



**CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
LOCATION: CLERMONT CITY HALL
685 WEST MONTROSE STREET
6:30 PM, Tuesday, July 6, 2021**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

MINUTES

Approval of May 4, 2021 Planning & Zoning Commission minutes

Approval of June 1, 2021 Planning & Zoning Commission minutes

REPORTS

NEW BUSINESS

Item 1 - Ordinance No. 2021-018 - Small-scale
Comprehensive Plan Amendment
Headquarter Honda Garage

Consider request to change the future land use from Lake County Urban Low to Clermont Commercial designation for vacant property located on State Road 50 and the corner of Lake Boulevard.

Item 2 - Ordinance No. 2021-019 - Rezoning
Headquarter Honda Garage

Consider request for a rezoning from Lake County "CP" Commercial Planned to Clermont "C-2" General Commercial for vacant property located on State Road 50 and the corner of Lake Boulevard.

Item 3 - Resolution No. 2021-037R - Conditional
Use Permit
Headquarter Honda Garage (CUP)

Consider request to allow for a Conditional Use Permit (CUP) for an vehicle inventory garage structure in the C-2 General Commercial zoning district for a vacant property located on State Road 50 and the corner of Lake Boulevard.

Discussion of Non-Agenda Items

ADJOURN

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

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she

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should contact Development Services at (352) 241-7302.

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

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
May 4, 2021

The meeting of the Planning & Zoning Commission was called to order on Tuesday, May 4, 2021 at 6:30 p.m. by Chairman Krzyminski. Members present were: Joe Gustafson, Max Krzyminski, Jane McAllister, Vincent Niemiec, Lavonte Rogers, and Chuck Seaver. Member David Colby was absent. Also present for City staff was City Attorney Dan Mantzaris, Planning & Development Director Curt Henschel, Planning Manager John Kruse, and Senior Planner Regina McGruder.

MINUTES:

MOTION TO APPROVE the April 6, 2021 minutes of the Planning & Zoning Board made by Commissioner McAllister. Motion was seconded by Commissioner Gustafson. Passed unanimously.

REPORTS FROM THE ATTORNEY:

City Attorney Mantzaris explained the duties and goals of the Planning and Zoning Commission. He stated that the decisions have to be based on facts. He explained that an appeals court will look at the criteria was focused on if there is an appeal made by an applicant.

REPORTS FROM THE COMMISSION:

Commissioner Rogers thanked city staff for assisting him in his new role as a commissioner.

Commissioner Niemiec reported the Hartwood Marsh expansion project has been moved up from Tier 2 to a Tier 1 review to expedite the project due to traffic congestion.

Commissioner Gustafson reported that he contacted the city finance department to provide for the commission what the benefit of the increased tax base would be if that applicant's request to annex their property into the city limits is approved.

Chairman Krzyminski thanked Commissioner Niemiec for attending the road improvement meetings and speaking up for the city's behalf. He thanked the public for attending and their involvement in the city public meetings.

NEW BUSINESS

Item #1: Resolution No. 2021-027R – Rental Depot CUP

Request: Consider Conditional Use Permit (CUP) to allow outside storage and display of equipment for vacant property located between US Highway 27 and south of the Irish Trails Farm and Pet Store.

Senior Planner McGruder presented the staff report as follows:

The applicant would like to construct an equipment rental business with an outdoor storage and display area on property located in the C-2 General Commercial zoning district. Under Section 122- 224 of the Land Development Code, a Conditional Use Permit for this type of use and the outside storage of equipment is required. The subject property is located south of the Irish Trails Farm and Pet Supply store, between Bloxom Avenue and US Highway 27. The Future Land Use is Commercial. The applicant is proposing construction of a 7,000 square feet single-story building consisting of an office and

light warehouse uses.

The applicant has provided a conceptual site plan that indicates the layout of the proposed building, landscape buffers, dumpsters, parking, and the outside storage and display areas for the project. The plan identifies one access point off Bloxam Avenue and cross-access from US 27 through the Irish Trails Farm Supply property. The proposed development will be required to provide an additional 30 percent plant materials for the landscape buffers adjacent to the rights of way to ensure an opaque screening from the streets. The applicant is not requesting any variances to the Land Development Codes and the building will be required to comply with the Clermont Architectural Design Standards.

The proposed project will not be permitted storage or display of any large rental equipment or machines adjacent to US Highway 27. The applicant has indicated the project traffic generation is insignificant and the project traffic impact is de minimis because of the limited special services and products offered at this location. The business hours of operation will be Monday through Saturday from 7:00 am to 6:00 pm, and closed on Sundays to help minimize any noise and adverse impacts to the adjacent properties.

Staff has reviewed the application and proposed project in regards to Section 86-144 Review Criteria for a Conditional Use Permit. The proposed use will not be detrimental to the health, safety and general welfare of the community. The use of the site is not out of character with the existing neighborhoods or adjacent properties. The Conditional Use Permit will not be in conflict to the Clermont Comprehensive Plan goals, objective and policies for the current land use designation. The proposed use will comply with the regulations and conditions specified in the codes and provisions of this resolution.

Staff recommends approval of Resolution No. 2021-027R.

Jim Kirk, 9069 Great Heron Circle, Orlando, stated that 30% of their customer base is to home owners, however the rest is to small building contractors. He stated that they provide small booms for those who prefer those to ladders. He stated that they will provide a rod iron fence along the main highway and 6-foot black webbing fence around the rest of the property.

There were no public comments or questions.

Commissioner Seaver asked about the visibility of the property from Bloxam Avenue.

Senior Planner McGruder stated that they will be required to provide additional landscaping along Bloxam Avenue and Highway 27. She stated that the outside storage will be stored towards the back of the property.

Commissioner McAllister asked if there is a cross access agreement in place with Irish Trails.

Dale Ladd, 1135 East Avenue, Clermont, stated that he owns both properties and there is a cross access agreement in place. He stated that there is also a retention pond along Bloxam Avenue in addition to the landscaping.

Commissioner Gustafson stated that he hopes he succeeds. He stated that Bloxam Avenue isn't designed for a lot of traffic.

Commissioner Niemiec asked if there will be access from Highway 27.

Mr. Ladd stated that there will be access to Highway 27 since they own the property down to Hunts Street which is not paved. He said when they develop that property next to this property, it should connect to Hunt Street that should connect to Highway 27.

Commissioner Niemiec asked if Mr. Ladd south of this property.

Mr. Ladd stated yes they do own that parcel.

Commissioner Niemiec asked the applicant his definition of large equipment.

Mr. Kirk stated that the largest equipment would compare to the size of a car.

Commissioner Rogers stated that he likes the landscape buffer that will be provided along Bloxam Avenue. He asked if all the traffic would be coming through Irish Trails.

Mr. Ladd stated that he has another tenant interested in developing the other property which will allow traffic to flow through there once developed.

Chairman Krzyminski brought it back to the Board and entertained a motion.

Action:

MOTION TO APPROVE Resolution No. 2021-027R made by Commissioner McAllister.
Motion seconded by Commissioner Gustafson. Passed 6-0.

Item #2: Resolution No. 2021-028R – Right at Home Health Agency

Request: Consider Conditional Use Permit to allow for a professional office for property located at 792 Montrose Street.

Senior Planner McGruder presented the staff report as follows:

The applicant is requesting a Conditional Use Permit to allow for a professional/administrative office use in the R-3 Residential/Professional zoning district. The Land Development Code, Section 122-183, requires a Conditional Use Permit for a professional or medical office use. The subject property is located at 792 East Montrose Street and the Future Land Use is Low Density Residential. The Comprehensive Plan for Residential Land Use Categories allows support accessory services and uses with a Conditional Use Permit. The CUP would allow the Right at Home Health Care Agency the ability to operate a professional office use that provides administrative support services for the existing business.

The applicant indicates the business will utilize the existing building and since the previous use was comparable, no major changes are required to operate the business. The Health Agency is a small business operation with approximately seven (7) office staff members that will use the office to provide administrative support services for the daily operation of the existing business. The company's administrative support services may include employee/patients scheduling, payroll processing, human resources, limited interviews and other various clerical support services at this location.

The home health agency provides at home and onsite patient care services, which does not require any patients or customers to visit this location. Any proposed changes to the site will be required to comply with Clermont Land Development Regulations, including any building and fire safety codes. The site must provide sufficient onsite parking to accommodate the proposed professional office use.

Staff has reviewed the application and proposed project in regards to Section 86-144 Review Criteria for a Conditional Use Permit. The proposed professional office use will not be detrimental to the health, safety and general welfare of the community. The use of the site is not out of character with the existing

neighborhoods or adjacent properties. The Conditional Use Permit will not be in conflict to the Clermont Comprehensive Plan goals, objective and policies for the current land use.

Staff recommends approval of Resolution No. 2021-028R.

Glenn Fechtenburg, 21701 Rollingwood Trail, Eustis, stated that they have a main office in Tavares where they do in home care and assistance for the elderly. He stated that they have a Clermont office located on Citrus Tower Blvd. in a shared office area. He stated that this property came available and would like to move to this property.

Dale Mack, 540 E. Desoto Street, stated that he owns the vacant lot across the street. He stated his concern is that this property is not sufficient enough for the use. He stated that the previous tenant of 792 Montrose Street used his vacant property as an overflow parking for their employees. He stated that he put posts and cable wire to keep people off his property. He stated that the cables were cut and people would continue to park and damage on his property. He stated that there is limited parking for this property and it's not fair to him or the other residence.

Commissioner Gustafson asked how his property was accessed.

Mr. Mack stated that his property is directly across the street so people could drive from the applicant's property over to his property.

City Attorney Dan Mantzaris stated that there is wording included in the conditional use permit so that parking becomes inadequate the city can reopen the conditional use permit or even revoke the conditional use permit as it relates to this property.

Mr. Fechtenburg stated that the previous tenant included a church, thrift store and collected and picked up food at this location. He stated that at their location on Citrus Tower they currently have 3 parking spaces. He stated that they have never beyond their allowed spaces. He stated that they have 7 employees, 3 at the most will be at this location. He stated that they do not have the volume as previous tenants.

Commissioner Rogers asked that there will only be 3 to 4 employees.

Mr. Fechtenburg stated that there will be 1 to 2 employees at the property. He stated they may grow to include a 3rd employee and there may be an applicant that will be there from periodically.

Commissioner Rogers asked what the business hours were going to be.

Mr. Fechtenburg stated from 8 a.m. to 5 p.m.

Commissioner Gustafson asked about the employees and confirmation that there will not be more than 3 employees at a time.

Mr. Fechtenburg stated that was correct and that the employees are dispatched from other locations to go to client locations. He stated that they do not come to the office and then sent out to clients.

Commissioner McAllister asked how many parking spaces that are on the property.

Mr. Fechtenburg stated that there are 3 concrete parking, one is handicap. He stated that there are 4 more parking spaces that are marked and have wheel stops so 7 altogether. He stated that they probably could park 10 vehicles but he does not see the need for additional parking.

Commissioner Seaver stated that he has been in that area when it was busy and understands the concern. He stated that he does have concerns about the parking as well because once you park the 2 spaces the handicap spot will be blocked.

Commissioner Niemiec asked what side of the building is narrow.

Mr. Fechtenburg stated the west side of the west side of the building is the narrow side. He stated that it was used for parking by the previous tenant but it just wasn't enough. He stated that it is gravel and he could park 6 cars.

Commissioner Niemiec asked if they provide training at this location and how many people would that include.

Mr. Fechtenburg stated that they don't do large training sessions and the training would only include 1 person.

Commissioner Rogers asked if he would be renting out office space.

Mr. Fechtenburg stated he would not be renting out office space.

Chairman Krzyminski asked how many parking spaces are required as the building is now.

Senior Planner McGruder stated that the conditional use is for the use of the building, however one of the conditions is they will have to provide sufficient parking based on the square footage of the building.

Action:

MOTION TO APPROVE Resolution No. 2021-028R made by Commissioner Gustafson.
Motion seconded by Commissioner McAllister. Passed 4-2.

With no further comments, Chairman Krzyminski adjourned the meeting at 7:21 P.M.

Max Krzyminski, Chairman

ATTEST:

Curt Henschel, Planning & Development Director

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
June 1, 2021

The meeting of the Planning & Zoning Commission was called to order on Tuesday, June 1, 2021 at 6:30 p.m. by Chairman Krzyminski. Members present were: David Colby, Joe Gustafson, Max Krzyminski, Vincent Niemiec, Lavonte Rogers, and Chuck Seaver. Jane McAllister was absent. Also present for City staff was City Attorney Dan Mantzaris, Planning & Development Director Curt Henschel, Planning Manager John Kruse, and Senior Planner Regina McGruder

REPORTS FROM THE COMMISSION:

Commissioner Gustafson reported that on April 24th he sent a letter to Ms. Brosonski about the tax benefit for annexing any property into the City of Clermont. He stated that he has not received feedback and will update when he does.

Chairman Krzyminski reported that he had discussion with staff pertaining to obtaining business cards. He stated that he would take the comments to City Council.

City Attorney Dan Mantzaris reminded the Commission that when the Commissioners visit the sites and speak to the applicants, they are to announce that into the public record at the meeting. He stated that if they provide their email and use it they are to retain that email for public records.

NEW BUSINESS

Item #1: Resolution No. 2021-030R – Costco Wholesale CUP

Request: Consider Conditional Use Permit (CUP) to allow tire sales/service as an ancillary allowable use.

Planning Manager John Kruse presented the staff report as follows:

The applicant, Costco Wholesale, is requesting a Conditional Use Permit to allow an internal tire store as a service to its club members in the proposed Costco building. The five (5) service bays for this use are located on the eastern side of the proposed building.

The proposed site is a vacant portion, approximately 20 acres in size, within the Plaza Collina Mixed Use project that consists of C-2 General Commercial uses. The tire service is an ancillary use to the primary use of retail sales of the club. The Land Development Code, Section 122-224 (17), requires a Conditional Use Permit for any automotive services in the C-2 zoning district. The current Plaza Collina PUD permits the proposed size of the Costco Wholesale building. The location of the service bays within the building are almost centered on the 20 acre parcel and do not face toward any public right-of-way, such as SR 50 or Old Highway 50. The nearest single-family residence is over 1,000 feet away. The two existing automotive dealerships to the west within Plaza Collina also provides this type of automotive service.

When evaluating a request for a Conditional Use Permit, the Land Development Code, Section 86-144 requires specific development standards are met. Staff has reviewed the application as submitted in accordance with the development standards criteria and finds the proposed use can meet the general criteria for granting a Conditional Use Permit. All tires shall be stored within the building with no outside storage. The hours of operation will coincide with the hours of the club. The proposed use will not be

detrimental to the health, safety and welfare of the surrounding community. Staff recommends approval of the Conditional Use Permit with the conditions contained in Resolution No. 2021-030R.

Cyndy Trimmer, McAfee, Hawthorne & Diebenow, PPLC, agent for the applicant, stated that the architect, engineer and development director for Costco all available for any questions. She stated that the only requirement to come before Commission is because of the ancillary use Mr. Kruse mentioned. She stated that the hours of operation will be less intense than the surrounding automotive dealerships that are doing the same type of work. She stated that everything will be done indoors.

Commissioner Gustafson asked what the estimated date is for opening.

Doug Brookbank, with MG2, 8444 West Park Dr., Suite 120, McLean, Virginia stated that they still have to get through the approval process and permitting. He stated that at this time it is hard to say.

Commissioner Colby asked if there will be a que for cars to line up for the bays.

Mr. Brookbank stated that the parking layout will remain the same.

Commissioner Niemiec asked if any additional parking is required.

Mr. Kruse stated that no additional parking will be required.

Commissioner Niemiec asked what the hours of operation would be for the tire shop.

Ms. Trimmer stated that the hours of operation would be consistent with the store hours which is Monday through Friday 10 a.m. to 8:30 p.m., Saturday 9:30 a.m. to 6 p.m. and Sunday 10:00 a.m. to 6 p.m.

Chairman Kryminski asked if this was strictly tire service or would they be doing oil changes and other services as well.

Mr. Brookbank stated that it is strictly tire services.

Action:

MOTION TO APPROVE Resolution No. 2021-030R made by Commissioner Rogers. Motion seconded by Commissioner Seaver. Passed 6-0.

With no further comments, Chairman Krzyminski adjourned the meeting at 6.55 P.M.

Max Krzyminski, Chairman

ATTEST:

Curt Henschel, Planning & Development Director



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date	
Tuesday, July 6, 2021	
Agenda Item Name	
Ordinance No. 2021-018 - Small-scale Comprehensive Plan Amendment <i>Headquarter Honda Garage</i>	
Requested Action	
Recommend approval of Ordinance No. 2021-018.	
Staff Report	
The applicant is requesting an annexation, small-scale comprehensive plan amendment, rezoning, and a Conditional Use Permit (CUP) for the 3.12 acre+/- vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard. The requested Conditional Use Permit (CUP) will allow for the construction of a four-story garage structure to be used in conjunction with the existing Headquarter Honda Dealership. The conceptual site plan prepared by Tannath Design Group Inc, shows the layout of the proposed structure and parking for the site. With the annexation petition to the City; a request was also included to change the future land use from Lake County Urban Low Density to Clermont Commercial designation. The proposed rezoning from Lake County "C-P" Commercial Planned to Clermont "C-2" General Commercial is being requested. In addition, a Conditional Use Permit (CUP) is needed to allow for any automotive sales and services, such as the inventory garage, located in the "C-2" General Commercial zoning district, as required by the Land Development Code, Section 122-224. The subject property is contiguous to Clermont Boundaries and meet the requirements of Florida Statutes, Chapter 171 for Annexation. The project will connect to City water and sewer services, if applicable, which has adequate capacity to service the development. The applicant indicates the proposed development will allow the existing Honda dealership the ability to use the garage structure for the expansion of vehicle inventory, storage and display of new and used vehicles at this location. The project will be required to provide cross access from the existing Honda dealership, which shall be used as the primary access point for the public and any customers that utilize the garage structure. The secondary access point on Lake Boulevard will have a private and gated access to restrict and limit public use and to minimize any traffic impacts on Lake Boulevard. The proposed development will be required to comply with Clermont Land Development Regulations and Architectural Design Standards to allow for construction of the garage structure. The applicant has not requested any variances to the code for construction of the garage. The adjacent parcel located to the west is within Clermont boundaries and zoned C-2 General Commercial, which is the Honda Headquarter Dealership, and the parcel located to the south and southeast of subject property is located in Lake County, with an Urban Low zoning category. <u>STAFF RECOMMENDATION:</u> Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is consistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning. Staff recommends approval of Ordinance No. 2021-017 annexation and Ordinance No. 2021-018, changing the future land use to Clermont Commercial and approval of Ordinance No. 2021-019, rezoning the subject parcel to C-2 General Commercial zoning category. Staff also recommends approval of the Conditional Use Permit (CUP), with the provisions and conditions contained in Resolution No. 2021-037R, to allow a garage structure to be used ancillary to an existing automobile dealership located in the "C-2" General Commercial zoning district.	

