUCTURE OS-1 TO BE FILLED WITH CONCRETE GROUT AND PLUGGED.		

EROSION CONTROL NOTE:

PROVIDE SYNTHETIC EROSION CONTROL BARRIERS DURING CONSTRUCTION AROUND ALL NEW INLETS.

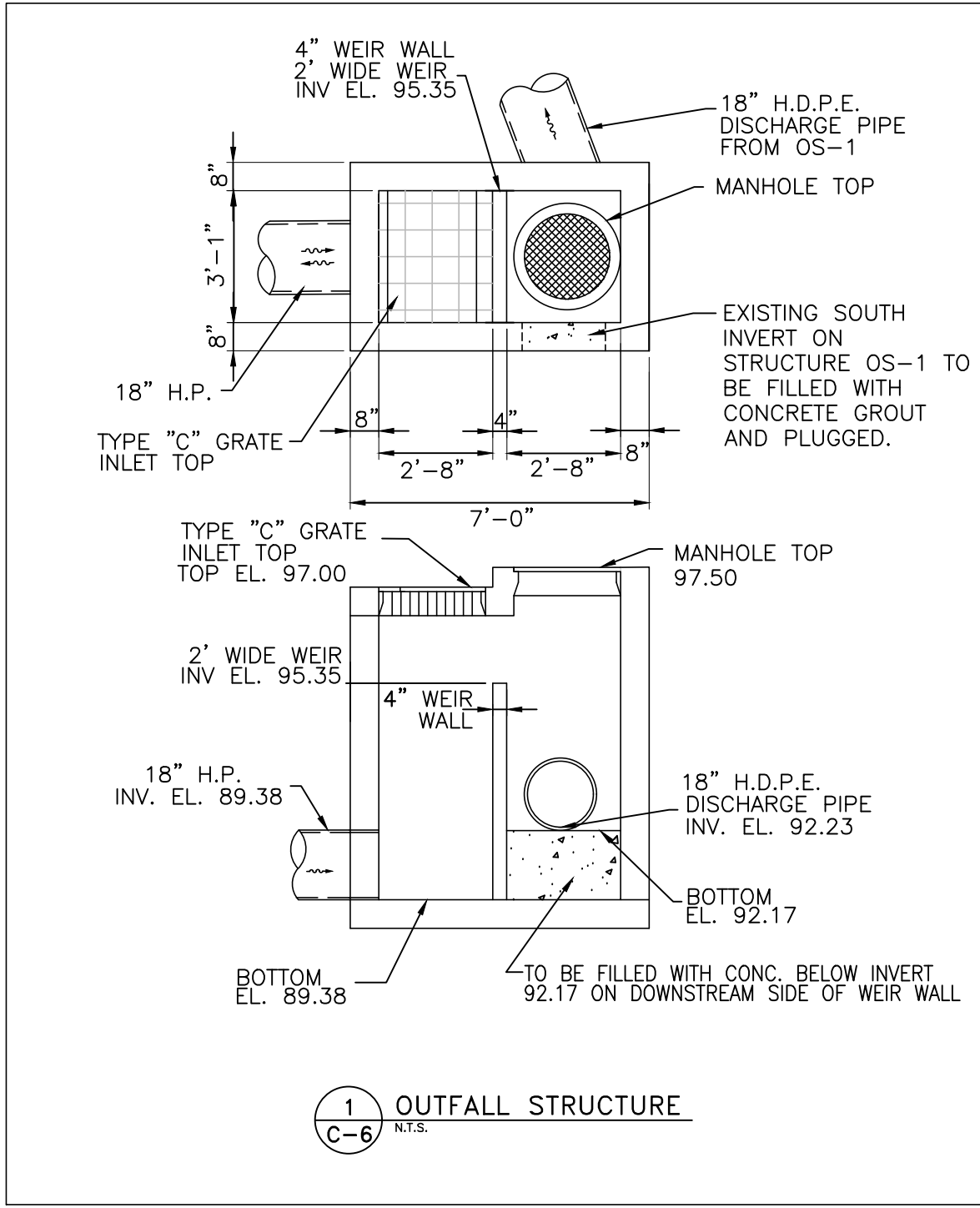
SITE DRAINAGE KEYNOTES

- D1. OUTFALL STRUCTURE.
- D2. F.D.O.T. TYPE "C" DITCH BOTTOM INLET PER INDEX No. 232, TYPICAL.
- D3. CONNECT TO EXISTING 24" H.D.P.E. STORM PIPE @ INV.=92.17
- D4. 3' x 15' CONCRETE FLUME.
- D5. EXISTING STORM DRAIN.
- D6. F.D.O.T. TYPE "V" GUTTER INLET BOTTOM INLET PER INDEX No. 425-041, TYPICAL.

STORM DRAINAGE PIPE CHART

DESIGNATION	PIPE		SLOPE	FROM	TO
	LENGTH (LINEAR FEET)	SIZE & TYPE		STRUCTURE NUMBER	STRUCTURE NUMBER
SP-1	16	18" H.P.	1.0%	SD-1	OS-1
SP-2	32	18" H.P.	1.0%	SD-1	RV-1
SP-3*	18	18" H.P.	0.0%	RV-2	RV-1
SP-4	18	18" H.P.	1.0%	SD-2	RV-2
SP-5	11	18" H.P.	1.0%	SD-3	RV-2
SP-6	97	18" H.P.	1.0%	SD-3	SD-4
SP-7	116	15" H.P.	1.0%	SD-4	SD-5
SP-8	84	15" H.P.	8.3%	SD-4	EX-1

* PIPE SP-3 INV. EL. = 89.00



PLAN LEGEND

- SYNTHETIC EROSION CONTROL BARRIER
- SILT FENCE EROSION CONTROL BARRIER

NOT VALID FOR CONSTRUCTION UNLESS SIGNED IN THIS BLOCK					
DATE	REVISIONS	BY	CHECKED		

CONSTRUCTION PLANS
FAZOLI'S RESTAURANT
SOUTH U.S. HIGHWAY 27
CLERMONT, LAKE COUNTY, FL 34711



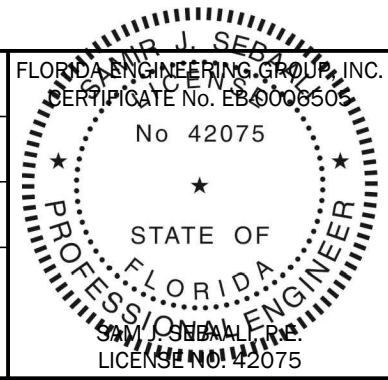
5127 S. Orange Avenue, Suite 200
Orlando, FL 32809
Phone: 407-895-0324
Fax: 407-895-0325

www.feg-inc.us

SITE PAVING, GRADING
AND DRAINAGE PLAN

DESIGNED BY RTA	DRAWN BY SMH	CHECKED BY RTA	APPROVED BY SJS
--------------------	-----------------	-------------------	--------------------

PROJECT NO. 19-109
SCALE 1" = 20'
DATE FEBRUARY 02, 2020
SHEET NO. C-6
SHEET 6 OF 17



19-109_Plans.dwg

THESE ELEVATIONS ARE CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE PENDING FINAL APPROVAL FROM TENANT AND FINAL DESIGN APPROVAL BY CITY.



