



**CITY OF CLERMONT
PLANNING AND ZONING COMMISSION AGENDA
LOCATION: CLERMONT CITY HALL
685 WEST MONTROSE STREET
6:30 PM, Tuesday, October 5, 2021**

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
MINUTES**

Approval of the September 7, 2021 Planning and Zoning Commission meeting minutes.

**REPORTS
NEW BUSINESS**

Item 1 - Ordinance No. 2021-024
***The Vue Small-scale Comprehensive Plan
Amendment***

Small Scale Comprehensive Plan
Amendment for 6.63 acres to change
from Low Density Residential to
Commercial.

Item 2 - Ordinance No. 2021-025
The Vue Rezoning

The applicant is requesting an
amendment to PUD Ordinance 2017-24
on approximately 30 acres to allow
multi-family units and to include
additional acreage with the workforce
housing density bonus criteria.

Item 3 - Ordinance No. 2021-030
Prince Edward Avenue Rezoning

Consider rezoning request from R-1-
Single Family Medium Density to R-2-
Medium Density Residential for a
vacant parcel located on the corner of
Prince Edward Avenue and East
Minneola Avenue.

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 should contact Development Services at (352) 241-7335.

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

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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
September 7, 2021

The meeting of the Planning & Zoning Commission was called to order on Tuesday, September 7, 2021 at 6:30 p.m. by Chairman Krzyminski. Members present were: Chairman Max Krzyminski, Lavonte Rogers, Vincent Niemiec, David Colby, Joe Gustafson, and Jane McAllister. Commissioner Chuck Seaver was absent. Also present for City staff was City Attorney Dan Mantzaris, Planning & Development Director Curt Henschel, Planning Manager John Kruse, Senior Planner Regina McGruder, and Planning Coordinator Rae Chidlow.

MINUTES:

MOTION TO APPROVE the August 3, 2021 minutes of the Planning & Zoning Board made by Commissioner McAllister. Motion was seconded by Commissioner Gustafson. Passed unanimously.

REPORTS FROM THE COMMISSION:

Commissioner Niemiec stated that the expansion of Hartwood Marsh Road from Highway 27 past Regency Hills has been funded and will not begin until 2023. He stated that the County is hearing a new community on Hartwood Marsh Road of 660 homes and the only in and out will be Hartwood Marsh Road.

NEW BUSINESS

Item #1: Ordinance No. 2021-021 – Karma Housing Comp Plan Amendment

Request: Consider a request for a Small-Scale Comprehensive Plan Amendment for 3.04 +/- acres located southwest of the SR 50 and East Avenue intersection. The applicant is requesting a change from Commercial to Master Planned Development.

Item #2: Ordinance No. 2021-022 – Karma Housing Rezoning

Request: Consider a request for an amendment to PUD Ordinance 2020-01 to increase the number of dwelling units from 36 units to 54 units on the 3.04 +/- acre project through the use of the Workforce Housing Density Bonus.

Planning Manager John Kruse presented the staff report for both items as follows:

The applicant is requesting a Small-Scale Comprehensive Plan Amendment (SSCPA) and an amendment to PUD Ordinance 2020-01 to increase the number of dwelling units from 36 units to 54 units on the 3.04 +/- acre project. The project is located at the southwest corner of SR 50 and East Avenue, between Chestnut and SR 50. The applicant is requesting this increase through the use of the Workforce Housing Density Bonus provision found in Section 122-358 of the Land Development Code. The applicant has provided a Conceptual Site Plan showing the proposed buildings, parking, landscape areas and access points for the property. The applicant is proposing three new residential buildings with 18 units in each building. The buildings will be three stories each. A traffic study has been performed and reviewed by the City's Traffic Engineer Consultant and the proposed project is considered to have a de Minimis impact on the existing roadway network.

Small-Scale Comprehensive Plan Amendment:

The applicant is requesting a Small-Scale Comprehensive Plan Amendment to change the future land use from Commercial to Master Planned Development. The applicant is requesting this amendment in order to seek an increase in density. Policy 1.2.4 allows a density range of 12-25 units per acre in the Master Planned Development Future Land Use category. The current PUD is currently limited to 12 dwelling units per acre. The proposal with the requested amended PUD in the Master Planned Development future land use is 18 dwelling units per acre. Policy 1.7.2 indicates that the Master Planned Development category is intended for new master planned, mixed-use projects. The proposed project is not mixed-use and consists of residential use only.

In addition, a review of the Future Land Use map indicates all the projects within the current Master Planned Development category have a mixed-use component, including but not limited to a combination of residential, commercial, and/or office use. Some examples of these developments are Lost Lake DRI, Plaza Collina, Highland Ranch, and Olympus. The Master Planned Development category is not intended for this type of application, as requested by the applicant. The applicant has not provided any justification for the Land Use change to the Master Planned Development category other than it may permit the requested residential density bonus through the workforce housing provision.

Staff has reviewed the application for the Small-Scale Comprehensive Plan Amendment and cannot support the request due to conflicts in the Comprehensive Plan and the Land Development Code for the final use of the property. Objective 1.7: Mixed-Use Land Use Categories are established to accommodate a mixture of residential, office and commercial uses as single uses on separate parcels or as a mix of uses within a single development. The proposal is in conflict with this objective and staff recommends denial of Ordinance 2021-021.

PUD Amendment

The applicant is requesting an amendment to the existing PUD Ordinance 2020-01. This ordinance was approved by City Council in January 2020 to allow a total of 36 multi-family dwelling units on the site, which is the maximum density permitted at 12 dwelling units per acre. The zoning was originally C-1 Light Commercial prior to this PUD. The conceptual site plan had two buildings, three-stories high, with 18 units in each building. No waivers to the code were requested or required. The applicant is now requesting an amendment to Ordinance 2020-01 to increase the existing density by utilizing Section 122-358 Workforce housing density bonus. The applicant is requesting an overall density of 18 dwelling units per acre, or a maximum of 54 multi-family units. This is an increase of 18 dwelling units over the current approved PUD. The applicant intends to add a third building with 18 multi-family units. In reviewing the application, several items are inconsistent and in conflict with the Land Development Code. The Workforce Housing density bonus (Section 122-358 (e)) of the Land Development Code provides two geographic areas within the City that may qualify for the density bonus. These two areas are the Hooks Street Corridor and Wellness Way Area. The project is not located within the two approved geographical areas and is well over a mile from the closest designated area.

Secondly, the applicant is proposing to place all the workforce housing units in one building. The provisions of the Workforce density bonus criteria, Section 122-358 (e), prohibits the segregation of any floating units that are permanently designated for Area Median Income (AMI)

qualifying tenants and households within any housing development. The intent and purpose of the code encourages and promotes housing that is inclusionary and attainable for all households. The proposed plan, as identified, would segregate the qualified workforce housing tenants from the available market rate tenants. The Land Development Code requires workforce housing units to be dispersed throughout the development and these units cannot be permanently designated as workforce units. This strategy allows housing for all, and prevents segregation based upon income within any project. The applicant is proposing one of the other buildings as market-rate rentals and the final building will be condominium sales. Staff is very concerned with the management and operation of rentals and ownership within the project and how the proposed management of housing units will be operated within the project. In addition, the Workforce units are required to provide inclusive housing units that will provide the same quality and design, with the same access of the amenities, as the other residents within the development. The length of affordability requires the workforce housing units to remain in perpetuity for the life of the project. The applicant has not provided a management agreement indicating this will be done and how the workforce units will be managed. The agreement must address marketing, applicant screening, the process for establishing rental rates, monitoring Fair Housing compliance, determination of income qualifications, and other elements contained in Section 122-358.

Section 122-358 requires 30 percent of the housing units designated as workforce housing. Based upon the applicant's proposal, a minimum of 17 units shall be workforce housing units and the applicant is providing 18 units.

In comparing the conceptual plan under Ordinance 2020-01 and the new conceptual plan, several waivers are now required due to the added density.

The waivers identified are:

1. The proposal is not in conformance with Section 122-358 for Workforce Housing Density Bonus.
2. The retaining wall along East Avenue does not have the five foot separation with landscaping from the sidewalk, as required in Section 122-343 (e)(8).
3. Required landscape buffers along adjacent rights-of-way for multifamily developments are less than what is required in Section 118-37(f).
4. Landscape islands are less than the required 300 square feet, as required in Section 118-38(c)(2).

Staff is not supporting any of the waiver requests. The applicant has an approved PUD, which allows a multi-family project meeting the Land Development Code and the Comprehensive Plan. The proposed amendment, through the requested increase of density on the site, has necessitated the waiver requests.

Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The proposed project, as designed, does not comply with the Land Development Regulations and general requirements for granting a Planned Unit Development (PUD). Staff recommends denial of Ordinance 2021-022.

Jimmy Crawford stated that he is the Attorney for Karma Housing for the project. He stated that he does not agree with staff. He stated that they believed when they met with staff that they wanted

them to apply for future land use amendment to allow the higher density. He stated that it is not required. He stated that they are not mixed-used and their project is allowed. He stated they did not request any waivers, this is a concept plan. He stated the requirements would be addressed through site review. He stated they thought it was better to put all the workforce would be in one building. He stated they thought that would be better for management since they plan to have one condo that they will sell, 18 market rent units and 18 workforce units. He stated that they could split the workforce units between the rental buildings. He stated that there will need to be an amendment to Section 122-358 to allow this location to the ordinance. He stated that the council cannot pass this without that amendment. He stated that the need is present in the Clermont area for workforce housing.

City Attorney Mantzaris asked Mr. Crawford that he recognizes and acknowledges that the Section 122-358 needs amended, however he is requesting for the density bonus anyways?

Mr. Crawford stated that yes he does recognized that and asking that the Planning and Zoning Commission recommend the project along with the amendment of Section 122-358. He stated that he spoke with staff about this previously but he had hoped that staff would have recommended the amendment of Section 122-358 as this project was brought forward.

Pat Moore, 1237 East Ave. asked what the definition is of workforce housing.

Planning Manager John Kruse stated that the meaning of workforce housing is based on the area medium income that is adjusted each year. He stated that it ranges from 80% to 120%. He stated for example if the medium is \$60,000 you take 80% divided by 12 and you come up with a number based on the bedrooms. He stated that he didn't have the exact numbers in front of him, but for example a one bedroom would be \$975 and two bedroom for \$1250, but it changes year to year depending on the medium annual income.

Tom Moore, 1237 East Ave. stated that the parcel is commercial. He stated that if they are going to put an abundance of people on a small piece of property, apart from the legalities, is this really the right spot for this type of project.

Otis Taylor, 3686 Caladesi Road, stated that this is a nice project and we need workforce housing, however the location is not sufficient. He stated that it is too condensed.

Catherine Pagliazzo, 1271 5th Street, stated that she does not agree with this project and this is going to put a lot of traffic in this area. She stated the area is already congested and adding 54 units to a 3 acre lot is too much.

Ursula Naujokat, 1155 East Ave., stated that it is too congested in this area already and does not agree with the project.

Rick, 1155 East Ave., stated that there is so much traffic especially in the mornings due to the school that is just down the road. He stated that adding these units will add to the congestion.

Marie Blakesly, Minnehaha Ave., stated that her concerns is the traffic congestion in the area. She stated that traffic already cuts through the neighborhood to avoid Highway 50 traffic.

Raul Salabarria, 332 Minnehaha Ave., stated that he is echoing about the traffic and crime in that area. He stated that this property is better suited for professional office.

Stephan Testa, 1654 3rd Street, stated that this is a very nice area and stated they should have to meet the design and perimeters of the property. He stated that applicants shouldn't be able to come back and request more for something that has already been approved.

Mr. Crawford stated that they are not requesting any variances and the last speaker must be getting his information from the staff report. He stated that he feels they have some additional work to do. He stated he would like to postpone to the October 5, 2021.

Chairman Krzyminski asked about the waivers in the staff report.

Mr. Kruse stated that when they review the plans they look at what is on the conceptual plan. He stated that the applicant did not request any waivers, however if they don't point out the areas that don't meet the code, they can always come back and say it was on the conceptual plan during approvals.

Jean Tirri, 8022 Lake Nellie, applicant, stated that she is disappointed because she has been trying to do this for a very long time. She stated that after approval for the 36 units they realized the cost of construction and that is the purpose of requesting more units. She stated that she has lived here for 20 years and she believes in affordable housing. The additional units are needed to make these units affordable.

Action:

MOTION TO postpone to November 2, 2021 of Ordinance No. 2021-021 and Ordinance No. 2021-22 made by Commissioner David Colby. Motion seconded by Commissioner Joe Niemiec. Passed unanimously.

Item #3: Ordinance No. 2021-024 – The Vue Comp Plan Amendment

Item #4: Ordinance No. 2021-025 – The Vue Rezoning

Action:

MOTION TO table to October 5, 2021 of Ordinance No. 2021-024 and Ordinance No. 2021-25 made by Commissioner David Colby. Motion seconded by Commissioner Lavonte Rogers. Passed unanimously.

Item #5: Ordinance No. 2021-027 – Olympus Rezoning

Request: Consider a Rezoning an amendment to the Olympus PUD Ordinance 2020-40 to reallocate permitted uses within the development project along with updating several exhibits.

Planning Manager John Kruse presented the staff report for all three items as follows:

The applicant is requesting an amendment to PUD Ordinance 2020-40 to make some program adjustments and changes within the 243 +/- acre project. The project is located 1.5 miles south of the Lake Louisa Road and US Highway 27 intersection East of US Highway 27 and West of Schofield Road. The project was originally approved by City Council in May of 2019 for a mixed-use project with residential, commercial, office, sports and entertainment uses. The applicant requested an amendment in 2020, which was approved by City Council in December

2020, to extend dates and timelines and to shift land uses within the project due to program changes. This amendment included shifting a portion of the residential (multifamily) from the upper northwest corner of the project to the southwest corner. The program capacity and entitlements did not increase or decrease in this amendment. The applicant is now requesting additional program changes, such as increasing the areas for residential uses within the project and decreasing lot width and sizes and including different housing types. The applicant is designating a majority of the lower portion of the project as the residential area. This area is not in the City's utility area and will be served by Utilities, Inc. The upper portion of the project will be served by the City of Clermont and utilities to this area are not in place at this time. Utility service will be extended to this general area via a utility agreement recently approved for the South Lake Crossing PUD to the northeast of this project. The overall base number of residential units, 1088 dwelling units, will not change. The base number of units can be increased to 1413 dwelling units through the use of transportation conversion matrix included in the original Planned Unit Development.

The applicant has provided an updated regulating plan and site plan. In reviewing these plans, it was noted in some of the areas that were previously designated for non-residential use have been converted to residential use. The applicant has indicated that these program changes are due to changes in market conditions, the current housing demand, and the pandemic. Staff has noticed that the increase in land area for residential use has increased roughly by 50 acres from the original proposal while non-residential uses, mainly the wave pool area in the northeast corner and the hotel in the southern area, has been eliminated. The applicant has indicated that the residential portion has increased in land area, but the overall residential program has not changed. The applicant has indicated that the non-residential program will continue to be an important part of the project and will come during later phases.

One of the most notable changes being requested is found in the Development Standards document, which is exhibit 3 to the PUD. This document provides the specific details of how the project will be designed and developed. In the revised Development Standards document, the applicant is proposing the addition of a townhome product with a minimum width of 16 feet and lot size of 1600 square feet. The applicant has provided a sample elevation and has indicated this would only apply to the interior units within the townhome building with the end units being 22 feet in width. The overall townhome building will range from 2 to 6 units in each structure. The 16' wide units will have a target living area of 900 to 1400 square feet and the 22' wide units will be 1550 to 1900 square feet.

Some of the other Development Standard changes include, but are not limited to (1) a change in the side yard setback for detached single-family residential from 5 feet to 3-7 feet with a minimum of 10 feet between buildings, (2) first floor ceiling height in multi-family projects to be 10 feet instead of 12 feet, (3) an increase in the number of habitable stories from 5 to 8 in special use buildings, (4) Shared Parking, and (5) Construction Phase Flexibility.

At time of this amendment, the only site development that has been reviewed and approved is the 289 multi-family apartments in the southwest corner of the project. This site is referred to as the Integra Heights project within the Olympus development. The applicant is still working on the transportation impact fee agreement with Lake County and this project may not commence vertical construction until the transportation impact fee agreement is fully executed. A revised

location for the fire station within Olympus has been proposed on the east side of the project on Schofield Road, south of Wellness Way.

Staff has reviewed the proposed amendments and timing of improvements. Staff recognizes the challenges and impacts due to the pandemic on this project along with changing market conditions and demands. The proposed smaller lot widths of the townhome product is untested in Lake County and within the City of Clermont. The applicant has indicated a similar project has been constructed in Laureate Park at Lake Nona and has been successful. Staff will be looking to Council for their review and approval of this new product within the City of Clermont, if the Council desires to support this type of product. Overall, the proposed amendments by the applicant are within reason and staff would expect timelines and program changes to occur within a project of this magnitude.

The applicant is aware staff is unable to support Section 3.9.3 Shared Parking and Section 9 Construction Phase Flexibility in the Development Standards, as presented. Staff is continuing to work with the applicant on these sections and keep the applicant's timeline moving forward due to contractual obligations. The applicant understands that these items will be addressed and resolved prior to the final City Council hearing and in the event they are not, it will be continued until such time they are resolved.

Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The proposed project as designed complies with the Land Development Regulations and general requirements for granting an amendment to a Planned Unit Development (PUD). The submitted site plan along with the detailed exhibits indicates a complete uniform development plan once the program fully develops. The phasing and timing of the project has had some challenges and changes, in which the applicant is requesting this amendment. Some of the timeframes have been pushed further out due to the pandemic and when the northern utilities and road network will be available. Staff is able to support these requests with the understanding Council is in support of the townhome product and the two sections in the Development Standards are resolved to staff's satisfaction prior to the final City Council hearing. Therefore, staff recommends approval of Ordinance No. 2021-027.

Mike Carroll, 14292 Shocklach Drive, Winter Garden, stated that he is one of the founders of Olympus. He stated that they are combining sports, wellness, and health with entertainment, hospitality and community all in one destination. He stated that they have partnered with a leading orthopedic group and sports performance center maximizing athlete performance in this sports campus. He stated they are now entering into a contract with one of the biggest developers of medical offices in the country. He stated that on the residential side they have David Weekly Homes who can offer quality. He stated that this requires an adjustment to the land use. He stated that they have also allocated multifamily residential entitlements to senior living which requires a smaller footprint and has less impact on traffic.

Commissioner Niemiec asked if the changes violate the green space requirements.

Mr. Kruse stated that the changes do not violate the green space requirements.

Commission Gustafson asked if the date to move dirt is June 2022 or have they started moving dirt.

Mr. Carroll stated they plan to move dirt this fall.

Commissioner Gustafson asked if there will be any impact on the existing facilities that already provide training, health, and rehab.

Mr. Carroll stated that what they are doing will complement the NTC. He stated that the difference will be they will also offer the competition venue.

Commissioner McAllister asked if the hotel will still be built.

Mr. Carroll stated that there will be a couple of hotels on site. He stated that two hotel sites will be in what is considered the town center. He stated that there will also be a couple of larger hotels.

Commissioner Niemiec asked about the existing grove trees.

Mr. Carroll stated that they will preserve as much as they can but being practically speaking it's difficult.

Chairman Krzyminski asked if they were getting rid of a hotel and the wave pool.

Mr. Carroll stated they are getting rid of the wave pool, but they are not getting rid of a hotel, they just relocated it on the site. They also added the senior living.

Action:

MOTION TO APPROVE Ordinance No. 2021-027 made by Commissioner Gustafson.
Motion seconded by Commissioner McAllister. Passed unanimously.

With no further comments, Chairman Krzyminski adjourned the meeting at 7:50 P.M.

Max Krzyminski, Chairman

ATTEST:

Rae Chidlow, Planning Coordinator

AGENDA ITEM

Meeting Date	
Tuesday, October 5, 2021	
Agenda Item Name	
Ordinance No. 2021-024 The Vue Small-scale Comprehensive Plan Amendment	
Requested Action	
Recommend denial of Ordinance 2021-024.	
Staff Report	
The applicant has two applications under consideration. The first application is for a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation on a portion of the property from Low Density Residential to Commercial. A companion second request is for an amendment to PUD Ordinance 2017-24. The applicant is requesting these amendments to: (1) grant approval to construct multi-family units on the Hooks Street frontage and (2) to add approximately 6.6 acres South of Hooks Street to the PUD to be utilized for workforce rental housing.	
The Small Scale Comprehensive Plan Amendment is for property located south of Hooks Street, between Miss Florida Avenue and Excalibur Road. The parcel is approximately 13.3 acres with a portion consisting of 6.63 acres for the requested change. The Applicant is not seeking a Future Land Use Amendment on the entire parcel.	
	
When reviewing requests for new Commercial Future Land Use designations, the Comprehensive Plan provides the following guidance:	
Objective 1.9: Commercial Land Use Category. <i>The commercial category is established to assure availability of sufficient office and commercial sites to serve the needs of the existing and projected population. In addition to office and commercial uses, residential uses are allowed, preferably as mixed-use, high-density developments, as well as supportive accessory uses, churches and schools as conditional uses, minor public utilities (i.e., telephone switching stations, lift stations, drainage infrastructure, and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations.</i>	
Policy 1.9.1: <i>The commercial land use category shall accommodate activities such as general retail sales and services, professional and business offices, personal services and limited residential use. Based on current land use trends, the City estimates that the mix of uses will be 90 percent office and commercial uses and 10 percent</i>	

residential, public facilities/institutional and recreation uses.

The adopted Objective and Policy from the Comprehensive Plan do not support the applicant's request to utilize approximately 50 % of the Commercial Future Land Use land area for residential use. Commercial FLU lands are designated for employment and non-residential support uses, and are not intended for predominantly residential use.

Staff has reviewed the Future Land Use amendment request and finds the application also does not meet the requirements of Section 86-226 (3), Review Criteria. The request appears to be singling out a small parcel of land for a Future Land Use classification very different from that of the adjoining area for the benefit of the owner of that property and to the detriment of other property owners. There has been no data presented by the applicant to justify the modification of the Single Family FLU category. A more complete analysis is contained in the Staff Analysis Report.

Staff recommends denial of the proposed amendment because it fails to comply with Policy 1.9.1 of the Future Land Use Element and Section 86-226(3) of the Land Development Code. Staff recommends denial of Ordinance No. 2021-024.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact

Fund Number and Description

Available Budget Amount

Exhibits Attached (copies of original agreements)

- | | | |
|-----|--|--|
| 1. | Ord 2021-024 - The VUE CPA (09.27.2021 V1) - RF BL | Ord 2021-024 - The VUE CPA (09.27.2021 V1) - RF BL.pdf |
| 2. | The VUE Maps | The VUE Maps.pdf |
| 3. | Vue Before SSCPA Map | Vue Before SSCPA Map.pdf |
| 4. | VueAfter SSCPA Map | VueAfter SSCPA Map.pdf |
| 5. | Staff Analysis The VUE V5 | Staff Analysis The VUE V5.pdf |
| 6. | Vue at Clermont PUD Concept Plan - 9-20-2021 | Vue at Clermont PUD Concept Plan - 9-20-2021.pdf |
| 7. | The Vue RAI July 9 2021 | The Vue RAI July 9 2021.pdf |
| 8. | Response letter | Response letter.pdf |
| 9. | CPA The Vue Application 2021 | CPA The Vue Application 2021.pdf |
| 10. | Legal ad 2021-24 | Legal ad 2021-24.pdf |



CITY OF CLERMONT
ORDINANCE NO. 2021-024

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 ORDAINED AND ADOPTED, 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

A PORTION OF TRACTS 29 AND 30, MAP OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST LAKE COUNTY FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE(S) 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE SOUTH 01 07'06" WEST ALONG THE EAST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1372.13 FEET TO A POINT; THENCE NORTH 89 06'23" WEST, A DISTANCE OF 1322.25 TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50. (RIGHT-



CITY OF CLERMONT
ORDINANCE NO. 2021-024

OF-WAY VARIES PER RIGHT-OF-WAY MAP SECTION 11070), SAID POINT BEING THE NORTHEAST CORNER OF SAID TRACT 19; NORTH 89 29'29" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, SAID. RIGHT-OF-WAY LINE ALSO BEING THE NORTH LINE OF AFORESAID TRACT 19, A DISTANCE OF 247.61 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50; THENCE DEPARTING SAID NORTH LINE OF TRACT 19 AND CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50, AS IT CURRENTLY EXISTS, RUN SOUTH 89 25'03" WEST, A DISTANCE OF 13.22 FEET TO A POINT, THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE RUN SOUTH 00 31'43" EAST, A DISTANCE OF 810.31 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HOOK STREET, ACCORDING TO OFFICIAL RECORD BOOK 2010, PAGE 316 AS DESCRIBED IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING;

THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE RUN SOUTH 00 31'43" EAST, A DISTANCE OF 488.84 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT 30; THENCE ALONG SAID SOUTH LINE OF TRACT 30 RUN SOUTH 89 28'17" WEST, A DISTANCE OF 414.01 FEET TO A POINT ON THE LIMITS OF EXHIBIT "F", ACCORDING TO OFFICIAL RECORD BOOK 2011, PAGES 1374-1385, AS DESCRIBED IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID EXHIBIT "F" RUN THE FOLLOWING NINETEEN (19) COURSES AND DISTANCES:

(1) NORTH 10 08' 26"E, A DISTANCE OF 44.71 FEET; (2) NORTH 06 25' 18" EAST, A DISTANCE OF 96.44 FEET; (3) NORTH 04 35' 47" EAST, A DISTANCE OF 73.34 FEET; (4) NORTH 01 13' 39" WEST, A DISTANCE OF 50.70 FEET; (5) NORTH 08 35' 38" WEST, A DISTANCE OF 18.39 FEET; (6) NORTH 00 49' 27" WEST, A DISTANCE OF 31.39 FEET; (7) NORTH 04 06' 29" WEST, A DISTANCE OF 67.50 FEET; (8) NORTH 24 32' 13" WEST, A DISTANCE OF 40.66 FEET; (9) NORTH 48 54' 30" WEST, A DISTANCE OF 20.21 FEET; (10) NORTH 56 25' 05" WEST, A DISTANCE OF 31.65 FEET; THENCE RUN (11) NORTH 64 21' 22" WEST, A DISTANCE OF 32.96 FEET; (12) NORTH 76 08' 43" WEST, A DISTANCE OF 49.91 FEET; THENCE RUN (14) NORTH 84 09' 50" WEST, A DISTANCE OF 73.93 FEET; (15) SOUTH 82 00' 50" WEST, A DISTANCE OF 88.19 FEET; THENCE RUN (16) SOUTH 74 59' 30" WEST, A DISTANCE OF 79.78 FEET; (17) SOUTH 59 52' 00" WEST, A DISTANCE OF 67.76 FEET; THENCE RUN (17) SOUTH 67 38' 10" WEST, A DISTANCE OF 55.50 FEET; (18) SOUTH 65 13' 47" WEST, A DISTANCE OF 125.15 FEET; THENCE RUN (19) SOUTH 72 17' 15" WEST, A DISTANCE OF 85.35 FEET TO A POINT SAID POINT BEING A POINT ON THE CENTERLINE OF A UNNAMED RIGHT-OF-WAY, MAP OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST LAKE COUNTY FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE(S) 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING VACATED PER CITY ORDINANCE NUMBER. 2016-21;

THENCE DEPARTING SAID LINE OF EXHIBIT "F", AND ALONG SAID CENTERLINE OF VACATED UNNAMED RIGHT-OF-WAY RUN NORTH 00 15'44" EAST, A DISTANCE OF 146.25 FEET TO A POINT ON THE AFORESAID SOUTH RIGHT-OF-WAY LINE OF HOOK STREET, SAID POINT BEING A POINT ON A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 1650.00 FEET, TOGETHER WITH A CHORD BEARING OF NORTH 88 38'03" EAST AND DISTANCE OF 1073.30, AND A CENTRAL ANGLE OF 37 57'48"; THENCE

DEPARTING SAID CENTERLINE AND ALONG SAID SOUTH RIGHT-OF-WAY LINE RUN ALONG SAID CURVE A DISTANCE OF 1093.26 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING.

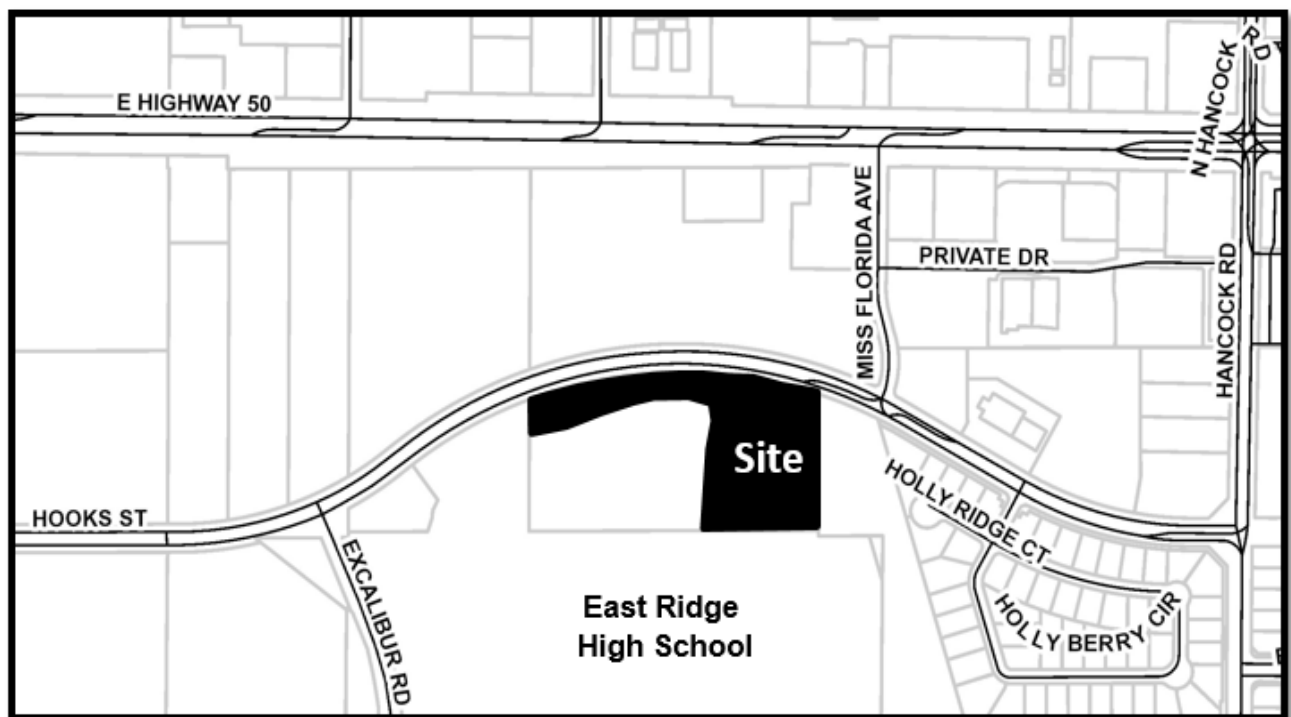
CONTAINING 288,770.80 SQ. FT. OR 6.63 ACRES

LOCATION

Site located southwest of the Miss Florida Avenue and Hooks Street intersection,
directly north of the East Ridge High School baseball field.

Portion of Alternate Key #3905347

6.63 +/- Acres



CHANGE IN FUTURE LAND USE DESIGNATION:

FROM: LOW DENSITY RESIDENTIAL

TO: COMMERCIAL

SECTION 2: CONFLICT

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



CITY OF CLERMONT
ORDINANCE NO. 2021-024

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.

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. 2021-024

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida, this 26th day of October 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

Exhibit - Location Map – The Vue Comprehensive Plan Amendment

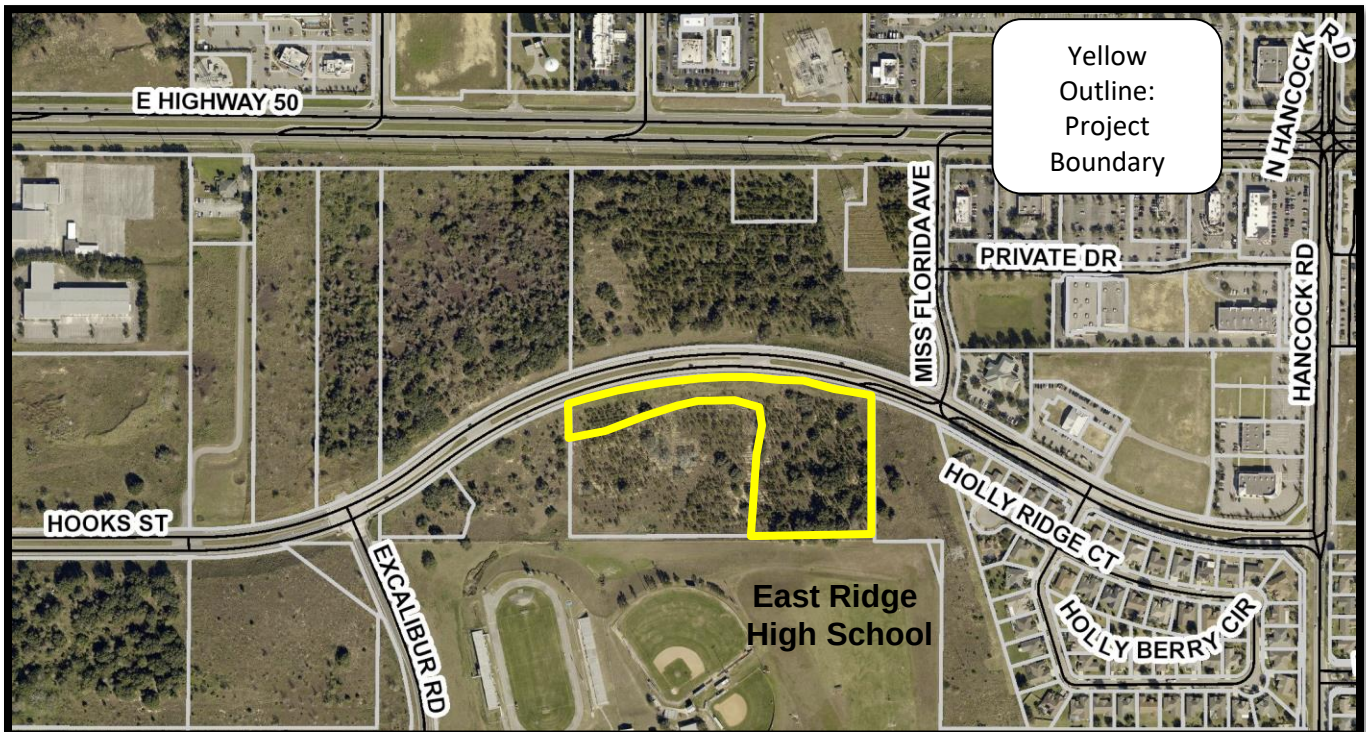
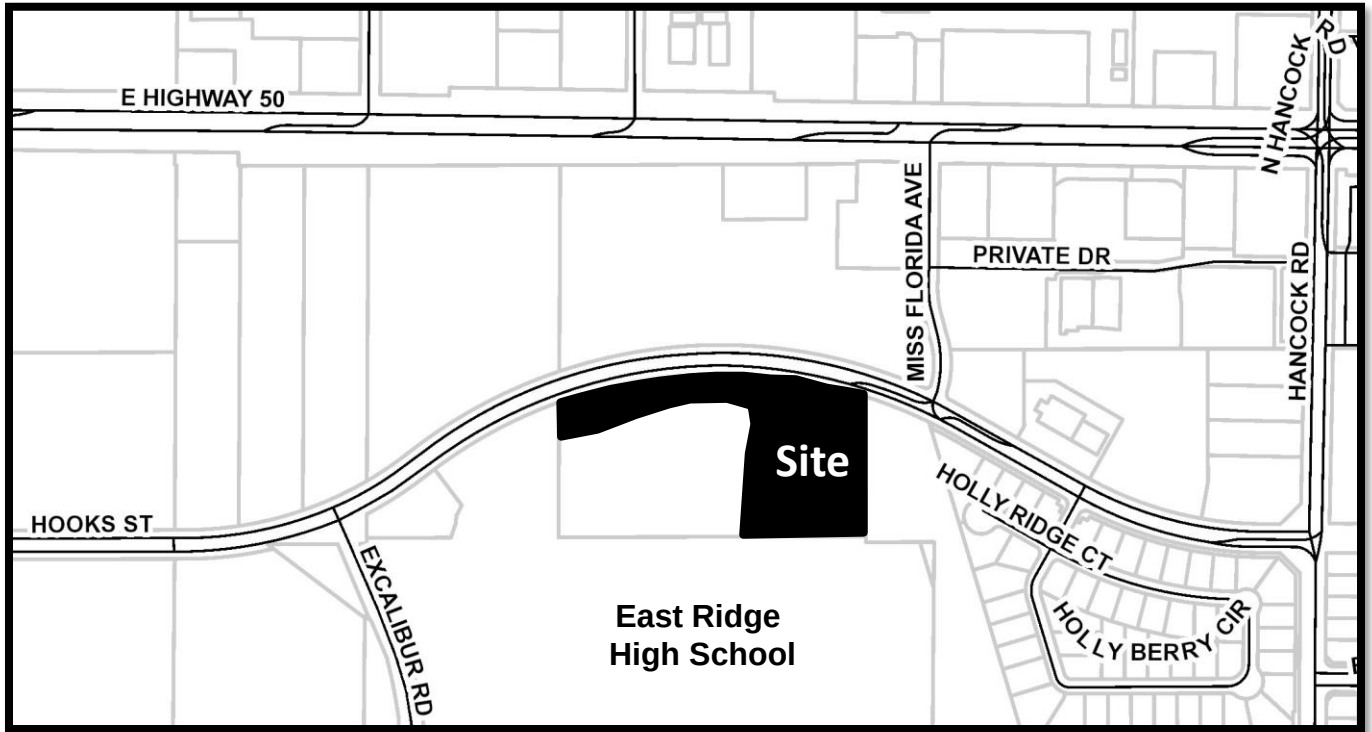
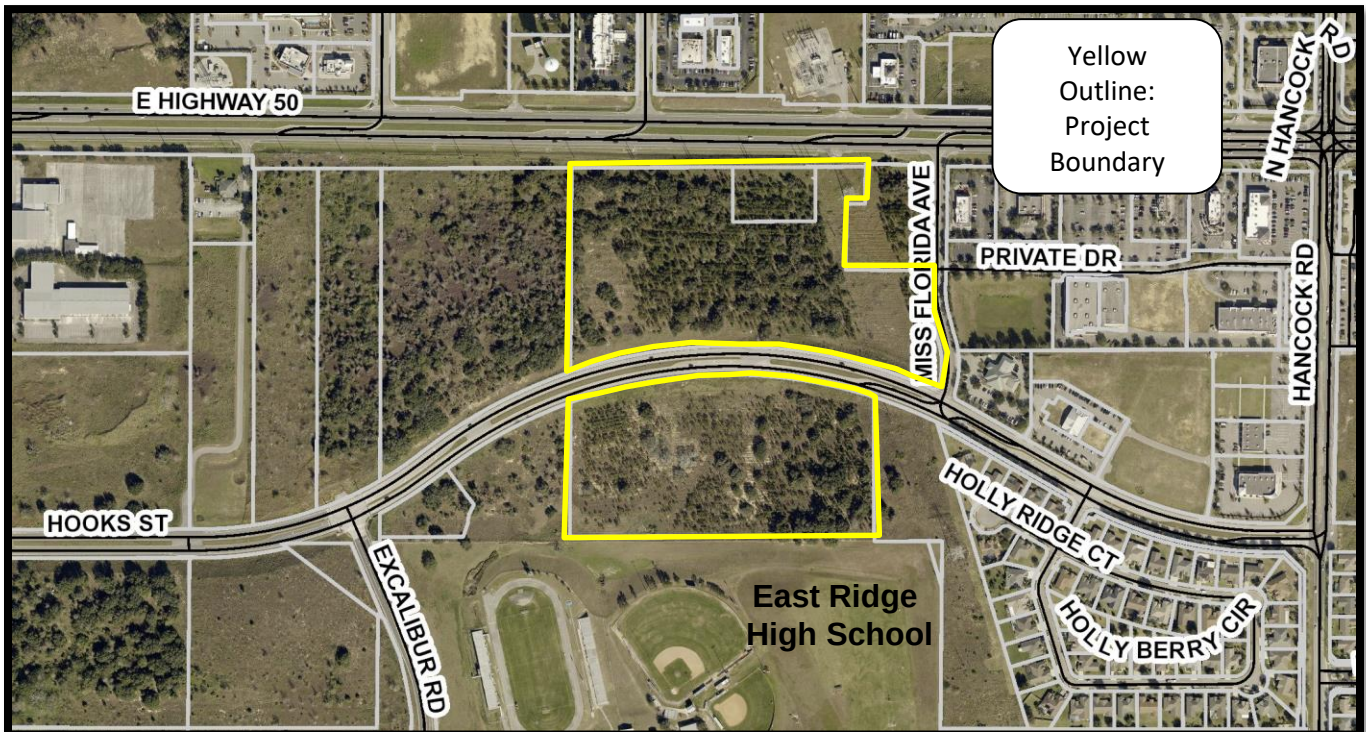
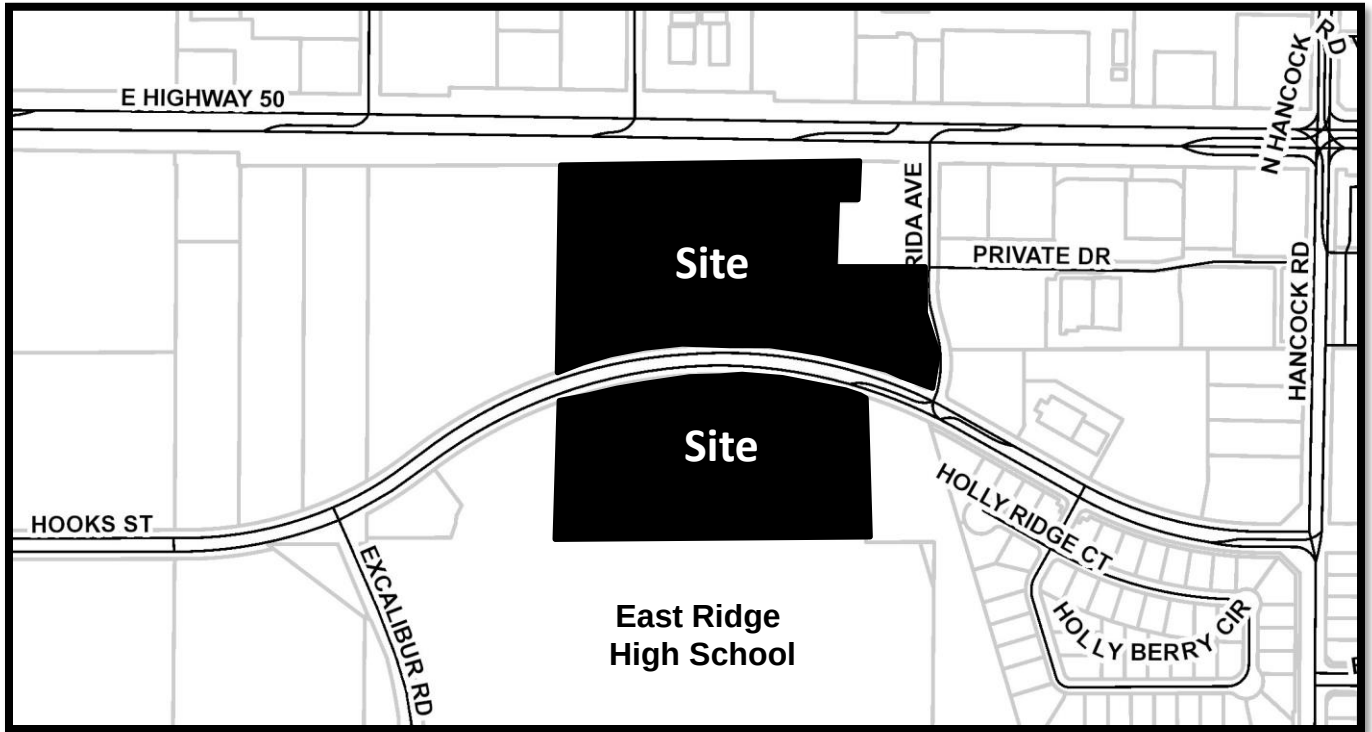