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Staff Analysis Report	Staff Analysis Report.pdf	
2. Ord 2021-018 - Headquarter Honda CPA (06.24.2021 V1) - R&F BL	Ord 2021-018 - Headquarter Honda CPA (06.24.2021 V1) - R&F BL.pdf	
3. Location Map	Location Map.pdf	
4. 2021-18 Before	2021-18 Before.pdf	
5. 2021-18 After	2021-18 After.pdf	
6. Conceptual Site Plan	Conceptual Site Plan.pdf	
7. HondaDeck-Roadview1	HondaDeck-Roadview1.pdf	
8. HondaDeck-Roadview2	HondaDeck-Roadview2.pdf	
9. HondaDeck-Roadview3	HondaDeck-Roadview3.pdf	
10. Signed Comp Plan App	Signed Comp Plan App.pdf	
11. Headquarter Honda Garage- SSCPA AD	Headquarter Honda Garage- SSCPA AD.docx	



CITY OF CLERMONT Staff Analysis Report

OWNER: Gary A. Bodzin, Trustee UTD

APPLICANT: Headquarter Honda Orlando Real Estate, LLC

PROJECT NAME: Headquarter Honda Garage

REQUESTED ACTION: A request for annexation, small-scale comprehensive plan amendment, rezoning and Conditional Use Permit (CUP) to allow for construction of a vehicle storage/display garage structure to be used ancillary to the existing Headquarter Honda dealership.

SIZE OF PARCEL: 3.12 acres +/- Alternate Key 3306686

LOCATION: Vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard.

EXISTING ZONING: **FROM:** Lake County "CP" Commercial Planned
TO: Clermont "C-2" General Commercial

EXISTING LAND USE: Vacant property

FUTURE LAND USE CATEGORY: **FROM:** Lake County Urban Low
TO: Clermont Commercial

SITE UTILITIES: City of Clermont Water and Sewer

ANALYSIS:

The applicant is requesting an annexation, small-scale comprehensive plan amendment, rezoning, and a Conditional Use Permit (CUP) for the 3.12 acre +/- vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard. The requested Conditional Use Permit (CUP) will allow for the construction of a four-story garage structure to be used in conjunction with the existing Headquarter Honda Dealership. The conceptual site plan prepared by Tannath Design Group Inc, shows the layout of the proposed structure and parking for the site.

The annexation petition to the City; also included a request to change the future land use from Lake County Urban Low Density to Clermont Commercial designation. The proposed rezoning from Lake County "C-P" Commercial Planned to Clermont "C-2" General Commercial, which requires a Conditional Use Permit (CUP) to allow for any automotive sales, services, garages, dealerships, carwash, boats, trucks, auto paint and body shops located in the "C-2" General Commercial zoning district, as required by the

Land Development Code, Section 122-224. The subject property is contiguous to Clermont Boundaries and meet the requirements of Florida Statutes, Chapter 171 for Annexation.

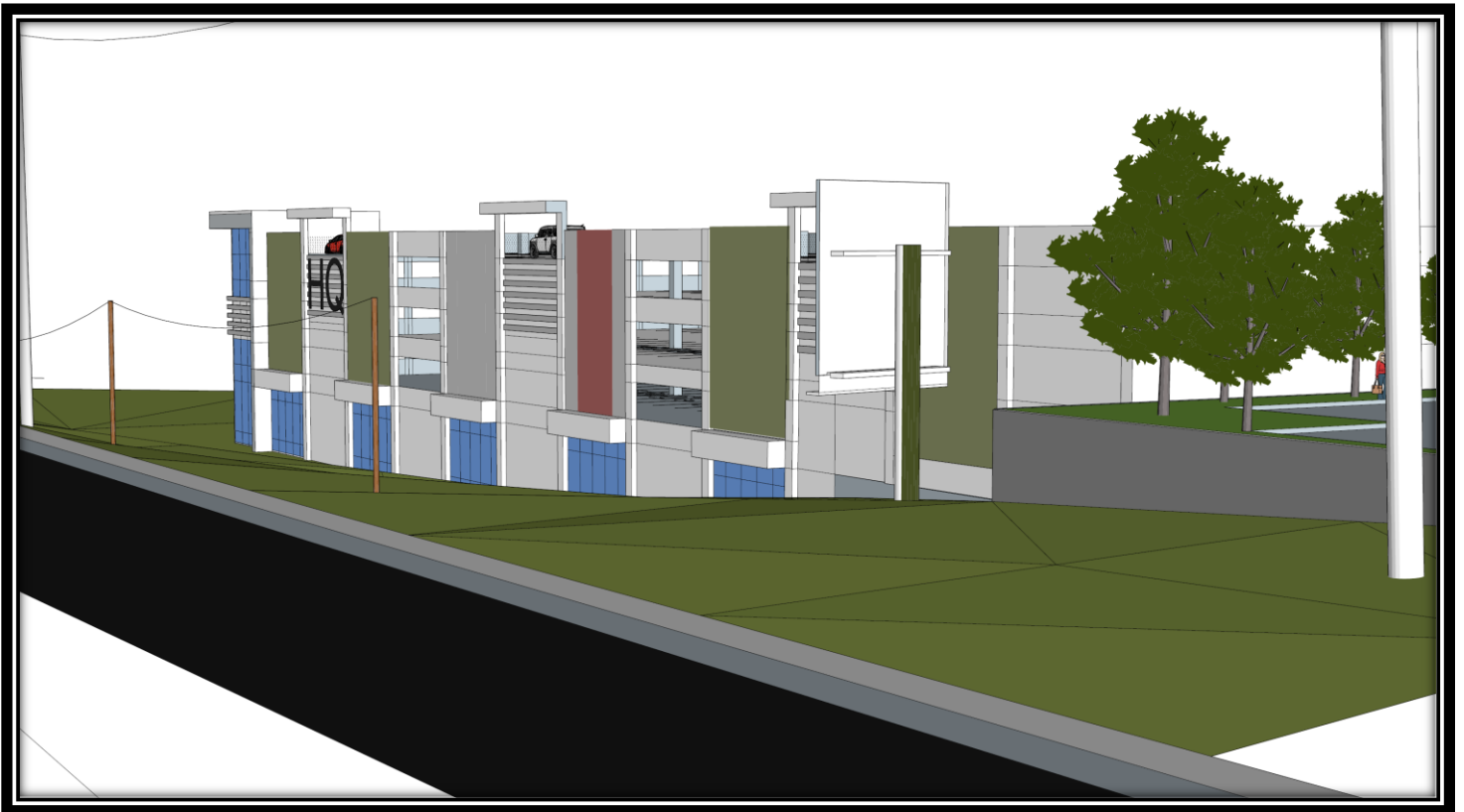
The applicant indicates the proposed development will allow the existing Honda dealership the ability to use the garage structure for the expansion of vehicle inventory, storage and display of new and used vehicles at this location. The project will be required to provide cross access from the existing Honda dealership, which shall be used as the primary access point for the public and any customers that utilize the garage structure. The secondary emergency access point on Lake Boulevard will have a private and gated access point, to restrict and limit public use and to minimize any traffic impacts on Lake Boulevard.

The proposed development will be required to comply with Clermont Land Development Regulations and Architectural Design Standards to allow for construction of the garage structure. The applicant has not requested any variances to the code for construction of the garage. The adjacent parcel located to the west is within Clermont boundaries and zoned C-2 General Commercial, as the Honda Headquarter Dealership, and the parcel located to the south and east of subject property is located in Lake County, with Urban Low zoning designation.

STAFF RECOMMENDATION:

Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is consistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning.

Staff recommends approval of Ordinance No. 2021-017 annexation and Ordinance No. 2021-018, changing the future land use to Clermont Commercial and approval of Ordinance No. 2021-019, rezoning the subject parcel to C-2 General Commercial zoning category. Staff also recommends approval of the Conditional Use Permit (CUP), with the provisions and conditions contained in Resolution No. 2021-037R, to allow a garage structure to be used ancillary to an existing automobile dealership located in the "C-2" General Commercial zoning district.





CITY OF CLERMONT
ORDINANCE NO. 2021-018

AN ORDINANCE 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 FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the Comprehensive Plan of the City of Clermont was adopted by the City of Clermont on June 23, 2009, in accordance with the Local Government Planning and Land Development Regulations Act of 1985, Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Comprehensive Plan of the City of Clermont may be amended pursuant to Florida Statute 163.3187; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Clermont have held public hearings to consider this amendment to the Future Land Use Map of the Comprehensive Plan and considered all written and oral comments, proposals and objections from the general public; and

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

SECTION 1.

After public hearings held by the City of Clermont Local Planning Agency and the Clermont City Council, the Future Land Use Map of the Comprehensive Plan of the City of Clermont is hereby amended by changing the following described property as shown:

LEGAL DESCRIPTION

Lots 2, 3, 4 and 5, Block “H”, according to the Plat of EDGEWATER BEACH, a Subdivision in Section 25, Township 22 South, Range 26 East, Lake County, Florida, recorded in Plat Book 8, Page 84, Public Records of Lake County, Florida.

Lots 1 through 20, inclusive, and Lot 23, Block “A”, according to the Plat of EDGEWATER BEACH, a Subdivision in Section 25, Township 22 South, Range 26 East, Lake County, Florida, recorded in Plat Book 8, Page 84, Public Records of Lake County, Florida.

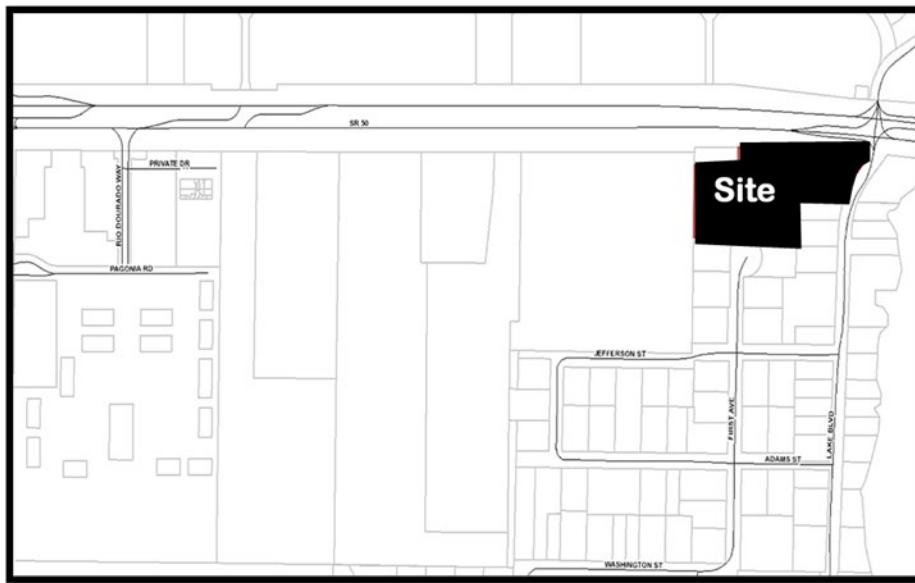
That part of First Avenue according to said EDGEWATER BEACH SUBDIVISION lying South of the Southerly Right of Way line of State Road 50; lying North of the Westerly extension of the South line of Lot 17, Block “A”, lying West of Block “A”, and lying East of Block “A”, less and except the Westerly 1/2 lying North of the Easterly extension of the South line of Lot 1, Block “H”; and an unnamed alley according

CITY OF CLERMONT
ORDINANCE NO. 2021-018

to said EDGEWATER BEACH SUBDIVISION lying North of Lots 17 through 20, inclusive, Block :A;; lying South of Lots 9 through 16, inclusive, Block “A”; and an unnamed alley according to said EDGEWATER BEACH SUBDIVISION lying South of Lots 1 through 7, Block “A”, North of Lot 23, Block “A”, lying Westerly of the Westerly right of way line of Lake Blvd. #3-1370, and the extension thereof, less and except any portion of the vacated street known as Madison Street.

LOCATION

Vacant parcel located on State Road 50 and the
corner of Lake Boulevard
Alternate Key 3306686
3.12 +/- acres



CHANGE IN FUTURE LAND USE DESIGNATION:

**FROM: LAKE COUNTY URBAN LOW
TO: CITY OF CLERMONT COMMERCIAL**

SECTION 2: CONFLICT

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

SECTION 3: 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. 2021-018

SECTION 4: ADMINISTRATIVE CORRECTION

This 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 5: 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.



CITY OF CLERMONT
ORDINANCE NO. 2021-018

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 27th day of July 2021.

CITY OF CLERMONT

Tim Murry, Mayor

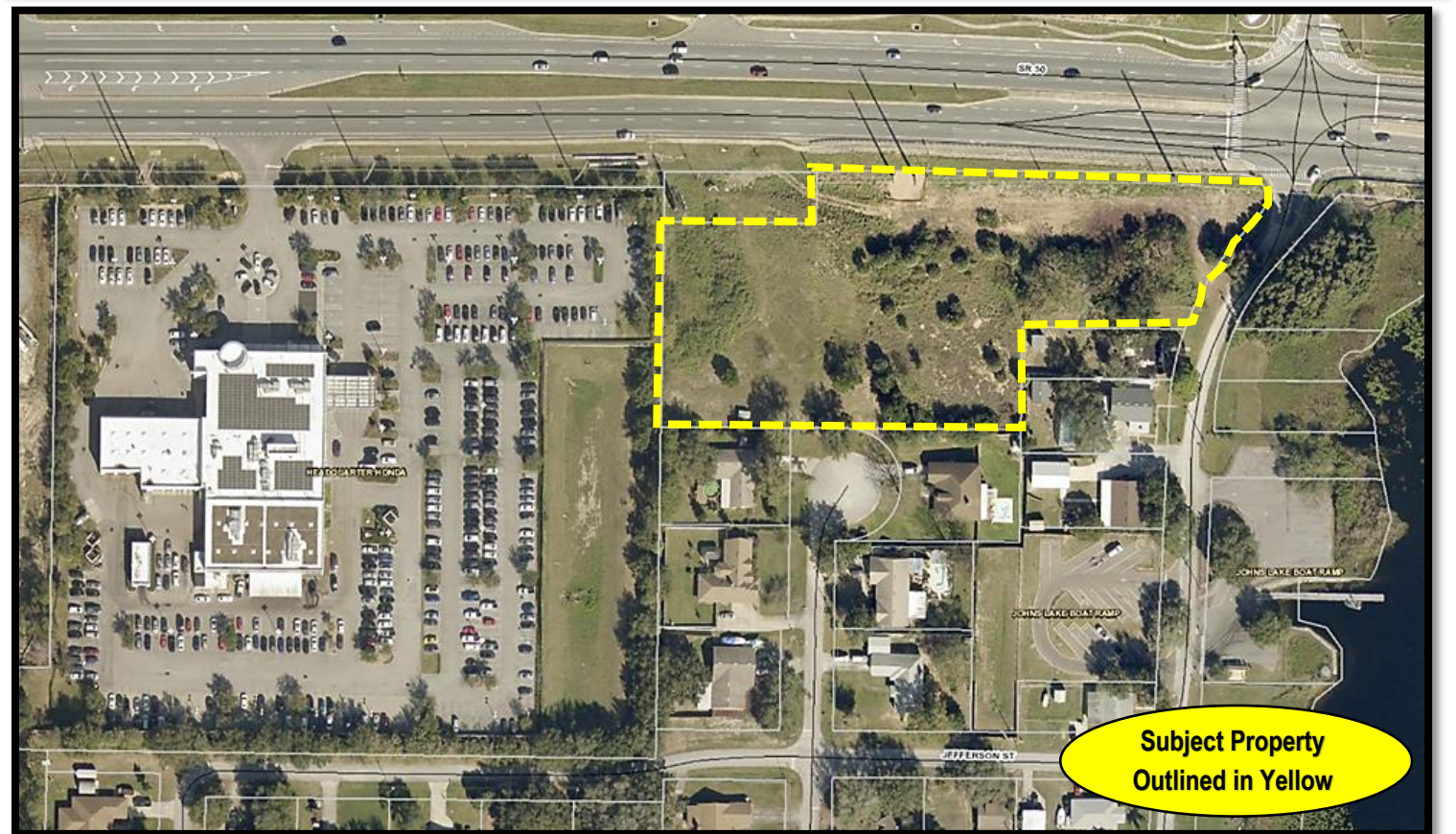
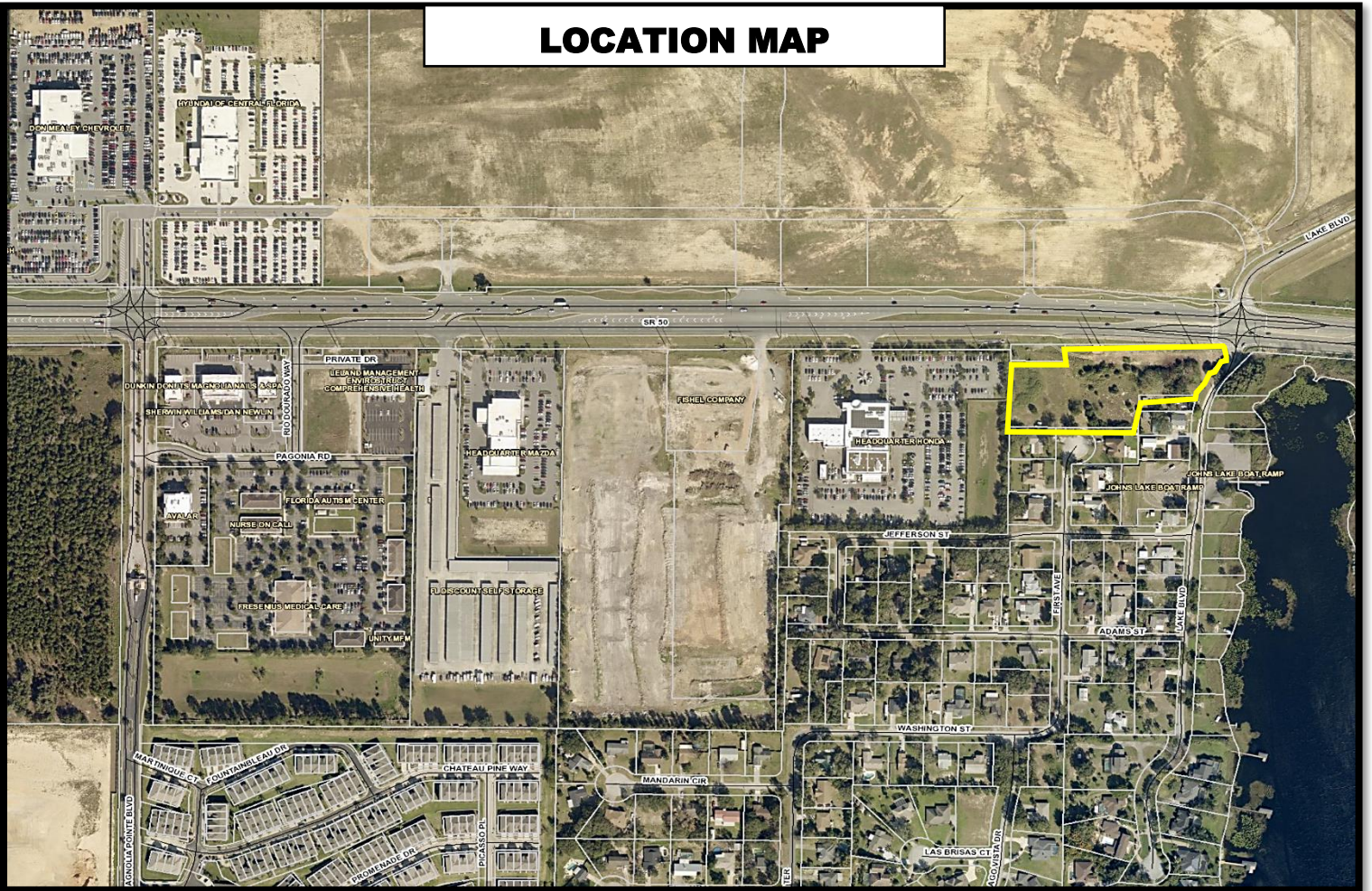
ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LOCATION MAP