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March 16, 2020

Curt Henschel
Development Services Director
City of Clermont
685 W. Montrose Street, Clermont, FL 34711

Subject: Variance Justification Statement
Fazoli's Restaurant
S. US Highway 27, Clermont, Florida 34711
FEG Project No. 19-109

Dear Curt,

I am submitting this letter on behalf of the property owner, Byblos Development, Inc., to provide justification for the requested variances from the Land Development Code. Specifically, we are requesting variances from the following sections of the code to allow a wall height in excess of 6 feet and interior landscape islands less than 300 square feet:

- **Sec. 122-343 (c)(2), which addresses the height of Fences and walls. Specifically, this section of the code requires the following:**

Fences and walls in business, commercial and industrial districts shall be no higher than six feet. Industrial districts may also be allowed up to 24 inches of barbed wire for security.

- **Sec. 94-195 (d)(5), which addresses retaining wall height and slopes for transition between multi-level construction. Specifically, this section of the code requires the following:**

Transitions between multi-level construction shall be accomplished using slopes of no greater than 5:1 or with retaining walls not to exceed six feet in height.

- **Section 118-38(c)(2), which addresses the interior landscape islands for vehicular use areas. Specifically, this section of the code requires the following:**

Interior islands shall be provided to satisfy internal landscaping requirements. Interior islands shall be a minimum of ten feet in width and 20 feet in length, not including curb, with a total area of not less than 300 square feet

JUSTIFICATION FOR PROPOSED WALL HEIGHT IN EXCESS OF 6 FEET

A retaining wall is proposed on the north side of the site to transition grades from the existing Wawa located on the north side to the proposed development located on the south side. The maximum wall height is approximately 14.5 feet and exceeds the maximum code height of 6 feet. The proposed height of the wall is dictated by various site grading constraints including that the parking and driveways for the proposed development must connect to existing grades on three sides including a Wawa driveway connection on the northwest side being at elevation 117.3 feet, a U.S. Highway 27 driveway on the west side being at approximate elevation 103 feet, and a common driveway connection on the east side being at elevation 99.0 feet. As can be seen from these existing elevations, there is a total height difference of 18.3 feet between the driveway on the northwest side and the driveway on the east side.

The Fazoli's building is proposed at a F.F.E. of 106.3 feet, which is close to the average existing grade at the building location and is consistent with the recommended grading criteria by the City of Clermont, which recommends preserving existing grades to the extent feasible. The difference between the proposed Fazoli's building F.F.E. and the Wawa site grades is about 11.5 Ft.

The Fazoli's building F.F.E. is also coordinated with the grades of the existing driveways on the south side, which are much lower than those of the Wawa site. If the Fazoli's F.F.E. is raised to minimize the difference between it and the much higher Wawa site, the slopes from the existing driveways into the site would be extremely steep and non-functional and handicap accessibility would be very difficult to achieve. Furthermore, it would be significantly higher than the retail building to the south, which is raised as much as possible while ensuring compliance with handicap accessibility and grading transition consistent with the City of Clermont requirements.

Based on these limitations, the wall separating the Wawa site and Fazoli's site must be a maximum of 14.5 Ft tall to allow for transitioning of the grades from the Wawa parking to the Fazoli's parking and provide a protective barrier.

The following responses provide justification for the variance request as the substantial competent evidence, which is consistent with the specific standards for the approval of a variance as outlined in Sec. 122-343 (c)(2) and Sec. 94-195 (d)(5) of the City of Clermont Land Development Code.

- (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;

Response: The requested variance would not have a negative impact on neighboring properties or negatively impact the standard of living of the citizens of the city as the proposed wall is internal to the site and is located at the rear of the building, which buffers the wall from street view.

- (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;

Response: The variance will allow reasonable use of the property despite the substantial grade changes in elevation and the odd configuration of the site. If the wall height variance is not granted, there will be severe limitations on the development of the site given the constraints related to existing conditions surrounding the site.

- (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 these criteria if the variance were denied;

Response: Granting of this variance will allow development of the site in compliance with the land development regulations related to grading of other areas of the site, driveway connectivity and cross-access, handicap accessibility, and safe driveway slopes. If the variance is denied, there will be severe limitations on the development of the site given constraints related to the existing conditions surrounding the site. Other variances would likely be required for development of this site if this variance is not granted.

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

Response: Granting of the wall height variance is not inconsistent with the City's comprehensive plan

- (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 these criteria if the variance were denied.

The proposed height of the wall is the minimum required for reasonable use of the property. The zoning of the site allows a Floor Area Ratio of 0.25 and a Floor Area Ratio of 0.08 is proposed, which is very minimal for commercial development. Furthermore, there is no incentive to increase the wall height as it adds to development costs. As such, the proposed height of the wall is the minimum required based on design and is limited to the extent feasible to allow for reasonable development of the site.

JUSTIFICATION FOR INTERIOR LANDSCAPE ISLANDS LESS THAN 300 SQUARE FEET

The landscape plan proposes four (4) interior landscape islands, which are less than the required 300 square feet, and, therefore, non-conforming to Section 118-38(c)(2) of the City of Clermont Land Development Code. The following responses provide justification for the variance request as the substantial competent evidence, which is consistent with the specific standards for the approval of a variance as outlined in Section 86-174 of the City of Clermont Land Development Code.

- (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;

Response: The requested variance would not have a negative impact on neighboring properties or negatively impact the standard of living of the citizens of the city as the proposed landscape islands are internal to the site. The site has roadways along the two longest property boundaries with extensive landscaping provided in those buffers, which would mitigate the smaller sizes of the interior landscape islands.

- (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;

Response: The variance will allow reasonable use of the property despite the substantial grade changes in elevation and the odd configuration of the site. The proposal is not out of character with other properties in the same zoning category. The minimum required landscape area is required by code to be 10% of the site. Despite the request for variance, our proposal is in excess of 36% of the total site, therefore, we feel that the added landscaping is a considerable asset to the proposal.

- (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 these criteria if the variance were denied;

Response: Denial of this variance request will necessitate adjustment of the parking and the loss of parking spaces, which are crucial for proper operation of the project. The code allows a maximum of 11 parking spaces in a row with a landscape break. In the case of this project, we are proposing landscape islands at the end of 4 parking spaces in a row and 7 parking spaces in a row. In reality, we are providing about 800 S.F. of landscaping for 11 parking spaces where the code only requires 600 S.F. of landscaping for 11 parking spaces. The difference is that the parking configuration for this site is very restricted by the site configuration and must be split into shorter parking rows as shown.

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

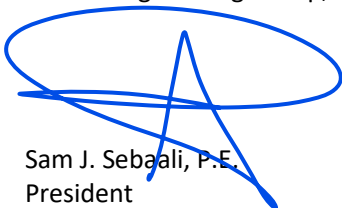
Response: Since the proposed landscape areas, collectively on site will exceed 36% of the property, we feel that the end result will certainly be consistent with the city's comprehensive plan.

- (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 these criteria if the variance were denied.

Response: 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 these criteria if the variance were denied. The landscape islands, which are approximately 200 S.F. each will allow proper tree planting and as indicated under Item 3 above, in aggregate we are providing 800 S.F. of interior landscaping for 11 parking spaces whereby the code allows 600 S.F. Also, based on the parking configuration, 4 trees will be planted for the 11 parking spaces whereby the code allows 2 trees to be planted for 11 parking spaces.