Exhibit - Location Map – The Vue PUD Rezoning Amendment





Future Land Use
2021-024

Before

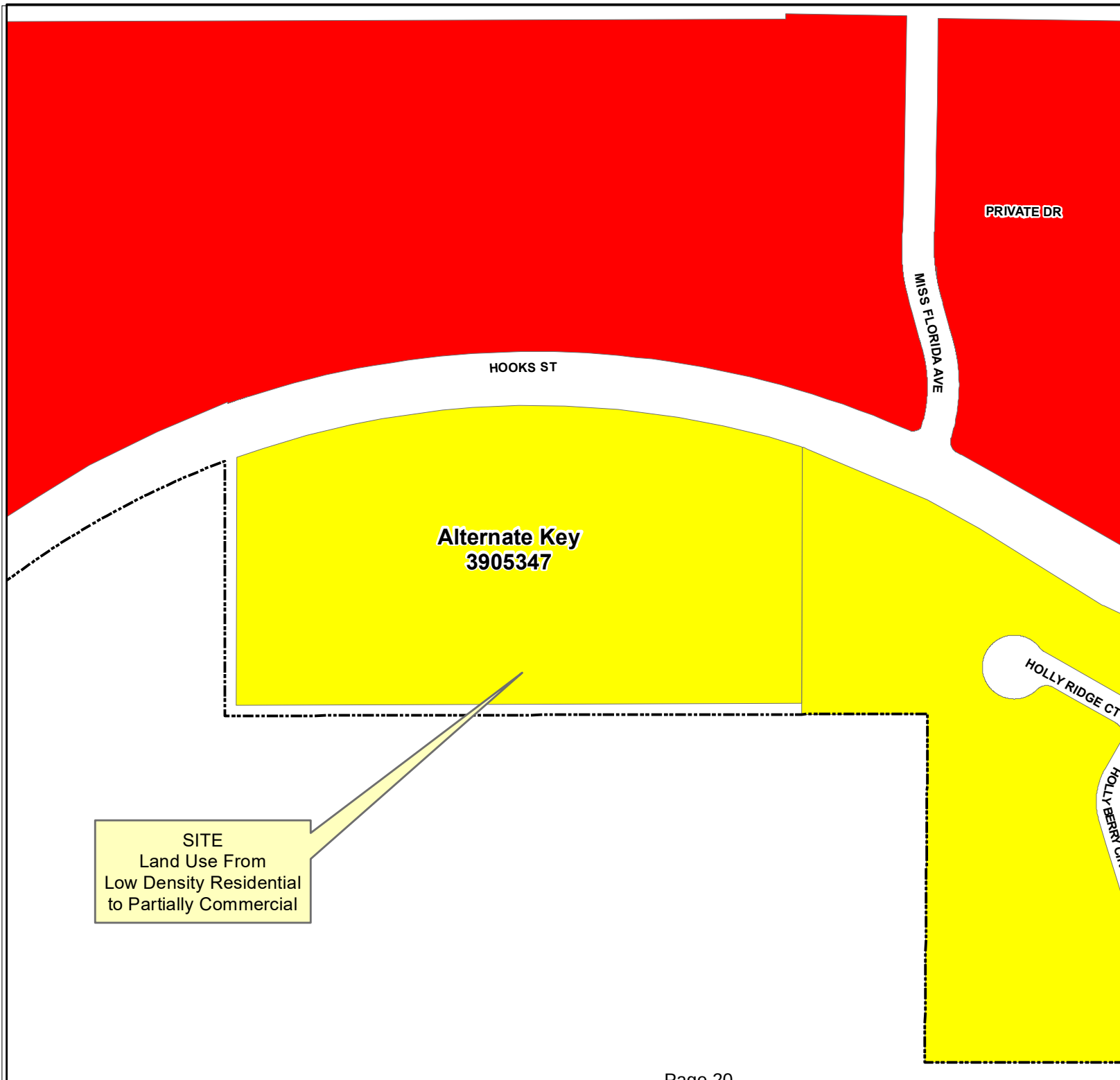
Legend

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





Future Land Use
2021-024

After

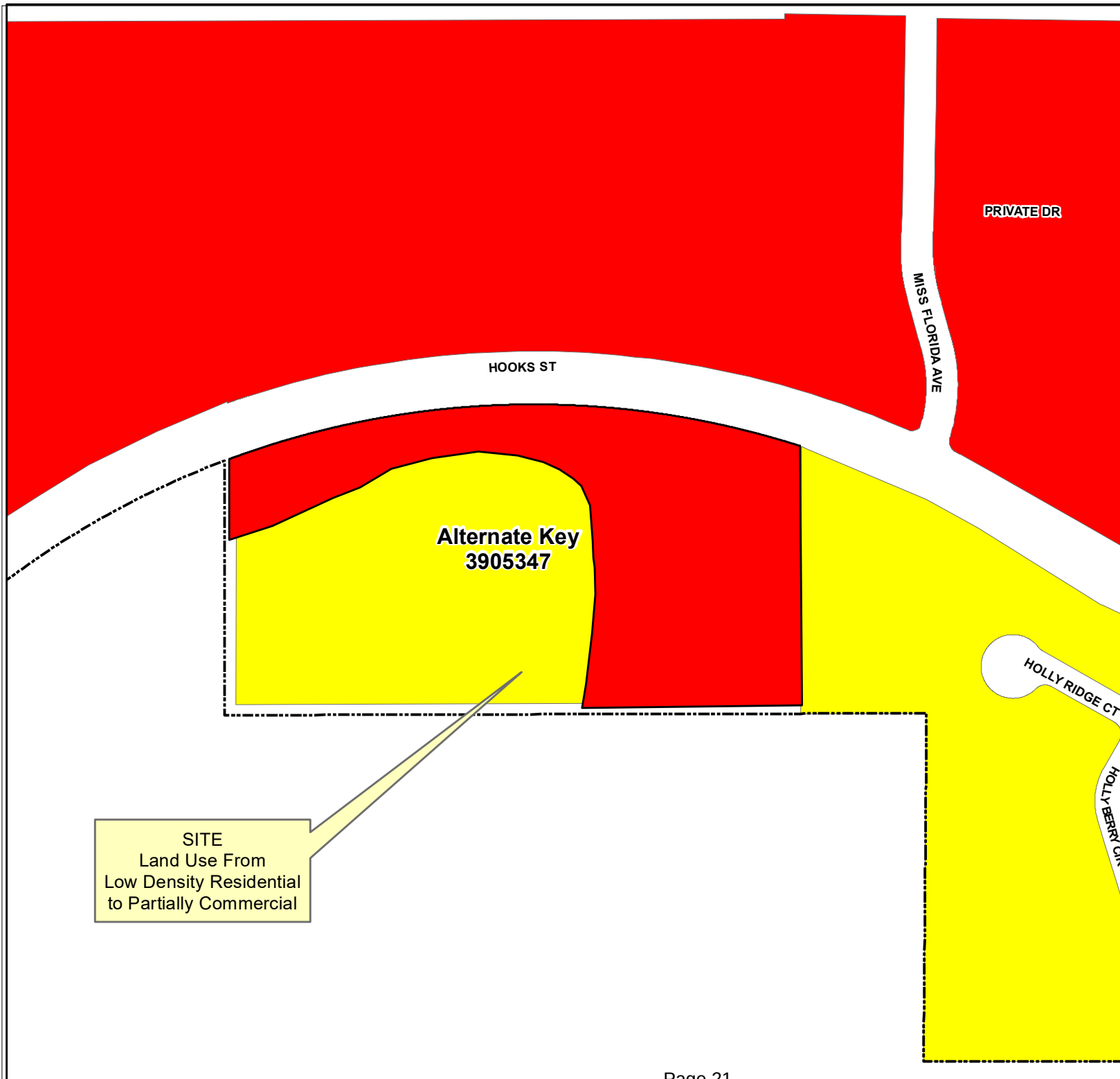
Legend

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- Parks
- Public Fac/Institutional
- Residential/Office





CITY OF CLERMONT

Staff Analysis Report

OWNER: AC Commercial Properties I, LLC and Highway 50, LLC

APPLICANT: Jimmy D. Crawford, Esq. with Crawford, Modica & Holt, Esq.

PROJECT NAME: The Vue – 2021 Amendment

REQUESTED ACTION: The applicant has two applications under consideration. The first application is for a Small Scale Comprehensive Plan Amendment to change a portion of the property from Low Density Residential to Commercial. The second request is for an amendment to PUD Ordinance 2017-24. The applicant is requesting these amendments to: (1) grant approval to construct multi-family units on the Hooks Street frontage and (2) to add approximately 6.6 acres South of Hooks Street to the PUD to be utilized for workforce rental housing.

SIZE OF PARCEL: 30.66 +/-acres

LOCATION: Site located west of the Miss Florida Avenue and Hooks Street intersection, north and south of Hooks Street, directly north of the East Ridge High School baseball field.

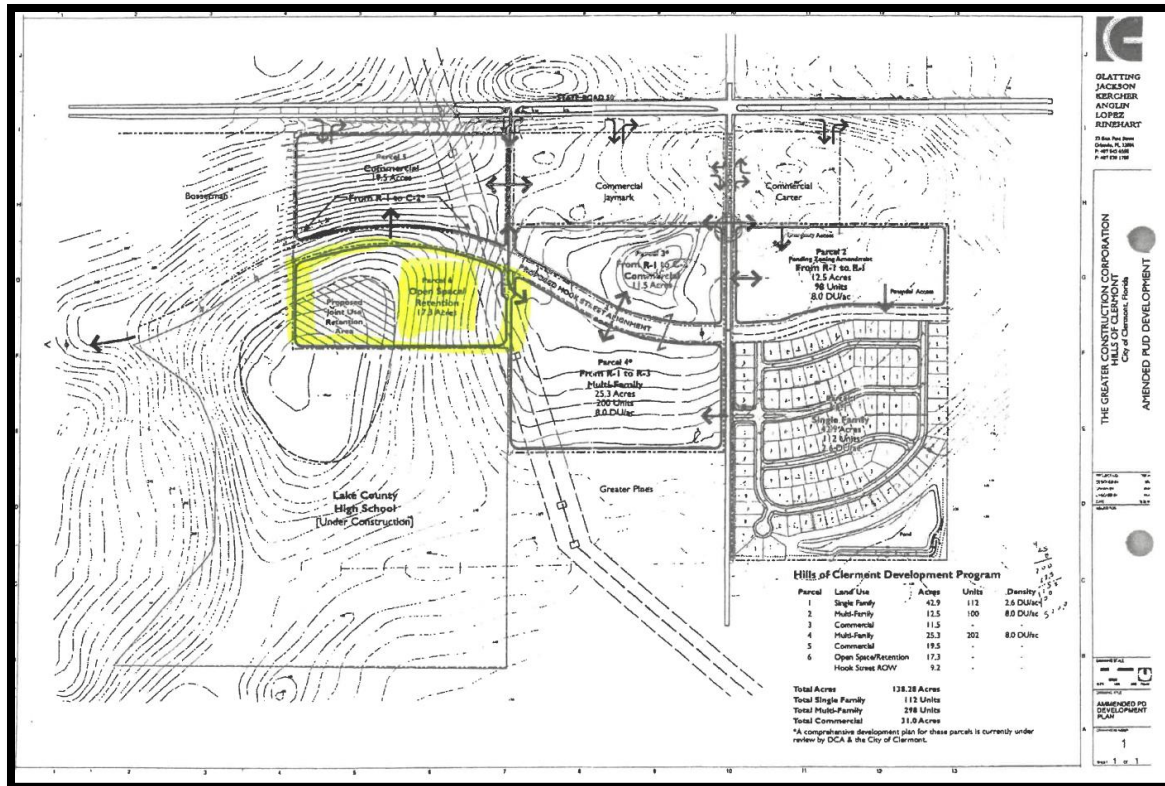
EXISTING ZONING: PUD Zoning, Ordinance 2017-24

EXISTING LAND USE: Vacant land

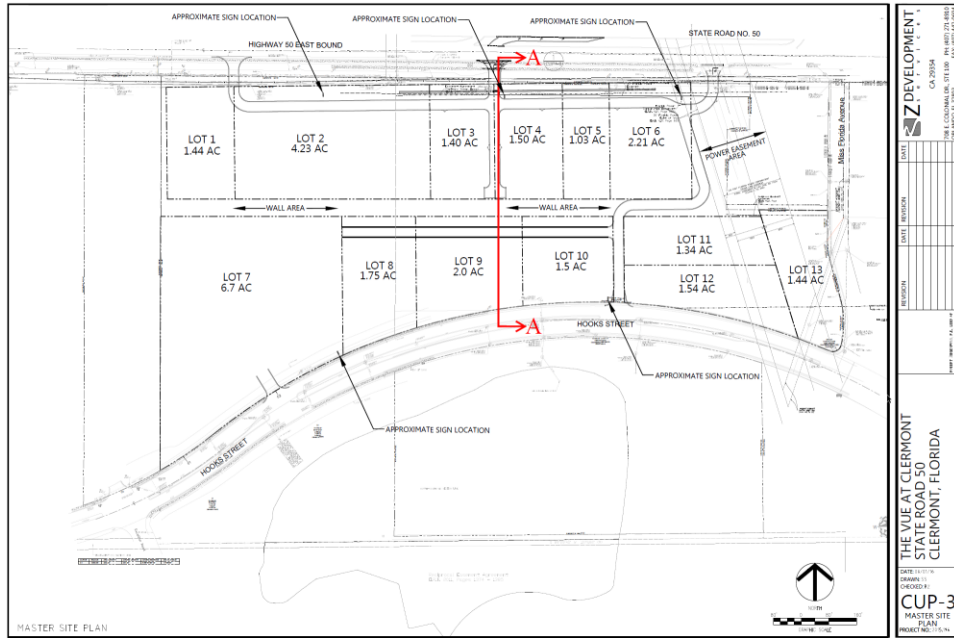
FUTURE LAND USE CATEGORY: Commercial and Low Density Residential

BACKGROUND

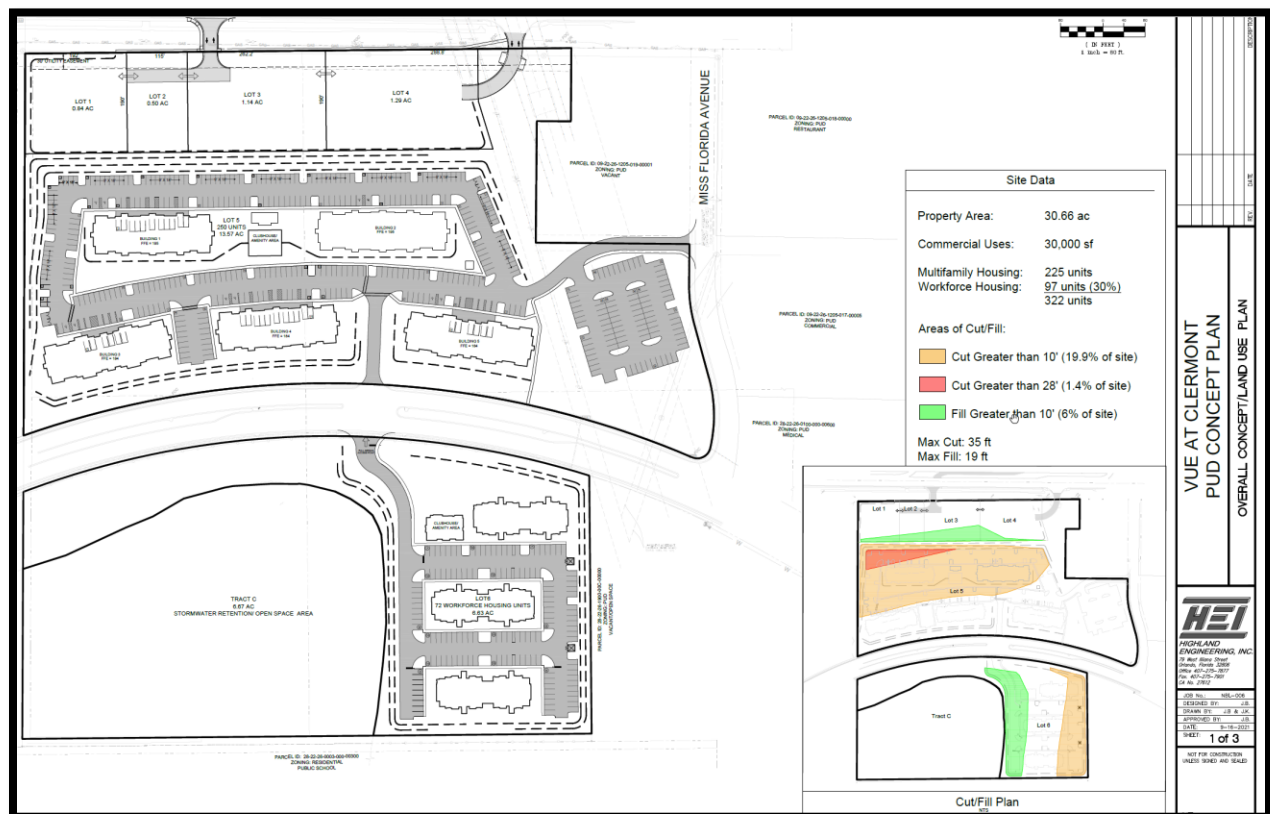
In 1998, under Resolution 1033, this property was included in a Planned Unit Development consisting of Single Family Residential and Commercial uses. The northern portion was designated for commercial use and the southern portion of Hooks Street was for stormwater/open space.



In 2016, an amendment was filed under Resolution 2016-15 to allow a mixture of multifamily and commercial on the piece north of Hooks Street along with the adjacent parcel to the west. City Council did approve this Resolution, but the owner did not move forward on construction. The owner requested to amend the development plan and in doing so, the previous multi-family permitted under Resolution 2016-15 was eliminated and the applicant was allowed C-2 General Commercial uses in the northern portion of the property. This is included in the current Ordinance 2017-24. The below site plan shows the master site plan and lots 1 through 13, which illustrates the intent to utilize the property for commercial uses. City Council added a condition in the approval stating that any development on Lots 7 through 13 would have to come back through the PUD amendment process before development could proceed.



The applicant has submitted development plans for lots 7 through 13. The proposed site plan, prepared by Highland Engineering, dated 9-20-2021, does not match up with the currently approved site plan.



A portion of a parcel to the south of Hooks Street has been included for workforce housing that does not have any entitlements and is currently designated as stormwater/open space. Moreover, the applicant is requesting several waivers to the code in order to develop this portion of the property.

Small Scale Comprehensive Plan Amendment

The applicant is requesting an amendment to the Future Land Use Map to change a portion of a piece of property from Low Density Residential to Commercial. When reviewing requests for new Commercial Future Land Use designations, the Comprehensive Plan provides the following guidance:

Objective 1.9: Commercial Land Use Category.

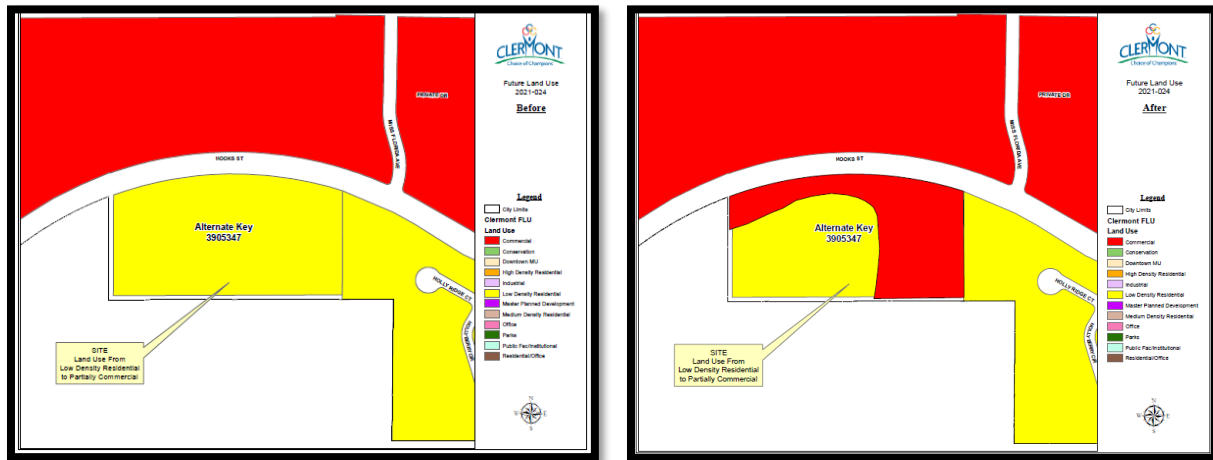
The commercial category is established to assure availability of sufficient office and commercial sites to serve the needs of the existing and projected population. In addition to office and commercial uses, residential uses are allowed, preferably as mixed-use, high-density developments, as well as supportive accessory uses, churches and schools as conditional uses, minor public utilities (i.e., telephone switching stations, lift stations, drainage infrastructure, and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations.

Policy 1.9.1: The commercial land use category shall accommodate activities such as general retail sales and services, professional and business offices, personal services and limited residential use. Based on current land use trends, the City estimates that the mix of uses will be 90 percent office and commercial uses and 10 percent residential, public facilities/institutional and recreation uses.

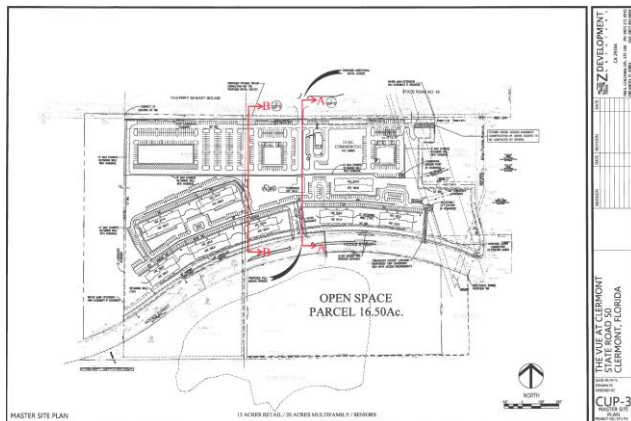
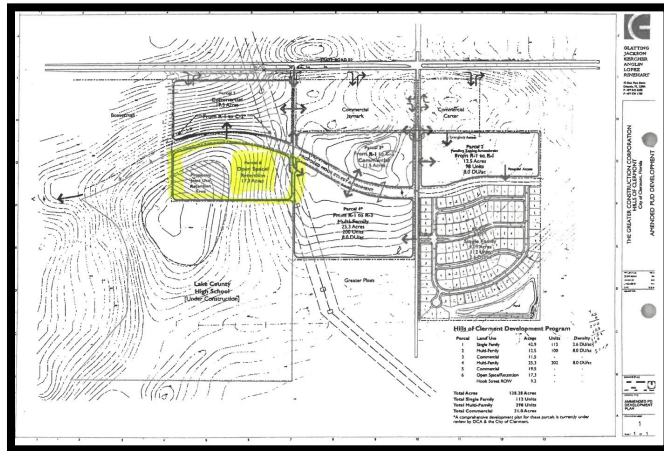
The adopted Objective and Policy from the Comprehensive Plan do not support the applicant's request to utilize approximately 50 % of the land area for residential use. Commercial FLU lands are desired for employment and non-residential support uses.

Staff has reviewed the Future Land Use amendment request and finds the application also does not meet the requirements of Section 86-226 (3), Review Criteria. The request appears to be singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of that property and to the detriment of other property owners. The current Future Land Use map clearly shows property south of Hooks Street in this corridor is Single Family Residential. The applicant is requesting only a portion of the property for a Future Land Use change to the Commercial Future Land Use. The legal description provided for the

requested amendment clearly indicates the property was carved out for the specific use of the multi-family request.



Finally, this parcel has always been designated as stormwater/open space. This is what has been conveyed to the public and staff over the years. There has been no data presented by the applicant to justify the modification of the Single Family FLU category and the elimination of the stormwater/open space designation.



PUD Amendment

The applicant is requesting a PUD amendment to add multi-family development within the project and to increase the multi-family acreage. The multi-family addition is also seeking the density bonus provision under Section 122-358 of the Land Development Code. Several waivers that were previously approved under Ordinance 2017-24 are now being increased or extended on other portions of the property along with some additional waivers being requested. These include an increase in the depth of cut and fill and the increase in acreage where they will occur along with a waiver to the density bonus section to allow the concentration of workforce housing to occur in mainly one area of the development. The multi-family project to the north will consist of four story buildings. The project to the south will consist of three story buildings. The multi-family project to the north will be a separate project from the south project and developed by two different developers. The south project is seeking funding from the Florida Housing Authority Loan Program for the workforce housing project.

The multi-family proposal will consist of 322 units with 97 units designated as workforce housing units. The applicant is proposing to use the workforce housing density bonus criteria in order to achieve the unit count as proposed and has met the minimum unit count for the workforce designation of 97 units or 30% of the overall units. However, the applicant is requesting 250 multi-family units within the project on the north side of Hooks Street and 72 multi-family units on the south side of Hooks Street. The applicant has indicated the south 72 units will all be workforce housing units. Twenty-five (25) units of the 250 units on the north side will be used for workforce housing. This is 10% of the unit count. The northern portion of the site is 13.57 acres with 250 units, thus a density of 18.4 units per acre ($250/13.57$). The southern portion of the site is 6.63 acres with 72 units, thus a density of 10.9 units per acre ($72/6.63$). While the applicant's proposal to provide workforce housing within the City is commendable, the proposed design of the development does not comply with the bonus density requirements contained in Section 122-358, primarily the inclusion of floating units throughout the project. Section 122-358 requires the housing units to be of the same quality and should not appear different and the residents must have access to the same amenities as all other residents of the project.

The applicant is proposing to segregate 90% of the overall workforce housing units in the southern project. The remaining 10 % of the workforce housing will be in the northern project. The provisions of the Workforce density bonus criteria of the Land Development Code, Section 122-358 (e), prohibits the segregation of any floating units that are permanently designated for Area Median Income (AMI) qualifying tenants and households within any housing development. The intent and purpose of the code encourages and promotes housing that is inclusionary and attainable for all households. The proposed plan, as identified, would segregate the qualified workforce housing tenants from the available market rate tenants. The Land Development Code requires

workforce housing units to be dispersed throughout the development and these units cannot be permanently designated as workforce units. This strategy allows housing for all, and prevents segregation based upon income within any project. The applicant is requesting a waiver to allow the segregation and staff is unable to support this request.

The applicant is bound by the requirements in Section 122-358 for workforce housing that is related to density bonus. If the applicant proposes to construct multi-family, including workforce housing or affordable housing, without the bonus density, the requirements in Section 122-358 would not apply. Since the applicant is seeking additional density above 12 units per acre, all the requirements in Section 122-358 would be applicable. For example, the multi-family piece north of Hooks Street is 13.57 acres. At 12 units per acre under the Commercial Future Land Use, this would equal to 162 units. The applicant is requesting 250 units.

The waivers previously approved under Ordinance 2017-24 include:

1. Elevation changes of up to 28 feet in height over the project site through the use of cut and fill.
2. Retaining wall heights up to 13 feet in height are allowed to deal with the extreme grades on the site.
3. Parking space dimensions shall be allowed at a minimum 9 feet wide by 18 feet deep for 30 percent of the parking requirements.
4. A reduced landscape buffer along Highway 50 is requested due to the presence of a large berm. The landscape buffer shall be a minimum of 10 feet in width and shall have the 30 percent more landscape required for Multi-family and C-2 uses.
5. Shopping center signs shall be allowed to extend 15 feet above the adjacent D.O.T berm (the D.O.T. berm varies in height depending on location.)

The changes in the development plan include an increase in the depth of cut on the project. Previously, the project was allowed 28 foot cut provision as a waiver. The applicant is seeking a 35 foot cut in limited areas on the site (1.4% of the site), along with keeping the original 28 foot depth. This appears to be necessary since the multi-family portion is moving more into the commercial portion of the site. The previous commercial lots (1-6) had a minimum depth from SR 50 of 250 feet. The proposed commercial lots now have 190 feet, thus this 60-foot reduction has increased the percentage of the overall parcel for the multi-family use, which in turn, is increasing the cut/fill request. In addition, the applicant is requesting the cut/fill waiver on the portion of the property south of Hooks Street. This was never presented to council for consideration in the past since this parcel was always designated as stormwater/open space. The cut/fill plan indicates that a majority of the area for the south development plan will exceed the City's 10-foot limitation. Staff is not supportive of the cut/fill increase, both in depth and in area, as well as the overall percentage use of the Commercial FLU designation for residential use.

The additional waivers being requested are:

1. Elevation changes up to 35 feet in cut and 19 feet in fill over the project site, as shown in the Cut/Fill Plan, with the inclusion of the parcel south of Hooks Street.
2. Retaining wall heights up to 13 feet in height are allowed to deal with the extreme grades on the site, with the inclusion of the parcel south of Hooks Street.
3. Elimination of the floating units of workforce housing within the project and allowing concentration of 72 units south of Hooks Street and 25 units north of Hooks Street.

The PUD application is also incomplete. The Applicant failed to include a mandatory traffic study required for the proper review of the proposal.

Summary

Staff is not supporting any of the waiver requests. The proposed amendment, through the requested increase of density on the site and the additional area, has necessitated these waiver requests. The proposal is in conflict with Section 122-343 (Workforce Housing) of the Land Development Code and cannot be approved under the existing Code language. In addition, a traffic impact analysis was not completed and reviewed in time for this staff analysis.

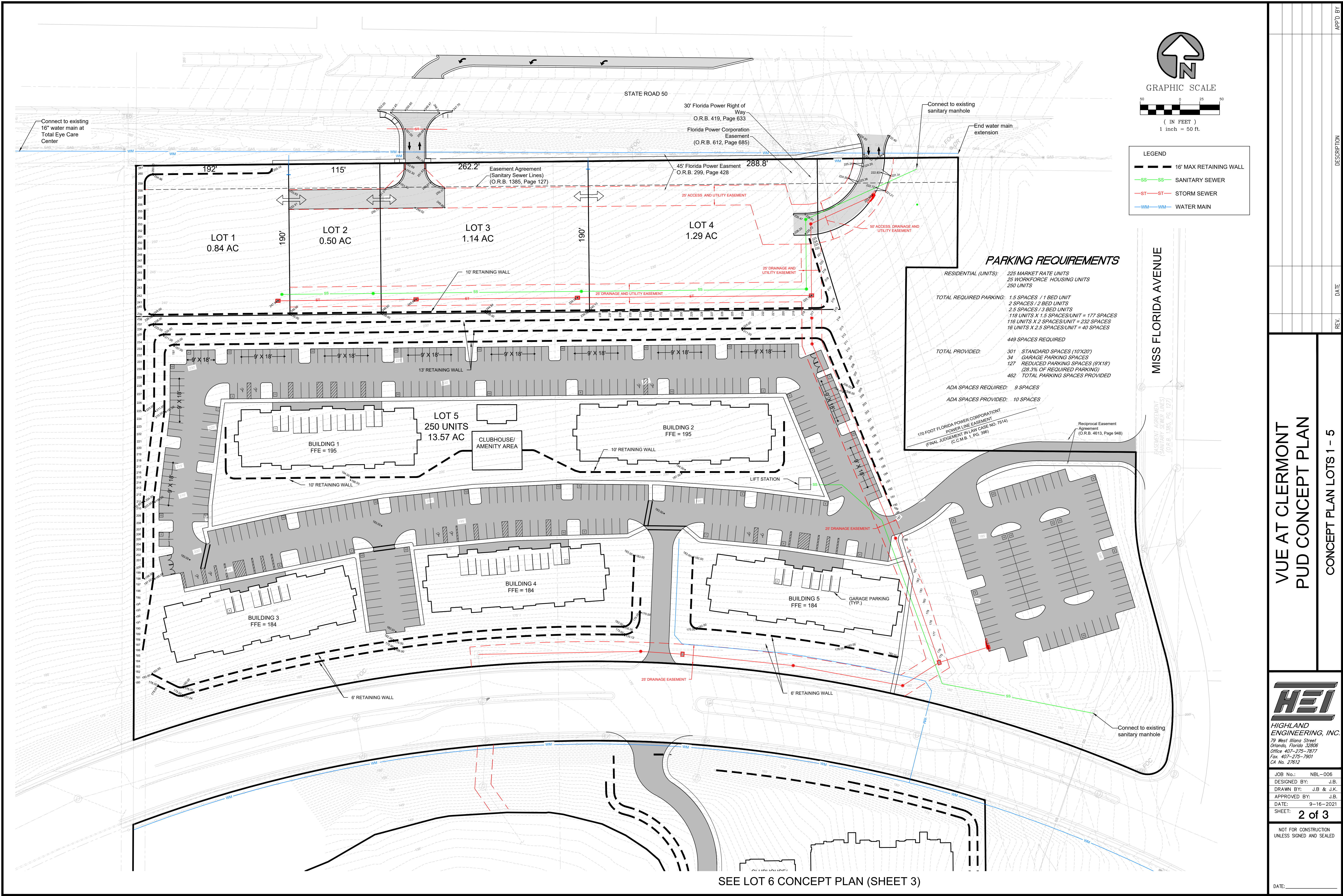
Finally, the applicant has requested the Future Land Use amendment from Low Density Residential to Commercial in order to increase residential density on this portion of the property, 6.63 acres, and to utilize the workforce housing density bonus in section 122-358, of the Land Development Code. Previously, this portion of the site was designated as stormwater/open space and on the site plan in Ordinance 2017-24. The Low Density Residential Future Land Use allows stormwater/open space considerations of a project and was an applicable Future Land Use. The proposed development within this area occurs on 6.63 acres, with the remaining 6.67 acres shown as open space/stormwater. The applicant is proposing 72 multi-family units on this portion of the site, which is 11 dwelling units per acre. The current Low Density Residential Future Land Use allows 3 dwelling units per acre, or a total of 19 dwelling units on the 6.63 acres.

STAFF RECOMMENDATION:

Small Scale Amendment: The staff recommends denial of the proposed amendment because it fails to comply with Policy 1.9.1 of the Future Land Use Element and Section 86-226(3) of the Land Development Code. Staff recommends denial of Ordinance No. 2021-024.

PUD Amendment: Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The proposed project does not comply with the Land Development Regulations, specifically Section 122-358 Workforce Housing Density Bonus and general requirements for granting an amendment

to a Planned Unit Development (PUD). The segregation of housing type goes against the very principle of providing inclusive housing for all. The density and intensity of the project with the multi-family units has created the 35 foot cut request and 49 foot high staggered retaining walls in the project that does not preserve the natural topography. In addition, no traffic study was presented to analyze the impacts the development would have on the existing road network. Therefore, staff recommends **denial** of Ordinance No. 2021-025.