Small Scale CPA
2021 - 018

Before

Legend

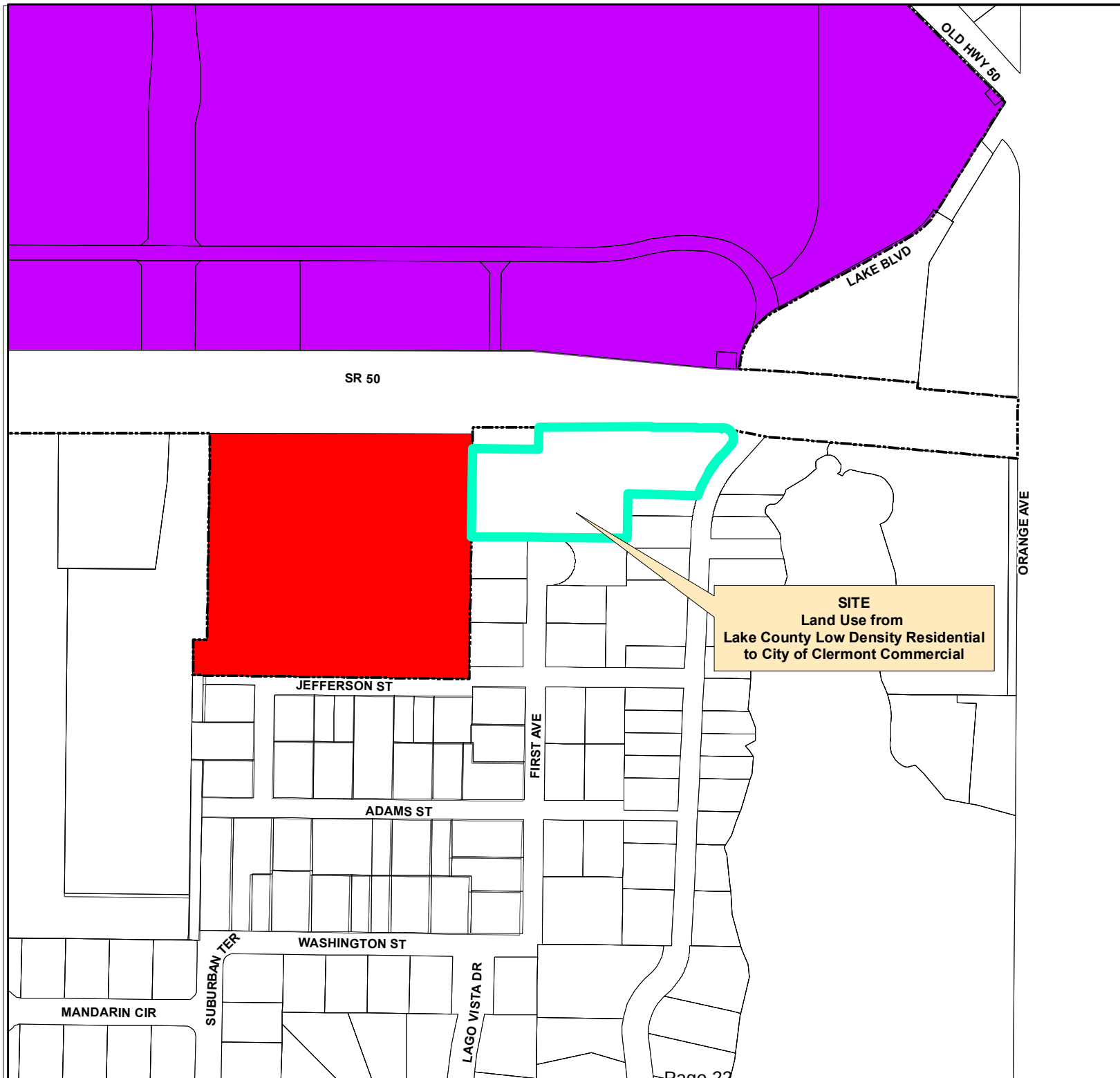


City Limits

Clermont FLU

Land Use

-  Commercial
-  Conservation
-  Downtown MU
-  High Density Residential
-  Industrial
-  Low Density Residential
-  Master Planned Development
-  Medium Density Residential
-  Office
-  Parks
-  Public Fac/Institutional
-  Residential/Office





Small Scale CPA
2021 - 018

After

Legend

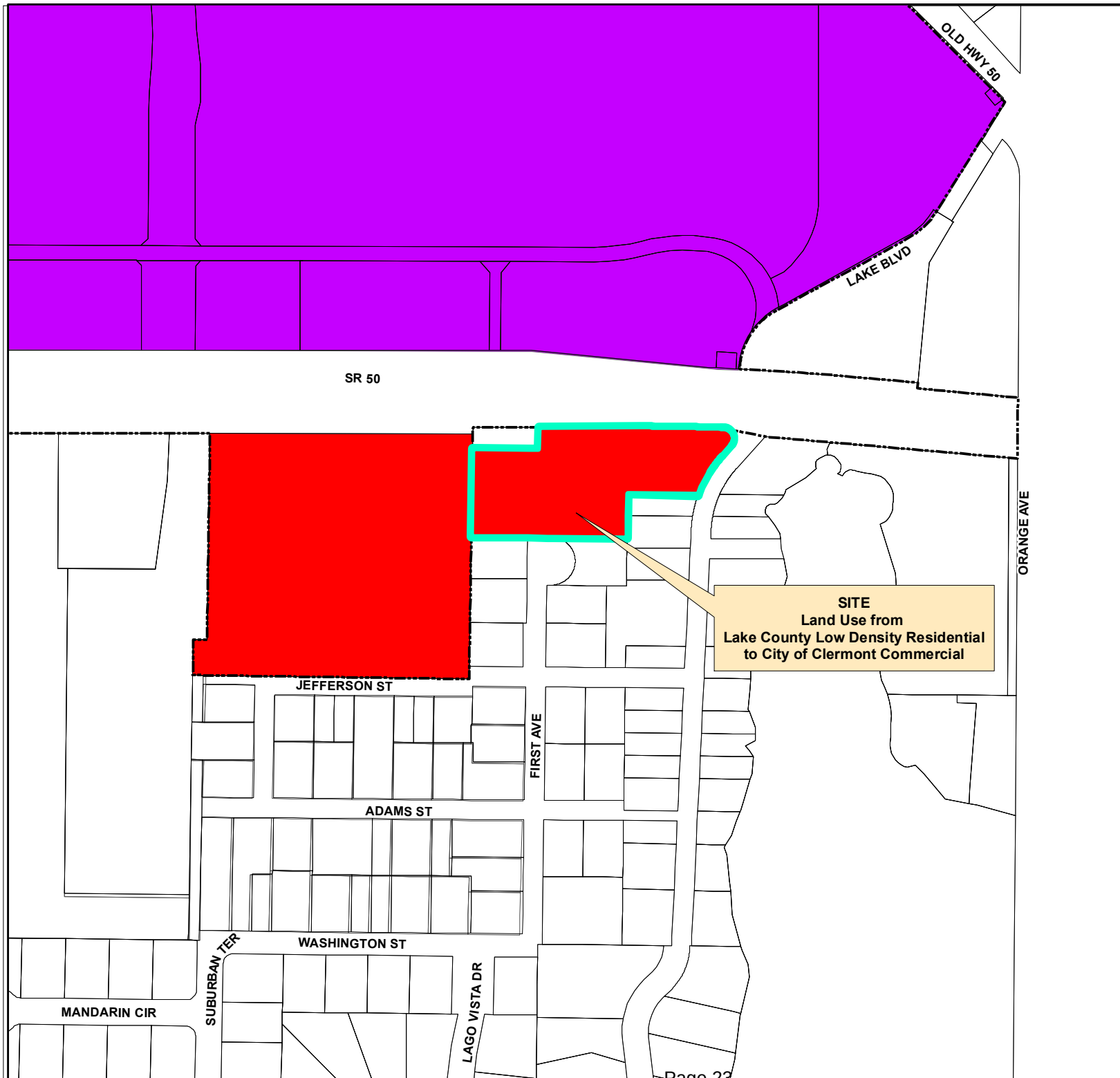


City Limits

Clermont FLU

Land Use

-  Commercial
-  Conservation
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-  High Density Residential
-  Industrial
-  Low Density Residential
-  Master Planned Development
-  Medium Density Residential
-  Office
-  Parks
-  Public Fac/Institutional
-  Residential/Office



SITE DATA:

PROPERTY LOCATION:

PARCEL ID:

ALTERNATIVE KEY:

CURRENT LOCAL MUNICIPALITY:

PROPOSED LOCAL MUNICIPALITY:

EXISTING FUTURE LAND USE:

PROPOSED FUTURE LAND USE:

CURRENT ZONING:

PROPOSED ZONING"

CURRENT USE:

PROPOSED USE:

TOTAL OVERALL PARCEL AREA:

SR 50 & LAKE BLVD

25-22-26-0001-000-02600

3306686

LAKE COUNTY

CITY OF CLERMONT

URBAN LOW

COMMERCIAL

COMMERCIAL PLANNED (CP)

GENERAL COMMERCIAL (C-2)

VACANT COMMERCIAL LAND

CAR DEALERSHIP

3.12 AC

CITY SETBACKS:

50' ALONG SR50

25' REAR

12' SIDE

BUFFERS:

20' ALONG SR 50

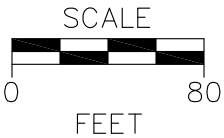
15' ALONG LAKE BLVD

10' SIDE

BUILDING MAX HEIGHT: 55'

MIN. INTERIOR LANDSCAPE ISLAND AREA: 300SF

SR 50



FLU: COMMERCIAL
ZONING: C-2
USE: CAR DEALERSHIP
(CITY OF CLERMONT)

FLU: URBAN LOW
ZONING: C-1
USE: BILLBOARD SIGN
(LAKE COUNTY)

3-STORY
PARKING GARAGE

325'

130'

SWALE

PARKING AREA

ACCESS DRIVE

STORMWATER POND

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FIRST AVE

LAKE BLVD

OWNER:

GARY A. BODZIN, TRUSTEE
18205 BISCAYNE BLVD, STE 2201
AVENTURA, FL 33160

APPLICANT:

HEADQUARTER ORLANDO REAL ESTATE LLC
5895 NW 167TH ST
HIALEAH, FL 33015

PROPOSED DEVELOPMENT:

THE DEVELOPMENT WILL BE AN EXPANSION OF THE ADJACENT HEADQUARTER HONDA FACILITIES TO PROVIDE ADDITIONAL CAR DISPLAY AREA ALONG WITH THE NECESSARY STORMWATER MANAGEMENT FOR THE PROPOSED AREA.

THE PROPERTY IS CURRENTLY IN UNINCORPORATED LAKE COUNTY AND IS BEING ANNEXED INTO THE CITY OF CLERMONT. THE DESIRED ZONING IS C-2 GENERAL COMMERCIAL TO MATCH THE EXISTING ZONING OF THE CONTIGUOUS PROPERTY OWNED BY HEADQUARTER HONDA.

SCALE: 1"=80'

PROJECT: 060-003

DATE: 05/07/21

DRAWN BY: SCP

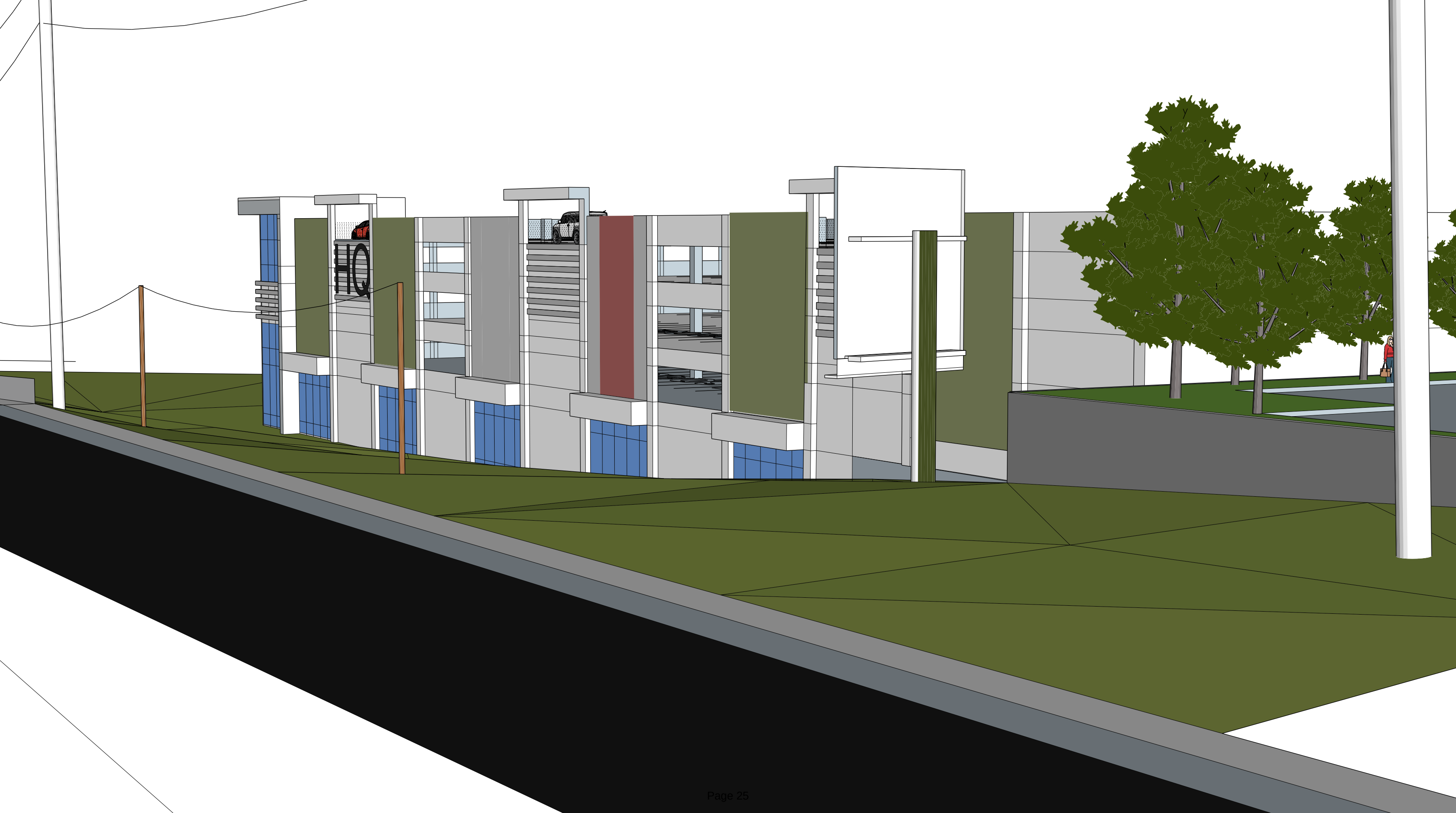
Plot Plan
Headquarter Honda
SR 50 & Lake Blvd
Clermont, Florida

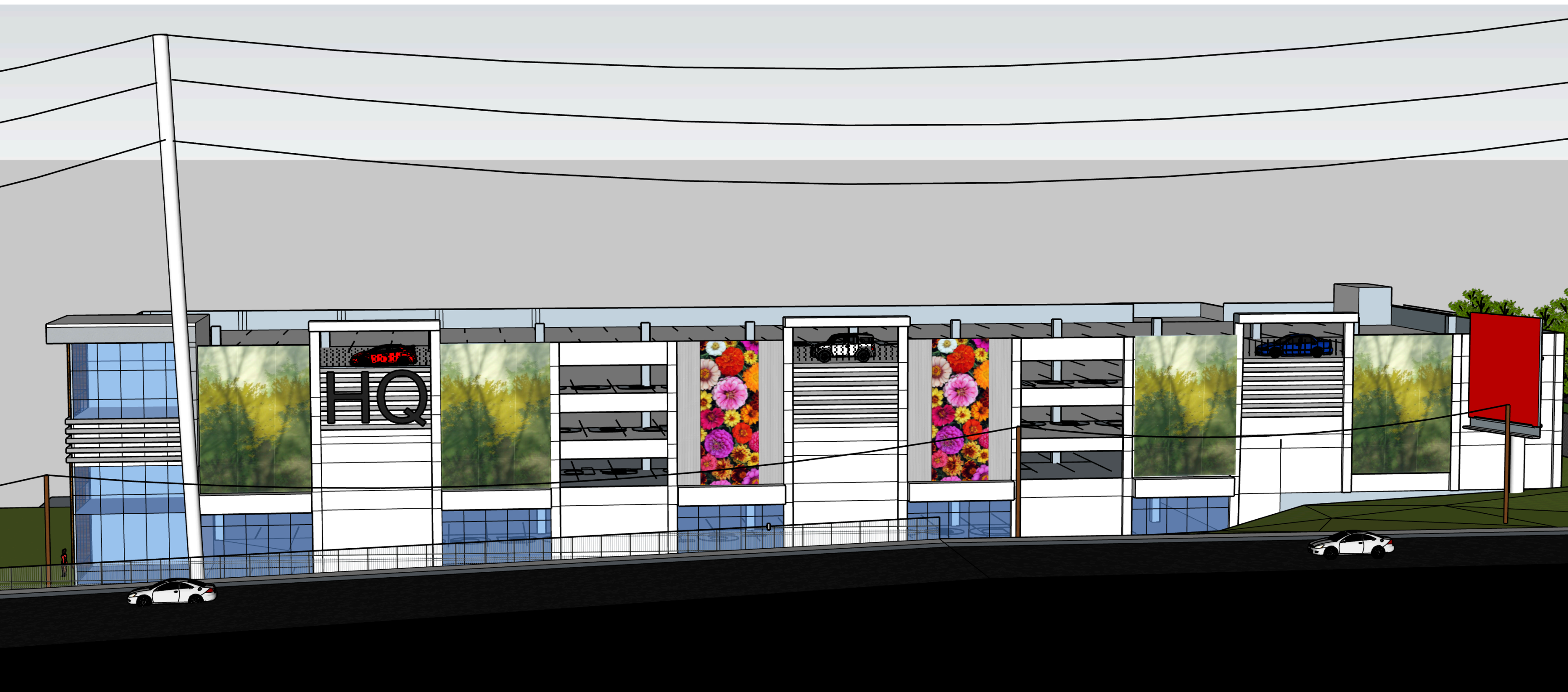
Tannath Design, Inc.
2494 Rose Springs Drive
Orlando, Florida 32825
407-982-9878
www.tannathdesign.com



EXHIBIT

2









CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application Instructions

APPLICATION FEE:

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

APPLICATION PROCESS:

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

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

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

AMENDMENT TIME FRAME:

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



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

Application Information Required

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

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

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



CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

DATE: _____

FEE: _____

Project Name (if applicable): Headquarter Honda

Applicant: Headquarter Orlando Real Estate LLC

Contact Person: _____

Address: 5895 NW 167th ST

City: Hialeah State: FL Zip: 33015

Phone: _____ Fax: _____

E-Mail: _____

OWNER: Gary A. Bodzin, Trustee UTD 7/29/2009

Address: 18205 Biscayne Blvd, Ste 2201

City: Aventura State: FL Zip: 33160

Phone: _____ Fax: _____

E-Mail: _____

General Location: Lake Blvd & SR 50, Clermont, FL

Legal Description (include copy of survey): See attached copy of deed

Property size (in acres or square feet): 3.12 AC

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

Existing (Actual) Land Use: Vacant Commercial

Existing Zoning: CP-Commercial Planned - County

Existing Future Land Use: Urban Low - County

Proposed Future Land Use: Commercial

Type of development proposed: Additional car display area and stormwater as
assemblage with developed property to the west owned by the applicant.



