



**CITY OF CLERMONT
CITY COUNCIL MEETING
LOCATION: CLERMONT CITY CENTER
AGENDA
6:30 PM, Tuesday, September 8, 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

INVOCATION & PLEDGE OF ALLEGIANCE

PROCLAMATION

Assisted Living Week

PRESENTATIONS

Hooks Street Alignment

Fiscal Year 2019 Annual Financial Report

Fiscal Year 2020 Quarterly Budget Presentation

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 - Minutes Approval

Consider approval of the meeting minutes of the City Council Regular Meeting of August 25, 2020.

Item No. 2 - Surplus Request

Consider declaring end of life inventory as surplus from Information Technology Department and dispose of in accordance with the Procurement Services Policy.

Item No. 3 - Resolution No. 2020-49R

Consider approval of an updated Comprehensive Fee Schedule.

Item No. 4 - Request for Boat Ramp Closure

Consider boat ramp closure request from Sommer Sports on October 24, 2020 for the "Great Floridian Triathlon" at Waterfront Park.

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Item No. 5 - Police Officers Collective Bargaining
Negotiations Team

Consider approval of proposed individuals to serve on the City's Negotiations Team for International Union of Police Associations, AFL-CIO Collective Bargaining.

Item No. 6 - Imagine South Lake Charter Request

Consider request for a waiver of charges from the 4th quarter billing for the Safety Resource Officer in the amount of \$23,224.50.

Item No. 7 - Parking Agreement

Consider Parking Lease Agreement for the Central Business District.

NEW BUSINESS

Item No. 8 - Variance Request
1411 16th Street

Consider request to allow for a rear yard setback less than 25 foot.

Item No. 9 - Variance Request
Perimeter Park West

Consider variance request to allow a retaining wall height greater than 6 foot for vacant parcels located north and south of CR 455 and south of S.R. 50.

Item No. 10 - Variance Request
224 Carroll Street

Consider request of a small utility shed in the front yard, 2 feet from the side property line.

Item No. 11 - Event and Road Closure Request

Consider event and road closures request for "Mustache Dash" and "Mustache Splash and Paddle" on Nov 21, 2020.

Item No. 12 - Downtown Parking

Discussion of Downtown Parking

Item No. 13 - Ordinance No. 2020-31 *Introduction*

Consider ordinance to establish no wake/idle speed zones.

Item No. 14 - Ordinance No. 2020-32 *Introduction*

Consider ordinance to amend Chapter 54 "Streets, Sidewalks and Other Public Places."

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-

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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.

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.

Meeting agendas are available on the city website and are posted within the first floor 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, there are currently over 800,000 Americans residing in assisted living and are more than 420,000 caregivers taking care of their needs; and

Whereas, the effects of aging require help from a family member or caregiver and assisted living caregivers provide the assistance they need in a safe environment allowing them to remain as independent as possible for as long as possible; and

Whereas, they provide a high quality of care for the elderly that will allow them to age in place and do this in a respectful and dignified manner and they dedicate their time, leaving their families to care for residents in hurricanes, pandemics, or whatever is going on around them; and

Whereas, not only do they provide care but they ensure the residents have days filled with joy, entertainment, socializations, spiritual needs, nutrition, friendship, and compassion; and

Whereas, all citizens should understand the physical and emotional needs of our seniors and appreciate the Assisted Living Health Care Associates for caring for our seniors and providing them with the best care while adding life to their final years;

Now, Therefore, I, Gail L. Ash, Mayor of the City of Clermont in the State of Florida, do hereby proclaim the Week of September 13-19, Two Thousand and Twenty as:

ASSISTED LIVING WEEK

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the City of Clermont to be affixed this 8th Day of September in the year Two Thousand and Twenty.

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
AUGUST 25, 2020

The City Council met in a regular meeting on Tuesday, August 25, 2020 in the Clermont City Center. Mayor Ash called the meeting to order at 6:30pm with the following Council Members present: Council Members Travis, Bates, and Purvis.

Other City officials present were Assistant City Manager Dauderis, City Attorney Mantzaris, and City Clerk Howe.

INVOCATION AND PLEDGE OF ALLEGIANCE

A Moment of Silence was observed followed by the Pledge of Allegiance.

PUBLIC COMMENTS

Samii Taylor, 4480 Powderhorn Place Drive, Clermont. – People have vandalized and trespassed on private property about political campaign signs. Council Member Purvis asked for specifics on where the incidents occurred. Ms. Taylor replied that she read on Next Door that it was happening in the Legends and Kings Ridge developments.

Vincent Niemiec. 4569 Barrister Drive, Regency Hills, Clermont – Mr. Niemiec displayed a map of 2004 Hartwood Marsh and talked about the dangers of the road and the need for the upgrade. Commended Council Member Purvis and Mayor Ash for speaking out in the past against high-density development along Hartwood Marsh.

Mr. Niemiec stated that he attended the Lake County Board of County Commissioners (BCC) meeting and learned that the SR455 extension to Hartwood Marsh has been funded, but the widening of Hartwood Marsh is in limbo. He asked if an applicant is in violation of their Conditional Use Permit and/or Resolution such as when they have not submitted a traffic impact study to the Clermont Council and/or the BCC, what the repercussions of that violation are.

Kyah Mohammad. 177 Legends Street, Clermont – Spoke on wireless and small cell communications. She asked the Council to consider a moratorium on 5G technology.

Linda Charlton, 901 CR 561, Clermont – She asked if anyone knows whether the transmitters/poles mentioned by the prior speaker have wind resistance requirements.

REPORTS

CITY MANAGER REPORT

Assistant City Manager Dauderis provided the City Manager's Report. She informed the Council of several agenda changes including the withdrawing of Item No. 16 due to it being added prematurely.

Any actions taken by the Council are recorded at the relevant agenda item.

She announced that the First Budget Public Hearing is scheduled for 6:30 PM on September 3 at the Clermont City Center.

CITY ATTORNEY REPORT

City Attorney Mantzaris - No report

CITY COUNCIL REPORT

Council Member Bates - No report.

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Council Member Purvis - No report.

Council Member Travis –

- Attended the Lake Apopka Natural Gas board meeting and reviewed budget.
- Commended Public Works for the repaved portion of Waterfront Park and Grand Highway.

Mayor Ash – No report.

CONSENT AGENDA

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

Item No. 1 – Meeting Minutes

Consider approval of minutes: July 21, 2020 Budget Workshop; July 22, 2020 Budget Workshop; July 28, 2020 Council Meeting; and August 11, 2020 Council Meeting.

Item No. 2 – Term Contract Award

Consider award to All City Management Services, Inc. to provide crossing guard services for school year 2020-21 in the annual budgeted amount of \$53,049.60

Item No. 3 – Term Contract Award

Consider award to Show Masters Production Logistics, Inc for on-call audio/video services in the total estimated contract value for the initial three-year term is \$65,000.

Item No. 4 – Term Contract Award

Consider award to Recreation Today of Idaho LLC to purchase picnic tables on an as-needed basis.

Item No. 5 – Bid Award

Consider award to Carr & Collier, Inc for the expansion of the rapid infiltration basin in the budgeted amount of \$1,189,307.

Item No. 6 – Dispatch Services Agreement

Consider Lake County Sheriff's Office agreement renewal from October 1, 2020 to September 30, 2021 in the budgeted amount of \$488,733.80 for a one-year term.

Item No. 7 – Single Source Purchase and Budget Amendment

Consider single sole source purchase and software maintenance from Pileum Corporation to acquire body worn cameras for police officers in the total amount of \$440,500; and a budget amendment of \$220,250 (General Fund, Infrastructure Fund, and Police Impact Fund) associated with the costs for the first year of the contract.

Item No. 8 – Resolution No. 2020-51R
Budget Amendment

Consider FY 2020 budget amendment.

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MOTION TO APPROVE the Consent Agenda for August 25, 2020 made by Council Member Bates. Seconded by Council Member Travis. Passed unanimously with all members present voicing aye.

UNFINISHED BUSINESS

Item No. 9 – Ordinance No. 2020-16 – FINAL – Hartwood Marsh Assisted Living Facility CPA

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTING THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT FOR THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; SETTING FORTH THE PURPOSE AND INTENT OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR THE ADOPTION OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

This item was considered during the City Manager's Report.

City Clerk Howe read the legal title of the ordinance into the record.

MOTION TO TABLE consideration of Ordinance No. 2020-16 until January 26, 2021 made by Council Member Bates. Seconded by Council Member Purvis. Passed unanimously with all members present voicing aye.

Item No. 10 – Ordinance No. 2020-17 – FINAL – Hartwood Marsh Assisted Living Facility PUD

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT REFERRED TO IN CHAPTER 122 OF ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, RECORDING, AND PUBLICATION.

This item was considered during the City Manager's Report.

City Clerk Howe read the legal title of the ordinance into the record.

MOTION TO TABLE consideration of Ordinance No. 2020-17 until January 26, 2021 made by Council Member Bates. Seconded by Council Member Purvis. Passed unanimously with all members present voicing aye.

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Item No. 11 – Ordinance No. 2020-21 – FINAL – *Medium-Density Residential FLU Amendment*

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES BY ADOPTING TEXT CHANGES TO THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN TO AMEND THE MEDIUM-DENSITY RESIDENTIAL FUTURE LAND USE CATEGORY; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE COMPREHENSIVE PLAN AMENDMENTS; SETTING FORTH THE PURPOSE AND INTENT OF THE COMPREHENSIVE PLAN AMENDMENTS; ESTABLISHING THE LEGAL STATUS OF THE COMPREHENSIVE PLAN AMENDMENTS; PROVIDING FOR SEVERABILITY, CONFLICT AND AN EFFECTIVE DATE.

City Clerk Howe read the legal title of the ordinance into the record. City Planner John Kruse made the staff presentation.

Planner Kruse stated this is a text amendment for Future Land Use map in the downtown area. This ordinance was transmitted to the state in June and received responses of no comments or no adverse impacts. On a map displayed by Mr. Kruse, he explained the text change is only applicable to properties in downtown shaded with dark brown. The current medium density permits eight (8) dwelling units per acre with a bonus density up to 40 dwelling units per acre. Currently, any development greater than this would require a Conditional Use Permit (CUP). This change would provide development at a higher density, which would encourage pedestrian traffic downtown. Staff recommends approval of ordinance.

Mayor Ash opened the floor for comments from the public.

Samii Taylor, 4480 Powderhorn Place Drive, Clermont – Opposed the text change. Asked that the Council consider the possible environmental impacts.

Seeing no further public come forth, Mayor Ash closed the floor from further comments.

Council Member Bates asked if the text change allows an applicant to go to twelve (12) dwelling units per acre without coming before the Council. Planner Kruse stated that anything over eight (8) dwelling units per acre would need to return to the Council for a CUP.

Council Member Purvis asked what the goal of this text change is if an applicant still needs to come to the Council for anything over the eight (8) dwelling units per acre. Planner Kruse responded that the goal is to create a transition step from 25 to twelve (12) for residential development. Council Member Purvis expressed a concern with the scope of the downtown area saying that it is too large.

Council Member Travis stated the reason they drew a map that encompassed the residential areas was to increase the density downtown so that the business could survive.

MOTION TO APPROVE and adopt Ordinance No. 2020-21 made by Council Member Bates. Seconded by Council Member Travis. Passed 4-0 on a roll call vote with each member present voicing aye.

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Item No. 12 – Ordinance No. 2020-29 – *FINAL – Advent Health Right-of-Way Vacation*

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, CLOSING AND PERMANENTLY ABANDONING THAT UNNAMED RIGHT OF WAY LYING SOUTHERLY OF TRACTS 9 AND 10, AND NORTHERLY OF TRACTS 23 AND 24, AS SHOWN ON THE PLAT OF LAKE HIGHLANDS COMPANY RECORDED IN PLAT BOOK 2, PAGE 28 AND PLAT BOOK 3, PAGE 24, PUBLIC RECORDS OF LAKE COUNTY FLORIDA, LYING IN SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST AND DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, PUBLICATION, RECORDING, AND FOR AN EFFECTIVE DATE.

City Clerk Howe read the legal title of the ordinance into the record. City Planner John Kruse made the staff presentation.

Planner Kruse presented the Right of Way (ROW) vacation request. An old right of way recorded from 1914 currently has no purpose or reserved use. The applicant has petitioned for the closure of this ROW. Staff recommends approval of the vacation.

Mayor Ash opened the floor for comments from the public; seeing no public come forth, the floor was closed.

MOTION TO APPROVE and adopt Ordinance No. 2020-29 made by Council Member Bates. Seconded by Council Member Travis. Passed 4-0 on a roll call vote with each member present voicing aye.

NEW BUSINESS

Item No. 13 – Lien Reduction Request – 365 Citrus Tower

Development Services Director Curt Henschel provided the staff presentation. The applicant is seeking a full waiver of the fees.

Director Henschel stated the fine was assessed due to wind banners that violated City Code. Director Henschel reviewed the history of the case, including the contacts made with the building tenant, and explained how the amount grew to \$3,100. He displayed a photo of the property, which is now in compliance. This concluded the staff presentation.

Joe Zagame, 230 Mohawk Road, Clermont – Stated that he had the property for 23 years and has never received a notice until this situation. He stated that the City's method is flawed in contacting only the fee simple owner of a property rather than the property manager. He stated that he holds a long-term lease on the property in question and was not notified by the property owner of the violation or fine. Once he learned of the violation, he corrected it. The tenant who was the cause of the violation is no longer there, but he is still dealing with this issue. He concluded by saying that he has seen multiple instances of similar flags and expressed doubts if the code is being enforced by the City anymore.

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City Attorney Mantzaris, in response to Mr. Zagame's accusations against the City's communication methods and enforcement of the code, informed the Council that the property owner resides in Winter Haven, FL and that the method of contacting the fee simple owner is set by the state legislature, not the City. He explained that this went to lien quickly because of numerous prior issues with the property owner and other properties in the city. He also stated that the ordinance has not changed and that code enforcement is enforcing the laws of the City as directed.

Council Member Purvis stated that he understands the disconnect and is disturbed by the amount of the fine. He would support a 50 percent reduction.

Council Member Purvis asked who paid the taxes on the property. Mr. Zagame stated that he pays the taxes. City Attorney Mantzaris stated that the tax bill is sent to the John P. Adams Trust in Winter Haven and reiterated that Florida Statutes Chapter 162 requires notice to the property owner.

Charlene Forth interrupted the Council discussion to ask if the Council was going to open the item for public comment. Attorney Mantzaris stated that the Council Members would take public input prior to a vote.

Council Member Purvis told Mr. Zagame that his issue is not with the City, he needs to rectify his communication with his business partner.

Mayor Ash opened the floor for comments from the public.

Charlene Harrison Forth, 939 W. Desoto Street, Clermont – Mayor Ash asked that Ms. Forth refrain from demeaning the Council during her comments. Ms. Forth stated that she is building a case file to give Director Henschel filled with code violations. She asserted that the City's code enforcement is reactive and not proactive.

Seeing no other public come forth, Mayor Ash closed the public hearing.

Council Member Bates asked how long this has been going on. Director Henschel responded that the violation was identified in May 2019 and communication was made with the business that was the cause of the violation. Fines began accruing in December 2019 and a lien was imposed in January 2020.

Council Member Bates stated he wants the applicant to know that the City is in the right and that the process was followed; with that understood, he is not opposed to removing the lien.

Council Member Travis stated that she is not in favor of lien elimination due to the City costs involved and then the taxpayers would pay. She asked Director Henschel what the City's costs are. Director Henschel stated they are approximately 10 to 15 percent of the penalty or approximately \$350.

MOTION TO REDUCE the penalty from \$3,000 to \$1,000 payable within 30 days made by Council Member Purvis. Motion dies for lack of a second.

MOTION TO REDUCE the penalty from \$3,000 to \$350 payable within 30 days made by Council Member Travis. Seconded by Council Member Bates. Vote of 2-2 with Council Member Purvis and Mayor Ash opposing. Motion Fails.

MOTION TO REDUCE the penalty from \$3,000 to \$800 payable within 30 days made by Council Member Purvis. Motion dies for lack of a second.

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Attorney Mantzaris reminded the Council that they do have the option to leave the lien in place.

Mayor Ash said that she is not in favor of grand reductions to liens, and the Council needs to enforce the penalties they levy. If the Council feels that a penalty is too high, they should change the penalty, but not keep reducing liens after the violation and imposition.

MOTION TO REDUCE the lien penalty from \$3,000 to \$400 payable within 30 days made by Council Member Bates. Seconded by Council Member Travis. Passed 3-1 with Mayor Ash opposing.

Mr. Zagame told the Council that businesses are hurting and these fines are not helping the situation and recommended the Council change their regulations to be better for business.

Item No. 14 – Resolution No. 2020-21R – South Lake Hospital Bed Expansion CUP

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT TO ALLOW AN EXPANSION AT THE SOUTH LAKE HOSPITAL TO INCLUDE A NEW INPATIENT TOWER WITH BED EXPANSION AND MASTER SITE PLAN IMPROVEMENTS.

City Clerk Howe read the resolution into the record by title only. City Planner John Kruse presented the staff presentation.

Planner Kruse informed the Council the applicant is seeking a Conditional Use Permit (CUP) to allow for an expansion that will bring total beds to 250. With the new tower, Orlando Health is proposing to reroute traffic to establish a main entrance off Legends Way. Orlando Health has committed to fully fund a signalized intersection. Both staff and the Planning & Zoning Board recommend approval of the application. This concluded the staff presentation.

Paul Johns, COO, Orlando Health South Lake – Stated that the Clermont region’s population growth has increased. They have been doing a master plan. This is the proposed and request to move forward.

Aaron Bottlehorn, Orlando Health – Orlando Health is asking for approval of the master site plan to add a new patient site tower. The five (5)-story tower will bring 110 beds to the community. This will reroute main traffic away from Don Wickham Drive to Legends Way and convert Don Wickham to a right-in/right-out entrance. This will allow for a parking field on the south side of the Tower for new patients and visitors without having to cross the street. It improves safety and access. It consolidates two access points on Citrus Tower. This will consolidate two access points to one with a signaled intersection.

Council Member Purvis stated he would like to see hospital traffic separated from construction traffic.

Mayor Ash opened the floor for comments from the public.

Ebo Entsua 861 Skyward Road, Clermont – Spoke in support. Says the expansion will help reduce capacity, which is at 92 percent.

Joe Gustafson, Corsica Lane – Spoke in support.

Seeing no others come forth, Mayor Ash closed the floor from further comments.

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Council Member Bates asked if the building would be connected to the current building. Mr. Johns said all the buildings will be attached and they will do a redesign of the main lobby.

MOTION TO APPROVE the CUP request for South Lake Hospital contained in Resolution 2020-21R made by Council Member Travis. Seconded by Council Member Bates. Passed unanimously vote with all members present voicing aye.

Item No. 15 – Resolution No. 2020-30R – Artwalk Eatery CUP

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW AN OUTDOOR EATERY BUSINESS IN THE CENTRAL BUSINESS DISTRICT.

City Clerk Howe read the resolution into the record by title only. Development Services Director Curt Henschel presented the staff presentation.

Development Services Director Henschel presented the Conditional Use Permit application. He displayed for the Council on a map where the eatery is located in the art walk area. The proposal is for two 8 foot 8 foot pads in a courtyard. The hours of operations will be consistent with current downtown regulations. Both staff and the Planning and Zoning Board recommend approval.

Alex Stringfellow, Winter Park – *applicant*. The eatery is being renamed to Clervue after the old drive-in theater. He provided examples of the design. He stated this project brings activity downtown that is able to interact in a safe manner.

Mayor Ash opened the floor for comments from the public.

Tom Kovach, 15537 Pandera Drive – supported the proposal.

Mark Graf, 1944 Brantley Circle – supported the request.

Meredith Nagel, 1990 Village Green Blvd, Clermont – supported the request.

Darren Johnson, 1075 W. Lakeshore Drive – supported the request.

Jeff Powell, 713 W. Montrose – supported the request.

Jayson Stringfellow, 1455 W. Lakeshore Drive – *applicant*. Provided the Council with an overall update on the Art walk. They are currently selling plaques, which will raise over \$120,000 towards improvements to the art walk.

Seeing no further public come forth, Mayor Ash closed the public hearing.

Council Member Purvis disclosed that he met with Jayson and Alex Stringfellow. He is concerned about a 25 sq. ft. concrete pad that is in dispute between the Stringfellow's and their neighbor. He feels that one party is being deprived. He stated that he would support the CUP with a caveat. He wants a commitment from the Stringfellow's to resolve the dispute regarding the concrete pad.

Jayson Stringfellow asked for clarification as they are requesting a Conditional Use Permit from the City Council. He admitted there is a boundary dispute, but it is not applicable. Council Member Purvis stated that he believed it was applicable as the 5 x 5 concrete pad is shown in their site plan drawings.

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City Attorney Mantzaris stated that he is aware of civil litigation regarding the dispute. He encourages and cautions the Council about getting involved in civil actions. However, he added that the applicant is asking for a required approval from the Council and any Council Member can put any legal condition on their personal vote, even if it is not relevant to the matter at hand.

Alex Stringfellow stated this is a preexisting civil matter that pre-dates this application regarding access.

Mayor Ash stated that they are not getting involved in this civil issue and the Council is considering the approval of an outdoor eatery.

MOTION TO APPROVE the CUP request for Artwalk Eatery LLC contained in Resolution 2020-30R made by Council Member Travis. Seconded by Council Member Bates. Passed 3-1 with Council Member Purvis opposing.

Item No. 16 – Ordinance No. 2020-31 – *INTRODUCTION – No Wake/Idle Speed Zones*

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA; AMENDING CHAPTER 70 “WATERWAYS” OF THE CODE OF ORDINANCES, CREATING ARTICLE I “SPEED LIMITS”, SECTION 70-1 “AUTHORITY”, SECTION 70-2 “DEFINITIONS”, SECTION 70-3 “IDLE SPEED NO WAKE ZONES, SECTION 70-4 “ADOPTION OF SPEED LIMITS” AND SECTION 70-5 “ENFORCEMENT AND PENALTY”; PROVIDING FOR THE ERECTION OF SIGNS; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

Staff requested that this item be pulled from the agenda. No action was taken.

ADJOURN: With no further comments, this meeting adjourned at 8:03pm.

APPROVED:

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk



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AGENDA ITEM

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Meeting Date			
Tuesday, September 8, 2020			
Agenda Item Name			
Surplus Request			
Requested Action			
Request to approve and declare end of life inventory as surplus from the Information Technology Department and dispose of in accordance with the Procurement Services Policy.			
Staff Report			
The Procurement Services Department, on behalf of the Information Technology Department recommends approval of the above action.			
Information Technology Department			
<u>Qty.</u>	<u>Property Description</u>		
(4)	HP P4300 Storage Area Network Devices		
(4)	Vivotek Network Cameras		
(2)	PowerEdge Rackmount Servers		
Additional Analysis			
Fiscal Impact Summary			
Surplus property is anticipated to be sold for approximately \$2,000.00.			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
Exhibits Attached (copies of original agreements)			
1.	Information Technology Disposal Form	Information Technology Disposal Form.pdf	



CITY OF CLERMONT

AGENDA ITEM

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Meeting Date		
Tuesday, September 8, 2020		
Agenda Item Name		
Resolution No. 2020-49R		
Requested Action		
Request approval of an updated Comprehensive Fee Schedule.		
Staff Report		
The current Comprehensive Fee Schedule includes an annual calendar year City resident parking permit for the boat ramp in the amount of \$35.00. The current daily parking fee is \$5.00. Staff is requesting to add an annual calendar year parking permit for the boat ramp for Lake County residents outside of the city limits for \$70.00.		
Additional Analysis		
Fiscal Impact Summary		
Staff anticipates a net zero impact to annual boat ramp parking fees collected.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Resolution No. 2020-49R - Fee Schedule Amendment - R&F BL	Resolution No. 2020-49R - Fee Schedule Amendment - R&F BL.pdf	



CITY OF CLERMONT
RESOLUTION NO. 2020-49R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE PARKS AND RECREATION FEE SCHEDULE; REPEALING ALL PRIOR RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, ACCESS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Clermont pursuant to its authority as a municipal corporation under the laws of the State of Florida, has the authority to establish and collect fees for planning and zoning, building services, fire review and inspection services, parks and recreation use, police, city clerk and utility billing; and

WHEREAS, the adoption of fees as set forth herein, is consistent with Clermont City Code Section 86.112, is in the best interest of the citizens of the City of Clermont and the cost effective, efficient, and appropriate operation of the City.

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

SECTION 1.

The City Council does hereby amend Section 4 – Parks and Recreation Fees of the Comprehensive Fee Schedule, as follows (underlined indicates added):

Arts and Recreation Center Other Rental Rates (Per Hour)

	<u>City Resident/Non-Profit</u>	<u>Non-Resident</u>
<u>BOAT RAMP</u>		
Daily Parking Fee	\$5.00	\$5.00
Annual Parking Permit (City Residents Only)	\$35.00	n/a
<u>Annual Parking Permit</u> <u>(Lake County Residents Outside of City Limits Only)</u>	<u>n/a</u>	<u>\$70.00</u>

SECTION 2: CONFLICT

Any resolution previously adopted by the City Council and in conflict herewith is hereby repealed to the extent of the conflict.



CITY OF CLERMONT
RESOLUTION NO. 2020-49R

SECTION 3: SEVERABILITY

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

SECTION 4: ADMINISTRATIVE CORRECTION

This Resolution may be re-numbered or re-lettered, and/or corrected for typographical and/or scrivener's errors which do not affect the intent of said Resolution, as authorized by the City Manager or designee, without need of public hearing, by filing a corrected copy of same with the City Clerk.

SECTION 5: ACCESS

A copy of this Resolution and the Comprehensive Fee Schedule shall be kept on file in the City Clerk's office and made available to the public upon request.

SECTION 6: EFFECTIVE DATE

This Resolution shall take effect September 8, 2020.



CITY OF CLERMONT
RESOLUTION NO. 2020-49R

DONE AND RESOLVED, by the City Council of the City of Clermont, Lake County, Florida this 8th day of September, 2020.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, September 8, 2020		
Agenda Item Name		
Request for Boat Ramp Closure		
Requested Action		
Request to approve the request from Sommer Sports for closure of the boat ramp on October 24, 2020 for the "Great Floridian Triathlon" taking place at Waterfront Park.		
Staff Report		
Sommer Sports is requesting closure of the boat ramp on October 24, 2020 for the "Great Floridian Triathlon" taking place at Waterfront Park. City Council previously approved the event. The closure would be from 5 a.m. to 12 p.m. to allow for safety of participants and additional parking. The Special Event Permit process grants applicants hosting events over 1,000 people the ability to request of the City Council to close the boat ramp. The Great Floridian Triathlon anticipates having over 1,000 participants and spectators. With the proposed distancing enhancements to ensure participant safety, the event has been moved to the larger venue of Waterfront Park. The applicant is aware that the granting of a Special Event Permit for this event is dependent upon Covid-19 safety protocols.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date			
Tuesday, September 8, 2020			
Agenda Item Name			
Police Officers Collective Bargaining Negotiations Team			
Requested Action			
Request approval of proposed negotiations team.			
Staff Report			
The City's contract with the International Union of Police Associations, AFL-CIO Clermont Police Officers Local 6013 and Sergeants Local 6014 collective bargaining agreement expires on September 30, 2020. It is necessary that the city begin negotiations with the Clermont Police Officers Local 6013 and Sergeants Local 6014. The attached memorandum outlines the proposed negotiations team.			
Additional Analysis			
Fiscal Impact Summary			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
Exhibits Attached (copies of original agreements)			
1.	City Negotiations Team for IUPA Police Officers Local 6013 090820	City Negotiations Team for IUPA Police Officers Local 6013 090820.docx	



DARREN GRAY
City Manager

352-241-7358
dgray@clermontfl.org

DATE: September 8, 2020

TO: Gail L. Ash, Mayor
Diane Travis, Mayor Pro Tem
Timothy Bates, Council Member
Jim Purvis, Council Member

FROM: Darren Gray, City Manager

SUBJ: Negotiations Team for International Union of Police Associations, AFL-CIO Collective Bargaining

The City's contract with the International Union of Police Associations, AFL-CIO Clermont Police Officers Local 6013 and Sergeants Local 6014 collective bargaining agreement expires on September 30, 2020. It is necessary that the city begin negotiations with the Clermont Police Officers Local 6013 and Sergeants Local 6014.

I recommend that the following individuals serve on the city's negotiating team:

- Susan C. Dauderis, Assistant City Manager
- Charles Broadway, Police Chief and/or designee Captain John Graczyk
- Pam Brosonski, Finance Director
- Nadine Ohlinger, Human Resources Director
- Lindsay N. Greene, DSK Law

Thank you in advance for considering these individuals for the negotiating team. We anticipate having productive negotiations with the Police Officers and Sergeants.

cc: Dan Mantzaris, City Attorney
Team members



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, September 8, 2020		
Agenda Item Name		
Imagine South Lake Charter Request		
Requested Action		
Recommend approval of a waiver of charges in the amount of \$23,224.50 for Imagine South Lake Charter from the 4th quarter billing of the last school year due to no services being provided by the Clermont Police Department due to COVID-19.		
Staff Report		
Imagine South Lake Charter requests relief from the 4th quarter billing in the amount of \$23,224.50 from the last school year due to no services being provided by the Clermont Police Department as a result of COVID-19. The School Resource Officer's last day on campus was Thursday, March 12, 2020. The School Resource Officer returned to school on Monday, August 24, 2020.		
Additional Analysis		
Fiscal Impact Summary		
The fiscal impact to the current year's budget will be a reduction in revenues in the amount of \$23,224.50.		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Memo RE SRO Contract.8.25.20	Memo RE SRO Contract.8.25.20.pdf	

IMAGINE SOUTH LAKE CHARTER

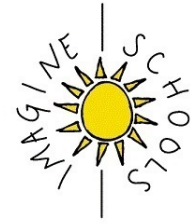
We Promote Excellence...

2750 Hartwood Marsh Road

Clermont, Florida 34711

(352) 243-2960

Imaginesouthlake.org



Developing Character,
Enriching Minds.

Memorandum

To: Darren Gray, Clermont City Manager

Cc: Chuck Broadway, Clermont Chief of Police

From: Kathleen Dial, Principal Imagine South Lake

Date: August 25, 2020

I am writing to you today in reference to the quarter 4 bill from the City of Clermont for our Safety Resource Officer. As you know, the Governor closed schools in Florida for the fourth quarter of last school year due to COVID-19. Our SRO's last day on our campus was Thursday, March 12, 2020. He returned to work at the start of this school year, August 24, 2020.

I am aware that most other schools in Clermont offered food service during quarter four of the 2019-2020 school year and that SRO's were on campus to assist with this service. Imagine South Lake was not a food pick up site, therefore no services from Clermont Police Department were utilized during quarter four. As such, I am requesting that the City of Clermont consider relieving the school of the quarter four bill. I appreciate your consideration.



Follow us on Twitter @ImagineSLSchool



Like us on Facebook at Imagine South Lake Charter



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date								
Tuesday, September 8, 2020								
Agenda Item Name								
Parking Agreement								
Requested Action								
Recommend approval.								
Staff Report								
Staff is recommending a parking agreement on property that is centrally located within the Central Business District. The property owner Nexbiz Inc. has agreed to lease the 1 acre parcel that can yield just over 100 parking spaces. Over 60 of these spaces are already prepared as asphalt parking spaces, and approximately 40 spaces can be utilized as grass parking. The agreement will be for \$700 per month, and either party may terminate the agreement with a 60 day notice.								
Additional Analysis								
Fiscal Impact Summary								
Fiscal Impact	Fund Number and Description	Available Budget Amount						
Exhibits Attached (copies of original agreements)								
<table border="0"> <tr> <td>1.</td> <td>Nexbiz Parking License 2020</td> <td>Nexbiz Parking License 2020.doc</td> </tr> <tr> <td>2.</td> <td>Parking map</td> <td>Parking map.docx</td> </tr> </table>			1.	Nexbiz Parking License 2020	Nexbiz Parking License 2020.doc	2.	Parking map	Parking map.docx
1.	Nexbiz Parking License 2020	Nexbiz Parking License 2020.doc						
2.	Parking map	Parking map.docx						

TEMPORARY PARKING LICENSE

THIS TEMPORARY PARKING LICENSE AGREEMENT made and entered into this ____ day of _____ 2020, by and between Nexbiz, Inc., 1455 West Lakeshore Drive, Clermont, FL 34711 (hereinafter referred to as “GRANTOR”), and the City of Clermont, 685 W. Montrose Street, Clermont, Florida 34711 (hereinafter referred to as “GRANTEE”).

NOW, THEREFORE, for and in consideration of the mutual advantages inuring each party to the other, and other valuable considerations, the receipt of which are hereby acknowledged, GRANTOR does hereby grant to the GRANTEE, a temporary motor vehicle parking license, including the right of ingress and egress over and across the real property as indicated in Attachment ‘A’;

1. The GRANTEE hereby covenants and agrees that it shall at all times operate and use the temporary parking license in such a manner so as to minimize any disruptions to GRANTOR’S use of GRANTOR’S real property. In the event the GRANTEE shall alter, disturb, or damage any of GRANTOR’S real property in the course of its utilization of the temporary parking license, GRANTEE will restore the GRANTOR’S property, including any improvements thereon to its prior existing condition.
2. In consideration of the rights granted herein, GRANTEE shall pay to GRANTOR on the first day of each month and at the address above, the sum of SEVEN HUNDRED DOLLARS (\$700.00), beginning _____, 2020. In the event that the real property that is the subject of the license is unavailable, in whole or in part, to GRANTEE due to the demolition or renovation of any structure thereon or for any other reason, GRANTEE shall only be obligated to pay a prorated share of the monthly amount based on the actually days the property was unavailable for GRANTEE’s use.
3. To the extent permitted by law, the GRANTEE hereby indemnifies, and agrees to hold GRANTOR harmless from and against any and all claims, demands, costs, judgments and amounts whatsoever suffered by GRANTOR by virtue of GRANTEE’S negligence in the use or maintenance of the temporary license.
4. Nothing herein shall be construed to constitute a waiver of the GRANTEE’S sovereign immunity as set forth in Florida Statutes, Chapter 768.
5. The rights granted herein shall inure to the benefit of GRANTEE, its assign, heirs, successors and invitees. This License shall specifically not confer any rights or remedies upon any person other than the GRANTEE, its assigns, heirs, successors and invitees.

6. The rights and obligations granted and contained herein may be terminated by mutual consent of the parties, or by either party upon SIXTY (60) days written notice sent to the addresses set forth above.
7. This temporary Parking License expressly replaces and supersedes in its entirety that certain Temporary Parking License between the parties dated June 14, 2016.

TO HAVE AND TO HOLD said temporary parking license and right of entry unto GRANTEE, and its successors, heirs, assigns and invitees, for the time period beginning on _____ 2020 until terminated as provided above.

GRANTOR:

signed, sealed and delivered in the presence of:

_____	By: _____
(Print Name) _____	Jayson Stringfellow, President

(Print Name) _____	

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ___ day of _____, 2020 by Jayson Stringfellow as President of Nextbiz, Inc., a Florida corporation, on behalf of the corporation. He/she is personally known to me or has produced _____ as identification.

Notary Public Signature

Notary Public Printed Name
My Commission Expires:

Accepted and Agreed to by action of the City Council of the City of Clermont at its meeting of _____, 2020.