VUE AT CLERMONT
PUD CONCEPT PLAN
CONCEPT PLAN LOTS 1 - 5

HEI
HIGHLAND
ENGINEERING, INC.
75 West Wilma Street
Orlando, Florida 32806
Office 407-275-7877
Fax 407-275-7901
CA No. 27612

JOB No.: NBL-006
DESIGNED BY: J.B.
DRAWN BY: J.B. & J.K.
APPROVED BY: J.B.
DATE: 9-16-2021
SHEET: 2 of 3

NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

DATE:



July 9, 2021

Mr. Jimmy D. Crawford, Esq.
Crawford, Modica, & Holt, Chartered Attorneys at Law
702 W. Montrose Street
Clermont, FL 34711

Sent Via Email to: Jimmy Crawford jcrawford@cmhlawyers.com

Re: The VUE Insufficiency Letter for Small Scale Comprehensive Plan Amendment and Rezoning Application

Dear Mr. Crawford,

Staff has reviewed the submitted Small Scale Comprehensive Plan Amendment and Rezoning application for the The VUE project. Below are items that need clarification in order to complete staff's review of the project and to move it forward through the Public Hearing process.

1. The Small Scale Comprehensive Plan Amendment (SSCPA) has been submitted to change the future land use from Low Density Residential to Commercial. The applicant has provided no substantial evidence to support the requested change from Low Density Residential to Commercial. Please provide supporting documentation for the requested change.
2. In reviewing the site plan submitted with the SSCP, it was noted the acreage does not match with what was indicated on the application and the provided legal. In addition, the legal description is part of a parent parcel. Please explain how the future land use will be changed on a portion of a parcel and not the entire parcel.
3. The parent parcel for the SSCP was originally designated as open space and stormwater retention under Resolution 1503. Please provide documentation that this parcel is no longer dedicated open space or needed for stormwater retention.
4. The rezoning application does not indicate any specific details about the multifamily projects except grant further approval to construct multifamily units on Hooks Street frontage and to add 6.6 acres South of Hooks Street for workforce rental housing. As for multifamily developments, specific details are presented at the time of application, such as, but not limited to, number of units and density, Impervious Surface Ratio (ISR), Traffic Impact Study, School Capacity,

conceptual site plan and elevations. The submitted material does not provide the details for a full analysis of the proposal. Please provide these details.

5. The property north of Hooks Street in the conceptual plan has no detailed information on the project except for the narrative of not providing additional density beyond 12 units per acre. The total unit count, acreage and other specific information has not been submitted to fully evaluate the request. If this is not going to be considered in the application, please update the site plan and remove it. If it is going to be part of the application, then provide specifics on this project as well.
6. Staff is very concerned, based upon the layout of the southern proposal, to provide for a secondary access point for fire and emergency services. Please confirm that the project can provide adequate fire and emergency services protection based upon the provided layouts.
7. The application indicates the southern project will seek approval under Section 122-358, Workforce Housing Bonus Density. How does this project relate to the proposed project north of Hooks Street? If this project is going to be constructed at the 12 units per acre basis, what is the need for the Workforce Housing Bonus Density? Based upon this request, the project does not meet the requirements under this Section.
8. A Traffic Impact Study shall be submitted for the proposed project. Once received by the City, it will be reviewed by the City's Transportation Consultant and may warrant further investigation. The City's review will be at the cost of the developer.
9. In the Statement in Support document, it is noted that no waivers are requested at this time other than what was granted in Ordinance 2017-24. Reviewing the provided conceptual plan south of Hooks Street, it is apparent the project will be required to fill the site and construct retaining walls. Staff is requesting the extent of grading and retaining wall heights on the southern parcel to be indicated on the site plan or in a narrative format so this information can be conveyed properly to the Council. Staff does not believe the existing waivers in Ordinance 2017-24 were ever considered on the southern parcel since it was never discussed before Council for development.

Staff is requesting further clarification and/or submittal of the items listed above in order to conduct a full review of the requests and to initiate the legal advertising process. If you would like to schedule a meeting to discuss this in further details, please contact me at 352-241-7309 or via email at jekruse@clermontfl.org or with the Department Director, Curt Henschel at 352-241-7308 or chenschel@clermontfl.org

Sincerely,



John Kruse, AICP
Planning Manager
City of Clermont

EXHIBIT "A"

Description of Properties

Parcel ID: 09-22-26-1205-019-00000

Legal Description:

A PORTION OF TRACTS 29 AND 30, MAP OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST LAKE COUNTY FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE(S) 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

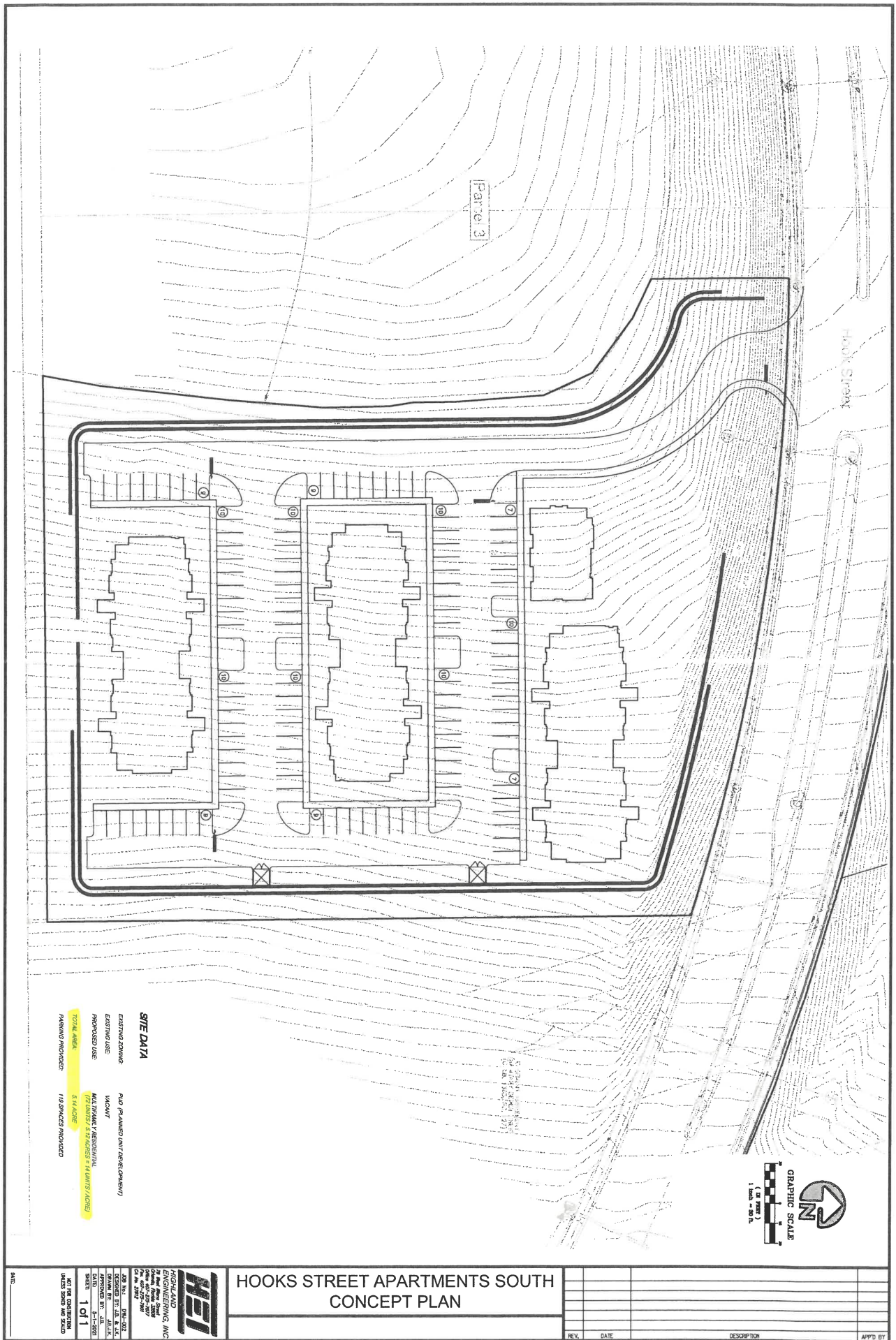
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CONTAINING 288,770.80 SQ. FT. OR 6.63 ACRES



1563



CLATTON
JACKSON
KERSCHER
ANGLEN
LOPEZ
RUNKHART

7000 West 10th Street
Miami, Florida 33155
P: 305-441-1000
F: 305-441-1001

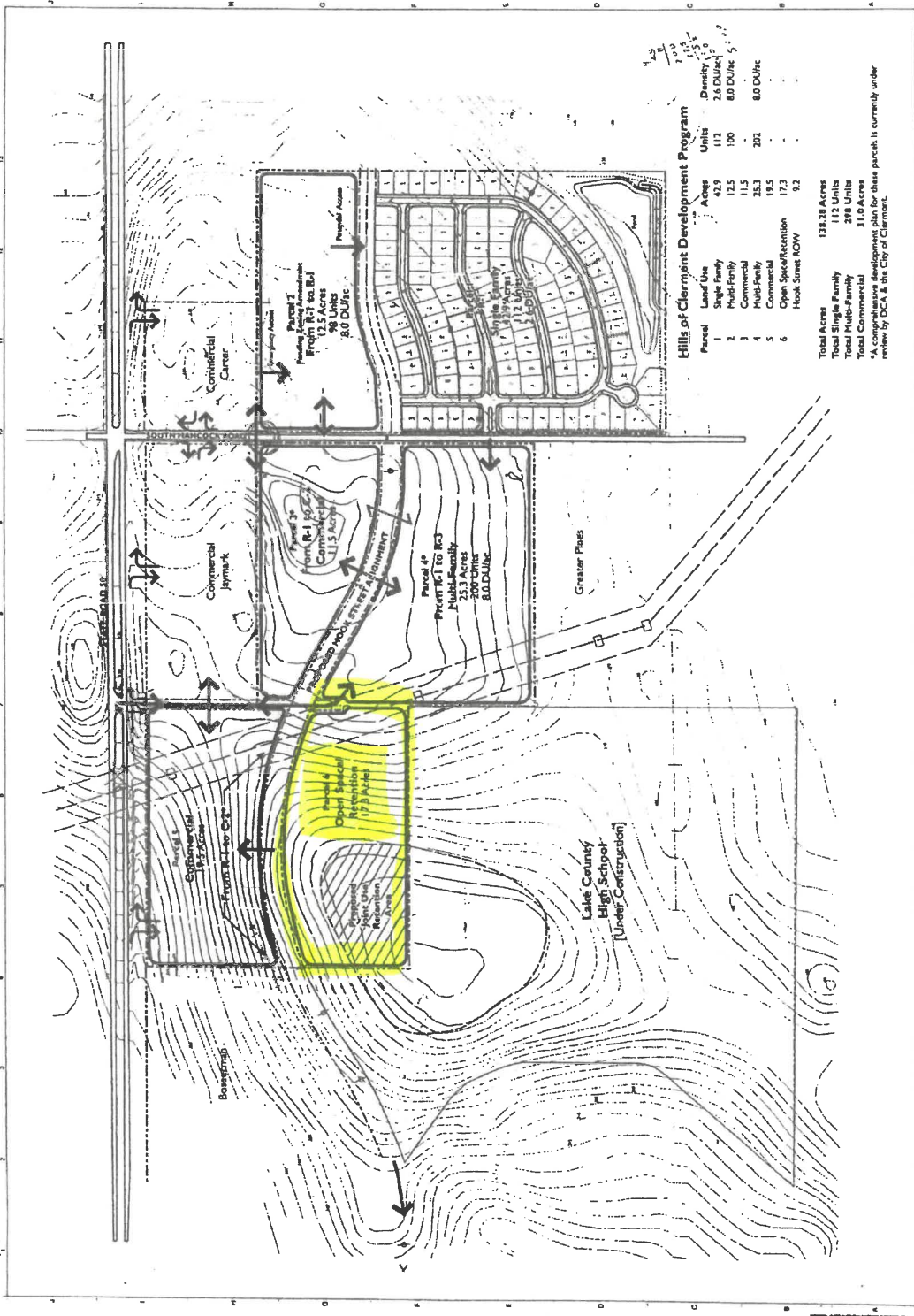
THE GREATER CONSTRUCTION CORPORATION
HILLS OF CLEMONT
City of Clemont, Florida
AMENDED PUD DEVELOPMENT

Scale: 1" = 100'
North Arrow
Legend



AMENDED PUD
DEVELOPMENT
PLAN

Sheet 1 of 1



Hills of Clemont Development Program

Parcel	Land Use	Acres	Units	Density
1	Single Family	42.9	112	2.6 DU/AC
2	Multi-Family	12.5	100	8.0 DU/AC
3	Commercial	11.5	-	-
4	Multi-Family	21.5	202	8.0 DU/AC
5	Open Space/Recreation	19.5	-	-
6	Open Space/Recreation	17.3	-	-
	Hook Street ROW	9.2	-	-

Total Acres: 138.28 Acres
Total Single Family: 112 Units
Total Multi-Family: 298 Units
Total Commercial: 31.0 Acres
*A comprehensive development plan for these parcels is currently under review by DCA & the City of Clemont.

August 6, 2021

Mr. John Kruse, Planning Manager
City of Clermont
685 W. Montrose Street
Clermont, FL 34711

Re: The VUE—Small Scale Comprehensive Plan Amendment & Rezoning Application

Dear Mr. Kruse:

We are in receipt of your July 9, 2021 letter. Please find our responses to your questions/comments below.

1. The Small Scale Comprehensive Plan Amendment (SSCPA) has been submitted to change the future land use from Low Density Residential to Commercial. The applicant has provided no substantial evidence to support the requested change from Low Density Residential to Commercial. Please provide supporting documentation for the requested change.

RESPONSE: The majority of the Hooks Street corridor is designated within the Commercial Future Land Use Category. The Hooks Street corridor was identified by the City as a preferred location for higher density multifamily, which is only allowed in Commercial or High Density Residential land use. While we agree that some uses allowed in Commercial land use designation might not be appropriate at this location, the concurrent PUD zoning appropriately limits such uses.

2. In reviewing the site plan submitted with the SSCPA, it was noted the acreage does not match with what was indicated on the application and the provided legal. In addition, the legal description is part of a parent parcel. Please explain how the future land use will be changed on a portion of a parcel and not the entire parcel.

RESPONSE: The Site Plan acreage submitted for the property south of Hooks Street is correct in the legal description, for the land use plan amendment. The Site/Concept Plan merely shows the portion of that property which is being used for the construction of the project.

However, we do wish to amend the PUD legal description to include all of AKN 3905347; the remainder of the parcel will be used as retention and open space. We do NOT wish to include all of AKN 3905347 in the land use plan amendment, as the remainder parcel

is being used only as retention and open space, which is allowed in its current land use designation, and including this property in the LUPA would cause it to lose its small-scale status and interrupt project approval deadlines.

We would be happy to meet with staff and go over the maps and legal descriptions to explain in more detail.

Revised/correct legal descriptions are attached hereto for your information.

3. The parent parcel for the SSCPA was originally designated as open space and stormwater retention under Resolution 1503. Please provide documentation that this parcel is no longer dedicated open space or needed for stormwater retention.

RESPONSE: Resolution 1503 (development/concept plan attached) does indicate AKN 3905347 as open space/retention. The majority of the parcel will continue to be used as such. All open space, retention and impervious surface ratios required by the City will continue to be met for both Resolution 1503 and for Ordinance No. 2017-24.

4. The rezoning application does not indicate any specific details about the multifamily projects except grant further approval to construct multifamily units on Hooks Street frontage and to add 6.6 acres South of Hooks Street for workforce rental housing. As for multifamily developments, specific details are presented at the time of application, such as, but not limited to, number of units and density, Impervious Surface Ratio (ISR), Traffic Impact Study, School Capacity, conceptual site plan and elevations. The submitted material does not provide the details for a full analysis of the proposal. Please provide these details.

RESPONSE: See attached plans, elevations and information.

5. The property north of Hooks Street in the conceptual plan has no detailed information on the project except for the narrative of not providing additional density beyond 12 units per acre. The total unit count, acreage and other specific information has not been submitted to fully evaluate the request. If this is not going to be considered in the application, please update the site plan and remove it. If it is going to be part of the application, then provide specifics on this project as well.

RESPONSE: We apologize. The original application was incorrect in stating we were not requesting density bonus per City Code Section 122-358; in fact the project IS requesting a portion (not the maximum) density bonus. The overall project proposes 320 units of multifamily on approximately 20 acres, for a density of 16 units per acre. As the attached concept plan shows, we are requesting 96 units of workforce housing and 224 units of market rate housing.

The project is also requesting a waiver from the prohibition with Section 122-348 on the workforce units being permanently designated. As the majority (72) of the workforce units are on the separate parcel South of Hooks Street, and that portion of the project is being funded by a Florida Housing Authority loan program for workforce housing, those units MUST be permanently (minimum of 50 years) designated as workforce housing units.

6. Staff is very concerned, based upon the layout of the southern proposal, to provide for a secondary access point for fire and emergency services. Please confirm that the project can provide adequate fire and emergency services protection based upon the provided layouts.

RESPONSE: Our engineers believe that the topography and road sight distances will not allow for a secondary entrance; therefore, we will provide a boulevard main entrance to the southern parcel. Driveway connections to Hooks Street are governed by Lake County, and if Lake County requires a secondary connection, either full or emergency only, we will comply.

7. The application indicates the southern project will seek approval under Section 122-358, Workforce Housing Bonus Density. How does this project relate to the proposed project north of Hooks Street? If this project is going to be constructed at the 12 units per acre basis, what is the need for the Workforce Housing Bonus Density? Based upon this request, the project does not meet the requirements under this Section.

RESPONSE: See response to No. 5 above.

8. A Traffic Impact Study shall be submitted for the proposed project. Once received by the City, it will be reviewed by the City's Transportation Consultant and may warrant further investigation. The City's review will be at the cost of the developer.

RESPONSE: Understood.

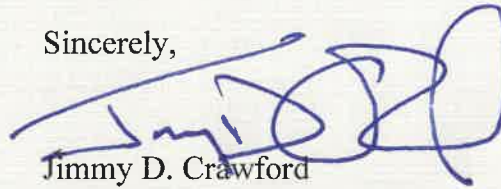
9. In the Statement in Support document, it is noted that no waivers are requested at this time other than what was granted in Ordinance 2017-24. Reviewing the provided conceptual plan south of Hooks Street, it is apparent the project will be required to fill the site and construct retaining walls. Staff is requesting the extent of grading and retaining wall heights on the southern parcel to be indicated on the site plan or in a narrative format so this information can be conveyed properly to the Council. Staff does not believe the existing waivers in Ordinance 2017-24 were ever considered on the southern parcel since it was never discussed before Council for development.

RESPONSE: See attached concept/grading plan indicating the limits of cut and fill and retaining walls.

Mr. John Kruse, Planning Manager
The Vue
August 6, 2021
Page 4 of 4

We appreciate your review and consideration. Should you have any questions, or would like to discuss the matter further, please do not hesitate to contact us.

Sincerely,



Jimmy D. Crawford
CRAWFORD, MODICA & HOLT
CHARTERED ATTORNEYS AT LAW

ATTACHMENTS

CC: CLIENTS

Choice of Champions
CITY OF CLERMONT
COMPREHENSIVE PLAN AMENDMENT
Application

PAID
CC
(1297.00)
* 1329.43

DATE: June 29, 2021

FEE: \$755.00

Project Name (if applicable): The Vue

Applicant: Jimmy D. Crawford, Esq.

Contact Person: Jimmy Crawford or Jennifer Cotch

Address: 702 W. Montrose Street

City: Clermont State: Florida Zip: 34711

Phone: 352-432-8644 Fax: 352-432-8699

E-Mail: jcrawford@cmhlawyers.com and jcotch@cmhlawyers.com

OWNER: AC Commercial Properties I, LLC

Address: 1760 Fennell Street, Suite 200

City: Maitland State: FL Zip: 32751

Phone: 407-312-6356 Fax: _____

E-Mail: jamoore@accommercial.com

General Location: North of East Ridge High School, South of Hooks Street, West of Hancock Road, East of Excalibur Road

Legal Description (include copy of survey): Please see attached.

Property size (in acres or square feet): 6.6 +/- acres

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

Existing (Actual) Land Use: Vacant

Existing Zoning: PUD

Existing Future Land Use: Low Density Residential

Proposed Future Land Use: Commercial

Type of development proposed: Multi-family residential



Proposed density (dwelling units/acre) or intensity: 12 dwelling units/acre

Proposed Zoning District: PUD

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).

Please find enclosed Statement of Support.

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

Jimmy D. Crawford, Esq., who being

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

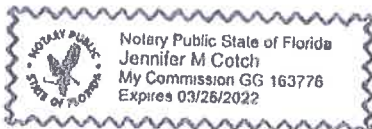
1. That he (she) affirms and certifies that he (she) understands and will comply with all ordinances, regulations and policies of Lake County, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his (her) knowledge and belief, and further, that this application 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 Commercial to PUD 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.

Jimmy D. Crawford, Esq.
Affiant - Applicant Name (print)

X [Signature]
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this 24th day of June, 2021.



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

My Commission Expires: _____



OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE:

Before me, the undersigned authority personally appeared

Jonathan Moore, as Manager of AC Commercial Properties I, LLC, 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 Commercial to PUD for the property legally described on the attachment of this application.
3. That the owner of said property has appointed Jimmy D. Crawford, Esq. 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.

Jonathan Moore
Affiant - Applicant Name (print)

X 
Affiant - Applicant Name (signature)

SWORN to and SUBSCRIBED before me by

or personally known by me this _____ day of _____, 2021.

X _____
Notary Public, State of Florida at Large

My Commission Expires: _____

EXHIBIT "A"

Description of Properties

Parcel ID: 09-22-26-1205-019-00000

Legal Description:

A PORTION OF TRACTS 29 AND 30, MAP OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST LAKE COUNTY FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE(S) 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

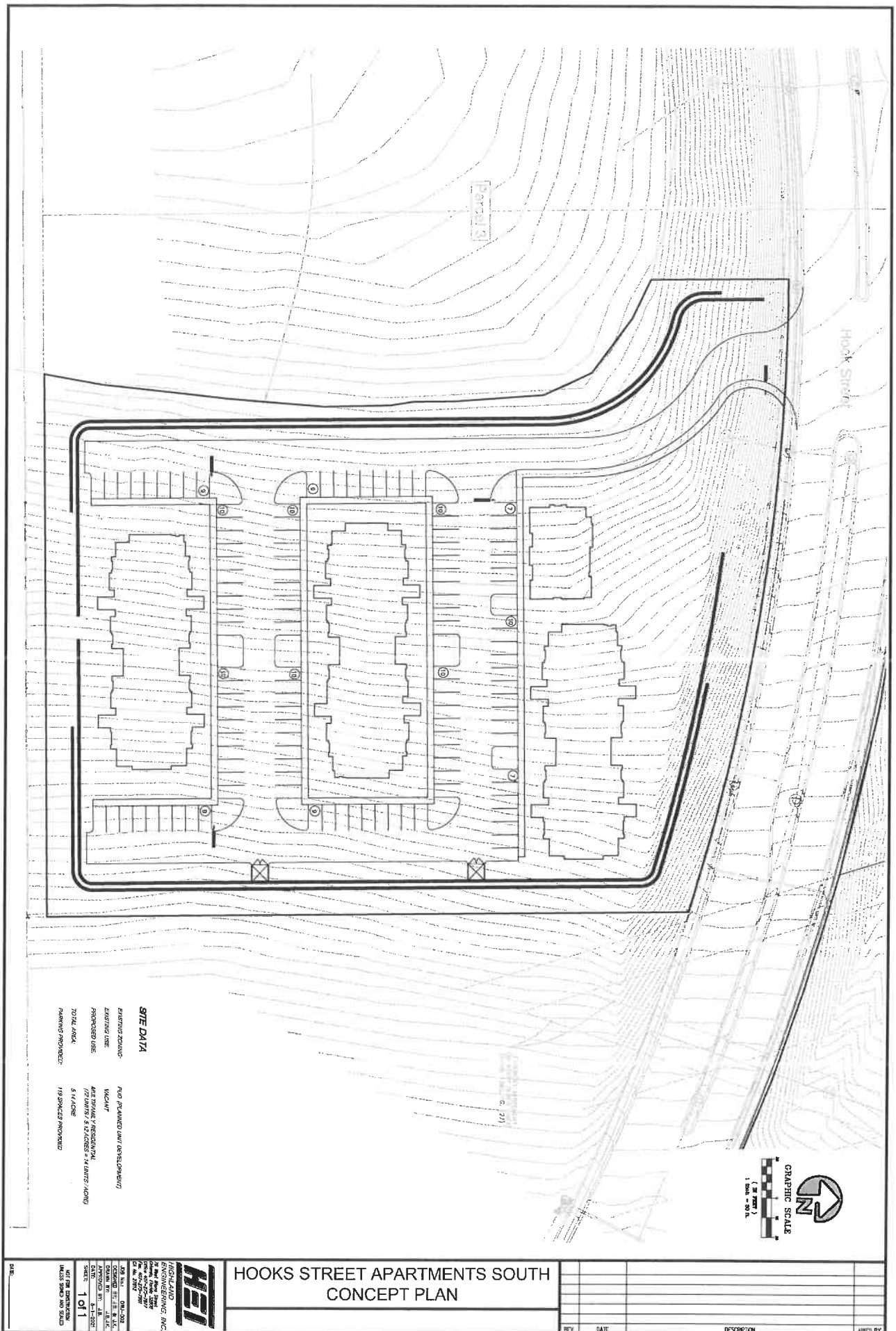
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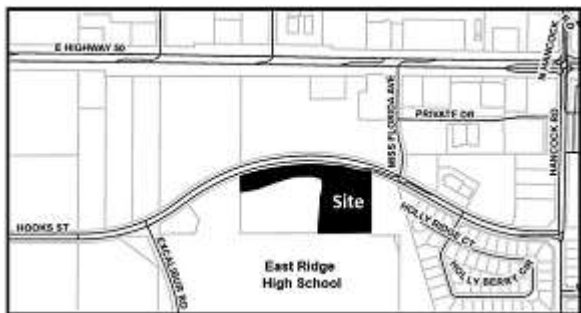
CONTAINING 288,770.80 SQ. FT. OR 6.63 ACRES



CITY OF CLERMONT

NOTICE OF PROPOSED LAND USE CHANGE Small Scale Comprehensive Plan Amendment ORDINANCE NO. 2021-024

The Clermont Planning and Zoning Commission will hold a public meeting on Tuesday, September 7, 2021 at 6:30 P. M., and a public meeting will be held before the Clermont City Council on Tuesday, September 28, 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 6.63 +/- acre parcel below from Clermont Low Density Residential to Clermont Commercial Land Use Designation. (Portion of Alternate Key #3905347).



Location:

Site located west of the Miss Florida Avenue and Hooks Street intersection, south of Hooks Street, directly north of the East Ridge High School baseball field.

Portion of Alternate Key #3905347

6.63 +/- Acres

Ordinance 2021-024

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 AN 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 through 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) 241-7330, at least 48 hours prior to the public meetings.

Tracy Ackroyd Howe, MMC
City Clerk

Daily Commercial
August 23, 2021 and September 13, 2021



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date

Tuesday, October 5, 2021

Agenda Item Name

Ordinance No. 2021-025
The Vue Rezoning

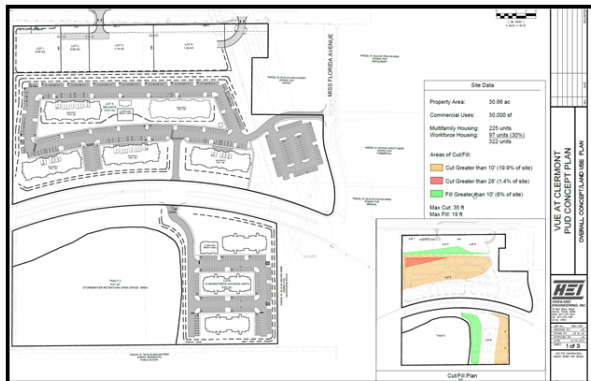
Requested Action

Recommend denial of Ordinance 2021-025

Staff Report

The applicant has two applications under consideration. The first application is for a companion Small Scale Comprehensive Plan Amendment to change the Future Land Use designation on a portion of the property from Low Density Residential to Commercial. The second request is for an amendment to PUD Ordinance 2017-24. The applicant is requesting these amendments to: (1) grant approval to construct multi-family units on the Hooks Street frontage and (2) to add approximately 6.6 acres South of Hooks Street to the PUD to be utilized for workforce rental housing.

The applicant is requesting a PUD amendment to add multi-family development within the project and to increase the multi-family acreage. The project, approximately 30 acres, is located west of the Miss Florida Avenue and Hooks Street intersection, north and south of Hooks Street, directly north of the East Ridge High School baseball field.



The multi-family addition is also seeking the density bonus provision under Section 122-358 of the Land Development Code. Several waivers that were previously approved under Ordinance 2017-24 are now being increased or extended on other portions of the property along with some additional waivers being requested. These include an increase in the depth of cut and fill and the increase in acreage where they will occur along with a waiver to the density bonus section to allow the concentration of workforce housing to occur in mainly one area of the development. The multi-family project to the north will consist of four story buildings. The project to the south will consist of three story buildings. The multi-family project to the north will be a separate project from the south project and developed by two different developers. The south project is seeking funding from the Florida Housing Authority Loan Program for the workforce housing project. The multi-family proposal will consist of 322 units with 97 units designated as workforce housing units. The applicant is requesting a waiver to allow the segregation and staff is unable to support this request. While the applicant's proposal to provide workforce housing within the City is commendable, the proposed design of the development does not comply with the bonus density requirements contained in Section 122-358, primary the inclusion of floating units throughout the project. Section 122-358 requires the housing units to be of the same quality and should not appear different and the residents must have access to the same amenities as all other residents of the project. A more complete analysis is contained in the Staff Analysis Report.

The changes in the development plan include an increase in the depth of cut on the project. Previously, the project was allowed 28 feet cut provision as a waiver. The applicant is seeking a 35 foot cut in limited areas on the site (1.4% of the site), along with keeping the original 28 foot depth. This appears to be necessary since the multi-family portion is moving more into the commercial portion of the site. The previous commercial lots (1-6) had a minimum depth from SR 50 of 250 feet. The proposed commercial lots now have 190 feet, thus this 60-foot reduction has increased the percentage of the overall parcel for the multi-family use, which in turn, is increasing the cut/fill request. In addition, the applicant is requesting the cut/fill waiver on the portion of the property south of Hooks Street. This was never presented to council for consideration in the past since this parcel was always designated as stormwater/open space. The cut/fill plan indicates that a majority of the area for the south development plan will exceed the City's 10-foot limitation. Staff is not supportive of the cut/fill increase, both in depth and in area, as well as the overall percentage use of the Commercial FLU designation for residential use.

Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The proposed project does not comply with the Land Development Regulations, specifically Section 122-358 Workforce Housing Density Bonus and general requirements for granting an amendment to a Planned Unit Development (PUD). The segregation of housing type goes against the very principle of providing inclusive housing for all. The density and intensity of the project with the multi-family units has created the 35 foot cut request and 49 foot high staggered retaining walls in the project that does not preserve the natural topography. In addition, no traffic study was presented to analyze the impacts the development would have on the existing road network. Therefore, staff recommends denial of Ordinance No. 2021-025.

Additional Analysis

Fiscal Impact Summary

Fiscal Impact	Fund Number and Description	Available Budget Amount
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Exhibits Attached (copies of original agreements)

1.	Ord 2021-025 - The VUE Rezoning (09.30.2021 V1)	Ord 2021-025 - The VUE Rezoning (09.30.2021 V1).pdf
2.	The VUE Maps	The VUE Maps.pdf
3.	Vue at Clermont PUD Concept Plan - 9-20-2021	Vue at Clermont PUD Concept Plan - 9-20-2021.pdf
4.	Staff Analysis The VUE V5	Staff Analysis The VUE V5.pdf
5.	Elevation	Elevation.pdf
6.	REZ Application	REZ Application.pdf
7.	Rezoning-Application- Highway 50-2	Rezoning-Application- Highway 50-2.pdf
8.	The Vue RAI July 9 2021	The Vue RAI July 9 2021.pdf
9.	Response letter	Response letter.pdf
10.	Legal ad 2021-25	Legal ad 2021-25.pdf



CITY OF CLERMONT
ORDINANCE NO. 2021-025

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 SCRIVENERS ERROR, RECORDING, AN EFFECTIVE DATE AND PUBLICATION.

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

PARCEL 1 (FEE SIMPLE ESTATE)

That part of Section 28, Township 22 South, Range 26 East, Lake County, Florida, described as follows: Commence at the east 1/4 corner of said Section 28; thence run north 00°42'51" east along the east line of the northeast 1/4 of said Section 28 for a distance of 664.12 feet to the northeast corner of the south 1/4 of the northeast 1/4 of said Section 28; thence run south 89°24'16" west along the north line of said south 1/4 for a distance of 1335.19 feet to a point on a non-tangent curve concave westerly having a radius of 270.00 feet and a chord bearing of south 01°23'58" west and the Point of Beginning; thence run southerly along the arc of said curve through a central angle of 23°36'59" for a distance of 111.29 feet to the point of compound curvature of a curve concave northwesterly having a radius of 25.00 feet and a chord bearing of south 63°07'26" west; thence run southwesterly along the arc of said curve through a central angle of 99°49'56" for a distance of 43.56 feet to the point of reverse curvature of a curve concave southerly having a radius of 1750.00 feet and a chord bearing of north 87°56'35" west and the north right of way line of Hook Street, as described in ORB 2010, Page 316, of the Public Records of Lake County, Florida; thence run westerly along said north right of way line and the arc of said curve through a central angle of 41°57'58" for a distance of 1281.78 feet to a non-radial line and the east right of way line of an unnamed right of way, according to the plat of Lake Highlands Company, as recorded in PB 2, Page 28, of said Public Records; thence run north 00°10'52" east along said east right of way line for a distance of 718.43 feet to the south right of way line of Highway 50; thence run north 89°24'19" east along said south right of way line for a distance of 1127.57 feet; thence run south 89°29'29" east along said south right of way line for a distance of 150.11 (120.11) feet to the west line of the east 60 feet of Tract 19, of said Lake Highlands Company; thence run south 00°26'52" west along said west line for a distance of 445.90 feet to the point of curvature of a curve concave easterly having a radius of 280.00 feet; thence run southerly along the arc of said curve through a central angle of 15°45'47" for a distance of 77.03 feet to the point of tangency; thence run south 15°18'56" east for a distance of 105.46 feet to the point of curvature of a curve concave westerly having a radius of 270.00 feet and a chord bearing of south 12°51'43" east; thence run southerly along the arc of said curve through a central angle of 04°54'24" for a distance of 23.12 feet to the Point of Beginning.

LESS AND EXCEPT therefrom that parcel conveyed by Maynard K. Knapp, individually and as Trustee to Akram Ismail, M.D., by Special Warranty Deed recorded April 17, 2015, in ORB 4613, Page 945, described as follows: A portion of the southwest 1/4 of the northeast 1/4 of Section 28, Township 22 South, Range 26 East,



CITY OF CLERMONT
ORDINANCE NO. 2021-025

Lake County, Florida, described as follows: Commence at the northeast corner of said Section 28; thence S01°07'06"W along the east line of said northeast 1/4, a distance of 1372.13 feet to a point; thence N89°06'23"W, a distance of 1322.25 to a point on the south right-of-way line of Highway 50. (Right-of-way varies per right-of-way map Section 11070); thence continue N89°06'23"W, a distance of 60.00 feet to the Point of Beginning; thence S00°51'39"W, along the west right-of-way line of Miss Florida Avenue (ORB 2345, Page 748), also being parallel to and 60.00 feet west of the east line of said southwest 1/4 of the northeast 1/4 of Section 28 and the east line of Tract 19 of Lake Highlands Company, according to the plat thereof as recorded in PB 2, Page 28, of the Public Records of Lake County, Florida, a distance of 369.94 feet to a point; thence N89°08'21"W, a distance of 291.58 feet to a point; thence N00°51'39"E, a distance of 230.29 feet to a point; thence S89°08'21"E, a distance of 64.35 feet to a point; thence N00°51'39"E, a distance of 139.00 feet to a point on the south line of an unnamed unimproved street, also being the north line of said Tract 19; thence N89°50'25"E, along the north line of said Tract 19, a distance of 42.23 feet to a point on said south right-of-way line of Highway 50; thence S89°06'23"E, along said south right-of-way line of Highway 50, a distance of 185.01 feet to the Point of Beginning. Containing 744,665 Sq. Ft. of 17.100 Acres more or Less.

PARCEL 2 (EASEMENT ESTATE)

Together with that certain Non-Exclusive Ingress-Egress Easement granted by Akram Ismail to Maynard K. Knapp, Trustee, to Reciprocal Easement Agreement recorded April 17, 2015, in ORB 4613, Page 948, Public Records of Lake County, Florida.

PARCEL 3 (SOUTHERN PORTION)

Tract 29 and Tract 30, as shown on the Lake Highlands Company Plat of Section 28, Township 22 South, Range 26 East, recorded in PB 2, Page 28, of the Public Records of Lake County, Florida; Less that portion lying within and north of the right of way for Hook Street.

SECOND SURVEY

That portion of the north/south roadway between Tracts 20, 21, 28, and 29 as shown on the Lake Highland's Company plat of Section 28, Township 22 South, Range 26 East, recorded in PB 2, Page 28, Public Records of Lake County, Florida; lying northerly of Hook Street, and southerly of Highway 50, being more particularly described as follow: Commence at the NE corner of Section 28, Township 22 South, Range 26 East, Lake County, Florida, thence S 0°17'37" W, a distance of 1372.13 feet; thence N 89°55'52" W, a distance of 1322.25 feet to a point on the south right of way line of Highway 50 (a variable width public right of way); thence the following four (4) courses and distances along said south right of way line, continue N 89°55'52" W, a distance of 60.00 feet; thence N 89°27'07" W, a distance of 184.98 feet; thence S 89°30'08" W, a distance of 42.24 feet; thence S 89°24'19" W, a distance of 1020.48 feet to the point of beginning: thence departing said south right of way, run S 00°14'51" W, along the west line of Tracts 20 and 29, a distance of 718.43 feet to a point on the northerly right of way line of Hook Street (A 100 foot wide public right of way) said point also being on a non-tangent curve, concave southeasterly, and having a radius of 1750.00 feet; thence southwesterly along the arc of said curve, through a central angle of 01°02'34", a distance of 31.85 feet, said curve being subtended by a chord bearing and distance of S 70°37'05" W, 31.85 feet; thence departing said north right of way line, run N 0°14'51" E, a distance of 728.72 feet to a point on the aforementioned southerly right of way line of Highway 50; thence N 89°28'03" E, along said north right of way line, a distance of 30.00 feet to the point of beginning.