Proposed density (dwelling units/acre) or intensity: 0.25 FAR

Proposed Zoning District: C-2 General Commercial

Summary of the proposed amendment content and effect that describes any changed conditions that would justify the proposed amendment, and why there is a need for the proposed amendment (use additional sheets if necessary).

This application is being submitted concurrently with an annexation petition and a rezoning application. The applicant owns the adjacent property to the west and it is improved with a Headquarter Honda dealership. The subject property is being purchased for an assemblage with the existing development to allow for additional vehicle display area and stormwater. The subject property however is within the jurisdiction of Lake County and the adjacent , existing development lies within the City of Clermont. This Comp. Plan Amendment follows the concurrently filed annexation petition to assign a City of Clermont FLU designation to the property.

The City of Clermont may require additional information to justify, clarify or explain the necessity of the requested Comprehensive Plan Amendment which may include the following:

- Information regarding the compatibility of the proposed land use amendment(s) with the Goals, Objectives and Policies of the Future Land Use Element and any other affected comprehensive plan elements.
- A description of how the proposed amendment(s) will result in an orderly and logical development pattern with existing and proposed land use(s) of the area.
- A description of the present availability of, and estimated demand on the following public facilities: potable water, sanitary sewer, transportation system and recreation, as appropriate.

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

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

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



STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Bryan Potts, who being

by me first duly sworn on oath, deposes and says:

1. That he (she) affirms and certifies that he (she) understands and will comply with all ordinances, regulations and policies of Lake County, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his (her) knowledge and belief, and further, that this application and attachments shall become part of the official records of the City of Clermont, Florida, and are not returnable.
2. That he (she) desires a Future Land Use Amendment from Urban Low - (County) to Commercial - (City) for the property legally described on the attachment of this application.
3. That the submittal requirements for the application have been completed and attached hereto as part of the application.

Bryan Potts
Affiant - Applicant Name (print)

X Bryan Potts
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 25th day of May, 2021.



X Charlotte Michelle Ferguson
Notary Public, State of Florida at Large

My Commission Expires: 7/12/25



OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Gary A. Bodzin, as Trustee UTD 7/29/09, who being

by me first duly sworn on oath, deposes and says:

1. That he (she) is the fee-simple owner of the property legally described on the attachment of this application.
2. That he (she) desires a Future Land Use Amendment from Urban Low - (County) to Commercial - (City) for the property legally described on the attachment of this application.
3. That the owner of said property has appointed Bryan Potts, P.E. to act as agent on his (her) behalf to accomplish the above. The owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his (her) stead.

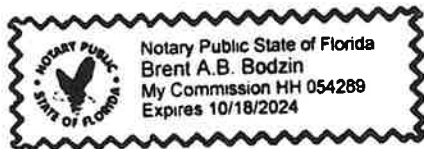
Gary A. Bodzin, as Trustee UTD 7/29/09 X

Affiant - Applicant Name (print)

[Signature]
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 20th day of May, 2021.



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

My Commission Expires: _____

CITY OF CLERMONT

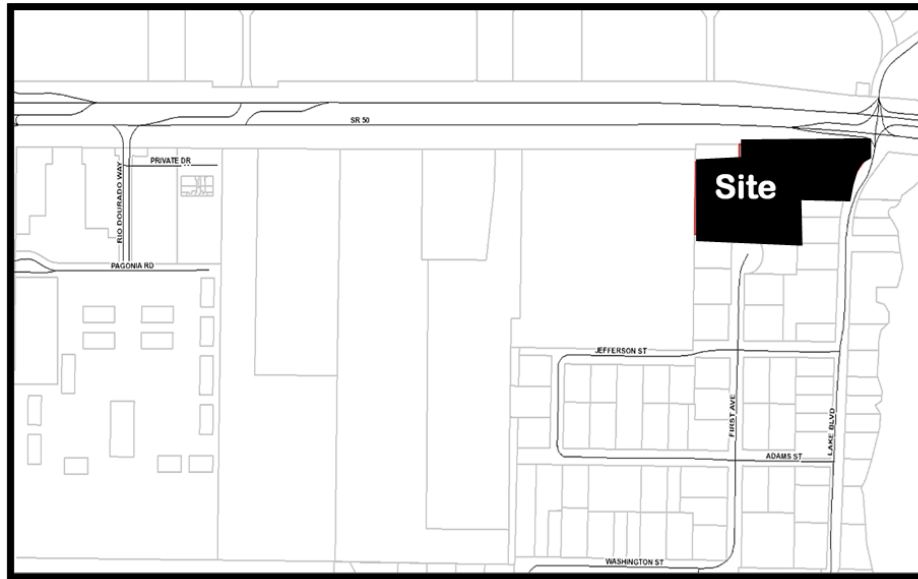
NOTICE OF PROPOSED LAND USE CHANGE

Small Scale Comprehensive Plan Amendment

ORDINANCE NO. 2021-018

The Clermont Planning and Zoning Commission will hold a public meeting on Tuesday, July 6, 2021 at 6:30 p. m., and a public meeting will be held before the Clermont City Council on Tuesday, July 27, 2021 at 6:30 p.m. for the (final reading of the adoption ordinance) to consider a proposed change to the City's Future Land Use Map. The map amendment would change the Future Land Use designation for the 3.12 +/- acre parcel below from Lake County Urban Low to Clermont Commercial Land Use Designation. (Parcel Alternate Key #3306686).

b



Location:

Vacant parcel located on State Road 50,
and the corner of Lake Boulevard
Alternate Key 3306686
3.12+/- Acres

Ordinance 2021-018

An ordinance 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 large-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 for conflict, severability, administrative correction of scriveners error, publication and effective date.

The public hearings are held in the Council Chambers of City Hall, located at 685 W. Montrose Street, and are open to public comment. The proposed amendment may be inspected at the City's Development Services Department (1st floor, City Hall) between 8 a.m. and 5 p.m. Monday-Friday.

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial

June 22, 2021 and July 13, 2021.



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date	
Tuesday, July 6, 2021	
Agenda Item Name	
Ordinance No. 2021-019 - Rezoning <i>Headquarter Honda Garage</i>	
Requested Action	
Recommend approval of Ordinance No. 2021-019.	
Staff Report	
The applicant is requesting an annexation, small-scale comprehensive plan amendment, rezoning, and a Conditional Use Permit (CUP) for the 3.12 acre+/- vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard. The requested Conditional Use Permit (CUP) will allow for the construction of a four-story garage structure to be used in conjunction with the existing Headquarter Honda Dealership. The conceptual site plan prepared by Tannath Design Group Inc, shows the layout of the proposed structure and parking for the site. With the annexation petition to the City; a request was also included to change the future land use from Lake County Urban Low Density to Clermont Commercial designation. The proposed rezoning from Lake County "C-P" Commercial Planned to Clermont "C-2" General Commercial is being requested. In addition, a Conditional Use Permit (CUP) is needed to allow for any automotive sales and services, such as the inventory garage, located in the "C-2" General Commercial zoning district, as required by the Land Development Code, Section 122-224. The subject property is contiguous to Clermont Boundaries and meet the requirements of Florida Statutes, Chapter 171 for Annexation. The project will connect to City water and sewer services, if applicable, which has adequate capacity to service the development. The applicant indicates the proposed development will allow the existing Honda dealership the ability to use the garage structure for the expansion of vehicle inventory, storage and display of new and used vehicles at this location. The project will be required to provide cross access from the existing Honda dealership, which shall be used as the primary access point for the public and any customers that utilize the garage structure. The secondary access point on Lake Boulevard will have a private and gated access to restrict and limit public use and to minimize any traffic impacts on Lake Boulevard. The proposed development will be required to comply with Clermont Land Development Regulations and Architectural Design Standards to allow for construction of the garage structure. The applicant has not requested any variances to the code for construction of the garage. The adjacent parcel located to the west is within Clermont boundaries and zoned C-2 General Commercial, which is the Honda Headquarter Dealership, and the parcel located to the south and southeast of subject property is located in Lake County, with an Urban Low zoning category. <u>STAFF RECOMMENDATION:</u> Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is consistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning. Staff recommends approval of Ordinance No. 2021-017 annexation and Ordinance No. 2021-018, changing the future land use to Clermont Commercial and approval of Ordinance No. 2021-019, rezoning the subject parcel to C-2 General Commercial zoning category. Staff also recommends approval of the Conditional Use Permit (CUP), with the provisions and conditions contained in Resolution No. 2021-037R, to allow a garage structure to be used ancillary to an existing automobile dealership located in the "C-2" General Commercial zoning district.	

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Staff Analysis Report	Staff Analysis Report.pdf	
2. Ord 2021-019 - Headquarter Honda Rezoning (06.24.2021 V2) R&F BL	Ord 2021-019 - Headquarter Honda Rezoning (06.24.2021 V2) R&F BL.pdf	
3. Location Map	Location Map.pdf	
4. 2021-19 Before Zoning	2021-19 Before Zoning.pdf	
5. 2021-19 After Zoning	2021-19 After Zoning.pdf	
6. Conceptual Site Plan	Conceptual Site Plan.pdf	
7. HondaDeck-Roadview1	HondaDeck-Roadview1.pdf	
8. HondaDeck-Roadview2	HondaDeck-Roadview2.pdf	
9. HondaDeck-Roadview3	HondaDeck-Roadview3.pdf	
10. Signed Rezoning App	Signed Rezoning App.pdf	
11. Headquarter Honda REZONING AD	Headquarter Honda REZONING AD.docx	



CITY OF CLERMONT Staff Analysis Report

OWNER: Gary A. Bodzin, Trustee UTD

APPLICANT: Headquarter Honda Orlando Real Estate, LLC

PROJECT NAME: Headquarter Honda Garage

REQUESTED ACTION: A request for annexation, small-scale comprehensive plan amendment, rezoning and Conditional Use Permit (CUP) to allow for construction of a vehicle storage/display garage structure to be used ancillary to the existing Headquarter Honda dealership.

SIZE OF PARCEL: 3.12 acres +/- Alternate Key 3306686

LOCATION: Vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard.

EXISTING ZONING: **FROM:** Lake County "CP" Commercial Planned
TO: Clermont "C-2" General Commercial

EXISTING LAND USE: Vacant property

FUTURE LAND USE CATEGORY: **FROM:** Lake County Urban Low
TO: Clermont Commercial

SITE UTILITIES: City of Clermont Water and Sewer

ANALYSIS:

The applicant is requesting an annexation, small-scale comprehensive plan amendment, rezoning, and a Conditional Use Permit (CUP) for the 3.12 acre +/- vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard. The requested Conditional Use Permit (CUP) will allow for the construction of a four-story garage structure to be used in conjunction with the existing Headquarter Honda Dealership. The conceptual site plan prepared by Tannath Design Group Inc, shows the layout of the proposed structure and parking for the site.

The annexation petition to the City; also included a request to change the future land use from Lake County Urban Low Density to Clermont Commercial designation. The proposed rezoning from Lake County "C-P" Commercial Planned to Clermont "C-2" General Commercial, which requires a Conditional Use Permit (CUP) to allow for any automotive sales, services, garages, dealerships, carwash, boats, trucks, auto paint and body shops located in the "C-2" General Commercial zoning district, as required by the

Land Development Code, Section 122-224. The subject property is contiguous to Clermont Boundaries and meet the requirements of Florida Statutes, Chapter 171 for Annexation.

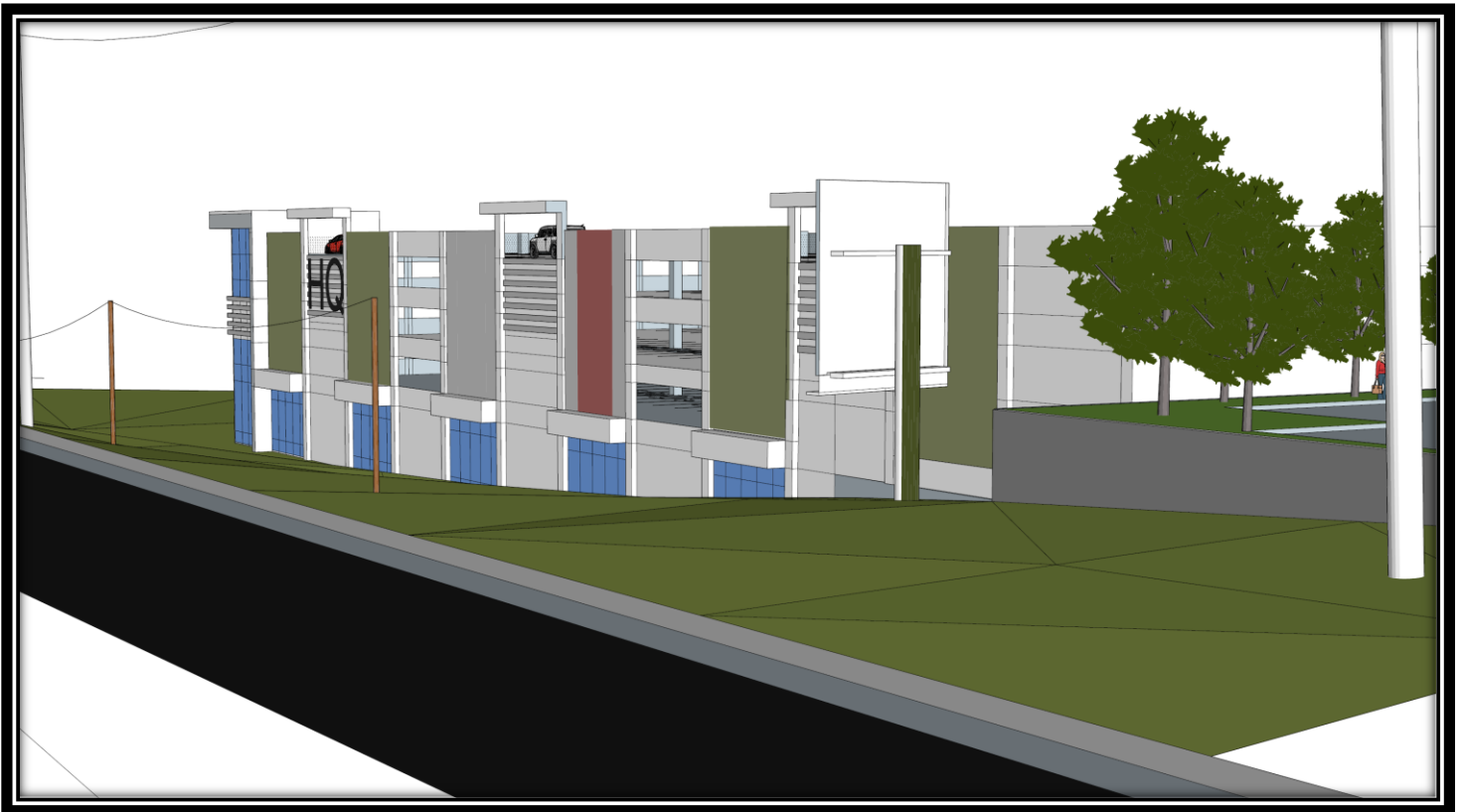
The applicant indicates the proposed development will allow the existing Honda dealership the ability to use the garage structure for the expansion of vehicle inventory, storage and display of new and used vehicles at this location. The project will be required to provide cross access from the existing Honda dealership, which shall be used as the primary access point for the public and any customers that utilize the garage structure. The secondary emergency access point on Lake Boulevard will have a private and gated access point, to restrict and limit public use and to minimize any traffic impacts on Lake Boulevard.

The proposed development will be required to comply with Clermont Land Development Regulations and Architectural Design Standards to allow for construction of the garage structure. The applicant has not requested any variances to the code for construction of the garage. The adjacent parcel located to the west is within Clermont boundaries and zoned C-2 General Commercial, as the Honda Headquarter Dealership, and the parcel located to the south and east of subject property is located in Lake County, with Urban Low zoning designation.

STAFF RECOMMENDATION:

Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is consistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning.

Staff recommends approval of Ordinance No. 2021-017 annexation and Ordinance No. 2021-018, changing the future land use to Clermont Commercial and approval of Ordinance No. 2021-019, rezoning the subject parcel to C-2 General Commercial zoning category. Staff also recommends approval of the Conditional Use Permit (CUP), with the provisions and conditions contained in Resolution No. 2021-037R, to allow a garage structure to be used ancillary to an existing automobile dealership located in the "C-2" General Commercial zoning district.





CITY OF CLERMONT
ORDINANCE NO. 2021-019

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, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

The City Council of the City of Clermont, Lake County, Florida hereby ordains that:

SECTION 1:

The Official Zoning Map of the City of Clermont, Lake County, Florida referred to in Chapter 122 of Ordinance No. 289-C, Code of Ordinances, is hereby amended by rezoning the following described property:

LEGAL DESCRIPTION

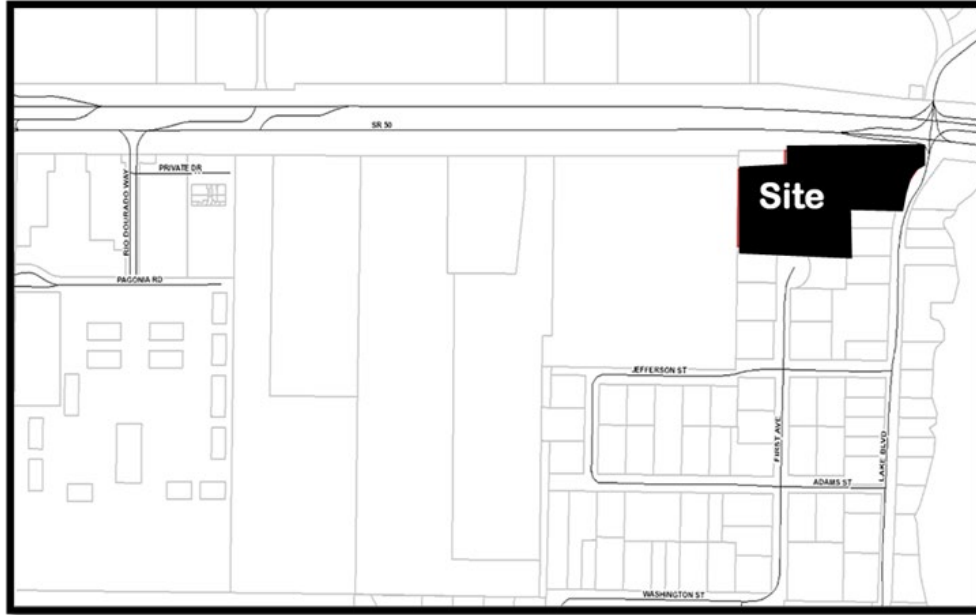
Lots 2, 3, 4 and 5, Block “H”, according to the Plat of EDGEWATER BEACH, a Subdivision in Section 25, Township 22 South, Range 26 East, Lake County, Florida, recorded in Plat Book 8, Page 84, Public Records of Lake County, Florida.