I trust this letter and the attached documents provide sufficient documentation to allow for review and approval of the proposed variance request. Should you have any questions or require additional information, please do not hesitate to contact me at 407-895-0324 or by email at SSebaali@feg-inc.us.

Sincerely,
Florida Engineering Group, Inc.



Sam J. Sebaali, P.E.
President

cc: Tom Harb, P.E., Vice President, Byblos Development Inc.



CITY OF CLERMONT
VARIANCE
Filing Instructions
Page 2

Check List

The following information shall be provided:

- ☒ Proof of ownership, (i.e. Lake County Property record card, tax receipt, or deed.
- ☒ Legal description of the property – may be on information above.
- ☒ Plot plan (drawn to scale) of the property involved showing the location of existing buildings or structures and the location of proposed buildings or structures which specifically delineates and illustrates the extent of the variance request. Maximum size for plans is 11" x 17" (two full size copies for detail as needed, depending on the Variance).
- ☒ A written justification based on Sec. 86-174, which explains the conditions and circumstances of the alleged hardship and the necessity of the action. Staff will review the application based on the review criteria. Therefore, it is in the applicant's best interest to submit the application with those eight (8) items in mind to justify the variance request.
- ☒ Visual aids that may clarify the variance request such as overhead projections, large scale drawings, etc. A location map must be included that identifies the location of the property. These will be presented by the applicant at the public hearing.
- ☒ The original application and all supplemental materials.
- ☒ Fee: \$300.⁰⁰ plus cost of advertisement for existing single-family residential
\$600.⁰⁰ plus cost of advertisement for all others

City of Clermont

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



CITY OF CLERMONT
VARIANCE
Application

DATE: 03/16/2020

FEE: \$600

PROJECT NAME (if applicable): Fazoli's Restaurant

APPLICANT: Tom A. Harb, Vice President, Byblos Development, Inc.

CONTACT PERSON: C/O Sam J. Sebaali, P.E., President of Florida Engineering Group, Inc.

Address: 7932 W. Sand Lake Rd., Suite 102

City: Orlando State: FL Zip: 32819

Phone: 407-895-0324 Fax: 407-895-0325

E-Mail: SSebaali@feg-inc.us

OWNER: Tom A. Harb, Vice President, Byblos Development, Inc.

Address: 7932 W. Sand Lake Rd., Suite 102

City: Orlando State: FL Zip: 32819

Phone: 407-383-9600 Fax: _____

E-mail: tharb@ph-dev.com

Address of Subject Property: SOUTH HWY 27 CLERMONT FL 34711

General Location: At northeast corner at intersection of S. US HWY 27 and US Hwy 27

Legal Description (include copy of survey): Refer to attached legal description.

Land Use (City verification required): COMMERCIAL



Zoning (City verification required): C-2

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:
Section 122-343(c) (2), Section 94-195(d) (5), Section 118-38(c) (2)

What are you proposing to do that would require a variance and why? Requesting to allow proposed grading plan including retaining walls greater than six feet in height. Requesting to allow the proposed internal landscape islands which are less than 300 square feet.

How does the Code create a hardship? _____
Please refer to attached justification statement.

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

Variance requested – subject and code section: Walls/Grading: Sec. 122-343(c) (2) & Sec. 94-195(d) (5)
Landscape Islands: Section 118-38(c) (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;

Please refer to attached justification statement.



- (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;

Please refer to attached justification statement.

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;

Please refer to attached justification statement.

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

Please refer to attached justification statement.

- (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.

Please refer to attached justification statement.

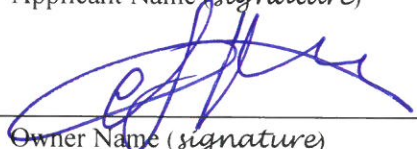


CITY OF CLERMONT
VARIANCE
Application
Page 4

Tom A. Harb, Vice President
Applicant Name (print)

X 
Applicant Name (signature)

Tom A. Harb, Vice President
Owner Name (print)

X 
Owner Name (signature)

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

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

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

ARTICLE IV. VARIANCES

Sec. 86-171. Permitted variances; exclusions.

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

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
Paola Vasquez
P.O. BOX 120219
CLERMONT, FL 34712

Account Number: 7101866
Order Number: 10096296
Phone: (352) 241-7331
Date: 04/29/20
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the Clermont City Council will con	05/05/2020	05/05/2020	\$116.59

LEGAL NOTICE

Tracy Ackroyd, MMC
City Clerk

Notice is hereby given that the Clermont City Council will consider a request for the following three (3) variances to the Land Development Codes: (1) to allow a fence or wall to exceed the maximum height requirements of the Land Development Code, Section 122-343, (2) to allow a retaining wall to exceed the maximum requirement of the code, Section 94-195, and (3) to allow for interior landscape islands less than 300 square feet instead of requirements for Section 118-38, at the following location:

Ad No: 10096296
May 05, 2020

LOCATION:

Vacant parcel located at the northeast corner of South US Highway 27 and US Highway 27
(Alternate Key #1592666)

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

The Clermont City Council will consider this request at a public hearing on Tuesday, May 12, 2020 at 6:30 P.M. in the Clermont City Hall, Council Chambers, located at 685 West Montrose Street, Clermont FL

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.

Payment Info	
Ad Price	\$116.59
Tax	\$0.00
Sub Total	\$116.59
Prepaid Amount	\$0.00
Balance Due	\$116.59



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 12, 2020		
Agenda Item Name		
Partial Lien Release		
Requested Action		
Staff Report		
The applicant is requesting a partial lien release for property located at 1800 US Hwy 27. The attached memorandum from City Attorney Mantzaris provides details regarding the partial lien release and code enforcement case.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. City Attorney Memorandum	prickett code enforcement lien Gray.pdf	
2. Lien Release	prickett code enforcement lien Gray release.docx	
3. Legal	prickett code enforcement lien gray rel exhibit A.docx	



de Beaubien • Simmons • Knight • Mantzaris • Neal

EST. 1976

Attorneys and Counselors at Law

Post Office Box 87

332 North Magnolia Avenue

Orlando, Florida 32802-0087

(407) 422-2454

Telefax (407) 992-3541

Writer's e-Mail: dmantzaris@dsklawgroup.com

MEMORANDUM

TO : Darren Gray, City Manager

FROM : Daniel F. Mantzaris, City Attorney *DFM*

DATE : May 5, 2020

RE : Code Enforcement Partial Settlement of Lien
Property Owner: John Prickett
Code Enforcement Case: C2019-000271
Property Location: 1800 US Hwy 27

In 2019 the City initiated a code enforcement case related to the above-referenced property for violations related to the failure to maintain required landscaping on this commercial location. The violations were ultimately corrected, but not until a fine accrued in the amount of \$41,750. At the request of the City, the Code Enforcement Special Magistrate entered an order imposing fine and creating lien, which was recorded in the Lake County Public Records on March 28, 2019. In accordance with Chapter 162, *Florida Statutes*, the lien attaches to the property upon which the violation exists, and any other real property owned by the Respondent.