Containing 0.50 acre, more or less

THIRD SURVEY

That portion of the north/south roadway between Tracts 28, and 29 as shown on the Lake Highland's Company plat of Section 28, Township 22 South, Range 26 East, recorded in PB 2, Page 28, Public Records of Lake County, Florida; lying northerly of Hook Street, and southerly of Highway 50, being more particularly described as follow: commence at the NE corner of Section 28, Township 22 South, Range 26 East, Lake County, Florida; thence S 0°17'37" W, a distance of 1372.13 feet; thence N 89°55'52" W, a distance of 1322.25 feet to a point on the south

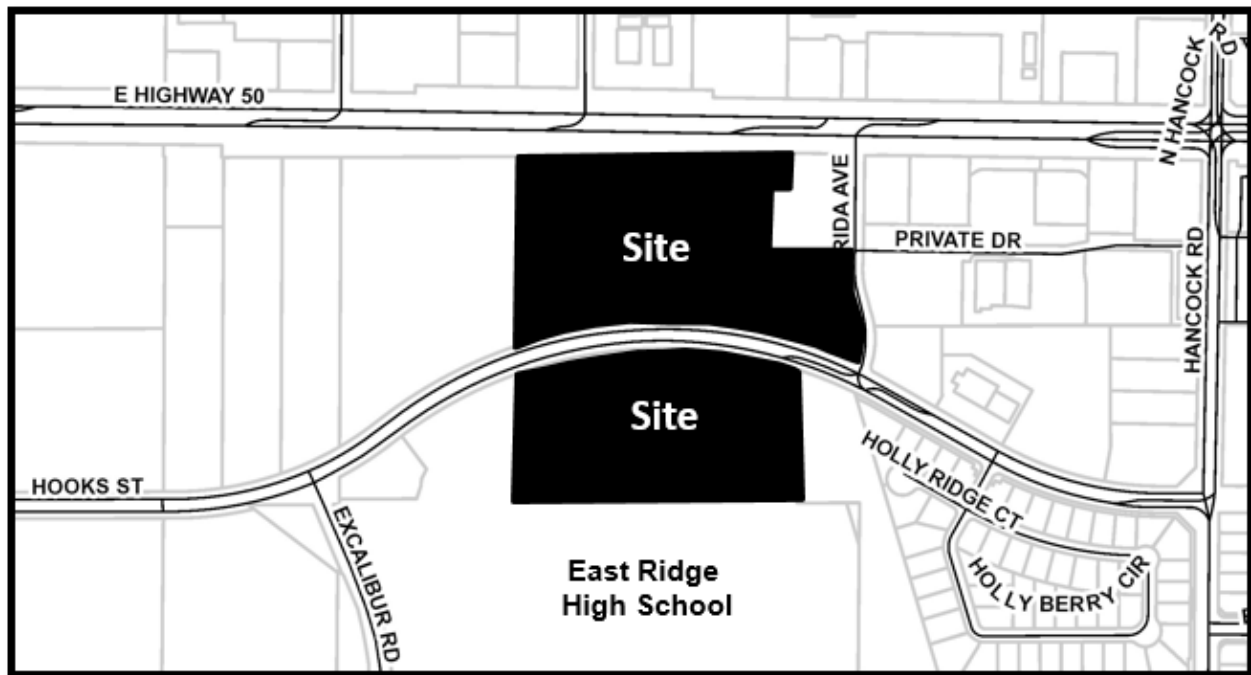
right of way line of Highway 50 (A variable width public right of way); thence the following four (4) courses and distances along said south right of way line, continue N 89°55'52" W, a distance of 60.00 feet; thence N 89°27'07" W, a distance of 184.98 feet; thence S 89°30'08" W, a distance of 42.24 feet; thence S 89°24'19" W, a distance of 1020.48 feet; thence departing said south right of way, run S 00°14'51" W, along the west line of Tracts 20 and 29, a distance of 824.65 feet to a point on the southerly right of way line of Hooks Street (A 100 foot wide public right of way); thence departing said southerly right of way line, run S 0°14'51" W, along the west line of said Tract 29, a distance of 473.42 feet to the southwest corner of said Tract 29; thence S 89°28'17" W, a distance of 30.00 feet to the southeast corner of aforementioned Tract 28; thence N 0°14'51" E, along the east line of said Tract 28, a distance of 462.39 feet to a point on the southerly right of way line of aforementioned Hook Street, said point also being on a non-tangent curve, concave southeasterly, and having a radius of 1650.00 feet; thence southwesterly along the arc of said curve, through a central angle of 01°06'54", a distance of 32.11 feet, to the point of beginning, said curve being subtended by a chord bearing and distance of N 69°22'29" E, 32.11 feet. Containing 0.32 acres, more or less.

FOURTH SURVEY

Tracts 21 and 28 as shown on the Lake Highland's Company plat of Section 28, Township 22 South, Range 26 East, recorded in PB 2, Page 28, Public Records of Lake County, Florida; less that portion of Tract 28, lying south of Hook Street, (County District NO. 2-1346). CONTAINING 30.66 Acres +/-

LOCATION

Site located west of the Miss Florida Avenue and Hooks Street intersection,
North and south of Hooks Street, directly north of the
East Ridge High School baseball field.
Alternate Key #3905347, 3334566, & 3927260
30.66 +/- Acres





CITY OF CLERMONT
ORDINANCE NO. 2021-025

REQUESTED ACTION:

**To amend Ordinance No. 2017-24 to add multifamily projects to the
Planned Unit Development consisting of up to 320 units**

SECTION 2. GENERAL CONDITIONS

This application for a Planned Unit Development to allow for a multi-family residential Planned Unit Development along with C-2 General Commercial uses; be granted subject to the following conditions:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest and this Ordinance shall repeal and replace Ordinance 2017-14.
2. The property shall be developed in substantial accordance with the Site Plan prepared by Highland Engineering, Inc., dated 9-16-2021, PUD Concept Plan. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.
3. 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.
4. Fiber optic conduit and pull boxes may be required to be installed by the developer in the utility easements to extend the City's fiber optic network. The City's Information Technology Director will work with the developer at the time of site plan review to determine the extent of fiber optic conduit. The City will reimburse the developer at 100 percent for all costs including design, permitting, materials, and construction of the fiber optic conduit and pull boxes.

SECTION 3. LAND USES AND SPECIFIC CONDITIONS

1. The PUD Concept Plan, lots 1, 2, 3, and 4 fronting on Highway 50 will be permitted for C-2 General Commercial Use. Lots 5 and 6 will be permitted for multi-family use, as indicated on the PUD Concept Plan. A total of up to 250 units on Lot 5 shall be permitted, with 10% as workforce housing. A total of up to 72 units on Lot 6 shall be permitted, with 100% of the units as workforce housing. A minimum of 30% of the cumulative total of units in lot 5 and 6 shall remain as workforce housing units for the life of the project. This shall be detailed in the management agreement, as required in Section 122-358, at the time of site plan approval. The project has received a waiver to allow the concentration of workforce housing on lot 6.

CITY OF CLERMONT
ORDINANCE NO. 2021-025

2. Setbacks for Multi-family and Commercial
 - From Highway 50 50 feet from the property line
 - From Hooks Street: 50 feet from the property line
 - Side: 12 feet from the property line
 - Rear: 25 feet from the property line
3. Driveway access and parking for the C-2 General Commercial portion may be below the centerline of Highway 50 and will be subject to the approval of the City Engineer.
4. The project may have elevation changes of up to 39 feet maximum cut and 19 feet maximum fill, as shown on the cut and fill plan on the PUD Concept Plan. These elevation changes will be submitted to the City Engineer at the time of final engineering.
5. Individual retaining wall height up to 13 feet in height are allowed to deal with the extreme grades on the site.
6. Parking space dimensions shall be allowed at a minimum 9 feet wide by 18 feet deep for 30 percent of parking requirements within Lots 5 and 6, Multi-family use
7. A reduced landscape buffer along Highway 50 is requested due to the presence of a large berm which shall be maintained and enhanced. The landscape buffer shall be a minimum of 10 feet in width and shall have the 30 percent more landscape required for C-2 General Commercial uses.
8. Trash compacters may be substituted for dumpsters for the project if the Applicant can demonstrate it can sufficiently meet the waste demands for the project, subject to City Manager approval, or designated staff.
9. The buildings shall be constructed in a manner that shall meet the City of Clermont's Architectural Standards.
10. Cross-access easements with the adjoining eastern property owner from the existing Duke Energy curb cut along Highway 50 shall be provided.
11. Required landscape buffering within the Duke Energy easement may be omitted with proper documentation from Duke Energy.
12. Retaining wall terraces with a height of 40 feet or greater shall incorporate one 20 foot landscape terrace at the mid way point to allow for larger plantings to buffer the tall walls.
13. Shopping center signs shall be allowed to extend 15 feet above the adjacent D.O.T. berm. (the D.O.T. berm varies in height depending on location.)
14. Maximum building height shall be up to 55 feet, measured at the highest point.
15. If required by Lake County or Florida Department of Transportation, as a result of the traffic impact analysis, the developer shall be responsible for any proportionate fair share improvements. The traffic impact analysis shall be completed prior to any site plan



CITY OF CLERMONT
ORDINANCE NO. 2021-025

submittal.

16. The development shall comply with all applicable County and Florida Department of Transportation access management requirements. The final access points shall be determined during the final site plan and final engineering review and may change from the conceptual plan.
17. As required in Section 122-358, a management agreement is required between the applicant and the City, a community land trust or mutually agreeable instrument to the applicant and City. This agreement must address marketing, applicant screening, the process for establishing rental rates, monitoring, Fair Housing compliance, determination of income qualifications, and other elements as determined by the City Manager or his/her designee. This agreement must be recorded and obligate all successors and assigns. This agreement shall be provided at the time of site plan approval and recorded prior to plat approval.
18. The project shall be developed according to the C-2 General Commercial zoning designation in the Land Development Code, unless expressly stated above.
19. This Planned Unit Development shall become null and void if substantial construction work has not begun within five (5) years of the date that this Planned Unit Development is executed and signed by the permittee. "Substantial construction work" means the commencement and continuous prosecution of construction of required improvements ultimately finalized at completion. If the Planned Unit Development becomes null and void, the property will revert to the C-2 General Commercial Zoning Designation.
20. School concurrency shall be met before final site plan approval in accordance with the Comprehensive Plan and Land Development Code.
21. The property management office shall prominently display a notification sign informing potential tenants of the sounds resulting from activities by the adjacent schools, such as but not limited to; daytime PE classes, night games, bands playing, bus noise, etc. The sign shall be a minimum of 11 inches x 17 inches. In addition, as part of the rental contract, similar language shall also be included that the tenant acknowledges.

SECTION 4.

All Ordinances or parts of this Ordinance in conflict herewith are hereby repealed.

SECTION 5.

This Ordinance shall be recorded in the Public Records of Lake County, Florida.

SECTION 6.

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 7.



CITY OF CLERMONT
ORDINANCE NO. 2021-025

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. 2021-025

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 26th day of October, 2021.

CITY OF CLERMONT

Tim Murry, Mayor

ATTEST:

Tracy Ackroyd Howe, MMC
City Clerk

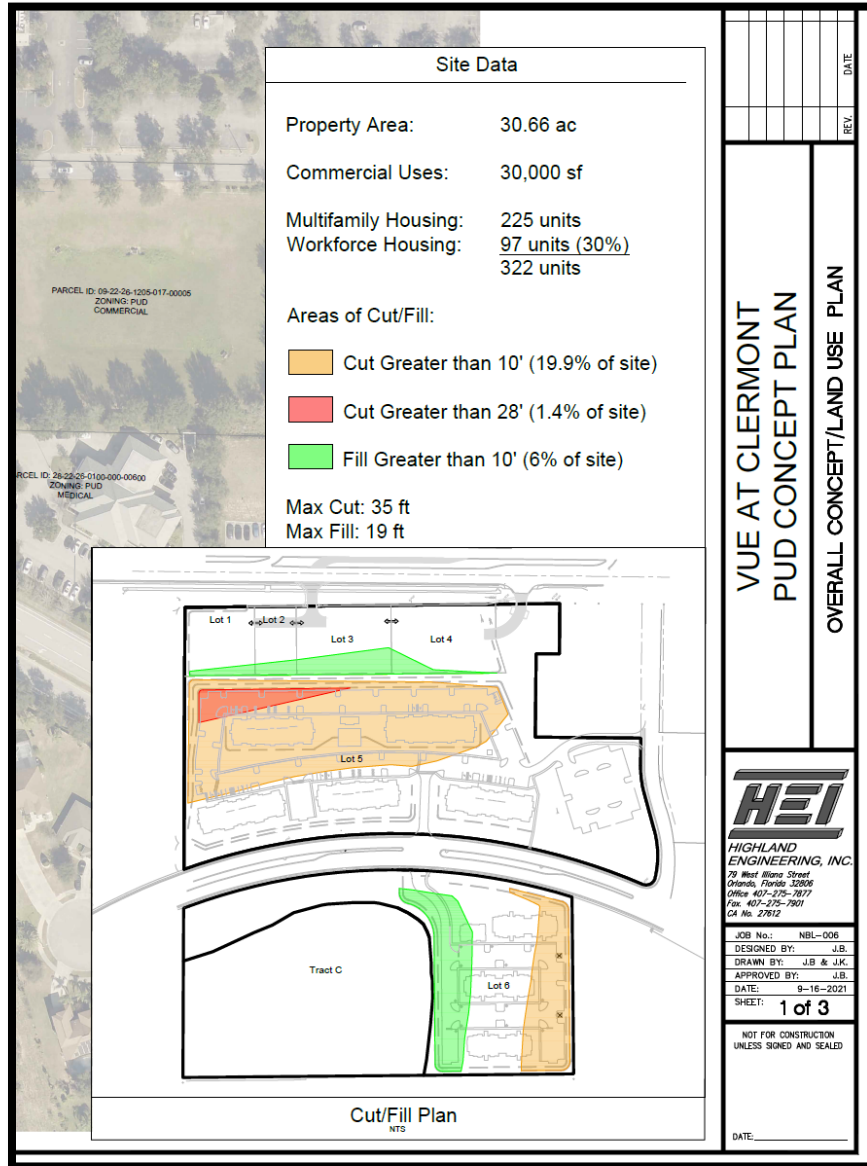
APPROVED AS TO FORM AND LEGALITY:

Daniel F. Mantzaris, City Attorney

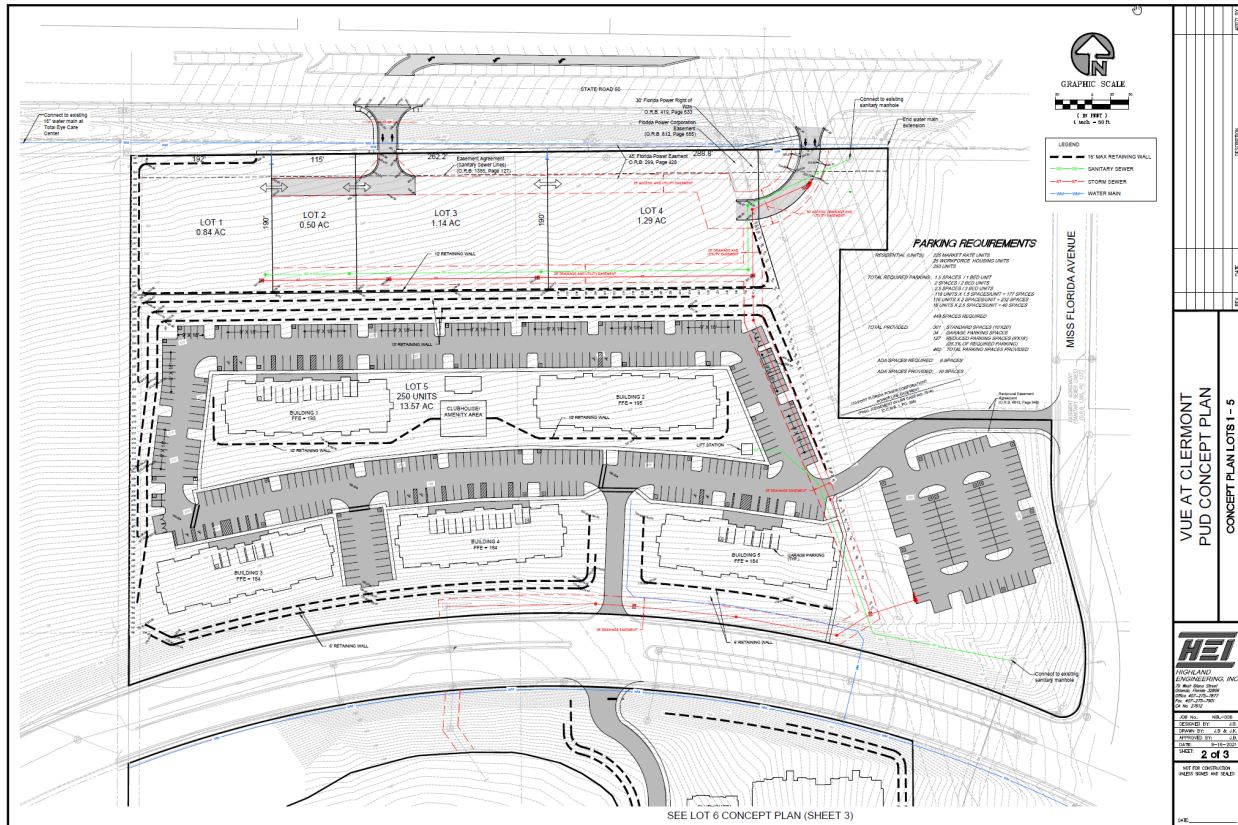
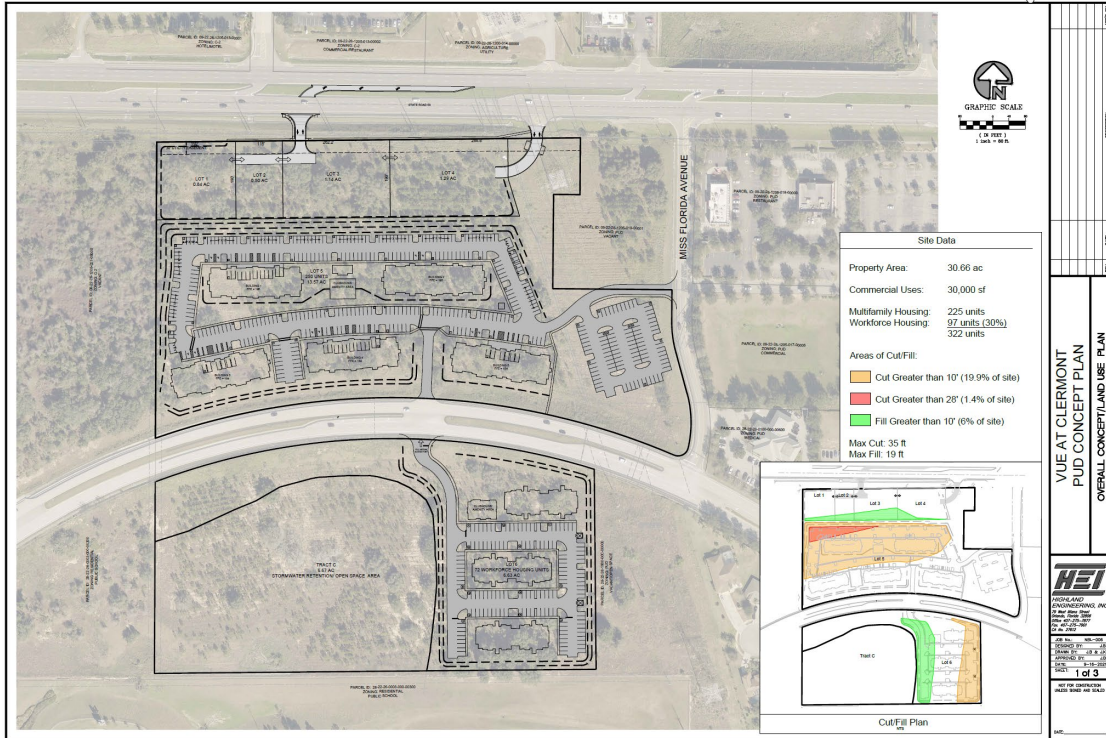
CITY OF CLERMONT
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EXHIBIT A

Cut/Fill Exhibit contained on the PUD Conceptual Plan:



CITY OF CLERMONT
ORDINANCE NO. 2021-025



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ORDINANCE NO. 2021-025

EXHIBIT C

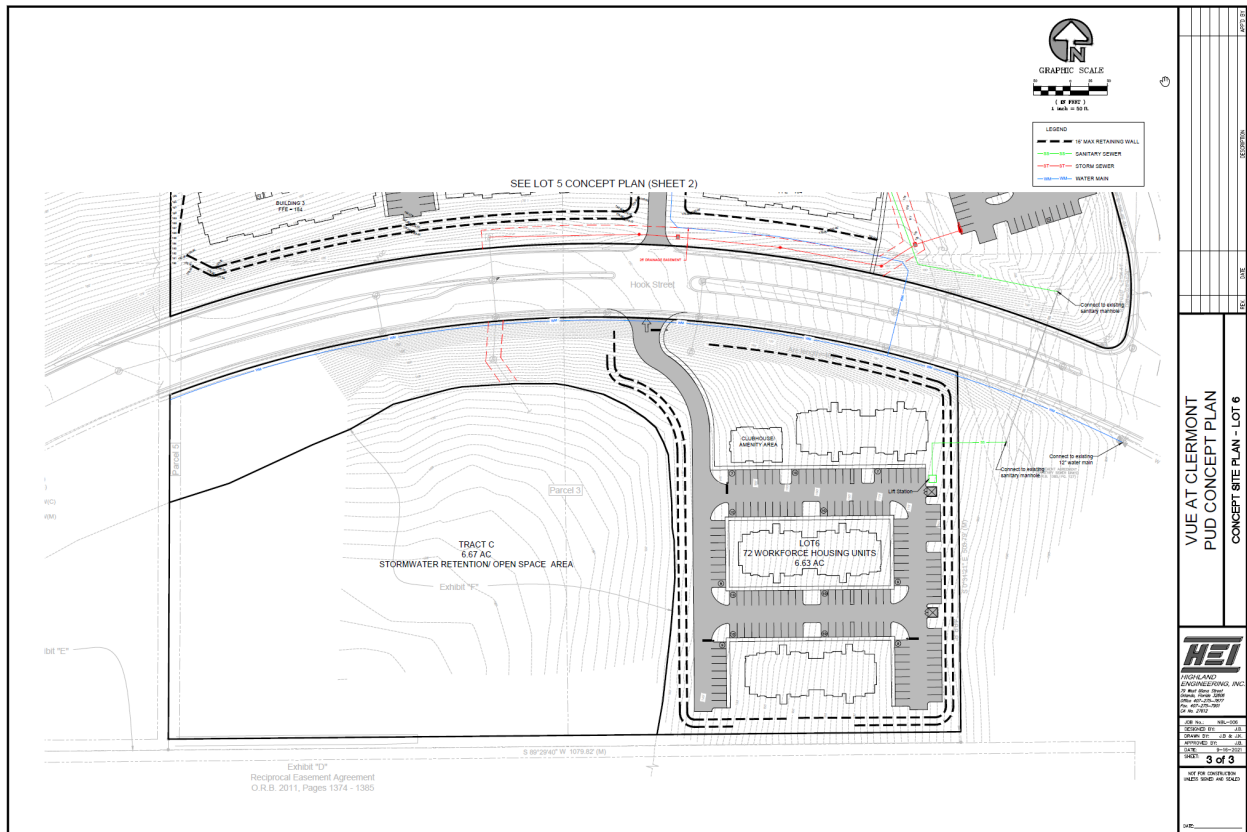


Exhibit - Location Map – The Vue Comprehensive Plan Amendment

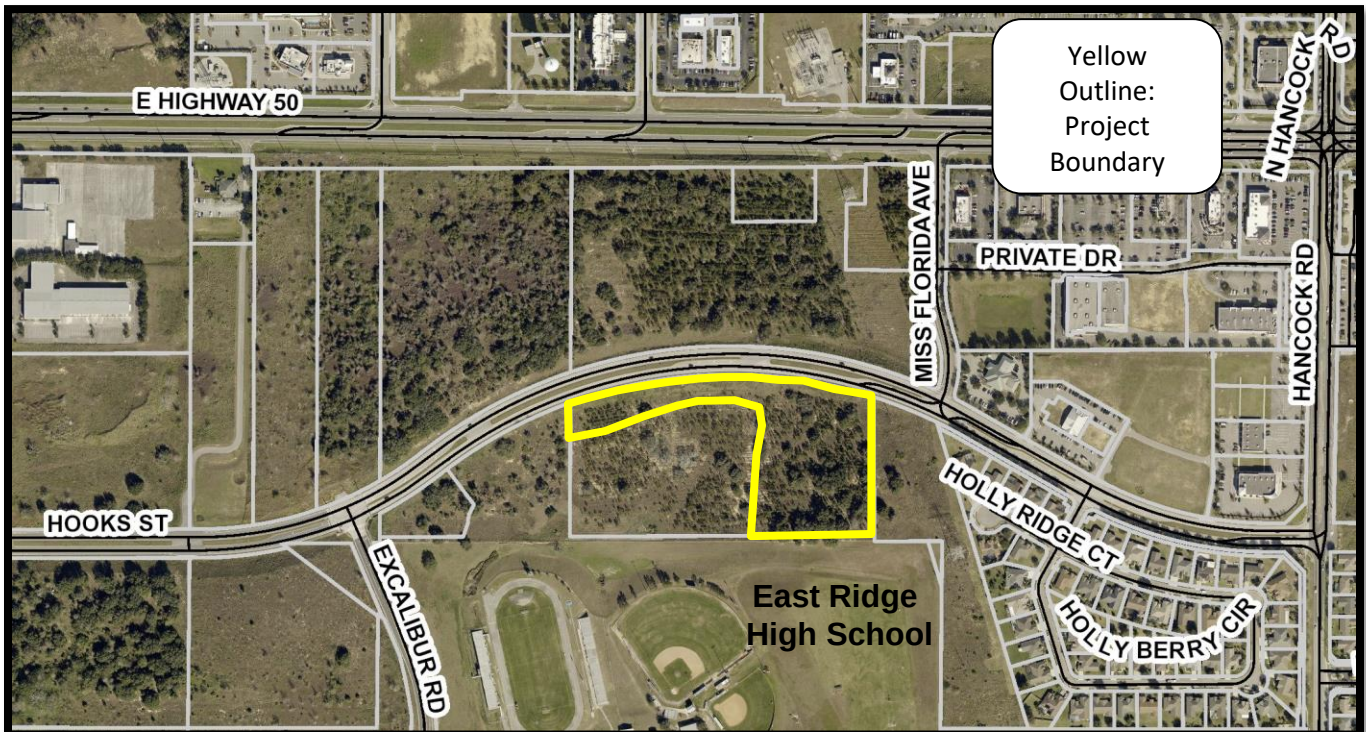
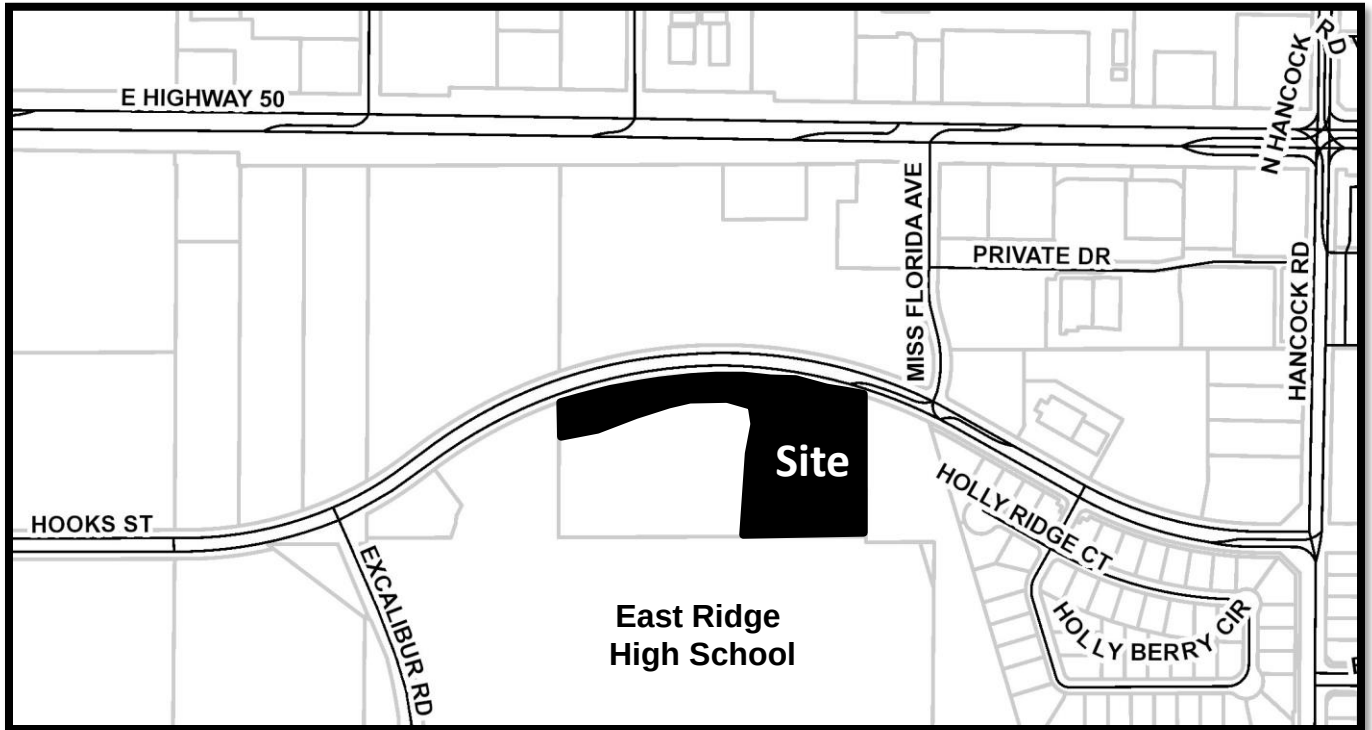
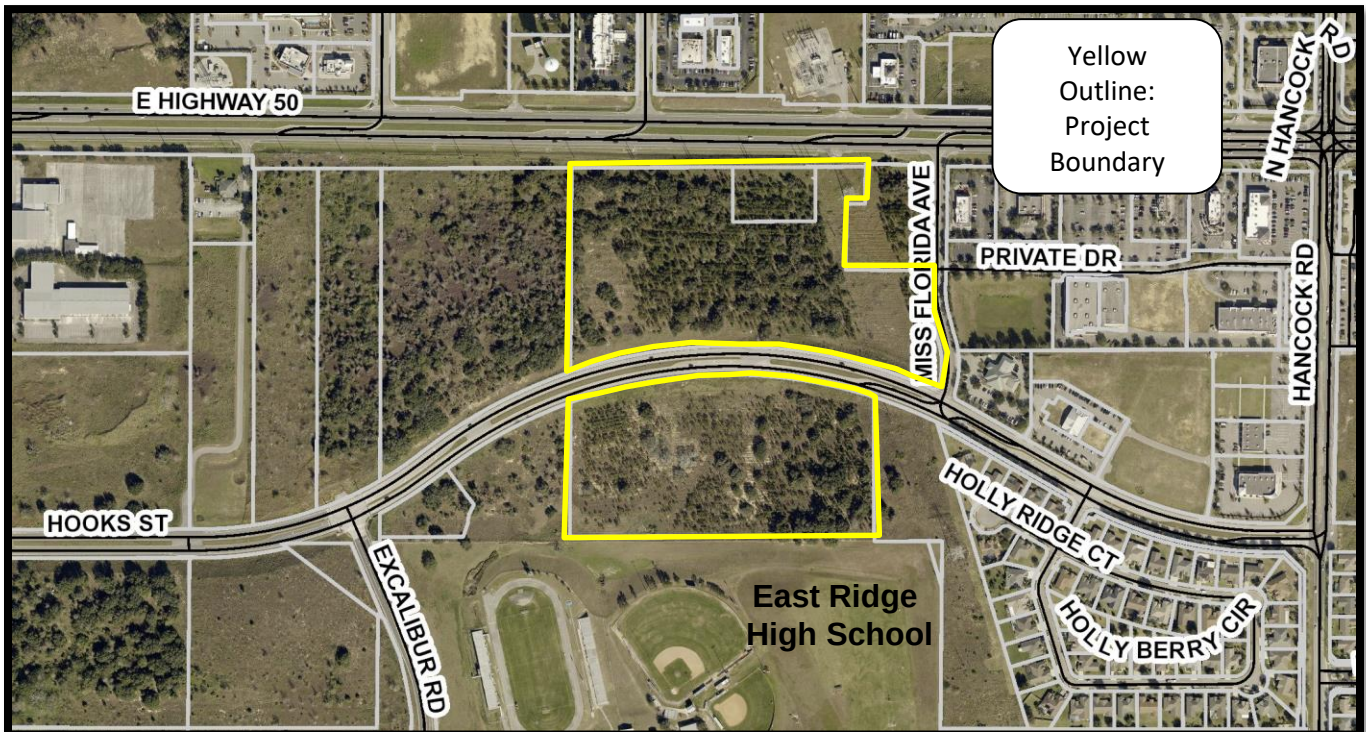
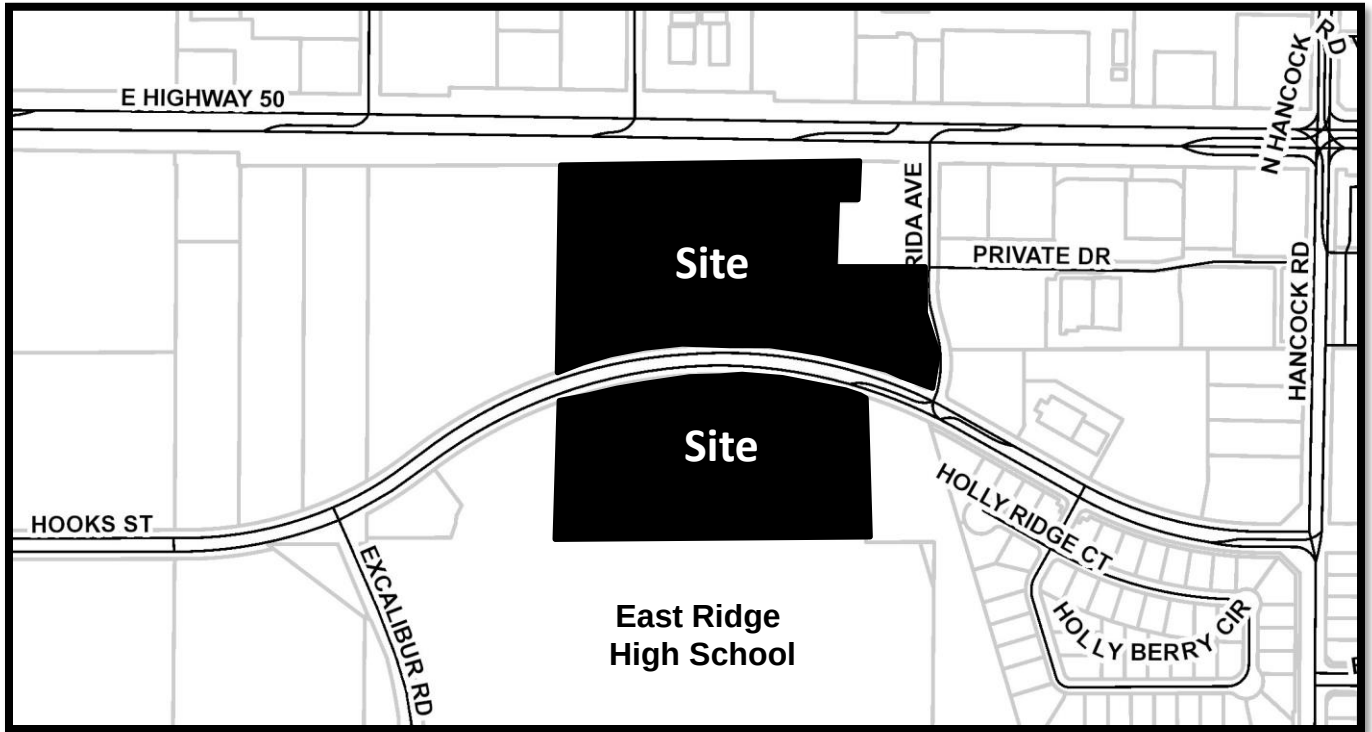
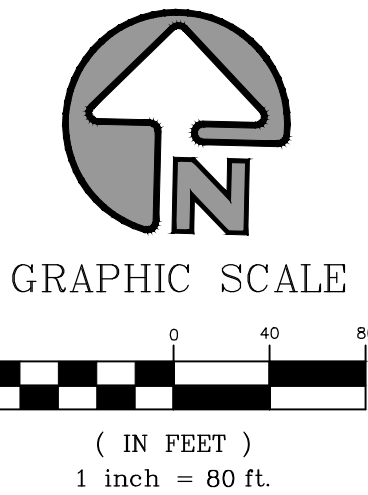
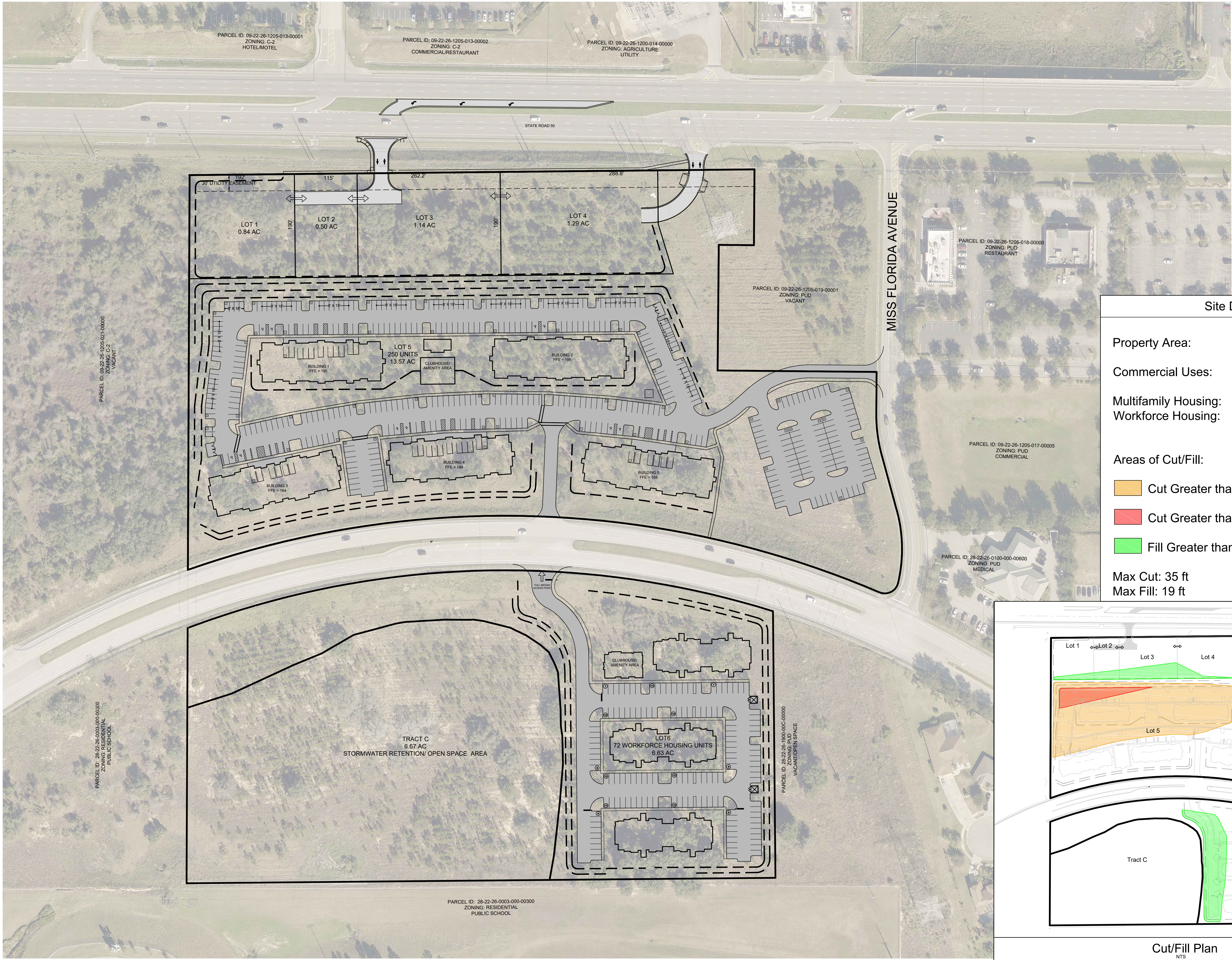


Exhibit - Location Map – The Vue PUD Rezoning Amendment

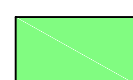




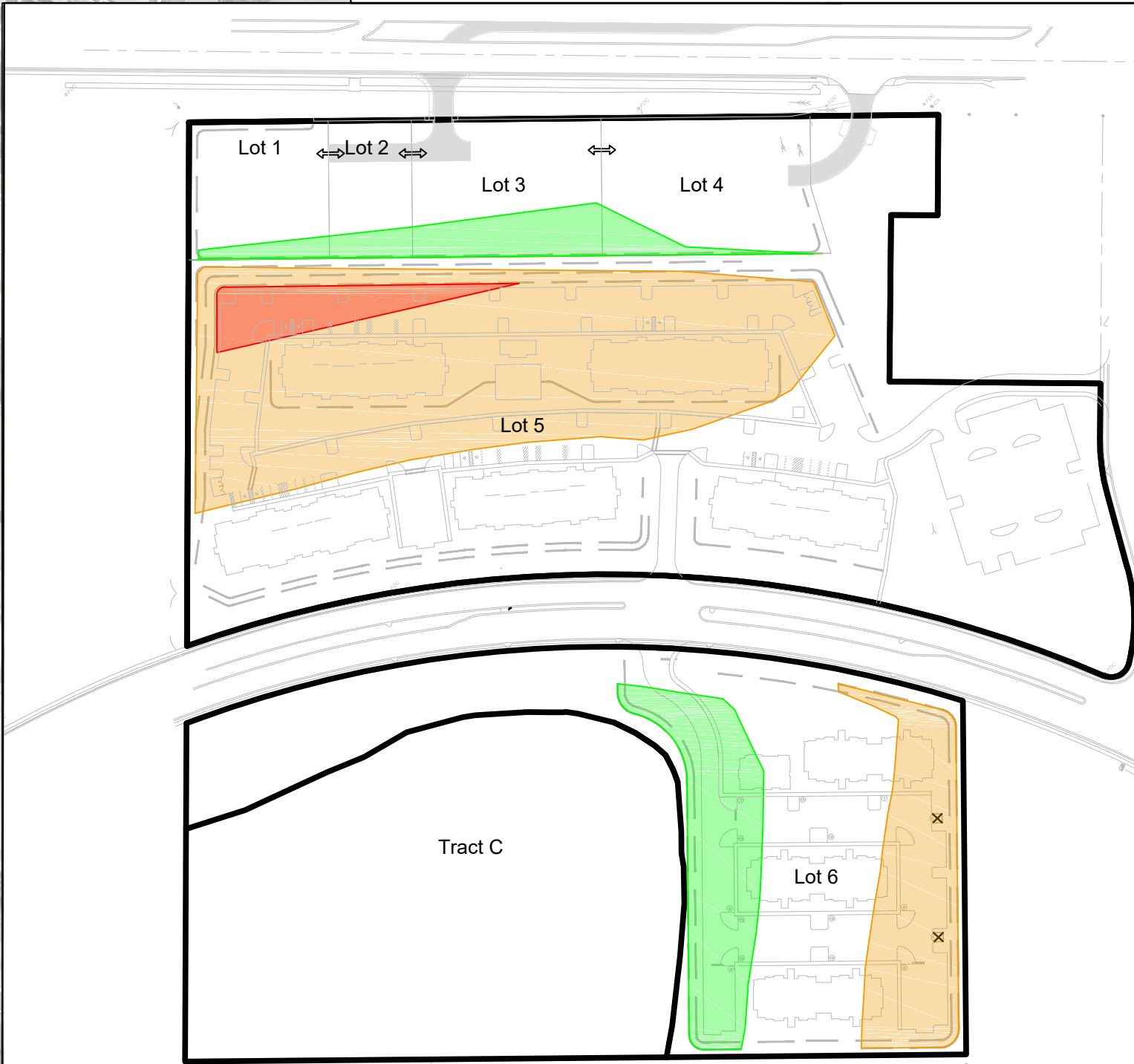
Site Data

Property Area:	30.66 ac
Commercial Uses:	30,000 sf
Multifamily Housing:	225 units
Workforce Housing:	97 units (30%) 322 units

Areas of Cut/Fill:

-  Cut Greater than 10' (19.9% of site)
-  Cut Greater than 28' (1.4% of site)
-  Fill Greater than 10' (6% of site)

Max Cut: 35 ft
Max Fill: 19 ft



Cut/Fill Plan
NTS

VUE AT CLERMONT
PUD CONCEPT PLAN

OVERALL CONCEPT/LAND USE PLAN

HEI
HIGHLAND
ENGINEERING, INC.
75 West Wilma Street
Orlando, Florida 32806
Office 407-275-7877
Fax 407-275-7901
CA No. 27612

JOB No.:	NBL-006
DESIGNED BY:	J.B.
DRAWN BY:	J.B. & J.K.
APPROVED BY:	J.B.
DATE:	9-16-2021
SHEET:	1 of 3

NOT FOR CONSTRUCTION
UNLESS SIGNED AND SEALED

DATE:

APPD BY

DESCRIPTION

DATE

REV.