Lots 1 through 20, inclusive, and Lot 23, Block “A”, according to the Plat of EDGEWATER BEACH, a Subdivision in Section 25, Township 22 South, Range 26 East, Lake County, Florida, recorded in Plat Book 8, Page 84, Public Records of Lake County, Florida.

That part of First Avenue according to said EDGEWATER BEACH SUBDIVISION lying South of the Southerly Right of Way line of State Road 50; lying North of the Westerly extension of the South line of Lot 17, Block “A”, lying West of Block “A”, and lying East of Block “A”, less and except the Westerly 1/2 lying North of the Easterly extension of the South line of Lot 1, Block “H”; and an unnamed alley according to said EDGEWATER BEACH SUBDIVISION lying North of Lots 17 through 20, inclusive, Block :A:; lying South of Lots 9 through 16, inclusive, Block “A”; and an unnamed alley according to said EDGEWATER BEACH SUBDIVISION lying South of Lots 1 through 7, Block “A”, North of Lot 23, Block “A”, lying Westerly of the Westerly right of way line of Lake Blvd. #3-1370, and the extension thereof, less and except any portion of the vacated street known as Madison Street.

LOCATION:

Vacant parcel located on State Road 50 and the
Corner of Lake Boulevard
Alternate Key 3306686
3.12 +/- acres



REZONING OF PROPERTY:

**FROM: LAKE COUNTY “CP” COMMERCIAL PLANNED
TO: CLERMONT “C-2” GENERAL COMMERCIAL DISTRICT**

SECTION 3: SEVERABILITY

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

SECTION 4: ADMINISTRATIVE CORRECTION

This 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 5: PUBLICATION AND EFFECTIVE DATE

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



CITY OF CLERMONT
ORDINANCE NO. 2021-019

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 27TH day of July 2021.

CITY OF CLERMONT

Tim Murry, Mayor

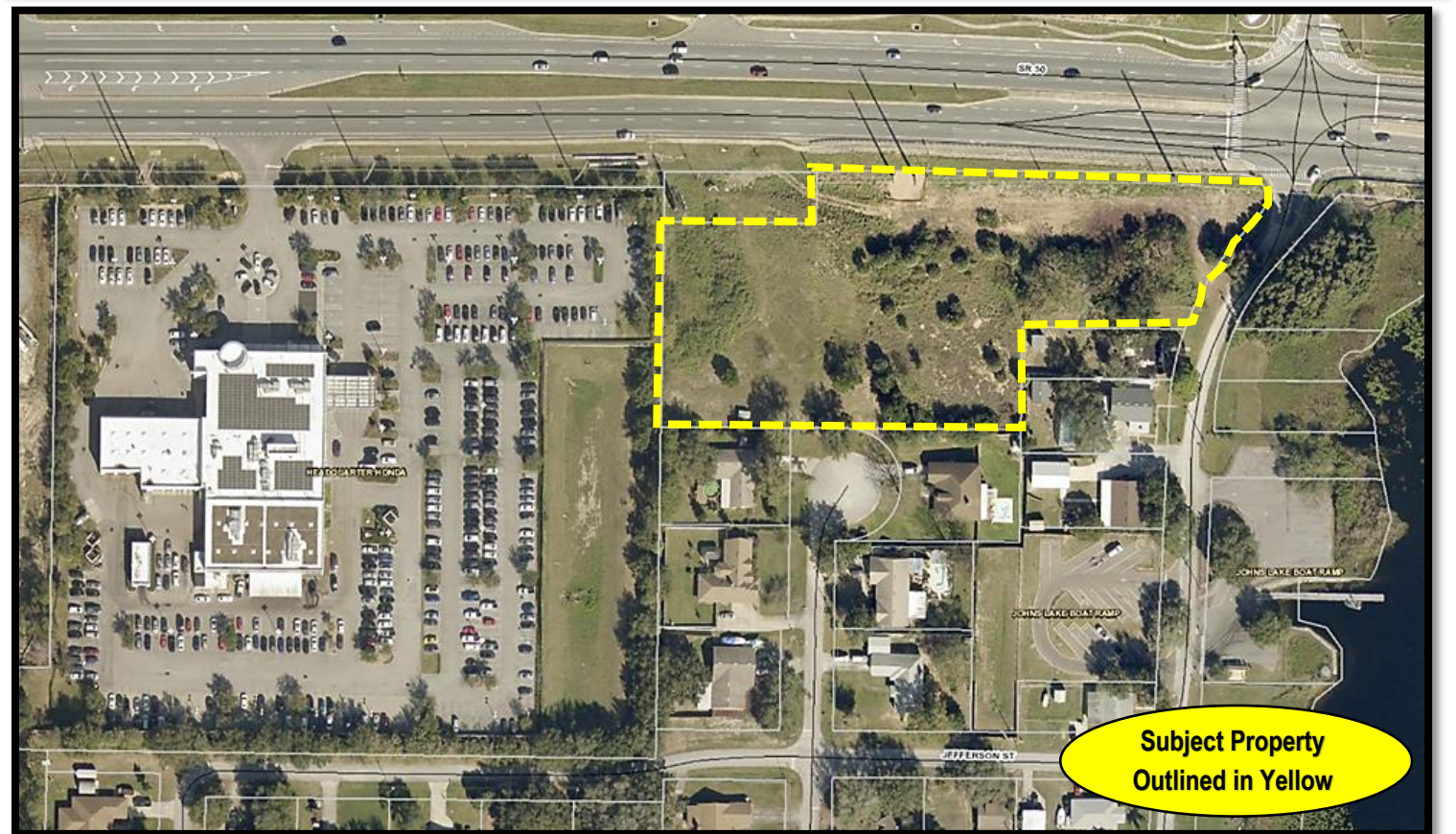
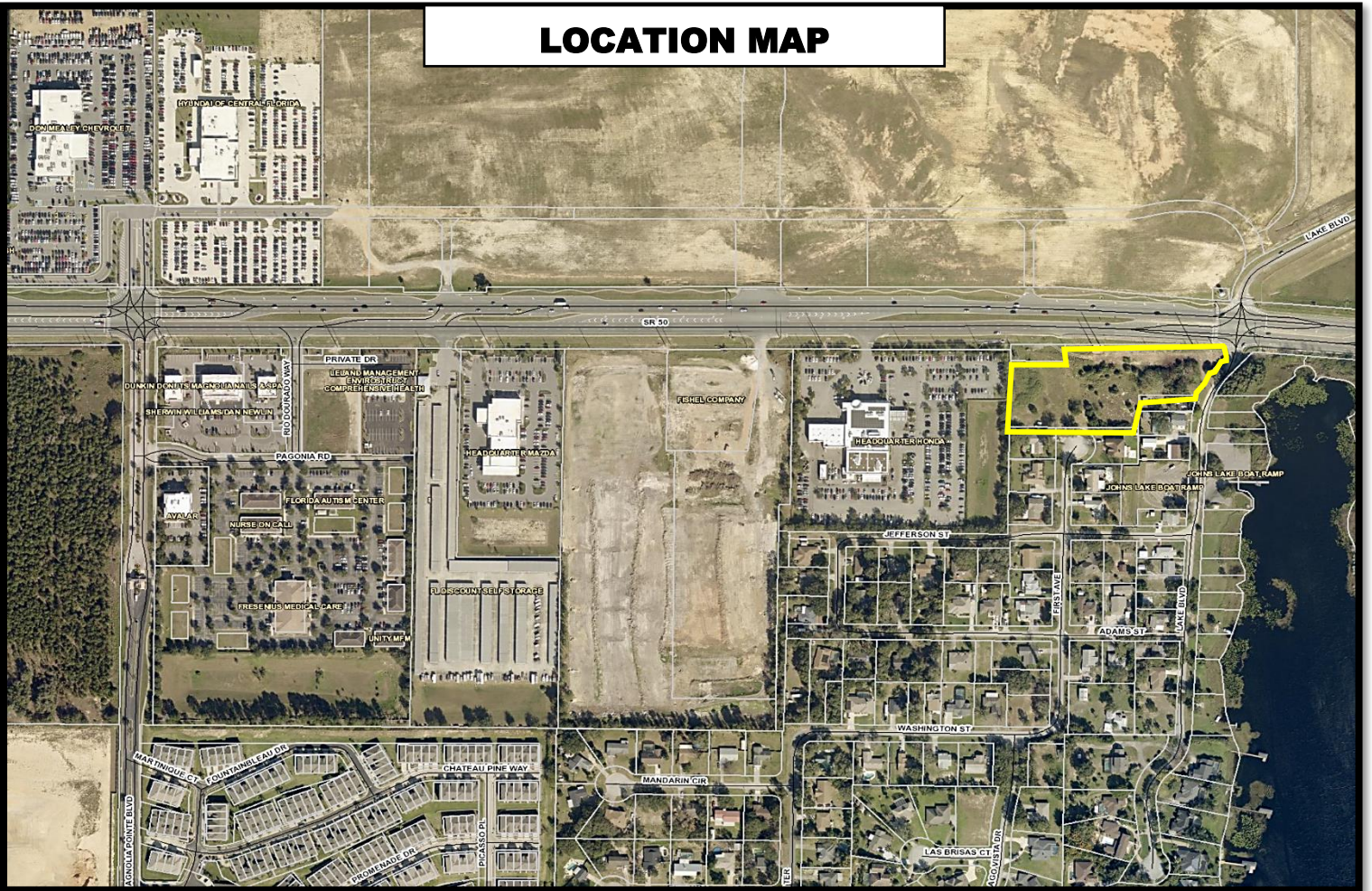
ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LOCATION MAP



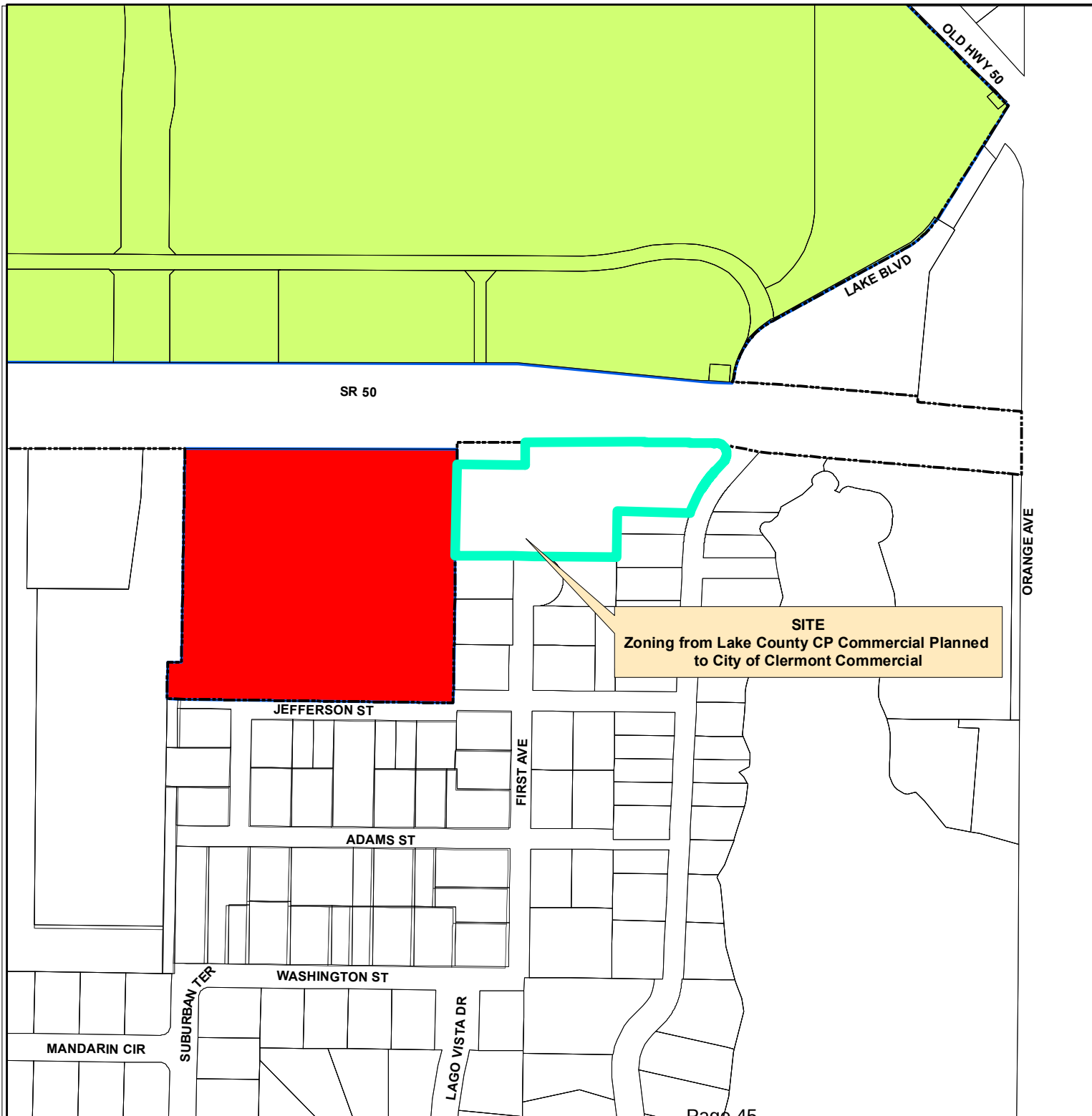


Zoning
2021 - 019

Before

Legend

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



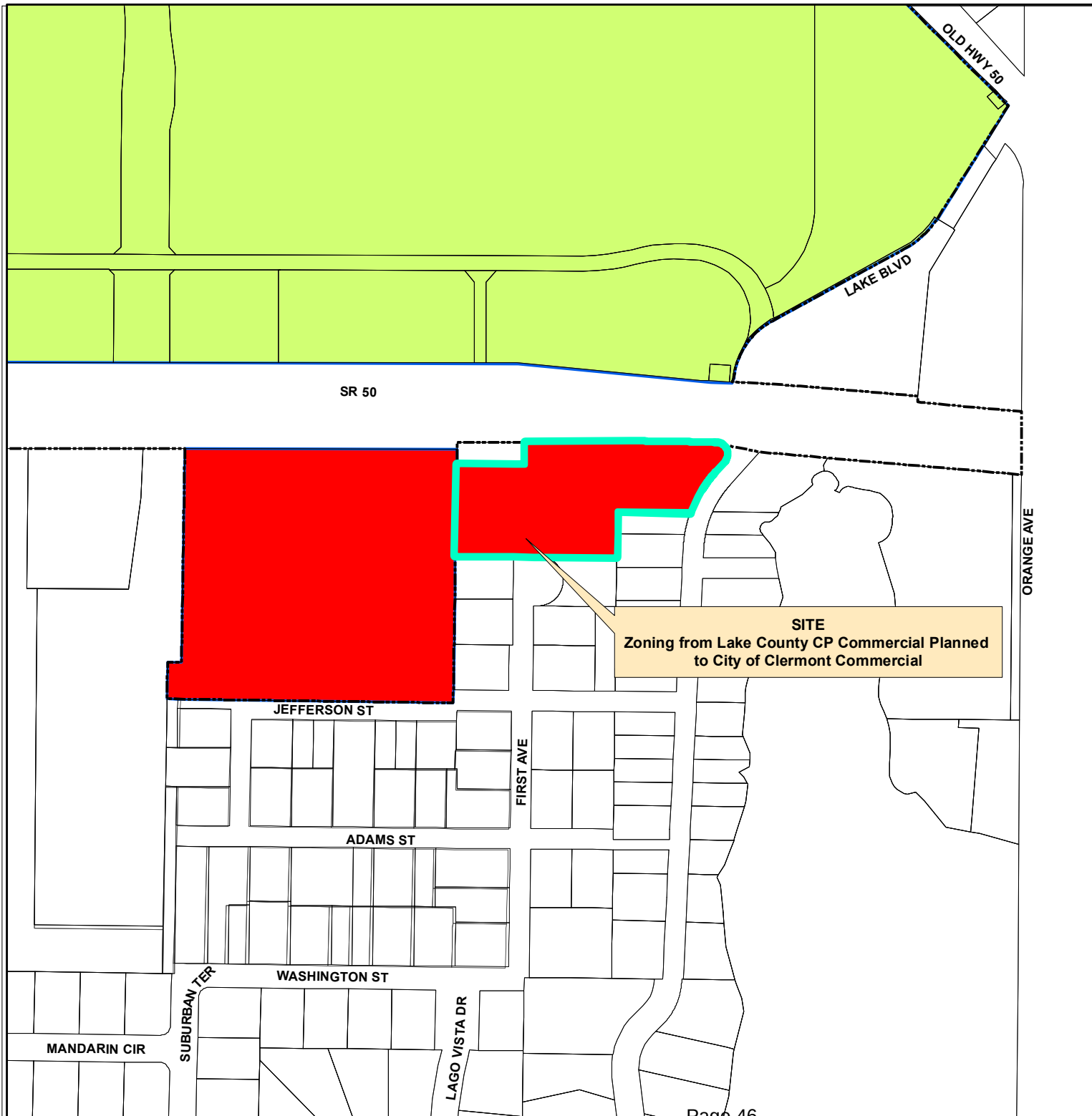


Zoning
2021 - 019

After

Legend

- City Limits
- UT URBAN TRANSITION DISTRICT
- UE URBAN ESTATE LOW DENSITY RESIDENTIAL DISTRICT
- R-1-A SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICT
- R-1 SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT
- R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT
- R-3-A RESIDENTIAL/PROFESSIONAL DISTRICT
- R-3 RESIDENTIAL/PROFESSIONAL DISTRICT
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- M-1 INDUSTRIAL DISTRICT
- CD COMMERCE DISTRICT
- PR PARKS AND RECREATION DISTRICT
- PUD PLANNED UNIT DEVELOPMENT
- AREAS NOT WITHIN THE CITY LIMITS



SITE DATA:

PROPERTY LOCATION:

PARCEL ID:

ALTERNATIVE KEY:

CURRENT LOCAL MUNICIPALITY:

PROPOSED LOCAL MUNICIPALITY:

EXISTING FUTURE LAND USE:

PROPOSED FUTURE LAND USE:

CURRENT ZONING:

PROPOSED ZONING"

CURRENT USE:

PROPOSED USE:

TOTAL OVERALL PARCEL AREA:

SR 50 & LAKE BLVD

25-22-26-0001-000-02600

3306686

LAKE COUNTY

CITY OF CLERMONT

URBAN LOW

COMMERCIAL

COMMERCIAL PLANNED (CP)

GENERAL COMMERCIAL (C-2)

VACANT COMMERCIAL LAND

CAR DEALERSHIP

3.12 AC

CITY SETBACKS:

50' ALONG SR50

25' REAR

12' SIDE

BUFFERS:

20' ALONG SR 50

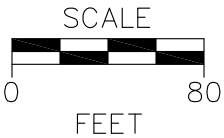
15' ALONG LAKE BLVD

10' SIDE

BUILDING MAX HEIGHT: 55'

MIN. INTERIOR LANDSCAPE ISLAND AREA: 300SF

SR 50

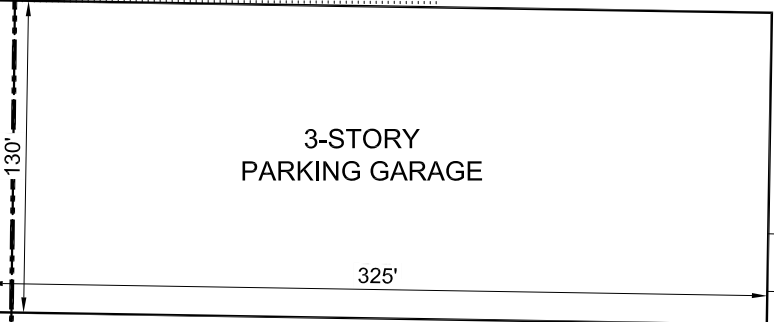


FLU: COMMERCIAL
ZONING: C-2
USE: CAR DEALERSHIP
(CITY OF CLERMONT)

FLU: URBAN LOW
ZONING: C-1
USE: BILLBOARD SIGN
(LAKE COUNTY)

3-STORY
PARKING GARAGE

325'



SWALE

PARKING AREA

ACCESS DRIVE

STORMWATER POND

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FIRST AVE

LAKE BLVD

OWNER:

GARY A. BODZIN, TRUSTEE
18205 BISCAYNE BLVD, STE 2201
AVENTURA, FL 33160

APPLICANT:

HEADQUARTER ORLANDO REAL ESTATE LLC
5895 NW 167TH ST
HIALEAH, FL 33015

PROPOSED DEVELOPMENT:

THE DEVELOPMENT WILL BE AN EXPANSION OF THE ADJACENT HEADQUARTER HONDA FACILITIES TO PROVIDE ADDITIONAL CAR DISPLAY AREA ALONG WITH THE NECESSARY STORMWATER MANAGEMENT FOR THE PROPOSED AREA.