By _____
Mayor Gail Ash

ATTACHMENT 'A'

TEMPORARY PARKING LICENSE AREA



Location Map





CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, September 8, 2020	
Agenda Item Name	
Variance Request 1411 16th Street	
Requested Action	
Recommend approval of requested variance.	
Staff Report	
The property owner; is requesting a variance (1) to allow for a 20 foot rear yard setback instead of the 25 foot rear yard setback required by the Land Development Code, Section 122-125, for the R-1 Single Family Medium Density Residential zoning district. The subject property is located at 1411 16th Street in the Clermont Park Place Subdivision. The applicant would like to construct a 10' x 14' room addition on the rear of the of the existing single-family home.  The proposed room addition as designed, will encroach (5) five-foot into the rear yard setback and will be located 20 foot from the rear-yard property line, the code requires a 25-foot rear yard setback. The applicant has indicated the addition to the home will be similar in design and color to the primary structure. The impervious surface ratio (ISR), with the proposed structure included, would not exceed the maximum 55 percent allowed for residential development. The proposed structure is not in conflict with the City's Comprehensive Plan goals, objectives and policies for residential development. The proposed development is very similar to other properties and will not be out of character to the existing residential neighborhood and surrounding community. Section 86-174 of the Land Development Code requires a positive finding on five items in order to grant a variance, staff has reviewed the application as submitted and find the application does meet a positive finding. Therefore, staff recommends approval of the variance request to the Clermont Land Development Code.	

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	New 86-174 Review Criteria-1411 16th Street Variance	New 86-174 Review Criteria-1411 16th Street Variance.pdf
2.	LOCATION MAP	LOCATION MAP.pdf
3.	Survey	Survey.pdf
4.	1411 16th St Full set of plans	1411 16th St Full set of plans.pdf
5.	Variance Application	Variance Application.pdf
6.	16TH STREET VARIANCE AD	16TH STREET VARIANCE.pdf

Section 86-174 Review Criteria and Findings – 1411 16th Street Variance

The requirements for a variance are as follows:

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

FINDINGS:

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners of negatively impact the standard of living of the citizens of the city;
Applicant response: No answer provided

Staff comments: The requested rear-yard setback variance will not interfere with the reasonable enjoyment of the adjacent property owners. The proposed room addition would encroach into the rear yard setback to allow a 20-foot setback instead of the 25-foot required by the Land Development Regulations. The addition will be similar in design and color as the primary structure.

Positive finding

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

Staff comments: The requested rear setback variance will allow reasonable use of the property and is not out of character with other properties in the neighborhood.

Positive finding

- (3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective, or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance was denied;
Applicant response: No answer provided

Staff comments: The requested variance to the land development code is not out of character with other properties and the intent of the single-family residential zoning code. The proposed 10' x 14' room addition is consistent with other properties and the surrounding neighborhoods.

Positive finding

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

Staff comments: The variance request is consistent with the comprehensive plan, and is not out of character with the intent of the goals, objectives and policies of the land development regulations.

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;

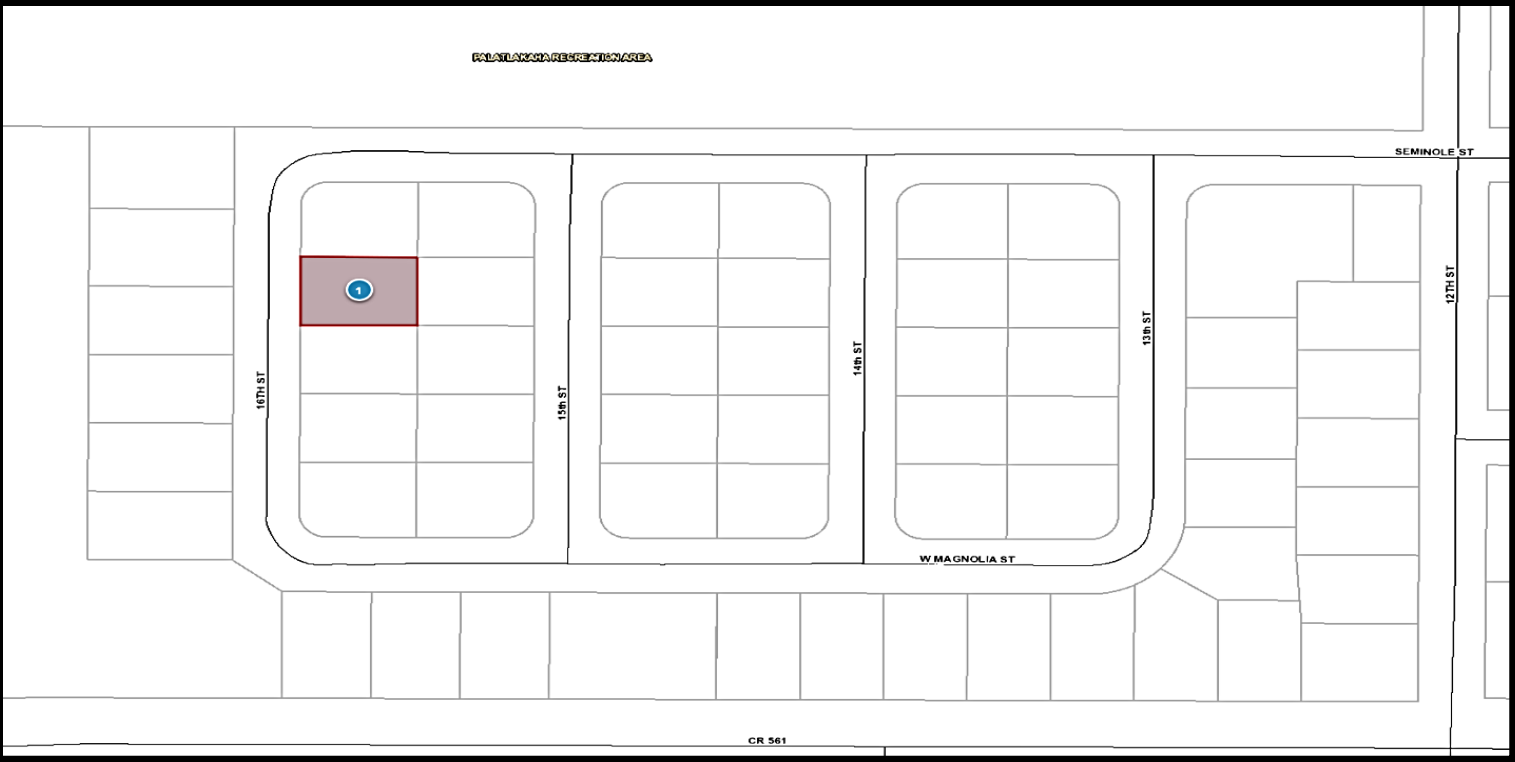
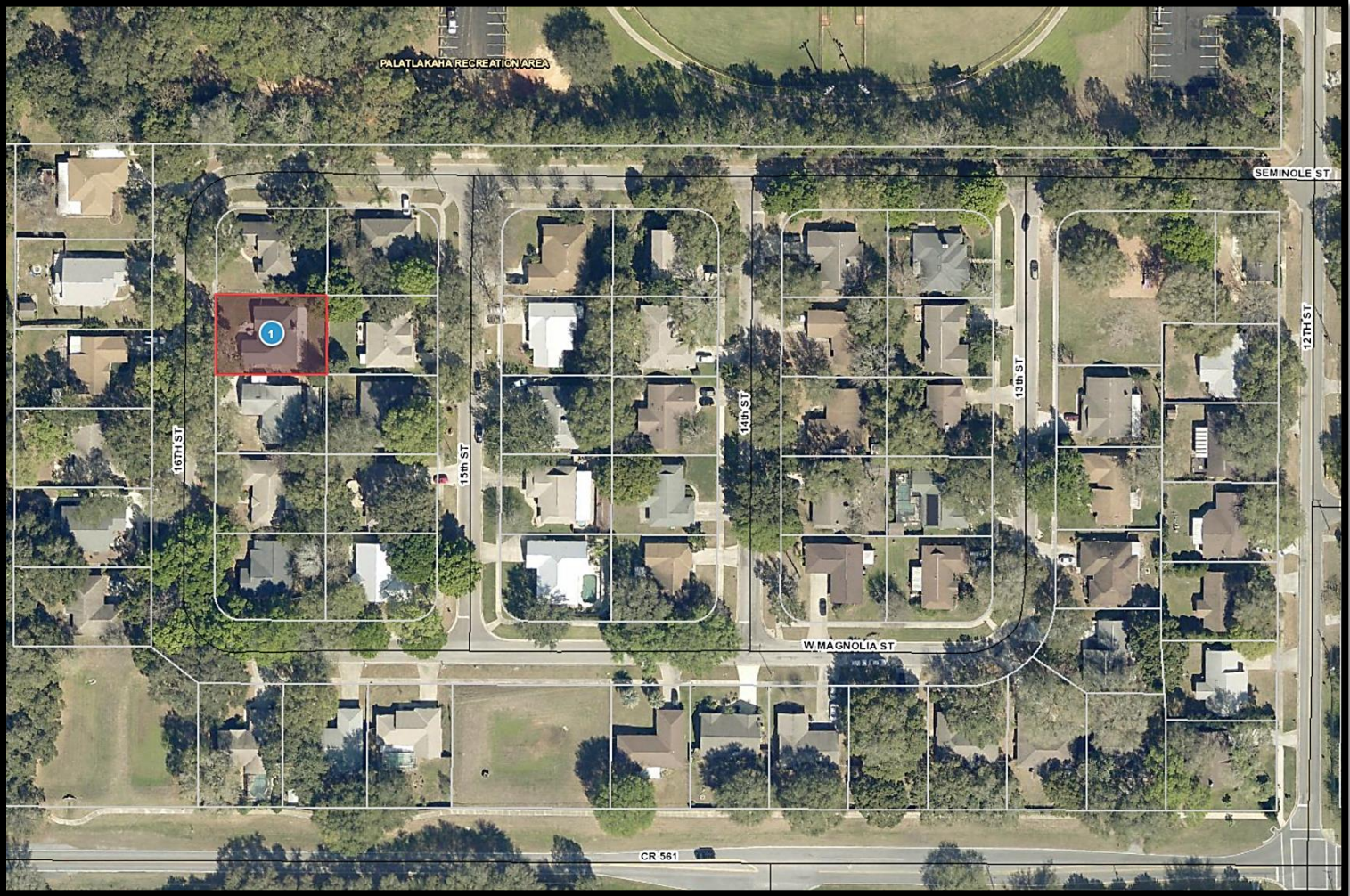
Applicant response: No answer provided.

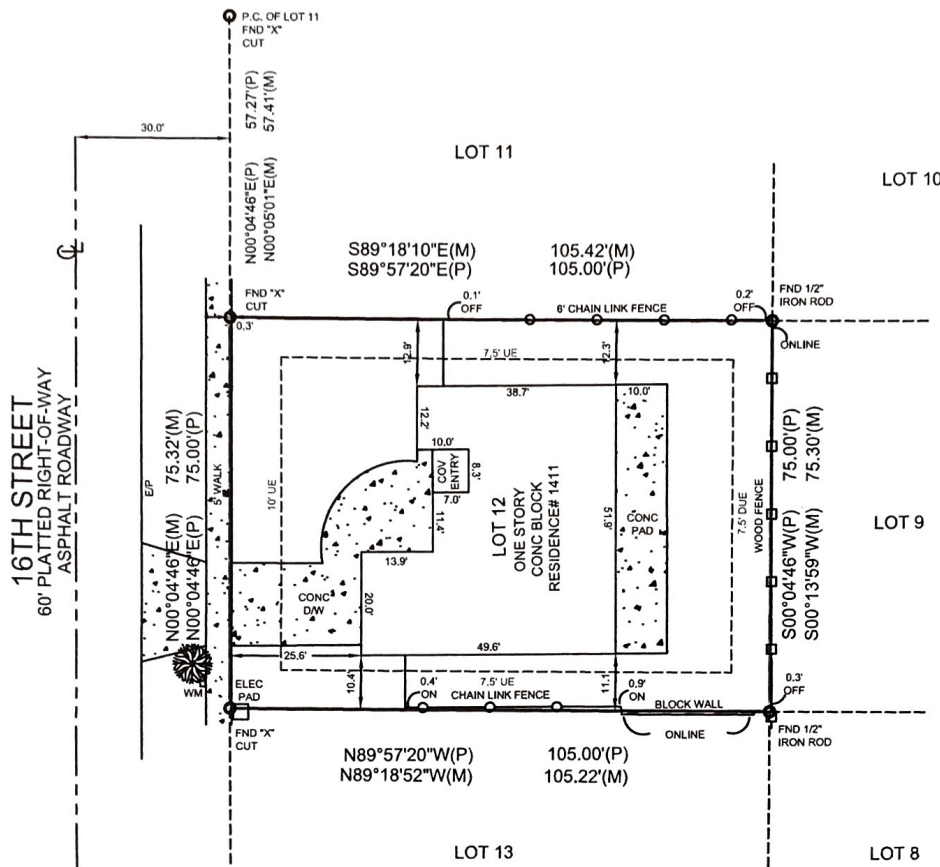
Staff comments: The variance request is the minimum variance that will allow reasonable use of the land and the intent of the code for the R-1 Single Family Medium Density Residential zoning category.

Positive finding

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

LOCATION MAP





ADDRESS

1411 16TH STREET
CLERMONT, FLORIDA 34711

LEGAL DESCRIPTION: (AS FURNISHED)

LOT 12, PARK PLACE, ACCORDING TO THE PLAT THEREOF,
AS RECORDED IN PLAT BOOK 31, PAGES 1-2, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

BASIS OF BEARINGS: BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF LOT 12, BEING N 00°04'46\"/>

LIST OF POSSIBLE ENCROACHMENTS: NONE VISIBLE

DLS #: 16-10-0082
CLIENT #: 1411 16TH
FIELD DATE: 10/26/16
DRAFTER: SDS
APPROVED: BHH
SCALE: 1\"/>

CERTIFIED TO: (AS FURNISHED)

DAVID AARON HOUSTON &
JESSICA CONCETTA HOUSTON
FIDELITY NATIONAL TITLE INSURANCE COMPANY
MOVEMENT MORTGAGE, LLC, ISAOAJATIMA
KAHANE & ASSOCIATES, P.A., AND THEIR
INSURANCE UNDERWRITER

NOTES

1. Survey is based on legal description as supplied by client
2. Abutting properties have not been researched for gaps, overlaps, and/or errors
3. In compliance with F.A.C. 61G17-8.0031-4-E, if location of easements or rights-of-way of record, other than those on recorded plats, is required, this information must be furnished to the surveyor and mapper
4. Fence ownership is not determined
5. No underground improvements or structures were located by this survey, unless otherwise noted
6. This survey should not be used for construction purposes
7. Any septic tank or drainfield locations (if found) are approximate

THIS SURVEY IS PREPARED FOR THE EXCLUSIVE
USE AND BENEFIT OF THE PARTIES LISTED HEREON.
LIABILITY TO THIRD PARTIES MAY NOT BE
TRANSFERRED OR ASSIGNED.

LEGEND	
A/C	- Air Conditioner
C	- Calculated
CL	- Centerline
CB	- Concrete Block
CH	- Chord Distance
CHB	- Chord Bearing
CM	- Concrete Monument
CONC	- Concrete
COV	- Covered
D	- Description
DE	- Drainage Easement
DUE	- Drainage & Utility Esmt
D/W	- Driveway
ESMT	- Easement
FFE	- Finished Floor Elevation
FND	- Found
IP	- Iron Pipe
L	- Length (Arc)
M	- Measured
N&D	- Nail & Disk
NR	- Non-Radial
OHU	- Overhead Utility Line
ORB	- Official Records Book
P	- Plat
PB	- Plat Book
PC	- Point of Curvature
PI	- Point of Intersection
POB	- Point of Beginning
POC	- Point of Commencement
PCP	- Permanent Control Point
PP	- Power Pole
PRC	- Point of Reverse Curvature
PRM	- Permanent Reference Monument
R	- Radius
RAD	- Radial
R&C	- Rebar & Cap
RFD	- Roofed
UE	- Utility Easement
WM	- Water Meter
Δ	- Delta (Central Angle)
-B-	- Wood/PVC Fence
-C-	- Chain Link Fence
PUE	- Public Utility Easement
E/P	- Edge of Pavement

FLOOD ZONE INFORMATION

(FOR INFORMATIONAL PURPOSES ONLY)

SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN
FLOOD ZONE X, AREA OUTSIDE OF THE 100 YEAR FLOODPLAIN,
PER F.I.R.M. PANEL NUMBER 12069C 0570F
LAST REVISION DATE 12/18/12

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS SKETCH OF SURVEY WAS MADE UNDER MY
RESPONSIBLE CHARGE AND TO THE BEST OF MY KNOWLEDGE AND BELIEF SAID
SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA
BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17 FLORIDA
ADMINISTRATIVE CODE. FURTHER, THIS DOCUMENT IS ELECTRONICALLY SIGNED AND
SEALED PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES AND CHAPTER
5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.DATE OF FIELD WORK: 10/26/16
DATE SIGNED: 10/26/16SURVEYOR'S NAME: BILL H. HYATT LS4636
DEAL LAND SURVEYING, LLC LB 8121NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE
AND AUTHENTICATED ELECTRONIC SEAL

DATE	REVISION	DATE	REVISION

FOR ALL INQUIRIES CONTACT:
Deal Land Surveying, LLC
1530 Troika Park Drive
Sanford, FL 32773
Phone#: 407-878-3796
INFO@deallandsurveying.com

SHEET SCHEDULE		
A0	COVER	
A1	EXISTING FLOOR PLAN / DEMOLISH	
A2	EXISTING REAR, RIGHT & LEFT ELEVATIONS	
A3	EXISTING ROOF FRAMING PLAN / DEMOLISH	
A4	NEW PARTIAL FLOOR PLAN	
A5	NEW REAR, RIGHT & LEFT ELEVATIONS	
A6	NEW ROOF PLAN	
A7	DOOR / WINDOW NOTES / DETAILS	
E1	ELECTRICAL FLOOR PLAN ADDITION	
S0	STRUCTURAL NOTES & WIND PRESSURES	
S1	NEW FOUNDATION PLAN ADDITION	
S2	NEW ROOF FRAMING PLAN	

S3	PARTIAL BUILDING SECTION
S4	PARTIAL BUILDING SECTION
S5	STRUCTURAL DETAILS
S6	STRUCTURAL DETAILS

HOUSTON DAVID A & JESSICA C

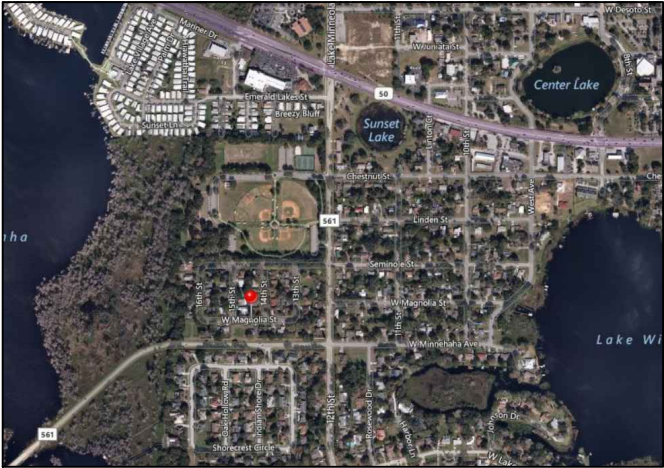
1411 16TH ST,
CLERMONT, FL, 34711

SCOPE OF WORK
± 10'-0" X 14'-0"
1 - STORY REAR ADDITION

PARCEL N.
26-22-25-0700-00A-00000

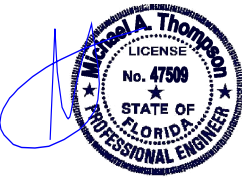
LEAGAL DESCRIPTION
CLERMONT, PARK PLACE SUB
TRACTS A, B PB 31 PG 1-2 |

VICINITY LOCATION

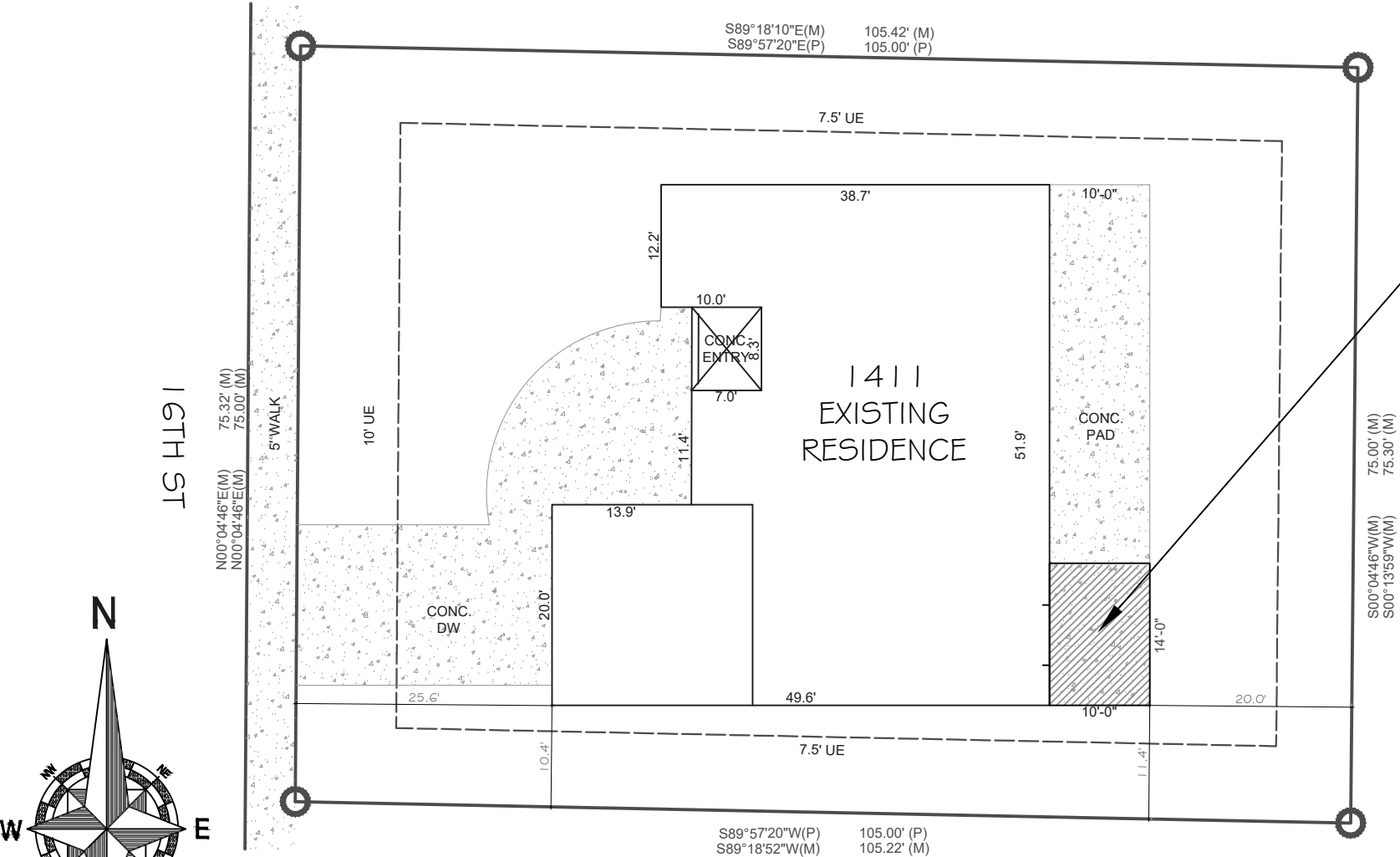


AREA CALCULATIONS

EXISTING RESIDENCE:	2,108 SQ. FT.
FRONT PORCH:	58 SQ. FT.
Total Gross Area:	2,166 SQ. FT.
NEW ADDITION:	140 SQ. FT.
Total Area:	2,306 SQ. FT.



Digitally signed by MICHAEL THOMPSON
Reason: This item has been electronically signed & sealed by Michael A. Thompson using a digital signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.
Date: 2020.08.13 15:47:17 -04'00'



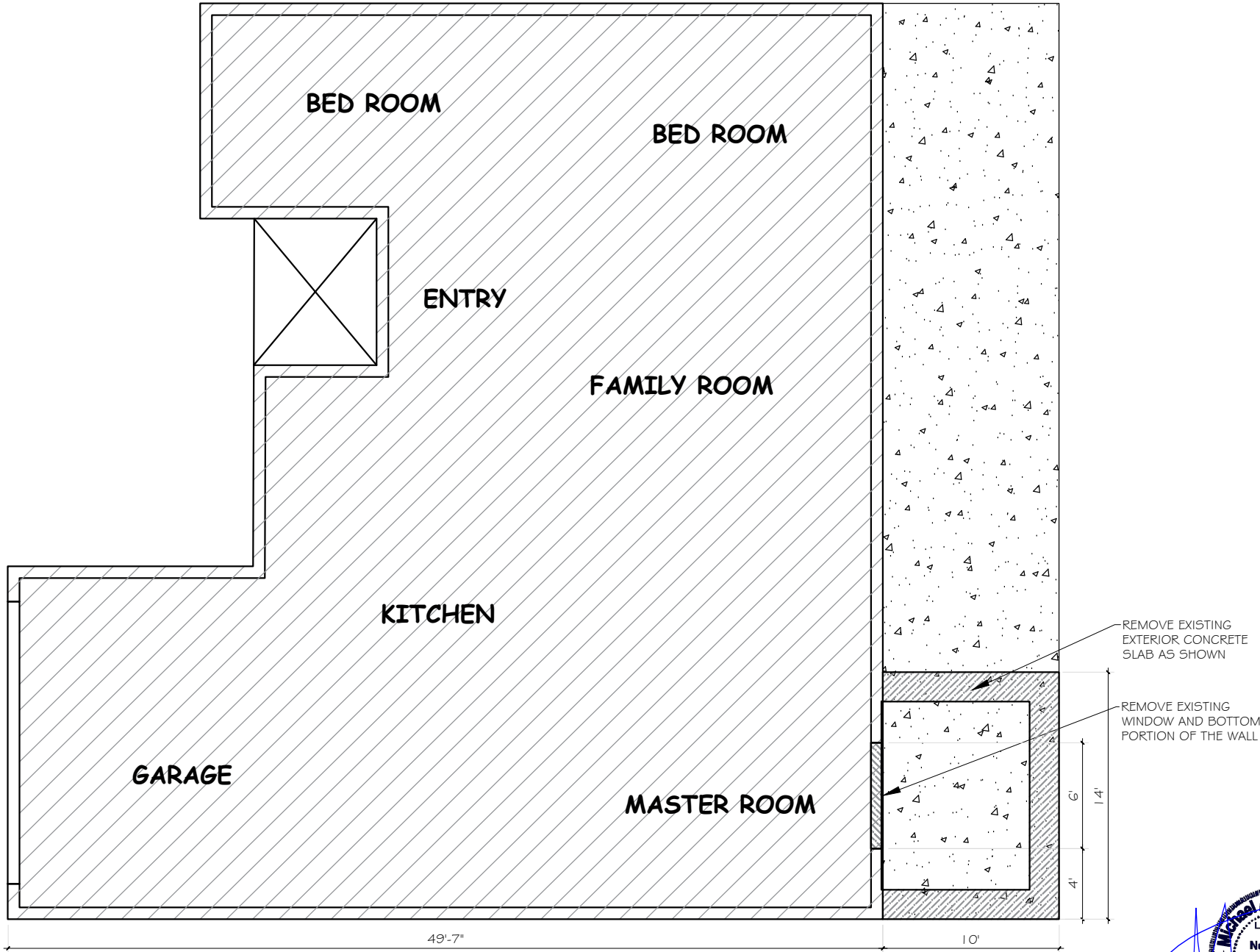
SCHEMATIC SURVEY
SCALE: 1/32" = 1'-0"

PROJECT #
VPPAT
DATE
07/30/20

LAGS
DEVELOPMENT & CONSTRUCTION LLC
321-440-7829

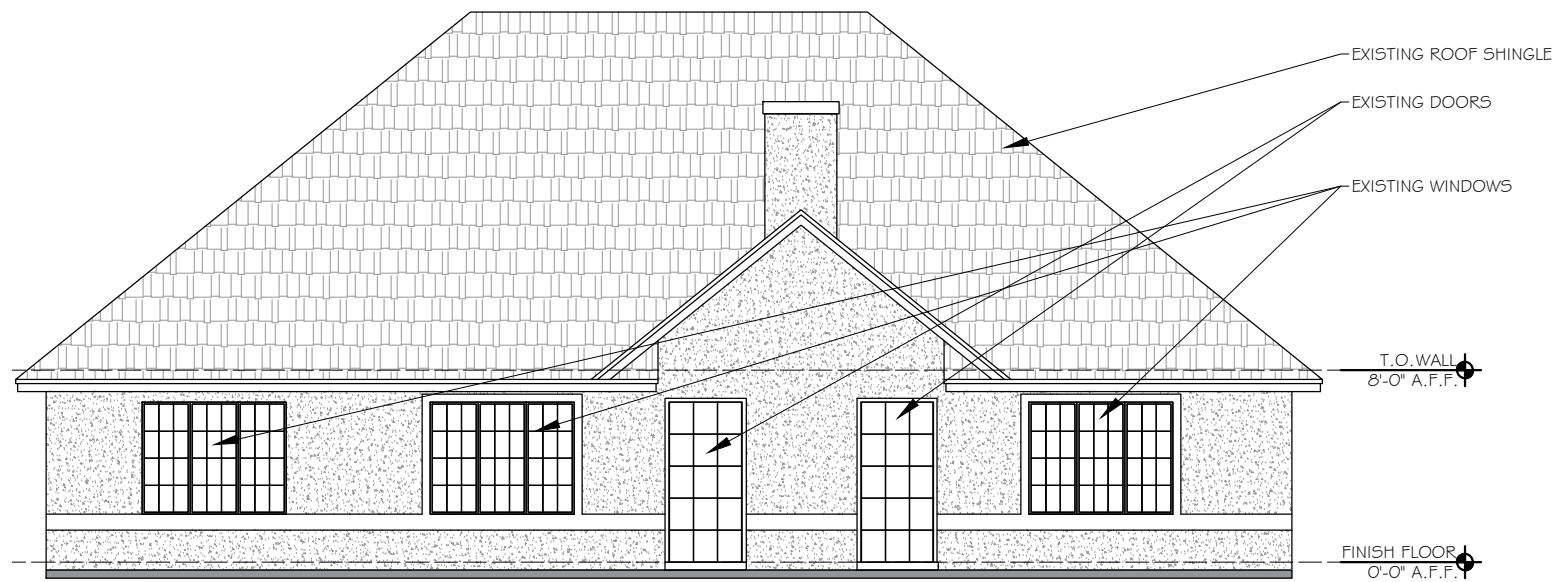
HOUSTON DAVID A & JESSICA C
NEW ADDITION
1411 16TH ST, CLERMONT, FL, 34711

TEG
THOMPSON ENGINEERING GROUP, INC
4401 Vineland Rd
Suite 403
Orlando Florida, 32811
Michael Thompson
PE # 47509

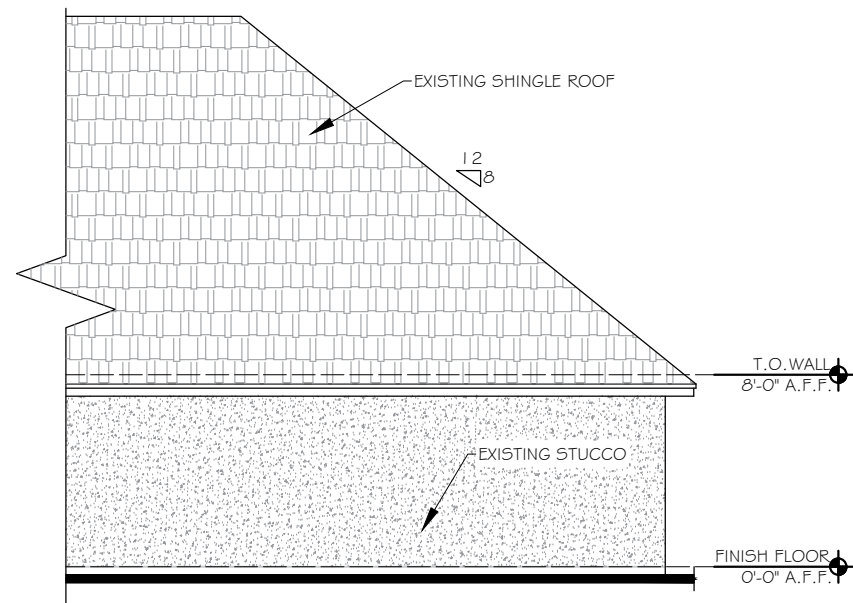


Michael A. Thompson
LICENSE
No. 47509
★
STATE OF
FLORIDA
PROFESSIONAL ENGINEER

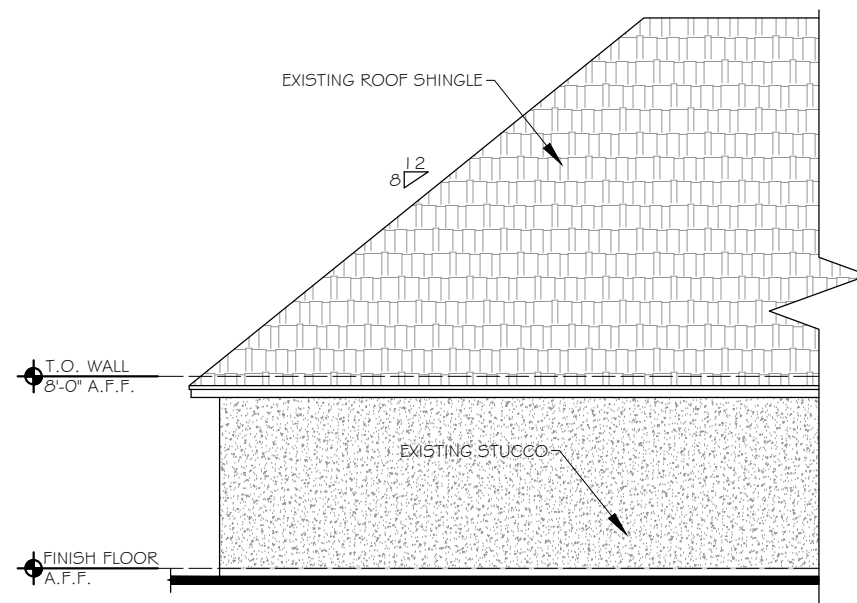
Digitally signed by MICHAEL THOMPSON
Reason: This item has been electronically signed & sealed by Michael A. Thompson using a digital signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.
Date: 2020.08.13 15:47:34 -04'00'



EXISTING REAR ELEVATION
SCALE: 1/8" = 1'-0"