CITY OF CLERMONT

Staff Analysis Report

OWNER: AC Commercial Properties I, LLC and Highway 50, LLC

APPLICANT: Jimmy D. Crawford, Esq. with Crawford, Modica & Holt, Esq.

PROJECT NAME: The Vue – 2021 Amendment

REQUESTED ACTION: The applicant has two applications under consideration. The first application is for a Small Scale Comprehensive Plan Amendment to change a portion of the property from Low Density Residential to Commercial. The second request is for an amendment to PUD Ordinance 2017-24. The applicant is requesting these amendments to: (1) grant approval to construct multi-family units on the Hooks Street frontage and (2) to add approximately 6.6 acres South of Hooks Street to the PUD to be utilized for workforce rental housing.

SIZE OF PARCEL: 30.66 +/-acres

LOCATION: Site located west of the Miss Florida Avenue and Hooks Street intersection, north and south of Hooks Street, directly north of the East Ridge High School baseball field.

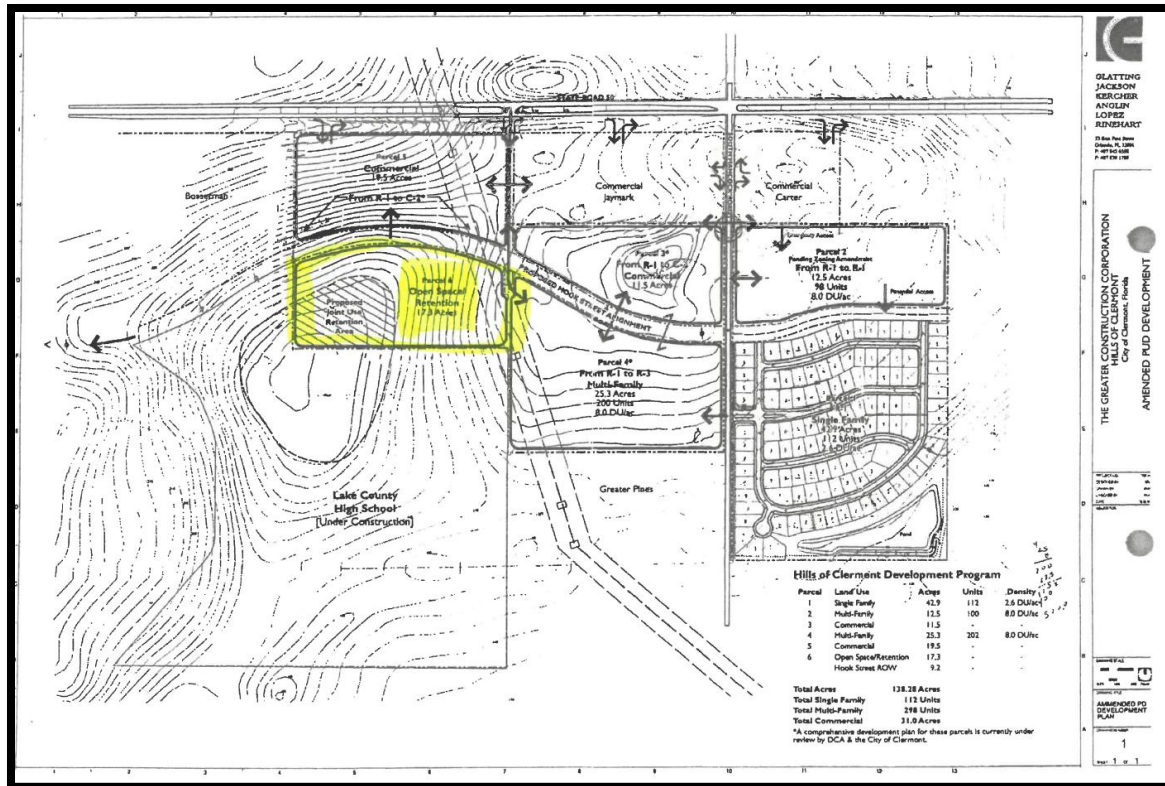
EXISTING ZONING: PUD Zoning, Ordinance 2017-24

EXISTING LAND USE: Vacant land

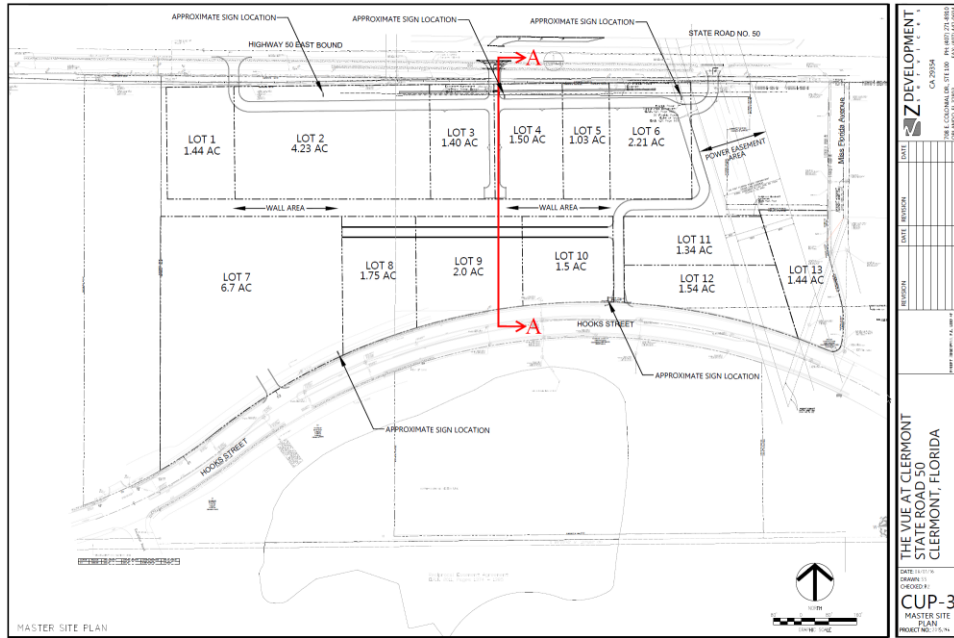
FUTURE LAND USE CATEGORY: Commercial and Low Density Residential

BACKGROUND

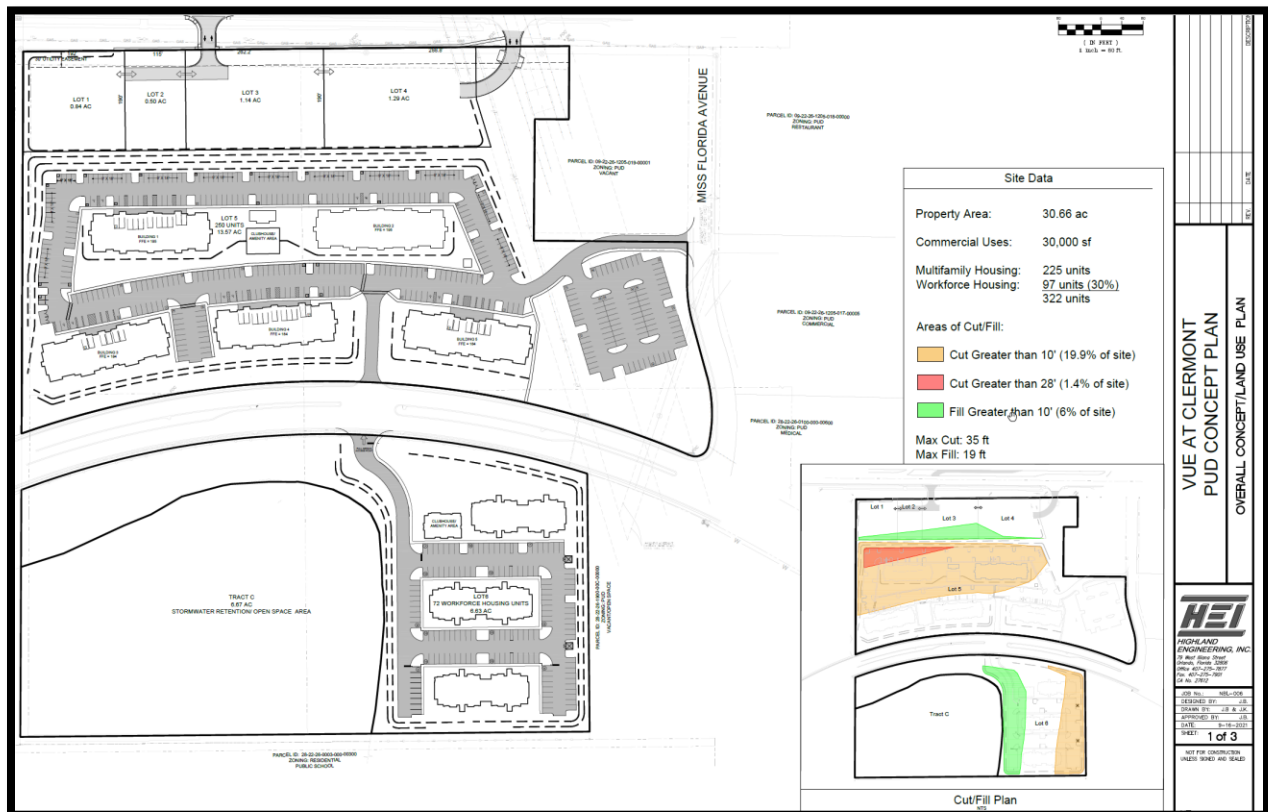
In 1998, under Resolution 1033, this property was included in a Planned Unit Development consisting of Single Family Residential and Commercial uses. The northern portion was designated for commercial use and the southern portion of Hooks Street was for stormwater/open space.



In 2016, an amendment was filed under Resolution 2016-15 to allow a mixture of multifamily and commercial on the piece north of Hooks Street along with the adjacent parcel to the west. City Council did approve this Resolution, but the owner did not move forward on construction. The owner requested to amend the development plan and in doing so, the previous multi-family permitted under Resolution 2016-15 was eliminated and the applicant was allowed C-2 General Commercial uses in the northern portion of the property. This is included in the current Ordinance 2017-24. The below site plan shows the master site plan and lots 1 through 13, which illustrates the intent to utilize the property for commercial uses. City Council added a condition in the approval stating that any development on Lots 7 through 13 would have to come back through the PUD amendment process before development could proceed.



The applicant has submitted development plans for lots 7 through 13. The proposed site plan, prepared by Highland Engineering, dated 9-20-2021, does not match up with the currently approved site plan.



A portion of a parcel to the south of Hooks Street has been included for workforce housing that does not have any entitlements and is currently designated as stormwater/open space. Moreover, the applicant is requesting several waivers to the code in order to develop this portion of the property.

Small Scale Comprehensive Plan Amendment

The applicant is requesting an amendment to the Future Land Use Map to change a portion of a piece of property from Low Density Residential to Commercial. When reviewing requests for new Commercial Future Land Use designations, the Comprehensive Plan provides the following guidance:

Objective 1.9: Commercial Land Use Category.

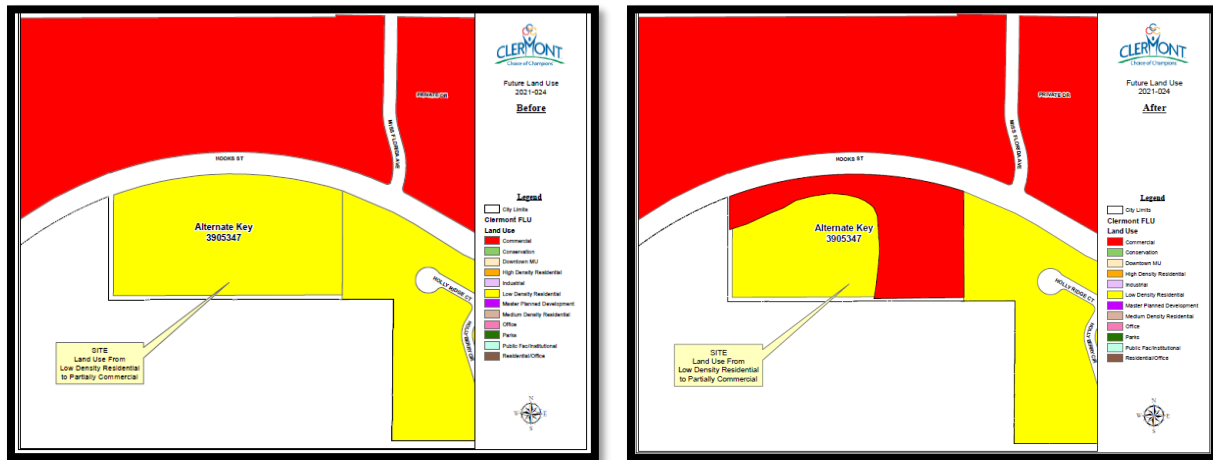
The commercial category is established to assure availability of sufficient office and commercial sites to serve the needs of the existing and projected population. In addition to office and commercial uses, residential uses are allowed, preferably as mixed-use, high-density developments, as well as supportive accessory uses, churches and schools as conditional uses, minor public utilities (i.e., telephone switching stations, lift stations, drainage infrastructure, and similar facilities), parks and open space, municipal facilities and other civic and cultural uses subject to standards and performance criteria set forth in this plan and in the land development regulations.

Policy 1.9.1: The commercial land use category shall accommodate activities such as general retail sales and services, professional and business offices, personal services and limited residential use. Based on current land use trends, the City estimates that the mix of uses will be 90 percent office and commercial uses and 10 percent residential, public facilities/institutional and recreation uses.

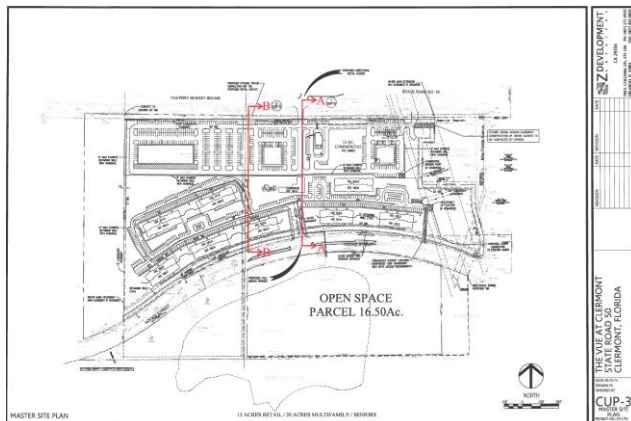
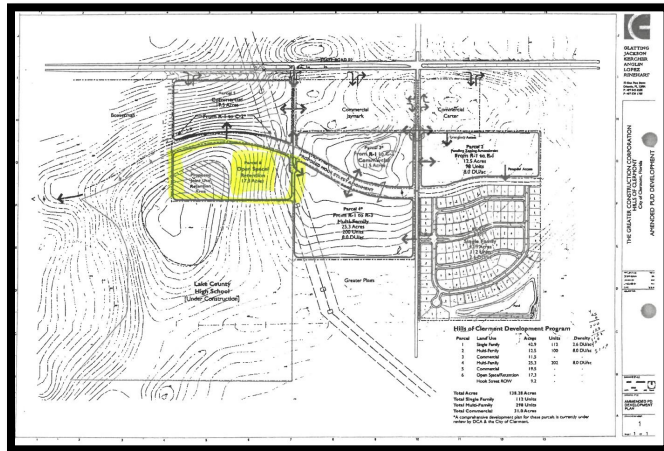
The adopted Objective and Policy from the Comprehensive Plan do not support the applicant's request to utilize approximately 50 % of the land area for residential use. Commercial FLU lands are desired for employment and non-residential support uses.

Staff has reviewed the Future Land Use amendment request and finds the application also does not meet the requirements of Section 86-226 (3), Review Criteria. The request appears to be singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of that property and to the detriment of other property owners. The current Future Land Use map clearly shows property south of Hooks Street in this corridor is Single Family Residential. The applicant is requesting only a portion of the property for a Future Land Use change to the Commercial Future Land Use. The legal description provided for the

requested amendment clearly indicates the property was carved out for the specific use of the multi-family request.



Finally, this parcel has always been designated as stormwater/open space. This is what has been conveyed to the public and staff over the years. There has been no data presented by the applicant to justify the modification of the Single Family FLU category and the elimination of the stormwater/open space designation.



PUD Amendment

The applicant is requesting a PUD amendment to add multi-family development within the project and to increase the multi-family acreage. The multi-family addition is also seeking the density bonus provision under Section 122-358 of the Land Development Code. Several waivers that were previously approved under Ordinance 2017-24 are now being increased or extended on other portions of the property along with some additional waivers being requested. These include an increase in the depth of cut and fill and the increase in acreage where they will occur along with a waiver to the density bonus section to allow the concentration of workforce housing to occur in mainly one area of the development. The multi-family project to the north will consist of four story buildings. The project to the south will consist of three story buildings. The multi-family project to the north will be a separate project from the south project and developed by two different developers. The south project is seeking funding from the Florida Housing Authority Loan Program for the workforce housing project.

The multi-family proposal will consist of 322 units with 97 units designated as workforce housing units. The applicant is proposing to use the workforce housing density bonus criteria in order to achieve the unit count as proposed and has met the minimum unit count for the workforce designation of 97 units or 30% of the overall units. However, the applicant is requesting 250 multi-family units within the project on the north side of Hooks Street and 72 multi-family units on the south side of Hooks Street. The applicant has indicated the south 72 units will all be workforce housing units. Twenty-five (25) units of the 250 units on the north side will be used for workforce housing. This is 10% of the unit count. The northern portion of the site is 13.57 acres with 250 units, thus a density of 18.4 units per acre ($250/13.57$). The southern portion of the site is 6.63 acres with 72 units, thus a density of 10.9 units per acre ($72/6.63$). While the applicant's proposal to provide workforce housing within the City is commendable, the proposed design of the development does not comply with the bonus density requirements contained in Section 122-358, primarily the inclusion of floating units throughout the project. Section 122-358 requires the housing units to be of the same quality and should not appear different and the residents must have access to the same amenities as all other residents of the project.

The applicant is proposing to segregate 90% of the overall workforce housing units in the southern project. The remaining 10 % of the workforce housing will be in the northern project. The provisions of the Workforce density bonus criteria of the Land Development Code, Section 122-358 (e), prohibits the segregation of any floating units that are permanently designated for Area Median Income (AMI) qualifying tenants and households within any housing development. The intent and purpose of the code encourages and promotes housing that is inclusionary and attainable for all households. The proposed plan, as identified, would segregate the qualified workforce housing tenants from the available market rate tenants. The Land Development Code requires

workforce housing units to be dispersed throughout the development and these units cannot be permanently designated as workforce units. This strategy allows housing for all, and prevents segregation based upon income within any project. The applicant is requesting a waiver to allow the segregation and staff is unable to support this request.

The applicant is bound by the requirements in Section 122-358 for workforce housing that is related to density bonus. If the applicant proposes to construct multi-family, including workforce housing or affordable housing, without the bonus density, the requirements in Section 122-358 would not apply. Since the applicant is seeking additional density above 12 units per acre, all the requirements in Section 122-358 would be applicable. For example, the multi-family piece north of Hooks Street is 13.57 acres. At 12 units per acre under the Commercial Future Land Use, this would equal to 162 units. The applicant is requesting 250 units.

The waivers previously approved under Ordinance 2017-24 include:

1. Elevation changes of up to 28 feet in height over the project site through the use of cut and fill.
2. Retaining wall heights up to 13 feet in height are allowed to deal with the extreme grades on the site.
3. Parking space dimensions shall be allowed at a minimum 9 feet wide by 18 feet deep for 30 percent of the parking requirements.
4. A reduced landscape buffer along Highway 50 is requested due to the presence of a large berm. The landscape buffer shall be a minimum of 10 feet in width and shall have the 30 percent more landscape required for Multi-family and C-2 uses.
5. Shopping center signs shall be allowed to extend 15 feet above the adjacent D.O.T berm (the D.O.T. berm varies in height depending on location.)

The changes in the development plan include an increase in the depth of cut on the project. Previously, the project was allowed 28 foot cut provision as a waiver. The applicant is seeking a 35 foot cut in limited areas on the site (1.4% of the site), along with keeping the original 28 foot depth. This appears to be necessary since the multi-family portion is moving more into the commercial portion of the site. The previous commercial lots (1-6) had a minimum depth from SR 50 of 250 feet. The proposed commercial lots now have 190 feet, thus this 60-foot reduction has increased the percentage of the overall parcel for the multi-family use, which in turn, is increasing the cut/fill request. In addition, the applicant is requesting the cut/fill waiver on the portion of the property south of Hooks Street. This was never presented to council for consideration in the past since this parcel was always designated as stormwater/open space. The cut/fill plan indicates that a majority of the area for the south development plan will exceed the City's 10-foot limitation. Staff is not supportive of the cut/fill increase, both in depth and in area, as well as the overall percentage use of the Commercial FLU designation for residential use.

The additional waivers being requested are:

1. Elevation changes up to 35 feet in cut and 19 feet in fill over the project site, as shown in the Cut/Fill Plan, with the inclusion of the parcel south of Hooks Street.
2. Retaining wall heights up to 13 feet in height are allowed to deal with the extreme grades on the site, with the inclusion of the parcel south of Hooks Street.
3. Elimination of the floating units of workforce housing within the project and allowing concentration of 72 units south of Hooks Street and 25 units north of Hooks Street.

The PUD application is also incomplete. The Applicant failed to include a mandatory traffic study required for the proper review of the proposal.

Summary

Staff is not supporting any of the waiver requests. The proposed amendment, through the requested increase of density on the site and the additional area, has necessitated these waiver requests. The proposal is in conflict with Section 122-343 (Workforce Housing) of the Land Development Code and cannot be approved under the existing Code language. In addition, a traffic impact analysis was not completed and reviewed in time for this staff analysis.

Finally, the applicant has requested the Future Land Use amendment from Low Density Residential to Commercial in order to increase residential density on this portion of the property, 6.63 acres, and to utilize the workforce housing density bonus in section 122-358, of the Land Development Code. Previously, this portion of the site was designated as stormwater/open space and on the site plan in Ordinance 2017-24. The Low Density Residential Future Land Use allows stormwater/open space considerations of a project and was an applicable Future Land Use. The proposed development within this area occurs on 6.63 acres, with the remaining 6.67 acres shown as open space/stormwater. The applicant is proposing 72 multi-family units on this portion of the site, which is 11 dwelling units per acre. The current Low Density Residential Future Land Use allows 3 dwelling units per acre, or a total of 19 dwelling units on the 6.63 acres.

STAFF RECOMMENDATION:

Small Scale Amendment: The staff recommends denial of the proposed amendment because it fails to comply with Policy 1.9.1 of the Future Land Use Element and Section 86-226(3) of the Land Development Code. Staff recommends denial of Ordinance No. 2021-024.

PUD Amendment: Staff has reviewed the application and proposed project in regards to Section 122-315 Review Criteria for a Planned Unit Development. The proposed project does not comply with the Land Development Regulations, specifically Section 122-358 Workforce Housing Density Bonus and general requirements for granting an amendment

to a Planned Unit Development (PUD). The segregation of housing type goes against the very principle of providing inclusive housing for all. The density and intensity of the project with the multi-family units has created the 35 foot cut request and 49 foot high staggered retaining walls in the project that does not preserve the natural topography. In addition, no traffic study was presented to analyze the impacts the development would have on the existing road network. Therefore, staff recommends **denial** of Ordinance No. 2021-025.

Clermont Multifamily

Lamar Johnson
Collaborative
© 2021

May 10th 2021

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LJC7

Siteplan

Clermont

250 Units
460 CARS
(30% Compact)
275,000 GSF
4,000 GSF Amenity





Design Vision

Clermont



Copyright © 2021 Lamar Johnson Collaborative

LJC7

Design Vision
Clermont



Copyright © 2021 Lamar Johnson Collaborative

LJC1

Design Vision
Clermont



Design Vision

Clermont



Site Section Clermont





CITY OF CLERMONT
REZONING
APPLICATION

PAID
CC (1297.00)
\$1329.43

DATE June 29, 2021		FEE: \$542.00 + cost of advertisement + cost of traffic review, if necessary	
Project Name (if applicable) The Vue - 2021 Amendment			
Applicant Jimmy D. Crawford, Esq.			
Contact Person Jimmy Crawford and Jennifer Cotch			
Address 702 W Montrose Street		City Clermont	State FL Zip 34711
Telephone 352-432-8644		Fax 352-432-8699	
Email jcrawford@cmhlawyers.com and jcotch@cmhlawyers.com			
OWNER INFORMATION			
Owner's Name AC Commercial Properties I, LLC			
Owner Address 1760 Fennell Street, Suite 200		City Maitland	State FL Zip
Telephone 407-312-6356		Email jamoore@accommercial.com	
PROPERTY INFORMATION			
Address of Subject Property Vacant land south of Hwy 50 and vacant land south of Hooks St., West of Miss Florida Blvd.		City Clermont	State FL Zip 34711
Legal Description (include copy of survey) Please see attached.			
Acreage 6.6+/-		Land Use (City verification required) Commercial and LDR (Commercial proposed)	
Present Zoning (City verification required) PUD		Proposed Zoning PUD	



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?
Amendment of existing PUD Ordinance 2017-24 to add work force housing.
Please see attached Statement of Support for more details.

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

Jimmy D. Crawford, Esq.

Applicant Name (print)

x

Applicant Name (signature)

Jonathan Moore

Owner Name (print)

x

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

**STATEMENT IN SUPPORT
LAND USE PLAN AMENDMENT
PUD ZONING APPLICATION**

THE VUE AT CLERMONT 2021 AMENDMENT

1. Applicant/
Agent: Jimmy D. Crawford, Esq.
Crawford, Modica & Holt, Esq.
702 West Montrose St.
Clermont, Florida 34711
Phone: 352/432-8644
Email: jcrawford@cmnlawyer.com
2. Owner: AC Commercial Properties I, LLC
760 Fennel Street, Suite 220
Maitland, Florida 32751
Email: jamoore@accommercial.com
3. Location: See attached legal description. South of SR 50, West of
Miss Florida Blvd, and South of Hooks Street, North of East Ridge High
School
4. Description of Change/Zoning Request.

The Vue at Clermont is an existing approved PUD (Ordinance 2017-24) approving C-2 uses on the Property. This amendment is applied for to (1) grant further approval to construct multi-family units on the Hooks Street frontage, as contemplated by Ordinance 2017-24, and (2) add approximately 6.6 acres South of Hooks Street to the PUD, to be utilized for workforce rental housing meeting the rental requirements of City Code section 128-358 – however, the owner is NOT requesting additional density beyond that allowed by the requested land use and zoning – 12 units per acre.

5. Waivers Requested in PUD:

None beyond that granted in Ordinance 2017-24.

6. See attached conceptual plan, indicating changes requested.

7. STATEMENT OF JUSTIFICATION/NEED/CHANGED CONDITIONS

It goes without restating that Central Florida, including Clermont and South Lake County, is experiencing a critical affordable housing shortage. The provision of workforce housing is a goal supported by the City Comprehensive Plan and land development regulations. The owner proposes to construct, in partnership with Provident Housing Solutions, Inc., which is the owner, developer and operator of an age-restricted affordable housing community in Clermont on Hunt Trace Blvd., and is affiliated with Woodwinds Clermont, LLC, the owner, developer and operator of a workforce housing development on Grand Highway in Clermont. The Vue workforce housing project is modeled after and will be substantially in conformance with Woodwinds.

EXHIBIT “A”
Legal Description



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
AC COMMERCIAL PROPERTIES I, LLC

Filing Information

Document Number L12000059414
FEI/EIN Number NONE
Date Filed 04/27/2012
State FL
Status ACTIVE

Principal Address

1760 FENNELL STREET
SUITE 200
MAITLAND, FL 32751

Changed: 05/11/2021

Mailing Address

1760 FENNELL STREET
SUITE 200
MAITLAND, FL 32751

Changed: 05/11/2021

Registered Agent Name & Address

MOORE, JONATHAN
710 EAST COLONIAL DR.
ORLANDO, FL 32803

Address Changed: 02/23/2015

Authorized Person(s) Detail

Name & Address

Title MGRM

MOORE, JONATHAN
1760 FENNELL STREET
SUITE 200
MAITLAND, FL 32751

Annual Reports

Report Year	Filed Date
2019	02/01/2019
2020	02/06/2020
2021	02/05/2021

Document Images

<u>02/05/2021 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/06/2020 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/01/2019 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/22/2018 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/21/2017 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/10/2016 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/23/2015 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/13/2014 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/12/2013 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/27/2012 -- Florida Limited Liability</u>	View image in PDF format

THIS INSTRUMENT WAS PREPARED BY
AND SHOULD BE RETURNED TO:

William A. Beckett, Esquire
Lowndes, Drosdick, Doster, Kantor & Reed, P.A.
215 North Eola Drive
Post Office Box 2809
Orlando, FL 32802-2809
(407) 843-4600

FOR RECORDING DEPARTMENT USE ONLY

TRUSTEE'S SPECIAL WARRANTY DEED

THIS TRUSTEE'S SPECIAL WARRANTY DEED is made and executed this 27th day of September, 2016 by MAYNARD K. KNAPP, individually and as Trustee, whose address is c/o Lowndes, Drosdick, Doster, Kantor & Reed, P.A., 215 N. Eola Drive, Orlando, Florida 32801 (hereinafter called the "Grantor"), to AC COMMERCIAL PROPERTIES I, LLC, whose address is 710 East Colonial Drive, Orlando, Florida 32803 (hereinafter called the "Grantee"):

WITNESSETH:

THAT the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee all those certain parcels of land situate in Lake County, Florida, viz:

See Exhibit "A" attached hereto and made a part hereof

Subject to taxes for the year 2016 and thereafter, and to easements, restrictions, mortgages and reservations of record, if any; this reference to such easements, restrictions and reservations shall not operate to reimpose the same.

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

TO HAVE AND TO HOLD, the same in fee simple forever.

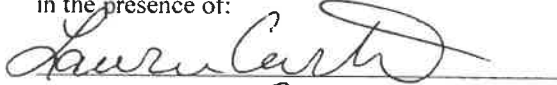
AND the Grantor hereby warrants and represents that the Property conveyed hereby is not the Grantor's homestead and, is not contiguous to Grantor's homestead.

AND the Grantor hereby covenants with said Grantee that he is lawfully seized of said land; that he hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said Grantor, but against none other.

0001972\168049\3064362\1

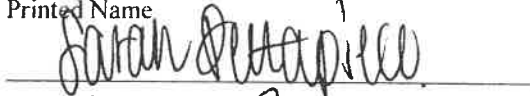
IN WITNESS WHEREOF, the Grantor has executed these presents as of the day and year first above written.

Signed, sealed and delivered
in the presence of:



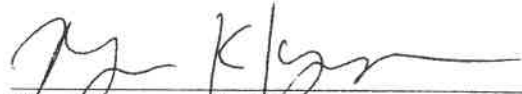
LAUREN CARTER

Printed Name



SARAH PETTAPIECE

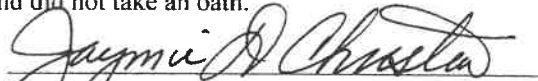
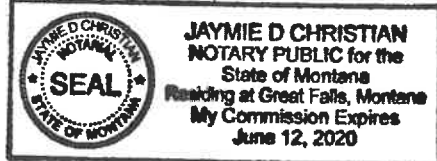
Printed Name


MAYNARD K. KNAPP, TRUSTEE

STATE OF MONTANA
COUNTY OF CASCADE

The foregoing instrument was acknowledged before me this 21 day of September, 2016 by MAYNARD K. KNAPP, Trustee. He is personally known to me or has produced COLORADO DRIVERS LICENSE as identification and did not take an oath.

(NOTARY SEAL)


Signature of Notary Public

JAYMIE D. CHRISTIAN

Typed, Printed or Stamped Name of Notary

Commission No.: 53713194 N

My Commission Expires: JUNE 12, 2020

EXHIBIT "A"

PARCEL 1 (FEE SIMPLE ESTATE)

That part of Section 28, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

Commence at the East 1/4 corner of said Section 28; thence run North 00°42'51" East along the East line of the Northeast 1/4 of said Section 28 for a distance of 664.12 feet to the Northeast corner of the South 1/4 of the Northeast 1/4 of said Section 28; thence run South 89°24'16" West along the North line of said South 1/4 for a distance of 1335.19 feet to a point on a non-tangent curve concave Westerly having a radius of 270.00 feet and a chord bearing of South 01°23'58" West and the Point of Beginning; thence run Southerly along the arc of said curve through a central angle of 23°36'59" for a distance of 111.29 feet to the point of compound curvature of a curve concave Northwesterly having a radius of 25.00 feet and a chord bearing of South 63°07'26" West; thence run Southwesterly along the arc of said curve through a central angle of 99°49'56" for a distance of 43.56 feet to the point of reverse curvature of a curve concave Southerly having a radius of 1750.00 feet and a chord bearing of North 87°56'35" West and the North right of way line of Hook Street, as described in Official Records Book 2010, Page 316, of the Public Records of Lake County, Florida; thence run Westerly along said North right of way line and the arc of said curve through a central angle of 41°57'58" for a distance of 1281.78 feet to a non-radial line and the East right of way line of an Unnamed right of way, according to the plat of LAKE HIGHLANDS COMPANY, as recorded in Plat Book 2, Page 28, of said Public Records; thence run North 00°10'52" East along said East right of way line for a distance of 718.43 feet to the South right of way line of State Road Number 50; thence run North 89°24'19" East along said South right of way line for a distance of 1127.57 feet; thence run South 89°29'29" East along said South right of way line for a distance of 120.11 feet to the West line of the East 60 feet of Tract 19, of said LAKE HIGHLANDS COMPANY; thence run South 00°26'52" West along said West line for a distance of 445.90 feet to the point of curvature of a curve concave Easterly having a radius of 280.00 feet; thence run Southerly along the arc of said curve through a central angle of 15°45'47" for a distance of 77.03 feet to the point of tangency; thence run South 15°18'56" East for a distance of 105.46 feet to the point of curvature of a curve concave Westerly having a radius of 270.00 feet and a chord bearing of South 12°51'43" East; thence run Southerly along the arc of said curve through a central angle of 04°54'24" for a distance of 23.12 feet to the Point of Beginning.

LESS AND EXCEPT therefrom that parcel conveyed by Maynard K. Knapp, individually and as Trustee to Akram Ismail, M.D., by Special Warranty Deed recorded April 17, 2015, in Official Records Book 4613, Page 945, described as follows:

A portion of the Southwest 1/4 of the Northeast 1/4 of Section 28, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

Commence at the Northeast corner of said Section 28; thence S01°07' 06" W along the East line of said Northeast 1/4, a distance of 1372.13 feet to a point; thence N89°06' 23" W, a distance of 1322.25 to a point on the South right-of-way line of State Road No. 50. (Right-of-Way varies per Right-of-Way Map Section 11070); thence continue N89°06' 23" W, a distance of 60.00 feet to the POINT OF BEGINNING; thence S00°51' 39" W, along the West right-of-way line of Miss Florida Avenue (ORB 2345, Page 748), also being parallel to and 60.00 feet West of the East line of said Southwest 1/4 of the Northeast 1/4 of Section 28 and the East line of Tract 19 of Lake Highlands Company, according to the Plat thereof as recorded in Plat Book 2, Page 28, of the Public Records of Lake County, Florida, a distance of 369.94 feet to a point; thence N89°08' 21" W, a distance of 291.58 feet to a point; thence N00°51' 39" E, a distance of 230.29 feet to a point; thence S89°08' 21" E, a distance of 64.35 feet to a point; thence N00°51' 39" E, a distance of 139.00 feet to a point on the South line of an unnamed unimproved street, also being the North line of said Tract 19; thence N89°50'25"E, along the North line of said Tract 19, a distance of 42.23 feet to a point on said South right-of-way line of State Road No. 50; thence S89°06'23"E, along said South right-of-way line of State Road 50, a distance of 185.01 feet to the POINT OF BEGINNING.