THE PROPERTY IS CURRENTLY IN UNINCORPORATED LAKE COUNTY AND IS BEING ANNEXED INTO THE CITY OF CLERMONT. THE DESIRED ZONING IS C-2 GENERAL COMMERCIAL TO MATCH THE EXISTING ZONING OF THE CONTIGUOUS PROPERTY OWNED BY HEADQUARTER HONDA.

SCALE: 1"=80'

PROJECT: 060-003

DATE: 05/07/21

DRAWN BY: SCP

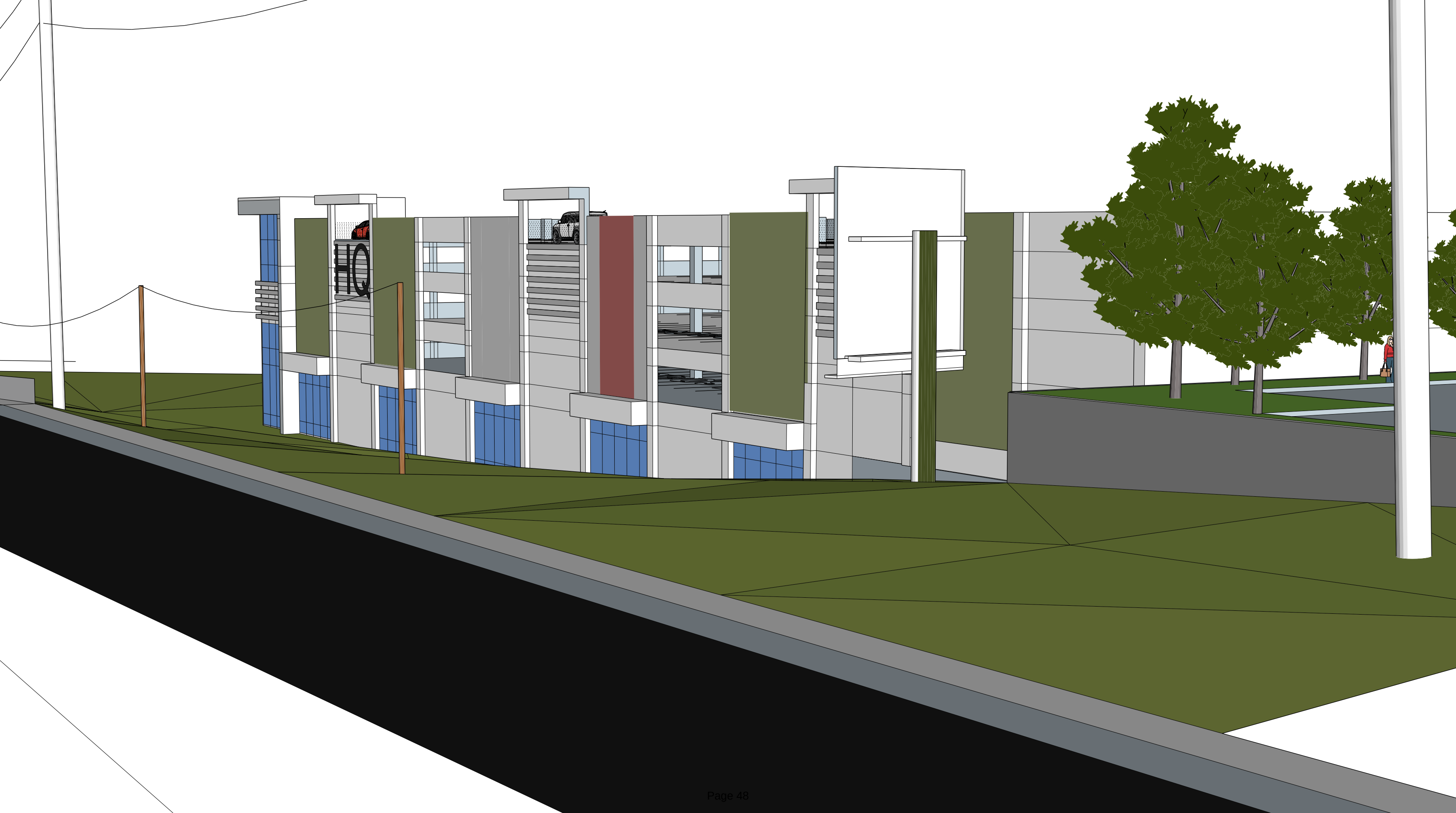
Plot Plan
Headquarter Honda
SR 50 & Lake Blvd
Clermont, Florida

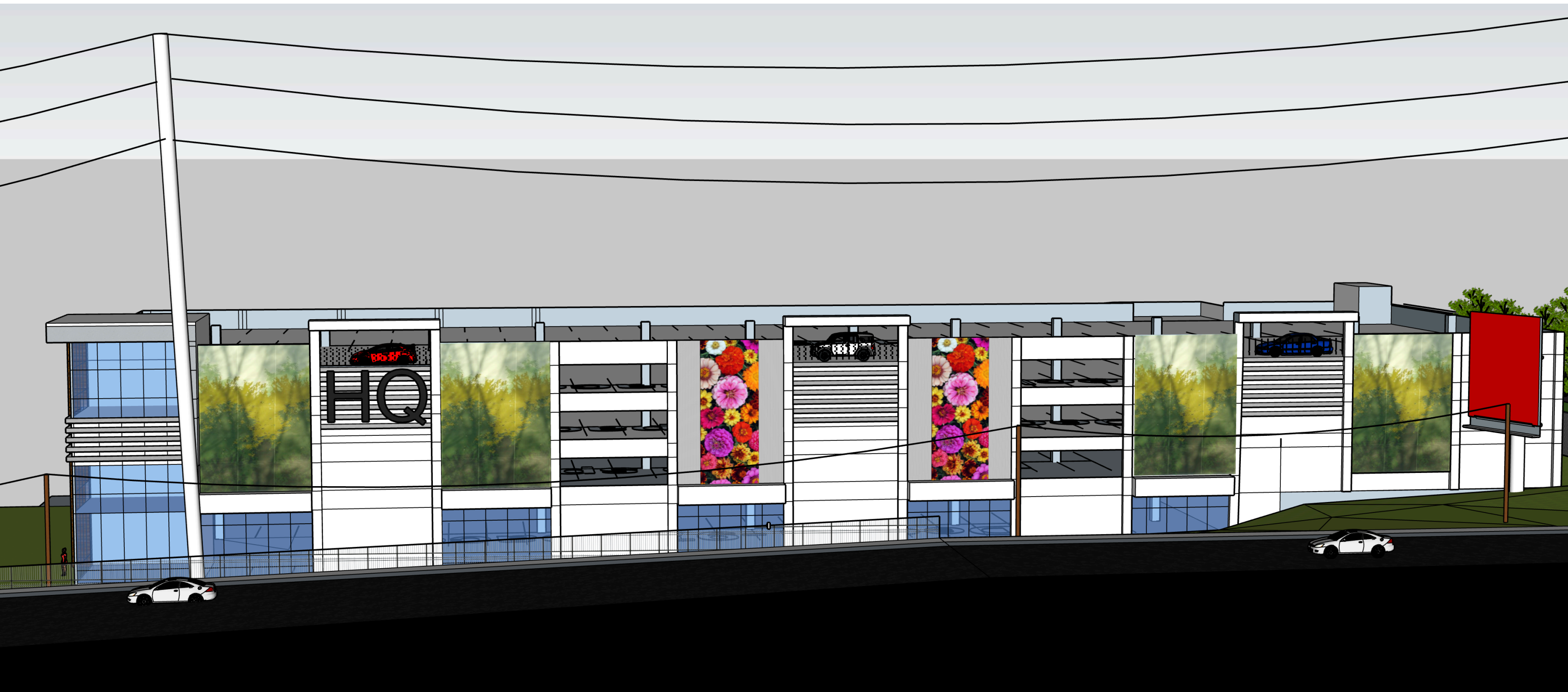
Tannath Design, Inc.
2494 Rose Springs Drive
Orlando, Florida 32825
407-982-9878
www.tannathdesign.com



EXHIBIT

2









CITY OF CLERMONT REZONING FILING INSTRUCTIONS

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

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

The Applicant shall provide the following information with this application in a PDF format on a CD or electronically via email to planning@clermtontfl.org:

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



CITY OF CLERMONT REZONING APPLICATION

DATE		FEE: \$542.00 + cost of advertisement + cost of traffic review, if necessary	
Project Name (if applicable) Headquarter Honda			
Applicant Headquarter Orlando Real Estate LLC			
Contact Person			
Address 5895 NW 167th ST		City Hialeah	State FL Zip 33015
Telephone		Fax	
Email			
OWNER INFORMATION			
Owner's Name Gary A. Bodzin, Trustee UTD 7/29/2009			
Owner Address 18205 Biscayne Blvd, Ste 2201		City Aventura	State FL Zip 33160
Telephone		Email	
PROPERTY INFORMATION			
Address of Subject Property Lake Blvd & SR 50		City Clermont	State FL Zip
Legal Description (include copy of survey) See attached copy of Deed			
Acreage 3.12		Land Use (City verification required) Commercial	
Present Zoning (City verification required) CP-Commerical Planned (County)		Proposed Zoning C-2 General Commercial	



CITY OF CLERMONT
REZONING
APPLICATION

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

What are you proposing to do that would require a rezoning?
See Justification

Check box to indicate additional materials are provided via attachment. ☒

Bryan Potts
Applicant Name (print)

x Bryan Potts
Applicant Name (signature)

Gary A. Bodzin, as Trustee UTD 7/29/09
Owner Name (print)

x [Signature]
Owner Name (signature)

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

5/22/2020

Before me, the undersigned authority personally appeared

GARY A. BODZIN, TRUSTEE UTD 7-29-09 _____, who being

by me first duly sworn on oath, deposes and says:

1. That he ^{/ as trustee of said trust} (she) is the fee-simple owner of the property legally described on the attachment of this application.
2. That he (she) desires Rezoning from CP-Commercial Planned (County) to C-2 General Commercial (City) for the property legally described on the attachment of this application.
3. That the owner of said property has appointed _____ to act as agent on his (her) behalf to accomplish the above. The owner is required to complete the APPICANT'S AFFIDAVIT of this application if no agent is appointed to act in his (her) stead.

Gary A. Bodzin, as Trustee UTD 7-29-09 X _____

Affiant - Applicant Name (print)

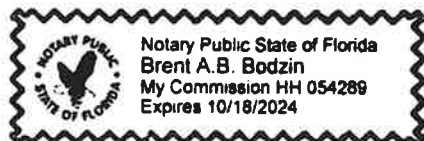
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 20th day of May, 20 21.

X

Notary Public, State of Florida at Large



My Commission Expires: _____

LEGAL NOTICE

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

ORDINANCE NO. 2021-019

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 conflict, severability, administrative correction of scrivener's error, publication and effective date.

LOCATION:

Vacant parcel located on State Road 50
and the corner of Lake Boulevard
Alternate Key 3306686
3.12 +/- Acres

LEGAL DESCRIPTION

Lots 2, 3, 4 and 5, Block "H", according to the Plat of EDGEWATER BEACH, a Subdivision in Section 25, Township 22 South, Range 26 East, Lake County, Florida, recorded in Plat Book 8, Page 84, Public Records of Lake County, Florida.

Lots 1 through 20, inclusive, and Lot 23, Block "A", according to the Plat of EDGEWATER BEACH, a Subdivision in Section 25, Township 22 South, Range 26 East, Lake County, Florida, recorded in Plat Book 8, Page 84, Public Records of Lake County, Florida.

That part of First Avenue according to said EDGEWATER BEACH SUBDIVISION lying South of the Southerly Right of Way line of State Road 50; lying North of the Westerly extension of the South line of Lot 17, Block "A", lying West of Block "A", and lying East of Block "A", less and except the Westerly 1/2 lying North of the Easterly extension of the South line of Lot 1, Block "H"; and an unnamed alley according to said EDGEWATER BEACH SUBDIVISION lying North of Lots 17 through 20, inclusive, Block "A"; lying South of Lots 9 through 16, inclusive, Block "A"; and an unnamed alley according to said EDGEWATER BEACH SUBDIVISION lying South of Lots 1 through 7, Block "A", North of Lot 23, Block "A", lying Westerly of the Westerly right of way line of Lake Blvd. #3-1370, and the extension thereof, less and except any portion of the vacated street known as Madison Street.

From: Lake County "CP" Commercial Planned
To: City of Clermont "C-2" General Commercial

LOCATION MAP



The Planning & Zoning Commission will consider the request on Tuesday, July 6, 2021 at 6:30 p.m. and a public meeting to consider the request will be held before the Clermont City Council on Tuesday, July 27, 2021 at 6:30 p.m. for final enactment.

All meetings will be held at Clermont City Hall, Council Chambers, located at 685 W. Montrose Street. This ordinance is available for public inspection in the office of the City Clerk, 685 W. Montrose St., Monday through Friday between the hours of 8:00 A.M. and 5:00 P.M.

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

Daily Commercial
June 22, 2021 and July 13, 2021

Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date	
Tuesday, July 6, 2021	
Agenda Item Name	
Resolution No. 2021-037R - Conditional Use Permit <i>Headquarter Honda Garage (CUP)</i>	
Requested Action	
Recommend approval of Resolution No. 2021-037R.	
Staff Report	
The applicant is requesting an annexation, small-scale comprehensive plan amendment, rezoning, and a Conditional Use Permit (CUP) for the 3.12 acre+/- vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard. The requested Conditional Use Permit (CUP) will allow for the construction of a four-story garage structure to be used in conjunction with the existing Headquarter Honda Dealership. The conceptual site plan prepared by Tannath Design Group Inc, shows the layout of the proposed structure and parking for the site. With the annexation petition to the City; a request was also included to change the future land use from Lake County Urban Low Density to Clermont Commercial designation. The proposed rezoning from Lake County "C-P" Commercial Planned to Clermont "C-2" General Commercial is being requested. In addition, a Conditional Use Permit (CUP) is needed to allow for any automotive sales and services, such as the inventory garage, located in the "C-2" General Commercial zoning district, as required by the Land Development Code, Section 122-224. The subject property is contiguous to Clermont Boundaries and meet the requirements of Florida Statutes, Chapter 171 for Annexation. The project will connect to City water and sewer services, if applicable, which has adequate capacity to service the development. The applicant indicates the proposed development will allow the existing Honda dealership the ability to use the garage structure for the expansion of vehicle inventory, storage and display of new and used vehicles at this location. The project will be required to provide cross access from the existing Honda dealership, which shall be used as the primary access point for the public and any customers that utilize the garage structure. The secondary access point on Lake Boulevard will have a private and gated access to restrict and limit public use and to minimize any traffic impacts on Lake Boulevard. The proposed development will be required to comply with Clermont Land Development Regulations and Architectural Design Standards to allow for construction of the garage structure. The applicant has not requested any variances to the code for construction of the garage. The adjacent parcel located to the west is within Clermont boundaries and zoned C-2 General Commercial, which is the Honda Headquarter Dealership, and the parcel located to the south and southeast of subject property is located in Lake County, with an Urban Low zoning category. <u>STAFF RECOMMENDATION:</u> Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is consistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning. Staff recommends approval of Ordinance No. 2021-017 annexation and Ordinance No. 2021-018, changing the future land use to Clermont Commercial and approval of Ordinance No. 2021-019, rezoning the subject parcel to C-2 General Commercial zoning category. Staff also recommends approval of the Conditional Use Permit (CUP), with the provisions and conditions contained in Resolution No. 2021-037R, to allow a garage structure to be used ancillary to an existing automobile dealership located in the "C-2" General Commercial zoning district.	

Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount
Exhibits Attached (copies of original agreements)		
1. Staff Analysis Report	Staff Analysis Report.pdf	
2. 2021-037R - Headquarter Honda CUP (06.29.2021 V5) - R&F BL	2021-037R - Headquarter Honda CUP (06.29.2021 V5) - R&F BL.pdf	
3. Location Map	Location Map.pdf	
4. Conceptual Site Plan	Conceptual Site Plan.pdf	
5. Conditional Use Justification6-25-21	Conditional Use Justification6-25-21.pdf	
6. HondaDeck-Roadview1	HondaDeck-Roadview1.pdf	
7. HondaDeck-Roadview2	HondaDeck-Roadview2.pdf	
8. HondaDeck-Roadview3	HondaDeck-Roadview3.pdf	
9. Signed CUP App	Signed CUP App.pdf	
10. Headquarter Honda Vehicle Garage CUP- Legal Ad	Headquarter Honda Vehicle Garage CUP- Legal Ad.docx	



CITY OF CLERMONT Staff Analysis Report

OWNER: Gary A. Bodzin, Trustee UTD

APPLICANT: Headquarter Honda Orlando Real Estate, LLC

PROJECT NAME: Headquarter Honda Garage

REQUESTED ACTION: A request for annexation, small-scale comprehensive plan amendment, rezoning and Conditional Use Permit (CUP) to allow for construction of a vehicle storage/display garage structure to be used ancillary to the existing Headquarter Honda dealership.