City staff and our office were recently contacted by Attorney Buzz Bowen on behalf of John Prickett. Mr. Bowen advised that the property at 1800 US Hwy 27, although owned by Mr. Prickett is under the control of the tenant that operates the Rusty Truck restaurant at that location. Mr. Bowen stated that the tenant had not informed Mr. Prickett of the code enforcement proceedings and/or the lien and that the lien was only discovered as part of a title search related to property Mr. Prickett is selling in Eustis. Mr. Bowen also stated that the sale of the Eustis property is scheduled for May 15, 2020 and that his client is willing to pay the City \$10,000 for a partial release of the code enforcement lien.

As you know, a partial release of lien only releases the specific property set out in the release. As a result, if the City Council accepts Mr. Prickett's offer, the current lien would be reduced to \$31,750 and would continue to be attached to the property located at 1800 US Hwy

Memorandum to Darren Gray
May 5, 2020
Page 2

27 and any other real property owned by Mr. Prickett. For your further information, there exists another pending code enforcement case with an accrued fine (without a lien) on the Hwy 27 property, which the property owner and the tenant are addressing with staff.

It is our recommendation that the City Council accept Mr. Prickett's offer for payment of \$10,000 for a partial release of lien. Provided is a partial release form that is acceptable to our office. As stated above, our recommendation is based on the fact that the code violation for the subject lien has been corrected, the existing code enforcement lien and the other accruing fine will not be extinguished or released as it relates to the property in Clermont and the City will receive a significant payment on the lien.

If you have any questions, please do not hesitate to contact me.

cc: Curt Henschel

This instrument prepared by/Return to:
Lennon E. Bowen, III, Esq.
Bowen|Schroth
600 Jennings Avenue
Eustis, Florida 32726

[Space Above This Line For Recording Data]

Release of Lien

State of Florida County of Lake

For and in consideration of the sum of ___*Dollars*, the receipt of which is hereby acknowledged, Tracy Ackroyd Howe as **Clerk of City of Clermont Lake County, Florida**, hereby releases the property hereinafter described from an Order Imposing Administrative Fine and Creating Lien ("Order") entered on behalf of the City of Clermont against John R. Prickett Jr. on January 8, 2019, and recorded on March 28, 2019, in O.R. Book 5255, Page 299, Public Records of Lake County, Florida. The Order encumbers and constitutes a lien against the Property described in the Order and upon any other real or personal property owned by respondent, John R. Prickett Jr., located in Lake County Florida. The property being released by this instrument is not the real property located in Clermont and described in the Order but is other real property owned by John R. Prickett Jr. located in Eustis, Lake County, Florida and described in Exhibit "A" attached and made a part hereof.

In Witness Whereof, I have hereunto set my hand and seal this _____ day of May, 2020.

**Signed, sealed and delivered
in the presence of:**

City of Clermont, Florida

Print_____

By:_____
Tracy Ackroyd Howe **Clerk of the City of Clermont**

Print_____

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me by means of (X) physical presence or () online notarization, this ____ day on May, 2020, by **Clerk of the City of Clermont, Florida**, () who is personally known to me or () who has produced _____ as identification.

NOTARY PUBLIC

(Print Name)
My Commission Expires:

EXHIBIT A

PARCEL 1 (Alternate Key 2697334):

THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 26 EAST, LAKE COUNTY FLORIDA.

LESS AND EXCEPT ROAD RIGHT-OF-WAY FOR MT. HOMER ROAD AND DILLARD ROAD

ALSO LESS AND EXCEPT:

A PORTION OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; THENCE ALONG THE EAST BOUNDARY LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 SOUTH 00°10'25" WEST, A DISTANCE OF 25.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF MT. HOMER ROAD FOR A POINT OF BEGINNING; THENCE CONTINUE ALONG SAID EAST BOUNDARY LINE SOUTH 00°10'25" WEST, A DISTANCE OF 207.43 FEET; THENCE SOUTH 89°58'31" WEST, A DISTANCE OF 210.00 FEET; THENCE NORTH 00°10'25" EAST, A DISTANCE OF 207.43 FEET TO SAID SOUTH RIGHT-OF-WAY LINE OF MT. HOMER ROAD; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE NORTH 89°58'31" EAST, A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.

AND

PARCEL 2 (Alternate Key 1069921):

THAT CERTAIN LAND SITUATE IN LAKE COUNTY, FLORIDA, VIZ: BEGIN AT A POINT OF BEGINNING LOCATED AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, OF THE NORTHEAST 1/4, OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 26 EAST OF TALLAHASSEE MERIDIAN; PROPERTY LOCATED IN LAKE COUNTY, FLORIDA, RUN DUE SOUTH 210 FEET; THENCE DUE WEST 210 FEET, THENCE DUE NORTH 210 FEET, THENCE DUE EAST 210 FEET TO POINT OF BEGINNING.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, May 12, 2020		
Agenda Item Name		
Ordinance No. 2020-23 <i>Introduction</i>		
Requested Action		
Consider ordinance introduction		
Staff Report		
The City of Clermont participates with a group of communities that in conjunction with the State of Florida monitors any changes in the FEMA regulations regarding flood plain management. This ordinance adjustment is a periodic update to our existing flood plain ordinance that keeps the language current with FEMA regulations.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	Ordinance 2020-23 - Flood Plain Management Amendment	Ordinance 2020-23 - Flood Plain Management Amendment.pdf
2.	Ordinance 2020-23 legal ad - Copy	Ordinance 2020-23 legal ad - Copy.doc



CITY OF CLERMONT
ORDINANCE NO. 2020-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CLERMONT CODE OF ORDINANCES, CHAPTER 94 ENVIRONMENTAL PROTECTION TO MAKE MODIFICATIONS TO BRING THE REGULATIONS INTO CONFORMANCE WITH THE MOST CURRENT FEMA-APPROVED, FLOODPLAIN MANAGEMENT ORDINANCE FOR FLORIDA COMMUNITIES THAT IS COORDINATED WITH THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the City of Clermont participates in the National Flood Insurance Program and the City of Clermont desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

WHEREAS, the Florida Division of Emergency Management identified corrections required by the Federal Emergency Management Agency to bring the City of Clermont's floodplain management regulations into conformance with the Model Floodplain Management ordinance approved by FEMA in January 2013; and

WHEREAS, the City Council determined that it is in the public interest to amend the floodplain management regulations to bring the regulations into conformance with the most current Model Floodplain Management Ordinance approved by FEMA for Florida communities.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Clermont that the Clermont Code of Ordinances, Chapter 94 Environmental Protection is amended as set forth in the following amendments, as shown in strikethrough and underline format in Section 2.

SECTION 1. RECITALS.

The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

SECTION 2. AMENDMENTS.

The Clermont Code of Ordinances, Chapter 94 Environmental Protection is hereby amended by the following amendments.



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ARTICLE II. - ADMINISTRATION

DIVISION 1. - GENERALLY

Sec. 94-11. - Title.

These regulations shall be known as the Floodplain Management Ordinance of the City of Clermont, hereinafter referred to as "this article."

Sec. 94-12. - Scope.

The provisions of this article shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land, filling, grading, and other site improvements and utility installations, construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the Florida Building Code, placement, installation, or replacement of manufactured homes and manufactured buildings, installation or replacement of tanks, placement of recreational vehicles, installation of swimming pools, and any other development.