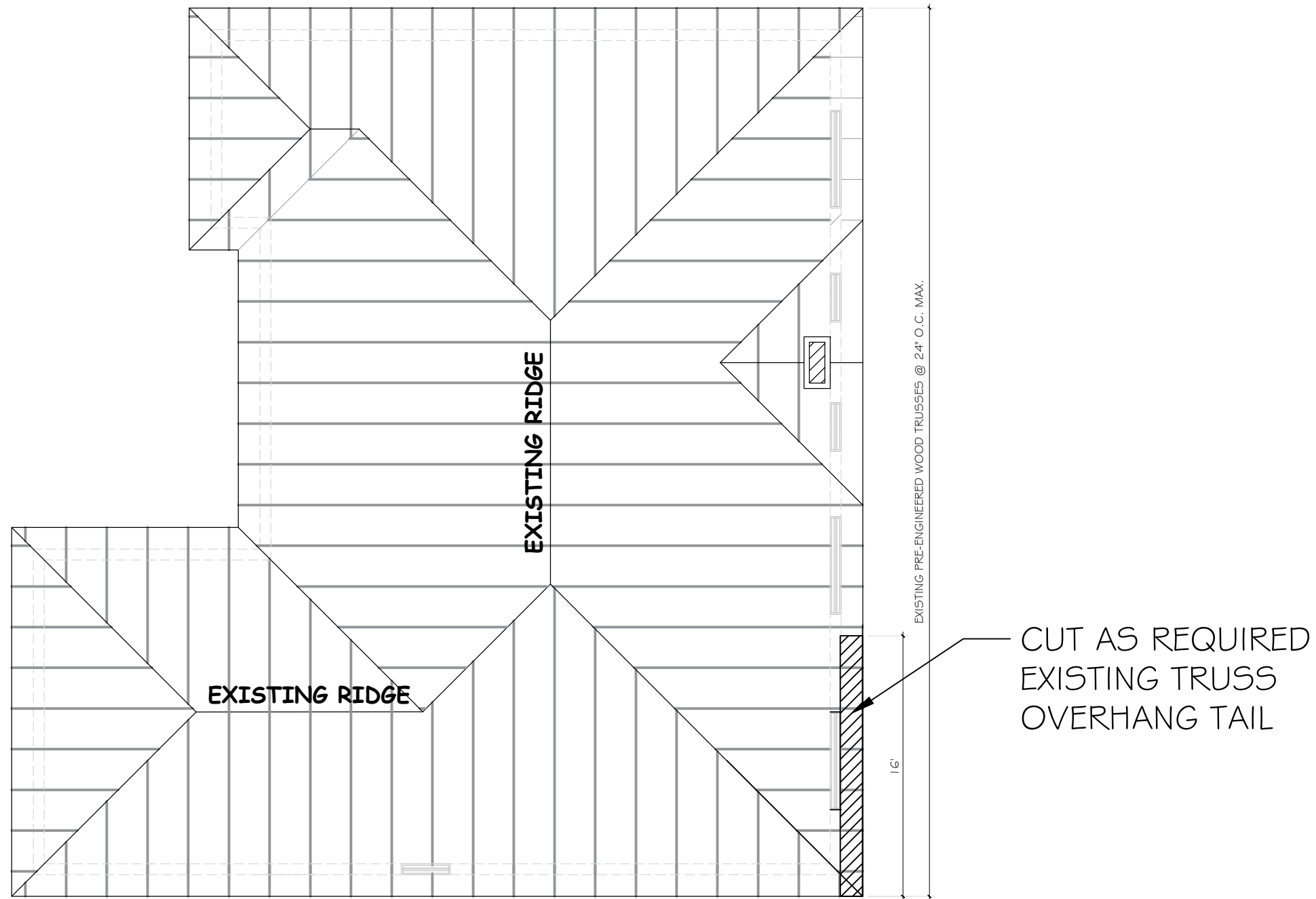
EXISTING PARTIAL RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



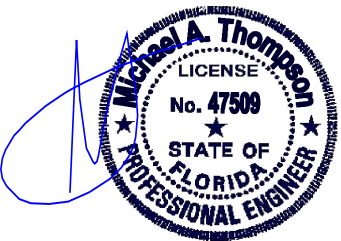
EXISTING PARTIAL LEFT ELEVATION
SCALE: 1/8" = 1'-0"



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EXISTING ROOF FRAMING PLAN / DEMOLISH
SCALE: 1/8" = 1'-0"



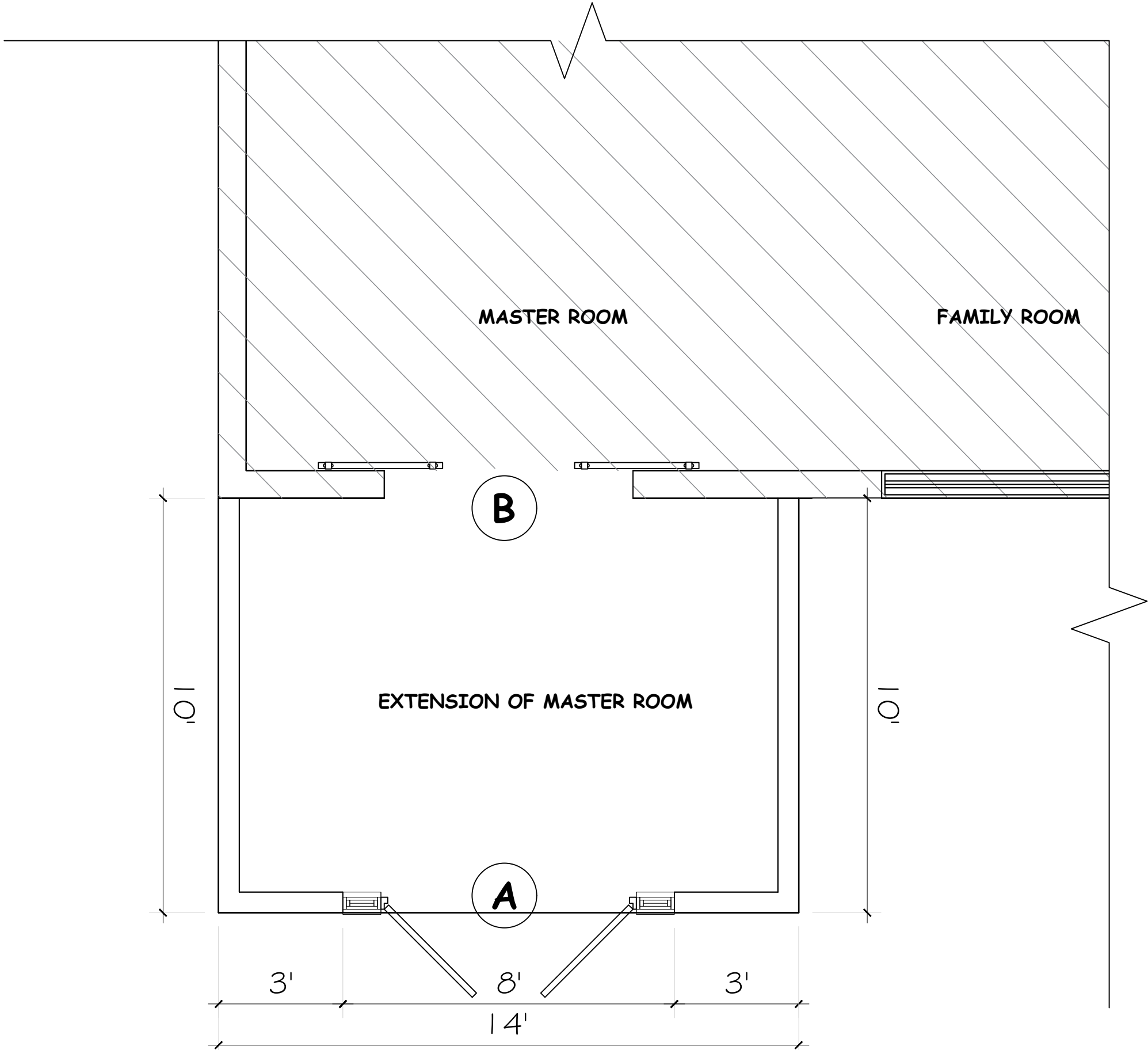
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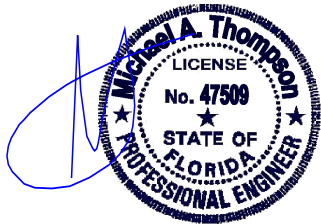
LAGS
DEVELOPMENT & CONSTRUCTION LLC
321-440-7829

HOUSTON DAVID A & JESSICA C
NEW ADDITION
1411 16TH ST, CLERMONT, FL, 34711

TEG
THOMPSON ENGINEERING GROUP, INC
4401 Vineland Rd
Suite 200
Orlando Florida, 32811
Michael Thompson
PE # 47509



NEW PARTIAL FLOOR PLAN
SCALE: 3/8" = 1'-0"



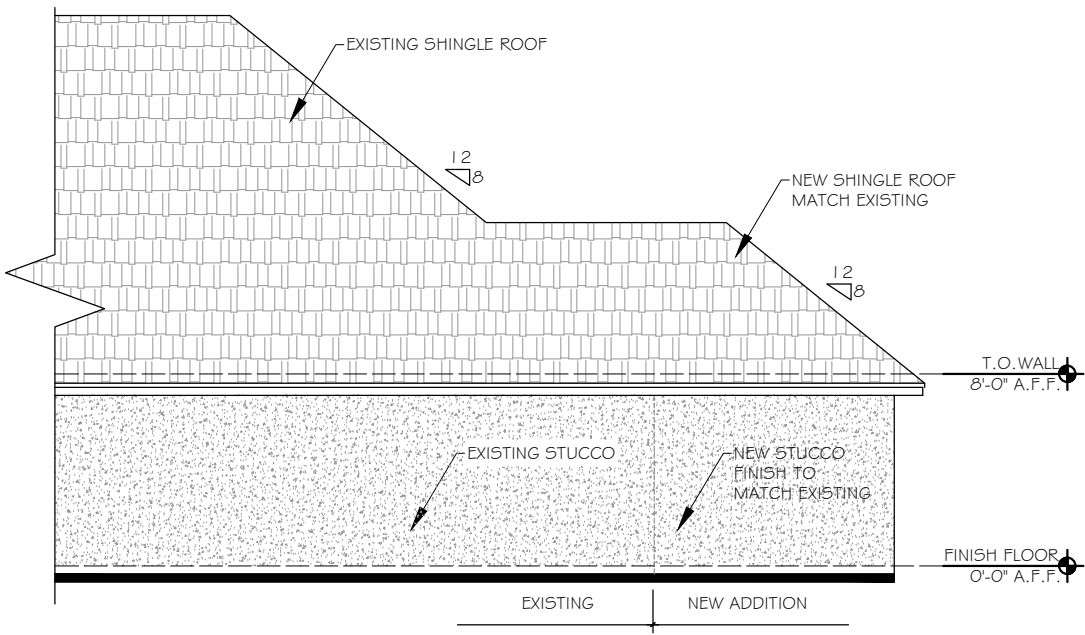
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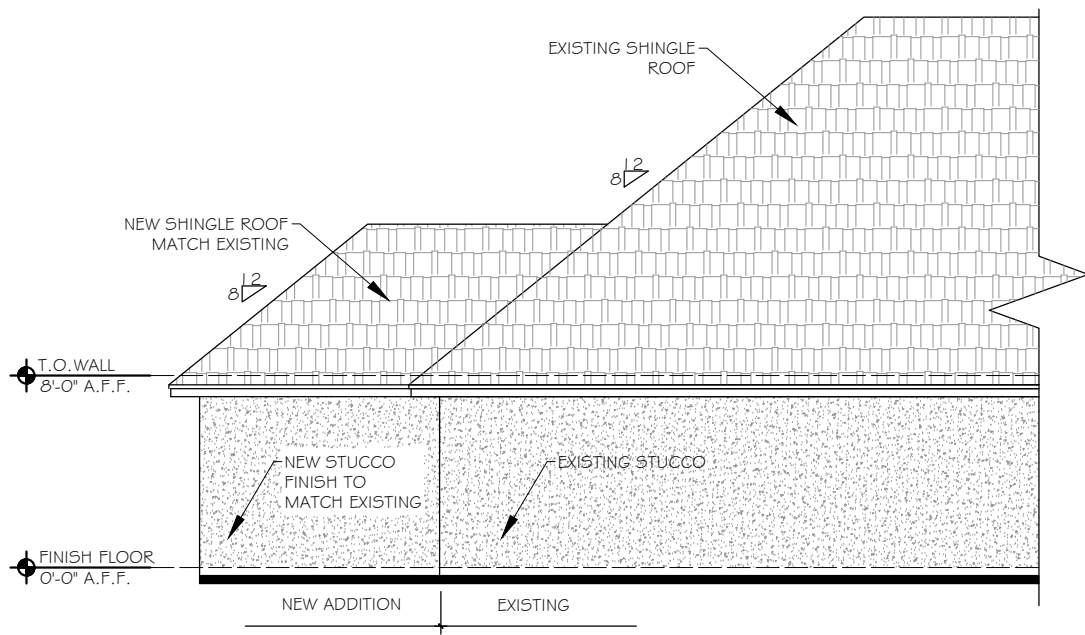
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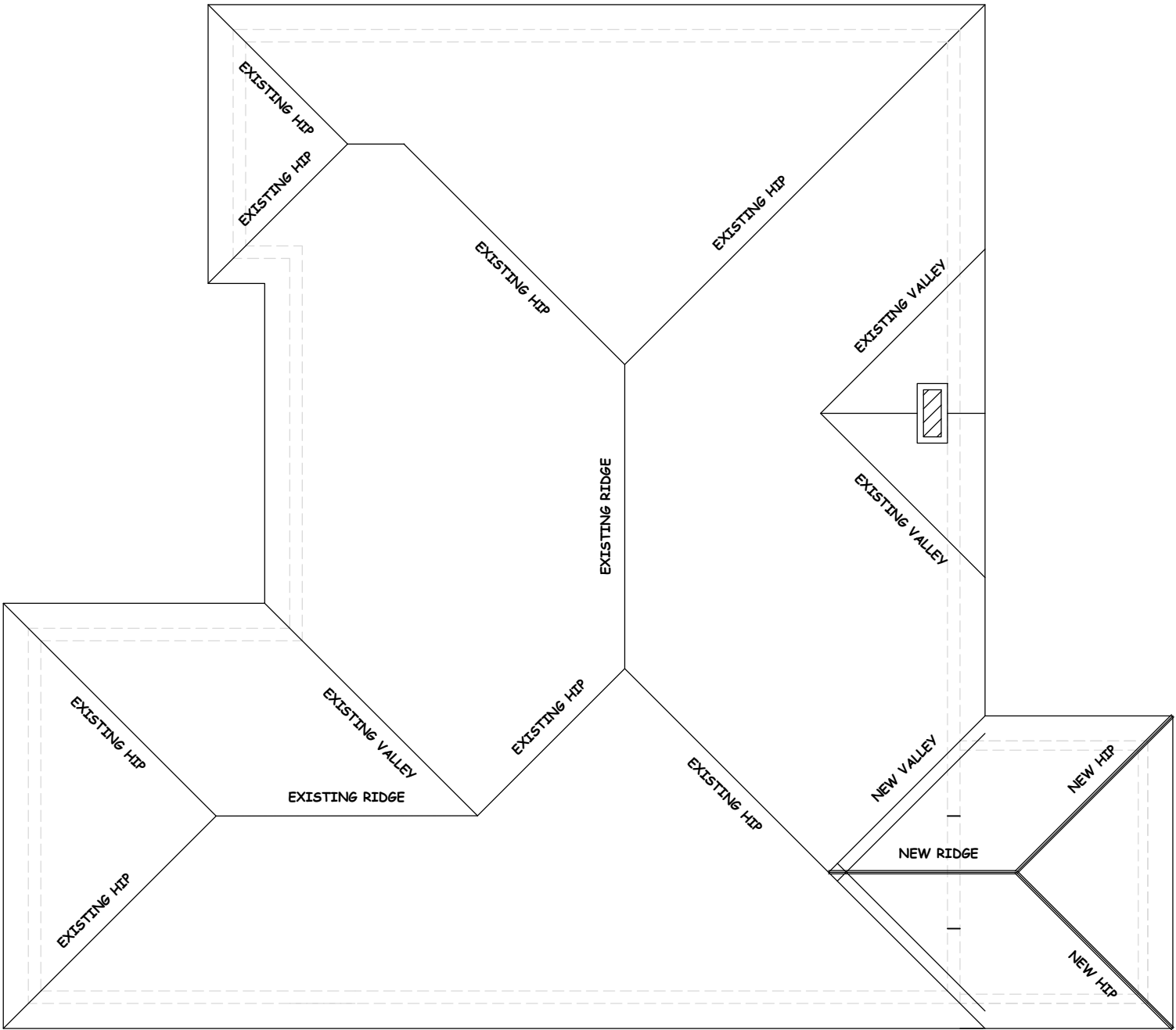
NEW REAR ELEVATION
SCALE: 1/8" = 1'-0"



NEW PARTIAL RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



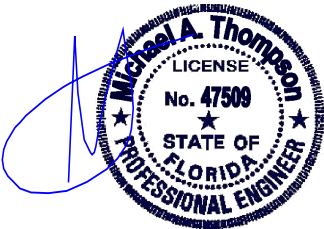
NEW PARTIAL LEFT ELEVATION
SCALE: 1/8" = 1'-0"



NEW ROOF PLAN
SCALE: 1/8" = 1'-0"

AREA CALCULATIONS

EXISTING RESIDENCE:	2,108 SQ. FT.
FRONT PORCH:	58 SQ. FT.
Total Gross Area:	2,166 SQ. FT.
NEW ADDITION:	140 SQ. FT.
Total Area:	2,306 SQ. FT.



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ROOF VENTILATION CALCULATIONS:

ROOF AREA: 140 SQ. FT.
140 / 150/1 = 0.93 SQ. FT. (REQ'D)
1 OFF RIDGE VENTS @ 6 SF = 30 SQ. FT.
TOTAL FREE AREA PROVIDED = 0.93 SQ. FT. > 0.93 SQ. FT.

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4401 Vineland Rd
Orlando Florida, 32811
Michael Thompson
PE # 47509

UNLESS NOTED OTHERWISE:

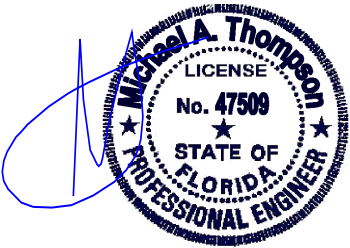
- 1. WINDOW PRESSURES: ALL WINDOWS TO BE DESIGNED FOR WIND LOAD PRESSURES AS NOTED IN SCHEDULE.
- 2. ALL NEW EXTERIOR DOORS AND FRAMES TO BE DESIGNED TO WITHSTAND 135 MPH ULTIMATE WIND LOAD (FBC).
- 3. VERIFY ALL DOOR SIZES AND FRAMES PRIOR TO INSTALLATION TO ASSURE PROPER OPERATION OF DOOR UNIT.
- 4. SUBMIT EXTERIOR DOOR AND WINDOW COMPLIANCE REPORTS SIGNED AND SEALED BY LOCAL LICENSED STRUCTURAL ENGINEER FOR ANY NEW DOORS OR WINDOWS.
- 5. ALL TRIM AROUND WINDOWS AND DOORS TO BE VERIFIED W/ OWNER.
- 6. FIELD VERIFY WINDOW AND DOOR MANUFACTURER'S ROUGH OPENING DIMENSIONS AND COORDINATE W/ REQUIRED BLOCKING FOR ACTUAL ROUGH OPENING IN CMU WALLS. MAXIMUM SHIM SPACE SHALL BE 1/4" ALL AROUND.
- 7. ALL HANDLES TO BE LEVER HANDLES AND SAME FINISH.
- 8. ALL EXTERIOR DOORS TO HAVE METAL THRESHOLDS, WEATHER STRIPPING AND KEYED VANDAL RESISTANT LOCKSET WITH NRP HINGES.
- 9. COORDINATE LOCK REQUIREMENTS ON DOORS WITH OWNER. BEDROOM & BATHROOM DOORS TO HAVE PRIVACY LOCK.

FINISH HARDWARE

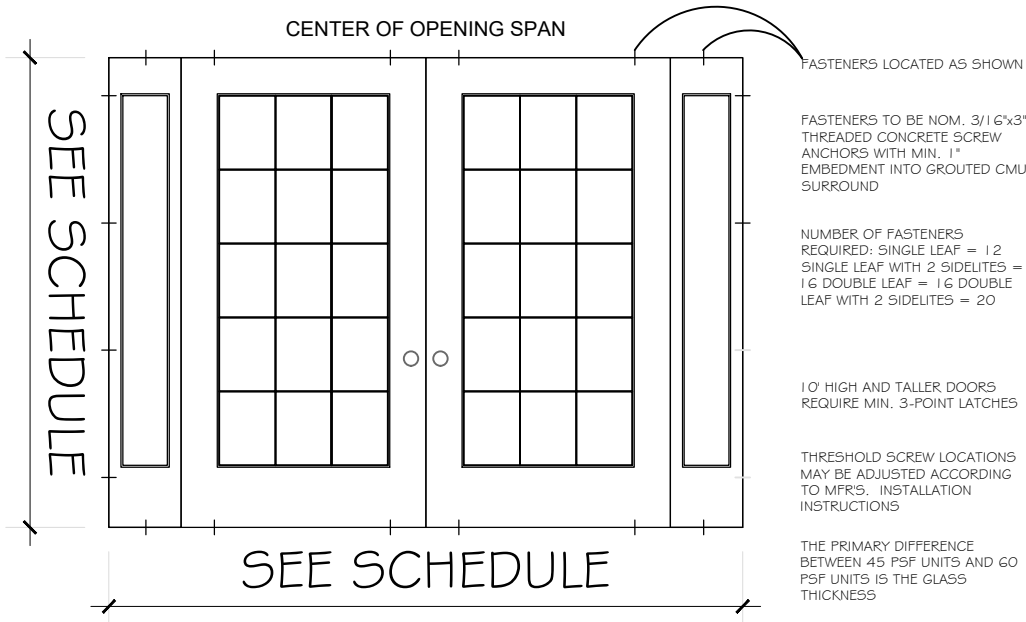
- 1. FINISH HARDWARE SHALL BE INSTALLED IN ACCORDANCE WITH PROPER PRACTICES RECOGNIZED BY THE DOOR AND HARDWARE INSTITUTE, 7711 OLD SPRINGHOUSE ROAD, MCLEAN, VA. 22102-3474 (VERIFY LATEST ADDRESS AND PHONE) AND ANSI BHMA A-156 SERIES, ADA, AND FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS ACCESSIBILITY STANDARDS.
- 2. SUPPLIER: FINISH HARDWARE SHALL BE FURNISHED BY A COMPANY HAVING APPROPRIATE TECHNICAL KNOWLEDGE AND EXPERIENCE TO CORRECTLY INTERPRET DRAWINGS AND SPECIFICATIONS. SUPPLIER SHALL BE PREPARED AT ALL TIMES DURING PROGRESS OF INSTALLATION TO PROMPTLY PROVIDE COMPETENT ARCHITECTURAL HARDWARE CONSULTANT (AHC) TO APPROVE ITS COMPLETE INSTALLATION IN ORDER THAT ALL ITEMS SHALL BE INSTALLED IN THE BEST MANNER AND FUNCTION PROPERLY.

DOOR / WINDOW LEGEND

AL	-	ALUM. STOREFRONT -	HS	-	HORIZONTAL SLIDER
BF	-	FAC. FIN. - SEE WDW ELEV.	IM	-	INSULATED METAL
BP	-	BI-FOLD	NO	-	NONE
DH	-	BI-PASS	PKT	-	POCKET
FP	-	DOUBLE HUNG	SC	-	SOLID CORE WOOD
	-	FIBERGLASS REINFORCED	SGD	-	SLIDING GLASS DOOR
	-	PLASTIC	SH	-	SINGLE HUNG
FR	-	FRENCH	ST	-	STEEL
FX	-	FIXED	WD	-	WOOD
GLB	-	GLASS BLOCK	WDP	-	WOOD PAINT
HC	-	HOLLOW CORE WOOD	WDV	-	WOOD VARNISH
HM	-	HOLLOW METAL	WP	-	WOOD PANEL

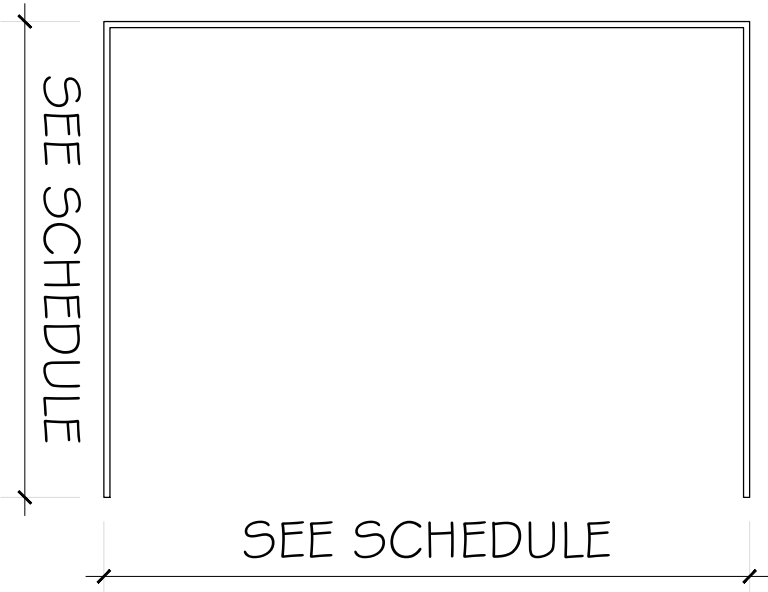


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WIND LOADING & 45 PSF FOR 120 MPH WIND LOADING
DOOR FASTENING STANDARDS FOR 60 PSF FOR 140 MPH

A FR - FRENCH
DOOR TYPE ELEVATIONS



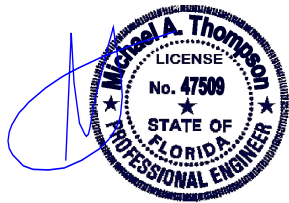
B F1 - WOOD
DOOR FRAME TYPES

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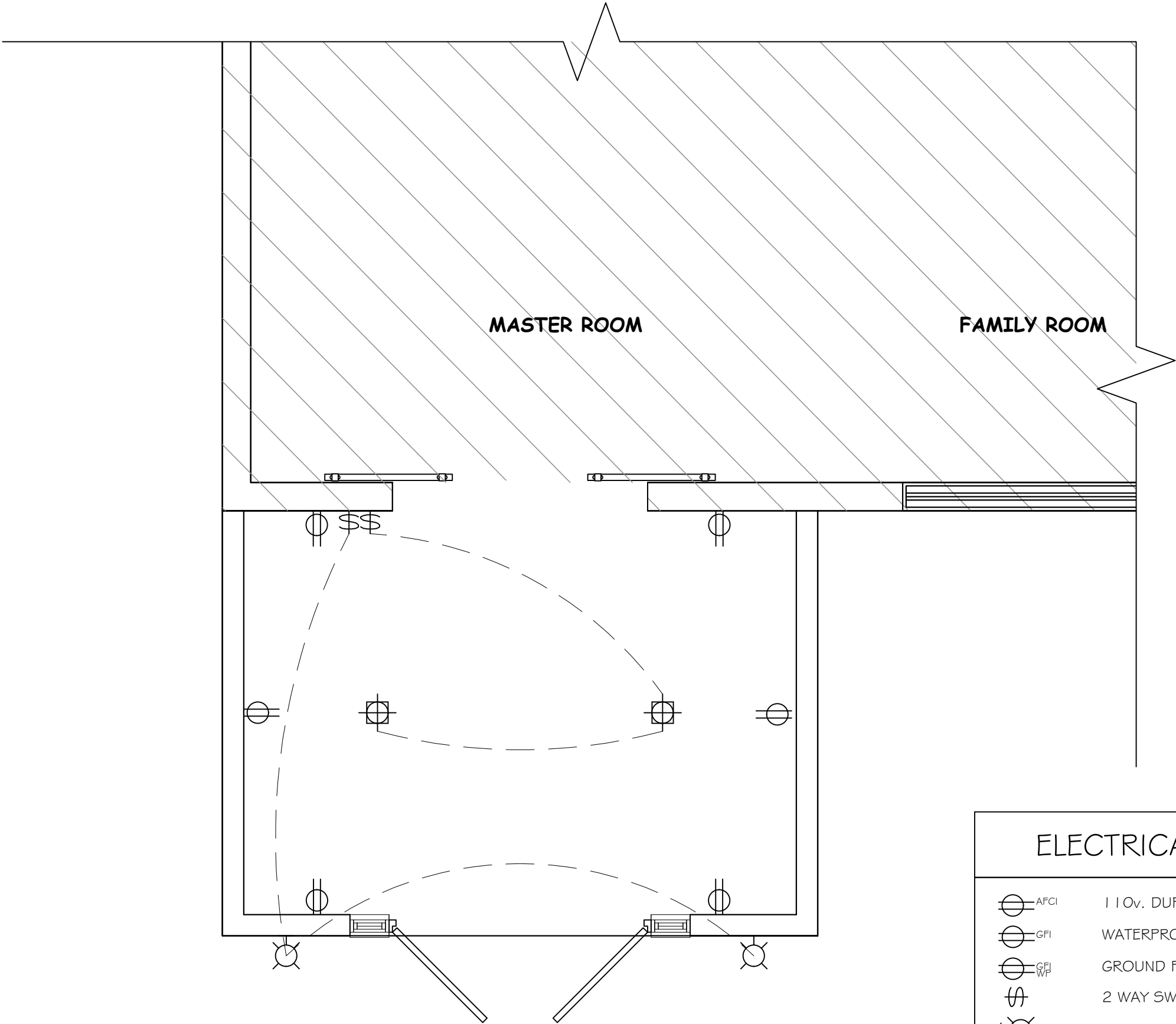
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ELECTRICAL LEGEND

- AFCI 110v. DUPLEX OUTLET
- GFI WATERPROOF OUTLET
- GFI WP GROUND FAULT INSULATED
- 2 WAY SWITCH
- WALL BRACKET LTG.
- RECESSED CAN LTG.

ELECTRICAL PARTIAL FLOOR PLAN

SCALE: 3/8" = 1'-0"

STRUCTURAL NOTES

GENERAL

1. LIVE LOAD

ROOF:

UNINHABITABLE ATTIC WITHOUT STORAGE:

UNINHABITABLE ATTIC WITH LIMITED STORAGE:

HABITABLE ATTICS AND ATTICS SERVED WITH FIXED STAIRS:

BALCONIES (EXTERIOR) AND DECKS:

GUARDS AND HANDRAILS:

GUARD IN-FILL COMPONENTS:

PASSENGER VEHICLE GARAGES:

ROOMS OTHER THAN SLEEPING ROOM:

SLEEPING ROOMS:

STAIRS:
- 20 PSF.

10 PSF.

20 PSF.

30 PSF.

40 PSF.

200 PSF.

50 PSF.

50 PSF.

40 PSF.

30 PSF.

40 PSF.

2. ULTIMATE DESIGN WIND SPEED V_{ULT} = 140 MPH, 3-SEC. GUST

3. NOMINAL DESIGN WIND SPEED V_{ASD} = 105 MPH, 3-SEC. GUST

4. OCCUPANCY IMPORTANCE FACTOR = 1.0

5. RISK CATEGORY II

6. WIND EXPOSURE B

7. INTERNAL PRESSURE COEFFICIENTS = +0.18 AND -0.18

8. ALL WORK TO BE IN STRICT ACCORDANCE WITH THE 2017 FLORIDA RESIDENTIAL CODE 6TH EDITION

9. ONLY WRITTEN CHANGES APPROVED BY THE ENGINEER OF RECORD SHALL BE PERMITTED.

10. STRUCTURAL ANALYSIS IS BASED ON AN ENCLOSED STRUCTURE.

11. CONTRACTOR/OWNER(S) SHALL BE RESPONSIBLE TO OBTAIN ALL HOA APPROVALS PRIOR TO THE START OF CONSTRUCTION

12. SHOULD THERE BE ANY DISCREPANCY BETWEEN THE HOA AND THE FBC, THE EOR SHALL BE NOTIFIED IMMEDIATELY.

MASONRY

1. DESIGN, MATERIAL AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE ACI STANDARD BUILDING CODE REQUIREMENTS FOR CONCRETE MASONRY STRUCTURES: ACI 530/ACI 530.1.

2. CMU BLOCK SHALL HAVE 8" MINIMUM NOMINAL THICKNESS.

3. CMU CELLS INDICATED IN PLAN OR NOTES AS FILLED CELLS SHALL BE GROUTED WITH 3000 PSI CONCRETE. (8" TO 10" SLUMP).

4. CMU CONCRETE BLOCKS SHALL CONFORM TO ASTM C-90 (28 DAY STRENGTH 2000 (PSI) (FM = 1500 PSI), LAID IN RUNNING BOND.

5. MORTAR SHALL BE TYPE S OR M.

6. LAP SPlice FOR A #5 BAR TO BE 30 INCHES.

7. STEEL REINFORCEMENT FOR FILLED CELLS SHALL BE GRADE 60.

PRE-ENGINEERED WOOD TRUSSES:

1. ALL PRE-ENGINEERED WOOD TRUSSES SHALL BE DESIGNED, DETAILED AND FABRICATED IN ACCORDANCE WITH THE PROCEDURES AND REQUIREMENTS OUTLINED IN THE LATEST EDITION OF THE NATIONAL DESIGN SPECIFICATIONS FOR WOOD CONSTRUCTION, TRUSS PLATE INSTITUTE'S (TPI) AND NATIONAL DESIGN STANDARD FOR METAL PLATE CONNECTED WOOD TRUSS CONSTRUCTION. ALL HANDLING, INSTALING AND BRACING WORK TO BE IN STRICK ACCORDANCE TO TPI'S H1B-91.

2. ALL WORK TO BE IN STRICT ACCORDANCE WITH THE LATEST EDITION OF FLORIDA BUILDING CODE, CHAPTER 16, AND ALL APPLICABLE LOCAL CODES.

3. WIND SPEED= REFER TO GENERAL NOTES

4. DEAD LOAD (MINIMUM)

TOP CHORD= 7 PSF.

BOT CHORD= 10 PSF. NON-ACCCECIBLE ATTICS.

BOT CHORD= 15 PSF. ALL OTHER ATTICS.

5. LIVE LOAD (MINIMUM)

TOP CHORD= 20 PSF. UP TO 4:12 ROOF PITCH.

TOP CHORD= 16 PSF. 5:12 & 6:12 ROOF PITCH

BOT CHORD= 0 PSF. NON-ACCESIBLE ATTIC.

BOT CHORD= 10 PSF. ACCESSIBLE ATTICS.

BOT CHORD= 20 PSF. UNINHABITABLE ATTICS.

BOT. CHORD= 30 PSF. HABITABLE ATTICS.

6. PRE-ENGINEERED WOOD TRUSSES SHALL BE SIZED AND DETAILED TO FIT THE DIMENSIONS AND LOADS INDICATED. ALL DESIGN SHALL BE IN ACCORDANCE WITH ALLOWABLE VALUES AND SECTION PROPERTIES ASSIGNED AND APPROVED BY A LICENSED PROFESSIONAL ENGINEER AND ARE TO BE SUBMITTED TO THE ARCHITECT/ENGINEER FOR APPROVAL.

7. PERMANENT BRIDGING/BRACING PERPENDICULAR TO THE SPAN OF THE TRUSSES SHALL BE PROVIDED AS REQUIRED BY THE TRUSS MANUFACTURER. TRUSS MANUFACTURER SHALL PROVIDE BRACING TO THE BOTTOM CHORD OF ROOF TRUSSES FOR UPLIFT LOADING CONDITIONS.