SIZE OF PARCEL: 3.12 acres +/- Alternate Key 3306686

LOCATION: Vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard.

EXISTING ZONING: **FROM:** Lake County "CP" Commercial Planned
TO: Clermont "C-2" General Commercial

EXISTING LAND USE: Vacant property

FUTURE LAND USE CATEGORY: **FROM:** Lake County Urban Low
TO: Clermont Commercial

SITE UTILITIES: City of Clermont Water and Sewer

ANALYSIS:

The applicant is requesting an annexation, small-scale comprehensive plan amendment, rezoning, and a Conditional Use Permit (CUP) for the 3.12 acre +/- vacant parcel located on State Road 50 and the southwest corner of Lake Boulevard. The requested Conditional Use Permit (CUP) will allow for the construction of a four-story garage structure to be used in conjunction with the existing Headquarter Honda Dealership. The conceptual site plan prepared by Tannath Design Group Inc, shows the layout of the proposed structure and parking for the site.

The annexation petition to the City; also included a request to change the future land use from Lake County Urban Low Density to Clermont Commercial designation. The proposed rezoning from Lake County "C-P" Commercial Planned to Clermont "C-2" General Commercial, which requires a Conditional Use Permit (CUP) to allow for any automotive sales, services, garages, dealerships, carwash, boats, trucks, auto paint and body shops located in the "C-2" General Commercial zoning district, as required by the

Land Development Code, Section 122-224. The subject property is contiguous to Clermont Boundaries and meet the requirements of Florida Statutes, Chapter 171 for Annexation.

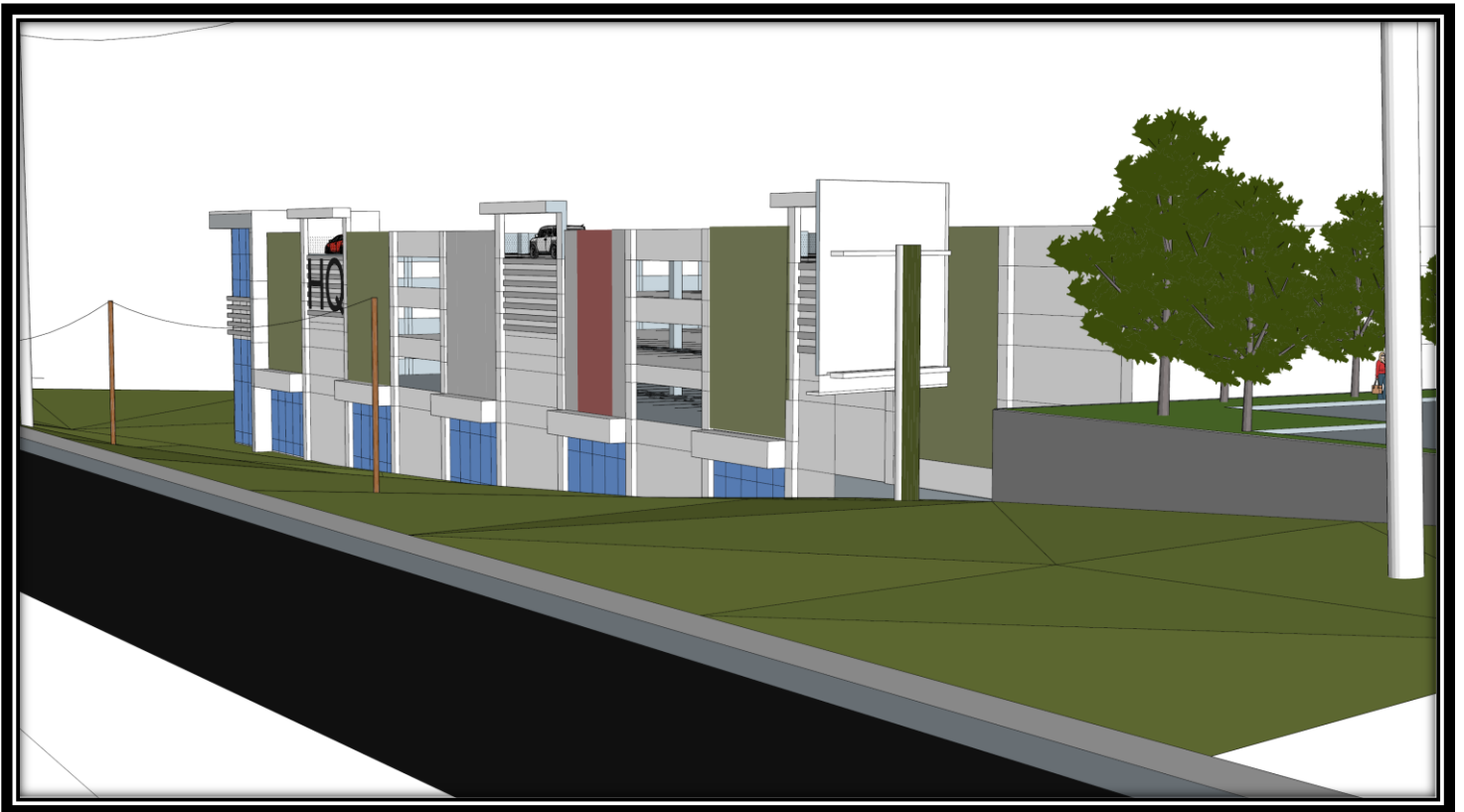
The applicant indicates the proposed development will allow the existing Honda dealership the ability to use the garage structure for the expansion of vehicle inventory, storage and display of new and used vehicles at this location. The project will be required to provide cross access from the existing Honda dealership, which shall be used as the primary access point for the public and any customers that utilize the garage structure. The secondary emergency access point on Lake Boulevard will have a private and gated access point, to restrict and limit public use and to minimize any traffic impacts on Lake Boulevard.

The proposed development will be required to comply with Clermont Land Development Regulations and Architectural Design Standards to allow for construction of the garage structure. The applicant has not requested any variances to the code for construction of the garage. The adjacent parcel located to the west is within Clermont boundaries and zoned C-2 General Commercial, as the Honda Headquarter Dealership, and the parcel located to the south and east of subject property is located in Lake County, with Urban Low zoning designation.

STAFF RECOMMENDATION:

Staff has reviewed the application and proposed project in regards to compliance with the Clermont Codes of Ordinances and Comprehensive Plan. The proposed use is consistent with the goals, objectives and policies of the comprehensive plan and intent of the land development regulations for commercial zoning.

Staff recommends approval of Ordinance No. 2021-017 annexation and Ordinance No. 2021-018, changing the future land use to Clermont Commercial and approval of Ordinance No. 2021-019, rezoning the subject parcel to C-2 General Commercial zoning category. Staff also recommends approval of the Conditional Use Permit (CUP), with the provisions and conditions contained in Resolution No. 2021-037R, to allow a garage structure to be used ancillary to an existing automobile dealership located in the "C-2" General Commercial zoning district.





CITY OF CLERMONT
RESOLUTION NO. 2021-037R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A VEHICLE STORAGE AND INVENTORY GARAGE STRUCTURE IN THE C-2 GENERAL COMMERCIAL ZONING DISTRICT; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Clermont, Lake County, Florida at a meeting held July 6, 2021 recommended approval of this Conditional Use Permit to allow for an automotive dealership inventory and storage garage, at the following location:

LOCATION:

Vacant property located on State Road 50 and the
Southwest corner of Lake Boulevard
(Alternate Key #3306686)
3.12 Acres +/-

WHEREAS, from the evidence presented at the public hearing and after consideration of the factors set forth in Sec. 86-144 (d) of the Land Development Code, the city council finds, that: (1) granting the conditional use permit will not adversely affect the officially adopted comprehensive plan of the city; (2) Such use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity; (3) The proposed use will comply with the regulations and conditions specified in the codes for such use; and (4) The proposed use may be considered desirable at the particular location

WHEREAS, the City Council determines that the application for a conditional use permit meets the criteria set forth in the Land Development Code and otherwise it is in the interest of the general welfare of the City of Clermont, Lake County, Florida to grant this Conditional Use Permit.

WHEREAS, the property owner requested annexation, small scale comprehensive plan amendment, and rezoning with the City of Clermont concurrently with this Conditional Use Permit (CUP) to allow for a vehicle inventory garage structure in the C-2 General Commercial zoning district; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clermont, Lake County, Florida that based on the findings stated above and incorporated herein:

1. This application for a Conditional Use Permit to allow for a vehicle inventory and storage garage structure in the C-2 General Commercial zoning district shall be granted subject to the following conditions:



CITY OF CLERMONT
RESOLUTION NO. 2021-037R

SECTION 1 - GENERAL CONDITIONS

1. The conditions as set forth in this Conditional Use Permit shall be legally binding upon any heirs, assigns and successors in title or interest.
2. No person, firm, corporation or entity shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building or structure, or alter the land in any manner within the boundary of the project without first submitting necessary plans, obtaining necessary approvals, and obtaining necessary permits in accordance with the City of Clermont Land Development Regulations and those of other appropriate jurisdictional entities.
3. The Conditional Use Permit must be executed and processed through the Office of the Clermont City Clerk within 90 days of the date of approval by the City Council or the permit shall become null and void.
4. The applicant shall record in the Public Records of Lake County within 90 days of its date of approval by the City Council, a short-form version of this Conditional Use Permit as provided by the City or a form acceptable to the City, to provide notice to all interested parties, the assigns, successors and heirs of the developer/applicant and all future owners of the above-referenced property that the real property described above is subject to the terms and conditions of the Conditional Use Permit.
5. The Fire Marshal shall inspect all building and structures to ensure all life safety requirements and fire safety codes are in compliance to the code prior to the issuance of any Certificate of Occupancy.
6. The City Building Inspector shall inspect all structures and buildings for compliance with the Florida Building Codes and all code violations must be corrected prior to the issuance of the Certificate of Occupancy.
7. Prior to the issuance of any permits, the applicant shall be required to submit Formal Site Plans for review and approval by the Clermont Site Review Committee. The site plans shall show location of all proposed buildings, structures, picnic areas, and outdoor recreation areas as indicated in the Conditional Use Permit application. The site plans shall meet all submittal requirements and comply with the conditions of this Resolution, applicable City Codes, Regulations, Ordinances, and provide compliance with the adopted City Comprehensive Plan, as amended.
8. No expansion of the use or additions to the facility shall be permitted except as approved by another Conditional Use Permit.
9. If any of the stated conditions are violated, the applicant understands and agrees that the City Council may revoke this Conditional Use Permit by resolution after a public hearing.
10. This permit shall become null and void if substantial construction work has not begun



CITY OF CLERMONT
RESOLUTION NO. 2021-037R

within two (2) years of the date of issuance of this Conditional Use Permit. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion.

SECTION 2: LAND USES AND SPECIFIC CONDITIONS

1. This Conditional Use Permit will allow for the construction of a four-story vehicle storage and display garage structure that will be used in conjunction and ancillary to the existing Headquarter Honda Automobile Dealership.
2. The site may also be used for any other permitted uses in the C-2 General Commercial zoning district.
3. The property shall be developed in substantial accordance with the Conceptual Site Plan (Exhibit A) prepared by Tannath Design Inc, submitted with the CUP application. All new development and/or changes to the subject property must submit for site plan approval by the Site Review Committee prior to the issuance of a zoning clearance or other development permits. The conceptual site plans submitted with the Conditional Use Permit application are not the approved and final construction plans. The conceptual site plan does not grant any development entitlements or uses and is only used for conceptual purposes.
4. The site shall be developed in accordance to the Clermont Land Development Regulations and the provision of the C-2 General Commercial zoning district in the Land Development Codes. All Landscape buffers and screening must be in accordance with Clermont Land Development Regulations. All buildings and structures must comply with Clermont Architectural Design Standards.
5. The site shall provide a cross access driveway from the existing Headquarter Honda Dealership, which shall be used as the primary point of access for the public and any customers that may utilize the garage structure.
6. The secondary access point off Lake Boulevard shall be private and gated to restrict and limit any public and customer entrance and exit at that location. Lake County Public Works must approve any required driveway permits for Lake Boulevard.
7. Sidewalks are required adjacent to any streets-right-of way for the entire length of the subject property; any required sidewalk installation shall be coordinated with the appropriate City, County or State Agency prior to construction.
8. No outside speaker systems shall be permitted.
9. Site lighting shall be installed and operated to reflect downward onto the site and shall not spill over onto the adjacent properties.



CITY OF CLERMONT
RESOLUTION NO. 2021-037R

10. The garage facility shall be gated and will be secured from the General Public. All fencing shall be ornamental metal or decorative PVC/Vinyl. Any fences and walls shall provide aesthetically pleasing design features on State Road 50 and Lake Boulevard.
11. Any signage must comply with Clermont Sign Code, Section 102-Signs.
12. The applicant will be required to provide an enhanced landscape buffer that is consistent with the existing landscape buffer for Headquarter Honda Dealership, along the property boundaries that abuts the residential uses and zoning. The landscape buffer shall provide a solid masonry wall and enhanced plant materials to create an opaque screening at the time of planting.

SECTION 3: CONFLICT

All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 4: 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 5: 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 6: PUBLICATION AND EFFECTIVE DATE

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



CITY OF CLERMONT
RESOLUTION NO. 2021-037R

DONE AND RESOLVED by the Mayor of the City Council of the City of Clermont, Lake County, Florida, this 27th day of July, 2021.

CITY OF CLERMONT

Tim Murry, Mayor

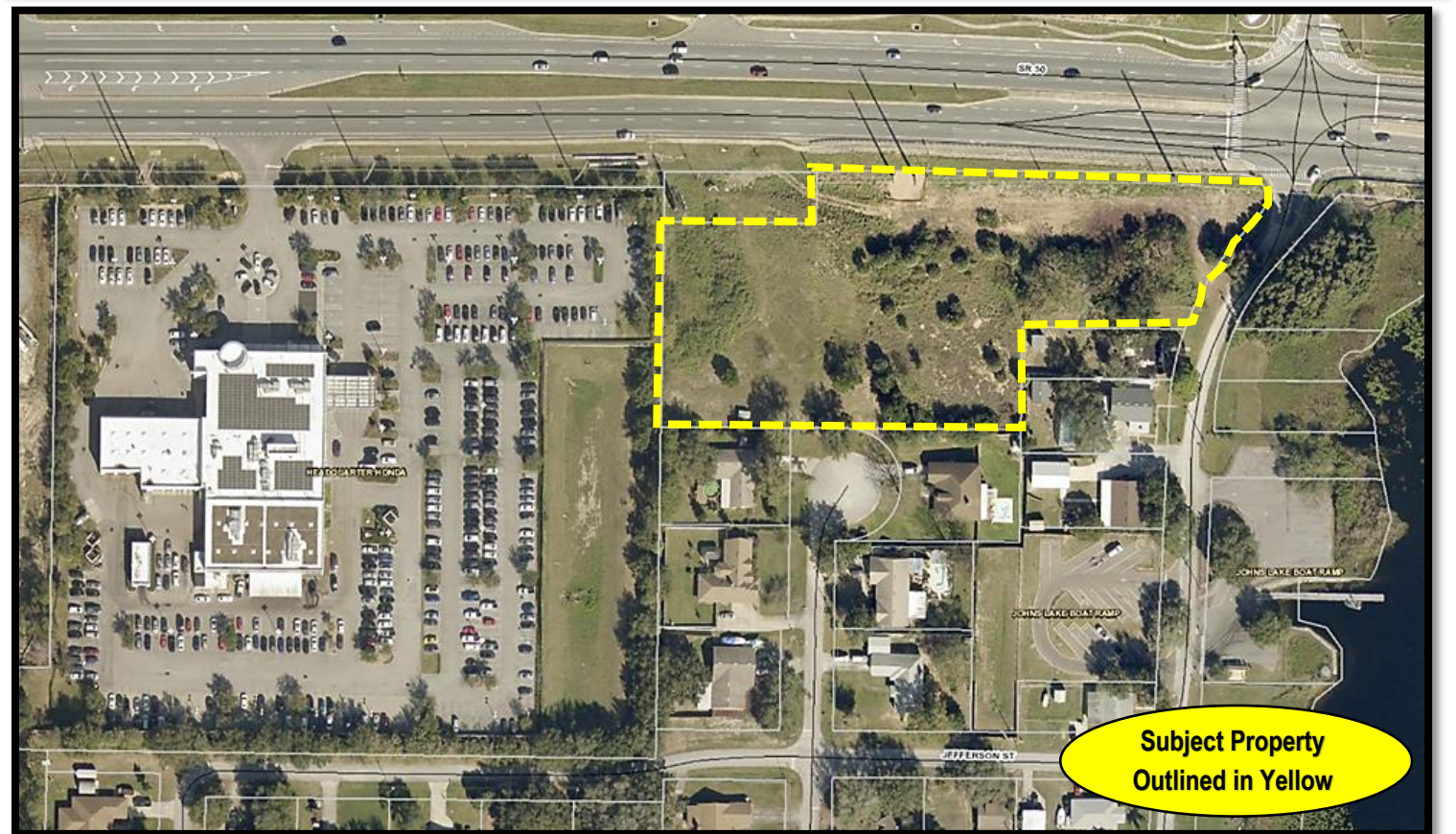
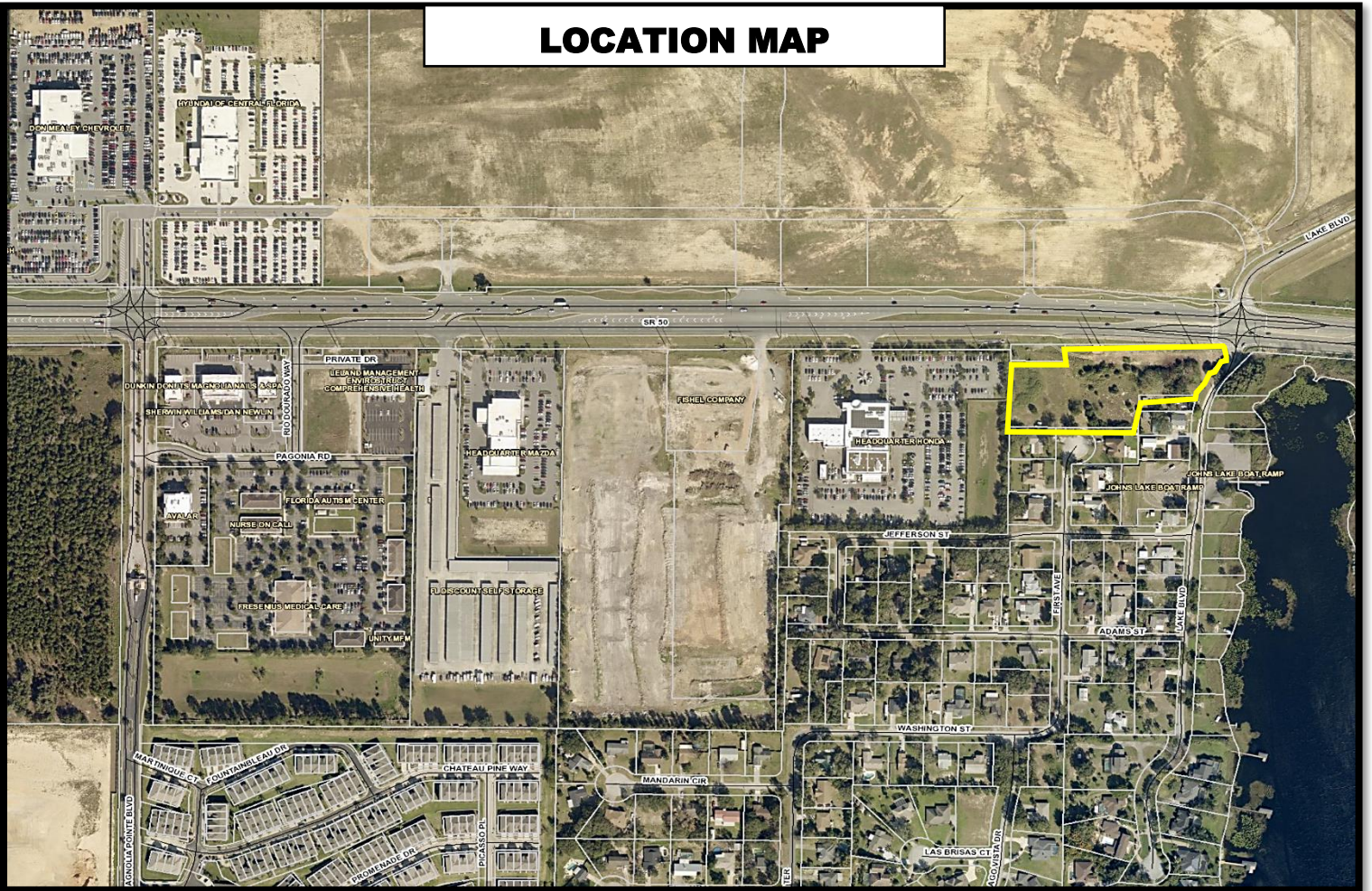
ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