AND

THE EAST 1/2 OF THE VACATED NORTH SOUTH ROADWAY BETWEEN TRACTS 20, 21, 28, AND 29 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING NORTHERLY OF HOOK STREET, AND SOUTHERLY OF STATE ROAD NO. 50, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NE CORNER OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, THENCE S 0°17'37" W, A DISTANCE OF 1372.13 FEET; THENCE N 89°55'52" W, A DISTANCE OF 1322.25 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 50 (A VARIABLE WIDTH PUBLIC RIGHT OF WAY); THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG SAID SOUTH RIGHT OF WAY LINE, CONTINUE N 89°55'52" W, A DISTANCE OF 60.00 FEET; THENCE N 89°27'07" W, A DISTANCE OF 184.98 FEET; THENCE S 89°30'08" W, A DISTANCE OF 42.24 FEET; THENCE S 89°24'19" W, A DISTANCE OF 1020.48 FEET TO THE POINT OF BEGINNING: THENCE DEPARTING SAID SOUTH RIGHT OF WAY, RUN S 00°14'51" W, ALONG THE WEST LINE OF TRACTS 20 AND 29, A DISTANCE OF 718.43 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF HOOK STREET (A 100 FOOT WIDE PUBLIC RIGHT OF WAY) SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 1750.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°31'14", A DISTANCE OF 15.90 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S 70°52'48" W, 15.90 FEET; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, RUN N 0°14'51" E, A DISTANCE OF 723.70 FEET TO A POINT ON THE AFOREMENTIONED SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 50; THENCE N 89°28'03" E, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 15 FEET TO THE POINT OF BEGINNING.

PARCEL 2 (EASEMENT ESTATE)

Together with that certain Non-Exclusive Ingress-Egress Easement granted by Akram Ismail to Maynard K. Knapp, Trustee, to Reciprocal Easement Agreement recorded April 17, 2015, in Official Records Book 4613, Page 948, Public Records of Lake County, Florida.

PARCEL 3 (SOUTHERN PORTION)

Tract 29 and Tract 30, as shown on the Lake Highlands Company Plat of Section 28, Township 22 South, Range 26 East, recorded in Plat Book 2, Page 28, of the Public Records of Lake County, Florida; Less that portion lying within and North of the Right of Way for Hook Street.

PARCEL 5

THE EAST 1/2 OF THE VACATED NORTH SOUTH ROADWAY BETWEEN TRACTS 28, AND 29 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PLAT BOOK 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING SOUTHERLY OF HOOK STREET, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NE CORNER OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, THENCE S 0°17'37" W, A DISTANCE OF 1372.13 FEET; THENCE N 89°55'52" W, A DISTANCE OF 1322.25 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 50 (A VARIABLE WIDTH PUBLIC RIGHT OF WAY); THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG SAID SOUTH RIGHT OF WAY LINE, CONTINUE N 89°55'52" W, A DISTANCE OF 60.00 FEET; THENCE N 89°27'07" W, A DISTANCE OF 184.98 FEET; THENCE S 89°30'08" W, A DISTANCE OF 42.24 FEET; THENCE S 89°24'19" W, A DISTANCE OF 1020.48 FEET; THENCE DEPARTING SAID SOUTH RIGHT OF WAY, RUN S 00°14'51" W, ALONG THE WEST LINE OF TRACTS 20 AND 29, A DISTANCE OF 824.65 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF HOOK STREET (A 100 FOOT WIDE PUBLIC RIGHT OF WAY); THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, RUN S 0°14'51" W, ALONG THE WEST LINE OF SAID TRACT 29, A DISTANCE OF 473.42 FEET TO THE SOUTHWEST CORNER OF SAID

TRACT 29; THENCE S 89°28'17" W, A DISTANCE OF 15.00 FEET TO THE SOUTHEAST CORNER OF AFOREMENTIONED TRACT 28; THENCE N 0°14'51" E, ALONG THE EAST LINE OF SAID TRACT 28, A DISTANCE OF 467.99 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF AFOREMENTIONED HOOK STREET, SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 1650.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°33'23", A DISTANCE OF 16.02 FEET, TO THE POINT OF BEGINNING, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 69°39'14" E, 16.02 FEET.

EXHIBIT "A"

Description of Properties

Parcel ID: 09-22-26-1205-019-00000

Legal Description:

A PORTION OF TRACTS 29 AND 30, MAP OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST LAKE COUNTY FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE(S) 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE SOUTH 01 07'06" WEST ALONG THE EAST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1372.13 FEET TO A POINT; THENCE NORTH 89 06'23" WEST, A DISTANCE OF 1322.25 TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50. (RIGHT-OF-WAY VARIES PER RIGHT-OF-WAY MAP SECTION 11070), SAID POINT BEING THE NORTHEAST CORNER OF SAID TRACT 19; NORTH 89 29'29" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, SAID RIGHT-OF-WAY LINE ALSO BEING THE NORTH LINE OF AFORESAID TRACT 19, A DISTANCE OF 247.61 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50; THENCE DEPARTING SAID NORTH LINE OF TRACT 19 AND CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50, AS IT CURRENTLY EXISTS, RUN SOUTH 89 25'03" WEST, A DISTANCE OF 13.22 FEET TO A POINT, THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE RUN SOUTH 00 31'43" EAST, A DISTANCE OF 810.31 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HOOK STREET, ACCORDING TO OFFICIAL RECORD BOOK 2010, PAGE 316 AS DESCRIBED IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING;

THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE RUN SOUTH 00 31'43" EAST, A DISTANCE OF 488.84 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT 30; THENCE ALONG SAID SOUTH LINE OF TRACT 30 RUN SOUTH 89 28'17" WEST, A DISTANCE OF 414.01 FEET TO A POINT ON THE LIMITS OF EXHIBIT "F", ACCORDING TO OFFICIAL RECORD BOOK 2011, PAGES 1374 - 1385, AS DESCRIBED IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID EXHIBIT "F" RUN THE FOLLOWING NINETEEN (19) COURSES AND DISTANCES:

(1) NORTH 10 08' 26"E, A DISTANCE OF 44.71 FEET; (2) NORTH 06 25' 18" EAST, A DISTANCE OF 96.44 FEET; (3) NORTH 04 35' 47" EAST, A DISTANCE OF 73.34 FEET; (4) NORTH 01 13' 39" WEST, A DISTANCE OF 50.70 FEET; (5) NORTH 08 35' 38" WEST, A DISTANCE OF 18.39 FEET; (6) NORTH 00 49' 27" WEST, A DISTANCE OF 31.39 FEET; (7) NORTH 04 06' 29" WEST, A DISTANCE OF 67.50 FEET; (8) NORTH 24 32' 13" WEST, A DISTANCE OF 40.66 FEET; (9) NORTH 48 54' 30" WEST, A DISTANCE OF 20.21 FEET; (10) NORTH 56 25' 05" WEST, A DISTANCE OF 31.65 FEET; THENCE RUN (11) NORTH 64 21' 22" WEST, A DISTANCE OF 32.96 FEET; (12) NORTH 76 08' 43" WEST, A DISTANCE OF 49.91 FEET; THENCE RUN (14) NORTH 84 09' 50" WEST, A DISTANCE OF 73.93 FEET; (15) SOUTH 82 00' 50" WEST, A DISTANCE OF 88.19 FEET; THENCE RUN (16) SOUTH 74 59' 30" WEST, A DISTANCE OF 79.78 FEET; (17) SOUTH 59 52' 00" WEST, A DISTANCE OF 67.76 FEET; THENCE RUN (17) SOUTH 67 38' 10" WEST, A DISTANCE OF 55.50 FEET; (18) SOUTH 65 13' 47" WEST, A DISTANCE OF 125.15 FEET; THENCE RUN (19) SOUTH 72 17' 15" WEST, A DISTANCE OF 85.35 FEET TO A POINT SAID POINT BEING A POINT ON THE CENTERLINE OF AN UNNAMED RIGHT-OF-WAY, MAP OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST LAKE COUNTY FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE(S) 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING VACATED PER CITY ORDINANCE NUMBER. 2016-21;

THENCE DEPARTING SAID LINE OF EXHIBIT "F", AND ALONG SAID CENTERLINE OF VACATED UNNAMED RIGHT-OF-WAY RUN NORTH 00 15'44" EAST, A DISTANCE OF 146.25 FEET TO A POINT ON THE AFORESAID SOUTH RIGHT-OF-WAY LINE OF HOOK STREET, SAID POINT BEING A POINT ON A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 1650.00 FEET, TOGETHER WITH A CHORD BEARING OF NORTH 88 38'03" EAST AND DISTANCE OF 1073.30, AND A CENTRAL ANGLE OF 37 57'48"; THENCE DEPARTING SAID CENTERLINE AND ALONG SAID SOUTH RIGHT-OF-WAY LINE RUN ALONG SAID CURVE A DISTANCE OF 1093.26 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING.

CONTAINING 288,770.80 SQ. FT. OR 6.63 ACRES

PROPERTY RECORD CARD

General Information

Name:	AC COMMERCIAL PROPERTIES I LLC	Alternate Key:	3905347
Mailing Address:	1760 FENNELL ST STE 200 MAITLAND, FL 32751 Update Mailing Address	Parcel Number: 📍	09-22-26-1205-029-00000
		Millage Group and City:	000C (CLERMONT)
		2020 Total Certified Millage Rate:	17.0762
		Trash/Recycling/Water/Info:	My Public Services Map 📍
Property Location:	HOOKS ST CLERMONT FL 34711 Update Property Location 📍	Property Name:	-- Submit Property Name 📍
		School Information:	School Locator & Bus Stop Map 📍 School Boundary Maps 📍
Property Description:	CLERMONT, LAKE HIGHLANDS 28-22-26 THAT PART OF TRACTS 29 & 30 LYING S'LY OF HOOK STREET--LESS E 237 FT OF TRACT 30--E 1/2 OF VACATED STREET LYING W OF ABOVE PARCEL PB 2 PG 28 ORB 4853 PG 619		
NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.			

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class	Value	Land Value
1	TIMBER S I 70 (5400)	0	0	TIMBER	13	AC		\$4,550.00	\$175,500.00

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

Miscellaneous Improvements

There is no improvement information to display.

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description above and/or recorded and indexed with the Clerk of Court. [Follow this link to search all documents by owner's name.](#)

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
4853 / 619	9/27/2016	Warranty Deed	Multi-Parcel	Vacant	\$1,530,000.00

[Click here to search for mortgages, liens, and other legal documents.](#) 📍

Values and Estimated Ad Valorem Taxes 📍

Values shown below are 2021 WORKING VALUES that are subject to change until certified.
The Market Value listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC GENERAL FUND	\$175,500	\$4,550	\$4,550	5.03270	\$22.90

LAKE COUNTY MSTU AMBULANCE	\$175,500	\$4,550	\$4,550	0.46290	\$2.11
SCHOOL BOARD STATE	\$175,500	\$4,550	\$4,550	3.70100	\$16.84
SCHOOL BOARD LOCAL	\$175,500	\$4,550	\$4,550	2.99800	\$13.64
CITY OF CLERMONT	\$175,500	\$4,550	\$4,550	4.20610	\$19.14
ST JOHNS RIVER FL WATER MGMT DIST	\$175,500	\$4,550	\$4,550	0.22870	\$1.04
LAKE COUNTY VOTED DEBT SERVICE	\$175,500	\$4,550	\$4,550	0.11000	\$0.50
LAKE COUNTY WATER AUTHORITY	\$175,500	\$4,550	\$4,550	0.33680	\$1.53
				Total: 17.0762	Total: \$77.70

Exemptions Information

This property is benefitting from the following exemptions with a checkmark ✓

Homestead Exemption (first exemption up to \$25,000)	Learn More View the Law
Additional Homestead Exemption (up to an additional \$25,000)	Learn More View the Law
Limited Income Senior Exemption (applied to county millage - up to \$50,000)	Learn More View the Law
Limited Income Senior Exemption (applied to city millage - up to \$25,000)	Learn More View the Law
Limited Income Senior 25 Year Residency (county millage only-exemption amount varies)	Learn More View the Law
Widow / Widower Exemption (up to \$500)	Learn More View the Law
Blind Exemption (up to \$500)	Learn More View the Law
Disability Exemption (up to \$500)	Learn More View the Law
Total and Permanent Disability Exemption (amount varies)	Learn More View the Law
Veteran's Disability Exemption (\$5000)	Learn More View the Law
Veteran's Total and Permanent Disability Exemption (amount varies)	Learn More View the Law
Veteran's Combat Related Disability Exemption (amount varies)	Learn More View the Law
Deployed Servicemember Exemption (amount varies)	Learn More View the Law
First Responder Total and Permanent Disability Exemption (amount varies)	Learn More View the Law
Surviving Spouse of First Responder Exemption (amount varies)	Learn More View the Law
Conservation Exemption (amount varies)	Learn More View the Law
Tangible Personal Property Exemption (up to \$25,000)	Learn More View the Law
Religious, Charitable, Institutional, and Organizational Exemptions (amount varies)	Learn More View the Law
Economic Development Exemption	Learn More View the Law
Government Exemption (amount varies)	Learn More View the Law

Exemption Savings 📊

The exemptions marked with a ✓ above are providing a tax dollar savings of: **\$0.00**

Assessment Reduction Information (3% cap, 10% cap, Agricultural, Portability, etc.)

This property is benefitting from the following assessment reductions with a checkmark ✓

Save Our Homes Assessment Limitation (3% assessed value cap)

[Learn More](#) [View the Law](#)

Save Our Homes Assessment Transfer (Portability)

[Learn More](#) [View the Law](#)

Non-Homestead Assessment Limitation (10% assessed value cap)

[Learn More](#) [View the Law](#)

Conservation Classification Assessment Limitation

[Learn More](#) [View the Law](#)

✓ Agricultural Classification

[Learn More](#) [View the Law](#)

NOTE: Should a determination be made that a property no longer meets the criteria for a bona fide agricultural purpose, a formal denial will be mailed on or before July 1 of the applicable tax year.

Assessment Reduction Savings

The assessment reductions marked with a ✓ above are providing a tax dollar savings of: **\$2,919.18**

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

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Property data last updated on June 20, 2021.
Site Notice

CITY OF CLERMONT
ORDINANCE No. 2017-24

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

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

PARCEL 1 (FEE SIMPLE ESTATE)

That part of Section 28, Township 22 South, Range 26 East, Lake County, Florida, described as follows: Commence at the east 1/4 corner of said Section 28; thence run north 00°42'51" east along the east line of the northeast 1/4 of said Section 28 for a distance of 664.12 feet to the northeast corner of the south 1/4 of the northeast 1/4 of said Section 28; thence run south 89°24'16" west along the north line of said south 1/4 for a distance of 1335.19 feet to a point on a non-tangent curve concave westerly having a radius of 270.00 feet and a chord bearing of south 01°23'58" west and the Point of Beginning; thence run southerly along the arc of said curve through a central angle of 23°36'59" for a distance of 111.29 feet to the point of compound curvature of a curve concave northwesterly having a radius of 25.00 feet and a chord bearing of south 63°07'26" west; thence run southwestly along the arc of said curve through a central angle of 99°49'56" for a distance of 43.56 feet to the point of reverse curvature of a curve concave southerly having a radius of 1750.00 feet and a chord bearing of north 87°56'35" west and the north right of way line of Hook Street, as described in ORB 2010, Page 316, of the Public Records of Lake County, Florida; thence run westerly along said north right of way line and the arc of said curve through a central angle of 41°57'58" for a distance of 1281.78 feet to a non-radial line and the east right of way line of an unnamed right of way, according to the plat of Lake Highlands Company, as recorded in PB 2, Page 28, of said Public Records; thence run north 00°10'52" east along said east right of way line for a distance of 718.43 feet to the south right of way line of Highway 50; thence run north 89°24'19" east along said south right of way line for a distance of 1127.57 feet; thence run south 89°29'29" east along said south right of way line for a distance of 150.11 (120.11) feet to the west line of the east 60 feet of Tract 19, of said Lake Highlands Company; thence run south 00°26'52" west along said west line for a distance of 445.90 feet to the point of curvature of a curve concave easterly having a radius of 280.00 feet; thence run southerly along the arc of said curve through a central angle of 15°45'47" for a distance of 77.03 feet to the point of tangency; thence run south 15°18'56" east for a distance of 105.46 feet to the point of curvature of a curve concave westerly

CITY OF CLERMONT
ORDINANCE No. 2017-24

having a radius of 270.00 feet and a chord bearing of south 12°51'43" east; thence run southerly along the arc of said curve through a central angle of 04°54'24" for a distance of 23.12 feet to the Point of Beginning.

LESS AND EXCEPT therefrom that parcel conveyed by Maynard K. Knapp, individually and as Trustee to Akram Ismail, M.D., by Special Warranty Deed recorded April 17, 2015, in ORB 4613, Page 945, described as follows: A portion of the southwest 1/4 of the northeast 1/4 of Section 28, Township 22 South, Range 26 East, Lake County, Florida, described as follows: Commence at the northeast corner of said Section 28; thence S01°07'06"W along the east line of said northeast 1/4, a distance of 1372.13 feet to a point; thence N89°06'23"W, a distance of 1322.25 to a point on the south right-of-way line of Highway 50. (Right-of-way varies per right-of-way map Section 11070); thence continue N89°06'23"W, a distance of 60.00 feet to the Point of Beginning; thence S00°51'39"W, along the west right-of-way line of Miss Florida Avenue (ORB 2345, Page 748), also being parallel to and 60.00 feet west of the east line of said southwest 1/4 of the northeast 1/4 of Section 28 and the east line of Tract 19 of Lake Highlands Company, according to the plat thereof as recorded in PB 2, Page 28, of the Public Records of Lake County, Florida, a distance of 369.94 feet to a point; thence N89°08'21"W, a distance of 291.58 feet to a point; thence N00°51'39"E, a distance of 230.29 feet to a point; thence S89°08'21"E, a distance of 64.35 feet to a point; thence N00°51'39"E, a distance of 139.00 feet to a point on the south line of an unnamed unimproved street, also being the north line of said Tract 19; thence N89°50'25"E, along the north line of said Tract 19, a distance of 42.23 feet to a point on said south right-of-way line of Highway 50; thence S89°06'23"E, along said south right-of-way line of Highway 50, a distance of 185.01 feet to the Point of Beginning.

Containing 744,665 Sq. Ft. of 17.100 Acres more or Less.

PARCEL 2 (EASEMENT ESTATE)

Together with that certain Non-Exclusive Ingress-Egress Easement granted by Akram Ismail to Maynard K. Knapp, Trustee, to Reciprocal Easement Agreement recorded April 17, 2015, in ORB 4613, Page 948, Public Records of Lake County, Florida.

PARCEL 3 (SOUTHERN PORTION)

Tract 29 and Tract 30, as shown on the Lake Highlands Company Plat of Section 28, Township 22 South, Range 26 East, recorded in PB 2, Page 28, of the Public Records of Lake County, Florida; Less that portion lying within and north of the right of way for Hook Street.

SECOND SURVEY

That portion of the north/south roadway between Tracts 20, 21, 28, and 29 as shown on the Lake Highland's Company plat of Section 28, Township 22 South, Range 26 East, recorded in PB 2, Page 28, Public Records of Lake County, Florida; lying northerly of Hook Street, and southerly of Highway 50, being more particularly described as follow: Commence at the NE corner of Section 28, Township 22 South, Range 26 East, Lake County, Florida, thence S 0°17'37" W, a distance of 1372.13 feet; thence N 89°55'52" W, a distance of 1322.25 feet to a point on the south right of way line of Highway 50 (a variable width public right of way); thence the following four (4) courses and distances along said south right of way line, continue N 89°55'52" W, a distance of 60.00 feet; thence N 89°27'07" W, a distance of 184.98 feet; thence S 89°30'08" W, a distance of 42.24 feet; thence S 89°24'19" W, a distance of 1020.48 feet to the point of beginning; thence departing said south right of way, run S 00°14'51" W, along the west line of Tracts 20 and 29, a distance of 718.43 feet to a point on the northerly right of way line of Hook Street (A 100 foot wide public right of way) said point also being on a non-tangent curve, concave southeasterly, and having a radius of

CITY OF CLERMONT
ORDINANCE No. 2017-24

1750.00 feet; thence southwesterly along the arc of said curve, through a central angle of 01°02'34", a distance of 31.85 feet, said curve being subtended by a chord bearing and distance of S 70°37'05" W, 31.85 feet; thence departing said north right of way line, run N 0°14'51" E, a distance of 728.72 feet to a point on the aforementioned southerly right of way line of Highway 50; thence N 89°28'03" E, along said north right of way line, a distance of 30.00 feet to the point of beginning.

Containing 0.50 acre, more or less

THIRD SURVEY

That portion of the north/south roadway between Tracts 28, and 29 as shown on the Lake Highland's Company plat of Section 28, Township 22 South, Range 26 East, recorded in PB 2, Page 28, Public Records of Lake County, Florida; lying northerly of Hook Street, and southerly of Highway 50, being more particularly described as follow: commence at the NE corner of Section 28, Township 22 South, Range 26 East, Lake County, Florida; thence S 0°17'37" W, a distance of 1372.13 feet; thence N 89°55'52" W, a distance of 1322.25 feet to a point on the south right of way line of Highway 50 (A variable width public right of way); thence the following four (4) courses and distances along said south right of way line, continue N 89°55'52" W, a distance of 60.00 feet; thence N 89°27'07" W, a distance of 184.98 feet; thence S 89°30'08" W, a distance of 42.24 feet; thence S 89°24'19" W, a distance of 1020.48 feet; thence departing said south right of way, run S 00°14'51" W, along the west line of Tracts 20 and 29, a distance of 824.65 feet to a point on the southerly right of way line of Hook Street (A 100 foot wide public right of way); thence departing said southerly right of way line, run S 0°14'51" W, along the west line of said Tract 29, a distance of 473.42 feet to the southwest corner of said Tract 29; thence S 89°28'17" W, a distance of 30.00 feet to the southeast corner of aforementioned Tract 28; thence N 0°14'51" E, along the east line of said Tract 28, a distance of 462.39 feet to a point on the southerly right of way line of aforementioned Hook Street, said point also being on a non-tangent curve, concave southeasterly, and having a radius of 1650.00 feet; thence southwesterly along the arc of said curve, through a central angle of 01°06'54", a distance of 32.11 feet, to the point of beginning, said curve being subtended by a chord bearing and distance of N 69°22'29" E, 32.11 feet.

Containing 0.32 acres, more or less

FOURTH SURVEY

Tracts 21 and 28 as shown on the Lake Highland's Company plat of Section 28, Township 22 South, Range 26 East, recorded in PB 2, Page 28, Public Records of Lake County, Florida; less that portion of Tract 28, lying south of Hook Street, (County District NO. 2-1346).

LOCATION

South of Highway 50, west of Miss Florida Avenue
Alternate keys 1028272 & 3334566

To amend the Planned Unit Development

SECTION 2 - General Conditions:

This application for a Planned Unit Development to allow for a multi-family residential Planned Unit Development along with C-2 General Commercial uses; be granted subject to the following conditions:

1. The conditions as set forth in this Planned Unit Development shall be legally binding upon any heirs, assigns and successors in title or interest.
2. The property shall be developed in substantial accordance with the Site Plan prepared by Z Development Services, dated 8-01-16, Overall Site Plan. Formal construction plans incorporating all conditions stated in this permit shall be submitted for review and approved by the Site Review Committee prior to the issuance of a zoning clearance or other development permits.
3. 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.

SECTION 3 - Land Uses and Specific Conditions:

1. The property south of Highway 50 and north of Hooks Street will be permitted for C-2 General Commercial use with one (1) retailer greater than 20,000 square feet and less than 100,000 square feet.
2. Setbacks for Multi-family and Commercial
From Highway 50 50 feet from the property line
From Hooks Street: 50 feet from the property line
Side: 12 feet from the property line
Rear: 25 feet from the property line
3. Driveway access and parking for the C-2 General Commercial portion may be below the centerline of Highway 50 and will be subject to the approval of the City Engineer.
4. The project may have elevation changes of up to 28 feet in height over the project site through the use of cut and fill. These changes will be submitted to the City Engineer at the time of final engineering.
5. Retaining wall heights up to 13 feet in height are allowed to deal with the extreme grades on the site.

6. Parking space dimensions shall be allowed at a minimum 9 feet wide by 18 feet deep for 30 percent of parking requirements.
7. A reduced landscape buffer along Highway 50 is requested due to the presence of a large berm. The landscape buffer shall be a minimum of 10 feet in width and shall have the 30 percent more landscape required for Multi-family and C-2 uses.
8. The project shall be developed according to the C-2 General Commercial zoning designation in the Land Development Code, unless expressly stated above.
9. Automotive dealerships and/or auto parts sales shall not be an allowed use within this Planned Unit Development without an amendment.
10. Cross-access easements with the adjoining eastern property owner from the existing Duke Energy curb cut along Highway 50 shall be provided subject to Duke Energy approval.
11. Required landscape buffering within the Duke Energy easement may be omitted with proper documentation from Duke Energy.
12. Retaining wall terraces with a height of 40 feet or greater shall incorporate one 20 foot landscape terrace at the mid way point to allow for larger plantings to buffer the tall walls.
13. Shopping center signs shall be allowed to extend 15 feet above the adjacent D.O.T. berm. (the D.O.T. berm varies in height depending on location.)
14. Any future development on parcels 7 through 13 (south side of project) require a PUD amendment to be approved by City Council.

SECTION 4:

All Ordinances or parts of this Ordinance in conflict herewith are hereby repealed.

SECTION 5:

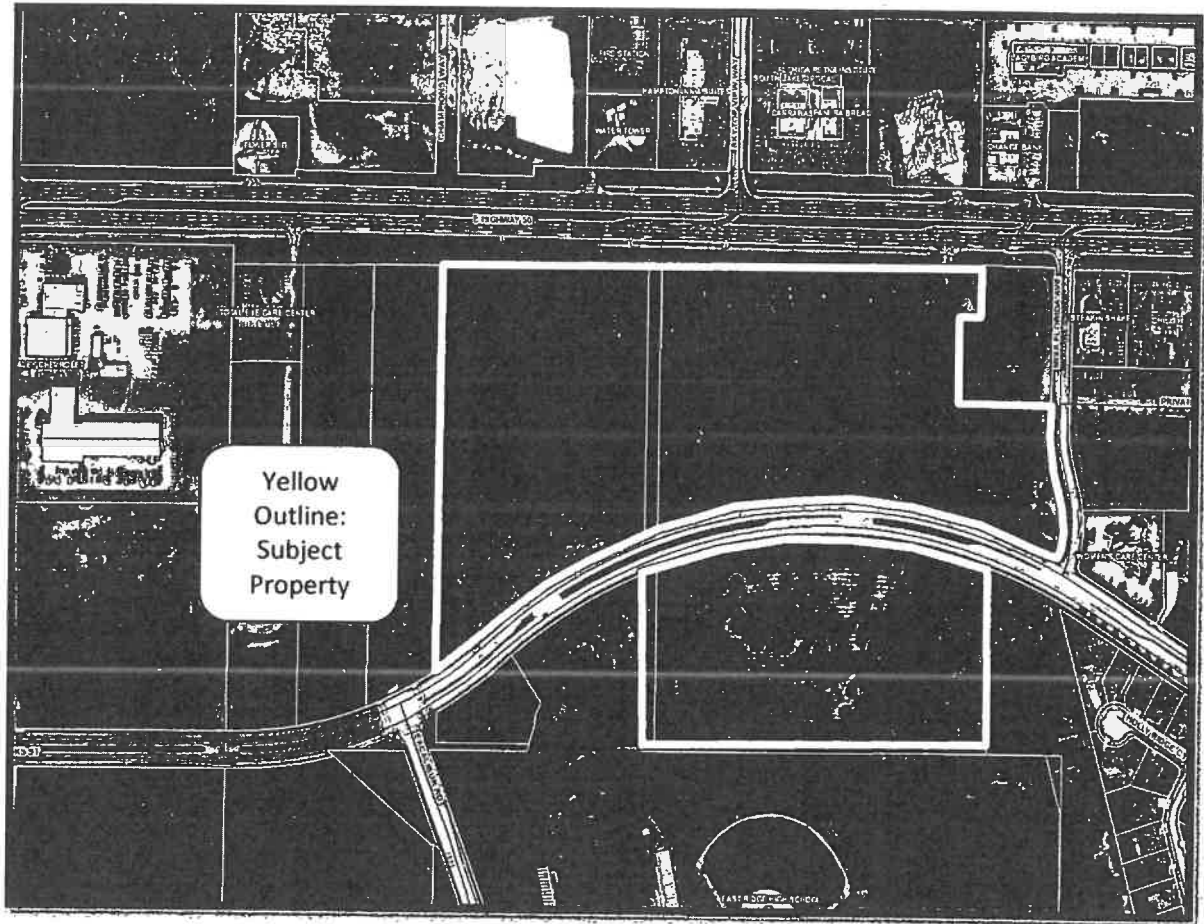
Should any Section or part of this Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply to or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be inseparable in meaning and effect from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

SECTION 6:

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. 2017-24

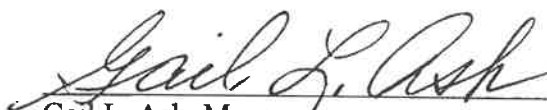
Location map:



CITY OF CLERMONT
ORDINANCE No. 2017-24

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County,
Florida on this 13th day of June, 2017.

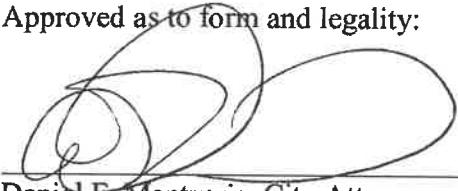
CITY OF CLERMONT

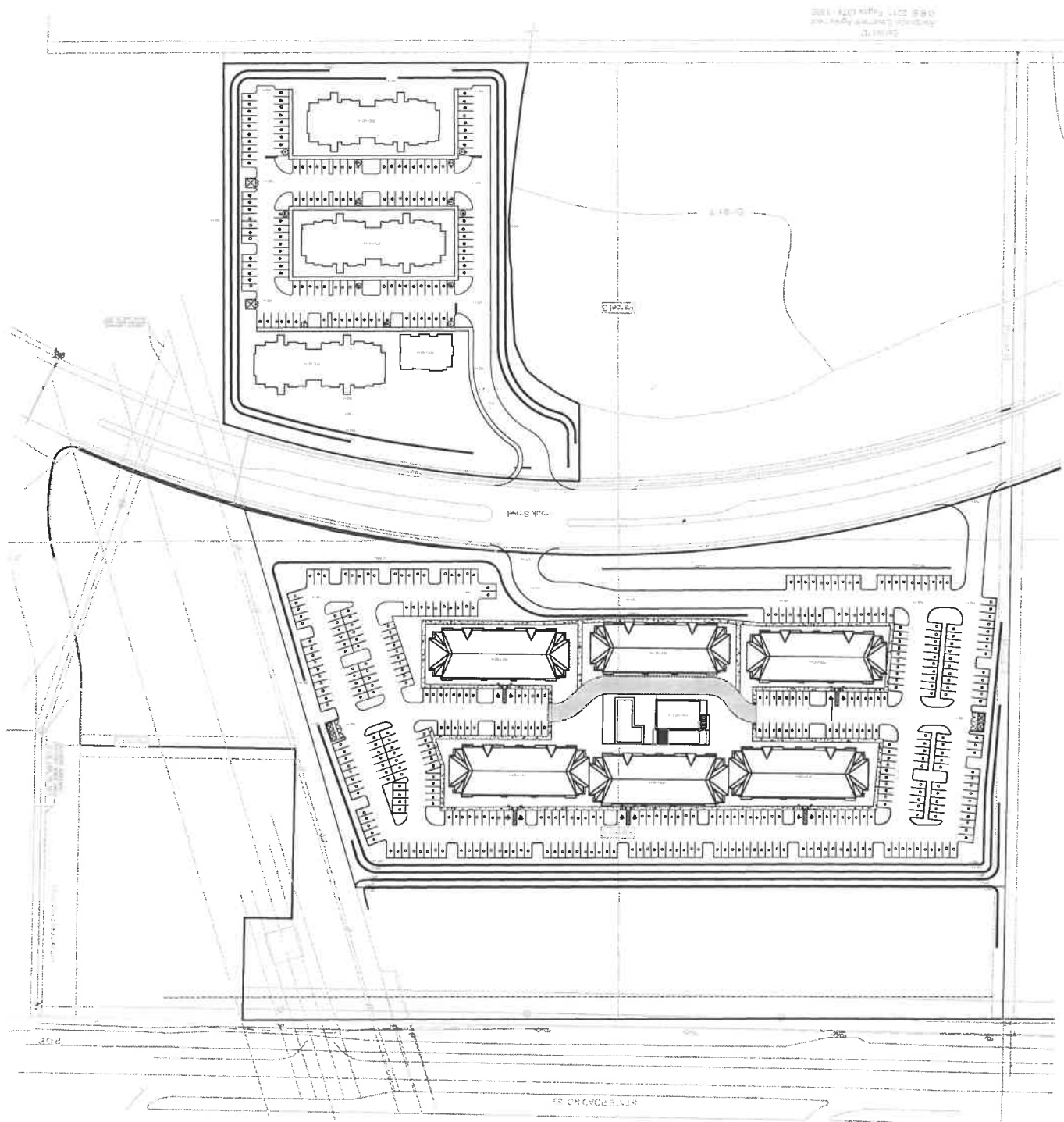

Gail L. Ash, Mayor

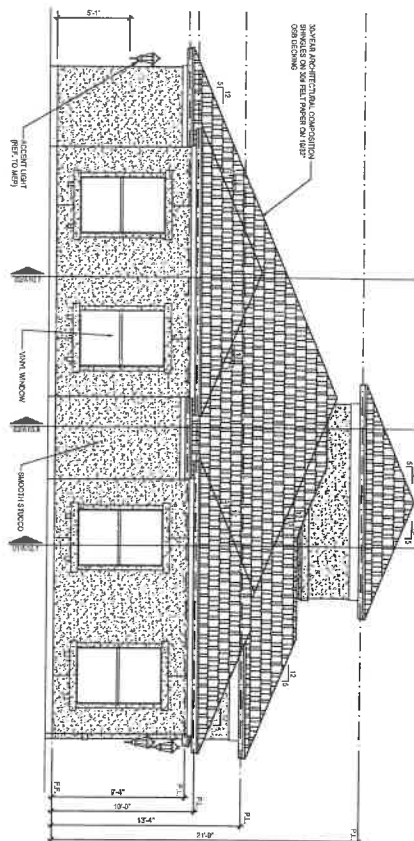
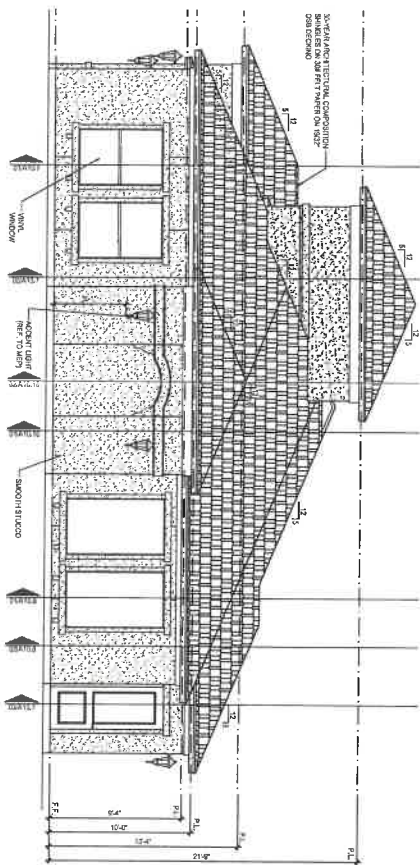

ATTEST


Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:


Daniel F. Mantzaris, City Attorney



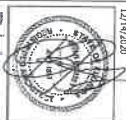
$1/4^{\circ} = 150^{\circ}$ 
$$1/4'' = 1'-0''$$


PRELIMINARY ONLY
NOT FOR CONSTRUCTION

PLATEAU VILLAGE
LAKELAND, FLORIDA

ARCHITECT:
CROSS ARCHITECTS, PLLC
879 JUNCTION DRIVE
ALLEN, TEXAS 75013
P: 972.398.6644
WWW.CROSSARCHITECTS.COM

Turnstone



ISSUED FOR:
FINAL BID SET

SHEET NUMBER

A10.5

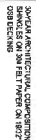
CLUBHOUSE
EXTERIOR
ELEVATIONS

COPYRIGHT © 2000

02
1/4" = 1'-0"



1/4" = 1'-0"



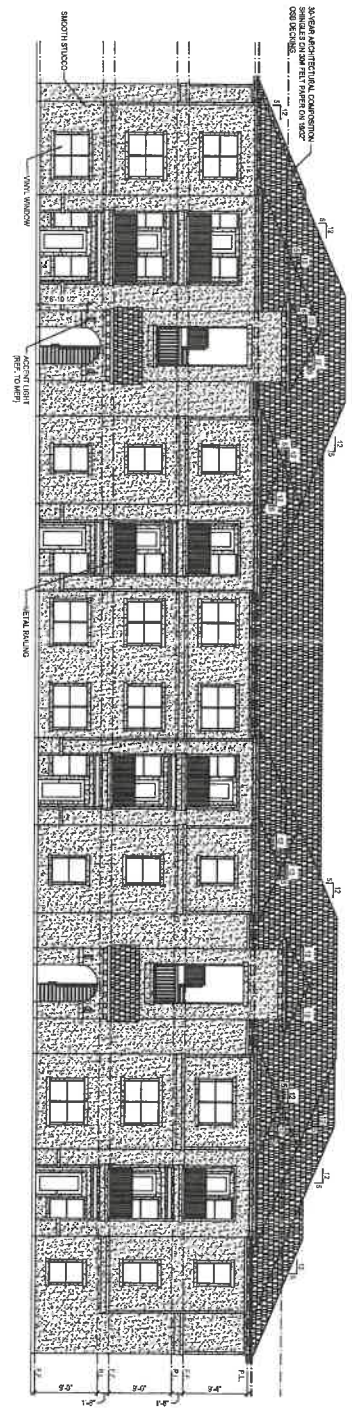
PRELIMINARY ONLY
NOT FOR CONSTRUCTION

PLATEAU VILLAGE
LAKELAND, FLORIDA

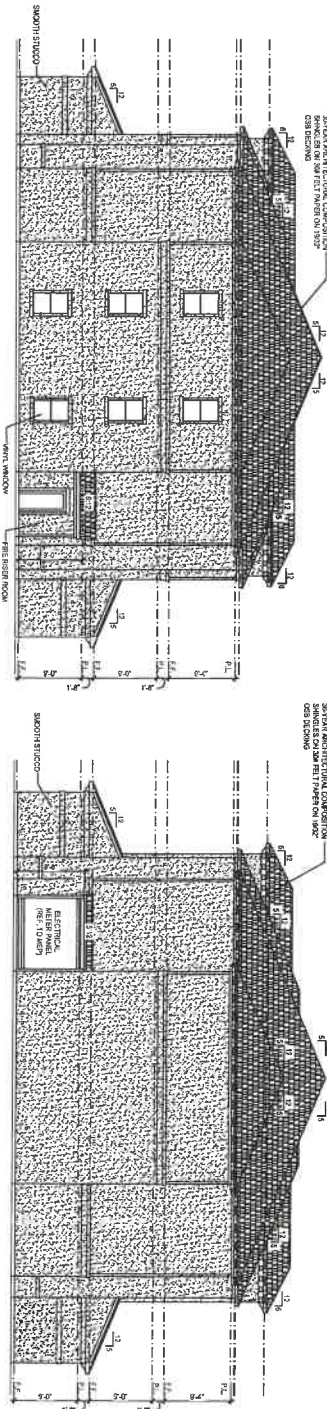
ARCHITECT:
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879 JUNCTION DRIVE
ALLEN, TEXAS 75013
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PRELIMINARY ONLY
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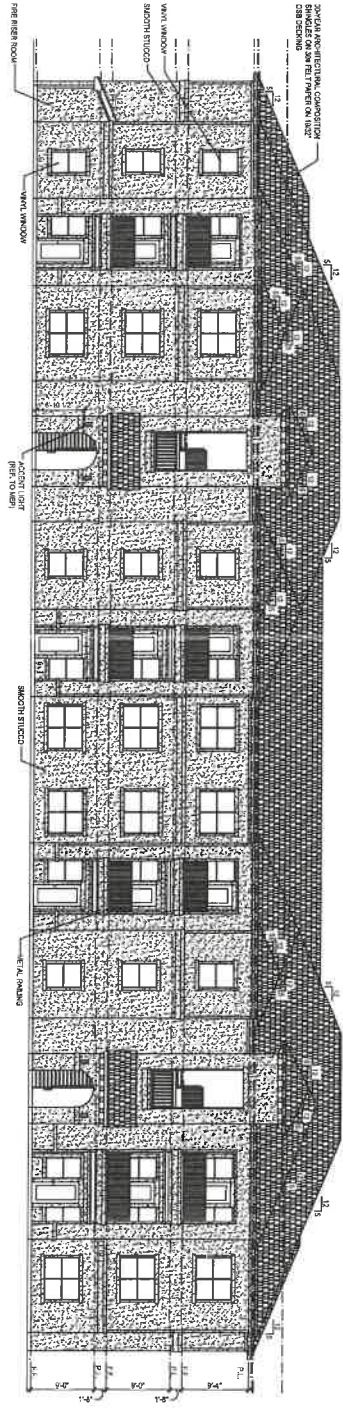


04 BUILDING TYPE 'A' REAR ELEVATION
SCALE: 1/8" = 1'-0"



02 BUILDING TYPE 'A' LEFT ELEVATION
SCALE: 1/8" = 1'-0"

03 BUILDING TYPE 'A' RIGHT ELEVATION
SCALE: 1/8" = 1'-0"

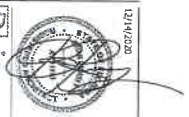


01 BUILDING TYPE 'A' FRONT ELEVATION
SCALE: 1/8" = 1'-0"

[illegible]

PLATEAU VILLAGE
LAKELAND, FLORIDA

ARCHITECT:
CROSS ARCHITECTS, PLLC
879 JUNCTION DRIVE
ALLEN, TEXAS 75013
P: 972.398.6644
WWW.CROSSARCHITECTS.COM





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@clermontfl.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 June		FEE: \$542.00 + cost of advertisement + cost of traffic review, if necessary	
Project Name (if applicable) The Vue - 2021 Amendment			
Applicant Jimmy D. Crawford, Esq.			
Contact Person Jimmy Crawford and Jennifer Cotch			
Address 702 W Montrose Street		City Clermont	State FL Zip 34711
Telephone 352-432-8644		Fax 352-432-8699	
Email jcrawford@cmhlawyers.com and jcotch@cmhlawyers.com			
OWNER INFORMATION			
Owner's Name AC Commercial Properties I, LLC and Highway 50 Clermont, LLC			
Owner Address 1760 Fennell Street, Suite 200		City Maitland	State FL Zip
Telephone 407-312-6356		Email jamoore@accommercial.com	
PROPERTY INFORMATION			
Address of Subject Property Vacant land south of Hwy 50 and vacant land south of Hooks St., West of Miss Florida Blvd.		City Clermont	State FL Zip 34711
Legal Description (include copy of survey) Please see attached.			
Acreage 6.6+/-		Land Use (City verification required) Commercial and LDR (Commercial proposed)	
Present Zoning (City verification required) PUD		Proposed Zoning PUD	



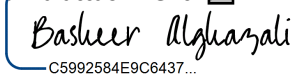
CITY OF CLERMONT REZONING APPLICATION

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

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

Amendment of existing PUD Ordinance 2017-24 to add work force housing.
Please see attached Statement of Support for more details.

