

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
July 7, 2015

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The meeting of the Planning & Zoning Commission was called to order Tuesday July 7, 2015 at 6:30 p.m. by Chairman Nick Jones. Other members present were Carlos Solis, Judy Proli, and Cuqui Whitehead. Also in attendance were Barbara Hollerand, Development Services Director, Curt Henschel, Planning Manager, John Kruse, Senior Planner, Jack Morgeson, City Attorney, and Rae Chidlow, Planning Specialist.

MINUTES of the Planning and Zoning Commission meeting held May 5, 2015 were approved as written.

REPORTS

1. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To amend a conditional use permit (2015-07) to allow a planned unit development in the UE Urban Estate zoning.

APPLICANT: Beazer Homes

Senior Planner Kruse presented the staff report as follows:

Beazer Homes is requesting an amendment to a conditional use permit for a planned unit development consisting of 33+ acres with 104 single family homes. The previous conditional use permit amendment, approved April 14, 2015, granted the applicant the ability to increase the impervious surface ratio from 45% to 50% for buildings, sidewalks, and driveways on 26 lots. During the Council meeting, an exhibit was displayed showing the specific location of the 26 lots on the overall site plan.

Upon further examination by staff and the applicant, it was noted that a majority of the 26 lots were designated along one street. This could result in one model, known as the Aspen, potentially dominating this street, which would not provide a break in the visual surroundings. The applicant would like to remove the exhibit showing the lot designations from the conditional use permit. The applicant has indicated that it was not their intention when presenting the exhibit during the Council meeting to specifically lock-in the lot location, but rather, to show how the 26 lots could accommodate the single-story Aspen model.

Staff has reviewed this request and does not oppose the removal of the exhibit designating each lot location. In order to alleviate the 26-lot requirement and the tracking of it, staff would be in favor of allowing the ISR for buildings, sidewalks, and driveways up to 50%, and a total lot ISR up to 55% for all impervious areas on the lot. This could limit pool sizes, decks, and other impervious areas to be added to the lots at a later date, but this could be dealt with on a case-by-case basis, should that occur. If the conditional use permit amendment is approved, staff recommends that the developer be very clear to home buyers that limitations may exist for future improvements.

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Staff recommends approval of the amendment to the conditional use permit to eliminate the exhibit, to allow the lots to be designated throughout the development, and to clarify the ISR maximum.

Attorney Jimmy Crawford, stated that he is representing Beazer Homes. He stated that they are requesting to not be limited to 26 lots for the increased impervious area. He stated that they will not change the overall impervious service for the subdivision. He stated that this will increase the number of one-story homes rather than having large two-story homes.

Commissioner Whitehead made a motion to recommend approval of the conditional use permit; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

2. REQUEST FOR A CODE AMENDMENT

REQUEST: To amend Chapter 86, Section 86-52

APPLICANT: Staff

Planning Manager Henschel presented the staff report as follows:

Changes to Chapter 86-52, Granting of Variances, include adding language to the City code that will allow the City Manager or designee to allow a deviation of standards for a variance request. The added language will only allow the City Manager to approve the deviation of standard when it is no more than a 5 percent change from the current land development code. An example would be where an as-built survey indicates that a 25-foot front-yard setback has not been met by 3 inches (24 feet 9 inches). In such a case, the City Manager could approve the substandard setback without bringing a variance request before City Council.

The intent of this ordinance change is not to allow site plans to deviate from the minimum code requirements, but to allow small adjustments when a true error has been discovered and proven. The City Manager would still have the ability to deny the deviation of standard and to direct the applicant to apply for a variance that would go before City Council.

Staff recommends approval of Ordinance 2015-68, which updates the land development code section dealing with the granting of variances.

Commissioner Whitehead made a motion to recommend approval of the code amendment; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

3. REQUEST FOR REZONING

REQUEST: To change zoning from UE Urban Estate to C-2 General Commercial

APPLICANT: Staff

Senior Planner Kruse presented the staff report as follows:

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The subject parcel is approximately four acres in size and is located at the southwest corner of the Hooks Street and Citrus Tower Boulevard intersection. The property was purchased by the City in June 2012 for construction of a new police station. The currently zoning, Urban Estate, would permit the site to be used for the police station. Since the time of purchase, the City has decided another location would be more suited for the new police station. The City is currently marketing the subject property for sale. In order to allow the highest and best use of the property, a rezoning to the C-2 General Commercial zoning district is proposed. This zoning designation is consistent with the current future land use designation, which is Commercial. The property has City utilities available. The proposed C-2 zoning is consistent with the existing development pattern that surrounds the property and its location at the intersection of two collector roads. In addition, the future land use of Commercial supports the C-2 zoning district. Staff recommends approval of the rezoning change from UE Urban Estate Low Density Residential to C-2 General Commercial Zoning District.

Commissioner Whitehead made a motion to recommend approval of the rezoning; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

There being no further business, the meeting was adjourned at 6:57 pm.

Nick Jones, Chairman

ATTEST:

Rae Chidlow – Planning Specialist