Approved as to Form and Legality:

Daniel F. Mantzaris, City Attorney

LOCATION MAP



SITE DATA:

PROPERTY LOCATION:

PARCEL ID:

ALTERNATIVE KEY:

CURRENT LOCAL MUNICIPALITY:

PROPOSED LOCAL MUNICIPALITY:

EXISTING FUTURE LAND USE:

PROPOSED FUTURE LAND USE:

CURRENT ZONING:

PROPOSED ZONING"

CURRENT USE:

PROPOSED USE:

TOTAL OVERALL PARCEL AREA:

SR 50 & LAKE BLVD

25-22-26-0001-000-02600

3306686

LAKE COUNTY

CITY OF CLERMONT

URBAN LOW

COMMERCIAL

COMMERCIAL PLANNED (CP)

GENERAL COMMERCIAL (C-2)

VACANT COMMERCIAL LAND

CAR DEALERSHIP

3.12 AC

CITY SETBACKS:

50' ALONG SR50

25' REAR

12' SIDE

BUFFERS:

20' ALONG SR 50

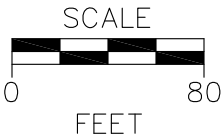
15' ALONG LAKE BLVD

10' SIDE

BUILDING MAX HEIGHT: 55'

MIN. INTERIOR LANDSCAPE ISLAND AREA: 300SF

SR 50



FLU: COMMERCIAL
ZONING: C-2
USE: CAR DEALERSHIP
(CITY OF CLERMONT)

FLU: URBAN LOW
ZONING: C-1
USE: BILLBOARD SIGN
(LAKE COUNTY)

3-STORY
PARKING GARAGE

325'

130'

SWALE

PARKING AREA

ACCESS DRIVE

STORMWATER POND

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FLU: URBAN LOW
ZONING: A
USE: RESIDENTIAL
(LAKE COUNTY)

FIRST AVE

LAKE BLVD

OWNER:

GARY A. BODZIN, TRUSTEE
18205 BISCAYNE BLVD, STE 2201
AVENTURA, FL 33160

APPLICANT:

HEADQUARTER ORLANDO REAL ESTATE LLC
5895 NW 167TH ST
HIALEAH, FL 33015

PROPOSED DEVELOPMENT:

THE DEVELOPMENT WILL BE AN EXPANSION OF THE ADJACENT HEADQUARTER HONDA FACILITIES TO PROVIDE ADDITIONAL CAR DISPLAY AREA ALONG WITH THE NECESSARY STORMWATER MANAGEMENT FOR THE PROPOSED AREA.

THE PROPERTY IS CURRENTLY IN UNINCORPORATED LAKE COUNTY AND IS BEING ANNEXED INTO THE CITY OF CLERMONT. THE DESIRED ZONING IS C-2 GENERAL COMMERCIAL TO MATCH THE EXISTING ZONING OF THE CONTIGUOUS PROPERTY OWNED BY HEADQUARTER HONDA.

SCALE: 1"=80'

PROJECT: 060-003

DATE: 05/07/21

DRAWN BY: SCP

Plot Plan
Headquarter Honda
SR 50 & Lake Blvd
Clermont, Florida

Tannath Design, Inc.
2494 Rose Springs Drive
Orlando, Florida 32825
407-982-9878
www.tannathdesign.com



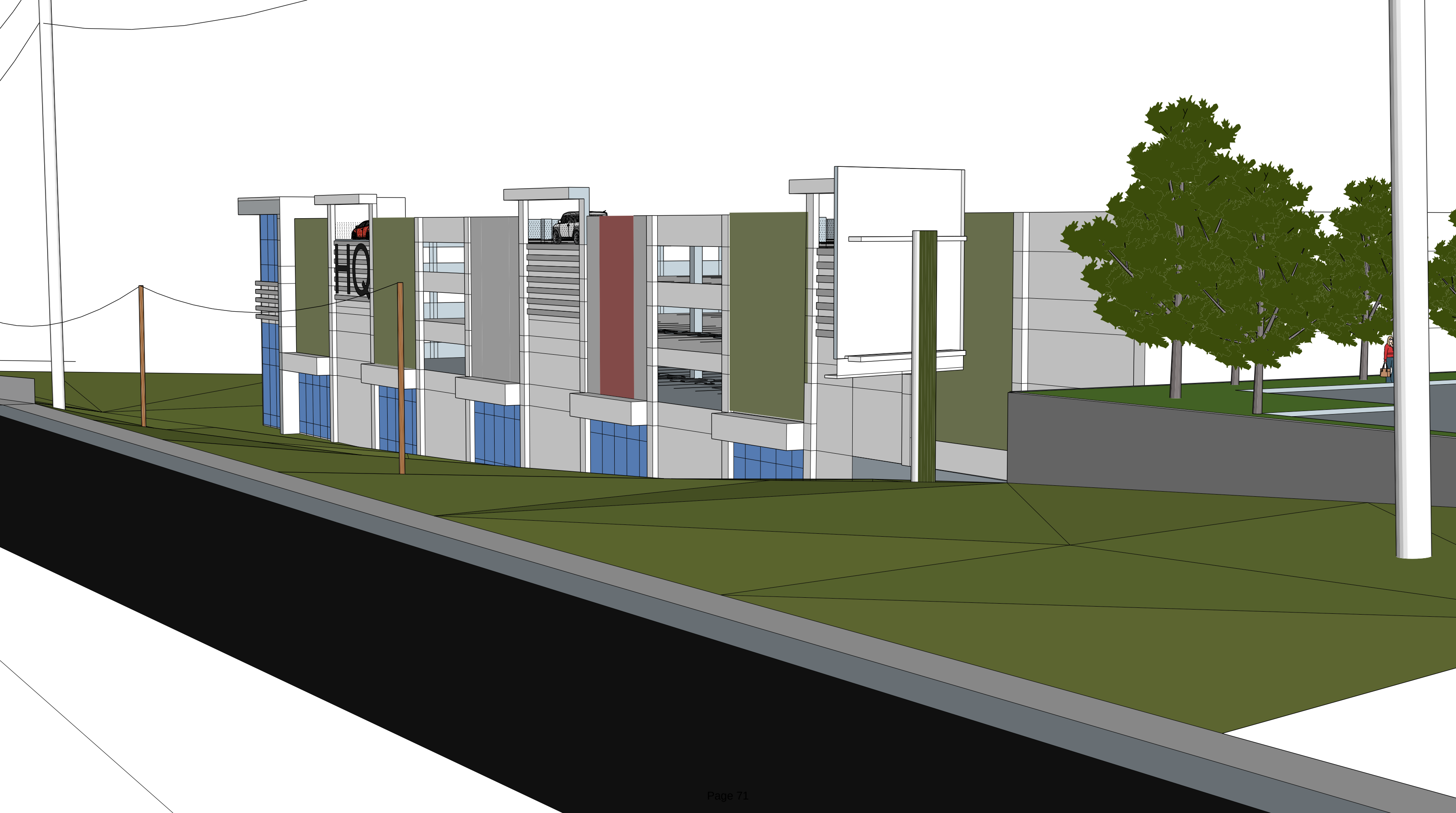
EXHIBIT

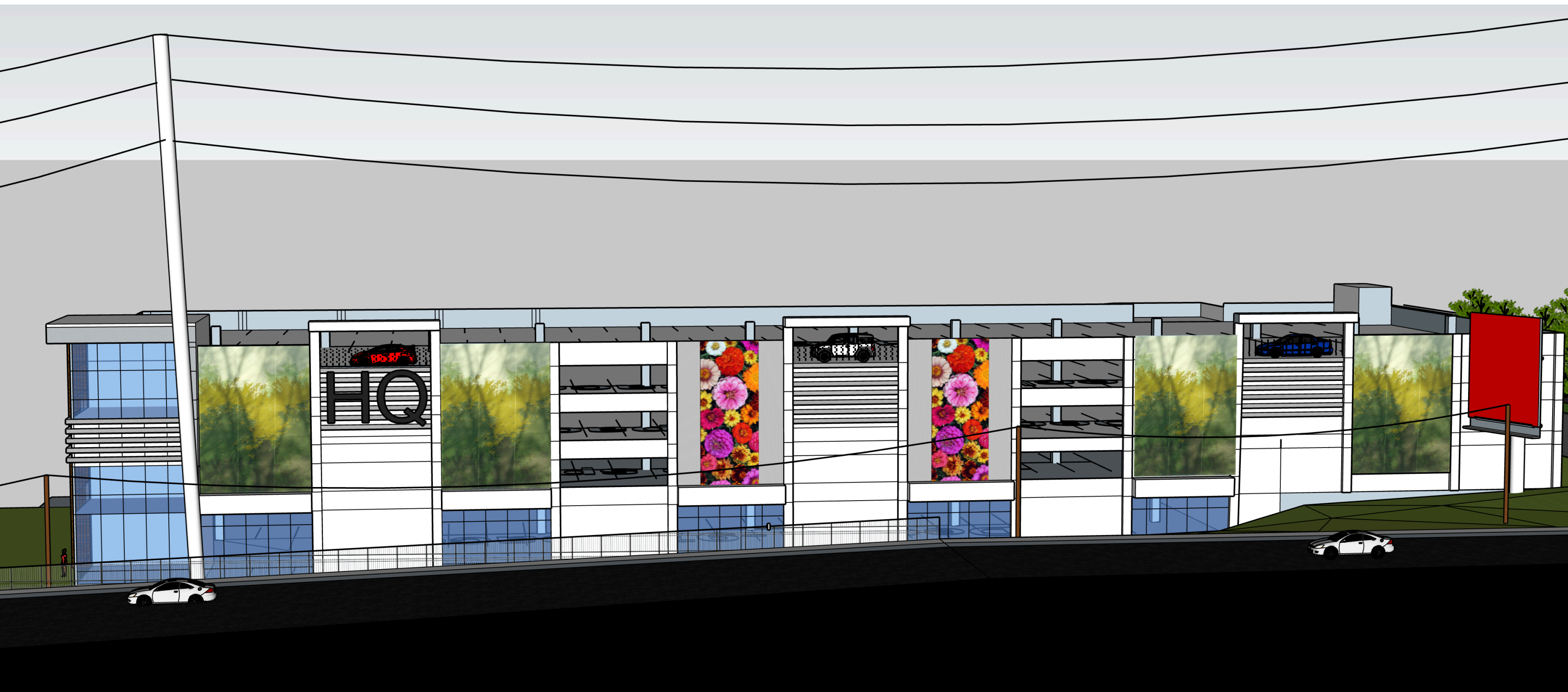
2

Applicant Justification Statement:

This CUP application is being submitted concurrently with an annexation petition, comprehensive plan amendment to apply a City FLU designation; and a rezoning to apply a City zoning to property currently within the jurisdiction of Lake County. The rezoning application seeks to assign the City zoning category of C-2 to the subject property which is consistent with the proposed FLU designation of Commercial. The Applicant owns the adjacent property to the west and it is improved with a Headquarter Honda dealership. The subject property is being purchased for an assemblage with the existing development for the proposed uses of additional vehicle display and associated stormwater management. Pursuant to Section 122.224 automobile sales are allowed as a conditional use in C-2 Zoning.

The Headquarter Honda dealership currently operating on the adjacent property to the west is in need of additional vehicle display areas and employee parking. Proposed for the subject property is a 4 level plus a roof deck parking garage and a surface parking lot on the east side of the subject property. These parking facilities will provide 456 parking spaces. The total height of the parking garage structure is proposed at 50' from the lowest grade elevation on the subject property to the corner rooftop. The subject property is marked by a significant grade change from the SR50 right-of-way to the south. The change in grade from SR50 to the building is 15' so the actual structure view from the ROW will only be approximately 35'. A stormwater management facility located on the south side of the subject property separates the parking structure from the existing residential development to the south. Primary access to the subject property will be from SR50 through the adjacent development. Access to the subject property from Lake Boulevard will be used only by Headquarter Honda employees and will be limited to ingress only.









CITY OF CLERMONT CONDITIONAL USE PERMIT FILING INSTRUCTIONS

1. Prior to submitting an application, a meeting with the Development Services Director or appointed designee, is required. Call 352-394-4083 to schedule a meeting.
2. After meeting with the Development Services Director or appointed designee, the applicant shall prepare and submit one set of preliminary site plans and one PDF on CD for review by the Site Review Committee (SRC) (if required). The material can also be emailed to planning@clermontfl.org. The preliminary site plan shall clearly depict the proposed project, showing the location and dimension of the site, topographic features including floodplains and wetlands, all existing and proposed structures, architectural elevations (all sides), signs, driveways, parking areas and landscaping, etc.
3. After the preliminary site plans are reviewed by the Site Review Committee (SRC), a list of review comments will be forwarded to the applicant. The applicant will then revise the preliminary site plan, addressing the comments from the SRC. The revised plans must be approved by the SRC prior to submitting the Conditional Use Permit (CUP) application.
4. Upon preliminary site plan approval, the applicant will submit a complete CUP application, including the revised preliminary site plan. The revised preliminary site plan is for purposes of the conditional use permit only, **and is not an approved site plan for construction.**
5. Complete CUP applications that are submitted to and accepted by the Development Services Director on or before the 1st of the month will be tentatively scheduled for public hearing the following month, pending City Manager approval. Public hearings are scheduled for the 1st and 4th Tuesdays of the following month for the Planning and Zoning Commission and the City Council respectively.
6. Your presence at the Public Hearings is strongly recommended. Staff will present the application, but it is the applicant's responsibility to make a case for their request.

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



CITY OF CLERMONT **CONDITIONAL USE PERMIT FILING INSTRUCTIONS**

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

1. Proof of ownership, i.e. tax receipt, deed, or Lake County Property record card.
2. A complete legal description and survey of the subject property provided in a word document to be used for the legal advertising and in the CUP. It may be included on the CD as a word document or emailed to planning@clermontfl.org
3. A preliminary site plan clearly depicting the proposed project, showing the location and dimensions of the site, topographic features including floodplains and wetlands, all existing and proposed structures, architectural elevations (all sides), signs, driveways, parking areas and landscaping, etc. Maximum size for plans is 11" x 17" (if provided electronically, applicant does not need to provide paper copies)
4. One PDF copy of the Site Plan on disk, as directed by City staff. This will depend if the project borders a Lake County right-of-way.
5. Plans for the provision of services and infrastructure, and if required, traffic studies, Transportation Proportionate Fair Share information, or School Concurrency information.
6. Landscape plans in conformance with Chapter 118 of the Code. (see #3 above)
7. Original signature application

APPLICATION FEE: \$845.00 plus the cost of advertisement, plus the cost of traffic review fee*, if necessary.

*If the conditional use impacts traffic, a third party review through the City's traffic consultant will be necessary. The cost of review will be the responsibility of the applicant.



CITY OF CLERMONT
CONDITIONAL USE PERMIT
APPLICATION

Date		FEE: \$845 + cost of advertisement + cost of traffic review (if necessary)	
Project Name (if applicable) Headquarter Honda			
Applicant Headquarter Orlando Real Estate LLC			
Contact Person			
Address 5895 NW 167th ST		City Hialeah	State FL Zip 33015
Telephone		Fax	
Email			
OWNER INFORMATION ☐ (Check box if owner information is same as applicant)			
Owner's Name Gary A. Bodzin, Trustee UTD 7/29/2009			
Owner Address 18205 Biscayne Blvd, Ste 2201		City Aventura	State FL Zip 33160
Telephone		Fax	
PROPERTY INFORMATION			
Address of Subject Property		City Clermont	State FL Zip
General Location Lake Blvd & SR 50			
Legal Description & Alternate Key (include copy of survey) Alternate Key-3306686 See attached copy of Deed for Legal Description			
Land Use (City verification required) Commercial			
Zoning (City verification required) C-2 General Commercial			



CITY OF CLERMONT
**CONDITIONAL USE PERMIT
APPLICATION**

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

See Justification

Bryan Potts

Applicant Name (print)

x Bryan Potts
Applicant Name (signature)

Gary A. Bodzin, as Trustee UTD 7/29/09

Owner Name (print)

x [Signature]
Owner Name (signature)

*****NOTICE*****

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

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

5/26/2020

LEGAL NOTICE

Notice is hereby given that the Clermont City Council will consider a request for a Conditional Use Permit (CUP) to allow a Vehicle Storage and Inventory Garage in the C-2 General Commercial zoning district, bfor the existing Headquarter Honda Auto Dealership at the following location:

LOCATION:

Vacant parcel located on State Road 50
and the corner of Lake Boulevard
(Alternate Key 3306686)
3.12+/- Acres

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

The Clermont Planning & Zoning Commission will consider this request at a public meeting on Tuesday, July 6, 2021 at 6:30pm; and

The Clermont City Council will consider this request at a public meeting on Tuesday, July 27, 2021 at 6:30pm.

All public meetings will be held at the Clermont City Hall, Council Chambers, located at 685 West Montrose Street, Clermont FL.

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

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

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
June 28, 2021 and July 20, 2021