8. SUBMIT ROOF VALLEY MEMBER SIZES, FRAMING DETAILS AND CONNECTIONS.

9. TRUSS MANUFACTURER TO PROVIDE TRUSS PROFILES FOR EACH TRUSS AND TRUSS PLACEMENT LAYOUT, FOR APPROVAL, SIGNED AND SEALED BY A FLORIDA REGISTERED PROFESSIONAL ENGINEER.

10. TRUSS MANUFACTURER TO PROVIDE ALL CONNECTIONS BETWEEN PRE-ENGINEERED WOOD TRUSSES AND TO SUBMIT FOR APPROVAL.

11. TRUSS MANUFACTURER TO PROVIDE VERTICAL AND DIAGONAL WEB MEMBERS WITHIN PRE-ENGINEERED WOOD FLOOR TRUSSES TO ALLOW VERTICAL LOADS, FROM ROOF MEMBERS, TO BE TRANSFERRED TO CMU OR WOOD BEARING WALLS.

12. GABLE-END DESIGN SHALL INCLUDE VERTICAL LOADS IMPOSED BY "X" BRACING.

13. ENGINEER OF RECORD MUST TO BE NOTIFIED IF CHANGES ARE MADE

CONCRETE

1. ALL WORK TO BE IN STRICT ACCORDANCE WITH THE ACI 318.

2. MIX DESIGN CRITERIA: REFER TO THE SPECIFICATIONS, ALL CONCRETE TYPE I PORTLAND CEMENT, (ASTM C 150) 3000 PSI COMPRESSIVE STRENGTH @ 28 DAYS, (U.O.N.) W/C RATIO LESS OR EQUAL TO 0.58 SLUMP- SLAB ON GRADE 5" OTHER 3" WATER- POTABLE CHLORIDE- NONE

3. CONCRETE WITH A COMPRESSIVE STRENGTH OF 2500 PSI @ 28 DAYS IS ACCEPTABLE FOR SLABS.

4. PROVIDE NORMAL WEIGHT AGGREGATES IN COMPLIANCE WITH THE REQUIREMENTS OF ASTM C 33.

5. REINFORCING BARS AS PER ASTM A615 GRADE 60.

6. EARTH SUPPORTED SLABS TO BE 5/8" INCH THICK WITH 6X6 W1.4XW1.4 WWF AT MID DEPTH OF THE SLAB. FIBERMESH MAY BE USE IN LIEU OF WWF AT THE CONTRACTORS DISCRETION.

7. EXTERIOR GRADE TO BE A MINIMUM OF 4 INCHES BELOW TOP OF CONCRETE SLAB

FOUNDATION:

1. FOOTING DESIGN BASED ON SAFE MINIMUM ALLOWABLE SOIL BEARING PRESSURE OF 2000 PSF.

2. CONTRACTOR SHALL VERIFY, PRIOR TO PLACEMENT OF THE FOUNDATIONS, THAT THE SOIL IS CAPABLE OF SUPPORTING 2000 PSF. OF BEARING PRESSURE.

3. IF FOOTING ELEVATION OCCURS IN DISTURBED, UNSTABLE OR UNSUITABLE SOIL, THE ENGINEER OF RECORD SHALL BE NOTIFIED AND NECESSARY ADJUSTMENTS SHALL BE MADE PER THEIR INSTRUCTIONS.

4. PREPARATION OF THE SUB GRADE SHALL BE IN STRICT ACCORDANCE WITH INSTRUCTIONS OUTLINED IN THE GEO-TECHNICAL REPORT.

5. STEPS IN WALL FOOTINGS SHALL NOT EXCEED A SLOPE OF (1) VERTICAL TO (2) HORIZONTAL.

6. CAUTION SHALL BE USED WHEN OPERATING VIBRATORY COMPACTION EQUIPMENT NEAR EXISTING STRUCTURES TO AVOID THE RISK OF DAMAGING THE EXISTING STRUCTURE.

7. REINFORCING BARS AS PER ASTM A615 GRADE 40.
- MIX DESIGN CRITERIA: REFER TO THE SPECIFICATIONS,

ALL CONCRETE TYPE I PORTLAND CEMENT, (ASTM C 150)

2500 PSI COMPRESSIVE STRENGTH @ 28 DAYS, (U.O.N.)

W/C RATIO LESS OR EQUAL TO 0.58

SLUMP - 3"

WATER - POTABLE

CHLORIDE - NONE

VERIFICATION OF FIELD CONDITIONS:

1. CONTRACTOR SHALL VERIFY ALL FIELD CONDITIONS AND DIMENSIONS RELATIVE TO SAME. WHERE THERE ARE CONFLICTS BETWEEN ACTUAL FIELD CONDITIONS AND DATA PRESENTED IN THE DRAWINGS, SUCH CONDITIONS SHALL BE CALLED TO THE ARCHITECT'S AND OR TO THE ENGINEER OF RECORD'S (EOR) ATTENTION AND NECESSARY ADJUSTMENTS MADE PER THEIR INSTRUCTIONS.

2. EXISTING STRUCTURE SHALL BE FIELD VERIFIED TO BE IN COMPLIANCE WITH THE PLAN REQUIREMENTS AND FBC 2017.

3. IF THERE ARE ANY DISCREPANCIES BETWEEN THESE STRUCTURAL NOTES AND THE STRUCTURAL DETAILS, THE STRICTER OF THE TWO SHALL GOVERN.

WOOD

1. ALL WOOD FRAMING SHALL BE DESIGNED, DETAILED AND FABRICATED IN ACCORDANCE WITH THE PROCEDURES AND REQUIREMENTS OUTLINED IN THE LATEST EDITION OF THE NATIONAL DESIGN SPECIFICATIONS FOR WOOD CONSTRUCTION.

2. FOR STRUCTURAL LUMBER, PROVIDE THE FOLLOWING GRADE AND SPECIES (EQUIVALENT OR BETTER) U.O.N.: SOUTHERN PINE OR SPRUCE PINE FIR SURFACES DRY USED AT 19% MAX. M.C. GRADE NO. 2

3. ALL WOOD FRAMING IN DIRECT CONTACT WITH EARTH OR CONCRETE TO BE PRESSURE TREATED. THE USE OF METAL SEAT PLATES IN LIEU OF PRESSURE TREATED WOOD IS ACCEPTABLE.

4. PROVIDE GALVANIZED METAL HANGERS AND FRAMING ANCHORS OF THE SIZE AND TYPE AS SHOWN IN THESE DOCUMENTS, CONNECT AS PER MANUFACTURER RECOMMENDATIONS. (SIMPSON STRONG TIE OR EQUIVALENT)

5. ALL BOLTS USED FOR WOOD CONSTRUCTION SHALL BE A MINIMUM OF 3/4" DIAMETER (ASTM A-307) WITH 7" MINIMUM EMBED (U.O.N. IN PLANS).

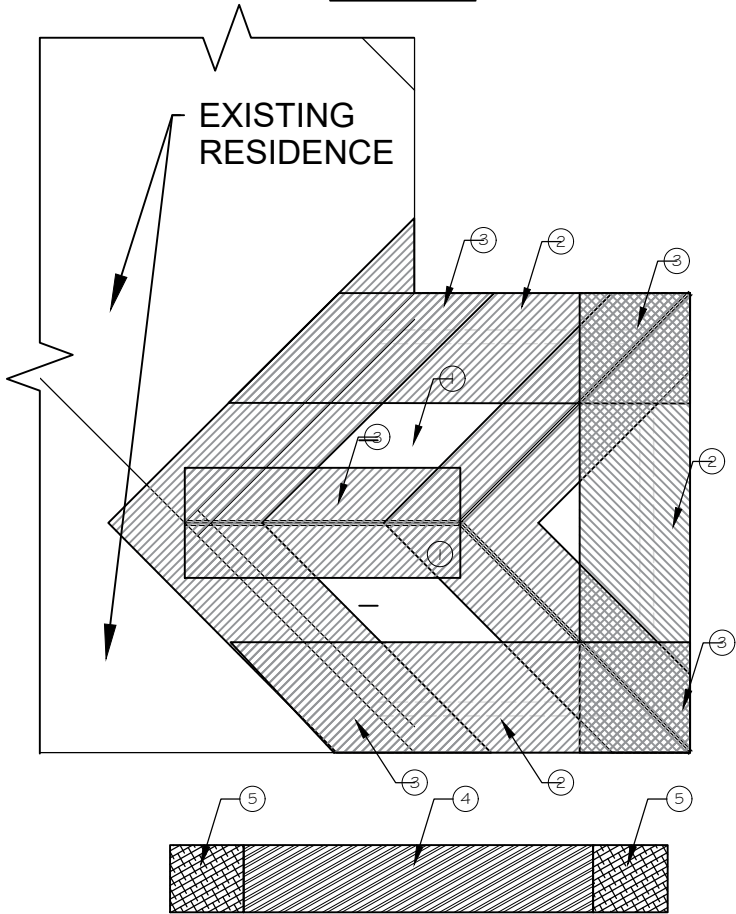
6. PROVIDE FRAMING MEMBERS OF SIZES AND OF SPACING SHOWN, OR IF NOT SHOWN, COMPLY WITH THE RECOMMENDATIONS OF THE FLORIDA BUILDING CODE, LATEST EDITION.

7. DO NOT SPLICE STRUCTURAL MEMBERS BETWEEN SUPPORTS.

8. PROVIDE ANCHORAGE AND NAILING FOR MEMBERS AND SHEATHING AS SHOWN IN THE DWG'S AND TO COMPLY WITH THE FLORIDA BUILDING CODE, LATEST EDITION.

9. ROOF FRAMING SHEATHING: 1 5/32" INCH THICK CDX, RATED "EXP. 1". SEE DETAIL "A/55" FOR NAILING PATTERN. WALL SHEATHING: 1 5/32" INCH THICK CDX, RATED "EXP. 1". SEE DETAIL "B/55" FOR

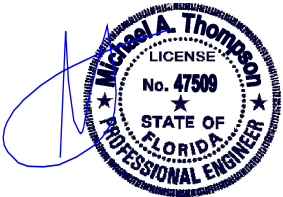
COMPONENTS AND CLADDING ULTIMATE WIND PRESSURES



ROOF PRESSURES ULTIMATE		PRESSURES IN PSF.	
TRIBUTARY AREA	INTERIOR (1)	PERIMETER (2)	CORNER (3)
A<=20	-30.1	-52.3	-77.3
	+18.9	+18.9	+18.9
20<A<=50	-29.2	-48.1	-72.3
	+17.3	+17.3	+17.3
50<A<=100	-28.1	-42.6	-65.6
	+15.1	+15.1	+15.1
100<A	-27.3	-38.4	-60.6
	+13.4	+13.4	+13.4

WALL PRESSURES ULTIMATE		PRESSURES IN PSF.	
TRIBUTARY AREA	INTERIOR (4)	PERIMETER (5)	
A<=20	-30.1	-52.3	
	+18.9	+18.9	
20<A<=50	-29.2	-48.1	
	+17.3	+17.3	
50<A<=100	-28.1	-42.6	
	+15.1	+15.1	
100<A	-27.3	-38.4	
	+13.4	+13.4	

NOTE: TO OBTAIN NOMINAL "ASD" WIND PRESSURES
MULTIPLY VALUES SHOWN ON TABLE BY A FACTOR OF 0.6



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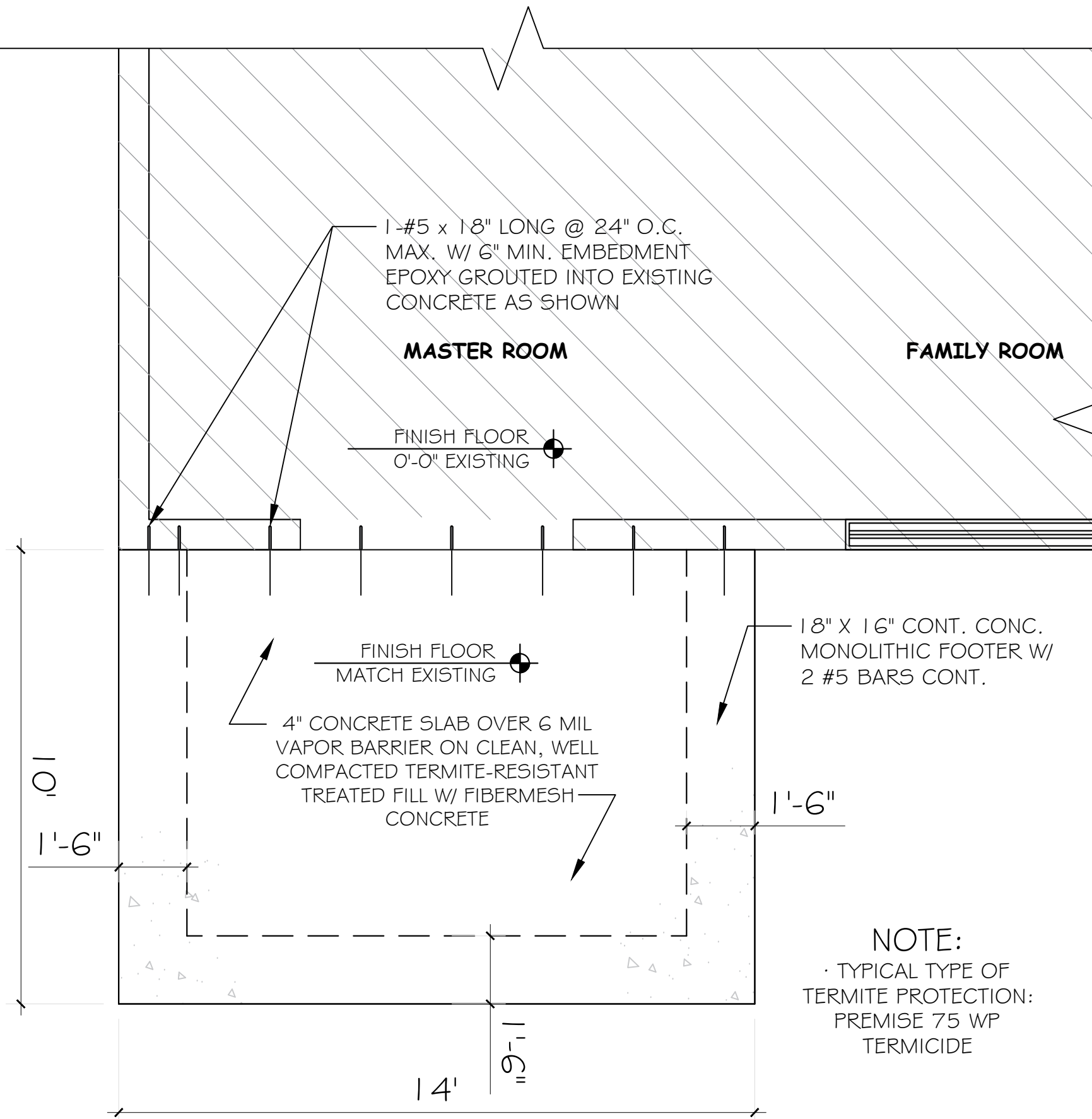
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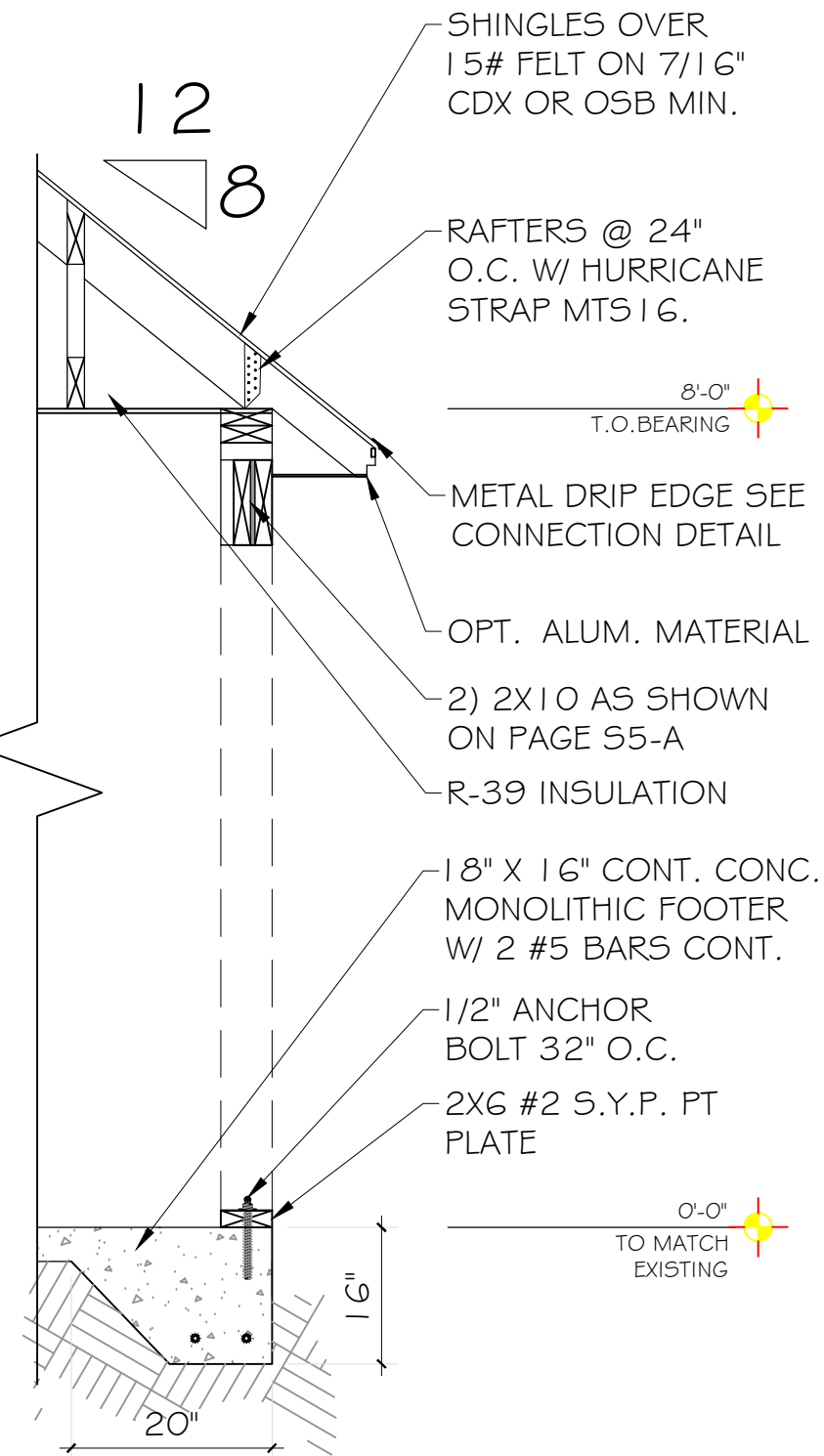


NEW FOUNDATION PLAN ADDITION

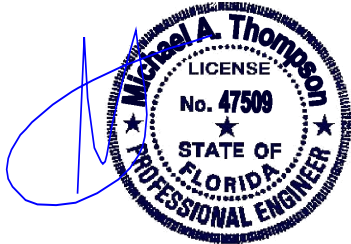
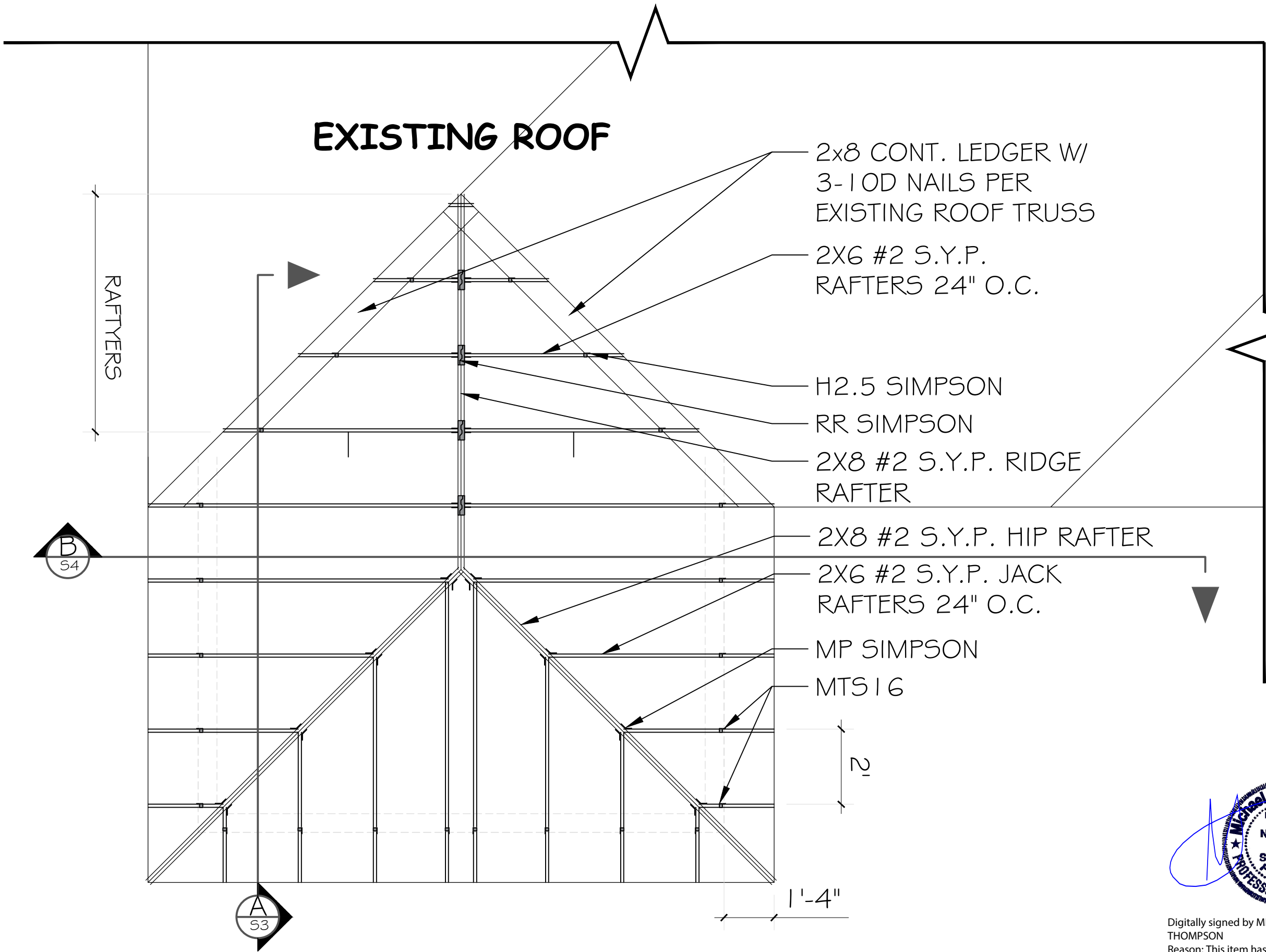
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WALL SECTION

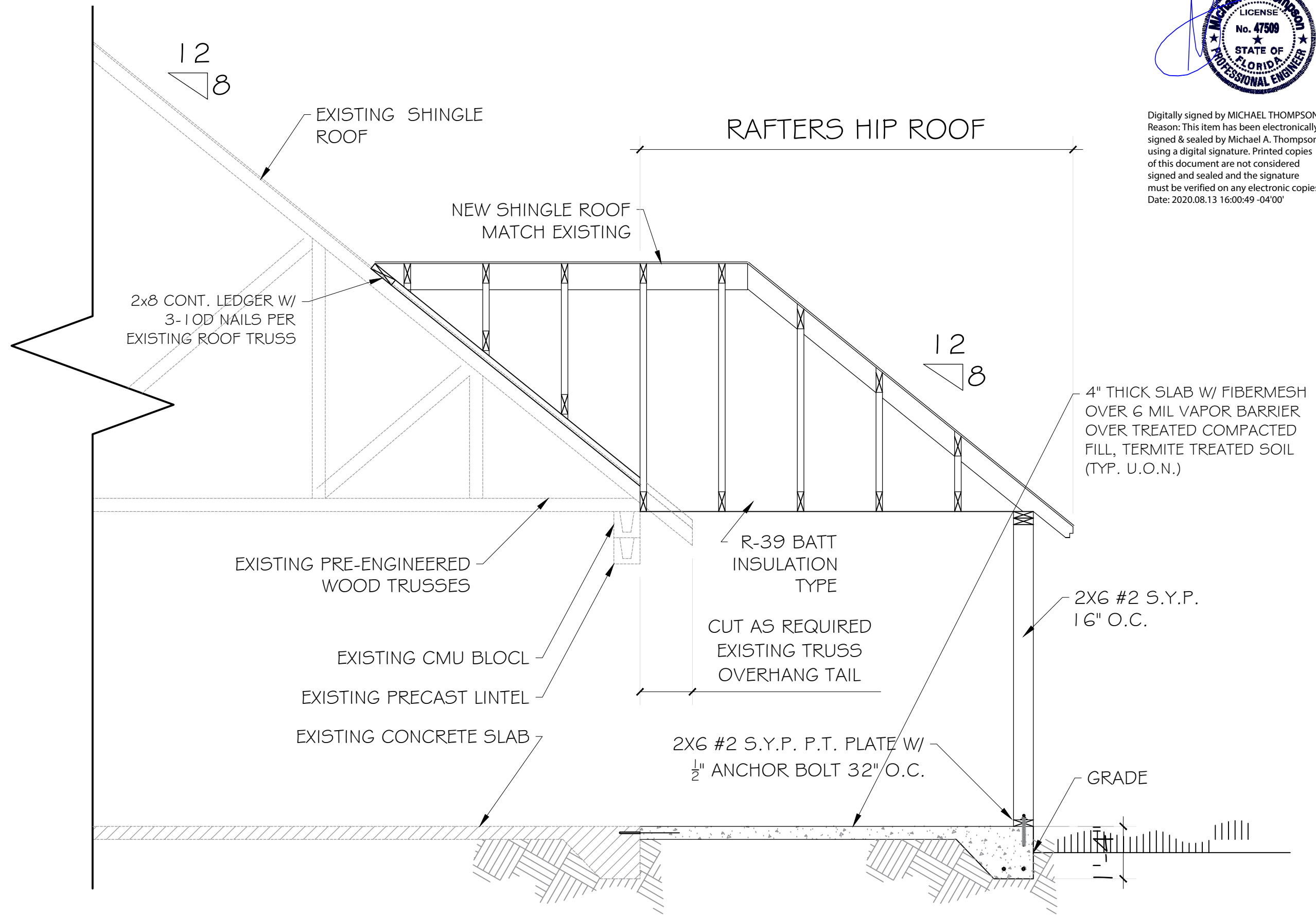
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A PARTIAL BUILDING SECTION

SCALE: 1/32" = 1'-0"

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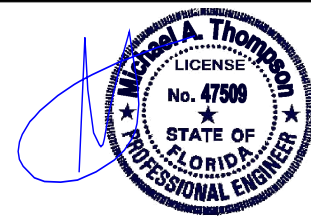
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4401 Vineland Rd
Suite 200
Orlando Florida, 32811
Michael Thompson
PE # 47509

S3



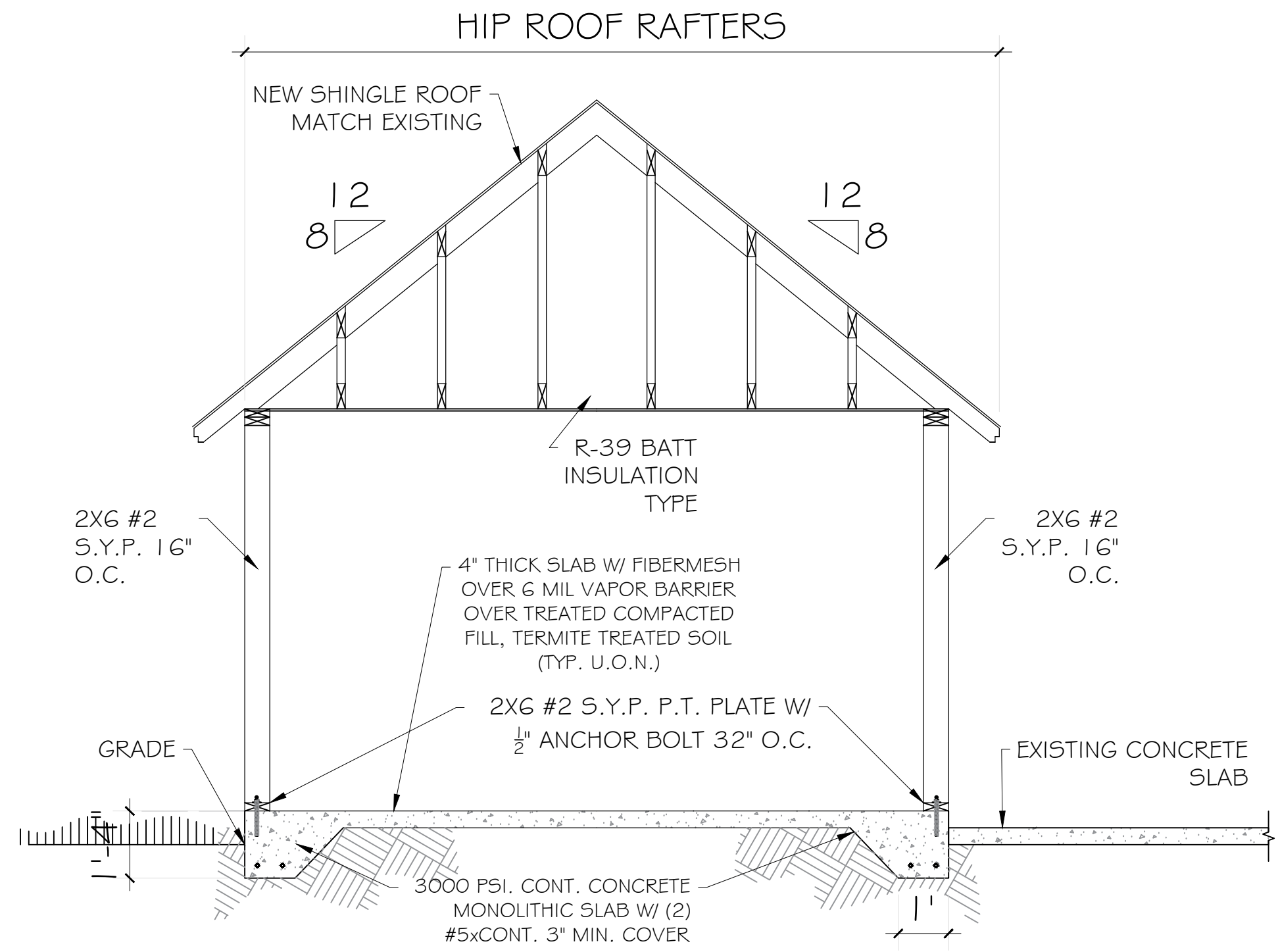
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and sealed and the signature must be
verified on any electronic copies.
Date: 2020.08.13 16:04:12 -04'00'

PROJECT #
VPPAT
DATE
07/30/20

LAGS
DEVELOPMENT & CONSTRUCTION LLC
321-440-7829

HOUSTON DAVID A & JESSICA C
NEW ADDITION
1411 16TH ST, CLERMONT, FL, 34711

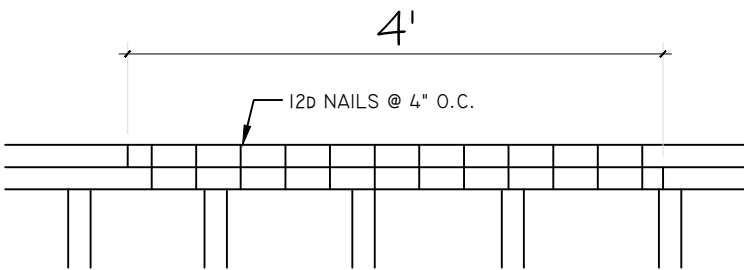
TEG
THOMPSON ENGINEERING GROUP, INC
4401 Vineland Rd
Suite 200
Orlando Florida, 32811
Michael Thompson
PE # 47509



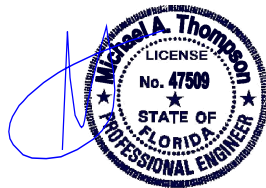
B PARTIAL BUILDING SECTION
SCALE: 1/32" = 1'-0"

LOAD BEARING WALLS
HEADER/STUD/STRAP CHART (NTS)

#2 SYP HEADER SIZE	MAXIMUM SPAN	HEADER STUD(S) @ EACH END	FULL LENGTH STUD(S) @ EACH END	# STRAPS @ EACH END OF HEADER
(2) 2"x6"	5'-1"	1	1	1
(2) 2"x8"	6'-0"	1	1	1
(2) 2"x10"	8'-2"	2	2	2
(2) 2"x12"	9'-8"	2	2	2



MINIMUM WALL AND HEADER STUD REQUIREMENTS					
1. The header stud shall not be required if the header is supported by a suitable framing member.		MAXIMUM HEADER SPAN (ft)			
		3'	6'	9'	12'
NUMBER OF HEADER STUDS SUPPORTING END OF HEADER					
		1'	1	2	2
UNSUPPORTED WALL HEIGHT	STUD SPACING	NUMBER OF FULL-LENGTH STUDS AT EACH END OF HEADER			
10' OR LESS	16"	2	2	3	3
GREATER THAN 10'	12"	2	2	3	4
	16"	2	2	3	3

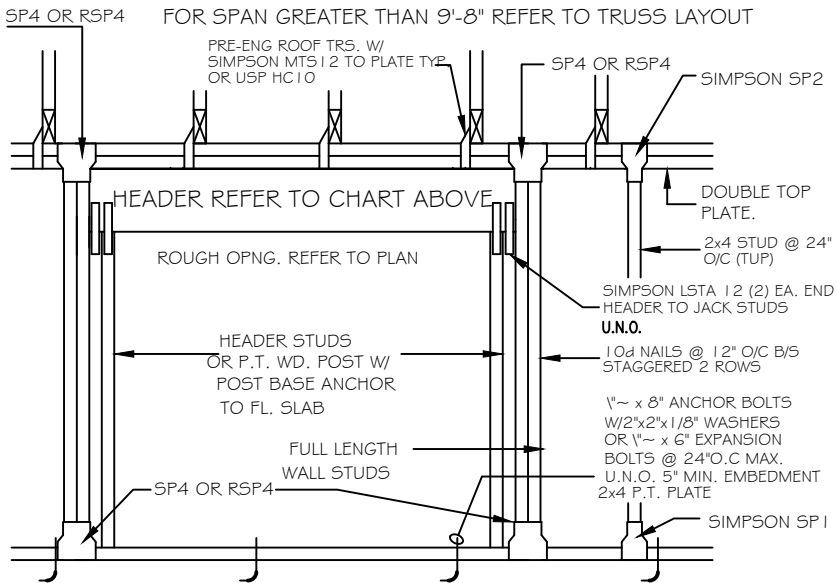


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PROJECT #
VPPAT
DATE
07/30/20

LAGS

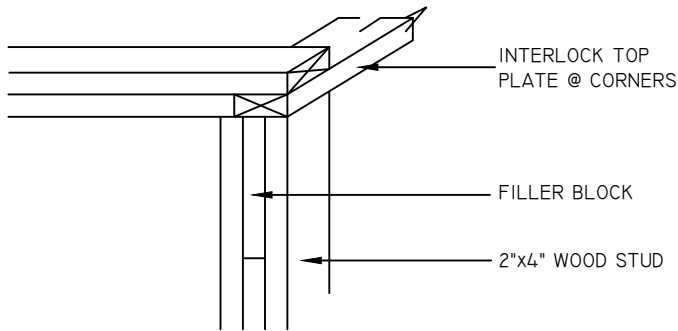
DEVELOPMENT & CONSTRUCTION LLC
321-440-7829



TOP PLATE SPLICE DETAIL

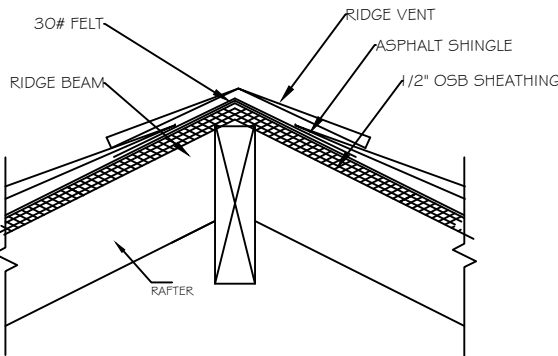
N.T.S.