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


C5992584E9C6437...

Jimmy D. Crawford, Esq.

Applicant Name (print)

x _____
Applicant Name (signature)

Owner Name (print)

x _____
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



July 9, 2021

Mr. Jimmy D. Crawford, Esq.
Crawford, Modica, & Holt, Chartered Attorneys at Law
702 W. Montrose Street
Clermont, FL 34711

Sent Via Email to: Jimmy Crawford jcrawford@cmhlawyers.com

Re: The VUE Insufficiency Letter for Small Scale Comprehensive Plan Amendment and Rezoning Application

Dear Mr. Crawford,

Staff has reviewed the submitted Small Scale Comprehensive Plan Amendment and Rezoning application for the The VUE project. Below are items that need clarification in order to complete staff's review of the project and to move it forward through the Public Hearing process.

1. The Small Scale Comprehensive Plan Amendment (SSCPA) has been submitted to change the future land use from Low Density Residential to Commercial. The applicant has provided no substantial evidence to support the requested change from Low Density Residential to Commercial. Please provide supporting documentation for the requested change.
2. In reviewing the site plan submitted with the SSCPA, it was noted the acreage does not match with what was indicated on the application and the provided legal. In addition, the legal description is part of a parent parcel. Please explain how the future land use will be changed on a portion of a parcel and not the entire parcel.
3. The parent parcel for the SSCPA was originally designated as open space and stormwater retention under Resolution 1503. Please provide documentation that this parcel is no longer dedicated open space or needed for stormwater retention.
4. The rezoning application does not indicate any specific details about the multifamily projects except grant further approval to construct multifamily units on Hooks Street frontage and to add 6.6 acres South of Hooks Street for workforce rental housing. As for multifamily developments, specific details are presented at the time of application, such as, but not limited to, number of units and density, Impervious Surface Ratio (ISR), Traffic Impact Study, School Capacity,

conceptual site plan and elevations. The submitted material does not provide the details for a full analysis of the proposal. Please provide these details.

5. The property north of Hooks Street in the conceptual plan has no detailed information on the project except for the narrative of not providing additional density beyond 12 units per acre. The total unit count, acreage and other specific information has not been submitted to fully evaluate the request. If this is not going to be considered in the application, please update the site plan and remove it. If it is going to be part of the application, then provide specifics on this project as well.
6. Staff is very concerned, based upon the layout of the southern proposal, to provide for a secondary access point for fire and emergency services. Please confirm that the project can provide adequate fire and emergency services protection based upon the provided layouts.
7. The application indicates the southern project will seek approval under Section 122-358, Workforce Housing Bonus Density. How does this project relate to the proposed project north of Hooks Street? If this project is going to be constructed at the 12 units per acre basis, what is the need for the Workforce Housing Bonus Density? Based upon this request, the project does not meet the requirements under this Section.
8. A Traffic Impact Study shall be submitted for the proposed project. Once received by the City, it will be reviewed by the City's Transportation Consultant and may warrant further investigation. The City's review will be at the cost of the developer.
9. In the Statement in Support document, it is noted that no waivers are requested at this time other than what was granted in Ordinance 2017-24. Reviewing the provided conceptual plan south of Hooks Street, it is apparent the project will be required to fill the site and construct retaining walls. Staff is requesting the extent of grading and retaining wall heights on the southern parcel to be indicated on the site plan or in a narrative format so this information can be conveyed properly to the Council. Staff does not believe the existing waivers in Ordinance 2017-24 were ever considered on the southern parcel since it was never discussed before Council for development.

Staff is requesting further clarification and/or submittal of the items listed above in order to conduct a full review of the requests and to initiate the legal advertising process. If you would like to schedule a meeting to discuss this in further details, please contact me at 352-241-7309 or via email at jekruse@clermontfl.org or with the Department Director, Curt Henschel at 352-241-7308 or chenschel@clermontfl.org

Sincerely,



John Kruse, AICP
Planning Manager
City of Clermont

EXHIBIT "A"

Description of Properties

Parcel ID: 09-22-26-1205-019-00000

Legal Description:

A PORTION OF TRACTS 29 AND 30, MAP OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST LAKE COUNTY FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE(S) 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

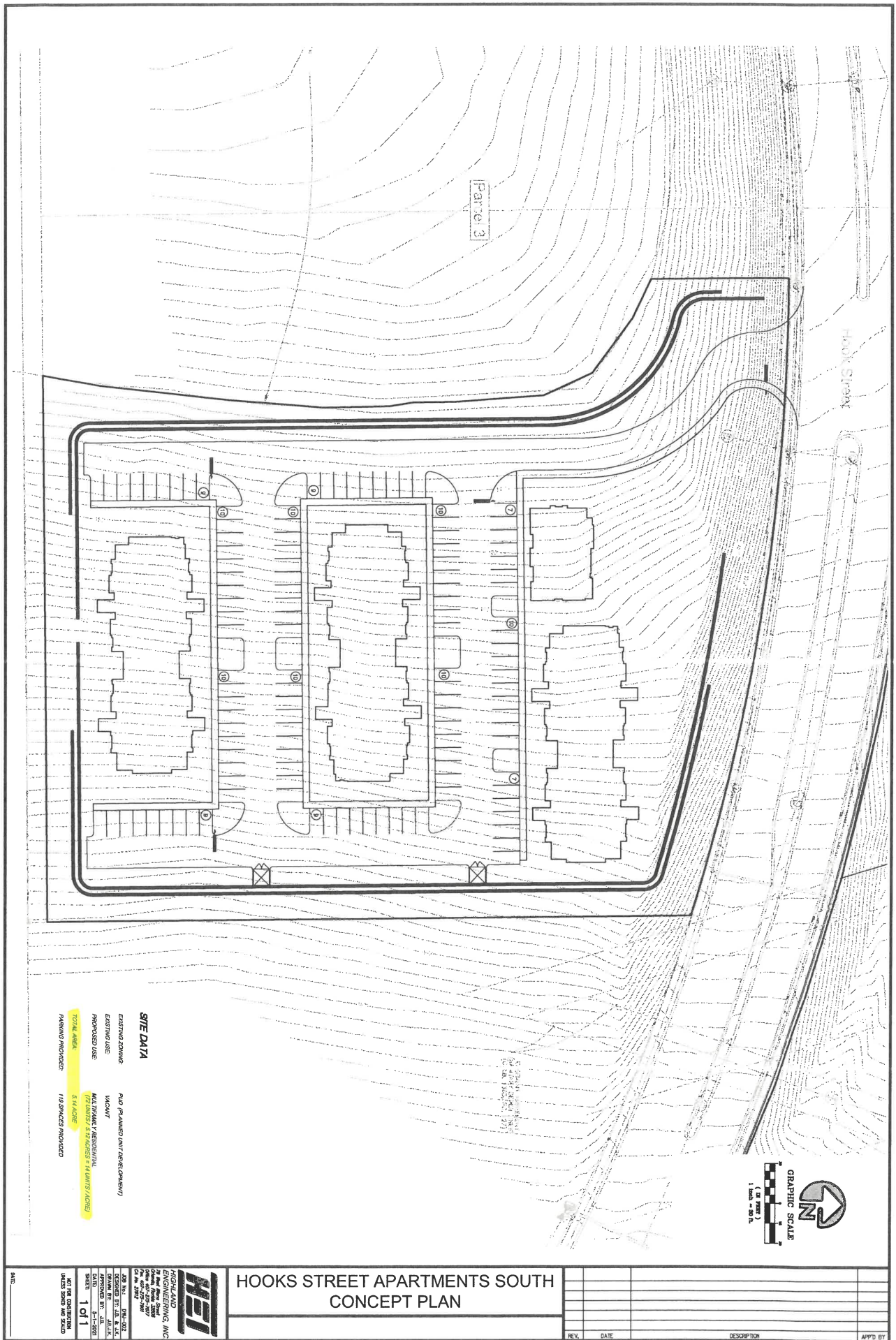
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE SOUTH 01° 07' 06" WEST ALONG THE EAST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1372.13 FEET TO A POINT; THENCE NORTH 89° 06' 23" WEST, A DISTANCE OF 1322.25 TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50. (RIGHT-OF-WAY VARIES PER RIGHT-OF-WAY MAP SECTION 11070), SAID POINT BEING THE NORTHEAST CORNER OF SAID TRACT 19; NORTH 89° 29' 29" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, SAID RIGHT-OF-WAY LINE ALSO BEING THE NORTH LINE OF AFORESAID TRACT 19, A DISTANCE OF 247.61 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50; THENCE DEPARTING SAID NORTH LINE OF TRACT 19 AND CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50, AS IT CURRENTLY EXISTS, RUN SOUTH 89° 25' 03" WEST, A DISTANCE OF 13.22 FEET TO A POINT, THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE RUN SOUTH 00° 31' 43" EAST, A DISTANCE OF 810.31 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HOOK STREET, ACCORDING TO OFFICIAL RECORD BOOK 2010, PAGE 316 AS DESCRIBED IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING;

THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE RUN SOUTH 00° 31' 43" EAST, A DISTANCE OF 488.84 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT 30; THENCE ALONG SAID SOUTH LINE OF TRACT 30 RUN SOUTH 89° 28' 17" WEST, A DISTANCE OF 414.01 FEET TO A POINT ON THE LIMITS OF EXHIBIT "F", ACCORDING TO OFFICIAL RECORD BOOK 2011, PAGES 1374 - 1385, AS DESCRIBED IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID EXHIBIT "F" RUN THE FOLLOWING NINETEEN (19) COURSES AND DISTANCES:

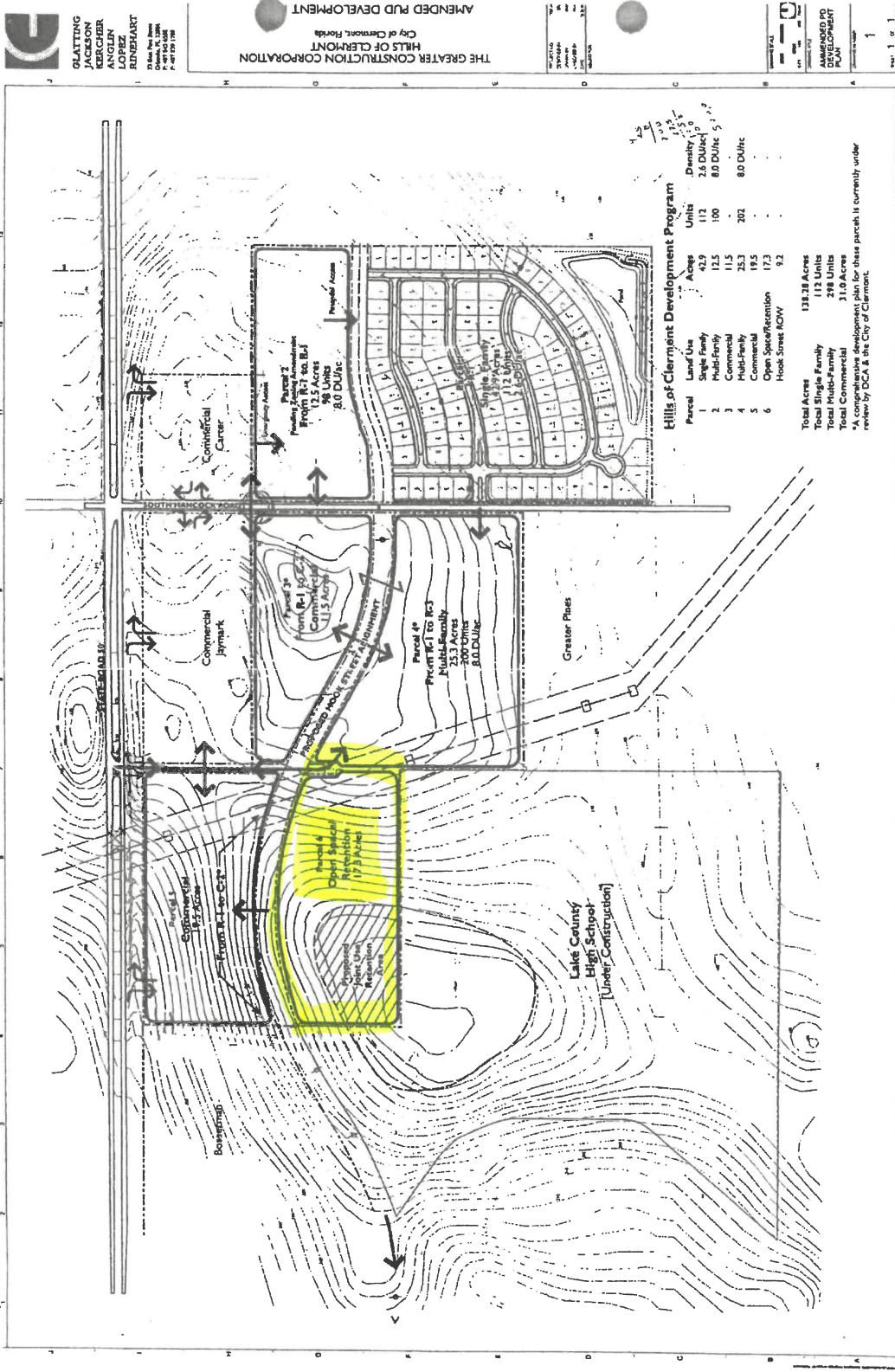
(1) NORTH 10° 08' 26" E, A DISTANCE OF 44.71 FEET; (2) NORTH 06° 25' 18" EAST, A DISTANCE OF 96.44 FEET; (3) NORTH 04° 35' 47" EAST, A DISTANCE OF 73.34 FEET; (4) NORTH 01° 13' 39" WEST, A DISTANCE OF 50.70 FEET; (5) NORTH 08° 35' 38" WEST, A DISTANCE OF 18.39 FEET; (6) NORTH 00° 49' 27" WEST, A DISTANCE OF 31.39 FEET; (7) NORTH 04° 06' 29" WEST, A DISTANCE OF 67.50 FEET; (8) NORTH 24° 32' 13" WEST, A DISTANCE OF 40.66 FEET; (9) NORTH 48° 54' 30" WEST, A DISTANCE OF 20.21 FEET; (10) NORTH 56° 25' 05" WEST, A DISTANCE OF 31.65 FEET; THENCE RUN (11) NORTH 64° 21' 22" WEST, A DISTANCE OF 32.96 FEET; (12) NORTH 76° 08' 43" WEST, A DISTANCE OF 49.91 FEET; THENCE RUN (14) NORTH 84° 09' 50" WEST, A DISTANCE OF 73.93 FEET; (15) SOUTH 82° 00' 50" WEST, A DISTANCE OF 88.19 FEET; THENCE RUN (16) SOUTH 74° 59' 30" WEST, A DISTANCE OF 79.78 FEET; (17) SOUTH 59° 52' 00" WEST, A DISTANCE OF 67.76 FEET; THENCE RUN (17) SOUTH 67° 38' 10" WEST, A DISTANCE OF 55.50 FEET; (18) SOUTH 65° 13' 47" WEST, A DISTANCE OF 125.15 FEET; THENCE RUN (19) SOUTH 72° 17' 15" WEST, A DISTANCE OF 85.35 FEET TO A POINT SAID POINT BEING A POINT ON THE CENTERLINE OF A UNNAMED RIGHT-OF-WAY, MAP OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST LAKE COUNTY FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE(S) 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING VACATED PER CITY ORDINANCE NUMBER. 2016-21;

THENCE DEPARTING SAID LINE OF EXHIBIT "F", AND ALONG SAID CENTERLINE OF VACATED UNNAMED RIGHT-OF-WAY RUN NORTH 00° 15' 44" EAST, A DISTANCE OF 146.25 FEET TO A POINT ON THE AFORESAID SOUTH RIGHT-OF-WAY LINE OF HOOK STREET, SAID POINT BEING A POINT ON A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 1650.00 FEET, TOGETHER WITH A CHORD BEARING OF NORTH 88° 38' 03" EAST AND DISTANCE OF 1073.30, AND A CENTRAL ANGLE OF 37° 57' 48"; THENCE DEPARTING SAID CENTERLINE AND ALONG SAID SOUTH RIGHT-OF-WAY LINE RUN ALONG SAID CURVE A DISTANCE OF 1093.26 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING.

CONTAINING 288,770.80 SQ. FT. OR 6.63 ACRES



1563



THE GREATER CONSTRUCTION CORPORATION
City of Clermont, Florida
AMENDED PUD DEVELOPMENT
HILLS OF CLERMONT

CLATTON
JACKSON
KERSCHER
ANGLEN
LOPEZ
RUNKHART

7000 West 10th Street
Ocala, Florida 34476-1000
P: 352-231-1188

AMENDED PUD DEVELOPMENT
HILLS OF CLERMONT

City of Clermont, Florida

AMENDED PUD DEVELOPMENT
HILLS OF CLERMONT

City of Clermont, Florida

AMENDED PUD DEVELOPMENT
HILLS OF CLERMONT

City of Clermont, Florida

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HILLS OF CLERMONT

City of Clermont, Florida

AMENDED PUD DEVELOPMENT
HILLS OF CLERMONT

August 6, 2021

Mr. John Kruse, Planning Manager
City of Clermont
685 W. Montrose Street
Clermont, FL 34711

Re: The VUE—Small Scale Comprehensive Plan Amendment & Rezoning Application

Dear Mr. Kruse:

We are in receipt of your July 9, 2021 letter. Please find our responses to your questions/comments below.

1. The Small Scale Comprehensive Plan Amendment (SSCPA) has been submitted to change the future land use from Low Density Residential to Commercial. The applicant has provided no substantial evidence to support the requested change from Low Density Residential to Commercial. Please provide supporting documentation for the requested change.

RESPONSE: The majority of the Hooks Street corridor is designated within the Commercial Future Land Use Category. The Hooks Street corridor was identified by the City as a preferred location for higher density multifamily, which is only allowed in Commercial or High Density Residential land use. While we agree that some uses allowed in Commercial land use designation might not be appropriate at this location, the concurrent PUD zoning appropriately limits such uses.

2. In reviewing the site plan submitted with the SSCPA, it was noted the acreage does not match with what was indicated on the application and the provided legal. In addition, the legal description is part of a parent parcel. Please explain how the future land use will be changed on a portion of a parcel and not the entire parcel.

RESPONSE: The Site Plan acreage submitted for the property south of Hooks Street is correct in the legal description, for the land use plan amendment. The Site/Concept Plan merely shows the portion of that property which is being used for the construction of the project.

However, we do wish to amend the PUD legal description to include all of AKN 3905347; the remainder of the parcel will be used as retention and open space. We do NOT wish to include all of AKN 3905347 in the land use plan amendment, as the remainder parcel

is being used only as retention and open space, which is allowed in its current land use designation, and including this property in the LUPA would cause it to lose its small-scale status and interrupt project approval deadlines.

We would be happy to meet with staff and go over the maps and legal descriptions to explain in more detail.

Revised/correct legal descriptions are attached hereto for your information.

3. The parent parcel for the SSCPA was originally designated as open space and stormwater retention under Resolution 1503. Please provide documentation that this parcel is no longer dedicated open space or needed for stormwater retention.

RESPONSE: Resolution 1503 (development/concept plan attached) does indicate AKN 3905347 as open space/retention. The majority of the parcel will continue to be used as such. All open space, retention and impervious surface ratios required by the City will continue to be met for both Resolution 1503 and for Ordinance No. 2017-24.

4. The rezoning application does not indicate any specific details about the multifamily projects except grant further approval to construct multifamily units on Hooks Street frontage and to add 6.6 acres South of Hooks Street for workforce rental housing. As for multifamily developments, specific details are presented at the time of application, such as, but not limited to, number of units and density, Impervious Surface Ratio (ISR), Traffic Impact Study, School Capacity, conceptual site plan and elevations. The submitted material does not provide the details for a full analysis of the proposal. Please provide these details.

RESPONSE: See attached plans, elevations and information.

5. The property north of Hooks Street in the conceptual plan has no detailed information on the project except for the narrative of not providing additional density beyond 12 units per acre. The total unit count, acreage and other specific information has not been submitted to fully evaluate the request. If this is not going to be considered in the application, please update the site plan and remove it. If it is going to be part of the application, then provide specifics on this project as well.

RESPONSE: We apologize. The original application was incorrect in stating we were not requesting density bonus per City Code Section 122-358; in fact the project IS requesting a portion (not the maximum) density bonus. The overall project proposes 320 units of multifamily on approximately 20 acres, for a density of 16 units per acre. As the attached concept plan shows, we are requesting 96 units of workforce housing and 224 units of market rate housing.

The project is also requesting a waiver from the prohibition with Section 122-348 on the workforce units being permanently designated. As the majority (72) of the workforce units are on the separate parcel South of Hooks Street, and that portion of the project is being funded by a Florida Housing Authority loan program for workforce housing, those units MUST be permanently (minimum of 50 years) designated as workforce housing units.

6. Staff is very concerned, based upon the layout of the southern proposal, to provide for a secondary access point for fire and emergency services. Please confirm that the project can provide adequate fire and emergency services protection based upon the provided layouts.

RESPONSE: Our engineers believe that the topography and road sight distances will not allow for a secondary entrance; therefore, we will provide a boulevard main entrance to the southern parcel. Driveway connections to Hooks Street are governed by Lake County, and if Lake County requires a secondary connection, either full or emergency only, we will comply.

7. The application indicates the southern project will seek approval under Section 122-358, Workforce Housing Bonus Density. How does this project relate to the proposed project north of Hooks Street? If this project is going to be constructed at the 12 units per acre basis, what is the need for the Workforce Housing Bonus Density? Based upon this request, the project does not meet the requirements under this Section.

RESPONSE: See response to No. 5 above.

8. A Traffic Impact Study shall be submitted for the proposed project. Once received by the City, it will be reviewed by the City's Transportation Consultant and may warrant further investigation. The City's review will be at the cost of the developer.

RESPONSE: Understood.

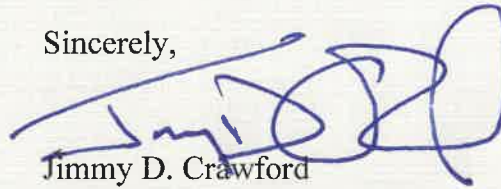
9. In the Statement in Support document, it is noted that no waivers are requested at this time other than what was granted in Ordinance 2017-24. Reviewing the provided conceptual plan south of Hooks Street, it is apparent the project will be required to fill the site and construct retaining walls. Staff is requesting the extent of grading and retaining wall heights on the southern parcel to be indicated on the site plan or in a narrative format so this information can be conveyed properly to the Council. Staff does not believe the existing waivers in Ordinance 2017-24 were ever considered on the southern parcel since it was never discussed before Council for development.

RESPONSE: See attached concept/grading plan indicating the limits of cut and fill and retaining walls.

Mr. John Kruse, Planning Manager
The Vue
August 6, 2021
Page 4 of 4

We appreciate your review and consideration. Should you have any questions, or would like to discuss the matter further, please do not hesitate to contact us.

Sincerely,



Jimmy D. Crawford
CRAWFORD, MODICA & HOLT
CHARTERED ATTORNEYS AT LAW

ATTACHMENTS

CC: CLIENTS

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 shall be given an opportunity to express their views on this matter.

ORDINANCE NO. 2021-025

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 SCRIVENERS ERROR, RECORDING, AN EFFECTIVE DATE AND PUBLICATION.

LOCATION

Site located west of the Miss Florida Avenue and Hooks Street intersection, North and south of Hooks Street, directly north of the East Ridge High School baseball field.
Alternate Key #3905347, 3334566, & 3927260
30.66 +/- Acres

LEGAL DESCRIPTION

PARCEL 1 (FEE SIMPLE ESTATE)

THAT PART OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT THE EAST 1/4 CORNER OF SAID SECTION 28; THENCE RUN NORTH 00°42'51" EAST ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 28 FOR A DISTANCE OF 664.12 FEET TO THE NORTHEAST CORNER OF THE SOUTH 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 28; THENCE RUN SOUTH 89°24'16" WEST ALONG THE NORTH LINE OF SAID SOUTH 1/4 FOR A DISTANCE OF 1335.19 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 270.00 FEET AND A CHORD BEARING OF SOUTH 01°23'58" WEST AND THE POINT OF BEGINNING; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°36'59" FOR A DISTANCE OF 111.29 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 25.00 FEET AND A CHORD BEARING OF SOUTH 63°07'26" WEST; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 99°49'56" FOR A DISTANCE OF 43.56 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1750.00 FEET AND A CHORD BEARING OF NORTH 87°56'35" WEST AND THE NORTH RIGHT OF WAY LINE OF HOOK STREET, AS DESCRIBED IN ORB 2010, PAGE 316, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN WESTERLY ALONG SAID NORTH RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 41°57'58" FOR A DISTANCE OF 1281.78 FEET TO A NON-RADIAL LINE AND THE EAST RIGHT OF WAY LINE OF AN UNNAMED RIGHT OF WAY, ACCORDING TO THE PLAT OF LAKE HIGHLANDS COMPANY, AS RECORDED IN PB 2, PAGE 28, OF SAID PUBLIC RECORDS; THENCE RUN NORTH 00°10'52" EAST ALONG SAID EAST RIGHT OF WAY LINE FOR A DISTANCE OF 718.43 FEET TO THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 50; THENCE RUN NORTH 89°24'19" EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 1127.57 FEET; THENCE RUN SOUTH 89°29'29" EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 150.11 (120.11) FEET TO THE WEST LINE OF THE EAST 60 FEET OF TRACT 19, OF SAID LAKE HIGHLANDS COMPANY; THENCE RUN SOUTH 00°26'52" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 445.90 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 280.00 FEET; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°45'47" FOR A DISTANCE OF 77.03 FEET TO THE POINT OF TANGENCY; THENCE RUN SOUTH 15°18'56" EAST FOR A DISTANCE OF 105.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 270.00 FEET AND A CHORD BEARING OF SOUTH 12°51'43" EAST; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°54'24" FOR A DISTANCE OF 23.12 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THEREFROM THAT PARCEL CONVEYED BY MAYNARD K. KNAPP, INDIVIDUALLY AND AS TRUSTEE TO AKRAM ISMAIL, M.D., BY SPECIAL WARRANTY DEED RECORDED APRIL 17, 2015, IN ORB 4613, PAGE 945, DESCRIBED AS FOLLOWS: A PORTION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE S01°07'06"W ALONG THE EAST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1372.13 FEET TO A POINT; THENCE N89°06'23"W, A DISTANCE OF 1322.25 TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 50. (RIGHT-OF-WAY VARIES PER RIGHT-OF-WAY MAP SECTION 11070); THENCE CONTINUE N89°06'23"W, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING; THENCE S00°51'39"W, ALONG THE WEST RIGHT-OF-WAY LINE OF MISS FLORIDA AVENUE (ORB 2345, PAGE 748), ALSO BEING PARALLEL TO AND 60.00 FEET WEST OF THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28 AND THE EAST LINE OF TRACT 19 OF LAKE HIGHLANDS COMPANY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PB 2, PAGE 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, A DISTANCE OF 369.94 FEET TO A POINT; THENCE N89°08'21"W, A DISTANCE OF 291.58 FEET TO A POINT; THENCE N00°51'39"E, A DISTANCE OF 230.29 FEET TO A POINT; THENCE S89°08'21"E, A DISTANCE OF 64.35 FEET TO A POINT; THENCE N00°51'39"E, A DISTANCE OF 139.00 FEET TO A POINT ON THE SOUTH LINE OF AN UNNAMED UNIMPROVED STREET, ALSO BEING THE NORTH LINE OF SAID TRACT 19; THENCE N89°50'25"E, ALONG THE NORTH LINE OF SAID TRACT 19, A DISTANCE OF 42.23 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 50; THENCE S89°06'23"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 50, A DISTANCE OF 185.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 744,665 SQ. FT. OF 17.100 ACRES MORE OR LESS.

PARCEL 2 (EASEMENT ESTATE)

TOGETHER WITH THAT CERTAIN NON-EXCLUSIVE INGRESS-EGRESS EASEMENT GRANTED BY AKRAM ISMAIL TO MAYNARD K. KNAPP, TRUSTEE, TO RECIPROCAL EASEMENT AGREEMENT RECORDED APRIL 17, 2015, IN ORB 4613, PAGE 948, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 3 (SOUTHERN PORTION)

TRACT 29 AND TRACT 30, AS SHOWN ON THE LAKE HIGHLANDS COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PB 2, PAGE 28, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LESS THAT PORTION LYING WITHIN AND NORTH OF THE RIGHT OF WAY FOR HOOK STREET.

SECOND SURVEY

THAT PORTION OF THE NORTH/SOUTH ROADWAY BETWEEN TRACTS 20, 21, 28, AND 29 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PB 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING NORTHERLY OF HOOK STREET, AND SOUTHERLY OF HIGHWAY 50, BEING MORE PARTICULARLY DESCRIBED AS FOLLOW: COMMENCE AT THE NE CORNER OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; THENCE S 0°17'37" W, A DISTANCE OF 1372.13 FEET; THENCE N 89°55'52" W, A DISTANCE OF 1322.25 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 50 (A VARIABLE WIDTH PUBLIC RIGHT OF WAY); THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG SAID SOUTH RIGHT OF WAY LINE, CONTINUE N 89°55'52" W, A DISTANCE OF 60.00 FEET; THENCE N 89°27'07" W, A DISTANCE OF 184.98 FEET; THENCE S 89°30'08" W, A DISTANCE OF 42.24 FEET; THENCE S 89°24'19" W, A DISTANCE OF 1020.48 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH RIGHT OF WAY, RUN S 00°14'51" W, ALONG THE WEST LINE OF TRACTS 20 AND 29, A DISTANCE OF 718.43 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF HOOK STREET (A 100 FOOT WIDE PUBLIC RIGHT OF WAY) SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 1750.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°02'34", A DISTANCE OF 31.85 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S 70°37'05" W, 31.85 FEET; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, RUN N 0°14'51" E, A DISTANCE OF 728.72 FEET TO A POINT ON THE AFOREMENTIONED SOUTHERLY RIGHT OF WAY LINE OF HIGHWAY 50; THENCE N 89°28'03" E, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.50 ACRE, MORE OR LESS

THIRD SURVEY

THAT PORTION OF THE NORTH/SOUTH ROADWAY BETWEEN TRACTS 28, AND 29 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PB 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LYING NORTHERLY OF HOOK STREET, AND SOUTHERLY OF HIGHWAY 50, BEING MORE PARTICULARLY DESCRIBED AS FOLLOW: COMMENCE AT THE NE CORNER OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; THENCE S 0°17'37" W, A DISTANCE OF 1372.13 FEET; THENCE N 89°55'52" W, A DISTANCE OF 1322.25 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 50 (A VARIABLE WIDTH PUBLIC RIGHT OF WAY); THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG SAID SOUTH RIGHT OF WAY LINE, CONTINUE N 89°55'52" W, A DISTANCE OF 60.00 FEET; THENCE N 89°27'07" W, A DISTANCE OF 184.98 FEET; THENCE S 89°30'08" W, A DISTANCE OF 42.24 FEET; THENCE S 89°24'19" W, A DISTANCE OF 1020.48 FEET; THENCE DEPARTING SAID SOUTH RIGHT OF WAY, RUN S 00°14'51" W, ALONG THE WEST LINE OF TRACTS 20 AND 29, A DISTANCE OF 824.65 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF HOOKS STREET (A 100 FOOT WIDE PUBLIC RIGHT OF WAY); THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, RUN S 0°14'51" W, ALONG THE WEST LINE OF SAID TRACT 29, A DISTANCE OF 473.42 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 29; THENCE S 89°28'17" W, A DISTANCE OF 30.00 FEET TO THE SOUTHEAST CORNER OF AFOREMENTIONED TRACT 28; THENCE N 0°14'51" E, ALONG THE EAST LINE OF SAID TRACT 28, A DISTANCE OF 462.39 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF AFOREMENTIONED HOOK STREET, SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 1650.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°06'54", A DISTANCE OF 32.11 FEET, TO THE POINT OF BEGINNING, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 69°22'29" E, 32.11 FEET.

CONTAINING 0.32 ACRES, MORE OR LESS

FOURTH SURVEY

TRACTS 21 AND 28 AS SHOWN ON THE LAKE HIGHLAND'S COMPANY PLAT OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 26 EAST, RECORDED IN PB 2, PAGE 28, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LESS THAT PORTION OF TRACT 28, LYING SOUTH OF HOOK STREET, (COUNTY DISTRICT NO. 2-1346).

CONTAINING 30.66 ACRES +/-

To amend Ordinance No. 2017-24 to add multifamily projects to the Planned Unit Development consisting of up to 320 units



This request will be considered by the Planning & Zoning Commission on Tuesday, September 7, 2021 at 6:30 P.M.

A public meeting to consider the request will be held before the City Council on Tuesday, September 14, 2021 at 6:30 P.M. for (Introduction) and on Tuesday, September 28, 2021 for (Final Adoption).

The meetings will be held at 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.

Tracy Ackroyd Howe, MMC
City Clerk



CITY OF CLERMONT

AGENDA ITEM

Page 1 of 2

Meeting Date		
Tuesday, October 5, 2021		
Agenda Item Name		
Ordinance No. 2021-030 <i>Prince Edward Avenue Rezoning</i>		
Requested Action		
Recommend approval of Ordinance No. 2021-030.		
Staff Report		
The applicant is requesting a rezoning from "R-1" - Single Family Medium Density Residential District to "R-2"- Medium Density Residential for a vacant parcel located on the corner of Prince Edward Avenue and East Minneola Avenue. The parcel is approximately 0.42 +/- acres with a Future Land Use Designation of Medium Density Residential. The applicant has indicated the rezoning request to R-2 Medium Density Residential will allow for a lot split, creating two (2) 75-foot wide lots for construction of two new single-family homes. The current lot dimensions are 150-foot width x 122-foot depth. The minimum development standards for a single-family lot in the R-2 zoning district, Section 122-145, requires a lot width of 75-feet and a minimum lot area of 7,500 square feet. Because the adjacent parcels of land surrounding the property have been developed, this vacant parcel is considered as infill development. The Clermont Comprehensive Plan encourages and promotes infill development to increase the quality of life and property values in existing residential neighborhoods. Any future development of the lots will require compliance with the Land Development Regulations and building and fire safety codes before the issuance of a building permit. The proposed R-2 Medium Density Residential zoning will be consistent and compatible with the existing residential neighborhoods. The rezoning request is not in conflict with the Comprehensive Plan goals, objectives and policies for residential land use. <u>STAFF RECOMMENDATION:</u> Staff has reviewed the application and provisions of the land development codes to ensure compliance with the review criteria. Therefore, staff recommends approval of the rezoning request from "R-1" Single Family Medium Density Residential to "R-2" Medium Density Residential District. Staff recommends <u>approval</u> of Ordinance No. 2021-030.		
Additional Analysis		
Fiscal Impact Summary		
Fiscal Impact	Fund Number and Description	Available Budget Amount

Exhibits Attached (copies of original agreements)	
1. Staff Analysis Prince Edward-Rezoning ORD-2021-030	Staff Analysis Prince Edward-Rezoning ORD-2021-030.pdf
2. Ord 2021-030 - Prince Edward Rezoning (09.27.2021 V1) R&F BL	Ord 2021-030 - Prince Edward Rezoning (09.27.2021 V1) R&F BL.pdf
3. LOCATION MAP-2	LOCATION MAP-2.pdf
4. Parcel survey	Parcel survey.pdf
5. CLERMONT ZONING MAP	CLERMONT ZONING MAP.pdf
6. Rezoning application	Rezoning application.pdf
7. ORD-2021-030- Legal AD	ORD-2021-030- Legal AD.pdf



CITY OF CLERMONT Staff Analysis Report

OWNER: Harold Turville, Sr.