Sec. 94-13. - Intent.

The purposes of this article and the flood load and flood resistant construction requirements of the Florida Building Code are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

- (1) Minimize unnecessary disruption of commerce, access and public service during times of flooding;
- (2) Require the use of appropriate construction practices in order to prevent or minimize future flood damage;
- (3) Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
- (4) Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
- (5) Minimize damage to public and private facilities and utilities;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
- (7) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
- (8) Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.



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Sec. 94-14. - Coordination with the Florida Building Code.

This article is intended to be administered and enforced in conjunction with the Florida Building Code. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the Florida Building Code.

Sec. 94-15. - Warning.

The degree of flood protection required by this article and the Florida Building Code, as amended by this community, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This article does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the flood insurance study and shown on flood insurance rate maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this community to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this article.

Sec. 94-16. - Disclaimer of liability.

This article shall not create liability on the part of the city council or by any officer or employee thereof for any flood damage that results from reliance on this article or any administrative decision lawfully made thereunder.

Secs. 94-17—94-19. - Reserved.

DIVISION 2. - APPLICABILITY

Sec. 94-20. - General.

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

Sec. 94-21. - Areas to which this article applies.

This article shall apply to all flood hazard areas within the city, as established in section 94-22.

Sec. 94-22. - Basis for establishing flood hazard areas.

The flood insurance study for the county and incorporated areas dated December 18, 2012, and all subsequent amendments and revisions, and the accompanying flood insurance rate maps (FIRMs), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of



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this article and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the city planning and zoning department.

Sec. 94-23. - Submission of additional data to establish flood hazard areas.

To establish flood hazard areas and base flood elevations, pursuant to division 5 of this article the floodplain administrator may require submission of additional data. Where field surveyed topography prepared by a state-licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:

- (1) Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this article and, as applicable, the requirements of the Florida Building Code.
- (2) Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a letter of map change that removes the area from the special flood hazard area.

Sec. 94-24. - Other laws.

The provisions of this article shall not be deemed to nullify any provisions of local, state or federal law.

Sec. 94-25. - Abrogation and greater restrictions.

This article supersedes any ordinance in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances including but not limited to land development regulations, zoning ordinances, stormwater management regulations, or the Florida Building Code. In the event of a conflict between this article and any other ordinance, the more restrictive shall govern. This article shall not impair any deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this article.

Sec. 94-26. - Interpretation.

In the interpretation and application of this article, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

Secs. 94-27—94-29. - Reserved.



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DIVISION 3. - DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

Sec. 94-30. - Designation.

The engineering director is designated as the floodplain administrator. The floodplain administrator may delegate performance of certain duties to other employees.

Sec. 94-31. - General.

The floodplain administrator is authorized and directed to administer and enforce the provisions of this article. The floodplain administrator shall have the authority to render interpretations of this article consistent with the intent and purpose of this article and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this article without the granting of a variance pursuant to division 7 of this article.

Sec. 94-32. - Applications and permits.

The floodplain administrator, in coordination with other pertinent offices of the community, shall:

- (1) Review applications and plans to determine whether proposed new development will be located in flood hazard areas;
- (2) Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this article;
- (3) Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries, a person contesting the determination shall have the opportunity to appeal the interpretation;
- (4) Provide available flood elevation and flood hazard information;
- (5) Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;
- (6) Review applications to determine whether proposed development will be reasonably safe from flooding;
- (7) Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code, when compliance with this article is demonstrated, or disapprove the same in the event of noncompliance; and
- (8) Coordinate with and provide comments to the building official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this article.

Sec. 94-33. - Substantial improvement and substantial damage determinations ~~Determinations for existing buildings and structures.~~



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For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the floodplain administrator, in coordination with the building official, shall:

- (1) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work, in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
- (2) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
- (3) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
- (4) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the Florida Building Code and this article is required.

Sec. 94-34. - Modifications of the strict application of the requirements of the Florida Building Code.

The floodplain administrator shall review requests submitted to the building official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to division 7 of this article.

Sec. 94-35. - Notices and orders.

The floodplain administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this article.

Sec. 94-36. - Inspections.

The floodplain administrator shall make the required inspections as specified in division 6 of this article for development that is not subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. The floodplain administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

Sec. 94-37. - Other duties of the floodplain administrator.

The floodplain administrator shall have other duties, including but not limited to:



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- (1) Establish, in coordination with the building official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to section 94-33;
- (2) Require that applicants proposing alteration of a watercourse notify adjacent communities and the state division of emergency management, state floodplain management office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);
- (3) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the flood insurance rate maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations, such submissions shall be made within six months of such data becoming available;
- (4) Review required design certifications and documentation of elevations specified by this article and the Florida Building Code ~~and this article~~ to determine that such certifications and documentations are complete; and
- (5) Notify the Federal Emergency Management Agency when the corporate boundaries of the city are modified.

Sec. 94-38. - Floodplain management records.

Regardless of any limitation on the period required for retention of public records, the floodplain administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this article and the flood resistant construction requirements of the Florida Building Code, including flood insurance rate maps, letters of map change, records of issuance of permits and denial of permits, determinations of whether proposed work constitutes substantial improvement or repair of substantial damage, required design certifications and documentation of elevations specified by the Florida Building Code and this article, notifications to adjacent communities, FEMA, and the state related to alterations of watercourses, assurances that the flood carrying capacity of altered watercourses will be maintained, documentation related to appeals and variances, including justification for issuance or denial, and records of enforcement actions taken pursuant to this article and the flood resistant construction requirements of the Florida Building Code. These records shall be available for public inspection at the city planning and zoning department.

Secs. 94-39—94-49. - Reserved.

DIVISION 4. - PERMITS

Sec. 94-50. - Permits required.

Any owner or owner's authorized agent, hereinafter "applicant," who intends to undertake any development activity within the scope of this article, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the floodplain administrator, and the building official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval



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shall be issued until compliance with the requirements of this article and all other applicable codes and regulations has been satisfied.

Sec. 94-51. - Floodplain development permits or approvals.

Floodplain development permits or approvals shall be issued pursuant to this article for any development activities not subject to the requirements of the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. Depending on the nature and extent of proposed development that includes a building or structure, the floodplain administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

Sec. 94-52. - Buildings, structures and facilities exempt from the Florida Building Code.

Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program, 44 CFR 59 and 60, floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the Florida Building Code and any further exemptions provided by law, which are subject to the requirements of this article:

- (1) Railroads and ancillary facilities associated with the railroad.
- (2) Nonresidential farm buildings on farms, as provided in F.S. § 604.50.
- (3) Temporary buildings or sheds used exclusively for construction purposes.
- (4) Mobile or modular structures used as temporary offices.
- (5) Those structures or facilities of electric utilities, as defined in F.S. § 366.02, which are directly involved in the generation, transmission, or distribution of electricity.
- (6) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this subsection, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.
- (7) Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
- (8) Temporary housing provided by the department of corrections to any prisoner in the state correctional system.
- (9) Structures identified in F.S. § 553.73(10)(k) are not exempt from the Florida Building Code if such structures are located in flood hazard areas established on flood insurance rate maps.

Sec. 94-53 - Application for a permit or approval.