3



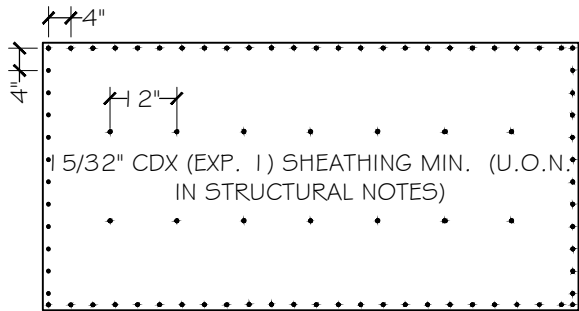
TOP PLATE CORNER DETAIL

N.T.S.



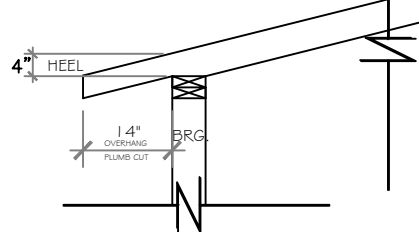
Section @ Ridge Vent

N.T.S.



USE 8d NAILS AT 4" O.C. AT ALL PANEL EDGES AND 12" O.C. IN THE FIELD (TYP U.O.N. IN STRUCTURAL NOTES)

SHINGLE LOADING
140 M.P.H.
EXPOSURE C



TYPICAL RAFTER END

CONNECTOR SCHEDULE

SIMPSON	DES.	UPLIFT	FASTNER
2-MSTA18	2280	14-10D	
HTT16	1260	W/ 14-10D X 1 1/2"	
H5	465	W/ 14-10D	
MTS12	1000	W/ 14-10D	
2-MTS12	2000	W/ 14-10D	
2-MTS24	2900	W/ 24-10D	
HUCQ 412-SDS		W/ 14-SDS X 2'-COLUMN G 50S X 3/4" BEAM	
MSTC40	4335	52-16D SINKERS	
MSTA24	1640	W/ 16-10D	

USE MTS 12 @ EACH FLOOR TRUSS WITH (14) 10D NAILS TO SECURE BOTTOM PLATE TO FLOOR SYSTEM. USE (6) 8D NAILS TO SECURE STUDS TO BOTTOM PLATE.

A TYPICAL CONNECTIONS @ OPENING

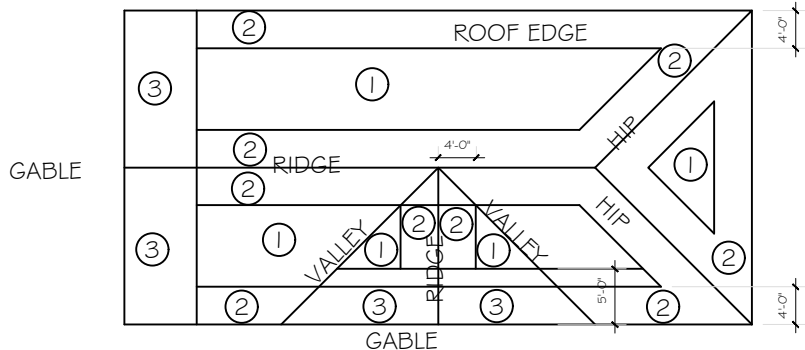
N.T.S.

ROOF SHEATHING

1. ROOF SHEATHING SHALL BE 15/32" EXPOSURE 1, C-D SHEATHING GRADE PLYWOOD, 1/2" 2-M-W OR 2-M-3 OSB, OR BETTER.
2. INSTALL ROOF SHEATHING WITH LONG DIMENSIONS PERPENDICULAR TO FRAMING, AND STAGGER ALL END JOINTS 1/2 PANEL LENGTH IN ALTERNATE ROWS.
3. FASTEN ROOF SHEATHING TO ROOF FRAMING AS FOLLOWS.

ROOF NAIL PATTERN:

- (1) ZONE 1 - USE 8d COMMON NAILS @ 12" O.C.
- (2) ZONE 2 - USE 8d COMMON NAILS @ 6" O.C.
- (3) ZONE 3 - USE 8d COMMON NAILS @ 4" O.C.



4. FOR NAIL GUN USE REPLACE 8d NAILS WITH SENCOR 2-1/4" X .131 # PASELODE 2-1/4" X .099 PNEUMATIC NAILS MAY BE USED IN LIEU OF 8d COMMON NAILS. NAILED @ 4" O.C. EDGES & @ 6" O.C. FIELD.

B ROOF FRAMING SHEATHING

C WALL SHEATHING PATTERN

HOUSTON DAVID A & JESSICA C

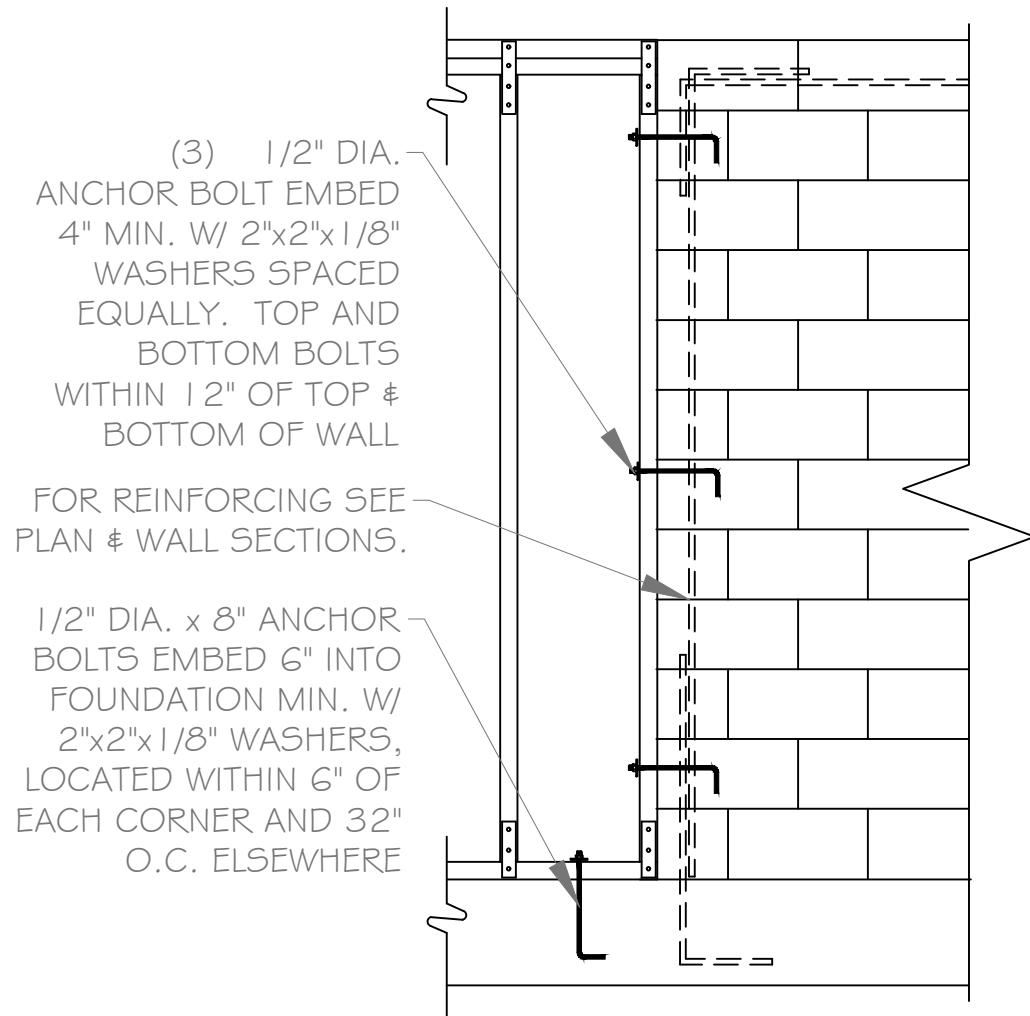
NEW ADDITION

1411 16TH ST, CLERMONT, FL, 34711

TEG

THOMPSON ENGINEERING GROUP, INC
4401 Vineland Rd
Suite 203
Orlando Florida, 32811
Michael Thompson
PE # 47509

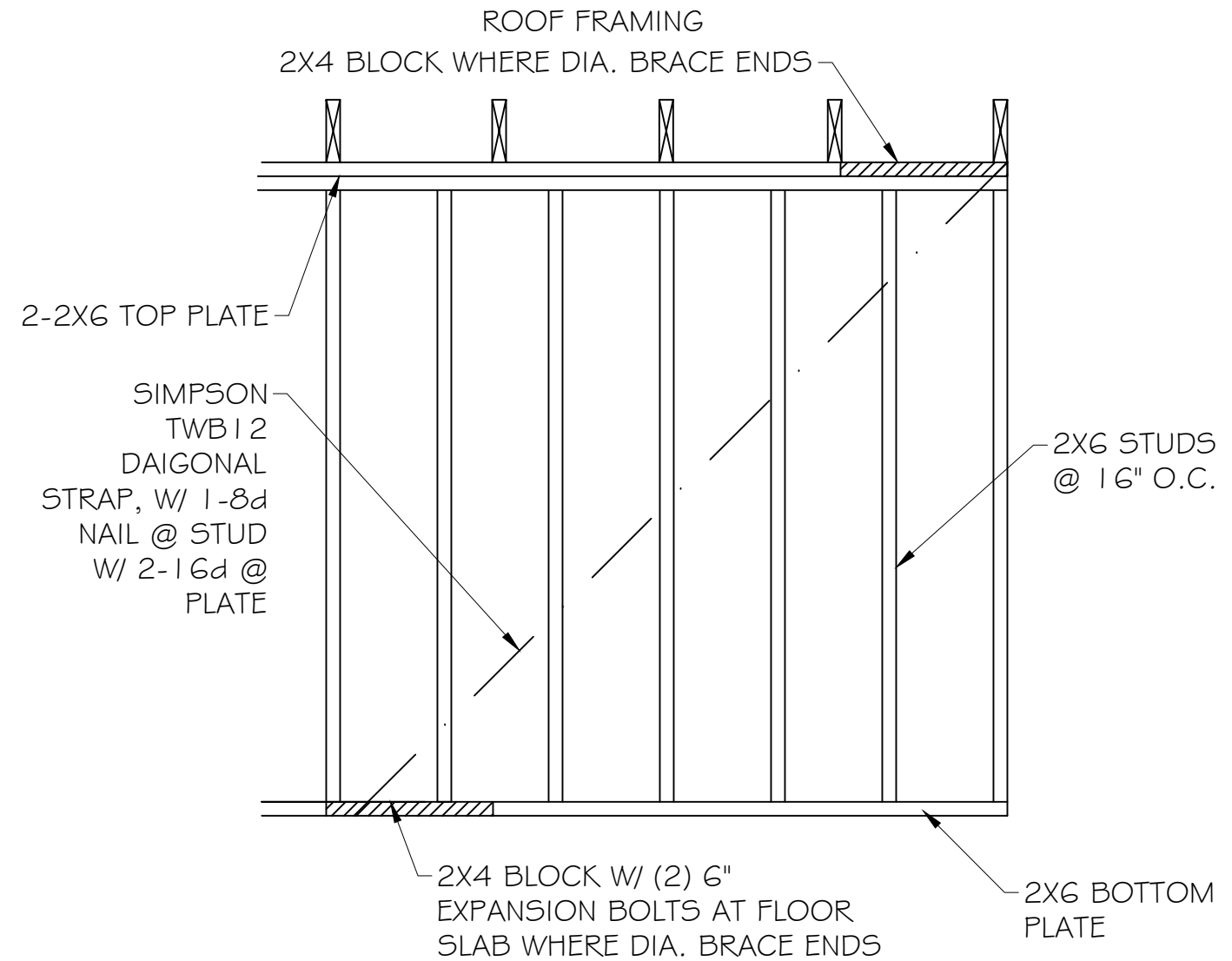
S5



CMU TO FRAME WALL CONNECTION

SCALE: 1/4" = 1' - 0"

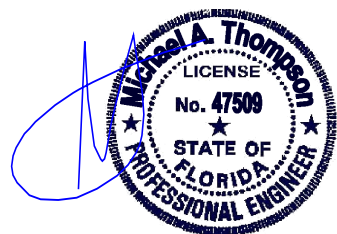
1



DIAGONAL CORNER BRACING
AT ALL EXTERIOR CORNERS

SCALE: 1/4" = 1' - 0"

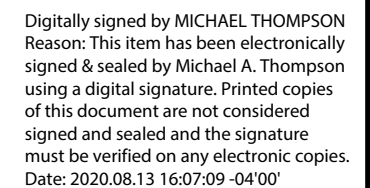
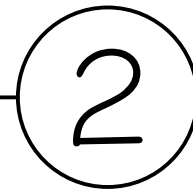
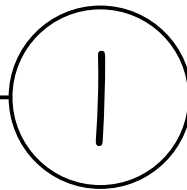
2



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LAGS
DEVELOPMENT & CONSTRUCTION LLC
321-440-7829

1411 16TH ST, CLERMONT, FL, 34711





CITY OF CLERMONT VARIANCE APPLICATION

DATE 8.17.2020		FEE: \$350	
Project Name (if applicable)			
Applicant DAVID & JESSICA HOUSTON			
Contact Person Patrick Bianchi on behalf of David and Jessica Houston			
Address 1411 16TH ST		City Clermont	State Florida
Telephone 407-271-7895		Zip 34711	
Fax			
Email Patrick@VPdevelopmentgroup.com			
OWNER INFORMATION ☒ (Check box if information is same as Applicant)			
Owner's Name DAVID & JESSICA HOUSTON			
Owner Address 1411 16TH ST		City Clermont	State Florida
Telephone 352-396-2522		Zip 34711	
Email Jhoustondance@gmail.com			
PROPERTY INFORMATION			
Address of Subject Property 1411 16TH ST		City Clermont	State Florida
Zip 34711			
General Location From Hwy 50 in Clermont, Head west on Hwy 50. Turn right on 12th Street. Turn right on Seminole St. Turn left on 16th Street. Home is on the Left.			
Legal Description & Alternate Key (include copy of survey) CLERMONT, PARK PLACE LOT 12 PB 31 PGS 1-2 ORB 4857 PG 1214 ALTERNATE KEY- 3449274			
Land Use (City verification required) SINGLE-FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT			
Zoning (City verification required) R-1			



CITY OF CLERMONT VARIANCE APPLICATION

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

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

Sec. 122-125. - Yards. (3) Rear yard. The minimum rear yard setback shall be 25 feet except where a rear yard abuts Hartwood Marsh Road, SR 50 or U.S. Highway 27, a setback of 50 feet shall be maintained. The rear building line on lakefront property shall be measured from the established high-water mark. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.

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

Building a baby nursery by doing an addition the master bedroom which is 10 feet deep. This addition to the home would put the setback at 20 feet which is currently not allowed in the R-1 Single Family Medium Density Residential District.

How does the Code create a hardship?

We feel that the code is written as a generality and does allow a case by case basis to present to local council to look at the circumstances. Where some circumstances may impact the health, safety, and wellness of the community and/or neighbors, we feel ours is a reasonable request and does not impact our community or neighbors at all.

The following justifications must be completed for any variance requested:

Variance requested – subject and code section:

Sec. 122-125. - Yards. (3) Rear yard. The minimum rear yard setback shall be 25 feet except where a rear yard abuts Hartwood Marsh Road, SR 50 or U.S. Highway 27, a setback of 50 feet shall be maintained. The rear building line on lakefront property shall be measured from the established high-water mark. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.

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;
- (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;
- (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;



CITY OF CLERMONT
VARIANCE
APPLICATION

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

(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 was denied.

Jessica Hausten.
Applicant Name (print)

x. [Signature]
Applicant Name (signature)

[Signature] - Jessica Hausten
Owner Name (print)

x. [Signature]
Owner Name (signature)

NOTICE

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

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



ARTICLE IV. VARIANCES

Sec. 86-171. Permitted variances; exclusions.

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, surroundings or topographical condition of the property, compliance would result in a particular hardship upon the owner. A hardship is distinguished from a mere inconvenience or a desire to increase monetary gain.

- (b) *Exclusions.* Requests for variances from requirements of the land development code shall generally be considered for those provisions which regulate proposed site development and the requirements applicable to existing development. The following request for variances shall not be considered?
- (1) Requests for variances to the adopted comprehensive plan.
 - (2) Requests for variances to permit a use which is not allowed as a permitted use or as a conditional use within the specific zoning district.
 - (3) Requests for variances to permit the expansion of a nonconforming use of any land or structure, or the continuance of any nonconforming use which has ceased by discontinuance or abandonment for a period of one year, or the reestablishment of a nonconforming building which has been destroyed or damaged by fire, explosion or act of God or in another manner to the extent of 50 percent or more of its assessed valuation.
- (c) *Final decision.* Final determination of a hardship relief decision is vested in the city council sitting as the board of adjustment as provided for in this article.

(Ord. No. 281-C, § 1(Ch. 8, § 1), 11-8-94)

Sec. 86-172. Application.

Sec. 86-173. Notice of public hearing.



Sec. 86-174. Review criteria and findings.

When reviewing an application for a variance, the board of zoning adjustment 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;
- (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;
- (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;
- (4) The granting of the variance is consistent with the city's comprehensive plan; and
- (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 was denied.

(Ord. No. 281-C, §1(Ch. 8, §2(C)), 11-8-94)

Sec. 86-175. Time limit for commencing construction.

When any variance is granted, construction of the structure or other variance item must begin within one year from the date of grant. It shall be the obligation of the owner to file written notice with the administrative official and director of planning that he has begun the proposed construction. If no such notice is filed, the variance shall automatically lapse.

(Ord. No. 281-C, § 1(Ch. 8, § 2(D)), 11-8-94; Ord. No. 294-C, § 2, 9-28-9)

PROPERTY RECORD CARD

General Information

Name:	HOUSTON DAVID A & JESSICA C	Alternate Key:	3449274
Mailing Address:	1411 16TH ST CLERMONT, FL 34711 Update Mailing Address	Parcel Number: ⓘ	26-22-25-0700-000-01200
		Millage Group and City:	000C (CLERMONT)
		2019 Total Certified Millage Rate:	17.9211
		Trash/Recycling/Water/Info:	My Public Services Map ⓘ
Property Location:	1411 16TH ST CLERMONT FL 34711 Update Property Location ⓘ	Property Name:	-- Submit Property Name ⓘ
		School Information:	School Locator & Bus Stop Map ⓘ School Boundary Maps ⓘ
Property Description:	CLERMONT, PARK PLACE LOT 12 PB 31 PGS 1-2 ORB 4857 PG 1214		
NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.			

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class	Value	Land Value
1	SINGLE FAMILY (0100)	0	0		1	LT		\$0.00	\$44,000.00

[Click here for Zoning Info](#) ⓘ
 [FEMA Flood Map](#)

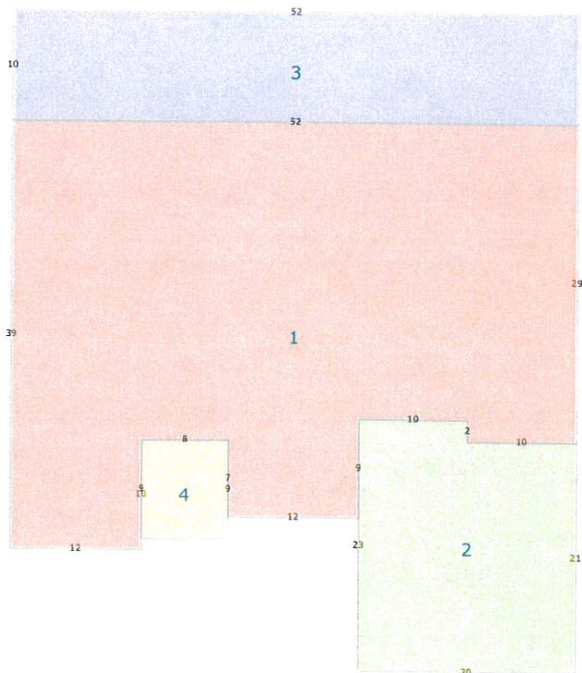
Residential Building(s)

Building 001

Residential	Single Family	Building Value: \$147,394.00						
Summary								
Year Built: 1992	Total Living Area: 1692 ⓘ	Central A/C: Yes	Attached Garage: Yes					
Bedrooms: 3	Full Bathrooms: 2	Half Bathrooms: 0	Fireplaces: 1					
Incorrect Bedroom, Bath, or other information? ⓘ								
Section(s)								
Section No.	Section Type	Ext. Wall Type	No. Stories	Floor Area	Finished Attic	Basement	Basement Finished	Map Color
1	FINISHED LIVING AREA (FLA)	Stucco/Brick (003)	1	1692	N	0%	0%	
2	GARAGE FINISHED STONE (GCF)	Stucco/Brick (003)	1	440	N	0%	0%	

3	CANOPY (CAN)	No Wall Type (000)	1	520	N	0%	0%
4	SCREEN PORCH FINISHED (SPF)	No Wall Type (000)	1	72	N	0%	0%

[View Larger / Print / Save](#)



NOTE: Information on this Property Record Card is compiled and used by the Lake County Property Appraiser for the sole purpose of ad valorem property tax assessment administration in accordance with the Florida Constitution, Statutes, and Administrative Code. The Lake County Property Appraiser makes no representations or warranties regarding the completeness and accuracy of the data herein, its use or interpretation, the fee or beneficial/equitable title ownership or encumbrances of the property, and assumes no liability associated with its use or misuse. See the posted [Site Notice](#).

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Property data last updated on July 26, 2020.
[Site Notice](#)

Prepared by and return to:
Tara Toreki
Kahane & Associates, P.A.
8201 Peters Road, Suite 3000
Plantation, FL 33324

File Number: 10-20366
Loan Number: 1699945683
REO #: A1608JM

Consideration: \$167,250.00

(space above this line for recording data)

Special Warranty Deed

This Special Warranty Deed made this 31st day of October, 2016, between Fannie Mae A/K/A Federal National Mortgage Association organized and existing under the laws of the United States of America whose post office address is P.O. Box 650043, Dallas, TX 75265-0043, grantor, and David Aaron Houston and Jessica Concetta Houston, husband and wife, whose post office address is 1411 16th Street, Clermont, FL 34711, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

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

Lot 12, Park Place, according to the plat thereof, as recorded in Plat Book 31, Page(s) 1 and 2, of the Public Records of Lake County, Florida.

Parcel Identification Number: 2622250700-000-01200

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

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

Signed, sealed and delivered in our presence:

Tara Lee Toreki

Tara Lee Toreki

Witness Name: _____

Debra All

Debra All

Witness Name: _____

Fannie Mae A/K/A Federal National Mortgage Association organized and existing under the laws of the United States of America, by Kahane & Associates, P.A., as Attorney in Fact pursuant to the Limited Power of Attorney recorded in Instrument Number 113939392, of the Public Records of Broward County, Florida.

Jane E. Hawronsky

Print:

Title: as Authorized signatory of Kahane & Associates, P.A., pursuant to the Corporate Resolution recorded in Instrument Number 113525867, of the Public Records of Broward County, Florida

State of: Florida
County of: Broward

The foregoing instrument was acknowledged before me this 31st day of October, 2016, by

Jane E. Hawronsky

of Kahane & Associates, P.A., Attorney in Fact for Fannie Mae

A/K/A Federal National Mortgage Association organized and existing under the laws of the United

States of America, who (X) is personally known to me or () has produced _____ as

identification.



Tara Lee Toreki
Notary Public

Printed Name: Tara Lee Toreki

My Commission Expires: _____

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: 10098399
Phone: (352) 241-7331
Date: 08/26/20
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cle	09/01/2020	09/01/2020	\$101.63

LEGAL NOTICE

Notice is hereby given that the City Council of the City of Clermont will consider a request for the following variance: (1) to allow for a rear yard setback less than 25 feet as required by the Land Development Code, Section 122-125 at the following location:

LOCATION

1411 16th Street
(Alternate Key 3449274)

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 to be held on Tuesday, September 8, 2020 at 6:30 P.M. at the Clermont City Hall, first floor Council Chambers located at 685 West Montrose Street.

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

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10098399
September 01, 2020

Payment Info	
Ad Price	\$101.63
Tax	\$0.00
Sub Total	\$101.63
Prepaid Amount	\$0.00
Balance Due	\$101.63

AGENDA ITEM

Page 1 of 1

Meeting Date	
Tuesday, September 8, 2020	
Agenda Item Name	
Variance Request <i>Perimeter Park West</i>	
Requested Action	
Recommend denial of requested variance.	
Staff Report	
The applicant, Dave Schmitt Engineering, Inc. is requesting a variance for the Perimeter Park West Development also known as the Hartle Road Industrial Park, (1) to allow a retaining wall height greater than the maximum six (6) foot height allowed by the Land Development Code, Section 122-343. The subject parcel received annexation into the City on June 23, 2020 with an Industrial Land Use and Planned Unit Development (PUD) zoning to allow for construction of an Industrial Park and some limited outside storage uses. The site is approximately 36.43+/-acres. No other variances have been identified, and the site shall be developed in accordance with the Land Development Regulations (LDR) and Codes.	
The applicant has indicated the subject parcels existing topography has made the site a challenge to develop. Upon initial grading of the property; it was determined a retaining wall height will vary from 7 foot up to a maximum of 17 feet along the west side of the retention pond. The wall will also allow the intended function of getting the required 70-foot Duke Energy easement to work along the property boundary. The applicant was not aware of the extreme site grading until the actual designing of the site plan was under review for project construction. The Project Engineer indicates the requested increased retaining wall heights would mitigate some of the challenges in developing the site. Therefore, the applicant is requesting a variance to allow for a retaining wall height not to exceed 17 foot, instead of the 6 foot height as required by the Land Development Code.	

Although Staff understands the existing topography may provide a challenge for development, the proposed project may be constructed with a less intense industrial development, which may not require retaining walls up to 17 foot high. The proposed retaining wall as designed may be considered undesirable and out of character with the surrounding properties and neighborhoods. Staff finds the site is vacant and may be developed in a manner that provide less intensity which could be less intrusive to the surrounding properties.

Section 86-174 of the Land Development Code requires a positive finding on the Variance Review Criteria and Findings in order to grant a variance, staff has reviewed the application as submitted and finds two of the five review criteria 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.	Final 86-174 Review Criteria-Perimeter Park West	Final 86-174 Review Criteria-Perimeter Park West.pdf
2.	Hartle Road Industrial Park Map	Hartle Road Industrial Park Map.pdf
3.	Conceptual in color	Conceptual in color.pdf
4.	Paving Grading sheets	Paving Grading sheets.pdf
5.	Variance Application	Variance Application.pdf
6.	PERIMETER PARK VARIANCE AD	PERIMETER PARK VARIANCE AD.pdf

86-174 Review Criteria and Findings – Perimeter Park 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: No walls over six feet are proposed adjacent to nearby property owners. The site topography varies in 30 feet or more, the only areas we are proposing walls more than 10 feet is not proposed adjacent to property owners.

Staff comments: The requested variance to allow a retaining wall up to a maximum 17 foot height instead of the 6 foot height maximum allowed by the Land Development Codes which may be considered as undesirable and may negatively affect the standard of living for the adjacent property owners. The subject parcels were recently annexed into the City, with Planned Unit Development (PUD) zoning to allow for an Industrial Park, it was determined during site plan review the topography of the property would require walls to exceed the maximum 6 feet allowed at certain areas of the parcel.

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 design is typically for an industrial site development. Minimum wall and fills were used in this design based on the existing topography. Many properties within the City require retaining walls due to the topography nature.

Staff comments: The requested variance to allow a retaining wall up to a maximum 17 foot height is out of character with other properties in the area, the proposed wall height may be considered as excessive and intrusive to surrounding properties. Because the property is vacant, the project may be developed in a less intense manner that may not require a 17-foot retaining wall to allow for development.

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: Yes, that is correct

Staff comments: The proposed development is consistent with the intent and purpose of the Land Development Regulations for Industrial Development.

Positive finding

- (4) The granting of the variance is consistent with the city’s comprehensive plan;
Applicant response:

Staff comments: The variance request is not in conflict with the goals, objective and policies of 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;

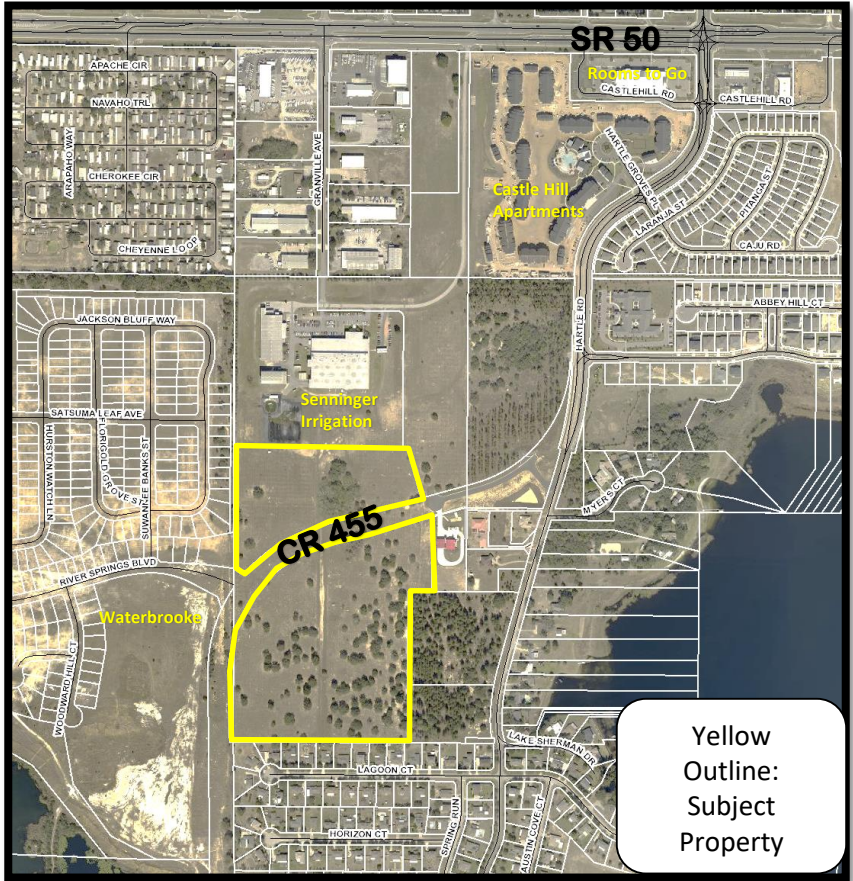
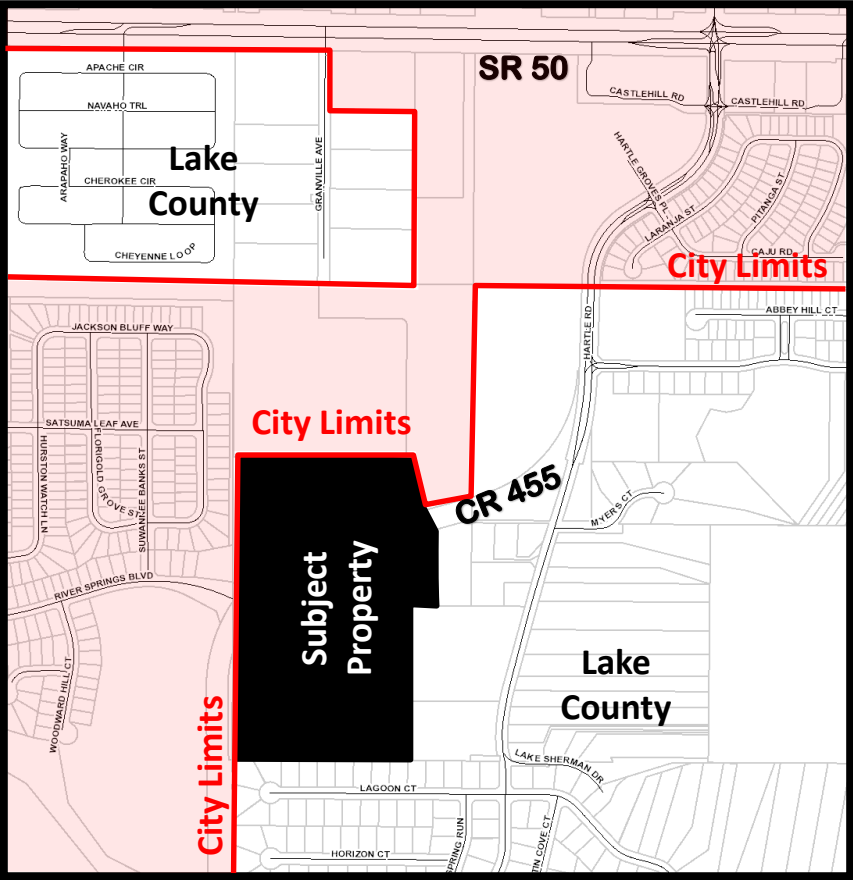
Applicant response:

Staff comments: *The variance requested will provide the opportunity for development of the site.*

Positive finding

STAFF RECOMMENDATION: Section 86-174 of the Land Development Code requires a positive finding on Variance Review Criteria and Findings in order to grant a variance, staff has reviewed the application as submitted and finds it does meet a positive finding. Therefore, staff recommends **approval** of the variance request to the Land Development Code