APPLICANT: Brigmond Construction, Inc.

PROJECT NAME: Prince Edward Avenue Rezoning

REQUESTED ACTION: Consider a request for a rezoning from “R-1” Single Family Medium Density Residential District to “R-2” Medium Density Residential District.

SIZE OF PARCEL: 0.42 +/-acres

LOCATION: Vacant parcel located on the corner of Prince Edward Avenue and East Minneola Avenue.

EXISTING ZONING: “R-1” Single Family Medium Density Residential.

EXISTING LAND USE: Vacant property

FUTURE LAND USE CATEGORY: Medium Density Residential

ANALYSIS:

The applicant is requesting a rezoning from “R-1” - Single Family Medium Density Residential District to “R-2”- Medium Density Residential for a vacant parcel located on the corner of Prince Edward Avenue and East Minneola Avenue. The parcel is approximately 0.42 +/- acres with a Future Land Use Designation of Medium Density Residential.

The applicant has requested the rezoning to R-2 Medium Density Residential to allow for a lot split to create (2) two 75-foot wide lots for future construction of two new single-family homes. The current lot dimensions are 150-foot width x 122-foot depth. The minimum development standards for a single-family lot in the R-2 zoning district, Section 122-145 requires a lot width of 75-foot and a minimum lot area of 7,500 square feet. The property located north of subject property has R-2 Medium Density Residential zoning. The parcels of land are considered as infill development because many of the surrounding properties are already developed. Infill housing is part of smart growth strategies and urban redevelopment to help promote growth and renewal of existing communities.

The Clermont Comprehensive Plan encourages and promotes infill development to increase the quality of life and property values in existing residential neighborhoods. Any future development of the lots will require compliance to the Land Development Regulations and the building and fire codes before the issuance of a building permit.

The proposed R-2 Medium Density Residential zoning will be consistent and compatible with the existing residential neighborhoods. The rezoning request is not in conflict with the Comprehensive Plan goals, objectives and policies for residential land use.

STAFF RECOMMENDATION:

Staff has reviewed the application and provisions of the land development codes to ensure compliance with the review criteria. Therefore, staff recommends approval of the rezoning request from “R-1” Single Family Medium Density Residential to “R-2” Medium Density Residential District.

Staff recommends approval of Ordinance No. 2021-030.

CITY OF CLERMONT
ORDINANCE NO. 2021-030

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 SCRIVENERS ERROR, PUBLICATION AND 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

CLERMONT, HILLCREST LOTS 31, 32 & 33-LESS W 3 FT-
PB 8 PG 53 ORB 5749 PG 1089

LOCATION:

Vacant parcel located on the corner of Prince Edward Avenue
and East Minneola Avenue
Alternate Key# 3375301





CITY OF CLERMONT
ORDINANCE NO. 2021-030

REZONING SUBJECT PROPERTY:
FROM: R-1 Single Family Medium Density District
TO: R-2 Medium Density Residential District

SECTION 2: CONFLICT

All Ordinances or parts of this Ordinance in conflict herewith are hereby repealed.

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 shall take effect immediately upon its Second Reading and Final Passage



CITY OF CLERMONT
ORDINANCE NO. 2021-030

PASSED AND ADOPTED by the City Council of the City of Clermont, Lake County, Florida on this 26TH day of October 2021.

CITY OF CLERMONT

Tim Murry, Mayor

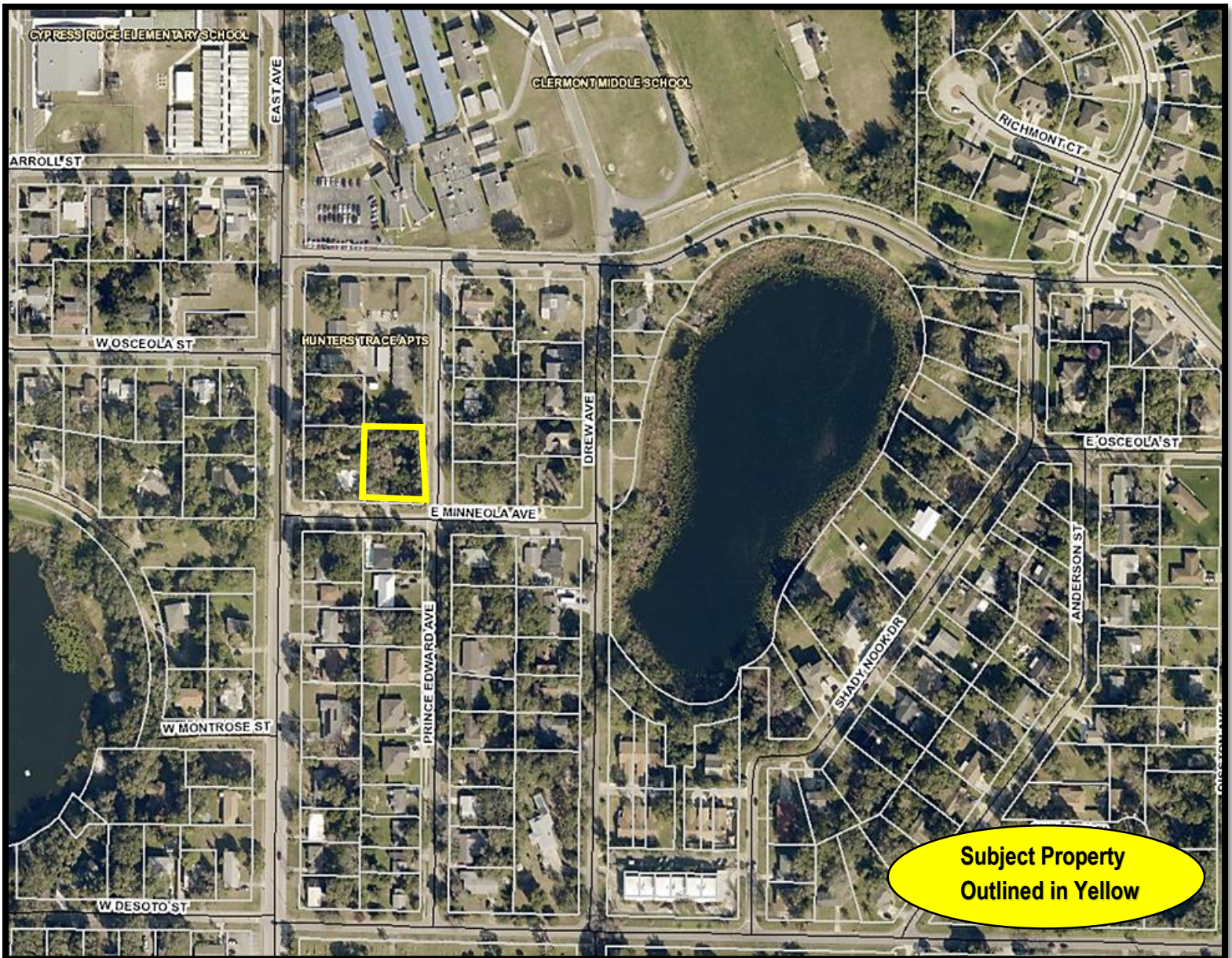
ATTEST:

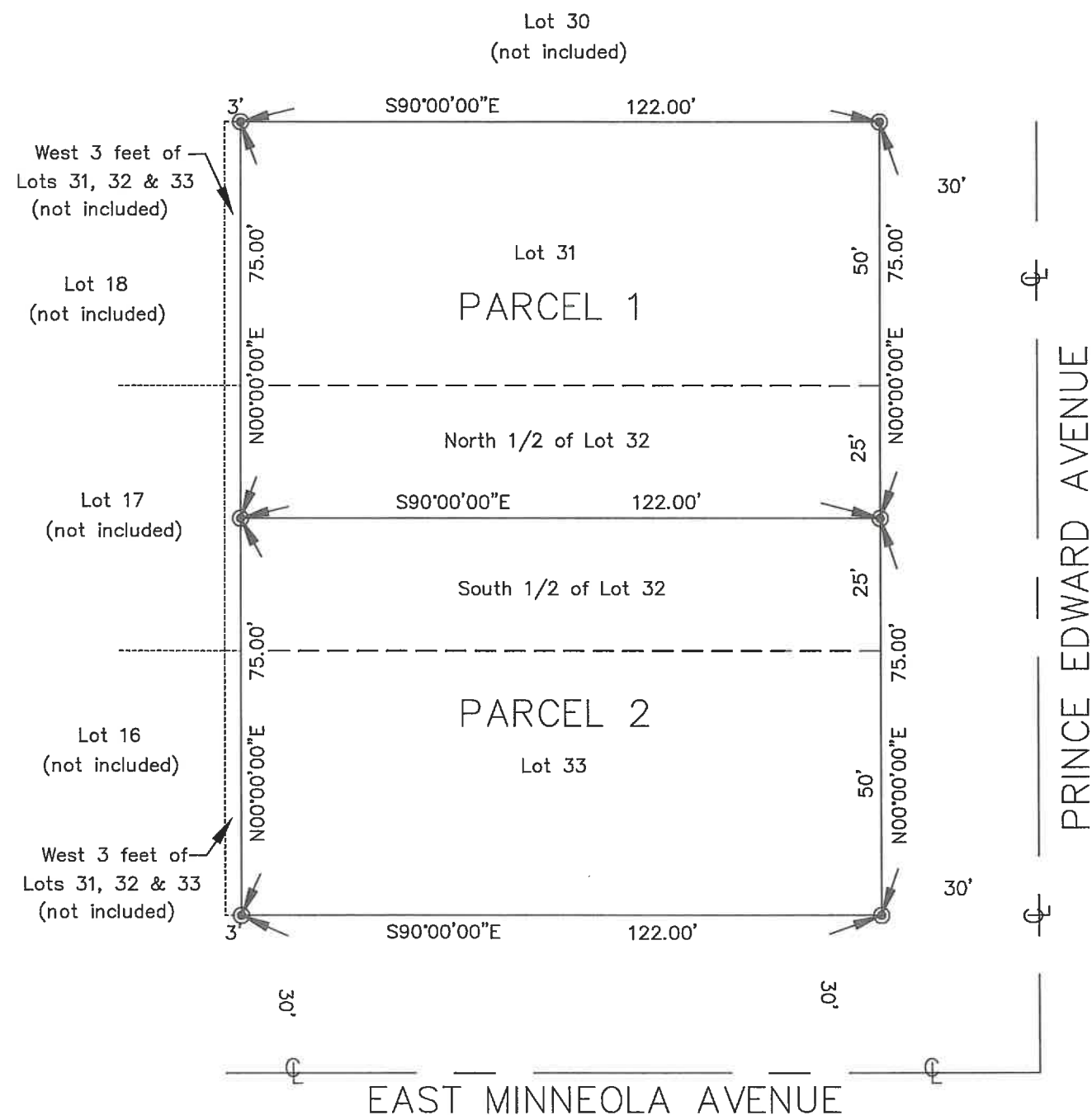
Tracy Ackroyd Howe, MMC
City Clerk

Approved as to form and legality:

Daniel F. Mantzaris, City Attorney

LOCATION MAP





DESCRIPTIONS:

PARENT PARCEL: LOT 31, 32 AND 33, LESS THE WEST 3 FEET THEREOF, OF CORRECTED MAP OF HILLCREST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 53, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 1: LOT 31 AND THE NORTH 1/2 OF LOT 32, ACCORDING TO THE CORRECTED MAP OF HILLCREST, AS RECORDED IN PLAT BOOK 8, PAGE 53, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LESS THE WEST 3 FEET THEREOF.

PARCEL 2: LOT 33 AND THE SOUTH 1/2 OF LOT 32, ACCORDING TO THE CORRECTED MAP OF HILLCREST, AS RECORDED IN PLAT BOOK 8, PAGE 53, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; LESS THE WEST 3 FEET THEREOF.

NOTES:

1. THE BEARINGS HEREON ARE BASED ON THE ASSUMED BEARING OF NORTH ALONG THE EAST LINE OF LOTS 31, 32 AND 33.
2. THIS IS A SKETCH OF DESCRIPTION AND NOT A BOUNDARY SURVEY.
3. ADDITIONS OR DELETIONS TO THE SURVEY SHOWN HEREON BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY.
4. ● = CHANGE OF DIRECTION. POINT NOT SET.



Blackburn Surveying, Inc.
L.B. # 6528
642 W. Highway 50
P.O. Box 121022
Clermont, Florida 34712
(352) 394-4417
Email: terrypitt@gmail.com

SKETCH OF DESCRIPTION FOR:
BRIGMOND CONSTRUCTION

SCALE: 1" = 30	APPROVED BY: PMK	DRAWN BY: TERRY PITT
DATE: 8/4/2021	FB/PAGE: TP-FILE	

HILLCREST
LAKE COUNTY, FLORIDA

PAGE NO. 1 DRAWING NO. PERRY-HCZIP19

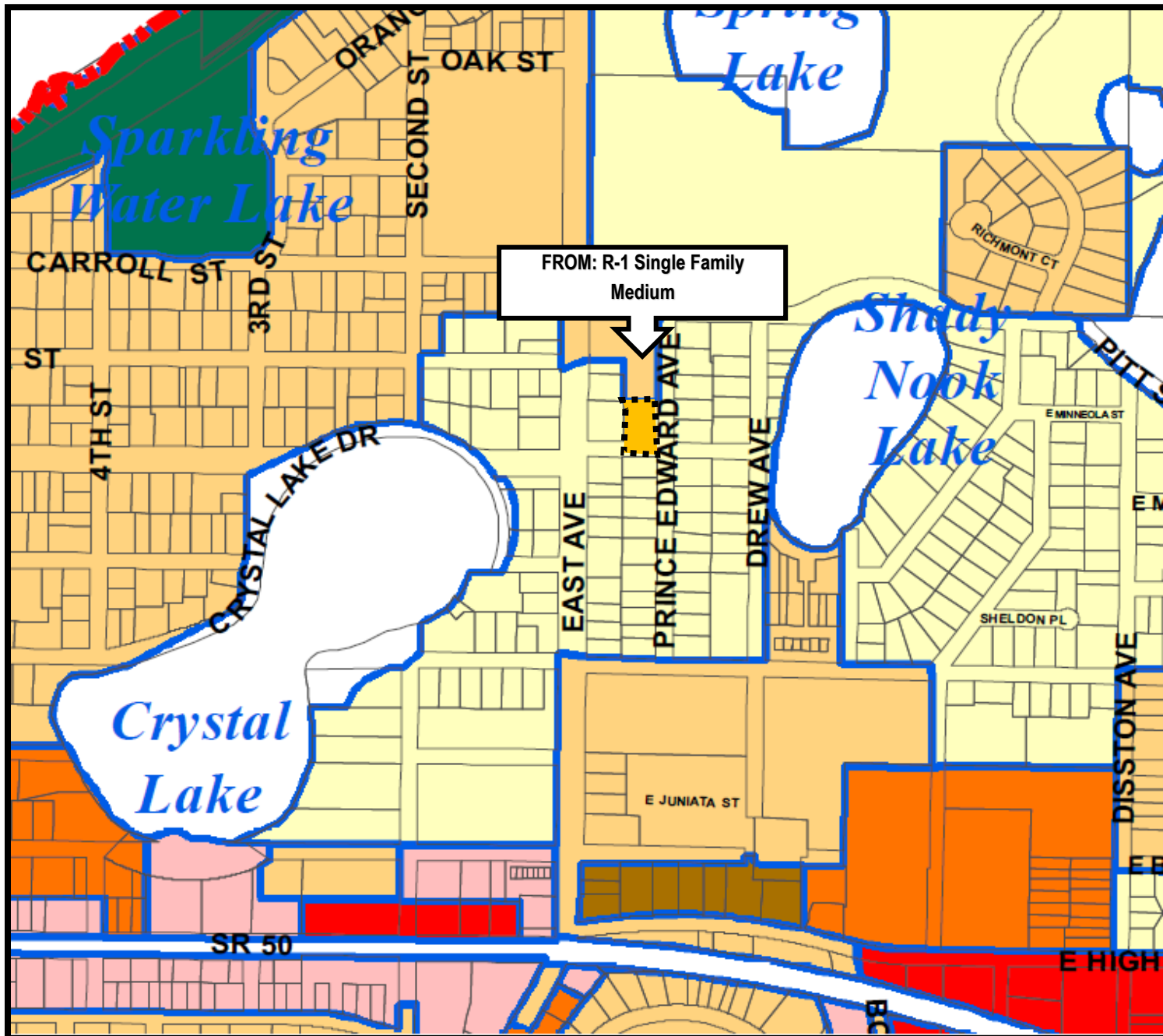
GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

PATRICK M. KELLEY, P.L.S. FLORIDA SURVEYOR'S CERTIFICATE NO. 4423
NOT VALID WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR & MAPPER
THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE.

CLERMONT ZONING MAP



Legend

City Limits

Zoning Designations

- 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



CITY OF CLERMONT REZONING APPLICATION

DATE 8/27/2021		FEE: \$542.00 + cost of advertisement	
Project Name (if applicable) Prince EDWARD Avenue			
Applicant Perry L. Brigmond President of Construction, Inc.			
Contact Person same			
Address 11710 Monte Vista	City Clermont,	State FLA.	Zip 34711
Telephone ROAD # 407-466-4108	Fax		
Email Userbamb5088@aol.com			
OWNER INFORMATION			
Owner's Name same			
Owner Address	City	State	Zip
Telephone	Fax		
PROPERTY INFORMATION			
Address of Subject Property	City	State	Zip
Legal Description (include copy of survey) see survey			
Acreage 18,300 ± SF.	Land Use (City verification required) MEDIUM DENSITY R-1		
Present Zoning (City verification required) R-1	Proposed Zoning R-2 medium Density		



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? TO create 2
SEPARATE LOTS. That will be
compatible with the surrounding
zoning.

Brigmond CONSTRUCTION,
INC.

Perry L. Brigmond
Applicant Name (print) President

Perry L. Brigmond
Owner Name (print)

x Perry L. Brigmond
Applicant Name (signature)

x Perry L. Brigmond
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

03/04/2020



After Recording Return to:
Christina Milbourne
Metes and Bounds Title Company
180 E. Highland Ave.
Clermont, FL 34711

INSTRUMENT #2021095649
OR BK 5749 PG 1089 - 1089 (1 PGS)
DATE: 7/13/2021 5:20:37 PM
GARY J. COONEY, CLERK OF THE CIRCUIT COURT
AND COMPTROLLER, LAKE COUNTY, FLORIDA
RECORDING FEES \$10.00 DEED DOC \$525.00

This Instrument Prepared by:
Christina Milbourne
Metes and Bounds Title Company
180 E. Highland Ave.
Clermont, FL 34711
as a necessary incident to the fulfillment of conditions
contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s):
19-22-26-0100-000-03100
File No.: 21-0155

WARRANTY DEED

This Warranty Deed, Made the 22nd day of June, 2021, by **Harold S. Turville Jr., an unmarried man**, whose post office address is: **1410 W State Road 50 Lot 154, Clermont, FL 34711**, hereinafter called the "Grantor", to **Brigmond Construction Inc, A Florida Corporation**, whose post office address is: **11710 Monte Vista Rd, Clermont, FL 34711**, hereinafter called the "Grantee".

WITNESSETH: That said Grantor, for and in consideration of the sum of **Seventy Five Thousand Dollars and No Cents (\$75,000.00)** and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in **Lake County, Florida**, to wit:

Lot 31, 32 and 33, less the West 3 feet thereof, of **CORRECTED MAP OF HILLCREST**, according to the Plat thereof, as recorded in Plat Book 8, Page 53, of the Public Records of Lake County, Florida.

The property is not the homestead of the Grantor(s) under the laws and constitution of the state of Florida in that neither Grantor(s) or any member of the household of Grantor(s) reside thereon.

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

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

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to 2020, reservations, restrictions and easements of record, if any.

(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES
TWO SEPARATE DISINTERESTED WITNESSES REQUIRED

Witness Signature: Michele Snively

Printed Name: Michele Snively

Harold S. Turville Jr.

Witness Signature: Kodee Napier

Printed Name: Kodee Napier

State of Florida
County of Lake

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 17th day of June, 2021 by Harold S. Turville Jr.. He/She/They is/are ☐ Personally Known OR ☒ Produced-drivers license(s) as identification.

Notary Public Signature: Michele Snively

Printed Name: Christina Milbourne

My Commission Expires: 4/7/2025
(SEAL)

☐ Online Notary (Check Box if acknowledgment done by Online Notarization)



Property Record Card

General Information

Name:	TURVILLE HAROLD S JR	Alternate Key:	3375301
Mailing Address:	150 W MINNEHAHA AVE CLERMONT, FL 34711 Update Mailing Address	Parcel Number: ⓘ	19-22-26-0100- 000-03100
		Millage Group and City:	000C (CLERMONT)
		2020 Total Certified Millage Rate:	17.0762
		Trash/Recycling/Water/Info:	My Public Services Map ⓘ
Property Location:	EAST MINNEOLA AVE CLERMONT FL 34711 Update Property Location ⓘ	Property Name:	-- Submit Property Name ⓘ
		School Information:	School Locator & Bus Stop Map ⓘ School Boundary Maps ⓘ
Property Description:	CLERMONT, HILLCREST LOTS 31, 32 & 33--LESS W 3 FT-- PB 8 PG 53 ORB 1323 PG 1106		

NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT RESIDENTIAL (0000)	0	0		1	LT	\$0.00	\$37,500.00

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

Miscellaneous Improvements

There is no improvement information to display.

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description above and/or recorded and indexed with the Clerk of Court. [Follow this link to search all documents by owner's name.](#)

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
1323 / 1106	8/1/1994	Warranty Deed	Unqualified	Vacant	\$17,000.00

[Click here to search for mortgages, liens, and other legal documents.](#) ⓘ

Values and Estimated Ad Valorem Taxes ⓘ

Values shown below are 2021 WORKING VALUES that are subject to change until certified. The Market Value listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC GENERAL FUND	\$37,500	\$34,375	\$34,375	5.03270	\$173.00
LAKE COUNTY MSTU AMBULANCE	\$37,500	\$34,375	\$34,375	0.46290	\$15.91
SCHOOL BOARD STATE	\$37,500	\$37,500	\$37,500	3.70100	\$138.79
SCHOOL BOARD LOCAL	\$37,500	\$37,500	\$37,500	2.99800	\$112.43

Assessment Reduction Information (3% cap, 10% cap, Agricultural, Portability, etc.)

This property is benefitting from the following assessment reductions with a checkmark ✓

Save Our Homes Assessment Limitation (3% assessed value cap)	Learn More	View the Law
Save Our Homes Assessment Transfer (Portability)	Learn More	View the Law
✓ Non-Homestead Assessment Limitation (10% assessed value cap)	Learn More	View the Law
Conservation Classification Assessment Limitation	Learn More	View the Law
Agricultural Classification	Learn More	View the Law
NOTE: Should a determination be made that a property no longer meets the criteria for a bona fide agricultural purpose, a formal denial will be mailed on or before July 1 of the applicable tax year.		

Assessment Reduction Savings ⓘ

The assessment reductions marked with a ✓ above are providing a tax dollar savings of: **\$32.43**

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

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Property data last updated on June 20, 2021

[Site Notice](#)

DIVISION 6. - R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT

*Footnotes:**--- (6) ---***Note**— *See the editor's note to div. 2.*

Sec. 122-141. - Intent.

The R-2 district is intended for medium density single-family and two-family residential use.

(Code 1998, § 122-141; Ord. No. 281-C, § 1(ch. 7), 11-8-1994)

Sec. 122-142. - Site plan review.

A site plan review is required for two-family residential uses in the R-2 district where relief on the site is seven percent or greater, and for all multifamily uses.

(Code 1998, § 122-142; Ord. No. 281-C, § 1(ch. 7), 11-8-1994)

Sec. 122-143. - Permitted uses.

Permitted uses in the R-2 district are as follows:

- (1) Single-family dwelling units having a minimum living area of 1,000 square feet, exclusive of garages, carports and screened areas.
- (2) Two-family dwelling units having a minimum of 700 square feet per dwelling unit, exclusive of garages, carports and screened areas.
- (3) Buildings, structures or uses maintained or operated by the city.
- (4) Home occupations as provided in article V of this chapter.
- (5) Private docks and boathouses, provided that such structures maintain a 25-foot side yard setback. A ten-foot side yard setback may be allowed upon receipt of properly authorized documentation from directly abutting property owners. It shall be further provided that such structures comply with state and/or federal regulations, as applicable.
- (6) Field crops, orchards and other horticultural uses where no selling at retail is involved.
- (7) Accessory uses: customary accessory buildings and structures, including private garages, noncommercial greenhouses and workshops.

(Code 1998, § 122-143; Ord. No. 281-C, § 1(ch. 7), 11-8-1994; Ord. No. 290-C, § III, 10-27-1998)

Sec. 122-144. - Conditional uses.

(a) Conditional uses in the R-2 district are as follows:

- (1) Townhouses and multifamily development having a minimum floor area of 600 square feet per unit, exclusive of garages, carports and screened areas.
- (2) Churches, provided adequate buffer strips between residential uses are provided.
- (3) Public or semipublic facilities or structures not maintained by the city (i.e., operated by another unit of government).
- (4) Utility facilities (i.e., electric transformers, gas regulator stations, etc.).
- (5) Planned unit development per article IV of this chapter.
- (6) Cemeteries.

(b) In case of uncertainty of the classification of any use, uses may be permitted which, after consideration by the planning and zoning commission and approval by the city council, are not more obnoxious to the district than uses provided in this section. All conditional uses must be provided per chapter 86, article III, division 3.

(Code 1998, § 122-144; Ord. No. 281-C, § 1(ch. 7), 11-8-1994; Ord. No. 290-C, § III, 10-27-1998)

Sec. 122-145. - Lot and height requirements.

Lot and height requirements for the R-2 district are as follows:

- (1) *Lot size.* Lot size for single-family dwellings shall be not less than 7,500 square feet. Lot size for two-family dwellings shall be not less than 10,000 square feet. Minimum lot size for multifamily development shall be 5,000 square feet per dwelling unit.
- (2) *Lot width.* Minimum lot width for single-family and two-family dwellings shall be 75 feet measured at the building setback line, and 50 feet measured along the property lines contiguous to any street, road or highway. Minimum lot width for multifamily development shall be 100 feet measured at the building setback line, and 50 feet measured along the property lines contiguous to any street, road or highway.
- (3)

Impervious surface coverage. For all residential development, the maximum impervious surface coverage shall be 55 percent, with the principal building, driveway and walkways limited to 45 percent, except for multifamily development the maximum shall be 70 percent.

- (4) *Height.* Maximum height of 35 feet shall be allowable for all designated habitable, occupancy use areas of a building or structure, and a maximum height of 45 feet shall be allowable for the finished height of all buildings or structures. For the purposes of this section and Code, habitable, occupancy use area shall mean that portion of a building or structure included between the upper surface of a floor and the ceiling above, intended for human occupancy. The height limitations of this chapter shall also apply to church spires, belfries, cupolas and domes not intended for human occupancy and may be a maximum of 55 feet in height. Facilities owned by the city are exempt from the height regulations.

(Code 1998, § 122-145; Ord. No. 281-C, § 1(ch. 7), 11-8-1994; Ord. No. 287-C, § II, 5-26-1998; Ord. No. 300-C, § 2, 6-27-2000; Ord. No. 355-C, § 122-145, 10-23-2007)

Sec. 122-146. - Yards.

Minimum yard requirements for the R-2 district are as follows:

- (1) *Front yard.* Property adjacent to Hartwood Marsh Road, SR 50 and U.S. Highway 27 shall maintain a 50-foot setback. The setback on all other streets shall be 25 feet.
- (2) *Side yard.* The minimum side yard setback is 7.5 feet. On corner lots the setback shall be 50 feet on Hartwood Marsh Road, SR 50 and U.S. Highway 27 and 25 feet on any side adjacent to any other street and 7.5 feet on the interior side yard.
- (3) *Rear yard.* The minimum rear yard setback is 25 feet except where a rear yard abuts Hartwood Marsh Road, SR 50 or U.S. Highway 27, a setback of 50 feet shall be maintained. The rear building line on lakefront property shall be measured from the established high-water mark. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.
- (4) *Buffer strip.* When a conditional use or multifamily use abuts a residential use, the conditional use or the multifamily use shall provide a buffer strip along the abutting property line.

- (5) *Other setbacks.* All yard setbacks for principal buildings shall be a minimum of 25 feet from the established high-water mark. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.

(Code 1998, § 122-146; Ord. No. 281-C, § 1(ch. 7), 11-8-1994; Ord. No. 298-C, § 2, 6-27-2000)

Secs. 122-147—122-160. - Reserved.

quired. Subdivisions platted prior to the adoption of this amendment (September 26, 2000) or subdivisions with improvement plans being reviewed by the site review committee as of the effective date hereof, and finally approved and recorded within 12 months of the effective date hereof, shall have a minimum lot size of 10,000 square feet.

- (2) *Lot width.* Minimum lot width is 100 feet measured at the building setback line, and 50 feet measured along the property lines contiguous to any street, road or highway.
- (3) *Impervious surface coverage.* For all residential development, the maximum impervious surface coverage shall be 55 percent, with the principal building, driveway and walkways limited to 45 percent.
- (4) *Height.* Maximum height of 35 feet shall be allowable for all designated habitable, occupancy use areas of a building or structure, and a maximum height of 45 feet shall be allowable for the finished height of all buildings or structures. For the purposes of this section and Code, habitable, occupancy use area shall mean that portion of a building or structure included between the upper surface of a floor and the ceiling above, intended for human occupancy. The height limitations of this chapter shall also apply to church spires, belfries, cupolas and domes not intended for human occupancy and may be a maximum of 55 feet in height. Facilities owned by the city are exempt from the height regulations.

(Code 1998, § 122-104; Ord. No. 281-C, § 1(ch. 7), 11-8-1994; Ord. No. 287-C, § II, 5-26-1998; Ord. No. 300-C, § 2, 6-27-2000; Ord. No. 301-C, § 2, 9-26-2000; Ord. No. 355-C, § 122-104, 10-23-2007)

Sec. 122-105. Yards.

Minimum yard requirements for the R-1-A district are as follows:

- (1) *Front yard.* Property adjacent to Hartwood Marsh Road, SR 50 and U.S. Highway 27 shall maintain a 50-foot setback. The setback on all other streets shall be 35 feet.

- (2) *Side yard.* The minimum side yard setback shall be nine feet. On corner lots the setback shall be 50 feet on Hartwood Marsh Road, SR 50 and U.S. Highway 27 and 35 feet on any side adjacent to any other street and nine feet on the interior side yard.
- (3) *Rear yard.* The minimum rear yard setback shall be 25 feet except where a rear yard abuts Hartwood Marsh Road, SR 50 or U.S. highway 27, a setback of 50 feet shall be maintained. The rear building line on lakefront property shall be measured from the established high-water mark. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.
- (4) *Buffer strip.* When a conditional use abuts a residential use, the conditional use shall provide a buffer strip along the abutting property line.
- (5) *Other setbacks.* All yard setbacks for principal buildings shall be a minimum of 25 feet from the established high-water mark. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.

(Code 1998, § 122-105; Ord. No. 281-C, § 1(ch. 7), 11-8-1994; Ord. No. 298-C, § 2, 6-27-2000)

Secs. 122-106—122-120. Reserved.

DIVISION 5. R-1 SINGLE-FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT*

Sec. 122-121. Intent.

The R-1 district is intended for single-family structures to be used so as to provide for a medium density single-family residential usage. (Code 1998, § 122-121; Ord. No. 281-C, § 1(ch. 7), 11-8-1994)

*Note—See the editor's note to div. 2.

Sec. 122-122. Permitted uses.

Permitted uses in the R-1 district are as follows:

- (1) Single-family dwelling units having a minimum living area of 1,000 square feet, exclusive of garages, carports and screened areas.
- (2) Buildings, structures or uses maintained or operated by the city.
- (3) Home occupations as provided in article V of this chapter.
- (4) Field crops, orchards and other horticultural uses where no selling at retail is involved.
- (5) Accessory uses: customary accessory buildings and structures, including private garages, noncommercial greenhouses and workshops.
- (6) Private docks and boathouses, provided that such structures maintain a 25-foot side yard setback. A ten-foot side yard setback may be allowed upon receipt of properly authorized documentation from directly abutting property owners. It shall be further provided that such structures comply with state and/or federal regulations, as applicable.

(Code 1998, § 122-122; Ord. No. 281-C, § 1(ch. 7), 11-8-1994; Ord. No. 290-C, § III, 10-27-1998)

Sec. 122-123. Conditional uses.

(a) Conditional uses in the R-1 district are as follows:

- (1) Churches, provided adequate buffer strips between residential uses are provided.
- (2) Public or semipublic facilities or structures not maintained by the city (i.e., operated by another unit of government).
- (3) Utility facilities (i.e., electric transformers, gas regulator stations, etc.).
- (4) Planned unit development per article IV of this chapter.
- (5) Cemeteries.

(b) In case of uncertainty of the classification of any use, uses may be permitted which, after consideration by the planning and zoning commission and approval by the city council, are not more obnoxious to the district than uses provided in this section. All conditional uses must be provided per chapter 86, article III, division 3.

(Code 1998, § 122-123; Ord. No. 281-C, § 1(ch. 7), 11-8-1994; Ord. No. 290-C, § III, 10-27-1998)

Sec. 122-124. Lot and height requirements.

Lot and height requirements for the R-1 district are as follows:

- (1) *Lot size.* A minimum usable land area of not less than 10,000 square feet is required. Subdivisions platted prior to the adoption of this amendment (September 26, 2000) or subdivisions with improvement plans being reviewed by the site review committee as of the effective date hereof, and finally approved and recorded within 12 months of the effective date hereof, shall have a minimum lot size of 7,500 square feet.
- (2) *Lot width.* Minimum lot width is 85 feet measured at the building setback line, and 50 feet measured along the property lines contiguous to any street, road or highway. Subdivisions platted prior to the adoption of this amendment (September 26, 2000) or subdivisions with improvement plans being reviewed by the site review committee as of the effective date hereof, and finally approved and recorded within 12 months of the effective date hereof, shall have a minimum lot width of 75 feet measured at the building setback line, and 50 feet measured along the property lines contiguous to any street, road or highway.
- (3) *Impervious surface coverage.* For all residential development, the maximum impervious surface coverage shall be 55 percent, with the principal building, driveway and walkways limited to 45 percent.
- (4) *Height.* Maximum height of 35 feet shall be allowable for all designated habitable, occupancy use areas of a building or struc-

ture, and a maximum height of 45 feet shall be allowable for the finished height of all buildings or structures. For the purposes of this section and Code, habitable, occupancy use area shall mean that portion of a building or structure included between the upper surface of a floor and the ceiling above, intended for human occupancy. The height limitations of this chapter shall also apply to church spires, belfries, cupolas and domes not intended for human occupancy and may be a maximum of 55 feet in height. Facilities owned by the city are exempt from the height regulations.

(Code 1998, § 122-124; Ord. No. 281-C, § 1(ch. 7), 11-8-1994; Ord. No. 287-C, § II, 5-26-1998; Ord. No. 300-C, § 2, 6-27-2000; Ord. No. 301-C, § 2, 9-26-2000; Ord. No. 355-C, § 122-124, 10-23-2007)

Sec. 122-125. Yards.

Minimum yard requirements for the R-1 district are as follows:

- (1) *Front yard.* Property adjacent to Hartwood Marsh Road, SR 50 and U.S. Highway 27 shall maintain a 50-foot setback. The setback on all other streets shall be 25 feet.
- (2) *Side yard.* The minimum side yard setback shall be 7.5 feet. On corner lots the setback shall be 50 feet on Hartwood Marsh Road, SR 50 and U.S. Highway 27 and 25 feet on any side adjacent to any other street and 7.5 feet on the interior side yard.
- (3) *Rear yard.* The minimum rear yard setback shall be 25 feet except where a rear yard abuts Hartwood Marsh Road, SR 50 or U.S. Highway 27, a setback of 50 feet shall be maintained. The rear building line on lakefront property shall be measured from the established high-water mark. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.

- (4) *Buffer strip.* When a conditional use abuts a residential use, the conditional use shall provide a buffer strip along the abutting property line.

- (5) *Other setbacks.* All yard setbacks for principal buildings shall be a minimum of 25 feet from the established high-water mark. No construction encroachment may occur in any designated 100-year floodplain except in accordance with policies of the adopted comprehensive plan and after formal approval of a site development plan by the administrative official.

(Code 1998, § 122-125; Ord. No. 281-C, § 1(ch. 7), 11-8-1994; Ord. No. 298-C, § 2, 6-27-2000)

Secs. 122-126—122-140. Reserved.

DIVISION 6. R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT*

Sec. 122-141. Intent.

The R-2 district is intended for medium density single-family and two-family residential use.

(Code 1998, § 122-141; Ord. No. 281-C, § 1(ch. 7), 11-8-1994)

Sec. 122-142. Site plan review.

A site plan review is required for two-family residential uses in the R-2 district where relief on the site is seven percent or greater, and for all multifamily uses.

(Code 1998, § 122-142; Ord. No. 281-C, § 1(ch. 7), 11-8-1994)

Sec. 122-143. Permitted uses.

Permitted uses in the R-2 district are as follows:

- (1) Single-family dwelling units having a minimum living area of 1,000 square feet, exclusive of garages, carports and screened areas.

*Note—See the editor's note to div. 2.





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Profit Corporation
BRIGMOND CONSTRUCTION, INC.

Filing Information

Document Number	P03000137036
FEI/EIN Number	20-0415426
Date Filed	11/20/2003
State	FL
Status	ACTIVE

Principal Address

11710 MONTE VISTA RD
CLERMONT, FL 34711

Mailing Address

11710 MONTE VISTA RD
CLERMONT, FL 34711

Registered Agent Name & Address

BRIGMOND, PERRY L
11710 MONTE VISTA RD
CLERMONT, FL 34711

Officer/Director Detail

Name & Address

Title PT

BRIGMOND, PERRY L
11710 MONTE VISTA ROAD
CLERMONT, FL 34711

Title VPS

BRIGMOND, DEBRA H
11710 MONTE VISTA ROAD
CLERMONT, FL 34711

Annual Reports

Report Year	Filed Date
2019	03/04/2019
2020	03/25/2020
2021	03/22/2021

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 shall be given an opportunity to express their views on this matter.

ORDINANCE NO. 2021-030

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 SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

LOCATION

Vacant parcel located on the corner of Prince Edward Avenue
and East Minneola Avenue
Alternate Key# 3375301

LEGAL DESCRIPTION

**CLERMONT, HILLCREST LOTS 31, 32 & 33-LESS W 3 FT-
PB 8 PG 53 ORB 5749 PG 1089**

REZONING SUBJECT PROPERTY:

**FROM: R-1 Single Family Medium Density District
TO: R-2 Medium Density Residential District**



The Planning & Zoning Commission will consider this request on Tuesday, October 5, 2021 at 6:30 P.M.

A public meeting to consider the request will be held before the Clermont City Council on Tuesday, October 14, 2021 at 6:30 P.M. for (Introduction) and on Tuesday, October 26, 2021 at 6:30 P.M. for (Final Adoption).

The meetings will be held at City Hall, Council Chambers, located at 685 W. Montrose Street, Clermont, FL 34711.

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.

Tracy Ackroyd Howe, MMC

Daily Commercial
September 20, 2021 and October 11, 2021

City Clerk

LF-26402155