To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the community. The information provided shall:



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- (1) Identify and describe the development to be covered by the permit or approval;
- (2) Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site;
- (3) Indicate the use and occupancy for which the proposed development is intended;
- (4) Be accompanied by a site plan or construction documents as specified in division 5 of this article;
- (5) State the valuation of the proposed work;
- (6) Be signed by the applicant or the applicant's authorized agent;
- (7) Give such other data and information as required by the floodplain administrator.

Sec. 94-54. - Validity of permit or approval.

The issuance of a floodplain development permit or approval pursuant to this article shall not be construed to be a permit for, or approval of, any violation of this article, the Florida Building Code, or any other ordinance of this community. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the floodplain administrator from requiring the correction of errors and omissions.

Sec. 94-55. - Expiration.

A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

Sec. 94-56. - Suspension or revocation.

The floodplain administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this article or any other ordinance, regulation or requirement of this community.

Sec. 94-57. - Other permits required.

Floodplain development permits and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:

- (1) The St. Johns River Water Management District, F.S. § 373.036.
- (2) Florida Department of Health for onsite sewage treatment and disposal systems, F.S. § 381.0065 and F.A.C. Ch. 64E-6.



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- (3) Florida Department of Environmental Protection for activities subject to the joint coastal permit, F.S. § 161.055.
- (4) Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers, section 404 of the Clean Water Act.
- (5) Federal permits and approvals.

Secs. 94-58, 94-59. - Reserved.

DIVISION 5. - SITE PLANS AND CONSTRUCTION DOCUMENTS

Sec. 94-60. - Information for development in flood hazard areas.

The site plan or construction documents for any development subject to the requirements of this article shall be drawn to scale and shall include, as applicable to the proposed development:

- (1) Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development;
- (2) ~~Where flood hazard areas~~, base flood elevations, or floodway data are not included on the FIRM or in the flood insurance study, they shall be established in accordance with section 94-61(2) or (3);
- (3) Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than five acres and the base flood elevations are not included on the FIRM or in the flood insurance study, such elevations shall be established in accordance with section 94-61(1) ~~or (2)~~a;
- (4) Location of the proposed activity and proposed structures, and locations of existing buildings and structures;
- (5) Location, extent, amount, and proposed final grades of any filling, grading, or excavation;
- (6) Where the placement of fill is proposed, the amount, type, and source of fill material, compaction specifications, a description of the intended purpose of the fill areas, and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose;
- (7) Existing and proposed alignment of any proposed alteration of a watercourse.

The floodplain administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this article but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this article.

Sec. 94-61. - Information in flood hazard areas without base flood elevations (approximate zone A).



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Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the floodplain administrator shall:

- (1) Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.
- (2) Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source; ~~or~~
- (3)(2) Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the floodplain administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:
 - a. Require the applicant to include develop base flood elevation data prepared in accordance with currently accepted engineering practices; or
 - b. Specify that the base flood elevation is two feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two feet;
- (4)(3) Where the base flood elevation data are to be used to support a letter of map change from FEMA, advise the applicant that the analyses shall be prepared by a state-licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

Sec. 94-62. - Additional analyses and certifications.

As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a state-licensed engineer for submission with the site plan and construction documents:

- (1) For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations, where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in section 94-63 and shall submit the conditional letter of map revision, if issued by FEMA, with the site plan and construction documents.
- (2) For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the flood insurance study or on the FIRM and floodways have not been designated, hydrologic and hydraulic analyses that a floodway encroachment analysis which demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one foot at any point within the community. This requirement does not apply in isolated flood hazard areas not



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connected to a riverine ~~riverine~~ flood hazard area or in flood hazard areas identified as zone AO or zone AH.

- (3) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity, the applicant shall submit the analysis to FEMA as specified in section 94-63.

Sec. 94-63. - Submission of additional data.

When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a letter of map change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a state-licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

Secs. 94-64—94-69. - Reserved.

DIVISION 6. - INSPECTIONS

Sec. 94-70. - General.

Development for which a floodplain development permit or approval is required shall be subject to inspection.

Sec. 94-71. - Development other than buildings and structures.

The floodplain administrator shall inspect all development to determine compliance with the requirements of this article and the conditions of issued floodplain development permits or approvals.

Sec. 94-72. - Buildings, structures and facilities exempt from the Florida Building Code.

The floodplain administrator shall inspect buildings, structures and facilities exempt from the Florida Building Code to determine compliance with the requirements of this article and the conditions of issued floodplain development permits or approvals.

Sec. 94-73. - Buildings, structures and facilities exempt from the Florida Building Code, lowest floor inspection.

Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the Florida Building Code, or the owner's authorized agent, shall submit to the floodplain administrator:



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- (1) If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor prepared and sealed by a state-licensed professional surveyor; or
- (2) If the elevation used to determine the required elevation of the lowest floor was determined in accordance with section 94-61(3)b ~~94-61(2)b~~, the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.

Sec. 94-74. - Buildings, structures and facilities exempt from the Florida Building Code, final inspection.

As part of the final inspection, the owner or owner's authorized agent shall submit to the floodplain administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade, such certifications and documentations shall be prepared as specified in section 94-73.

Sec. 94-75. - Manufactured homes.

The building official shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this article and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted to the building official.

Secs. 94-76—94-79. - Reserved.

DIVISION 7. - VARIANCES AND APPEALS

Sec. 94-80. - General.

The city council shall hear and decide on requests for appeals and requests for variances from the strict application of this article. Pursuant to F.S. § 553.73(5), the city council shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the Florida Building Code.

Sec. 94-81. - Appeals.

The city council shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the administration and enforcement of this article. Any person aggrieved by the decision of the city council may appeal such decision to the circuit court, as provided by state statutes.

Sec. 94-82. - Limitations on authority to grant variances.

The city council shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in section 94-86, the conditions of issuance set forth in



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section 94-87, and the comments and recommendations of the floodplain administrator and the building official. The city council has the right to attach such conditions as it deems necessary to further the purposes and objectives of this article.

Sec. 94-83. - Restrictions in floodways.

A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in section 94-62.

Sec. 94-84. - Historic buildings.

A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Building, ~~Chapter 12~~ Chapter 11, Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the Florida Building Code.

Sec. 94-85. - Functionally dependent uses.

A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this article, provided the variance meets the requirements of section 94-83, is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

Sec. 94-86. - Considerations for issuance of variances.

In reviewing requests for variances, the city council shall consider all technical evaluations, all relevant factors, and all other applicable provisions of the Florida Building Code, this article, and the following:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
- (2) The danger to life and property due to flooding or erosion damage;
- (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
- (4) The importance of the services provided by the proposed development to the community;
- (5) The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;



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- (6) The compatibility of the proposed development with existing and anticipated development;
- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
- (8) The safety of access to the property in times of flooding for ordinary and emergency vehicles;
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

Sec. 94-87. - Conditions for issuance of variances.

Variances shall be issued only upon:

- (1) Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this article or the required elevation standards;
- (2) Determination by the city council that:
 - a. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable, increased costs to satisfy the requirements or inconvenience do not constitute hardship;
 - b. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
 - c. The variance is the minimum necessary, considering the flood hazard, to afford relief;
- (3) Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the office of the clerk of the court in such a manner that it appears in the chain of title of the affected parcel of land; and
- (4) If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the floodplain administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, up to amounts as high as \$25.00 for \$100.00 of insurance coverage, and stating that construction below the base flood elevation increases risks to life and property.