Exhibit - Location Map – Hartle Road Industrial Park



Yellow
Outline:
Subject
Property

Exhibit – Future Land Use Map – Hartle Road Industrial Park

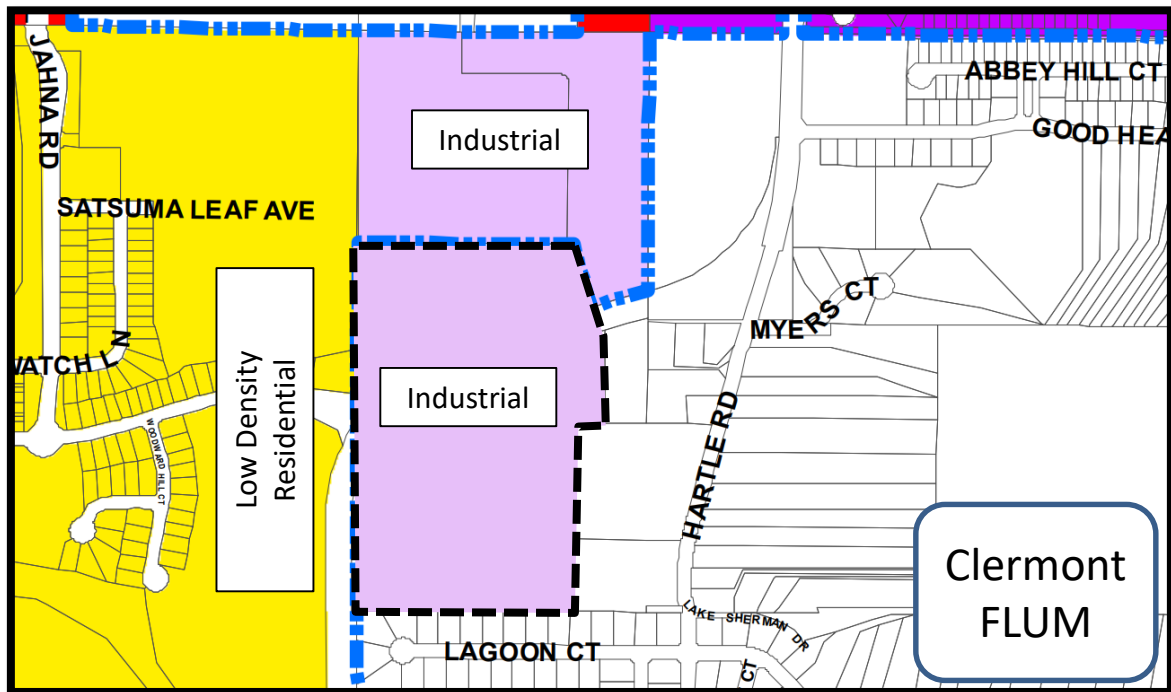
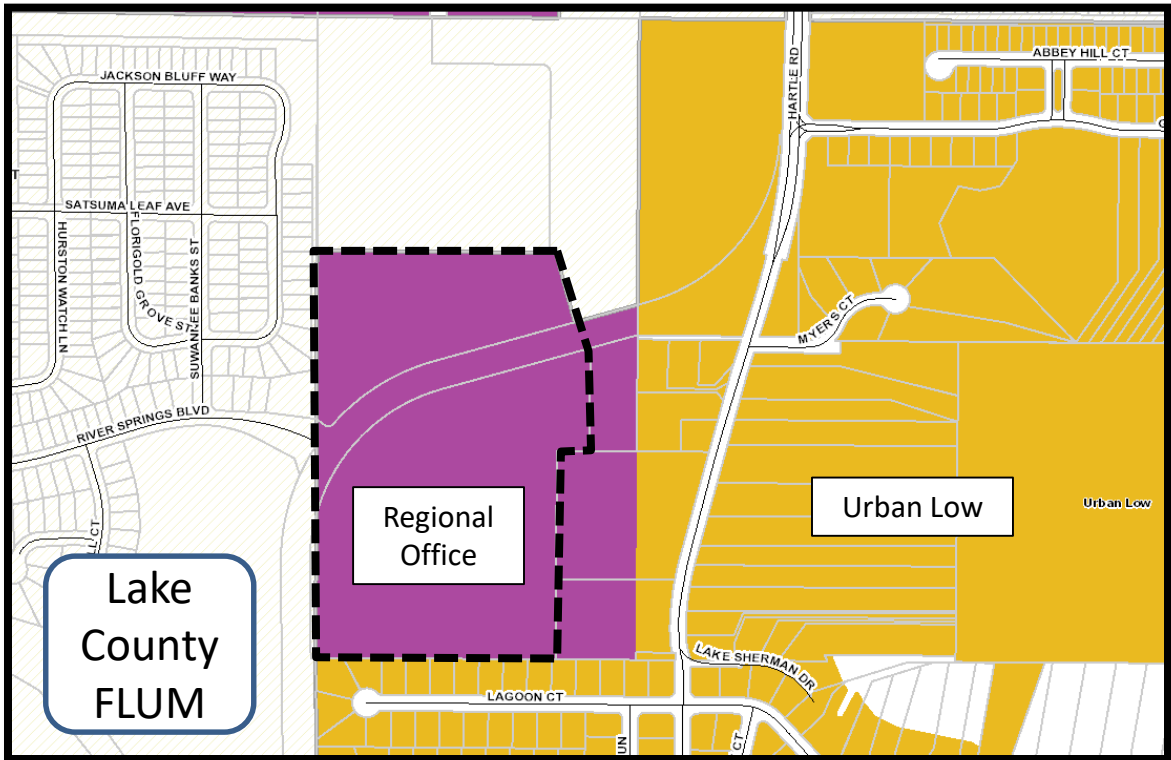
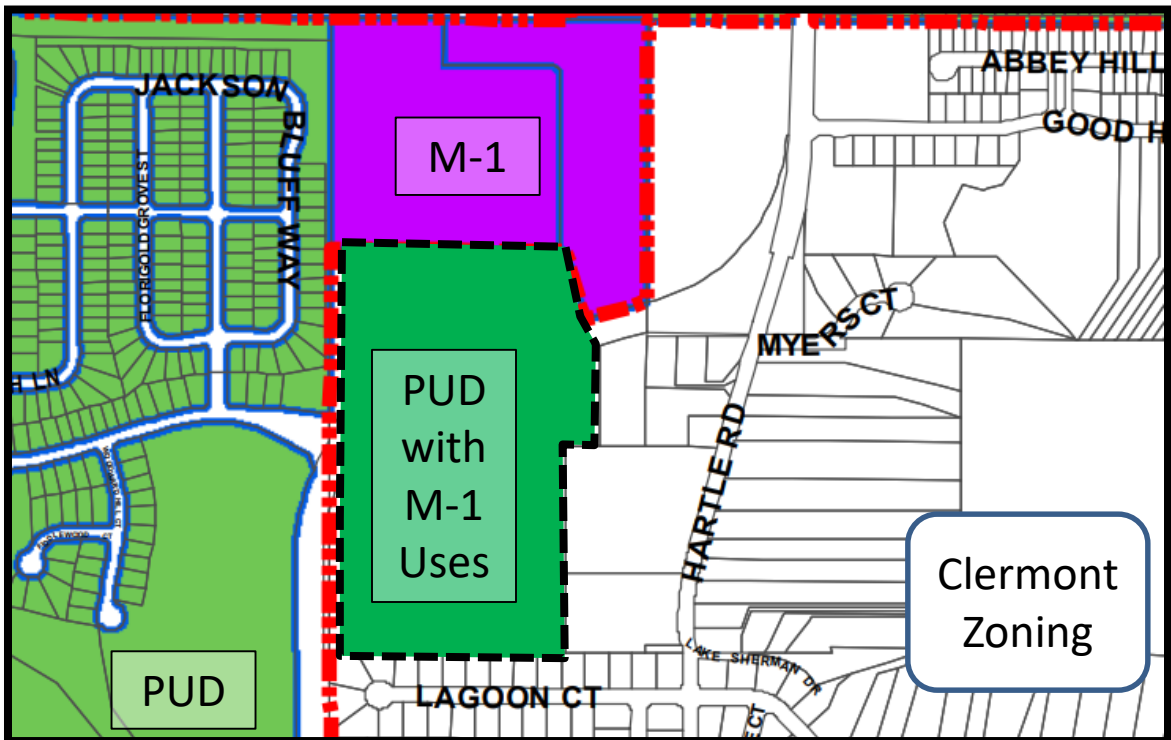
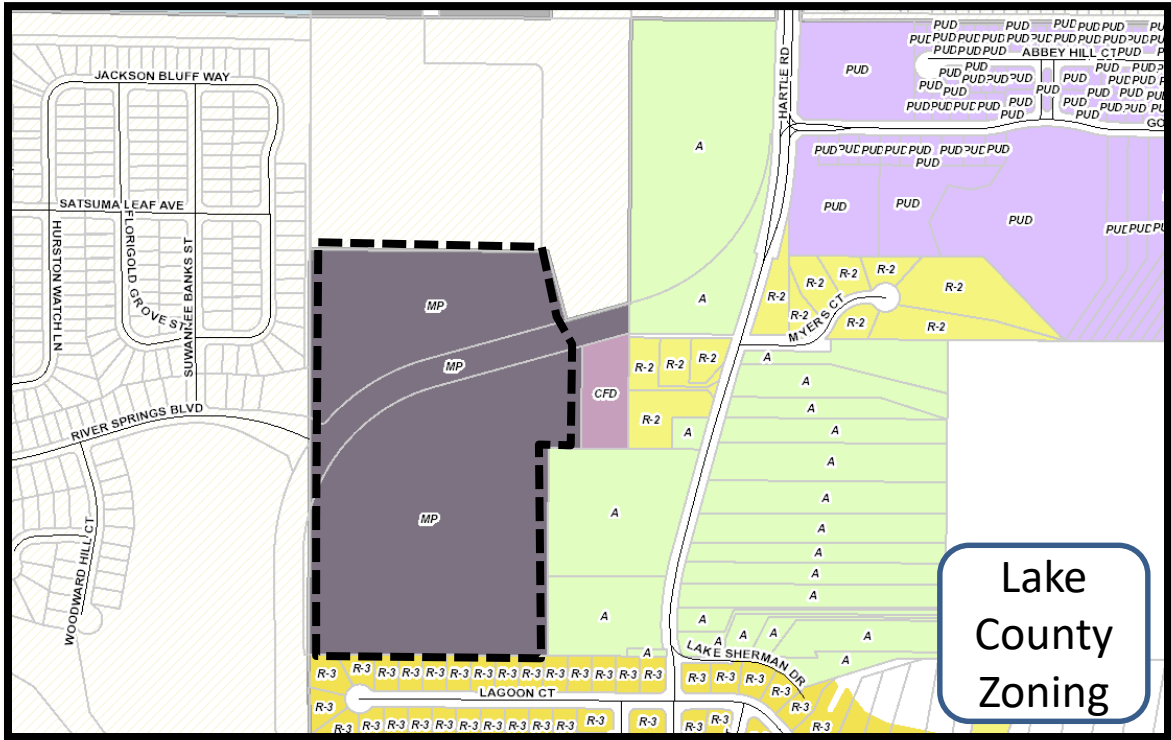
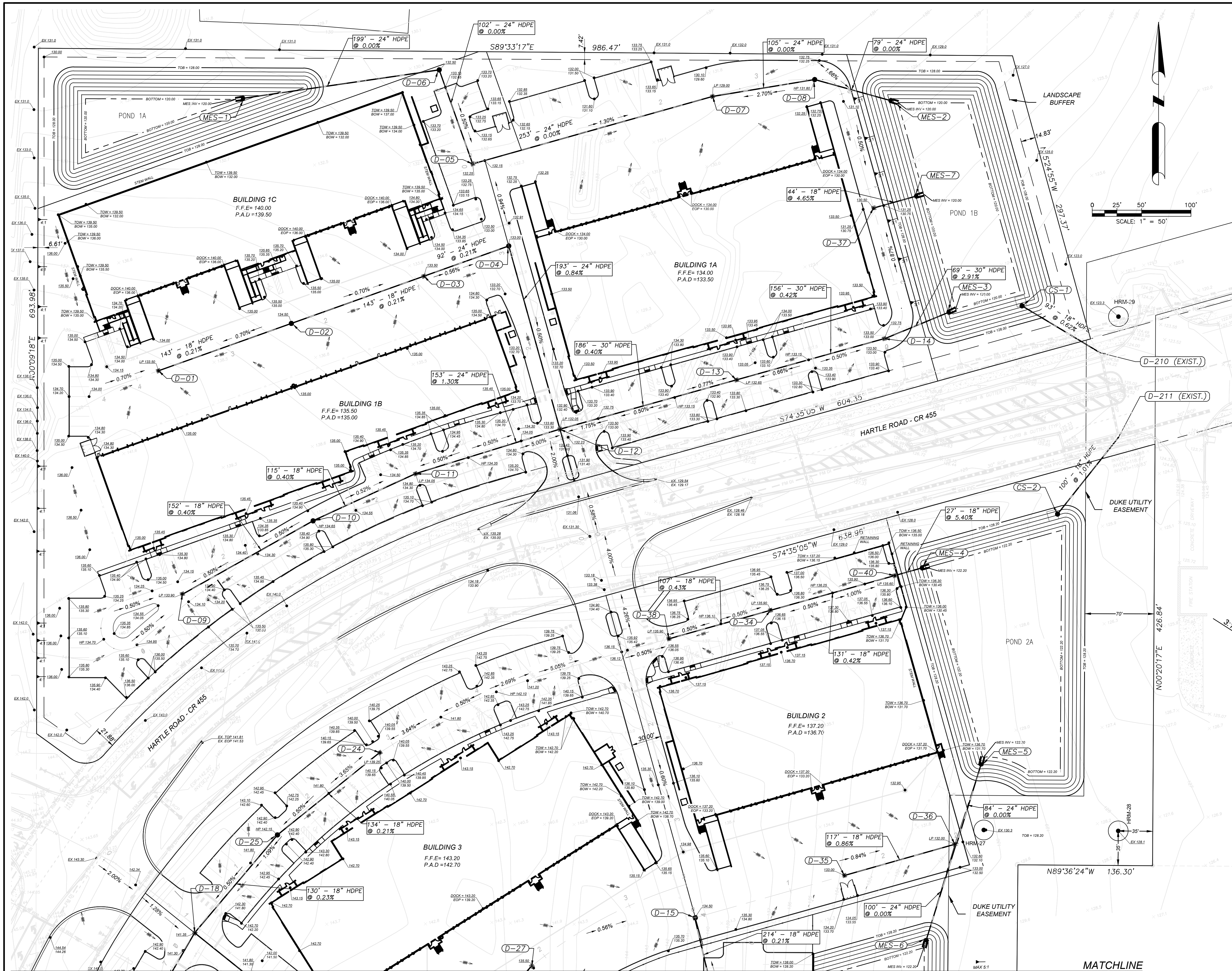


Exhibit – Zoning Map – Hartle Road Industrial Park



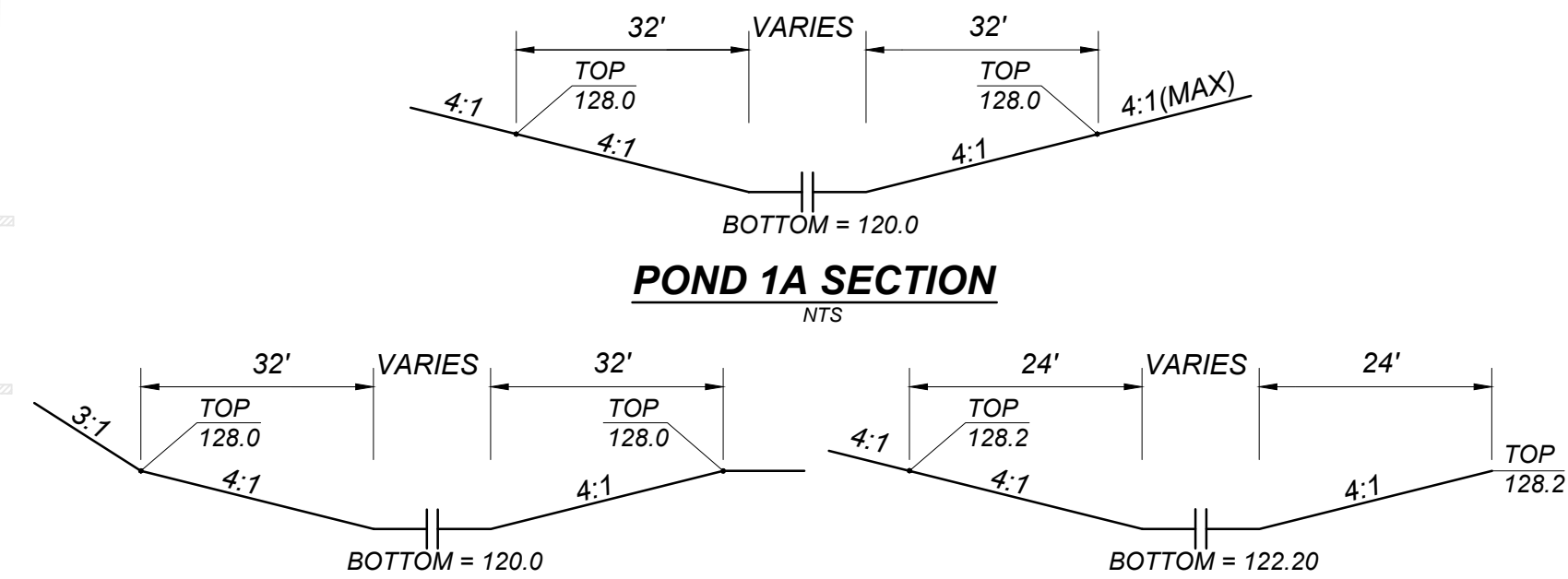


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BOTTOM EL.	120.0
MEAN ANNUAL	124.5
10 YEAR D.H.W. EL.	126.6
25 YEAR D.H.W. EL.	126.1
100 YEAR D.H.W. EL.	126.9

POND 2A & 2B DATA	
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BOTTOM EL.	122.2
MEAN ANNUAL	125.2
10 YEAR D.H.W. EL.	126.4
25 YEAR D.H.W. EL.	126.6
100 YEAR D.H.W. EL.	127.2

LEGEND

DESCRIPTION	PROPOSED
SANITARY SEWER SYSTEM	—●—
STORM SEWER SYSTEM	—■—
WATER SYSTEM	—◇—
FIRE HYDRANT	—●—
CONTOUR	—
DIRECTION OF SURFACE FLOW	—>—

KEY MAP

DATE: JUNE 2020
PROJECT NO.: TSG-1
DRAWN BY: BC
CHECKED BY: DSE
SCALE: 1" = 50'
SHEET: 11 OF 19



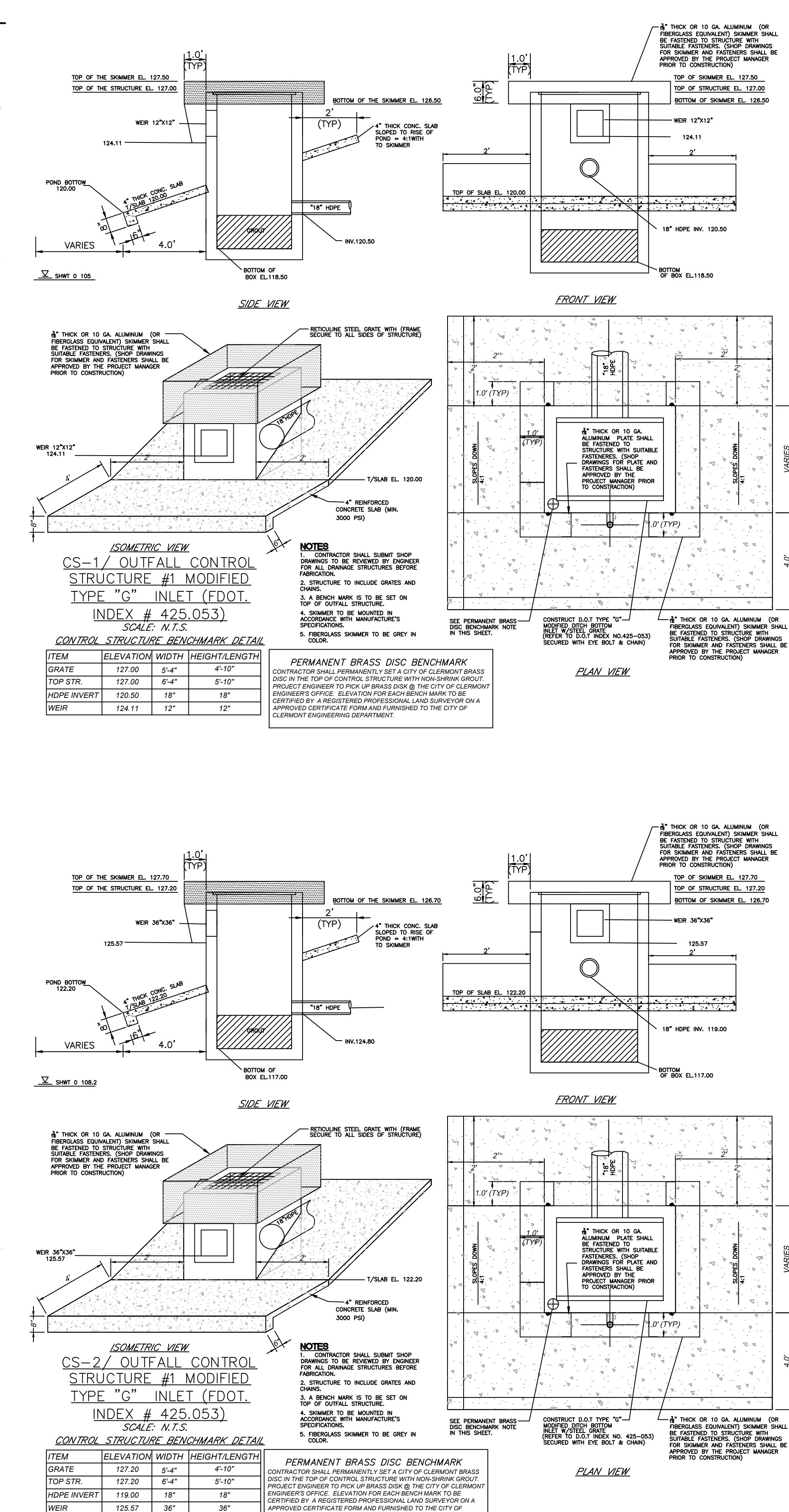
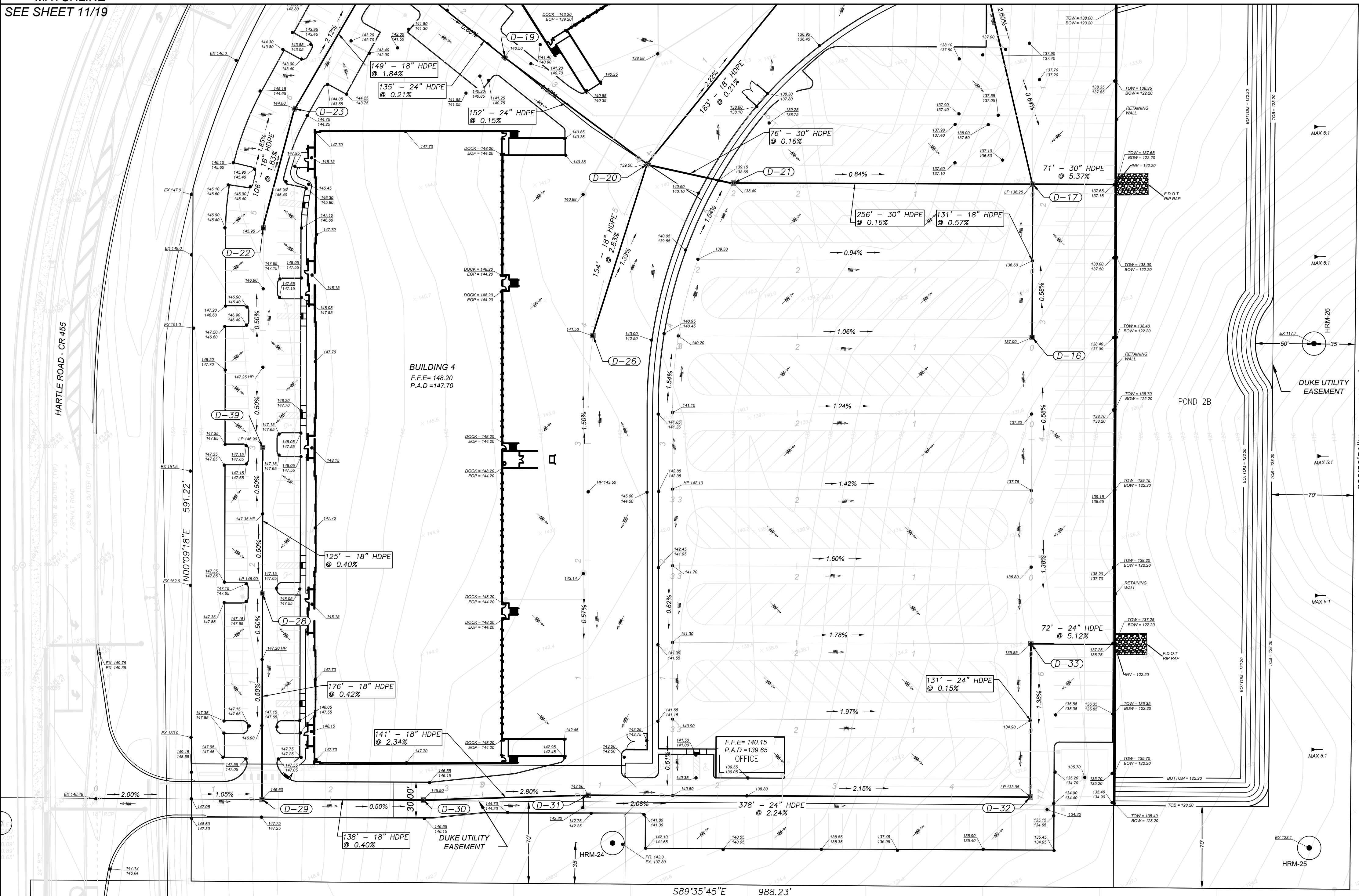
DAVE SCHMITT
ENGINEERING, INC.
12301 Lake Underhill Road Suite 241
ORLANDO, FL 32826
407-207-9088 FAX 407-207-9089
Certification of Authorization #27471

REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

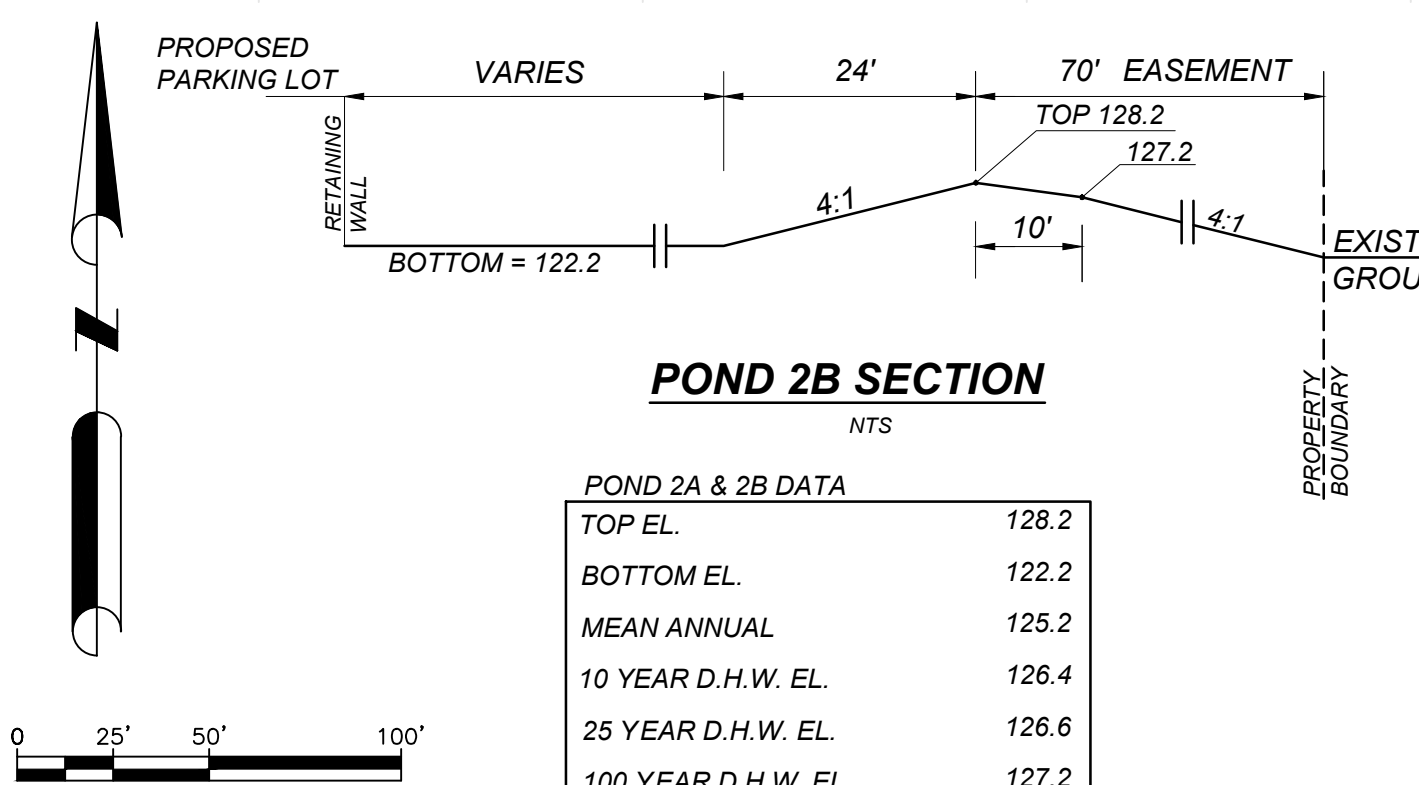
DAVE M. SCHMITT
FLORIDA REG. NUMBER
48274

PAVING, GRADING & DRAINAGE PLAN 1
PERIMETER PARK WEST
CLERMONT, FLORIDA

MATCHLINE
SEE SHEET 11/19



DRAINAGE STRUCTURE DATA			
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LEGEND

DESCRIPTION	PROPOSED
SANITARY SEWER SYSTEM	—●—
STORM SEWER SYSTEM	—■—
WATER SYSTEM	—○—
FIRE HYDRANT	—●—
CONTOUR	—○—
DIRECTION OF SURFACE FLOW	—>—

KEY MAP

THIS SHEET



**DAVE SCHMITT
ENGINEERING, INC.**
12301 Lake Underhill Road Suite 241
ORLANDO, FL 32826
407-207-9088 FAX 407-207-9089
Certification of Authorization #27471

REVISIONS					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

DAVE M. SCHMITT
FLORIDA REG. NUMBER
48274

PAVING, GRADING & DRAINAGE PLAN 2

PERIMETER PARK WEST
CLERMONT, FLORIDA

DATE: JUNE 2020
PROJECT NO.: TSG-1
DRAWN BY: BC
CHECKED BY: DSE
SCALE: 1" = 50'
SHEET: 12 OF 19



CITY OF CLERMONT VARIANCE FILING INSTRUCTIONS

Any person requesting a Variance shall file a complete application in the Development Services Department at least thirty (30) days prior to the hearing date of the City Council. All applications must be complete, to include applicable site plans and/or other pertinent descriptive materials in order to be processed.

A Pre-Application meeting with the Development Services Director (or designated staff) is required prior to submittal of the application. The Development Services Director shall determine if the application is complete and properly filed.

APPLICATION FOR VARIANCE DOES NOT GUARANTEE APPROVAL. THE APPLICANT MUST BE PRESENT AT ANY MEETINGS TO JUSTIFY AND SUPPORT THE REQUEST.

Notification of Public Hearing

All variance requests shall be considered at public hearings, which shall be noticed as follows:

- (1) The City shall send notice of the proposed variance to the owners of all adjoining properties to the subject property. Such notice shall include the date, time, and place of the public hearing before the City Council, along with a clear and concise description of the proposed variance. For the purposes of such notification, adjoining properties shall include those properties within 150 feet of the subject property even when separated from the subject property by a road, canal, easement, right-of-way or similar barrier.
- (2) Notice of public hearing shall be published in a newspaper of general circulation within the City no less than five (5) days prior to the date set for hearing the variance request.

Conditions of Approval and Denial

- (1) When any variance is granted, construction of the structure or other variance item must be started within one year from the date the variance is granted. It shall be the obligation of the owner to file written notice with the Administrative Official and the Development Serves Director that he has begun the proposed construction. If no such notice is filed, the variance shall automatically lapse.
- (2) A variance in the zoning regulations may be transferred along with the transfer of the property ownership, but only for the specific use and approved plan originally granted.
- (3) Variance requests which have been denied may not be resubmitted for a period of one (1) year.



CITY OF CLERMONT VARIANCE FILING INSTRUCTIONS

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 five (5) 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. All materials can be submitted in PDF format on a CD or via email to planning@clermontfl.org
- ☒ Fee: \$300.⁰⁰ plus advertisement for existing single-family residential.
 \$600.⁰⁰ plus advertisement for all others.

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



CITY OF CLERMONT
VARIANCE
APPLICATION

DATE Jul 30, 2020		FEE:	
Project Name (if applicable) Perimeter Park West aka Hartle Road Industrial Park			
Applicant TSG Development			
Contact Person Matt Sullivan			
Address 250 S. Orange Ave ste 700P		City Orlando	State FL Zip 32801
Telephone 407-930-1802		Fax	
Email			
OWNER INFORMATION ☐ (Check box if information is same as Applicant)			
Owner's Name HRP HOLDINGS INC			
Owner Address 16220 State Road 50		City Clermont	State FL Zip 34711
Telephone 407-930-1802		Email	
PROPERTY INFORMATION			
Address of Subject Property GRANVILLE GRANVILLE AVE		City Clermont	State FL Zip 34711
General Location Hartle Road North & South Parcel 09-22-26-1100-0410-0001, 09222611000550001			
Legal Description & Alternate Key (include copy of survey) See attachments			
Land Use (City verification required) PUD with M1 use			
Zoning (City verification required) MP			



CITY OF CLERMONT VARIANCE APPLICATION

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

City Zoning Ordinance (Land Development Code Section) from which you are requesting relief:
Code 1998, section 94-195, ordinance 302-C

What are you proposing to do that would require a variance and why?
Please see attached Narrative Letter

How does the Code create a hardship?
Yes, it is not possible to develop the site without the use of the retaining walls requested.

The following justifications must be completed for any variance requested:

Variance requested – subject and code section:

Sec. 86-174. Review criteria and findings.

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

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;
No walls over 6 ft are proposed adjacent of nearby property owners. The site's topography varies in 30 ft or more; the only areas we are proposing cut/fill more than 10 ft is specifically in the south pond area, where no walls more than 10ft are proposed adjacent to property owners.
- (2) The variance will allow a reasonable used of the property, which use in not out of character with other properties in the same zoning category;
The design is typically for an industrial site development. Minimum walls & fills were used in this design based upon the existing topography. Many properties within the City require retaining walls due to the topography nature.
- (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;
Yes. This is correct.



CITY OF CLERMONT
VARIANCE
APPLICATION

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

(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 was denied.

A handwritten signature in blue ink, appearing to read 'Matthew F. Sulli'.

Applicant Name (print)

A handwritten signature in blue ink, consisting of stylized, overlapping loops.

Applicant Name (signature)

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 34712-0219
(352) 394-4083 Fax: (352) 394 3542



ARTICLE IV. VARIANCES

Sec. 86-171. Permitted variances; exclusions.

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, surroundings or topographical condition of the property, compliance would result in a particular hardship upon the owner. A hardship is distinguished from a mere inconvenience or a desire to increase monetary gain.

(b) *Exclusions.* Requests for variances from requirements of the land development code shall generally be considered for those provisions which regulate proposed site development and the requirements applicable to existing development. The following request for variances shall not be considered?

- (1) Requests for variances to the adopted comprehensive plan.
- (2) Requests for variances to permit a use which is not allowed as a permitted use or as a conditional use within the specific zoning district.
- (3) Requests for variances to permit the expansion of a nonconforming use of any land or structure, or the continuance of any nonconforming use which has ceased by discontinuance or abandonment for a period of one year, or the reestablishment of a nonconforming building which has been destroyed or damaged by fire, explosion or act of God or in another manner to the extent of 50 percent or more of its assessed valuation.

(c) *Final decision.* Final determination of a hardship relief decision is vested in the city council sitting as the board of adjustment as provided for in this article.