Secs. 94-88, 94-89. - Reserved.



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DIVISION 8. - VIOLATIONS

Sec. 94-90. - Violations.

Any development that is not within the scope of the Florida Building Code but that is regulated by this article that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this article, shall be deemed a violation of this article. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this article or the Florida Building Code is presumed to be a violation until such time as that documentation is provided.

Sec. 94-91. - Authority.

For development that is not within the scope of the Florida Building Code but that is regulated by this article and that is determined to be a violation, the floodplain administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

Sec. 94-92. - Unlawful continuance.

Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law and section 115 of the Florida Building Code.

Secs. 94-93—94-99. - Reserved. ARTICLE III. - DEFINITIONS

DIVISION 1. - GENERALLY

Sec. 94-100. - Scope.

Unless otherwise expressly stated, the following words and terms shall, for the purposes of this chapter, have the meanings shown in this article.

Sec. 94-101. - Terms defined in the Florida Building Code.

Where terms are not defined in this article and are defined in the Florida Building Code, such terms shall have the meanings ascribed to them in that code.

Sec. 94-102. - Terms not defined.

Where terms are not defined in this article or the Florida Building Code, such terms shall have ordinarily accepted meanings such as the context implies.



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DIVISION 2. - DEFINITIONS

Sec. 94-103. - Definitions.

Alteration of a watercourse means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

Appeal means a request for a review of the floodplain administrator's interpretation of any provision of this article ~~or a request for a variance.~~

ASCE 24 means a standard titled Flood Resistant Design and Construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood means a flood having a one percent chance of being equaled or exceeded in any given year. Also defined in Florida Building Code, B, section 1612.2. The base flood is commonly referred to as the "100-year flood" or the "one percent annual chance flood."

Base flood elevation means the elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the flood insurance rate map (FIRM). Also defined in Florida Building Code, B, section 1612.2.

Basement means the portion of a building having its floor subgrade, below ground level, on all sides. Also defined in Florida Building Code, B, section 1612.2.

Design flood means the flood associated with the greater of the following two areas (also defined in Florida Building Code, B, Section 1612.2):

- (1) Area with a floodplain subject to a one percent or greater chance of flooding in any year;
or
- (2) Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Design flood elevation means the elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number, in feet, specified on the flood hazard map. In areas designated as zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to two feet. Also defined in Florida Building Code, B, section 1612.2.

Development means any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent



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storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

Encroachment means the placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

Existing building and *existing structure* mean any buildings and structures for which the start of construction commenced before August 15, 1984. Also defined in Florida Building Code, B, section 1612.2.

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads, is completed before August 15, 1984.

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

Federal Emergency Management Agency (FEMA) means the federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

Flood or *flooding* means a general and temporary condition of partial or complete inundation of normally dry land from:

- (1) The overflow of inland or tidal waters;
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Also defined in Florida Building Code, B, section 1612.2.

Flood damage-resistant materials means any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. Also defined in Florida Building Code, B, section 1612.2.

Flood hazard area means the greater of the following two areas:

- (1) The area within a floodplain subject to a one percent or greater chance of flooding in any year.
- (2) The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Also defined in Florida Building Code, B, section 1612.2.



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Flood insurance rate map (FIRM) means the official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community. Also defined in Florida Building Code, B, section 1612.2.

Flood insurance study (FIS) means the official report provided by the Federal Emergency Management Agency that contains the flood insurance rate map, the flood boundary and floodway map, if applicable, the water surface elevations of the base flood, and supporting technical data. Also defined in Florida Building Code, B, section 1612.2.

Floodplain administrator means the office or position designated and charged with the administration and enforcement of this article, may be referred to as the floodplain manager.

Floodplain development permit or approval means an official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this article.

Floodway means the channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Also defined in Florida Building Code, B, section 1612.2.

Floodway encroachment analysis means an engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations, the evaluation shall be prepared by a qualified state-licensed engineer using standard engineering methods and models.

Florida Building Code means the family of codes adopted by the Florida Building Commission, including Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; and Florida Building Code, Fuel Gas.

Functionally dependent use means a use which cannot perform its intended purpose unless it is located or earned out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, the term does not include long-term storage or related manufacturing facilities.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

Historic structure means any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 12 ~~Chapter 11~~, Historic Buildings.



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Letter of map change (LOMC) means an official determination issued by the Federal Emergency Management Agency that amends or revises an effective flood insurance rate map or flood insurance study. Letters of map change include:

Letter of map amendment (LOMA) means an amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A letter of map amendment amends the current effective flood insurance rate map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

Letter of map revision (LOMR) means a revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

Letter of map revision based on fill (LOMR-F) means a determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

Conditional letter of map revision (CLOMR) means a formal review and comment as to whether a proposed flood protection project or other project complies with the minimum National Flood Insurance Program requirements for such projects with respect to delineation of special flood hazard areas. A conditional letter of map revision does not revise the effective flood insurance rate map or flood insurance study. Upon submission and approval of certified as-built documentation, a letter of map revision may be issued by the Federal Emergency Management Agency to revise the effective flood insurance rate map.

Light-duty truck, as defined in 40 CFR 86.082-2, means any motor vehicle rated at 8,500 pounds gross vehicular weight rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

- (1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle;
- (2) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
- (3) Available with special features enabling off-street or off-highway operation and use.

Lowest floor means the lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24. Also defined in Florida Building Code, B, section 1612.2.

Manufactured home means a structure, transportable in one or more sections, which is eight feet or more in width and greater than 400 square feet, and which is built on a permanent, integral



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chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." Also defined in F.A.C. 15C-1.0101.

Manufactured home park or subdivision means a parcel, or contiguous parcels, of land divided into two or more manufactured home lots for rent or sale.

Market value means the price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this article, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, actual cash value, (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the property appraiser.

New construction, for the purposes of administration of this article and the flood resistant construction requirements of the Florida Building Code, means structures for which the "start of construction" commenced on or after August 15, 1984, and includes any subsequent improvements to such structures.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after August 15, 1984.

Park trailer means a transportable unit which has a body width not exceeding 14 feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. Defined in section 320.01, F.S. F.A.C. 15C-1.0101.

Recreational vehicle means a vehicle, including a park trailer, which is:

- (1) Built on a single chassis;
- (2) Four hundred square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light-duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

See Also defined in F.S. § 320.01(b).

Special flood hazard area means an area in the floodplain subject to a one percent or greater chance of flooding in any given year. Special flood hazard areas are shown on the flood insurance rate map as zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. Also defined in Florida Building Code, B section 1612.2.



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Start of construction means the date of issuance of permits for new construction and substantial improvements ~~to existing structures~~, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building, including a manufactured home, on a site, such as the pouring of slab or footings, the installation of piles, or the construction of columns.

Permanent construction does not include land preparation, such as clearing, grading, or filling, the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. Also defined in Florida Building Code, B section 1612.2.

Substantial damage means damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. Also defined in Florida Building Code, B section 1612.2.

Substantial improvement means any repair, reconstruction, rehabilitation, alteration, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term "substantial improvement" does not, however, include either:

- (1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

Also defined in Florida Building Code, B, section 1612.2.