(Ord. No. 281-C, § 1(Ch. 8, § 1), 11-8-94)

Sec. 86-172. Application.

Sec. 86-173. Notice of public hearing.



Sec. 86-174. Review criteria and findings.

When reviewing an application for a variance, the board of zoning adjustment 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;
- (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;
- (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;
- (4) The granting of the variance is consistent with the city's comprehensive plan; and
- (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 was denied.

(Ord. No. 281-C, §1(Ch. 8, §2(C)), 11-8-94)

Sec. 86-175. Time limit for commencing construction.

When any variance is granted, construction of the structure or other variance item must begin within one year from the date of grant. It shall be the obligation of the owner to file written notice with the administrative official and director of planning that he has begun the proposed construction. If no such notice is filed, the variance shall automatically lapse.

(Ord. No. 281-C, § 1(Ch. 8, § 2(D)), 11-8-94; Ord. No. 294-C, § 2, 9-28-9)

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: 10098398
Phone: (352) 241-7331
Date: 08/26/20
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	09/01/2020	09/01/2020	\$107.24

LEGAL NOTICE September 01, 2020

Notice is hereby given that the Clermont City Council will consider a request for the following variance: (1) to allow a retaining wall height exceed the maximum height requirements of six (6) feet as required by the Land Development Code, Section 122-343, at the following location:

LOCATION:

Vacant parcels north and south of CR 455 extension approximately 3/4 mile south of the SR 50 and CR 455 intersection (Alternate Keys 1648165 & 1795052)

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 hear this request at a public hearing to be held on Tuesday, September 8, 2020 at 6:30 P.M. in the Clermont City Hall, first floor Council Chambers located at 685 West Montrose Street.

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

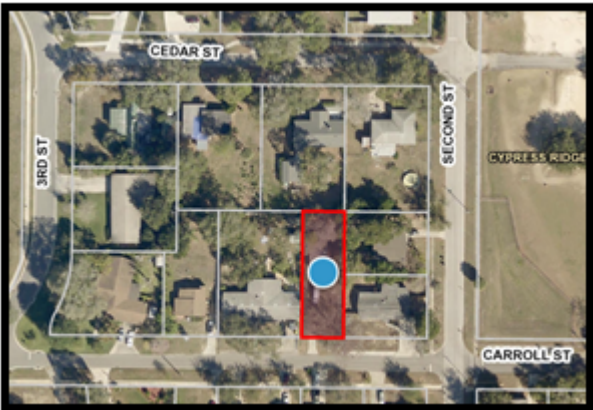
Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd, MMC
City Clerk

Ad No: 10098398

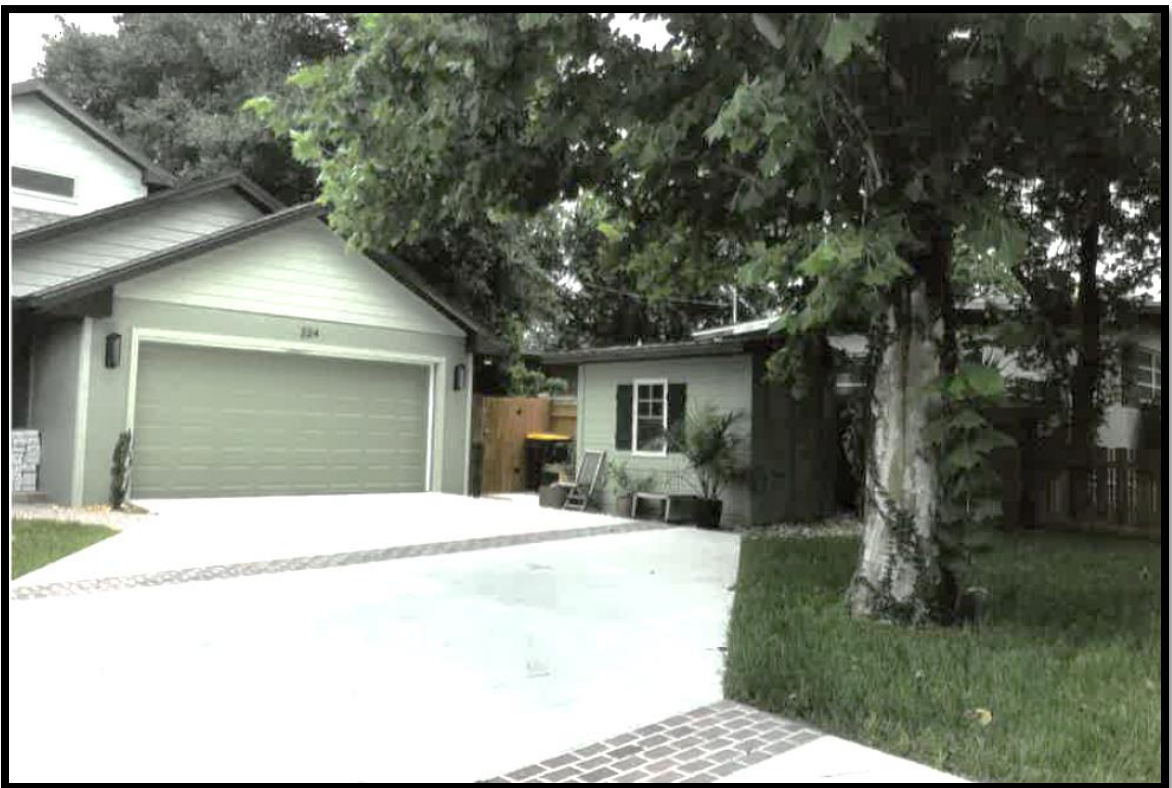
Payment Info	
Ad Price	\$107.24
Tax	\$0.00
Sub Total	\$107.24
Prepaid Amount	\$0.00
Balance Due	\$107.24

AGENDA ITEM

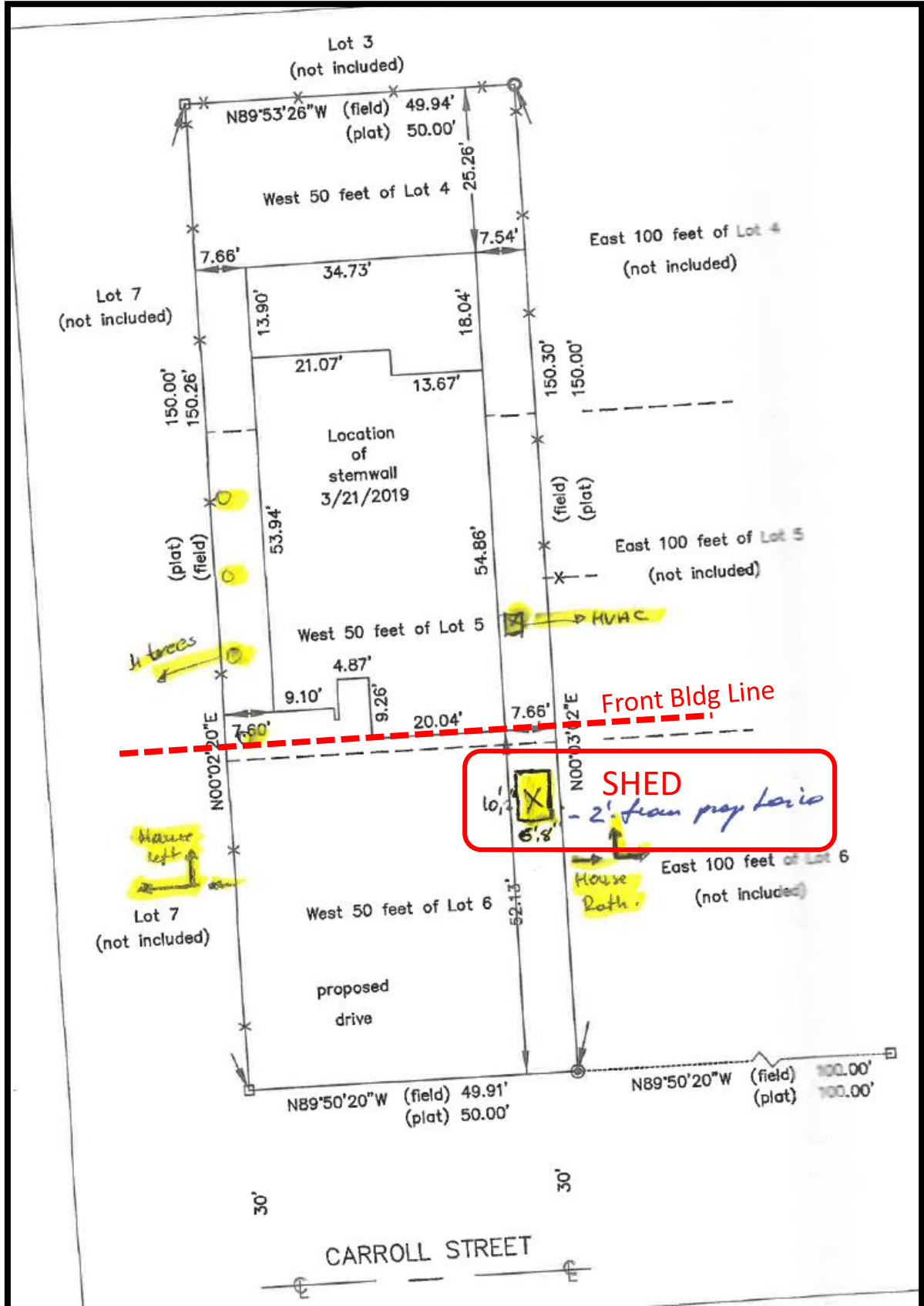
Meeting Date	
Tuesday, September 8, 2020	
Agenda Item Name	
Variance Request 224 Carroll Street	
Requested Action	
Recommend denial of the variance request.	
Staff Report	
The property owner, Henry Tkacz, is requesting a variance to the Land Development Code, Section 122-342 Special Setbacks for property located at 224 Carroll Street. The code requires a utility building, less than 150 square feet, located in the rear yard. The property owner recently had a new home built on the lot by a contractor. After the home was constructed, the property owner built a small utility shed with materials left over from the house construction in the front yard, adjacent to the driveway. The property owner indicated that the utility building was built to keep bicycles and kayaks and the placement in the front was fitting for the storage of these items for ease of access. The code enforcement department was made aware of the unpermitted utility shed and the property owner has been cited to obtain a building permit for the shed. In order to proceed, a variance would have to be granted to leave the shed in the current place. The property owner has applied for the variance, and if granted, will move forward with obtaining a building permit.	
 	
The owner is requesting a variance to allow the detached 70 square foot utility shed located forward of the front building line and within 30 inches of the side property line to remain.	
Section 86-174 of the Land Development Code requires a positive finding on the review criteria in order to grant a variance. Staff has reviewed the application as submitted and finds the application does not meet a positive finding on two of the five criteria. Therefore, staff recommends denial of the variance request.	
Additional Analysis	

Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	224 Carroll Variance Maps	224 Carroll Variance Maps.pdf
2.	Lot Plan	Lot Plan.pdf
3.	New 86-174 Review Criteria- 224 Carroll Street VAR	New 86-174 Review Criteria- 224 Carroll Street VAR.docx
4.	20-171 VN2	20-171 VN2.pdf
5.	Application	Application.pdf
6.	Legal Ad	Legal Ad.pdf

224 Carroll Street - Variance

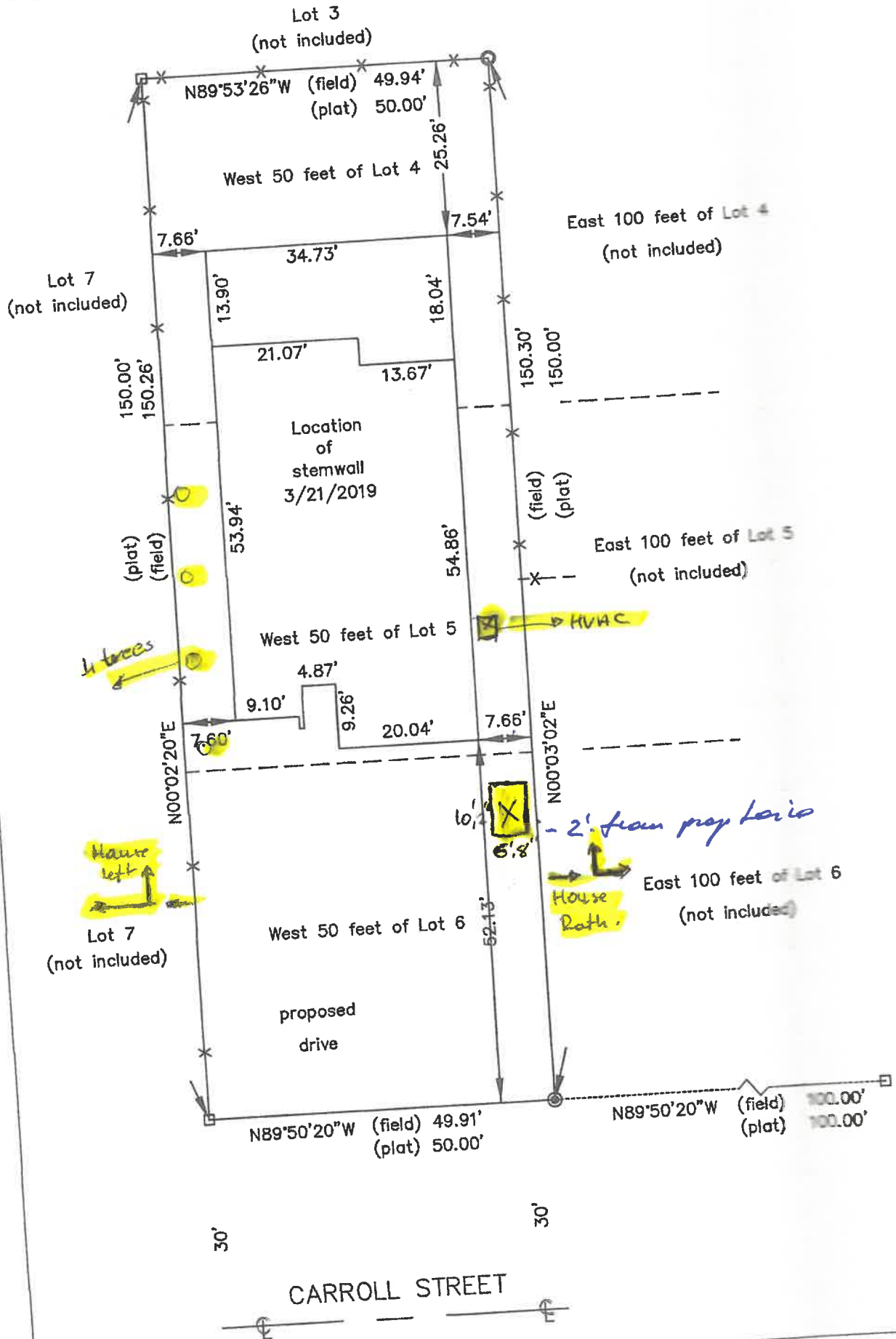


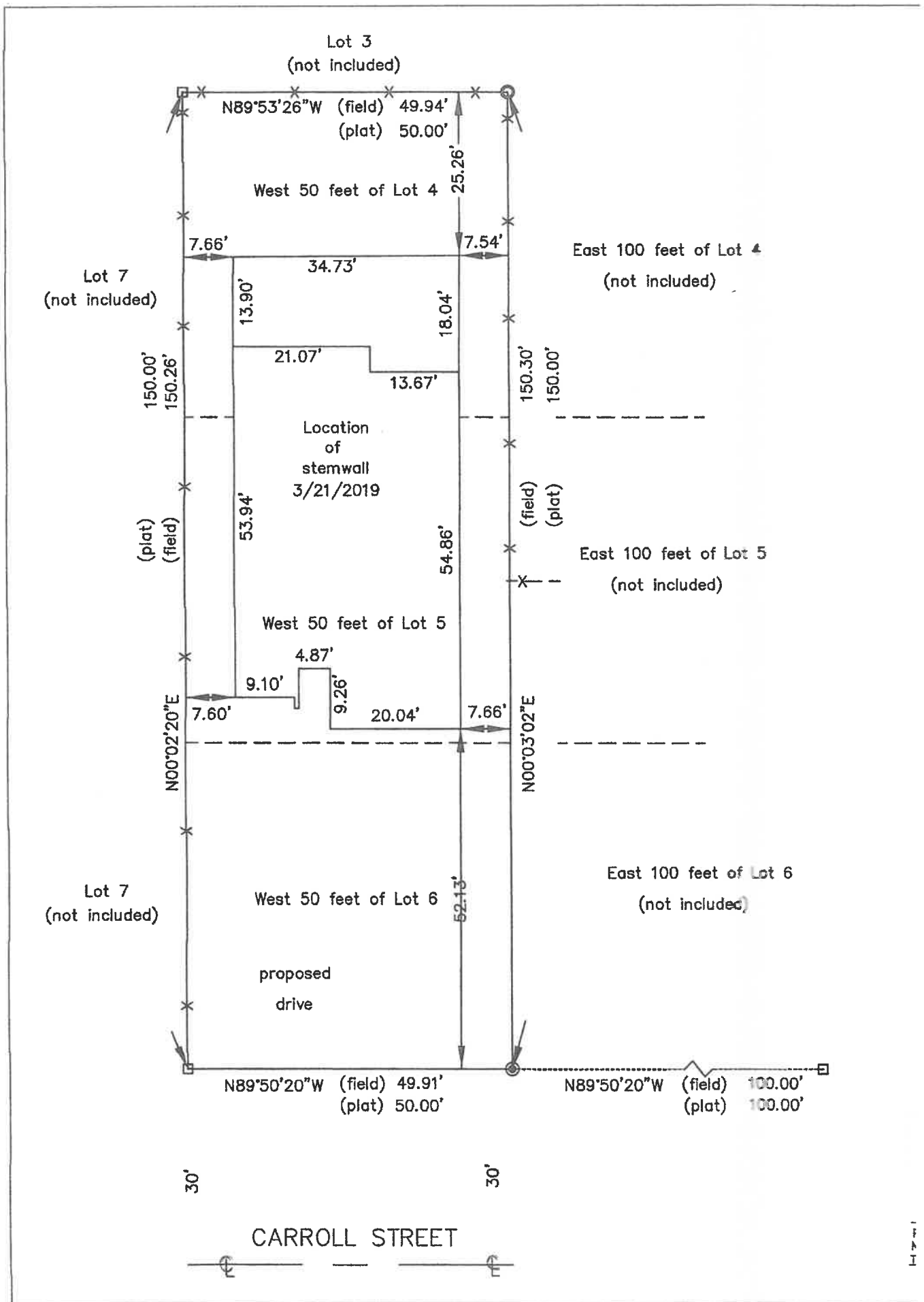
224 Carroll Street - Variance



224 Carroll Street - Variance







224 Carroll Street Variance

The requirements for a variance are as follows:

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

FINDINGS:

- (1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners of negatively impact the standard of living of the citizens of the city;
Applicant response: No response.

Staff comments: The applicant is requesting a variance to the Land Development Code to allow placement of a small utility shed forward of the primary structure’s front building line and within 30 inches of the side property line. The applicant constructed the shed without a building permit and has applied for a variance to allow the structure to remain. Staff’s concern is the placement of the shed may negatively impact the standard of living of the adjacent neighbor.

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 use of the property and there are similar structures in the neighborhood.

Staff comments: The applicant has indicated that there are similar structures in the neighborhood. A survey of the area did indicate utility buildings and sheds, but they have been placed at or behind the front building line. The utility shed would be the only one on this street placed in the forward of the primary structure.

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: No response.

Staff comments: The utility shed has been placed forward of the front building line of the primary structure. Due to the relative small size, incorporation into the front yard, and the existing limitations of the physical lot, granting the placement of the utility shed forward of the building line would outweigh the benefits if the variance was denied.

Positive Finding

- (4) The granting of the variance is consistent with the city’s comprehensive plan:
Applicant response: Granting of the variance is consistent with the Comprehensive Plan.

Staff comments: The requested variance 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 variance request is the minimum request to make reasonable use of the property.*

Staff comments: *The requested variance would allow the utility shed to remain at the current location along with an after-the-fact approved building permit. The variance requested is the minimum variance that would make reasonable use of the land and structure and granting the variance would outweigh the benefits, unless the adjoining property owner objected since they would be the party greatly affected.*

Positive 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 on **two** of the Review Criteria and Findings. Therefore, staff recommends **denial** of the variance request to the Land Development Code.

City of Clermont

P.O. BOX 120219, CLERMONT, FLORIDA 34712-0219

VIOLATION NOTICE

June 29, 2020

Violation # C2020-000171

To: TKACZ, HENRYK & BOZENA PLASKON
3920 LIBERTY HILL DR
CLERMONT, FL 34711

Violation/Property address: 224 CARROLL ST, CLERMONT FL 34711

You are hereby notified that you are in violation of the referenced section of the City of Clermont Code of Ordinances for the parcel located at 224 CARROLL ST, CLERMONT FL 34711. **IN REFERENCE TO:** CODE ENFORCEMENT HAS PREVIOUSLY SENT A COURTESY NOTICE FOR THIS PROPERTY REGARDING A SHED WITHOUT A PERMIT.

Compliance with the Violation(s) listed will be when the following condition(s) are met: Apply for and obtain a permit, and have all work inspected OR remove shed. Please contact Department of Development Services to begin permit process at (352) 241-7300, 7306 or 7317 and speak with a Permit Technician.

Type of Violation: BUILDING PERMIT REQUIRED SECTION 122-344

It shall be unlawful for any person to initiate new uses of any land within the corporate boundaries of the city or to erect or construct any new structures or to move, add to, repair or modify in any way any existing structures, except by authority of permit issued by the building inspector or planning and zoning department of the city acting as administrative officer of the regulations contained in this land development code. The words "planning and zoning department," as used in this land development code, shall also mean the planning official or the designated representative thereof. All development, as defined in this land development code, shall be required to obtain development approval (i.e., a development permit/development order) prior to initiating development activity.

Please contact me at 352-241-7316 or gmohney@clermontfl.org when you comply, so an inspection to determine compliance can be scheduled.

You are directed to take action by **JULY 20, 2020**. Failure to remedy the violation within the allotted time will result in a Notice to Appear for a hearing before the Code Enforcement Special Magistrate.

By:



GLENN MOHNEY
Code Enforcement Officer



CITY OF CLERMONT
VARIANCE
Application

DATE: 08/03/2020

FEE: _____

PROJECT NAME (if applicable): _____

APPLICANT: Henry Tkacz

CONTACT PERSON: _____

Address: 224 Carroll Street

City: Clermont State: FL Zip: 34711

Phone: 954 461 9109 Fax: _____

E-Mail: h2groupinc@aol.com

OWNER: Henry Tkacz

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Address of Subject Property: 224 Carroll Street, Clermont, FL 34711

General Location: _____

Legal Description (include copy of survey): _____

Land Use (City verification required): _____



Zoning (City verification required): _____

CITY OF CLERMONT

VARIANCE

Application

Page 2

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

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

What are you proposing to do that would require a variance and why? A shed that is on right front side of the house.

How does the Code create a hardship? We were told that a shed should be on the back or side of the building.

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

Variance requested – subject and code section: _____

Sec. 86-174. Review criteria and findings.

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

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



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

The variance will allow use of the property and there are similar structures in the neighborhood

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;

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

Granting of the variance is consistent with the 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 this criteria if the variance were denied.

The variance request is the minimum request to make reasonable use of the property



CITY OF CLERMONT
VARIANCE
Application
Page 4

HENRY Tkacz
Applicant Name (print)

X [Signature]
Applicant Name (signature)

HENRY TKACZ
Owner Name (print)

X [Signature]
Owner Name (signature)

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

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

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

ARTICLE IV. VARIANCES

Sec. 86-171. Permitted variances; exclusions.

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

Advertising Receipt

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PO Box 490007
Leesburg, FL 34749-0007
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Fax: (352) 365-1951

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

Account Number: 7101866
Order Number: 10098345
Phone: (352) 241-7331
Date: 08/25/20
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cle	09/01/2020	09/01/2020	\$110.98

LEGAL NOTICE

Ad No: 10098345
September 01, 2020

Notice is hereby given that the City Council of the City of Clermont will consider a request for the following variance: (1) to allow for a utility building less than 150 square feet to be placed in the front yard and less than 30 inches from the side property line other than as required by the Land Development Code, Section 122-342 Special Setbacks at the following location:

LOCATION

224 Carroll Street
(Alternate Key 1628229)

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

This request will be heard by the City Council at a public hearing to be held on Tuesday, September 8, 2020 at 6:30 P.M. at the City of Clermont City Center, located at 620 West Montrose Street.

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

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Payment Info	
Ad Price	\$110.98
Tax	\$0.00
Sub Total	\$110.98
Prepaid Amount	\$0.00
Balance Due	\$110.98



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date			
Tuesday, September 8, 2020			
Agenda Item Name			
Event and Road Closure Request			
Requested Action			
Recommend approval of the event and road closures request for "Mustache Dash" and "Mustache Splash and Paddle" on November 21, 2020.			
Staff Report			
FloDash Events is requesting road closures, for the Mustache Dash, on Saturday, November 21, 2020 from 7:30 a.m. through 9:30 a.m. throughout Downtown Clermont. Swim Like A Pro is requesting the Mustache Splash and Paddle from 9:30 a.m. to 2:30 p.m. at Victory Pointe. Road Closure requests are to include: - 5th Avenue between the South Lake Trail and Carroll Street - Carroll Street between 4th and 5th Street - Osceola Street between West Avenue and 8th Street - 4th Street between Carroll Street and Osceola Street - Osceola Street between 4th and 5th Street - 5th Street between Osceola Street and Montrose - Montrose Street between 5th Street and 8th Street - 8th Street between Montrose Street and Minneola Avenue - Minneola Avenue between 8th Street and Victory Way (Please see attached map) FloDash Events has agreed to comply with all personnel requirements from the City of Clermont. The following are the Clermont Police Department required posts: 8th and W. Osceola, 5th and Carroll, 4th and Carroll, 5th and W. Osceola, 4th and W. Osceola, 5th and W. Minneola, 5th and W. Montrose, Lake and W. Montrose, 7th and W. Montrose, 8th and W. Montrose, 8th and W. Minneola, West and W. Minneola, Victory Pointe and W. Minneola Supervisor (check-in)			
Additional Analysis			
Fiscal Impact Summary			
Fiscal Impact	Fund Number and Description	Available Budget Amount	
Exhibits Attached (copies of original agreements)			

1.	Mustache Splash & Paddle 11 21 20	Mustache Splash & Paddle 11 21 20.pdf
2.	Course Maps	Course Maps.pdf
3.	Clermont Mustache Dash 5K Letter to Residents	Clermont Mustache Dash 5K Letter to Residents.pdf
4.	Mustache 5k-10k Map Maps	Mustache 5k-10k Map Maps.pdf
5.	11-21-20Mustache Dash Application	11-21-20Mustache Dash Application.pdf



APPLICATION FOR SPECIAL EVENTS PERMIT

PLEASE TYPE OR PRINT CLEARLY

Today's Date 7/23/20
Name of Event Mustache Splash & Paddle
Date(s) of Event 11/21/20 Estimated Attendance: 250
Event Start Time: 9:30a Event End Time: 2:30p
Before Event Setup Time: 7:00a After Event Cleanup Time: 4:00p
Name of Organization/Applicant Swim Like A Pro

The refundable deposit will be made payable and mailed to the name and address of the applicant listed

Check Type of Organization ☐ Resident ☐ Non Resident ☐ Non-Profit ☒ Business

Non-Profit documentation must be provided with application.

Tax Exempt ☐ Yes ☒ No If yes, provide Tax Exempt # _____

If Yes, you must provide your Tax Exempt Certificate with application.

Federal ID # or Driver's License # 47-3270911 or M246-792-83-5650
Event Contact Sora McLarty Email sora@swim-like-a-pro.com
Day Phone 386-747-4324 Cell Phone same
Address 205 Carroll St City Clermont State FL Zip 34711
Secondary Contact _____ Phone # _____

If this event is a fundraiser, who is the beneficiary? (provide contact information and address)

N/A

Briefly Describe Event: an open water swim and paddle board race; start/finish @ victory pointe

Location of Event on City Property: Map 1 ☐ A ☐ B ☐ C ☐ D ☐ Map 2 ☒ Map 3

Please choose A, B, C, or D on MAP 1, MAP 2 (Downtown Clermont), or Map 3 (Victory Pointe*)

***All swimming, biking, running and boating events must be conducted at Victory Pointe venue.**

Other Location:

Victory Pointe and the waters of Lake Minnedoka

PLEASE COMPLETE THE FOLLOWING QUESTIONNAIRE AND RETURN WITH YOUR APPLICATION

Alcohol Served: ☐ Yes ☒ No

If Yes, State Alcoholic Beverage License REQUIRED for sale for alcoholic beverages 1-800-375-6975 and approval from the City of Clermont City Manager and Council.

Canopy/Tent Use: ☐ Yes ☒ No

Size of Tent* _____

*Tents larger than 900 sq. ft. will require an additional permit

Electrical Use: ☐ Yes ☒ No

Describe the need: _____

Additional permits may be required based on use

Electrical Power Provided: ☐ Generator ☐ Temporary Power Drop ☐ Property Power

Gas Fueled Equipment: ☐ Yes ☒ No

Describe Use: _____

If Yes, subject to permits as required by the Building/Fire Safety Division.

Fuel Source ☐ Propane ☐ Natural Gas ☐ Diesel Fuel ☐ Gasoline

Cooking Equipment Use: ☐ Yes ☒ No

If Yes, subject to approval as required by the Florida DBPR, Division of Hotels and Restaurants. Contact number 1-850-487-1395

Cooking Types: ☐ Fryers ☐ Propane Grill ☐ Charcoal Grill ☐ Concession Trailer ☐ Food Trucks

Insurance may be required by provider

Rides: ☐ Yes ☒ No

Ride Types: ☐ Mechanical ☐ Bounce Houses ☐ Animals

Insurance may be required by provider

Pyrotechnic/Fireworks Displays: ☐ Yes ☒ No

If Yes, requires separate approval process completed by Company with the Fire Prevention Division.
The release of Sky Lanterns is not permitted under state law.

Streets to be Closed or Traffic Control: ☐ Yes ☒ No

Written submission for road closure is required and will require city council approval

Fire or Law Enforcement Stand-by Requested: ☐ Yes ☒ No

If Yes, requires separate approval process completed by applicant with the Clermont Police Department and Clermont Fire Department.
Law enforcement or fire/ems stand-by may be required by the City for certain events/activities and at the applicant's cost.

Live Television or Radio Broadcast: ☐ Yes ☒ No

DJ, Band, Music or Sound Amplification Devices: ☐ Yes ☒ No

Describe: _____

If loud sounds are created that require a permit under the City Noise Ordinance, a letter requesting a permit for such activity must accompany this permit application.

Banners or Attention Getting Devices: ☐ Yes ☒ No

If Yes, Attention Getting Devices and Banners require a separate permit with the Building/Fire Safety Division. Temporary signage is not permitted in right-of-ways.

Is another promoter/producer assisting with your event? ☒ Yes ☐ No

Is this event Public or Private? ☐ Private ☒ Public

in conjunction with
FlaDash events

SPECIAL EVENTS COST ESTIMATOR

NAME OF EVENT: Mustache Splash & Paddle

DATE OF EVENT: NOV. 21, 2020

EVENT CONTACT: Sara McLarty

REFUND MAILING ADDRESS: 205 Carroll St
Street Address

Chermon FL 34711
City ST Zip

CELL PHONE: 306-747-4324

Payment Deadline:

Application Fee and deposit are due upon submission

Final payment is due 14 days prior to event date.

Final payment not received by the due date will be assessed a 10% late payment fee per week on balance due.

	NON-PROFIT/ RESIDENT RATE	BUSINESS/ NON-RESIDENT RATE	SPECIAL INSTRUCTION	FEE
Application Fee	\$10	\$10	Non-Refundable	\$10
CITY PROPERTY:				
HIGHLANDER BUILDING AND PAVILION ~ AREA A (BLUE)				
Deposit	\$250	\$250	Refundable	
Hourly Fee	\$100	\$200	Per Hour (2 Hour Minimum)	
Daily Fee	\$700	\$1100		
PARK AREA ~ AREA B (RED)				
Deposit	\$150	\$150	Refundable	
Hourly Fee	\$25	\$50	Per Hour (2 Hour Minimum)	
Daily Fee	\$200	\$300		
WATERFRONT ~ AREA C (YELLOW)				
Deposit	\$350	\$350	Refundable	
Hourly Fee	\$200	\$300	Per Hour (2 Hour Minimum)	
Daily Fee	\$1500	\$2500		
Each Consecutive Day	\$1200	\$2000		
CITY HALL PARK - DOWNTOWN ~ AREA D (GREEN)				
Deposit	\$150	\$150	Refundable	
Hourly Fee	\$25	\$50	Per Hour (2 Hour Minimum)	
Daily Fee	\$200	\$300		
VICTORY POINTE				
Deposit	\$150	\$150	Refundable	
Hourly Fee	\$25	\$50	Per Hour (2 Hour Minimum)	
Daily Fee	\$200	\$300		
~ ADDITIONAL FEES ~ TO BE DETERMINED BY CITY STAFF				
Additional City Staff	\$25	\$25	Per Person, Per Hour	
Public Works Event Staff	\$25	\$25	4 hr. min, per staff	
Police Officer	\$42	\$42	4 hr. min, Per Officer	
Fire/ EMS	\$60	\$60	4 hr. min, 2 staff min	
Fire Boat in the Water	\$100	\$100	Per Hour	
				Sales Tax
				GRAND TOTAL

Resident/Non-Profit rate is defined as

- A resident or land owner located in the Clermont city limits
- A business located in the Clermont city limits
- Be an organization/business that is active and currently registered with the Florida Division of Corporations. Applicant must be a registered agent, representative, or board member of the organization/business.

**Non-Profits must provide business license, proof of non-profit status (5013C)*

Non-Resident/Business rate is defined as

- Applicant resides outside the Clermont city limits
- Business is located outside the Clermont city limits

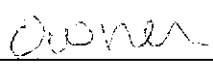
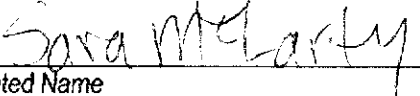
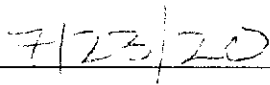
**Clermont Residents are not permitted to use 'Resident' status if the business is located outside of the city limits*

All businesses, vendors, etc., must provide a Certificate of Liability with a minimum coverage of \$1,000,000 Comprehensive General Liability Insurance naming the City of Clermont as additionally insured

PLEASE NOTE: The issuance of a Special Events Permit from the City shall NOT relieve any person from the duty to secure other City, State or County permits or approvals as may be required to include, but not be limited to, Department of Business and Professional Regulation, Health Department, tent permits, fireworks permit, attention getting device permits, business tax receipt, etc. The applicant agrees that no advertising for the event shall occur until this Special Event Permit has been approved. If any information is found to be false, incomplete or misrepresented, such fact is just cause for the immediate revocation of any permit issued. In addition, failure to correct any on-site condition or code violation as identified by the City staff will result in revocation of the permit and/or code enforcement fines.