Variance means a grant of relief from the requirements of this article, or the flood resistant construction requirements of the Florida Building Code, which permits construction in a manner that would not otherwise be permitted by this article or the Florida Building Code.

Watercourse means a river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

ARTICLE IV. - FLOOD RESISTANT DEVELOPMENT DIVISION 1. - BUILDINGS AND STRUCTURES



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Sec. 94-104. - Design and construction of buildings, structures and facilities exempt from the Florida Building Code.

Pursuant to section 94-52, buildings, structures, and facilities that are exempt from the Florida Building Code, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the Florida Building Code that are not walled and roofed buildings shall comply with the requirements of article IV, division 7 ~~section 94-52~~.

DIVISION 2. - SUBDIVISIONS

Sec. 94-105. - Minimum requirements.

Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

- (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
- (2) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
- (3) Adequate drainage is provided to reduce exposure to flood hazards, in zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

Sec. 94-106. - Subdivision plats.

Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- (1) Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats ~~and final plats~~;
- (2) Where the subdivision has more than 50 lots or is larger than five acres and base flood elevations are not included on the flood insurance rate map, the base flood elevations determined in accordance with section 94-61(1) ~~or (2)~~; and
- (3) Compliance with the site improvement and utilities requirements of division 3 of this article.

DIVISION 3. - SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS

Sec. 94-107. - Minimum requirements.

All proposed new development shall be reviewed to determine that:



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- (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
- (2) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
- (3) Adequate drainage is provided to reduce exposure to flood hazards, in zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

Sec. 94-108. - Sanitary sewage facilities.

All new and replacement sanitary sewage facilities, private sewage treatment plants, including all pumping stations and collector systems, and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in F.A.C. Ch. 64E-6 and ASCE 24 chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

Sec. 94-109. - Water supply facilities.

All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in F.A.C. Ch. 62-532 500 and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.

Sec. 94-110. - Limitations on sites in regulatory floodways.

No development, including but not limited to site improvements, and land disturbing activity involving fill or re-grading, shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in section 94-62(1) demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

Sec. 94-111. - Limitations on placement of fill.

Subject to the limitations of this article, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures, zone A only, fill shall comply with the requirements of the Florida Building Code

DIVISION 4. - MANUFACTURED HOMES

Sec. 94-112. - General.

All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to F.S. § 320.8249 and shall comply with the requirements of F.A.C. Ch. 15C-1 and the requirements of this article.



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Sec. 94-113. - Foundations.

All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that are designed in accordance with the foundation requirements of the Florida Building Code Residential section R322.2 and this article. Foundations for manufactured homes subject to Section 94-117 are permitted to be reinforced piers or other foundation elements of at least equivalent strength.

Sec. 94-114. - Anchoring.

All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.

Sec. 94-115. - Elevation.

Manufactured homes that are placed, replaced, or substantially improved shall comply with section 94-116 or 94-117, as applicable.

Sec. 94-116. - General elevation requirement.

Unless subject to the requirements of section 94-117(2), all manufactured homes that are placed, replaced, or substantially improved on sites located:

- (1) Outside of a manufactured home park or subdivision;
- (2) In a new manufactured home park or subdivision;
- (3) In an expansion to an existing manufactured home park or subdivision; or
- (4) In an existing manufactured home park or subdivision upon which a manufactured home has incurred substantial damage as the result of a flood;

shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential section R322.2, zone A.

Sec. 94-117. - Elevation requirement for certain existing manufactured home parks and subdivisions.

Manufactured homes that are not subject to section 94-116, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either:



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- (1) The bottom of the frame of the manufactured home is at or above the elevation required in the Florida Building Code, Residential section R322.2, zone A; or
- (2) The bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in height above grade.

Sec. 94-118. - Enclosures.

Fully Enclosed areas below elevated manufactured homes shall comply with the requirements of the Florida Building Code, Residential section R322.2 for such enclosed areas.

Sec. 94-119. - Utility equipment.

Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the Florida Building Code, Residential section R322.

DIVISION 5. - RECREATIONAL VEHICLES AND PARK TRAILERS

Sec. 94-120. - Temporary placement.

Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:

- (1) Be on the site for fewer than 180 consecutive days; or
- (2) Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

Sec. 94-121. - Permanent placement.

Recreational vehicles and park trailers that do not meet the limitations in section 94-120 for temporary placement shall meet the requirements of division 4 of this article for manufactured homes.

DIVISION 6. – TANKS

Sec. 94-122. - Underground tanks.

Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

Sec. 94-123. - Above-ground tanks, not elevated.

Above-ground tanks that do not meet the elevation requirements of section 94-124 shall be permitted in flood hazard areas provided the tanks are anchored or otherwise designed and



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constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.

Sec. 94-124. - Above-ground tanks, elevated.

Above-ground tanks in flood hazard areas shall be ~~attached to and~~ elevated to or above the design flood elevation and attached to ~~on~~ a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

Sec. 94-125. - Tank inlets and vents.

Tank inlets, fill openings, outlets and vents shall be:

- (1) At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
- (2) Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

DIVISION 7. - OTHER DEVELOPMENT

Sec. 94-126. - General requirements for other development.

All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this article or the Florida Building Code, shall:

- (1) Be located and constructed to minimize flood damage;
- (2) Meet the limitations of section 94-110 if located in a regulated floodway;
- (3) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
- (4) Be constructed of flood damage-resistant materials; and
- (5) Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

Sec. 94-127. - Fences in regulated floodways.

Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of section 94-110.



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Sec. 94-128. - Retaining walls, sidewalks and driveways in regulated floodways.

Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of section 94-110.

Sec. 94-129. - Roads and watercourse crossings in regulated floodways.

Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of section 94-110. Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of section 94-62(3).

Sec. 94-130. - Reserved.

SECTION 3. APPLICABILITY.

For the purposes of jurisdictional applicability, this ordinance shall apply in City of Clermont. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this ordinance.

SECTION 4. INCLUSION INTO THE CODE OF ORDINANCES.

It is the intent of the City Council that the provisions of this ordinance shall become and be made a part of the City of Clermont's Code of Ordinances, and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 5. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

SECTION 6. EFFECTIVE DATE.

This ordinance shall take effect immediately upon adoption.



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PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 26th day of May, 2020.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

LEGAL NOTICE

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

ORDINANCE NO. 2020-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CLERMONT CODE OF ORDINANCES, CHAPTER 94 ENVIRONMENTAL PROTECTION TO MAKE MODIFICATIONS TO BRING THE REGULATIONS INTO CONFORMANCE WITH THE MOST CURRENT FEMA-APPROVED, FLOODPLAIN MANAGEMENT ORDINANCE FOR FLORIDA COMMUNITIES THAT IS COORDINATED WITH THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A meeting to consider the Ordinance will be held before the City Council on Tuesday, May 26, 2020 at 6:30pm for final enactment.

The meeting will be held in Clermont City Hall located at 685 West Montrose Street, Clermont, FL 34711.

If the meeting is held semi-virtually due to the continued local emergency from Covid-19, instructions for the public to communicate with the Council as well as view the meeting are available on the city website at www.CityofClermont.gov. Instructions can also be received by calling the Clermont City Clerk's Office at (352) 241-7331

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
May 12, 2020