Indemnification, Insurance and Additional Costs

The applicant and any other persons, organizations, firms or corporations on whose behalf the application is made agree that they will jointly and severally indemnify and hold the City harmless against liability, including court costs and attorney's fees, and attorney's fees on appeal, for any and all claims for damage to property, or injury to or death to persons, arising out of or resulting from the issuance of the permit or the conduct of the Special Event. The applicant may be required to provide insurance, as determined by the Risk Manager. In that case, the City shall be named as an Additional Insured. The applicant also agrees to reimburse the City for all costs due to damage, or use of City resources that are unanticipated but required to support this event.

 _____ Applicant's Signature	 _____ Title
 _____ Printed Name	 _____ Date

*****FOR CITY DEPARTMENT REVIEW ONLY*****

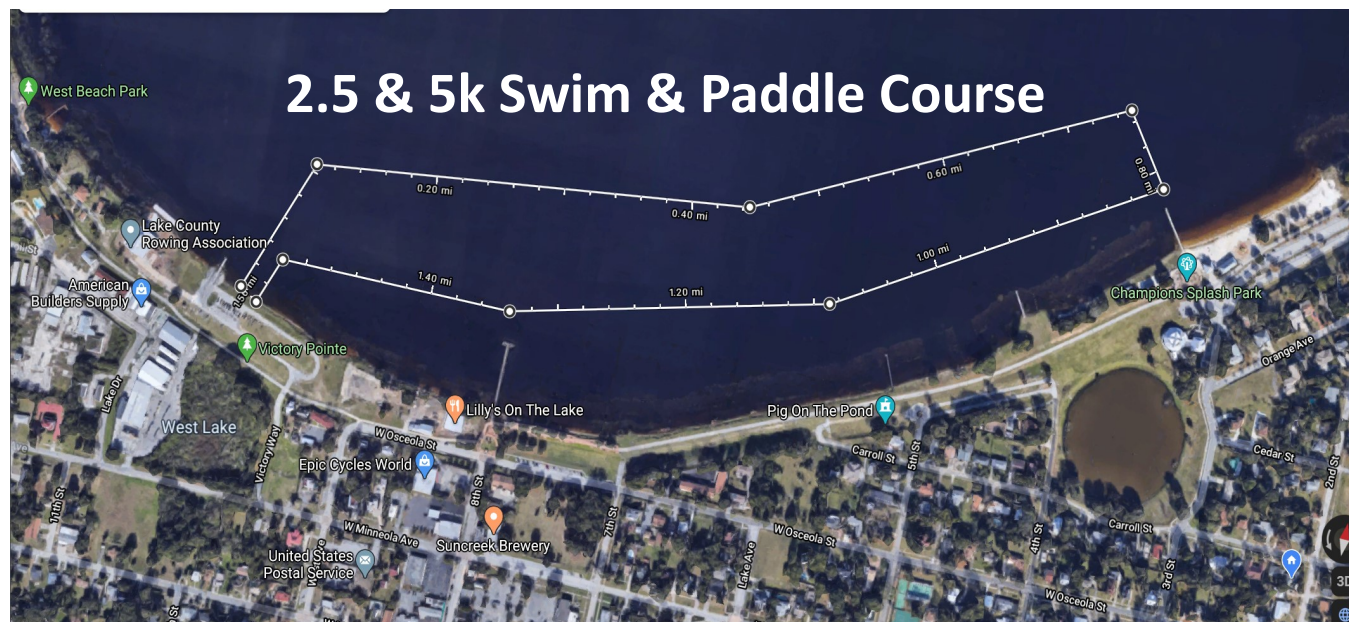
Department / Division Routing:

- | | | |
|-----------------------|-------------------------------|--------------------|
| a) Parks & Rec. Dept. | b) Police Department | c) Fire Department |
| d) Public Works Dept. | e) Development Services Dept. | |

Provide email comments back to City within 7 calendar days of application receipt by the City. Comments need to include a specific denial or approval of the permit and any specific conditions required to be met or listed on the permit.

Mustache Swim & Paddle Race

Rough Draft Course Maps





Clermont Mustache Dash

5K & 10K

Presented by FloDash Events

Dear Resident/Business Owner on the Mustache Dash 5K & 10k route,

On November 21st, 2020, your neighbors at Dash Sports and FloDash Events are bringing the first Annual Mustache Dash 5K & 10K to Downtown Clermont. Celebrating Men's Health Month with a morning race, will not only attract our local families of walkers and runners, but it will bring participants from outside Lake County adding awareness to our beautiful growing Downtown area and all that it has to offer. We have carefully designed a course that is unique and will take participants on a nice little tour of Downtown and Victory Pointe.

You are receiving this letter because your home or business is on the race route and we would love for you to be a part of this special day! Participation can be either by cheering from your location, volunteering at one of our stations or joining us to run /walk. Once we have the registration website opened at MustacheRun.com, you can contact us for a Dash Sports neighborly discount code so you and your friends can register at a special rate.

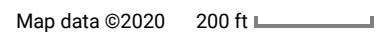
Below is some key information about the morning and what to expect:

- Friday November 21st. Start and Finish line setup. Start will be near Victory Pointe, Finish line will be in Victory Pointe. Signs will be place the day before to remind residents and visitors of the road closures the next morning.
- November 21st 6:45 AM 10K starts - 7:15AM 5K starts
- Street closure will be between 6:00AM - 10:00AM. As soon as the last participant is on their way, we will start reopening the roads behind them.

For any questions or more information on the event, please contact Amalie Skorman at flodashevents@gmail.com . You may also contact us if your business or club would like to be a sponsor or be involved in any way.

Thank you for helping our community grow and live actively!!

FloDash Events & Dash Sports



Total distance: 3.13 mi (5.03 km)



#6913

APPLICATION FOR SPECIAL EVENTS PERMIT

PLEASE TYPE OR PRINT CLEARLY

Today's Date 6/11/2020
Name of Event Mustache Dash 5k
Date(s) of Event ~~11/22/2020~~ 11/21/2020 Estimated Attendance: 500
Event Start Time: 7:30 AM Event End Time: 9:30 AM
Before Event Setup Time: 4:00 AM After Event Cleanup Time: 10:30 AM
Name of Organization/Applicant FloDash Events LLC

The refundable deposit will be made payable and mailed to the name and address of the applicant listed

Check Type of Organization ☐ Resident ☐ Non Resident ☐ Non-Profit ☒ Business**Non-Profit documentation must be provided with application.**Tax Exempt ☐ Yes ☒ No If yes, provide Tax Exempt # _____**If Yes, you must provide your Tax Exempt Certificate with application.**Federal ID # or Driver's License # 83-3456877Event Contact Kimberly Grogan Email flodashevents@gmail.comDay Phone 352-217-9291 Cell Phone 352-217-9291Address 741 W Montrose St City Clermont State FL Zip 34711Secondary Contact Amalie Skorman Phone # 407-230-8756

If this event is a fundraiser, who is the beneficiary? (provide contact information and address)

Movember - Changing the Face of Men's Health, Greg Olivia, 310-450-3331Briefly Describe Event: A 5k run/walk race starting and finishing at Victory Pointe.Location of Event on City Property: Map 1 ☐ A ☐ B ☐ C ☐ D ☐ Map 2 ☒ Map 3**Please choose A, B, C, or D on MAP 1, MAP 2 (Downtown Clermont), or Map 3 (Victory Pointe)**Other Location: Streets of downtown Clermont

PLEASE COMPLETE THE FOLLOWING QUESTIONNAIRE AND RETURN WITH YOUR APPLICATION

Alcohol Served: ☐ Yes ☒ No

If Yes, State Alcoholic Beverage License REQUIRED for sale of alcoholic beverages 1-800-375-6975 and approval from the City of Clermont City Manager and Council.

Canopy/Tent Use: ☒ Yes ☐ No Size of Tent* 10x10

**Tents larger than 900 sq. ft. will require an additional permit*

Electrical Use: ☐ Yes ☒ No Describe the need: _____

Additional permits may be required based on use

Electrical Power Provided: ☒ Generator ☐ Temporary Power Drop ☐ Property Power

Gas Fueled Equipment: ☐ Yes ☐ No Describe Use: _____

If Yes, subject to permits as required by the Building/Fire Safety Division.

Fuel Source ☐ Propane ☐ Natural Gas ☐ Diesel Fuel ☐ Gasoline

Cooking Equipment Use: ☐ Yes ☒ No

If Yes, subject to approval as required by the Florida DBPR, Division of Hotels and Restaurants. Contact number 1-850-487-1395

Cooking Types: ☐ Fryers ☐ Propane Grill ☐ Charcoal Grill ☐ Concession Trailer ☐ Food Trucks

Insurance may be required by provider

Rides: ☐ Yes ☒ No Ride Types: ☐ Mechanical ☐ Bounce Houses ☐ Animals

Insurance may be required by provider

Pyrotechnic/Fireworks Displays: ☐ Yes ☐ No

*If Yes, requires separate approval process completed by Company with the Fire Prevention Division.
The release of Sky Lanterns is not permitted under state law.*

Streets to be Closed or Traffic Control: ☒ Yes ☐ No

Written submission for road closure is required and will require city council approval

Fire or Law Enforcement Stand-by Requested: ☒ Yes ☐ No

*If Yes, requires separate approval process completed by applicant with the Clermont Police Department and Clermont Fire Department.
Law enforcement or fire/ems stand-by may be required by the City for certain events/activities and at the applicant's cost.*

Live Television or Radio Broadcast: ☐ Yes ☒ No

DJ, Band, Music or Sound Amplification Devices: ☒ Yes ☐ No

Describe: Music and announcements from a PA system at the start/finish

If loud sounds are created that require a permit under the City Noise Ordinance, a letter requesting a permit for such activity must accompany this permit application.

Banners or Attention Getting Devices: ☐ Yes ☒ No

If Yes, Attention Getting Devices and Banners require a separate permit with the Building/Fire Safety Division. Temporary signage is not permitted in right-of-ways.

Is this event: ☒ Public ☐ Private Is another promoter/producer assisting with your event? ☐ Yes ☒ No

Will this event use other venues and/or municipalities such as Lake County? ☐ Yes ☒ No

Will this event be utilizing Lake Minneola or Lake Minnehaha for any portion of the event? ☐ Yes ☒ No

Are you requesting the boat ramp be closed in order to be used for overflow parking? ☐ Yes ☒ No

Boat ramp closure request will only be considered by the City Council for events that have over 1000 expected in attendance.

SPECIAL EVENTS COST ESTIMATOR

NAME OF EVENT:	Mustache Dash 5k		
DATE OF EVENT:	11/22/2020		
EVENT CONTACT:	Kimberly Grogan		
REFUND MAILING ADDRESS:	741 W Montrose St		
	Street Address		
	Clermont	FL	34711
	City	ST	Zip
CELL PHONE:	352-217-9291		

Payment Deadline:

Application Fee and deposit are due upon submission

Final payment is due 30 days prior to event date.

Final payment not received by the due date will be assessed a 10% late payment fee per week on balance due.

	NON-PROFIT/ RESIDENT RATE	BUSINESS/ NON-RESIDENT RATE	SPECIAL INSTRUCTION	FEE
Application Fee	\$10	\$10	Non-Refundable	\$10
CITY PROPERTY:				
HIGHLANDER BUILDING AND PAVILION ~ AREA A (BLUE)				
Deposit	\$250	\$250	Refundable	
Hourly Fee	\$100	\$200	Per Hour (2 Hour Minimum)	
Daily Fee	\$700	\$1100		
PARK AREA ~ AREA B (RED)				
Deposit	\$150	\$150	Refundable	
Hourly Fee	\$25	\$50	Per Hour (2 Hour Minimum)	
Daily Fee	\$200	\$300		
WATERFRONT ~ AREA C (YELLOW)				
Deposit	\$350	\$350	Refundable	
Hourly Fee	\$200	\$300	Per Hour (2 Hour Minimum)	
Daily Fee	\$1500	\$2500		
Each Consecutive Day	\$1200	\$2000		
CITY HALL PARK - DOWNTOWN ~ AREA D (GREEN)				
Deposit	\$150	\$150	Refundable	
Hourly Fee	\$25	\$50	Per Hour (2 Hour Minimum)	
Daily Fee	\$200	\$300		
VICTORY POINTE				
Deposit	\$150	\$150	Refundable	
Hourly Fee	\$25	\$50	Per Hour (2 Hour Minimum)	
Daily Fee	\$200	\$300		
~ ADDITIONAL FEES ~ TO BE DETERMINED BY CITY STAFF				
Additional City Staff	\$25	\$25	Per Person, Per Hour	
Public Works Event Staff	\$25	\$25	4 hr. min, per staff	
Police Officer	\$42	\$42	4 hr. min, Per Officer	
Fire/ EMS	\$60	\$60	4 hr. min, 2 staff min	
Fire Boat in the Water	\$100	\$100	Per Hour	
				Sales Tax
GRAND TOTAL				

Resident/Non-Profit rate is defined as

- A resident or land owner located in the Clermont city limits
- A business located in the Clermont city limits
- Be an organization/business that is active and currently registered with the Florida Division of Corporations. Applicant must be a registered agent, representative, or board member of the organization/business.

**Non-Profits must provide business license, proof of non-profit status (5013C)*

Non-Resident/Business rate is defined as

- Applicant resides outside the Clermont city limits
- Business is located outside the Clermont city limits

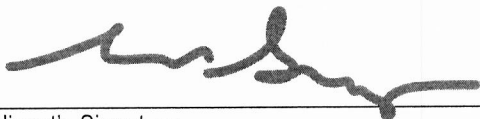
**Clermont Residents are not permitted to use 'Resident' status if the business is located outside of the city limits*

All businesses, vendors, etc., must provide a Certificate of Liability with a minimum coverage of \$1,000,000 Comprehensive General Liability Insurance naming the City of Clermont as additionally insured

PLEASE NOTE: The issuance of a Special Events Permit from the City shall NOT relieve any person from the duty to secure other City, State or County permits or approvals as may be required to include, but not be limited to, Department of Business and Professional Regulation, Health Department, tent permits, fireworks permit, attention getting device permits, business tax receipt, etc. The applicant agrees that no advertising for the event shall occur until this Special Event Permit has been approved. If any information is found to be false, incomplete or misrepresented, such fact is just cause for the immediate revocation of any permit issued. In addition, failure to correct any on-site condition or code violation as identified by the City staff will result in revocation of the permit and/or code enforcement fines.

Indemnification, Insurance and Additional Costs

The applicant and any other persons, organizations, firms or corporations on whose behalf the application is made agree that they will jointly and severally indemnify and hold the City harmless against liability, including court costs and attorney's fees, and attorney's fees on appeal, for any and all claims for damage to property, or injury to or death to persons, arising out of or resulting from the issuance of the permit or the conduct of the Special Event. The applicant may be required to provide insurance, as determined by the Risk Manager. In that case, the City shall be named as an Additional Insured. The applicant also agrees to reimburse the City for all costs due to damage, or use of City resources that are unanticipated but required to support this event.



Applicant's Signature

President

Title

Kimberly G

Printed Name

6/22/2020

Date

*****FOR CITY DEPARTMENT REVIEW ONLY*****

Department / Division Routing:

a) Parks & Rec. Dept.

b) Police Department

c) Fire Department

d) Public Works Dept.

e) Development Services Dept.

Provide email comments back to City within 7 calendar days of application receipt by the City. Comments need to include a specific denial or approval of the permit and any specific conditions required to be met or listed on the permit.

FACILITY SALES RECEIPT



Receipt #
Payment Date:
Household:

53276
06/30/20
6913

Clermont City Center
620 West Montrose Street
CLERMONT FL 34711
Phone: (352)708-5975

FloDash Events LLC
741 W Montrose St
Clermont FL 34711
flodashevents@gmail.com

Reservation Details: Waterfront Park, Victory Pointe

Reserv. Contact: FloDash Events LLC
Phone Number: (Not Assigned)
Reserv. Number: 7381
Status: Firm
Purpose: Mustache Dash 5K
Anticipated Count: 500

<u>Date(s) And Times</u>	<u>New Fees</u>	<u>Total Fees</u>	<u>New Paid</u>	<u>Total Paid</u>	<u>Amount Due</u>
Sat 11/21/2020 7:30A to 10:30A	89.88	89.88	0.00	0.00	89.88
Deposit:	150.00	150.00	0.00	0.00	150.00

<u>Fee Description</u>	<u>Amount</u>	<u>Count</u>	<u>Discount</u>	<u>Sales Tax</u>	<u>Total Fee</u>
Application Fee	10.00	1.00	0.00	0.00	10.00
Resident / Non Profit	25.00	3.00	0.00	4.88	79.88
Deposit	150.00	1.00	0.00	0.00	150.00

Special Questions: Police Requests:
Fire Requests:

Processed on 06/30/20 @ 9:27 am by acardarelli

Total New Deposit Fees	150.00
Total New Fees	85.00
Total New Taxes	4.88
Total Due	239.88
Total Fees Paid	0.00
Total Paid	0.00
Balance From Receipt	239.88

**Need to add P/W*



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, September 8, 2020		
Agenda Item Name		
Downtown Parking		
Requested Action		
Staff Report		
City staff has retained a professional parking/traffic consultant to analyze the downtown parking demands. The study addresses the current parking supply as well as potential operations and shared parking opportunities within the Central Business District.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, September 8, 2020		
Agenda Item Name		
Ordinance No. 2020-31 <i>Introduction</i>		
Requested Action		
Recommend introduction of ordinance.		
Staff Report		
Consider ordinance in response to Lake County Water Authority's request to establish Idle Speed / No Wake Zones. This is to protect the health, safety and general welfare of all residents as well as the shorelines and environment of the lakes.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	2020-31 - CL Ord. for Idle Speed No Wake Zones Text Amendment red-line (FWC revisions & DM Edits	2020-31 - CL Ord. for Idle Speed No Wake Zones Text Amendment red-line (FWC revisions & DM Edits .pdf
2.	ORDINANCE 2020-31 ad proof	ORDINANCE 2020-31 ad proof.pdf



CITY OF CLERMONT
ORDINANCE NO. 2020-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA; AMENDING CHAPTER 70 “WATERWAYS” OF THE CODE OF ORDINANCES, CREATING ARTICLE I “SPEED LIMITS”, SECTION 70-1 “AUTHORITY”, SECTION 70-2 “DEFINITIONS”, SECTION 70-3 “IDLE SPEED NO WAKE ZONES, SECTION 70-4 “ADOPTION OF SPEED LIMITS” AND SECTION 70-5 “ENFORCEMENT AND PENALTY”; PROVIDING FOR THE ERECTION OF SIGNS; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, boating safety concerns were brought to the attention of the City of Clermont around the boat ramps and within the City of Clermont waterways; and

WHEREAS, in 2008, the Florida Legislature transferred the authority for permitting speed zones to the Florida Fish and Wildlife Conservation Commission making the permitting of waterway speed zones more stringent and requiring all new speed zones to be adopted by ordinance as per Florida Statutes 327.46(1)(b); and

WHEREAS, Florida Statutes 327.46(1)(b)1(a) authorizes the City of Clermont to establish Idle Speed/No Wake boating safety zones by ordinance without additional agency approval within 500 feet of any boat ramp, hoist, marine railway, or other launching or landing facility available for use by the general boating public on waterways not more than 300 feet in width; and

WHEREAS, Florida Statutes 327.46(1)(c) grants the City of Clermont the authority to implement Idle Speed/No Wake boating safety zones within 300 feet of a confluence of water bodies presenting, [insert specific geo-coordinates of identified zones] or such other area if an intervening obstruction to visibility may obscure other vessels or other users of the waterway on the City of Clermont waterways after the Florida Fish and Wildlife Conservation Commission has reviewed the ordinance and determined by substantial competent evidence that the ordinance is necessary to protect public safety; and

WHEREAS, the Clermont City Council recognizes that speed zones are necessary for the health, safety and welfare of the boating public; and

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

SECTION 1: RECITALS

The foregoing recitals are true and correct and incorporated herein by reference.



CITY OF CLERMONT
ORDINANCE NO. 2020-31

SECTION 2:

Chapter 70 “Waterways”, Article I “Speed Limits, Section 70-1 “Authority”; Section 70-2 “Definitions”; Section 70-3 “Idle Speed/No Wake Zones”; Section 70-4 “Adoption of Speed Limits” and Section 70-5 “Enforcement and Penalty” is hereby created to read as follows (note strikethrough indicates removed words and underlined indicates added):

Article I “Speed Limits”

Section 70-1 “Authority”

The Clermont City Council is authorized by Florida Law and the Charter of the City of Clermont and empowered to regulate vessel speed at which motorboats and vessels of all kinds may be operated on within the restricted zones.

Section 70-2 “Definitions”

As used in this Article, unless the context clearly requires a different meaning:

- a) Vessel is synonymous with boat and means a motor or artificially propelled vehicle and every other description of watercraft, whether motor propelled or not, including barges and airboats, other than a seaplane on the water, used or capable of being used as a means of transportation on water.
- b) Motorboat means any boat or vessel propelled or powered by machinery.
- c) Operator or Operation means to navigate or otherwise use such a boat or vessel.
- d) Waters of the city means all waters lying within the boundaries of the City of such a proportion to allow thereupon the operation of a vessel or a motor boat.
- e) Idle speed – No Wake means that a vessel must proceed at a speed no greater than that which will maintain steerage and headway; provided, however, that at no time is any vessel or any other vessel or object that it has under tow. The zone shall be no wider than 75 feet.

Section 70-3 “Idle Speed/No Wake Zones”

(a) The following areas on Lake Minneola less than seventy five (75) feet wide from shoreline to shoreline and located within the incorporated waters of the City with non-restricted public access are declared Idle Speed No Wake Zones unless posted otherwise:

- (1) Area adjacent to, near and around the City’s rowing boathouse;
- (2) Area adjacent to, near and around the City’s public boat ramp; and
- (3) Area adjacent to, near and around the Lake Hiawatha kayak launch area.



CITY OF CLERMONT
ORDINANCE NO. 2020-31

(b) This section shall not apply in case of emergency nor to any law enforcement or emergency services patrol or rescue boat.

Section 70-4 “Adoption of Speed Limits”

Speed limits, and subsequent amendments, shall be adopted by ordinance of the City Council and shall not exceed or diminish speed limits set by the Lake County Board of County Commissioners.

- a) After adoption of such speed limit, low speed or no-wake signs shall be posted at all public boat-entrance ramps and public launching points along the portion of the waterway specified in the resolution. Additional signs may be posted as deemed necessary by the City Council and upon the approval of the required county, state and federal regulatory agencies.
- b) No person shall operate a boat at a rate of speed in excess of the low speed sign posted.

Section 70-5 “Enforcement and Penalties”

Enforcement and penalties shall be as provided by applicable law.

SECTION 3: SIGNS

The City of Clermont is hereby authorized and requested to work with The Lake County Water Authority to obtain the necessary permit(s) and to place such signage as it deems necessary in order to notify the public of any Idle Speed/No Wake or other restrictive zones, and is authorized to coordinate the production of such signage.

SECTION 4: CONFLICT

All ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 5: SEVERABILITY

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



CITY OF CLERMONT
ORDINANCE NO. 2020-31

SECTION 6: CODIFICATION

The text of Section 2 of this Ordinance shall be codified as a part of the Clermont City Code. The codifier is authorized to make editorial changes not effecting the substance of this Ordinance by the substitution of "article" for "ordinance", "section" for "paragraph", or otherwise to take such editorial license.

SECTION 7: ADMINISTRATIVE CORRECTION

Regardless of whether such inclusion in the Code as described in Section 6 is accomplished, section of the Ordinance may be re-numbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 8: PUBLICATION & EFFECTIVE DATE

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

First Reading this ____ day of _____, 2020.

Second Reading this ____ day of _____, 2020.

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this ____ day of _____, 2020.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

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: 10098116
Phone: (352) 241-7331
Date: 08/07/20
Ad Taker: liana.rickman

Ad Classification: LEGAL NOTICES

Description	Start	End	Total
LEGAL NOTICE Notice is hereby given that the City Council of the City of Cle	08/25/2020	08/25/2020	\$144.64

LEGAL NOTICE

Notice is hereby given that the City Council of 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. 2020-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA; AMENDING CHAPTER 70 "WATERWAYS" OF THE CODE OF ORDINANCES, CREATING ARTICLE I "SPEED LIMITS", SECTION 70-1 "AUTHORITY", SECTION 70-2 "DEFINITIONS", SECTION 70-3 "IDLE SPEED NO WAKE ZONES, SECTION 70-4 "ADOPTION OF SPEED LIMITS" AND SECTION 70-5 "ENFORCEMENT AND PENALTY"; PROVIDING FOR THE ERECTION OF SIGNS; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

Montrose Street Clermont, FL 34711, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Ad No: 10098116
August 25, 2020

A public meeting to consider the ordinance will be held before the Clermont City Council on Tuesday, August 25, 2020 at 6:30 P.M. for introduction.

A public meeting to consider the ordinance will be held before the Clermont City Council on Tuesday, September 8, 2020 at 6:30 P.M. for final enactment.

All meetings will be held at Clermont City Hall, first floor Council Chambers, located at 685 West Montrose Clermont, FL 34711.

This ordinance is available for public inspection in the office of the City Clerk, 2nd Floor, located at 685 W.

Payment Info	
Ad Price	\$144.64
Tax	\$0.00
Sub Total	\$144.64
Prepaid Amount	\$0.00
Balance Due	\$144.64



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 1

Meeting Date		
Tuesday, September 8, 2020		
Agenda Item Name		
Ordinance No. 2020-32 <i>Introduction</i>		
Requested Action		
Recommend introduction of Ordinance 2020-32.		
Staff Report		
The proposed amendment to Chapter 54 "Streets, Sidewalks and Other Public Places" addresses the defining and prohibition of motorized scooters and micromobility devices on City streets, sidewalks and trails.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1.	2020-32 - Code Amendment - Micromobility Devices - F&R BL	2020-32 - Code Amendment - Micromobility Devices - F&R BL.pdf
2.	Legal Ad - Ordinance No 2020-32 - Micromobility Devices Code Amendment	Legal Ad - Ordinance No 2020-32 - Micromobility Devices Code Amendment.docx



CITY OF CLERMONT
ORDINANCE NO. 2020-32

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 54 “STREETS, SIDEWALKS AND OTHER PUBLIC PLACES”, ARTICLE V, “PARKS AND RECREATION AREAS”, AMENDING SECTION 54-122 “DEFINITIONS”; CREATING NEW SECTION 54-129 “BICYCLES, MICROMOBILITY DEVICES AND MOTORIZED SCOOTERS” OF THE CITY CODE, PROVIDING FOR DEFINITIONS, PROHIBITION OF OBSTRUCTION OF STREETS, SIDEWALKS AND TRAILS, PROHIBITION OF MOTORIZED SCOOTERS AND MICROMOBILITY DEVICES IN CITY PARKS AND ON CITY TRAILS, AND STAGING OF BICYCLES, MICROMOBILITY DEVICES AND MOTORIZED SCOOTERS; RENUMBERING “ENFORCEMENT; PENALTIES” TO SECTION 54-130 OF THE CLERMONT CITY CODE; PROVIDING FOR CONFLICT, SEVERABILITY, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, CODIFICATION, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Clermont recognizes that the State of Florida has expanded the rights of motorized scooter and micromobility device operators within the state and expanded the areas where micromobility device and motorized scooter operators may operate these devices under Section 316.2128, Florida Statutes; and

WHEREAS, Section 316.2128, Florida Statutes provides operators of motorized scooters and micromobility devices with the same rights and duties of the operator of a bicycle; and

WHEREAS, the City finds the proliferation of motorized scooters and micromobility devices in city parks and on city trails has dramatically increased the risk of injuries related to micromobility device and motorized scooter operators colliding with pedestrians and bicyclists in City parks or on City trails; and

WHEREAS, the narrow paths and high pedestrian and bicycle traffic in City Parks, including, but not limited to, the City’s system of trails create unique hazards to pedestrians and bicycle operators and operators of micromobility devices, motorized scooters, and bicycles not present in most cities; and

WHEREAS, motorized scooters and micromobility devices present a greater risk to riders and pedestrians than devices propelled by human power such as bicycles; and

WHEREAS, a study conducted by the Journal of American Medicine found that 94.3% of observed micromobility device riders were not wearing helmets and that only 4.4% of micromobility device riders admitted to the hospital were wearing a helmet at the time of the accident; and



CITY OF CLERMONT
ORDINANCE NO. 2020-32

WHEREAS, micromobility devices, motorized scooters, and bicycles parked improperly create dangerous conditions for pedestrians, particularly the disabled residents of the City; and

WHEREAS, Section 316.2128, Florida Statutes expressly reserves local authority and jurisdiction to regulate micromobility devices and motorized scooters to the extent authorized by Section 316.008, Florida Statutes; and

WHEREAS, the City recognizes that Section 316.008(1)(a), Florida Statutes authorizes municipalities to regulate or prohibit “stopping, standing, or parking,” and

WHEREAS, the City recognizes that Section 316.008(7)(a), Florida Statutes authorizes municipalities to “permit, control, or regulate” vehicles operating in City parks or on City owned trail systems, including micromobility devices, bicycles, and motorized scooters; and

WHEREAS, notwithstanding that Section 316.1995, Florida Statutes, with limited exceptions, prohibits operation of vehicles on sidewalks, including micromobility devices and motorized scooters except to the extent a micromobility device or motorized scooter is propelled by human power, and this Ordinance reiterates such prohibitions; and

WHEREAS, the City finds a regulatory measure is necessary to mitigate the risks and dangers posed by motorized scooters and micromobility devices in specified areas within the City.

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

SECTION 1: RECITALS

The above recitals are true and correct, are adopted and incorporated herein, and constitute the legislative findings and legislative intent of the City Council of the City of Clermont.

SECTION 2

Chapter 54, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, Article V, Parks and Recreation Areas, Section 54-112 Definitions is amended to read as follows (note strikethrough indicates removed words and underlined indicates added):

Sec. 54-112. Definitions.

The following words, terms and phrases when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:



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City park means land owned or maintained by the City of Clermont and which is designated as a public park or public recreation area by the city's comprehensive plan (recreation and open space element), by a resolution adopted by the city council, or by dedication that has been accepted by the city council. Included in the definition of the term "city park" are the city's special use facilities (for example, arts and recreation center) and all natural resources, wildlife, facilities, improvements, waters and materials in, on or under the lands so designated. Properties in any system of trails owned by the city are intended to be designated as a city park.

Bicycle means every vehicle propelled solely by human power, and every motorized bicycle propelled by a combination of human power and an electric helper motor designed to or capable of propelling the vehicle at a speed of not more than 20 miles per hour on level ground upon which any person may ride, having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels.

Motorized scooter means any vehicle or micromobility device that is powered by a motor with or without a seat or saddle for the use of the rider, which is designed to travel on not more than three wheels, and which is not designed to or capable of propelling the vehicle at a speed greater than 20 miles per hour on level ground as defined by Fla.Stat. § 316.003(45).

Micromobility device means any motorized transportation device made available for private use by reservation through an online application, website, or software for point-to-point trips and which is not designed or capable of traveling at a speed greater than 20 miles per hour on level ground as defined by Fla. Stat. § 316.003(38).

Stage or Staging means the unauthorized parking and or placing of bicycles, micromobility devices and motorized scooters on public property for the purpose of advertising or displaying such micromobility devices to the general public for use or rental.

SECTION 3

Chapter 54, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, Article V, Parks and Recreation Areas, is amended to create Section 54-129 to read as follows (note strikethrough indicates removed words and underlined indicates added):

Sec. 54-129. Bicycles, Micromobility Devices and Motorized Scooters.

(a) No bicycle, micromobility device or motorized scooter shall be parked, staged, abandoned or otherwise left upon any street, right-of-way or sidewalk in such a manner as to obstruct traffic, either of vehicles or pedestrians, or to obstruct any stopping or parking space.

(b) It shall be unlawful to operate any motorized scooter or micromobility devices in or upon the city parks, including but not limited, to any trail or path of the City designed and dedicated for non-motor vehicle, bicycle or pedestrian traffic.



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(c) It shall be unlawful to stage micromobility devices and motorized scooters within the limits of the City.

SECTION 4

Chapter 54, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, Article V, Parks and Recreation Areas, is amended to renumber Section 54-129 Enforcement; penalties” to read as follows (note strikethrough indicates removed words and underlined indicates added):

Sec. ~~54-129~~ 130. Enforcement; penalties.

City law enforcement and code enforcement officers, the parks and recreation director or authorized designee, and the city manager or authorized designee shall be responsible for enforcing the provisions of this article, and shall have the authority to order any person or persons acting in violation of this article to leave the city park. It is unlawful for a person to remain in the city parks when the person is asked to leave the city park by a city official pursuant to this section.

SECTION 5: CONFLICT

All Ordinances or parts of Ordinances, all City Code Sections or parts of City Code Sections, and all Resolutions or parts of Resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6: SEVERABILITY

Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be invalid.

SECTION 7: ADMINISTRATIVE CORRECTION

Regardless of whether such inclusion in the Code as described in Section 8 is accomplished, sections of the Ordinance may be re-numbered or re-lettered and the correction of typographical and/or scrivener’s errors which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 8: CODIFICATION

The text of Sections 2, 3 and 4 of this Ordinance shall be codified as a part of the Clermont City Code. The codifier is authorized to make editorial changes not effecting the substance of this Ordinance by the substitution of "Article" for "Ordinance", "Section" for "Paragraph", or otherwise to take such editorial license.



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SECTION 9: PUBLICATION AND EFFECTIVE DATE

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



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PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida
on this 22nd day of September, 2020.

CITY OF CLERMONT

Gail L. Ash, Mayor

ATTEST:

Tracy Ackroyd Howe, City Clerk

LEGAL IN FORM AND

VALID AS ADOPTED

Daniel F. Mantzaris, City Attorney

LEGAL NOTICE

Notice is hereby given that the City Council of 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. 2020-32

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 54 "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES", ARTICLE V, "PARKS AND RECREATION AREAS", AMENDING SECTION 54-122 "DEFINITIONS"; CREATING NEW SECTION 54-129 "BICYCLES, MICROMOBILITY DEVICES AND MOTORIZED SCOOTERS" OF THE CITY CODE, PROVIDING FOR DEFINITIONS, PROHIBITION OF OBSTRUCTION OF STREETS, SIDEWALKS AND TRAILS, PROHIBITION OF MOTORIZED SCOOTERS AND MICROMOBILITY DEVICES IN CITY PARKS AND ON CITY TRAILS, AND STAGING OF BICYCLES, MICROMOBILITY DEVICES AND MOTORIZED SCOOTERS; RENUMBERING "ENFORCEMENT; PENALTIES" TO SECTION 54-130 OF THE CLERMONT CITY CODE; PROVIDING FOR CONFLICT, SEVERABILITY, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, CODIFICATION, PUBLICATION AND AN EFFECTIVE DATE.

A public meeting to consider the ordinance will be held before the Clermont City Council on Tuesday, September 8, 2020 at 6:30 P.M. for Introduction.

A public meeting to consider the ordinance will be held before the Clermont City Council on Tuesday, September 22, 2020 at 6:30 P.M. for final enactment.

All meetings will be held at Clermont City Hall, first floor Council Chambers, located at 685 West Montrose Clermont, FL 34711.

This ordinance is available for public inspection in the office of the City Clerk, 2nd Floor, located at 685 W. Montrose Street Clermont, FL 34711, Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

Please be advised that, under State law, if you should decide to appeal a decision made with respect to this matter, you will need a record of the proceedings, and may need to ensure that a verbatim record is made. Persons with disabilities who need assistance should contact the City Clerk's office, (352) 241-7330, at least 48 hours prior to the public hearings.

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
September 8, 2020